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February 27, 2023

The Honorable Chuck Schumer
Senate Majority Leader
322 Hart Senate Office Bldg.
Washington, D.C. 20510

The Honorable Mitch McConnell
Senate Minority Leader
317 Russell Senate Office Bldg.
Washington, D.C. 20510

The Honorable Kevin McCarthy
Speaker of the House
2468 Rayburn House Office Bldg.
Washington, D.C. 20515

The Honorable Hakeem Jeffries
House Minority Leader
2433 Rayburn House Office Bldg.
Washington, D.C. 20515

Re: National Human Trafficking Hotline reports

Dear Majority Leader Schumer, Minority Leader McConnell, Speaker McCarthy, and Minority Leader Jeffries,

It has recently come to our attention that the National Human Trafficking Hotline (“Hotline”), which Congress has funded for 15 years, is not reporting tips of adult trafficking to state law enforcement except under the limited circumstance where the victim self-reports and affirmatively consents to the Hotline making the report. Not only do we believe this action contravenes one of Congress’ intended functions of the Hotline, but we believe it disrupts the federal-state partnership to end human trafficking and help its victims.

By its own accounts, Polaris operates the Hotline to, among other things, “take tips of suspected human trafficking from community members.”¹ The Administration for Children and Families (ACF) at the U.S. Department of Health and Human Services, which administers the grant under which Polaris operates the Hotline, specifically notes that it “takes tips about potential situations ... and facilitates reporting to specialized human trafficking task forces, federal authorities, local law enforcement, and service providers throughout the country.”²

¹ www.polarisproject.org/responding-to-human-trafficking/

² <https://www.acf.hhs.gov/otip/victim-assistance/national-human-trafficking-hotline>

ACF touts that since its inception, the Hotline has provided more than 15,000 tips to law enforcement³ and Polaris reports that its most frequent request on human trafficking cases is to “Report a Trafficking Tip.”⁴ According to its own statistics, of the 10,360 cases identified by the Hotline in 2021, 6,546 were from citizens reporting a suspected trafficking situation.⁵ In contrast, only 3,284 were calls requesting service referrals.⁶ Of the 51,073 signals, meaning contacts by call, text, web message, chat or other form of communication, 13,277 of were from victims or survivors of trafficking.⁷

The National Human Trafficking Hotline website displays several ways that citizens may submit a tip, including via phone, text, chat, or online submission.⁸ Congress and many states have taken steps to ensure that the Hotline information is widely disseminated so that citizens can report suspected trafficking directly to the National Hotline. Those tips are crucial to catching criminals, to recovering victims, to uncovering evidence of broader trafficking operations, and more. Those tips help local and state law enforcement to end trafficking and to help its victims.

This past summer, Mississippi Attorney General Lynn Fitch met with Catherine Chen, Chief Executive Officer of Polaris, to discuss her concerns about the lack of adult tips Mississippi was receiving from the Hotline. Ms. Chen explained that Polaris uses a victim-centered approach that takes into consideration the potential adverse consequences to victims. As further explained on its website, “Except in situations involving potential abuse of a minor or if we believe a person is in imminent danger, the Trafficking Hotline will not take action without the consent of the person in the situation.”⁹

Many states also take a victim-centered approach to suspected instances of human trafficking. For instance, the Mississippi Attorney General’s Office regularly conducts joint operations with local law enforcement across the State, which invariably include opportunities for victims to be connected with the appropriate services for recovery. In fact, the training provided to local law enforcement and prosecutors on human trafficking investigations and prosecution in Mississippi is centered on victim recovery, not victim arrests.

During last Summer’s meeting, Ms. Chen informed General Fitch that the Hotline was beginning to transition away from serving as a tipline to concentrate more on connecting survivors with resources. We cannot stress enough how great a departure this is from our understanding of the current practices and purposes of the Hotline or how serious a detriment it will be to our work to stop trafficking and aid its victims.

³ *Id.*

⁴ <https://humantraffickinghotline.org/en/statistics>

⁵ *Id.*

⁶ *Id.*

⁷ *Id.*

⁸ www.humantraffickinghotline.org/

⁹ <https://humantraffickinghotline.org/about-us/when-you-reach-us>

Possibly more alarming, some states are reporting that they receive tips from the Hotline a month, sometimes two months, after a tip of suspected trafficking is reported to Polaris. If the Hotline is not promptly sharing tips with law enforcement, law enforcement cannot act to help victims of trafficking. Timely information is necessary for a quick recovery of victims of human trafficking and is paramount to the entire purpose of the Hotline. Polaris's current system of reporting is hurting the very victims Polaris purports to be central to their approach.

In the Trafficking Victims Prevention and Protection Reauthorization Act of 2022, just signed into law on January 5, 2023, Congress reauthorized \$3.5 million for the Hotline each fiscal year through federal Fiscal Year 2028.

It appears to us that the Hotline is not performing the services it is already funded to perform. Without changes to Polaris's operating procedures, our state anti-trafficking initiatives gain little from participation in the National Hotline. As such, individual states may be forced to establish their own state hotlines, as some already have begun to do. A nationally-run hotline not only achieves cost-efficiencies, but also ensures a uniform approach and allows for the collection of cross-state information with regard to human trafficking tips.

However, we cannot in good conscience continue to ask the public to share tips about trafficking in their communities if the Hotline will not give us, as law enforcement, the opportunity to address those tips. It serves no one well to do so, least of all the victims that could be helped by a tip phoned in by a good Samaritan who sees their suffering and tries to do the right thing.

We urge Congress to ensure that Polaris makes changes to its current and reported planned tip reporting policies to begin forwarding tips regarding suspected human trafficking of adults, in a prompt manner, to the corresponding state's law enforcement officials for their evaluation and response to ensure victim safety. The Hotline's creation and its multijurisdictional use is an acknowledgment that traffickers do not respect borders any more than they respect their victims. We cannot afford to lose the benefits of this federal-state partnership to end trafficking.

Sincerely,



Kathleen Jennings
Delaware Attorney General



Lynn Fitch
Mississippi Attorney General



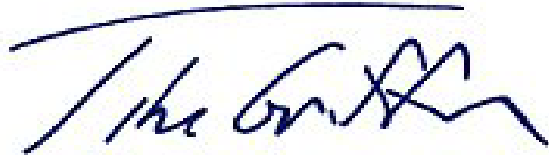
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Virginia Attorney General

Joshua L. Kaul
Wisconsin Attorney General

cc: The Honorable Christopher H. Smith, sponsor, H.R. 6552 (117th Congress)
Catherine Chen, CEO, Polaris