



# SAATURN

Southern Arizona Anti-Trafficking  
Unified Response Network

## Human Trafficking Task Force Protocol

This human trafficking task force protocol was produced by Southern Arizona Anti-Trafficking Unified Response Network (SAATURN under Project Number 2015-VT-BX-K006 and 2015-VT-BX-K0048), awarded by the Office for Victims of Crime, Office of Justice Programs, U.S. Department of Justice. The opinions, findings, and conclusions or recommendations expressed in this Task Force are those of the contributors and do not necessarily represent the official position or policies of the U.S. Department of Justice.

# Human Trafficking Task Force Protocol

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This protocol reflects best practices in responding to human trafficking. We invite readers to contact the SAATURN Task Force Executive Committee to recommend and/or share information on emerging best practices that will contribute to the continued development of this protocol.

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The Southern Arizona Anti-Trafficking Unified Response Network (SAATURN) Human Trafficking Protocol was developed by Task Force partners from a diverse team of community stakeholders including law enforcement, service providers, faith organizations, education institutions, and community members.

## Introduction

In October 2015, the Department of Justice, Office for Victims of Crime awarded the Enhanced Collaborative Model to Combat Human Trafficking to Tucson Police Department (TPD) and CODAC Health, Recovery & Wellness (CODAC) to address human trafficking in Cochise, Pima, and Santa Cruz Counties.

The collaboration began on December 17, 2015 with the first human trafficking SAATURN Task Force meeting and a great response from the community to learn more about it.

SAATURN is represented by the Executive Council Committee (EC), At Risk Juveniles (ARJ), Law Enforcement & Prosecution (LE), Training & Outreach (T&O), and Victim Services (VS) Subcommittees.

The Executive Council Committee consists of United States Attorney' Office (USAO), TPD, and CODAC representatives who serve as the decision making body for the Task Force. They are responsible for providing direction, guidance, and coordinating SAATURN's initiatives.

## Mission Statement

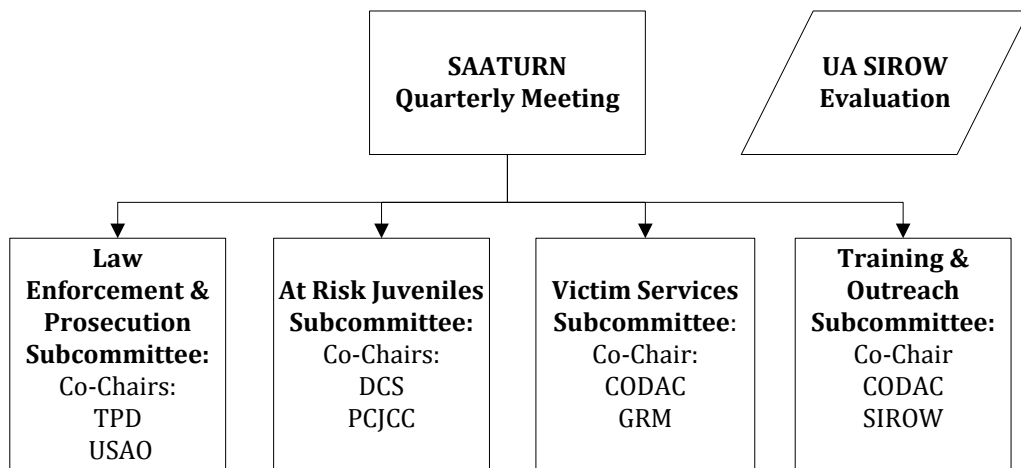
The SAATURN is a collaboration of the Tucson Police Department, Homeland Security Investigations, and the U.S. Attorney's Office working together with CODAC to:

- 1) Provide comprehensive services to trafficking victims by identifying and addressing their needs for safety, security and healing.
- 2) Proactively investigate, identify, apprehend and prosecute those engaged in human trafficking.

## Purpose of Protocol

The purpose is to improve communication and better facilitate a coordinated community response to human trafficking, from the inception of the case through post-conviction. All collaborative efforts support the well-being of survivors and aim to bring the responsible person(s) to justice.

## Task Force Structure



## Subcommittees

### At Risk Juveniles

The At Risk Juveniles Subcommittee aims to strengthen task force capacity to assess and assist at risk juveniles identified by law enforcement, juvenile justice, and the community. Key stakeholders will evaluate the flow of identification, referral, law enforcement action, and services provided to past and current identified at risk juveniles in order to address any voids and enhance stakeholder communication and effectiveness.

Meetings open to key stakeholders.

### Law Enforcement & Prosecution Subcommittee

The Law Enforcement & Prosecution Subcommittee aims to enhance investigations and prosecutions of identified human trafficking offenders. Activities include evaluation of current, ongoing, and past investigations and prosecutions. Federal, state, and local counterparts will work collaboratively to conduct successful investigations and prosecutions of offenders.

Meetings open to law enforcement only.

### Training & Outreach Subcommittee

The Training & Outreach Subcommittee aims to strengthen task force capacity for human trafficking training and outreach across Southern Arizona. Activities include evaluating, identifying, and coordinating training/outreach efforts for planned events.

Meetings open to key stakeholders.

### Victim Services Subcommittee

The Victim Services Subcommittee aims to enhance the capacity of professional and key task force stakeholders to respond to the needs of victims of human trafficking throughout Southern Arizona. Activities include identifying and evaluating both immediate and prolonged services for victims and addressing any identified issues and/or voids in needed services.

Meetings open to stakeholders.

## SAATURN Task Force Partners

### Law Enforcement Formal and Key Partners

- Arizona Attorney General's Office
- Arizona Department of Public Safety
- Cochise County Attorney's Office
- Cochise County Juvenile Court
- Federal Bureau of Investigations
- Homeland Security Investigations
- Pima County Attorney's Office
- Pima County Juvenile Court
- Pima County Sheriff Department
- Santa Cruz County Juvenile Court
- Tucson Police Department
- U.S. Customs & Border Protection
- United States Attorney's Office

### Victim Service Providers Formal and Key Partners

- Arizona Children' Association
- Cochise Family Advocacy Center
- CODAC Health, Recovery & Wellness
- COPE
- Emerge
- Free Ever After
- Gospel Rescue Mission
- International Rescue Committee
- Our Family Services
- Salvation Army
- Southern Arizona Against Slavery
- Southern Arizona Children's Advocacy Center
- Teen Outreach Pregnancy Services
- Willow Way

### Faith Organizations Formal and Key Partners

- Gospel Rescue Mission
- Life In Christ Church
- Sold No More



## Education Institution Formal and Key Partners

- Arizona State University, Office of Sex Trafficking Intervention Research
- University of Arizona, James E. Rogers College of Law, Immigration Law Clinic
- University of Arizona, Southwest Institute for Research on Women (SIROW)
- Pima Community College, Truck Driving Program

## Other Partners

- Arizona Legal Women and Youth Services (ALWAYS)
- Cities Empowered Against Sexual Exploitation (CEASE)
- Consulate of Mexico in Tucson
- Department of Child Services
- Florence Immigrant & Refugee Rights Project
- Girl Scouts of Southern Arizona
- Goodwill Southern Arizona, METRO Youth Program
- U.S. Department of Labor, Wage & Hour Division

## Collaboration Efforts

The Task Force is collaborative, victim-centered and sustainable by incorporating grassroots efforts in order to build law enforcement and service provider networks in and between the Southern Arizona border counties of Cochise, Pima and Santa Cruz.

The efforts include:

- A. Investigate and prosecute human trafficking cases in southern Arizona.
- B. Identify victims of all types of human trafficking in southern Arizona.
- C. Address the individual needs of victims through comprehensive services.
- D. Collect and summarize data, complete reports, use data and report information to improve efforts to combat human trafficking and improve coordinated victim services in southern Arizona.

## Release of Information & Confidentiality

The release of information is administered by the Southern Arizona Anti-Trafficking Unified Response Network (SAATURN) Task Force formal and key partners. The release of information to the public should be coordinated with representatives of the Executive Council Committee.

## Confidentiality Obligations

To maintain confidentiality, collaboration partners agree to:

- Review and identify areas where confidentiality can be strengthened
- Evaluate information flow
- Acknowledge Task Force partners' roles and their individual confidentiality and information sharing requirements
- Adhere to Task Force obligation to maintain confidentiality
- Ensure that confidentiality releases, acknowledgements, and agreements are signed

## Media Response Protocols

Public communication by any Task Force member about pending matters or investigations must be approved by the Task Force Executive Council Committee. Task Force partners should not provide information to the media and/or disclosure information about ongoing investigations or about possible victims.

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## Victims of Trafficking and Violence Protection Act of 2000<sup>i</sup>

### An Act

To combat trafficking in persons, especially into the sex trade, slavery, and involuntary servitude, to reauthorize certain Federal programs to prevent violence against women, and for other purposes.

Under this Project Number 2015-VT-BX-K006 and 2015-VT-BX-K0048, a victim of trafficking is defined as a person who has been subjected to a “severe form of trafficking in persons,” which, as defined in 22 U.S.C. 7102(9), means:

- a) Sex trafficking in which a commercial sex act is induced by force, fraud, or coercion, or in which the person induced to perform such an act has not attained 18 years of age; or
- b) The recruitment, harboring, transportation, provision, or obtaining of a person for labor or services through the use of force, fraud, or coercion for the purpose of subjection to involuntary servitude, peonage, debt bondage, or slavery.

Trafficking also involves violations of other laws, including labor and immigration codes and laws against kidnapping, slavery, false imprisonment, assault, battery, pandering, fraud, and extortion.

**Force** can involve the use of physical restraint or serious physical harm. Physical violence, including rape, beatings, and physical confinement, is often employed as a means to control victims, especially during the early stages of victimization, when the trafficker breaks down the victim’s resistance.

**Fraud** involves false promises regarding employment, wages, working conditions, or other matters. For example, individuals might travel to another country under the promise of well-paying work at a farm or factory only to find themselves manipulated into forced labor. Others might reply to advertisements promising modeling, nanny, or service industry jobs overseas, but is forced into prostitution once they arrive at their destination.

**Coercion** can involve threats of serious harm to or physical restraint against any person; any scheme, plan or pattern intended to cause a person to believe that failure to perform an act would result in serious harm to or physical restraint against any person; or the abuse or threatened abuse of the legal process.

## Trafficking Victims Protection Reauthorization Act of 2003<sup>ii</sup>

The Trafficking Victims Protection Reauthorization Act of 2003 (TVPRA of 2003) established a federal, civil right of action for trafficking victims to sue their traffickers. It also added human trafficking to the list of crimes that can be charged under the Racketeering Influenced Corrupt Organizations (RICO) statute. It also included additional provisions for protection of victims and their families from deportation, and a requirement that the Attorney General report to Congress annually on the activities of the U.S. government in the fight against trafficking.

## Trafficking Victims Protection Reauthorization Act of 2005

The Trafficking Victims Protection Reauthorization Act of 2005 (TVPRA of 2005) included a pilot program for sheltering minors who are survivors of human trafficking, and grant programs to assist state and local law enforcement combat trafficking. It also expanded measures to combat trafficking internationally, including provisions to fight sex tourism, a \$5 million pilot program for treatment of trafficking victims abroad, and a strengthening of the regulation over government contracts to ensure they are not made with individuals or organizations that promote or engage in human trafficking.

## Trafficking Victims Protection Reauthorization Act of 2008

The Trafficking Victims Protection Reauthorization Act of 2008 (TVPRA of 2008) included several new prevention strategies, including requirements that the government provide information about workers' rights to all people applying for work and education-based visas. It also put in place new systems to gather and report human trafficking data. In addition to the prevention strategies, the 2008 reauthorization expanded the protections available with the T visa, and required that all unaccompanied alien children be screened as potential victims of human trafficking. This reauthorization also enhanced criminal sanctions against traffickers, and expanded definitions of various types of trafficking to make prosecution easier.

## Trafficking Victims Protection Reauthorization Act of 2013

The Trafficking Victims Protection Reauthorization Act of 2013 (TVPRA 2013), which was passed as an amendment to the Violence Against Women Act, establishes and strengthens programs to ensure that U.S. citizens do not purchase products made by victims of human trafficking, and to prevent child marriage. It also puts into place emergency response provisions within the State Department to respond quickly to disaster areas and crises where people are particularly susceptible to being trafficked. The reauthorization also strengthens collaboration with state and local law enforcement to ease charging and prosecuting traffickers.

## United States Codes<sup>iii</sup>

### **18 U.S.C. § 1589 (Forced Labor)**

(a) Whoever knowingly provides or obtains the labor or services of a person by any one of, or by any combination of, the following means--

- (1) by means of force, threats of force, physical restraint, or threats of physical restraint to that person or another person;
- (2) by means of serious harm or threats of serious harm to that person or another person;
- (3) by means of the abuse or threatened abuse of law or legal process; or
- (4) by means of any scheme, plan, or pattern intended to cause the person to believe that, if that person did not perform such labor or services, that person or another person would suffer serious harm or physical restraint, shall be punished as provided under subsection (d).

(b) Whoever knowingly benefits, financially or by receiving anything of value, from participation in a venture which has engaged in the providing or obtaining of labor or services by any of the means described in subsection (a), knowing or in reckless disregard of the fact that the venture has engaged in the providing or obtaining of labor or services by any of such means, shall be punished as provided in subsection (d).

(c) In this section:

- (1) the term “abuse or threatened abuse of law or legal process” means the use or threatened use of a law or legal process, whether administrative, civil, or criminal, in any manner or for any purpose for which the law was not designed, in order to exert pressure on another person to cause that person to take some action or refrain from taking some action.
- (2) the term “serious harm” means any harm, whether physical or nonphysical, including psychological, financial, or reputational harm, that is sufficiently serious, under all the surrounding circumstances, to compel a reasonable person of the same background and in the same circumstances to perform or to continue performing labor or services in order to avoid incurring that harm.

(d) Whoever violates this section shall be fined under this title, imprisoned not more than 20 years, or both. If death results from a violation of this section, or if the violation includes kidnaping, an attempt to kidnap, aggravated sexual abuse, or an attempt to kill, the defendant shall be fined under this title, imprisoned for any term of years or life, or both.

**18 U.S.C. § 1590 (Trafficking with respect to peonage, slavery, involuntary servitude, forced labor)**

(a) Whoever knowingly recruits, harbors, transports, provides, or obtains by any means; any person for labor or services in violation of this chapter shall be fined under this title or imprisoned not more than 20 years, or both. If death results from the violation of this section, or if the violation includes kidnapping or an attempt to kidnap, aggravated sexual abuse, or the attempt to commit aggravated sexual abuse, or an attempt to kill, the defendant shall be fined under this title or imprisoned for any term of years or life, or both.

(b) Whoever obstructs, attempts to obstruct, or in any way interferes with or prevents the enforcement of this section, shall be subject to the penalties under subsection (a).

**18 U.S.C. § 1591 (Sex trafficking of children or by force, fraud, or coercion)**

(a) Whoever knowingly-

(1) in or affecting interstate or foreign commerce, or within the special maritime and territorial jurisdiction of the United States, recruits, entices, harbors, transports, provides, obtains, advertises, maintains, patronizes, or solicits by any means a person; or

(2) benefits, financially or by receiving anything of value, from participation in a venture which has engaged in an act described in violation of paragraph (1), knowing, or, except where the act constituting the violation of paragraph (1) is advertising, in reckless disregard of the fact, that means of force, threats of force, fraud, coercion described in subsection (e)(2), or any combination of such means will be used to cause the person to engage in a commercial sex act, or that the person has not attained the age of 18 years and will be caused to engage in a commercial sex act, shall be punished as provided in subsection (b).

(b) The punishment for an offense under subsection (a) is-

(1) if the offense was effected by means of force, threats of force, fraud, or coercion described in subsection (e) (2), or by any



combination of such means, or if the person recruited, enticed, harbored, transported, provided, obtained, advertised, patronized, or solicited had not attained the age of 14 years at the time of such offense, by a fine under this title and imprisonment for any term of years not less than 15 or for life; or

(2) if the offense was not so effected, and the person recruited, enticed, harbored, transported, provided, obtained, advertised, patronized, or solicited had attained the age of 14 years but had not attained the age of 18 years at the time of such offense, by a fine under this title and imprisonment for not less than 10 years or for life.

(c) In a prosecution under subsection (a)(1) in which the defendant had a reasonable opportunity to observe the person so recruited, enticed, harbored, transported, provided, obtained, maintained, patronized, or solicited, the Government need not prove that the defendant knew, or recklessly disregarded the fact, that the person had not attained the age of 18 years.

(d) Whoever obstructs, attempts to obstruct, or in any way interferes with or prevents the enforcement of this section, shall be fined under this title, imprisoned for a term not to exceed 20 years, or both.

(e) In this section:

(1) The term "abuse or threatened abuse of law or legal process" means the use or threatened use of a law or legal process, whether administrative, civil, or criminal, in any manner or for any purpose for which the law was not designed, in order to exert pressure on another person to cause that person to take some action or refrain from taking some action.

(2) The term "coercion" means-

(A) threats of serious harm to or physical restraint against any person;

(B) any scheme, plan, or pattern intended to cause a person to believe that failure to perform an act would result in serious harm to or physical restraint against any person; or

(C) the abuse or threatened abuse of law or the legal process.

(3) The term "commercial sex act" means any sex act, on account of which anything of value is given to or received by any person.

(4) The term "serious harm" means any harm, whether physical or nonphysical, including psychological, financial, or reputational harm, that is sufficiently serious, under all the surrounding circumstances, to compel a reasonable person of the same background and in the same circumstances to perform or to continue performing commercial sexual activity in order to avoid incurring that harm.

(5) The term "venture" means any group of two or more individuals associated in fact, whether or not a legal entity.

**18 U.S.C. § 1594 (Sex Trafficking –Attempt or Conspiracy; Asset Forfeiture)**

**(a)** Whoever attempts to violate [sections 1581, 1583, 1584, 1589, 1590, or 1591](#) shall be punishable in the same manner as a completed violation of that section.

**(b)** Whoever conspires with another to violate [section 1581, 1583, 1589, 1590, or 1592](#) shall be punished in the same manner as a completed violation of such section.

**(c)** Whoever conspires with another to violate [section 1591](#) shall be fined under this title, imprisoned for any term of years or for life, or both.

**(d)** The court, in imposing sentence on any person convicted of a violation of this chapter, shall order, in addition to any other sentence imposed and irrespective of any provision of State law, that such person shall forfeit to the United States-

(1) such person's interest in any property, real or personal, that was involved in, used, or intended to be used to commit or to facilitate the commission of such violation, and any property traceable to such property; and

(2) any property, real or personal, constituting or derived from, any proceeds that such person obtained, directly or indirectly, as a result of such violation, or any property traceable to such property.

**(e)(1)** The following shall be subject to forfeiture to the United States and no property right shall exist in them:

(A) Any property, real or personal, involved in, used, or intended to be used to commit or to facilitate the commission of any violation of this chapter, and any property traceable to such property.

(B) Any property, real or personal, which constitutes or is derived from proceeds traceable to any violation of this chapter.

**(2)** The provisions of chapter 46 of this title relating to civil forfeitures shall extend to any seizure or civil forfeiture under this subsection.

**(f) Transfer of Forfeited Assets.-**

(1) In general. Notwithstanding any other provision of law, the Attorney General shall transfer assets forfeited pursuant to this section, or the proceeds derived from the sale thereof, to satisfy victim restitution orders arising from violations of this chapter.

(2) Priority. Transfers pursuant to paragraph (1) shall have priority over any other claims to the assets or their proceeds.

(3) Use of nonforfeited assets. Transfers pursuant to paragraph (1) shall not reduce or otherwise mitigate the obligation of a person convicted of a violation of this chapter to satisfy the full amount of a restitution order through the use of non-forfeited assets or to reimburse the Attorney General for the value of assets or proceeds transferred under this subsection through the use of nonforfeited assets.

**(g)** Witness Protection. Any violation of this chapter shall be considered an organized criminal activity or other serious offense for the purposes of application of chapter 224 (relating to witness protection).

## Crime Victim's Right Act (CVRA), Federal 18 U.S.C. § 3771

The **CVRA** is a federal statutory (18 USC 3771) scheme designed to protect victims' rights and ensure them the opportunity to be involved in the criminal justice process.

Section 3771 defines **victims** as anyone directly and proximately harmed by such an offense, individuals and legal entities alike. Numbered among the rights it conveys are the:

1. The right to be reasonably protected from the accused.
2. The right to reasonable, accurate, and timely notice of any public court proceeding, or any parole proceeding, involving the crime or of any release or escape of the accused.
3. The right not to be excluded from any such public court proceeding, unless the court, after receiving clear and convincing evidence, determines that testimony by the victim would be materially altered if the victim heard other testimony at that proceeding.
4. The right to be reasonably heard at any public proceeding in the district court involving release, plea, sentencing, or any parole proceeding.
5. The reasonable right to confer with the attorney for the Government in the case
6. The right to full and timely restitution as provided in law.
7. The right to proceedings free from unreasonable delay.
8. The right to be treated with fairness and with respect for the victim's dignity and privacy
9. The right to be informed in a timely manner of any plea bargain or deferred prosecution agreement.
10. The right to be informed of the statutory rights and services to which one is entitled.

## Arizona Revised Statutes<sup>iv</sup>

### **A.R.S § 13-1307 (Sex Trafficking)**

A. It is unlawful for a person to knowingly traffic another person who is eighteen years of age or older with either of the following:

1. The intent to cause the other person to engage in any prostitution or sexually explicit performance by deception, force or coercion.
2. The knowledge that the other person will engage in any prostitution or sexually explicit performance by deception, coercion or force.

B. It is unlawful for a person to traffic another person who is under eighteen years of age with either of the following:

1. The intent to cause the other person to engage in any prostitution or sexually explicit performance.
2. The knowledge that the other person will engage in any prostitution or sexually explicit performance.

C. Notwithstanding any other law, a sentence imposed on a person for a violation of subsection B of this section shall be consecutive to any other sentence imposed on the person at any time.

D. A person who violates this section is guilty of a class 2 felony, except that if the offense is committed against a person who is under fifteen years of age, the offense is a dangerous crime against children punishable pursuant to section 13-705.

### **A.R.S § 13-1308 (Trafficking of Persons for Forced Labor or Services)**

A. It is unlawful for a person to either:

1. Knowingly traffic another person with the intent to or knowledge that the other person will be subject to forced labor or services.
2. Knowingly benefit, financially or by receiving anything of value, from participation in a venture that has engaged in an act in violation of section 13-1306, section 13-1307 or this section.

B. A violation of this section is a class 2 felony.

### **A.R.S § 13-1405 (Sexual conduct with a minor)**

A. A person commits sexual conduct with a minor by intentionally or knowingly engaging in sexual intercourse or oral sexual contact with any person who is under eighteen years of age.

B. Sexual conduct with a minor who is under fifteen years of age is a class 2 felony and is punishable pursuant to section 13-705. Sexual conduct with a minor who is at least fifteen years of age is a class 6 felony. Sexual conduct with a minor who is at least fifteen years of age is a class 2 felony if the person is or was in a position of trust and the convicted person is not eligible for suspension of sentence, probation, pardon or release from confinement on any basis except as specifically authorized by section 31-233, subsection A or B until the sentence imposed has been served or commuted.

### **A.R.S § 13-3212 (Child prostitution; classification; increased punishment)**

A. A person commits child prostitution by knowingly:

1. Causing any minor to engage in prostitution.
2. Using any minor for the purposes of prostitution.
3. Permitting a minor who is under the person's custody or control to engage in prostitution.
4. Receiving any benefit for or on account of procuring or placing a minor in any place or in the charge or custody of any person for the purpose of prostitution.
5. Receiving any benefit pursuant to an agreement to participate in the proceeds of prostitution of a minor.
6. Financing, managing, supervising, controlling or owning, either alone or in association with others, prostitution activity involving a minor.
7. Transporting or financing the transportation of any minor with the intent that the minor engage in prostitution.
8. Providing a means by which a minor engages in prostitution.

B. A person who is at least eighteen years of age commits child prostitution by knowingly:

1. Engaging in prostitution with a minor who is under fifteen years of age.
2. Engaging in prostitution with a minor who the person knows or should have known is fifteen, sixteen or seventeen years of age.

3. Engaging in prostitution with a minor who is fifteen, sixteen or seventeen years of age.

C. It is not a defense to a prosecution under subsection A and subsection B, paragraphs 1 and 2 of this section that the other person is a peace officer posing as a minor or a person assisting a peace officer posing as a minor.

D. Notwithstanding any other law, a sentence imposed on a person for a violation of subsection A or subsection B, paragraph 2 of this section involving a minor who is fifteen, sixteen or seventeen years of age shall be consecutive to any other sentence imposed on the person at any time.

E. Child prostitution pursuant to subsection A of this section is a class 2 felony if the minor is under fifteen years of age and is punishable pursuant to section 13-705.

F. Child prostitution pursuant to subsection B, paragraph 1 of this section is a class 2 felony and is punishable pursuant to section 13-705.

G. If the minor is fifteen, sixteen or seventeen years of age, child prostitution pursuant to subsection A of this section is a class 2 felony, the person convicted shall be sentenced pursuant to this section and the person is not eligible for suspension of sentence, probation, pardon or release from confinement on any basis except as specifically authorized by section 31-233, subsection A or B until the sentence imposed by the court has been served or commuted. The presumptive term may be aggravated or mitigated within the range under this section pursuant to section 13-701, subsections C, D and E. The terms are as follows:

1. The term for a first offense is as follows:

Minimum	Presumptive	Maximum
10 years	13.5 years	24 years

2. The term for a defendant who has one historical prior felony conviction is as follows:

Minimum	Presumptive	Maximum
17 years	24 years	31 years

3. The term for a defendant who has two or more historical prior felony convictions is as follows:

Minimum	Presumptive	Maximum
24 years	31 years	38 years

H. If the minor is fifteen, sixteen or seventeen years of age, child prostitution pursuant to subsection B, paragraph 2 of this section is a class 2 felony, the person convicted shall be sentenced pursuant to this section and the person is not eligible for suspension of sentence, probation, pardon or release from confinement on any basis except as specifically authorized by section 31-233, subsection A or B until the sentence imposed by the court has been served or commuted. The presumptive term may be aggravated or mitigated within the range under this section pursuant to section 13-701, subsections C, D and E. The terms are as follows:

1. The term for a first offense is as follows:

Minimum	Presumptive	Maximum
7 years	10.5 years	21 years

2. The term for a defendant who has one historical prior felony conviction is as follows:

Minimum	Presumptive	Maximum
14 years	15.75 years	28 years

3. The term for a defendant who has two or more historical prior felony convictions is as follows:

Minimum	Presumptive	Maximum
21 years	28 years	35 years

I. Child prostitution pursuant to subsection B, paragraph 3 of this section is a class 6 felony. If the court sentences the person to a term of probation, the court shall order that as an initial term of probation the person be imprisoned in the county jail for not less than one hundred eighty consecutive days. This jail term shall commence on the date of sentencing. The court may suspend ninety days of the jail sentence if the person has not previously been convicted of a violation of this section, a violation of section 13-3214 or a violation of any city or town ordinance that prohibits prostitution and that has the same or substantially similar elements as section 13-3214 and the person successfully completes an appropriate court ordered education or treatment program.

J. This section does not preclude the state from alleging and proving any other sentencing enhancements as provided by law.



## **A.R.S § 13-3552 (Commercial Sexual Exploitation of a Minor)**

A. A person commits commercial sexual exploitation of a minor by knowingly:

1. Using, employing, persuading, enticing, inducing or coercing a minor to engage in or assist others to engage in exploitive exhibition or other sexual conduct for the purpose of producing any visual depiction or live act depicting such conduct.
2. Using, employing, persuading, enticing, inducing or coercing a minor to expose the genitals or anus or the areola or nipple of the female breast for financial or commercial gain.
3. Permitting a minor under the person's custody or control to engage in or assist others to engage in exploitive exhibition or other sexual conduct for the purpose of producing any visual depiction or live act depicting such conduct.
4. Transporting or financing the transportation of any minor through or across this state with the intent that the minor engage in prostitution, exploitive exhibition or other sexual conduct for the purpose of producing a visual depiction or live act depicting such conduct.
5. Using an advertisement for prostitution as defined in section 13-3211 that contains a visual depiction of a minor.

B. Subsection A, paragraph 5 of this section does not apply to an act that is prohibited by section 13-3555 or to websites or internet service providers that host advertisements created and published by third parties and do not participate in creating or publishing the advertisements.

C. Commercial sexual exploitation of a minor is a class 2 felony and if the minor is under fifteen years of age it is punishable pursuant to section 13-705.

## **A.R.S § 13-3553 (Sexual Exploitation of a Minor; Evidence)**

A. A person commits sexual exploitation of a minor by knowingly:

1. Recording, filming, photographing, developing or duplicating any visual depiction in which a minor is engaged in exploitive exhibition or other sexual conduct.
2. Distributing, transporting, exhibiting, receiving, selling, purchasing, electronically transmitting, possessing or exchanging any visual depiction

in which a minor is engaged in exploitive exhibition or other sexual conduct.

B. If any visual depiction of sexual exploitation of a minor is admitted into evidence, the court shall seal that evidence at the conclusion of any grand jury proceeding, hearing or trial.

C. Sexual exploitation of a minor is a class 2 felony and if the minor is under fifteen years of age it is punishable pursuant to section 13-705.

**A.R.S § 13-3554 (Luring a minor for sexual exploitation)**

A. A person commits luring a minor for sexual exploitation by offering or soliciting sexual conduct with another person knowing or having reason to know that the other person is a minor.

B. It is not a defense to a prosecution for a violation of this section that the other person is not a minor.

C. Luring a minor for sexual exploitation is a class 3 felony, and if the minor is under fifteen years of age it is punishable pursuant to section 13-705.

# Arizona Victims' Rights

## Section 2.1. Victims' Bill of Rights

(A) To preserve and protect victims' rights to justice and due process, a victim of crime has a right:

1. To be treated with fairness, respect, and dignity, and to be free from intimidation, harassment, or abuse, throughout the criminal justice process.
2. To be informed, upon request, when the accused or convicted person is released from custody or has escaped.
3. To be present at, and, upon request, to be informed of all criminal proceedings where the defendant has the right to be present.
4. To be heard at any proceeding involving a post-arrest release decision, a negotiated plea, and sentencing.
5. To refuse an interview, deposition, or other discovery request by the defendant, the defendant's attorney, or other person acting on behalf of the defendant.
6. To confer with the prosecution, after the crime against the victim has been charged, before trial or before any disposition of the case and to be informed of the disposition.
7. To read pre-sentence reports relating to the crime against the victim when they are available to the defendant.
8. To receive prompt restitution from the person or persons convicted of the criminal conduct that caused the victim's loss or injury.
9. To be heard at any proceeding when any post-conviction release from confinement is being considered.
10. To a speedy trial or disposition and prompt and final conclusion of the case after the conviction and sentence.
11. To have all rules governing criminal procedure and the admissibility of evidence in all criminal proceedings protect victims' rights and to have these rules be subject to amendment or repeal by the legislature to ensure the protection of these rights.
12. To be informed of victims' constitutional rights.

(B) A victim's exercise of any right granted by this section shall not be grounds for dismissing any criminal proceeding or setting aside any conviction or sentence.

(C) "Victim" means a person against whom the criminal offense has been committed or, if the person is killed or incapacitated, the person's spouse, parent, child or other lawful representative, except if the person is in custody for an offense or is the accused.

(D) The legislature, or the people by initiative or referendum, has the authority to enact substantive and procedural laws to define, implement, preserve and protect the rights guaranteed to victims by this section, including the authority to extend any of these rights to juvenile proceedings.

(E) The enumeration in the constitution of certain rights for victims shall not be construed to deny or disparage others granted by the legislature or retained by victims. <sup>v</sup>

## Legal Assistance for Foreign Nationals

### Immigration relief for victims

HSI will provide assistance to foreign national victims in obtaining appropriate immigration relief. Forms of immigration relief include Continued Presence, T Visa, and U Visa benefits.

### Continued Presence

Continued Presence (CP) is a temporary immigration status provided to individuals identified by law enforcement as victims of human trafficking. This status allows victims of human trafficking to remain in the U.S. temporarily during the ongoing investigation into the human trafficking-related crimes committed against them. CP is initially granted for one year and may be renewed in one-year increments. CP is authorized under provisions of section 107(c) (3) of the TVPA, which has since been reauthorized, and is codified at 22 U.S.C. § 7105(c) (3).<sup>vi</sup>

## Visas<sup>vii</sup>

### **T Nonimmigrant Status (T Visa)**

T nonimmigrant status provides immigration protection to victims of trafficking. The T Visa allows victims to remain in the United States and assist law enforcement authorities in the investigation or prosecution of human trafficking cases.

### **U Nonimmigrant Status (U Visa)**

U nonimmigrant status provides immigration protection to crime victims who have suffered substantial mental or physical abuse as a result of the crime. The U visa allows victims to remain in the United States and assist law enforcement authorities in the investigation or prosecution of the criminal activity.

## General Guidelines for Responding to Victims

### Victim Centered Approach

SAATURN Task Force partners will be committed to a victim centered approach. A victim-centered approach to investigation and prosecution is essential to accomplishing our law enforcement mission. Victims who can tell their story and testify as a witness are key to successful human trafficking investigations and prosecutions. When encountering a potential victim, it is important to remember that victims may not be comfortable coming forward and working with law enforcement. They need help to feel stable, safe and secure. Trafficking victims may:

- Fear law enforcement
- Not identify themselves as a victim
- Not tell a complete story, or use rehearsed responses; or
- Identify with the trafficker
- It is crucial to understand that these behaviors are indicative of the level of control traffickers exert over victims, and that victims need support and understanding in order to help make the case investigation—and subsequent prosecution of the perpetrator—a success

## Advocacy Response

The advocate will provide emotional support, crisis intervention; explain options and rights to survivor as well as their partners, family and friends. Offer services, resources and translation services if needed, answer questions and guide survivor with legal matters.

Advocates and victim service providers play a number of important roles, including: supporting the survivors in whatever they need, reassuring victims their safety, helping prioritize and addressing concerns.

As an advocate it is really important to take the victim center approach and ask the right questions. By asking the right questions, we are able to determine if someone is a victim of human trafficking, and the level of support needed to create a safe atmosphere. Additionally, it is important to reassure to the victim the role of an advocate, and not promise things that they will not be able to deliver.

The crisis intervention occurs face-to-face or over the phone, and attempts to deal quickly with an immediate situation. It often is referred to as emotional first aid designed to stop emotional bleeding; management, not resolution, is the goal.

## Trauma Informed Care

Trauma Informed Care is a set of universal precautions that providers take to ensure the most appropriate care for victims of trauma. This includes recognizing the prevalence of trauma, how it affects people, and how to avoid re-traumatization of clients.

### **Core Principles of Trauma Informed Care include:**

- Ensure physical and emotional safety
- Trustworthiness: making sure there are clinical boundaries and tasks that are clear.
- Choice: Always make sure that your client has options
- Collaboration: How do you and your client work as a team to solve problems?
- Empowerment: What skills does your client already have?

### **Applications of Trauma Informed Care for Clinicians, Law Enforcement, and Victim Advocates:**

- Screening: Guide the session; recognize that coercive interventions can cause further trauma and re-traumatization.

- Victim centered: Ask for feedback from your client; be inclusive of their perspective and of them as a whole-person.
- Trauma-informed workforce: The whole staff needs to be educated on Trauma Informed Care.
- Evidenced Based Practice: After allowing a member to share their story, we owe it to them to give them best services or evidenced based practices.
- Provide safe environments where the survivor can have physical and emotional safety minimizes stress and allows for focus on wellness.

## Survivor Speaker/Participation Guidelines

- SAATURN recommends survivors to be out of any trafficking situation for at least one year.
- Survivors must not have pending trafficking cases within criminal or civil courts.
- SAATURN must consider survivors stage of recovery.
- Survivors should present themselves in a professional manner when engaging in activities with the SAATURN Taskforce.
- Survivors are not obligated to participate in activities that they are not comfortable with or are against their values and beliefs.
- Survivors should not feel obligated to respond to any questions that they are not comfortable answering.
- Unless other arrangements are made, survivors who volunteer need to be under the expectation that their time and participation will not be monetarily compensated.
- If paid, survivors are expected to complete the proper invoice and administrative paperwork as needed by SAATURN.
- SAATURN cannot be responsible for survivor's confidentiality when speaking at public events or to the media.
- Survivors speaking at public events or with the media do not represent SAATURN's goals, mission or viewpoint.

## Law Enforcement Response

Criminal investigations can be complex and rapidly unfolding. The actions of involved law enforcement agencies will be dictated by the facts encountered during the investigation and the requirements placed upon them by the law and agency policy.

Upon identification of a victim and after establishing a safe environment, the law enforcement agency will contact CODAC in order to arrange a service plan that will best address the needs of the victim.

## Victim Service Response

1. Once victim has been identified
  - a. Provide crisis advocacy and assets emergency needs
  - b. Or contact CODAC, if organization is not able to provide services.
2. Advise victim of the possibility to report to law enforcement
  - a. If victims would like to report, contact 911 to begin the reporting process
  - b. Mandatory reporting to LE when the victim is a minor
    - i. If minor is not under Department of Child Safety custody, coordinate care for placement or services. If unable to, contact CODAC
3. Provide victim assessment and coordination of care and services
4. Develop an after care plan
5. The organization responsible for care needs to document trafficking situation and reporting requirements by the grant

Victim service providers need to be aware and address health issues, mental health illness, and substance abuse when responding to a human trafficking victim.

## Case Reporting

Frequently, federal, state and local law enforcement, NGOs, and faith-based organizations are the first responders in cases of human trafficking. They assist with coordinating victims' basic needs such as shelter, food, clothing, medical, and mental health services.

When NGOs and other faith based organizations are the first responders, they will contact the local law enforcement in their jurisdiction and law enforcement



partners will collaborate with prosecutors to identify the best possible investigative and prosecutorial lead.

## Reporting to Law Enforcement

1. Follow mandatory reporting requirements for juvenile victims
2. If victim is an adult and willing to contact law enforcement, follow protocols
3. Provide LE with a report number from any other agency involved

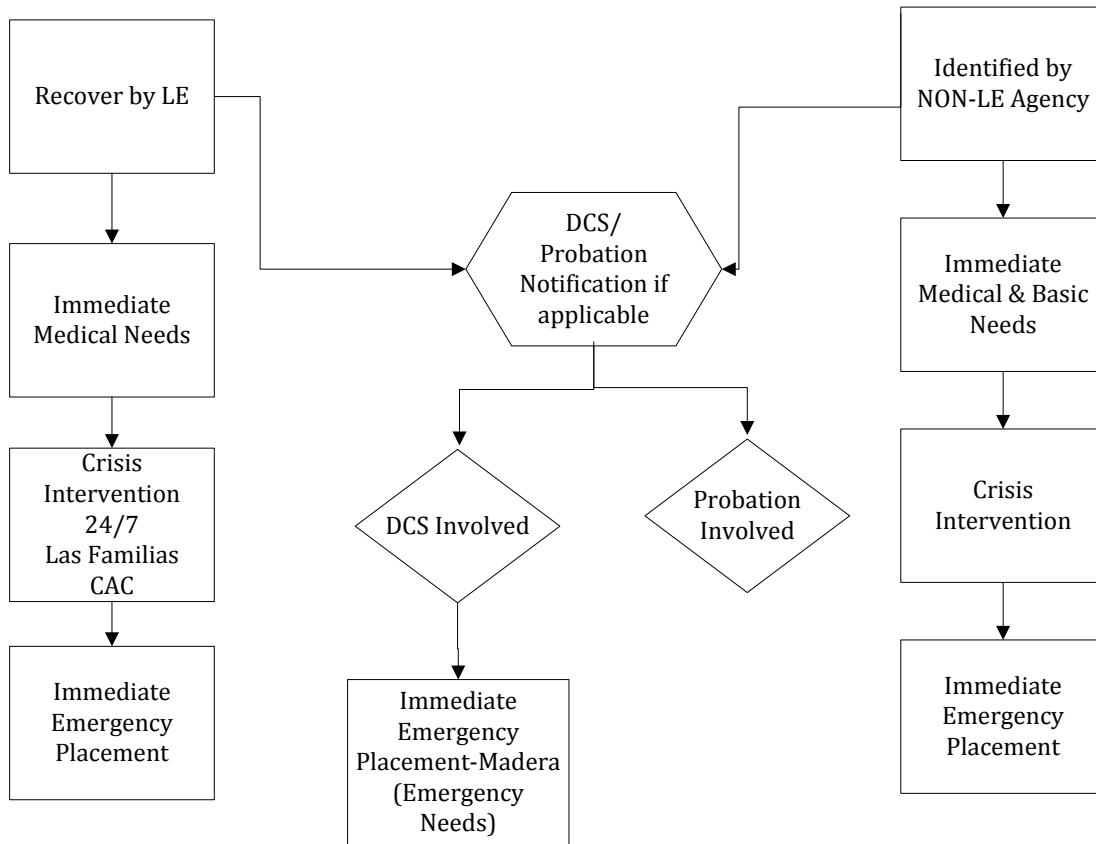
If working with a *victim that is willing to talk* to law enforcement:

1. Follow your agency's guidelines
2. Contact appropriate law enforcement
3. Be prepared to provide basic information, such as type of trafficking, location, description of the situation, victims contact information, children, other agencies involvement, etc
4. Let the officer/agent know if special arrangements need to be made. (I.e. translator, disabilities, and safe place for interview)

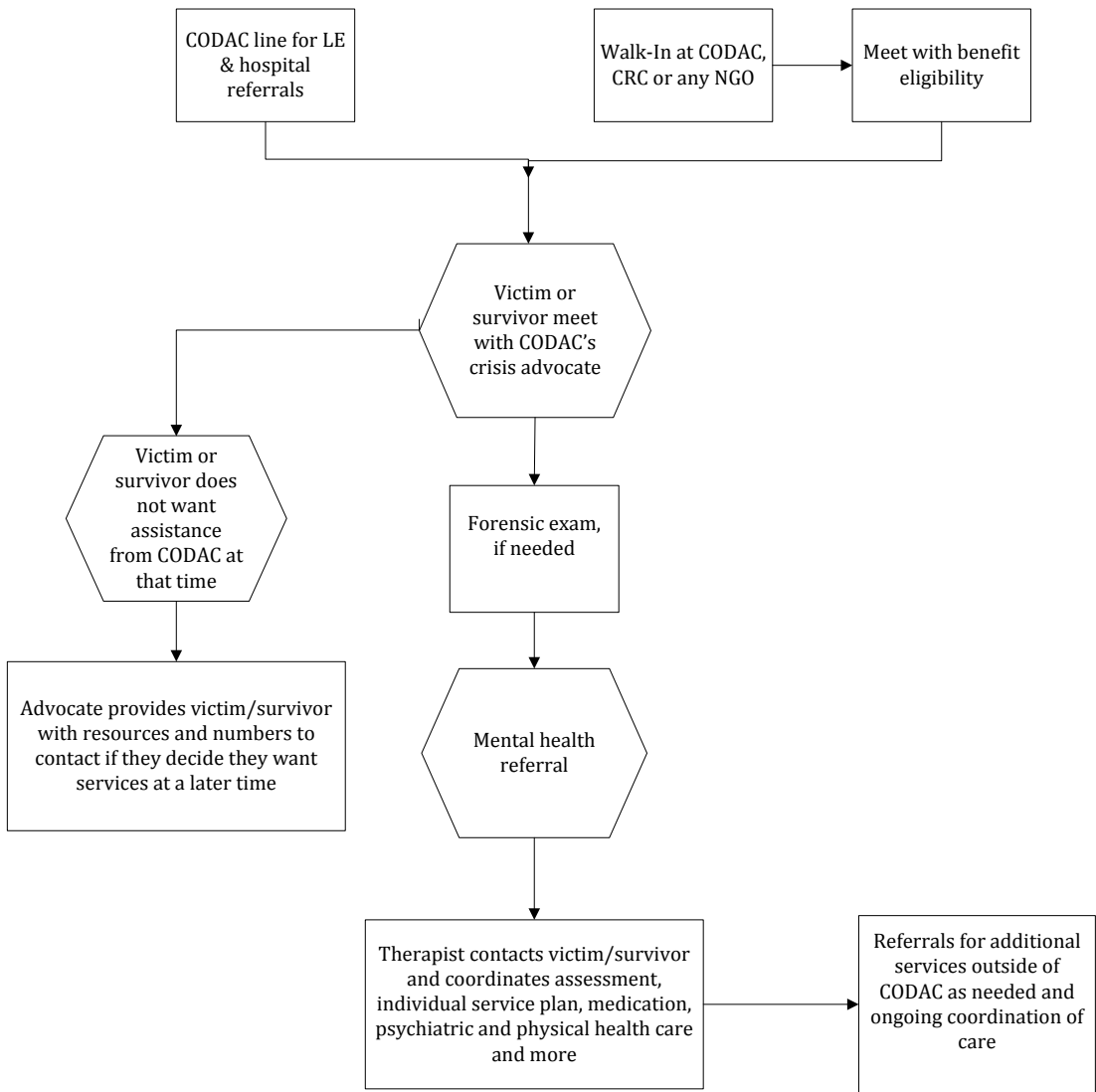
If working with a *victim that is not willing to report*, but would like to provide a tip about traffickers to law enforcement anonymously:

1. Provide or help make the call to the National Human Trafficking Hotline at 1-888-3737-888.
2. Be prepared to provide detail information about the trafficking

# Pima County At Risk Juvenile Flow Chart



# Pima County Victims Assistance Flow chart



## Appendices

Appendix A: Cochise County Victim Services Resources

Appendix B: Pima County Victim Services Resources

Appendix C: Santa Cruz Victim Services Resources

Appendix D: Other Resources

## Appendix A

### Victim Services Resources Cochise County

#### **Child and Family Resources**

3965 E. Foothill Drive, Suite E-1  
Sierra Vista, AZ 85635  
(520) 458-0968

[www.childfamilyresources.org](http://www.childfamilyresources.org)

\*Prevention: Families, teens, child care professionals

#### **Cochise Family Advocacy Center**

214 E. Tacoma Street  
Sierra Vista, AZ 85635  
(520) 515-4444

<http://www.cochisefamilyadvocacycenter.com>

\*Child forensic interviews, forensic medical exam, victim advocacy

#### **Consulate of Mexico**

1324 G Avenue  
Douglas, AZ 85607  
(520) 364-3107

<https://consulmex2.sre.gob.mx/douglas/>

\*Consular services, legal affairs, and advocacy

#### **Forgach House Domestic Crisis Center**

PO Box 1961  
Sierra Vista, AZ 85636  
520-458-9096

[www.ccs-soaz.org](http://www.ccs-soaz.org)

\*Counseling, domestic violence, family, finances, foster care, housing, immigration/refugee services, pregnancy, and other

#### **Good Neighbor Alliance**

420 N. 7th Street  
Sierra Vista, Arizona 85635  
(520) 439-0776

[www.svshelter.org](http://www.svshelter.org)

\*Temporary shelter, and access to support services

**House of Hope**

P.O. Box 1218

Douglas, AZ 85608

520-364-2465

[www.ccs-soaz.org](http://www.ccs-soaz.org)

\*Counseling, domestic violence, family, finances, foster care, housing, immigration/refugee services, pregnancy, and other

## Appendix B

### **Victim Services Resources Pima County Resources**

#### **ALWAYS- Arizona Legal Women and Youth Services**

24 W. Camelback Rd. Box A335

Phoenix, AZ

(602)248-7055

[www.always.org](http://www.always.org)

**\*Legal assistance**

#### **Catholic Community Services of Southern Arizona**

140 W. Speedway, Suite 130

Tucson, AZ 85705

(520) 623-0344, Ext. 1004

[www.ccs-soaz.org](http://www.ccs-soaz.org)

\*Counseling, domestic violence, family, finances, foster care, housing, immigration/refugee services, pregnancy, and other

#### **CODAC Health, Recovery & Wellness**

1650 E. Ft. Lowell Rd, Ste. 202

Tucson, AZ 85719

[www.codac.org](http://www.codac.org)

\*Housing, shelter, medical and mental health treatment, crisis intervention, emotional moral support, therapy, emergency needs, case management, advocacy, and more

#### **Consulate of México**

3915 E. Broadway Blvd, Ste. 101

Tucson, AZ 85711

(520) 882-5595

[www.consulmex2.sre.gob.mx/tucson/](http://www.consulmex2.sre.gob.mx/tucson/)

\*Consular services, legal affairs, and advocacy

#### **El Pueblo Community Health Center**

101 W Irvington Rd #10

Tucson, AZ 85714  
(520) 670-3909  
[www.elrio.org/locations/el-pueblo](http://www.elrio.org/locations/el-pueblo)  
\*Medical services

**Emerge! Center Against Domestic Abuse**

2545 E. Adams Street  
Tucson, AZ  
24/7 crisis line at (888) 428-0101  
Information at (520) 795.4266  
[www.emergecenter.org](http://www.emergecenter.org)  
\*Emergency shelter, food, clothing, domestic abuse education

**Goodwill METRO Youth Program**

300 N. 4th Avenue  
Tucson, AZ 85705  
(520) 382-1425 OR (520) 382-1426  
[lmeeks@goodwilltucson.org](mailto:lmeeks@goodwilltucson.org)  
\*Youth prevention

**Gospel Rescue Mission of Tucson**

707 W. Miracle Mile  
Tucson, AZ 85705  
(520) 740-1501  
[www.grmtucson.com](http://www.grmtucson.com)  
\*Shelter, food, clothing, support and family services

**Hands of Hope**

2290 E. Speedway Blvd  
Tucson, AZ 85719  
(520) 622-5774  
[www.handsofhopetucson.com](http://www.handsofhopetucson.com)  
\*Free pregnancy testing, ultrasound, nurse consolation, counselling, and education services

**Immigration Law Clinic, University of Arizona**

1201 E. Speedway Blvd  
Tucson, Arizona 85721  
(520) 626-5232  
[www.law.arizona.edu/clinics/Immigration\\_Law\\_Clinic](http://www.law.arizona.edu/clinics/Immigration_Law_Clinic)  
\*Legal services



**Jewish Family and Children's Services**

4301 E. 5<sup>th</sup> Street

Tucson, AZ 85711

520-795-0300, ext. 228

<https://jfcstucson.org/>

\*Counseling, domestic violence, care management, guardianship

**Our Family Services**

3830 East Bellevue St

Tucson, AZ 85716

(520) 323-1708

[www.ourfamilyservices.org](http://www.ourfamilyservices.org)

\*Housing, emergency shelter, homeless youth services

**Pima County Attorney's Office: Victim Services Division**

32 N. Stone Ave

Tucson, AZ 85701

(520) 740-5525

[www.pcao.pima.gov](http://www.pcao.pima.gov)

\*victim advocacy at the crime scene

**Primavera Foundation**

(520) 623-4300

[www.primavera.org](http://www.primavera.org)

\*Resource center, shelter, rental assistance

**Southern Arizona Center Against Sexual Assault (SACASA)**

1600 N Country Club Rd

Tucson, AZ 85716

(520) 327-1171

[www.sacasa.org](http://www.sacasa.org)

\*Sexual assault advocacy, medical forensic exams and long term support

**Southern Arizona Against Slavery (SAAS)**

P.O. Box 41212

Tucson, AZ 85717

[www.saastucson.com](http://www.saastucson.com)

\*Awareness, education, policy

**Southern Arizona Children’s Advocacy Center**

2329 E. Ajo Way  
Tucson, AZ 85713  
(520) 243-6420  
<https://sacacenter.org/>

\*Child advocacy, medical evaluations, forensic exams, forensic interview and case coordination with LE and Child Safety

**Southern Arizona Legal Aid, Inc. (SALA)**

2343 E. Broadway Blvd., Suite 200  
Tucson, AZ 85719  
(520) 623-9465  
[www.sazlegalaid.org](http://www.sazlegalaid.org)

\*Legal aid

**StreetLight USA**

P.O. Box 6178  
Peoria, AZ 85385  
(855) 435-0900  
[www.streetlightusa.org](http://www.streetlightusa.org)

\*Prevention, shelter, transportation to medical, legal, behavioral. Female victims of child sex trafficking ages 11-17

**Teen Outreach Pregnancy Services (TOPS)**

3024 E. Fort Lowell Rd  
Tucson, AZ 85716  
(520) 888-2881  
[www.teenoutreachaz.org](http://www.teenoutreachaz.org)

\*Free pregnancy testing, prevention, childbirth classes, parenting support group

**Willow Way**

Tucson, AZ  
(520) 488-7399  
(218) 506-8296 Outreach Line  
[info@willowwayaz.org](mailto:info@willowwayaz.org)  
[www.facebook.com/WillowWayTucson](https://www.facebook.com/WillowWayTucson)

\*Advocacy, support groups

## Appendix C

### **Victim Services Resources Santa Cruz County**

#### **Consulate of Mexico**

135 W Cardwell Street

Nogales, AZ 85621

(520) 287-2521

[www.consulmex2.sre.gob.mx/nogales/](http://www.consulmex2.sre.gob.mx/nogales/)

\*Consular services, legal affairs, and advocacy

#### **Mariposa Community Health Center**

441 N Grand Ave, #12

El Alamo Plaza

Nogales, AZ 85621

(520) 281-1550

<http://www.mariposachc.net/>

\*Medical services, dental

#### **Santa Cruz County Victim Services**

2150 N Congress Dr, Ste. 201

Nogales, AZ 85621

(520) 375-7780

[www.santa-cruz.az.us/156/Victim-Services](http://www.santa-cruz.az.us/156/Victim-Services)

\*victim advocacy at the crime scene

## Appendix D

### Other Resources

#### **Arizona Department of Child Safety**

Arizona's Statewide Toll-Free Child Abuse Hotline

1-888-SOS-CHILD

1-888-767-2445

[www.dcs.az.gov](http://www.dcs.az.gov)

#### **Childhelp® USA National Child Abuse Hotline**

1-800-422-4453

[www.childhelp.org](http://www.childhelp.org)

#### **National Human Trafficking Hotline**

1-888-373-7888

#### **Southern Arizona Anti-Trafficking Unified Response Network (SAATURN)**

To reach out to law enforcement: [SAATURN@tucsonaz.gov](mailto:SAATURN@tucsonaz.gov)

Department of Homeland Security (DHS) at 1-866-347-2423

To reach out to CODAC for support services or to request trainings:

[SAATURN@codac.org](mailto:SAATURN@codac.org)

(520) 327-4505 ext. 2552, 4169

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<sup>i</sup> (22 U.S.C. § 7101 et. seq.), which was amended by the Trafficking Victims Protection Reauthorization Act of 2003, and again amended in 2005, 2008, and 2013.

<sup>ii</sup> Polaris Project, current federal laws. <https://polarisproject.org/current-federal-laws>

<sup>iii</sup> U.S. House of Representatives, Office of the Law Revision Counsel, United States Codes.

<http://uscode.house.gov/browse/prelim@title18&edition=prelim>

<sup>iv</sup> Arizona State Legislatures, Arizona Revised Statutes. [www.azleg.gov/arstitle/](http://www.azleg.gov/arstitle/)

<sup>v</sup> Arizona State Legislature, Victims' Bill of Rights, [www.azleg.state.az.us/const/2/2\\_1.htm](http://www.azleg.state.az.us/const/2/2_1.htm)

<sup>vi</sup> U.S. Immigration and Customs Enforcement, Continued Presence, Temporary Immigration Status for Victims of Human Trafficking, <https://www.ice.gov/doclib/human-trafficking/pdf/continued-presence.pdf>.

<sup>vii</sup> Victims of Human Trafficking & Other Crimes. [www.uscis.gov/humanitarian/victims-human-trafficking-other-crimes](http://www.uscis.gov/humanitarian/victims-human-trafficking-other-crimes)