



Prosecuting Sex Traffickers: Strategies for Witnesses in Child Sex Trafficking and Exploitation Cases



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National Criminal Justice Training Center
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Webinar Information

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AMBER Alert Training and Technical Assistance Program

Mission

To safely recover missing, endangered, or abducted children through the coordinated efforts of law enforcement, media, transportation, and other partners by using training and technology to enhance response capacities and capabilities and increase public participation.

During the Webinar

- All attendees will be muted.
- If you desire to ask a question, please use the questions section of the GoToWebinar dialogue box, typically on the right side of your screen.
- Questions will either be answered directly by a panelist or asked to the presenter who will answer during the Q & A portion of the presentation.

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Poll Questions

- Poll questions may be asked during the webinar.
 - They are asked so we can better understand the audience and provide the most useful information to you.
- As they will only be open a short period of time, please respond promptly.



POLL OPTION: Which of the following best describes your role?

- Investigator (Law Enforcement, CPS)
- Prosecutor, Attorney
- Forensic Interviewer, Social Worker, Child Advocacy Center
- Medical, Mental Health
- Other (type your role in the question box)





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- 17 years – Assistant District Attorney
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Prosecuting Sex Traffickers: Strategies for Witnesses in Child Sex Trafficking and Exploitation Cases



Objectives



- Analyze potential witnesses to maximize prosecutorial success
- Leverage skills to approach victims, witnesses, and accomplices to prepare them for trial
- Understand witness issues that will arise in the preparation of a CSEC case for trial

POLL OPTION: Have you ever been involved with the prosecution of child sex trafficking (CST) cases, in any capacity?

- Involved with more than 5 CST cases that have gone to trial
- Involved with less than 5 CST cases that have gone to trial
- Involved with CST but trial was pled/dismissed before trial
- Involved with CST but trial pled/dismissed before trial prep
- I have not been involved with the prosecution of CST cases



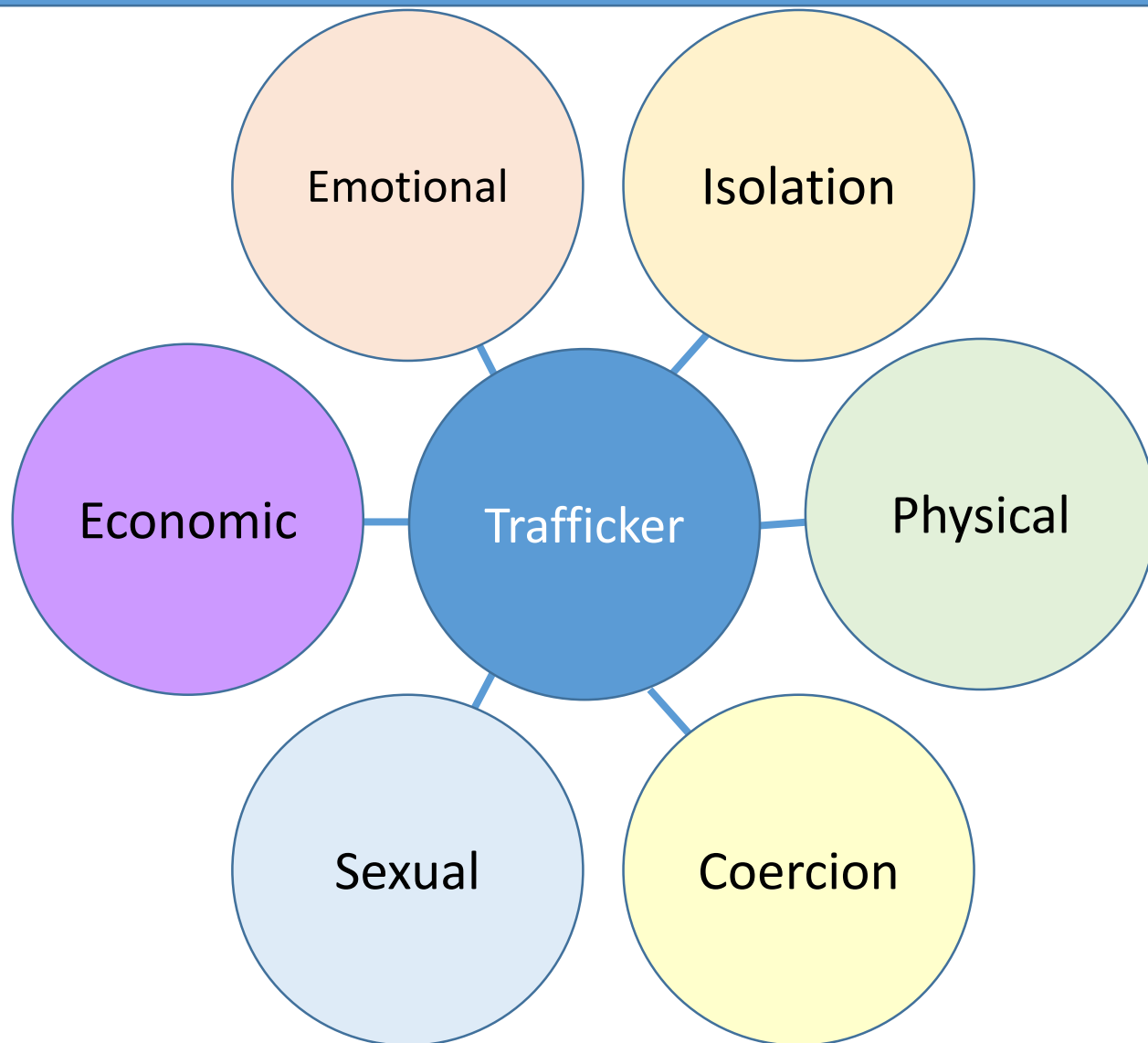
Victim Considerations

- Age
- Delinquency
- Chronicle of abuse
- Guardian support
- Substance abuse issues
- Mental health treatment
- Stability
- Repeat victimization

Victim's Perspective

- Love and affection for the trafficker
- Danger everywhere
- Distrust of authority
- Not ready to leave the life
- Complicit / “Just as guilty”

Trafficker's use of power and control



Victim Preparation

Early contact

- Establish relationship ASAP
- Be ready
 - ❖ Testing
 - ❖ Manipulation
 - ❖ Counter-surveillance



“Meet and Greets”

- First discuss their issues and concerns:
 - Housing
 - Medical and sexual health
 - Substance abuse and mental issues
 - Counseling—with appreciation for specialized needs
 - Physical reminders—tattoos, scars
 - Educational needs
 - Family needs

“Meet and Greet”

- General discussion of plea agreement
 - ❖ Emphasis on your role in deciding appropriate punishment
 - ❖ BUT, their input is valued and considered
- Basic information to find them later
- Talk with parents and kids together, and then separately after trust is established

Detailed visit

- When and degree of the visit depends on strength of investigation
- If there are holes or details are lacking, discuss specific details
 - ❖ Don't have to go over entire event each time
 - ❖ Consider that each needless recounting of the story is further re-victimization
- Question the victim about what she expects/is worried about/has concerns with—especially re: cross examination

Courtroom Visit

- Case-by-case basis to determine if kid is ready
- Video of what to expect at courthouse
- Explanation of roles with emphasis on courtroom safety
- Court watchers

Rules for All Interviews

- Have someone with you
- Have someone to take notes
- Meet with victim alone at some point in each interview
 - More candor
 - Able to assess problems
- Be aware of their physical space
- Turn over inconsistencies to defense

Language for victims

- Mimic their language
- Ask what terms they used/want to use
 - E.g. call him Mr. Johnson, Anthony, Kash?
- Develop some “street cred”
- Ask about what you don’t know
 - Or about what you’ll want them to explain (e.g. ad)

POLL OPTION: What is your biggest hurdle in dealing with CST witnesses? (choose one)

- They can't be found
- They don't want to prosecute
- They are flakey/unreliable
- They are confrontational
- Juries don't understand them



Accept your victim where she is



Q&A

Accomplice testimony

- Establish trust as much as possible
- Lock them in their testimony before trial, if possible
 - Multiple interviews
 - Other statements
 - Recording if needed
- Get to know them
 - How they present to prosecutor and court
 - How they present to defense investigator and defendant, including social media

Axel Hartmann, 2014, flickr.com

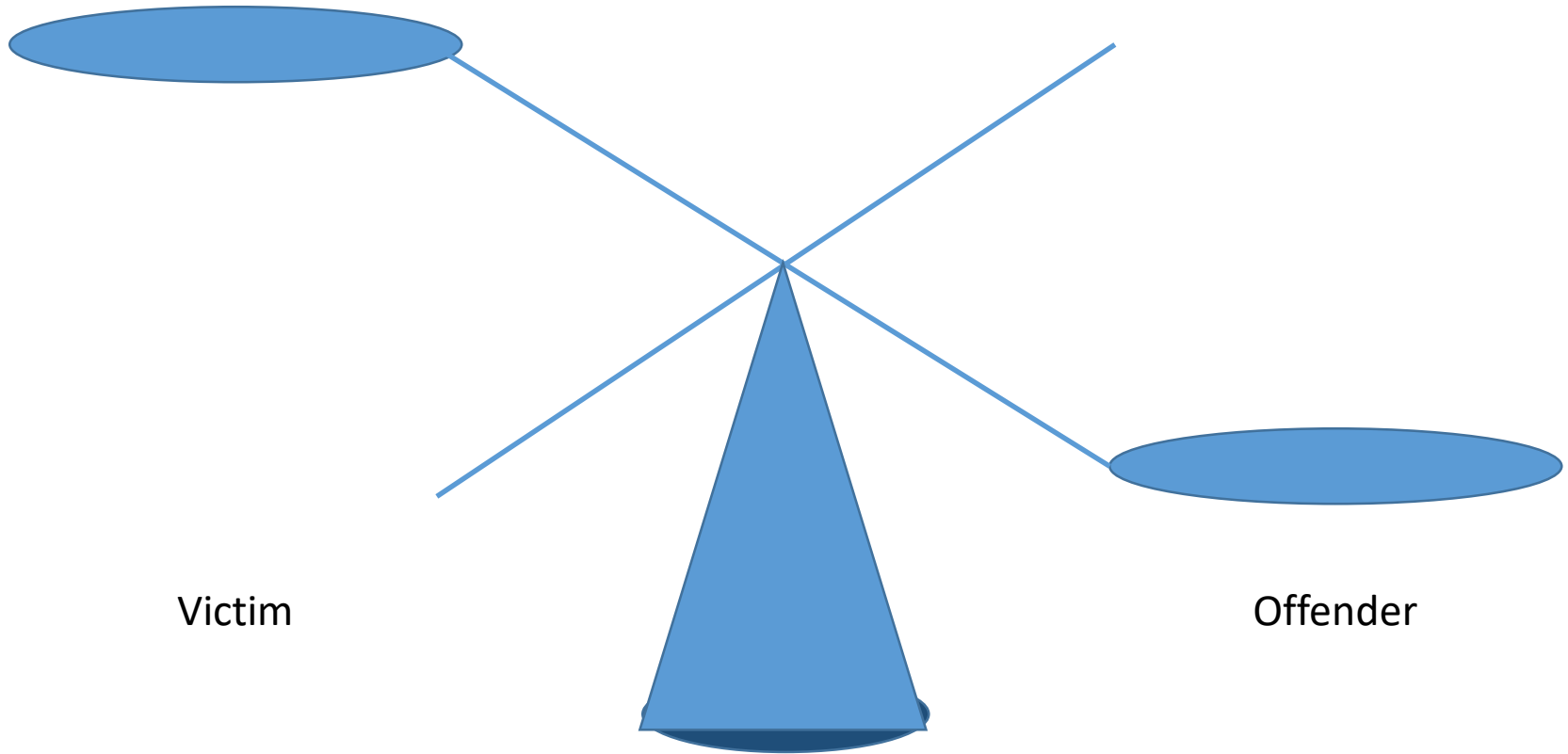
Be prepared for anything

- She might not show up
- She might not take the witness stand
- She might make new disclosures
- She might lie to protect him
- She might lie to protect herself



Determining Culpability

Age
Criminal history
Involvement
Victimization



A photograph of a courtroom interior, viewed from the back of the room. The room features wood-paneled walls and a high ceiling with recessed lighting and a central chandelier. In the foreground, there are rows of wooden benches for the audience. In the middle ground, there are rows of chairs for the jury. At the far end of the room, there is a judge's bench and a witness stand. An American flag is visible on the left side of the judge's bench.

But will the jury believe them?

Corroboration is key

Corroborate on
essential facts of
offense

OR

Corroborate on
other matters to
show she is a
truth-teller



Corroboration on essential facts

- One-party consent call
- Text messages
- Advertisements
- Buyers
- Social media
- Hotel records
- GPS location data
- Surveillance footage

Corroboration on other matters

- Phone records show contact between parties
- GPS shows traveling together
- Police reports or surveillance might show they were together at a location she described
- Records might show other names were used to rent hotel room
- The defendant's family might place them together

Other ways to build credibility

- Other people who care about victim:
 - Teacher
 - Probation officer
 - Advocate
 - Guardian
 - Older sibling
 - Detective



Q&A



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Thank you for your participation!

For assistance, please contact us:



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