

TESTIMONY OF COOK COUNTY STATE'S ATTORNEY ANITA ALVAREZ
SENATE JUDICIARY SUBCOMMITTEE ON HUMAN RIGHTS AND THE LAW

FEBRUARY 24, 2010

THANK YOU SENATOR DURBIN AND MEMBERS OF THE COMMITTEE FOR INVITING ME TO BE HERE WITH YOU TODAY TO DISCUSS THIS EXTREMELY IMPORTANT ISSUE.

AS ALL OF YOU KNOW, HUMAN TRAFFICKING IS AN INCREASING PROBLEM IN THE UNITED STATES AND THE SEX TRADE IS ONE OF THE MOST LUCRATIVE AREAS OF THE TRAFFICKING INDUSTRY.

OVER THE YEARS, CRIMINAL ENTERPRISES HAVE MADE A FORTUNE IN MY COUNTY AND IN STATES ACROSS THE NATION EXPLOITING WOMEN AND CHILDREN AND DESTROYING LIVES AND COMMUNITIES IN THE PROCESS.

LAST YEAR THE ILLINOIS CRIMINAL JUSTICE INFORMATION AUTHORITY FUNDED A STUDY OF YOUNG WOMEN INVOLVED IN THE SEX TRADE INDUSTRY IN THE CHICAGO AREA. SEVENTY-THREE PERCENT OF PARTICIPANTS SURVEYED REPORTED THAT THEY HAD STARTED IN THE SEX TRADE BEFORE THE AGE OF 18.

ALMOST ONE-THIRD OF THOSE SURVEYED STATED THAT THE REASON THEY STARTED IN THE SEX TRADE INDUSTRY WAS BECAUSE THEY OWED THE INDIVIDUAL WHO HAD RECRUITED THEM BECAUSE OF THE PROVISION OF FOOD, CLOTHING OR GIFTS.

ONE SURVEY RESPONDENT RELATED THAT SHE TURNED TO PROSTITUTION AS A FRESHMAN IN HIGH SCHOOL AND THAT SHE WOULD TURN TRICKS AFTER SCHOOL BECAUSE HER MOTHER WAS ADDICTED TO DRUGS AND SHE NEEDED THE MONEY TO BUY FOOD AND CLOTHING.

IN A PROSTITUTION CASE THAT MY OFFICE HANDLED RECENTLY, ONE JUVENILE RELATED THAT SHE DID NOT WISH TO PURSUE CRIMINAL CHARGES AGAINST HER PIMP BECAUSE, AND I QUOTE, "HE GETS ME A SUBWAY SANDWICH WHENEVER I WANT ONE."

IT'S CLEAR THAT WHEN VULNERABLE YOUNG WOMEN ARE EQUATING THE TRADE OF SEX FOR A DELI SANDWICH, WE ALL MUST REALIZE THE AGONIZING HUMAN TOLL THIS PROBLEM IS TAKING ON OUR YOUNG GENERATION AND POTENTIALLY GENERATIONS TO COME.

THESE JUVENILES ARE ENGAGING IN "SURVIVAL SEX," ---- EXCHANGING SEX FOR FOOD, CLOTHING OR A SAFE PLACE TO SLEEP.

CASES SUCH AS THIS ALSO DEMONSTRATE THE CHALLENGES THAT WE FACE ON THE LOCAL LEVEL IN PROSECUTING JUVENILE PROSTITUTION AND SEX CRIMES.

FIRST AND FOREMOST --- FROM THE PERSPECTIVE OF THE CRIMINAL OFFENDER --- THE ECONOMIC GAIN OF CHILD PROSTITUTION OR TRAFFICKING GREATLY OUTWEIGHS THE RISKS. THERE IS VERY LOW OVERHEAD IN TERMS OF COST FOR OFFENDERS AND THIS CRIME IS RARELY DETECTED BECAUSE IT IS DIFFICULT FOR LAW ENFORCEMENT TO IDENTIFY MINORS ENGAGED IN JUVENILE PROSTITUTION OR TRAFFICKING.

ANOTHER CHALLENGE THAT LAW ENFORCEMENT FACES IN PROSECUTING THESE CASES IS THAT MOST CHILDREN WILL NOT SELF IDENTIFY OR COOPERATE WITH POLICE AND THEY IDENTIFY WITH THEIR PIMP OR PURVEYOR AS SOMEONE WHO THEY RELY ON AND EVEN LOVE.

THEY ARE TYPICALLY YOUNG GIRLS FROM TROUBLED BACKGROUNDS WHO HAVE BEEN SEXUALLY VICTIMIZED, HAVE LOW SELF ESTEEM AND ESSENTIALLY A TOTAL LACK OF OPTIONS IN THEIR LIVES.

ALL OF WHICH MAKES THIS CRIME A POTENTIAL "PERFECT STORM" FOR STREET GANGS OR OTHER ORGANIZED CRIME ENTITIES.

AS A CAREER PROSECUTOR WHO HAS TRIED COUNTLESS GANG-RELATED HOMICIDE CASES THAT HAVE OCCURRED ON THE STREETS OF CHICAGO, I UNDERSTAND FULLY THE NATURE, SCOPE AND INFLUENCE OF STREET GANGS.

THEY ARE INCREASINGLY SOPHISTICATED AND PROFIT ORIENTED AND HUMAN TRAFFICKING FITS WELL INTO THEIR CRIMINAL REPERTOIRE.

IN ADDITION TO BEING ABLE TO INTIMIDATE THE VICTIM AND HER FAMILY, THE GANG MEMBER CAN ALSO CONTROL THE VICTIM THROUGH SEX AND DRUGS.

AN EXTREMELY DISTURBING EXAMPLE OF THIS OCCURRED IN THE STATE OF ILLINOIS IN AN INVESTIGATION THAT ORIGINATED OUT OF OTTAWA, ILLINOIS, IN LASALLE COUNTY.

THE LASALLE COUNTY STATE'S ATTORNEY TRIED AND CONVICTED FOUR PEOPLE IN 2008 ON CRIMINAL DRUG CONSPIRACY CHARGES IN CONNECTION WITH A GANG CONTROLLED HEROIN AND CRACK COCAINE DISTRIBUTION RING THAT WAS OPERATING BETWEEN CHICAGO AND THE LASALLE - PERU AREA IN OUR STATE.

MY OFFICE ASSISTED IN THE INVESTIGATION AND HELPED TO PREPARE THE CONSPIRACY INDICTMENT AS WELL AS THE SEARCH WARRANT EXECUTED AT A CHICAGO HOME WHERE THE DRUGS WERE BEING COOKED, CUT AND PREPARED FOR DISTRIBUTION.

IN THIS PARTICULAR CASE THE GANG LEADERS WERE USING 17 AND 18 YEAR OLD GIRLS TO "BODY PACK" THE NARCOTICS FOR SMUGGLING FROM CHICAGO TO LASALLE COUNTY.

DURING THE COURSE OF THEIR INVOLVEMENT THE GIRLS BECAME ADDICTED TO HEROIN AND WERE VIDEOTAPED HAVING SEX WITH THE GANG LEADERS.

IN A PARTICULARLY DISTURBING AND CHILLING VIDEO SEIZED IN THE INVESTIGATION, ONE OF THE GANG LEADERS IS SHOWN REMOVING A BAG OF HEROIN FROM THE VAGINA OF ONE OF THE TEENAGED VICTIMS.

WHEN IT COMES TO PROSECUTING CHILD PROSTITUTION, MY OFFICE, IN PRACTICE, DOES NOT CHARGE JUVENILES WHO ARE ARRESTED ON PROSTITUTION-RELATED CHARGES.

WE UNDERSTAND THIS CHILD IS NOT A CRIMINAL BUT RATHER A VICTIM WHO NEEDS SUPPORT, SERVICES AND A SAFE FUTURE.

ALL TOO OFTEN, MAKING THEM SAFE HAS PROVED TO BE PARTICULARLY CHALLENGING BECAUSE, IN THE PAST, THE TRADITIONAL PROSECUTION OF JUVENILE SEX TRAFFICKING WAS REACTIVE AND FAR TOO DEPENDENT UPON VICTIM TESTIMONY.

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AS A CAREER PROSECUTOR AND A NEWLY ELECTED STATE'S ATTORNEY, IT HAS OCCURRED TO ME THAT THE TRADITIONAL APPROACH WE HAVE TAKEN WITH JUVENILE PROSTITUTION HAS SIMPLY NOT BEEN EFFECTIVE ON MANY LEVELS.

WE ARE NOT CONVICTING THE ORGANIZED GROUPS OF INDIVIDUALS WHO ARE PERPETUATING THIS INDUSTRY.

EVEN MORE IMPORTANTLY – WE ARE NOT ABLE TO EFFECTIVELY OFFER THE SERVICES THAT THESE YOUNG WOMEN NEED TO HELP THEM, KEEP THEM SAFE, AND EMPOWER THEM TO LEAVE THE SEX TRADE INDUSTRY ONCE AND FOR ALL.

IT SEEMS TO ME THAT THE PREMISE OF REMOVING ONE CHILD FROM THE SITUATION ONLY TO HAVE ANOTHER STEP IN AND FILL HER PLACE IS NOT A GOOD ONE.

WITH THIS IN MIND, I CREATED AN ORGANIZED CRIME / HUMAN TRAFFICKING INITIATIVE LAST JULY AS PART OF THE SPECIAL PROSECUTIONS BUREAU WITHIN MY OFFICE.

ALONG WITH OUR LAW ENFORCEMENT PARTNERS, BOTH STATE AND FEDERAL, MY HUMAN TRAFFICKING PROSECUTORS HAVE BEEN CONDUCTING LONG-TERM, PROACTIVE INVESTIGATIONS INTO THESE ORGANIZED CRIME TARGETS.

SUFFICE TO SAY, THIS COVERT WORK IS PROVING FRUITFUL, EVEN THOUGH I CANNOT, OF COURSE DISCUSS ANY DETAILS OF THESE PENDING INVESTIGATIONS.

ADDITIONALLY, I HAVE TAKEN ADVANTAGE OF THE SIZE OF MY OFFICE – THE SECOND LARGEST IN THE NATION – AND DEVELOPED NEW METHODS FOR COLLECTION AND CENTRALIZATION OF INTELLIGENCE REGARDING HUMAN TRAFFICKING OFFENDERS.

GIVEN THE DAILY INTERACTION BETWEEN LOCAL LAW ENFORCEMENT AND THOSE FORCED TO WORK IN THE SEX INDUSTRY, CRUCIAL LEADS ARISE ON A RECURRING BASIS WITHIN THE VARIOUS PARTS OF MY OFFICE, INCLUDING MISDEMEANOR CASES, DOMESTIC VIOLENCE, AUTO THEFT, SEX CRIMES, FELONY REVIEW, COLD CASE MURDER AND FINANCIAL CRIMES AND PUBLIC CORRUPTION.

IN MANY CASES, THE DEFENDANTS OR VICTIMS IN SIMPLE SEXUAL ASSAULT OR DOMESTIC VIOLENCE CASES POSSESS KEY INFORMATION CONCERNING HUMAN TRAFFICKING OPERATIONS.

UNDER MY H.T. INITIATIVE, WE ARE NOW WORKING TO DEVELOP AND FUNNEL THIS INTELLIGENCE TO A DEDICATED TEAM OF PROSECUTORS, ALLOWING US TO “CONNECT THE DOTS” AND FOCUS OUR RESOURCES IN THE RIGHT DIRECTION.

AS PART OF THIS COORDINATED APPROACH AGAINST HUMAN TRAFFICKING, MY PROSECUTORS HAVE ALSO CONTINUED TO WORK WITH THE CHICAGO POLICE DEPARTMENT AND OTHER AGENCIES TO REORGANIZE THE REGIONAL H.T. TASK FORCE.

WE ARE ALSO WORKING TO SPECIFICALLY TRAIN OFFICERS WORKING “VICE” TO IDENTIFY AND INVESTIGATE HUMAN TRAFFICKING – ESPECIALLY THOSE OPERATIONS INVOLVING THE EXPLOITATION OF CHILDREN.

WITH THE ASSISTANCE OF CHICAGO POLICE, THESE ONGOING EFFORTS WILL NOT ONLY VIEW PROSTITUTED CHILDREN AS VICTIMS, RATHER THAN CRIMINAL DEFENDANTS, BUT ALSO HOLD ACCOUNTABLE THE INDIVIDUALS AND GROUPS TRULY RESPONSIBLE FOR THESE HORRIFIC OFFENSES.

EQUALLY AS IMPORTANT, MY HUMAN TRAFFICKING TEAM IS BUILDING DIRECT COALITIONS WITH SOCIAL SERVICE PROVIDERS AND OTHER N.G.O.’S, THUS ENABLING SUCH GROUPS TO ASSIST POLICE DURING HT TAKEDOWNS AND SHARE THEIR INVESTIGATIVE LEADS WITH LAW ENFORCEMENT.

WITH DUE REGARD FOR CLIENT CONFIDENTIALITY AND CONSENT, WE ARE FOSTERING THE LINES OF COMMUNICATION NECESSARY FOR SOCIAL SERVICE PROVIDERS TO SHARE THEIR INFORMATION WITH US.

NOT JUST ABOUT HUMAN TRAFFICKERS, BUT ALSO CONCERNING POTENTIALLY CORRUPT PUBLIC OFFICIALS WHO PROTECT THEM AND THEIR OPERATIONS.

SINCE THE FORMATION OF THIS INITIATIVE, THIS NETWORKING PLAN HAS CAST A WIDE NET, INCLUDING SIMPLE THINGS, SUCH AS ATTENDING BREAKFAST MEETINGS, TO PARTICIPATION IN MORE FORMAL EVENTS, SUCH AS THE LAUNCH OF THE “END DEMAND CAMPAIGN OF THE CHICAGO ALLIANCE AGAINST SEXUAL EXPLOITATION.”

WE ALSO TOOK PART IN THE HUMAN TRAFFICKING SUMMIT HELD IN SAN FRANCISCO LAST NOVEMBER BY THE U.S. JUSTICE DEPARTMENT, “BUILDING COLLABORATION TO ADDRESS HUMAN TRAFFICKING IN DOMESTIC VIOLENCE AND SEXUAL ASSAULT CASES.”

THROUGH OUR HT INITIATIVE, MY OFFICE HAS ALSO BEEN ABLE TO SHARE OUR EXPERTISE AND OUR NGO CONNECTIONS WITH FEDERAL AGENCIES, INCLUDING THE DEPARTMENT OF HOMELAND SECURITY, I.C.E., AND THE U.S. ATTORNEY’S OFFICE.

IN ONE VERY RECENT CASE, WE HELPED TO PROVIDE INFORMATION THAT WAS INSTRUMENTAL IN HAVING A HUMAN TRAFFICKING OFFENDER DETAINED PENDING TRIAL IN A FEDERAL CASE, AND FURTHER HELPED AGENTS CONNECT VICTIMS WITH TEMPORARY HOUSING AND SOCIAL SERVICES.

I DOUBT ANYONE HERE WOULD BE SURPRISED TO HEAR THAT OUR GREATEST SETBACK TO DATE HAS NOT BEEN A LACK OF VISION OR RESOLVE, BUT RATHER A LACK OF FUNDING.

DUE TO SEVERE FINANCIAL CUTBACKS ON THE COUNTY LEVEL, OUR HT INITIATIVE CURRENTLY LACKS THE SCALE NEEDED FOR TRUE SUCCESS. AS SUCH, WE HAVE BEEN AND WILL CONTINUE TO PURSUE NEW SOURCES OF FUNDING.

OUR SOCIAL SERVICE PARTNERS FACE THE SAME CHALLENGES AS WE DO WHEN IT COMES TO FUNDING BUT WE ALL CLEARLY UNDERSTAND AND SEE THE NEED FOR SAFE AND LONG-TERM SHELTER, THERAPEUTIC INTERVENTION AND EDUCATIONAL DEVELOPMENT.

PROSECUTORS CANNOT SOLVE THIS PROBLEM IN ISOLATION AND IT IS MY INTENTION TO CONTINUE TO WORK IN PARTNERSHIP SO THAT WE CAN ACHIEVE SUCCESS TOGETHER.

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I THINK IT IS CLEAR TO ALL OF US AT THE LOCAL, STATE AND FEDERAL LEVELS THAT THIS PROBLEM IS VAST AND THE NEED IS IMMEDIATE. NEVERTHELESS, I REMAIN OPTIMISTIC AND I BELIEVE WE ARE ON THE RIGHT TRACK AND TURNING A CORNER IN OUR EFFORTS TO MEET THESE CHALLENGES HEAD-ON.