

Combating Human Trafficking in Nebraska

Task Force Review 2019
Nebraska Attorney General's Office



Nebraska
Human Trafficking
TASK FORCE



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The Nebraska Human Trafficking Task Force (NHTTF) is now four years old. Led by the Nebraska Attorney General's Office, NHTTF operates in partnership with numerous law enforcement agencies and non-governmental organizations under the common mission of ending human trafficking in our state.

This report highlights relevant developments over the past several years in Nebraska's fight against human trafficking with a glimpse of NHTTF's future. Nebraskans, once aware human trafficking is here, are passionate about ending it. This report illustrates what can be done when people with widely different roles are unified around a common mission.

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Recent History

NHTTF and Human Trafficking in Nebraska

2000

The United States Congress passes the Trafficking Victims Protection Act (TVPA), the first criminal law defining and criminalizing trafficking in persons anywhere in the United States.¹

2006

Nebraska passes its first law defining and criminalizing human trafficking.²

2009

The University of Nebraska hosts its first Interdisciplinary Conference on Human Trafficking.

2010

The FBI forms the task force now known as the Omaha Child Exploitation Task Force, seeking enforcement against child exploitation and human trafficking.

2011

Shared Hope gives Nebraska an F grade for our legal framework addressing the sex trafficking of children. A survivor leadership group is founded by Rachel Pointer.

2012

The Governor's Task Force convenes for the first time. Nebraska brings its first trafficking prosecution in state court, *State v. Mangiameli*. The case concludes in 2013, with a conviction and sentence of 30-50 years for sex trafficking a boy under 15 years old.

2014

The Coalition on Human Trafficking is founded. This year sees the first trafficking awareness campaign for the College World Series.

¹ Pub. L. 106-386, Div. A, § 103 (8) and (9); § 112, Oct. 28, 2000.
² 2006 LB 1086, Sec. 10 (11) defining "Trafficking victim."

2015

The Set Me Free Project begins its trafficking prevention education programming in Omaha metro area schools. The Women's Fund of Omaha creates a full-time position focused on local and statewide systems response to trafficking.

Late this year, the Attorney General and the Salvation Army receives a federal grant to develop and coordinate human trafficking victim services and law enforcement efforts. The grant provides seed money to establish the Nebraska Human Trafficking Task Force. This year the Shared Hope grade for Nebraska increases from a D to a C.

2016

The Women's Center for Advancement and Youth Emergency Services launches the INDIGO Program, providing direct services to young adult survivors of sex and labor trafficking. NHTTF forms the Advisory Group and various committees to maximize the effectiveness of the task force. It also conducts a series of two-day human trafficking training sessions across the state for both law enforcement and service providers. NHTTF holds meetings across the state and begins forming the regional teams.

The Network of Services begins meeting to better coordinate service providers. The Women's Fund of Omaha sponsors several key members of NHTTF to attend the Shared Hope Conference in Washington, D.C. Stephen Patrick O'Meara retires from the NHTTF Coordinator position. Shared Hope gives Nebraska a B grade for the first time.

The Force, a grassroots group of citizens, forms and focuses on raising awareness and creating partnerships to help end sex trafficking in Nebraska. By 2019, it grows to nearly 300 individuals.

2017

The Legislature passes LB298, which improves the language of the criminal law and increases the penalties for human trafficking. On February 23rd of this year, many people in the anti-trafficking movement testify at the committee hearing for this bill. It passes without any opposing vote.

NHTTF holds its first annual planning meeting in January and sets goals for the year. It continues forming the regional teams and conducts a series of one-day training sessions on labor trafficking for law enforcement and service providers. NHTTF also begins regular, proactive operations aiming at finding traffickers. The first jury trial of a human trafficking prosecution in Nebraska occurs this year and ends in a conviction with a sentence of 180 years.

The Coalition on Human Trafficking creates its Hotel-Motel Project. The Rejuvenating Women's Restored Wings Residential Program begins. Anna Brewer and Annie Boatright join the Nebraska Attorney General's Office and become essential contributors to NHTTF. Upon invitation, NHTTF conducts a series of training for staff of the Lincoln Public Schools.

2018

NHTTF focuses on larger networks of human trafficking and works on state-wide investigations. In particular, there is one multi-agency cooperation – Omaha Police Department, Lincoln Police Department, Nebraska Attorney General’s Office, Nebraska State Patrol, HTI Labs, Homeland Security Investigations, U.S. Attorney’s Office, etc. – uncovering a large sex trafficking network based in Omaha with links across the country. Data scientists Crysta Price and Terry Clark, who had partnered with law enforcement for years before this, officially form HTI Labs into a limited liability company this year.

NHTTF develops and disseminates the first curriculum for law enforcement academies in Nebraska. The first Nebraska Supreme Court case on human trafficking, *State v. Swindle*, affirms a conviction of sex trafficking of a minor, holding that one does not need to know the victim’s age to be convicted. Alicia Webber and Erin Aliano leave for other jobs, and Jane Thorson and Sarah Forrest join.

2019

NHTTF gives a series of three-hour training sessions on *Human Trafficking 101* across the state and trains a few hundred law enforcement officers. NHTTF also develops and circulates a video series for law enforcement and another version for the education sector.

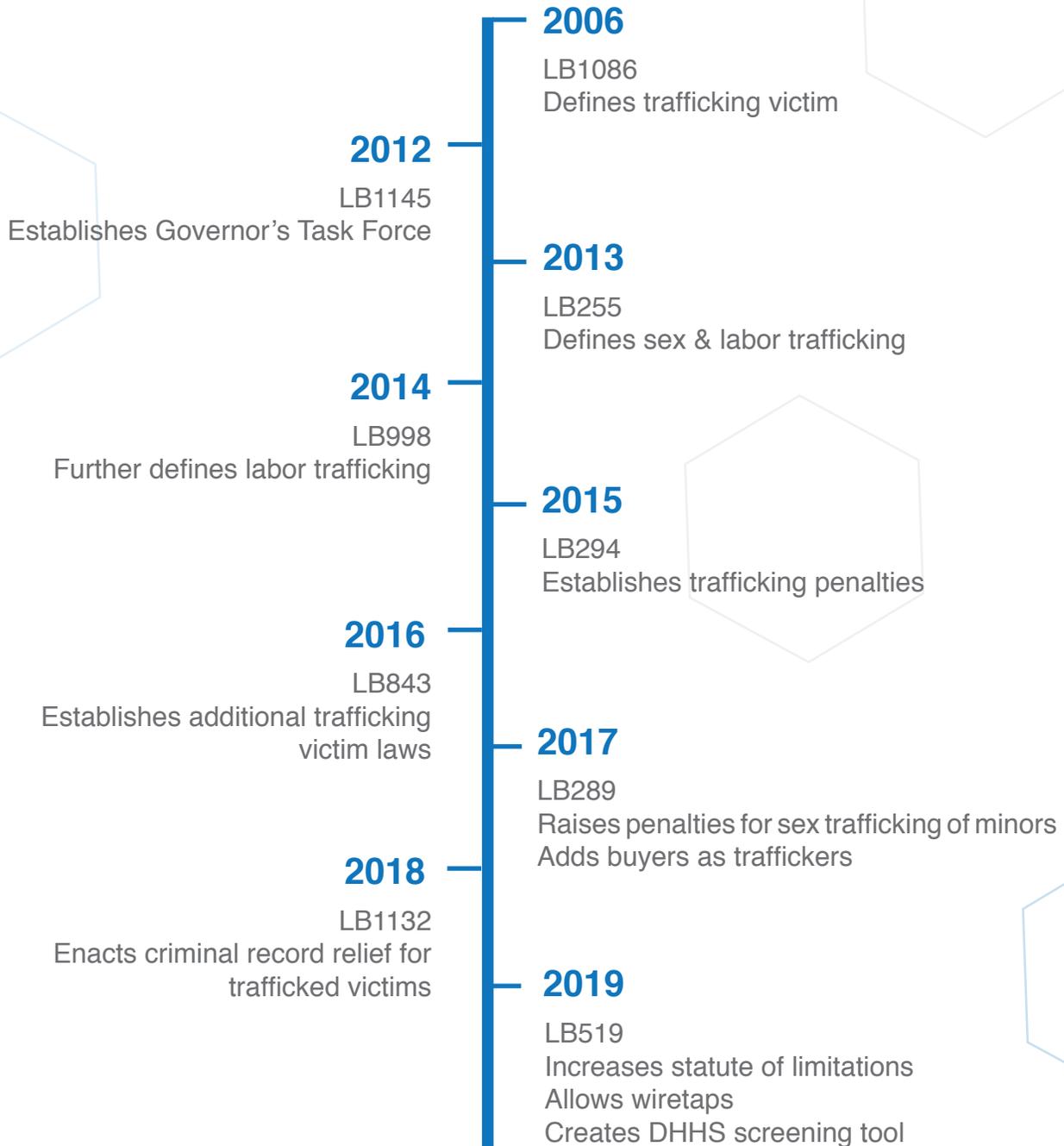
The first offering of the International Conference on Human Trafficking Research (ICHTR) draws leading researchers from across the globe to the event held at Creighton in May. According to Polaris’ analysis of states’ laws on record relief, Nebraska is #1 in the nation. The Women’s Center for Advancement successfully uses this law for the first time to clear the records of some trafficking victims. Shared Hope gives Nebraska its first A grade, making Nebraska one of only six states to raise up four grades in its system.

PAVE, the screening tool system developed by NHTTF partners on the Screening Committee, develops, tests, and is now live and working – a huge milestone. Heartland Family Services opens Sanctuary House, a crisis stabilization shelter serving survivors of sex trafficking.

The first era of NHTTF ends this year as it makes a few adjustments and continues under a revised new structure, beginning in 2020.

History of Nebraska Laws

Addressing Human Trafficking



For more detailed information,
see Appendix A

Training, Education, and Awareness

Sex Trafficking Training - Fall 2016

NHTTF provided training for both law enforcement and victim service providers at the same conference hall for two days. Having both groups in attendance was vital to helping build necessary relationships to best address human trafficking.

In the training sessions, we ran through the following hypothetical situation, which was effective at identifying underlining frustrations:

A Hypothetical Situation

Officer Adams, working overtime and serving the community faithfully, helped conduct a proactive operation in which a sex trafficking survivor, Beth, was found. A social worker, Cathy, arranged for Beth to spend that night in a local domestic violence shelter. The next morning, Officer Adam comes to the shelter and asks Cathy if he could speak with Beth for just a few minutes to get a few more details about the trafficker.

Cathy replies, “I can neither confirm nor deny that Beth is here.”

“What?! After all we did to help her get out of there, and after trusting you with her care, you’re now shutting me out?! Good riddance!”

What is the solution to this hypothetical situation? It is two-fold. First is the context: Some laws require confidentiality and insist the survivor decides when to speak to the police. No information goes to law enforcement until that point. So, it is not a personal affront or a dismissal of the great work law enforcement does to stop trafficking and help victims get out.

Second, NHTTF aims to foster a law enforcement-service provider relationship such that the officer, after asking for Beth, can go back to his car for a few minutes with the knowledge that, if Beth is in there, Cathy will vouch for the officer and encourage Beth to speak with the officer if she is ready. If she is ready, Cathy calls the officer back in; if not, we try again another day.

Labor Trafficking Training - Fall 2017

NHTTF did another Nebraska tour in six cities, which provided one-day training focused on labor trafficking. Justice for our Neighbors (now the Immigrant Legal Center) joined NHTTF to tell law enforcement and service providers about relevant Visas and other tips on engaging with foreign nationals.



Demand An End - 2018

The Nebraska Attorney General's Office launched the Demand An End campaign. The campaign gave a voice to those demanding an end to sex trafficking and highlighted efforts to end the demand for commercial sex with victims. The campaign followed a recent change in criminal law, authorizing the state to prosecute sex buyers along with those who sell minors or trafficking victims.

The campaign included posters displayed in rest stops along I-80, a social media push, and a short video creatively illustrating that sex buyers are not as anonymous as they think.

75 partners for Demand An End

Human Trafficking 101 for Law Enforcement - 2019

The aim is to train all sworn officers in Nebraska to have a basic understanding of human trafficking, the law and dynamics, and the regional team structure. The good news is that every new recruit in the state will now get several hours of training before graduating. But there are a few thousand officers throughout the state who did not get such training in the academy.

So, throughout March this year, NHTTF presented three-hour trainings, once in the afternoon and once in the evening, in six cities and towns across Nebraska. The trainings ranged from a session with only two participants to another session of 73. In total, we trained a total of 342 officers that month.

During the *Human Trafficking 101* training, a sex trafficking survivor, who is a dynamic speaker, was able to present with us. During the time she was trafficked, she had good and bad experiences with law enforcement, but was so appreciative of those who helped her. She said the little drops of kindness over the years eventually led her to feel safe enough to open up to the police and get out of that life. After her talk, she graciously opened it up for questions. The officers listened intently and openly appreciated her bravery and insight. At the end of one of the training sessions a state patrol lieutenant told the other presenters, “No offense, but she was the highlight.” So true.



3 Hours



12 Trainings



6 Cities



342 Officers

Not On My Watch - 2019

The College World Series in Omaha was the focus of another campaign. The Omaha Police Department conducted law enforcement operations to address sex trafficking activity. At the same time, the Women's Fund of Omaha organized an awareness initiative to inform people about the reality and signs of human trafficking. The Governor, the Attorney General, Omaha's mayor, state senators, and a trafficking survivor spoke at a news conference outlining the overall progress in the fight against human trafficking.



When You Can't Walk Away - 2019

Sometimes, you can't walk away because someone has an exploitative power over you. Sometimes, you can't walk away because you have seen someone who is trapped, and you can't ignore it. In either case, calling the National Human Trafficking Hotline is a good first step.

In the summer of 2019, the Governor's Office and the Attorney General's Office, in partnership with the Department of Transportation (DOT), designed posters to catch one's attention and provide the hotline phone number. The DOT placed these posters in rest stops across the state. The "When You Can't Walk Away" message is inspired by the Blue Campaign, developed through the Department of Homeland Security.

Other Speaking Engagements

NHTTF has trained thousands of people in person across the state since 2017. Much of the training was to the general public – from a Rotary Club meeting in Imperial to an informational evening at LifeGate Church in Omaha to a fraternity at UNL to 400 people in a conference hall in Gering. Much of the training was to strategically-placed people, who were more likely to encounter forced labor or sex trafficking – groups like medical personnel, county attorneys, emergency dispatchers, educators, judges, carpenters, truck drivers, and, of course, law enforcement and service providers.

Another distinctive of Nebraska’s anti-trafficking community is its academic research focus. Over the past several years, the University of Nebraska has held many research-based human trafficking conferences involving NHTTF partners. Additionally, the International Conference on Human Trafficking Research (ICHTR) was recently founded, in part by Crysta Price and Terry Clark, as well as Jennifer Bossard at Doane University. The inaugural research conference was held at Creighton University in 2019. Nebraska is fortunate to have academic talent and focus on this issue.

Video Series

The Attorney General’s Office has developed and produced a video series about human trafficking in Nebraska. In four parts with a running time of about 45 minutes, the videos explain what human trafficking is, whether and where it happens in Nebraska, what to look for, and what to do when you find it. It was initially created for the education and law enforcement sectors. A series of informative videos are now available on the Attorney General’s website for the public.

Law enforcement &
educator videos viewed

1105 times.

Detection and Enforcement

22

proactive operations

135

human trafficking investigations by NHTTF

64

people arrested for human trafficking-related incidents by NHTTF

33

human trafficking prosecutions statewide under state law

24 convictions
13 for human trafficking
1 acquittal
4 pending
4 records sealed

Proactive Operations

NHTTF, through its regional teams, has conducted 22 proactive operations. Some of the operations have focused on sex buyers, especially those seeking to buy sex from minors. Other operations have concentrated on those offering commercial sex. Given NHTTF's victim presumption, this type of operation includes discussions with victim advocates, an explanation of services available, and an encouragement to disclose any coercion or force others may have used in the transaction.

National Hotline

False Alarm but a Good Example

A tip came into the National Hotline about a truck driver at a truck stop in Grand Island. A man appeared to be with an undernourished, disheveled teenaged girl. He grabbed her arm and told her to get into the truck cab with him, and they then drove away. That information came to the Nebraska State Patrol and Homeland Security Investigations (HSI), the FBI, and the Nebraska Attorney General's Office. The State Patrol immediately went to the truck stop, conducted some investigation, but the truck was gone in an unknown direction. HSI then found the truck in Council Bluffs, heading east. HSI called the trucking company, who told them the driver had requested permission to bring his daughter with him on this trip. To verify, HSI called the girl's mom (the man's wife) to confirm the information, and sure enough, this was a harmless father-daughter trip and not a trafficking situation. Yet the signs were more than enough to call it in.

Law enforcement wants all credible tips from the public, even though some of them ultimately will not reveal human trafficking. A false positive (a tip that turns out not to be trafficking) takes a little time to investigate but is an investment. A false negative (signs of an actual trafficking situation seen but dismissed) is a tragedy.

Successful tips on actual trafficking are pending and cannot be discussed here.

Prosecutions and Convictions

Not Just an Omaha Problem

A young woman was socializing with the wrong crowd in and around Scottsbluff a few years ago. One day, while she was driving some of these individuals around town, the police pulled her over for a minor driving infraction. This stop led to the arrest of a passenger who had a warrant out for his arrest. His friends then blamed the young woman for his arrest and demanded she pay for his bail. When she did not have the money and had no way of getting it, these people locked her up and began to sell her for sex against her will to raise the money.

In all, four people were arrested, and all were eventually convicted of sex trafficking. The two ring leaders were each sentenced to 12-14 years in prison. This scenario illustrates the reality that human trafficking does happen in Nebraska, outside Omaha and Lincoln. It also illustrates that we are now trained and better prepared to find it, stop it, and successfully prosecute the traffickers.

Victim/Survivor Engagement

In these four years of the NHTTF, Salvation Army's SAFE-T Program has coordinated the services side of the collaboration. NHTTF advocacy partners have provided hundreds of victims and survivors of human trafficking with services, some of which are long term, comprehensive, and at various places across the state. These services have included emergency shelter, short-term and long-term housing, access to counseling, substance abuse treatment, medical care, legal advocacy, and other services supporting individual client goals.

In addition to hundreds of victims and survivors served directly, the NHTTF Services Committee, led by SAFE-T and the Women's Center for Advancement, developed the operative Nebraska Standards of Practice to Support Victims/Survivors of Trafficking. The group has held several *Human Trafficking 201: Standards of Practice* trainings for victim advocates representing service providers, law enforcement, state agencies and systems-based advocates. This training will continue under Nebraska PATH and will continue to foster active, collaborative partnerships with dozens of different service providers across the state of Nebraska.

Important Role of Victim Specialists

While walking alone in Omaha, a developmentally delayed fifteen-year-old girl was coaxed into a man's car. By the end of the night, she was sexually assaulted, photographed, and was advertised for sale on the main escort website at the time. She got out within a few days, due to her mother's and a vigilant police officer's actions.

Over the next several months, an investigator and a Salvation Army specialist spent countless hours with her – building a trustworthy relationship, helping her cope with it all. They eventually assisted her in preparing for the criminal trial against the man. One spring day, she came to the courthouse to testify against her trafficker. She bravely took the stand and confidently answered questions. It was going well. But suddenly, something changed. Overwhelmed by it all, she stopped talking, stood up, and left the courtroom in the middle of her testimony. Calmly, the Salvation Army specialist came alongside her in the courthouse corridor and held her hand. She was able to walk the teen through the stress of it all. About 20 minutes later, the brave survivor was back on the stand, testifying strongly against her abuser, who sat just feet away from her, shaking his head dismissively. The prosecution lasted seven days, but the jury took less than two hours to convict him on all counts.

The result was possible only because of the hours and hours of dedication and cooperation of dozens of people – the survivor’s mom, the police, the investigators, the case manager/counselors, the service providers, the prosecutors, and of course the brave survivor herself. Since the beginning, an NHTTF distinctive has been a recognition of the need to have strong, trustworthy relationships between service providers and law enforcement, with an appreciation of the respective roles. This case illustrates what we can overcome when each of us does our part.

The Future

This report is an overview, highlighting some of the human trafficking fight over the last four years. We celebrate the milestones but now turn our attention to building on this momentum.

NHTTF Focus

NHTTF in 2020 and onward is more streamlined to focus on finding human trafficking in Nebraska and combating it through all means. We will maintain, as always, our trauma-informed approach, never forgetting why we do this. The oversight of victim/survivor care, however, will now be organized under a new umbrella.

Nebraska PATH

This group, an acronym for Partnership Against the Trafficking of Humans (PATH), is now being formed to organize the services side of the statewide approach to human trafficking. It will play a vital, complementary role to NHTTF, focusing on the survivors and those dedicated to assisting them in thriving. Nebraska PATH members already formed the governing Standards of Care. It will continue to train key personnel in the ongoing series of multi-disciplinary *Services 201* regional trainings.

NHTTF Vision

Beginning in 2020 these are the NHTTF mission, goals, and structure that will guide the task force:

NHTTF Mission

The mission of NHTTF is to end human trafficking in Nebraska.

NHTTF Goals



FIND
human trafficking
in Nebraska

Targeted investigations, proactive operations, data analysis, and communication among task force partners.



STOP
traffickers

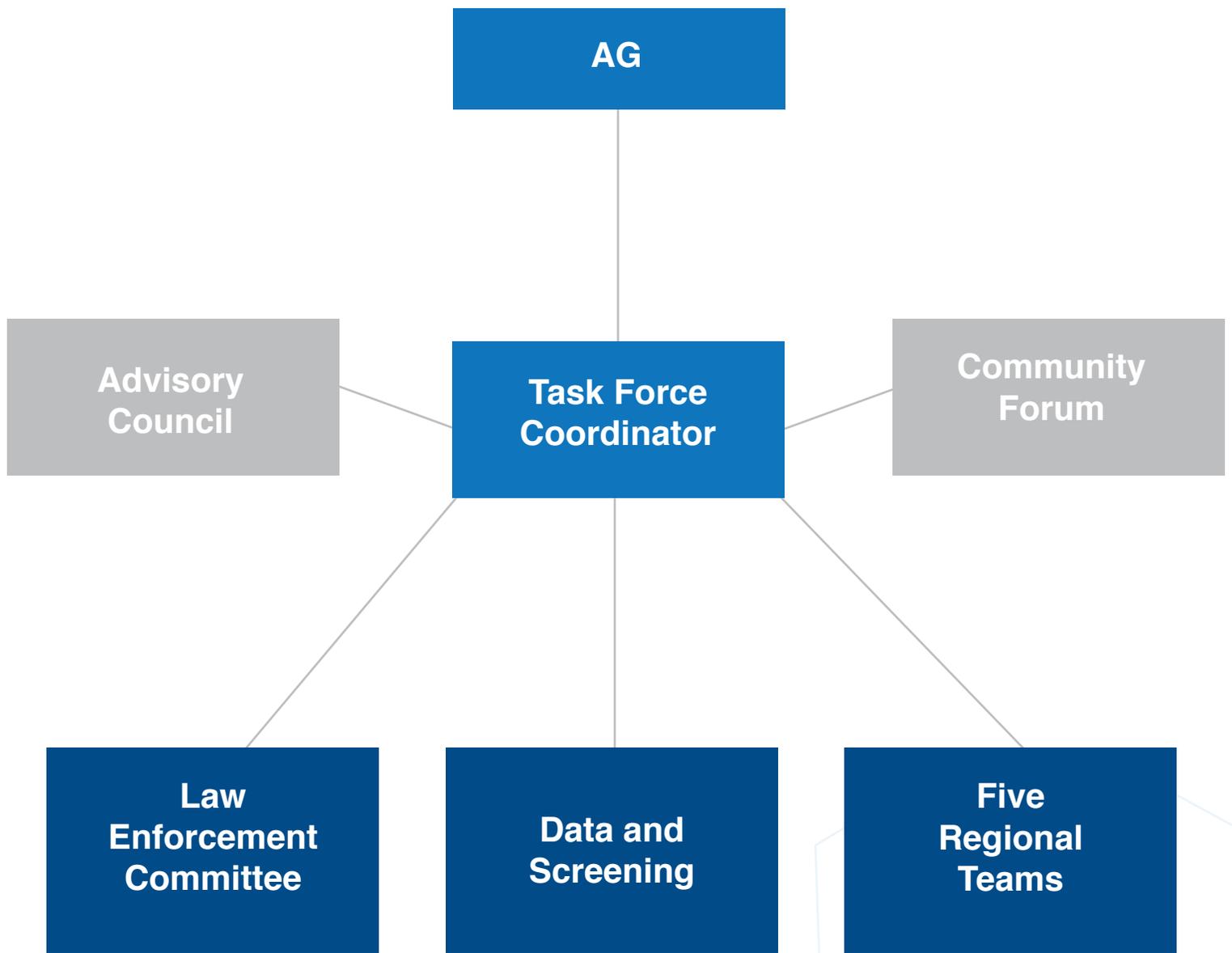
Arrest and prosecute, forfeiting assets used in human trafficking, dismantling any human trafficking enterprise, otherwise combating trafficking efforts.



RECOGNIZE
each victim

A trauma-informed approach and referrals to trauma-informed, client-centered services.

Structure of NHTTF



Appendix A

Laws Addressing Human Trafficking in Nebraska

2006

LB1086 **Senator Synowiecki**

LB1086 is the first Nebraska law to use the word *trafficking* in the human trafficking context, although only in defining “trafficking victim.” It introduces three new crimes: solicitation of prostitution, forced labor or services, and causing a minor to engage in commercial sex.

2012

LB1145 **Senator McGill**

LB1145 establishes the Governor’s Task Force on Human Trafficking and increases the penalties on pandering, otherwise known as pimping.

2012

LB255 **Senator McGill**

LB255 is the first bill to define *labor trafficking* and *sex trafficking*, both of an adult and a minor. It gives minors immunity from prostitution charges and gives trafficking victims an affirmative defense against prostitution charges. It also increases the penalties both for solicitation of a minor and for keeping a place of prostitution if used by a minor. It gives law enforcement authority to take a minor into temporary custody if the minor is involved in commercial sex.

2014

LB998 **Senator Karpisek**

LB998 adds other ways to prove force in labor trafficking cases, including abuse of the legal system, controlling access to a controlled substance, exploiting a substantial mental impairment, and debt bondage, which is now statutorily defined.

2015

LB294 **Senator Scheer**

LB294 raises the penalties for trafficking offenses. It also provides a process for a trafficking victim to bring civil charges against the trafficker within ten years and allows the victim to use a pseudonym for those proceedings. It also authorizes civil forfeiture of any property used in human trafficking.

2016

LB843 **Senator Pansing Brooks**

LB843 gives trafficking victims immunity from prostitution prosecution. It also establishes the fund to pay for all sexual assault examinations across the state and a guarantee that no sexual assault victim will be responsible for paying for a sexual assault examination.

2017

LB289 **Senator Pansing Brooks**

LB289 raises penalties to a Class II felony, both for pandering and trafficking an adult and to a Class IB felony for trafficking a minor. It establishes that victims of trafficking cannot be prosecuted as participants in other's trafficking ventures. Additionally, the bill aligns Nebraska with federal law defining solicitation (purchasing sex) of a minor as sex trafficking and requires a lack of consent from an adult victim to constitute sex trafficking. Furthermore, it makes clear that any consent of a minor or a belief that the minor is an adult is irrelevant to the crime of trafficking of a minor.

2018

LB1132 **Senator Pansing Brooks**

LB1132 provides a procedure to set aside convictions when the criminal acts were committed as a result of being trafficked. It also requires certain reporting by medical personnel of suspected sexual assault injuries and mandates a statewide anonymous reporting protocol.



2019

LB519
Senator Slama

LB519 increases the statute of limitations for all human trafficking crimes to seven years for adult victims and no limitations for minor victims. It also authorizes wiretaps for human trafficking investigations. It mandates that DHHS use specialized screening tools to identify child trafficking victims and that DHHS accept for investigation all reports of trafficking of a minor, even if the trafficker is not a parent or guardian.

