

Testimony of  
**The Honorable Michael Shelby**

July 7, 2004

MICHAEL SHELBY  
UNITED STATES ATTORNEY  
SOUTHERN DISTRICT OF TEXAS

BEFORE THE

UNITED STATES SENATE  
COMMITTEE ON THE JUDICIARY  
SUBCOMMITTEE ON THE CONSTITUTION,  
CIVIL RIGHTS, AND PROPERTY RIGHTS

JULY 7, 2004

Good afternoon Mr. Chairman and Members of the Subcommittee. Thank you for the opportunity to appear before you today to discuss the Department of Justice=s efforts to combat the crime of human trafficking.

Over the past three years, the Department has undertaken unprecedented steps to address the evils of human trafficking within our borders, including the dedication of substantial resources not only to investigating and prosecuting these crimes, but to providing compassionate assistance to the victims, as well. The Department=s record over the past three fiscal years (FY 2001-2003) shows the results of this commitment:

? 110 persons have been charged with trafficking offenses, representing a nearly three-fold increase over the previous three-year period.

? 77 trafficking defendants have been convicted or have pled guilty, including 59 defendants in sex trafficking-related cases. Again, this is a dramatic increase in the number from the previous three year period.

? More than 200 new investigations into trafficking offenses have been opened during the past three years, more than double the number from the previous three years.

In addition, the Department has undertaken several initiatives aimed at maintaining our considerable momentum in this area. For example, the Executive Office for United States Attorneys and the Department=s Civil Rights Division have combined to provide training to investigators, prosecutors, and those who work with victims of these crimes. The Civil Rights Division has also devoted considerable resources to the development of awareness raising materials and has set-up and continues to operate a toll-free Acomplaint line@ to receive information about suspected trafficking activity. In addition, the Department=s Criminal Division is providing its expertise in dismantling organized criminal networks, and pursuing alien smuggling offenses, document fraud offenses, child exploitation offenses, and engaged in working with their foreign counterparts to ensure that trafficking in persons is effectively

investigated and prosecuted in other countries as well as in the United States. Later this month, the Department will host a Trafficking In Persons conference, which will bring federal, state, and local law enforcement officials and social service providers from around the country together for three days of seminars and workshops aimed at increasing awareness and cooperation. In short, the Department is tapping every potential resource at its disposal to address this problem. The Department also continues to implement other plans to increase our investigative and prosecutorial effectiveness. Our main focus is on the development of interagency and intergovernmental strategies to increase intelligence sharing about this often difficult to detect crime. For example, as part of the U.S. Department of Health and Human Services' (HHS) public awareness campaign to rescue and restore victims of human trafficking, DOJ joined HHS, the Department of Homeland Security, state and local law enforcement, and various faith-based and other non-governmental organizations in forming four anti-trafficking task forces in Philadelphia, Atlanta, Tampa, and Phoenix. Additional cities will be announced later this year. These collaborative efforts are designed to help establish an improved communications infrastructure regarding human trafficking activities, thereby allowing for more prompt assistance to victims and more proactive investigations of trafficking cases.

That's the view from the Department's perspective in Washington. As a prosecutor in the Southern District of Texas, I also want to share with you my perspective on what is happening in the field with respect to trafficking investigations and prosecutions.

Investigating and prosecuting human trafficking cases is one of the highest priorities of the Department of Justice, the Department of Homeland Security, and other government agencies engaged in the fight against human trafficking. The border between the United States and Mexico runs the length of my District's southern border and presents a unique challenge. The constant flow of illegal immigrants results in thousands of prosecutions each year for illegal entry and alien smuggling. In 2002, the Southern District prosecuted 7,483 immigration related cases, including 480 smuggling cases. In 2003, the number of immigration cases increased to 12,689, with 591 of these involving smuggling or trafficking. For 2004, we project more than 17,000 immigration cases, with over 700 including a smuggling or trafficking charge. Moreover, we have noticed a significant increase in the use of violence by members of organized smuggling and trafficking rings and an alarming increase in their willingness to disregard the basic safety and welfare of those they attempt to smuggle and traffic. Indeed, in the past three years, we have seen a significant increase in the number of such cases resulting in death.

Some of the recent cases that illustrate this growing problem include the following:

? In March 2003, the leader of a trafficking ring was sentenced to sixteen years in prison for holding and beating an alien in Houston. This operation transported aliens from Mexico to a safe house in Houston where they were forced to work long hours at a factory in order to pay off their smuggling fees.

? In May of 2003, three El Salvadoran nationals were sentenced to between eight and ten years in prison following their convictions for hostage taking in connection with a smuggling operation that held immigrants at gun-point and threatened them with death while their families were extorted for smuggling fees.

? In January of 2004, several defendants were sentenced to prison terms ranging from four months to fourteen years after pleading guilty to a variety of crimes, including alien smuggling. The ring leader admitted to running a human trafficking operation, holding women from Central

America against their will, raping several of the women, and forcing them to work against their will, until smuggling fees were paid by their families.

? In May of 2004, four defendants were convicted of transporting undocumented aliens and using females to work as prostitutes in a Houston nightclub. ICE agents, posing as alien smugglers, were able to penetrate the operation and uncover the criminal activities.

These are but a few examples of how the U.S. Attorney=s Office in the Southern District of Texas, in cooperation with other federal agencies and state and local law enforcement, has succeeded in taking down and prosecuting those who break the law by trafficking in human beings. Unfortunately, however, I know that this problem is probably bigger than we realize and that much work remains to be done.

Mr. Chairman, I also want to thank you for your leadership on this important issue, and look forward to working with you and the Congress as we continue to maintain our commitment to combating these criminals. I look forward to your questions.