

Strategies for Countering Impunity and Enhancing Prosecutions

- *Initial post-Palermo momentum in increasing prosecutions has proven difficult to sustain*
- *Declining prosecutions are an issue of great urgency, both globally and within the U.S., because prosecution is central to protection and prevention*
- *I will describe common prosecution challenges, and will then summarize promising practices for countering these challenges*

- **Challenge: Key Evidence of Coercion is Largely Invisible and Elusive**
 - *Psychological coercion is invisible, requiring Victim's cooperation to prove Victim's state of mind*
 - *However, deception, manipulation, intimidation, and trauma often impede Victims' ability to cooperate with authorities*
 - *Trauma-informed expertise requires a gradual process of stabilizing the victim, building trust, and eliciting reliable statements, necessitating coordination among victim specialists, investigators, and prosecutors*

- **Challenge: Complex Schemes Require Resource-Intensive, Multi-Disciplinary Teams**
 - *Trafficking crimes are not discrete incidents; they can involve numerous perpetrators implicated in a wide array of related violations spanning months or years*
 - *This requires close coordination, often outside existing structures and silos, among specialized experts in trafficking, money laundering, organized crime, fraud, immigration, child sexual exploitation, and labor violations enforcement areas*

- **Challenge: Sustaining Political Will**
 - *Victim-centered trafficking enforcement is necessarily resource-intensive; governments face challenges securing the essential victim stabilization, investigation, and prosecution resources necessary for effective trafficking enforcement, amid numerous competing priorities*
 - *The resource-related challenges can be compounded by the extended time required to produce a return on the resource investments; complex trafficking cases can take years to culminate in prosecutions and convictions*
 - *Furthermore, victim-centered anti-trafficking efforts can pose political perils when they involve vindicating the rights of victims with undocumented immigration status, drug dependencies, prior criminal histories, or other such politically perilous vulnerabilities. In these instances, political will can be more*

effectively mobilized by emphasizing the threats that trafficking poses to public safety, border security, and the rule of law, as well as to vulnerable individuals and communities

- **Responses to these Challenges:**

- *We have developed a pilot program, the Anti-Trafficking Coordination Team, or ACTeam Initiative, specifically aimed at addressing these challenges.*
- *It has produced promising results by significantly increasing trafficking prosecutions in the participating jurisdictions*
- *Key elements of its success are:*
 - *Specialized anti-trafficking units **providing intensive, ongoing infusions of specialized expertise and strategic guidance** in victim-centered, trauma-informed anti-trafficking strategies;*
 - ***Simultaneous commitments at the highest levels of leadership of all key enforcement agencies** to implementing the program in coordination under the guidance of the anti-trafficking experts; and*
 - ***Streamlined coordination** among all key anti-trafficking partner agencies.*
- *The combined effects of these key elements have proven effective at countering some of the most persistent challenges in prosecution of trafficking crimes, and at thereby increasing prosecutions in participating jurisdictions*

- **Conclusion:**

- *We look forward to continuing to work with our global anti-trafficking partners to overcome the challenges all the panelists have discussed, in order to increase our ability to bring traffickers to justice and restore the lives of victims.*