

October 31, 2019

## **EXPERT REPORT OF ROBERT ROYCE**

**State of California v. Charles [REDACTED]**  
**Court Case No. F17900178**

The following represents my case analysis report in the matter of State of California v. Charles [REDACTED] which is based upon material submitted to me (enumerated later in this report), my education and experience as it relates to human trafficking, prostitution, pimping and pandering. It is my understanding there still may be outstanding discovery in this matter. I, therefore, reserve the right to amend this report as additional discovery or other types of information become available for my review.

### **CASE DOCUMENTS / DISCOVERY REVIEWED**

The following documents were reviewed in this matter:

1. Criminal Complaint.
2. Police reports

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3. Preliminary Hearing transcripts
4. Photographs
5. Audio recordings.
6. Video recording.

***It's my opinion, the discovery lacked documentation of individual characteristics consistent with Human Trafficking.***

### **HUMAN TRAFFICKING INVESTIGATORS UTILIZE TWO METHODS**

1. Evidence Based.
  - a. Collecting corroborating evidence and corroborating witnesses.
2. Opinion Based (Most Common)<sup>1</sup>
  - a. Lacks enough corroborating evidence or much effort to obtain enough corroborating evidence or witnesses.
  - b. Exculpatory evidence disappears.
  - c. Exculpatory leads are ignored.
  - d. Focus on finding guilt instead of the truth.

This investigation was not evidence based. There was a failure of collecting corroborating evidence and corroborating witnesses<sup>2</sup>. Investigators can only make the best decision possible when they know all the facts.

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<sup>1</sup> The law enforcement agents and their expert(s) merely offer their testimony as gospel without "requisite independent proof". They should not be blindly followed without enough corroborating evidence.

<sup>2</sup> In recorded conversation between the accused and accuser, the accuser states her brother who is with her has the mental status of a five-year-old.

## SUMMARY

The commercial sex industry has both legal and illegal activities. All should be considered the exploitation of females. The exploitation is a by product of the legal and illegal actions of both men and women.

The illegal activities are often referred to as “The Game”. The Game consists of three primary cultures. There is the culture of the prostitute, the pimp and the human trafficker<sup>3</sup>. All three have areas of their culture that overlap. The major issues are distinctly different and should not be conflated. Conflation will lead to distortion, confusion and misunderstandings. Conflating the labels pimp and trafficker should always be avoided.

In this case, the accuser and accused are in a marital relationship and they both engaged in the illegal activity of pimping / prostitution. During their relationship, acts of domestic violence is alleged to have occurred. There is no automatic correlation and causation between the illegal activities (prostitution) and domestic violence. The bridge connecting the illegal act (prostitution) and alleged violent act(s) was not constructed by a complete investigation in this case. In the absence of interviewing all the witnesses, closely reviewing all the evidence and a complete interview of the alleged victim and obtaining all the facts which led up to the alleged act of domestic violence , the act itself should not be assumed to have been related to the illegal event- prostitution / pimping (“Correlation does not imply causation”).

There are unique culture characteristic differences between a traditional pimp and a sex trafficker.

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<sup>3</sup> Gorilla pimps and Traffickers have characteristics that parallel each other.

*Characteristics of a sex trafficker include but not limited to the following:*

Trafficking victims are forced to engage in sexual acts against their will.

- This did not occur in this case

Trafficking victims don't have the choice to leave one trafficker and go another trafficker.

Trafficking victims don't have the ability to make choices.

- She made her own choices

Trafficking victims are completely under control of the trafficker.

- She was under her own control

Trafficking victims are isolated from friends and family.

- She maintained contact with friends

Traffickers do not provide or allow their trafficked victims access to cell phones or methods to contact whoever they desire.

- She had access to multiple phones

Trafficking victims are kept for indoor prostitution and normally under some sort of security systems / methods which the trafficker can maintain maximum control of the victim.

- She was free to go wherever she wanted to go

Traffickers often try to get the victim addicted to drugs as a means of control.

- Drugs were not introduced into the decision making of the accuser

Trafficking victims are often raped and placed in sexual situation against their will and become passive in nature do to fear of being violently assaulted by the trafficker.

- A claim of rape was ever asserted by the accuser and she is not passive but very aggressive verbally and physically

Traffickers maintain a level of substantial and sustained restriction of liberty and controls the victim to the extent that she does not have a means to escape from the trafficker.

- The accuser never had her liberty interfered with and on several occasions left the accused.

*Characteristics of a traditional pimp's relationship include but not limited to the following:*

Prostitutes can make choices.

- She complained to the accused that she was tired of making all the decisions and she wanted him to take the lead in decision making in their relationship.

Prostitutes can come and go.

- She did not have any restrictions place her travels

Prostitutes make the choice to engage in prostitution

- It was her decision to prostitute herself

Prostitutes continue relationships with friends and family

- She maintained relationships with numerous friends

Prostitutes have unlimited access to phones and computers

- She had access to several phones and had the ability to change or add phones.

Prostitutes can choose up with another pimp.

- It appears she associated with another pimp while the accused was in jail.

Prostitutes can be aggressive and violent and verbally loud

- She was verbally aggressive loud and aggressive to the accused during recorded conferences and bragged about wanting to fight other females and desire to shoot her own dogs.

The traditional pimp is the broker of sexual services (prostitution). The trafficker sells the victim's body to the buyer with no sexual boundaries attached. The accused never requested that she engage in commercial sex beyond her personal sexual boundaries.

There is evidence that their marital relationship was suffering economic issues causing the accuser to introduce the idea of working as a prostitute<sup>4</sup> as a means of income. She formed this idea and desire on her own free will, the accused only agreed with her idea. The accuser never mentioned any alternative methods of how she could contribute to earning income other than prostitution.

The accuser claims the accused took her ID from her. It is common prostitutes give their ID to others so if the police detain the prostitute, they can lie to the police about their name and address. It should be noted, in the audio recordings, the accuser claims to have been killing bugs with her ID<sup>5</sup>. The accuser also admits while the accused was in jail she allows another person to hold her money. She stated he is “carrying for me right now”. This conflicts with the accuser claim the accused holds all the money and doesn’t let her have access to it. The accuser is sophisticated and street wise and has distorted information she provided to the police.

The accused never forced the accuser to obtain a tattoo. Both have tattoos. The audio recordings reveal the casket tattoo on the accused was explained to be for togetherness and not violence as the accuser stated to the police.

Please note the audio recordings do not contain any threats, coercion, false promises or other forms of manipulation to force the accuser to engage in prostitution by the accused. These recorded conversations are typical conversations often heard while reviewing jail house conversations. There is conversation about a domestic abuse incident. However, the discussion does not associate the allegation of abuse to any acts of prostitution. The

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<sup>4</sup> The accuser is a sophisticated and established prostitute, who willingly and by choice, became a commercial sex worker prior to meeting the accused.

<sup>5</sup> This statement by the accuser proves she had possession of her own ID.

accuser admitted in recorded conversations that she has difficulty hearing and often needs to ask people to repeat what they say to her.

During two audio recorded conversations, the accuser tells the accused she is done (implying prostitution) and his response is "Okay". He offered no resistance to her decision to stop. The accused offers the accused a name and number of a female friend she can stay with since she won't have any money coming in. The police investigation fails to establish the intent to maintain the violation of the pimp / prostitute relationship in this case.

The accuser is easily triggered and becomes angry and verbally aggressive during the recorded conversations. The accuser is not a mild person and is very sophisticated. She does not suffer from low self-esteem. She talks about her desire to fight others and complains to the accuser that she is tired of making all the decision in their relationship. She tells the accuser he is supposed to lead in their relationship. She repeatedly requests that he be the leader. The accuser talks about how she wants to shoot her own dogs for being destructive.

The accuser speaks freely about her visiting friends, going places, using her phone and making her own decisions. There is no mention or documented facts that the accused substantially interfered with her liberty. There was no statement from the accuser or any witnesses witnessing an uninterrupted substantially interference her liberty for an extended amount of time. Substantial doesn't mean a causal interference. The police investigation failed to explore this issue.

There is one documented incident of domestic violence between the accuser and the accused. Their relationship does not involve sustained violence or severe psychological abuse<sup>6</sup>.

The issue of the accuser's addiction to "The game" was not investigated. There were no inquiries by the police regarding the accuser's state of mind about her possible addiction to "The Game". Addiction to "The Game" is a common trait among prostitutes.

End of Report

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<sup>6</sup> In a recorded conversation between the accuser and accused, she complains that another male (unk name) gives her bruises and hurts her.