

How to Prepare the Monthly Return of Human Trafficking Offenses Known to Law Enforcement

The Human Trafficking Form is a Uniform Crime Reporting (UCR) form used to collect monthly data on the number of human trafficking offenses that become known to local, county, state, and tribal law enforcement agencies (LEA) in the United States.

The Hierarchy Rule does not apply when reporting human trafficking. If a human trafficking offense occurs in conjunction with a Part I offense (murder and nonnegligent manslaughter, rape, robbery, aggravated assault, burglary, larceny-theft, motor vehicle theft, and arson), the reporting LEA must report the Part I offense on the Return A or Arson Forms, and the human trafficking offense must be reported on this form.

When reporting the number of human trafficking offenses, the number of offenses per victim are counted. One human trafficking victim can be counted under commercial sex acts, involuntary servitude, or both. For example, during the weekdays a victim is labored at a kiosk in the mall and on weekends the same victim is prostituted. One offense of commercial sex acts should be counted and one offense of involuntary servitude should be counted. *Count the number of human trafficking offenses per victim.*

Column 1 - Human Trafficking Classification

Two human trafficking offense classifications are listed. The human trafficking offenses are defined as:

- Offense A **Human Trafficking, Commercial Sex Acts:** Inducing a person by force, fraud, or coercion to participate in commercial sex acts, or in which the person induced to perform such act(s) has not attained 18 years of age. *(Commercial sex acts may be exchanged for anything of value.)*
- Offense B **Human Trafficking, Involuntary Servitude:** The obtaining of a person(s) through recruitment, harboring, transportation, or provision, and subjecting such persons by force, fraud, or coercion into involuntary servitude, peonage, debt bondage, or slavery. *(Not to include commercial sex acts.)*

Column 2 - Offenses Reported

All actual and attempted human trafficking offenses occurring within an agency's jurisdiction for the month should be reported in this column. Also included in this column are any offenses committed in previous months but not reported until this month. *All known offenses, including those subsequently determined to be "unfounded,"* should be entered in column 2.

All commercial sex acts and involuntary servitude offenses and attempts which occur during the month should be reported whether they become known to the police as the result of: (a) Citizens' complaints, (b) Reports of police officers, (c) "On view" (pick-up) arrests, (d) Citizens' complaints to sheriff, prosecutor, county police, private detective, constable, etc., and (e) Any other means.

- Row 1 Enter all actual, attempted, and unfounded commercial sex acts offenses reported for the month. Also included in this column are any commercial sex acts offenses committed in previous months but not reported until this month. *All known commercial sex acts offenses, including those subsequently determined to be "unfounded,"* should be entered.
- Row 2 Enter all actual, attempted, and unfounded involuntary servitude offenses reported for the month. Also included in this column are any involuntary servitude offenses committed in previous months but not reported until this month. *All known involuntary servitude offenses, including those subsequently determined to be "unfounded,"* should be entered.
- Row 3 Enter the totals of row 1 and row 2.

Column 3 - Unfounded, i.e., False or Baseless Complaints

An unfounded, false, or baseless complaint is when a department receives a report of an offense from a citizen which, after preliminary investigation by officers, is determined to be false or baseless. In other words, no crime occurred. In this case, each unfounded complaint should be reported in column 3.

- Row 1 Enter the number of commercial sex acts complaints which were proved to be "unfounded" by police investigation.
- Row 2 Enter the number of involuntary servitude complaints which were proved to be "unfounded" by police investigation.
- Row 3 Enter the totals of row 1 and row 2.

Column 4 - Number of Actual Offenses (Column 2 minus Column 3) (Include Attempts)

To complete this column, the numbers in column 3 are subtracted from those in column 2 for each offense; that is, the Unfounded (column 3) count is subtracted from the Offenses Reported (column 2) count. The difference is the count to be reported as the Number of Actual Offenses (column 4) which occurred in the jurisdiction for the month.

- Row 1 Enter the number of actual and attempted commercial sex acts offenses reported for the month.
- Row 2 Enter the number of actual and attempted involuntary servitude offenses reported for the month.
- Row 3 Enter the totals of row 1 and row 2.

Column 5 - Total Offenses Cleared by Arrest or Exceptional Means

Offenses are cleared either by arrest or exceptional means. In column 5, one entry should be made for each human trafficking offense that is cleared. **DO NOT COUNT THE NUMBER OF PERSONS ARRESTED IN COLUMN 5.** Column 5 is the total number of offenses cleared. An offense is "cleared by arrest" when at least one person is arrested, charged, and turned over to the court for prosecution. The arrest of many persons may clear only one offense or several offenses may be cleared by the arrest of one person.

Offenses can be cleared by exceptional means if the investigation (1) has definitely established the identity of the offender, (2) if there was enough information to support an arrest, charge, and turning over to the court for prosecution, (3) if the exact location of the offender was known so that the subject could be taken into custody, and (4) if there was some reason outside law enforcement control that preclude arresting, charging, and prosecuting the offender. Reasons outside of law enforcement control include circumstances such as: suicide of the offender, double murder, deathbed confession, offender killed by police or citizen, confession by an offender already in custody, or offender is prosecuted or in custody of another jurisdiction. The list is not all-inclusive; there may be other circumstances in which a LEA is entitled to an exceptional clearance.

The administrative closing of a case or the "clearing" of it by departmental policy does not permit exceptionally clearing the offense for UCR unless all four criteria mentioned earlier can be answered *yes*.

- Row 1 Enter the number of commercial sex acts offenses cleared by arrest or exceptional means.
- Row 2 Enter the number involuntary servitude offenses cleared by arrest or exceptional means.
- Row 3 Enter the totals of row 1 and row 2.

Column 6 - Number of Clearances Involving Only Persons Under 18 Years of Age

In column 6, one entry should be made for each human trafficking offense cleared involving OFFENDERS under 18 years of age *only*. The number in this column can never be greater than the number in column 5.

If an offense is cleared by arrest or exceptional means and offenders include both adults and persons under 18 years of age, *the clearance should be scored only in column 5.* If a clearance involves only persons under age 18, the clearance is entered in both columns 5 and 6. **REMEMBER THAT PERSONS ARRESTED ARE NOT BEING COUNTED IN COLUMNS 5 AND 6. COUNT ONLY THE NUMBER OF HUMAN TRAFFICKING OFFENSES CLEARED.**

Offenses reported in previous months but not cleared can be cleared in columns 5 and 6 of this month's report.

- Row 1 Enter the number of commercial sex acts offenses cleared by arrest or exceptional means by offenders under 18 years of age.
- Row 2 Enter the number involuntary servitude offenses cleared by arrest or exceptional means by offenders under 18 years of age.
- Row 3 Enter the totals of row 1 and row 2.

This Human Trafficking Form should be forwarded to the FBI UCR Program. Each agency is requested to submit this form each month by the seventh day after the close of the month. If there were no human trafficking or attempted human trafficking offenses to report, check the box on the Human Trafficking Form.

MONTHLY RETURN OF HUMAN TRAFFICKING OFFENSES KNOWN TO LAW ENFORCEMENT

This form is authorized by PL 110-457 (HR 7311), the *William Wilberforce Trafficking Victims Protection Reauthorization Act of 2008*. Even though you are not required to respond, your cooperation in completing this form to report all monthly incidents of human trafficking will assist the FBI in compiling timely, comprehensive, and accurate data. Please submit this form to UCRstat@leo.gov and any questions to the FBI, Criminal Justice Information Services Division, Attention: Uniform Crime Reports/Module E-3, 1000 Custer Hollow Road, Clarksburg, West Virginia 26306; telephone 304-625-4830, facsimile 304-625-3566. Under the Paperwork Reduction Act, you are not required to complete this form unless it contains a valid OMB control number. This form takes approximately 5 minutes to complete.

ADMINISTRATIVE INFORMATION

ORI Number: Enter the nine-character Originating Agency Identifier assigned to your agency.

Month and Year: Enter the month and year of data being submitted.

Name of Agency: Enter the name of your agency.

Name and Title of Preparer: Enter the preparer's name and job title.

Telephone Number and E-mail address of Preparer: Enter the preparer's telephone number and e-mail address.

If there were no human trafficking offenses to report for the month, check this box.

HUMAN TRAFFICKING OFFENSES

	1 Human Trafficking Classification	2 Offenses Reported	3 Unfounded, i.e., False or Baseless Complaints	4 Number of Actual Offenses (Column 2 Minus Column 3) (Include Attempts)	5 Total Offenses Cleared by Arrest or Exceptional Means	6 Number of Clearances Involving Only Persons Under 18 Years of Age
A.	Commercial Sex Acts					
B.	Involuntary Servitude					
GRAND TOTAL						