

grants to eligible entities to provide training to State and local law enforcement personnel to identify and protect victims of trafficking.”

Subsec. (c)(4) to (8). Pub. L. 115-392, §10(a)(4), added pars. (4) to (8).

2013—Subsec. (a)(1). Pub. L. 113-4 substituted “paragraph (9)” for “paragraph (8)”.

### § 20709. Combat Human Trafficking Act

#### (a) Short title

This section may be cited as the “Combat Human Trafficking Act of 2015”.

#### (b) Definitions

In this section:

##### (1) Commercial sex act; severe forms of trafficking in persons; state; task force

The terms “commercial sex act”, “severe forms of trafficking in persons”, “State”, and “Task Force” have the meanings given those terms in section 7102 of title 22.

##### (2) Covered offender

The term “covered offender” means an individual who obtains, patronizes, or solicits a commercial sex act involving a person subject to severe forms of trafficking in persons.

##### (3) Covered offense

The term “covered offense” means the provision, obtaining, patronizing, or soliciting of a commercial sex act involving a person subject to severe forms of trafficking in persons.

##### (4) Federal law enforcement officer

The term “Federal law enforcement officer” has the meaning given the term in section 115 of title 18.

##### (5) Local law enforcement officer

The term “local law enforcement officer” means any officer, agent, or employee of a unit of local government authorized by law or by a local government agency to engage in or supervise the prevention, detection, investigation, or prosecution of any violation of criminal law.

##### (6) State law enforcement officer

The term “State law enforcement officer” means any officer, agent, or employee of a State authorized by law or by a State government agency to engage in or supervise the prevention, detection, investigation, or prosecution of any violation of criminal law.

#### (c) Department of Justice training and policy for law enforcement officers, prosecutors, and judges

##### (1) Training

###### (A) Law enforcement officers

The Attorney General shall ensure that each anti-human trafficking program operated by the Department of Justice, including each anti-human trafficking training program for Federal, State, or local law enforcement officers, includes technical training on—

- (i) effective methods for investigating and prosecuting covered offenders;
- (ii) facilitating the provision of physical and mental health services by health care

providers to persons subject to severe forms of trafficking in persons;

(iii) individually screening 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; and

(iv) how—

(I) victims of sex or labor trafficking often engage in criminal acts as a direct result of severe trafficking in persons; and

(II) 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.

#### (B) Federal prosecutors

The Attorney General shall ensure that each anti-human trafficking program operated by the Department of Justice for United States attorneys or other Federal prosecutors includes training on seeking restitution for offenses under chapter 77 of title 18 to ensure that each United States attorney or other Federal prosecutor, upon obtaining a conviction for such an offense, requests a specific amount of restitution for each victim of the offense without regard to whether the victim requests restitution.

#### (C) Judges

The Federal Judicial Center shall provide training to judges relating to the application 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 investigations 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.)

**Editorial Notes**

**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 pro-

visions 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).

**Statutory Notes and Related Subsidiaries**

**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)<sup>1</sup> of title 22 shall—

(1) emphasize 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;

(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.)

**Editorial Notes**

**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.

<sup>1</sup> See References in Text note below.