

Congress of the United States
House of Representatives
Washington, DC 20515

May 30, 2014

The Honorable Eric Holder, Jr.
Attorney General
U.S. Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530-0001

Dear Attorney General Holder:

As Members of Congress eager to prevent human trafficking and the commercial sexual exploitation of American youth, we write to express our concern that the Department of Justice (DOJ) has failed to incorporate demand prevention strategies into DOJ-sponsored training and technical assistance.

State and local jurisdictions are increasingly eager to target law enforcement efforts on sex buyers who fuel the voracious commercial sex industry. Yet, they require federal guidance for these strategies to be most effective.

In 2005, Congress reauthorized the Trafficking Victims Protection Act (TVPA). For the first time, the Act included a title dedicated to domestic trafficking as we realized that trafficking, especially of minors, is also prevalent in the United States. Sections 201 and 204 were specifically intended to assist local law enforcement to develop tools and programs that confront the demand for commercial sex that fuels this perverted trade. However, these mandates have not been fully implemented with regard to sex purchasers. For example, last month a major DOJ-funded study of the commercial sex industry was released, congressionally mandated in 2005, yet it completely dropped sex buyers as a subject of study.

In a landmark January 2013 decision, the U.S. Court of Appeals for the Eighth Circuit, upheld convictions of two sex buyers as traffickers under the TVPA. The court concluded the TVPA's definition of sex trafficking "readily includes the actions of a purchaser." Thus, there is no doubt that sex buyers are traffickers under federal law. Yet, we are unaware of systematic efforts to train US Attorneys and Assistant US Attorneys on how to prosecute these cases. In fact, despite the existence of several DOJ- endorsed human trafficking training curricula, we are unaware of any training that specifically explains the need to prevent sex trafficking by prosecuting sex buyers.

Most disturbing, we are unaware of clear protocols for arresting and prosecuting sex buyers and collecting valuable evidence, during the FBI's Innocence Lost national initiatives, which have resulted in more than 2,700 sexually exploited children identified and recovered. Child rape will never end as long as perpetrators walk away with impunity. These operations must incorporate accountability by prosecuting buyers as traffickers.

Some important research demonstrates the importance of focusing on demand and the effectiveness of these initiatives.

Last fall, doctors and health professionals assembled by the Institute of Medicine issued *Confronting Commercial Sexual Exploitation and Sex Trafficking of Minors in the United States*, which states: “Efforts to prevent the commercial sexual and sex trafficking of minors in the United States are essential but largely absent,” and suggests “a particular emphasis on deterring demand.”

In 2008, the first comprehensive study of a model “john school” in San Francisco, CA found the program dramatically reduced recidivism; was cost effective by being self financed for 12 years while generating over \$1 million for victim services; and was transferrable to other jurisdictions, having been replicated in 12 other jurisdictions.

Despite Congress’ directive that DOJ should help states and local law enforcement agencies “establish, develop, expand, or strengthen” programs such as this one, we do not believe DOJ has taken any initiative—through training, technical assistance, or grant making—to encourage such prevention programs.


At the President’s Interagency Task Force on Human Trafficking convened this month, DOJ emphasized its commitment to incorporate survivor voices into human trafficking policy. Sex trafficking survivors strongly support policies to confront the demand for commercial sex. They are typically enraged at the impunity of sex buyers, who are rarely held accountable for the harm they cause.

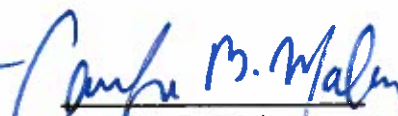
To incorporate primary prevention—preventing the crime before it happens—of sex trafficking into all DOJ human trafficking efforts, we hereby suggest that you convene a Commercial Sex Demand Reduction Working Group within the Department to work across office divisions.


This working group should consider, as priorities: FBI protocols regarding arrest and prosecution of sex buyers during Innocence Lost operations and similar initiatives; training for US Attorneys on effective strategies for prosecuting sex buyers; incorporating demand prevention recommendations, drawn from DOJ-funded research, into all human trafficking training curricula, technical assistance, and grant solicitations; supporting programs to reduce demand for commercial sex by encouraging cost-effective programs such as “john schools;” and supporting ongoing research on the most effective demand reduction tactics.

In short, we seek field-oriented leadership from DOJ to prevent the demand for commercial sex in order to protect American citizens, especially our children.


Sincerely,


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Member of Congress


Carolyn B. Maloney
Member of Congress



Randy Weber
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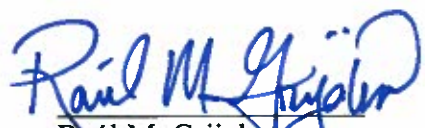

Ann McLane Kuster
Member of Congress

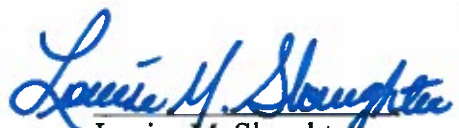

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