

SECTION 2

# Collecting Data on Human Trafficking in Colorado



## Introduction

This section provides federal, state, and local data on human trafficking *incidence* and service provision to human trafficking survivors as reported by law enforcement agencies, prosecutors, and non-governmental organization (NGO) service providers covering the three-year period of 2015, 2016, and 2017. The Council provides reporting through the end of the previous year to avoid a partial report of the current year's investigative, judicial, and service provision activity. For the first time, this year's report also includes data on human trafficking from the state's child welfare departments.

In order to fulfill the Council's legislative mandate to collect data on human trafficking, the Council established the Data and Research Task Force, which has operated since the inception of the Council. In 2018, the Task Force focused exclusively on its data collection efforts.

Members also met on a modified schedule to review the latest research on the experiences and perspectives of human trafficking survivors.<sup>5</sup> If the Council decides to continue the work of the Data and Research Task Force in 2019, the task force will focus its efforts on eliciting human trafficking survivor perspectives on justice, and on examining the current human trafficking service provider landscape in Colorado.

## Colorado Law Enforcement Measures of Incidence and Activities to Combat Human Trafficking

### Federal Law Enforcement Activities in Colorado

The Council collected data on the number of human trafficking investigations, recoveries of trafficking victims, arrests of suspected traffickers, prosecutions, and convictions among federal law enforcement agencies with field offices in Colorado, namely the Federal Bureau of Investigation (FBI), Homeland Security Investigations (HSI), and the U.S. Attorney's Office. The Council includes national reporting from these federal agencies on their human trafficking activities in addition to state-level reporting. It should be noted that national reporting captures federal fiscal years (October through September, or July through June, depending on the federal agency), while Colorado data often reflect the calendar year (January through December). This difference will be noted throughout the report by using FFY for federal fiscal year or CY for calendar year.

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<sup>5</sup> DRTF met to discuss the eight following publications that address the experiences, perspectives, and recommendations of human trafficking survivors: Hannah Love, Jeanette Hussemann, Lilly Yu, Evelyn F. McCoy, and Colleen Owens. *Justice in Their Own Words*. (Issue Brief, Washington, DC: Urban Institute, 2018.) Accessed on October 18, 2018. <https://www.urban.org/research/publication/justice-their-own-words>.

Lilly Yu, Jeanette Hussemann, Hanna Love, Evelyn F. McCoy, and Colleen Owens, *Alternative Forms of Justice for Human Trafficking Survivors*, (Issue Brief, Washington, DC: Urban Institute, 2018). Accessed on October 18, 2018. <https://www.urban.org/research/publication/alternative-forms-justice-human-trafficking-survivors>.

Hannah Love, Jeanette Hussemann, Lilly Yu, Evelyn F. McCoy, and Colleen Owens. *Comparing Narratives of Justice*. (Issue Brief, Washington, DC: Urban Institute, 2018). Accessed on October 18, 2018. <https://www.urban.org/research/publication/comparing-narratives-justice>.

Evelyn F. McCoy, Colleen Owens, Lilly Yu, Hannah Love, and Jeannette Hussemann. *Delivering Justice for Human Trafficking Survivors*. (Issue Brief, Washington, DC: Urban Institute, 2018). Accessed on October 18, 2018. <https://www.urban.org/research/publication/delivering-justice-human-trafficking-survivors>.

United States Advisory Council on Human Trafficking, *Annual Report 2016*. (Washington, DC: U.S. Department of State, 2016). <https://www.state.gov/documents/organization/263434.pdf>.

United States Advisory Council on Human Trafficking, *Annual Report 2017*. (Washington, DC: U.S. Department of State, 2017). Accessed on October 18, 2018.

Ieke De Vries, and Amy Farrell. "Labor Trafficking Victimization: Repeat Victimization and Polyvictimization," *Psychology of Violence* 8, no. 5 (2018): 630–638. Accessed on October 18, 2018. <http://dx.doi.org/10.1037/vio0000149>.

Polaris. *On-Ramps, Intersections, and Exit Routes: A Roadmap for Systems and Industries to Prevent and Disrupt Human Trafficking*. (Washington, DC: Polaris, 2018).

## FBI Activities

As Table 1 shows, the total number of Department of Justice investigations nationwide decreased in FFY 2017 to 782, from 843 in FFY 2016.<sup>6</sup> The Council originally reported more than 1,800 DOJ investigations for FFY 2016, but adjusted this number downward based on the federal government’s correction of this figure. Data on DOJ investigations do not account for human trafficking investigations carried out by DOJ-funded Enhanced Collaborative Model (ECM) anti-trafficking task forces. In FFY 2017, DOJ funded two ECMs to further the development of multidisciplinary human trafficking task forces that implement collaborative approaches to combating all forms of human trafficking. In 2017, Colorado did not have an ECM operating within the state; thus, it has no ECM data to report.<sup>7</sup>

	National (reported by fiscal year)
Year	Total DOJ Investigations
2015	802
2016	843
2017	782

Data source: National data were obtained from the U.S. Department of State, *Trafficking in Persons Report* (2016, 2017, and 2018).

The Rocky Mountain Innocence Lost Task Force (RMILTF) is one of several law enforcement task forces across the country funded by DOJ to combat the commercial sexual exploitation of children born in the United States. RMILTF represents a joint effort, with officers/agents from the FBI, the police departments of Denver and Aurora, the Colorado State Patrol, and the sheriff departments of Arapahoe and Douglas counties, as well as investigators from the 1<sup>st</sup> and 18<sup>th</sup> Judicial District Attorney’s offices. For a fifth straight year, RMILTF reported an increase in the number of open investigations, up from 152 investigations in CY 2016 to 167 in CY 2017 (see Table 2). The number of victim recoveries decreased slightly to 112 in CY 2017 (down from 119 in CY 2016). Nonetheless, the number of males recovered rose from 15 recoveries in 2016 to 21 recoveries in CY 2017; there were also recoveries of three transgender individuals in CY

<sup>6</sup> U.S. State Department. “United States,” *Trafficking in Persons Report*. (Washington, DC: U.S. Department of State, 2018), p. 443.

<sup>7</sup> The Denver Anti-Trafficking Alliance was recently awarded (October 2018) ECM funding to enhance its work in addressing human trafficking in Denver county. The Council will include the data on its efforts in future reports. To learn more about this grant award, see “Section 1: Year in Review,” p. 20.

2017. RMILTF arrests increased in CY 2017 to 49, up from 35 arrests in CY 2016. Prosecutions of these 49 arrests were accepted at eight different judicial districts. RMILTF continues to receive referrals from jurisdictions that utilize the high-risk screening tool and that regularly convene multi-disciplinary teams (MDTs) to conduct at-risk youth case reviews with law enforcement, child welfare representatives, and other child advocacy and juvenile justice professionals.

**Table 2: FBI: Rocky Mountain Innocence Lost Task Force Activities, CY 2015–2017\***

Year	Investigations Opened	Recoveries (breakdown by gender)**	Arrests***
2015	86	72; 10M, 62F	55
2016	152	119; 15M, 104F	35
2017	167	112; 21M, 88F, 3T	49

Data source: Federal Bureau of Investigation-Denver Office.

\*The focus of the RMILTF is on investigations involving the commercial sexual exploitation of children and minor sex trafficking.

\*\*M stands for male, F stands for female, and T stands for transgender.

\*\*\* Arrest data include arrests for sex trafficking of a minor, pimping-related activity, sexual assault on a child, and patronizing a child prostitute.

The other local FBI-led human trafficking law enforcement working group is the Colorado Trafficking and Organized Crime Coalition (CTOCC). Its mission is to focus on adult and international victims of labor and/or sexual exploitation within Colorado. CTOCC investigates venues that support human trafficking, including the internet, restaurants, hotels, bars, labor camps, and businesses associated with prostitution. CTOCC partners include more than 25 local, state, and federal law enforcement agencies.

CTOCC reported 16 investigations and 28 arrests in 2017, which represents a significant increase from its 8 investigations and 15 arrests reported in 2016 (see Table 3). Of those 16 investigations opened in 2017, all were sex-trafficking related.

Year	Investigations Opened	Joint Operations Conducted	Arrests
2015	7	14	17
2016**	8	6	15
2017**	16	16	28

Data source: Federal Bureau of Investigation-Denver Office.

\* The focus of CTOCC is on adults and international victims of labor and/or sexual exploitation within Colorado.

\*\*While the 2015 numbers include both FBI-Denver led and supported CTOCC investigations, the 2016 and 2017 numbers reflect only FBI-Denver led activity.

## HSI Activities

HSI, the investigative arm of the Department of Homeland Security, is likewise charged with combating human trafficking. HSI pursues a broad range of suspected human trafficking and related activity—from cases involving adult foreign nationals to the investigation of child sexual exploitation, child pornography, and the forced labor of minors, especially situations involving the use of the internet to lure and/or exploit minors.

Nationally, HSI reported a substantial decrease in its human trafficking investigations, from 1,029 in FFY 2016 to 833 in FFY 2017 (see Table 4). At the state level, HSI reported an increase in its human trafficking investigations, from 10 in FFY 2016 to 14 in FFY 2017 (see Table 4). In FFY 2017, all of HSI’s investigations constituted cases of sex trafficking; the agency arrested 54 individuals in connection with these investigations. Most of these arrests will be handled by the state judicial system.

Year	National Data (investigations involving potential human trafficking)	Colorado Data (Colorado-based HSI investigations officially recorded as human trafficking-related)
2015	1,034	16
2016	1,029	10; 7 sex trafficking, 3 labor trafficking
2017	833	14; 14 sex trafficking, 0 labor trafficking

Data sources: National data were obtained from the U.S. Department of State, *Trafficking in Persons Report* (2016, 2017, and 2018). Colorado data were obtained from the HIS Denver field office.

### **Federal Criminal Case Filings**

In FFY 2017, the United States Attorney’s Office, District of Colorado, reported no federal human trafficking indictments, prosecutions, or sentences. The office’s previous anti-trafficking activities involved the guilty plea of a defendant for transporting a minor with the intent to engage in criminal sexual activity in FFY 2015. In FFY 2016, the same defendant was sentenced to 151 months (more than 12 years) in federal prison for that crime.

### State and Local Law Enforcement Activities

In order to gain a picture of the state and local law enforcement counter-trafficking efforts—not already captured through RMILTF and CTOCC reporting—the Council drew primarily from state judicial filings containing human trafficking statutes. The Council also considered local law enforcement efforts, human trafficking-related incidents, and arrests reported as part of the Colorado Bureau of Investigation’s (CBI) Uniform Crime Reporting (UCR) program, which in turn submits statewide data to the FBI’s UCR database.<sup>8</sup>

### **Local Law Enforcement Reporting on Human Trafficking**

Since CBI began collecting information on human trafficking incidents and arrests in 2014, the Council has considered including these data in its annual reports. UCR data on human trafficking incidents and arrests are drawn from police departments, sheriff’s offices, the Colorado State Patrol, and CBI. All of these local and state law enforcement agencies are mandated to report their crime fighting activities to CBI’s Crime Information Management Unit.<sup>9</sup> It was determined that data collected by CBI for calendar years 2015, 2016, and 2017 significantly underreported human trafficking incidents and arrests, especially when taking into account the multiple local law enforcement agencies’ workforce hours dedicated to RMILTF and CTOCC activities alone.

The challenges of accurately reflecting human trafficking incidents and law enforcement’s response efforts within the UCR system exists not only in Colorado, but nationwide. According to the U.S. State Department’s 2018 *Trafficking in Persons Report*, currently 78% of states report human trafficking crimes into the UCR system—but not all local agencies report to each

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<sup>8</sup> Unless otherwise indicated, the reporting period for state and local law enforcement activities is January 1–December 31.

<sup>9</sup> C.R.S. § 24-33.5-412(5).

state's UCR system, including in Colorado.<sup>10</sup> Beyond the lack of reporting compliance, several other factors contribute to underreporting of human trafficking-related activities. At the 2018 Association of State Uniform Crime Reporting Programs Annual Conference, Maria Trujillo, DCJ's Human Trafficking Program Manager, and Kris Lugo, Research Associate with the Justice Research and Statistics Association, gave a plenary presentation on the challenges of UCR reporting at the state and federal levels, respectively. Ms. Trujillo highlighted the challenges her office identified in Colorado, including a lack of protocols for local law enforcement jurisdictions on when and how to report activities they conduct as part of an anti-trafficking task force or in the context of MDTs. Similarly, Ms. Trujillo and Ms. Lugo both identified the challenges of reporting human trafficking when law enforcement may initially identify ancillary criminal conduct that is later determined to be human trafficking. Additionally, law enforcement personnel have become accustomed to recording human trafficking-related activities as a different crime when an investigation begins because they are unaware that human trafficking is a UCR crime with a corresponding code they can (and should) apply when they report on policing activity.<sup>11</sup>

The Council has a unique opportunity to contribute to the efforts to strengthen Colorado's UCR reporting activities on human trafficking. First, many of the jurisdictions most active in addressing human trafficking are members of the Council and/or its task forces; thus, they possess valuable "lessons learned" on reporting their human trafficking-related work. Likewise, they can play a vital role in rolling out new practices in the jurisdictions where the majority of counter-trafficking activities currently take place. Second, since one of its mandates is to develop human trafficking training standards and curricula, the Council can—and has—incorporated information on law enforcement's UCR reporting requirement along with helpful tips on reporting into its law enforcement training curriculum. As was mentioned in the *2017 CHTC Annual Report*, the Council convened two roundtables with law enforcement to learn about crime reporting practices in the state. Based on these informative stakeholder meetings, the Council created a Frequently Asked Questions handout for its law enforcement training module (See Appendix 3, p. 113). Third, since staff that supports the Council is housed in the

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<sup>10</sup> U.S. State Department, "United States," *Trafficking in Persons Report*. (Washington, DC: U.S. Department of State, 2018), p. 444.

<sup>11</sup> In January 2013, the national UCR Program began collecting offense and arrest data regarding human trafficking as authorized by the William Wilberforce Trafficking Victims Protection Reauthorization Act of 2008.

Department of Public Safety along with the CBI UCR Program Manager, there are plans to coordinate efforts to improve UCR data on human trafficking so that these data can serve as yet another reliable reflection of law enforcement efforts to combat the crime statewide.

### **Human Trafficking and Related State Judicial Case Information**

Another measure of local counter-trafficking efforts is the number and outcome of state judicial human trafficking cases.

Table 5 provides the breakdown of the number of times the human trafficking statutes were filed, along with the overall number of cases involving human trafficking statutes in CY 2015, 2016, and 2017.

	2015	2016	2017	Totals
Statutes	# of Filings	# of Filings	# of Filings	# of filings
Involuntary Servitude § 18-3-503*	1	3	1	5
Sexual Servitude - Adult § 18-3-504	22	17	16	55
Sexual Servitude -Minor § 18-3-504(2)	30	55	47	132
<b>Total Filings (cases)</b>	<b>53 (39 total cases)</b>	<b>75 (50 total cases)</b>	<b>64 (40 total cases)</b>	<b>192 (129 cases)</b>

Data sources: All case filings containing formal human trafficking statutes were queried using the Judicial Branch’s Integrated Colorado Online Network (ICON) information management system via the Colorado Justice Analytics Support System (CJASS). \*While there have been five filings of § 18-3-503 and two convictions on that charge, all but one filing related to crimes of a sex-trafficking or sexual assault nature. The one intentional filing of involuntary servitude resulted in the defendant’s plea to other charges.

As the table demonstrates, the number of filings of human trafficking statutes and of overall cases have generally increased since HB14-1273 went into effect in July 2014, particularly prosecutions involving a charge of the sexual servitude of a minor (§ 18-3-504(2)).

Nonetheless, there was a slight decrease in the number of cases involving human trafficking charges, from 50 in 2016 to 40 in 2017. The 129 human trafficking cases over the three-year period originated in 11 of the 22 Colorado judicial districts. Of those 129 cases, 101, or 78%, were filed in the Denver metro area, while 28 (22%) were filed elsewhere.<sup>12</sup> In 2017, the 17<sup>th</sup> Judicial District covering Adams and Brighton County filed 26 of the 40 human trafficking cases.

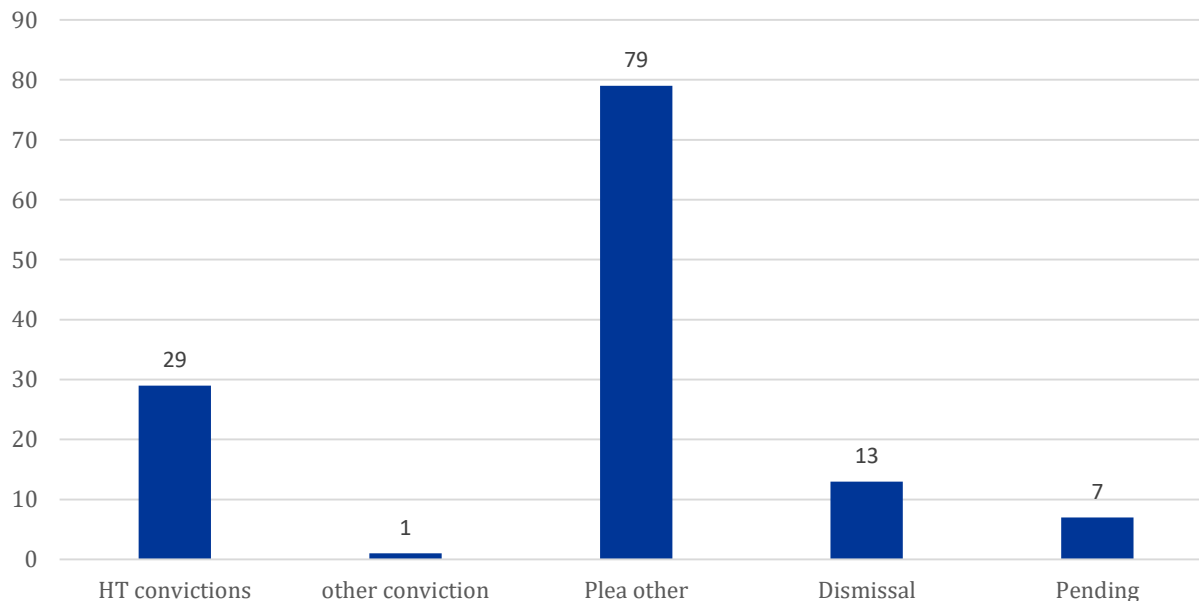
<sup>12</sup> Denver metro area jurisdictions include the 1st, 2nd, 17th, and 18th judicial districts.



As in past years, the 2017 filing of involuntary servitude (§ 18-3-503) involved allegations of unlawful sexual conduct, signaling a filing error versus a legitimate labor trafficking case. The filing of § 18-3-503 in 2016 that involved a legitimate charge of involuntary servitude resulted in a plea to separate charges.

Figure 1 provides a breakdown of how the 129 human trafficking cases were resolved. The majority of cases (79) involving a charge of human trafficking resulted in the defendant pleading guilty to related charges, while 29 cases resulted in a human trafficking conviction. In one case, the defendant went to trial and was acquitted on sexual servitude of a minor charges but found guilty of several other charges ancillary to sex trafficking, including sexual assault and the prostituting of a minor. Thirteen cases involving a human trafficking filing were dismissed, though in at least one case the dismissal resulted from a consolidation of two related cases for the same defendant rather than a lack of evidence to proceed. At the writing of this report, the outcomes of 7 cases were still pending. Figure 1 provides the breakdown of cases over the three-year period, while Figure 2 provides a breakdown by type of disposition (i.e., the final outcome of the case) by year.

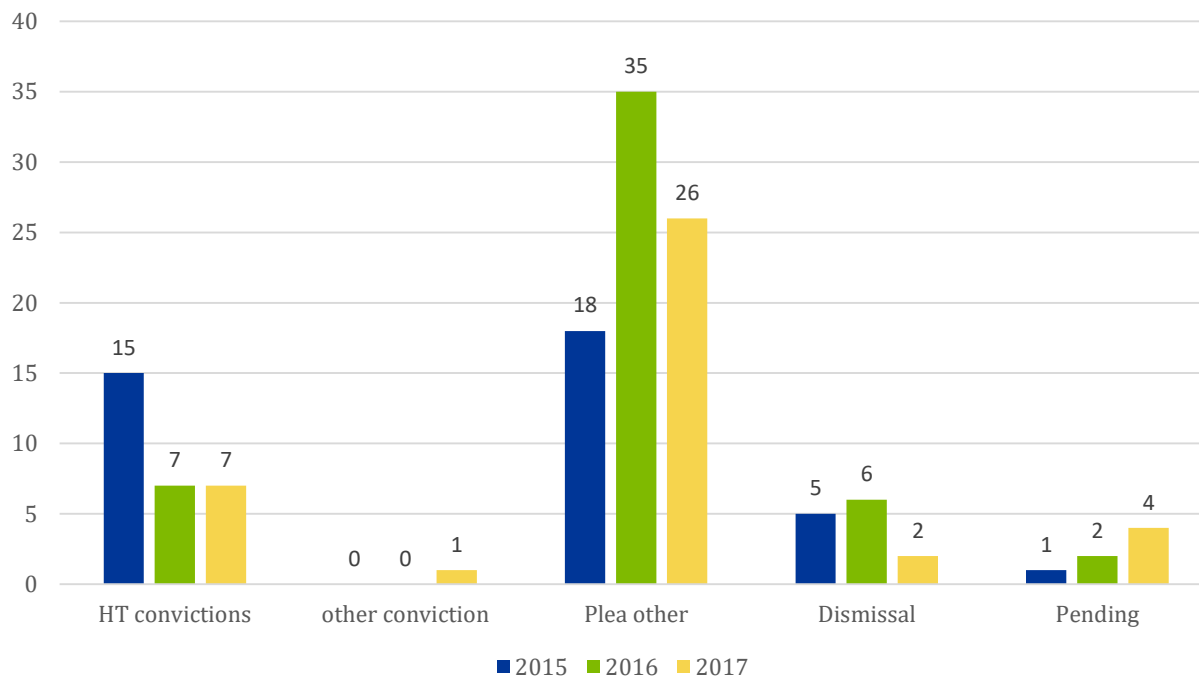
**Figure 1: Dispositions for Cases Involving a Human Trafficking Charge, CY 2015-2017**



Data source: The number of total cases was calculated using information obtained through the Judicial Branch’s ICON information management system via the CJASS. The case status for each filing was last obtained from the Colorado State Courts – Data Access system on December 21, 2018, by the Division of Criminal Justice’s Colorado Human Trafficking Council staff.

Figure 2 provides the resolution of cases as well as a detailed breakdown of the distribution of case outcomes in each category (e.g., human trafficking conviction, plea-other, dismissal, etc.) by year.

**Figure 2: Dispositions for Cases Involving a Human Trafficking Charge, Breakdown by Type of Disposition for Each Year, CY 2015–2017**



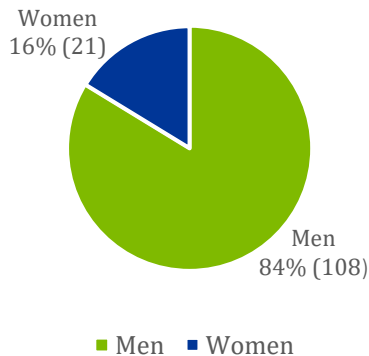
Data source: The number of total cases was calculated using information obtained through the Judicial Branch’s ICON information management system via the CJASS. The case status for each filing was last obtained from the Colorado State Courts – Data Access system on December 21, 2018, by the Division of Criminal Justice’s Colorado Human Trafficking Council staff.

Figure 3 (next page) provides the gender breakdown of those charged with human trafficking along with the gender breakdown of those convicted of the crime over the three-year period. This year the Council opted not to provide a racial analysis of defendants charged with and convicted of human trafficking offenses. The judicial database systematically collects race but not ethnicity data; therefore, for example, Hispanics are often recorded as white but not in every instance. In using secondary race data, the Council also had concerns about how those entering demographic data determine a defendant’s racial category and whether race is assessed in the same way by each staff and across all jurisdictions.

**Figure 3: Breakdown of Those Charged and Convicted of Human Trafficking by Gender, CY 2015–2017**

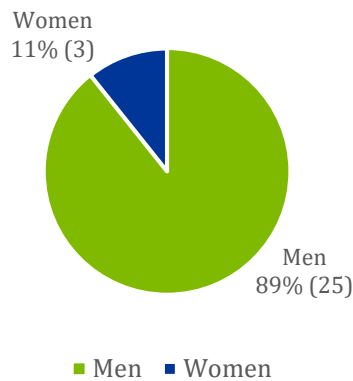
*Charged with Human Trafficking*

*N = 129*



*Convicted of Human Trafficking*

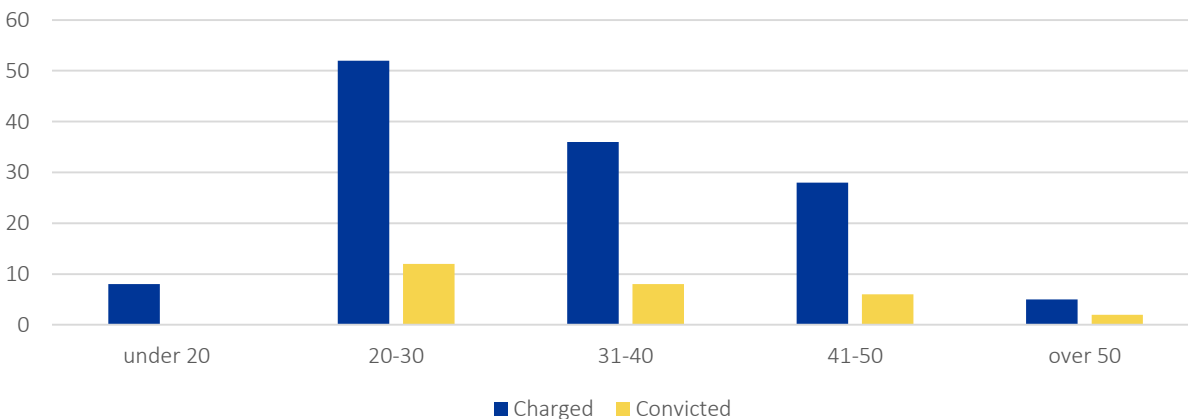
*N = 28*



Data source: The Colorado Judicial Branch’s ICON information management system via the CJASS. These data were obtained on December 21, 2018.

Figure 4 represents the age of those charged and convicted of human trafficking for CY 2015–2017. As with last year, the highest concentration of defendants is in the 20- to 30-year-old cohort. For those who were found guilty of human trafficking, the Council also considered what other charges they were convicted of. Table 6 provides a breakout of those ancillary charges that human traffickers were convicted of in addition to human trafficking. This table is limited to the total 28 criminal cases in which a conviction of involuntary or sexual servitude was reached from 2015 to 2017. As is demonstrated in the table, Pimping of a Child, Soliciting for Child Prostitution, and Pandering of a Child represent the top ancillary charges filed in addition to the charge of human trafficking.

**Figure 4: Defendants Charged/Convicted of Human Trafficking by Age, 2015–2017**



Data source: The Colorado Judicial Branch’s ICON information management system via the CJASS. These data were obtained on December 21, 2018.

<b>Table 6: Ancillary Charges on Which Trafficking Defendants Were Also Convicted</b>		
<b>Criminal Code</b>	<b>Charge</b>	<b># of Cases Involving the Ancillary Conviction</b>
§ 18-7-405	Pimping of a Child	5
§ 18-7-402	Soliciting for Child Prostitution	5
§ 18-7-403	Pandering of a Child	5
§18-7-206	Pimping	4
§18-6-701	Contributing to the Delinquency of a Minor	4
§ 18-6-403	Sexual Exploitation of a Child	4
§ 18-3-402	Sexual Assault	4
§ 18-7-403.5	Procurement of a Child	3
§ 18-7-405.5	Inducement of Child Prostitution	3
§ 18-7-406	Patronizing a Prostituted Child	3
§18-3-202	Assault in the First Degree	2
§18-7-203	Pandering of a Child	2
§ 18-3-404	Unlawful Sexual Contact	2
§ 18-3-302	Second Degree Kidnapping	1
§ 18-3-405	Sexual Assault on a Child	1
§ 18-7-404	Keeping a Place of Child Prostitution	1
§ 18-7-703	Victim Bribing	1
§ 18-7-707	Victim Tampering	1
§18-17-104	Colorado Organized Crime Act	1
§ 18-18-405	Unlawful distribution	1

Data source: The Judicial Branch’s ICON information management system via the CJASS and Colorado State Courts – Data Access system. These data were obtained on December 21, 2018.

Finally, the Council evaluated the sentencing outcomes for those convicted of human trafficking since the inception of the 2014 statutes. Of the 31 cases involving a human trafficking conviction between 2014 and 2017, three defendants were sentenced to probation, while 28 received a Department of Corrections (prison) sentence. The average human trafficking conviction involving a prison sentence is 41 years and the median sentence is 18 years. The high sentencing average primarily results from two particularly long sentences of 248 years

and 400 years, which were handed down in 2016 and 2017, respectively. The average probationary sentence is 7.5 years.<sup>13</sup>

## **Role of Victim Service Providers in Identifying and Responding to Human Trafficking**

The Council also collected data on the activities of Colorado-based service providers who identify and meet the complex needs of trafficking survivors living in or having ties to Colorado. For a fifth straight year, law enforcement reported more cases of sex trafficking, while service providers reported more cases of labor trafficking. In fact, for 2017, law enforcement reported no labor trafficking investigations or arrests. Various factors may account for the diverging picture of human trafficking in the state. Service providers often have trusting relationships with communities and persons vulnerable to multiple forms of exploitation and abuse, whether it is vulnerability resulting from one's temporary or undocumented immigration status or from one's previous victimization. Given this reality, NGO service professionals may come into contact with victims that law enforcement does not detect or is not called upon to investigate. Consequently, the NGO community provides a vital and complementary source of data on the incidence of human trafficking.

## **U.S. Department of Justice, Office for Victims of Crime-Funded Organizations**

Historically two main sources of federal human trafficking funding support survivors and the comprehensive social and legal services they receive: The DOJ's Office for Victims of Crime Service Grant and the Department of Health and Human Services, Office for Trafficking in Persons (OTIP) Per-Capita Grant Program. OVC grants provide funding to NGOs to staff legal and social service professionals and to cover or offset some of the costs of medical, housing, transportation, and related expenses. Currently two Colorado-based NGOs receive OVC funding—one to provide intensive case management and social services and the other to provide specialized legal services.<sup>14</sup> Both grantees serve all victims of human trafficking. Table 7 provides a breakdown of victims served by new and open cases and by immigration status for

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<sup>13</sup> This average is based on the sentencing for all charges upon which a defendant is convicted if that defendant was convicted on formal human trafficking statutes.

<sup>14</sup> To ensure the safety and confidentiality of human trafficking survivors, the names of the service organizations are not referenced.

those served nationally and in Colorado during FFY 2015, 2016, and 2017 (OVC’s fiscal year begins on July 1 and ends on June 30).

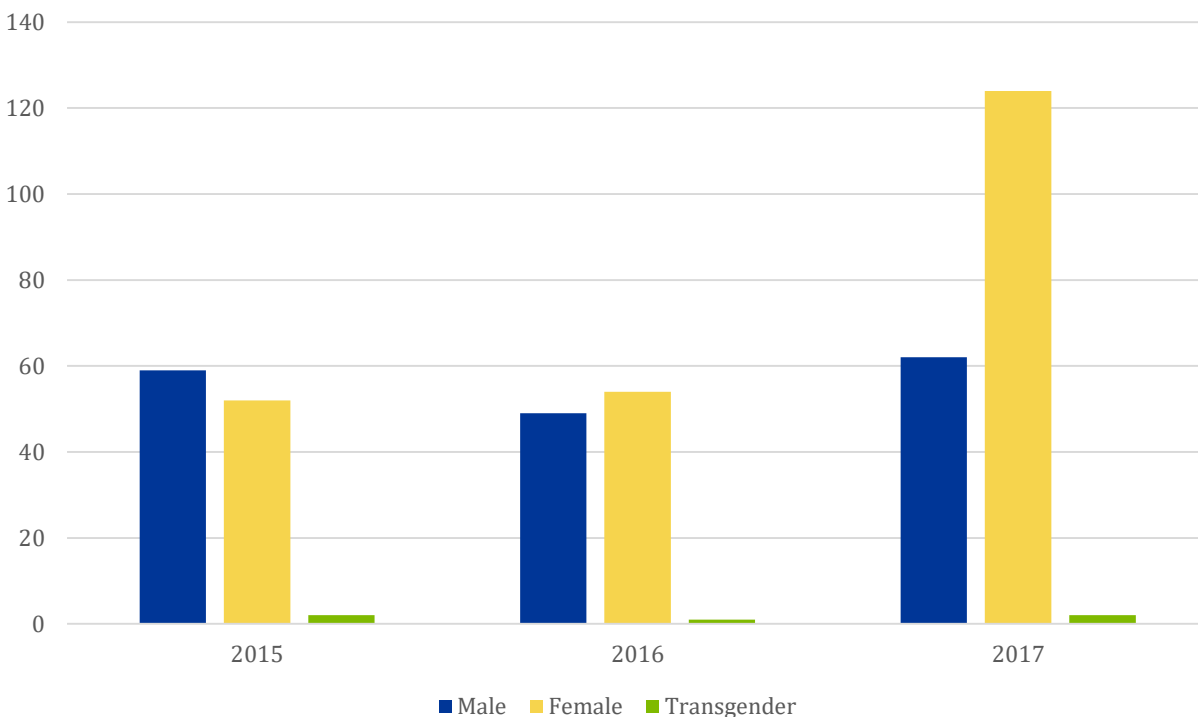
Year	National				Colorado			
	Breakdown of Victim Profile							
	Open Cases	Of Open Case Load, # of New Cases	Foreign National	U.S. Citizen/ Legal Permanent Resident	Open Cases	# of New Cases	Foreign National	U.S. Citizen/ Legal Permanent Resident
2015	3,889	2,180	1,906	1,983	113	59	80	33
2016	5,655	3,195	1,923	3,732	104	40	63	41
2017	8003	4,349	2,721	5,282	188	60	91	97

Data sources: National data were obtained from the U.S. Department of State, *Trafficking in Persons Report* (2016, 2017, and 2018) and Colorado data were obtained from the two Colorado-based grantees of the U.S. DOJ/OVC Human Trafficking Service Grant.

At the national level, OVC grantees continue to report serving more U.S. citizens and legal permanent residents than foreign nationals. At the state level, OVC grantees supported 91 foreign national victims in 2017, which is slightly less than the number of U.S. citizen/legal permanent resident population, at 97. This is the first time since the Council began collecting data that the number of U.S. citizens/legal permanent resident victims supported by OVC grantees was higher than that of foreign nationals. It should be noted that since OVC groups U.S. citizens and legal permanent residents into one category, the actual size of Colorado’s foreign-born human trafficking population is likely greater than shown in the table.

Figure 5 provides the Colorado OVC client breakdown by gender, Figure 6 shows the breakdown of adults versus youth, and Figure 7 represents the distribution by type of case.

**Figure 5: Gender Breakdown of Colorado OVC Clients, 2015–2017**



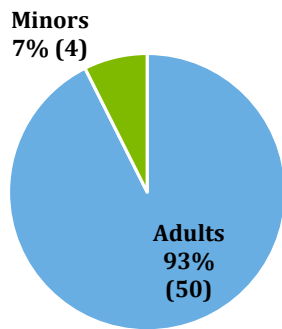
Data source: DOJ, OVC Trafficking Information Management System.

In past years the gender breakdown has been more even split between male and female clients, however in FFY 2017 significantly more women were served in Colorado by OVC grantees. This is largely attributable to a spike in victims served and the gender breakdown reported by one grantee; the demographics of victims served for the other Colorado-based OVC grantee remained more steady, though this organization also reported more females served than in past years.

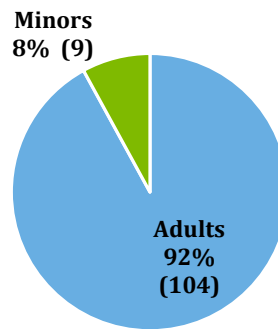
Figure 6 shows the breakdown of adult versus minor survivors served under the OVC grant. Colorado OVC grantees report serving a majority of adults. In contrast, Colorado law enforcement report more investigations and recoveries involving the trafficking of minors, in particular, in situations of sex trafficking.

**Figure 6: Colorado OVC Clients by Adults Versus Youth, 2015–2017**

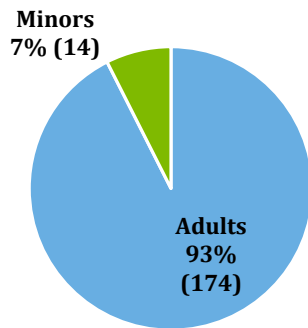
**2015**



**2016**



**2017**

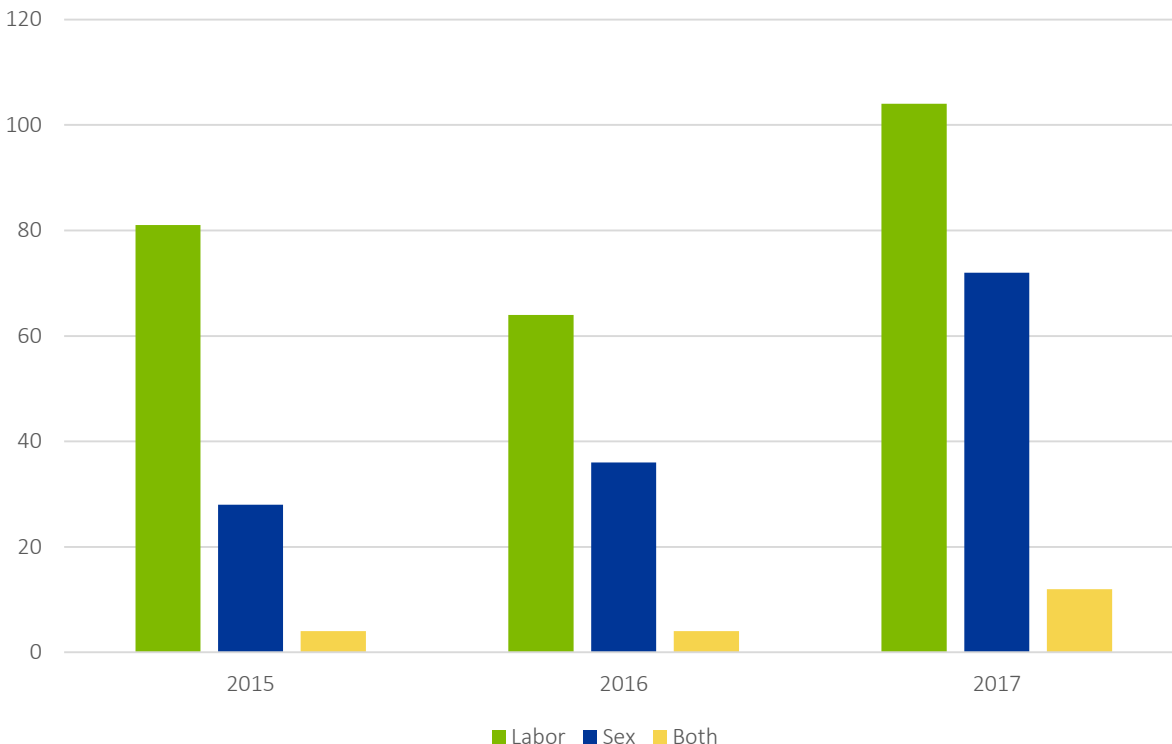


Data Source: DOJ, OVC Trafficking Information Management System.



As Figure 7 reflects, Colorado OVC grantees continued to report serving more labor than sex trafficking survivors, but the number of sex trafficking survivors served continued to rise in 2017. As with the change in gender demographics, the steady increase in sex trafficking survivors served was driven by one Colorado-based OVC grantee, while the proportion of sex trafficking survivors served by the other grantee remained generally constant.

**Figure 7: Distribution of Colorado OVC Clients by Type of Case**



Data Source: DOJ, OVC Trafficking Information Management System.

In past years this report also contained client information for those human trafficking survivors served under the U.S. Department of Health and Human Services, OTIP Per-Capita Grant Program. Immigrant survivors of human trafficking certified by the U.S. federal government as victims of a severe form of human trafficking are eligible for services under this program. Since the volume of clients served under this program in Colorado is, on average, less than 10 clients per year, the Council opted to omit these statistics given concerns about survivor confidentiality.

## Role of Colorado Counties' Departments of Human Services in Identifying Human Trafficking of Children/Youth

In 2014, U.S. Congress passed the Preventing Sex Trafficking and Strengthening Families Act (Public Law 113-183). With its passage came new requirements and responsibilities for child welfare agencies nationwide. Among them is the use of tools to better identify cases of human trafficking and child/youth who are at high risk for human trafficking within child welfare systems, and new responsibilities to: 1) report allegations of the sexual servitude of a minor to law enforcement and the U.S. Department of Health and Human Services, 2) document and annually report to the federal government on the number of victims the agency has identified, and 3) develop protocols and practices to serve trafficked children/youth within the agency's care, including a method of locating and responding to children who run away from foster care.

At the state level, Colorado passed HB 16-1224 in 2016, which expanded the definition of child abuse and neglect to include a child subjected to human trafficking of a minor for sexual servitude and victims of commercial sexual exploitation of children. It mandated a response from county and state departments of human services when a child or youth "has been a victim of intrafamilial, institutional, or third-party abuse or neglect in which she or he has been subjected to human trafficking of a minor for sexual servitude...or commercial sexual exploitation of a child."<sup>15</sup> In addition, the new law requires all county departments of human services to report suspected and identified cases of sexual servitude of a minor to local law enforcement with 24 hours. It also requires the use of a high-risk screening tool to assist in the identification of children/youth who are at risk for human trafficking and help to identify potential cases of human trafficking. The Colorado Department of Human Services opted to have all counties use a uniform tool for screening in order to meet this aspect of the law. The provisions of this law went into effect on January 1, 2017.<sup>16</sup>

As a recipient of the DOJ/OVC Improving Outcomes for Child Youth Victims of Human Trafficking grant, the CDHS is providing additional support to build human trafficking service capacity in target regions of the state and to bolster CDHS's human trafficking data collection activities. As part of the partnership between CDHS and CDPS/DCJ to track and report on child

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<sup>15</sup> C.R.S. § 19-3-308(4)(c).

<sup>16</sup> Concerning Child Abuse Involving Human Trafficking of Minors Act, HB16-1224 (2016).

welfare-based human trafficking data under the grant, this report includes child welfare information on human trafficking identification and response efforts for the first time.

The year 2017 marks the first year that the state government required the state's child welfare system to track and submit human trafficking information. It should be noted that child welfare human trafficking data from this first year have certain limitations. First, not all of Colorado's 64 counties have the same level of compliance, training and technical support, or reports of human trafficking incidence. Second, Trails (the child welfare case management system) is in the midst of a technology modernization process that affects the ease with which child welfare case workers can access and submit data from the high-risk for human trafficking screening tool. These factors resulted in gaps in data collection. Nonetheless, baseline data will be valuable for tracking how screening and human trafficking service referral patterns change over time, with the likelihood that both screenings and referrals for service will increase as the Trails modernization process is completed and counties have the opportunity to implement federal and state human trafficking-related requirements.

According to available data, in 2017 CDHS received information about 273 possible situations of sex trafficking of a minor—the majority of which came through the state's child abuse hotline. When CDHS learns about an allegation of child abuse and/or neglect, that initial information is screened to determine whether further assessment of the allegation is merited. Of the 273 referrals, 117 were accepted for assessment by the county child welfare agency in the jurisdiction where the child or youth resides. In CDHS parlance, the term "assessment"<sup>17</sup> refers to the process of investigating the allegations of child abuse and/or neglect to determine if the allegation is more likely than not a substantive finding or if there is a need for services. Of the 117 assessments conducted, 60 had alleged sex trafficking as the focus of the assessment.

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<sup>17</sup> The term "assessment" means the work conducted by a case worker to engage the family and the community to gather information to identify the safety, risks, needs and strengths of a child, youth, family, and community to determine the actions needed. "Assessment" and "investigation," as used in Sections 19-3-308 - 19-3-308.5, C.R.S., are interchangeable in these rules as defined in: Colorado Secretary of State's Code of Regulations, *Department of Human Services' Social Services Rules: Overview of Child Welfare Services*. 12 CCR 2509-1, (Denver: Colorado Secretary of State), effective January 1, 2016, pp. 47–58. Accessed December 3, 2018, <https://www.sos.state.co.us/CCR/GenerateRulePdf.do?ruleVersionId=7344&fileName=12%20CCR%202509-1>.

The possible outcomes of a high-risk assessment<sup>18</sup> by CDHS are:

1. Founded – credible evidence was discovered that the allegation of child abuse and/or neglect is more likely true than not.
2. Unfounded – the abuse and/or neglect assessment found that there is clear evidence that no incident of abuse and/or neglect occurred.
3. Inconclusive (High Risk) – the abuse and/or neglect assessment discovered that there was some likelihood that an incident(s) of abuse and/or neglect occurred but the assessment could not obtain the evidence necessary to make a founded finding.

Table 8 provides a breakdown of the type of entity that initially reported the allegation of sex trafficking to CDHS. As noted in the table, law enforcement reports triggered the most assessments with 14, while health/behavioral health providers, service providers, and state/county staff were the next most common reporter types.

<b>Table 8: Source of Report for Allegation of Minor Sex Trafficking, CY 2017</b>		
Reporter Type (Sex Trafficking Assessments Only)	Assess Count	%
Law Enforcement	14	23.33%
Health/Behavioral Health	10	16.67%
Service Provider	9	15.00%
State/County Staff	9	15.00%
School Related	7	11.67%
Placement/Caregiver	6	10.00%
Other	5	8.33%
<b>TOTAL</b>	<b>60</b>	<b>100.00%</b>

Data source: Colorado Department of Human Services.

<sup>18</sup> The term “high-risk assessment (HRA)” means the differential response track established for high-risk situations in which the alleged victim child(ren) are identified and a finding of abuse and/or neglect is made as defined in: Colorado Secretary of State’s Code of Regulations, *Department of Human Services’ Social Services Rules: Overview of Child Welfare Services*. 12 CCR 2509-1, (Denver: Colorado Secretary of State), effective January 1, 2016, pp. 47-58. Accessed December 3, 2018, <https://www.sos.state.co.us/CCR/GenerateRulePdf.do?ruleVersionId=7344&fileName=12%20CCR%202509-1>.

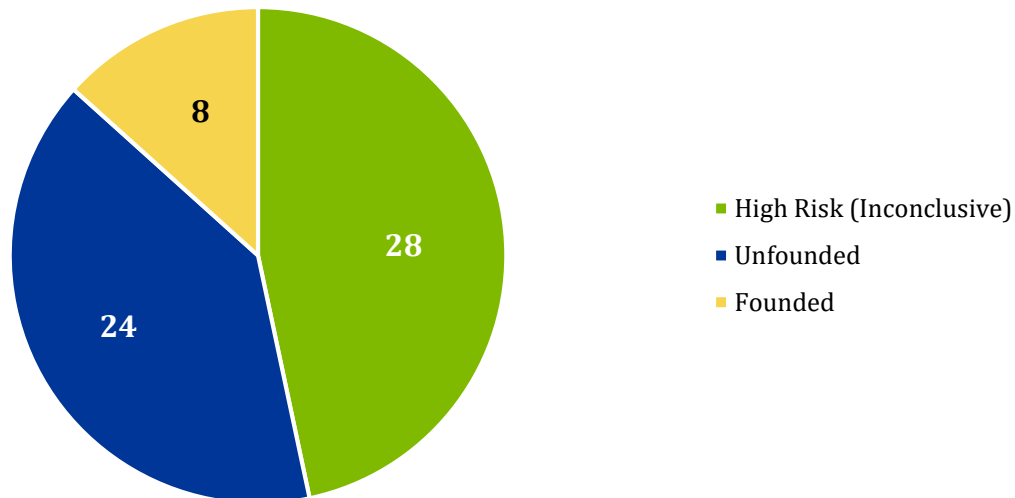
Table 9 shows the breakdown of county size (by population) where assessments were carried out. As demonstrated, the majority of assessments took place in more densely populated counties of Colorado.

<b>Table 9: Location (by County) Where Assessments for Minor Sex Trafficking Were Carried Out, CY 2017*</b>		
<b>County Size (Sex Trafficking Assessment Only)</b>	<b>Assess Count</b>	<b>%</b>
Ten Large Counties	53	88.33%
Small and Medium-Sized Counties	7	11.67%
<b>TOTAL</b>	<b>60</b>	<b>100.00%</b>

Data source: Colorado Department of Human Services.  
 \*A list of counties by size category can be found in Appendix 4, p. 118.

Figure 8 visually demonstrates the outcomes of the 60 sex trafficking-focused assessments. Eight (or 13%), were founded, 28 (or 47%) were determined to be at high risk for minor sex trafficking but inconclusive, while 24 (or 40%) were unfounded.

**Figure 8: Outcome of Assessments for Sex Trafficking of a Minor, CY2017**



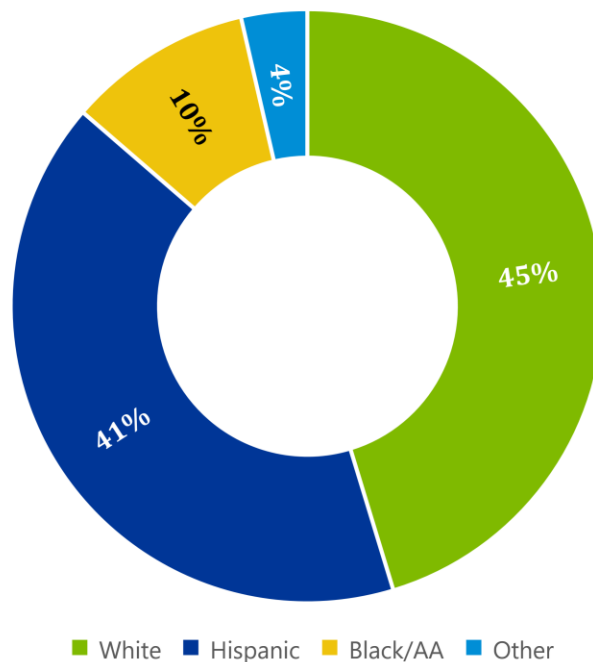
Data source: Colorado Department of Human Services.

Finally, CDHS tracked the number of times the newly implemented human trafficking high-risk screening tool was used. It is important to note that this screening tool is not prescriptive in nature, but instead helps to identify risk, allowing each county to utilize its resources to address the concerns raised by the screening tool. In order to address those children/youth

who were identified through the tool as high risk, several counties created (or are in the process of creating) multi-disciplinary teams. These MDTs conduct case reviews of those children/youth identified as high risk and develop individualized plans to address those concerns. In total, CDHS recorded 151 uses of the screening tool involving 139 unique clients. In other words, in 11 instances a screening was conducted on the same child or youth more than once. It should be noted that the count of 151 is exclusive of when the tool was used with a child welfare-involved child/youth and does not include screenings conducted by the Department of Youth Services screenings. Available data do not provide information on the outcome of that screen, only that it was conducted.

Figure 9 provides a breakdown by race of those children/youth within Colorado’s child welfare system who had a high-risk for human trafficking screen conducted. Figure 10 provides a breakdown by gender, and Figure 11 provides a breakdown by age.

**Figure 9: Breakdown by Race of Children/Youth Screened for Human Trafficking, CY 2017**

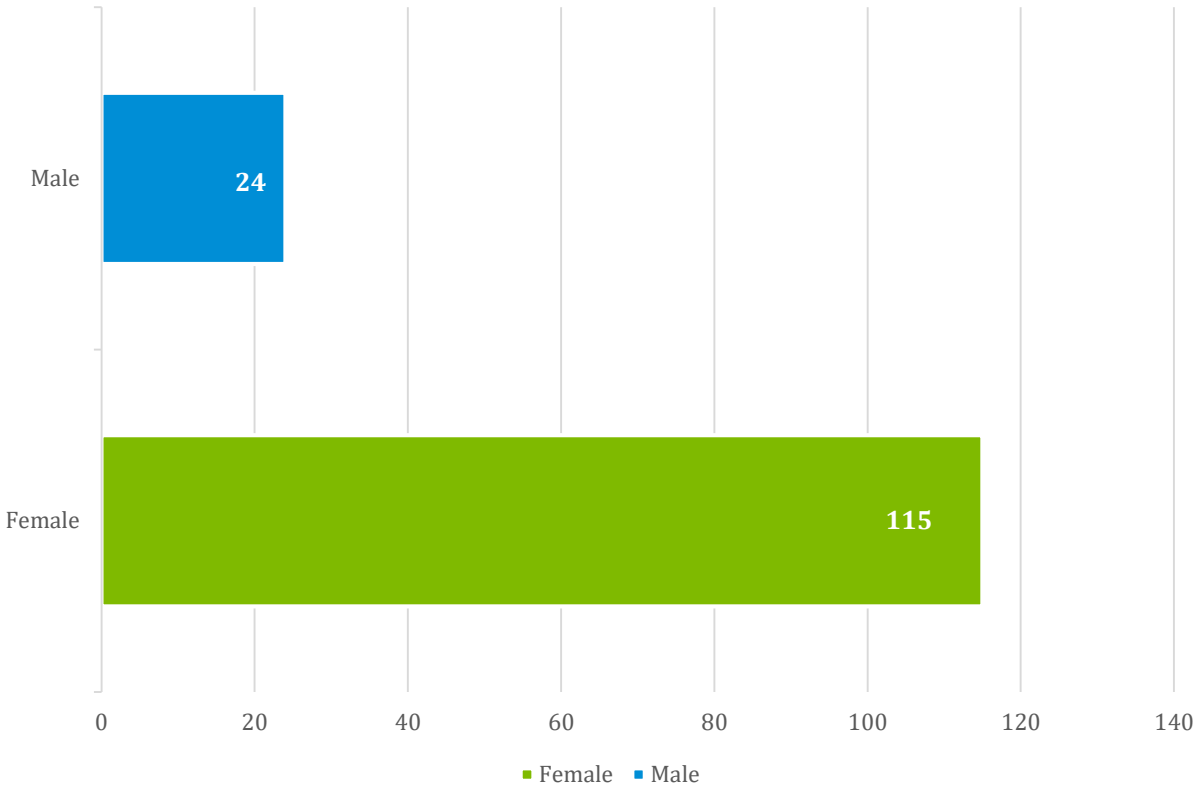


Data source: Colorado Department of Human Services.

As the data show, the largest group of those who had a high risk for human trafficking screen conducted were whites at 63 (or 45%), closely followed by Hispanics at 57 (or 41%), and then by blacks/African Americans at 14 (or 10%), and other at 5 (or 4%).

As Figure 10 shows, the majority of those children/youth who had a high-risk for human trafficking screen conducted were female, at 115 (or 83%), and 24 were male (or 17%).

**Figure 10: Breakdown by Gender of Children/Youth Screened for Human Trafficking, CY 2017\***

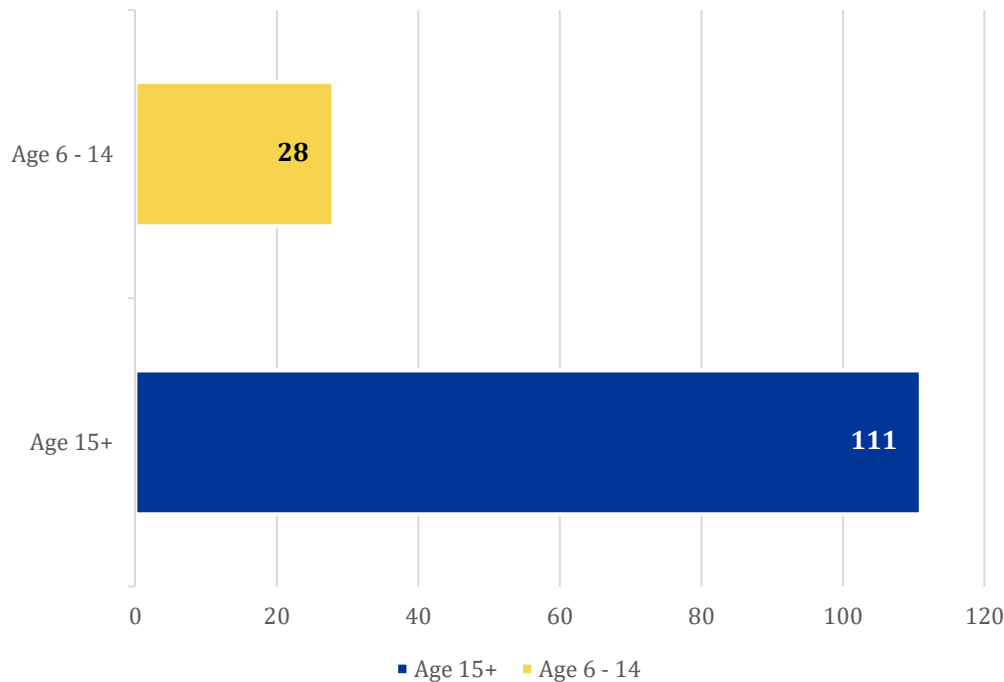


Data source: Colorado Department of Human Services.

\*In 2017, CHDS did not track transgender individuals, but as of 2018 it will begin reflecting this gender identification.

As Figure 11 shows, the majority of those who had a high-risk screen for human trafficking conducted were 15 or older, while 28 or 20% were under age 15.

**Figure 11: Breakdown by Age of Children/Youth Screened for Human Trafficking, CY 2017**



Data source: Colorado Department of Human Services.

The addition of CDHS data provides yet another snapshot of the populations identified as victims of child sex trafficking/commercial sexual exploitation or vulnerable for human trafficking, as well as the types of professionals involved in efforts to report possible situations of human trafficking of minors in Colorado. With this valuable baseline data, CDHS and CDPS hope to show changes in data trends over time so that Colorado law makers, law enforcement, service providers, and others have a more accurate understanding of how the crime of human trafficking affects children and youth involved with child welfare as well as a clearer picture of child welfare agencies' response to this crime among children and youth in its care.

## Human Trafficking Hotline Call Information

Calls to the national and Colorado NGO-administered hotlines provide yet another valuable source of information on the potential incidence of human trafficking. Calls to these hotlines come from concerned citizens, frontline professionals, victims of human trafficking, and those who are vulnerable to human trafficking or are experiencing some level of exploitation that has



yet to meet the definition of human trafficking. The National Human Trafficking Hotline (NHTH) administered by Polaris (based in Washington, DC) tracks information about the calls it receives nationwide as well as those related to Colorado. NHTH reported a slight decrease in calls from 26,727 in CY 2016 to 26,557 calls in CY 2017 (see Table 10). Likewise, in CY 2017, the number of total calls to the NHTH hotline involving Colorado decreased to 425 calls from 592 in CY 2016. Of the overcall call volume, NHTH reported 117 unique tips, a minimal decrease from 120 unique tips reported in CY 2016. Total calls represent the overall volume, while the unique tips tally eliminates duplicate calls that refer to the same situation of human trafficking or that were informational in nature and not related to a possible situation of human trafficking. As in years past, the majority of tips reported to the NHTH at both the national and Colorado levels involved alleged sex trafficking. It should be noted that while this report employs the term “tip” as it relates to data from NHTH, Table 10 refers to calls received by the NHTH that pertain to a potential situation of sex or labor trafficking. Such calls may or may not result in a law enforcement report and/or a confirmation of a human trafficking case.

The Colorado Network to End Human Trafficking (CoNEHT) hotline—a state-level hotline—is currently administered by the Laboratory to Combat Human Trafficking. In 2017, CoNEHT reported a steady increase in calls and unique callers: 423 calls and 251 unique callers in CY 2017, up from 310 calls and 194 unique callers reported in CY 2016 (see Table 10). In CY 2017, CoNEHT reported 21 calls in which the caller indicated possible labor trafficking, and 76 calls in which the caller indicated possible sex trafficking; 11 calls indicated both labor and sex trafficking. CoNEHT protocol is to only indicate labor or sex trafficking only when the distinction is made by the caller.

Similar to last year, LCHT also reported that one third of callers identified themselves as victims/survivors, a positive indication that individuals may be more likely than in the past to self-identify and report their situations. It is important to note that the call data from the NHTH and CoNEHT hotlines cannot be added together to calculate a Colorado total of hotline calls because of the high potential for duplication in callers between the two hotlines. The two hotlines do have a protocol for making referrals to each other. In 2017, the CoNEHT hotline received 18 referrals from the NHTH and made 11 referrals to the NHTH. Because these are two distinct hotlines, the best way to track any possible overlap in calls is through an accounting of referrals.

<b>Table 10: Human Trafficking Hotline Call Data, CY 2015–2017</b>						
National Human Trafficking Hotline						
	2015		2016		2017	
	National	Colorado	National	Colorado	National	Colorado
Total Number of Substantive Calls	21,947	310	26,727	592*	26,557	425
Total Number of Unique Tips Reported**	<b>5,575</b> unique tips reported, of which <b>4,183</b> ST, <b>728</b> LT, <b>172</b> both, and <b>492</b> not specified	<b>77</b> unique tips reported, of which <b>48</b> ST, <b>22</b> LT, <b>5</b> both, and <b>2</b> not specified	<b>7,565</b> unique tips reported, of which <b>5,549</b> ST, <b>1,055</b> LT, <b>270</b> both, and <b>691</b> not specified	<b>120</b> unique tips reported, of which <b>84</b> ST, <b>21</b> LT, <b>7</b> both, <b>8</b> not specified	<b>8,524</b> unique tips reported, of which <b>6,081</b> ST, <b>1,249</b> LT, <b>377</b> both, and <b>817</b> not specified	<b>117</b> unique tips reported, of which <b>82</b> ST, <b>22</b> LT, <b>4</b> both, <b>9</b> not specified
Colorado Network to End Human Trafficking (CoNEHT) Hotline						
	2015		2016		2017	
Total Number of Calls	200 (163 unique callers)		310 (194 unique callers)		423 (251 unique callers)	
Total Number of Unique Callers Reported***,****	<b>99</b> involved indicators of potential sex trafficking and <b>41</b> involved indicators of potential labor trafficking		<b>129</b> involved indicators of sex trafficking, <b>22</b> involved indicators of labor trafficking, and <b>18</b> involved indicators of both		<b>76</b> involved indicators of sex trafficking, <b>21</b> involved indicators of labor trafficking, and <b>11</b> indicated both	

Data sources: National data were obtained from the National Human Trafficking Hotline and Colorado data were obtained from the Laboratory to Combat Human Trafficking.

\*While NHTH reported 391 calls on its website, the number of calls in 2016 was actually 592—a figure that the Council has revised for this year’s report.

\*\*ST indicates sex trafficking; LT indicates labor trafficking.

\*\*\*In the case of CoNEHT data, unique calls represent the number of total calls minus duplicates, e.g., multiple calls referring to the same case. Nonetheless, in many instances a different set of information and/or resources were involved.

\*\*\*\* The reported numbers are not exclusive to law enforcement-related tips.

## Colorado Data Collection Summary

In 2017, Colorado investigative activities increased among the three main investigative entities charged with addressing human trafficking: RMILTF, CTOCC, and HSI all reported increases in new cases and related arrests, though none of these entities reported investigations or arrests involving labor trafficking. While no federal indictments, prosecutions, or sentences were reported in 2017, the number of state criminal cases remained steady with 40 human trafficking cases filed. Of those 40, however, none related to labor trafficking. As in past years, the majority of state human trafficking cases filed in 2017 resulted in a plea agreement. Based on 2015–2017 data, defendants are most likely to be male and be 20- to 30-years old. The average state prison sentence for someone convicted of human trafficking in Colorado is 41 years and the median sentence is 18 years.

In terms of hotline activity, NHTH reported fewer calls and unique cases of possible human trafficking involving Colorado. In contrast, CoNEHT reported an increase in overall traffic to its hotline, including an increase in unique callers contacting the hotline with situations of possible human trafficking.

Colorado service providers with federal funds to serve trafficking survivors continue to report labor trafficking survivors as their most common client profile, and for the first time this year reported serving more U.S citizens and legal permanent residents than foreign nationals.

Given these trends, there is strong evidence that the state continues to make progress in holding human traffickers accountable. Nonetheless, available data indicate that law enforcement efforts may be uneven when it comes to addressing human trafficking of foreign nationals and situations of possible labor trafficking.