

Human Trafficking Training
Post Action Report

Rule of Law Project (ROLP)
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Introduction

Early in the first year of the two-year option period of ROLP, the project conducted an assessment of the current status and needs of Jordan's prosecutors. Assisting the ROLP staff in this effort was a consultant from the United States, an experienced prosecutor and large prosecution office administrator with considerable international experience. The assessment process included three one-day needs assessment workshops to which all 90 of Jordan's prosecutors were invited. In addition a questionnaire was prepared and delivered to all of Jordan's prosecutors and attorneys general seeking written inputs on a wide range of prosecution related issues. Finally, numerous on-site interviews were conducted with prosecutors throughout the Kingdom. This resulted in a Prosecution Assessment Report¹ which has guided ROLP's prosecution support and enhancement activities for the past two years. In light of recommendations and inputs from Jordan's prosecutors and after full consultation with Jordan's prosecution leadership, it was decided that further exposure and training in combating Human Trafficking crimes was called for. Accordingly, The ROLP work plan for Y5 (the second year of the option period) specifically calls for Human Trafficking training for prosecutors.(Activity 3.3(B)).

ROLP was fortunate and pleased to engage federal prosecutor Demetri M. Jones to lead the prosecutors' training in September of 2013. She was very well received by Jordan's prosecutors who attended her training sessions. Her prior experience in investigating and prosecuting human trafficking cases and in training law enforcement personnel in the U.S. and beyond (including Jordan in years past) in this field allowed her to quickly and comfortably engage with the participants. What follows is her post-activity report. The Report concludes with a summary of the evaluation of the program submitted by the participants.

Robert L. Dean - Chief of Party

¹ See Enhancing **The Public Prosecution in Jordan**: *Supporting a Force for Good in Difficult Times* - March 1, 2012 - Paul R. Scoggin.

Basic Human Trafficking Training
Amman, Jordan
September 8 & 9, 2013
September 11 & 12, 2013
Trainer: Demetri M. Jones

I. The Program

The trainer conducted a basic level human trafficking training session for approximately 40 prosecutors. The training was provided in two sessions to two groups of prosecutors with each session spanning two days. The attendees included prosecutors from various regions throughout Jordan. The goals of the training were to: (1) provide attendees with a basic overview of the international standards applicable to human trafficking as well as the Jordanian law that was enacted in 2009; and (2) present the victim-centered approach and task force model method of investigating and prosecuting human trafficking offenses. It bears noting that this trainer, along with a second United States federal prosecutor, participated in a phase I basic training human trafficking course for judges and prosecutors in 2009 shortly after the enactment of the Jordanian anti-human trafficking law. This trainer also participated in a phase II extensive training program, along with a United States District Judge, in September 2010 for prosecutors and judges.

The training format consisted of lecture, power point presentation, case studies of United States prosecutions, written material and group discussion. The written material contained the Jordanian anti-human trafficking law, the substance of the power point presentation and hypothetical fact patterns. The hypothetical fact patterns were designed to simulate conditions and issues that might be anticipated to exist in human trafficking cases in Jordan. Simultaneous translation between English and Arabic was provided for all verbal communication and the written material was provided in Arabic.

Specific topics covered during the sessions included interpretation of the Jordanian anti-human trafficking law, investigative strategies and victim-related issues. Discussion of the Jordanian law resulted in heated discussion among the groups mainly focused on ambiguities that attendees saw in the drafting and language of the law. Some attendees took the

position that the law should be applied literally - as drafted and enacted - while others took the position that there existed some discretion to interpret the law so as to apply the spirit of the law, i.e. to protect victims and punish traffickers.

The attendees exhibited complete familiarity with the provisions of the law and the general consensus appeared to be that the law needed some refinement and possible amendment to clarify certain issues. For example, attendees at both sessions acknowledged that victims of trafficking who engage in some form of illegal conduct during the course of the trafficking offense may have done so only as a result of their victimization. Examples of such situations include organ donation and forced prostitution. However, there was some disagreement as to how the Jordanian anti-human trafficking law should be applied in those instances. Some attendees opined that prosecutors were bound to prosecute such victims as a matter of general law while others argued that the anti-human trafficking law provided the prosecutors with discretion to "not follow" prosecution of victims.

During the course attendees consistently recognized and raised legitimate issues that could prove detrimental to investigating and prosecuting human trafficking offenses. For example, attendees noted that although the law requires the creation of shelters for victims, only one such shelter exists to date. In addition, attendees noted that immigrant victims would likely be subject to deportation before an investigation/prosecution could be completed. Another concern raised was how to obtain foreign evidence that would be admissible in court.

II. Recommendations

Based on the comments and questions asked by attendees regarding investigative techniques and strategies and methods of obtaining foreign evidence, it appears that there is a lack of coordination between police and prosecutors. Moreover, it appeared that there is a divide between police authority and prosecutor authority that is not allowing for joint efforts at investigating human trafficking offenses. For example, although attendees expressed an understanding that their role as prosecutors includes conducting victim interviews early on in an investigation, they did not express any interest in joining police during initial interviews. It appears as though prosecutors either conduct their own separate victim interviews or rely solely on police interviews in developing cases. The issues created by a failure to have a prosecutor interview a victim early on in an investigation is exacerbated by the fact

that victims may be deported before the prosecutor has the opportunity to conduct an interview.

Additionally, when questioned about interaction with police, attendees did not express a willingness to provide guidance or suggestions to police or engage in a "joint" investigation. Under the task force model such interaction is crucial in human trafficking cases. For these reasons, it appears that prosecutors and police would benefit tremendously from joint trainings to foster communication and coordination in investigating and prosecuting human trafficking cases. Use of prior Jordanian investigations and cases as training tools would allow both police and prosecutors to examine the results of those investigations and prosecutions to determine what strategies and techniques were successful or not successful.

Based on the progress that this trainer observed since the two previous training sessions, it is apparent that the prosecutors who participated in this latest program clearly had the knowledge and experience to train their colleagues about the basic legal concepts involved in human trafficking although most lack actual hands-on experience in investigating or prosecuting a human trafficking case at this point in time. Any future training should be an in-depth program with a focus on exercises designed to allow attendees to examine issues and develop strategies and methods to build a case, preferably with joint participation and input from police, as opposed to academic discussion of the law.

III. Summary

The attendees were experienced prosecutors who displayed a very deep knowledge of the Jordanian anti-human trafficking law as well as an understanding of the international concepts of how to handle human trafficking cases. The questions asked and comments that attendees made demonstrated that they knew the provisions of the law and understood the implications of its ambiguities as well as issues regarding victim treatment, investigative needs and other issues that prosecutors face in human trafficking cases. Any future training programs should build upon the current knowledge level and expand to include joint training sessions with police using case studies from Jordanian investigations and prosecutions.

AGENDA

TRAFFICKING IN PERSONS
Amman, Jordan
September 8-9,11-12 2013

Trainer/Presenter - Ms. Demetri Jones

Assistant United States Attorney for the Eastern District of New York

Day One

- 9:00 Registration & Welcome
- 9:30 - 10:45 What is Trafficking in Persons
- General Definition
- Common Forms of Trafficking in Persons
- International Standards of Trafficking in Person and the Human Rights Based Approach
- 10:45 - 11:00 BREAK
- 11:00 - 1:00 The Nature of Trafficking in Persons in Jordan and the Legislative Response
- Overview of Jordanian Law
- Jordanian Statistics on Trafficking in Persons
- 1:00 - 1:15 BREAK
- 1:15 - 2:45 Group Discussion on Challenges to Anti-Trafficking Efforts in Jordan
- Implementation and Enforcement of Jordanian Law
- Legal Challenges
- Cultural Influences

Day Two

- 9:00 Welcome
- 9:30 - 10:45 The Victim Centered Approach and Task Force Model Case Studies from the United States & Jordan
- Forced Labor
- Domestic Servitude

10:45 - 11:00 BREAK

11:00 - 12:30 Case Studies
- Commercial Sex Trafficking

12:30 - 12:45 BREAK

12:45 - 2:45 Victim Issues
- Victim Identification
- Victim Interviews
- Victim Preparation for Testimony
- Treatment of Victims in Legal System

**Assessment of the course of human trafficking crimes
Amman from 8-9 and 11-12 / September / 2013**

Place and date of the session: The session was held at the Crown Plaza Hotel -
Target group: Judges, prosecutors and the 35 trainees.
Coach: Prosecutor Dmitry Jones.

1. Evaluation of the training material from the trainees point of view s:

- (100%) of the trainees believed that the content of the training material was appropriate for the level of the trainees, and were clear and understandable and reflected the needs of the trainees as well as being appropriate to the practical performance of the prosecutors.
- All trainees stressed that the training material has achieved a balance between theoretical and practical training.
- 97% of trainees believed that the training material included activities which enhanced the practical skills and stimulated the trainees .
- 91% of trainees believe that the training material covered all aspects of the subject.

2. Evaluation of the trainer's performance :

- (100 %) of the trainees believe that the trainer had an excellent understanding of the training material and the training method was appropriate for the level of the trainees .
- (100%) of the trainees believed that the trainer explained the training material easily and clearly and allowed the trainees to actively participate during the training sessions.
- 94% of trainees believe that the trainer presented the training appropriate to the previous experience and skills of the trainees .
- The trainer was committed to the time specified for the training.

3. Goals achieved in the course.

- Enrich the participants and stimulate their memories about the concept of human trafficking crimes.
- Reminding the prosecutors of practical and theoretical practice for human trafficking cases .
- Review the provisions of the human trafficking law and discussing the problematic articles within the law and the required amendments.
- Learning about international practices and experiences of other countries, in specific United States of America and how they implement the human trafficking law and handle real cases. .
- Learn how to deal with the accused in human trafficking cases .
- Exchanged point of views and experience on the outstanding issues in this law and access to U.S. and Jordanian law in this regard .

4. Suggested topics for future training for the judges and prosecutors:

- Human trafficking crime elements (pillars) and how to handle human trafficking crimes returns .
- Intellectual property and electronic crimes.

- Investigation skills in corruption cases.
- International treaties governing the prevention of human trafficking.
- Training regarding expatriate labor especially foreign servants in Jordan.
- Topics related to money laundering, and human rights related to human trafficking law.
- Press and Publications Law, a specially publishing on websites.
- 10. Cases of corruption and drug trafficking.
- 11. Electronic piracy cases across continents
- 12. Investigation skills to members of the Public Prosecution