



Human Trafficking and Advances in Technology – A Prosecutor’s Perspective

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Good evening. Thank you to the Academy for inviting me to participate in such an important summit; it is an honor to be here. I am the Chief of the Major Crimes Section of the United States Attorney’s Office in Atlanta, Georgia. I prosecute and supervise the prosecution of human trafficking cases that involve the exploitation of both children and adults.

Today, I focus my remarks on the victimization of children. Specifically, the role new technologies play in making children easier targets for traffickers. Mobile phones, tablets, social media, and cell phone applications are to children what, especially for teenagers, dolls and marbles were to us when we were children – toys.

To a trafficker, these new technologies are tools in his or her toolbox. Three cases prosecuted in Atlanta demonstrate this.

A few years ago, an individual representing himself to be a teenager entered an internet chat room that limited participants to minors, and continually posted messages inviting young girls to talk with him if they were interested in receiving certain gifts and favors such as getting their hair and nails done. Girls as old as 16 years old, and as young as 11 years old responded. Each time a girl responded, the individual, who was in fact an adult man, encouraged them first to send revealing photos of themselves to him. Then he asked for their telephone numbers. Then, using text messaging, he demanded, at all hours of the day and night, that they take and send to him more and more sexually revealing photographs and videos of themselves. Once he received those, he threatened that he would post the photographs and videos on their school websites if they did not comply with his requirements that they engage in actual sexual activities with others. He even threatened the children with physical violence against themselves and their families. Using these tactics, this exploiter even convinced several girls to sexually molest their young brothers and stream this conduct live to him.

All of this activity was conducted on mobile devices. The nude photographs were taken with phones, the sexually revealing videos the man demanded were recorded and transmitted by way of the girls’ mobile phones, and the live sexual conduct was streamed to him using a mobile phone application. Ultimately, this man met and raped several of the girls including an 11 year-old and two 13 year-olds. He would perhaps never have been caught had a parent not looked at her daughter’s phone and seen the video of the girl molesting her younger brother. That parent took her daughter to the police department to be arrested for child molestation assuming that she was the predator.

More recently, a trafficker located in Atlanta used Facebook and text messaging to entice two young girls into prostitution. This, unfortunately, is not uncommon. What was different, in our experience, is that the trafficker succeeded in getting one of the girls, who was hundreds of miles away, who had never met him in person, to engage in sex acts for his commercial benefit. This girl, who the man knew was a minor, had never been a prostitute before. Using his phone and tablet, he persuaded, manipulated and enticed her, anonymously advertised her on the internet using revealing photographs he encouraged her to take with her phone and send to him, arranged the dates, and then had her send to him every penny she made. Eventually, he persuaded her to travel to Atlanta where he used violence and threats of violence to get her and the second teenager to work for him as prostitutes. But for a period of time, using technology, he was able to exploit a young girl from hundreds of miles away without ever having had to meet her in person.

And technology is making it harder for victims to escape their abusers. In a case involving a violent trafficker of both adult women and teenage girls, a victim escaped and a short time later she looked out of the window to see him sitting in his car waiting for her at the place where she thought she would be safe. She escaped again and again he was able to locate her. Here too, the mobile phone the trafficker had given to the victim was the tool he used. He had simply installed an application on each of the phones he gave to his victims that allowed him to not only keep track of their whereabouts, but also to see all of their communications, all without their knowledge.

These actual cases demonstrate that advances in technology allow traffickers to ensnare and enslave children with relative ease. And they allow traffickers to operate with almost complete anonymity. Some internet sites require no identifying information and traffickers can post advertisements for sexual services

anonymously. And of course, anyone can assume a false identity on the internet, including pretending to be a minor. Sadly, the children who fall prey are those who are the most vulnerable – children who have already been victimized in some way and are more susceptible to promises of love and comfort offered by adult exploiters, children who are mentally disabled, children from broken homes, children who are homeless, children who are at risk. In two of the cases I just described, some of the victims, an 11 year-old, a thirteen year-old and a sixteen year-old, attempted suicide as a result of the trauma they suffered.

What can we, as judges and lawyers do? How is justice achieved in this context? I submit that when children are involved our focus must be on prevention and protection. This requires that we assume roles that are perhaps not our traditional ones. An essential part of our children's education must necessarily be about the dangers of the internet. Our office has a child exploitation coordinator, a lawyer, who visits schools along with law enforcement agents to talk with kids about such dangers. And our human trafficking coordinator and other lawyers in our office spend a significant percentage of their time speaking to members of our community about human trafficking, thus raising awareness about the problem. I daresay that as an older generation we perhaps need to educate ourselves about the use of new technologies that to our youth is second nature. I admit that with every one of these cases I prosecute or supervise I find that I have fallen behind and have not kept up with the new mobile phone apps and even the language our teenagers are using to communicate. Traffickers are well versed in these areas and we must be too.

We must train our law enforcement officers to identify victims because we know that adult victims do not self-identify, and certainly, children are even more afraid to speak up and seek assistance.

We must collaborate across borders to facilitate the rescue of victims and the identification and prosecution of their exploiters. For example, we should establish protocols for recognizing legal process across international borders, and form task forces to enhance the efficiency and effectiveness of human trafficking investigations because when law enforcement officers are in the process of attempting to rescue an abused child, or to prevent the victimization of a child, any day lost in bureaucratic wrangling is a day too long. In Atlanta, we have been successful in obtaining subscriber information from an internet service provider in Canada by simply sending a subpoena for such information. This helps us to quickly identify the user of an IP address on a messaging site that is commonly used by children and adult abusers alike, and takes us one step closer to preventing or stopping the abuse of a child. This is the kind of international collaboration that must become routine. Because new technologies have added an additional layer of anonymity that traffickers use to their advantage, we must remove any barriers that prevent us from uncovering their identities and locations, wherever those may be.

And we must institute laws, where they do not currently exist, that provide for the punishment of those who threaten or otherwise intimidate witnesses and victims, or otherwise obstruct justice during the judicial process.

Most importantly, we must be keenly aware, when addressing cases involving children, of the psychological manipulation that they have experienced at the hands of adult traffickers. In many cases, the evidence presented in court includes expressions of love from victims to their traffickers. This is even more likely to occur with children. The evidence will oftentimes include the victim's choice not to attempt to escape from the trafficker when opportunities arose to do so. A child is even less likely than an adult victim to attempt to flee. The case may even include, as in a recent case of mine, evidence that a victim initiated the contact with the trafficker. I submit that such conduct on the part of a victim who is a minor does not constitute evidence in the trafficker's favor. A victim's apparent loyalty to her trafficker does not constitute a viable defense of the trafficker's conduct; it is not even evidence in mitigation. And this is more so when the victim is a child. Rather, we should see these facts as, or at least consider the possibility that they are, evidence of the child's need for services, for support, including restitution, access to counseling, and sometimes more basic assistance such as a place to live, food and clothing. Focusing on a survivor's needs and addressing them makes it less likely that he or she will be victimized again. Therefore, NGOs and governments must work together to provide these essential services to child survivors and to restore their dignity, their trust and their fundamental freedoms.

In conclusion, as Professor Sachs noted at the beginning of our program, if we can remember the least among us we protect all of humanity. Children, simply by being children, are among the most vulnerable citizens of our world. Advances in technology make it easier than ever before for them to be exploited. Education, international collaboration in trafficking investigations, and a victim centered approach to cases that are brought before us are the tools in our toolbox. We must use them to fight back for the protection of our children. It is imperative for the protection of humanity that we meet the goal of ending abuse, exploitation, and all forms of trafficking against children. Thank you.