TIP Examples

Standard Curriculum Toolkit, Section 1.4

Required Element

February 2021

Combating Trafficking in Persons (CTIP) Program Management Office

TIP Examples

You can use these TIP examples in your Combating Trafficking in Persons (CTIP) training materials. These cases are used in the CTIP Program Management Office's General Awareness, Acquisition Professionals, and Investigative Professionals trainings.

Recommendation: Include the following content from this document in your CTIP training:

- At least one DoD labor trafficking example from the list below
- At least one DoD sex trafficking example from the list below
- At least one general child soldiering example the list below

DoD Labor Trafficking Examples

- The Defense Criminal Investigative Service (DCIS) received a referral from the DoD Inspector General (DoDIG) Contractor Disclosure Program about subcontractor non-compliance violations. The case was reported to the DoDIG by the director of the subcontracting company.

  DCIS investigated and determined the subcontractor violated Kuwait labor laws and engaged in violations of trafficking in persons (TIP) laws and regulations in the treatment of its employees. The violations included failing to provide employees with copies of their employment agreements, failing to include TIP prohibitions in the employment agreements, failing to provide employees with pay slips, failing to pay full salaries to its employees as agreed upon, and failing to provide CTIP training to its employees.

  As a result of a DCIS investigation, in November 2017, the U.S. Army, Judge Advocate General, Procurement Fraud Division, debarred the DoD subcontractor from federal contracting for three years (until September 2020).

- In 2012, the Defense Contract Management Agency (DCMA) conducted an audit in response to a report from a Service member about contractor employees being beaten by their employer. When auditors investigated, they discovered four individuals were found locked in rooms. In addition, they found worker safety issues including substandard housing conditions such as unsanitary water, cockroach infestation, no working fire extinguishers, and a large hole in the roof. In addition, four individuals were found locked in rooms. DCMA documented a total of eight non-conformances at the site.

After a second audit, DCMA issued a Corrective Action Request (CAR) to the prime contractor and submitted a report for a possible criminal investigation. The prime contractor responded quickly to the issues with the subcontractor to correct the non-conformances. DCMA followed up to ensure that the subcontractor had corrected the issues and closed the case the next year.

- From 2015 to 2017, U.S. Army investigators found that four contractors operating on military installations in Kuwait violated various tenets of human trafficking laws, such as failing to pay employees a full salary, withholding passports, charging excessive recruitment fees, and housing employees in substandard living conditions.

  In one case, the contractor providing food services with the U.S. military recruited workers from Bangladesh who were promised salaries of 100KD (Kuwaiti Dinars) per month but were paid only 40KD. They had to pay exorbitant recruitment fees to obtain their jobs. Their passports were confiscated by the contractor, and they had to work 12-hour shifts for seven days a week and were held “in a state of enslaved bondage.” They were not given sick leave or days off. They lived in unsafe and hazardous living conditions including no potable water, no mattresses to sleep on, and numerous fire hazards.

  The Army proposed debarring these companies and some of their executives, which would have prohibited them from competing for U.S. Government contracts for 3 years. One of the companies was debarred, two withdrew from working for the prime contractor, and a fourth negotiated an administrative compliance agreement with the Army’s Suspension and Debarment Official.

DoD Sex Trafficking Examples

- In 2013, a Service member was arrested by civilian police in an undercover operation in Florida. The Subject agreed to pay money for sexual relations with a fictitious 14-year-old. He traveled to the identified location and inquired about purchasing the child for the purpose of "pimping" her to others. He was charged in Florida under state statutes of Traveling to Meet a Minor and Use of a Computer to Solicit. He was prosecuted under the Uniform Code of Military Justice (UCMJ) and found guilty of UCMJ Article 134 (Pandering and Prostitution).

  The elements of trafficking in this case include attempted recruiting, transporting, and obtaining a minor for purposes of commercial sexual exploitation.

- In 2016, a military criminal investigative organization was notified by a military member's spouse that their child was a victim of sex trafficking. The mother found sexually provocative advertisements on the internet of her 17-year-old daughter offering sexual services for a fee. The daughter was interviewed and admitted that she was engaging in prostitution and that her 19-year old civilian boyfriend was keeping the money and posting the advertisements. This case was supported by military criminal investigators, the FBI, and multiple local law enforcement offices. The elements of sex trafficking in this case are a minor being advertised online for commercial sex. Note, any person under the age of 18 found in commercial sex is a per se victim and no proof of force, fraud, or coercion is needed.

- In 2014, a United States Army Sergeant First Class (SFC) was charged with recruiting young female soldiers for a prostitution ring at Fort Hood. According to a female Soldier, he enticed her into a prostitution ring, took pictures of her nude to distribute to potential clients, and made her engage in sexual acts. At the time of the accusation, the alleged perpetrator was a representative for the Sexual Harassment/Assault Response and Prevention Program for his battalion.
  The judge determined the SFC was guilty of the following offenses:
  - Four specifications of attempt to pander
  - Three specifications of conspiracy to patronize or solicit a prostitute.
  - Three specifications of failure to obey a lawful order or dereliction of duty.
  - Two specifications of cruelty and maltreatment.
  - Three specifications of adultery or pandering and prostitution.
  - One specification of assault consummated by a battery (He did not plead guilty to this charge; the judge found him guilty of the offense).

  He was sentenced to twenty-four months of confinement, reduction to E1, and a Dishonorable Discharge. One other Soldier, a Master Sergeant, was convicted of adultery and patronizing a prostitute He was reduced to the rank of E7 and was given a reprimand.

Child Soldiering Case

- In 2012, armed terrorist groups in Afghanistan recruited 47 children as child soldiers. They used most of the children to manufacture and plant improvised explosive devices and to transport provisions. Ten children were used to conduct suicide attacks.

  That year, a 16-year-old boy killed himself conducting a suicide attack at the entrance to the International Security Assistance Force (ISAF) headquarters in Kabul. During the attack, seven children were killed and two others were injured.