



# Using Civil Litigation to Combat Human Trafficking

Federal Human Trafficking  
Civil Litigation

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**2022 Data Update**

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# Acknowledgements

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# Using Civil Litigation to Combat Human Trafficking

## Federal Human Trafficking Civil Litigation: 2022 Data Update

### I. Introduction

Twenty years ago, in October 2003, Congress passed the Trafficking Victims Protection Reauthorization Act (“TVPRA”), a law allowing trafficking victims to recover civil damages from their traffickers in federal courts. That civil private right of action, 18 U.S.C. § 1595 (“Section 1595”), has become a powerful tool to hold traffickers accountable in federal court.

As of December 31, 2022, plaintiffs had brought a total of 678 cases<sup>1</sup> in federal court under the TVPRA, winning \$297,718,200.26 in civil damages awards and public settlements.<sup>2</sup>

This report looks back on the civil trafficking cases filed over the last nineteen years, analyzing the litigation trends and impact.



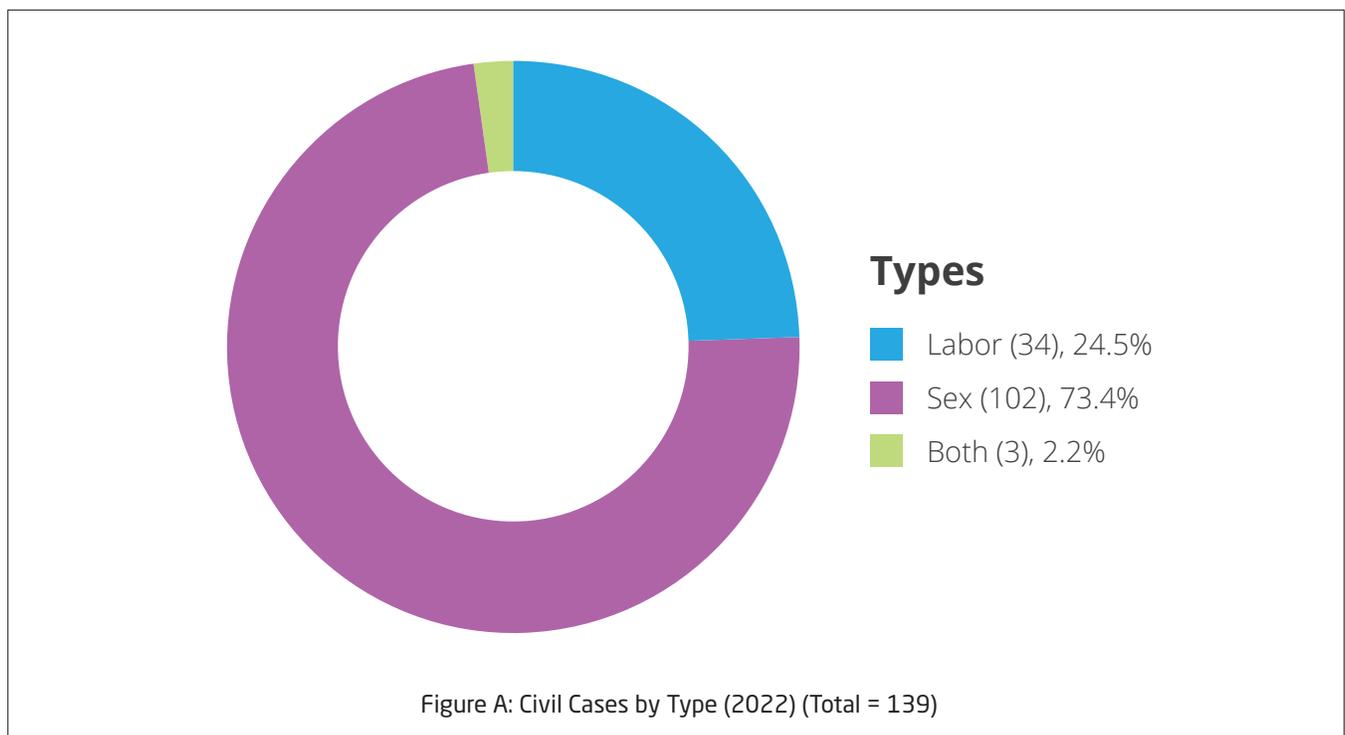
<sup>1</sup> All references to cases filed in this report refer to civil federal trafficking claims, unless otherwise expressly noted.

<sup>2</sup> The damages awarded amount reflects only publicly-known settlement amounts and judgments on public dockets. This number does not include confidential, non-public settlements, which are substantial.

## II. Year at a Glance: 2022 Civil Cases by Subsector

In 2022, plaintiffs filed 139 cases alleging violations of federal trafficking laws codified in the TVPRA. This exceeded the number of civil federal trafficking cases filed in any previous year, and marked a significant increase from the 78<sup>3</sup> cases filed in 2021. Of the cases filed in 2022, 102 alleged only sex trafficking, 34 alleged only forced labor, and three included allegations of both sex trafficking and forced labor. The tally of 102 cases alleging sex trafficking in 2022 constituted more than double the number of sex trafficking cases (40)<sup>4</sup> brought in 2021.

### Figure A: Civil Cases by Type (2022)



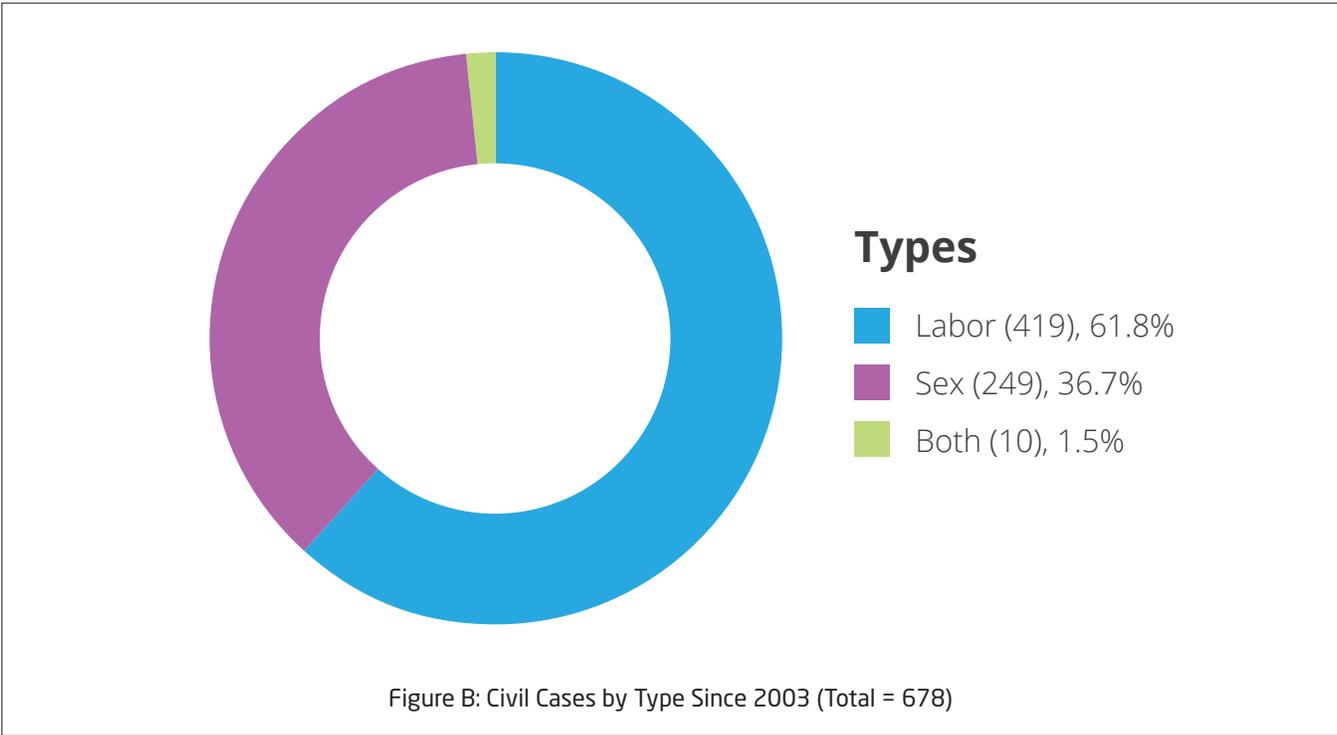
<sup>3</sup> Last year's civil data report indicated that there were 79 total civil cases filed in 2021, however, one of these cases was a re-filing of a case originally filed in a different district.

<sup>4</sup> Last year's civil data report indicated that there were 41 sex trafficking cases filed in 2021; one of these cases, *C.T. v. Red Roof Inns, Inc. et al*, 2:21-cv-4022 (M.D. Fla.) was a new filing of a case originally filed in a different district, *C.T. v. Red Roof Inns, Inc. et al*, 2:19-cv-5384 (S.D. Ohio).

# Figure B: Civil Cases Filed by Type Since 2003

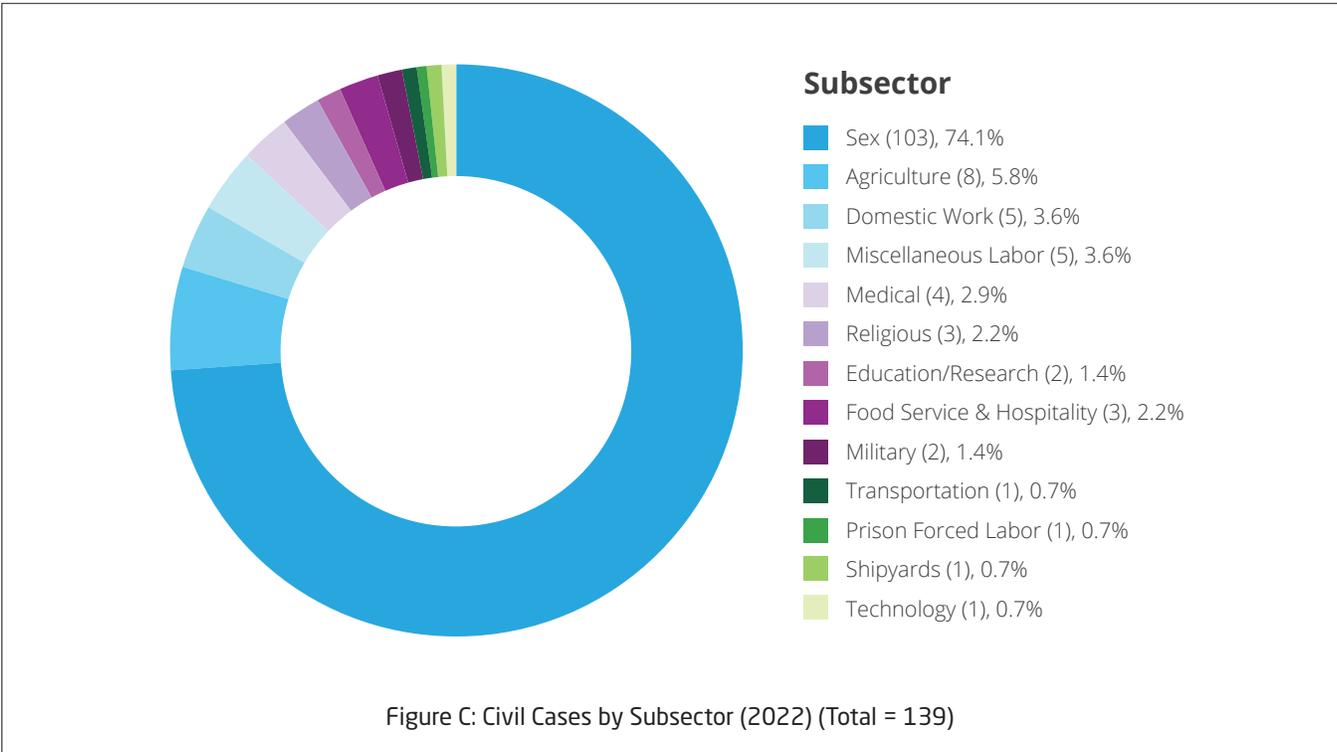
The number of federal civil sex trafficking cases filed nearly tripled in 2022, vaulting the number of total cases filed in 2022 above the previous high of 88 cases (comprising both sex and labor) in 2019. In previous years, the number of sex trafficking cases filed narrowly exceeded the number of forced labor cases filed, but in 2022 the volume of sex trafficking cases filed far outpaced the number of forced labor cases filed. The significant increase in sex trafficking cases filed in 2022 reflects a surge of sex trafficking cases filed against hotels (73). Courts saw an unprecedented increase in civil trafficking case filings in Ohio (40), Florida (21), and Georgia (21).<sup>5</sup>

Of the 34 cases alleging only forced labor in 2022, nearly a quarter of the cases (8) involved forced labor in agriculture. In addition, 4 new cases involving forced labor in the health care industry were brought in 2022, continuing the trend identified in 2021.



<sup>5</sup> See Figure 3 *infra*.

# Figure C: Civil Cases by Subsector (2022)



## Figure D: Civil Cases by Subsector (2022)

Figure D: Civil Cases by Subsector (Table) (2022)	
Subsector	# of cases filed in 2022
Sex	103 <sup>6</sup>
Agriculture	8
Domestic Work	5
Miscellaneous Labor	5
Medical <sup>7</sup>	4
Education/ Research	2
Food Service & Hospitality	3
Religious	3
Military	2
Transportation	1
Prison Forced Labor	1
Shipyards	1
Technology	1
<b>Total</b>	<b>139</b>

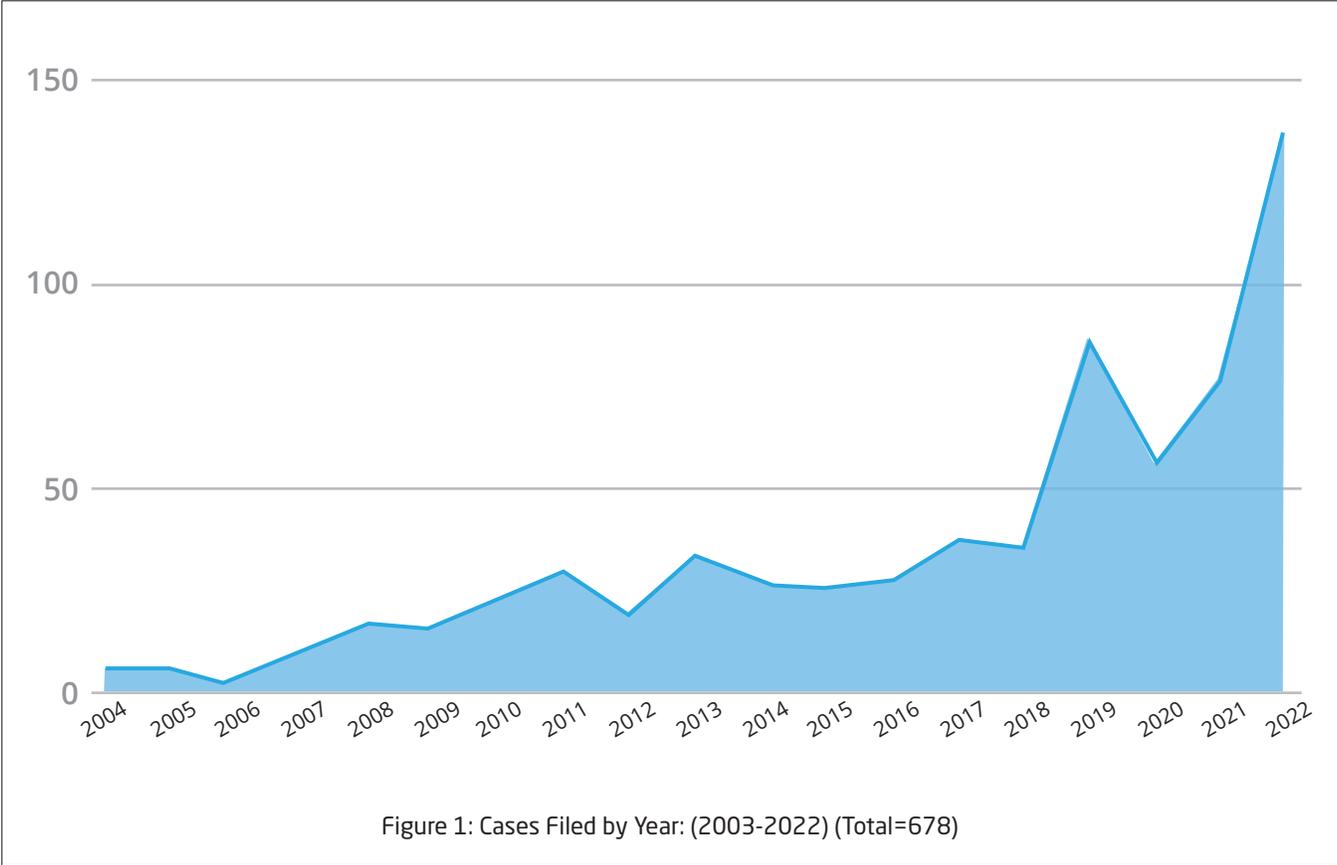
<sup>6</sup> The sex subsector includes one of the three cases classified as “both” in Figure A above.

<sup>7</sup> The category “medical” as a subsector refers to the forced labor of nurses, doctors, physical therapists, and medical product manufacturers. This category also covers allegations of trafficking within psychiatric in-patient treatment programs. It does not include cases of organ trafficking, which are not covered under the TVPRA.

# III. Trafficking Civil Litigation: Quantitative Trends

## A. Cases Filed by Year

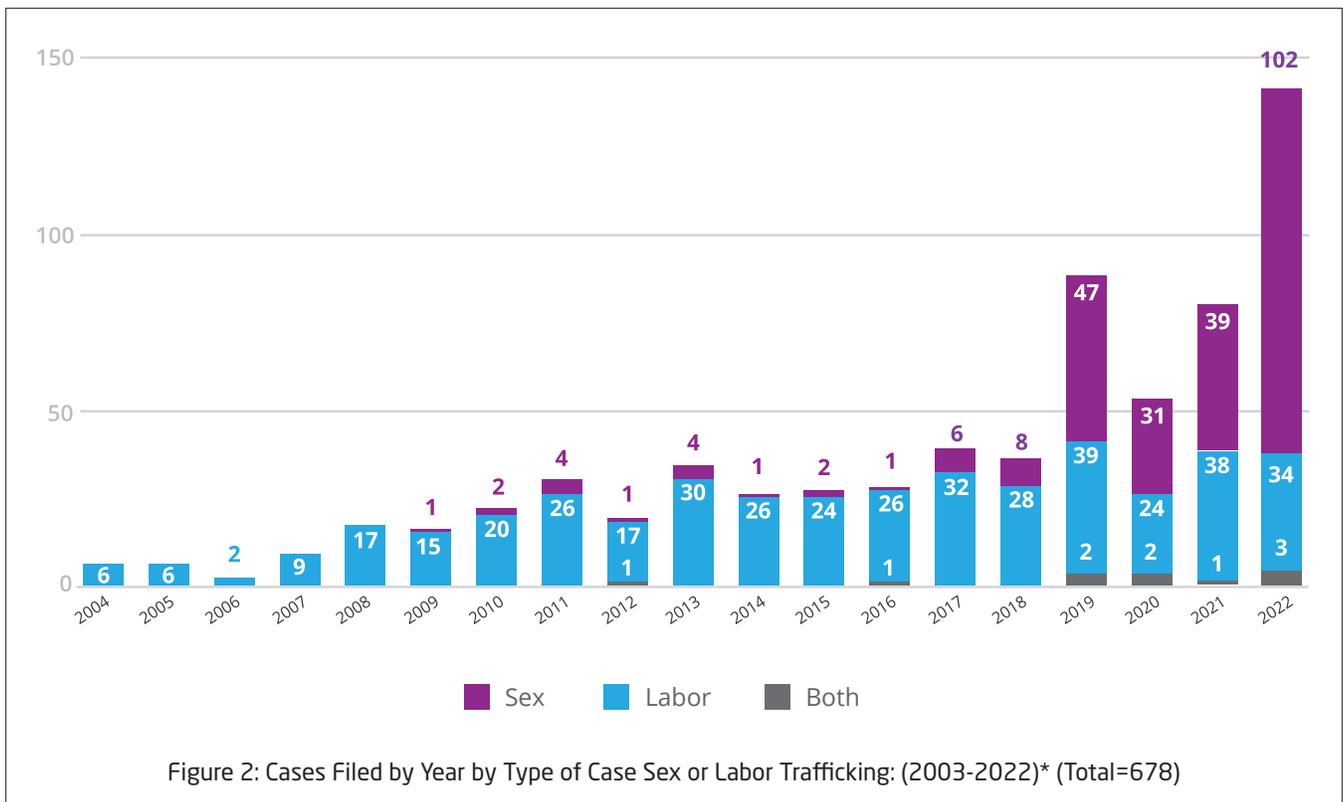
In 2022, plaintiffs filed a record number of federal civil trafficking cases. Between 2003, the year the federal civil trafficking cases became possible, and December 31, 2022, plaintiffs filed 678 cases under Section 1595 of the TVPRA. In 2022, plaintiffs filed more than twenty times as many cases (139) as in 2004 (6).



## B. Civil Trafficking Cases Filed by Type<sup>8</sup>

Prior to 2009, all of the civil trafficking cases filed under 18 U.S.C. § 1595 alleged only forced labor. In 2009, the civil litigation landscape shifted when Miranda Ditullio filed the first civil case alleging sex trafficking.<sup>9</sup> Since then, civil sex trafficking case filings have surged. In 2022, plaintiffs filed three times as many sex trafficking cases as forced labor cases.

In the aggregate, the number of forced labor cases still outnumbers sex trafficking cases. In the nineteen years after the passage of Section 1595, plaintiffs filed 419 forced labor cases, 249 sex trafficking cases, and 10 cases<sup>10</sup> alleging both labor and sex trafficking. However, current trends suggest that sex trafficking case filings will continue to outpace forced labor case filings. While the number of sex trafficking cases has been trending upwards in the fifteen years since *Ditullio v. Boehm* was filed, the number of forced labor cases has held steady: plaintiffs have filed approximately 32 forced labor cases each year since 2016.



\* This graph corresponds with Figure 2 in 2018 Civil Litigation Report: See Levy, *supra* note 1, at 11.

<sup>8</sup> In conducting a detailed review of the underlying data, three cases were identified as being previously included, but in the incorrect year. Those cases have been updated, and, as a result, there are minor updates to the data for previous years. *Nejatengo v. Winner Caps Co*, No. 1:14-cv-315 (E.D.N.Y.), has been moved from 2015 to 2014; *Patel v. Patel*, No. 1:21-cv-6700 (N.D. Ill.), has been moved from 2014 to 2021; and *Doe v. Mindgeek*, No. 2:22-cv-1016 (C.D. Cal.), has been moved from 2021 to 2022. Three additional cases filed in 2020 were identified through subsequent research: *S.Y. v. Inn of Naples Hotel*, No. 2:20-cv-609 (M.D. Fla.); *R.E. v. Lincoln Inns*, No. 1:20-cv-3332 (N.D. Ga.) and *W.K. v. Red Roof Inns*, No. 1:20-cv-5263 (N.D. Ga.). One additional case was deleted as it did not meet the criteria for inclusion in the dataset.

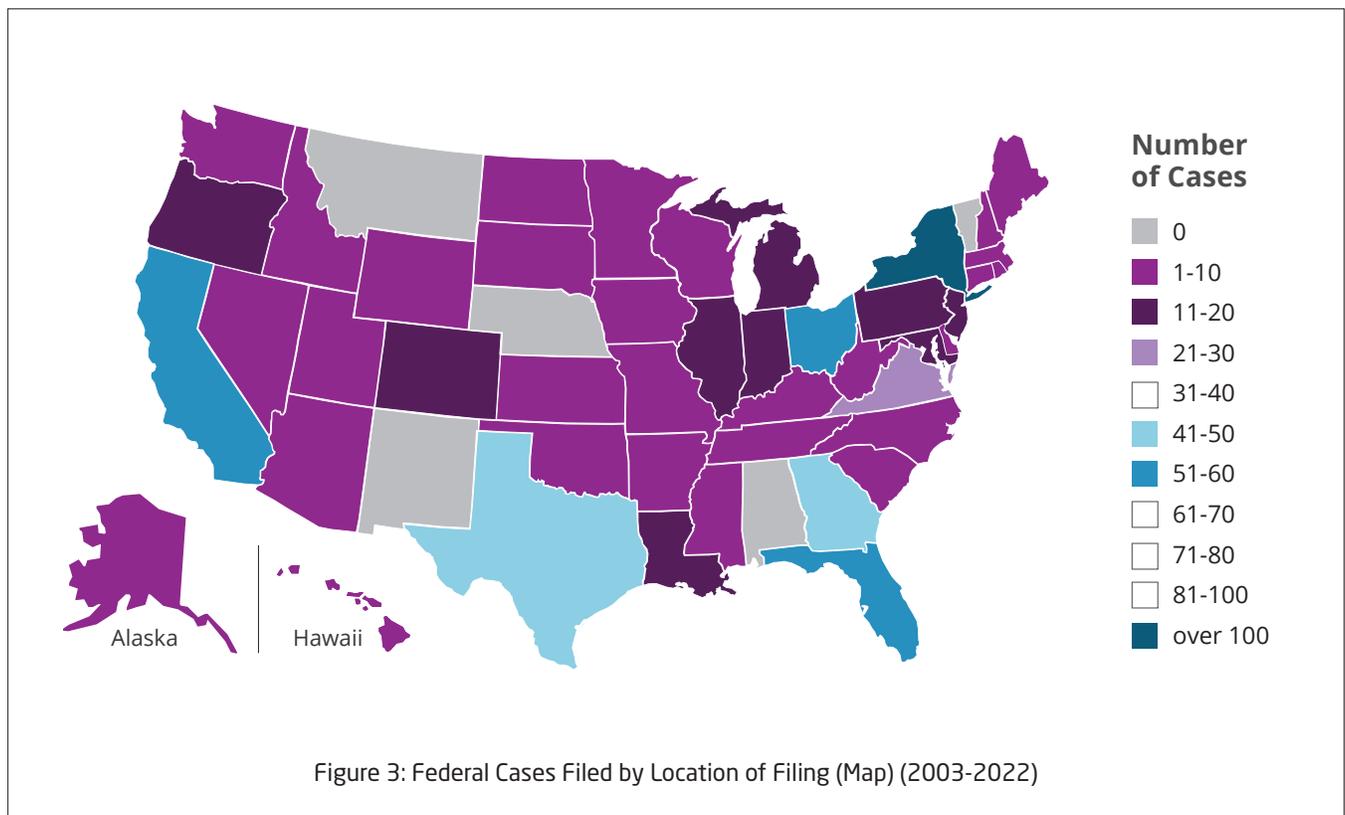
<sup>9</sup> See *Ditullio v. Boehm*, No. 09-CV-00113 (D. Ak.). The defendant pled guilty in the federal criminal case brought against him. The civil case against the defendant settled for \$400,000.

<sup>10</sup> In prior reports, four cases were categorized as alleging both labor and sex trafficking because the plaintiffs were forced to provide sexual labor. Because the plaintiffs in these cases did not seek relief under the sex trafficking statute (18 U.S.C. § 1591), the cases have been recategorized as forced labor cases. Specifically, *Doe v. USA Gymnastics*, No. 1:19-cv-01716 (S.D. Ind.), *Treadway v. Otero*, 2:19-cv-00244 (S.D. Tex.), *Jane Doe 1 et. al v. Foukas*, 1:20-cv-05516 (E.D.N.Y.), and *Morales v. Three Diamond Diner Corp.*, 7:20-cv1-0576 (S.D.N.Y.) are now categorized as forced labor cases.

## C. Civil Trafficking Cases Filed by Location<sup>11</sup>

As of December 31, 2022, plaintiffs had filed federal civil human trafficking cases in 46 states and three territories, with the highest numbers of cases brought in New York (117), Florida (60), and California (54).<sup>12</sup> Notably, Florida has overtaken both California and Texas, which previously had the second- and third-most number of filings, respectively. Similarly, Ohio has seen a sharp increase in the number of filings. In 2022, Ohio saw nearly as many cases filed in a single year (40) as Texas has seen in total since 2003 (43). Of the 100 cases filed in Florida and Ohio, nearly half of these cases (48) were sex trafficking cases brought against hotels and hospitality groups.

As in 2021, no civil trafficking cases have been filed in Montana, New Mexico, Nebraska, Puerto Rico, or Vermont. Nine other states have continued to see low filing numbers, with Alaska, Delaware, Hawaii, Idaho, Kansas, New Hampshire, Rhode Island, West Virginia, and Wisconsin each having only one federal trafficking case.



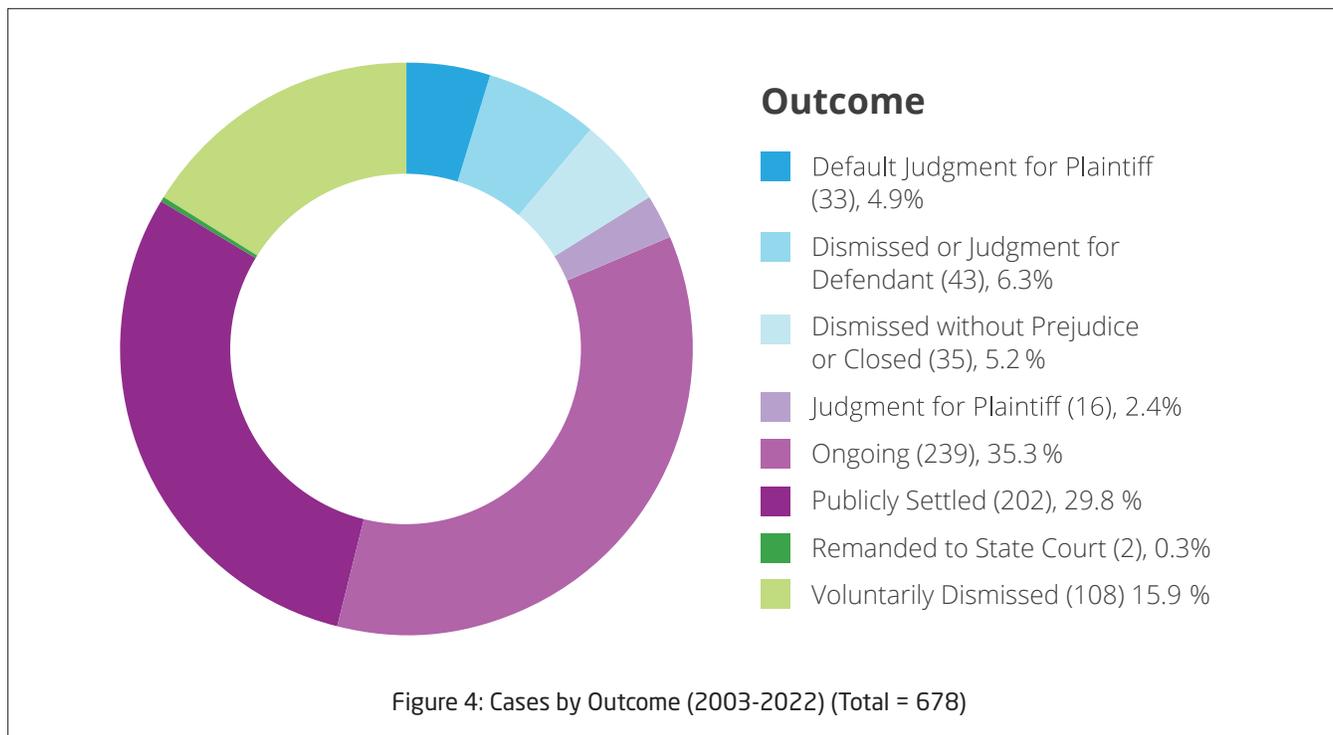
<sup>11</sup> This graph corresponds with Figure 3 of the *2018 Civil Litigation Report*. See Levy, *supra* note 1, at 11. This graph has been adjusted for scale to represent the geographic distribution of plaintiffs by cases filed by state.

<sup>12</sup> The data discussed in this report reflect only case filings made in federal courts. Many states allow trafficking survivors to pursue a private right of action under their state's analogue of the TVPRA.

## D. Outcomes in Federal Civil Trafficking Cases

Of the cases filed as of December 31, 2022, nearly 35 percent are ongoing (239) as of this writing. The number of ongoing cases in 2022 (239) has increased since the 2021 report (139). The significant increase in ongoing cases has proportionally decreased the outcomes in every other category. While 43 percent of the cases filed by the end of 2021 had resulted in favorable outcomes for plaintiffs at the time of the 2021 report, only 37 percent of all cases concluded on or before December 31, 2022 had favorable outcomes for plaintiffs. Positive outcomes are defined as judgments for the plaintiffs (49) and public settlements (202). Nearly 16 percent of cases were voluntarily dismissed (108).<sup>13</sup>

The increase in the number of ongoing cases has also resulted in a decrease in the proportion of cases resulting in unfavorable outcomes for plaintiffs, with the proportion of cases ending with involuntary dismissals or judgments for the defendant (43) decreasing from 6.7 percent in 2021 to 6.3 percent in 2022. Just over 5 percent of cases filed were closed or dismissed without prejudice.



<sup>13</sup> In some cases, a voluntary dismissal is an indication that parties have reached a confidential settlement agreement.

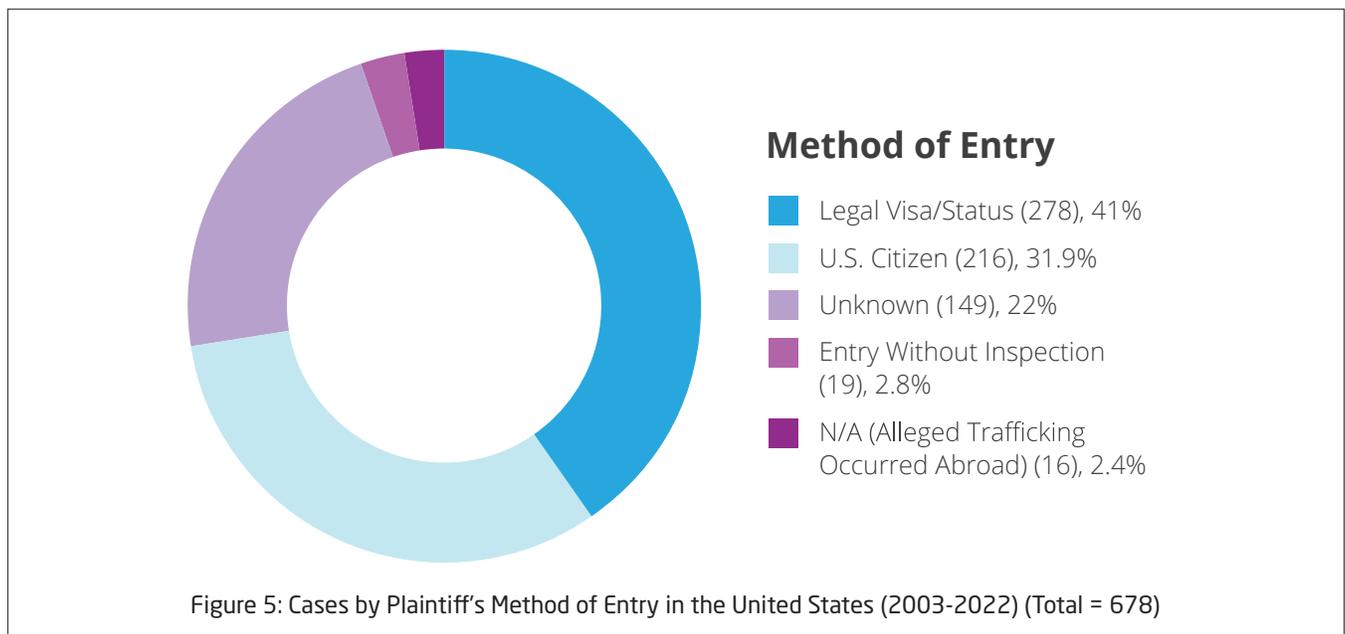
## E. Immigration and Visa Status of Trafficking Plaintiffs

Foreign-born plaintiffs, most of whom enter the United States with visas or legal status, have filed almost 44 percent of all cases filed. Of the 297 cases brought by foreign-born plaintiffs, the majority of the cases (280) were brought by plaintiffs who arrived in the United States with visas or legal status. Cases involving plaintiffs who entered without inspection held steady at just under 3 percent. However, the proportion of cases in which the visa status of the survivor could not be discerned from the public filings increased to approximately 22 percent in 2022, from 19 percent in 2021.

Notably, there was a significant uptick in the number of cases that featured U.S. citizen plaintiffs in 2022 (216) compared to 2021 (142). This increase correlates to the significant rise in sex trafficking cases discussed above. Of the cases filed in 2022, 62 percent of sex trafficking cases (64) were filed by U.S. citizens in comparison to approximately 34 percent of forced labor cases (12). Conversely, in 2022, of the 36 forced labor cases, approximately 66 percent (26 cases) were brought by foreign-born citizens.

### ***Extraterritorial Jurisdiction***

Section 1596 of the TVPRA provides for extraterritorial jurisdiction to bring federal civil trafficking cases against defendants who commit crimes abroad. The law requires that defendants fall into one of three categories: 1) a U.S. citizen; 2) a green-card holder; or 3) be present in the United States. Plaintiffs bringing these cases frequently have no immigration status under U.S. law, as they may be abroad at the time of the filing. Between 2003 and December 31, 2022, plaintiffs filed 24 cases invoking the extraterritorial jurisdiction provisions of the TVPRA. In 2022, plaintiffs filed three cases relying on the extraterritorial jurisdiction provision. Of these cases, two involved allegations of forced labor and the third involved allegations of sex trafficking. More than 80 percent of the extraterritorial cases filed since 2003 involve allegations of forced labor.



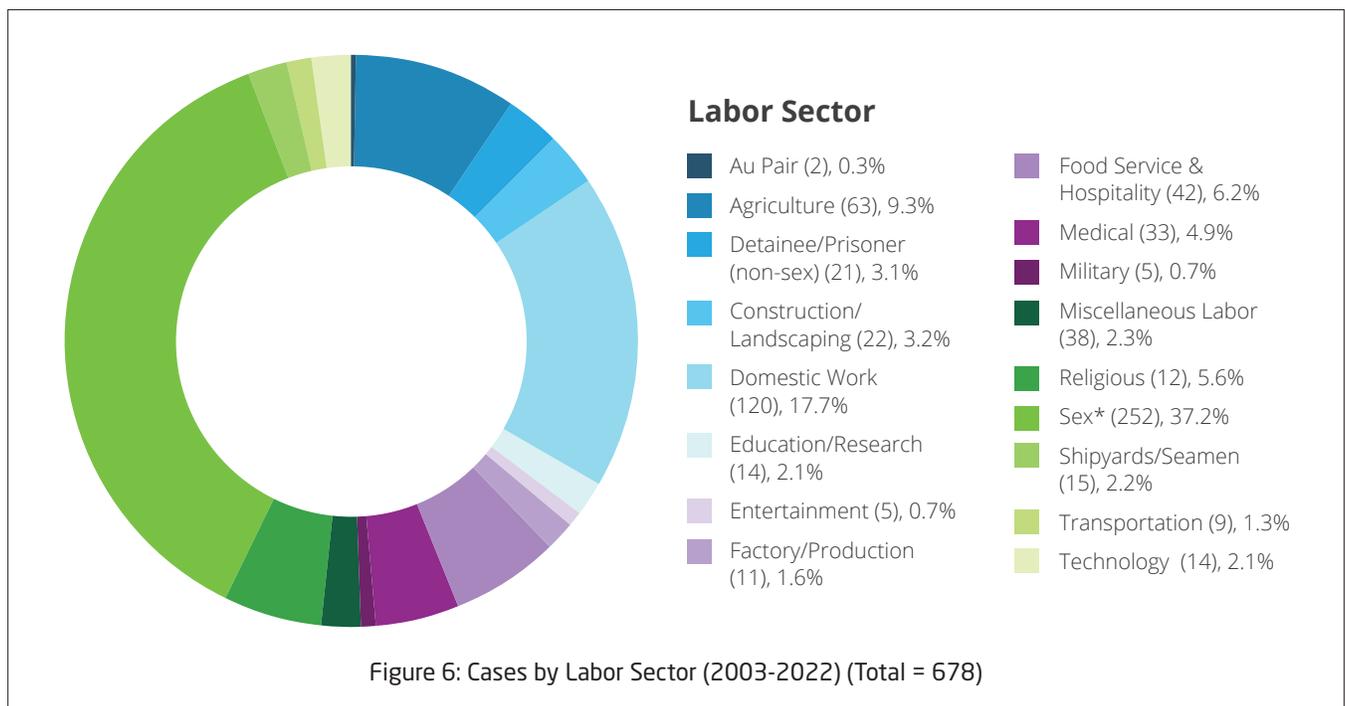
# IV. Trafficking Civil Litigation: Case Types

## A. Cases by Labor Sector

Between 2003 and December 31, 2022, plaintiffs filed 419 cases alleging only forced labor and 10 cases alleging both forced labor and sex trafficking. Of the 419 cases filed, almost 29 percent involved domestic servitude and roughly 15 percent involved agricultural work. As of the end of 2022, the bulk of forced labor cases (242) were spread across a variety of industries, including agriculture, construction work, nursing and/or physical therapy, hospitality, and technology-related jobs.

Federal courts have seen a surge in cases alleging forced labor in nursing/medical/health care in the last 7 years. Plaintiffs in these cases – many recruited from the Philippines – allege similar patterns of abuse. Plaintiffs from the Philippines have filed almost 73 percent of the nursing/medical/health care cases (24). The allegations in these cases have exposed a pervasive problem in the U.S. medical labor market: recruitment agencies in the Philippines preying upon nurses in that country for the purpose of trafficking into forced labor.

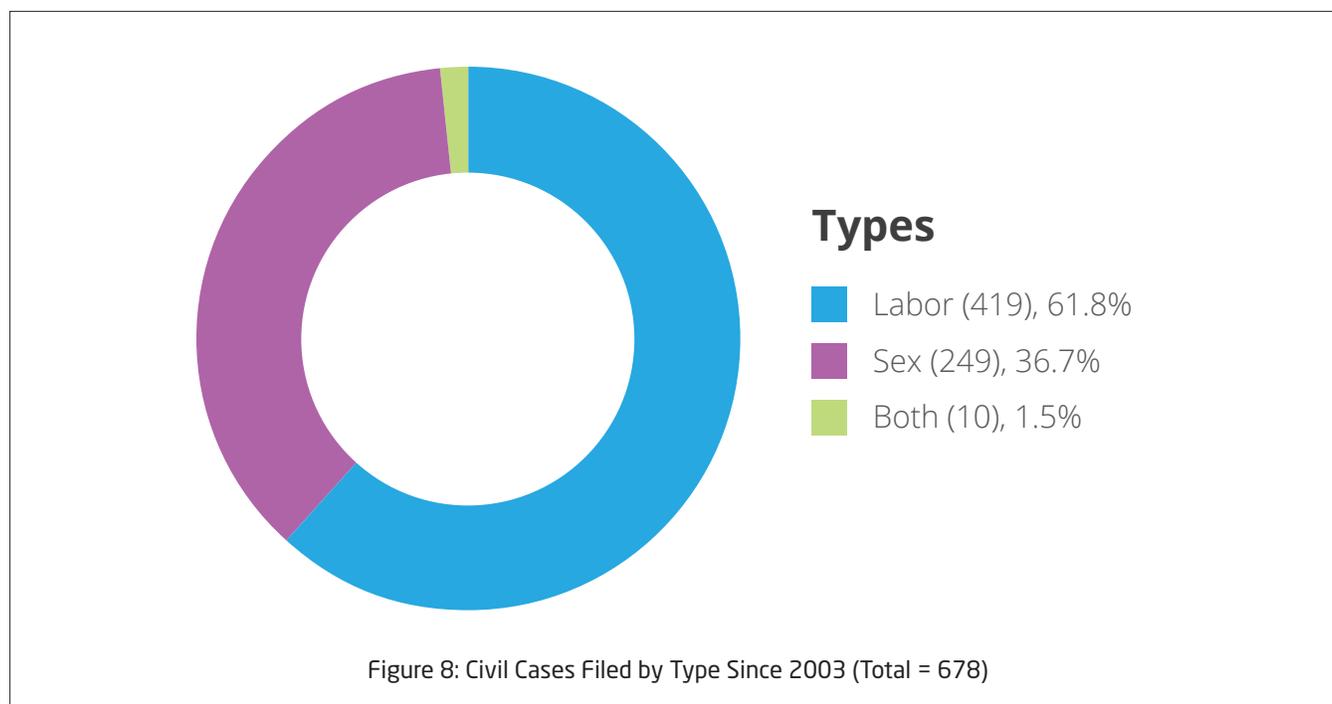
The majority of federal cases alleging forced labor in agriculture (83 percent) were brought by survivors from North, South and Central America (i.e., Mexico, Guatemala, Peru, Chile). A significant portion of domestic servitude cases (48 percent) involved plaintiffs from South/Southeast Asia (i.e., Philippines, India, Indonesia, Bangladesh, Sri Lanka).



**Figure 7: Cases by Labor Subsector Filed (Table) (2003-2022) (Total = 678)**

Subsector	# of cases filed 2003-2022	Subsector	# of cases filed 2003-2022
Commercial Sex*	252	Technology	14
Domestic Work	120	Education/ Research	14
Agriculture	63	Factory/ Production	11
Food Service & Hospitality	42	Religious	12
Miscellaneous Labor <sup>14</sup>	38	Transportation	9
Carceral Context/Detention <sup>15</sup>	21	Entertainment	5
Medical	33	Military	5
Construction/ Landscaping	22	Au Pair	2
Shipyards/ Seamen	15		
<b>Total 678</b>			

\* Four of the cases included in this “sex” category are classified elsewhere in the report as alleging both sex and forced labor.



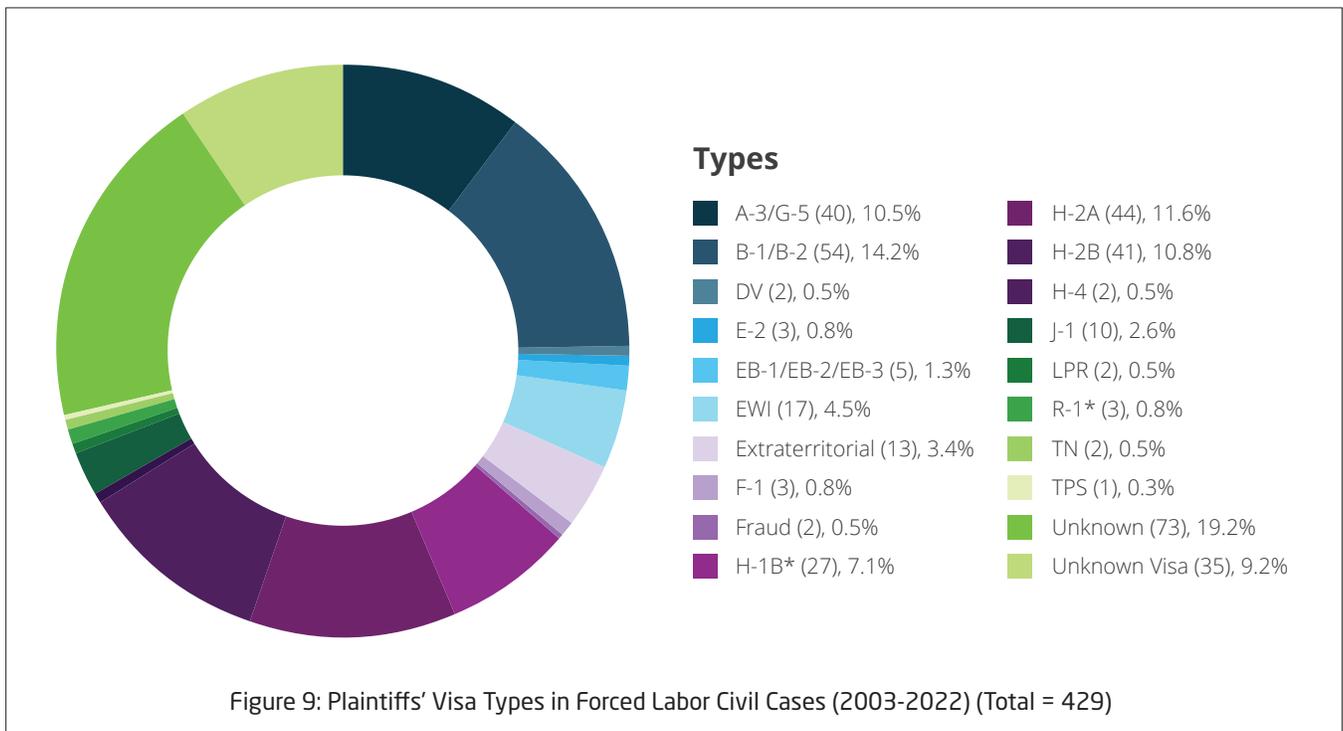
<sup>14</sup> Five of the cases categorized in the 2021 report as “miscellaneous labor” have been moved to a newly-created subsector for cases involving the military.

<sup>15</sup> This subsector involves cases alleging forced labor while the plaintiff was detained. This category includes cases where the alleged forced labor occurred in prisons, immigration detention centers, and rehabilitation facilities.

## B. Immigration and Visa Status in Forced Labor Civil Cases

The vast majority of cases brought by foreign-born plaintiffs since 2003 have alleged forced labor. This trend continued in 2022, with 67 percent of the cases filed by *foreign-born* plaintiffs alleging forced labor. Between 2003 and December 31, 2022, foreign-born plaintiffs brought 380 cases alleging forced labor.

The majority of these plaintiffs entered the United States with a valid visa or other legal status. Defendants frequently misused immigration programs to abuse and exploit the workers. The most frequently abused visa categories were visas for visitors (B-1/B-2), visa for domestic workers employed by diplomats (A-3/G-5), temporary visas for agricultural workers (H-2A) and temporary visas for non-agricultural workers (H-2B).



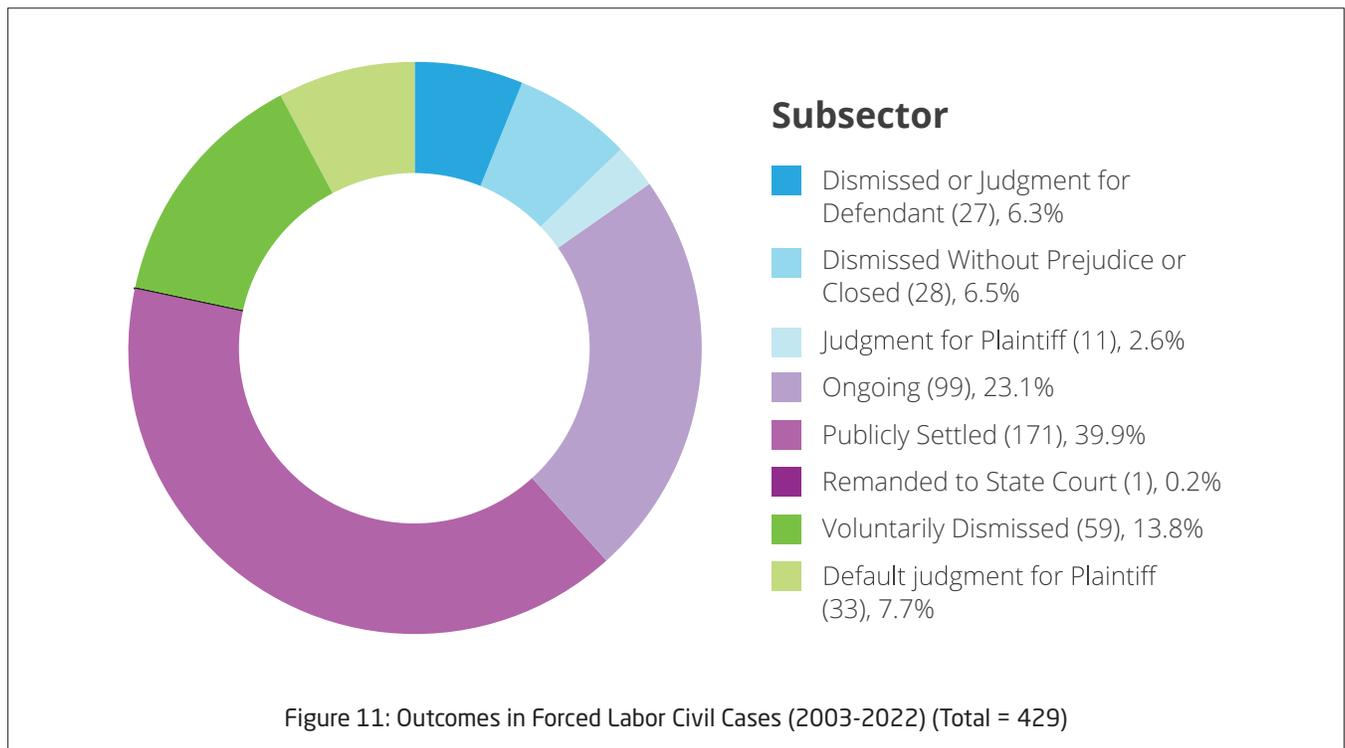
**Figure 10: Visa/Immigrant Status Types**

Type	Recipients	% of total labor cases
A-3/ G-5	Domestic workers of foreign diplomats or employees of international organizations	10.5 %
B-1/ B-2	Visitors for business or tourism and domestic workers	14.2 %
E-2	Investors in U.S. businesses	0.8 %
H-1B*	Highly-skilled specialized workers	7.1 %
H-2A	Seasonal agricultural workers	11.6 %
H-2B	Temporary non-agricultural workers	10.8 %
EB-1/EB-2/EB-3	Persons of Extraordinary Ability in the sciences, arts, education, business, or athletics	1.3 %
J-1	Cultural and educational exchange opportunities	2.6 %
DV	Diversity Immigrant Visa	0.5 %
F-1*	Student Visa	0.8%
H-4	Dependent family members of H-1B, H-1B1, H-2A, H-2B, and H-3 visa holders	0.5 %
R-1*	Nonimmigrant Religious Workers	0.8 %
Fraud	Plaintiff entered the United States with another individual's documentation	0.5 %
Extraterritorial	Trafficking occurred outside of the United States	3.4 %
EWI	Entry Without Inspection	4.5 %
LPR	Long Term Permanent Resident	0.5 %
TN	Nonimmigrant NAFTA Professionals	0.5 %
TPS	Temporary Protected Status	0.3 %
Unknown Visa	Immigrant, Unknown Visa Classification	9.2 %
Unknown	Immigration Status Unknown	19.2 %

\* There were two cases involving multiple plaintiffs with different visa classifications. One case involved both R-1 and H-1B visas and the other involved both F-1 and H-1B visas. These cases are reflected in all relevant visa categories.

## C. Outcomes in Forced Labor Civil Cases

As of December 31, 2022, approximately 40 percent of forced labor cases had been settled publicly (171). Another 10 percent of cases had been decided in favor of the plaintiffs through default judgment, judgment on the pleadings, or judgment at trial. Conversely, slightly more than 6 percent of cases had been decided in favor of the defendants through involuntary dismissals, judgment on the pleadings, or judgment at trial. Exactly 6.5 percent were dismissed without prejudice, enabling plaintiffs the opportunity to refile their claims. As of December 31, 2022, roughly 23 percent of all federal trafficking forced labor civil cases were ongoing, on appeal, or remanded.



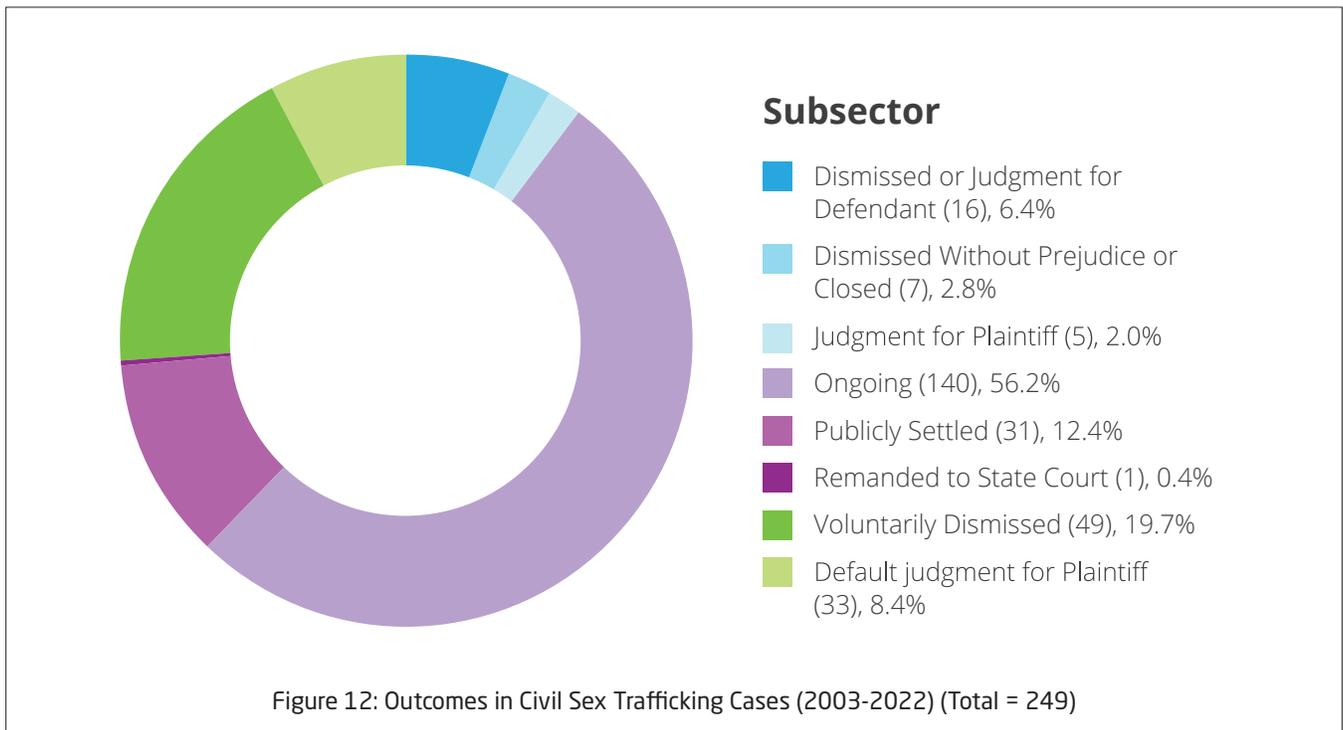
\* This chart includes cases exclusively alleging forced labor (419) and cases alleging both sex and forced labor (10).

## D. Outcomes in Sex Trafficking Civil Cases

Courts experienced a surge in sex trafficking cases in 2022. This shift from forced labor cases to sex trafficking cases resulted in more than twice the number of ongoing cases alleging sex trafficking in 2022 (140) as in 2021 (60).

The percentage of cases ending with voluntary dismissal, public settlements, or judgments for plaintiffs sharply decreased as of December 31, 2022. However, when comparing only the concluded cases in 2021 with the concluded cases in 2022, there was a 16 percent increase in cases ending in a voluntary dismissal (42 to 49), a 48 percent increase in cases resulting in public settlements (21 to 31) and a 25 percent increase in judgments for plaintiffs (4 to 5). Notably, a voluntary dismissal with prejudice may be a sign of a confidential settlement, but it is not a definitive indication that the case was settled.

Of the 136 sex trafficking cases brought against the hotel and hospitality industry since 2003, 63 percent of the cases (85) are ongoing. Of the closed 51 sex trafficking cases, over 30 percent have been publicly settled (15) or voluntarily dismissed (27). The remaining cases have been involuntarily dismissed (6), dismissed without prejudice (1), or have resulted in a judgment for the defendant (2). Settlement amounts in the hotel cases have not been disclosed, as the agreements include confidentiality agreements. The amount of damages that plaintiffs received in these cases, if any, is not publicly available.



## E. Plaintiffs in Civil Trafficking Cases

Plaintiffs from at least 77 different countries have filed federal trafficking cases.

**Figure 13: Trafficking Plaintiffs' Country of Origin (2003-2022)<sup>16</sup>**

Country of Origin of Plaintiff(s)	# of cases	Country of Origin of Plaintiff(s)	# of cases	Country of Origin of Plaintiff(s)	# of cases	Country of Origin of Plaintiff(s)	# of cases
Australia	1	El Salvador	3	Malaysia	2	South Africa	5
Bahamas	2	Eritrea	1	Mali	2	South Korea	4
Bangladesh	5	Ethiopia	5	Mexico	71	Sri Lanka	2
Belarus	1	France	2	Moldova	1	Sudan	1
Bolivia	2	Germany	1	Morocco	3	Swaziland	1
Bosnia and Herzegovina <sup>17</sup>	1	Guatemala	15	Namibia	2	Switzerland	1
Brazil	12	Guinea	1	Nepal	4	Syria	1
Burkina Faso	2	Haiti	3	New Zealand	1	Tanzania	2
Cambodia	4	Honduras	6	Nicaragua	2	Thailand	3
Cameroon	4	Hungary	1	Nigeria	3	Turkey	2
Canada	4	India	40	Pakistan	5	Uganda	3
Chile	7	Indonesia	10	Panama	1	Ukraine	1
China	8	Ivory Coast	1	Paraguay	2	United States	216
Colombia	2	Jamaica	2	Peru	10	Vietnam	2*
Costa Rica	1*	Jordan	1	Philippines	74	Zambia	1*
Croatia	2	Kenya	2	Poland	2	Zimbabwe	1*
Cuba	1	Laos	1	Romania	1	Unknown	116
Democratic Republic of Congo	2	Liberia	1	Russia	4		
Dominican Republic	3	Madagascar	1	Serbia	2		
Ecuador	2	Malawi	1	Slovenia	2		



<sup>16</sup> The total number of plaintiffs for four countries (Costa Rica, Vietnam, Zambia, and Zimbabwe) has been corrected in this report. These countries are noted with an asterisk.

<sup>17</sup> Since our 2021 Data Update, plaintiffs in *Maslic et al v. Ism Vuzem D.O.O. et al.* became the first citizens from Bosnia and Herzegovina to file a case arising under 18 U.S.C. § 1589. See *Maslic et al v. Ism Vuzem D.O.O. et al.* No. 21-CV-02556 (N.D.Cal.).

<sup>18</sup> This graph corresponds with Figure 11 of the 2018 *Civil Litigation Report*. See Levy, *supra* note 1, at 16. As noted above, some cases include plaintiffs from multiple countries. This graph has been adjusted for scale to represent the geographic distribution of plaintiffs by cases filed by country of plaintiff's origin.

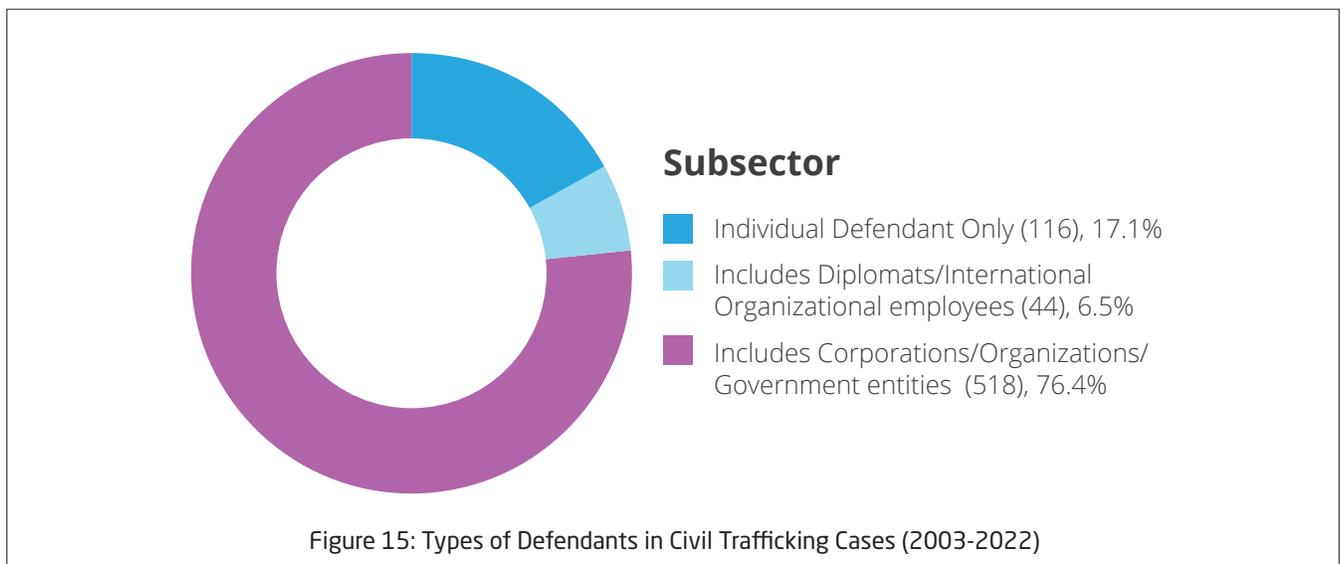
## F. Defendants in Civil Trafficking Cases (2003 – 2022)

A significant number (518) of all civil trafficking cases filed since 2003 involve at least one corporate defendant. Of those cases, 290 include allegations of forced labor only, 224 include allegations of sex trafficking only, and 4 include allegations of both forced labor and sex trafficking.

In 2022, a total of 129 cases were brought against corporate defendants. Of those cases, 30 alleged only forced labor, 97 alleged only sex trafficking, and 2 alleged both. The proportion of cases filed against corporations alleging only sex trafficking has continued to grow. Historically, 43 percent of cases brought against corporate defendants alleged only sex trafficking. But in 2022, 75 percent of corporate defendant cases filed alleged only sex trafficking.

Civil cases have continued to rely on the TVPRA’s beneficiary liability, which allows for suit against individuals or entities that “benefit financially” from participation in a venture involving sex trafficking or forced labor, among other offenses. In last year’s report, we noted that nearly half of the sex trafficking civil cases filed since 2009 have targeted hotels and the hospitality industry for “financially benefiting” from the plaintiff’s sex trafficking.<sup>19</sup> This year, this trend continues. Of the 105 sex trafficking cases filed in 2022,<sup>20</sup> more than 69 percent of the cases (73) were brought against hotel chains and/or their franchisees.

Beneficiary liability has also been used in cases seeking to hold internet service providers accountable for allegedly benefiting financially from a venture involving sex trafficking. In 2022, 9 civil cases were brought against internet service providers. In the last five years, plaintiffs have brought 32 cases against internet service providers such as Meta, Mindgeek, Backpage, and Salesforce. These cases allege that the service providers have benefited financially from a venture involving sex trafficking. Of these 32 cases, two have publicly settled for an undisclosed amount. The majority of the cases are ongoing (18).



<sup>19</sup> See Black, *supra* note 1.

<sup>20</sup> Cases coded as “both sex and labor” are included within the “sex trafficking” count for this analysis.

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## V. Conclusion

The TVPRA continues to be an essential tool for survivors seeking justice. For many survivors, the civil private right of action under the TVPRA is the only path to demand accountability and compensation from perpetrators. As of December 31, 2022, survivors had been awarded almost \$300 million in publicly disclosed damage awards and settlements, including almost \$32 million awarded in 2022 alone.

Unfortunately, for survivors of forced labor, civil TVPRA cases continue to be the only path to justice. The federal government brought just 7 forced labor cases in FY2022. In all, the Department of Justice initiated just 162 total federal human trafficking prosecutions in FY2022, 155 of which were for sex trafficking.<sup>21</sup>

The number of civil cases involving allegations of forced labor remained relatively constant from 2021 to 2022. But in the same period, the number of civil cases alleging sex trafficking grew exponentially. Many of these sex trafficking cases were brought against corporate defendants, relying on the beneficiary theory of liability. The outcomes for plaintiffs in these cases remain unclear: As of December 31, 2022, the majority of the sex trafficking cases against the hotel industry were ongoing, and, in the cases that settled, the settlement amounts remained confidential.

At the close of 2022, three trends emerged: First, trafficking survivors are using the TVPRA's expanded scope of liability to assert their rights, including extraterritorial jurisdiction and beneficiary liability under the 2008 amendments to the TVPRA. Second, the jurisprudence in this field is still a work in progress, with courts weighing in on definitions of "venture" and "financially benefiting." Finally, it is clear that civil litigation under the federal trafficking statutes is a burgeoning field, promising remedies for both sex trafficking and labor trafficking survivors. Early analysis of 2023 case filings indicates that the number of cases brought under Section 1595 will continue to surge. As of the time of this writing in 2023, the number of cases filed since 2003 had reached 802, with more filings expected.

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<sup>21</sup> U.S. Dept of State, 2023 Trafficking In Persons Report, U.S. Chapter at <https://www.state.gov/reports/2023-trafficking-in-persons-report/united-states>.

# VI. Appendices

## Appendix A<sup>22</sup>

As of December 31, 2022, plaintiffs had filed federal civil human trafficking cases in 49 states and territories. As was true in the 2021 *Data Update*, no trafficking cases have ever been filed in Montana, New Mexico, Nebraska, Puerto Rico or Vermont. Nine states – Alaska, Delaware, Hawaii, Idaho, Kansas, New Hampshire, Rhode Island, West Virginia, and Wisconsin – are tied for having the lowest number of cases filed, with one trafficking case filed in federal court in each of these states. Of the states with cases filed, the highest number of cases were brought in New York (117), Florida (60), California (54), and Ohio (52).

Number of Cases Filed Under 18 U.S.C. § 1595 by State (as of December 31, 2022)					
State	#	State	#	State	#
Alaska	1	Kentucky	9	Ohio	52
Arizona	2	Louisiana	14	Oklahoma	6
Arkansas	8	Maine	2	Oregon	12
California	54	Maryland	15	Pennsylvania	11
Colorado	17	Massachusetts	8	Rhode Island	1
Connecticut	10	Michigan	12	South Carolina	12
Delaware	1	Minnesota	6	South Dakota	3
District of Columbia	18	Mississippi	3	Tennessee	10
Florida	60	Missouri	7	Texas	43
Georgia	46	Nevada	4	U.S. Virgin Islands	2
Hawaii	1	New Hampshire	1	Utah	4
Idaho	1	New Jersey	13	Virginia	24
Illinois	18	New York	117	Washington	9
Indiana	12	North Carolina	7	West Virginia	1
Iowa	3	North Dakota	2	Wisconsin	1
Kansas	1	Northern Mariana Islands	3	Wyoming	3

<sup>22</sup> This table corresponds with Appendix A of the 2018 report. *See id.* at 31.

## Appendix B<sup>23</sup>

In 2022, plaintiffs won \$31,980,618.85 in damages judgments and public settlement agreements in 12 separate cases. Of the cases with known damages, class action cases accounted for more than half (57 percent) of the total damages awarded in 2022 (\$18,312,179.66)<sup>24</sup> and roughly 66 percent of the total damages awarded from 2003 to 2022 (\$197,917,350.88). Since 2003, plaintiffs have used Section 1595 to win more than \$297 million in damages judgments or public settlements. This amount does not include confidential settlements, which are substantial. The amount collected also cannot be discerned from the public case dockets.

### Total Damages in Trafficking Federal Civil Cases (2003-2022)<sup>25</sup>

Year Cases Closed	Total Damages Awarded	Number of Cases Resolved with Known Damages
2003	\$0.00	–
2004	\$0.00	–
2005	\$0.00	–
2006	\$68,318.00	1
2007	\$15,000.00	1
2008	\$8,770,374.05	2
2009	\$9,000,966.58	3
2010	\$500,000.00	1
2011	\$3,077,147.82	3
2012	\$19,536,378.68	8
2013 <sup>26</sup>	\$9,937,182.79	8
2014	\$781,937.69	3
2015	\$15,357,351.00	5
2016	\$18,145,598.68	11
2017	\$11,658,212.81	7
2018	\$8,780,861.35	7
2019 <sup>27</sup>	\$64,335,522.11	12
2020 <sup>28</sup>	\$85,179,552.58*	7*
2021 <sup>29</sup>	\$10,593,177.28	9
2022	\$31,980,618.85	12
<b>Total</b>	<b>\$297,718,200.26</b>	<b>88</b>

<sup>23</sup> This table corresponds with Appendix C of the 2018 report. See *id.* at 33. Appendix B of the original 2018 report has been omitted.

<sup>24</sup> See *Elmy v. Western Express, Inc.*, No. 17-CV-01199 (M.D.Tenn.) (public settlement for \$15,069,300.00); *Paguirigan v. Prompt Nursing*, No. 17-cv-01302 (E.D.N.Y.) (public settlement for \$3,211,305.06); *Francis v. Apex USA*, No. 18-cv-00583 (W.D.Okla.) (public settlement for \$31,574.60).

<sup>25</sup> For 2013, 2019, 2020, and 2021, the “total damages awarded” and “number of cases resolved with known damages” figures have been updated to reflect settlement amounts that had not previously been included.

<sup>26</sup> The total damages awarded for 2013 has been updated to include a \$6,500.00 settlement in *Blanco v. Perdmo*, 1:13-cv-20374 (S.D.Fla.).

<sup>27</sup> The total damages awarded for 2019 has been updated to include a \$100,000.00 settlement in *Bergado v. Velonza*, 2:17-cv-9070 (C.D.Cal.).

<sup>28</sup> The total damages awarded for 2020 has been updated to include a \$145,000.00 settlement in *Cortez-Romero v. Corp.*, 2:20-cv-014058 (S.D.Fla.).

<sup>29</sup> In the 2021 Data Update, the total damages awarded for 2003 to 2021 included the settlement award in *Paguirigan v. Prompt Nursing*, 1:17-cv-1302 (E.D.N.Y.). While the district court granted preliminary approval of the class settlement in 2021, the settlement did not receive final approval until 2022. As a result, this settlement has been removed from 2021 and added to 2022.

## Appendix C<sup>30</sup>

Federal Trafficking Civil Cases Filed by Year by Type (2003-2022)			
Year Filed	Labor Only	Sex Only	Both
2003	-	-	-
2004	6	-	-
2005	6	-	-
2006	2	-	-
2007	9	-	-
2008	17	-	-
2009	15	1	-
2010	20	2	-
2011	26	4	-
2012	17	1	1
2013	30	4	-
2014	26*	1	-
2015	24*	2	-
2016	26	1	1
2017	32	6*	-
2018	28	8	-
2019	37	47	4
2020	22	31*	4
2021	38*	39*	1*
2022	33	102	4
<b>Total</b>	<b>414</b>	<b>249</b>	<b>15</b>

\* These numbers have been updated to reflect cases that had not been previously identified.

<sup>30</sup> This table corresponds with Appendix D of the 2018 report. See *id.* at 34.



### About The Human Trafficking Legal Center

The Human Trafficking Legal Center is a bridge to justice, connecting trafficking survivors to pro bono representation and demanding accountability from traffickers, from governments, and from corporations. We shine a light on the system failures that allow trafficking to flourish. We advocate for survivors as agents of change and as leaders in the movement. We fight for systems change to end forced labor, including forced labor in global supply chains.

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