

**ICE Faces Challenges
in Its Efforts to Assist
Human Trafficking
Victims**





OFFICE OF INSPECTOR GENERAL

Department of Homeland Security

Washington, DC 20528 / www.oig.dhs.gov

June 4, 2021

MEMORANDUM FOR: Tae Johnson
Acting Director
U.S. Immigration and Customs Enforcement

FROM: Joseph V. Cuffari, Ph.D.
Inspector General

JOSEPH V CUFFARI
Digitally signed by JOSEPH V CUFFARI
Date: 2021.06.04 10:53:56 -04'00'

SUBJECT: *ICE Faces Challenges in Its Efforts to Assist
Human Trafficking Victims*

For your action is our final report, *ICE Faces Challenges in Its Efforts to Assist Human Trafficking Victims*. We incorporated the formal comments provided by your office.

The report contains one recommendation aimed at improving ICE's efforts to combat human trafficking. Your office concurred with our recommendation. Based on information provided in your response to the draft report, we consider the recommendation open and resolved. Once your office has fully implemented the recommendation, please submit a formal closeout letter to us within 30 days so that we may close the recommendation. The memorandum should be accompanied by evidence of completion of agreed-upon corrective actions. Please send your response or closure request to OIGAuditsFollowup@oig.dhs.gov.

Consistent with our responsibility under the *Inspector General Act*, we will provide copies of our report to congressional committees with oversight and appropriation responsibility over the Department of Homeland Security. We will post the report on our website for public dissemination.

Please call me with any questions, or your staff may contact Bruce Miller, Deputy Inspector General for Audits, at (202) 981-6000.

Attachment



DHS OIG HIGHLIGHTS

ICE Faces Challenges in Its Efforts to Assist Human Trafficking Victims

June 4, 2021

Why We Did This Audit

We determined the extent to which U.S. Immigration and Customs Enforcement (ICE) identifies and tracks human trafficking crimes to assist victims. Human trafficking involves a trafficker compelling a victim to engage in labor or services or a commercial sex act through force, fraud, or coercion. Anyone under 18 years old compelled to engage in a commercial sex act is a victim of child sex trafficking.

What We Recommend

We made one recommendation to ICE that, when implemented, should improve policies, procedures, and collaboration in efforts to assist human trafficking victims.

For Further Information:

Contact our Office of Public Affairs at (202) 981-6000, or email us at DHS-OIG.OfficePublicAffairs@oig.dhs.gov

What We Found

ICE did not adequately identify and track human trafficking crimes. Specifically, ICE Homeland Security Investigations (HSI) did not accurately track dissemination and receipt of human trafficking tips, did not consistently follow up on tips, and did not maintain accurate data. Additionally, HSI special agents did not consistently and properly maintain human trafficking case files from initiation to closure. Finally, we found several examples of incomplete and inaccurate victim assistance data.

These issues occurred because HSI did not have a cohesive approach to carrying out its responsibilities in combating human trafficking. Instead, independently managed program offices with partial responsibilities created challenges for HSI to coordinate and oversee human trafficking efforts.

As a result, HSI may have missed opportunities to assist and save victims and support U.S. Attorneys in their prosecution efforts. Additionally, by relying on inaccurate data, ICE may not be allocating funds or resources in the most efficient manner and could be miscalculating human trafficking statistics.

ICE's Response

ICE concurred with the recommendation. Appendix A contains ICE's management response in its entirety.



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Background

The prevalence of human trafficking is an urgent humanitarian issue with direct and far-reaching consequences. It is an extremely lucrative illicit activity with estimated annual global profits of \$150 billion.¹ Human trafficking threatens the Nation's physical and virtual borders, prosperity, and national security, and directly attacks Americans' personal safety. According to DHS' website, every year, millions of men, women, and children of any age, race, ethnicity, gender identity, nationality, immigration status, cultural background, socio-economic class, and education level are trafficked worldwide, including in the United States.

Traffickers use various forms of force, fraud, and coercion to control and exploit victims. Human trafficking involves a trafficker compelling a victim to engage in labor or services or a commercial sex act through force, fraud, or coercion. Sex trafficking can range from escort services to outdoor solicitation to personal sexual servitude, among other forms. Anyone under 18 years old compelled to engage in a commercial sex act is a victim of child sex trafficking. Labor trafficking occurs across many different industries, such as agriculture, domestic work, hospitality, food services, and health and beauty services.

Human trafficking may intersect with other criminal activities, such as drug and arms trafficking, corruption, money laundering, domestic violence, rape, and sexual assault. Traffickers can be relatives or friends and may operate alone or as part of gangs or transnational criminal organizations. They may use violence, manipulation, false promises of well-paying jobs, or romantic relationships to lure victims into trafficking situations. Various executive orders and laws prioritize combating human trafficking and protecting victims. These include Executive Order 13773: *Enforcing Federal Law with Respect to Transnational Criminal Organizations and Preventing International Trafficking* (February 2017) and the *Victims of Trafficking and Violence Protection Act of 2000*² and its subsequent reauthorizations.

As part of its homeland security mission and in coordination with other agencies, DHS is responsible for investigating human trafficking crimes, arresting traffickers, and protecting victims, as well as enforcing victim protection laws to combat human trafficking. According to DHS, identifying, protecting, and saving victims is just as important as investigating and prosecuting traffickers.

As shown in Figure 1, 16 DHS components are involved in combating human trafficking, with activities such as criminal investigations, victim assistance,

¹ *Profits and Poverty: The Economics of Forced Labour*, International Labour Organization (2014).

² Pub. L. No. 106-386 (Oct. 28, 2000).
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external outreach, and training. To facilitate communication and appropriate information sharing among these components, DHS established the Center for Countering Human Trafficking in September 2020.

Figure 1. Sixteen DHS Components Combating Human Trafficking



Source: Center for Countering Human Trafficking

One of the 16 DHS components with a significant role in combating human trafficking is U.S. Immigration and Customs Enforcement (ICE). ICE's mission includes protecting the United States from cross-border crime and illegal immigration that threatens national security and public safety. Within ICE, Homeland Security Investigations (HSI) uses its authority to investigate all types of cross-border criminal activity, including human trafficking.

During fiscal year 2020, HSI reported identifying and assisting 418 victims and initiating more than 900 human trafficking investigations, which resulted in more than 1,700 criminal arrests. In the same fiscal year, according to HSI officials, HSI dedicated approximately \$76 million for human trafficking investigation efforts. Additionally, HSI participates in more than 120 human trafficking task forces nationwide, with other Federal, tribal, state, and local law enforcement. HSI special agents learn of human trafficking crimes from a variety of sources including the HSI Tip Line (Tip Line), the National Human Trafficking Hotline (operated by a non-governmental organization), the DHS Office of Inspector General (OIG) Hotline, and self-initiated contacts. Appendix B illustrates how HSI receives and manages Tip Line information.

Within HSI, the Human Trafficking Unit (HTU),³ in coordination with the Victim Assistance Program, supports the anti-human trafficking mission to

³ Prior to October 1, 2018, the HTU was part of a program office called the Human Smuggling and Trafficking Unit.



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(1) proactively identify, disrupt, and dismantle cross-border human trafficking organizations and minimize the risk they pose to national security and public safety; and (2) employ a victim-centered approach. According to U.S. Department of Justice officials, a cooperating victim and an accurate case file are essential for prosecution, which is made possible by the HTU and Victim Assistance Program. According to U.S. Department of Justice guidance,⁴ the investigative agency’s evidence, including information gathered during the investigation and case-related communications from victims, may be important to the ability of prosecutors to prosecute cases. Figure 2 identifies some of the challenges in working with trafficking victims.

Figure 2. Challenges When Working with Victims



Source: Blue Campaign social media

HTU provides programmatic and operational support, DHS coordination, and law enforcement training related to human trafficking. The Victim Assistance Program provides guidance on victim assistance and ensures victims have access to legal rights and services. The program relies on victim assistance specialists, located within HSI field offices, to support their program and input accurate victim data into the Victim Assistance Database (VAD).

The DHS Office of Partnership and Engagement is also involved in combating human trafficking. This office manages the Blue Campaign and educates the public, law enforcement, and other industry partners to recognize and respond to indicators of human trafficking. Figure 3 shows an example of a Blue Campaign advertisement.

Figure 3: Blue Campaign Advertisement



Source: DHS.gov

We conducted this audit to determine the extent to which ICE identifies and tracks human trafficking crimes to assist victims.

⁴ U.S. Department of Justice, Justice Manual, Title 9: *Criminal*, Sections 9-5.001-9-5.002, obtained December 11, 2020.
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Results of Audit

HSI Personnel Did Not Adequately Manage Human Trafficking Tips or Maintain Accurate Data on Human Trafficking

ICE HSI did not accurately track dissemination and receipt of tips on human trafficking, take follow-up actions on the tips, or maintain accurate data on investigative cases and victims. In particular, HSI field office personnel could not provide evidence of actions taken in response to tips from the ICE HSI Tip Line. Additionally, HSI special agents did not consistently maintain records in the Investigative Case Management (ICM) system according to policy. We also found several examples of incomplete and inaccurate data in VAD.

HSI Did Not Adequately Manage Human Trafficking Tips

HSI receives tips on human trafficking from the public through its Tip Line (in HSI's Office of Intelligence) by telephone or through its website. Tip Line analysts determine which tips they should forward to HSI field offices for further action. According to the *ICE Case Management Handbook* (February 2008), the HSI field office receiving tips must decide whether a tip requires further action. The *HSI Human Smuggling and Human Trafficking Investigations Handbook* (August 2015) requires HSI special agents to respond immediately to a tip referral if the potential victim is in danger or a juvenile under any circumstance.

HSI staff could not demonstrate they took steps to follow up on all human trafficking tips. For a sample of 57⁵ tips from selected field offices, we tested documentation of actions taken. HSI personnel could not provide evidence they took actions on 28 of 57 (49 percent) tips forwarded by Tip Line analysts. Specifically:

- Field office personnel provided evidence they received 14 of the 28 forwarded tips but could not provide documentation showing they acted on the tips. In one instance, a field office received a tip from the Tip Line in September 2019 alleging male subjects forced between 10 and 20 females to work as hosts and prostitutes at three bars and several makeshift brothels. Although the field office received the tip in September 2019, field office personnel did not act on the tip until we inquired about it in May 2020.

⁵ We selected 60 human trafficking tips from a statistical sample of 316 tips the Tip Line received between FY 2017 and March 2020, from a universe of 1,791. We selected the 60 tips from the statistical sample to follow each tip through the process from initiation to closure. The Tip Line did not refer 3 of these 60 tips to the field offices for action; therefore, we did not follow up with field office personnel on these three tips.



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- Field office personnel acknowledged they had no evidence supporting either receipt or any action taken on the remaining 14 of 28 tips forwarded to them. One field office had no record of receiving a tip concerning an underage pregnant youth forced to engage in commercial sex and sell drugs as an alleged trafficking victim.

In addition, HTU did not receive all human trafficking tips or accurately account for them. HTU voluntarily assists field offices by providing programmatic support and following up on tips to ensure actions are taken in their anti-human trafficking mission. In September 2019, HTU informally requested that Tip Line analysts forward all human trafficking tips to an HTU email inbox for situational awareness and oversight to help the mission. This request was not part of a formal procedure or directive, but rather requested by email.

Although the HTU National Program Manager's performance plan broadly requires tip information to be appropriately collected, we found that from a total of 240 available Tip Line human trafficking tips received between September 2019 and March 2020, HTU's tip tracking spreadsheet did not account for 170 tips (71 percent). We reviewed 34 of the 170 tips and determined:

- HTU did not receive 23 (68 percent) of these 34 tips from the Tip Line.
- HTU received the remaining 11 (32 percent) tips from the Tip Line, even though they were missing from the spreadsheet.

This demonstrated that HTU did not receive all the tips it informally requested or account for the tips it did receive.

In addition to inadequate tracking at the field offices and in HTU, we identified challenges with the Tip Line intake of tips during the COVID-19 pandemic. The 2007 *Directive on National Continuity Policy*⁶ requires all executive branch departments and agencies maintain comprehensive and effective continuity capabilities. However, according to HSI officials, the Tip Line did not have a current continuity of operations plan in March 2020.⁷ As a result of the pandemic, HSI closed its Tip Line call center and did not receive and respond to telephone tips between March 19, 2020, and August 12, 2020. According to HSI officials, they established an automated message for callers to report tips to the Tip Line website during that period. However, the Tip Line may have missed tips for field offices to investigate crimes and assist victims.

⁶ National Security Presidential Directive/NSPD-51, Homeland Security Presidential Directive/HSPD-20 (May 4, 2007).

⁷ The Tip Line issued a new continuity of operations plan on January 14, 2021.
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According to the *DHS Strategy to Combat Human Trafficking, the Importation of Goods Produced with Forced Labor, and Child Sexual Exploitation*, Figure 4 shows DHS personnel informing a victim of her rights, offering support, and referring her to services.

HSI Did Not Consistently Maintain Accurate Human Trafficking Data

HSI special agents did not properly maintain all human trafficking case files from initiation to closure. Specifically, special agents did not consistently complete required Victim Identification Reports of Investigation (ROI)⁸ in the ICM system and did not open, review, and close all cases in a timely manner. We also found several examples of incomplete and inaccurate data in VAD.

Figure 4. Victim Assistance Specialists



Source: *DHS Strategy to Combat Human Trafficking, the Importation of Goods Produced with Forced Labor, and Child Sexual Exploitation*, January 2020

Case Files in ICM Not Properly Maintained

The *ICE Human Smuggling and Human Trafficking Investigations Handbook* requires proper case management, including the appropriate input of records, such as ROIs, into the case management system. A March 2019 broadcast email (#0150-19), *Reporting of Victims of Human Trafficking in the Investigative Case Management system*, to HSI field office personnel required special agents to create Victim Identification ROIs in ICM for all human trafficking “victims identified, rescued, and/or assisted.” The *ICE Case Management Handbook* designates HSI special agents as primarily responsible for the accuracy of case information and requires first-line supervisors to “carefully” review case files.

However, HSI special agents did not properly maintain case files from initiation to closure. According to the June 2018 *HSI Student Guide on Operational Plans*, special agents complete Significant Incident Reports in the Significant Event Notification System⁹ to provide information and awareness to ICE field offices and headquarters on completed field events, such as significant arrests.

⁸ The Victim Identification ROI provides HSI leadership with statistics and identifiers associated with the victims of human trafficking.

⁹ The Significant Event Notification system is an intranet/web-enabled reporting application. ICE designed and developed the system to provide timely information to ICE Headquarters managers on notable incidents, events, or activities involving or impacting ICE agents and staff in the field in carrying out their law enforcement missions.



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The reports should include biographical information on suspects and victims. We identified a total of 37 human trafficking victims whom HSI special agents reported in the Significant Event Notification system between March 15, 2019, and March 31, 2020. We compared these reported victims to Victim Identification ROIs in ICM case files to determine whether special agents reported the victims in both systems. Special agents did not create the required Victim Identification ROIs in ICM for 8 of 37 (22 percent) victims. Following our audit inquiries, special agents completed 7 of the 8 required Victim Identification ROIs, but one special agent did not add a separate Victim Identification ROI for the eighth victim, as required.

Case Management Timeliness Requirements Not Met

According to the *ICE Case Management Handbook*, special agents should:

- open case files within 5 business days of the investigation's initiation;
- submit an initial ROI for supervisory approval within 20 business days of initiation of the investigation;
- conduct supervisory reviews every 120 days; and
- close cases once all judicial and administrative proceedings have been resolved and properly reported.

Special agents did not consistently open cases, submit an initial ROI, or review cases in a timely manner. We selected 20 closed human trafficking cases to test for compliance with these timeliness requirements. In 19 of the 20 (95 percent) cases, HSI special agents did not meet one or more of case management timeliness requirements. Specifically:

- 6 of 20 cases did not meet the 5-business-day rule to open a case after an investigation began — agents took 10, 14, 15, 154, 165, and 439 days to open these cases;
- 6 of 20 cases did not meet the 20-business day rule to submit an ROI for supervisory approval after the investigation started — agents took 23, 30, 154, 189, 326, and 754 days to submit an initial ROI for approval; and
- 17 of 20 cases did not meet the requirement for supervisors to review cases every 120 days. Case review delays ranged from 121 to 440 days.

In one of the cases, HSI officials explained the victim became frustrated and refused to cooperate with the investigation, causing the prosecutor not to pursue Federal human trafficking charges.

In addition, the *ICE Case Management Handbook* requires special agents to close cases once all judicial and administrative proceedings have been resolved and properly reported. We judgmentally selected and tested 25 open human trafficking cases against this requirement and determined special agents did



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not close 6 (24 percent) cases as required. As a result of our inquiries, special agents closed 5 of these 6 cases within 70 days. One special agent took approximately 4 months to close the sixth case.

VAD Data Not Complete or Accurate

Special agents record victim information related to their investigations in ICM, and victim assistance specialists record data on victims they assist in VAD. These systems did not communicate with one another, and HSI personnel did not comprehensively reconcile the data in the two systems to ensure HSI gathers data on and tracks all victims.

ICE's *Victim Assistance Program Directive* (August 2011) requires victim assistance specialists to maintain information on all victims to whom they provide services and assistance. Specialists input non-personally identifiable information in VAD, such as the victim's birth month and year, gender, and age, based primarily on information they are supposed to receive from special agents. However, we found several examples of incomplete and inaccurate data in VAD. Specifically:

- VAD did not include information on all victims identified in special agent case files. In the same 20 closed case files noted previously, we identified 23 victims but did not find corresponding entries in VAD for 17 (74 percent) of the 23. Victim assistance specialists did not enter information for 9 of the 17 victims in VAD. In the other 8 of 17 cases, victim assistance specialists said special agents did not notify them of the victims when they encountered them.
- HSI special agents reported 534 individuals in Victim Identification ROIs between March 2019 and March 2020. Although VAD has a case number field, it is not required to be populated. Therefore, when we searched for the 534 individuals in VAD using case numbers, we could not confirm whether 293 of them (55 percent) were entered in VAD. This made it difficult to reconcile both systems and ensure all victim information was captured.
- VAD included duplicate entries for 140 of 1,474 (9 percent) human trafficking victim entries we reviewed. We determined that the victim assistance specialist entered one victim's information 39 times.

Without complete data in VAD, victim assistance specialists may be unaware of all human trafficking victims and, therefore, may not be assisting them. In addition, inaccurate data could lead to misreporting the number of victims identified to Congress and other stakeholders.



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HSI Did Not Have a Cohesive Approach to Guide Its Human Trafficking Efforts

HSI did not follow up on all tips or maintain accurate case and victim data because it did not have a cohesive approach for its human trafficking efforts. Rather than having a single program office to issue uniform policy and procedures to guide efforts to combat human trafficking and assist victims, the program offices operate using their own guidance. HSI has not established an office with the appropriate authority and oversight to ensure implementation of and compliance with such guidance. Instead, HSI relies on four different program offices that are managed independently and have their own limited responsibilities:

- Investigative Programs (Victim Assistance Program and HTU)
- Domestic Operations (special agents and victim assistance specialists)
- International Operations (special agents)
- Office of Intelligence (Tip Line)

The absence of a cohesive approach for human trafficking efforts did not facilitate collaboration among the various program offices within ICE, which presented obstacles for HSI to coordinate and oversee its efforts. Specifically:

- The Victim Assistance Program, in the Investigative Programs office, established a directive for assisting victims in 2011 to include assisting victims in identifying appropriate services and maintaining information on the number of victims assisted. However, this program relies on victim assistance specialists to implement the directive. These specialists report to supervisors in Domestic Operations rather than to personnel within Investigative Programs.
- HTU, in the Investigative Programs office, was unable to require special agents to comply with human trafficking policies because of the organizational and reporting structure within HSI. Specifically, HTU and the special agents report to different program offices within ICE HSI. Special agents who carry out human trafficking investigations report to either the Domestic Operations or International Operations program offices.
- Domestic Operations field office personnel are not required to document actions taken when working tips received from the Tip Line. Additionally, Tip Line analysts reporting to the Office of Intelligence are not required to identify actions taken on each tip they disseminate because field office personnel managing tips and the Tip Line analysts report to different HSI program offices. There is presently no office established or operating to implement a cohesive requirement for



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reporting closure of tips.

Conclusion

As a result of the challenges described in this report, HSI may have missed opportunities to assist human trafficking victims and support U.S. Attorneys in their prosecution efforts. Without successful prosecution, human traffickers continue to exploit new and existing victims. Additionally, by relying on inaccurate data in systems such as ICM and VAD, ICE could be misinforming the public and Congress on human trafficking statistics and may not be allocating funds or resources in the most efficient manner.

Recommendation

We recommend the Acting Executive Associate Director, ICE Homeland Security Investigations, develop and implement policies and procedures to ensure uniform efforts to combat human trafficking. The guidance should:

- promote collaboration among Homeland Security Investigations program offices;
- address the accurate tracking, dissemination, and receipt of human trafficking tips, as well as follow-up actions on the tips; and
- ensure the maintenance of accurate data on human trafficking, including investigations and victim assistance.

ICE Management Comments and OIG Analysis

In its response to our report, ICE acknowledged OIG's recognition of its efforts to combat human trafficking and said it remains committed to combating this crime. ICE concurred with the recommendation. We consider this recommendation resolved and open. Appendix A contains a copy of ICE's comments in their entirety. ICE submitted technical comments separately, which we incorporated in the report as appropriate. The following is a summary of ICE's response to the recommendation and OIG's analysis of the response.

ICE Response to the Recommendation: Concur. HSI agreed to convene a working group led by the Center for Countering Human Trafficking to develop proposals for long-term solutions to resolve fundamental issues regarding human trafficking tip dissemination and tracking. HSI also committed to providing training for field offices on existing policies, including requirements for case file management. The HSI Victim Assistance Program plans to issue a new directive that will mandate HSI special agents identify the victim(s) in a Federal crime at the earliest opportunity. HSI has already implemented a



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monitoring process for accuracy of victim data. Estimated Completion Date: April 29, 2022.

OIG Analysis: This recommendation is resolved and open. We consider the planned actions responsive to the recommendation. We will close the recommendation when ICE provides documentation showing it has developed and implemented policies and procedures to ensure uniform efforts to combat human trafficking.

Objective, Scope, and Methodology

The Department of Homeland Security Office of Inspector General was established by the *Homeland Security Act of 2002* (Public Law 107–296) by amendment to the *Inspector General Act of 1978*.

We conducted this audit to determine the extent to which ICE identifies and tracks human trafficking crimes to assist victims. Our audit scope included FYs 2016 through March 2020. To answer our objective, including the assessment of internal controls, we reviewed related legislation, operating plans, goals and priorities, strategic and performance plans, policies, procedures, and handbooks. We also reviewed National Threat Assessments; prior OIG and Government Accountability Office reports; media articles; congressional testimony; and OIG Hotline, Tip Line, victim, case, and significant event data.

We interviewed DHS personnel from the Office of Partnership and Engagement and Office of Strategy, Policy, and Plans, as well as ICE personnel from the Office of Professional Responsibility. We also interviewed HSI personnel from the Human Trafficking Unit, Domestic Operations, Victim Assistance Program, Tip Line, Office of Intelligence, Operational Technology and Cyber Division, Office of the Principal Legal Advisor, Center for Countering Human Trafficking, Operational Systems Development and Management, and the Human Smuggling and Trafficking Intelligence Unit. We contacted HSI personnel in more than 55 offices located both domestically and internationally. We also interviewed personnel from the U.S. Department of Justice.

To ensure HSI took appropriate action with human trafficking tips received through its Tip Line, we selected a statistical sample of 316 tips received between FY 2017 and March 2020, from a universe of 1,791. We selected the first 60 tips from the statistical sample to follow each tip from initiation to closure. We verified HSI analysts properly classified and disseminated the tips to field offices. We also verified whether Tip Line supervisors reviewed each tip. In addition, we determined whether HSI field office personnel monitored each tip from receipt to closure.

We reviewed an internal tracking spreadsheet to confirm a new process started in September 2019 for the Tip Line to forward human trafficking tips to HTU.



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We requested and analyzed additional information to corroborate the completeness of the tracking spreadsheet.

To ensure HSI took appropriate action with human trafficking complaints received from the OIG Hotline, we analyzed OIG Hotline complaints from the Enforcement Data System. We identified 12,773 hotline complaints containing key terms related to human trafficking. We analyzed the 529 complaints the OIG Hotline referred to HSI and identified 15 related to our audit objective. We obtained and reviewed evidence to determine how HSI processed each of these tips.

To ensure compliance with the *ICE Case Management Handbook* (February 2008), we utilized the 5,228 cases that were available to be worked by agents during our audit period as our sample population. We selected a statistical sample of 358 cases. However, to save on resources from both ICE to extract the case files from ICM and from our team to review the files, we selected the first 20 closed cases from the statistical sample. We did not test any additional cases because we were able to validate our findings with this sample size. We verified the timeliness of cases opened, submission of initial ROIs for approval, and supervisory case reviews, and whether victims identified were entered into VAD. In another test, we judgmentally selected 25 cases within ICM to verify whether agents are closing cases timely.

To confirm special agents documented victims in ICM, we identified a population of 37 human trafficking victims reported in the Significant Event Notification system between March 15, 2019, and March 31, 2020. We compared these victims to Victim Identification ROIs in ICM to determine whether special agents reported the victims in both systems.

We analyzed the data sets mentioned previously for reliability by: (1) interviewing agency officials, (2) reviewing existing information, and (3) performing testing for completeness and accuracy. We used this data to judgmentally and randomly select our sample of victim assistance specialists and special agents for interview based on location and availability. Except for the VAD data, the data included in this report was sufficiently reliable to support our conclusions. Through our data reliability testing of VAD, we found issues with the data's completeness and accuracy, which we reflected in our audit findings. Due to the unreliability of the data, we could not validate the number of victims reported to Congress and the integrity of the system.

We conducted this performance audit between March 2020 and February 2021 pursuant to the *Inspector General Act of 1978, as amended*, and according to generally accepted government auditing standards. Those standards require we plan and perform the audit to obtain sufficient, appropriate evidence to provide a reasonable basis for our findings and conclusions based upon our audit objectives. We consider the evidence obtained provides a reasonable basis for our findings and conclusions based upon our audit objective.



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The Office of Audits major contributors to this report were Patrick O'Malley, Director; Stephanie Brand, Audit Manager; Christine Meehan, Auditor-In-Charge; Junior Correa, Auditor; Andrew Herman, Auditor; Ebenezer Jackson, Program Analyst; Kristine Odiña, Program Analyst; Kevin Dolloson, Communications Analyst; Jessica Jackson, Independent Referencer; and Angela Fay, Independent Referencer.



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Appendix A
ICE's Comments to the Draft Report

Office of the Chief Financial Officer

U.S. Department of Homeland Security
500 12th Street, SW
Washington, DC 20536



**U.S. Immigration
and Customs
Enforcement**

May 18, 2021

MEMORANDUM FOR: Joseph V. Cuffari, Ph.D.
Inspector General

FROM: Stephen A. Roncone 
Chief Financial Officer and
Senior Component Accountable Official

SUBJECT: Management Response to Draft Report: "ICE Faces
Challenges in Its Efforts to Assist Human Trafficking Victims"
(Project No. 20-013-AUD-ICE)

Thank you for the opportunity to comment on this draft report. U.S. Immigration and Customs Enforcement (ICE) appreciates the work of the Office of Inspector General (OIG) in planning and conducting its review and issuing this report.

ICE is pleased to note the OIG's recognition of its efforts to combat human trafficking, including the significant resources ICE Homeland Security Investigations (HSI) devotes to identifying and assisting victims. ICE also appreciates the Department of Justice (DOJ) recognition of the contributions of ICE's Human Trafficking Unit and Victim Assistance Program (VAP). Further, ICE appreciates that, throughout the draft report, OIG acknowledges that ICE HSI established a range of guidance on its human trafficking operations, including handbooks and student guides.

ICE HSI remains committed to the global fight against crimes of victimization by strategically targeting and investigating individuals and networks that engage in child exploitation, human trafficking, forced labor, and financial scams affecting vulnerable populations. For example, ICE HSI spearheaded the effort to create the DHS Center for Countering Human Trafficking (CCHT), formally established on October 20, 2020. The ICE HSI-led CCHT mission is to serve at the forefront of DHS' unified global efforts to counter human trafficking, including sex trafficking and forced labor, through innovative law enforcement programs, education, and victim advocacy. The CCHT is positioned to harmonize, leverage, centralize, and coordinate the capabilities and resources of ICE HSI

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Management Response to Draft Report: “ICE Faces Challenges in Its Efforts to Assist Human Trafficking Victims” (Project No. 20-013-AUD-ICE)
Page 2

and others across the Department (e.g., the Transportation Security Administration, U.S. Customs and Border Protection, etc.) to counter human trafficking.

The draft report contained one recommendation with which ICE HSI concurs. Attached find our detailed response to the recommendation. ICE previously submitted technical comments addressing accuracy, contextual, and other issues under a separate cover for OIG’s consideration.

Again, thank you for the opportunity to review and comment on this draft report. Please feel free to contact me if you have any questions. We look forward to working with you again in the future.

Attachment

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Management Response to Draft Report: “ICE Faces Challenges in Its Efforts to Assist Human Trafficking Victims” (Project No. 20-013-AUD-ICE)
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Attachment: Management Response for Recommendations Contained in 20-013-AUD-ICE

OIG recommended that the Acting Executive Associate Director, ICE Homeland Security Investigations:

Recommendation 1: Develop and implement policies and procedures to ensure uniform efforts to combat human trafficking. The guidance should:

- promote collaboration among Homeland Security Investigations program offices;
- address the accurate tracking, dissemination, and receipt of human trafficking tips, as well as follow up actions on the tips; and
- ensure the maintenance of accurate data on human trafficking, including investigations and victim assistance.

Response: Concur. ICE HSI will lead efforts to review and strengthen policies and procedures to ensure uniform efforts to combat human trafficking. Specifically, the ICE HSI-led DHS CCHT will convene a working group involving multiple ICE HSI program offices to develop proposals for long-term solutions to resolve fundamental issues regarding human trafficking tip dissemination and tracking. ICE HSI will also provide training, as needed, for the field offices on existing ICE HSI policies, including the July 2020 ICE HSI Case Management Handbook, on records requirements and timelines for opening, reviewing, and closing cases involving victims of human trafficking to promote consistent adherence to the existing policies.

ICE HSI VAP is also finalizing ICE HSI Directive 10071.1 “Federal Victim Assistance Mandates and Responsibilities,” which will mandate that ICE HSI Special Agents identify the victim or victims of a federal crime at the earliest opportunity after the detection of a crime and when it may be done without interfering with an investigation, pursuant to 34 U.S.C. § 20141, “Services to Victims.” The Directive will also address informing the Victim Assistance Specialist so that the victim’s information may be entered into the ICE Victim Assistance Database and DOJ’s Victim Notification System.

Furthermore, in March and April 2021, the ICE HSI VAP conducted several four-hour leadership training sessions that addressed the requirement for Victim Assistance Personnel to be notified of all identified victims in ICE HSI investigations. Additionally, beginning in 2020, the VAP instituted a quarterly Victim Data Report to each ICE HSI Special Agent in Charge office for Group Supervisors of Victim Assistance Personnel to monitor submissions of victim data for accuracy and timeliness.

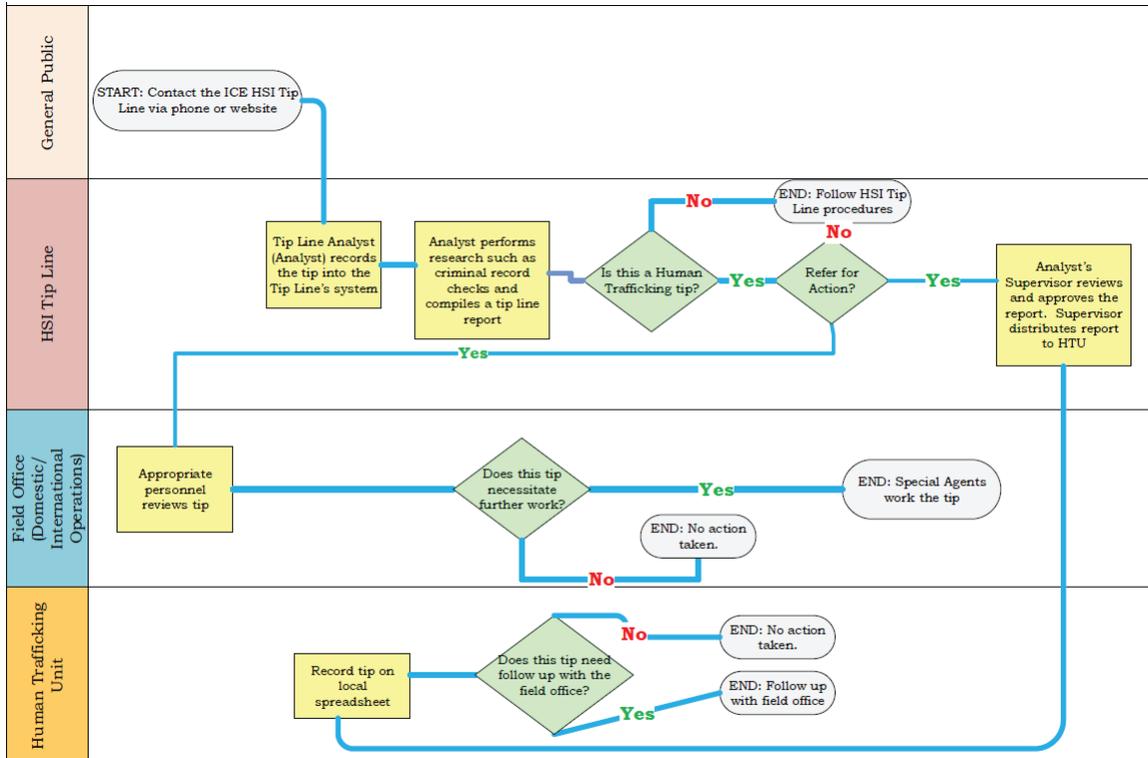
Estimated Completion Date: April 29, 2022.

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OFFICE OF INSPECTOR GENERAL
Department of Homeland Security

Appendix B
HSI Tip Line Human Trafficking Tips Intake Process



Source: OIG analysis of ICE information provided.



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Appendix C
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