

Written Statement by

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Chairman Blackburn, Ranking Member Doyle, and Members of the subcommittee, thank you for the opportunity to speak to you today. I am a Special Agent in Charge with the Tennessee Bureau of Investigation. One of my responsibilities is to oversee human sex trafficking investigations. I also serve as Co-Director of the Tennessee Fusion Center. The TBI’s human trafficking section is a sub-unit of the Criminal Intelligence Unit, which is based in the Tennessee Fusion Center. For more than 25 years, I have been involved in conducting and supervising criminal investigations, and in training other law enforcement officers in how to conduct criminal investigations.

In 2010, the Tennessee General Assembly directed that a study be done on the impact of human sex trafficking in Tennessee. The TBI conducted the study in partnership with Vanderbilt University and published a report in 2011 titled *Tennessee Human Sex Trafficking and Its Impact on Children and Youth*. The report brought awareness to a crime about which most people knew very little up to that point. TBI Director Mark Gwyn described the results of the study as “shocking” because the study revealed that human sex trafficking in Tennessee was more prevalent than first thought. Director Gwyn said that to effectively combat human sex trafficking in Tennessee, laws with more serious consequences were needed. By 2015, the TBI dedicated several agents to solely conduct criminal investigations into human sex trafficking and developed a training program to train all law enforcement officers in Tennessee on human sex trafficking. Since 2011, the Tennessee Governor has signed over fifty pieces of legislation passed by the General Assembly to combat human sex trafficking in our state. Because of the General Assembly's and Governor's leadership in making combatting human sex trafficking a top priority in Tennessee, we've been given the tools to combat this crime.

This year Tennessee ranked number one on Shared Hope International's State Report Card based on the Protected Innocence Challenge Legislative Framework, which is an analysis of state laws that sets a national standard of protection against minor sex trafficking. We are proud of that distinction. In particular, Tennessee received high marks for imposing substantial penalties for sex trafficking and for prohibiting the criminalization of minors engaged in prostitution.

My first real understanding of human sex trafficking came in 2012, when the TBI was asked to investigate what was reported to us as possible exploitation of a minor. A Tennessee man sold his 15 year old step-granddaughter for sex to numerous other men he connected with through the website AdultFriendFinder.com. Although there is not always a familial connection between a trafficker and a trafficking victim, stories of adult men selling underage girls for sex are all too common, and are frequently facilitated through the use of social media and other online platforms.

In Tennessee, we open human sex trafficking investigations based on information we receive from various sources, including the Tennessee Human Trafficking Hotline, other law enforcement agencies, our state child protective services agency, and through our partnerships with non-profit organizations.

Today as I sit here talking with you, the TBI has 66 active investigations into human sex trafficking where the victim is under 18. Circumstances vary, but there is a lot of commonality among these cases. An identified juvenile sex trafficking victim(s) has either run away from home and/or met someone online and there is a sex trafficking perpetrator(s) who takes the child and forces, threatens, or coerces her (the victim is nearly always female) to engage in sex acts for money. In most cases, the medium of choice for posting ads for underage sex is Backpage.com.

A recent investigation came to us by a local law enforcement agency as a runaway/missing 15 year old girl who may have become the victim of human sex trafficking. Our investigation revealed that a 15 year old girl left home after meeting an adult male on Facebook. The man came to her small town and picked her up. Within a day the man set the girl up in a motel room in Nashville and she began advertising on Backpage. After a brief covert operation, we found the girl in the motel room, along with another 17 year old girl who had also been reported as missing. The man and another adult female were arrested for trafficking the girls for commercial sex. Unfortunately, these circumstances are all too common in the human sex trafficking investigations we conduct.

We also are currently working 16 active investigations into human sex trafficking where the victim is an adult. The circumstances of these cases are quite similar to the juvenile cases we investigate in that Backpage.com is very often used as a means of facilitating the encounters.

The TBI takes a proactive approach to combating human sex trafficking by conducting covert operations that are focused on the demand side of human sex trafficking. We use a three pronged approach in our demand side covert operations.

First, we focus on people seeking to engage in commercial sex acts with females who are younger than 18, which in Tennessee is a Class A felony if the minor is under 15 and a Class B felony if the minor is between 15 and 17. We accomplish this through the use of undercover law enforcement officers posing as females who are providing commercial sex acts as advertised on Backpage.com. Fusion Center Intelligence Analysts post, pay for, and monitor our ads on Backpage. As the female undercover agents start engaging in phone and text conversations with potential customers they establish through these conversations that they are juveniles. Up to this point the customers have always been male. The undercover agents typically tell the men they are communicating with that they are younger than 18. Some men are deterred by this and end the conversations. However, many are not deterred and continue to engage our undercover agents in conversation. Several men eventually show up at hotels where we set up encounters with undercover agents. The undercover agents meet with the men in a hotel room, and again engage in conversation that clearly establishes that they are juveniles so that it is further documented that the men are fully aware that they are about to engage in commercial sex acts with a minor. Money is given to the undercover agents, and the men are promptly approached by uniformed law enforcement officers who are waiting in the next room. Members of this subcommittee have probably seen this scenario on TV a few times. For us, it is now a routine operation. The demand is staggering and we know we are not unique among the states.

TBI's most recent covert human sex trafficking operation was conducted in Brentwood, a suburb of Nashville. This operation was conducted in cooperation with the Brentwood Police Department and Homeland Security Investigations (HSI) under U.S. Immigration and Customs Enforcement (ICE). We posted ads on Backpage.com advertising our undercover agents. Over three days we received calls and text messages from 1,128 different phone numbers. There were a total of 7,879 calls and text messages exchanged between men and the undercover agents. Twenty one men were apprehended when they came to the hotel room and paid to engage in commercial sex acts with the undercover female agents, who they believed were juveniles.

In the second prong of our demand side covert operations we focus on people who traffic others for commercial sex acts. We accomplish this through the use of male undercover TBI agents posing as "Johns" seeking to purchase adult and minor females to engage in commercial sex acts. The undercover "Johns" respond to advertisements that the Fusion Center Intelligence Analysts find on Backpage.com. Fusion Center Intelligence Analysts use advanced software called "Spotlight" to help identify ads that have a strong likelihood of being "immature", under the control of another person, or posted by minors.

In our recent covert operation in Brentwood we apprehended a man who brought an adult female to the hotel to engage in commercial sex acts with the undercover John. The man was in possession of \$5,000 in cash, and had also recently been arrested in a nearby town for promoting prostitution.

In the third prong of our demand side covert operations we focus on the rescue of human sex trafficking victims. This is accomplished through cooperation with non-profit organizations and our state child protective services agency.

In our recent covert operation in Brentwood, the non-profit organization known as End Slavery Tennessee was on-site during this portion of the operation and was able to offer services to two women who came to the hotel answering ads we responded to that we found on Backpage.com.

Since the inception of the TBI's human sex trafficking section, we've conducted 11 covert human sex trafficking operations across Tennessee involving hundreds of perpetrators and victims. We've conducted operations in major cities, and in smaller towns. We are continually refining our operations to ensure safety of the agents and to ensure the legality of the cases made as a result of the operations. But the one constant we encounter in our investigations is the use of Backpage.com by buyers and sellers of underage sex.

Before I close, I would like to take a moment to point out that human sex trafficking cases offer yet another example of a crime that is enabled through emerging communications technologies. Victims are marketed on sites like Backpage.com, and pimps and johns use smartphone applications to facilitate and hide their negotiations over these children. As in other areas, more and more, evidence critical to securing justice for victims in the most serious crimes exists in the digital world. Online platforms and applications offer unprecedented power and convenience, but they create unique law enforcement challenges as well. We urge Congress to consider this as yet another example of the need for legal structure that ensures that law enforcement can access the digital evidence we need to keep the public safe.

I appreciate the invitation to testify today. We are pleased to serve as a resource for this subcommittee as you consider policy improvements that can help us reduce the likelihood that children will be victimized and traumatized through the commission of these horrible crimes.