

**U.S. IMMIGRATION AND CUSTOMS
ENFORCEMENT:
AT THE FOREFRONT OF THE FIGHT AGAINST
HUMAN TRAFFICKING**

JOHN P. WOODS*

Thank you very much for having me today. It is my pleasure to be here on behalf of U.S. Immigration and Customs Enforcement – or ICE, as we are known – to discuss human trafficking. As the largest investigative agency in the Department of Homeland Security, ICE has been at the forefront of the fight against human trafficking.

In February 2002, law enforcement authorities raided a brothel in Plainfield, New Jersey, where they discovered four young Mexican girls – some as young as 14 years old -- held captive and forced to work as prostitutes. ICE agents uncovered the human trafficking ring that had brought the girls to the United States and were holding them captive. The girls had been promised a better life in America – jobs, marriages. Instead, they found themselves isolated and confined as virtual prisoners, forced to engage repeatedly in sexual acts, threatened, beaten, and coerced.

Four of the six traffickers charged in the case have been sentenced to jail thus far. And earlier this year, a U.S. federal court awarded over \$135,000 in restitution to the four girls. Given what these girls suffered, that sum is not as generous as it probably should be, but it does represent a case of justice being served.

I would like to be able to say that this case represents an isolated incident. Unfortunately, that is not so, as trafficking in humans has become a major global industry. Every day, both here in the United States and throughout the world, men, women, and children

* Assistant Special Agent in Charge, Department of Homeland Security, U.S. Immigration and Customs Enforcement, Office of Investigations, Miami, Florida.

68 *INTERCULTURAL HUMAN RIGHTS LAW REVIEW* [Vol. 1]

are being victimized by these trafficking networks – held in conditions of servitude and bondage, or pressed into strikingly inhumane labor situations, or forced into prostitution and sexual exploitation.

Human trafficking is an affront to our country's most cherished values of individual freedom and individual dignity. But, equally important, this crime represents a serious threat to our nation's security. The criminal organizations and physical routes that provide the infrastructure for these trafficking networks could just as easily be exploited by terrorists or dangerous criminals to gain illegal entry to the United States.

One of our missions at ICE is to restore integrity to our nation's immigration system, to ensure that terrorists and criminals cannot exploit the system to do harm to our country or our people. Shutting down these trafficking networks is a central component of that mission.

One positive development in recent years is that our government has taken a much stronger, more aggressive stance against human trafficking. Four years ago, Congress recognized the seriousness of the problem when they passed the Victims of Trafficking and Violence Protection Act, which ensured that victims of severe forms of trafficking would receive the services and support they need. By making sure that these victims receive counseling, medical services, legal assistance, shelter, and other protections, we ensure that their rights and well-being are protected.

But it also ensures that these victims have a chance to tell their stories, which can be immeasurably helpful in investigating and prosecuting these crimes. If you talk to prosecutors in these cases, they will tell you how important that is – that the victims have an opportunity to tell their stories, protected from retribution and recriminations, and to see that justice is done.

From an investigative standpoint, that often helps us to identify the perpetrators in human trafficking cases and gives us greater insight into how they operate, which is an incredibly important step in our efforts to fight trafficking. We want to help these victims to

2006] IMMIGRATION AND CUSTOMS ENFORCEMENT 69

come out of the shadows, to come forward and share what they have suffered so that we can crack these networks.

I should emphasize, however, that our fight against trafficking goes beyond directly targeting those networks. We also seek to attack trafficking from the demand side -- by targeting sexual predators who would exploit women and children, who may themselves be victims of trafficking. Under ICE's Operation Predator, for instance, we've made more than 4,300 arrests in just over one year. That's 4,300 sexual predators -- including traffickers, child pornographers, pedophiles, and others -- we have taken off the streets. That is progress, and there is much more to be done.

For instance, ICE has taken a leading role in combating child sex tourism -- a criminal phenomenon that has grown increasingly more common. In today's world, it is easier than ever for sexual predators to travel abroad to commit their crimes. They often believe that they can travel to other countries -- to Cambodia, to the Philippines, to Central America -- to exploit children and then return home to their regular lives.

We are going to change that perception. We want these criminals to know that they will be exposed, they will be arrested, and they will be punished right here in the United States -- where our penalties for child sex tourism are among the stiffest in the world.

We also have greater legal authority to pursue and prosecute these criminals. The PROTECT Act, which the President signed into law in 2003, strengthens the hand of U.S. law enforcement to arrest and prosecute American citizens who exploit children overseas. And the PROTECT Act boosts penalties for child sex tourism as a further deterrent -- those convicted face up to 30 years in jail. This law is an important step toward putting an end to child sex tourism, and it sends a clear message to the world that we will hold our citizens responsible for criminal actions, wherever they are committed.

This is landmark legislation, a powerful tool for law enforcement -- and one that we are using to great effect. I am pleased to report that ICE has brought the first seven cases under this law in the first year it was in effect.

70 *INTERCULTURAL HUMAN RIGHTS LAW REVIEW* [Vol. 1]

To give you a sense of comparison: Under the old statute that was in effect for the 10 years before the PROTECT Act was passed, there were a total of two prosecutions for child sex tourism. In a little over a year since the new law took effect, we have seven arrests. That represents a great start toward demonstrating how seriously we take these crimes.

We are sending an undeniable message that these crimes will not be tolerated. That message will go a long way toward reducing child sex tourism, as well as the demand for trafficked children.

I highlight these ICE initiatives and authorities – Operation Predator, our efforts to fight child sex tourism, the PROTECT Act – because they illustrate how closely these types of exploitation against children and women are intertwined with human trafficking.

In the 21st century, in a world marked by the forces of globalization, the rapid spread of communication technology, and the ease of mobility and transport across national borders, we are seeing criminal activity that is more complex, more sophisticated, and more dynamic than ever before. And we will need law enforcement solutions that can respond in kind.

ICE is an excellent example of this new dynamic. Under Homeland Security, our agency has authority for enforcing both immigration and customs laws. That is a potent combination of traditional authorities that we have brought together into a powerful new approach to fighting criminal activity.

In the past, no agency had these comprehensive tools. With our combined authorities, ICE can attack organizations that engage in human trafficking from a variety of angles. We can get at their finances by targeting the ways they earn, move, and store their funding. Or we can use our immigration authorities to apprehend and detain their leaders and key players. It is an aggressive new approach to law enforcement, and it gives a sense of what we can accomplish under Homeland Security to put trafficking organizations out of business.

To that end, our approach to fighting human trafficking and other forms of exploitation should be firmly grounded in partnerships

2006] IMMIGRATION AND CUSTOMS ENFORCEMENT 71

– partnerships between governments, between law enforcement agencies, and with non-governmental organizations. With cooperation, coordination, and communication, we will be able to more effectively share information to identify these trafficking networks around the world, and we will be better able to identify and provide assistance to victims.

We have already laid the groundwork for this type of cooperation. In one recent initiative, ICE launched an investigation into a firm in Belarus that provided billing services for child pornography websites as well as operating child pornography sites of its own.

This single investigation, launched one year ago, has now led to more than one thousand arrests around the globe, from the United States to Europe to Australia to Hong Kong. Our agents used the billing records from this company to compile names, credit card information, and other key data on child porn consumers and shared this information with their law enforcement counterparts in other countries. This investigation – part of our “Operation Predator” initiative – is a model for what effective international cooperation will look like when it comes to tracking and arresting child sex predators of all kinds.

Those partnerships should extend not only between law enforcement agencies and international entities, but also with other U.S. government agencies and the private, non-governmental sector.

We are already making headway on this front. Just last month, the Department of Homeland Security entered into a working agreement with the U.S. State Department and World Vision, a non-profit global relief and development organization, to target U.S. citizens who engage in child sex tourism.

A key component of this effort will be an extensive advertising campaign in destination countries for child sex tourists, to warn them of the penalties they will face for their crimes. This is a promising approach, and it is an excellent illustration of how we can work together to combat the evils of child sex exploitation and trafficking. My hope is that we can build on these kinds of steps, to share information about known predators around the world and to ensure that they are dealt with aggressively.

72 *INTERCULTURAL HUMAN RIGHTS LAW REVIEW* [Vol. 1]

What we want to make clear is that we cannot tolerate a system of global trade that thrives upon human exploitation and suffering. Although we still have much work to do, I am pleased that we are taking new strides toward this worthy goal. Once again, I would like to thank all of you at St. Thomas University School of Law for hosting this event today, and we look forward to working with you in this cause.