

tion of section 1593 of title 18 with respect to ordering restitution for victims of offenses under chapter 77 of such title.

(2) Policy for Federal law enforcement officers

The Attorney General shall ensure that Federal law enforcement officers are engaged in activities, programs, or operations involving the detection, investigation, and prosecution of covered offenders.

(d) Omitted

(e) Bureau of Justice Statistics report on State enforcement of human trafficking prohibitions

The Director of the Bureau of Justice Statistics shall—

(1) prepare an annual report on—

(A) the number of—

(i) arrests of individuals by State law enforcement officers for a covered offense, noting the number of covered offenders;

(ii) prosecutions (including specific charges) of individuals in State court systems for a covered offense, noting the number of covered offenders; and

(iii) convictions of individuals in State court systems for a covered offense, noting the number of covered offenders; and

(B) sentences imposed on individuals convicted in State court systems for a covered offense; and

(2) submit the annual report prepared under paragraph (1) to—

(A) the Committee on the Judiciary of the House of Representatives;

(B) the Committee on the Judiciary of the Senate;

(C) the Task Force;

(D) the Senior Policy Operating Group established under section 7103(g) of title 22; and

(E) the Attorney General.

(f) Department of Justice victim screening protocol

(1) In general

Not later than 180 days after December 21, 2018, the Attorney General shall issue a screening protocol for use during all anti-trafficking law enforcement operations in which the Department of Justice is involved.

(2) Requirements

The protocol required to be issued under paragraph (1) shall—

(A) require the individual screening of all adults and children who are suspected of engaging in commercial sex acts or who are subject to labor exploitation that may be in violation of child labor laws to determine whether each individual screened is a victim of human trafficking;

(B) require affirmative measures to avoid arresting, charging, or prosecuting human trafficking victims for any offense that is the direct result of their victimization;

(C) require all Federal law enforcement officers and relevant department personnel who participate in human trafficking inves-

tigations to receive training on enforcement of the protocol;

(D) be developed in consultation with State and local law enforcement agencies, the Department of Health and Human Services, survivors of human trafficking, and nongovernmental organizations that specialize in the identification, prevention, and restoration of victims of human trafficking; and

(E) include—

(i) procedures and practices to ensure that the screening process minimizes trauma or revictimization of the person being screened; and

(ii) guidelines on assisting victims of human trafficking in identifying and receiving victim services.

(Pub. L. 114-22, title I, § 114, May 29, 2015, 129 Stat. 241; Pub. L. 115-393, title V, § 502, Dec. 21, 2018, 132 Stat. 5276; Pub. L. 115-425, title I, § 121(b), Jan. 8, 2019, 132 Stat. 5478.)

CODIFICATION

Section is comprised of section 114 of Pub. L. 114-22. Subsec. (d) of section 114 of Pub. L. 114-22 amended section 3583(k) of Title 18, Crimes and Criminal Procedure.

Section was formerly classified to section 14044g of Title 42, The Public Health and Welfare, prior to editorial reclassification and renumbering as this section.

AMENDMENTS

2019—Subsec. (e)(1)(A). Pub. L. 115-425, § 121(b)(1), (2), substituted “number” for “rates” in introductory provisions and inserted “, noting the number of covered offenders” after “covered offense” wherever appearing.

Subsec. (e)(1)(A)(i). Pub. L. 115-425, § 121(b)(3), substituted “arrests” for “arrest”.

Subsec. (e)(1)(A)(ii). Pub. L. 115-425, § 121(b)(4), substituted “prosecutions” for “prosecution”.

Subsec. (e)(1)(A)(iii). Pub. L. 115-425, § 121(b)(5), substituted “convictions” for “conviction”.

2018—Subsec. (c)(1)(A)(iii), (iv). Pub. L. 115-393, § 502(1), added cls. (iii) and (iv).

Subsec. (f). Pub. L. 115-393, § 502(2), added subsec. (f).

USING EXISTING TASK FORCES AND COMPONENTS TO TARGET OFFENDERS WHO EXPLOIT CHILDREN

Pub. L. 114-22, title I, § 110, May 29, 2015, 129 Stat. 239, provided that: “Not later than 180 days after the date of enactment of this Act [May 29, 2015], the Attorney General shall ensure that—

“(1) all task forces and working groups within the Innocence Lost National Initiative engage in activities, programs, or operations to increase the investigative capabilities of State and local law enforcement officers in the detection, investigation, and prosecution of persons who patronize, or solicit children for sex; and

“(2) all components and task forces with jurisdiction to detect, investigate, and prosecute cases of child labor trafficking engage in activities, programs, or operations to increase the capacity of such components to deter and punish child labor trafficking.”

§ 20709a. Holistic training for Federal law enforcement officers and prosecutors

All training required under section 20709 of this title and section 7105(c)(4)¹ of title 22 shall—

(1) emphasize that an individual who knowingly solicits or patronizes a commercial sex

¹ See References in Text note below.

act from a person who was a minor (consistent with section 1591(c) of title 18) or was subject to force, fraud, or coercion is guilty of an offense under chapter 77 of title 18 and is a party to a human trafficking offense;

(2) develop specific curriculum for—

(A) under appropriate circumstances, arresting and prosecuting buyers of commercial sex, child labor that is a violation of law, or forced labor as a form of primary prevention; and

(B) investigating and prosecuting individuals who knowingly benefit financially from participation in a venture that has engaged in any act of human trafficking; and

(3) specify that any comprehensive approach to eliminating human trafficking shall include a demand reduction component.

(Pub. L. 115-392, § 7, Dec. 21, 2018, 132 Stat. 5253.)

REFERENCES IN TEXT

Section 7105(c)(4) of title 22, referred to in text, was in the original “section 105(c)(4) of the Trafficking Victims Protection Act of 2000” and was translated as if it read “section 107(c)(4)” of the Act to reflect the probable intent of Congress. There is no section 105(c)(4) of the Trafficking Victims Protection Act of 2000 and section 107(c)(4) relates to the training of Government personnel.

§ 20709b. Encouraging a victim-centered approach to training of Federal law enforcement personnel

(a) Training curriculum improvements

The Attorney General, Secretary of Homeland Security, and Secretary of Labor shall periodically, but not less frequently than once every 2 years, implement improvements to the training programs on human trafficking for employees of the Department of Justice, Department of Homeland Security, and Department of Labor, respectively, after consultation with survivors of human trafficking, or trafficking victims service providers, and Federal law enforcement agencies responsible for the prevention, deterrence, and prosecution of offenses involving human trafficking (such as individuals serving as, or who have served as, investigators in a Federal agency and who have expertise in identifying human trafficking victims and investigating human trafficking cases).

(b) Advanced training curriculum

(1) In general

Not later than 1 year after December 21, 2018, the Attorney General and the Secretary of Homeland Security shall develop an advanced training curriculum, to supplement the basic curriculum for investigative personnel of the Department of Justice and the Department of Homeland Security, respectively, that—

(A) emphasizes a multidisciplinary, collaborative effort by law enforcement officers who provide a broad range of investigation and prosecution options in response to perpetrators, and victim service providers, who offer services and resources for victims;

(B) provides guidance about the recruitment techniques employed by human traf-

fickers to clarify that an individual who knowingly solicits or patronizes a commercial sex act from a person who was a minor (consistent with section 1591(c) of title 18) or was subject to force, fraud, or coercion is guilty of an offense under chapter 77 of title 18 and is a party to a human trafficking offense; and

(C) explains that—

(i) victims of sex or labor trafficking often engage in criminal acts as a direct result of severe trafficking in persons and such individuals are victims of a crime and affirmative measures should be taken to avoid arresting, charging, or prosecuting such individuals for any offense that is the direct result of their victimization; and

(ii) a comprehensive approach to eliminating human trafficking should include demand reduction as a component.

(2) Use of curriculum

The Attorney General and the Secretary of Homeland Security shall provide training using the curriculum developed under paragraph (1) to—

(A) all law enforcement officers employed by the Department of Justice and the Department of Homeland Security, respectively, who may be involved in the investigation of human trafficking offenses; and

(B) members of task forces that participate in the investigation of human trafficking offenses.

(Pub. L. 115-393, title V, § 501, Dec. 21, 2018, 132 Stat. 5275.)

CODIFICATION

Section is comprised of section 501 of Pub. L. 115-393. Subsec. (c) of section 501 of Pub. L. 115-393 amended section 7105 of Title 22, Foreign Relations and Inter-course.

§ 20709c. Training of tribal law enforcement and prosecutorial personnel

The Attorney General, in consultation with the Director of the Office of Tribal Justice, shall carry out a program under which tribal law enforcement officials may receive technical assistance and training to pursue a victim-centered approach to investigating and prosecuting severe forms of trafficking in persons (as defined in section 7102 of title 22).

(Pub. L. 115-393, title V, § 504, Dec. 21, 2018, 132 Stat. 5277.)

§ 20710. Education and outreach to trafficking survivors

The Attorney General shall make available, on the website of the Office of Juvenile Justice and Delinquency Prevention, a database for trafficking victim advocates, crisis hotline personnel, foster parents, law enforcement personnel, and crime survivors that contains information on—

- (1) counseling and hotline resources;
- (2) housing resources;
- (3) legal assistance; and
- (4) other services for trafficking survivors.

(Pub. L. 114-22, title I, § 119, May 29, 2015, 129 Stat. 247.)