



# **Department of Justice**

---

**STATEMENT OF**  
**BETH PHILLIPS**  
**UNITED STATES ATTORNEY**  
**WESTERN DISTRICT OF MISSOURI**

**BEFORE THE**  
**COMMITTEE ON THE JUDICIARY**  
**SUBCOMMITTEE ON HUMAN RIGHTS AND THE LAW**  
**UNITED STATES SENATE**

**HEARING ENTITLED**  
**“IN OUR OWN BACKYARD: CHILD PROSTITUTION AND SEX**  
**TRAFFICKING IN THE UNITED STATES”**

**PRESENTED**  
**FEBRUARY 24, 2010**

**STATEMENT OF  
BETH PHILLIPS  
UNITED STATES ATTORNEY – WESTERN DISTRICT OF MISSOURI  
BEFORE THE  
SENATE JUDICIARY SUBCOMMITTEE ON HUMAN RIGHTS AND THE LAW  
FEBRUARY 24, 2010**

Good afternoon, Chairman Durbin, Ranking Member Coburn, and Members of the Subcommittee. Thank you for your invitation to address the Subcommittee. As you may know, I was sworn in as the new U.S. Attorney for the Western District of Missouri on December 31, 2009. Previously, I was an Assistant U.S. Attorney in Missouri where I was the Project Safe Childhood Coordinator for our District. It is an honor to appear before the Subcommittee to discuss Department of Justice efforts around the country to prosecute individuals involved in the prostitution of children.

Let me clearly describe at the outset the crime I am here to discuss. I speak to you today about the commercial sexual exploitation of American children by American citizens. No doubt the commercial sexual exploitation of children exists around the world in many forms. Children are moved from Africa to Europe or Asia to the Middle East and are bound in sexual slavery. Young children in Southeast Asia are sold to tourists who have traveled from their home to seek sexual gratification. Girls and boys are smuggled into the United States from Asia or Central America and then held in brothels to pay off their debts. The Department of Justice is committed to doing its part to fight against all of these crimes.

But my area of focus today is on the commercial sexual exploitation of children that occurs solely within our borders. The prostitution of American children is often folded into the larger topic of human trafficking, in part because this crime falls within the definition of a “severe form of trafficking,” and in part because the statute we often use to prosecute these offenders is the sex trafficking provision found at 18 U.S.C. § 1591. It is important to keep in mind, however, that the dynamics of this particular crime, and the obstacles to combating it, are not the same as those involved when children are transported across international borders and then trapped in sexual servitude. The forces that conspire against foreign children are primarily economic. In a world with little to no economic prospects, families may tolerate their children’s involvement in prostitution as a simple means to earn money to buy food for survival. Children living in such poverty are vulnerable to the false promises of a trafficker, and agree to be transported to a new country thinking they will get work as a waitress or domestic servant, learning too late that they were bound to live in a brothel.

American children who are victimized through prostitution, however, come from all socioeconomic backgrounds and all races. It is not necessarily poverty that makes these children vulnerable, but rather abandonment, abuse, or unhappiness. Runaways, throwaways, children who are chronically truant, or who are suffering physical, sexual, or psychological abuse in the home – these are the children who are targeted by pimps. The pimps will purport to offer these children the love and attention they never had, but then will manipulate them and force them into prostitution. Unlike international sex traffickers, who incur the risk and expense of moving

children illicitly across international borders, American pimps can recruit children at almost no cost. They view their victims as an entirely fungible commodity, knowing they can easily replace one child with another. They have little fear of getting arrested and prosecuted, confident in their ability to keep the victims from cooperating with law enforcement. And they may have customers who have made clear their specific sexual interest in children. I am here today to talk to you about our efforts to protect American children from this crime.

### **Department of Justice Efforts across our Nation to Combat the Commercial Sexual Exploitation of Children inside the United States**

Although I am here representing the U.S. Attorney's Office for the Western District of Missouri, I would also note that several DOJ agencies are involved in combating the commercial sexual exploitation of children inside the United States. I appreciate this opportunity to present to the Subcommittee examples provided by the field of what the Department's many components are doing to combat such exploitation of children.

In June 2003, the Federal Bureau of Investigation's (FBI) Criminal Investigative Division, Justice Department's Child Exploitation and Obscenity Section (CEOS), and the National Center for Missing and Exploited Children (NCMEC), a non-profit organization, launched the Innocence Lost National Initiative (Initiative or ILI). The focus of the Initiative has always been the rescue and recovery of domestic victims of child prostitution. At the time it was formed, there was little recognition at the national level that this form of child sexual exploitation even existed. The Initiative sought to bring this crime to light, and to educate social service providers, law enforcement, and prosecutors so that they are equipped to address this unique crime problem.

There is also an Innocence Lost Working Group, which is comprised of representatives from numerous government and non-governmental agencies, including the Justice Department, FBI, the State Department, the Department of Health and Human Services, Immigrations and Customs Enforcement, NCMEC, Polaris Project, the American Prosecutors Research Institute, Salvation Army, and Catholic Charities. These agencies meet quarterly to share information, develop strategies, and coordinate efforts.

The heart of the Innocence Lost Initiative is the establishment of task forces or working groups that bring together state and federal law enforcement agencies, prosecutors, and social service providers, who then employ a multi-faceted, victim-centered strategy designed to identify the child victims, provide them the services they need, and to prosecute the offenders. By the end of last year, thirty-four dedicated task forces and working groups have been established throughout the United States. According to the FBI, in the 6 years from its inception through October 2009, the Innocence Lost Initiative has resulted in the identification of almost 900 child victims of prostitution; has led to 510 convictions in state and federal courts; and has seized over \$3 million of real property, vehicles, and monetary assets.

The efforts of the Innocence Lost Task Forces often result in prosecutions like the one currently taking place in Houston, Texas. In August 2009, six individuals were indicted and arrested in Houston on charges of conspiracy and sex trafficking of children, as well as forcing

and coercing adults to engage in commercial sex acts. According to the unsealed indictment, the defendants allegedly operated commercialized sex businesses often disguised as modeling studios, health spas, massage parlors and bikini bars in Houston, and used sexually oriented publications and web sites to advertise their illicit business. The criminal enterprise allegedly transported women and minors to and from the Houston area and had ties to Kansas, Nevada, Arizona and Florida. Women and minors as young as 16 were allegedly enticed and coerced into prostitution and were routinely beaten and threatened. The defendants allegedly collected any proceeds the women and minors received as a result of “dates,” rendering them dependent upon the defendants for basic necessities. The defendants face up to life in prison if convicted.

The Initiative has recently increased its law enforcement efforts through coordinated, national takedowns. Between June 2008 and October 2009, the FBI Crimes Against Children Unit coordinated a series of four national stings entitled Operation Cross Country, in order to rescue children, identify targets, and gather intelligence about the commercial sexual exploitation of American children. The first Operation Cross Country took place from June 18 to June 23, 2008. Innocence Lost Task Forces in 16 cities, ranging from Boston to Miami to San Francisco, participated in the operation by targeting venues where children are trafficked, such as truck stops, motels, casinos, and via the Internet. According to the FBI, the operation involved over 350 law enforcement officers from over 50 state, local, and federal law enforcement agencies who joined together to rescue child victims and arrest the criminals who victimize them. This operation resulted in the arrest of 356 individuals and the recovery of 21 children.

Operation Cross Country II took place in October 2008. A total of 630 law enforcement personnel participated in the operation, which resulted in 642 arrests, the disruption of 12 large-scale prostitution operations, and, most importantly, the rescue of 49 children—ages 13 to 17 years old—from the sex trade. Ten of those children had been reported as “missing” to NCMEC. Operation Cross Country III was conducted in 29 cities across the country in late February 2009. This operation led to the recovery of 48 children being prostituted domestically. Additionally, 571 criminals were arrested on a combination of state and federal charges for the domestic trafficking of children for prostitution and solicitation. Finally, Operation Cross Country IV took place in late October 2009. This operation included enforcement actions in 36 cities across 30 FBI Divisions around the country and led to the recovery of 52 children who were being victimized through prostitution. Additionally, 691 others, including 84 pimps, were arrested on state and local charges. In total, 1,547 local, state and federal law enforcement officers representing 112 separate agencies have participated so far in Operation Cross Country and ongoing enforcement efforts.

The results of these operations make one thing very clear: that concerted, multi-pronged efforts are absolutely critical to make these defendants account for their crimes. For example, late last year in Anchorage, Alaska, three men and one woman were charged in a forty-one count indictment with conspiracy to commit sex trafficking of children, promoting the prostitution of children, child pornography and other charges pertaining to the conspiracy. This indictment resulted from the investigative efforts of the Anchorage Police Department Vice Unit, the FBI, and the Internal Revenue Service—Criminal Investigation, with assistance from agents and detectives from the Innocence Lost Task Force and the Alaska Internet Crimes Against Children Task Force. In 2008, a single defendant went to trial in Anchorage, Alaska, on charges that he

forcibly prostituted girls and women. The investigation began in 2005, and required daily, round the clock commitment from the federal and local law enforcement agencies through the trial in early 2008. Three prosecutors worked on the trial itself, along with five victim-witness professionals.

One of the reasons these cases require such dedication is because a successful prosecution often turns on the testimony of children who have suffered extreme forms of psychological abuse and physical abuse at the hands of their pimps, who may lack a supportive familial structure, and who may be addicted to drugs, often because their pimp pushed drugs on them. These children may feel ashamed, distrustful and uncooperative, or even feel that nothing wrong has occurred. Quite often they may feel they are in love with their abusers, and do not want to testify against them. It takes a great deal of time for law enforcement officers to overcome these barriers and gain the victim's trust and cooperation.

Of course, law enforcement officers investigating these crimes always seek to gather as much corroborating evidence as possible, to minimize the pressure on the victim, or even to permit the prosecution to proceed without the victim's cooperation. The collection of this evidence requires the commitment of more time and more resources. But that is what is needed to prosecute these cases, as they target those defendants who view children as fungible objects that can be sold for sex.

In addition to building task forces, the Initiative also includes an emphasis on training. When it began, a week-long seminar called "Protecting Victims of Child Prostitution" was held at NCMEC in Alexandria, Virginia, approximately five times a year, although this program is no longer funded. Nonetheless, the Justice Department's Criminal Division continues its training efforts in a variety of forums, including a training conference for prosecutors and investigators at the National Advocacy Center, a conference sponsored by the Department of Education, and a conference attended by juvenile court and family court judges.

The Department of Justice's Office for Victims of Crime (OVC) expanded its Services for Trafficking Victims Discretionary Grant Program in 2009 to include three Demonstration Projects focused on the provision of services to child victims of commercial sexual exploitation. The purpose of this expansion is to identify promising practices in the delivery of a wide array of services to domestic minors who have been subjected to sex or labor trafficking. Specifically, the goals of this demonstration project are to (1) provide a comprehensive array of timely and high quality services to victims of sex and labor trafficking who are U.S. citizens or lawful permanent residents under the age of 18; (2) develop, enhance, or expand the community response to domestic minor victims of all forms of human trafficking; and (3) produce a final report about the implementation of the project, including a discussion of successes, challenges, and lessons learned, that may be disseminated through OVC to the victims' field. OVC has dedicated this funding to ensure that grantees can work in coordination with existing community-based organizations to meet the immediate and long-term needs of trafficked children regardless of whether or not the trafficked child is returned to a family or relative, placed in a group home or foster care, or placed in a detention facility.

OVC's Grant Program recognizes that secured housing and specialized services are absolutely critical to help stabilize these young victims. Secured housing allows law enforcement officers to ensure the safety of the children, and to maintain the steady contact with the victims necessary to build a rapport and establish trust. Specialized services are also required to address the full range of trauma experienced by these children. Victims of child prostitution often have been abused in the home at the outset, and then also suffer violence, at the hands of their pimps, with whom they also have sexual relationships; they also are victims of sexual assaults by the customers, in addition to any addiction or other medical conditions they may have. In order to be meaningful, the services offered to a victim must be able to account for the full dimension of their trauma.

As another example, on October 1, 2009, the Department of Justice transmitted to Congress the first Biennial Comprehensive Research and Statistical Review and Analysis of Severe forms of Trafficking, Sex Trafficking and Unlawful Commercial Sex Acts in the United States, prepared by the National Institute of Justice (NIJ) in the U.S. Department of Justice Bureau of Justice Statistics. The report noted the lack of definitive data on unlawful commercial acts in the United States due to the inherent difficulties in researching an illegal, mostly hidden operation with a population that is uncooperative for varying reasons.

Nevertheless, it reported that some scientifically rigorous studies focused in small geographic locales, such as cities, revealed demographic profiles of individuals involved in prostitution in those areas. Well over half of the individuals in a study of Chicago had first begun engaging in prostitution before their 18th birthday. A study in San Francisco found that 78 percent of individuals engaging in street prostitution reported that they started doing so as juveniles, with 60 percent starting when they were 16 years old or younger. For those who began as juveniles, 53 percent had household members who engaged in prostitution. Available information indicates that the children at risk are not just teenagers. Some studies indicate that pimps have preyed on victims as young as 12.

In addition to the efforts at OVC and NIJ, the Justice Department's Office of Juvenile Justice and Delinquency Prevention (OJJDP) has been supporting efforts to address the commercial sexual exploitation of children. In FY 2006, OJJDP provided funding and training resources under its Commercial Sexual Exploitation of Children Community Response Program, also known as C-CIP. Five communities, including San Diego, Denver, Chicago, Atlantic City, and Washington, DC, received financial assistance through C-CIP to develop a better understanding of the commercial sexual exploitation problem and local plans that involved law enforcement, prosecutors, human and social service personnel, and NGOs already working with victims. As part of this initiative, OJJDP also funds the development and delivery of a comprehensive training program created in cooperation with the Girls Educational and Mentoring Services (GEMS), the Polaris Project, and the Salvation Army.

In FY 2009, OJJDP awarded funding under a new program titled, "Improving Community Response to the Commercial Sexual Exploitation of Children" to three communities, including: Oakland, California; Portland, Oregon; and Miami, Florida. This program focuses on developing a comprehensive community approach similar to the efforts supported under the C-

CIP. Each of the three new communities will receive the C-CIP training, delivered by GEMS. In fact, the first training event is currently underway in Miami, Florida.

As the NIJ report previously referenced suggests, there is a lack of definitive data on unlawful commercial acts. This is particularly true for cases that involve the commercial sexual exploitation of children. In an effort to close that knowledge gap, OJJDP is funding research to study the prevalence of commercial sexual exploitation of children in the United States. Among the key questions for this study to answer are: 1) how many youth under 18 were victims of commercial sexual exploitation in 2008 in the United States; 2) how many of these victims were known to law enforcement; and 3) how many of these victims were not known to law enforcement but received services. Preliminary findings from the study are due in early 2011.

### **Conclusion**

The Justice Department is committed to its multi-pronged attack against the victimization of American children through prostitution. From a law enforcement perspective, our efforts are focused through the Innocence Lost Initiative, which seeks to build capacity through the establishment and training of task forces, so that we can successfully prosecute these offenders, and announce to others who are considering engaging in this crime that if they try to make money off of the backs of children, they risk serving a substantial federal sentence.