



Criminal street gangs and domestic sex trafficking in the United States: evidence from Northern Virginia

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Abstract

The last decade witnessed increasing involvement of criminal street gangs in domestic sex trafficking in the United States. This paper analyzes business models and practices of gang-controlled sex trafficking in Northern Virginia, based on the cases available from PACER, an electronic public access service of the United States federal court. This analysis shows that business models of gang-controlled sex trafficking have become more sophisticated, taking advantages of the globalized financial system, new technology, social media, and the increasing prevalence of illicit commerce in a digital world with greater connectivity. Gangs' flexible structures combined with loyalty enforced among their members have shielded them from much law enforcement action. The analysis of different gangs involved in sex trafficking in Northern Virginia provides new insights into anti-trafficking policies and law enforcement responses tailored to their structures and *modi operandi*.

Keywords Palermo protocol · TVPA, criminal street gangs · Sex trafficking

Introduction

In 2000, the United Nations adopted the Protocol to Prevent, Suppress, and Punish Trafficking in Persons, Especially Women and Children, known as the Palermo Protocol, which was ratified by 177 countries as of June 2020 (United Nations Human Rights Office of the High Commissioner, 2000). In 2000, the United States signed the Palermo Protocol and enacted the Victims of Trafficking and Violence Protection Act of 2000 (TVPA), which introduced the criminalizing guidelines of human trafficking and set a sanctions regime to hold other countries accountable to U.S. domestic standards (Trafficking Victims Protection Act, S. 1312, 115th Cong, 2017). These two important documents have played a critical

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role in providing a universal framework to understand sex trafficking in the international and domestic contexts. Importantly, the Palermo Protocol and the TVPA moved the sex trafficking problem to the forefront of the U.S. domestic policy agenda. The preceding 1949 United Nations Convention for the Suppression of the Traffic in Persons and the Exploitation of Prostitution in Others focused primarily on the international sex trade involving foreign victims. This focus was reflected in media portrayal of sex trafficking “as largely an international problem with foreign victims and foreign perpetrators invading the U.S.” (Farrell & Fahy, 2009: 622). Yet, neither the Palermo Protocol nor the TVPA requires that victims be immigrants or be trafficked across national borders; they can be United States citizens. For example, along with foreign nationals, sex traffickers often target runaway and homeless youth, individuals with a history of domestic and sexual abuse, people of low socio-economic status, persons with dysfunctional families, low self-esteem, or drug dependence (Virginia State Crime Commission, 2018:77–79).

The Palermo Protocol and the TVPA established a comprehensive approach to combatting transnational and domestic sex trafficking. However, there have been several challenges to this approach that became obvious over recent years. First, the conception of transnational crime at the end of the twentieth century, with its emphasis on formal criminal groups rather than network-like structures, was very different from today’s reality. Only a decade ago, gang-controlled trafficking activities were noticed by U.S. law enforcement. In Northern Virginia, for example, in 2011, law enforcement agencies reported involvement of MS-13 and Crips in sex trafficking when they uncovered several gang-controlled sex trafficking rings that had been operating since at least as early as 2008 in this area (Stolpe, 2014: 348–349; U.S. Attorney’s Office, 2012).

Second, the Palermo Protocol was developed before new technology transformed and accelerated the growth of illicit trade. In 2003, the World Wide Web was used by under 750 million people, compared to 3.9 billion people that accessed it fifteen years later (International Telecommunication Union, 2018). Moreover, cell phones, social media, and encrypted messaging were not such a global phenomenon at the time. Since then, all these technologies have facilitated illicit entrepreneurship in traditional and new areas of illegal commerce. Recently, there has been an increased research focus on the link between new technology and sex trafficking, as well as various advantages the Internet provides for sex traffickers (see, e.g., Latonero, 2011).

Third, the Palermo Protocol was based on the assumption that the regulation of illegal commerce was under the control of states rather than commercial entities. Only in the summer of 2018, the United States adopted *The Stop Enabling Sex Traffickers Act* (SESTA) and the *Allow States and Victims to Fight Online Sex Trafficking Act* (FOSTA), known as the FOSTA-SESTA package. This package made it illegal to assist, facilitate, or support sex trafficking; and enabled prosecutors to pursue websites that host sex traffickers (Jackman, 2018). However, fighting online sex trafficking remains extremely challenging since criminals use multiple websites and social media platforms to advertise commercial sex services and recruit their

victims, while many of them are located outside the United States and no longer subject to U.S. law enforcement authority (Virginia State Crime Commission, 2018).

Taking the evolving nature of sex trafficking business into account, this study seeks to contribute to the existing literature by examining gang-specific business practices related to sex trafficking in Northern Virginia, including various advertising and recruiting techniques, the use of new technology and social media, intimidation, and control methods. Drawing on detailed criminal case evidence, this study looks at the problem of gang-controlled sex trafficking from a broader perspective of evolving criminality in the last decade. Specifically, this article is aimed at exploring how the increasing involvement of transnational and domestic criminal street gangs in this illicit business shapes the fundamental approach to combat sex trafficking as provided in the Palermo Protocol and the TVPA. By taking a sample of cases from Northern Virginia, this study illustrates the transformation of sex trafficking in ways that were not anticipated when the Palermo Protocol and the TVPA were originated and adopted. This research suggests that although the mechanisms established under these legal tools still allow the prosecution of sex trafficking, the presence of gangs' networked structures, their use of new technology, access to drugs and weapons, and gang violence, including its transnational elements (such as threats to family members of victims residing outside of the United States) further facilitate the enduring exploitation of trafficking victims despite the existence of common legislative definitions in the Palermo Protocol and the TVPA and the investment of major national resources in the prevention and prosecution of sex trafficking.

This research shows that the role of criminal street gangs in domestic sex trafficking is significant, particularly in certain parts of the United States, such as Northern Virginia where multiple gangs are present, including MS-13, Barrio 18, Sureños, the Bloods, the Crips, and the Scheme Team gang, among others (Northern Virginia Regional Gang Task Force, 2009). Gangs have entered into this trade because of its profitability and relatively low risk as compared to the drug trade with which it often converges. In this way, gangs operate like any other business searching for new market opportunities.

Another factor that facilitates gang-controlled sex trafficking is the use of violent acts to prevent victims and witnesses of sex trafficking offences to report them to the police. In addition, the undocumented status of some victims and witnesses in the United States prevents them from contacting law enforcement authorities (Silva, 2015). The failure to connect sex traffickers with criminal street gangs in accessible law enforcement databases means that such information is not readily available for practitioners and policymakers, lessening the risk to gang members involved in sex trafficking.

This study focuses on Northern Virginia because it remains one of the sex trafficking hotspots. In 2018, the National Human Trafficking Resource Center's hotline received 198 human trafficking reports that referenced Virginia, compared to 158 court cases in the previous year (Robinson, 2020). In 2017, Virginia ranked 4th among the top ten federal court districts where domestic sex trafficking cases were prosecuted involving minors (Robinson, 2020). The Northern Virginia area is also a critical hub in the United States for new technology. Even though many of the prosecuted sex traffickers do not have high levels of education, they are active users of

the Internet and social media. Recruitment, advertisement, solicitation of customers, and supply chains are facilitated by the effective deployment of new technology. The availability of potential victims and customers online is an important motivator for gang members to utilize the Internet and social media.

Structurally, the study consists of nine sections. Following this introduction, in the next three sections, we define gang-controlled sex trafficking, briefly describe previous studies, and explain our methodology. Then, we move toward an analysis of the involvement of transnational and domestic gangs in sex trafficking in Northern Virginia, followed by an analysis of their use of violence and new technology. The next section analyses links between gang-controlled sex trafficking, drug trafficking, and other criminal activities. We conclude this study by identifying insights into anti-trafficking policies related to criminal street gangs and summarizing our key findings.

Defining gang-controlled sex trafficking

This study focuses on placing gang-controlled sex trafficking in Northern Virginia in a larger context. The cases analyzed in this study were prosecuted under the TVPA, which has been amended five times since its inception in 2000 (most recently in January 2019) (U.S. Department of State, 2019). The Northern Virginia area was chosen because it is a region with numerous prosecutions of sex trafficking in the United States, a consequence of the sophistication of the law enforcement community, as well as the commitment by the federal authorities in the state to fight this problem by working with local law enforcement. Not only is there strong coordination among different law enforcement groups in Northern Virginia, but a strong civil society ready to cooperate with law enforcement in finding victims of sex trafficking and bringing perpetrators to justice also exists. Unlike many other areas in the United States, the Northern Virginia Human Trafficking Task Force has synthesized sex trafficking records, making their analysis easier, compared to other states where it remains difficult to identify gang-related prostitution rings or general trends in trafficking. Also, the high degree of ethnic diversity in Northern Virginia provides a window into the variety of sex trafficking in the region. Yet, many forms of sex trafficking remain unprosecuted, particularly those related to the large number of massage parlors providing sexual services in the region (Polaris, 2018).

Before describing the study's methodology, it is necessary to define sex trafficking and gangs since all cases analyzed here involve the exploitation of victims for commercial sex acts. Under the TVPA, a commercial sex act means any sex act on account of which anything of value is given to or received by any person (Trafficking Victims Protection Act, S. 1312, 115th Cong, 2017). Under the Palermo Protocol, sex trafficking includes "the recruitment, transportation, transfer, harboring, or receipt of persons, by means of the threat or use of force or other forms of coercion, of abduction, of fraud, of deception, of the abuse of power or of a position of vulnerability or of the giving or receiving of payments or benefits to achieve the consent of a person having control over another person, for the purpose of exploitation" (United Nations Office on Drugs & Crime,

2003: 42). Sex traffickers enforce victims into prostitution by manipulating and exploiting their vulnerabilities, including their illegal status in the United States. If a victim of sex trafficking is a child under 18 years of age, it is a crime regardless of whether force, fraud, or coercion is used.

According to a definition of organized crime groups (OCGs) established by the United Nations Convention against Transnational Organized Crime, they represent structured groups “of three or more persons, existing for a period of time and acting in concert with the aim of committing one or more serious crimes or offences” (United Nations Office on Drugs & Crime, 2003: 5). The Virginia Code defines a criminal street gang in a very similar way as:

any ongoing organization, association, or group of three or more persons, whether formal or informal, (i) which has as one of its primary objectives or activities the commission of one or more criminal activities; (ii) which has an identifiable name or identifying sign or symbol; and (iii) whose members individually or collectively have engaged in the commission of, attempt to commit, conspiracy to commit, or solicitation of two or more predicate criminal acts (Virginia Law, 2018).

At the same time, there are several distinctive features of transnational and domestic gangs in the United States. First, transnational gangs operate at the international level, exploiting illicit and licit opportunities in various countries for financial gains, while domestic gangs tend to exercise control over a particular geographic location or region within the United States (U.S. Department of Justice, 2015). Second, similarly to OCGs, transnational gangs often take advantage of persistent corruption in the public sector and law enforcement in other countries characterized by weak government institutions; while domestic gangs’ activities are more focused on protecting their members from social and economic exclusion at the domestic level (U.S. Department of Justice, 2015). Some gangs, such as MS-13 or Barrio 18 that have large presence outside of the United States, operate both at the domestic and international levels, while other gangs, for example, the Bloods and Crips, operate mostly at the domestic level. The transnational and domestic gangs that were examined in this study fall under the Palermo Protocol, although they are rarely integrated into the related analytical discussions. The TVPA allows to prosecute gang-related sex traffickers, however, it is criticized for its failure to halt increasing financial flows related to this crime, which are often used by transnational gangs to support their members operating from outside the United States (see, e.g., Fox, 2014; Smith, 2011). For the purpose of this paper, gang-controlled sex trafficking is defined as the recruitment, transportation, transfer, harboring, or receipt of persons for the purpose of exploitation through a commercial sex act induced by force, fraud, or coercion, or in which the person induced to perform such act has not attained 18 years of age, committed by an organized group of three or more persons, existing for a period of time with the objective of committing one or more serious crimes or offences.

Previous studies of gang-controlled sex trafficking

This study draws on previous research that analyzes street gangs as economic organizations (Padilla, 1992; Skarbek, 2014; Venkatesh, 2009). For example, in his study of Chicago's gangs, Venkatesh (2009) indicates that the late 1970s witnessed the transformation of American gangs into a prominent economic force, the so-called "corporate" gang:

At a time when most Americans still pictured gangs in the singsongy hues of West Side Story, suddenly the gang had fully developed commercial interests, primarily in the sale of narcotics and, to a lesser degree, commercial extortion. Far from brotherhood or bonding, its primary mission was to further illicit gain. While gangs always had individuals who earned off the books, the organizations as a whole historically were not oriented toward economic pursuits; now the dollar became almighty (Venkatesh, 2009).

Similarly, Padilla (1992) points to the entrepreneurial nature of Chicago's Hispanic gang operating street-level drug-dealing enterprises. Specifically, he indicates that in the process of running their enterprises, gang members develop specific skills related to organization, cohesion, and entrepreneurship that are relevant to all successful businesses (Padilla, 1992). In this respect, the shift toward gang members' active involvement with sex trafficking is directly related to their intention to increase their revenues by offering services that are in demand. This entrepreneurial motive is similar to the provision of high-demand goods and services in the American prison system by gang members analyzed by Skarbek (2014).

Despite multiple studies of gangs' illicit economic activities, gang-controlled sex trafficking remains a relatively new research area. Only recently, the increasing involvement of street gangs in sex trafficking has been recognized by law enforcement. For example, the 2006 report on MS-13 in Northern Virginia does not mention sex trafficking as their activity (U.S. Congress, 2006). As the former Fairfax County, Virginia detective Bill Woolf states,

We realized that in recent years the violence in Northern Virginia has diminished, but the gang members are still here; we asked ourselves why, and we discovered that they have gone from violent crime to sex trafficking, an activity that offers them more money and less risk (cited in Northern Virginia Regional Gang Task Force, 2009).

This trend is expected to continue. According to the 2015 FBI's *National Gang Report*, gangs will continue to search relentlessly to increase their involvement in such lucrative crimes as prostitution and sex trafficking (FBI's National Gang Intelligence Center, 2016). Indeed, a study conducted by Frank and Terwilliger (2015) showed that substantial profits represent a strong incentive for gangs to open and operate prostitution ventures. Street gangs use these profits to finance other criminal activities, which explains a recent change of a gangs' focus from territorial dominance to profit generation. At the same time, gangs continue to provide security services for other sex traffickers in return for payments. For example, a 2011 report

indicated that some MS-13 cliques in the Washington, D.C. metropolitan area worked “in a more ‘hands-off’ manner similar to the Yakuza in Japan,” receiving security payments from other sex traffickers (Shared Hope International, 2011: 90).

Based on a sample of sex trafficking cases prosecuted in federal courts across the United States, Frank and Terwilliger (2015) distinguish the following attributes of gangs that make them such formidable sex traffickers: access to drugs and weapons, a reputation for violence, specialization of labor, and a network of accomplices and facilitators. This finding is consistent with other studies of gang-controlled sex trafficking (see, e.g., Stolpe, 2014; Silva, 2015; Mehlman-Orozco, 2017; Carpenter & Gates, 2016). For example, extensive research in gang-controlled sex trafficking in San Diego County found that 80 percent of the interviewed sex traffickers were affiliated with gangs (Carpenter & Gates, 2016: 12). The research was based on data from five sources: surveys of participants in a prostitution first offender diversion program, standardized intake forms with sex trafficking survivors, combined police arrest records and sheriff booking datasets, focus groups with staff at 20 high schools in San Diego County, and in-depth interviews with gang affiliated individuals.

Another regional study by Stolpe (2014) used sex trafficking cases prosecuted in Northern Virginia to identify the extent to which gang members in this area are involved in this criminal activity. However, her analysis focused predominantly on MS-13 gang members and their trafficking tactics, without a comparative analysis of other gangs present in this area. Similarly, Silva (2015) analyzed MS-13 involvement in sex trafficking based on interviews and court files in Montgomery and Prince George’s County in Maryland, as well as Fairfax and Falls Church in Virginia. He found that MS-13 cliques recruit “young Central Americans who have recently arrived at the United States or those who have run away from their families” into prostitution using the gang’s reputation for violence (Silva, 2015). Such practices were also analyzed by Lillie (2017) within the Human Trafficking Search Project. The project’s results showed that the involvement of MS-13 in sex trafficking was significant in Northern Virginia, yet due to limited data, there was no assessment of the scope of other gangs’ involvement in sex trafficking in this region.

Finally, a study by Lopez et al. (2020) used spatial statistics to explore the geographic distribution of police arrests related to prostitution in Virginia between 2002 and 2013. They find that prostitution tends to concentrate in areas with significant transient populations and regions with gender imbalances due to the presence of military bases, government agencies, and male-dominated industries. Thus, the hotel areas in Northern Virginia were found to be affected by the presence of sex workers not only because of access to high-income customers, but also due to considerable concentration of male employment and numerous military installations. In terms of gangs involved in the sex trade in Northern Virginia and Richmond, the study finds that they often use apartments in secluded locations to minimize the chances of detection, which signifies a considerable change in their modus operandi (Lopez et al., 2020). A similar trend related to sex workers moving from the streets to hotels or apartment complexes was observed in other countries, including the United Kingdom and Australia (Hubbard & Sanders, 2003; Hubbard & Prior, 2013). This is why it is important to design policies that take into account this “hidden population” of

home-based sex workers and to develop law enforcement responses targeting these activities.

Overall, the number of studies that specifically focus on domestic gang-controlled sex trafficking in the United States is limited. Despite the importance of this topic, there is no comprehensive database of sex trafficking cases that involve gang members and their associates.

Methodology

To collect our sample of cases, we first used the search engine on the official website of the U.S. Attorney's Office for the Eastern District of Virginia, which publishes press releases related to sex trafficking. The data range of the cases covers six years from 2011 to 2016. Two separate searches were conducted using the terms "human trafficking" and "sex trafficking." We then grouped the generated 55 search results based on whether the defendants were affiliated in any way with criminal street gangs. The resulting sample consists of 25 cases of gang-controlled sex trafficking, meaning that approximately half of the detected prosecuted cases in Northern Virginia involved gangs. In this sample, 19 cases involved 19 defendants of Hispanic origin who were affiliated with street gangs with strong connections and ties to Central America and Mexico (MS-13, Barrio 18, and Sureños). The other 6 cases involved 37 non-Hispanic defendants engaged in criminal activities of domestic street gangs, which were identified as of primarily African-American origin (the Bloods, the Underground Gangster Crips, and the Scheme Team gang). The cases involving African-American street gangs were used for a comparative analysis of various ethnic and cultural business models of gang-controlled sex trafficking.

After identifying our sample, we used PACER, an electronic public access service of the United States federal court, to download court documents. Through PACER, we obtained case statements of facts, plea agreements, indictments, arrest warrants, and affidavits for our case analysis. The content of all documents was then coded for key characteristics of the cases. The identification of these characteristics was based on a theoretically informed two-cycle coding strategy. A first cycle included a preliminary coding based on the identification of similar and distinct patterns of sex trafficking models used by various gangs. A second cycle involved the development of descriptive and analytical categories (e.g., gang membership, drugs abuse, the use of violence against victims, ethnicity of sex traffickers and victims, models of their business operations, and the use of new technology to advertise services or recruit victims). The main features of gang-controlled sex trafficking are analyzed in detail in the following sections. One of the challenges inherent in conducting research on sex trafficking is that most law enforcement information and some court documents are not available for public use. There is also little information on the victims as there is an effort to protect their privacy.

Additional comparative analyses were based on ethnic compositions of the trafficking gangs. The importance of such comparative analyses is explained by the fact that the previous research suggests that illicit business networks operate differently dependent on the composition of the trafficking groups (Shelley, 2010).

Starting from Thrasher's pioneering study of gangs in Chicago, originally published in 1927, ethnicity continues to be an important aspect of gang research (Thrasher, 2013). Shelley (2010) identified various cultural or ethnic models of sex trafficking from her regional studies, including, for example, the "supermarket model" (low cost-high volume) used primarily by Hispanic traffickers and the "American-pimp model" (high consumption-low savings) found in cases involving members of African-American gangs. Specifically, "the large numbers of clients that the women must serve, up to 30 a day, is reflective of the supermarket model in which the traffickers make their money on the quantity of people served rather than the quality of service" (Shelley, 2010:128). At the same time, the pimp model is characterized by "significant profits by trafficking small numbers of American girls and women ... under the control of the traffickers" who dissipate their money in conspicuous consumption with no savings or laundering in the legitimate economy (Shelley, 2010). Each model illustrates specific business practices in the sex trafficking process used by criminal groups with different cultural and ethnic backgrounds. These models give insights into the complex issue of combatting gang-controlled sex trafficking that cannot be solved by utilizing any single generalized approach.

The sample included in this study is representative of the sex trafficking cases prosecuted in Northern Virginia. However, a severe limitation is related to the fact that the full scope of sex trafficking is difficult to determine due to various factors, such as underreporting of sex-trafficking incidents, the complex dynamics of this illicit business, challenges in identifying victims, and a lack of available and consistent data about gangs and their activities (Virginia State Crime Commission, 2018). Due to underreporting and the clandestine nature of this crime, exact incidence and prevalence rates of gang-controlled sex trafficking are difficult to estimate (Virginia State Crime Commission, 2018).

Transnational and domestic gangs' involvement in sex trafficking in Northern Virginia

Gangs generally operate differently from OCGs that rely on centralized leadership, well-defined organizational structures, and strong professional coordination. Although gangs' structures might vary from hierarchies and clans to networks and cell organizations, they tend to be more decentralized and less coordinated than traditional OCGs. MS-13, for instance, represents a complex and loose network of multiple cliques without any singly recognized national or international leadership. The semi-autonomy of MS-13 cliques makes them difficult to dismantle as many of them know little of each other. Most importantly, the loosely identified and flexible network structure facilitates exchange of resources (see, e.g., Affidavit, United States v. Pineda Penado, 2012). Small prostitution enterprises within a larger network benefit from exchanges of women and girls. For example, the MS-13 gang member Cornejo Ormeno "rented" women from another MS-13 prostitution business owner, Juarez-Santamaria, for a small share in the proceeds (Indictment, United States v. Juarez-Santamaria, 2011). In return, Cornejo Ormeno provided Juarez-Santamaria

with his advice on how to run a successful prostitution business (Affidavit, United States v. Cornejo Ormeno, 2011).

In contrast, domestic gangs found in Northern Virginia (the Bloods, the Crips, and the Scheme Team gang) often treat the trafficked women as their property and tend to compete for them. For example, Barcus, a member of the Cold Blooded Cartel, and his conspirators had several of his victims tattooed with his nickname “Boo” to prevent them from changing their pimp (Statement of Facts, United States v. Barcus, 2013). To ensure profitability of their venture, they frequently relocated their activities to find new customers. According to the available court records, Barcus and his conspirators prostituted at least seven minor girls and over twenty-three adults in at least seven states: Virginia, Georgia, Florida, South Carolina, North Carolina, Maryland, and Tennessee (U.S. Attorney’s Office for the Eastern District of Virginia, 2013). Constant changes of their location helped these gang members avoid law detection for more than five years. Such movements also prevent the attachment of clients to the trafficked women, which decreases risks to sex traffickers. In such states as Florida, Virginia, or the District of Columbia, the tourism industry represents a particular attraction for sex trafficking. Thus, Virginia’s popular tourist destinations, such as the Norfolk, Virginia Beach, and Newport News areas, are also characterized by high numbers of sex workers (Lopez et al., 2020). Another reason for interstate movements of sex workers, similar to the Barcus case, is related to the fact that regions with male-dominated industries or military institutions also attract sex traffickers (Lopez et al., 2020). For example, Norfolk, a city in Virginia with a large naval base, “has a significant transient population, which translates to relatively lenient authorities when it comes to prostitution-related activities” (Lopez et al., 2020). In this environment, the demand for services for prostitution has been normalized and is affordable (Papantoniou-Frangouli & Moritz, 2010).

Driven by demand, gang members involved in sex trafficking move their victims to the areas with large concentrations of potential clients. Like in any other market, demand for commercial sexual services affects the supply of the related services. Demand impacts the type of services and modus operandi of sex traffickers. For example, based on the sample of cases, there is evidence that in loosely identified and flexible structures of large sex trafficking networks controlled by Hispanic gangs, it is common for owners of separate ventures within a network to “borrow” women or girls from each other. This attribute of large sex trafficking networks is explained by the fact that regular customers patronize prostitution businesses that constantly supply various women and girls to satisfy their desire for variety. Such exchanges and reallocations of victims by gang members also allow them to avoid detection.

Business practices vary across different gangs, depending on their composition, structure, and coordination among their members. Gang involvement cited in the court records in Northern Virginia included both small domestic networks, which consisted of gang members, their family members, and associates, and larger networks linked to interstate and transnational gangs, with ties to members operating out of Central America and Mexico (see, e.g., Statement of Facts, United States v. Ramos, 2012). A significant difference between transnational and domestic street gangs is related to their financial flows. Transnational street gangs, such as MS-13

or Barrio 18, may move money internationally, whereas domestic gangs, such as the Bloods or the Crips, are locally based in their recruitment of victims, transfers of their financial flows, and disposition of profits.

The flexible structures of large sex trafficking networks controlled by transnational street gangs have several advantages. First, networked structures engender cooperation with a high level of autonomy, which is extremely valuable for all illicit activities that are under constant law enforcement threats. Dismantling one business within a larger network does not prevent other businesses from operating. For example, in one case, a minor victim recalled that:

One night the police came to a hotel in Northern Virginia, which caused MSI [a sex trafficker] and Blue [another sex trafficker] to flee, leaving JV1 [a minor victim] and another victim, JV2, alone at the hotel for the remainder of the night. The next morning Pineda Penado came to the hotel and picked up JV1. When JV1 asked where MSI and Blue were, Pineda Penado replied that they “were out of business” and that she would be working for him now. Specifically, Pineda Penado said, “we’re your owners now” (Affidavit, United States v. Pineda Penado, 2012).

This quote refers to the flexibility of the networks and their capacity to regroup in a very short time period when law enforcement intervenes. This is quite different from the more traditional structures of established organized crime groups where hierarchies prevail. Networked structures facilitate an entrepreneurial approach among separate ventures that share their skills, knowledge, and expertise when necessary. As the 2016 Youth and Violence report indicates, “international and interstate networks established by the gangs make them more transient than ever” (Montgomery County Department of Police, 2016). Transient network structures prevent law enforcement from gaining a full strategic understanding of their scope of operations.

Gang violence and sex trafficking

Gang violence helps traffickers keep control over financial flows from the sex trade and other illicit businesses on their territory. It also helps them maintain control over sex trafficking victims. For example, victims might see or know some of the gang’s acts of violence, even if they were not subject of that violence themselves (Frank & Terwilliger, 2015). If victims see gang members murdering or beating somebody else, they are less likely to show resistance. In addition, to groom or punish victims, Hispanic gangs frequently “run a train” on them (called *trencito* in Spanish), meaning gang rape (United States v. Amaya, 519 F, 2013). A gang’s reputation for violence serves, therefore, as a powerful instrument to control victims. In the case of gang-related prostitution businesses, there is always an implicit threat of violence insofar as their victims are familiar with the gang’s reputation. In addition, some of the victims of the Hispanic gangs are not American citizens, nor do they have the right of residency in the United States.

Therefore, they may expect to be treated as illegal aliens, rather than victims of trafficking, where non-incrimination clauses apply.

Illustrative of this problem is the case *United States v. Miller*. In 2014, Ruth Antuanet Miller, a Peruvian citizen residing in the United States, pleaded guilty to conspiracy to commit sex trafficking by force, fraud, and coercion (Statement of Facts, *United States v. Miller*, 2013). She exploited vulnerable women, including illegal aliens and underage girls, at various hotels and motels in Arlington, Alexandria, Falls Church, and Fairfax in Northern Virginia. Miller forced undocumented women to work for her by threatening to report them to the U.S. Immigration and Customs Enforcement and other state authorities. In addition, Miller was affiliated with a criminal street gang and threatened victims and their families with violence if they refused to work for her. As the court records indicate:

Miller also informed BML [a victim who was an illegal alien in the United States] that Miller’s boyfriend is from Guatemala, and if BML refused to work for Miller, Miller’s boyfriend would find BML’s family in Guatemala, which BML reasonably understood as a threat to harm her family (Statement of Facts, *United States v. Miller*, 2013).

Violence constitutes an essential element of sex trafficking controlled by gangs. Cooperation with law enforcement or attempts to quit the gang are punished with particular cruelty. Apart from guns, MS-13 members use machetes (knives) for certain killings, such as in cases of police informants where they do not want victims to die quickly. For example, the pregnant 17-year-old MS-13 member Brenda Paz was stabbed 16 times in the Shenandoah River Valley in Northern Virginia after the gang discovered that she became a law enforcement informant and agreed to testify against her ex-boyfriend (Meinero, 2014). Furthermore, MS-13 members use machetes purposefully for decapitation. A former gang member, testified that the gang’s weapon of choice is a machete because it is “quieter for killing”:

For instance, with a machete you can cut somebody’s head off easily, and that person will not scream or make noise, and what’s difficult with a gun is that the police arrive quickly, and with a knife, you can stab somebody quickly, and it’s the same as with a machete (cited in Murphy and Cramer 2018).

African-American gang members also resort to extreme violence to keep their victims compliant. They are known to impose strict rules of the “game” on sex trafficking victims, including a prohibition to keep any money received for their work (Frank & Terwilliger, 2015). For instance, the prostitution ring founder associated with the Cold Blooded Cartel fractured the nose of one of the victims when she attempted to retain some of the money in order to send it to the person who took care of her infant child (Statement of Facts, *United States v. Barcus*, 2013).

Despite the fact that most victims of African-American pimps are U.S. citizens, such victims often do not report them to law enforcement because of “their misplaced loyalty to a gang or a particular member, or because they fear that a gang or a pimp will retaliate” against them or their relatives (Frank & Terwilliger,

2015: 363). For example, Cordario Uzzle, a member of the Bloods street gang, was accused of several violent acts against the victims who were severely beaten if they missed appointments or failed to comply with his requests (Statement of Facts, *United States v. Uzzle*, 2016). According to the federal court documents, he threatened one of the victims with an unloaded gun, purposefully pinching her skin in the mechanism of the gun and warning her that he “knew where her sister was” (Statement of Facts, *United States v. Uzzle*, 2016).

The underreporting of sex trafficking is directly related to gang violence. Victims who receive threats of violence against themselves or their families are less likely to report traffickers to authorities. In addition, to ensure compliance with their rules, African-American gang members typically supply their victims with various substances, including drugging them by force. For example, Justin Strom forcefully made his victims take drugs, as the court documents indicate:

Strom told Victim 5 to ingest the cocaine. Victim 5 told Strom that she did not do cocaine and did not wish to start. Victim 5 stated that she slapped Strom’s hand out of the way, causing the powder to fall all over Strom’s lap. Strom struck Victim 5, and slammed her head against the window of the vehicle. Victim 5 stated she said that she sustained a cut above her eye that later required medical treatment and stitches at a local hospital (Statement of Facts, *United States v. Strom*, 2012).

In another federal case in Northern Virginia, Barcus poured “Molly” (commonly known as ecstasy) directly into the mouths of girls whom he prostituted (Statement of Facts, *United States v. Barcus*, 2013). Prostitutes who become drug-addicts can be easily manipulated and forced to participate in prostitution. They are also less likely to report abuse to the authorities. In this way, gang-controlled sex trafficking, at times, is directly related to drug trade (and other crimes) and that, is often used to subdue and objectify victims.

The use of new technology and social media in gang-controlled sex trafficking

New technological advances further facilitate gang-controlled sex trafficking. This trend manifests itself in online advertisements of sexual services, the recruitment of victims and customers by means of social media, and the ability of criminal groups to sell child sexual abuse material through the Dark Web and to receive payments at times through cryptocurrencies (see. e.g., Bouché et al., 2015; Noroozian et al., 2019). New technology has enabled the commercial sex trafficking to spread in rural, suburban, and urban regions among individuals of different socioeconomic status (Virginia State Crime Commission, 2018). Furthermore, social media has increased global connectivity among people, but also the vulnerability of individuals to exploitation. Social media, often encrypted, transcends borders. Social network platforms, such as Facebook, Instagram, Snapchat, allow gang members to find individual profiles that exhibit various vulnerabilities that can be exploited by traffickers (Virginia State Crime Commission, 2018). Research funded by DARPA (the

Defense Advanced Research Projects Agency), which developed the Internet, maps the profundity of the related global reach of sex traffickers. Specifically, the research estimated that over a two-year time frame, sex traffickers spent about \$250 million to post more than 60 million advertisements online (Scientific American, 2017). Such online advertisements cost little, hence, this significant advertising budget suggests large numbers of victims and high profits generated from this crime.

According to the 2017 Federal Human Trafficking report, in the vast majority of sex trafficking cases, criminals used the Internet to solicit purchasers for sexual services (Human Trafficking Institute, 2018). Our analysis shows that criminal street gangs of diverse ethnic compositions use the Internet and social media differently. This finding is consistent with a study by Whittaker et al. (2020) who found that although social media contribute to the means available to street gangs, not every gang agrees on their use. Specifically, using a multi-method design in a London borough, their study shows that “social media have polarized gangs, resulting in two distinct types of digital adaptation” – “digitalist” and “traditionalist” gangs (Whittaker et al., 2020). While the former prefer to avoid social media use, keeping a low profile, the latter take advantage of social media to expand their activities and appear attractive for both recruits and customers (Whittaker et al., 2020).

Similarly, an analysis of court records and other materials related to the sex trafficking cases in Northern Virginia analyzed in the current study shows different patterns related to the use of social media by various gangs. Thus, Hispanic gangs restrict the use of social networks only for specific purposes, such as recruitment, while African-American gangs use social media and the web more actively and for a wider range of purposes, including advertising of prostitution services online. On the contrary, Hispanic gangs’ marketing and advertising activities take place mostly offline (see the Table 1), which helps avoid law detection.

As for recruiting sex trafficking victims, both Hispanic and African-American gangs combine online and offline methods. Key places to recruit minor victims include poor immigrant communities, juvenile detention centers, schools, and homeless shelters, as well as social media. Among the cases in the Northern Virginia study, the youngest victim was 12 years old (Statement of Facts, United States

Table 1 Cases of sex trafficking controlled by gangs in Northern Virginia analyzed in the study

Gangs involved	Number of cases	Major type of advertising
MS-13	15	Offline
SUR-13	1	Offline
Unknown Hispanic gang	1	Online
18th street	2	Offline
Bloods Street	1	Online
Scheme Team	1	Online
Nine Trey Gangsters	1	Online
Underground Gangster Crips	1	Online
Cold-blooded Cartel	2	Online

v. Ramos, 2012). Hispanic gangs specifically search for underage girls in middle schools, high schools, and homeless shelters (Mehlman-Orozco, 2017). Sex traffickers also can use their young victims to recruit other school girls (Weiner, 2018).

Gang members who recruit girls for prostitution often receive free sex with the victims and a cut of the profits (Affidavit, United States v. Cornejo Ormeno, 2011). As noted above, Hispanic gangs use online social networks to recruit girls and new members (known as *paros* in Spanish) from communities with significant immigrant populations. For example, in 2015, a middle-school student in Sterling, Virginia reported that MS-13 members contacted him over a social media program called KIK, telling him to join the gang and provide names of other middle school students (Harris, 2015). In another case, Victor Manuel Contreras used Facebook to engage in chats with a minor female who indicated a desire to run away from home and subsequently coerced her into prostitution (U.S. Department of Justice, 2014).

African-American gangs also combine offline and online methods to recruit victims. For example, members of the Underground Gangster Crips recruited girls, by approaching them on the street or at metro stations and by contacting them through Facebook and Datehookup. For five years between 2006 and 2012, Justin Strom, the leader of this criminal enterprise, misrepresented his identity online sending more than 800 messages from a bogus account to recruit both adults and juveniles through online social networks, such as Facebook, MySpace, and Datehookup (Statement of Facts, United States v. Strom, 2012). He used computers within his residence to access social media and create false accounts, searching for attractive young girls.

The advantage of online recruiting is that gang members are able to get in touch with multiple victims, while hiding their true identity. The use of the Internet and social media in the prosecuted Northern Virginia cases shows the fundamental role that new anonymized technologies assume in gang-controlled sex trafficking. The adept use of online platforms and applications by sex traffickers allows them to broaden their reach and customer base. Clients who are United States citizens tend to utilize Internet sites to find sexual services more often than Hispanic customers. This is why in all cases in this study that involve African-American street gangs, the key advertising methods were online (primarily the websites Backpage.com and Craigslist.com). In contrast, Hispanic gangs mostly used business cards distributed among immigrant communities and word-of-mouth communication among gang members (Shared Hope International, 2011). As a result, prostitution businesses controlled by African-American gangs have much diverse clientele in comparison with those controlled by Hispanic gangs who specialize mainly in providing services to the less affluent sectors of the Hispanic community.

Due to more diverse clients, the profits of African-American gangs from prostitution are relatively high in comparison with Hispanic gangs. For example, one member of the Scheme Team gang, known as Bishop, set a monetary quota of a rack a day, meaning that prostitutes had to bring him \$1,000 every day (Statement of Facts, United States v. Carter, 2015). In the cases of Hispanic gangs analyzed in this study, there was no mention of specific monetary quotas. In general, the price for prostitution services charged by Hispanic gangs was lower as they were mostly catering to clients living in a more precarious economic and personal situation.

At the same time, when gangs operate out of local homes and advertise by word of mouth (rather than use hotels and Backpage.com), it creates additional challenges for law enforcement (Weiner, 2014). The use of online advertisements increases the risk of detection by law enforcement. For example, in one case, the Fairfax County police were able to dismantle the prostitution ring run by Edwin Barcus Jr., a member of the Cold Blooded Cartel, when undercover officers responded to an advertisement on Backpage.com and set up a sting operation at the Hyatt House hotel in Herndon in Northern Virginia (Zapotosky, 2013). Advertisements are usually paid for with prepaid credit cards that make it more difficult for law enforcement to trace these transactions. However, it is easy to locate where these cards were purchased. For example, in the case of the Underground Gangster Crips gang, investigators learned that advertisements were paid for using a prepaid credit card from GreenDot, which was purchased from a particular 7-Eleven store located in Virginia (Statement of Facts, *United States v. Strom*, 2012).

In following the money, much of the profits generated by the African-American gangs is spent on drugs and other forms of personal consumption. It is not used as a form of capital formation or for investment. In contrast, following the profits of the Hispanic gangs engaged in human trafficking revealed that some of the money was returned to Central America and Mexico. For example, in *United States v. Revolorio Ramos*, a manager of a prostitution venture paid a portion of the proceeds to MS-13 gang members located in Mexico, using international transfers via Western Union and MoneyGram (Statement of Facts, *United States v. Ramos*, 2012). Generally, such transfers are used to support gangs' activities abroad, to buy weapons, drugs, and recruit new members. For instance, the U.S. Attorney's Office of the District of Massachusetts indicates that MS-13 criminal offences "generate income to pay monthly dues to the incarcerated leadership of MS-13 in El Salvador" and to buy "weapons, cell phones, shoes, food, and other supplies for MS-13 members in and out of jail in El Salvador" (U.S. Department of Justice, 2016).

Polycriminality

As discussed earlier, gangs often supply their victims with drugs as a means to keep them compliant. Drugs, therefore, represent another essential element of gang-controlled sex trafficking, apart from violence. Drugs also make women and girls more vulnerable and susceptible to being prostituted. The defendants from the cases included in this study also revealed their connections with other criminal activities, such as murders, kidnapping, robberies, and racketeering. Sex trafficking is also linked to such crimes as falsification of documents and money laundering.

Most street gangs started their activities with drug trafficking. Easy access to drugs facilitates both recreation of clients and allows gang members to control their victims by causing addiction and dependency. For example, according to one sex trafficker, to control victims, "all you have to do is get them drunk or high and they will do what you want" (Statement of Facts, *United States v. Dumas*, 2013). Hispanic gangs often combine drug trade and prostitution, selling sexual services and prohibited substances simultaneously. For example, a MS-13 member, Rances

Ulices Amaya, was pimping girls whom he also asked to sell drugs (Trial Transcript, *United States v. Amaya*, 2012).

MS-13 is traditionally involved in drug distribution in territories under its control. However, in the case of international drug trade, it relies on other criminal organizations, such as the Mexican Mafia (InSight Crime & Center for Latin American & Latino Studies at American University, 2018). A certain part of the proceeds from selling drugs and sex trafficking is transferred abroad in order to support gang leaders in Central America and Mexico.

Furthermore, proceeds from sex trafficking are laundered. For example, between 2004 and 2018, owners of the backpage website earned hundreds of millions of dollars from publishing prostitution ads. The 2018 investigation into money laundering of these proceeds revealed the involvement of numerous U.S.-based financial institutions and banks in ten foreign countries (FATF – APG, 2018).

Conclusion: prospects on anti-trafficking policies related to criminal street gangs

Since the introduction of the Palermo Protocol and the TVPA, sex trafficking has grown due to the development of new technology and the globalized financial system. Originally, these legal instruments were developed in response to much more conventional forms of organized crime, with generally more long-lasting structures, interpersonal relations, conventional forms of communication, and payments. Although the Palermo Protocol and the TVPA have proved applicable to more fluid structures, such as gangs that have turned to sex trafficking to diversify and increase their revenues, current law enforcement responses require more detailed analyses of new trends in this illicit business. Before the era of social media, the sex trade was more visible and the interactions among the traffickers were more evident. In the United States, less outreach to customers could be done outside of established networks and particular locations known for the sale of sexual services. Street gangs that are more adept at employing new technology are able to reach a broader customer base and reach a greater diversity of clients.

As noted in the section on the study's methodology, the presented analysis is limited to 25 cases of gang-controlled sex trafficking prosecuted in Northern Virginia. Studies based on small sample sizes share their common limitation related to the generalization of findings. Therefore, further research and larger studies of gang-controlled sex trafficking in other U.S. states are necessary for identifying common and distinct features of ethnic and cultural business models of these criminal activities in various settings.

The analysis of gang-controlled sex trafficking in Northern Virginia provides several insights into anti-trafficking policies. First of all, a comparative analysis of prostitution businesses controlled by Hispanic and African-American gangs in Northern Virginia demonstrates that they have distinctive business models. This suggests that in order to dismantle sex trafficking networks, policymakers and law enforcement agencies should use responses specifically tailored to particular gangs in charge of these networks as their business practices reflect history and

culture of their communities (Shelley, 2010). When the different characteristics of the criminal networks for sex trafficking are ignored, anti-trafficking enforcement policies will not succeed.

Furthermore, it is necessary to conduct further study of networking structures of street gangs. We found that large gang-controlled prostitution service delivery networks are highly decentralized and, therefore, less vulnerable to being targeted by law enforcement. The importance of this finding relates to the fact that networked prostitution services within larger gang organizations help criminals address new law enforcement challenges inherent in the sex trade.

It is also necessary to conduct further research on new technology and social media used by various street gangs in order to disrupt their operations. As this study suggests, prostitution businesses controlled by Hispanic gangs tend to selectively use online and offline channels for various activities. Despite the fact that they use social media to recruit new members and victims of sex trafficking, their marketing and advertising channels are mostly offline. Therefore, their operations were not significantly affected by the seizure of Backpage.com by the Department of Justice and the shutdown of dating sections of Craigslist.com in response to *The Stop Enabling Sex Traffickers Act* and *Allow States and Victims to Fight Online Sex Trafficking Act* (FOSTA/SESTA), which introduced criminal and civil liability of websites for their unlawful use by third parties (Jackman, 2018).

The study also suggests that it could be beneficial to review a strategy of prosecuting smaller cases with less defendants in terms of its capability to reflect and capture the structural specifics of networks involved in gang-controlled sex trafficking. Our analysis of the cases in Northern Virginia is consistent with the previous study that found “a steady upward increase in prosecutions of human trafficking cases” between 2000 and 2015 due to prosecutions of cases with less than three defendants (Bouché, 2017: 18). In the cases of Hispanic sex traffickers prosecuted in the Eastern District Court of Virginia between 2011 and 2016, most of them were single-defendant cases. In such cases, an arrest or disappearance of one sex trafficker does not prevent sex trafficking of his victims by other pimps (Affidavit, United States v. Pineda Penado, 2012).

In addition, specific characteristics of gang-related victims and witnesses require the adoption of special protection programs. In the case of Hispanic victims, gangs often use threats against their family members who reside in Latin American countries, such as Mexico, El Salvador, Guatemala, and Honduras. Even if the protection is granted to U.S.-based victims and witnesses, their relatives might become victims of gang violence abroad. Aliens with families in Latin American countries where MS-13 and Barrio 18 have a strong presence are unlikely to report traffickers to the police and to testify against them in court. Intimidation through a gang’s reputation for violence is an essential element of preventing witnesses from testifying. This is especially noticeable in the case of former gang members (see, e.g., Frank & Terwilliger, 2015; Montgomery County Department of Police, 2016).

Victims from the Northern Triangle (El Salvador, Honduras, and Guatemala) who currently live in impoverished immigrant communities in Northern Virginia are particularly vulnerable to sex trafficking since many of them experienced violence and sexual abuse in their native countries. Most of them come from troubled backgrounds and violent environments. Some of them do not speak English. Successful prosecution of sex trafficking requires cooperation between law enforcement and nongovernmental organizations that specialize in vulnerable communities.

As far as the financial side of sex trafficking is concerned, it is necessary to study diverse money-laundering schemes from human trafficking. Financial investigations into suspicious activities can help identify criminals and victims of sex traffickers. The 2018 Financial Action Task Force report (FATF-APG, 2018) provides several case studies of financial institutions submitting suspicious transaction reports that identified financially connected individuals engaged in sex trafficking. In one case, suspicious transaction reports identified the account of a victim “using excessive taxi and rider sharing services after midnight in various cities for a few days or weeks at a time; frequenting pharmacies and fast food eateries daily or multiple times a day in a manner inconsistent with normal account activity” (FATF – APG, 2018: 21). Another financial institution identified sex traffickers through staff witnessing in-branch coercive behaviors, with a victim regularly visiting this financial institution to pay in cash, using the branch automated machines and accompanied by the same male who was controlling her actions (FATF – APG, 2018).

Finally, asset seizures should target a wider range of facilitators linked to criminal street gangs. Asset seizures play an important role since they hurt criminals economically and disrupt their operations. It is also critically important to use the recovered assets to benefit the people who were harmed and to ensure that asset seizures apply to anyone who facilitates sex trafficking. For example, the Racketeer Influenced and Corrupt Organizations (RICO) Act allowed prosecutors to charge those who helped arranging the circumstances of the offense, while the FOSTA-SESTA package introduced criminal and civil liability of websites for their unlawful use by third parties. Yet, despite numerous efforts of U.S. law enforcement to track gang-related sex traffickers and their facilitators, the number of the reported and prosecuted offenses remains very low. Therefore, in order to address new challenges in this area, law enforcement responses should be tailored to particular structures and *modi operandi* of various gangs involved in domestic sex trafficking.

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Data availability The dataset generated and analysed during the current study is available from the corresponding author on reasonable request.

Declarations

Disclaimer The views and conclusions contained in this document are those of the authors and should not be interpreted as necessarily representing the official policies, either expressed or implied, of the U.S. Department of Homeland Security or the National Science Foundation.

Conflict of interest None.

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