

CONGRESSIONAL TESTIMONY
UTAH ATTORNEY GENERAL SEAN D. REYES
HOUSE COMMITTEE ON FOREIGN AFFAIRS

Thursday, May 14, 2015

Mr. Chairman, Members of the Committee, thank you for the opportunity to address what I consider to be one of the greatest evils plaguing our world today; specifically, Child Sexual Slavery or the Trafficking of Children for Sex Exploitation.

As the Attorney General of the great state of Utah, I am the highest ranking prosecutor in our state. In this capacity, I am familiar with all manner of crimes.

I oversee approximately 80 certified peace officers who serve as investigators for the state, either full-time or from partner agencies that are affiliates of our Internet Crimes Against Children Task Force or Secure Strikeforce, both multi-agency teams under the AG's office focused on combating crimes such as child sexual abuse, exploitation and child pornography and disrupting the trafficking of women and children for various reasons including sex and sex exploitation.

While I believe trafficking of persons is one of the most insidious of the many crimes we confront, it is also one of the least understood and least recognized by the public.

In addition to offering my support today for the International Megan's Law Bill (HR 515) sponsored by Chairman Smith and passed by the House, I would also like to paint with a slightly broader brush in giving texture to more comprehensive issues pertaining to human trafficking.

To that end, let me begin with a few generalized statistics re the trafficking of persons.

Overview of Worldwide Statistics:

- There are currently an estimated 20-30 million modern day slaves worldwide. People taken or lured into servitude and held against their will. International Labour Organization, *ILO global estimate of forced labour: results and methodology* (2012) p. 13.
- To put that number in perspective, that is twice as many modern day slaves than there were during the trans-Atlantic slave trade from the 16th to 19th centuries all combined—which was 10-13 million people by most scholarly accounts.
- Human Trafficking has become the 2nd Most Lucrative Criminal Enterprise Internationally (only trailing drug trafficking and ahead of even arms dealing and counterfeiting).
- It Generates an estimated 150 billion dollars or more annually but it is very difficult to quantify because of how little is reported.
- The United Nations Office on Drugs & Crime—estimates 18% of victims are forced into hard labor; other are conscripted into military servitude, recruited for terrorism, forced into acting as suicide bombers, part of illegal adoptions, or killed to harvest their organs on the black market.

- But the overwhelming majority, approximately 80% are forced into sex slavery or sex exploitation,
- Sex exploitation includes forcing victims into prostitution and compelling victims to commit sex acts for the purpose of creating pornography.

And now let me focus a few more statistics on sexual slavery

- Trafficking women and children for sexual exploitation is the fastest growing criminal enterprise in the world.¹ This, despite the fact international law and the laws of 134 countries criminalize sex trafficking.
- About 2 million children are exploited every year in the global commercial sex trade.³
³UNICEF, *Children Out of Sight, Out of Mind, Out of Reach; Abused and Neglected, Millions of Children Have Become Virtually Invisible* (Dec. 2005).
- Women and girls make up 98% of victims of trafficking for sexual exploitation.⁵
⁵International Labour Organization, *Minimum Estimate of Forced Labour in the World* (April 2005) p. 6.
- Anecdotal estimates from survivors are that only 1 in 10 victims caught up in “the life” of sexual trafficking are able to escape alive. That would mean 90% never make it out alive.
- According to the U.S. State Department, 600,000 to 800,000 people are trafficked across international borders every year, of which 80% are female and half are children.
- ***A quote from a young, international Sex Trafficking Victim:***
- ***They forced me to sleep with as many as 50 customers a day. I had to give [the pimp] all my money. If I did not [earn a set amount] they punished me by removing my clothes and beating me with a stick until I fainted, electrocuting me, cutting me.***
- When I first heard experiences such as these, I thought they were not humanly possible to endure. I am dreadfully sorry to report I was wrong. Having heard from many more victims, they have corroborated the fact that these children can be raped dozens, if not scores of times every day.

Utah RAX Case:

In February of 2014, based on a tip from our immigrant community and a brave man who wore a wire to help us gather evidence, my office arrested Victor Emmanuel Rax, a Central American individual, based on evidence of trafficking children, raping numerous young boys and forcing them to sell his drugs into not just high schools but junior high and elementary schools in Salt Lake County.

Upon arrest, we consulted with our federal law enforcement partners, who indicated that they knew of Rax, had tried to make a case against him for years but that witnesses became too intimidated or disappeared in the past.

They also indicated Rax had been deported 7 times back to Central America, where he had spent time in prison for crimes related to drugs and child sexual abuse and was a member of an international gang. Rax had just come back into the US after each deportation. We were not willing to let him escape again.

When we, with the cooperation of our federal counterparts, made the decision to prosecute Rax in the US Justice system and keep him here rather than deport, we had over 60 victims and witnesses come forward to testify by the time we filed information and charging documents. With such overwhelming evidence, Rax took his own life during the pendency of the trial.

With an International Megan's Law and attendant MOUs and bilateral agreements, Guatemala or El Salvador could have notified the U.S. to warn us of the monster within our midst.

Also, if these countries had the expertise, software, forensic technology, investigative techniques, prosecutorial experience that we have in the U.S., there may never have been a Victor Rax coming to Utah as they could have handled his case in his country of origin.

Utah Trafficking Cases:

The RAX case opened my eyes to the violations being perpetrated upon some of our most vulnerable. We have significantly increased the number of investigations and prosecutions of trafficking cases in Utah during my administration.

Just within the past two weeks, I participated with my strike force team on an undercover sting and raid of a massage parlor we believe to be a front for sex trafficking. It was a site I had personally surveiled over a period of a year.

In Utah, we have worked closely with legislators to enhance penalties for trafficking and to treat victims as victims rather than perpetrators.

During the RAX case, I heard of an organization based in Utah called Operation Underground Railroad, which was just starting-up. When I spoke to the founder, Tim Ballard, I told him I was impressed by 3 things: (1) the emphasis OUR puts into providing resources, counseling, training, stability to victims they liberate from trafficking and the involvement of Elizabeth Smartin their organization; (2) the focus on training local law enforcement partners in various countries to give or enhance the skills, techniques and tools they need to replicate the operations again and again; (3) the emphasis on letting local partners take credit for the wins and build credibility with their own people and government.

Over the past year, having participated as a partner and member of OUR, I would now add 2 more points: (4) the talent, dedication of Mr. Ballard's team (former successful CIA, HSI, Seals, Special Forces and law enforcement personnel) and (5) the effectiveness of the stings they set-up.

How do I know how effective they are? I've seen them up close and personally.

OUR Experience:

In October of 2014, I joined an undercover sting in Cartagena, Colombia organized by Operation Underground Railroad, in which I and others posed as sex tourists to disrupt trafficking rings in 3 Colombian cities.

Specifically, I was enlisted to play the role of a grim and menacing bodyguard (a bit unfairly I might add) and a dual role as translator for the main American buyer. I saw up close the horror and helplessness in the eyes of young girls ages 10-16 after the drugs the traffickers had given them had worn off and they were paraded in front of us like a pet to buy or a dessert to sample.

They offered up these innocents as nothing more than fungible objects to do whatever, however and with however many we wanted. We transacted a large amount of cash, captured on hidden cameras the disgusting things they said we could do to these children and then acted our part when arrested along with the traffickers.

All I can say is thank goodness we were the ones there instead of real sex tourist predators. Leaving the island where the takedown occurred, someone in the Colombian government let the girls know we were the good guys. So, when we were leaving on boats while the child victims were being interviewed by humanitarian and government child welfare organizations, they shouted thanks in English and Spanish. Thank you Americans, we love you Americans!

Not only did we liberate over 120 innocent girls and boys that day, reunite them with families, get them much needed resources to start the long road to recovery, but we trained law enforcement with investigative techniques and software. They have called us numerous times since to report on their successful interdiction of further trafficking rings.

Hundreds of more children have been liberated due in large part to the skills and techniques OUR provided.

People ask why the Utah AG went to Colombia. My reply: (1) Because such a high percentage of those traveling abroad for sex parties are Americans (some statistics suggest 80% or more of sex tourists may be American). I am embarrassed Americans provide such demand and feel a responsibility to remedy the scourge my countrymen have created; (2) helping stop human trafficking no matter where it exists is vital (no state funds or resources used); (3) creating a firewall in countries like Colombia and many others may well prevent future Victor Raxes from ever entering the shores of the US and my State of Utah.

International Training:

- Through the Conference of Western Attorneys General—I and other state AGs have conducted Bilateral training with AGs in Mexico and El Salvador to train and coordinate law enforcement resources and I have met with Ambassadors of Japan, Peru, the Philippines and other nations to discuss further coordination and training.
- No leader with whom I have spoken is opposed to this even greater coordination as envisioned by International Megan's Law.
- HR 515 also wisely provides for adding to the minimum standards for the principal diplomatic tool the US employs in this area: the Trafficking in Persons report by our State Department with its various Tiers and incentive for our sister nations to achieve Tier 1 status.

International Megan's Law:

- In summary, International Megan's Law makes sense. Codifying a requirement to alert law enforcement authorities in destination countries will allow our law enforcement partners worldwide to be more vigilant when known American child sex offenders are entering their

countries, sometimes for legitimate travel, but too often for repeat offenses of child crimes, sex parties and tours.

- It will also provide law enforcement at the federal/state/local level in the United States a much better chance to prevent domestic crimes when convicted child sexual abusers from other countries enter US territory.
- Fighting human trafficking is not a Republican or Democrat issue, it is a humanitarian issue. It transcends any political differences. It's devastating reach grasps all walks of life, and needs a united front for us to find success and give hope to victims and survivors worldwide.
- I urge the Senate and anyone listening to this hearing to support passage of this law and others aimed at curbing and eventually ending child sex trafficking.

MISC Talking Points:

- Michael Lewis Clark was the first American convicted under the child-sex tourism provision of the Protect Act (circa 2004). He guilty in a Seattle federal district court to two counts of engaging in sex with a minor. **Clark was arrested in Phnom Penh, Cambodia, after authorities there learned he was paying young boys as little as \$2 for sex. Clark may have molested as many as 50 children during several years of traveling back and forth to Cambodia, according to the investigation conducted by Immigration and Customs Enforcement (ICE), an arm of the Department of Homeland Security. Four other Americans have also been charged under the act.**
- Education is critical: Making people aware.

The video that plays during my testimony can be viewed here:

<https://drive.google.com/file/d/0B2Vb3nn8IEzHbW0teVdlMGk1UVE/view?pli=1>