



# Improving Outcomes for Child and Youth Victims of Human Trafficking

Compendium of Resources

Updated July 2023



SUPPORTING STATES TO  
**IMPROVE OUTCOMES**  
FOR CHILD AND YOUTH VICTIMS  
OF HUMAN TRAFFICKING



## **IMPROVING OUTCOMES FOR CHILD AND YOUTH VICTIMS OF HUMAN TRAFFICKING TRAINING AND TECHNICAL ASSISTANCE PROJECT STAFF**

### **Stacey Cutbush Starseed, PhD**

Project Director

Violence Prevention and Harm Reduction Program, Division for Applied Justice Research  
RTI International

### **Samantha Charm, MPH**

Associate Project Director

Victimization and Response Program, Division for Applied Justice Research  
RTI International

### **Hannah Feeney, PhD**

Technical Assistance Provider

Victimization and Response Program, Division for Applied Justice Research  
RTI International

### **Jaclyn Kolnik, PhD**

Technical Assistance Provider

Victimization and Response Program, Division for Applied Justice Research  
RTI International

### **Leanne McCallum Desselle, MA**

Technical Assistance Provider

Victimization and Response Program, Division for Applied Justice Research  
RTI International

### **Brianna D'Arcangelo**

Project Manager and Technical Assistance Provider

Violence Prevention and Harm Reduction Program, Division for Applied Justice Research  
RTI International

This compendium of resources was compiled and written as part of the *Improving Outcomes for Child and Youth Victims of Human Trafficking Training and Technical Assistance* project overseen by the Office for Victims of Crime and conducted by RTI International. RTI is an independent, nonprofit research institute dedicated to improving the human condition. RTI conducts research, evaluation, and training and technical assistance related to human trafficking domestically and globally. To learn more about RTI's human trafficking work, please visit <https://www.rti.org/focus-area/human-trafficking>.

## **DISCLAIMERS**

This compendium of resources is not meant to be a comprehensive source of all relevant information related to state-level and system-level efforts to address youth trafficking and improve outcomes for youth who are at high risk of or experience trafficking. We included resources that were provided to us by grantees of *Improving Outcomes for Child and Youth Victims of Human Trafficking* who were funded by OVC from 2016 through 2023. Some grantee-developed resources included here were also publicly available online. The content is solely the responsibility of RTI and the grantees who developed the materials. Because there were many contributing partners, we cannot guarantee that the information is completely accurate, error free, or based on the most up-to-date knowledge of best practices. However, we excluded identification or assessment tools that did not include thorough instructions.

This document was created by RTI International with the support of grant #2018-VT-BXK002, awarded by the Office for Victims of Crime, Office of Justice Programs, U.S. Department of Justice. The opinions, findings, and conclusions or recommendations expressed in this content are those of the contributors and do not necessarily represent the official position or policies of the U.S. Department of Justice.

## **ACKNOWLEDGEMENTS**

RTI sincerely appreciates the many individuals, agencies, and organizations that contributed to the resources included in this compendium.

We acknowledge the generous contributions of *Improving Outcomes for Child and Youth Victims of Human Trafficking* grantee staff and their partners who developed the resources. These professionals work tirelessly to improve outcomes for child and youth victims of trafficking. Contributors include, but are not limited to, Mary Kate Andrepont, Liz Azevedo, Lori Ann Bertram, Ivy Bloom, Maria Busch, Brooke Byrd, Jory Catalpa, Vera Ciammetti, Amanda Colegrove, Glenn Daly, Lauren Dodson, Theresa Dykoschak, Alexandra Eisler, Amy Farrell, Chief Robert J. Ferullo, Jr., Nadine Finigan-Carr, Misty Flowers, Catie Fowler, Nicole Hamwey, Kelley Harman, Caroline Harmon-Darrow, Sharon Henry, Sonora Holland, Dana Hunter, Danielle Khoury, Nicole Kriger, Maura Landry, Sydney Lawson, Chris Lim, Madeline Lohman, Krystle Mitchell, Neil Mallon, Mike Maryanov, Shannon Morrison, Kristina Nicholson, Rebekkah O'Bryan, Nancy E. O'Malley, Bukola Oriola, Caroline Palmer, Jennifer Prestholdt, Shelley Repp, Camerron Resener, Sarah Russo, Veronica Scherbauer, Deborah Scott, Kate Shipley, Robert Smith, Rochon Steward, Amanda Swanson, Maria Trujillo, Valerie Trull, Wendy Tully, Nikki Valila, Staci Wendt, Javonda Williams, Candence Wills, Alex Woods, and many other professionals and experts who have contributed to these resources.

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# INTRODUCTION

## PURPOSE

This *Compendium of Resources* compiles resources developed by grantees of the *Improving Outcomes for Child and Youth Victims of Human Trafficking (Improving Outcomes)* program, funded by the Office for Victims of Crime (OVC) from 2016 through 2023. These materials were designed by grantees as part of their *Improving Outcomes* projects, which aimed to improve the identification of and coordinated response to child and youth victims of human trafficking within their states. We hope this compendium is a useful resource for current and future *Improving Outcomes* grantees, as well as for human trafficking stakeholders at the state, regional, local, and service provider levels who are invested in identifying and responding to child and youth victims of human trafficking.

## BACKGROUND

The *Improving Outcomes* program is relatively new for OVC. Established through the Justice for Victims of Trafficking Act in fiscal year (FY) 2016, the program was designed to support state- and system-level coordination and collaboration to improve identification of and response to minors and youth who have experienced trafficking. Each year since 2016, the *Improving Outcomes* program has released solicitations and has funded up to four grantees<sup>1</sup> each year. Although most of OVC's funding is designated for services, the *Improving Outcomes* program is uniquely focused on state-level programs. It is also one of the few programs solely focused on child and youth victims of trafficking. *Improving Outcomes* grantees must be statewide agencies or state universities. Given the emphasis on collaboration, grantees are expected to have multiple state and local partners.

The overall goal of the *Improving Outcomes* program is "to improve responses for child and youth victims of trafficking by integrating human trafficking policy and programming at the state or Tribal level and encouraging coordinated, multidisciplinary, and statewide approaches to serving trafficked youth."<sup>2</sup> Each grantee is asked to identify the most significant barriers in their state or tribe to identifying and serving child and youth victims of trafficking, investigating and prosecuting child and youth trafficking cases, or both. Grantees propose programs to systematically address these barriers through developing

- jurisdiction-wide strategies,
- protocols and procedures for identification and service referral,

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<sup>1</sup> The *Improving Outcomes* program was designed as a cooperative agreement in FY2016, 2017, and 2018. In FY2019, OVC changed the funding to a grant program. For the purposes of this compendium, we will use the term "grant" to describe any *Improving Outcomes* cooperative agreements or grants, and the term "grantee" to describe an entity funded to carry out an *Improving Outcomes* cooperative agreement or a grant.

<sup>2</sup> OVC FY 2023 *Improving Outcomes for Child and Youth Victims of Human Trafficking* solicitation. Available at <https://ovc.ojp.gov/funding/opportunities/o-ovc-2023-171585>

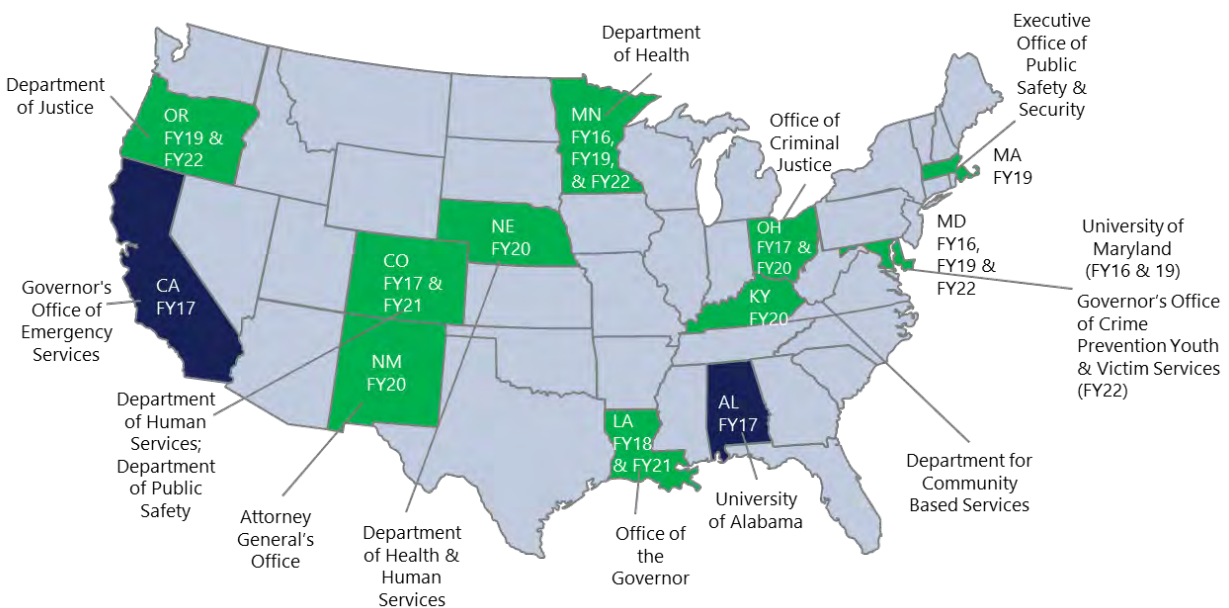


- a unified training strategy to build capacity of professionals,
- means to address and fill gaps in existing services and coordinated responses, and
- data collection evaluation activities to assess their project.

### **IMPROVING OUTCOMES GRANTEES**

Since 2016, OVC has funded 20 *Improving Outcomes* awards to 12 states.<sup>3</sup> Grantees thus far reflect geographic diversity, spanning all regions of the continental United States. Types of agencies have varied. Most grantees have operated from state-level agencies, including departments of public safety, public health, human services, justice, and emergency services, as well as an attorney general’s office and a governor’s office. Two have been schools of social work in state universities, though the current grant solicitation requires state-level agencies to be the primary grant recipient.

*Improving Outcomes* projects have been unique. Project designs and activities have been specific to each state’s context, such as identifying and improving existing systems and available services that support child and youth victims of trafficking, interagency relationships and leaders, state and local policies, partnership buy-in and readiness to change, local attitudes and knowledge about child and youth trafficking, and the targeted populations’ needs. Grantees have developed and implemented diverse jurisdiction-wide strategies to address child and youth trafficking through improved identification, links to services, and investigations. Descriptions of the 12 grantees awarded from FY2016 through FY2023 are summarized in [Appendix A](#).



*Improving Outcomes* grantees funded in fiscal years 2016–2020

<sup>3</sup> Grantees in Minnesota, and Maryland have received three grants each and grantees in Colorado, Louisiana, and Oregon have received two grants each.

## **IMPROVING OUTCOMES RESOURCES**

*Improving Outcomes* grantees have generated many written materials and resources to develop, plan, implement, and evaluate their projects. While each project has been specific to each local jurisdiction and context, there are many cross-cutting approaches that will likely be useful for others to review, learn from, and build upon in their own states and communities. Statewide approaches to addressing child and youth victims at the state and system levels are continually evolving. Likewise, in 2020, the National Advisory Committee on the Sex Trafficking of Children and Youth in the United States published *Best Practices and Recommendations for States*,<sup>4</sup> which provides tiered recommendations to states on addressing child and youth sex trafficking. Other similar efforts are under way. The availability of these resources can be leveraged by *Improving Outcomes* grantees and non-grantees alike to develop strategies and approaches while not reinventing the wheel.

In June 2021, *Improving Outcomes Training and Technical Assistance (TTA)* project staff requested resources from the current *Improving Outcomes* grantees who had been funded any time in FY2016–FY2019.<sup>5</sup> This document updates the original Compendium adding content developed by FY2019–FY2022 grantees by June 2023.<sup>6</sup> We asked grantees to provide any materials that were created with the *Improving Outcomes* funding, including program logic models, policies and protocols, resource mapping materials, needs assessments, approaches to multidisciplinary teams (MDTs) or task forces, trainings, screening or identification tools, principles of or approaches to survivor engagement, and approaches to using an equity lens. Grantees could also submit materials that they used on the *Improving Outcomes* grant but were not necessarily developed for it (e.g., training materials developed previously but implemented with *Improving Outcomes* funds). We excluded identification or assessment tools that did not include thorough instructions, as well as materials that were so specific to a particular *Improving Outcomes* grantee that they would not be helpful to others.

## **HOW TO USE THIS COMPENDIUM**

Resources are listed by category and then in alphabetical order. Each resource includes a description and a link to the resource, located in the appendix. Note that some grantees requested that some resources be linked to a website. Those resources have a hyperlink.

We have organized the resources into the following categories:

- Policies, practices, and guidelines
- Resource assessments
- MDTs, task forces, and steering committees
- Training and outreach
- Screening and identification tools

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<sup>4</sup> National Advisory Committee on the Sex Trafficking of Children and Youth in the United States. (2020). *Best practices and recommendations for states*. Available at [https://www.acf.hhs.gov/sites/default/files/documents/otip/nac\\_report\\_2020.pdf](https://www.acf.hhs.gov/sites/default/files/documents/otip/nac_report_2020.pdf)

<sup>5</sup> One *Improving Outcomes* grantee, the University of Alabama School of Social Work, completed its project in December 2020. RTI obtained materials available online that resulted from their project.

- Survivor expert engagement
- Research, evaluation, and action research

# SECTION 1: POLICIES, PRACTICES, AND GUIDELINES

*Improving Outcomes* grantees developed formal policies, procedures, and guidelines to help clarify coordination and collaboration between state and local agencies. These policies, protocols, and guidelines typically outlined information such as screening and identification procedures, multidisciplinary responses, mandatory reporting, information sharing, referral processes and partners, staff training expectations, means to ensure high-quality and trauma-informed services, contact information, and guidance and information to enhance collaboration and response. Policies, procedures, and guidelines were created for state and regional levels.



## **ALABAMA UNIFORM HUMAN TRAFFICKING INITIATIVE: INCIDENT RESPONSE PROTOCOL (APPENDIX B-1)**

Includes the findings of Alabama's *Improving Outcomes* project and recommended next steps. The purpose of the protocol is to describe the response and coordinated activities required to investigate a potential instance of human trafficking. The protocol describes the roles and responsibilities of at least three professionals (law enforcement, appropriate social service agency, and advocate) who should respond and work collaboratively to ensure the safety of all parties involved, initiate an investigation, assess the needs of the victim, and promote victim stability.



## **COLORADO COMMUNITY PROTOCOL RECOMMENDATIONS (APPENDIX B-2)**

Includes recommendations for Colorado agencies and organizations who may encounter youth who are at risk of or who have experienced sex or labor trafficking in Colorado. The recommendations document includes definitions, federal and Colorado human trafficking statutes, and recommendations for community-level collaboration. More specifically, the recommendations include guidance on developing organizational protocols, vetting referrals, collaborating with community partners, developing or enhancing MDTs, sharing information, collaborating with local law enforcement, supporting child and adult victims, complying with mandated reporting and implicit bias training, connecting with victim compensation funding, ensuring trauma-informed care, and addressing human trafficking in the COVID-19 context. Each recommendation section includes weblinks to resources and examples.



**KENTUCKY: STANDARD OPERATION PROCEDURE FOR SURVIVORS AND THOSE AT RISK FOR HUMAN TRAFFICKING (APPENDIX B-3)**

Establishes requirements and provides instructions for staff when children for whom Department for Community Based Services is legally responsible are believed to be survivors or at risk of human trafficking, as part of the full DCBS policy manual. The level of DCBS involvement will be individualized and in correlation to the assessed safety and risks of the child.



**LOUISIANA: STATEWIDE CARE COORDINATION REFERRAL FORM (APPENDIX B-4)**

Comprehensive referral form for community partners and statewide agencies to refer a child or youth to care coordination services.



**MARYLAND: REGIONAL NAVIGATOR PROGRAM: AN OVERVIEW (APPENDIX B-5)**

Provides an overview on Maryland's Regional Navigator Program. The information sheet was distributed to Local Departments of Social Services and Law Enforcement partners to promote the program and educate partners on what the program is and what they are able to provide. The document provides a definition of the program, facts about their scope of service, and testimonials from Regional Navigators.



**MARYLAND: DELAWARE COUNTY JUVENILE COURT SAFE HARBOR PROTOCOL (APPENDIX B-6)**

Ohio's Safe Harbor law establishes access to juvenile justice diversionary programming for youth who have been charged with an offense related to their trafficking victimization, and Delaware County (a subgrantee of funding) has developed protocols for implementation of this programming in their juvenile court. The protocol establishes how and when youth will be referred to the program and details the nature of the program.



**MASSACHUSETTS: HUMAN TRAFFICKING LAW ENFORCEMENT GUIDELINES (APPENDIX B-7)**

Developed through a cross-disciplinary team led by law enforcement officials, with the goal of establishing best practice standards for law enforcement when responding to and investigating potential human trafficking scenarios. These guidelines, which are intended to be used by current law enforcement professionals and to supplement the ongoing need for in-person or online training, will be used to inform and augment the continued education of law enforcement professionals to ensure effective law enforcement response. The information contained in these guidelines will also provide a foundation for all law enforcement training curricula throughout Massachusetts.



### **MASSACHUSETTS: ATTORNEY GENERAL'S OFFICE ECM TASKFORCE LAW ENFORCEMENT BRIEF (APPENDIX B-8)**

Provided to law enforcement as part of MPTC's in-service human trafficking course. This was developed using OVC's Enhanced Collaborative Model funding, in collaboration with the Improving Outcomes grant team regarding considerations for law enforcement during interactions with victims/survivors.



### **MINNESOTA LABOR TRAFFICKING PROTOCOL GUIDELINES (APPENDIX B-9)**

Offers comprehensive guidance for state and local governments, service providers, community organizations, and others to address labor trafficking, protect and support victims, and hold traffickers accountable. The protocol guidelines are specifically to enhance identification and response to young adult (ages 18–24) and minor victims of labor trafficking. The protocol includes background information on labor trafficking and a "universal protocol" that can be used by local communities as a blueprint for their own protocols. The universal protocol section covers underlying values for working with victims of labor trafficking, collaborative responses, identification, protecting and supporting victims, working with minors, working with vulnerable adults, working with foreign-born victims, and offender accountability. The protocol also includes a protocol implementation worksheet and sector-specific protocols, including for law enforcement, healthcare, victim advocates, housing, legal services, and child welfare systems. Finally, the protocol includes recommendations for the state legislature, government agencies, and private funders.



### **MINNESOTA SAFE HARBOR PROTOCOL GUIDELINES (APPENDIX B-10)**

Developed to meet the needs of communities desiring best practices to draw upon during the protocol development process, as well as professionals and agencies lacking community protocols and needing guidance on how to address child and youth sex trafficking. The protocol guidelines consist of recommendations and resources to support multiple types of professionals in identifying youth who have experienced sex trafficking. The resource included was originally published in 2017 and republished in 2020 with updates incorporating feedback from a wide variety of stakeholders. The protocol guidelines include eight "foundational" chapters on crucial topics, 16 discipline-specific chapters with guidance and insight in each chapter, and four "next steps" chapters to help communities begin the process of developing and implementing their own protocol on addressing youth sex trafficking. *Note that this protocol was not developed with Improving Outcomes funding but was shared by the Minnesota Improving Outcomes grantee. We included it because we felt that it qualified as a potentially useful resource to other Improving Outcomes grantees and states working to address child and youth trafficking.*



### **OHIO SAFE HARBOR RESOURCE CARD (APPENDIX B-11)**

Describes the steps for pursuing safe harbor diversion. Originally developed in the FY2017 iteration of the *OVC Improving Outcomes* grant, this Safe Harbor resource card was adapted in 2022 to reflect recent changes in Safe Harbor statute. The statute establishes access to juvenile justice diversionary programming for youth who have been charged with an offense related to their trafficking victimization, and this resource card provides a visual representation of that law and how it should be implemented. The card is utilized in trainings on Safe Harbor, with the goal of increasing utilization of this special protection for Ohio's youth.



### **OHIO: HUMAN TRAFFICKING RESOURCE GUIDE FOR OHIO'S PUBLIC CHILDREN SERVICES AGENCIES (APPENDIX B-12)**

A comprehensive resource guide for children's services agencies. Material includes information on federal and state laws, Ohio's response to human trafficking, considerations for children's services practitioners, and other helpful resources.



### **OREGON: STANDARD SEX TRAFFICKING RESPONSE PROTOCOL (APPENDIX B-13)**

A community-specific response plan to guide any service provider when they suspect a minor is experiencing sex trafficking. This protocol was developed so that every county will have a similar response and so practitioners who are not experts in trafficking will know how to respond when they suspect a minor is experiencing sex trafficking.

# SECTION 2: RESOURCE ASSESSMENT

Resource assessments are processes by which a community's or region's strengths, processes, assets, barriers, and gaps can be identified for a specific topic or target population. Depending on the types of information that need to be gathered, different types of assessments—including community needs assessments, environmental scans, system mapping, resource mapping, and gap analyses—may be chosen. *Improving Outcomes* grantees have engaged in a variety of resource assessments to better understand and describe their available resources for coordination and victim services, as well as existing gaps to address.



## **CALIFORNIA: IMPLEMENTING A LANDSCAPE ANALYSIS TO IDENTIFY PARTNERS IN IMPROVING OUTCOMES FOR TRANSITION AGE YOUTH VICTIMS OF HUMAN TRAFFICKING (APPENDIX B-14)**

One of the California subgrantees, WestCoast Children's' Clinic, with a service area in Alameda County,<sup>7</sup> researched and documented agencies, organizations, and individuals that serve transition-age youth victims of human trafficking. The document describes the process that WestCoast followed to do so, including the landscape analysis methods; implementation and process of conducting the landscape analysis; tips, tools, and successes; results of the landscape analysis; and lessons learned.



## **COLORADO: REGIONAL HUMAN TRAFFICKING SPECIALISTS' RESOURCE AND COMMUNITY GUIDELINES PROJECT PLAN (APPENDIX B-15)**

Outlines the phases and expectations of the regional human trafficking specialists' local projects. Each project was expected to focus on the common needs across the region. Specialists were tasked to (1) identify existing resources that may be able to support survivors, (2) raise awareness on the issue of human trafficking at the local level among service providers and community members, (3) identify gaps in resource needs, and (4) map and make recommendations to existing community guidelines that aid in the identification and response of trafficked youth. The document includes information about each phase and activity, as well as expected deliverables.



## **COLORADO: RESOURCE MAPPING TOOL (APPENDIX B-16)**

Developed as a template for Colorado's regional human trafficking specialists to use in their regional resource mapping activities. The template includes rows for multiple types of service providers that could provide key services needed by a child or youth victim of trafficking (e.g., case management, housing, legal, or

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<sup>7</sup> <https://www.westcoastcc.org/>



disability services), along with columns noting key information about each resource (e.g., location, languages, ages served, genders served, hours of operation). The template also includes columns to track the status of communication between the regional human trafficking specialists and each organization, as well as whether an organization has been trained on human trafficking.



#### **NEBRASKA: TRIBAL LISTENING SESSION REPORT (APPENDIX B-17)**

The Nebraska Indian Child Welfare Coalition (NICWC), a subrecipient on NE's grant, conducted an assessment of the current state of human trafficking in tribal communities via listening sessions with each of the four tribes in Nebraska: The Omaha Tribe of Nebraska and Iowa, the Ponca Tribe of Nebraska, the Santee Sioux Nation, and the Winnebago Tribe of Nebraska. The report provides a summary of the feedback from each session, identifying current strategies tribes use to address and respond to trafficking, noting key needs and barriers tribes are facing, and summarizes next steps for how the project can support tribes in their efforts to improve identification and response.



#### **NEW MEXICO: RESOURCES FOR ENGAGING ADOLESCENTS AND CHILDREN HOLISTICALLY (REACH) APP & VETTING QUESTIONS (APPENDIX B-18)**

To establish a resource pathway application that provides a statewide directory of services and resources available to survivors of human trafficking in the State of New Mexico, the project team conducted site visits and asked a set of vetting questions that equipped them to understand the resources available and standards of practice of programs across the state. These procedures allowed them to establish a resource app that is hosted on the Attorney General's Website (<https://www.nmag.gov/about-the-office/criminal-affairs/human-trafficking-unit/>). Additionally, the team created a brief training on how to use the resource application that was added on to existing trainings happening throughout the state.

# SECTION 3: MULTIDISCIPLINARY TEAMS, TASK FORCES, AND STEERING COMMITTEES

*Improving Outcomes* grantees developed, enhanced, or partnered with multidisciplinary teams (MDTs), task forces, and steering committees to enhance collaboration and partnership to support more coordinated responses to child and youth trafficking. **MDTs** bring together individuals from various disciplines and stakeholder groups to increase communication and improve case coordination for an individual child or youth who has experienced trafficking. Case coordination MDTs can be case review or emergency response (or both). MDTs can also be advisory teams to coordinate and collaborate on child and youth trafficking responses at the community, regional, or state level. **Task forces** also bring together multidisciplinary professionals, although they typically work on broader state or regional efforts and coordination, rather than working together on specific cases to care for a victim. A **steering committee** typically includes diverse experts who provide advice and guidance on a specific project. *Improving Outcomes* grantees created descriptions of and guidelines for how to create multidisciplinary groups, as well as tools for MDTs to use for caring for victims.



## [CALIFORNIA: STEERING COMMITTEE BRIEF \(APPENDIX B-19\)](#)

Summarizes and documents the development of the steering committee, which is a multidisciplinary oversight body comprising service provider partners who serve non-systems-involved, transition-age youth. Includes descriptions of the role of the steering committee, recruitment of steering committee members, steering committee meeting structures, perceived impact and outcomes, tips and successes, and lessons learned and barriers.



## [LOUISIANA: LOUISIANA CHILD AND YOUTH TRAFFICKING COLLABORATIVE CASE REFERRAL PROCESS \(APPENDIX B-20\)](#)

Includes a flowchart that describes what should happen after a high-risk or confirmed case of minor trafficking is identified. Delineates who does what and includes critical information needed for each step.



## [LOUISIANA: ESSENTIAL ELEMENTS OF MDT DEVELOPMENT \(APPENDIX B-21\)](#)

Lists core elements that should be incorporated into the structure of an MDT for child and youth trafficking victims, as well as the steps to develop an MDT. Provides guidance on establishing mission, vision, and values statements; defining the scope and purpose of an MDT; identifying participants, roles, and

responsibilities; developing protocols; sharing information and addressing confidentiality; employing survivor and family engagement practices; and sustaining an MDT.



**[LOUISIANA: REFERRAL FOR LOUISIANA CHILD AND YOUTH TRAFFICKING COLLABORATIVE MDT \(APPENDIX B-22\)](#)**

This referral form is used by Louisiana *Improving Outcomes* grantees to refer child victims of trafficking to a caregiver or service provider.



**[LOUISIANA: LOUISIANA CHILD AND YOUTH TRAFFICKING COLLABORATIVE MDT TAXONOMY \(APPENDIX B-23\)](#)**

Defines different kinds of MDTs: advisory MDTs, case review, and emergency response.



**[NEW MEXICO RESOURCES FOR ENGAGING ADOLESCENTS AND CHILDREN HOLISTICALLY \(REACH\) SHARED PURPOSE AGREEMENT \(APPENDIX B-24\)](#)**

Created to establish a network of service provider organizations who had agreed to be “pathway members.” These members were individuals who agreed to established relationship with the REACH team and participate in trainings. These individuals were also included in a resource app developed by the project to serve as a directory of services and resources available to survivors of human trafficking in the State of New Mexico. Service providers and law enforcement use this app to identify local services that are relevant to the needs of their clients. While there was a wide variety of organizations listed in the resource app, those that had signed the shared purpose agreement were listed in the app as “pathway members,” intending to denote them as those that had been vetted by the project and seen as trusted service providers for children and youth survivors of trafficking.



**[OREGON: STAGES OF A TASK FORCE \(APPENDIX B-25\)](#)**

Guides human trafficking task forces to prioritize efforts. Describes three task force stages: foundation, stabilization, and sustainability. Each stage includes key activities and critical topics to address. The document is designed to address task forces at different stages and in different communities and help task forces systematically address critical areas for development.



**[OREGON: TASK FORCE RESOURCES \(APPENDIX B-26\)](#)**

Includes weblinks to different resources that may be useful to a human trafficking task force. The resources are organized into the following categories: trafficking task force development and maintenance; victims assistance training and resources; anti-human trafficking training; trauma-informed care training; strategic planning; leading teams, group facilitation, and multi-stakeholder

collaboration; a screening tool example; Oregon-specific information; and training for community partners.

# SECTION 4: TRAINING AND OUTREACH

*Improving Outcomes* grantees created new training and outreach materials, and adapted existing ones, as part of their efforts to expand the capacity of professionals across their state and to increase knowledge and awareness of child and youth human trafficking and the resources available to address it. Training materials were developed to help increase knowledge of both human trafficking generally and specific protocols and approaches. Grantees targeted a wide variety of partners such as law enforcement, service providers, health care providers, child welfare and juvenile justice workers, and court staff, among others. Trainings were implemented using a variety of modes including in-person, synchronous virtual training, and self-paced online training. Many trainings developed were not available for inclusion because they were available only as e-learning modules or because they were developed using different funding and grantees did not choose to share them. *Improving Outcomes* grantees also created outreach materials to share with stakeholders and other target groups.



## **KENTUCKY: HUMAN TRAFFICKING 101 – AN OVERVIEW (APPENDIX B-27)**

Introductory training required to be completed by Department for Community Based Services (DCBS) staff as well as Private child-caring (PCC) or private child-placing (PCP) agencies contracted to provide care and services for a child in the custody of the Cabinet for Health and Family Services.



## **KENTUCKY: SCREENING AND IDENTIFICATION OF HUMAN TRAFFICKING (APPENDIX B-28)**

Training required to be completed by Department for Community Based Services (DCBS) staff as well as Private child-caring (PCC) or private child-placing (PCP) agencies contracted to provide care and services for a child in the custody of the Cabinet for Health and Family Services. The training reviews the Vera Institute: Trafficking Victim Identification Tool (TVIT), techniques for human trafficking identification, and integrating screening into intake and assessment processes as well as response to screening outcomes. The Human Trafficking 101 is a prerequisite for this training.



## **KENTUCKY: SEX TRAFFICKING OF CHILDREN AND YOUTH (APPENDIX B-29)**

Training for Department for Community Based Services (DCBS) staff as well as Private child-caring (PCC) or private child-placing (PCP) agencies contracted to provide care and services for a child in the custody of the Cabinet for Health and Family Services which includes Kentucky state laws and data related to sex trafficking of children and youth and describes prevention and intervention

options for working with children and youth who have experienced sex trafficking.



**KENTUCKY: LABOR TRAFFICKING OF CHILDREN AND YOUTH**  
**(APPENDIX B-30)**

Training for Department for Community Based Services (DCBS) staff as well as Private child-caring (PCC) or private child-placing (PCP) agencies contracted to provide care and services for a child in the custody of the Cabinet for Health and Family Services which includes Kentucky state laws and data related to labor trafficking of children and youth and describes prevention and intervention options for working with children and youth who have experienced labor trafficking.



**KENTUCKY: HUMAN TRAFFICKING: AT RISK POPULATIONS, INDICATORS, AND PROTECTIVE FACTORS** (APPENDIX B-31)

This resource is a supplementary service-planning tool to be used in conjunction with Kentucky protocols related to screening and investigations related to human trafficking. This does not include all risk factors or indicators present in every human trafficking situation, and the presence or absence of any of the risk factors or indicators is not necessarily proof of human trafficking. However, when indicators of human trafficking are present, further screening or assessment may be warranted. The presence of protective factors does not necessarily mitigate risk, but are important factors for consideration in case/service planning with survivors and those at risk of human trafficking.



**LOUISIANA CARE COORDINATION: A STATEWIDE MODEL FOR CRISIS RECOVERY AND LONG-TERM SUPPORT OF MINOR VICTIMS OF TRAFFICKING** (APPENDIX B-32)

The one-hour training provides an overview of statewide care coordination services provided through the Louisiana Child and Youth Trafficking Collaborative Accessibility Initiative (LCYTC AI). The training covers the LCYTC-AI project; the scope of human trafficking in Louisiana; components of care coordination services; reporting requirements; and a section for a case study to be completed by the Regional Care Coordinator on their region's specific processes and response. The training is intended for use by the Regional Care Coordinators to community partners and allied professionals. Please email [humantrafficking@la.gov](mailto:humantrafficking@la.gov) if you are interested in utilizing or adapting the training.



**LOUISIANA: FACILITATION AND ADULT LEARNING TECHNIQUES**  
**(APPENDIX B-33)**

Created to support human trafficking coordinators in their efforts to host MDT meetings and train professionals. Includes a list of tips on "facilitation 101,"

hosting effective discussions, adult learning techniques, and virtual meetings, as well as related weblinks.



**LOUISIANA: HUMAN TRAFFICKING AWARENESS AND REPORTING (APPENDIX B-34)**

Provides instructions on how to conduct an “anti-human trafficking response 101” training for allied professionals. Updated in 2022. Covers the Louisiana Child and Youth Trafficking Collaborative (LCYTC) project; human trafficking, including common misconceptions; sex and labor trafficking; labor exploitation and child labor; recruitment and grooming process; psychological coercion; red flags and victim identification; interacting with victims; reporting; and resources. The material, which is intended to be used by training professionals who have attended a Train-the-Trainer program through the LCYTC and are designated a certified trainer, may be used as a reference but should not be implemented as a training without the written permission of the authors..



**LOUISIANA: HUMAN TRAFFICKING AWARENESS AND REPORTING FOR EMS PROFESSIONALS TRAINER MANUAL (APPENDIX B-35)**

Provides instructions on how to conduct a 2-hour anti-human trafficking response training focused on EMS professionals. Includes an overview of human trafficking, including common misconceptions; sex and labor trafficking; labor exploitation and child labor; psychological coercion; EMS and health care responses; biases; red flags and victim identification; interacting with victims; reporting; resources; and case studies. The material is intended to be used by training professionals who have attended a Train-the-Trainer program through the LCYTC. The material may be used as a reference but should not be implemented as a training without the written permission of the authors.



**LOUISIANA: TRAINING EVALUATION FORM (APPENDIX B-36)**

Created to measure participant satisfaction with and knowledge gained from anti-human trafficking response trainings. This document can be used to collect post training evaluation information from in-person training participants (there are two forms per page that can be printed and cut). There are eight Likert scale questions—four on the participants’ satisfaction with the training and four on their self-assessed understanding of key training topics—and one open-ended question on future training topic ideas.



**MARYLAND: ADDRESSING SEX TRAFFICKING IN YOUR COURTROOM TRAINING MATERIALS (APPENDIX B-37)**

Includes a trainer’s manual and PowerPoint slide deck. The trainer’s manual includes directions to a trainer on how to train judges and magistrates on identifying and addressing human trafficking within their courtroom. The 6-hour training includes five sections: (1) introduction and orientation to training; (2) sex

trafficking definitions, laws, and landscape; (3) dynamics of trafficking; (4) risk and vulnerabilities; and (5) judiciary responses. The PowerPoint slide deck includes slides used during the training.



**MARYLAND: WORKING WITH PATIENTS EXPERIENCING TRAFFICKING TRAINING MATERIALS (APPENDIX B-38)**

Includes a trainer’s manual and PowerPoint slides. The trainer’s manual includes directions to a trainer on how to train medical providers on identifying and working with patients who may be experiencing trafficking. The training includes six units: (1) welcome and introduction, (2) human trafficking foundations, (3) identifying human trafficking in a medical setting, (4) working with trafficked persons, (5) protocols and referrals, and (6) action planning and wrap-up. The PowerPoint slides include content that is used with the training.



**MARYLAND: STATEWIDE-UNIFIED TRAINING STRATEGY: HUMAN TRAFFICKING FOR PROFESSIONALS (APPENDIX B-39)**

The standardized the process used to develop and implement anti-human trafficking response trainings for multiple types of disciplines across Maryland. The purpose of the unified strategy document was to improve clarity and eliminate gaps in training across disciplines, enhance quality and incorporate best practices, increase collaboration across disciplines, and improve measurement of training effectiveness. Includes a table that outlines training foci and components by beginner or “101,” intermediate or “201,” and advanced or “301” training levels.



**MARYLAND: DELAWARE COUNTY COMMUNITY PARTNER POSTCARD (APPENDIX B-40)**

This postcard was developed in an effort to encourage law enforcement and other community partners to view interactions with youth through the lens of potential exploitation. Developed by the Delaware County Safe Harbor Coordinator, this postcard provides brief educational information on how trafficking may present in youth. The postcard also includes a QR code that links to a referral form for the local assessment center, a community-based service of the Delaware County Juvenile Court that seeks to provide early intervention support for youth and families outside of the court system and to prevent out-of-home placement due to family instability.



**MASSACHUSETTS: INFORMED CONVERSATION: IMPROVING SKILLS TO ENGAGE KIN/FOSTER PARENTS IN SUPPORTING YOUTH IMPACTED BY HUMAN TRAFFICKING (APPENDIX B-41)**

Developed to provide child welfare workers with the knowledge and skills to have conversations with and support kin/foster parents who care for youth who have experienced human trafficking or other forms of exploitation. The training



includes activities for participants to practice utilizing skills through role play, group discussion and small group work.



**MASSACHUSETTS: NEVER WORRY ALONE: ENGAGING FOSTER PARENTS IN BEST PRACTICES TO CARE FOR YOUTH WHO ARE AT RISK OF OR WHO HAVE BEEN EXPLOITED (WEBLINK ONLY)**

This 9-part video series was developed in partnership with My Life My Choice, a survivor-led organization that provides comprehensive and evidence-based programs. While educational in themselves, the videos are used as a starting point for further conversation and relationship building between the caregivers and the DCF staff who support them. The videos are publicly available on YouTube.



**MINNESOTA: HUMAN TRAFFICKING AND EXPLOITATION INFORMATIONAL GUIDES (APPENDIX B-42)**

These guides were created for four different audiences: the general public, caregivers, law enforcement, and the media. The general guide includes information on the definition of human trafficking, traffickers and buyers, victims, how one should talk about human trafficking, what do if one suspects human trafficking, and resources. The caregiver guide includes special considerations for caregivers, including trafficker stereotypes, talking with children and caring for exploited or trafficking children, what to do if a caregiver identifies a child who has experienced trafficking, and resources. The law enforcement guide includes special considerations for law enforcement, how to identify someone who may be experiencing trafficking, what to do if a law enforcement professional identifies someone who has experienced trafficking, and resources. The media guide includes legal definitions of trafficking, Minnesota's response to trafficking, how to obtain credible data, information about victims, guidance on avoiding sensationalism, having conversations with credible resources, accurate terminology, how to take care in telling survivor stories, practicing responsible photojournalism, remembering prevention, and providing resources.



**NEBRASKA: SCREENING AND ASSESSING TRAFFICKING FOR TRIBES TRAINING (APPENDIX B-43)**

Created in response to Nebraska's Tribal Listening Session Report, this training seeks to increase the capacity of tribal leaders and community members to identify indicators of trafficking and understand options for screening and identifying resources to support survivors. The training summarizes existing research and information about trafficking on tribal land and specific resources across the state, including resources that are specifically available for youth who are native.



### **NEBRASKA: TRIBAL RESPONSE AND RESOURCES FOR HUMAN TRAFFICKING VICTIMS IN NEBRASKA (APPENDIX B-44)**

Created in response to Nebraska’s Tribal Listening Session Report, the Nebraska Indian Child Welfare Coalition (NICWC) created a protocol document as a reference on responding to human trafficking for tribal programs and non-tribal programs serving Native American survivors. The document provides a response checklist that providers or responders could use to build out a response to trafficking, informed by best practices in the field. The protocol summarizes best practices related to screening and identifying appropriate resources and support. At the end of the document, a list of services available to survivors in Nebraska are listed by different types of resources/support survivors may need.



### **NEW MEXICO: TRAINING MODULE SERIES (APPENDIX B-45)**

Created to increase capacity of services providers and law enforcement in their state to recognize and respond to children and youth who had been trafficked, New Mexico developed a set of 8 training modules. These training modules focused on: definitions and laws; understanding trafficking and vulnerabilities; trauma-informed responses to survivors; screening and referrals; vicarious trauma and self-care; sustainability for programs; collaboration among service providers and law enforcement; and incorporating survivor voice. These trainings were broken up into three segments: Know what you’re doing (Modules 1, 2, 3); Do it well (Modules 4 and 5); and Keep doing it (Modules 6, 7, 8). Each module training includes a facilitator’s guide that provides group discussion activities and additional content to be presented during the trainings.



### **NEW MEXICO: TRAINING EVALUATION FORM (APPENDIX B-46)**

Created to measure participant knowledge gained from the set of trainings and participant satisfaction with the series. This document can be used to collect pre-post training evaluation information from participants (the pre-post questions are presented side by side and should be presented to participants post-training). There are 24 Likert scale questions—16 on the participants’ self-assessed understanding of key training topics and eight on their satisfaction with the training—and three open-ended questions on what was helpful, what could be improved in the future, and additional training topic ideas.



### **OHIO: GENERAL TRAINING EVALUATION (APPENDIX B-47)**

A pre- and posttest evaluation form for Ohio’s “Responding to the Crime of Human Trafficking in Ohio,” created to measure participant knowledge of child and youth trafficking before and after the training. The form also includes statements to measure the degree to which participants felt that it increased their ability to respond to trafficking. There are two open-ended questions on the most valuable part of the training and on future training topic ideas.



### **OHIO: IDENTIFYING AND RESPONDING TO JUVENILE VICTIMS OF HUMAN TRAFFICKING IN OHIO: TRAINING RESOURCE PACKET (APPENDIX B-48)**

Resource packet provided to all training attendees to be used in conjunction with the material presented throughout Ohio's human trafficking training curriculum. Includes all handouts needed to be successful in Ohio's trainings, including an overview of the state and federal human trafficking laws, case studies, a list of state resources, and considerations for interacting with survivors of human trafficking. Additional materials including, but not limited to, Maslow's Hierarchy of Needs, the Power and Control Wheel, and pages for notes are also a part of the packet.



### **OHIO: SERVING YOUTH SURVIVORS OF HUMAN TRAFFICKING TRAINING - HT201 TRAINING (APPENDIX B-49)**

The Ohio grant team has been providing a training on identifying and responding to juvenile trafficking victims since the FY2017 iteration of the *OVC Improving Outcomes* grant. Participants in this foundational training expressed a need for more intensive training to build upon that curriculum. In response, the Ohio grant team developed a three-hour training on Serving Youth Survivors of Trafficking in 2023. The interactive training will equip child-serving professionals with a deeper understanding of how to effectively work with youth who have experienced trafficking, providing practical tools to implement at their organizations. Through activities, role plays, and the knowledge of the subject matter experts, attendees will learn how to develop a plan for providing services, identify strategies for building rapport, discuss harm reduction techniques, and explore examples of promising service models.



### **OREGON: UNDERSTANDING AND ADDRESSING SEX TRAFFICKING (UAST) ENGLISH AND SPANISH: (APPENDIX B-50)**

This series introduces a new, Oregon-specific introductory sex trafficking curriculum that builds awareness and gives community groups and service providers specific calls to action. The curriculum, titled Understanding and Addressing Sex Trafficking in our Community (UAST) includes stories from trafficking survivors through videos from [The Life Story](#) to highlight the risks, vulnerabilities, and impact of sex trafficking. Participants customize the curriculum based on their community's efforts, the audience requesting the training, and the delivery method (in-person versus virtual). This includes a 90-minute presentation and facilitators guide, in both English and Spanish. 45-minute and 60-minute versions have also been developed and may be available upon request.



### **OREGON: UAST: TRAIN THE TRAINER (APPENDIX B-51)**

This train-the-trainer series teaches participants to examine how and why the UAST curriculum was created, discuss considerations for delivering the training,

prepare to respond to and correct misinformation and field comments and questions from audience members while still promoting an environment that is conducive to learning, assess audiences to improve how they market and deliver UAST, and deliver the UAST. This resource includes a description of the training, the training presentation, and small group activities.



**OREGON: INDICATORS RECOGNIZING AND RESPONDING TO SEX TRAFFICKING (APPENDIX B-52)**

The goal of this curriculum is to improve participants' ability to recognize indicators of sex trafficking in minors and take initial steps to respond. This response includes reporting suspicions (when appropriate) and continuing to provide services, regardless of whether the survivor discloses trafficking.

This is not an introductory human trafficking course. Participants should complete an introductory training, like the Understanding and Addressing Sex Trafficking in Our Community (UAST), prior to attending Indicators: Recognizing and Responding to Sex Trafficking. This resource includes the training presentation and a facilitator guide.



**OREGON: INDICATORS: RECOGNIZING AND RESPONDING TO SEX TRAFFICKING TRAIN THE TRAINERS (APPENDIX B-53)**

This train-the-trainer series teaches participants to examine how and why the indicators curriculum was created, discuss considerations for delivering the training, and deliver the indicators training. This resource includes a description of the training, the training presentation, and an activity handout.

# SECTION 5: SCREENING AND IDENTIFICATION TOOLS

*Improving Outcomes* grantees trained professionals on using existing screening and identification tools, and two *Improving Outcomes* grantees created or adapted tools to better identify youth and children who may be vulnerable to trafficking or who have experienced trafficking.<sup>8</sup> **Screening** tools are typically brief and narrow in scope. They are used to identify youth or children who might be at a higher risk of trafficking, may be administered as part of a routine interaction, and can indicate a need for a more in-depth conversation. **Identification** tools typically include more in-depth questions or information gathering to obtain information to assess whether trafficking is occurring.



## **THE LOUISIANA INDICATOR TOOL FOR CHILD AND YOUTH LABOR TRAFFICKING AND SUPPLEMENTARY USER GUIDE (APPENDIX B-54)**

Screening tool to assist in identifying children and youth who may have experienced labor trafficking. The tool assesses the presence of research-based indicators associated with labor trafficking utilizing the Ends-Means-Purpose model. The tool was developed for Louisiana practitioners and allied professionals. The Supplementary User Guide for the Louisiana Indicator Tool for Child and Youth Labor Trafficking provides additional instructions and consideration for screening child and youth for indicators of labor exploitation and labor trafficking. Please email [humantrafficking@la.gov](mailto:humantrafficking@la.gov) if you are interested in using or adapting the tool.



## **MINNESOTA: MINNESOTA YOUTH TRAFFICKING AND EXPLOITATION IDENTIFICATION (MYTEI) TOOL AND GUIDE (WEBLINK ONLY)**

Created for professionals who work with youth to help identify minors who have experienced, or may be experiencing, human trafficking or exploitation. The tool includes best practices for creating an identification process and response plan; an indicator list to help professionals recognize possible signs of human trafficking and exploitation; identification tool; safety planning; guidance on next steps; and resources for further information, referrals, and guidance. The identification tool, which is embedded within the document, includes a matrix of questions that can be integrated into a one-on-one conversation between a youth-serving professional and a child or youth. It also includes next steps for reporting or resources. The tool also includes additional American Indian resources and information about Minnesota's Safe Harbor program, relationship

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<sup>8</sup> We excluded identification or assessment tools that did not include thorough instructions.

building, and laws related to confidentiality and privacy. The Minnesota Youth Trafficking and Exploitation Identification (MYTEI) tool and guide can be accessed by completing the MYTEI training and tool kit request form (in the weblink above). A MYTEI user must complete a training before using the tool. Created and vetted by multiple experts and survivors, the MYTEI was originally adapted from the Adult Human Trafficking Screening Tool and Guide,<sup>9</sup> although the changes and additions made were so extensive that it should not be considered an adapted version of that tool. The MYTEI tool is currently going through a validation process.



**OHIO: HUMAN TRAFFICKING SCREENING TOOL FOR YOUTH (HTST)**  
**(APPENDIX B-55)**

Created for professionals working with high-risk youth, to screen for trafficking indicators. Includes information on preparing for a screening, administering the screening, and the tool itself. Currently used to screen all juveniles in Ohio's juvenile correctional facilities. Developed based on the Human Trafficking Screening Tool utilized by Florida's Department of Children and Families and Department of Juvenile Justice, the Shared Hope International Intervene Practitioner Guide and Intake Tool, Vera Institute's Screening for Human Trafficking: Guidelines for Administering the Trafficking Victim Identification Tool (TVTT) (2014), the Covenant House Human Trafficking Interview and Assessment Measure (2013), and research from the National Human Trafficking Resource Center.



**OHIO: DEPARTMENT OF YOUTH SERVICES HUMAN TRAFFICKING SCREENING TOOL ONLINE TRAINING** **(APPENDIX B-56)**

In the FY2017 iteration of the *OVC Improving Outcomes* grant, Ohio developed the Ohio Department of Youth Services Human Trafficking Screening Tool, which is a conversational guide intended to screen for high-risk indicators of both sex and labor trafficking in youth. This interactive, web-based training on the non-proprietary tool was developed in 2022 to increase utilization of the tool throughout the state. This training is freely accessible to the public.

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<sup>9</sup> National Human Trafficking Training and Technical Assistance Center. (2018). *Adult human trafficking screening tool and guide*. Available at [https://nhttac.acf.hhs.gov/sites/default/files/2018-07/adult\\_human\\_trafficking\\_screening\\_tool\\_and\\_guide.pdf](https://nhttac.acf.hhs.gov/sites/default/files/2018-07/adult_human_trafficking_screening_tool_and_guide.pdf)

# SECTION 6: SURVIVOR EXPERT ENGAGEMENT

*Improving Outcomes* grantees engaged expert survivors in multiple ways, including asking them to serve in leadership roles; attend team and partner meetings; create and review protocols, trainings, or other materials; oversee survivor engagement activities; serve on panels; and conduct outreach and staff trainings. *Improving Outcomes* grantees have sought out respectful ways to engage survivor experts in state-level work and have created materials and resources to help them in these efforts.



## **[COLORADO SURVIVOR LEADERSHIP ADVISORY BOARD HIRING RESOURCES \(APPENDIX B-57\)](#)**

Includes a suite of documents from the Colorado Department of Public Safety team demonstrating the innovative, trauma-informed, and survivor centered approach that the CO team took to hiring members to their Survivor Leadership Advisory Board. The suite includes the job posting, scope of work, and the contract template used for this consultancy. These documents can be replicated by other groups seeking to hire survivors in a way that is inclusive and accessible.



## **[MINNESOTA: PROCESS FOR SAFE HARBOR ENGAGEMENT WITH SUBJECT MATTER EXPERTS \(APPENDIX B-58\)](#)**

Includes a step-by-step process of engaging any kind of subject matter expert (including survivor experts). Intended to be a checklist and a reference for ensuring that all critical expert engagement steps—such as budgeting compensation, discussing scope of the role, and communicating—are followed, the document includes “completed on” and “notes” sections for each step.



## **[MINNESOTA: SAFE HARBOR VALUES FOR ENGAGING SUBJECT MATTER EXPERTS \(APPENDIX B-59\)](#)**

Discusses 12 values related to working with survivor experts. These values, which were created to help guide Minnesota’s *Improving Outcomes* staff and partners in their engagement with survivor experts, underscore survivor empowerment and equity, transparency with the work, survivors’ right to privacy, fair compensation, bilateral communication, and safety of survivor experts.



## **[OHIO: SURVIVOR ADVISORY PANEL PARTICIPATION EVALUATION FORM \(APPENDIX B-60\)](#)**

Created to obtain opinions and feedback from Ohio’s *Improving Outcomes* Survivor Advisory Panel. The grantee used the information gleaned from these

feedback forms to assess their success and change their approaches. The form includes 11 questions to explore strengths and areas for improvement. At the completion of Ohio's first *Improving Outcomes* project, each panel member had the opportunity to anonymously complete the form and describe their experiences of participating on the panel.



**OREGON: ENGAGING WITH LIVED EXPERIENCE EXPERTS (APPENDIX B-61)**

A trauma-informed process for working with lived experience experts from a state agency perspective. It supplements other processes for working with contractors, consultants, and vendors.



# SECTION 7: RESEARCH, EVALUATION, AND ACTION RESEARCH

*Improving Outcomes* grantees used research, evaluation, and action research methods to assess their projects and better understand their constituents' needs. They created feedback surveys on trainings (see **Section 4**) and survivor expert engagement in steering committees (see **Section 6**) and a presentation and resource guide on action research. They also developed formative research instruments to better understand youth who have experienced trafficking and inform the development of a training.



## **[COLORADO: EVALUATING YOUR OVC IMPROVING OUTCOMES PROJECT: LESSONS LEARNED FROM INNOVATE COLORADO, RESOURCE GUIDE \(APPENDIX B-62\)](#)**

Provides weblinks to resources on general evaluation guidance, developmental education, action research, existing assessment tools, and other key resources. It was developed as part of a roundtable presentation for the *Improving Outcomes* grantees.



## **[MASSACHUSETTS: VIRTUAL FORMATIVE RESEARCH WITH YOUTH WHO HAVE EXPERIENCED TRAFFICKING FOR TRAINING DEVELOPMENT, INTERVIEW GUIDES, AND LESSONS LEARNED \(APPENDIX B-63\)](#)**

Massachusetts' virtual formative research materials were created to inform trainings and resources for caregivers and child welfare workers to strengthen home-based placements for child and youth victims. Northeastern University (research and evaluation partner on the *Improving Outcomes* team) conducted a series of interviews and some focus groups with youth who had exploitation victimization histories and experience being housed in foster care, foster parents who had experience housing youth with child sexual exploitation victimization experiences, and child welfare workers who both support foster parents and oversee the care of youth. The materials include focus group guides for this formative research. They also include reflections on using Zoom to conduct focus groups with youth who have experienced trafficking. Restrictions from the institutional review board mean that the findings from this research cannot be included in this compendium.

# APPENDIX A: IMPROVING OUTCOMES GRANTEE DESCRIPTIONS FY16-FY22

## ALABAMA (FY17)

### University of Alabama School of Social Work

#### Bringing the Exploitation of Alabama's Minors to a Stop (BEAMS)

The University of Alabama School of Social Work was awarded a FY17 *Improving Outcomes for Human Trafficking of Child and Youth Victims* grant. Alabama identified key areas to address during its grant period of performance, including increasing identification of victims, creating a coordinated statewide response protocol, and increasing awareness of services and resources for youth and child victims. Objectives were as follows: (1) develop an online screening tool that could be completed by third parties or potential victims; (2) establish best practices for a victim-centered, trauma-informed response protocol, including roles and responsibilities for law enforcement, victims service providers, and advocates; and (3) develop a public-facing resource website, including a searchable list of service providers in the state, printable resource materials, a blog, and an events and trainings calendar. The project team conducted 20 needs assessment focus groups in 13 cities across Alabama to guide these objectives and strategies. Alabama completed its project in December 2020.

## CALIFORNIA (FY17)

### California' Governor's Office of Emergency Services (Cal OES)

#### Improving Outcomes for Child and Youth Victims of Human Trafficking

Cal OES, in partnership with the California Department of Social Services and the Alameda County District Attorney's Office, was awarded a FY17 *Improving Outcomes* grant. California identified the following systems-level barriers to identifying and assisting child and youth victims of sex and labor trafficking: need for strengthened collaboration between systems and sectors; need for training on areas such as identifying child and youth victims of human trafficking, as well as improving coordinated response to serve these victims; lack of effective placement for identified victims (for example, not all transition-age youth or minor victims of trafficking are system involved, and there is no safety net in place for them); and the absence of meaningful evaluation and outcome measures to drive successful programs for these victims. Through their grant funding, Cal OES and its partners addressed these gaps through a 4-year project. Objectives follow: (1) Engage in detailed planning with an MDT of state leaders and stakeholders; (2) create pilot projects that solely focus on child and youth victims of human trafficking; (3) develop and conduct a comprehensive multiday training to identify best practices and improved coordinated local responses (including MDTs) of human trafficking crimes against

children and youth; (4) evaluate existing and new program models to identify effective strategies; and (5) use evaluation results to inform and drive statewide scaling. The project directly involved and leveraged existing victim assistance, law enforcement, and child welfare efforts throughout the state, as well as allied partners, including community-based organizations, courts, prosecution and defense, law enforcement, health care, behavioral health, and education. California completed its project in September 2021.

## **COLORADO (FY17 AND FY21)**

### **Colorado Department of Human Services**

#### **Innovate Colorado**

The Colorado Department of Human Services, Department of Child Welfare, in partnership with the Colorado Department of Public Safety Division of Criminal Justice, was awarded a FY17 and FY21 *Improving Outcomes* grant. Colorado identified the following systems-level barriers to identifying and assisting child and youth victims of sex and labor trafficking: many of the rural counties across the state are under-resourced in services and anti-trafficking collaborations, systems are siloed, resources are not used effectively, and services and responses need to be more trauma informed. Through grant funding, Colorado is addressing these gaps by developing and implementing a comprehensive, collaborative, jurisdiction-wide approach to preventing and reducing the impact of child and youth trafficking and by creating and documenting a well-defined, non-duplicative, and comprehensive service array for minors who have experienced or who are at risk for experiencing human trafficking. In FY17, Colorado's objectives were to: (1) Enhance and evaluate existing coordinated efforts; (2) support creation of new collaborations, including local survivors, in parts of Colorado that do not currently have active anti-trafficking collaborations; (3) review, modify, and expand state- and local-level policies and procedures; (4) conduct ongoing evaluation of the project; (5) ensure that promising and best practices are used throughout the project; (6) use existing coalitions and task forces; (7) engage survivors throughout the project; (8) conduct an awareness campaign; (9) expand the state Human Trafficking Task Group and continue collaboration with the Colorado Human Trafficking Coalition; (10) develop a network of community-based navigators; (11) support and enhance statewide anti-trafficking trainings; (12) document existing services for youth who have experienced trafficking; and (13) implement victim service standards. The project hired five regional human trafficking specialists in regions that had the largest gaps of services and anti-trafficking collaboration. For the FY21 grant, Colorado is developing an MDT Toolkit to support the development and enhancement of MDTs in the state. This toolkit will be developed through the convening of an MDT working group comprised of experts in anti-human trafficking from Colorado. The Colorado team also will leverage a Survivor Leader Advisory Board to review the MDT Toolkit and other resources developed through the grant program. Colorado State University will provide evaluation of the Colorado High Risk Victim Tool (HRV Tool) to assist the MDT Working Group in determining whether the tool should be updated, modified, or replaced with a different tool.

## **KENTUCKY (FY20)**

Kentucky Cabinet of Health and Human Services' (DCBS) Division of Protection and Permanency (DPP), in collaboration with Catholic Charities, CHES Solutions Group, state contracted Private Child Placing (PCP) and Private Child Caring (PCC) providers, and other key partners, have worked collaboratively to implement this statewide project.

Kentucky identified the following systems-level barriers to identifying and assisting child and youth victims of sex and labor trafficking: lack of knowledge among DCBS and providers on identification of trafficking victims as well as lack of appropriate screening tools, limited identified and known resources for child victims, and limitations related to available data related to youth who have experienced trafficking. Through grant funding, Kentucky is addressing these gaps by developing and implementing a strategic evidence-informed statewide initiative. This initiative seeks to improve outcomes for child and youth victims of sex and labor trafficking by (1) coordinating with the existing state and local level taskforce to focus on youth responses and outcome, (2) completing a statewide self-assessment, (3) developing a protocol and provide training to DCBS and PCC staff on use of the Vera Institute screening tool for youth for ages 13 and up while concurrently developing and pilot testing a screening tool appropriate for youth under the age of 13 years old, (4) map and create a directory of child-serving resources statewide, (5) create guidance, training and resources for DCBS staff, contracted service providers, and caregivers to provide appropriate, trauma-informed care to trafficked youth, and (6) update their child welfare data system to be able to identify child survivors of trafficking and track outcomes related to their safety, permanency, and well-being.

## **LOUISIANA (FY18 AND FY21)**

### **Office of the Governor**

#### **The Louisiana Child and Youth Trafficking Collaborative**

The Office of the Governor, State of Louisiana, in partnership with the Louisiana Alliance of Children's Advocacy Centers, was awarded a FY18 and FY21 *Improving Outcomes* grant. Louisiana identified the following systems-level barriers to identifying and assisting child and youth victims of sex and labor trafficking: lack of knowledge among service providers on identification of trafficking victims, limited resources for child victims, and absence of region-specific protocols or community response to child trafficking victims. Through grant funding, Louisiana is addressing these gaps by developing and implementing a strategic evidence-informed statewide initiative. This initiative seeks to improve outcomes for child and youth victims of sex and labor trafficking through a multidisciplinary approach, enhanced collaboration and coordination of resources, and an improved response and delivery of services. Objectives follow: (1) identify high-risk or human trafficking victims across the state; (2) assist in the coordination, investigation, and prosecution of cases of child and youth sex and labor trafficking; (3) conduct/facilitate regional trainings on identifying and responding to human trafficking; (4) support agencies in implementing screening tools and protocols to identify victims and refer to trafficking MDTs; (5) ensure establishment of trafficking MDT teams in nine regions; (6) conduct statewide meetings and trainings for regional coordinators and MDTs; (7) provide culturally responsive, trauma-informed advocacy and case management by regional coordinators for child and youth victims of sex and labor trafficking; and (8) facilitate a survivor

advisory council to ensure survivor input and improve provision and quality of services. The project hired nineteen regional coordinators housed in child advocacy centers throughout the state to carry out the regional work. Each regional coordinator is responsible for providing and facilitating TTA; conducting outreach to expand efforts into rural parishes; and providing direct services in the form of case management, advocacy, victim service coordination, and facilitation of or participation in MDT case staffing. The project directly involves and leverages existing victim assistance, law enforcement, and child welfare efforts throughout the state, as well as allied partners, including Louisiana Families in Need of Services, the Greater New Orleans Human Trafficking Task Force, health care organizations, and trafficking-specific community-based organizations.

## **MARYLAND (FY16,FY19, AND FY22)**

### **University of Maryland School of Social Work**

#### **The Maryland Human Trafficking Initiative for Children and Youth**

The University of Maryland School of Social Work was awarded FY16, FY19, and FY22 *Improving Outcomes* grants. Maryland identified the following systems-level barriers to identifying and assisting child and youth victims of sex and labor trafficking: absence of a coordinated response to labor trafficking, incongruent human trafficking response training approaches, and a need for improved support and training for child advocacy centers' efforts to address youth and minor trafficking.

Through FY16 funding, Maryland developed MDTs for minor and youth trafficking, created and implemented a statewide training approach, and partnered with nonprofit organizations to provide services in key areas. Through FY19 funding, Maryland sought to increase identification of victims or youth at risk for child labor and sex trafficking, develop a comprehensive and coordination system for provision of services for labor trafficking victims, conduct a child labor trafficking environmental scan, collaborate with partners to sponsor annual statewide public awareness conferences, collaborate with key partners to develop, update, and implement trainings and training workshops, build capacity of the state's child advocacy centers, and establish a survivor advisory council.

Through FY22 funding, Maryland hopes to build on their prior success through a new partnership between the Governor's Office of Crime Control and Prevention and the University of Maryland School of Social Work Prevention of Adolescent Risk Initiative (PARI) team. Maryland seeks to 1) develop their strategic plan for addressing human trafficking of children and youth, including developing a unified strategy to provide training for Maryland professionals, 2) strengthen the Maryland Regional Navigator Program (RNP) by enhancing training and technical assistance to the RNP and by expanding the RNP to all counties in the state, and 3) implement a child welfare and RNP response to child labor trafficking.

Overall, the goal of their previous (FY16 and FY19) and current (FY22) projects are to improve outcomes for child and youth victims of trafficking (up to age 24) in Maryland. More specifically, they project aim to develop a statewide strategy that leverages existing victim services, child welfare, and juvenile services' efforts against human trafficking and commercial sexual

exploitation. The goals are based, in part, on recommendations for addressing trafficking in the state from the Maryland Human Trafficking Task Force, which was formed by the State's Attorney for Baltimore City, as well as on guidance from state and local attorneys general offices, local task forces and coalitions, and the Maryland Governor's Office of Crime Control and Prevention. The project directly involves and leverages these agencies as well as existing victim assistance, law enforcement, and child welfare efforts throughout the state, as well as allied partners including Healthy Teen Network, Maryland Chapter of the American Academy of Pediatrics, and other local victim service providers and youth-serving agencies.

## **MASSACHUSETTS (FY19)**

### **Executive Office of Public Safety and Security**

#### **Improving Outcomes for Child and Youth Victims of Human Trafficking**

The Executive Office of Public Safety and Security, in partnership with the Executive Office of Health and Human Services, was awarded a FY19 *Improving Outcomes for Human Trafficking of Child and Youth Victims* grant. Massachusetts has identified key challenges to address during its grant period of performance, including law enforcement response and training, coordination and standardization of MDTs in counties across the state, and limited capacity of caregivers (biological and foster families) to support children and youth who have experienced trafficking. This grant funding builds upon the established MDT model in Massachusetts to strengthen a statewide systemic approach to improving outcomes for child and youth victims of sex or labor trafficking by improving law enforcement coordination and coordination across counties, as well as by strengthening home-based placements for child and youth victims. Objectives follow: (1) Establish statewide human trafficking response guidelines, including collaborative best practice standards for law enforcement when responding to and investigating potential human trafficking scenarios, which are intended to be used by current law enforcement professionals and to inform the curriculum in law enforcement training programs; (2) hire a coordinator to support the 12 CSEC MDT coordinators statewide, facilitate multijurisdictional efforts, develop initial standardized protocols for county MDTs, and assess the service array for youth in the state; and (3) develop video trainings and resources for biological families and kin/foster parents on supporting a child or youth who has experienced trafficking as well as training for Department of Children and Families caseworker staff, family resource staff, and intensive foster care provider staff on how to support caregivers. The project directly involves and leverages existing law enforcement and child welfare efforts and includes and coordinates with local survivor-led/informed organizations on all project activities. Northeastern University assists with program evaluation; formative research with youth, caregivers, and Department of Children and Families staff to inform training development; and data collection efforts involving children and youth identified as victims of human trafficking and referred to the child advocacy centers.

## **MINNESOTA (FY16, FY19, AND FY22)**

### **Minnesota Department of Health**

#### **Minnesota's Safe Harbor Expansion to Improve Outcomes for Trafficked Children and Youth Project**

The Minnesota Department of Health was awarded FY16, FY19, and FY22 *Improving Outcomes* grants. Minnesota identified the following systems-level barriers to identifying and assisting child and youth victims of sex and labor trafficking: absence of a system-wide youth and minor labor trafficking response, limited anti-trafficking response in tribal nations, absence of systematic tools and coordination to identify child and youth victims, and few resources for foreign national and tribal youth. Through the FY16 grant funding, Minnesota developed the Labor Trafficking Protocol Guidelines (LTPG); informed by an existing identification tool, created the Minnesota Youth Trafficking and Exploitation Identification (MYTEI) tool and guide; established and enhanced relationships with tribal nations across the state to implement trafficking responses; and laid the groundwork for future anti-trafficking collaboration across the state.

The FY19 grant strengthened MN's response to human trafficking (HT). The key FY19 grant activities included: development and implementation of labor trafficking (LT) protocols for law enforcement (LE) through the Bureau of Criminal Apprehension (BCA); hiring an Indian Child Welfare Act (ICWA) specialist for a Tribal-specific and culturally responsive child welfare response to HT at DHS; promoting and validating the MYTEI tool; and supporting opportunities for survivor subject matter experts. The Minnesota Safe Harbor Expansion to Improve Outcomes for Trafficking Children and Youth Project builds upon previous *Improving Outcomes* FY2016 and FY2019 funded projects. This iteration will improve its trauma responsiveness by law enforcement, build state-tribal partnerships, and facilitate collaboration across Minnesota state-based systems. MN's FY22 grant for MN's Safe Harbor Expansion to Improve Outcomes for Trafficked Children and Youth Project three key objectives will be met: 1) The BCA MNHTITF and PCS will improve its trauma responsive investigations by embedding a full-time HT VA to support its agents and LE partners; 2) Deepening and sustaining state-Tribal partnerships with TNs, urban-based AI serving NGOs, and the OMMIR office will improve outcomes through culturally specific services while strengthening cross-sectoral identification and the search for missing youth due to HT; and 3) Facilitating response coordination on HT across MN state agencies will ensure resource sharing.

## **NEBRASKA (FY20)**

### **Nebraska Department of Health and Human Services**

#### **Nebraska Support for Youth Victims of Human Trafficking**

Nebraska's Support for Youth Victims of Human Trafficking project, carried out by the Nebraska Department of Health and Human Services in partnership with Nebraska Child and Family Foundation, aims to design and implement a statewide collaborative, cross-agency response to child and youth human trafficking. Leveraging strategies used in Nebraska's Connected Youth

Initiative, the project seeks to support survivors of human trafficking who are unconnected or cut off from family, community, and supportive resources. This project also coordinates with additional projects in the state addressing the needs of children and youth. For instance, Project Everlast/The Bridge works to provide access to support in places where individuals already have trusted relationships to identify needs and concerns early on before a young person enters the child welfare or juvenile justice systems. Working together, these projects among others routinely coordinate and strategize on how to improve responses to youth. Additional coordination occurs on an action team consisting of key leaders across the state working to develop statewide model protocols and recommendations for communities, task forces, MDTs, and providers to assure that all are equipped to respond appropriately and consistently to young people experiencing trafficking. The action team membership consists of individuals from law enforcement, prosecution, health, child welfare, social services, and individuals with lived experience. Additionally, the project will build upon existing resources and provide new investment in statewide service providers and tribal/Native communities to provide trauma-informed and developmentally, culturally, and linguistically appropriate services for child and youth victims of sex and labor trafficking up to age 24 in every Nebraska county. One strategy the project uses to improve services is to support the development of local MDTs focused on the sex and labor trafficking of minors. Simultaneously, the project will work to improve identification through expanding the membership of organizations using a screening system called PAVE, Providing Avenues for Victim Empowerment, to create a coordinated, trauma informed, statewide response through screening.

## **NEW MEXICO (FY20)**

### **New Mexico Attorney General's Office**

#### **New Mexico Resources for Engaging Adolescents and Children Holistically (REACH)**

New Mexico Resources for Engaging Adolescents and Children Holistically (REACH) project sought to improve responses for child and youth victims of trafficking with a focus on coordination at the statewide level to identify service holes and create effective change across systems. The Attorney General's Office, in partnership with the New Mexico Dream Center and Morrison Evaluation, engaged in resource mapping and training and protocol development in order to address the key barriers New Mexico providers experienced in identifying and assisting child and youth victims of sex and labor trafficking and investigating and prosecuting these trafficking cases. Through an extensive resource mapping process, the team created a resource app that provides a statewide directory of services and resources available to survivors of human trafficking in the State of New Mexico to be utilized by service providers and law enforcement throughout the state. To further equip service providers listed in the directory and others throughout the state, the team also created a training module series aimed at increasing capacity of services providers and law enforcement in their state to recognize and respond to children and youth who had been trafficked. This eight module training series focuses on: definitions and laws; understanding trafficking and vulnerabilities; trauma-informed responses to survivors; screening and referrals; vicarious trauma and self-care; sustainability for programs;



collaboration among service providers and law enforcement; and incorporating survivor voice. Additionally, the REACH team plan to develop protocols to support the identification and responses to child and youth.

## **OHIO (FY17 AND FY20)**

### **Ohio Department of Public Safety, Office of Criminal Justice Services**

#### **Improving Outcomes for Child and Youth Victims of Human Trafficking: A Jurisdiction-Wide Approach**

The Ohio Department of Public Safety, Office of Criminal Justice Services (OCJS), was awarded FY17 and FY20 *Improving Outcomes* grants. For the FY17 award, OCJS partnered with the Ohio Department of Youth Services, the Public Children Services Association of Ohio, and the Ohio Network of Children’s Advocacy Centers. For the FY20 award, OCJS works in partnership with the Supreme Court of Ohio and Advocating Opportunity, a nonprofit providing legal services and advocacy to trafficked and exploited persons. Through the FY17 grant funding, OCJS funded three state liaisons—one with each of the partnering agencies—to support the development of a unified, statewide strategy that leveraged local county and regional responses to trafficking. With support from local county child welfare agencies, juvenile courts, children’s advocacy centers, the Ohio Network of Anti-Human Trafficking Coalitions, and the Governor’s Task Force, the three liaisons sought to improve identification of trafficked youth, increase referrals to appropriate services, implement Ohio’s Safe Harbor law in county juvenile courts, and address regional service gaps for minor trafficking victims. Objectives were as follows: (1) increase the expertise of child welfare intake screeners and caseworkers to identify and refer potential victims for services; (2) reduce barriers to service for trafficked children and youth by promoting and implementing screening protocols for identifying and referring victims and addressing local system coverage to ensure proper service delivery; (3) implement a robust screening process for identifying potential minor victims of human trafficking in county juvenile courts; and 4) increase the number of Ohio counties in compliance with the state Safe Harbor legal statute, allowing for enrollment in diversion programs to address delinquency charges of juvenile trafficking victims.

Through FY20 grant funding, Ohio is building capacity of its juvenile justice system to better identify and serve minor and youth victims of human trafficking across the state. Objectives follow: (1) Build capacity of juvenile justice agencies to identify trafficked minors through a partnership with the Ohio Department of Youth Services and the Supreme Court of Ohio, to establish Safe Harbor Diversion programming in two of the state’s counties; (2) develop and deliver tailored trainings regarding how to respond to human trafficking of minors to MDTs of the grant-funded juvenile courts, state juvenile corrections centers, juvenile courts, and other child-serving agencies; and (3) facilitate county-based coordination of child-serving systems through Safe Harbor Diversion programming and by working directly with local service providers to ensure that services for trafficked youth are coordinated and available.

## **OREGON (FY19 AND FY22)**

### **Oregon Department of Justice**

#### **Trafficking Response and Intervention Program: Building a Comprehensive Approach to Human Trafficking in Oregon**

In FY19 and FY22, the Oregon Department of Justice, Crime Victim and Survivor Services Division (CVSSD), was awarded an *Improving Outcomes* grant. Oregon has identified key gaps to address during its grant period of performance, including identifying victims of sex and labor trafficking; providing identified victims with services; establishing statewide direction and support with standardized policies, procedures, and training; creating screening tools for use outside child welfare; supporting law enforcement; and establishing standards for data collection across the multidisciplinary fields that interact with trafficking victims. The overarching goal of this project is to improve local community response to identification of child and youth victims of sex and labor trafficking and increase accessibility to comprehensive services by supporting and coordinating a consistent statewide response that is trauma informed, victim centered, survivor-informed, and that spans multiple disciplines. Toward that end, the CVSSD is targeting the following six objectives: (1) develop crisis- and non-crisis response protocols for Oregon's 13 local task forces to use and adapt that identify best practices in identifying and responding to child and youth victims of sex and labor trafficking and encourage cross-communication between jurisdictions; (2) support implementation of said protocols within local task forces through technical assistance; (3) develop protocols in partnership with state and county agencies that engage youth within corrections and encourage implementation of said protocols within those agencies and disciplines; (4) develop a unified strategy to provide training to professionals across the state to increase awareness, identification, and response to sex and labor trafficking of children and youth victims through a community-centric approach; (5) support law enforcement statewide with availability of an investigator (human trafficking analyst) to increase capacity for human trafficking investigations in a victim-centered and trauma-informed way; (6) strengthen data collection across multiple systems of care that work with and provide services to youth to collect and provide consistent, meaningful data; and (7) strengthen activities by engaging in research to improve project activities.

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# ALABAMA UNIFORM HUMAN TRAFFICKING INITIATIVE

OCTOBER 2020





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**Written By:**

Chris Lim, MBA  
Valerie Trull, MS

**Principal Investigator:**

Javonda Williams, PhD

**School of Social Work, The University of Alabama**

This document was produced by The University of Alabama under 2017-VT-BX-K020 awarded by the Office for Victims of Crime, Office of Justice Programs, U.S. Department of Justice. The opinions, findings, and conclusions or recommendations expressed in this document are those of the contributors and do not necessarily represent the official position or policies of the U.S. Department of Justice.





# ACKNOWLEDGMENTS

The School of Social Work at the University of Alabama acknowledges that many individuals participated in the development of this initiative.

We are thankful to our

## ADVISORY BOARD

**Mr. Paul Butler**  
Deputy Commissioner  
Department of Human Resources

**Ms. Teresa Collier**  
Intelligence Analyst  
Alabama Fusion Center

**Mr. Lee Domingue**  
Pastor  
Church of the Highlands

**Ms. Audrey Jordan**  
Asst. Attorney General  
State Attorney General's Office

**Ms. Pat McCay**  
Chair  
Alabama Human Trafficking Task Force

**Ms. Trisha Mellberg**  
Deputy Director  
Office for Prosecution Services

**Mr. Chris Newlin**  
Executive Director  
National Child Advocacy Center

**Dr. Melissa Peters**  
Medical Director  
Children's of Alabama

**Rev. Ross Reddick**  
Pastor  
Spanish Fort Presbyterian Church

**Ms. Dixie Shannon**  
Consultant  
Lived Experience Expert

**Mr. Toby Wilson**  
President  
Wilson Hospitality

We are grateful for the  
**COLLABORATION AND PARTNERSHIP**  
of the following people in alphabetical order:

**Lt. Darren Beams**  
West Alabama Human  
Trafficking Task Force

**Ms. Jill Beck**  
Youth Services Institute

**Executive Director Lynn Bius**  
Alabama Network  
of Child Advocacy Centers

**Cpt. Janice Blackwell**  
Birmingham Police Department

**Dr. Anneliese Bolland**  
BEAMS Intern

**Ms. Maribeth Bowman**  
Owen's House

**Intelligence Analyst Teresa Collier**  
Alabama Fusion Center

**Dr. Kevin Corcoran**  
School of Social Work  
The University of Alabama

**Special Agent in Charge Doug Gilmer**  
Homeland Security Investigations

**Ms. December Guzzo**  
BEAMS Intern

**Ms. Debby Haralson**  
The WellHouse

**Agent Cornelius Harris**  
Federal Bureau of Investigation

**Ms. Kellie Hensley**  
Center for Advanced Public Safety

**Ms. Melody Higgins**  
BEAMS Research Assistant

**Deputy Probation Officer Carrie Hill**  
Jefferson County Family Court

**Dr. Ebony Johnson**  
Tuscaloosa Children's Center

**Ms. Audrey Jordan, Asst. Atty General**  
State Attorney General's Office

**Sgt. Trent Kempster**  
West Alabama Human  
Trafficking Task Force

**Ms. Pat McCay**  
End It Alabama

**Deputy Director Trisha Mellberg**  
Office for Prosecution Services

**Ms. Lauren Miller**  
BEAMS Intern

**Ms. Julia Meyers**  
Junior League of Birmingham

**Mr. Matthew Muro**  
Center for Advanced Public Safety

**Dr. Melissa Peters**  
Children's of Alabama

**Ms. Carolyn Potter**  
The WellHouse

**Dr. Nicole Powell**  
Department of Psychology  
The University of Alabama

**Ms. Natalie Quinney**  
Department of Public Health

**Ms. Hollie Reed, AUSA**  
U.S. Attorney's Office  
Middle District of Alabama

**Ms. Rebecca Royen**  
Center for Advanced Public Safety

**Corporal Lacy Schulmerich**  
Dothan Police Department

**Ms. Dixie Shannon**  
Lived Experience Expert

**Ms. Helen Smith**  
Center for Advanced Public Safety

**Deputy Commissioner Karen Smith**  
Department of Human Resources

**Dr. Amy Traylor**  
School of Social Work  
The University of Alabama

**Ms. Amy Wagar**  
Trafficking Hope

**Ms. Leann White, AUSA**  
U.S. Attorney's Office,  
Northern District of Alabama

**Mr. Mark Williams**  
Department of Human Resources

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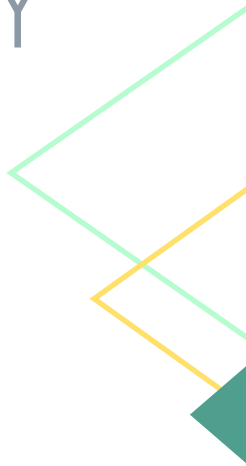


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We need to accurately understand both the number of human trafficking incidences, and the types of human trafficking that are occurring in Alabama.

”

# EXECUTIVE SUMMARY





# EXECUTIVE SUMMARY

It is incumbent upon us as a community of stakeholders in Alabama to determine to what degree the issue of human trafficking is impacting our state. Understanding this will enable the identification of appropriate resources to mitigate the problem and develop capacity where needed to address this issue in a responsible and sustainable way.

Not every issue that impacts communities in Alabama requires a statewide multilateral coordinated effort. The allocation of finite and often scarce resources demands a careful evaluation to determine the appropriate level of response. When considering the issue of human trafficking in Alabama it is essential to first obtain a basic understanding of its prevalence and scope in the state. The findings from those efforts inform the level of response needed. Clearly a prevalence of human trafficking exists as evidenced, at a minimum, by prosecutions in the state. The question is not simply does human trafficking exist in Alabama, but is it happening at a level or frequency that would indicate an increased means of mitigation is necessary? In addition to the level of prevalence in the state, we must also determine the scope of the issue. If the prevalence is concerned with the number of incidences, the scope is concerned with identifying the types and locations of human trafficking in the state. We need to accurately understand both the number of human trafficking incidences and the types of human trafficking that are occurring in Alabama. Prevalence speaks to the level of response needed, while the scope speaks to the types of resources, investigations, and interventions needed.

## ALABAMA HUMAN TRAFFICKING RESOURCES

- Alabama Human Trafficking Task Force
- North Alabama Human Trafficking Task Force
- End It Alabama Human Trafficking Summit
- Alabama Attorney General
- Lived Experience Experts
- National Children’s Advocacy Center
- Jefferson County Children’s Policy Center
- West Alabama Human Trafficking Task Force
- Alabama Fusion Center, ALEA
- Alabama Department of Human Resources
- Homeland Security
- Well House
- Camille Place
- Trafficking Hope
- The Family Sunshine Center
- Blanket Fort Hope
- The Rose Center
- Safe Harbor

Several resources have been mobilized over the past few years to address human trafficking in the state. The Alabama Human Trafficking Task Force under the leadership of Pat McKay, who has been one of our state's strongest voices for the victims of human trafficking for over a decade, is a tremendous resource to the state of Alabama. In conjunction with the North Alabama Human Trafficking Task Force, they provide training and awareness through the annual End It Alabama Human Trafficking Summit.

The Alabama Attorney General has been a constant voice against offenders of human trafficking and in support of the victims and survivors of human trafficking. Assistant Attorney General Audrey Jordan has been a leading voice through her position on the Alabama Human Trafficking Task Force, and her tireless efforts to train and educate law enforcement and community groups throughout the state. Only with the leadership of The Attorney Generals Office will we continue to grow in our ability to disrupt this crime in our state.

Alabama gains insight from those who have lived experience. We could not do the work we do properly without including the voices of Lived Experience Experts. For this project, we have relied heavily on the input provided by Dixie Shannon. She has contributed to the development of this Initiative, as well as numerous ongoing anti-trafficking efforts in the state. She is an invaluable contributor in the work of fighting human trafficking in Alabama, and her insight has informed and guided our process and research.

The National Children's Advocacy Center (NCAC) is using a powerful co-location model in Huntsville that allows seamless collaboration between law enforcement, mental health, prosecutors and social services to support child victims of human trafficking. Under the leadership of Chris Newlin, they provide guidance and training to Children Advocacy Centers across Alabama and throughout the world. Their numerous online training resources and annual conference are assets to the state.

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The  
prevalence  
[of human  
trafficking]  
speaks to  
the level of  
response  
needed.”

The Jefferson County Children’s Policy Council joined forces with the Family Court and Jefferson County Probation Department to create the Child Trafficking Solutions Project. In about two years, because of the tireless efforts of Jan Bell, Carrie Hill and many others, they run a special family court docket for trafficking vulnerable minors, and have developed a proactive multi-disciplinary team (MDT) and conduct trainings in the greater Jefferson County area for both law enforcement and the community.

Also about two years ago, under the leadership of Lt. Darren Beams of the Tuscaloosa Police Department, the West Alabama Human Trafficking Task Force was created. They have demonstrated leadership in our law enforcement community with their demand suppression reverse sting operations, John Schools, and community training. They provide a great example of collaborative law enforcement efforts.

Numerous local law enforcement agencies have received human trafficking training from Teresa Collier from the Alabama Law Enforcement Agency (ALEA) who works as the state’s human trafficking analyst for the Fusion Center. She has conducted many trainings for our local law enforcement partners around the state and has trained hundreds of local officers in human trafficking identification best practices. In addition, she is the key contact for assistance in trafficking cases for law enforcement in the state.

The leadership of our federal partners is strong. Doug Gilmer, the Special Agent in Charge for Homeland Security Investigations, has been a resource to local, state and federal law enforcement and has provided extensive support to the Child Trafficking Solutions Project and many nonprofit organizations in the state using his expertise and resources to support their efforts. Assistant United States Attorneys Leann White and Hollie Reed are providing leadership with the federal taskforces in their commitment of continuous improvement of the Northern and Middle District Task Forces towards becoming



The scope  
[of human  
trafficking]  
speaks to  
the types of  
resources,  
investigations,  
& interventions  
needed.



greater resources to state and local law enforcement, and to become operational task forces.

The prevention, intervention and housing services provided by our nonprofit and faith communities through the WellHouse, Camille Place, Trafficking Hope, The Family Sunshine Center, Blanket Fort Hope, The Rose Center, Safe Harbor, and others has been a critical link between law enforcement and the victims. These combined agencies also provide much of the after care and restorative services needed, especially for our adult victims. The leaders, employees and volunteers of these important organizations

have invested countless hours, around the clock, often at their own expense, to ensure that both our law enforcement partners and survivors are supported.

The Department of Human Resource (DHR), our state child welfare agency, has addressed the significance of the problem by creating their Human Trafficking Protocol. This is the first state agency that has created a protocol addressing this issue, and their leadership in this area has provided inspiration for this effort to examine how human trafficking might be better addressed in the state.

In October of 2017, The University of Alabama School of Social Work was awarded a grant from the Office for Victims of Crime (OVC), Office of Justice Programs (OJP) and U.S. Department of Justice (DOJ) to improve outcomes for children and youth who are victims of human trafficking through the development of a statewide, victim-centered, trauma-informed, multidisciplinary system of screening and training. Additionally, the project designed and implemented a searchable and growing database of more than 400 resources that provide services to meet the needs of victims of human trafficking in the state. We completed this through a research and resource program named BEAMS (Bringing the Exploitation of Alabama's Minors to a Stop). The BEAMS name was created by one of our state's anti-human trafficking leaders Carrie Hill, Deputy Probation Officer with the Jefferson County Probation Department. The seminal accomplishment of BEAMS is the Alabama Uniform Human Trafficking Initiative (AUHTI) represented in this document.

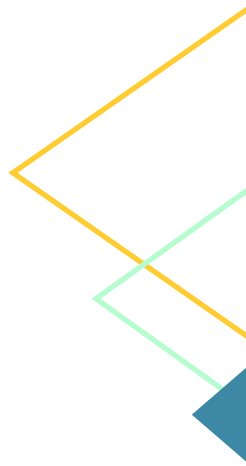
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The purpose of this report is to disseminate the findings of our research and to offer recommended next steps towards solutions.

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# PURPOSE



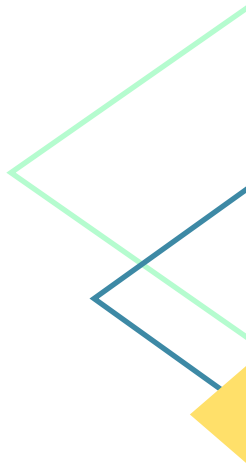
# PURPOSE

The purpose of this report is to disseminate the findings of our research and to offer recommended next steps towards solutions. It will be disseminated to all of the agencies and organizations involved in the implementation of the AUHTI processes and protocol, both physically and electronically. Additionally, it will be disseminated through trainings and presentations within the state of Alabama. This report has been written and structured to accomplish those ends. It is not intended to be academic, but rather accessible for the general audience who would be responsible to implement the findings.

The applied research in this report is intended to be applicable to specific entities and agencies in the state of Alabama. Those specific applications are collectively referred to as the Alabama Uniform Human Trafficking Initiative (AUHTI) and it provides the game plan for the implementation of the recommended next steps. Additionally, parts of this AUHTI is prescriptive, especially the sections addressing the Incident Response Protocol (IRP) and the Multidisciplinary Teams (MDT). These sections will require specific training for the agencies and organizations identified as part of these two processes. The processes for the required training and assistance in implementation are addressed in the subsequent sections, and in particular in our recommendations.

“This report has been written to be accessible for the general audience who would be responsible to implement the findings.”

# INTRODUCTION





# INTRODUCTION

Working with the various professionals throughout the state who are providing services to victims and survivors of human trafficking in Alabama has been an honor for our team. The findings and recommendations of this initiative document reflect the insight gained from focus groups, meetings, and countless conversations with those professionals. These honest and frank conversations provided a depth of insight that is essential to successful outcomes and to continued growth.

Ironically, perhaps the greatest advantage our team has is that we are not involved in the day-to-day work. Separation from the work has many limitations, but the distinct and necessary advantage it provides is objectivity. Conversely, one of the important limitations is a potential disconnection from experience. To mitigate this, our research team conducted both formal and informal meetings with our partners and engaged in numerous clarifying conversations. Our partners not only provided the essential connection to applied research, but they also participated in crafting the actual language of this initiative. This document has been critiqued and refined by key leaders in law enforcement (local, state and federal), victim service providers, social service partners, and survivors. It is the trust from our partners around the state, and the aggregate of their experience and expertise, that enabled this extensive research, and produced this initiative.

The research conducted to ascertain the number of victims of human trafficking in Alabama was conducted in 2018 and reflects the experience from 2017 of the professionals who participated. We have earnestly attempted to gauge the prevalence of human trafficking in Alabama as a part of our effort to determine the scope of the problem and the needs of this population within the state. Because a database integrating information from relevant entities does not exist, we are unable to provide precise and verifiable data on trafficking victims in the state. Even if that data existed and was available to be analyzed, it would still underestimate the actual number of victims. The challenges of identifying victims still leave a missing segment, a hidden population, that is unknown to any child welfare, social services, or law enforcement personnel in the state and not reflected in any database. This occurs in part, when social service, child welfare, or other entities fail to identify trafficking victims, and from instances when law enforcement file charges other than trafficking, even when trafficking is suspected because other charges

may be easier to build a case for, and have a greater likelihood of successful prosecution.

Based on a weighted model developed using focus group data collected, we are confident in the estimates we are able to provide: **In terms of prevalence, in 2017, approximately 1,167 suspected victims of human trafficking (sex and labor) had contact with a professional in Alabama, of which 665 (57%) were minors.** The nature of these contacts may have been medical provision, counseling, law enforcement, mental health, or other professional services. These individuals may or may not have been identified as victims of human trafficking at that time, and therefore may or may not have engaged in either the criminal justice system or service provision for human trafficking survivors. We have extremely high confidence that our methodology and the resulting estimates responsibly indicate the **minimum** number of potential victims in the state. The reader is encouraged to see Appendix 1, titled "Research Methodology" for a full explanation of how those numbers were derived.

Through our research we heard repeatedly that two overlooked forms of trafficking taking place in Alabama are familial trafficking and labor trafficking. Familial trafficking is especially difficult to identify, as the indicators could be easily misidentified or unidentified by professionals engaged in the minor's life who have not been trained on human trafficking. Labor trafficking was also identified by participants as having a significant presence in agricultural work and animal processing in Alabama, and as potentially including child labor. In short, **in terms of the scope of human trafficking in Alabama, just about every form of both sex and labor trafficking that exists in the world is happening in our state.**

Instances of suspected human trafficking are occurring throughout the entire state. Every region of the state revealed indicators of human trafficking; the concept of the I-20 Superhighway as a primary means of sex trafficking does not provide the complete picture. In fact, according to Polaris, while there are a large number of calls to the National Human Trafficking Hotline in and around the greater Birmingham area, a clearer concentration of calls come from along I-85 and across AL-80 through Selma and Demopolis (Polaris, 2018). In the northeast corner of the state, it appears the interstates are avoided completely in favor of state highways connecting Anniston, Gadsden, and Huntsville. **Geographically, trafficking occurs throughout the state, in big cities, small towns, and rural areas, and no county or region is immune to it.**

The individuals involved in human trafficking in Alabama—the traffickers, consumers, and victims—share no singular pattern or characteristics. Traffickers and consumers have been primarily adults, but minors have also been represented as offenders, and there are no racial or ethnic discernible patterns. The victims in the state reflect common national patterns. The racial or ethnic demographics of victims of sex trafficking tend to represent the population wherein they are victimized, and our focus groups revealed that victims of labor trafficking tend to

## HUMAN TRAFFICKING PREVALENCE (ALABAMA, 2017)

**1167**

suspected victims

**57%**

of suspected victims  
were minors

The scope of human trafficking in Alabama includes almost every form of both sex & labor trafficking that exists in the world.

be foreign nationals arriving predominantly from South East Asian, South American and Caribbean countries. **In general, sex trafficking victims in Alabama tend to be domestic, from Alabama and surrounding states, and victims of labor trafficking (or a combination of labor and sex trafficking) are often foreign nationals.**

Alabama has federal, state, county, and local level agencies with varying degrees of capacities and resources. Some regions and communities have non-governmental organizations (NGOs), churches, and civic organizations providing additional services and programs within their areas. As a result, each county or region has different abilities to respond to this issue. This document takes that into consideration and is intended to provide a summary of the current response capacities in the state of Alabama to human trafficking, make recommendations that build on existing strengths, and develop new processes and capacities towards the mitigation of human trafficking in Alabama.

Some of the recommendations in this document are aspirational, while others are directive. Throughout most of the narrative sections we include aspirational recommendations. Some of them might be easily adopted while others might take concentrated effort to employ. Each recommendation would benefit the overall objectives to mitigate human trafficking in the state but might be most effective when implemented in conjunction with another recommendation, or in a later phase in our statewide strategic plan. The recommendations that are directive are found in the Recommendation section where they are explained more precisely.

The recommendations, conclusions and ideas for sustainability outlined herein are intended to be a starting point for a more strategic statewide approach to human trafficking. They are based on research and best practices, but their application to Alabama is, and should remain, an evolving process with planned evaluations and revisions to ensure continuous improvement.



The application of these recommendations to Alabama is, and should remain, an evolving process with planned evaluations and revisions to ensure continuous improvement.



# GUIDING PRINCIPLES



# GUIDING PRINCIPLES

Eliminating human trafficking requires an approach to the issue guided by four principles: comprehensive, collaborative, trauma-informed, and victim-centered/offender-focused. Including only one or two of these principles will not result in justice, or restoration for the victims, but rather small victories in isolation, and often to the detriment, of the others.

## COMPREHENSIVE

A comprehensive approach to human trafficking ensures that our training, investigations, prosecutions, and service provision proactively address all categories of both labor and sex trafficking, for both adults and minors, males and females, and for citizens and foreign nationals regardless of citizenship status. Additionally, a comprehensive approach encourages law enforcement activities that reduce demand and disrupt supply, addressing both consumers and suppliers of human trafficking.

## COLLABORATIVE

A collaborative approach to human trafficking understands that, while each partner has differing, and sometimes opposing goals, perspectives, and responsibilities, each party is necessary and important to the goal of seeking justice and supporting victims/survivors of human trafficking. Moreover, when these parties (individuals or agencies) do not collaborate, they not only limit overall effectiveness, but subvert justice and victim services. Collaboration therefore encourages open and honest dialogue, the sharing of data and resources, and a commitment to shared goals.

## TRAUMA-INFORMED

A trauma-informed approach to human trafficking involves agencies and individuals recognizing the signs and indicators of trauma

in individuals, families, and those who work with them, as it presents to that profession. That knowledge is then broadly integrated into organizational or personal policies, procedures, and practices with careful consideration given to mitigating re-traumatization.

## VICTIM-CENTERED/ OFFENDER-FOCUSED

A victim-centered/offender-focused approach prioritizes the victim's safety and well-being in all matters and procedures. It understands that, because of the trauma experienced from their victimization, victims/survivors of human trafficking often present trauma responses that are disruptive and not conducive to investigation or service provision. Therefore, a victim-centered approach is one where the professional and their agency adapts their processes, protocols, and practices to mitigate additional trauma, and creates an environment most conducive for the victim/survivor during investigation or service provision. Being offender-focused understands that the safety of the victim/survivor and community requires investigative and prosecutorial actions, and that when the likelihood of re-traumatization has been mitigated, every effort to support those functions should be made. An offender-focused approach works to mitigate future victimizations by removing traffickers and johns from the community.

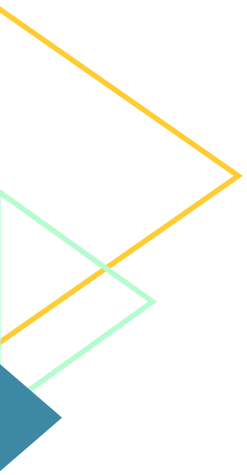
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The guiding principles of our approach are to be comprehensive collaborative, trauma-informed, & victim-centered/offender-focused.

”



# TERMS



# TERMS

A glossary of definitions and terms has been included in this document as Appendix 2, however, a few specific terms are used extensively in this document, and for clarity, are defined here for the reader at the outset. Some of these terms may be used in different ways in different context, however, these are the definitions used for the following terms in this document. The specific terminology used is less important than the application of the concepts.

## ADVOCATE

The Advocate is an IRP team member, and in child trafficking cases, MDT partner providing the voice of the victim/survivor to the MDT. The advocate serves as the bridge of trust providing consistency to the victim/survivor during their continuum of care.

## CARE NAVIGATOR

Each victim/survivor of human trafficking should be assigned a Care Navigator to coordinate the care for the victim/survivor and help them navigate through the necessary processes and systems. In some instances, this role may be a dual role with the Advocate.

## HUMAN TRAFFICKING

In this document the term human trafficking is inclusive of all forms of human trafficking including sex trafficking and labor trafficking, and all other forms of human trafficking as defined under state and federal law.

## MULTIDISCIPLINARY TEAMS (MDT)

MDTs are regional collaborative teams that may cover one or more counties. The focus of an MDT is to provide for the safety and well-being of child victims/survivors. Though Alabama's existing MDTs have a larger scope than just the issue of human trafficking, the protocol outlined in this document applies only to their response

to those individuals suspected of being victims of human trafficking. Each MDT may have their own protocols that should be followed, such as notifying an MDT Coordinator of new cases. The MDT is an indispensable entity in the work to combat human trafficking and coordinating service provision of the victim/survivor.

## TASK FORCE

A task force is a strategic collaboration focused on one of three primary objectives: statewide oversight, joint operations and investigations, and training. Each of these objectives serve a specific purpose and are addressed more fully later in this document.

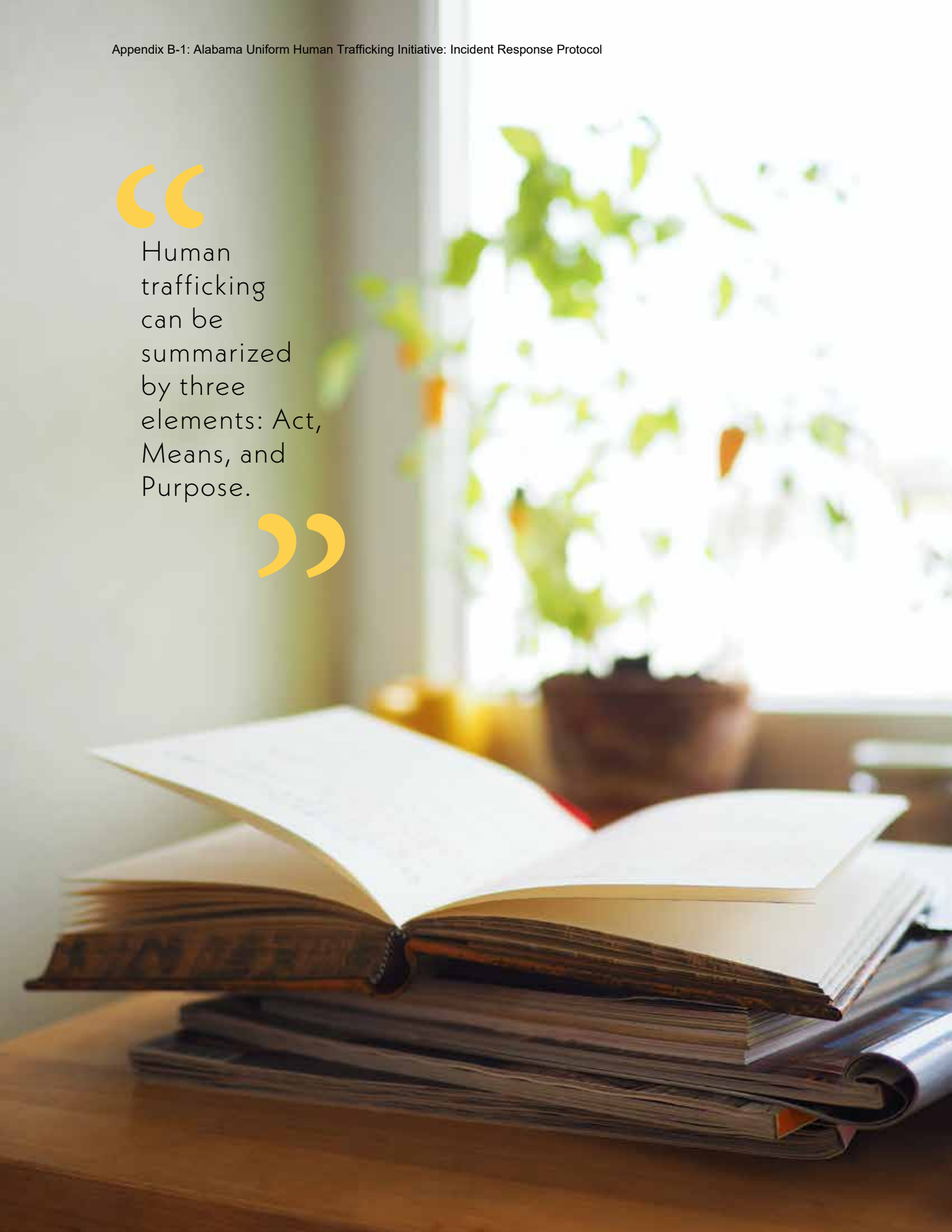
## VICTIM/SURVIVOR

This Initiative uses the terms "victim" and "survivor" to refer to individuals who were trafficked. The terms "victim" and "survivor" of human trafficking have specific, and at times, nuanced implications, legally, sociologically, etc. For simplicity in this document we will use the terms interchangeably or will use the term "victim/survivor" when specifying the differences is not necessary for clarity.

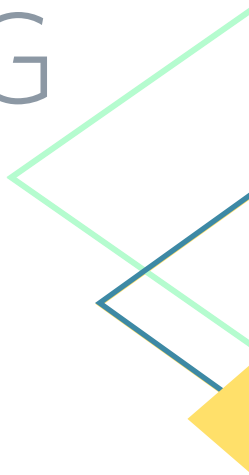




Human trafficking can be summarized by three elements: Act, Means, and Purpose.



# DEFINITION OF HUMAN TRAFFICKING



# DEFINITION OF HUMAN TRAFFICKING

## FEDERAL

Forced labor in violation of 18 U.S.C. § 1589 is defined as:

- a. Whoever knowingly provides or obtains the labor or services of a person by any one of, or by any combination of, the following means--
  1. by means of force, threats of force, physical restraint, or threats of physical restraint to that person or another person;
  2. by means of serious harm or threats of serious harm to that person or another person;
  3. by means of the abuse or threatened abuse of law or legal process; or
  4. by means of any scheme, plan, or pattern intended to cause the person to believe that, if that person did not perform such labor or services, that person or another person would suffer serious harm or physical restraint.
- b. Whoever knowingly benefits, financially or by receiving anything of value, from participation in a venture which has engaged in the providing or obtaining of labor or services by any of the means described in subsection (a), knowing or in reckless disregard of the fact that the venture has engaged in the providing or obtaining of labor or services by any of such means.

Sex trafficking of children or by force, fraud, or coercion, in violation of 18 U.S.C. § 1591, is defined as:

- a. Whoever knowingly
  1. in or affecting interstate or foreign commerce, or within the special maritime and territorial jurisdiction of the United States, recruits, entices, harbors, transports, provides, obtains, advertises, maintains, patronizes, or solicits by any means a person; or
  2. benefits, financially or by receiving anything of value, from participation in a venture which has engaged in an act described in violation of paragraph (1), knowing, or, except where the act constituting the violation of paragraph (1) is advertising, in reckless disregard of the fact, that means of force, threats of force, fraud, coercion, or any combination of such means will be used to cause the person to engage in a commercial sex act, or that the person has not attained the age of 18 years and will be caused to engage in a commercial sex act.

## STATE

Under Alabama law, an individual commits first-degree human trafficking when:

1. He or she knowingly subjects another person to labor servitude or sexual servitude.
2. He or she knowingly obtains, recruits, entices, solicits, induces, threatens, isolates, harbors, holds, restrains, transports, provides, or maintains any minor for the purpose of causing a minor to engage in sexual servitude.
3. He or she knowingly gives monetary consideration or any other thing of value to engage in any sexual conduct with a minor or an individual he or she believes to be a minor.

An individual commits second-degree human trafficking when:

1. A person knowingly benefits, financially or by receiving anything of value, from participation in a venture or engagement for the purpose of sexual servitude or labor servitude.
2. A person knowingly recruits, entices, solicits, induces, harbors, transports, holds, restrains, provides, maintains, subjects, or obtains by any means another person for the purpose of labor servitude or sexual servitude.

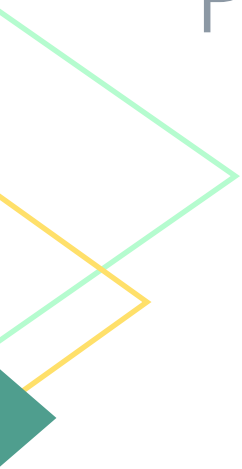
See Ala. Code § 13A-6-152-153 (1975). \* Notably, the element of coercion or deception is not required to establish the trafficking of a minor. Given a minor is defined as an individual who is under the age of 19, the element of coercion or deception is not required when the victim is 18 years or younger. See Ala. Code § 13A-6-151(5) (1975).

## ACT + MEANS + PURPOSE

One consistent concern voiced in our focus groups throughout the state was there are too many definitions of human trafficking. Though there are international, federal, and state legal language for human trafficking, consistency can be found through all three. Human trafficking can be summarized by three elements: Act, Means, and Purpose. The below graph from the United Nations is helpful:



# INCIDENT RESPONSE PROTOCOL



# INCIDENT RESPONSE PROTOCOL

The Incident Response Protocol (IRP) refers to the response and coordinated activities required any time a response is needed to investigate a potential instance of human trafficking. When the incident response includes a potential victim of any age, at least three professionals must respond and work collaboratively to ensure the safety of all parties involved, initiate an investigation, assess the needs of the victim, and promote victim stability.

Concerning the age of the victim, it is the responsibility of the state to provide these services for a minor in every circumstance. In these instances, the IRP team should be members of the MDT. Since Alabama does not currently have a comparable resource for adults, best efforts should be made to provide consistent and comprehensive services to adult victims. However, the rights of adults to make decisions on their own behalf should be respected, and if they refuse services from any of these partners, their wishes should be respected unless doing so is not prudent for their safety or the safety of others. See “Adult Victims” in the MDT section for more information.

The responsibilities of these three parties can be summarized by Protection, Provision, and Presence. The following three entities shall be made aware that a potential victim of human trafficking has been identified and respond accordingly to the IRP:

- Law Enforcement (Protection)
- Appropriate Social Service Agency (Provision)
- Advocate (Presence)\*

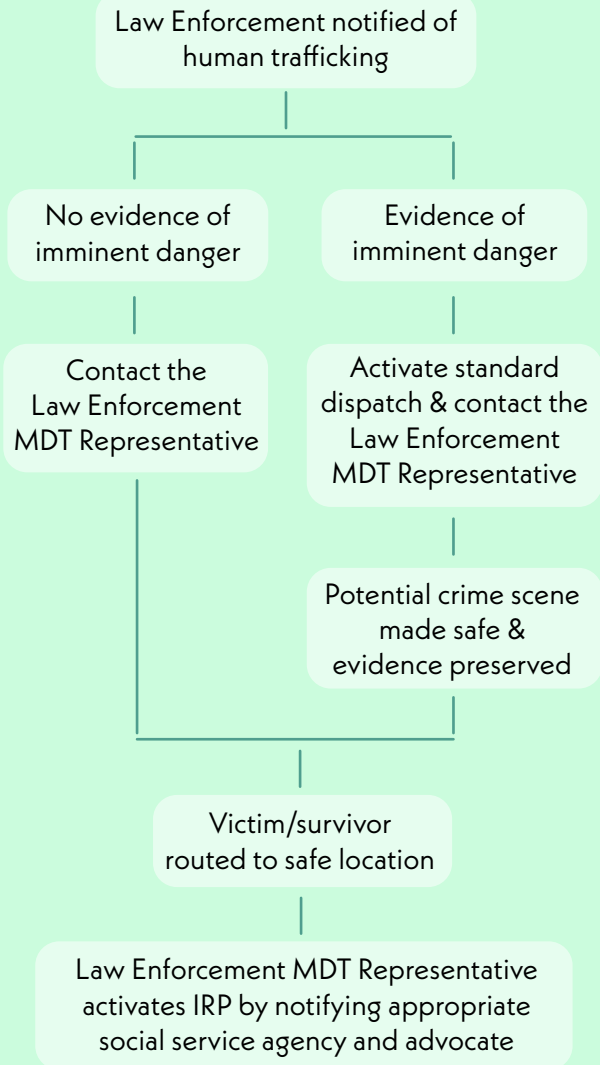
*\*In some areas the Advocate may serve a dual role as a Care Navigator due to limited resources. This role is discussed in the Case Management section.*



The roles and responsibilities of Law Enforcement, Social Service Agencies, and Advocates are equally important. Together this IRP team creates a synergy that ensures the highest possible care and professionalism.



## FOR LAW ENFORCEMENT



Law enforcement will ensure the overall safety of the scene and protection of the victim. A representative from social services will ensure the basic needs of the victim are provided and service provision is started. An advocate should be present to stabilize the victim and ensure his/her voice and interests are represented.

When responding to an instance of suspected human trafficking all responding agencies must adhere to a trauma-informed and victim-centered/offender-focused approach. Each of the three responding agencies must practice situational awareness and be mindful of the safety of everyone involved.

While the roles and responsibilities of each of the three professionals are equally important, together this IRP team creates a synergy that ensures the highest possible care and professionalism. Though each role is indispensable there is an obvious need for the prioritization for the security of the scene and persons involved to be established in order to ensure the safety of all parties during the provision of other services. Once safety has been established, direct services to the victim can begin.

During an incident response it is essential that each of the three professionals adhere to the four guiding principles of collaborative and comprehensive efforts that are trauma-informed and victim-centered/offender-focused. Their engagement should reflect a mutual respect of the value that each partner brings to the response. The responsibilities for protection, provision, and presence are not in a hierarchy of importance but rather together result in the desired outcome. In practical considerations, this means that each of the three parties have an equally authoritative voice in the decisions made. The nature of collaborative relationships requires mutual trust; collaborative processes have no chain of command. Best practices affirm the highest quality of service is rendered when all three initial responders work together in the best interest of the victim/survivor, in an environment of mutual trust and respect.

# NOTIFICATION PROTOCOL

Suspected incidents of human trafficking are reported by members of the community through a variety of methods. Notification by a community member or other professional might be made to law enforcement, social services, a non-governmental organization (NGO), or a hotline. The below processes describe the protocol that should be observed in the various reporting situations.

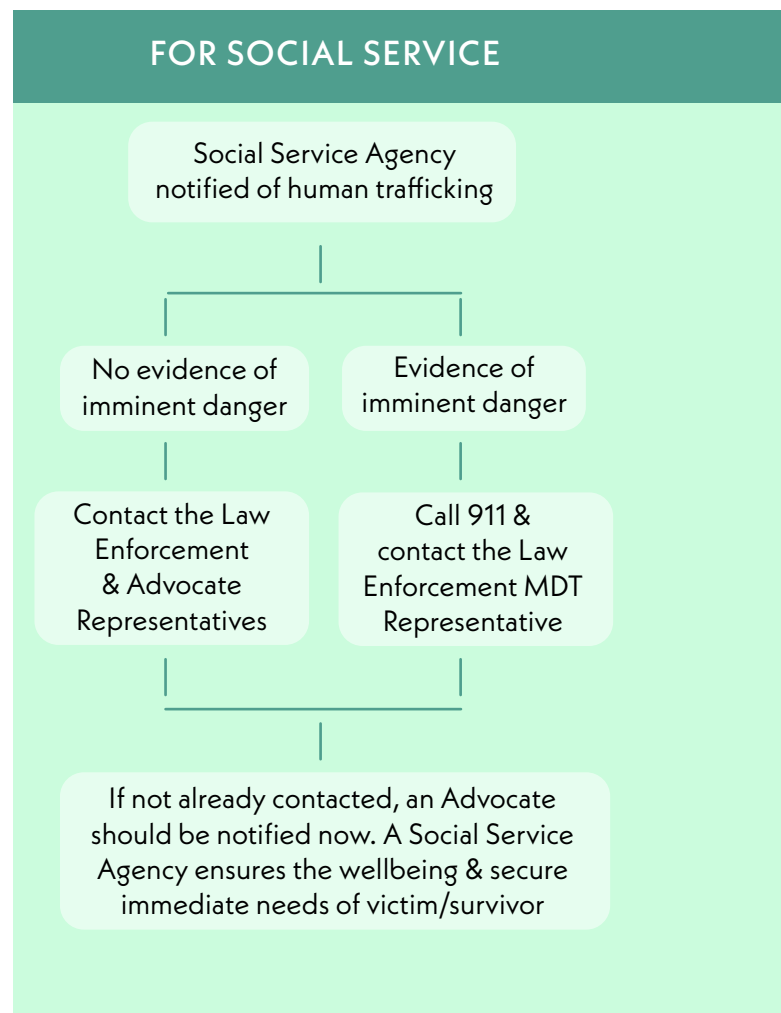
## LAW ENFORCEMENT

When law enforcement receives a notification and determines that an instance of human trafficking is possible, they should immediately notify the Law Enforcement IRP representative in their area who will respond and begin an initial investigation. In an emergent situation, standard dispatch protocols should be followed while the Law Enforcement IRP partner is being notified.

Law Enforcement will control the scene to ensure that the potential crime scene is made safe and potential evidence is preserved. If it is determined that this may be an instance of human trafficking, and a victim/survivor is present, the victim/survivor will be routed to a hospital, police station, CAC, or other safe location. The Law Enforcement partner shall activate the IRP by immediately notifying the appropriate social service agency and the advocate to advise them of the situation and request their response to the location. Human trafficking cases are complex, and it is best practice to confer with the prosecutor as soon as possible to ensure all relevant evidence is collected.

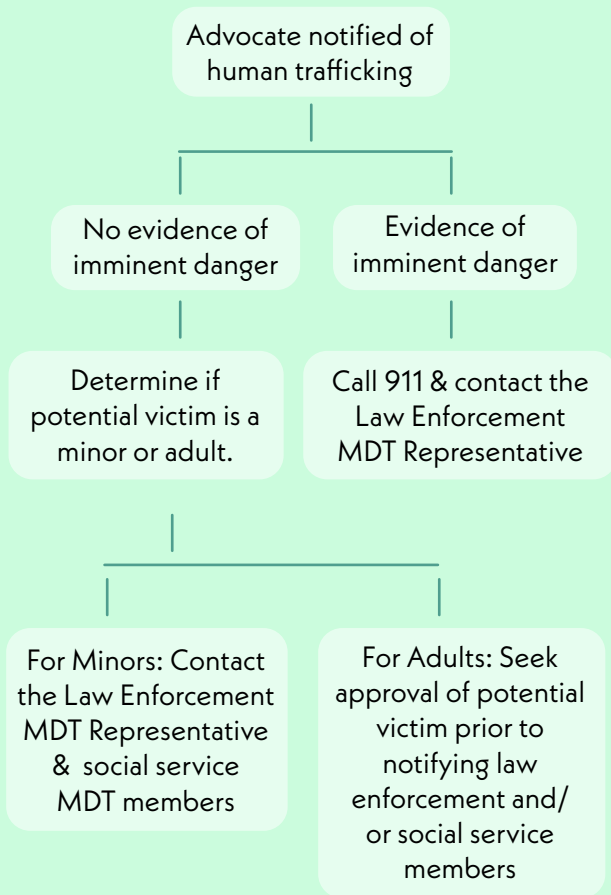
## SOCIAL SERVICE

When any social service agency is made aware of a potential emergent situation involving a potential victim of human trafficking, they shall immediately notify the Law Enforcement representative of the IRP team, who should respond and assume control of the investigation. If that person is not available to respond immediately or if an immediate danger is present, the social service agency shall call 911.





## FOR ADVOCATE



When any social service agency is made aware of a non-emergent situation involving a potential case of human trafficking involving a minor, they shall activate the IRP team by immediately notifying the Law Enforcement representative and Advocate of the IRP team, who should respond within the “response times” below to begin an investigation and ensure services are offered, respectively. The primary responsibilities of social service providers are to ensure the victim/survivor’s wellbeing and care for their immediate needs including medical, housing, mental health, necessary clothing, and nutrition.

When any social service agency is made aware of a non-emergent situation of an adult who is potentially a victim of human trafficking, they should seek the approval of the potential victim before making the law enforcement notification. Efforts should be made to refer to the IRP partners whenever possible.

### ADVOCATE

When the Advocate is made aware of an emergent situation involving a potential victim of human trafficking, they shall immediately notify the Law Enforcement representative of the IRP team. If that person is not available to respond immediately or if an immediate danger is present, the advocate shall call 911. The Law Enforcement representative of the IRP team should be notified as soon as possible and assume control of the investigation.

When the Advocate is made aware of a non-emergent situation involving a potential victim of human trafficking who is a minor, they shall activate the IRP by immediately notifying the Law Enforcement and social service IRP team members, who should respond within the “response time” guidelines below to begin an investigation and ensure services are offered, respectively.

When an advocate is made aware of a non-emergent situation of an adult who is potentially a victim of human trafficking, they should seek the approval of the potential victim before notifying law enforcement and/or social service members of

the IRP. Efforts should be made to refer to the IRP partners whenever possible.

In areas with fewer resources, the role of “Presence” filled by the Advocate might be fulfilled by the Care Navigator. Each MDT will have a Care Navigator, but, in areas that do not have the resources for both an Advocate and a Care Navigator, one person could assume the responsibilities of both roles. However, the Advocate is the better choice for the IRP partner, as they are the party focused on building a relationship with the victim/survivor.

The primary responsibilities of the Advocate or Care Navigator during the initial response are the care for the emotional wellbeing of the victim and attempting to facilitate victim stability. The Advocate or Care Navigator will attempt to build rapport and trust with the victim and be their voice in the MDT. This is essential because it facilitates a more thorough and efficient initial investigation by law enforcement without potentially doing further harm. Additionally, it supports the social service partner as they attempt to coordinate for immediate needs and affirms the dignity and intrinsic value of the victim.

Beyond the initial response, the Advocate should have the flexibility to maintain their role in working with each victim/survivor should they be involved in a case in another location, whenever feasible. For instance, if an Advocate has developed a relationship with a victim/survivor in the Birmingham area, and the same victim/survivor has a new case in the Montgomery area, the established relationship between the

victim/survivor and the Advocate should be seen as a strength for the new investigation. While it may be beyond the Advocate’s typical geographic area, they should be given the resources necessary to continue that relationship, to the benefit of both the victim/survivor and the investigation whenever possible.

Should a victim leave the geographic region an Advocate can reasonably cover, for instance moving to another state, the Advocate should attempt to establish a new Advocate for the victim/survivor in their new location. Providing continuity through that transition can alleviate some of the stress that could result in a trauma response, or create new trauma, leading to a lapse for the victim/survivor.

## RESPONSE TIMES

The response time will vary from county to county and should be agreed upon by each IRP team. The following can serve as guidelines:

- When Law Enforcement is notified of a potential human trafficking incident, they should respond in a time frame and manner that corresponds with the level of urgency of the situation and complies with their agency’s policies and protocols.
- When each of the IRP team partners are notified, Law Enforcement, Social Service and the Care Navigator/Advocate should respond within 60 minutes in urban environments and 90 minutes in rural environments.

# GENERAL NOTIFICATIONS



# GENERAL NOTIFICATIONS

Anyone who is witnessing a potential instance of human trafficking is urged to call 911 immediately. It is not advisable to try to intervene in a potential instance of human trafficking, rather, providing detailed information to law enforcement such as a description of the persons involved and any vehicles involved, the direction of travel, and anything you heard, is often the most helpful action to take.

Many professionals, such as medical, educational, hospitality, etc., may have specific reporting processes. Compliance with your administrative process and Mandated Reporter requirements are essential.

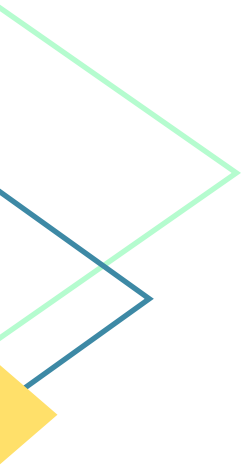
Members of the general public who suspect human trafficking are encouraged to call their local law enforcement to report the indicators believed to be human trafficking. Additionally, residents of Alabama are supported by human trafficking hotlines. Use of these hotlines in addition to calling local law enforcement is encouraged.



If you witness a potential instance of human trafficking, call 911 immediately. Intervening is not advisable.



# HOTLINES



# HOTLINES

## TO REPORT SUSPECTED CASES OF HUMAN TRAFFICKING CONTACT:

**The HSI Tip Line | 866-347-2423**

Tip line maintained by the Department of Homeland Security

**Alabama Fusion Center |  
app.alea.gov/SAR/**

Suspicious Activity Report through the Alabama Law Enforcement Agency

## FOR VICTIM SERVICES CONTACT:

**Trafficking Hope | 225-215-6111**

General support for victims

**The WellHouse | 800-991-0948**

Housing for adult women and children

**The National Human Trafficking  
Hotline | 888-3737-888**

National resources and services for victims

**BEAMS | beamsal.com**

List of more than 400 Alabama service providers

Additional resources can be found in the Resources and Service Providers addendum to this document.

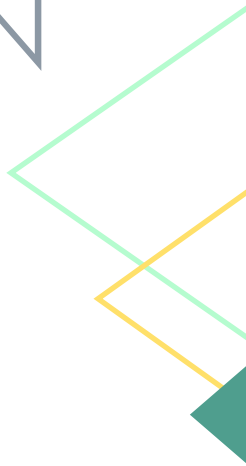




Every prosecutorial and administrative tool should be explored to make Alabama an inhospitable environment for human trafficking.



# INVESTIGATION & PROSECUTION





# INVESTIGATION AND PROSECUTION

## INITIAL CONTACTS AND FIELD INTERVIEWS

### IDENTIFICATION

An investigation will typically begin with patrol. An officer might respond to a call to investigate a suspected incident of human trafficking or might be investigating a different complaint or incident and notice indicators of human trafficking. Indicators of human trafficking can be easily overlooked or misidentified by the untrained law enforcement officer. It is not the purpose of this document to provide that training; rather, each law enforcement agency should implement a training plan in accordance with the Training Strategy in this Initiative. Recurring basic human trafficking training for officers of all ranks and assignments is essential because human trafficking is always combined with other crimes and can be present in any investigation. Continuous and advanced training for individuals working human trafficking cases will enable these officers to stay current on human trafficking indicators, methods and tactics. These officers can also be available to the patrol officers to answer any questions they may have in the field as they investigate other crimes and think they may have a human trafficking case. When employed, all of these practices will increase law enforcement accuracy in the identification of potential human trafficking victims.

### IRP PARTNERS

Once law enforcement makes a determination that they are engaged with a potential victim of human trafficking, they should immediately activate the Incident Response Protocol (IRP). A similar practice of civilian professionals assisting law enforcement in the field has become common in instances of child abuse and sexual assault; some well-resourced departments even have specialized units that include a mental health

representative, such as a therapist, when they respond to crimes or calls for service requiring a mental health response.

Because almost all victims of human trafficking have experienced trauma, and therefore may have trauma responses, a best practice for law enforcement is to notify the Advocate immediately and request their response. The Advocate can attempt to build trust and begin the stabilization process with the victim, which can result in the need for fewer interviews. The Advocate can advise the Law Enforcement partner if the victim is able to proceed with the initial investigation or if the victim's participation should be delayed to avoid causing further harm to the victim. This process will become increasingly effective as the Advocate and Law Enforcement partners build mutual trust and respect for each other and their roles.

## INVESTIGATIONS

In recent years, several agencies have begun to build an expertise in human trafficking identification and investigations. The Alabama Law Enforcement Agency (ALEA), the Alabama Attorney General's Office, Homeland Security Investigations, the Child Trafficking Solutions Project, and the various task forces like the Northern and Middle District of Alabama Human Trafficking Task Forces and the West Alabama Human Trafficking Task Force have all contributed significantly to training law enforcement in the state. Even with all this effort, some law enforcement agencies may not have received training on human trafficking identification or may lack the necessary resources to effectively investigate human trafficking.

If a particular department or region lacks resources and/or expertise, several opportunities can be employed to assist with human trafficking investigations. First, local law enforcement can

create MOUs to share investigators, each making a commitment of resources as appropriate. Rural areas with multiple departments as well as areas with multiple small departments can identify two or three detectives, who will be responsible for investigating these crimes in their areas, to receive human trafficking and Internet Crimes Against Children (ICAC) training.

Second, ALEA has trained an investigator in each of their seven regions to specialize in human trafficking. These ALEA investigators can respond to the local agencies within their region to provide support and assistance to local detectives or to conduct the investigation themselves at the request of the local agency.

The Alabama Attorney General's Office can provide expertise to local and state law enforcement to increase their expertise in the areas of evidence gathering and investigative processes. Upon request, special agents within the Attorney General's Office may also assist or independently conduct the investigation. The District Attorneys likewise can provide insight into the specific requirements for building a state case on human trafficking in each of the 41 districts.

Additional federal resources include the FBI and Homeland Security Investigations. These federal resources could be available to local and state law enforcement whether the case is being investigated as a state case or a federal case. Alabama is supported with three federal task forces and proactive activities from Homeland Security Investigations (HSI).

A final general comment about law enforcement interviews. Even when a trained and skilled officer conducts an interview employing the trauma-informed and victim-centered/offender-focused guiding principles, the initial interview will likely produce limited evidence. It is typical to interview a victim of human trafficking multiple times over many days due to complex trauma and the resulting trauma responses. Often the investigator may feel like the victim is delaying, obstructing or lying. A victim of human trafficking might use these



Recurring basic human trafficking training for officers of all ranks and assignments is essential because human trafficking is always combined with other crimes and can be present in any investigation.





Soft rooms are effective tools for interviewing victims.

They create a safe-feeling environment, allowing the victim to deescalate.



types of tactics out of a perceived need for self-preservation or for the protection of other victims, but these obstacles might also be scientifically verified cognitive processing disruptions resulting from their trauma. Forensic interviews utilizing a forensic interviewer trained specifically in human trafficking can help alleviate some of these issues.

## **INTERVIEWING BEST PRACTICES**

An effective tool for stabilizing and interviewing victims of human trafficking is the use of a “soft room.” These soft rooms create a safe-feeling environment, allowing the victim to deescalate. Often the Advocate might use this room to help the victim stabilize and when the victim is able to participate in an interview, the officer can conduct the initial interview in that safe room or move the now stabilized victim to another interview room.

For a thorough investigation of human trafficking to take place, it is imperative to elicit a detailed narrative of the events from the victim(s). In addition to the victim’s statement being paramount to the case-in-chief, it also aids the Care Navigator and/or Advocate in coordinating resources and follow-up services. To secure a scene and ensure safety, a minimal facts interview with a victim is often needed. This interview should be conducted by a member of the MDT who has received training in trauma-informed practices and minimal facts interviewing. A juvenile victim of human trafficking should never be instructed to complete a written statement.

## **FORENSIC INTERVIEWING**

Before any in-depth interview of a victim takes place, it is necessary to have a meeting amongst all involved team members to formulate a plan on how best to proceed. Human trafficking cases are often complex, and a victim may require multiple interviews to gather all needed information. Each interview should be conducted by the same interviewer in order to maintain continuity, trust, and rapport. Because multiple agencies are often involved in these investigations, it is important to come to a consensus on which agency’s forensic interviewer will be utilized and where

the interview will take place. For cases involving juveniles, the local Children's Advocacy Center would often be the most appropriate location for the interview(s), unless the child is a flight risk or there are other safety concerns. To maintain best practice and defensibility, the forensic interviewer should be trained in a nationally recognized forensic interview structure and take part in quarterly peer review.

Prior to the forensic interview, the designated interviewer should be thoroughly briefed regarding case details. It is not advisable for the interviewer to conduct a blind interview in cases of human trafficking. The interviewer should be familiar with the names/nicknames of individuals involved, any structure/hierarchy associated with the organization, and any physical evidence that may need to be presented during the interview. It is vitally important for the interviewer to have knowledge of, and a comfortability with, state and federal human trafficking statutes and their elements. The interviewer should also have an understanding of poly-victimization, trauma, and defense tactics common in victims of human trafficking.

During a forensic interview, only the interviewer and victim/survivor, and if necessary, an interpreter should be in the interview room. If a facility dog is available, they may be helpful in calming the victim. Observers to the interview should be limited to the investigatory team to minimize who may be called as a witness at trial and to protect the privacy of the victim. This may include the investigator, prosecutor, and/or DHR case worker. The advocate should be available to the victim during interview breaks to provide comfort and continue to build the relationship but should not be a witness to the interview itself.

## **SUSPICIOUS ACTIVITY REPORTS**

When human trafficking is suspected, but no arrest or victim referral is made, the officer should indicate that contact in a Suspicious Activity Report (SAR) to be submitted through eCrime or other similar system which reports to the Fusion Center. These entries will increase the reliability

of statewide data and can be used by the human trafficking analyst to identify potential trends that may result in actionable intelligence for law enforcement.

## **A COMPREHENSIVE APPROACH**

Law enforcement investigations should encompass both demand reduction and supply disruption activities. These activities may be originated by a local agency, state agency and/ or federal agencies. Regardless of the origin of the investigation or the lead agency, the investigation benefits from combined resources when conducted through the collaborative efforts of a law enforcement task force. It is important to apply the guiding principle of being comprehensive in the scope of investigations in the state. While the focus on demand reduction is popular and often cited as the solution to human trafficking, it does not correspond to the actual elements of the crime, and that unilateral thinking might drive the crime to the next community, county or state, but it does not effectively address the nature of the crime. Good law enforcement practice will take a comprehensive approach to this crime by allocating actions and resources to investigate and prosecute both the demand side and the supply side.

## **PROSECUTION**

Because almost all victims of human trafficking have experienced trauma and as a result may have trauma responses, prosecutors will need to work with their law enforcement partners to increase strategies for building good human trafficking cases utilizing a trauma-informed approach. Prosecutors should receive detailed training on prosecuting human trafficking cases, and in turn train law enforcement on what evidence is needed and how to increase the likelihood of prosecution.

Increased efforts should be made to address known obstacles in human trafficking investigations and prosecutions, such as training in how to build a case without reliance on victim testimony, how to prepare a victim to testify, how to create trauma-informed courtrooms, and training for bench officers in human trafficking legislation and case law.

In addition to criminal proceedings, efforts should be made in our legal community to address civil remedies in terms of training professionals, the application of existing legislation, and the evaluation of new legislation. Finally, our law enforcement and legal communities can enhance their efforts towards mitigating human trafficking in the state by training on code violations and other administrative violations that can be used to combat human trafficking. Every prosecutorial and administrative tool should be explored to make Alabama an inhospitable environment for human trafficking.

# MULTIDISCIPLINARY TEAMS (MDT)





The MDT model facilitates efficiency for the professionals & effectiveness for the victims/survivors.



# MULTIDISCIPLINARY TEAMS (MDT)

The primary purpose of a Multidisciplinary Team (MDT) is to facilitate the communication and collaboration of all the various services being provided for minor victim/survivors, and to support the investigative and prosecutorial efforts when possible. In Alabama, the Department of Human Resources is tasked with maintaining the MDTs. See Ala. Code § 26-16-50 (2012). They accomplish this through empowering the local Child Advocacy Centers (CAC) to organize and run the MDT for the county or counties they serve. This is a promising practice because it decentralizes care of the minor and enables those closest to the issue to make effective decisions. While these MDTs currently focus on minors, there is need for a similar approach for working with adult victims/survivors of human trafficking.

## MDT PRIORITIES

The value of the MDT model is that it facilitates efficiency for the professionals and effectiveness for the victims/survivors. The agencies and individuals participating as members in each MDT will vary based on resources and the needs of the victim/survivor. However, every MDT should have, at minimum, one relevant representative from each of the three categories representing Protection, Provision and Presence.

1. Protection: This is the law enforcement function typically provided by local law enforcement but could also be state or federal law enforcement. The focus is on the physical safety of the victim/survivor and the MDT partners, especially during the IRP, but also the protective effects law enforcement affords in general through all of their actions including investigations and prosecutions.
2. Provision: This is typically a social service function ensuring that the basic needs of the victim are provided for, including, but not limited to physical, emotional, housing, medical, and mental health. An emerging

promising practice is a central person (i.e., a Care Navigator) who will ensure appropriate services are being provided to the victim. This person should be part of the MDT and would coordinate with the various service providers involved in the continuum of care for the victim/survivor. The Care Navigator role will typically be filled by the local CAC, however, it could also be combined with the Advocate role in a county where resources do not allow both roles, and/or might be filled by a local NGO (this is described in the Case Management section below).

3. Presence: This partner has the dual role of being the voice of the victim in the MDT and establishing stability and trust for the survivor. This role will typically be served by an Advocate employed by an NGO service provider who can provide unencumbered advocacy for the victim and advocate for the victim in the MDT. When necessary, the person filling this function might also assume the responsibilities delineated to the Care Navigator when resources and capacity require.



A significant obstacle for MDTs is the variance of available resources from county to county. Every county in Alabama does not have access to all the above resources. The obligation of the State to serve all victims of human trafficking (including minor and adult victims of labor and/or sex trafficking) creates the need to establish a mandatory baseline of services available in each county. This objective is accomplished through the members of each MDT working collaboratively to ensure each victim has protection, provision and presence. For consistency and seamless collaboration, these three roles should be a specifically designated person, or small team of people from each agency as resources permit.

Because the members of an MDT develop a familiarity with the victims/survivors and the nuances of each case under their responsibility, it is a best practice whenever possible for an MDT to manage all human trafficking related cases involving their clients. When this is impossible or impractical, the MDT partners should work collaboratively with the other jurisdictions for their mutual benefit and in good faith towards the best interests of the victim/survivor.

## MDT MEMBERS

To provide the basic essential services to victims the following three core roles must be filled by community partners in each MDT:

1. Law Enforcement (Protection)
2. Social Service (Provision)
3. Advocate (Presence)

MDTs will naturally expand organically as professional members of the community are involved with the care and provision of the needs of victims/survivors. As a result, most MDTs will likely be comprised of more than just the three individuals mentioned. Below are samples of some of the additional professionals that might be included in the MDT from each of the three categories:

## PROTECTION

- Law Enforcement (local, state, federal)
- Legal
- Probation
- Department of Homeland Security
- Family Court
- Prosecutor
- Defense Attorney

## PROVISION

- Social Service (Child Welfare, APS, CAC)
- Child Welfare Investigator
- Forensic Interviewer
- Education
- Medical
- Mental Health
- Shelters/Homeless Services
- Immigration Services
- Substance Treatment
- Faith-based Organizations
- Care Navigator (CAC and/or NGO)

## PRESENCE

- Advocate (NGO and/or CAC)
- Victim/Witness Specialists
- Guardian Ad Litem

## ADULT VICTIMS

Minor victims and adult victims of human trafficking differ legally in several ways. First, for minors there is no need to prove the “means” element of the crime. In other words, there is no requirement that prosecutors prove that force, fraud, or coercion were used to gain compliance. However, the “means” is a required element of the crime for cases involving adult victims/survivors. Second, the state has an obligation to investigate the wellbeing of a minor but has no similar obligation for adults. Finally, adults can

decline the protection of law enforcement services or the provision of social services. For these reasons, more resources are naturally allocated for minors who are victims of human trafficking than for adults. Moreover, because of these differences, adult victims remain stigmatized and marginalized.

However, Alabama has a significant population of human trafficking victims that are adults. The West Alabama Human Trafficking Task Force has actively investigated this crime since 2017 and report that more than 90% of their victims are adults. These adult victims lack a single consistent advocacy point like the CACs; instead various NGOs and community resources attempt to provide the necessary services to these adult victims. However, the availability of these resources varies greatly from county to county and are absent altogether in many areas of the state.

Adult victims/survivors are often burdened with the same challenges minors experience but lack the necessary support simply because of age. Several solutions could be explored to fill this gap. One is to explore the creation of Adult Advocacy Centers (AAC) or something similar that can serve the same purposes that the CAC provide for minors. Another is to resource and train the existing Adult Protective Services (APS) to provide the same trauma-informed and victim-centered/offender-focused care that is offered to minor victims. A third solution is to support NGOs through resources and collaboration to provide services to this population. Ultimately, solutions will likely be discovered through the synergy of these or other similar options.

When it comes to case management, adult victims of human trafficking have the exact same needs represented by the categories of protection, provision and presence as minors. Adult victims/survivors need the same level of care provided to minor victims of human trafficking, and steps should be taken to consider how we can support these victims/survivors through a system similar to the MDT, where Care Navigators and Advocates work collaboratively with law enforcement, legal, and all other relevant professionals to accomplish



The West Alabama Human Trafficking Task Force has actively investigated this crime since 2017 and report that more than 90% of their victims are adults.



the same objectives of protection, provision, and presence afforded the minors in Alabama.

While some adult victims/survivors may decline involving law enforcement, there is an available option in some regions for collecting evidence should they later decide to pursue a criminal investigation. A Sexual Assault Forensic Nurse Examiner (SAFE/SANE) can provide an initial medical exam and complete a rape kit, without having to contact law enforcement. This evidence is then preserved by the medical clinic, and only provided to law enforcement if the victim/survivor later decides to pursue the case. This again is an option that an adult victim/survivor can choose to accept or decline.

## THE FIRST 72 HOURS

After the identification and/or recovery of a victim of human trafficking, the next 72 hours is essential for the health and wellbeing of the victim/survivor, and will greatly impact the opportunity for, and quality of, the investigation of a criminal case. Therefore, the priority for the first 72 hours is the safety and stabilization of the victim/survivor and the provision of their immediate needs. For investigative purposes, a forensic interview should be conducted within the first 24 hours whenever possible.

Each partner of the IRP TEAM will have a role to play during the first 72 hours. Similar to the role of Law Enforcement in securing the safety of the scene initially, as discussed in the Investigation and Prosecution section, the Care Navigator and

Advocate will have the primary responsibilities during this key transitional time for the victim/survivor. The Advocate will immediately begin to establish trust with the victim/survivor. Until the victim/survivor feels they can trust the partners of the IRP TEAM, other essential duties, such as those of the investigation, or even provision of basic needs, cannot be rendered effectively.

While the Advocate is facilitating stabilization, the Care Navigator should begin sourcing resources for the needs of the victim/survivor. Initially, these will be the basic needs of food, clothing, shelter, hygiene products, and any necessary medical services. The Care Navigator should work closely with medical personnel and law enforcement investigators to facilitate and schedule any needed forensic medical exams. Since these essentials will be required of almost every victim/survivor, it would be advisable to establish replenishing sources for food, clothing, and hygiene products. This might be coordinated through ongoing relationships with local NGOs, churches, or community organizations.

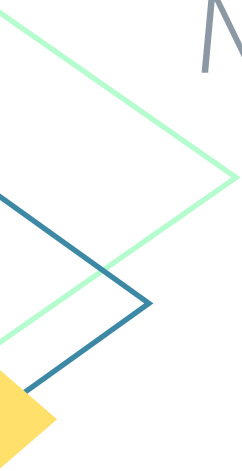
A common trauma response for human trafficking victims/survivors during the first 72 hours is flight. It is incumbent on each of the core IRP TEAM partners to mitigate this response. The Advocate will accomplish this by building trust with the victim/survivor, and Care Navigator by ensuring the basic needs are provided. All of this should be done in the least restrictive environment possible employing the trauma-informed and victim-centered/offender-focused guiding principles.



NAVIGATING  
PUBLIC SYSTEMS  
CAN BE  
OVERWHELMING  
FOR SURVIVORS  
OF HUMAN  
TRAFFICKING



# CASE MANAGEMENT



# CASE MANAGEMENT

Many agencies provide case management services for their clients, which in some instances include survivors of human trafficking. Social welfare agencies and probation are two common examples. These agencies have existing internal processes and protocols for managing their cases. For the purposes of this document, these are not the practices being addressed.

The case management addressed in this document is that of the Care Navigator and that of the Advocate. These two roles identified in this Initiative are focused around the specific needs of survivors of human trafficking. As suggested earlier, in counties or regions that do not have the resources for both positions, the responsibilities can be managed by one person serving in both capacities. That conflation of roles might become increasingly difficult as the continuum of care is considered and delivered through long-term case management.

## CARE NAVIGATOR

Survivors of human trafficking not only have various needs but may be required to navigate several public systems including legal, medical, educational, and/or governmental. This can be overwhelming for anyone; but for someone who has suffered trauma, is not experienced with these systems, and needs to navigate multiple systems simultaneously, it can be insurmountable. The purpose of a Care Navigator is to help the survivor access each of these systems, and to provide care or support resources. The Office for Victims of Crimes through the Office of Justice Programs refers to this role as the “primary case manager” stating, “It is helpful in these situations to identify a primary case manager for each victim to decrease confusion for the victim and streamline communication between various victim service providers and with law enforcement partners” (Office for Victims of Crime, 2020). As the survivor continues to increase their personal capacity of independence, their need for day to day assistance will dissipate. Additionally, as the survivor relies less on social services, their acute need for the focused IRP TEAM services of the Care Navigator is diminished. As that happens, the formal structured need for routine logistical support will naturally transition to the survivor’s need for mentorship instead.

## ADVOCATE

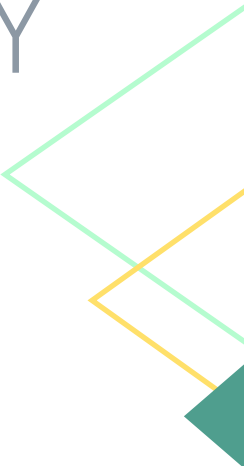
Best practices indicate that the Advocate be an employee of an NGO, a CAC, or other similar organization. While we refer to the Advocate as a person, it is also a best practice that the role is shared by a team of at least three people for the consistency of service and the health and wellbeing of the individual Advocates. Often the agency employing the Advocate also provides housing and/or immersive services for survivors of human trafficking such as psycho-educational services, personal and professional skills development, counseling, mentorship, etc., and is available to respond to the needs of the survivor and MDT partners 24/7/365. However, the Advocate will also need to demonstrate healthy boundaries with the survivor while maintaining this constant availability. This again supports the health and wellbeing of the Advocate and supports the personal development of the survivor.

The Advocate is to have the necessary autonomy from any agency that may provide professional services to the survivor to ensure their decisions are in the best interest of the survivor and not influenced by preference or predisposition of a particular service. Therefore, it is not advisable for the Advocate to be employed by any government

or other key resource organization such as an educator, therapist, medical professional, etc. Instead, the Advocate serves the critical role as a bridge of trust from the survivor to the other professional service providers. The Advocate continues to be a voice for the survivor to the MDT partners, and applies the victim-centered/offender-focused guiding principle by helping to facilitate service provision and prosecutorial needs such as providing emotional support during medical appointments and legal proceedings, and assisting with courtroom testimony preparation, whenever possible. When the Advocate believes,

based on their expertise and/or from the insight of a counselor or therapist, that survivor participation in any of these activities would cause further harm and/or trauma, they will advise the MDT partners. The MDT partners should honor that insight, while all partners continue to collaborate towards seeking justice. In practical terms for the survivor, the Advocate becomes a trusted friend, helping them transition into successful independent living, and that friendship is often maintained after formal services have ended.

# TASK FORCE STRATEGY





# TASK FORCE STRATEGY

While MDTs focus on providing for the safety and well-being of survivors, task forces have a broader scope. Alabama benefits from three types of task forces: (1) a state task force that provides a comprehensive approach to addressing human trafficking throughout the state; (2) law enforcement task forces at the federal and regional level; and (3) community-based task forces located throughout the state.

## HUMAN TRAFFICKING AWARENESS (ALABAMA, 2020)

**500**

Alabama Human Trafficking Summit attendees

**149**

Alabama Mayors signed proclamations in observance of Alabama Human Trafficking Awareness Day

Identifying the scope and purpose of a task force provides clarity and helps direct the outcomes for that task force. The scope and purpose of a task force will typically be a combination of the geographic area it covers and its primary objectives. Each task force should establish a mission, have a clearly defined purpose, and create specific goals and objectives. While each task force might engage in activities outside of its primary purpose, statewide efficiency is best served when the resources of each task force are aligned with their intended outcomes. As such, part of the Alabama Task Force Strategy is to avoid overlapping footprints with redundant objectives.

Each task force might decide to create committees to manage goals and objectives and coordinate individual and/or organizational skills, capacities, and interests. These committees will vary, but examples include law enforcement for the sharing of intelligence and discussing current cases, training, policy, and legislative. Care should be given to avoid mission creep, or gradually shifting objectives, when creating committees. In other words, it might be more strategic for a task force to intentionally resist an attempt to be comprehensive in its response to human trafficking and allow for greater specialization and focus. A network of focused task forces is more efficient and effective than each task force attempting to be comprehensive resulting in duplicated and diluted efforts, and potential competition for services and resources.

For the purposes of this document, Law Enforcement Task Forces are those that are law enforcement led and operate to conduct law enforcement activities and/or provide training for law enforcement investigations. The community led general awareness and training task forces are referred to in this report as Community Task Forces. The Alabama Human Trafficking Task Force enacted by legislation is chartered to address human trafficking comprehensively throughout the state.

# ALABAMA HUMAN TRAFFICKING TASK FORCE

House Joint Resolution 270 sponsored by former Representative Jack Williams (R-Vestavia Hills) passed the Alabama legislature in March 2014. Former Governor Robert Bentley (R-Tuscaloosa) signed the resolution in April 2014 to establish the Alabama Human Trafficking Task Force. The Task Force meets quarterly at the Alabama State House. In April 2016, House Joint Resolution 281 was passed adding additional member agencies to the Task Force.

The purpose and agenda of the Alabama Human Trafficking Task Force includes all of the following:

1. To combat all aspects of human trafficking, including sex trafficking and labor trafficking.
2. To pursue a comprehensive response to crimes of human trafficking.
3. To coordinate strategies to provide necessary services for victims of human trafficking.
4. To focus prevention efforts to end the demand for human trafficking and create awareness through education and community initiatives.
5. To develop legislation to prevent, intervene, and treat human trafficking.

For the past 6 years, the Task Force has sponsored the annual Alabama Human Trafficking Summit training initiative bringing together participants from all disciplines and backgrounds. In January 2020, attendance to the Summit reached 500 attendees. In addition, each year in January, the Task Force sponsors the Alabama Human Trafficking Awareness Day in observance of National Human Trafficking Awareness month. This year, media interviews, public service announcements, and proclamations signed by Mayors of 149 Alabama towns and cities made the 2020 Alabama Human Trafficking Awareness Day the most successful to date.

Since its formation in 2014, the Task Force has effectively provided training and awareness initiatives; collaborated with task forces and other agencies across the state; coordinated victim services strategies; and effectively addressed policy and legislative issues concerning human trafficking in the state. In addition, the Task Force has been a key partner to numerous organizations across the state applying for grant funding for their anti-trafficking programs and research efforts, providing letters of support, in-kind services, and actively working with grant recipients to support the grant funded efforts.

## TASK FORCE COMMITTEES

Various functional committees have been established to increase the effectiveness and work of the task force. These committees are as follows:

- a. Community Relations & Awareness/ Outreach Committee
- b. Services & Protocols
- c. Legislative Committee
- d. Fundraising Committee
- e. Education & Training Committee
- f. Labor Trafficking Committee
- g. Universities & Colleges Outreach Committee
- h. Law Enforcement Committee
- i. Service Providers Committee
- j. Faith-Based Committee

## TASK FORCE CHALLENGES

The Alabama Human Trafficking Task Force is comprised of leaders representing agencies and industries important to the systemic infrastructure of the state. The task force (also referred to as the Governor's Task Force) has no employees and no legislated funding. For example, the current Chair of the task force is a volunteer and does not receive compensation. All members of this body are either employees of the agency

they represent or volunteers. The lack of essential funding creates many challenges to the task force. If appropriate funding were made available, the task force would be well positioned to effectively accomplish each of its comprehensive responsibilities.

## LAW ENFORCEMENT TASK FORCES

Law Enforcement Task Forces are law enforcement led efforts to conduct investigations, operations, and law enforcement trainings related to the investigation and prosecution of human trafficking. They may partner with social services, victim advocates, and NGOs for strategic operational purposes. These are represented by Federal Human Trafficking Task Forces operated by the US Attorney's Offices of the Northern, Middle, and Southern Districts of Alabama, as well as local and regional law enforcement task forces.

The West Alabama Human Trafficking Task Force is a good example of a local operational task force created and maintained by local law enforcement. It is comprised of city, county, and state law enforcement agencies and supported by federal law enforcement and their victim service provider Trafficking Hope, a faith based 501(c)3 organization. The Child Sex Trafficking MDT in the greater Birmingham area is another example of an operational task force working effectively in Alabama. While they use the MDT label, functionally they serve as an operational task force through proactive law enforcement operations.

The close collaboration of law enforcement and NGOs is a best practice to combat human trafficking in communities. It is advisable for these partners to not only engage in all sessions of task force meetings but to also engage them in briefings, operations and after-action report activities. This level of sworn and civilian



Each task force should establish a mission, have a clearly defined purpose, and create specific goals & objectives.



collaboration is not needed for every operation and may be more useful in specific types of task forces and/or investigation. These partnerships are essential to effective law enforcement activities where the operation is likely to recover victims/survivors. Careful vetting and MOUs should be utilized when establishing these relationships.

Law enforcement can also address human trafficking by investigating and conducting joint operations to both reduce demand and to disrupt supply chains. Currently, the West Alabama Human Trafficking Task Force is focusing its efforts on demand reduction. Federal partners led by Homeland Security Investigations (HSI) are assisting in the demand reduction efforts and are also working on the supply side of both sex and labor trafficking. HSI is assisted by researchers and experts in computer forensics, as well as state and local law enforcement partners including ALEA. In order to effectively address the issue of human trafficking in the state, it is essential that collaborative investigatory activities are conducted to arrest and prosecute, both consumers and traffickers, of both sex and labor trafficking.

## COMMUNITY TASK FORCES

Community Task Forces are typically led by community leaders to engage in general awareness trainings and events in their local communities. Members of these Task Forces include law enforcement, NGOs, other local agencies and individuals. Currently Alabama has four Community Task Forces:

- North Alabama Human Trafficking Task Force
- Cullman County Human Trafficking Task Force
- Renew Hope/Chambers County Human Trafficking Task Force
- Lauderdale County Human Trafficking Task Force

“

COLLABORATIVE  
INVESTIGATORY ACTIVITIES  
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HUMAN TRAFFICKING  
IN ALABAMA.

”



# TRAINING



# TRAINING

All training should incorporate the trauma-informed and victim-centered/offender-focused guiding principles. Together a trauma-informed and victim-centered/offender-focused approach pursues the desire to mitigate further harm to the victim and increase the effectiveness of the agency's intended outcomes, whether that is stronger cases for law enforcement, increased prosecutions for legal professionals, improved mental health, or successful integration into healthy lifestyles for survivors.

Application of a trauma-informed approach to training ensures that the training content is free of sensationalized language and images and does not objectify or further exploit survivors. Survivor exploitation in a training context might include asking the survivor to speak without adequate compensation, or using their "story" to illicit sympathy, shock, or funding.

Likewise, a victim-centered approach in a training environment would seek to include survivors in both the creation and delivery of training content. The insight from the perspective of a Lived Experience Expert (survivor) can inform trainings for agencies, organizations and professionals by providing an understanding of policies, procedures, and practices through the perspective of the victim.

Training on being offender-focused instructs on topics such as trends, offender profiles, common tactics used by offenders, investigative techniques, and other issues that provide insight to agencies that investigate and prosecute human trafficking cases. Law enforcement sensitive information should never be included in trainings that are for the general public.

## TRAINING PRINCIPLES

### **Trauma-informed**

ensures content is free of sensationalized language and image and does not objectify or exploit survivors.

### **Victim-centered**

includes survivors in creation and delivery of training content.

All training, and training/awareness materials must be factual, and not sensationalize the issue of human trafficking or objectify victims of human trafficking.

Training should be specific to the intended audience and should have a specific focus. It is not advisable to attempt to be comprehensive in any single training environment; however, our statewide training strategy should be comprehensive, both in terms of content and audience. Comprehensive training on human trafficking would include the general topics of sex and labor trafficking in their various forms, and the impact it has on adults and minors, males and females. Comprehensive training in terms of the audience means that both professionals and the general community should be trained on human trafficking. Training to each audience should cover indicators of human trafficking that they would be likely to see, and what they should do if they believe human trafficking might be present.

All training, and training/awareness materials must be factual, and not sensationalize the issue of human trafficking or objectify victims of human trafficking. Some practical suggestions are provided by the Department of State in their 2020 release of “Senior Policy Operating Public Awareness and Outreach Committee Guide for Public Awareness Materials” (U.S. Department of State, 2020), included here in Appendix 4. For additional training resources, see the Resources and Service Providers section of this document in Appendix 3.

## PROFESSIONAL TRAINING

All professionals working in environments where exposure to victims and survivors of human trafficking in Alabama is likely should receive initial onboarding and annual refresher training on human trafficking, victim identification, and the Alabama Uniform Human Trafficking Initiative (AUHTI). A consistent effort from all parties to initiate and continue such training will lead to a greater recognition of trafficking victims, increased service provision for victims, and a greater number of prosecutions against offenders. Consistent training in Alabama is a key component to ensuring professionals across the state are prepared to respond when the need arises.

Continual training is essential as the methods and means of human trafficking are always evolving. Those agencies that investigate instances of human trafficking, prosecute cases of human trafficking and related crimes, and provide services to victims and survivors of human trafficking should incorporate an evergreen training strategy to ensure their personnel are receiving relevant and advanced training.

Trainings in every profession should clearly outline the legal definitions of trafficking, as specified by federal legislation such as the Trafficking Victims Protection Act of 2000 and Alabama state legislation.

The following professions should be trained through onboarding and annual refreshers. This is not an exhaustive list—any and all professions that a victim may come into contact with can benefit from such training and every effort should be made to train as many professions as possible.

- Corrections (jails, prisons, probation officers, etc.)
- Educators (faculty, staff, and administrators)
- Faith Communities
- Hospitality (hotels, truck stops, restaurants, etc.)
- Law Enforcement
- Legal
- Medical
- Mental Health
- Non-Governmental Organizations
  - Those working with victims
  - Those working in areas victims are likely to be identified
- Retail
- Social Services (including Child Welfare)
- Sports (professional, college, community, and K-12)
- Transportation (ground, air, and sea)



Trainings should be developed and implemented specifically to the needs of each industry. The DHS Blue Campaign has many industry-specific trainings available to use on their website. While the basics of human trafficking will remain consistent across disciplines, how it presents and things to look for may vary depending on the situation and type of interaction involved. Training should also include the proper process for identifying a victim or reporting a perpetrator. Each profession must understand the distinct ways they may be able to identify human trafficking in their field. For instance, teachers may notice a child sleeps throughout the school day if they are being forced to work through the night. Law enforcement may notice certain items that may be indicative of trafficking, such as multiple cellular telephones or hotel key cards in a vehicle at an otherwise routine traffic stop. Because the environment each profession might engage with possible victims and offenders differs, the signs they might notice will be different.

Each agency or industry should develop and implement a training plan to provide training as part of regular new employee onboarding. Reoccurring refresher trainings should be planned for each new calendar, fiscal, or academic year, and be required for every employee. Additional advanced training should be provided for those employees in positions likely to encounter victims of human trafficking or assigned to trafficking-related roles, such as investigations. Establishing such a process would ensure most employees are trained, and those with the highest potential exposure remain knowledgeable about victim indicators and reporting procedures.

## MDT TRAINING

The MDTs are by definition on the front lines of human trafficking mitigation in the state. All multi-disciplinary teams (MDTs) in the state should be trained on the basics of human trafficking, how it presents in children, reporting procedures, and the Alabama Uniform Human Trafficking Initiative (AUHTI). Moreover, MDT partners should seek

out additional and continuous training to remain knowledgeable of the current trends and methods of human trafficking and any emerging promising practices.

## COMMUNITY TRAINING

Community training primarily focuses on awareness for the general public and typically does not require the detail and specificity of industry focused professional training. In those instances where community training is inclusive of professional training elements, such as training a parent group from a school, or general training for churches, trainings would clearly need to identify how human trafficking presents in those communities rather than just a general understanding of human trafficking. However, in general, community-based training should be broad while offering specific and clear actions, such as when to call 911 and when to call the National Human Trafficking Hotline.

An essential audience for community training is middle to high school aged children/students. Reaching this group has faced obstacles from local school boards and school administrators. Prevention training at an appropriate level should be provided across the state to arm this human trafficking targeted group against human trafficking. Making this group aware of what human trafficking is, what to watch for, and how to stay safe in various situations, such as parties, social settings, and school activities is recommended.

Many organizations across the state offer community trainings on human trafficking. A broader network of trainers with a consistent training message would benefit the community as a whole in understanding the realities of trafficking and make training more accessible to those seeking it.

“MDTs are by definition on the front lines of human trafficking mitigation in the state.”

Some groups currently offering community trainings include:

- State and federal prosecutors
- Local, state, and federal law enforcement
- Non-governmental organizations
- Task forces

For a more detailed list, see the Resources and Service Providers section of this document in Appendix 3.

Calendars for training and other anti-human trafficking events is available through the BEAMS and End It Alabama websites. If training is not clearly available in a given area, requests may be submitted to the beamsal.com or enditalabama.org websites and will be shared with trainers across the state to identify a training provider.

## ANNUAL CONFERENCES

Annual training conferences allow participants to engage with people and to receive content that is not readily available at the local level. When possible, it is recommended that anyone working in this field attend at least one training conference per year.

### END IT ALABAMA SUMMIT

The Alabama Human Trafficking Task Force offers an annual one-day training summit in Montgomery, Alabama near the end of January. This is a trafficking-specific event, with plenary sessions and breakout workshops covering a variety of topics related to all forms of trafficking.

Participants may also attend a networking reception the night prior to the conference to engage directly with others working to fight human trafficking in Alabama. Discounts are provided for students. For more information visit [enditalabama.org](http://enditalabama.org). Continuing education credits are available for most professions.

### JOINT HUMAN TRAFFICKING TASK FORCE MEETING

Each year the Northern, Middle, and Southern Districts of Alabama Human Trafficking Task Forces combine together for the Joint Human Trafficking Task Force Meeting in January. This event is held on the campus of Auburn University at Montgomery and includes nationally recognized human trafficking expert speakers. Registration information will be available at [outreach.aum.edu/alabama-crime-prevention](http://outreach.aum.edu/alabama-crime-prevention) in the months preceding the event. This event is free and open to all professionals working in anti-human trafficking but focuses on law enforcement and prosecution efforts.

### INTERNATIONAL SYMPOSIUM ON CHILD ABUSE

The National Children's Advocacy Center offers a four-day conference in Huntsville, Alabama in March each year. While this conference focuses on all aspects of child abuse, human trafficking is a component and is interrelated with many forms of child abuse. The Symposium offers plenary and breakout sessions, workshops, networking opportunities, and evening social events. For more information visit [symposium.nationalcac.org/](http://symposium.nationalcac.org/). Continuing education credits are available for most professions.

# DATA & COMMUNICATION



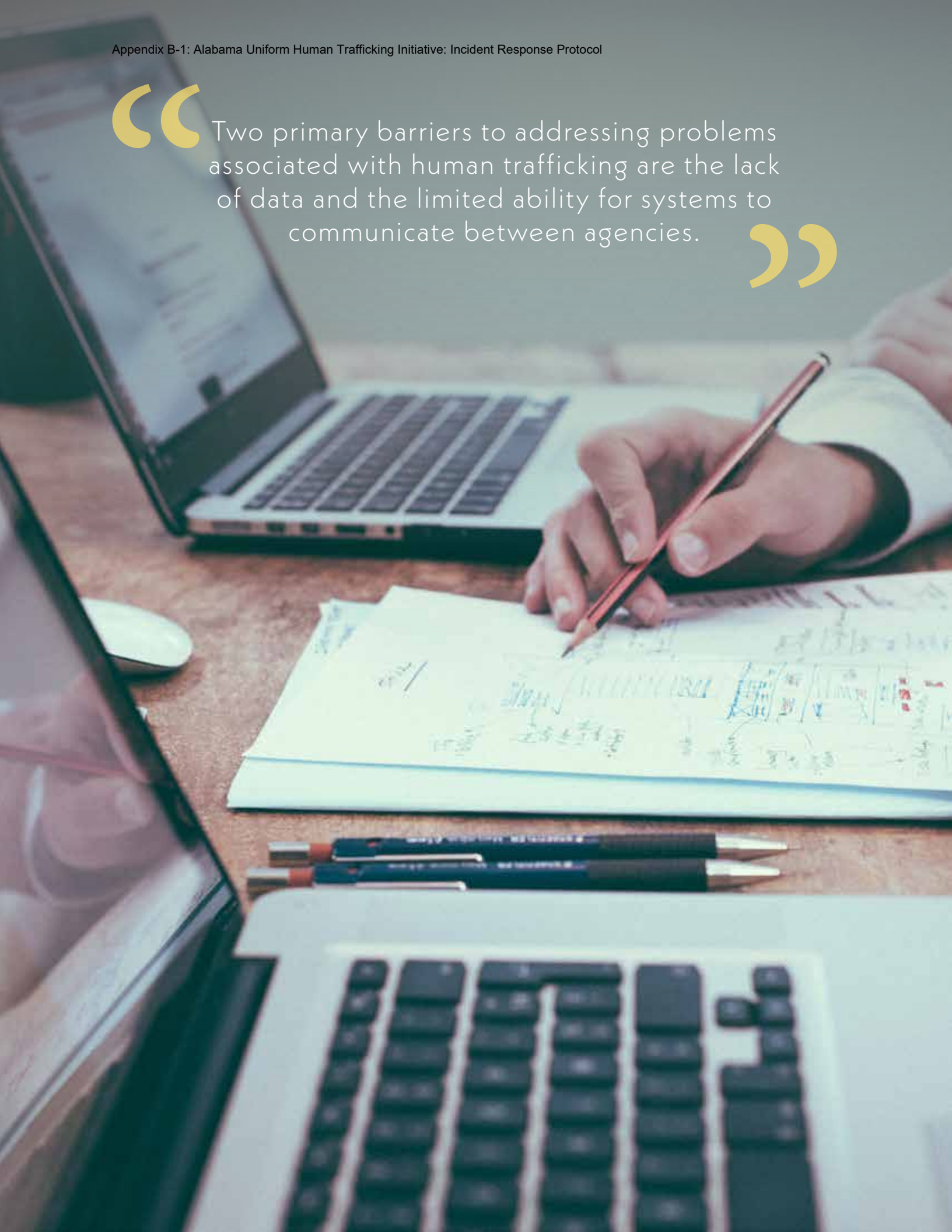
# DATA AND COMMUNICATION

Two primary barriers to addressing problems associated with human trafficking are the lack of data and the limited ability for systems to communicate between agencies. Victims of human trafficking frequently engage with professionals in industries such as law enforcement, medical, hospitality, and social services. Each of these industries might be collecting or could collect data related to human trafficking and human trafficking victims. The ability to aggregate and use that data would result in a sustainable and reliable source of information that could be used in a plethora of ways to advance the effort to strategically address human trafficking in Alabama.

There are several legal and historical obstacles for sharing data between agencies. Though it is necessary to ensure the objectives and privacy principles behind the legislation and policy creating these obstacles remain intact, some thoughtful revision to policies and practices could benefit the effort to mitigate human trafficking. The challenges to resolving these barriers, and potential solutions for data collection and communication are acknowledged. One example of leadership in this area is the Alabama Department of Human Resources (DHR) Human Trafficking Protocol which directs their agency that “Sharing of reports, investigatory tools and information is strongly encouraged to assist the investigation of the criminal matter and the child protection proceeding” (Alabama Department of Human Resources, 2017). To follow in the leadership of DHR, each agency with exposure to victims of human trafficking should create guidelines and processes to facilitate the inter-agency sharing of information and data. Moreover, we need to create a process to aggregate that data in a secure manner at a single repository.



Two primary barriers to addressing problems associated with human trafficking are the lack of data and the limited ability for systems to communicate between agencies.



## REPORTING SOURCES

### MINOR VICTIMS

Alabama requires that mandatory reporters notify law enforcement or the Department of Human Resources (DHR) if there is the suspicion of abuse of a minor. See Ala. Code § 26-14-3. This abuse includes sexual abuse and human trafficking. If a mandatory reporter notifies law enforcement of possible abuse of a minor, law enforcement will then notify DHR. If a mandatory reporter notifies DHR of possible abuse of a minor, DHR will then notify law enforcement. DHR's existing internal Human Trafficking Protocol provides guidance for how these suspected cases should be documented.

Our research discovered an opportunity to improve victim identification and reporting through training DHR personnel in how to recognize the indicators of human trafficking and how to document these cases so as not to miss a trafficking case by labeling it as another form of abuse. In most instances, the indications of trafficking, and especially disclosures from victims, will not be immediate. When these indications or disclosures come at a later date, all reporting should be updated to reflect the new information. Internal reports related to trafficking data should be generated monthly and the compiled data should be submitted to the Alabama Fusion Center.

### ADULT VICTIMS

Unlike minors, there are no mandatory reporters of abuse or suspected abuse when it comes to adults in the state of Alabama. Additionally, there is no mandated notification from one agency to another (e.g., law enforcement to adult protective services) as there is with minors (law enforcement to DHR). Thus, data collection with respect to trafficking is more challenging and less systematic for adults than it is for minors. Because many victims of abuse, including trafficking, do seek assistance from some government agencies or NGOs, such as law enforcement, shelter organizations, and



Each agency with exposure to victims of human trafficking should create guidelines and processes to facilitate the inter-agency sharing of information and data.



medical professionals, there are opportunities for data collection. Additionally, law enforcement may encounter victims of human trafficking while investigating other types of crime. This provides law enforcement with a chance to make an assessment of human trafficking identifiers and not only change that person from a suspect to a victim, but also identify that in the reporting system. Because of the contact that a victim might have with one of these government organizations or NGOs, each one should have a protocol in place for the collection of data from potential victims of human trafficking.

## LAW ENFORCEMENT

Suspicious circumstances with human trafficking indicators, but not enough evidence for further criminal investigation, should be submitted as a Suspicious Activity Report via eCrime or another non-criminal reporting system and forwarded to the Fusion Center. Instances of suspected human trafficking should be submitted as an Incident/Offence (I/O) report through eCrime or similar software. In either case, the "Send to Fusion Center" box must be checked for this data to be properly collected. While individuals suspected of human trafficking are often charged with something other than human trafficking, in an effort to capture all suspected instances of human trafficking it is advised that a human trafficking charge is indicated on the report as either suspected or a lesser included charge.

The Alabama Law Enforcement Agency (ALEA), Alabama Association for Chiefs of Police, Alabama Sheriff's Association, and Alabama Peace Officers Standards and Training Commission (APOST) are potential partners in encouraging a statewide effort to appropriately train law enforcement employees to recognize signs of trafficking as well as trafficking victims as such, and to properly collect and submit data on trafficking cases.

It is highly recommended that law enforcement agencies utilize Spotlight, a free online program that helps prioritize leads in sex trafficking investigations. Out of more than 400 law enforcement agencies in Alabama, only 24 are

actively utilizing this service. Spotlight can be located at [spotlight.thorn.org](http://spotlight.thorn.org).

## MEDICAL

Most survivors of human trafficking seek medical assistance at some point during their victimization, especially when an injury or ailment adversely impacts their ability to make money for their trafficker. Often, this medical assistance is sought at an emergency room, urgent care, public health department, rape crisis center, pregnancy crisis center, dentist office, or drop-in health center. All personnel employed at medical facilities should be trained to recognize potential trafficking victims, separate them from their traffickers if they are accompanied, and properly collect data for submission. It is important that not only licensed medical personnel (i.e., doctors, nurses, dentists) be trained, but also receptionists, custodial staff, security, or anyone who might come into contact with a patient.

The Department of Public Health or the Alabama Board of Medical Examiners & Medical Licensure Commission could house such data and forward it to the Fusion Center monthly. However, given their limited purview, additional partnerships would be required for either of these to be successful.

## HOSPITALITY

Trafficking victims are often customers of businesses like hotels, truck stops, and restaurants. Victims who are transported often while being trafficked are especially likely to be identified by hospitality industry personnel. Large corporations often provide some level of training in human trafficking to their employees; however, smaller and/or locally owned businesses may not provide such training.

Industry organizations, such as the American Hotel and Lodging Association or the Alabama Tourism Department, could lead an effort in data collection for the hospitality industry and then house and submit such data to the Fusion Center each month. Any suspected trafficking noticed



in hospitality environments should be reported directly to law enforcement and the Polaris National Trafficking Hotline.

## **NON-GOVERNMENTAL ORGANIZATIONS**

Alabama has several non-governmental organizations that provide services to victims of human trafficking and/or other vulnerable populations, such as substance treatment or homeless populations. These organizations are well positioned to report indications of human trafficking and should make those reports to law enforcement.

## **DATA POINTS**

Several key data points should be measured to provide insight to assist with law enforcement activities, determine proper resource allocation, ensure proper victim services are available, and suggest improvements to policy, practice, and legislation. This is not an exhaustive list, but some of the data that should be collected include basic demographic information about victims and offenders and information about locations, times, tactics, and means used by offenders. Some agencies and organizations already have internal protocols for data collection and in some cases, data sharing. It is important that all relevant entities are collecting some of the same information, and that we create the necessary processes to aggregate the data into a single source.

## **AGGREGATING DATA**

All data related to human trafficking collected by individual organizations and agencies should be submitted to a designated industry partner. This industry partner will be able to compile data into a monthly report that then should be sent to the Alabama Fusion Center at ALEA. The Fusion Center has a designated analyst who will then be able to aggregate each industry's reports, creating

a human trafficking database for Alabama. The Fusion Center Analyst can also aggregate data submissions from multiple sources to identify trends and/or instances of possible trafficking victims and provide any actionable information to law enforcement. For example, a report from the hospitality industry of trafficking at a particular hotel on a certain date could potentially match that of a law enforcement report.

The data can also be de-identified and made available to university researchers for ongoing compilation and analysis for broader scope research purposes. This can be used to assist with evaluations of processes and protocols, inform future legislation, and provide insight to agencies for capacity building and resource allocation.

## **DATA SHARING**

Data sharing is a key component to properly tracking human trafficking cases in Alabama. Unfortunately, it is also the most challenging piece. In order to have a truly comprehensive, multidisciplinary, and collaborative effort against trafficking in Alabama, each agency must be willing to adjust their own internal policies and procedures to enable data sharing. A comprehensive review of data sharing policies within each agency should be conducted to determine how best to share data safely and securely.

To enable a centralized collection of data, the Fusion Center can be utilized as the primary data centralization point. As a law enforcement entity, most data can be submitted without excessive privacy issues. The Fusion Center will be responsible for de-identifying data as necessary prior to data dissemination for broader scope research purposes into human trafficking.

## **MEMORANDA OF AGREEMENT**

In many cases, a Memorandum of Agreement (MOA), Memorandum of Understanding (MOU), or similar instrument between agencies and ALEA could alleviate existing restrictions on data

sharing. Many agencies already have agreements with other organizations for such purposes. This would primarily affect law enforcement, DHR, and the medical field due to privacy laws. The hospitality industry and direct service providers will require an agreement as well. Utilizing the resources at the Fusion Center could limit concerns about what sort of information is being shared. All information submitted from the Fusion Center for research purposes will be de-identified, removing any privacy concerns regarding those records.

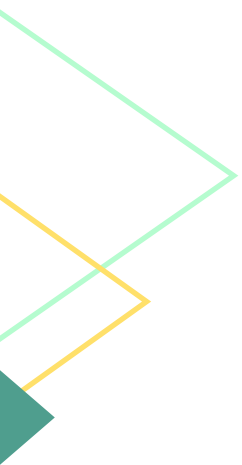
## **HIPAA CONCERNS**

Data collection in medical settings is complicated. While it is very important that the data related to human trafficking be collected and submitted, at no point should an individual's HIPAA protections be violated. In order to both comply with HIPAA laws and provide data necessary to combat human trafficking in Alabama, it is recommended that medical practitioners request a waiver from the patient when possible or submit only non-PHI data when a waiver is not signed.

## **ANALYZING DATA**

Data collected should be analyzed to provide continual tracking of the number of trafficking victims in Alabama, look for trends in trafficking activities, and to inform processes, practices, and resource allocation to address trafficking throughout the state. This analysis will further enable training content to remain evergreen and relevant.

# LEGISLATIVE



# LEGISLATIVE

Alabama has made great strides in improving legislation as it relates to human trafficking. Shared Hope International's 2019 report card rates Alabama's trafficking legislation as an A, scoring 94.5 out of a possible 102.5 points. This rating is largely due to the tireless efforts put forth by groups and individuals to improve Alabama's trafficking related laws in recent years.

## STRATEGY AND COLLABORATION

Though we enjoy a high rating from Shared Hope International, we have a tremendous opportunity to increase this strength through a more strategic approach to the collaboration around proposed legislation from entities and individuals throughout the state. The state task force has a legislative committee, however other organizations and individuals don't benefit from a similar level of collaboration. One idea for greater statewide collaboration is to develop a sort of open forum, perhaps led by the state task force for round table discussions over legislative ideas. This could increase awareness of the state task force efforts and open the door for stakeholders in further reaches of the state to be included.

As stakeholders and other concerned citizens continue their efforts to improve legislation, there is an opportunity to approach new legislative efforts around the issue of human trafficking strategically and collaboratively. Alabama benefits greatly from many groups across the state that are interested in improving our legislation. However, this great interest also brings about additional challenges. The efforts of so many different parties crafting and proposing legislation can create a chaotic environment that can leave gaps in what the legislation accomplishes, conflicting or competing legislation, or significant effort expended on creating a solution legislatively when one is already available through other means such as policy or practice.

A hindrance to effective implementation of legislation in Alabama has been the result of

legislation passed that had not fully considered the effect it would have on organizations and agencies impacted by it. The consequences that a particular piece of legislation might have on organizations and agencies already functioning with limited resources and capacity should be considered. Additionally, many of the agencies and organizations affected by new legislation are not properly resourced to comply with the new mandates, through funding or resource expansion. In effect, our practices and policies need to catch up to much of our existing legislation.

A strategic, unified approach that reflects our guiding principles of collaborative, comprehensive, trauma-informed, and victims centered/offender-focused would result in legislative changes that are most beneficial to victims/survivors, are fiscally responsible, consider existing resources and capacities, and are in the best interest of the citizens of Alabama.

## FUNDING AND ENFORCEMENT

To date, funding has been an ongoing issue with legislative changes related to human trafficking. While Alabama has succeeded in improving the letter of the law, there have not been adequate funds attached to the bills to implement the changes needed. For instance, the statewide task force is charged with overseeing anti-human trafficking efforts across the state but is provided no budget with which to do so. Though the voluntary efforts of those task force members are commendable, this is not a sustainable model and

shows a lack of genuine interest from the state legislature in addressing these issues.

Additionally, new requirements must include a mechanism for enforcement to be successful in addressing human trafficking. While bars and truck stops may be required to post signage in restrooms offering hotline information for trafficking victims, Code Enforcement has been charged with the task of enforcing this requirement but lacks the resources or capacity to do so. An unenforced or unenforceable mandate may look good on paper but does not achieve the desired outcomes. All human trafficking legislation making requirements of any group, business, etc. should specify a party responsible for enforcement, adequate time frames for compliance, and funding for both application and enforcement.

## IMPACTS OF LEGISLATION

Legislation carries intended and unintended affects. For example, the purpose of a bill may be to improve data collection related to trafficking cases—a worthwhile goal that serves a real need. The effect, however, might conflict with an existing requirement, policy, or process, require the collaboration of another agency or entity not otherwise directly impacted by the legislation, create a need for additional software, require

new reports to be generated or changed, require employee training to teach the new process, or require new or additional resources to meet the new requirement. Sometimes the long-term effects may be unknown until the legislation is implemented; however, some unintended effects may be recognized with appropriate vetting.

In the course of drafting proposals for new legislation, it is important to seek feedback from all parties that would be impacted should the legislation pass. Understanding how such changes would affect each related organization creates an opportunity to address such impacts from the outset, rather than expecting adaption without issue after the fact. These conversations can establish the specific needs that a new bill would create and provide insight into costs associated with such changes, which, in turn, would allow for funding to be justified for inclusion in the bill.

New legislation also carries the risk of creating unintended consequences for victims and survivors of human trafficking. One way to mitigate what may otherwise be unforeseeable effects on victims/survivors is to engage them in the planning for new legislation. The lived experiences of survivors can fill in the gaps between intent and impact.

The most straightforward solution to each of the issues raised here is to approach human trafficking

legislation strategically and collaboratively. If all potential stakeholders are consulted and given an opportunity to provide input to the ideas put forth, the state can see a greater positive impact from legislative changes and fewer negative impacts.

# RECOMMENDATIONS



# RECOMMENDATIONS

A well-coached football team will have an initial series of plays scripted, followed by a general game plan strategically designed to guide the rest of the game. Our approach with these recommendations follows that same pattern. These initial recommendations will not address every need or accomplish all our goals. Rather, they are the starting point, or, more accurately, the next steps that build upon the foundation laid in our state by many leaders in this field over several years.

This initial set of recommendations has been identified through a mixed-method approach consisting of triangulating our research through cluster mapping, data analysis, and seeking partner insights. The voices that have contributed to the selection of these recommendations include local, state and federal law enforcement; survivors of human trafficking; nonprofit leaders; prosecutors; social workers; the faith community; educators; and others. While several important needs exist, these recommendations take advantage of existing strengths to solve urgent gaps while minimizing the need for additional resources, and the recommendations requiring new or additional resources are deemed high priorities and are strategic to ensure the effectiveness and sustainability of our efforts.

Many important and significant opportunities exist to improve our response to the issue of human trafficking in Alabama. The selection of these recommendations does not minimize the other important needs, nor are they a comprehensive solution. Rather, they represent the first set of scripted plays in our new comprehensive and collaborative statewide approach to addressing this issue in Alabama.

These recommendations are selected because we believe they are the best opportunity to build on existing strengths and infrastructure and will lay the foundation upon which future growth can be built. The recommendations focus on three fundamental building blocks: training, data, and management. These three are not only foundational, but interdependent. All future projects to improve our state response to human trafficking will require the competent management and leadership reflected in our Capacity Building and Sustainability section. Responsible resource development and allocation is dependent on accurate data and reporting.

## TRAINING STRATEGY

Training is one of our existing strengths. Many incredible entities and agencies are conducting trainings to various audiences and through many platforms, including the Child Trafficking Solutions Project; the Jefferson County Children's Policy Council; the West Alabama Human Trafficking Task Force; leaders in state and federal law enforcement, such as HSI, ALEA, the Federal and State Task Forces; nonprofit organizations, such as the Junior League of Birmingham, The WellHouse, Trafficking Hope; and others. The opportunity we have to improve on this is to simply elevate the profile of these existing trainings through deeper collaboration and promoting them through technological resources, such as the training calendars available on the EndItAlabama.org and BEAMSAL.com websites.

Because training is a strength in many ways in Alabama, we recommend capitalizing on this momentum to improve in both the quality and capacity of our training across the state. Significant needs for training in many areas across the state remain. The disparity between the number of victims in the state and the numbers

of victims receiving services and/or represented by the prosecution of their offenders is not an indictment of our law enforcement, child welfare, or any other agency in the state, but rather an indication of the need for improved training and processes. Opportunities exist to encourage standard language, accuracy, and shared vision in our training content. A significant need exists to reach all areas of the state with human trafficking training. Creating an effective training plan that reaches all communities in our state will be both a first task and an ongoing process.

To meet the most immediate needs not already covered by existing trainings, we recommend the creation of a statewide training strategy that facilitates the sharing of knowledge and resources, unifies languages, and agrees on general guidelines such as the Guide for Public Awareness Materials (Appendix 4). Second, we recommend the development and implementation of a plan to train professionals in areas with limited resources throughout the state who are likely to encounter victims of human trafficking and training the MDTs across the state on the AUHTI.

### **GENERAL PROFESSIONAL TRAINING**

Our larger cities have access to quality training through many of the entities and agencies listed above, however many communities with resource challenges, or which are isolated geographically, are not receiving training. This general training should be offered to professionals whom are likely to encounter potential victims of human trafficking, such as law enforcement, social workers, medical, mental health, restaurant and hospitality employees, and school staff. This training should consist of how to identify a potential victim of human trafficking within the context of their profession, how to engage the potential victim, and how to report the incident. This training will result in more victims identified and service provision being offered to them sooner. This is an important step in mitigating the problem of the “missing” or “hidden” population of victims in the state discussed in the introduction.



This initial set of recommendations has been identified through a mixed-method approach consisting of triangulating our research through cluster mapping, data analysis, and seeking partner insights.







Improved processes for reporting and data collection will enable accurate prevalence estimates and allow for strategic policy and resource allocation.



## REGIONAL MDT TRAINING

Training for MDTs should be conducted by a Law Enforcement representative, a Children’s Advocacy Center representative, and a Lived Experience Expert. These trainers should be consistent across the state, or at minimum across defined geographic regions to ensure consistency in the training provided statewide. In addition to MDT members, other professionals in law enforcement, social services, medical, mental health, or relevant NGOs may wish to attend this training. Partnerships with the Alabama Network of CACs (ANCAC), the Alabama State Attorney General’s Office, and the Alabama Law Enforcement Agency (ALEA) will create relevant and engaging training and assist with the implementation the AUHTI statewide.

The MDT trainings should focus on the Initial Response Protocol (IRP) for the applicable partners and cover relevant content for prosecutors and other parties involved in human trafficking investigation and victim/survivor support. Key components of this training should include victim identification and reporting processes, as well as the nature of human trafficking victimology and best practices.

## DATA AND COMMUNICATION

Without effective reporting processes Alabama does not have the ability to accurately quantify human trafficking activities in the state. Moreover, based on the research conducted by the School of Social Work at the University of Alabama, hidden populations of victims remain unsupported because of the lack of indicator training and reporting processes in each of our public systems. Ineffective reporting processes, or the lack of reporting processes, results in the inability to provide services to existing victim, and the lack of comprehensive and quantifiable data on human trafficking, thus diminishing the ability for informed evaluation of policy and the inefficient allocation of resources.

Improved processes for reporting and data collection will enable accurate prevalence estimates and allow for strategic policy and resource allocation. Over time, this will provide data to inform our knowledge of how human trafficking presents in specific populations and geographies, as well as methods and trends of human trafficking. This level of specificity will enable effective evaluations of the actions we take and inform process correction as we continue to learn and increase capacities to combat human trafficking in the state. In general, we need to create a data and communications plan that answers the questions of what data should be collected, how that data will be collected and secured, and how that data will be shared and communicated.

## **DATA COLLECTION**

All agencies and organizations who potentially engage with victims of human trafficking should create and implement processes to gather and report non-identifiable data on human trafficking. These agencies include law enforcement, child welfare, social services, victim service providers, medical, mental health, schools, and any other entity that could engage with victims of human trafficking.

Additionally, continued research is an important part of our data collection process. The evaluation of human trafficking research in the state will inform responsible resource allocation, relevant training content, and strategies for future initiatives. For example, understanding the fact that a significant number of calls to the National Human Trafficking Hotline in the northern part of Alabama are coming from communities off the state highways as opposed to the interstate provides essential information to our law enforcement community that might affect personal deployment decisions.

## **DATA AGGREGATION**

The Alabama Fusion Center should serve as the data aggregator for the state. As the intelligence repository for the state with a universal mission

of information sharing, the Fusion Center has the ability to safely store such data. This would be the ideal place to keep this data regardless of the presence or absence of law enforcement involvement. An additional benefit is that the Fusion Center has law enforcement contacts at the local, state and federal level across the state and is part of the larger National Fusion Center Association which can facilitate collaboration with other fusion centers around the country for seamless intelligence on this borderless crime.

## **DATA COMMUNICATION**

Human trafficking data should be able to be accessed through a secured and searchable database by agencies and organizations that have been approved access to the data via formal agreements such as a Memorandum of Understanding (MOU).

Relevant elements of this data can also be made available through an annual state report on human trafficking. This report can use the data to tell the story of human trafficking in the state and to provide insights through research and analysis into solutions and mitigation processes.

## **CAPACITY BUILDING**

Alabama currently has limited capacity for effective collaboration across the state. While pockets of successful collaboration exist, they tend to be regional and/or limited in scope. These self-imposed boundaries are not limitations but rather strategies to ensure the efficient use of resources. Some examples include the co-location model at the National Children's Advocacy Center in Huntsville, the West Alabama Human Trafficking Task Force which serves as our states only operational task force, and the deeply collaborative MDT model of the Child Trafficking Solutions Project in the greater Birmingham area.

We recognize that Alabama is a diverse state with distinct resources and needs throughout the state. We acknowledge that what works in Huntsville, Tuscaloosa, or Birmingham might not work in

other counties or regions. This reality highlights the need to create capacity for sustainability. While capacity building often requires capital investments, much can be accomplished through collaboration. In some cases, an effective collaboration will attract capital investments by way of foundation or grant funding. And through the synergy of combined resources from multiple agencies and organizations, a deeper collaborative approach can maximize existing strengths.

## RESOURCES

Our state and local law enforcement partners need training and equipment to enhance their investigative capabilities. Our prosecutors and courts need training. Our service providers need capital resources for service provision. Our state needs housing opportunities for child and adult victims, mental health resources, and many other tangible things.

We are recommending a statewide strategic approach to meeting these needs both now and in the future that is twofold: first, collaborating around existing resources; and second, approaching federal grant opportunities with multiple agencies and organizations to write compelling applications through the strength of strategic collaboration.

## STATEWIDE HUMAN TRAFFICKING COORDINATOR

Finally, responsible capacity building must be strategic. We must understand the nature of the problem through research and analysis, create the needed resources, and develop the appropriate responses, manage and evaluate those activities, then make the appropriate changes based on the

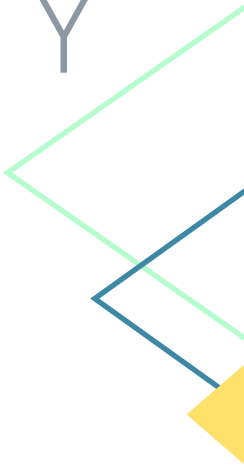
evaluations. For both efficiency and effectiveness, these processes should be centralized under an accountable and empowered statewide leader. We have suggested the title of that position as the Statewide Human Trafficking Coordinator (SHTC) and that person be a full-time employee of either a state agency or an appropriate non-governmental agency.

The SHTC is responsible to develop, oversee, and provide leadership for the statewide strategic AUHTI. This person will manage and facilitate the recommendations of this Initiative and provide vision and leadership for statewide efforts moving forward. The ideal competencies of this role include the ability to create and maintain unity around key policy and practice issues between our diverse communities including law enforcement, social service, nonprofit, academic, legislative, medical, mental health, and faith-based partners.

The hiring process for this position should be transparent and competitive. A job description and basic competencies should be developed and evaluated by a committee representing various experts in this field including the various task forces, direct service providers, and survivors. A similar committee should review all applicants for this position and make hiring recommendations to the employer. Those who agree to serve on these committees should not be applicants for the position once established.

This role is an essential starting point of this Initiative and is key to sustainable efforts. Returning to the football game plan analogy, this is putting in our quarterback to run the first play from scrimmage. The reader will find more information about this role in the next section titled "Sustainability".

# SUSTAINABILITY



# SUSTAINABILITY

Over the past several years many in the state have shown leadership in crafting legislation, developing programs, and proactive law enforcement investigations to address the complex and ongoing issues around human trafficking in the state. Alabama is well positioned to build on our existing strengths; we now have an opportunity to take a more collaborative approach to advance a strategic plan for addressing sex and labor trafficking throughout the state.

The importance of considering how to move forward is paramount. In fact, without a commitment to create the infrastructure to support ongoing anti-human trafficking work in a more collaborative and comprehensive way, any resources allocated, and efforts expended to implement the recommendations of this Initiative are at best a symbolic gesture, a fence erected to dam a river. Effectively addressing the trafficking of adults and minors through sex and labor in Alabama in a sustainable way requires empowered and accountable leadership. Specifically, the key starting point as it relates to sustainability is the creation of the Statewide Human Trafficking Coordinator (SHTC) position to manage and provide leadership for this process.

This short section is not intended to be comprehensive or exhaustive. Rather, it provides some practical suggestions related to the recommended Statewide Human Trafficking Coordinator position. Additionally, some of the content of this section will shed light on why our existing resources are inadequate to carry out these responsibilities, and how the creation of this new position would be a prudent first step. For clarity in this discussion, this section has been divided into three elements: Empowerment, Accountability, and Leadership. Each of these elements draws out important nuances of this role.

## EMPOWERMENT

By using the term “empowerment” in this context we are referring to having the authority and access that facilitates the ability to get things done. Authority and access are enhanced through both position and by relationship. Other states have aligned similar positions under different agencies or organizations. For example, Minnesota’s comparable position is located in their Department of Human Services, and Mississippi has aligned their statewide coordinator under the Mississippi Bureau of Investigations, while Oregon and California both have similar positions located within non-governmental organizations that partner closely with their law enforcement and social service partners. Iowa has a similar position within their state Attorney General’s Office. The decision as to where SHTC is placed will have various ramifications including funding, focus, shifting priorities, and autonomy among others. Therefore, this decision should be made carefully, considering the benefits and ramifications of where the SHTC is located.

## ACCOUNTABILITY

When the citizens and leadership of the state of Alabama invest resources to strategically approach the issue of human trafficking in the state, a responsibility of accountability is assumed. Accountability in this context can be grouped into three categories: Management, Evaluation, and Reporting. The SHTC should provide leadership by exhibiting accountability in each of these areas through specific deliverables and responsibilities.



Effectively and sustainably addressing human trafficking in Alabama requires empowered and accountable leadership, through the creation of the Statewide Human Trafficking Coordinator position.



## MANAGEMENT

The successful management of this systemic statewide approach requires the ability to develop and execute a strategic plan. The implementation of the recommendations in this Initiative will need oversight. A baseline for reporting and data gathering will need to be created, and the ongoing collaborative efforts across the state will require extensive facilitation. These and other similar responsibilities will require the full-time effort of a competent manager.

## EVALUATION

The recommendations in this Initiative are a starting point. They will need to be evaluated for effectiveness and refined on a regular basis. Statewide resources and capacities will need to be identified on an ongoing basis as they naturally will change from year to year. Also, new recommendations based on the continually evolving nature of this crime, the needs of victims, and changes in resource allocations will need to be assessed and prioritized on a regular basis. The SHTC will need to possess the ability to engage in continuous evaluation, assessment, and revision of the strategy.

## REPORTING

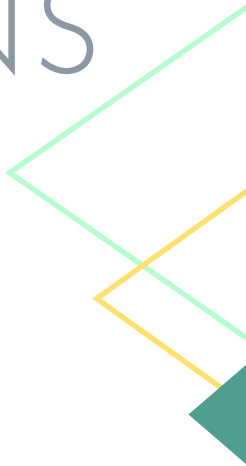
Finally, the state would benefit from an Annual Human Trafficking Report to provide insight into our progress year over year, acknowledge those doing exemplary work, identify important trends, and make appropriate suggestions for continued growth. This report can be used by state agencies to review resource allocation and training. It can be a source of data and best practices for other states or the federal government, and it will provide insight into the effectiveness of our efforts.

## LEADERSHIP

The success of our efforts is dependent on the competent leadership of the SHTC. This person must thoroughly understand the goals of this Initiative and be able to clearly articulate and translate them into measurable actions and create a specific road map outlining how those goals will be realized. Thus, one of the first responsibilities for the SHTC is to create a strategic plan. Goals must be prioritized, considerations given to which activities or actions are contingent and which ones are dependent, and determinations made on the most prudent way to build capacity. Once this strategic plan is established, the SHTC will need to possess the capability to manage collaborative teams for implementation.

As mentioned in the Empowerment section above, "authority" is not simply a position held by an individual, it is also earned through healthy relationships. One of the essential characteristics of the leader who holds the position of SHTC is the ability to build and maintain relational capital among various, and sometimes opposing, entities and agencies. Additional responsibilities of the SHTC include the ability to unify people together, to facilitate healthy and productive discussions around policy and practice, and to provide a platform that encourages collaboration around future grant applications and resource sharing throughout the state. The SHTC will encourage growth strategies, effectively foster public-private partnerships, and facilitate communication throughout the state to strengthen the unified message.

# CONCLUSIONS





# CONCLUSIONS

Alabama has a strong foundation upon which to build. The hard work of many advocates and brave legislators resulted in some of the strongest laws in the nation to protect those vulnerable to human trafficking and to prosecute offenders. Because of tremendous leaders in our law enforcement community, traffickers are beginning to find some places in the state inhospitable to trafficking. Because of our caring professionals in the various social service agencies in the state, the recovered victims are receiving services. And, because of our tireless nonprofit community, survivors are finding the supportive and restorative services they need. Each of these entities and organizations, and each of these committed and compassionate individuals have laid an impressive foundation upon which we can build an exemplary anti-human trafficking statewide initiative.

The State is in a perfect position to invest in the lives of the most vulnerable in Alabama and to support the honorable and difficult work already completed. Our current efforts and resources are inadequate to manage the prevalence and scope of human trafficking in the state. Moreover, the configuration of our existing resources is struggling to meet the existing investigative and service provision needs. By adopting the recommendations in this Initiative and committing to a sustainable strategy for addressing human trafficking in Alabama, we will once again demonstrate leadership as a state for the afflicted and oppressed. Just as we currently lead the nation in our legislative approach to the issue, we can now lead the nation in our comprehensive and collaborative approach to investigations, victim services, and training.

Finally, successful efforts to implement the recommendations in this Initiative will result in a greater number of identified victims of human trafficking. This is because better training, policies, and processes will inevitably lead to more victims identified, more arrests and prosecutions, and more victim services being offered. This can create concern for agencies unprepared to manage an increased demand for services and for the general public as they gain an awareness of increased activities. We must be prepared both logistically with resources and set expectations for public perception for the corresponding increase of reported victims and cases of human trafficking. Thoughtful approaches to training and public awareness will address this by telling the story of our success and leadership evidenced by protecting a greater number of the most vulnerable among us.

## APPENDIX 1 // RESEARCH METHODOLOGY

### BACKGROUND

In 2017, the University of Alabama School of Social Work was awarded a grant from the Department of Justice to address juvenile human trafficking in Alabama through three deliverables:

- Development of a statewide response protocol for use when juvenile human trafficking victims are identified
- Provide a statewide training on juvenile human trafficking
- Produce a database of resources available in Alabama for juvenile human trafficking victims

Specific tasks were outlined in the grant award that were to be completed in order to meet these three deliverables. One of these tasks was the expansion of the statewide needs assessment originally conducted by Dr. Williams of the School of Social Work at the University of Alabama in 2014. An updated needs assessment was developed in two forms—an electronic survey and a series of focus groups.

### ELECTRONIC SURVEY

Using a previously deployed survey as a starting model, the electronic survey was re-evaluated and adjusted to meet the current needs. Through UA's license for Qualtrics, the final survey was developed and approved by the university's Institutional Review Board and disseminated by email to as many contacts as the research team was able to identify. The recipients included but were not limited to DHR, CACs and law enforcement. Every DHR county office was contacted via the [dhr.alabama.gov](http://dhr.alabama.gov) website and sent a link through the email portal there to participate. Each of the 35 Child Advocacy Centers, and many sheriff's offices and police agencies were reached through their website, email, or Facebook messenger.

The response to the electronic survey was minimal. Moreover, many responses were started but left incomplete, and there was no way to identify if an incomplete survey was restarted by the same agency, which would have resulted in duplicated data. Therefore, survey responses were not considered in later data analysis.

### FOCUS GROUPS

Recognizing the challenges of collecting responses to an electronic survey, a plan for focus groups was developed simultaneously with the survey. Both methods were intended to collect the same information, just using different formats.

Focus groups were conducted in 13 cities across Alabama (Attachment 1). The cities were chosen to meet certain geographic criteria: major metropolitan areas, far reaching corners, and gap fillers. Ultimately, we held focus groups within a two-hour drive of each other all over the state, making them as reasonably accessible as we could. Some cities were scheduled for two groups where we expected larger turn out, giving us a total of 20 successful focus groups.

Invitations to participate were sent to all relevant entities in an area, including the previously mentioned DHR, CAC, and law enforcement contacts. The invitation specified we were looking for people who work with human trafficking victims or cases, or who would work those cases if they were identified in the area. In total, there were 114 participants statewide from a wide range of professions.

The research team met prior to the start of the focus groups to create a script for instructions and questions to lead discussion during the focus groups (Attachment 2). The goal was to maintain a consistent presentation for each group. Given the open discussion nature of focus groups, the script required minor adjustment throughout the groups, however, the full list of 14 questions was covered in each group.

## FOCUS GROUP ATTENDEES

PROFESSION	ATTENDEES
CACs	13
Church Orgs	4
DHR	13
Education	1
Hispanic Interests	2
Labor	1
Law Enforcement	38
Legal	8
Medical	3
Mental Health	3
NGOs	20
Social Services	6
Task Force	2
<b>TOTAL</b>	<b>114</b>

Prior to beginning each focus group, participants were given a Focus Group Consent Form, outlining the specifics of the research (Attachment 3).

In addition to the discussion, participants were asked to create a diagram outlining their office's current protocol for responding to human trafficking victims. This could be done in any form—a flow chart, list, or whatever the participant was most comfortable with. We asked them to highlight any areas where holes existed in their protocol. This gave us a sampling of agency protocols from a wide variety of professions and geographic areas, as well as to identify gaps in services. In some cases, participants were unable to outline a specific protocol because their organization did not have one.

### DATA ANALYSIS

As focus groups were completed, the audio recordings were submitted to an online transcription service. The research team then edited the transcriptions for accuracy. Transcriptions were uploaded to NVivo, a qualitative software analysis tool, and coded. Coding requires the transcripts to be read through by a member of the research team and texts highlighted and assigned to the relevant code for the data. Primary categories identified by the participants included Challenges, Services, Signs of Trafficking, Trafficking Victims, Victim Descriptions, and Website. Subcategories to these allowed the data to be broken down to more specific details, such as Consent for Services and Staffing under Challenges, and Age and Nationality under Victim Descriptions.

The quantitative data regarding human trafficking victims was pulled from the coded values to determine statewide estimates of trafficking in Alabama in 2017. The 114 focus group participants identified 617 potential victims of human trafficking, of which 354 were minors. We knew this did not account for all trafficking victims because of the limited number of participants. In order to account for the professionals not

represented in our focus groups, we assessed the missing data through a statistical data extrapolation process to account for the instances not captured because they are represented outside of our focus group participants.

## DATA EXTRAPOLATION

A weighted model was used to determine the percentage of victims who had come into contact with professionals in Alabama that our focus groups had been unable to identify. Using county population data, we estimated the percentage of cases identified in our groups for each county. To do this, we tabulated the number of representative participants from each county for four groups: DHR or Social Services, Law Enforcement or Legal, Child Advocacy Centers, and Non-Governmental Organizations. We also looked at whether there was a “primary representative” for each county. Some agencies cover more than one county, so we wanted to know if someone who worked on-site in each county was present.

We assigned the following weights to each of these factors:

- Number of group types represented (DHR/SS, LEO/Legal, CAC, NGO)
  - 4 = 0.5
  - 3 = 0.4
  - 2 = 0.3
  - 1 = 0.2
- 5 or more participants from that county = 0.3
- Primary representative present = 0.2

A county with representatives from all groups, including a primary representative, and five or more participants would receive a 1.0 rating, which would indicate we have a complete picture of trafficking cases accounted for in that county. A county that was unrepresented would receive a 0.0, indicating we have no representation through our focus groups.

## FOCUS GROUPS (ALABAMA, 2017)

**13**

Alabama cities participated

**20**

focus groups conducted

**114**

focus group participants

**617**

potential victims identified

**354**

minors identified as potential victims

These weights were inverted to account for the percentage missing. Each weight was subtracted from 1.0, giving fully accounted for counties a 0.0 and unaccounted for counties a 1.0. We then multiplied the county population by the inversed weight to determine how much of that county population was unaccounted for, which totaled 47.11%.

In total, we determined 52.89% of cases were accounted for by the focus groups, leaving 47.11% unaccounted for. We calculated the estimated missing cases assuming that  $617 = 52.89\%$ , which resulted in  $1167 = 100\%$ . ( $617 * 100 / 52.89$ )

Based on the prior figure of 57% of cases being minors, we estimate that 665 of the 1167 suspected victims were minors.

## OTHER FINDINGS

Beyond the quantitative data, participants identified specific areas of concern for trafficking victims in Alabama. Specifically, it was recognized repeatedly that two forms of trafficking taking place in Alabama that are overlooked are familial trafficking and labor trafficking. Familial trafficking is especially difficult to identify, as the indicators could be easily misidentified or unidentified by professional engaged in the minor's life who have not been trained on human trafficking. Labor trafficking was also identified by participants and seems to be a significant presence in agricultural work in Alabama and may also include child labor.

## LIMITATIONS

As researchers, we understand that the numbers we have determined are not exact. All research comes with limitations. In this case, we have identified the following limitations:

- The potential for duplicate accounts of the same case.
  - During single focus group a participant from DHR, CAC, and law enforcement may be able to say that together they worked a certain number of cases. We cannot say definitively whether someone

in another focus group identified the same case, as we intentionally did not ask for identifying information about any cases or victims due to privacy and information sharing requirements.

- There are cases missing from the data.
  - Victims who have had no contact with professionals cannot be accounted for.
  - Victims who have had contact, but were not identified as victims by professionals cannot be accounted for.
  - Using the Global Slavery Indexes' population based mathematical formula, (1.3 per 1000 people) the actual number of human trafficking victims in Alabama might be closer to 6,337, of which 3,612 would be minors.
- Data extrapolation is not an exact science.
  - We attempted to determine how inclusive the data we collected was from a statewide perspective. While we believe we have done so as accurately as possible, we cannot say with certainty that the extrapolation methods we used provide a fully accurate accounting.
- Research participation was limited.
  - Professionals working in law enforcement, child welfare, social service, mental health, medical, and nonprofit organizations from 41 counties in Alabama participated in the focus groups. The remaining counties were accounted for via data extrapolation based on population.
- In the counties represented, each county did not have "full" representation, therefore providing incomplete data from their county.

Considering these limitations, we acknowledge that our extrapolated estimates do not provide

an exact number of adults or minors who are victim of human trafficking in Alabama. However, we do have extremely high confidence that our methodology and the resulting estimates responsibly indicate the minimum number of potential victims in the state.

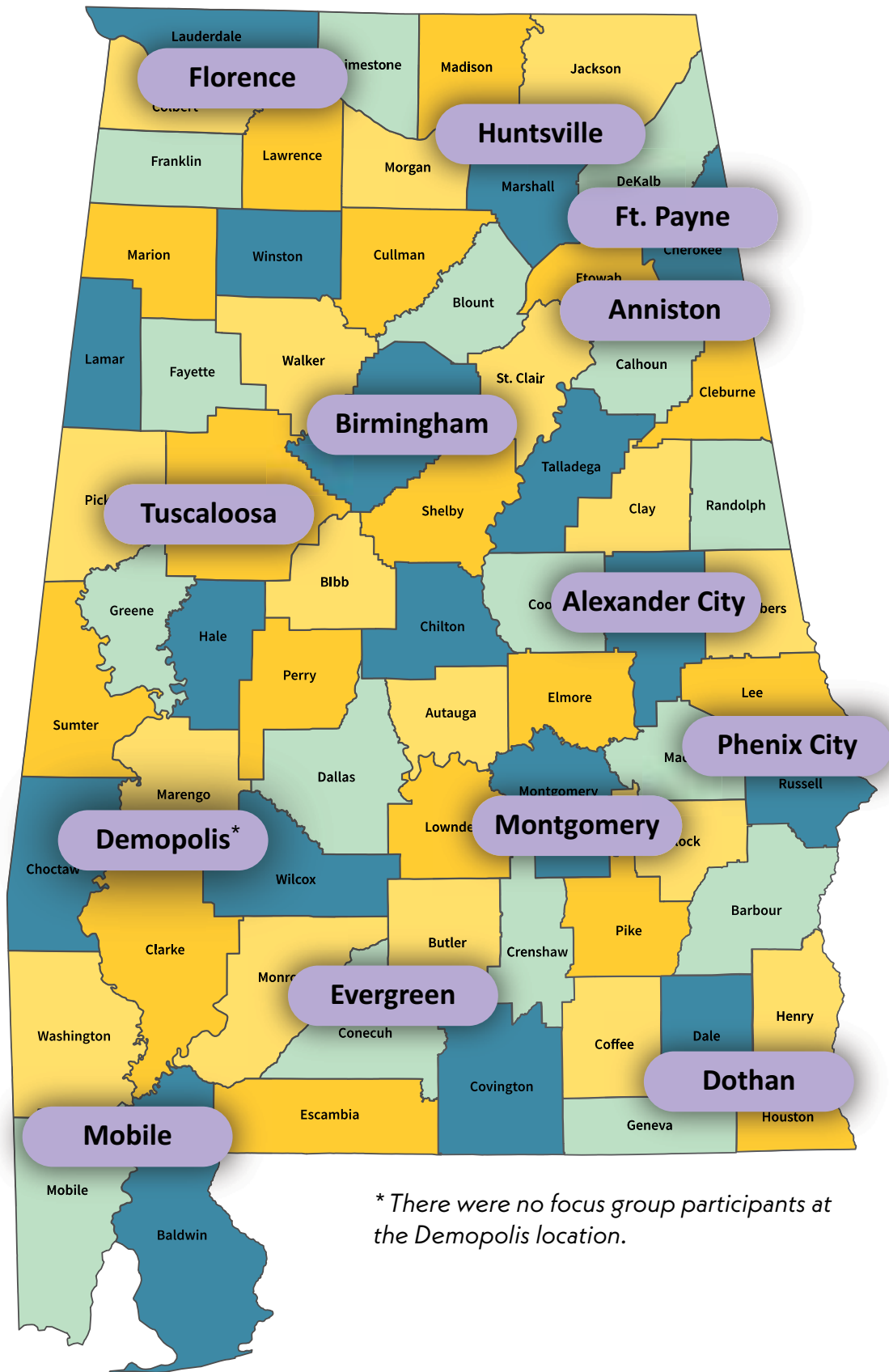
## CONCLUSIONS

Per the grant issued to the University of Alabama by the US Department of Justice, we have earnestly attempted to gauge the prevalence of human trafficking in Alabama as a part of our effort to determine the needs of this population within the state. Without having access to data that can be cross-checked from all relevant entities, we are unable to provide exact figures of trafficking victims known to professionals. Even if that data existed and was available to be evaluated, there would still be a missing segment that is unknown to any child welfare, social services, or law enforcement personnel in the state. Based on the data we have been able to collect, we are confident in the estimates we are able to provide: In 2017, approximately 1,167

suspected victims of human trafficking (sex and labor) had contact with a professional in Alabama, of which 665 (57%) were minors. The nature of these contacts may have been medical provision, counseling, law enforcement, mental health, or other professional services. These individuals may or may not have been identified as victims of human trafficking at that time, and therefore may or may not have engaged in either the criminal justice system or service provision for human trafficking survivors.

The purpose of collecting this data is to determine whether the services available in Alabama are adequate to meet these needs of this population, to gain a clearer understanding of the scope of the problem for more effective policy and process creation, and to increase awareness of the prevalence of trafficking in the state. As human trafficking is a problem commonly believed to happen “somewhere else”—big cities, other countries, etc.—recognizing the prevalence in our home state is essential to combatting the problem and identifying solutions.

# ATTACHMENT 1: FOCUS GROUP MAP



## ATTACHMENT 2: QUESTIONNAIRE

\*Table introductions

\*Turn off cell phones

### INTRODUCTION:

Thank you for your participation in this important focus group. This group is part of a larger series of 20 focus groups we are conducting across the state to get a better understanding of what is currently being done to address the issue of human trafficking, what resources are available and needed, and to determine where the gaps are.

We are tasked with creating a statewide protocol to coordinate services for victims of both sex and labor trafficking for law enforcement, social service, nonprofits and other agencies involved in helping the victims of human trafficking.

Your involvement in this focus group will help us understand what you need to serve this population better. The ultimate result will be threefold:

The establishment of a statewide protocol for first responders, social service and NGO's so that you will know what to do when you come across a potential or confirmed victim of human trafficking.

Training to keep current on issues around this topic including how to investigate and prosecute, how to identify and understand the effects of complex trauma, the basics of human trafficking to best practices.

Finally, we will be creating a database that will be a tool you can use to find vetted resources to make your job easier and aid in the victim's recovery.

So for the next 90 minutes we will be asking you questions and having a conversation about how you currently go about obtaining and coordinating services, what training would be helpful and getting your thoughts on the website.

As we get started, we have 4 requests:

- No Blame – we will be uncovering needs and gaps in services and resources that over the next several months we will be working together to create solutions for. If we do not properly identify the difficulties, we cannot properly create solutions.
- All ideas and concerns are up for discussion. If something comes to your mind put it on the table and let the ideas develop with the other participants.
- No sidebars – We will only have one conversation at the table at a time. Side discussions both distract from what is being considered and robs the rest of the group of the ability to hear what you have to say.
- When the conversation starts to stray too far from the question we will interrupt the discussion and bring it back on point.

Do you have any questions?



## DIAGRAMS:

On the paper provided, please put your agency name and your title or role. Then use the paper to draw a diagram or write out what your department's current protocol is for human trafficking victims. If you know of any holes in services around what your organization does, write those in and highlight them so we can clearly see where the holes are.

## QUESTIONS:

- Scope of the problem
  - In the past year, approximately how many victims of trafficking have you worked with?
  - What types of trafficking do you see? Sex? Labor?
- Existing and needed services
  - Are there differences between the types of services that Victims of sex and labor trafficking need?
  - What services are you aware of that exist in your city/county/state for child/adolescent victims of trafficking?
  - What services are needed but don't exist?
  - What services exist but need to be expanded upon?
- Existing methods of service provision/coordination
  - How do workers in your agency (or you yourself) proceed in obtaining and coordinating services for children/adolescents who have been trafficked? What is your exact procedure? What are the biggest challenges to obtaining/coordinating services in your agency/city/county/state?
  - Are there strengths in service coordination in your agency/city/county/state that we can build upon?
- Website development/content:
  - We are planning to develop a statewide website to assist providers in obtaining and coordinating services. How could a website like this be helpful to you and others in your profession?
  - In a perfect world, what capabilities would you like a website like this to have? (EX: service provider database, online "reservations" for services, online trainings, public information, etc.)
  - Who should have access to it? What sort of access should they have?
  - What concerns do you have about a website like this?
  - What have we not asked about that you think is important for us to know as we consider developing this website?
  - Are there tools other than a website that would be helpful to you and others in your profession?
- Follow up: We would like to reach out to all of you later to continue working together as partners in this endeavor. We'll be emailing you all to requests a list of resources you partner with to help us build a comprehensive list of available resources throughout the state.

## ATTACHMENT 3: FOCUS GROUP CONSENT FORM

### PURPOSE

You have been invited to participate in a focus group sponsored by the University of Alabama School of Social Work under the direction of Dr. Javonda Williams. The purpose of this focus group is to determine the services available and services lacking to properly serve victims of human trafficking. The information learned in this focus group will be used to build a database of resources and create a statewide protocol for human trafficking victims.

### PROCEDURE

As part of this study, a moderator will ask you several questions while facilitating the discussion. As approved through University of Alabama's Institutional Review Board, this focus group will be audio and video recorded and a note-taker will be present. However, your responses will remain confidential, and no names will be included in the final report. You can choose whether or not to participate in the focus group, and you may stop at any time during the course of the study.

Please note that there are no right or wrong answers to focus group questions. The project team want(s) to hear the many varying viewpoints and would like for everyone to contribute their thoughts. Out of respect, please refrain from interrupting others. However, feel free to be honest even when your responses counter those of other group members.

### BENEFITS AND RISKS

Your participation may benefit human trafficking victims and organizations who serve them by helping the development of a resource database and statewide protocol. However, no risks are anticipated beyond those experienced during an average conversation.

### CONFIDENTIALITY

Should you choose to participate, you will be asked to respect the privacy of other focus group members by not disclosing any content discussed during the study. Researchers within the University of Alabama School of Social Work will analyze the data, but—as stated above—your responses will remain confidential, and no names will be included in any reports.

### CONTACT

Please contact Valerie Trull or Chris Lim at 205-348-6790 or via email at beams@ua.edu should you have ANY questions about the focus group. Dr. Javonda Williams is the Principal Investigator and may be reached at 205-348-3926 or via email at jwilliams11@sw.ua.edu. If you have questions about your rights as a person taking part in a research study or want to make suggestions or file complaints and concerns, you may call Ms. Tanta Myles, the University of Alabama Research Compliance Officer at 205-348-8461 or toll-free at 1-877-820-3066. You may also ask questions, make suggestions, or file complaints and concerns through the IRB Outreach Website at [http://osp.ua.edu/site/PRCO\\_Welcome.html](http://osp.ua.edu/site/PRCO_Welcome.html) or may send an email to participantoutreach@bama.ua.edu.

I understand this information and agree to participate fully under the conditions stated above.

Sign name: \_\_\_\_\_ Date: \_\_\_\_\_

Print name: \_\_\_\_\_

## APPENDIX 2 // DEFINITIONS AND ACRONYMS

**Advocate:** the MDT partner providing the voice of the victim/survivor to the MDT and the bridge of trust providing consistency to the victim/survivor during their continuum of care.

**Alabama Law Enforcement Agency (ALEA):** The mission of the Alabama Law Enforcement Agency is to efficiently provide quality service, protection, and safety for the State of Alabama through the utilization of consolidated law enforcement, investigative, and support services.

**Alabama Uniform Human Trafficking Initiative (AUHTI):** The concepts delineated in this document, in particular the commitment to a statewide comprehensive and collaborative approach to addressing human trafficking in Alabama.

**Children’s Advocacy Center (CAC):** A Child Advocacy Center serves as a one-stop-shop for children and their families in the aftermath of child abuse. It serves as a home-base for all the professionals to come together in one place for the benefit of the child. Alabama has 35 CACs covering all 67 counties in the state.

**Care Navigator:** A role in the Multi-Disciplinary Teams (MDT). Each victim/survivor of human trafficking is assigned a Care Navigator to coordinate the care for the victim/survivor and help them navigate the necessary processes and systems.

**Alabama Department of Human Resources (DHR):** Alabama’s child welfare agency. The mission of the Child Welfare Division of DHR is to help families receive the least disruptive services they need, when they need them, and for only as long as they need them in order to maintain children in or return them to a safe, stable home.

**United States Department of Homeland Security (DHS):** A cabinet department of the U.S. federal government with responsibilities

in public security, roughly comparable to the interior or home ministries of other countries. Its stated missions involve anti-terrorism, border security, immigration and customs, cyber security, and disaster prevention and management. DHS includes Homeland Security Investigations, which operate a Birmingham, Alabama office that is highly involved in anti-trafficking efforts in the state.

**United States Department of Justice (DOJ):** A federal executive department of the United States government responsible for the enforcement of the law and administration of justice in the United States of America and is equivalent to the justice or interior ministries of other countries. The DOJ oversees the OJP, and thereby OVC, and is the chief federal funding agency for the Improving Outcomes for Juvenile Victims of Human Trafficking award.

**Forensic interview:** A structured conversation with a child intended to elicit detailed information about a possible event(s) that the child may have experienced or witnessed, conducted by an individual trained in providing forensic interviews. Forensic interviewing is a service often provided by CACs.

**Human Trafficking:** In this document the term human trafficking is inclusive of all forms of human trafficking including sex trafficking and labor trafficking, and all other forms of human trafficking as defined by the law.

**Internet Crimes Against Children (ICAC):** Formally, this Task Force Program is a national network of 61 coordinated task forces representing over 4,500 federal, state, and local law enforcement and prosecutorial agencies. These agencies are continually engaged in proactive and reactive investigations and prosecutions of persons involved in child abuse and exploitation involving the Internet.

**Incidence Response Protocol (IRP):** The IRP outlines the promising practices advised for adoption by all entities in Alabama involved in combatting human trafficking through law enforcement and victim advocacy and service provision roles.

**Lived Experience Expert (LEE):** Individuals with subject matter expertise gained through life experiences. In this case, survivors of human trafficking.

**Mandated reporter:** A person who, because of his or her profession, is legally required to report any suspicion of child abuse or neglect to the relevant authorities. These laws are in place to prevent children from being abused and to end any possible abuse or neglect at the earliest possible stage. For specific details on Alabama's mandated reporter laws, visit [law.justia.com/codes/alabama/2006/19865/26-14-3.html](http://law.justia.com/codes/alabama/2006/19865/26-14-3.html).

**Memorandum of Agreement or Understanding (MOA/MOU):** While an MOU describes a general understanding between parties working towards a common cause with no funding attached, an MOA is a more formal conditional agreement between two or more parties when the transfer of funds for goods or services are anticipated. In common language, the terms may be used interchangeably at times. Most agencies require legal counsel to review MOAs and MOUs before they are signed.

**Multidisciplinary Teams (MDT):** Regional collaborative teams which may cover one or more counties. The focus of an MDT is to provide for the safety and well-being of a victim/survivor. While Alabama's existing MDTs have a larger scope than just the issue of human trafficking, the protocol outlined in this document applies only to their response to those individuals suspected of being victims of human trafficking. Each MDT may have their own protocols that should be followed, such as notifying an MDT Coordinator. The MDT is an indispensable entity in the work to combat human trafficking and service provision of the victim/survivor.

**Non-Governmental Organizations (NGO):** In the context of this document, most NGOs are service providers and advocates working in the anti-human trafficking field, such as shelters and outreach organizations.

**Office of Justice Programs (OJP):** The Office of Justice Programs provides federal leadership, grants, training, technical assistance and other resources to improve the nation's capacity to prevent and reduce crime, assist victims and enhance the rule of law by strengthening the criminal and juvenile justice systems.

**Office for Victims of Crime (OVC):** A subsection of the Office of Justice Programs. OVC was established through the Victims of Crime Act (VOCA) in 1988 and is charged by Congress with administrating the Crime Victims Fund. Funding through OVC established the funding this Initiative was developed under.

**Sexual Assault Forensic Nurse Examiner (SAFE/SANE Nurse):** Registered nurses who have completed specialized education and clinical preparation in the medical forensic care of the patient who has experienced sexual assault or abuse.

**Task Force:** A strategic collaboration focused on one of three primary objectives: statewide oversight, law enforcement, and community. Each of these types of task force serves a specific purpose and are addressed more fully in this document.

**Victim/Survivor:** This protocol uses the terms "victim" and "survivor" to refer to individuals who were trafficked. The terms "victim" and "survivor" of human trafficking have specific, and at times, nuanced implications, legally, sociologically, etc. For simplicity in this document we will use the terms interchangeably or will use the term "victim/survivor" when specifying the differences is not necessary for clarity.

## APPENDIX 3 // RESOURCES AND SERVICE PROVIDERS

Resources for up to date information on human trafficking and service providers to meet the needs of victims/survivors, are both important components of a comprehensive approach to addressing human trafficking in Alabama. To this end, the BEAMS website ([beamsal.com](http://beamsal.com)) has dedicated pages for each of these. The Resources page has an ever-growing list of articles on the current research and promising practices, and the Service Providers page has more than 400 providers covering a broad range of service types across the state of Alabama. This list is reviewed regularly, and new providers added as they are identified. Updated information and new entries can be submitted to [beams@ua.edu](mailto:beams@ua.edu).

### ALABAMA

These providers offer a variety of services—from investigatory assistance, to victim services, to training. The providers we are including in this document are focused specifically on anti-trafficking efforts. Additional service providers can be found at the [beamsal.com](http://beamsal.com) website, who offer services needed by victims of trafficking, but are not specifically focused on serving victims of human trafficking, such as detox and rehabilitation programs, legal services, or job training. We have attempted to provide a brief overview here of what each of the listed organizations does, but for more in-depth information we recommend you visit their websites.

- **Alabama Law Enforcement Agency (ALEA)/Fusion Center | [www.alea.gov](http://www.alea.gov)**
  - Training available through the Fusion Center, law enforcement resources
- **BEAMS | [beamsal.com](http://beamsal.com)**
  - Human trafficking research, training, and resources
- **Blanket Fort Hope | [blanketforhope.org](http://blanketforhope.org)**
  - Training, community awareness, drop-in shelter (in development)
- **Child Trafficking Solutions Project | [www.jeffersoncountychildren.org](http://www.jeffersoncountychildren.org)**
  - Training, resources for collaboration
- **Cullman County Human Trafficking Task Force | [www.facebook.com/Cullman-County-Human-Trafficking-Task-Force-870585096352748/](http://www.facebook.com/Cullman-County-Human-Trafficking-Task-Force-870585096352748/)**
  - Training, community awareness
- **Dark Tower, UAB Computer Forensics | [www.uab.edu/cas/thecenter/](http://www.uab.edu/cas/thecenter/)**
  - Digital forensics, research
- **End It Alabama / Statewide Human Trafficking Task Force | [www.enditalabama.org](http://www.enditalabama.org)**
  - Training, resources
- **Homeland Security Investigations | [www.ice.gov/hsi](http://www.ice.gov/hsi)**
  - Training, collaboration, law enforcement operations, resource material
- **Joint Electronic Crimes Task Force (JECTF) | [cybercrime.as.ua.edu/resources/jectf/](http://cybercrime.as.ua.edu/resources/jectf/)**
  - ICAC, digital forensics, evidence processing, research
- **North Alabama Human Trafficking Task Force | [stnow.org](http://stnow.org)**
  - Training, community awareness
- **Renew Hope/Chambers County Human Trafficking Task Force | [www.renewhopeinitiative.com](http://www.renewhopeinitiative.com)**
  - Training, community awareness

- **The Rose Center / Eye Heart World | [eyeheartworld.org](http://eyeheartworld.org)**
  - Drop-in center
- **The Wellhouse | 800-991-9937 | [www.the-wellhouse.org](http://www.the-wellhouse.org)**
  - Women’s and children’s shelters, training, speaking
  - Shelter for minor victims of human trafficking
- **Trafficking Hope | 225-819-0000 | [www.traffickinghope.com](http://www.traffickinghope.com)**
  - General support for victims, training
- **US Attorney Generals Offices:**
  - Northern District | [www.justice.gov/usao-ndal](http://www.justice.gov/usao-ndal)
  - Middle District | [www.justice.gov/usao-mdal](http://www.justice.gov/usao-mdal)
  - Training, collaboration
- **West Alabama Human Trafficking Task Force | [www.facebook.com/westalabamahumantraffickingtaskforce](http://www.facebook.com/westalabamahumantraffickingtaskforce)**
  - Training, collaboration for law enforcement activities
- **Junior League of Birmingham | [www.jlbonline.com](http://www.jlbonline.com)**
  - General training, hotel training

## OUT OF STATE CONFERENCES

Conferences offer opportunities to expand your understanding of different factors related to trafficking and to meet people working in the anti-trafficking field across the country and

even globally. The conferences listed here are ones our team has attended and can personally recommend as quality events. This list is far from exhaustive and we encourage you to seek out diverse training opportunities whenever possible.

### **JuST CONFERENCE**

Shared Hope International, a leading organization in training and awareness of human trafficking, offers an annual Juvenile Sex Trafficking (JuST) Conference. The three-day event takes place in the fall at a different city across the US each year. The conference focuses on current events in anti-human trafficking efforts and the inclusion of survivors in all aspects. Discounts are offered for survivors, students, and Ambassadors of Hope. For more information visit [www.justconference.org](http://www.justconference.org). Continuing education credits are available for most professions.

### **DALLAS CRIME AGAINST CHILDREN CONFERENCE**

One of the oldest and largest conferences available is the Dallas Crimes Against Children Conference. It is held annually in mid-August in Dallas, TX, and hosts more than 5000 attendees each year. This four-day conference offers an opening plenary followed by hundreds of workshops covering a wide variety of topics and professions, as well as social events and networking sessions. Human trafficking is a regular component in many of the workshops, and interplays with most topics related to child abuse. This conference offers one- and two-day registration discounts, as well as a limited number of scholarships to cover registration fees. For more information visit [www.cacconference.org](http://www.cacconference.org). Continuing education credits available for most professions.

## NATIONAL/INTERNATIONAL

These organizations are working in anti-trafficking beyond Alabama's state borders. They each offer many resources for incorporating into your anti-trafficking efforts and trainings.

- **Blue Campaign** | [www.dhs.gov/blue-campaign](http://www.dhs.gov/blue-campaign)
  - Department of Homeland Security public awareness campaign and resources
- **Guardian Group** | [guardiangroup.org](http://guardiangroup.org)
  - Anti-trafficking organization for the hotel industry
- **Office For Victims of Crime** | [www.youtube.com/playlist?list=PLDuKXs-qp\\_GdY5fy1Yj0sPdLBRaGyRXkl](http://www.youtube.com/playlist?list=PLDuKXs-qp_GdY5fy1Yj0sPdLBRaGyRXkl)
  - Faces of Human Trafficking, 25 video play list
- **Polaris** | [polarisproject.org](http://polarisproject.org)
  - Data from the National Human Trafficking Hotline
- **Shared Hope International** | [sharedhope.org](http://sharedhope.org)
  - Annual state report cards, training resources
- **Trafficking Matters** | [www.traffickingmatters.com](http://www.traffickingmatters.com)
  - Current News, Cases and Resources
- **Truckers Against Trafficking** | [truckersagainstrafficking.org](http://truckersagainstrafficking.org)
  - Anti-trafficking organization for the transportation industry
- **US Department of State** | [www.state.gov/j/tip/index.htm](http://www.state.gov/j/tip/index.htm)
  - The Office to Monitor and Combat the Trafficking In Persons
- **US Department of Labor** | [www.dol.gov/agencies/ilab/resources/reports/child-labor](http://www.dol.gov/agencies/ilab/resources/reports/child-labor)
  - International Child Labor & Forced Labor

## CURRICULUM

If you are beginning a training program from scratch, consider using an existing training curriculum, or adapting one to fit your specific needs. These are just a few of the many training curriculums available.

- **Best Life** | [celiawilliamson.com](http://celiawilliamson.com)
  - Human Trafficking Prevention Curriculum for Youth
- **Chosen** | [sharedhope.org/chosen](http://sharedhope.org/chosen)
  - Videos and Discussion Guides
- **Elevate** | [elevate-academy.org](http://elevate-academy.org)
  - Survivor Leadership Training
- **Ending the Game** | [endingthegame.com/what-is-etg](http://endingthegame.com/what-is-etg)
  - Coercion Resiliency Curriculum
- **IEmpathize** | [iempathize.org](http://iempathize.org)
  - Prevention through empowerment
- **Love 146 curriculum, Not a Number.** | [love146.org](http://love146.org)
  - Survivor care, prevention, and training
- **NEST** | [www.nestfoundation.org](http://www.nestfoundation.org)
  - Sexual Violence Prevention Curriculum
- **Prevention Project** | [www.prevention-project.org/home/prevention-project-program](http://www.prevention-project.org/home/prevention-project-program)
  - Human Trafficking Prevention Curriculum
- **Word on the Street** | [www.nolabrantleyspeaks.org/nbs-blog/word-on-the-street](http://www.nolabrantleyspeaks.org/nbs-blog/word-on-the-street)
  - Prevention through mentorship

# APPENDIX 4 // GUIDE FOR PUBLIC AWARENESS MATERIALS

## Senior Policy Operating Group Public Awareness and Outreach Committee Guide For Public Awareness Materials (non-binding)

U.S. Department of State

Office to Monitor and Combat Trafficking in Person

February 27, 2020

Increasing public awareness about the risks and signs of human trafficking (also known as “trafficking in persons” or “modern slavery”) is an important piece of any anti-trafficking strategy, and to date has been a primary prevention measure used by governments and other stakeholders. Effective public awareness and outreach efforts can lead to the detection of human trafficking cases, build public support for governments and communities to take action, and ultimately help prevent human trafficking. With the dissemination of accurate and targeted information, communities will be better prepared to respond to the threat of human trafficking.

The President’s Interagency Task Force to Monitor and Combat Trafficking in Persons (PITF) and the Senior Policy Operating Group (SPOG), which consists of senior officials designated as representatives of the PITF agencies, are dedicated to a multi-faceted response from every level of the U.S. government to ensure coordination of federal efforts to combat trafficking in persons. This coordinated response includes efforts to raise awareness and educate stakeholders to develop targeted strategies to address the factors that increase risk in their communities and prevent traffickers from committing this crime.

This guide serves as a public resource that reflects the common messaging, standard statistics, and shared guidelines on images that SPOG agencies use when creating public awareness and training materials. Members of the public are encouraged to follow this guide and incorporate it into their organization policies and practices. The SPOG would like to thank the survivor experts who lent their time and perspectives to the creation of this document.

### STATISTICS

There are a limited number of reliable statistics related to human trafficking. All public awareness and outreach efforts should remain consistent with research and cite accurate sources. When using data or statistics, the quality and quantity of human trafficking data available are often hampered by the hidden nature of the crime, challenges in identifying individual victims, gaps in data accuracy and completeness, and significant barriers regarding the sharing of victim information among various stakeholders. For these reasons, data and statistics may not reflect the full nature or scope of the problem.



## **International Labour Organization**

The International Labour Organization (ILO) and the Walk Free Foundation, in partnership with the International Organization for Migration, released *Global Estimates of Modern Slavery* in September 2017. This report estimates that, at any given time in 2016, approximately 24.9 million people were in forced labor. Of the approximately 24.9 million people, “16 million were in the private economy, another 4.8 million were in forced sexual exploitation, and 4.1 million were in forced labour imposed by state authorities.” The definition of forced labor used in this report is based on ILO Forced Labour Convention, 1930 (No. 29), which states in Article 2.1 that forced labor is “all work or service which is exacted from any person under the menace of any penalty and for which the said person has not offered himself voluntarily.”

This report also estimates that 40 million people were in “modern slavery” at any given time in 2016, but this figure includes both the estimate for forced labor and an estimate for forced marriage. Consistent with current implementation of U.S. law, it is recommended to use only the 24.9 million estimate when referring to human trafficking. While some instances of forced marriage may meet the international or U.S. legal definition of human trafficking, not all cases do. Note further that the term “modern slavery” is not defined in international or U.S. law.

## **National Human Trafficking Hotline**

The National Human Trafficking Hotline provides data sets on the issue of human trafficking in the United States on its website. These data sets are based on aggregated information learned through phone calls, emails, online tips, and texts the hotline receives and should not be confused with prevalence studies or closed-out confirmed cases. Note that the hotline receives several types of calls in addition to those about human trafficking cases. The hotline does not verify the accuracy of information reported, but it determines on a case-by-case basis whether the information should be passed on to an appropriate local, state, or federal investigative and/or service agency equipped to investigate the tip and/or respond to the needs of the potential victim.

## **Annual Federal Reports**

The U.S. narrative in the U.S. Department of State’s annual **Trafficking in Persons Report** and the **Attorney General’s Annual Report to Congress on U.S. Government Activities to Combat Trafficking in Persons Report** include updated federal statistics on the following:

- Number of newly opened investigations, initiated prosecutions, and secured convictions
- Number of defendants charged
- Funding to task forces and the number of new task forces
- Number of Certification Letters to foreign adults and Eligibility Letters to foreign children issued
- Funding for victim services and the number of NGOs supported and individuals served through this funding
- Number of child trafficking victims assisted through the U.S. Department of Health and Human Services Unaccompanied Refugee Minors Program
- Number of granted T non-immigrant status and T non-immigrant derivative status
- Number of issued Continued Presence and extensions of Continued Presence

## GUIDELINES FOR MESSAGING AND IMAGES

### Messages should:

- Be tailored based on the goals, audience, and method of delivery. When creating written and visual content, first determine the specific audience intended to be reached and tailor the message to meet their interests. Keep it simple by using plain language and consider translating the material in accordance with a language access plan.
- Avoid misconceptions about human trafficking.[1]
- Be concise. Have a clear ask that aligns with the goals and encourages the audience to complete one simple action or step, such as calling a hotline number when suspecting a trafficking situation,[2] or learning more by visiting a specific website. In general, campaigns are encouraged to list the National Human Trafficking Hotline's phone number, text line, and/or website that has a live chat option.
- Avoid language like "rescue" or "save," as it is not strengths-based or empowering.

### Victim-centered[3] and trauma-informed[4] messaging:

- Is empowering and hopeful.
- Avoids re-traumatization.
- Supports victims' rights, dignity, autonomy, and self-determination.
- Uses positive framing, which can elicit a positive response from the audience and encourage action.
- Recognizes not all victims may self-identify as such and thus should be cognizant of when to use more person-centered language that identifies them first and foremost as people rather than labeling them solely as "victims."
- Highlights a human trafficking hotline, service program, or law enforcement reporting mechanism to demonstrate there is assistance available for trafficking victims. It is helpful to also include an option to send a text message because people may be unable to make a call or stay on the phone long enough to make a report.
- Uses brighter colors and positive images to signal that help is available for victims of trafficking.

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[1] For examples of common misconceptions, see: [humantraffickinghotline.org/what-human-trafficking/myths-misconceptions](https://humantraffickinghotline.org/what-human-trafficking/myths-misconceptions).

[2] For more information about which hotline to list, see: [www.state.gov/domestic-trafficking-hotlines/](https://www.state.gov/domestic-trafficking-hotlines/).

[3] The victim-centered approach is defined as the systematic focus on the needs and concerns of a victim to ensure the compassionate and sensitive delivery of services in a nonjudgmental manner. For more information, see: [www.ovcttac.gov/taskforceguide/eguide/1-understanding-human-trafficking/13-victim-centered-approach/](https://www.ovcttac.gov/taskforceguide/eguide/1-understanding-human-trafficking/13-victim-centered-approach/).

[4] A trauma-informed approach includes an understanding of the physical, social, and emotional impact of trauma on the individual, as well as on the professionals who help them. For more information, see: [www.ovcttac.gov/taskforceguide/eguide/4-supporting-victims/41-using-a-trauma-informed-approach/](https://www.ovcttac.gov/taskforceguide/eguide/4-supporting-victims/41-using-a-trauma-informed-approach/).

**When creating a message, engage survivors as participants in the process. When engaging survivors:**

- Consult survivors throughout the development of content to ensure the message can be effective in reaching victims or potential victims and in delivering an accurate depiction of the reality of human trafficking to the broader community. When doing so, take into account survivors' areas of expertise and strengths as well as length of time out of their trafficking situation (e.g., solicit input from labor trafficking survivors for labor trafficking campaigns). Start with survivors who are already active and established as advocates, and be sure to incorporate diverse perspectives (e.g., sex and labor trafficking, LGBTI, and U.S. citizens and foreign nationals).
- Secure written permission before featuring a survivor in any written or visual material, including discussing potential safety risks. It is a survivor's decision to participate in any outreach, marketing, social media, or publicity efforts. Survivors should be informed in advance of how their name, photo, or story will be used, as publishing any of this information without informed consent could compromise their safety and well-being and cause re-traumatization.
- Allow survivors to shape their message in their own way by using open-ended questions (e.g., "What should this audience understand about human trafficking?").
- Offer financial compensation to survivors as it would be made available to other subject matter experts. Through their training and technical centers, the U.S. Department of Health and Human Services' Office on Trafficking in Persons and the U.S. Department of Justice's Office of Justice Programs may be able to provide additional guidance.
- Be clear about next steps and the projected timeline of the project and communicate any changes throughout the process. For any government-supported programs, please note survivors may not be aware of different federal restrictions or processes and should be informed of what to expect when being asked to participate.

**Images should:**

- Be victim-centered and promote an accurate understanding of human trafficking. Images can draw connections in the audience's mind that are both intended and unintended. They project an understanding of what a victim may look like. If all sex trafficking campaigns depict child victims, for instance, audiences may not realize that adults can be victims of sex trafficking.
- Be tailored to the demographics of the target audience to ensure the message is relatable. Images should have backgrounds/scenes that can be easily recognized, such as a city skyline or key landmark.
- Represent the diverse spectrum of human trafficking victims – individuals of all races, ethnicities, ages, and genders.
- Show examples of what someone in the general public might encounter and encourage an appropriate reporting mechanism, such as the National Human Trafficking Hotline. It is important to encourage the general public to get help rather than take independent action.
- Highlight the ways traffickers recruit victims. For example, consider showcasing social media or cell phones as tools used by traffickers.

### **Avoid images that:**

- Display physical abuse. These types of images can be dehumanizing or objectifying and depict victims merely as objects of violence. They can also be re-traumatizing to audience members who may be victims of crime.
- Reinforce misconceptions about human trafficking. Human trafficking is a complex crime that takes many forms. Images that only rely on the most violent examples, like those depicting victims of trafficking in chains, behind bars, or in handcuffs, can promote the common misperception that victims of trafficking must be physically restrained and ignore other forms of force, fraud, and coercion that can be used for exploitation.
- Sensationalize the issue for shock value to draw the audience's attention. Examples of these types of images include scantily clad women on the street, highly dramatic kidnapping scenes, or children sobbing.
- Depict survivors without their informed consent.
- Fail to comply with stock photo terms of use, if relevant.

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## **Definitions**

**Youth:** For the purposes of this project, youth are regarded as any young person up to the age of 24. Minors are young people under the age of 18.

**Trauma informed:** 1. Realizing the prevalence of trauma. 2. Recognizing how trauma affects all individuals involved with the program, organization, or system, including its own workforce. 3. Responding by putting this knowledge into practice.<sup>1</sup>

**Implicit bias:** Research on “implicit bias” suggests that people can act on the basis of prejudice and stereotypes without intending to do so.<sup>2</sup>

**DHS:** Department of Human Services

**LE:** Law enforcement

## **Human trafficking statutes, federal and state:**

### **Federal Definition of Human Trafficking: Trafficking Victims’ Protection Act**

1. Human Trafficking is a crime involving the exploitation of someone for the purposes of compelled labor or a commercial sex act through the use of force, fraud, or coercion.
2. Where a person younger than 18 is induced to perform a commercial sex act, it is a crime regardless of whether there is any force, fraud, or coercion.

### **Colorado State Definition of Human Trafficking**

1. Human Trafficking for (Labor Trafficking/Involuntary Servitude) CRS 18-3-503: A person who knowingly sells, recruits, harbors, transports, transfers, isolates, induces, entices, provides, receives, or obtains by any means another person for the purpose of coercing the other person to perform labor or services commits human trafficking for involuntary servitude.
2. Human Trafficking for Sexual Servitude (Sex Trafficking) CRS 18-3-504: A person who knowingly sells, recruits, harbors, transports, transfers, isolates, induces, entices, provides, receives, or obtains by any means a person for the purpose of coercing the person to engage in commercial sexual activity commits human trafficking for sexual servitude. Coercion does not need to be proven for minors under the age of 18.

### **While the federal and state statute definitions of human trafficking differ slightly, in practice there are three types of human trafficking under both definitions:**

1. Those under 18 involved in commercial sex acts.
2. Those 18 and over involved in commercial sex acts through force, fraud, or coercion.
3. Those forced to perform labor and/or services through force, fraud, or coercion

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<sup>1</sup> Office for Victims of Crime Training and Technical Assistance Center (OVCTTAC). “Human Trafficking Task Force eGuide.” <https://www.ovcttac.gov/taskforceguide/eguide/1-understanding-human-trafficking/13-victim-centered-approach/>. 4 © 2021 Laboratory to Combat Human Trafficking and Denver Anti-Trafficking Alliance V

<sup>2</sup> Stanford Encyclopedia of Philosophy

## Colorado human trafficking-related legislation since 2014

### 2020 Legislative Session

*\*The Colorado legislative session was suspended in March because of the COVID-19 pandemic. The session reconvened at the end of May, but the disruption significantly reduced the length of the session for the year. Due to the abbreviated session, legislation introduced to address human trafficking was postponed and may be reintroduced in 2021.*

### 2019 Legislative Session

- [SB 19-149](#) – Extending Colorado’s Human Trafficking Council
- [HB 19-1267](#) - Creates felony penalties for violations of Colorado's Wage Theft Act
- [SB 19-185](#) – Provides immunity for minor victims of trafficking
- [HB 19-1051](#) – Requires DCJ to conduct human trafficking training to LE agencies who serve HT victims

### 2018 Legislative Session

- [SB 18-055](#) - Increase Surcharge for Trafficking Children
- [HB 18-1018](#) - Human Trafficking Commercial Driver's License

### 2017 Legislative Session

- [HB17-1040](#) - Interception of Human Trafficking Communications
- [HB17-1072](#) - Human Trafficking Sexual Servitude
- [HB17-1172](#) - Penalties for Child Sex Traffickers

### 2016 Legislative Session

- [HB16-1320](#) - The regulation of massage therapy to modify practices that are linked to criminal behavior
- [SB16-110](#) - Protecting the privacy of child victims when releasing criminal justice records
- [HB16-1033](#) - Concerning the Colorado Human Trafficking Council
- [HB16-1224](#) - Concerning child abuse involving Human Trafficking of minors

### 2015 Legislative Session

- [HB15-1019](#) - Prostitution by a minor and minor victims of human trafficking
- [SB15-30](#) - Removing culpability for prostitution for a victim of human trafficking

## **Recommendation for agencies and organizations who will encounter youth survivors of sex or labor trafficking in Colorado**

1. All organizations and agencies who may come into contact with a survivor of sex or labor trafficking should have a straightforward internal protocol for both minors and adults which includes:
  - Basic human trafficking indicators for both labor and sex trafficking
  - Red flags based on local trends for both labor and sex trafficking
  - Separation procedures; perpetrator and victim separation (when appropriate)
  - Interview procedures, forensic interviewers if appropriate
  - Safety planning (when appropriate)
  - State's Mandatory reporting policies
  - Referral process and local referral list
  - Follow-up procedures (when appropriate)

*\*The Denver Anti-trafficking Alliance and the Laboratory to Combat Human Trafficking have developed a protocol toolkit that can assist with this task. This document is included as an attachment. Local referral organizations and agencies are listed in each region's resource mapping document.*

2. All recommended referrals should be trained on both labor and sex trafficking and on implementing trauma-informed practice, and should also have internal protocols (per recommendation #1). Agencies and organizations should offer referrals to resources to meet victims' basic needs outside of what they can offer directly. Even in a cooperative victim, the criminal justice system may not move fast enough to meet victims' basic needs in a timely manner.

For more information on trainings, please contact:

- Laboratory to Combat Human Trafficking (LCHT): <https://combathumantrafficking.org/get-involved/book-training/>
- Colorado Human Trafficking Council: <https://sites.google.com/state.co.us/human-trafficking-council/training>

For more information on a trauma-informed response please visit these websites:

- SAMHSA Concept of Trauma and Guidance for a Trauma-informed Approach: <https://store.samhsa.gov/product/SAMHSA-s-Concept-of-Trauma-and-Guidance-for-a-Trauma-Informed-Approach/SMA14-4884>
- Colorado Department of Human Services: <https://cdhs.colorado.gov/colorado-trauma-informed-system-of-care>

3. There should be at least one (preferably more than one) designated point of contact in ALL law enforcement agencies, child welfare agencies, and all community partners regarding any suspected human trafficking. If appropriate there could be different points of contact for different identities or types of trafficking. These points of contact should be



clearly identified and their contact information be made available. If they are out on vacation or leave their position, a new point of contact should be identified.

For more information regarding partnership and collaboration, please visit the following:

- LCHT Colorado Project 2.0 <https://combathumantrafficking.org/our-research/>
- LCHT Partnership Toolkit: <https://combathumantrafficking.org/toolkit/>
- National Human Trafficking Training and Technical Assistance Center (NHTTAC), <https://nhttac.acf.hhs.gov/resource/toolkit-grant-management-building-sustainable-anti-trafficking-programs>

4. MDTs can be an excellent way to share information between agencies and should take human trafficking into their purview when possible. If no MDT exists, consider creating one, or tapping into an existing partnership in the region.

For more information on MDT's, and task forces, please visit the following websites:

- OVC TTAC E-Guide <https://www.ovcttac.gov/taskforceguide/eguide/>
- Colorado Evaluation and Action Lab (University of Denver): <https://coloradolab.org/mdt-response/>
- National Human Trafficking Training and Technical Assistance Center (NHTTAC): <https://nhttac.acf.hhs.gov/resource/toolkit-grant-management-building-sustainable-anti-trafficking-programs>

5. Sharing information between law enforcement agencies (local PDs, Sheriff's offices, DHS, State Patrol, FBI, CBI, and other agencies) is vital. A system should be put in place (preferably a secure online portal) in each community for sharing information. (JeffCo is a great example, HTI Labs provides software and consultation on developing information sharing processes.)

For more information on trauma-informed information sharing please visit the following websites:

- Jefferson County Human Trafficking Unit: <https://www.jeffco.us/2178/Human-Trafficking>
- HTI Labs: <https://htilabs.org/about/>
- National Human Trafficking Training and Technical Assistance Center (NHTTAC): <https://nhttac.acf.hhs.gov/resource/toolkit-grant-management-building-sustainable-anti-trafficking-programs>

6. DHS and local law enforcement must be made aware of CRS 19-1-103(1)(a)(VIII) (HB 16-1224) mandates. The legislation requires that DHS professionals should be trained to respond to third party abusers and makes both child sex and labor trafficking a mandatory report for anyone required to report child abuse. It also states that there should be MOUs in place between local LE and DHS.

For more information on this change in Colorado law please visit the following websites:

- Colorado General Assembly: <https://leg.colorado.gov/bills/hb16-1224>
- Colorado Department of Human Services: <https://co4kids.org/child-trafficking>
- Colorado Child Abuse and Neglect Hotline <https://cdhs.colorado.gov/colorado-child-abuse-and-neglect-hotline-reporting-system>

7. Sharing resources and creating LE task forces and/or MDT's (per recommendation #4) across jurisdictions is vital as many rural agencies struggle with capacity. A group of trained investigators across jurisdictions (like a critical response team or possibly CBI) would increase capacity and accountability since most agencies simply don't have the HT call volume to have a full program.

To learn more about critical response teams please visit the following:

- National Human Trafficking Training and Technical Assistance Center (NHTTAC): <https://nhttac.acf.hhs.gov/resource/toolkit-grant-management-building-sustainable-anti-trafficking-programs>
- FBI (Innocence Lost Program): <https://www.fbi.gov/contact-us/field-offices/washingtondc/news/press-releases/innocence-lost-national-initiative-and-operation-independence-day-2019>
- Colorado Bureau of Investigation: <https://cbi.colorado.gov/sections/investigations/human-trafficking>

8. For a victim who is 18 or older internal protocols should always include a call to the Colorado Human Trafficking Hotline, regardless of whether or not the victim is ready for law enforcement to be contacted. This will create a record of the experience so that when/if they eventually would like to report to LE we would be able to search those dispatch records. When/if the victim comes forward, investigators can go back historically and make/build a case. Calling the hotline also provides referral resources for survivors across the spectrum of needs and across Colorado.

For more information, please contact the Colorado Human Trafficking Hotline:

<https://combathumantrafficking.org/hotline/>

9. For child welfare specifically: If you are a mandated reporter, or have the desire to report for someone who is under the age of 18, call the Child Abuse Hotline. Call the number and explain the situation. The immediacy of the response depends on whether there is an imminent safety concern. Most likely HT calls will not fall under that. Therefore, it might take DHS 72-120 hours to respond if the child is NOT in imminent danger. So if you have a minor who has needs and it is not safe or willing to return home, you would just revert to your normal protocol to meet the needs of the youth (i.e. offer resources and services as needed, make warm handoffs, get the youth's needs met). Disclosure is not the primary aim of first contact, primarily needs must be met, disclosure will come later if trust can be established (by meeting needs).

For more information on this change in Colorado law please visit the following websites:

- Colorado General Assembly: <https://leg.colorado.gov/bills/hb16-1224>
- Colorado Department of Human Services: <https://co4kids.org/child-trafficking>
- Colorado Child Abuse and Neglect Hotline <https://cdhs.colorado.gov/colorado-child-abuse-and-neglect-hotline-reporting-system>

10. All agencies and organizations who interact with a victim/survivor of trafficking should receive implicit bias training. This training can support agency staff in recognizing not only their own bias but also how implicit bias from family, community members and institutions impacts disclosure, service provision, and long-term sustainability in healing/recovery.

Please visit the following links for more information regarding implicit bias training:

- Showing Up for Racial Justice: <https://www.surjdenver.org/>.
- Colorado Nonprofit Association: <https://coloradononprofits.org/nonprofit-resources-0>,
- Institute for Racial Equity and Excellence: <https://ireeinc.com/>

11. Confidentiality with regard to minors, mandatory reporting, youth who are 18+, or immigration status should always be a consideration. Adhere to state policies and procedures regarding mandatory reporting that is directly connected to profession/role/and or agency requirements. Discuss and disclose mandatory reporting policies to client/participant when applicable upfront and at the beginning of the relationship, understanding this may impact disclosure but can ultimately build trust and rapport in the relationship.

Please visit the following links for additional resources regarding mandatory reporting:

- The Colorado Child Abuse Hotline and training on mandatory reporting <https://co4kids.org/mandatoryreporting>
- Colorado Department of Public Safety list of resources on mandatory reporting <https://cssrc.colorado.gov/mandatory-reporting>
- Colorado Revised Statutes Children's Code <https://leg.colorado.gov/sites/default/files/images/olls/crs2018-title-19.pdf>
- You can visit this website to receive a mandatory reporter training <https://coloradocwts.com/mandated-reporter-training>.

12. Within your local capacity, identify personnel within law enforcement or victim advocacy who can connect survivors with victim compensation, including but not limited to law enforcement Victim Compensation, VAWA and VOCA funding, private litigation, or civil litigation. Be mindful of disclosure requirements to obtain different forms of victim compensation and how that may impact the survivor and possible revictimization.

Please visit the following links for additional resources around victim compensation:

- Colorado Organization for Victim Assistance (COVA): <https://www.coloradocrimevictims.org/voca-emergency-fund.html>
- Colorado Division of Criminal Justice: <https://dcj.colorado.gov/dcj-offices/victims-programs/crime-victim-compensation>
- Denver District Attorney's Office: <https://www.denverda.org/crime-victim-compensation/>
- Crime Victim Compensation for Adams and Broomfield Counties: <http://crimevictimcompensation.org/>
- Colorado Attorney General's Office: <https://coag.gov/resources/victim-assistance/>

13. Have trauma-informed protocols in place where appropriate or mandated locally with regard to Covid 19 (may include remote access, intake, telehealth, more flexibility with meeting deadlines).

For more information on how to understand and implement trauma-informed protocols please visit the following websites:

- SAMHSA Concept of Trauma and Guidance for a Trauma-informed Approach: <https://store.samhsa.gov/product/SAMHSA-s-Concept-of-Trauma-and-Guidance-for-a-Trauma-Informed-Approach/SMA14-4884>
- Colorado Department of Human Services: <https://cdhs.colorado.gov/colorado-trauma-informed-system-of-care>
- Child Welfare Information Gateway: [https://www.childwelfare.gov/pubpdfs/trauma\\_informed.pdf](https://www.childwelfare.gov/pubpdfs/trauma_informed.pdf)
- Office for Victims of Crime Training and Technical Assistance Center(OVCTTAC): <https://www.ovcttac.gov/taskforceguide/eguide/4-supporting-victims/41-using-a-trauma-informed-approach/>

For more information on Covid 19 resources specific to human trafficking:

- Walk Free Foundation: <https://www.walkfree.org/reports/protecting-people-in-a-pandemic/>
- Polaris Project: <https://polarisproject.org/category/coronavirus/> and <https://polarisproject.org/wp-content/uploads/2020/06/Crisis-in-Human-Trafficking-During-the-Pandemic.pdf>
- Restore NYC Reports on how HT organizations have and are pivoting to meet needs during the Covid crisis: <https://restorenyc.org/updates/2021/human-trafficking-awareness>

# 4.55.XXX Survivors of Human Trafficking and at Risk Youth

## Cabinet for Health and Family Services

Department for Community Based Services  
Division of Protection and Permanency  
Standards of Practice Online Manual  
Chapter:  
Chapter 4-Out of Home Care Services (OOHC)  
Effective:  
TBD  
Section:  
4.55.XXX Survivors and Those at Risk of Human Trafficking  
Version:

When a section of SOP has been revised users will see the following: Added {**This is added material**}, Deleted (~~This is deleted material~~). The bold and strikethroughs will appear on the site for fifteen (15) days after a modification and will then be removed.

## Resources

Links to other websites:

## Legal Authority/Introduction

LEGAL AUTHORITY:

- [KRS 15A.068 Duties of department if child may be victim of human trafficking-Administrative regulations](#)
- [KRS 529.010 Definitions](#)
- [KRS 529.100 Human Trafficking](#)
- [KRS 605.030 Duties of court-designated worker](#)
- [KRS 620.029 Duties of cabinet relating to children who are victims of human trafficking](#)
- [KRS 620.30 Duty to report dependency, neglect, abuse, or human trafficking -- Husband-wife and professional-client/patient privileges not grounds for refusal to report -- Exceptions -- Penalties.](#)
- [KRS 620.040 Duties of prosecutor, police, and cabinet -- Prohibition as to school personnel-- Multidisciplinary teams.](#)
- [KRS 630.125 Child not to be charged with or found guilty of status offense related to human trafficking](#)

### **Introduction:**

The purpose of these procedures is to establish requirements and provide instructions for staff when children for whom DCBS is legally responsible are believed to be survivors or at risk of human trafficking. The level of DCBS involvement will be individualized and in correlation to the assessed safety and risks of the child.

Kentucky passed state legislation in 2007 and again in 2013 to address human trafficking, with a focus on protecting children through “Safe Harbor” provisions and improving strategies in addressing child trafficking. State level legislation provides a framework to engage child-serving agencies’ child trafficking initiatives while providing protections for victims and access to services. DCBS’ policy and practice will enhance interagency collaboration,

improve coordinated community response, and ensure high-quality services from assessment to treatment that address the individualized needs of trafficking victims.

### **Practice Guidance:**

Children who are survivors of human trafficking often do not perceive the inherent risks or see themselves as victims. DCBS will ensure the screening of high-risk children and youth and provision of trauma-informed services to survivors and those at risk of human trafficking. Because of the potential dangers to the child, if the child's worker has reason to believe the child is a victim of human trafficking, the worker is to consider the event as requiring intensive intervention. Rapid screening of high-risk children will guide both investigation and service planning for the child. A child who has a positive rapid screen for human trafficking is appropriate for services regardless of investigation outcome.

The Family First Prevention Services Act (FFPSA) designates a specialized residential treatment setting providing "high-quality residential care and supportive services to children and youth who have been found to be, or are at risk of becoming, victims of sex trafficking". Kentucky has defined those at risk of sex trafficking as having at least one of the following indicators: (1) AWOL history, (2) previous/current allegations of human trafficking, or (3) previous/ current DJJ custody. These programs must meet guidelines and requirements in order to be designated specialized in service provision to trafficked and at risk youth.

### **Procedure**

#### **The SSW:**

- 1) Ensures the completion of the rapid screener for human trafficking utilizing the following guidance:
  - a) SSW administers the rapid screening tool<sub>2</sub> immediately upon entry into OOHC when a child is being referred or recommended for residential placement;
  - b) SSW administers the rapid screening tool<sub>2</sub> when a child who is placed with a relative or in a DCBS resource home is being referred or recommended for residential placement;
  - c) PCP behavioral health provider administers the rapid screening tool<sub>2</sub> within seven (7) calendar days of placement, after incidents of AWOL, as part of discharge planning if residential treatment is being considered, and at any time other indicators of risk are recognized<sub>3</sub>;
  - d) PCC behavioral health provider administers the rapid screening tool<sub>2</sub> after incidents of AWOL, as part of discharge planning if residential treatment is being considered, and at any time other indicators of risk are recognized<sub>3</sub>;
- 2) Completes the following steps when screening results indicate administration of an in-depth human trafficking assessment is needed:
  - a) Follows procedure detailed in SOP 2.15.9 Investigations of Human Trafficking
  - b) Shares the results of the rapid screening with the behavioral health provider for children not served by a PCC/PCP<sub>4</sub>;
  - c) Forwards the rapid screening results to designated Central Office staff;
  - d) Places a hardcopy of the rapid screener results in the file and uploads the document into TWIST;
  - e) Documents rapid screening results in TWIST<sub>5</sub>;
  - f) Shares rapid screening results with the R&C worker and/or PCC/PCP case manager, based on placement; and
  - g) Ensures administration of the human trafficking assessment<sub>6</sub> by the child's behavioral health provider within seven (7) days of placement.
- 3) Considers the results of the rapid screener in determining if the child has immediate or ongoing needs<sub>7</sub> that will impact placement and/or treatment (may consult with the family services office supervisor (FSOS) and regional staff to discuss the needs of the child from information provided on the placement summary request; SSW and FSOS shall discuss in monthly case consults following screening results being provided);

- 4) Ensures selection of the special population indicators in TWIST if any of the following are present:
  - a) Victim of labor trafficking
  - b) Current or previous alleged victim of sex trafficking
  - c) AWOL history
  - d) Pregnant youth
  - e) Parenting youth (including fathers)
- 5) SSW shall assess the child's risk of harm from a trafficker or subsequent commercial exploitation<sup>3</sup>. If SSW determines that the child is at high risk, then SSW shall convene a family team meeting<sup>8</sup> (FTM) to develop or modify the case plan to include a prevention strategy based on the child's individual risk factors. The case plan shall describe in detail (including phone and internet access) how an effective level of supervision will be provided to the youth during the following routine activities:
  - a) SSW will have a discussion with the youth regarding the prevention strategy and the safety measures that the child will take if they have any contact whatsoever with the trafficker or with another person acting on behalf of the trafficker. Any specific tasks for the child regarding his/her safety shall be included in the child's case plan. SSW will document the discussion with the youth in TWIST contacts.
  - b) When planned supervision is required in the placement, SSW shall discuss the required supervision with the caregiver/facility staff and document the details of the planned supervision in TWIST contacts.
  - c) When planned supervision is required in the school setting, SSW shall contact applicable staff at the child's school to share information relating to the child's unique needs and ensure that school staff are aware of safety risks. SSW will document the details of the communication with school staff in TWIST contacts. SSW will obtain all the required signatures on the **DCBS-1 Informed Consent and Release of Information and Records** and/or **DCBS-1A Informed Consent and Release of Information Records Supplement** form regarding the youth who requires planned supervision.
  - d) When planned supervision is required for the youth to participate in recreational or community activities, SSW shall discuss the required supervision with the caregiver/facility staff and document the details of the planned supervision in TWIST contacts. SSW will obtain all the required signatures on the **DCBS-1 Informed Consent and Release of Information and Records** and/or **DCBS-1A Informed Consent and Release of Information Records Supplement** form regarding the youth who requires planned supervision.
  - e) Termination of the human trafficking prevention strategy in the child's case plan will be determined at a family team meeting (FTM)<sup>8</sup>. FTM participants must consider the following factors when assessing the need for an ongoing prevention strategy in the case plan regarding risk of harm from a trafficker or subsequent commercial exploitation:
    - The youth's current behaviors and behavioral changes, including the youth's ability to monitor and manage his/her behavior and his/her safety effectively;
    - The youth's support network;
    - Amount and type of contact if any, the youth has with the trafficker or another person acting on behalf of the trafficker.

### Contingencies and Clarifications

- A. For the purpose of these procedures, victims of human trafficking include all youth for whom the Department is legally responsible, including those between the ages of 18-21.
- B. If the child has already disclosed trafficking, then the rapid screening tool does not need to be completed. The comprehensive assessment should be completed instead<sup>6</sup>.
- C. Children who have been or are at risk of being trafficked should be placed in the most appropriate, least restrictive placement type if a child is initially unable to be placed with a noncustodial parent or a relative;
- D. If a prevention strategy is necessary and urgency dictates that a plan be put in place prior to the scheduling and development/modification of a case plan, then SSW will follow the procedure outlined in SOP 7.4 CPS Prevention Planning;

- E. Given the risk a trafficked child meeting up with or being abducted by their trafficker, the child's safety should be given careful consideration when making placement decisions. If the child is moved to a new placement, strict confidentiality (only those with an absolute need to know the location of the new placement should be informed) is necessary to avoid the trafficker(s) obtaining information on the child's whereabouts. Consideration should be given to the role of those in contact with the youth and the specific reason why he/she would need to be made aware of the youth's new placement location. Every measure possible should be taken to protect the privacy and identity of child victims in order to ensure their safety and security. In rare cases, it may be necessary to move the child prior to discussion regarding placement change, and to communicate openly with the child once they are established safely in the new location. Consideration should be given to whether the trafficked youth, and by extension other youth at the facility or placement, should be informed of where the trafficked youth is being moved.
- F. If a child's behavioral health needs warrant treatment in a residential setting **and** they are a survivor or at risk of human trafficking, the child should be placed in a corresponding specialized treatment program when possible.
- G. Considerations for when a trafficked or at risk child is placed in a human trafficking specialized residential treatment program as an emergency after hours placement and without a referral through CRP:
  - If the child is a survivor or at risk of sex trafficking, placed in a human trafficking specialized program that is also a Qualified Residential Treatment Provider (QRTP), no QRTP assessment is necessary.
  - If the child is a survivor of labor trafficking placed in a human trafficking specialized program that is also a QRTP, a QRTP assessment is necessary.

#### **Footnotes**

- 1) SSW ensures that the child's developmental age is consistent with their chronological age when determining whether administration of a screener is appropriate.
- 2) Vera Institute of Justice Trafficking Victim Identification Tool (TVIT) Short Version
- 3) Reference Human Trafficking: At Risk Populations, Indicators, and Protective Factors
- 4) If the child does not have an established behavioral health service provider, SSW refers the child for behavioral health services and shares the results of the rapid screener with the provider.
- 5) Document the date and results of the screener in TWIST screens (Case Composition, Special Services, Human Trafficking Screening)
- 6) Vera Institute of Justice Trafficking Victim Identification Tool (TVIT) Long Version
- 7) Survivors of sex trafficking may have significantly more intense medical needs than a typical child in foster care, particularly reproductive health needs. Survivors will need timely access to medical providers to address reproductive health needs (e.g. sexually transmitted infections, pregnancy, and abortions) and other health needs including injuries, infections (e.g. tuberculosis and scabies), malnutrition, and untreated chronic conditions.
- 8) FTM to follow the procedure outlined in SOP 4.18 Ongoing Case Planning.

#### **Forms and Resources:**

- Human Trafficking: At Risk Populations, Indicators, and Protective Factors
- Vera Institute of Justice Trafficking Victim Identification Tool (TVIT)





## Louisiana Statewide Care Coordination Referral Form

Care Coordination is a best practice, multidisciplinary model in Louisiana to assess and respond to the needs of minor victims of trafficking. To refer a child to your regional care coordination team for an emergency investigative multi-disciplinary team (MDT) meeting, please complete the following form and send a completed copy to [carecoordination@lacacs.org](mailto:carecoordination@lacacs.org). In the subject line, include the parish of the child's location. The referral form will be routed to the Care Coordinator in the requested region, who will follow up within 72 hours.

Name of Referral Agency: \_\_\_\_\_ Date: \_\_\_\_\_

Name of Point of Contact: \_\_\_\_\_

Point of Contact Email: \_\_\_\_\_ Phone Number: \_\_\_\_\_

### **Victim Information:**

Child's Name: \_\_\_\_\_

DOB: \_\_\_\_\_ Age: \_\_\_\_\_ Gender: \_\_\_\_\_

Race/Ethnicity: \_\_\_\_\_ Primary Language: \_\_\_\_\_

Citizenship Status: *(Please Check)*      U.S. Citizen      Lawful Permanent Resident

Temporary Visitor      Undocumented Immigrant      Unknown

Where is the child currently located? \_\_\_\_\_

If unknown, what is the child's home parish or home location? \_\_\_\_\_

Is DCFS involved with the child? *(Please check the program(s) that apply.)*

Child Protective Services      Family Services      Foster Care      No

TIPS/Access ID: \_\_\_\_\_

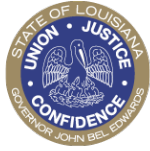
Name of Case Worker: \_\_\_\_\_ Email: \_\_\_\_\_

Case worker Phone Number: \_\_\_\_\_

Caregiver's Name: \_\_\_\_\_ Relationship to Child: \_\_\_\_\_

Caregiver's Contact Number: \_\_\_\_\_

Address: \_\_\_\_\_



**Case Information:**

Type of Trafficking: *(Please indicate with a check mark.)*

Sex Trafficking    Labor Trafficking    Both Sex & Labor Trafficking

Victim Status for Trafficking:

Confirmed    Suspected    Unknown

Was a screening or assessment tool completed on the child? *(Please check)*    Yes    No

If so, what screening tool was used? \_\_\_\_\_

Results: \_\_\_\_\_ Date of Screening: \_\_\_\_\_

*\*Please attach a copy of the completed screening to this form.*

Has a report been made to DCFS: *(Please check)*    Yes    No    Intake #: \_\_\_\_\_

*\*If a report has not been made and the case involves alleged commercial sexual exploitation of a child, please make an immediate report to DCFS by calling 1-855-452-5437 and select option 4.*

Alleged/Main Perpetrator Name: \_\_\_\_\_

AP DOB: \_\_\_\_\_ Age: \_\_\_\_\_ Relationship to Child: \_\_\_\_\_

List any additional perpetrators: \_\_\_\_\_

Did the child disclose involvement in trafficking? *(Please Check)*    Yes    No    Unknown

To whom was the disclosure made? \_\_\_\_\_

Is the child missing or on runaway status? *(Please Check)*    Yes    No    Unknown

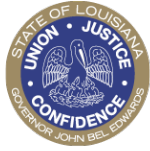
Date reported missing: \_\_\_\_\_ Last known location: \_\_\_\_\_

Is the child involved with Juvenile Justice? *(Please Check)*    Yes    No    Unknown

Is the child on probation or parole? *(Please Check)*    Yes    No    Unknown

PO Officer Name: \_\_\_\_\_

Number: \_\_\_\_\_ Email: \_\_\_\_\_



**Law Enforcement Investigation:**

What law enforcement agencies are involved in the case? *(Please circle or indicate the agency)*

LSP      Federal: \_\_\_\_\_      Local: \_\_\_\_\_      Tribal: \_\_\_\_\_

Law Enforcement Case Number: \_\_\_\_\_

Name of Lead Detective or Investigator Assigned: \_\_\_\_\_

Phone #: \_\_\_\_\_      E-mail: \_\_\_\_\_

**Forensic Interview:** *(Please indicate with a check mark.)*

Does the child need a forensic interview?      Yes      No      Unknown

Has the child previously received a forensic interview?      Yes      No      Unknown

CAC Location: \_\_\_\_\_      Approximate Date: \_\_\_\_\_

**Medical:** *(Please indicate with a check mark.)*

Has the client received emergency medical care in the last 30 days?      Yes      No      Unknown

If known, what was the child treated for: \_\_\_\_\_

Has a sexual assault exam or evidence collection kit been completed in the last 30 days?

Yes      No      If yes, date of exam: \_\_\_\_\_      Location: \_\_\_\_\_

Does the child have any physical, intellectual, or developmental disabilities?

Yes: \_\_\_\_\_      No      Unknown

**Optional: Notes or Concerns for Trafficking:**

*Please describe any other related case information, indicators of trafficking, or emergent needs of the child (such as, safety, medical care, basic needs, etc.)*

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## Maryland's Response to Child Sex Trafficking

### Who are the Regional Navigators?

They are a group of highly trained human service professionals from Child Advocacy Centers, Sexual Assault/Domestic Violence Programs, & Specialized Victim Service Providers.

### What do the Regional Navigators do?



Conduct Risk Screenings/Assessments, Help Develop Safety Plans, Assist in Providing Emergency Responses, Provide Resources for Basic Living Needs, Connect Survivors to Trauma Counseling, Mental Health & Legal Services, Provide Case Management Support and Victim Advocacy, etc.

### Where are the Regional Navigator Programs?



As of 2023, there are 12 Regional Navigator Programs serving 20 jurisdictions in Maryland. A child victim of trafficking that is identified in Allegany, Garrett, St. Mary's, or Calvert would be able to access services through the nearest RNPG.

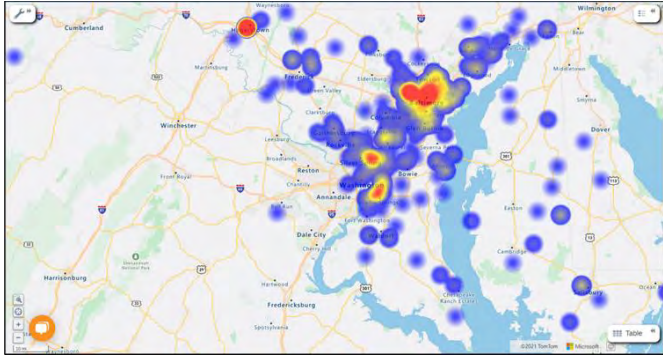
### Scope



Between July 2013 and December 2021, there have been **891** reports of alleged child sex trafficking screened by Maryland Child Protective Services.

In October 2019, the Regional Navigator Program (RNPG) was launched in three pilot counties.

PARI: PREVENTION OF ADOLESCENT RISKS INITIATIVE



There have been reports of alleged child sex trafficking screened in almost every jurisdiction in our state. Up until 2019, there was no single point of contact to work with the Local Departments of Social Services and Law Enforcement to coordinate services for these children.

In 2021, Maryland's Regional Navigator Programs received **91** referrals from local Dept of Social Services (i.e., child welfare) offices concerning youth who were identified or suspected to be a victim of sex trafficking.

### Testimonials from the Regional Navigators

*"A youth was referred to us through DJS after unfortunately being charged with solicitation, even though they are a minor. We were able to provide intensive case management, mental health services, and get them connected to our employment readiness program, which they completed. They were able to find healthy employment and we are happy to report that they completed their probation."*

*"We work collaboratively with our Multidisciplinary Team (MDT) Partners to provide services for trafficking victims in our county. I coordinated an MDT meeting with the Department of Juvenile Services, Local Law Enforcement, the Local Department of Social Services, and States Attorney's Office, to plan for the successful recovery of a youth victim. Once recovered, it was necessary for DSS to take custody and placement of the youth in a specialized facility. This survivor has since been discharged to a regular foster home and is thriving in school, in mental health treatment, and is engaging in age-appropriate activities and interactions."*

*"A client was able to get connected with us through the Trafficking Victims Assistance Program. We were able to help this person enroll in high school and begin taking classes and were also successful in connecting them to long-term assistance through the Office on Trafficking in Persons. As a result, the client was able to apply for a social security card, obtain medical benefits, and receive mental health therapy."*

*"I assisted the Maryland State Police Child Exploitation Unit to locate and navigate the return of a missing youth from foster care who had run away to another state. It was arranged for the youth to be transferred back to Maryland and placed in a specialized facility for trafficking victims. The MSP officer and I worked together to ensure that the child was interviewed and had a voice in her placement following her discharge from the facility."*

*"We lead a Child Trafficking Multidisciplinary Team Case Review where different stakeholders/partners involved in the case review the presenting dynamics with a trauma responsive lens, work together to best support the youth, and provide necessary information to aid an investigation."*

*"We were able to assist a youth in obtaining important documents such as their birth certificate and Maryland State ID. Once obtained we assisted the youth with financial literacy (opening a bank account and drafting a savings plan). We also conducted a mock interview for future employment interviews."*

## **DELAWARE COUNTY JUVENILE COURT, DELAWARE COUNTY, OHIO**

### **Safe Harbor Program Descriptions**

The Safe Harbor Program objective is to help youth who have been victims of sex/labor trafficking or are at risk of trafficking victimization build the skills to recover from their trafficking experience, become less vulnerable to future victimization, and to avoid future contact with the courts.

Delaware County Juvenile Court offers two Safe Harbor Programs for youth who are identified as victims or survivors of human trafficking or where there is a suspicion of trafficking. The Safe Harbor Diversion Program and the Thrive Docket seek to empower youth to recognize their own self-worth, establish appropriate boundaries, and develop problem-solving skills.

Admission to Safe Harbor Diversion and the Thrive Docket is open to any person who meets the criteria regardless of race, color, religion, gender, sexual orientation, national origin, ancestry, citizenship, or any disability.

#### **Safe Harbor Diversion**

This track will hold charges in abeyance and will mirror the court's existing diversion program. Current DYS approved diversionary practices will be followed with additional services which may include: participation in the Ohio Youth Human Trafficking Prevention Curriculum made available for use by Ohio Children's Trust Fund; referral to Gracehaven Community Case Management services; monthly meetings with the Safe Harbor Coordinator to build life skills; and/or writing/art assignments.

The short-term outcome of the Delaware County Juvenile Court Safe Harbor Diversion is to divert first time juvenile offenders from the Court system using the least restrictive intervention. The program seeks to empower juvenile offenders by linking them to appropriate services and protect them from re-victimization or becoming human trafficking victims.

#### **Referral Process**

Juveniles are referred currently to the Safe Harbor Intake Officer via the Intake Department. Monday through Thursday the Intake Department triages all charges that have been delivered to the Court. During the triage process the Intake Department screens the charges and chooses the least restrictive path for the juvenile depending on admission criteria per Court programming. Should the juvenile exhibit risk factors and red flags associated with human trafficking concerns, the Intake Department will consult with the Safe Harbor Coordinator who will administer the Human Trafficking Risk Assessment Tool. As mandatory reporters, Court staff will make appropriate referrals to the Department of Jobs and Family Services or law enforcement at any point a youth discloses or is discovered to be trafficked. If the juvenile meets the criteria for program admission, the juvenile is assigned to the Safe Harbor Intake Officer.

The Safe Harbor Intake Officer and Safe Harbor Coordinator will receive juvenile human trafficking and trauma-informed training to enhance their ability to identify and address the youth's individual needs.

### **Eligibility**

Participation is voluntary and requires an admission to the charged offense. If there is a reason to believe that the act charged in the complaint is related to the juvenile's victimization or the youth is a potential victim, the youth is eligible for Safe Harbor Diversion. Juveniles appropriate for Safe Harbor Diversion must meet the following criteria:

- OYAS Risk Level at Admission: Low to Moderate.
- First time offense Misdemeanor, Status Offense, and some Felonies.
- Indicated as At Risk on the Human Trafficking Risk Assessment Tool (HTRISK).
- May have up to 2 cautions or warnings on the MAYSI-2.
- Juvenile must not be older than 18 years of age.

The Safe Harbor Diversion program may require up to 90 days to complete with the potential for three 90-day extensions to allow for satisfactory completion. If a youth completes diversion, charges will be dismissed. Unsuccessful program participation will result in formalized charges. Depending on the situation, the youth may be referred to the THRIVE Docket. The Court will continue to offer the juvenile individualized services, such as referrals to comprehensive case management, mental health and substance abuse providers.

### **Best Practices**

Juveniles referred to this program must meet the admission criteria to be eligible to participate. The purpose of this program is to use strength-based practices and motivational interviewing to affect behavioral change such that a youth will not incur new charges. The program is designed to accomplish its purpose while minimizing the amount of contact the youth has with the Court.

The Safe Harbor Intake Officer will employ the following best practice standards to assure the juveniles who are admitted are the correct risk level and satisfactorily complete the program.

Once the Safe Harbor Intake Officer receives the charge the following practices are followed:

- A letter is mailed to the juvenile within 7 days of the Safe Harbor Intake Officer receiving the charge. The letter includes the following:
  - A copy of the charge(s).
  - Contact information for the Safe Harbor Intake Officer.
  - Location and time of the Diversion Conference.
- The Diversion Conference is set within 14 days from the time of mailing the notice of the scheduled Diversion Conference.
- During the Diversion Conference:
  - The Safe Harbor Intake Officer and/or the Safe Harbor Coordinator greet the juvenile and /or family and contact information is exchanged and updated.

- The Safe Harbor Intake Officer explains the Safe Harbor Diversion Program and the process.
- The juvenile's rights are explained and a written form is signed by the juvenile and/or family.
- **The juvenile is informed that any statement(s) made during the Diversion Conference are not used in future Court proceedings should the juvenile not meet objectives satisfactorily.**
- If the juvenile is comfortable, the Safe Harbor Intake Officer may ask the youth to explain the offense and their involvement. If the Safe Harbor Intake Officer determines such discussion is inappropriate, the Officer may defer the conversation until trust is established and the juvenile is able to participate in a meaningful way.
- Parents or guardians are offered an opportunity to share their knowledge of the offense, if appropriate.
- Motivational Interviewing is used with the juvenile and/or the family to establish appropriate recommendations for individualized Safe Harbor Diversion Agreement.
- Standard Terms of Diversion are assigned.
  - School attendance
  - Mental Health Assessment and follow all recommendations.
  - Substance Abuse Assessment and follow all recommendations – *at the discretion of the Safe Harbor Intake Officer.*
  - Referral to community-based organizations.
- Incentives are formed and built into the Safe Harbor Diversion Agreement to empower juveniles and build self-esteem. Incentives are individualized and may also strengthen parental authority, if applicable.
- The Safe Harbor Intake Officer and/or the Safe Harbor Coordinator may refer the juvenile to participate in educational programming such as victim's awareness or human trafficking prevention classes.
- The juvenile and/or family leave with a signed copy of the Diversion Agreement.
- The Safe Harbor Intake Officer accompanies the juvenile and/or family to the Clerk of Courts office to pay the diversion fee or make payment arrangements where appropriate.
- The Safe Harbor Intake Officer will meet every 30 days with the Safe Harbor Coordinator to review the progress of the case.
- The Safe Harbor Diversion Agreement will have a case closure date and a date will be set for a closure meeting. If the juvenile completes everything prior to the date, the case closure meeting will be vacated.



- Once all terms are completed, the Safe Harbor Intake Officer completes an entry dismissing and expunging the unofficial record. Local law enforcement agencies are copied on the entry to assure they close the case out in their systems.
- If the terms are not completed within the 90-day timeframe, the Safe Harbor Intake Officer may request a 30-, 60-, or 90-day extension or refer the case to be formalized.
  - The Safe Harbor Intake Officer must obtain Supervisor approval for an extension and provide a case summary explaining the recommendation to retain the juvenile on Diversion.
- If a case is formalized, it will be assigned to an Intake Officer and scheduled for a formal hearing on the Safe Harbor Magistrate's docket.

### **Thrive Docket**

This dedicated docket is a multiphasic program offered to juveniles whose charges are directly related to their trafficking or if there is a reason to believe the youth is being trafficked.

### **Eligibility**

Participation is voluntary. If there is a reason to believe the act charged in the complaint is related to the juvenile's victimization or the juvenile is at risk for victimization, the youth is eligible for the Thrive Docket.

Juveniles appropriate for this program must meet the following criteria:

- Indicated as high risk for Human Trafficking on the HTRISK.
- May have Misdemeanor, Felony or Status Offenses in which there is reason to believe the charges are related to the juvenile's victimization or the juvenile is charged with loitering, solicitation, or prostitution.
- Juvenile must agree to participate in the program.
- Juvenile must not be older than 18 years of age.

An applicant's criminal history will be reviewed as part of the acceptance process. Prior offenses will not categorically exclude one from the program. Nor will prior satisfactory or unsatisfactory participation in Safe Harbor programming affect eligibility. If a juvenile is currently on any type of community control through any other jurisdiction, acceptance into the Thrive Docket must be coordinated with that court.

### **Referrals and Screening**

The referral process is informal and may be initiated at any stage of the proceedings.

A referral may be made by police officers, prosecutors, defense counsel, Guardians ad Litem, case managers, representatives from the treatment community, or by the juvenile.

Once a referral is received, the Safe Harbor Coordinator will provide candidates with the program information, which includes the following three forms:

1. Participation Agreement for the Thrive Docket;
2. Consent to Release Personal Information Form; and
3. Program expectations.

These forms are to be read, completed, and returned to the Safe Harbor Coordinator.

### **Program Entry**

Safe Harbor Magistrate has the discretion to decide the admission into and termination from the THRIVE Docket in accordance with the written eligibility criteria.

If the Magistrate or coordinator determines a juvenile is eligible, the case will be held in abeyance, a GAL (preferably trauma-informed) will be appointed, and the juvenile will be scheduled for a clinical assessment by an approved treatment provider.

If the parties disagree to holding the complaint in abeyance, the court shall schedule a Safe Harbor hearing. No statements made by the juvenile at the hearing may be used in future court proceedings. If the court finds by a preponderance of the evidence that the juvenile qualifies for Safe Harbor Status, the charges will be placed in abeyance.

If the Magistrate or Safe Harbor Coordinator determine a juvenile is not eligible for the THRIVE Docket, the coordinator will present the information to the treatment team and the case will be scheduled on the regular docket. Wrap around services will be offered to the juvenile.

### **Treatment Team**

The Thrive Docket Treatment Team oversees the daily operations of the program and is dedicated to help youth successfully complete the requirements.

Safe Harbor Magistrate chairs and attends the treatment team meetings, which are held every other Friday at 2:00 p.m. prior to docket status review hearings at the Delaware County Juvenile Court at 145 N. Union Street, Delaware, Ohio 43015.

The treatment team consists of the Magistrate, Safe Harbor Coordinator, Prosecutor, Defense Counsel, Guardian ad Litem, Licensed Treatment Providers, and Law Enforcement. **Treatment team members should have at minimum Human Trafficking 101 training and understand trauma-informed practices.** The treatment team will discuss and review participants' conduct, compliance, and achievements.

Members of the treatment team have specific roles as listed below:

#### **Safe Harbor Magistrate**

- Chairs and attends all treatment team meetings.

- Decides admission into or termination from the Thrive Docket based on eligibility criteria.
- Knows about treatment and programming progress.
- Presides over status review hearings, monitors treatment progress, issues incentives and sanctions, grants phase advancement, and approves successful completion or unsuccessful termination.
- Discusses progress with participants at status review hearings.

#### **Safe Harbor Coordinator**

- Assists with identifying potential participants and handles initial paperwork.
- Oversees program orientation.
- Collects and maintains statistical information and records.
- Attends treatment team meetings and status review hearings.
- Together with the Safe Harbor Intake Officer, gathers progress reports from treatment and service providers to present to the treatment team.
- Participates in discussions regarding incentives, sanctions, phase advancement, successful completion, and/or termination.
- Plans and organizes graduation ceremonies.

#### **Intake Officer/Probation Officer**

- Makes referrals.
- May help with program orientation.
- Meets with participant regularly to discuss program goals and progress.
- Together with the Safe Harbor Coordinator, gathers progress reports from treatment and service providers to present to the treatment team.
- Attends treatment team meetings and status review hearings.
- Provides results of alcohol and drug tests.

#### **Prosecutor**

- Supports the Safe Harbor programs while recognizing their distinct role of ensuring justice and protecting public safety and victim's rights.
- Refers juveniles to Thrive Docket.
- Attends treatment team meetings and status review hearings.
- Participates in discussions regarding incentives, sanctions, phase advancement, successful completion, and/or termination.
- If applicable to you, files Motion to Dismiss or Amend Charges upon your successful completion of the DMC.

#### **Defense Counsel**

- Supports the Safe Harbor programming while recognizing their distinct role of preserving participants' constitutional rights.
- Identifies clients as a possible participant based on the eligibility criteria.
- Refers clients to be screened and assessed for eligibility.
- Assists clients in deciding to participate in Safe Harbor programming.

- Explains to potential participants the Rights that they giving up when entering the Safe Harbor programming.
- Explains the possible sanctions that may be imposed while participating in Safe Harbor programming.
- Explains to the actions required for successful completion or that may lead to unsuccessful termination from Safe Harbor programming.
- Attends treatment team meetings.
- Attends your status review hearings.
- Participates in discussions regarding incentives, sanctions, phase advancement, successful completion, and/or termination.

### **Licensed Treatment Providers**

- Are licensed and trained to deliver the treatment services offered to participants.
- Conduct clinical assessments and develop treatment plans based on participants' diagnoses.
- Provide reports on progress in treatment, compliance with treatment plans, including attendance, and the results of alcohol and drug tests.
- Attend treatment team meetings and status review hearings.
- Provide treatment updates, reports, and recommendations regarding treatment needs.
- Participate in discussions regarding incentives, sanctions, phase advancement, successful completion, and termination.

### **Law Enforcement Officer**

- Attends treatment team meetings and status review hearings.
- Participates in discussions regarding incentives, sanctions, phase advancement, successful completion, and/or termination.

### **SUPERVISION AND TREATMENT REQUIREMENTS**

The Thrive Docket consists of an orientation and three phases. Participants are expected to progress through each phase and accomplish specific case plan goals. Each phase has requirements that participants must accomplish to complete each phase.

Safe Harbor Magistrate and the Safe Harbor Coordinator will monitor the provision of services, as well as participants' engagement in services.

### **Status Review Hearings**

Thrive Docket participants are required to appear in court before Safe Harbor Magistrate on a regular basis. The frequency of these appearances depends on program phase and participants' level of cooperation and success.

Status review hearings will be held every first and third Friday at 2:00 p.m. or immediately after the treatment team meeting at the Delaware County Juvenile Court at 145 North Union Street, Delaware, Ohio 43015.

Proceedings will occur in the courtroom before Safe Harbor Magistrate and in the presence of the treatment team and other participants involved in the program.

Initially, participants will appear in front of Safe Harbor Magistrate every other Friday. Once a participant progresses through program phases, the requirement to appear at status review hearings will be reduced.

At each Treatment Team meeting Safe Harbor Magistrate will be given a progress report about each participant's level of participation, progress, and compliance.

The status review hearing provides the Safe Harbor Magistrate with an opportunity to recognize a participant's progress and achievements as well as address any setbacks and address issues with service providers. Safe Harbor Magistrate will explain how he will respond to a participant's compliance and non-compliance with program requirements, including what may cause one to be terminated from the Thrive Docket.

Status review hearings will also incorporate enrichment activities and events such as creating peer-support opportunities, visits to adult human trafficking dockets, guest speakers, and book discussions.

**Failure to attend a scheduled status review hearing may result in additional sanctions being imposed or a bench warrant issued for your arrest.**

### **Thrive Docket Guidelines and General Conditions**

Participants are expected to comply with the following:

1. Accept and comply with the Thrive Docket terms, including the case plan as ordered by the Magistrate.
2. Update the Court and any assigned treatment or service providers with changes to address, phone number, school district, and employment.
3. Attend and be on time for all status review hearings, scheduled appointments with treatment agencies, service providers, Safe Harbor Coordinator, Intake Officer, Probation Officer, school, and other activities. Tardiness and absences will be addressed by the Magistrate and/or the Safe Harbor Coordinator. Habitual absences and tardiness will be discussed and may lead to restrictions.
4. Participants must be engaged fully in treatment sessions and status review hearings. The Magistrate expects participants to explain how treatment is going overall, to discuss

drug screen results, how school is going, how family life is going, and all the positive and negative things participants are experiencing.

5. Participants are expected to be respectful. Participants will sign the Respect Contract which will be established by participants and treatment team members. The Respect Contract will be reviewed and revised annually. Expectations may include listening respectfully, refraining from aggressive behavior, and avoiding interrupting others.
6. Be Honest. The Magistrate, treatment providers, and Court personnel are here to help. They are unable to help someone who is not honest about their actions and feelings. If a participant is lying about something, additional restrictions or sanctions may be ordered.
7. Take all medications as prescribed by doctors.
8. Participants may be required to submit to **random** and observed alcohol and drug testing protocols *at the discretion of the Intake Officer*. Participants may not tamper with drug tests. Someone with the court will observe urine screens and will follow trauma-informed practices to the best of their ability.

If a participant tampers with the results of a test, the Magistrate will be notified. Tests will be considered positive if a participant does the following:

- a. Refuses to provide a specimen within thirty minutes of being asked;
  - b. Uses someone else's body fluid for a test;
  - c. Drinks something or uses something to mask a specimen (adulterate) and change the results of the test;
  - d. Add water to a specimen (diluting it);
  - e. Hide something on their person such as a container of clean urine to obtain a clean drug screen result.
9. Do not use alcohol, illegal drugs, or any controlled substances which are not prescribed by your medical doctor.
  10. Participants may not carry or possess firearms.
  11. Participants must cooperate with Jobs and Family Services, if involved.
  12. Participants must follow court orders.
  13. Participants must be enrolled in and attending school regularly.
  14. Participants must report to the Safe Harbor Coordinator or Intake Officer as directed.
  15. Participants must read, understand, and sign the Thrive Docket Agreement.

### **Summary of Treatment & Services Provided**

The Delaware County Juvenile Court adopts the following policies and procedures in reference to treatment and services provided to Thrive Docket participants.

1. Participants will be promptly assessed and placed as soon as possible in appropriate treatment services and programs.
2. Participants will receive a treatment plan based on individual needs.
3. Treatment plans will take into consideration services that are gender responsive, culturally appropriate, trauma-responsive, and effectively address co-occurring disorders.
4. Treatment services will incorporate evidenced-based strategies.
5. Appropriately licensed and trained persons will deliver services, according to the standards of their profession and will provide all treatment and programming.

The Delaware County Juvenile Court has partnered with **Syntero, Gracehaven, the Department of Jobs and Family Services, Families and Children First Council and United Way Strengthening Families**. These agencies work together to provide mental health and substance abuse assessments, treatment plans, case management services, group therapy, individual treatment sessions, relapse prevention plans, aftercare plans, gender-specific treatment, co-occurring disorders treatment, supportive housing, family therapy, medication monitoring, educational/vocational training.

### **Orientation and Phases**

The Thrive Docket has an orientation or screening process and four phases that must be completed to graduate. Each phase has specific tasks which must be achieved in order to move to the next phase. The treatment Team will monitor participants' performance and progress. Progression through phases is based upon individual compliance with the treatment plan and program rules.

Assignments are necessary for phase promotion. Topics may include but are not limited to the following: identifying coping mechanisms; recognizing unhealthy behaviors; understanding healthy boundaries; explaining one's self-growth journey; and identifying and examining the steps needed to accomplish goals. Assignments will be individualized and may take various forms such as written, artistic, or video representations.

Participants must participate at minimum two weeks in each phase with the exception of phase one which requires participation in three status hearings prior to advancement. Individual results will vary.

### **Orientation**

Participants will review participation requirements and complete the following for admission:

- Complete the Ohio Department of Youth Services Human Trafficking Screening Tool.
- Complete the Consent to Release Personal Information Form.
- Complete all assessments ordered by Safe Harbor Magistrate.
- Review Rights with Counsel.
- Review the Participant Handbook and Participation Agreement with Counsel to ensure understanding of program expectations.
- Participant will meet with the GAL.
- Become familiar with the location of service providers and address any transportation issues.
- Complete and sign the Participation Agreement.

### **Phase I**

During Phase I participants will have the most contact with the Treatment Team and gain a full understanding of program requirements. Juvenile offenders will be linked to appropriate wrap-around services to protect and stabilize the youth. Participants will begin developing goals for successful completion. Phase I requires participation in at least three status hearings. Individual results will vary.

#### **Phase I requirements:**

- Attend status review hearings every 1<sup>st</sup> and 3<sup>rd</sup> Friday.
- Meet with Intake Officer as directed.
- Establish a treatment plan with a treatment professional and begin treatment as prescribed.
- Take medications as they are prescribed.
- Meet with Safe Harbor Intake Supervisor or Safe Harbor Coordinator to develop a goals worksheet and begin planning a calendar.
- Submit to all random and observed alcohol and drug testing.
- Develop an education plan.
- Comply with all guidelines, rules, and general conditions of the Thrive Docket.
- Complete all Court assignments.
- Ensure basic needs are met.

**The assignment for phase promotion will be individualized to the participant.**

### **Phase II**

This phase will focus on growth and development. Participants will begin to identify negative influences and understand the reasons they have struggled to make safe decisions.

#### **Phase II requirements:**

- Attend status review hearings every 1<sup>st</sup> and 3<sup>rd</sup> Friday.
- Meet with Intake Supervisor/Probation Officer as directed.



- Continue with treatment plan and take prescribed medications.
- Submit to urine screens as needed.
- Develop a plan for the goals worksheet and set a calendar for goals.
- Engage in education and/or employment/career counseling, if appropriate.
- Attend and participate fully in educational programming as ordered by the Magistrate.
- Continue meeting basic needs.
- Develop a relapse prevention plan for substance abuse issues.
- Learn to identify triggers.
- Recognize and identify safe and healthy relationships.
- Identify pro-social activities.

**The assignment for phase promotion will be individualized to the participant.**

### **Phase III**

Phase III focuses on building protection and resiliency factors. Participants will continue to recognize negative influences and will establish a plan to protect themselves.

#### **Phase III requirements:**

- Attend status review hearings every 1<sup>st</sup> Friday.
- Meet with Intake Supervisor/Probation Officer as directed.
- Continue with treatment plan and take prescribed medications.
- Submit to urine screens as needed.
- Develop a step by step plan to resist triggers and negative influences.
- Continue developing a plan to achieve goals.
- Adjust calendar for goals.
- Meet basic needs.
- Adjust relapse prevention plan to include a support team.
- Write an essay, present a talk, or express artistically to status hearing participants the most valuable lesson you have learned during your participation in the program.
- Engage in pro-social activities.
- Compile a resource binder (identify community supports and how to access them).

**The assignment for phase promotion will be individualized to the participant.**

### **Phase IV**

The final and graduation-eligible phase seeks to empower participants and prepare them for discharge from the program.

#### **Phase IV requirements:**

- Attend status review hearings every 1<sup>st</sup> Friday.
- Meet with Intake Supervisor/Probation Officer as directed.
- Continue with treatment plan and take prescribed medications.

- Submit to urine screens as needed.
- Master meeting basic needs.
- Develop a master plan/goals worksheet for after graduation.
- Set a calendar for continued success after graduation.
- Demonstrate ability to continue with educational and employment goals.
- Finalize relapse prevention plan.
- Finalize community supports and support team list.
- Complete application for graduation which includes the following assignment:  
“Explain your short-term and long-term goals upon completion of the program and the steps necessary to achieve them.” This can be in written or video form or orally in front of select treatment team members which will include the Magistrate.
- Attend a Graduation Interview with the Treatment Team.

### **Incentives and Sanctions**

The Magistrate and Treatment Team want to reward participants who make positive changes in their life. The court may give you an incentive when participants demonstrate excellent progress between hearings. Incentives are individualized but may include special recognition at status hearings, snacks and/or personal items, and special privileges.

If a participant fails to comply with treatment or Court orders, the Magistrate may issue a sanction. Sanctions are not meant to punish a participant. Rather sanctions are issued to help a participant to learn from mistakes and make better choices in the future. Like incentives, sanctions are tailored to the individual and may include additional assignments, loss of privileges, electronic monitoring, or detention.

### **Termination**

If the juvenile complies with all conditions and satisfactorily completes the program, the Magistrate shall dismiss the complaint and order that the records be expunged immediately.

If the juvenile fails to comply with conditions and the Magistrate seeks to terminate the participant unsuccessfully from the Thrive Docket programming, a court hearing will be scheduled and a notice to appear will be sent to the juvenile and counsel. At the conclusion of the hearing, if the Magistrate finds the juvenile shall be terminated, the court shall proceed upon the complaint.

Participants may be terminated from Thrive Docket satisfactorily, unsatisfactorily or neutrally.

### **Satisfactory:**

To graduate from the program, participants must complete all phases, pay all fines/fees and restitution, complete community service, and achieve treatment goals.

### **Unsatisfactory:**

The Magistrate can terminate participants for any of the following reasons:

- Habitual absence from treatment.
- Refusal to participate actively in treatment.
- Participant refuses to engage fully in status hearings.
- Participant fails to cooperate with Guardian ad Litem, Safe Harbor Coordinator or Safe Harbor Intake Officer. The Magistrate will inquire why the youth is struggling to work with a treatment team member. Efforts will be made to connect the juvenile with another team member who can better foster a positive relationship. If the juvenile continues to display obstinate behaviors and the court has exhausted efforts to support the juvenile's active participation in the program, the Magistrate may terminate.
- Failure to complete phase requirements.

**Neutral Termination:**

Possible reasons for neutral termination include:

- A serious medical condition.
- Participant/Family moves out of the county.
- Unforeseen circumstances prevent participation in program requirements.

The Magistrate and treatment team members will discuss how to proceed with the charges.

**Graduation**

Graduation Ceremonies occur on the first Wednesday in March, July, and November.

Participants in the Graduation-Eligible phase attend graduation to formally complete the Thrive Docket. The Graduation Ceremony involves the Thrive Docket and the two specialty dockets in the Probate/Juvenile Court- Juvenile Treatment Court and Family Treatment Court. Graduates receive additional incentives. Participants and their families, the Treatment Teams, Courthouse staff, and County Officials are invited to attend graduation ceremonies. A reception will follow graduation in the courthouse. If you wish to have a smaller, private ceremony, please inform the Safe Harbor Coordinator.

# Human Trafficking Law Enforcement Guidelines

2021



The Commonwealth of Massachusetts  
Executive Office of Public Safety and Security

**Charles D. Baker, Governor**  
**Karyn E. Polito, Lieutenant Governor**  
**Thomas Turco, Secretary**

## Acknowledgements

*The following people contributed significantly in creating these guidelines:*

Lieutenant Brian McManus	Woburn Police Department
Sergeant Detective Anthony D'Alba	Chelsea Police Department
Deputy Chief Cleve Daniels	Dennis Police Department
Detective Michael Zontini	Yarmouth Police Department
Lieutenant Detective Patrick Glynn	Quincy Police Department
Detective Lieutenant Edward Hatten	Massachusetts State Police
Detective Lieutenant Mary McCauley (Ret.)	Tufts University Police Department
Beth Keeley	Office of the Attorney General
Courtney Sans	Worcester County District Attorney's Office
Rachel Eramo	Hampden County District Attorney's Office
Courtney Cahill	Bristol County District Attorney's Office
Elizabeth Bouchard, MPH	Children's Advocacy Center of Suffolk County
Ann Wilkinson	My Life My Choice, Justice Resource Institute
Lori Ann Bertram, LICSW	Department of Children & Families
Deborah Scott	Executive Office of Health & Human Services
Glenn Daly	Executive Office of Health & Human Services
Robert Smith	Executive Office of Public Safety & Security
Chief Robert J. Ferullo, Jr. (Ret.)	Municipal Police Training Committee
Maura Landry	Municipal Police Training Committee

*A special thanks to youth survivors from the My Life My Choice Youth Leadership Corps: Alissa- 16 years old, Tori- 15, Ciarra- 16, Angie- 14, Kylie- 17, Erin- 16, Lily- 17, Nina- 15, Alexah- 15, Jasmine- 19; as well as the following people for their contributions:*

Kelly Dwyer	Governor's Council to Address Domestic Violence & Sexual Assault
Cecely Reardon	Department of Youth Services
Michelle Botus	Department of Mental Health
Joan Sham, RN, MS	Department of Public Health
Mia Alvarado	Roxbury Youthworks Inc. (RYI)
Shaplaie Brooks	Roxbury Youthworks Inc. (RYI)
Nicole Bell	Living in Freedom Together (LIFT)
Karen Riley-McNary	Living in Freedom Together (LIFT)
Cherie Jimenez	EVA Center
Tonya Morris	My Life My Choice, Justice Resource Institute
Lisa Goldblatt Grace	My Life My Choice, Justice Resource Institute
Audrey Morrissey	My Life My Choice, Justice Resource Institute
Theresa Conti	RFK Children's Action Corps

*This document was created with the support of grant #2019-MU-MU-0033, awarded by the Office for Victims of Crime, Office of Justice Programs, U.S. Department of Justice. The opinions, findings, and conclusions or recommendations expressed in this content are those of the contributors and do not necessarily represent the official position or policies of the U.S. Department of Justice.*

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## SECTION ONE: Purpose and Overview

The purpose of these guidelines is to establish best practice standards for law enforcement when responding to and investigating potential human trafficking scenarios. Local law enforcement agencies are often the first to come into contact with victims involved with this covert crime, and as first responders, law enforcement agencies play a critical role in identifying and responding to trafficking victims and intervening in instances of human trafficking.

While each investigation and encounter will undoubtedly present different circumstances and challenges, a timely, pragmatic, and sensitive law enforcement response is critical to combating trafficking and responding to the needs of trafficking victims. This type of response improves a community's confidence in the police, increases reporting levels, and strengthens investigations, thereby facilitating more successful prosecutions.

*“Exploitation is about someone controlling us. Let us have as much control in the process when possible.” — Survivor*

These guidelines are to be used to supplement the ongoing need for in-person or online training and to augment the continued education of law enforcement professionals, which are important to ensure effective law enforcement response. The information contained in these guidelines will also provide a foundation for all law enforcement training curricula throughout Massachusetts.

The following three core principles serve as the foundation for these guidelines and should be employed when responding to and investigating human trafficking:

1. Recognition of human trafficking indicators
2. Trauma-informed approach
3. Multidisciplinary and interagency cooperation

## SECTION TWO: Terminology of Human Trafficking

### **A. Terminology**

Law enforcement should be cognizant of the language used when encountering human trafficking victims and survivors. Language regarding the experience of exploitation, and the recommended response, will differ for youth and adults because language impacts the way human trafficking is perceived and the manner in which people respond to the issue.

Victims and survivors interacting with law enforcement may have prior history with the criminal justice system; they may fear being punished and have concerns around racism, sexism, homophobia, or other forms of oppression that can all impact interactions with law enforcement. Law enforcement can effectively demonstrate empathy using terms that are both respectful and affirming.

It is important to ask victims and survivors their preferred name and pronouns and be cognizant of gender inclusivity. Creating a space that emphasizes language and a response that is inclusive allows for individuals to feel respected, helps foster a more welcoming space for victims and survivors, and fosters partnership which can thereby promote more effective prosecutions.

## **B. Victim/Survivor**

The terms “victim” and “survivor” are often used interchangeably. The term “*survivor*” is more often associated with empowerment and carries less stigma than the term “victim.” It is common that both terms are used to describe individuals that have been exploited. Some individuals may not identify themselves as someone who has experienced trafficking and may not use either term. Some may identify as someone who has experienced trafficking and reject the use of either term because they do not want their identity to be defined by their trafficking experience. These individuals may wish to be referred to as having “lived experience” or something similar.

“*Victim*” is also a legal term that should be used in situations when discussing the application of laws and/or legal rights and is frequently used by law enforcement and the criminal justice system to describe someone entitled to rights and services. It may be helpful to attribute the term “victim” to someone who is currently being exploited or when describing past experiences. The term “survivor” can describe someone who has experienced trafficking in the past or someone who is seeking to exit exploitation. It should be noted that victim service providers often use the term “survivor.” For the purposes of these guidelines, we will use the term “victim/s” throughout.

## **C. Commercial Sexual Exploitation of Children and Sex Trafficking of Minors**

The term “Commercial Sexual Exploitation of Children” or “CSEC” refers to any case where sexual conduct involving a minor, (children under 18), is exchanged, offered, or agreed upon for anything of value. The term “CSEC” is widely used among child-serving agencies in Massachusetts and other states, although it is not a legal term per se. Likewise, the Federal Victims of Trafficking and Violence Protection Act of 2000 (TVPA) defines sex trafficking as “the recruitment, harboring, transportation, provision, obtaining, patronizing, or soliciting of a person for the purposes of a commercial sex act, in which the commercial sex act is induced by force, fraud, or coercion, or in which the person induced to perform such an act has not attained 18 years of age”<sup>1</sup>. Any human trafficking case involving a child should be framed as child abuse. This includes children who do not identify or see themselves as victims, who offer or agree to engage in sexual conduct for something of value, and whether or not a third-party exploiter is identified.

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<sup>1</sup> Trafficking Victims Protection Act of 2000, Pub. L. No. 106-386, 114 Stat. 1464–1548.

## D. Multidisciplinary Team

All human trafficking cases in Massachusetts involving minors must be referred to an MDT through a 51A (child abuse) report to the Department of Children and Families (DCF). An MDT is a group of professionals from different agencies and disciplines who work together in a coordinated and collaborative manner to ensure an effective response to a particular situation or individual's needs. This practice is commonly used with reports of child abuse and neglect. Members of the team can be representatives from government agencies, non-governmental organizations, and private practitioners responsible for investigating, protecting, and treating victims, children in particular. An MDT may focus on investigations; policy issues; treatment of victims, their families, and perpetrators; or a combination of these functions. In Massachusetts, all child trafficking investigations, service planning, and case management are conducted by specialized MDTs.

*“I think that getting everyone at the table is huge with helping these youth. The team partners are able to have an understanding of each other and learn from each other, which will only better the process for everyone, but especially for the youth. I think it’s powerful to be able to tell these kids that there is a team like ours who is on their side, who is there for them, and who cares about them.” — Det. Sarah Sargent, Worcester Police Department*

## E. Trauma-Informed Response

Trauma results from an event, series of events, or a set of circumstances experienced by an individual as physically or emotionally harmful or life threatening and that has lasting adverse effects on the individual's functioning and mental, physical, social, emotional, or spiritual well-being.<sup>2</sup> A trauma-informed response is focused on preventing re-traumatization and increasing the likelihood of an effective and efficient interaction with victims. A trauma-informed approach begins with understanding the impact trauma has on the individual, as well as on the professionals who help them, including law enforcement officers. This approach incorporates four elements:

1. Realizing the prevalence of trauma
2. Recognizing how trauma affects all individuals involved with the program, organization, or system, including its own workforce
3. Responding by putting this knowledge into practice
4. Resisting retraumatization

*“Because I was stuttering and so nervous, law enforcement thought I was lying and ended the interview.” — Survivor*

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<sup>2</sup> Substance Abuse and Mental Health Services Administration, *SAMHSA's Concept of Trauma and Guidance for a Trauma-Informed Approach* (Rockville, MD: Substance Abuse and Mental Health Services Administration, 2014), <https://store.samhsa.gov/product/SAMHSA-s-Concept-of-Trauma-and-Guidance-for-a-Trauma-Informed-Approach/SMA14-4884>.

## F. Trauma Bonding

Trauma bonding is “when a trafficker uses rewards and punishments within cycles of abuse to foster a powerful emotional connection with the victim. Traffickers may take on a role of protector to maintain control of the victim, create confusion, and develop a connection or attachment, which may include the victim feeling a sense of loyalty to or love for the trafficker. This connection, or traumatic bond, becomes especially intense when fear of the trafficker is paired with gratitude for any kindness shown. Additionally, trauma bonding, including in cases of trafficking, may occur within familial relationships in which the perpetrator could even be a parent. . . . [T]rauma bonding may cause coerced co-offending, perceived ambivalence, delayed or inaccurate reporting, or unwillingness to cooperate with law enforcement.”<sup>3</sup> It is important to note that trauma bonding does not exist in every trafficking situation.

## G. Additional Terminology

For the purposes of this document, a “**trafficker**” is a person who exploits or “**traffics**” or derives benefit or value from others for profit, specifically individuals that purchase or sell others to perform labor or sex work. Traffickers may also be referred to as perpetrators or offenders interchangeably throughout the document.

Additional terms such as a “**john**,” “**patron**,” “**trick**,” or “**client**” have often been used to describe an individual who buys sex. Under Massachusetts statute, these individuals are also considered perpetrators of crime.<sup>4</sup>

For the purposes of this document, a “**child**” or “**minor**” refers to anyone that is under the age of 18. A “**youth**”, generally refers to anyone between the ages of 18 and 24 but within this document, as commonly accepted in society, youth may refer to anyone under the age of 24.

“**Commercial sex act**” refers to any sex act for which anything of value is given to or received by any person.

“**Debt Bondage**” is the status or condition arising from a pledge by a debtor of his or her personal services or those of a person under his or her control as security for a debt, if the value of those services as reasonably assessed is not applied towards the liquidation of the debt or if the length of those services are not limited and defined.<sup>5</sup>

“**Exploitation**” is a broad term to describe different types of abuse, including sex trafficking. In the labor trafficking context, the term refers to the unfair, if not illegal treatment or use of a person, usually for personal gain where the user benefits unfairly from the work of another, typically by overworking or underpaying them, or not paying them at all.

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<sup>3</sup> U.S. Department of State, *Trafficking in Persons Report, 20th Edition*, June 2020, <https://www.state.gov/trafficking-in-persons-report/>.

<sup>4</sup> Mass. Gen. Laws ch. 272, § 53a.

<sup>5</sup> Trafficking Victims Protection Reauthorization Act of 2019, 22 U.S.C. § 7102

**“Involuntary servitude”** is the condition of servitude induced by means of any scheme, plan, or pattern intended to cause a person to believe that, if they did not enter into or continue in such condition, that person or another person would suffer serious harm or physical restraint; or the abuse or threatened abuse of the legal process.<sup>6</sup>

**“Labor trafficking”** is defined as the recruitment, harboring, transportation, provision, or obtaining of a person for labor or services, through the use of force, fraud, or coercion for the purposes of subjection to involuntary servitude, peonage, debt bondage, or slavery.<sup>7</sup>

## H. Terminology to Avoid

The term **“prostitute”** may arise in a legal context as a reference to certain crimes related to sex trafficking. This term carries a stigma, objectifies, and implies that the individual is a criminal, rather than someone who may need support and services. The preference is not to refer to individuals in this way and rather to describe that an individual is/was exploited. Slang for “prostitute” also should not be used.

The term **“illegal”** to describe an individual is problematic and can be seen as dehumanizing; if necessary, an individual could be described as a noncitizen or someone who is out of status.

The term **“rescue”** is not a preferred way to describe support provided to individuals to exit and recover from trafficking. The idea of “rescuing” or “saving” individuals is not synonymous with actively engaging in a long-term collaboration with survivors and encouraging them to make choices and speak for themselves. Interventions must be specific and tailored to address the required supports that ultimately promote a more successful investigation and prosecution.

The term **“pimp”** has often been used to describe sex traffickers. There are also variations with different meanings having to do with how traffickers operate. These terms may not be used by a victim or may be replaced with terms of endearment, which often indicate the control that a trafficker has over a victim.<sup>8</sup>

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<sup>6</sup> Id.

<sup>7</sup> Id.

<sup>8</sup> Use of the term “pimp” could have racial and cultural connotations that may be offensive.

## SECTION THREE: Federal and Massachusetts Human Trafficking Laws<sup>9</sup>

### A. Federal Laws

#### 1. The Victims of Trafficking and Violence Protection Act of 2000<sup>10</sup>

In 2000, the United States enacted the Trafficking Victims Protection Act of 2000 (TVPA). The TVPA provided the necessary tools and resources to combat modern forms of slavery both domestically and internationally. In summary, the TVPA established the following framework, often referred to as the “3 P’s”: Prevention, Prosecution, and Protection.

- **Prevention:** Preventative measures were authorized to assist with awareness, research, and the creation of effective programs, as well as procedures for investigation.
- **Prosecution:** Prosecutorial efforts were bolstered through the creation of additional laws that further criminalized human trafficking and clearly defined what constituted sex and labor trafficking in the United States.
- **Protection:** Assistance and services were made available for victims and the U and T visa were established, providing an avenue for noncitizen victims and certain family members to remain in the United States under a nonimmigrant status and potentially to enable them to qualify to become lawful, permanent residents.

Since TVPA’s enactment, there have been several reauthorizations in an effort to further limit traffickers and to add additional protections for victims.

### B. Massachusetts Laws

In 2011 Massachusetts enacted comprehensive legislation titled An Act Relative to the Commercial Exploitation of People. This statute created offenses aimed at addressing the exploitation of children and adults for purposes of sexual servitude and forced labor, expanded mandated reporting obligations, mandated interagency cooperation to provide services to victims, and established a Victims of Human Trafficking Fund to help fund services for victims.<sup>11</sup> It also authorized the forfeiture of offender assets and civil actions by victims.

The “Safe Harbor” provisions included in the legislation define the commercial sexual exploitation of minors as child abuse. Whether or not minors self-identify or see themselves as a victim, and whether they engage, agree to engage, or offer to engage in a commercial sex act,

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<sup>9</sup> Laws frequently utilized in conjunction with human trafficking investigations can be found in [Appendix A](#).

<sup>10</sup> United States of America: Victims of Trafficking and Violence Protection Act of 2000 [United States of America], Public Law 106-386 [H.R. 3244], 28 October 2000

<sup>11</sup> An Act Relative to the Commercial Exploitation of People, 2011 Mass. Acts 178.

they are considered a victim of child abuse under the law. This is particularly important, because it can be extremely difficult for a young person to come forward and seek help.

The following are summaries and portions of the Massachusetts criminal trafficking statutes.

### **1. Trafficking of Persons for Sexual Servitude, Mass. Gen. Laws ch. 265, § 50** (Sex Trafficking)

**Section 50. (a)** Whoever knowingly:

(i) subjects, or attempts to subject, or recruits, entices, harbors, transports, provides or obtains by any means, or attempts to recruit, entice, harbor, transport, provide or obtain by any means, another person to engage in commercial sexual activity, a sexually-explicit performance or the production of unlawful pornography in violation of M.G.L. C. 272<sup>12</sup>, or causes a person to engage in commercial sexual activity, a sexually-explicit performance or the production of unlawful pornography in violation of said chapter 272; or

(ii) benefits, financially or by receiving anything of value, as a result of a violation of clause (i), shall be guilty of the crime of trafficking of persons for sexual servitude . .

<sup>13</sup>

The potential penalty for conviction under (a) is “imprisonment in the state prison for not less than 5 years but not more than 20 years and by a fine of not more than \$25,000.”<sup>14</sup>

The potential penalty for conviction if the victim is under 18 years of age is “imprisonment in the state prison for life or for any term of years, but not less than 5 years.”<sup>15</sup>

“A business entity that commits trafficking of persons for sexual servitude shall be punished by a fine of not more than \$1,000,000.”<sup>16</sup>

### **2. Trafficking of Persons for Forced Services, Mass. Gen. Laws ch. 265, § 51** (Labor Trafficking)

**Section 51. (a)** Whoever knowingly:

(i) subjects, or attempts to subject, another person to forced services, or recruits, entices, harbors, transports, provides or obtains by any means, or attempts to recruit, entice, harbor, transport, provide or obtain by any means, another person, intending or knowing that such person will be subjected to forced services; or

(ii) benefits, financially or by receiving anything of value, as a result of a violation of clause (i), shall be guilty of trafficking of persons for forced service.

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<sup>12</sup> Mass. Gen. Laws ch. 272

<sup>13</sup> Mass. Gen. Laws ch. 265, § 50(a).

<sup>14</sup> *Id.*

<sup>15</sup> *Id.* § 50(b).

<sup>16</sup> *Id.* § 50(c).

The potential penalty for conviction under (a): imprisonment in the state prison for not less than 5 years but not more than 20 years and by a fine of not more than \$25,000.

The potential penalty for conviction under **(b)**, **is if the victim is under 18 years of age**, the maximum in state prison could be up to life or for any term of years, but not less than 5 years.

A business entity that commits trafficking of persons for forced labor services shall be punished by a fine of not more than \$1,000,000.

### 3. Definitions Mass. Gen. Laws ch. 265, § 49

As used in sections 50 to 51 of chapter 265, the following words shall, unless the context clearly requires otherwise, have the following meanings:

*"Commercial sexual activity"*, any sexual act on account of which anything of value is given, promised to or received by any person.

*"Sexually-explicit performance"*, an unlawful live or public act or show intended to arouse or satisfy the sexual desires or appeal to the prurient interests of patrons.

*"Forced services"*, services performed or provided by a person that are obtained or maintained by another person who:

- (i) causes or threatens to cause serious harm to any person;
- (ii) physically restrains or threatens to physically restrain another person;
- (iii) abuses or threatens to abuse the law or legal process;
- (iv) knowingly destroys, conceals, removes, confiscates or possesses any actual or purported passport or other immigration document, or any other actual or purported government identification document, of another person;
- (v) engages in extortion under M.G.L. C. 265, § 25<sup>17</sup>; ; or
- (vi) causes or threatens to cause financial harm to any person.

*"Financial harm"*, a detrimental position in relation to wealth, property or other monetary benefits that occurs as a result of another person's illegal act including, but not limited to, extortion under M.G.L. C. 265, § 25, a violation of M.G.L. C. 271, § 49, criminal usury, or illegal employment contracts.

*"Services"*, acts performed by a person under the supervision of or for the benefit of another including, but not limited to, commercial sexual activity and sexually-explicit performances.

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<sup>17</sup> Mass. Gen. Laws ch. 265, § 25.



**4. Enticement of a Child by Means of Electronic Communication, Mass. General Laws ch. 265, § 26D**

(a) As used in this section, the term "entice" shall mean to lure, induce, persuade, tempt, incite, solicit, coax or invite.

(b) As used in this section, the term "electronic communication" shall include, but not be limited to, any transfer of signs, signals, writing, images, sounds, data or intelligence of any nature transmitted in whole or in part by a wire, radio, electromagnetic, photo-electronic or photo-optical system.

**(c) Whoever, by electronic communication, knowingly entices a child under the age of 18 years, to engage in prostitution** in violation of section 50 or section 53A of chapter 272, **human trafficking** in violation of section 50, 51, 52 or 53 **or commercial sexual activity** as defined in section 49, or attempts to do so, shall be guilty of enticement of a child by means of electronic communication.

The potential penalty for a conviction: imprisonment in a house of correction for not more than 2 ½ years or in the state prison for not more than 5 years or by a fine of not less than \$2,500, or by both such fine and imprisonment.

Comparing the TVPA to the Massachusetts anti-trafficking statutes, reveals a significant difference: the federal TVPA requires proving an element of force, fraud or coercion exists for adult sex trafficking victims, and victims of labor trafficking<sup>18</sup>. But the Massachusetts laws do not have this requirement. For victims under the age of 18, both federal and Massachusetts law, **do not include a requirement of force, fraud, or coercion**. The TVPA defines coercion as “(A) Threats of serious harm to or physical restraint against any person; (B) any scheme, plan, or pattern intended to cause a person to believe that failure to perform an act would result in serious harm to or physical restraint against any person; or (C) the abuse or threatened abuse of the legal system”. Although the word “force” is used in the context of the Massachusetts forced services “labor trafficking” statute, those federal elements of proof of force, fraud or coercion are not otherwise required under the Massachusetts laws. This is a key difference in the ability and breadth of the Massachusetts statutes.<sup>19</sup>

**SECTION FOUR: Dynamics of Human Trafficking****A. Victim Recruitment**

Human trafficking is a dynamic phenomenon and there is no single pathway for someone to become a victim of trafficking. The manner of recruitment varies; traffickers and perpetrators use a variety of control methods to exploit victims including grooming, seduction, force, manipulation, relationships, trauma-bonding, and the provision of basic needs. Traffickers know

<sup>18</sup> <https://www.govinfo.gov/content/pkg/PLAW-106publ386/pdf/PLAW-106publ386.pdf>

<sup>19</sup> Commonwealth v. McGhee, 472 Mass. 405, 415 (2015).

how to instill fear in victims by threatening to harm them or their loved ones if they try to escape or contact police. As long as trafficking remains profitable and difficult to detect, traffickers will create new ways to recruit and retain victims into the sex and labor trafficking industry. Traffickers target the most vulnerable members of the community and prey upon their individual circumstances to manipulate them into eventual exploitation.<sup>20</sup> Children and youth are more vulnerable, especially those that have a history of trauma, involvement with child welfare services, homelessness, or those who have a history of going missing from care and/or running away.<sup>21</sup> Exploiters may target children and youth whose families are undocumented. Further, individuals that identify as members of the lesbian, gay, bisexual, transgender, queer, and intersex (LGBTQI+) youth community are at an even higher risk. This population appears to be overrepresented among youth who are victimized; these youth have an increased risk of homelessness or runaway incidents, because of frequent harassment, socio-economic status, and peer or familial rejection.<sup>22</sup> Traffickers can be family members, friends, romantic partners, and strangers.<sup>23</sup>

Labor trafficking can occur across any sector. Those most susceptible to labor trafficking struggle to fulfill basic needs or are otherwise an unprotected segment of the population (e.g., youth; individuals with physical, emotional, or cognitive impairments; or individuals who lack immigration status).<sup>24</sup> For example, foreign workers may be persuaded with false promises of educational and job opportunities with good working conditions. Upon arrival in the United States, these individuals may have their immigration documents and other belongings confiscated. Traffickers then threaten victims through abuse or threats of involving the criminal justice system, loss of housing, income, and other means to create a sense of entrapment. Some labor trafficking experts have noted that exploitive work settings can elevate into labor trafficking.<sup>25</sup> Appendix C provides information about recognizing the signs of labor trafficking.

Third-party offenders, facilitators, and online platforms may also be utilized during the recruitment process. Social media is increasingly being utilized by traffickers to engage and recruit potential victims, including applications (apps) such as Facebook, Tinder, Twitter, Snapchat, and other social media and messaging apps. Traffickers use these apps to engage in conversation to build trust and rapport while often remaining anonymous.

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<sup>20</sup> Clawson, H. J., Dutch, N., Solomon, A., & Grace, L. G. (2009). Human trafficking into and within the United States: A review of the literature. Washington, DC: Office of the Assistant Secretary for Planning and Evaluation, US Department of Human and Health Services.

<sup>21</sup> Franchino-Olsen, H. (2019). Vulnerabilities relevant for commercial sexual exploitation of children/domestic minor sex trafficking: A systematic review of risk factors. *Trauma, Violence, & Abuse*, 1524838018821956.

<sup>22</sup> Hogan, K. A., & Roe-Sepowitz, D. (2020). LGBTQ+ Homeless Young Adults and Sex Trafficking Vulnerability. *Journal of Human Trafficking*, 1-16.

<sup>23</sup> Sprang, G., & Cole, J. (2018). Familial sex trafficking of minors: Trafficking conditions, clinical presentation, and system involvement. *Journal of family violence*, 33(3), 185-195.

<sup>24</sup> Labor Trafficking, POLARIS PROJECT, <https://polarisproject.org/labor-trafficking/> [<https://perma.cc/3TLM-X439>] (“[C]ommon types of labor trafficking include people forced to work in homes as domestic servants, farmworkers coerced through violence as they harvest crops, or factory workers held in inhumane conditions with little to no pay.”).

<sup>25</sup> Clawson, H. J., Dutch, N., Solomon, A., & Grace, L. G. (2009). Human trafficking into and within the United States: A review of the literature. Washington, DC: Office of the Assistant Secretary for Planning and Evaluation, US Department of Human and Health Services.

Recruiting tactics may vary depending on the relationship between the trafficker and the victim. Common recruiting behaviors used by traffickers include the following:

- Warmth, gifts, compliments, and sexual and physical intimacy
- Elaborate promises of a better life, fast money, and future luxuries
- Offers of love, belonging, protection and security, and a sense of family
- Offers of basic needs, such as housing, food, and clothing
- Pre-meditated targeting of vulnerability (e.g., children, youth who are missing from home or care and/or who are DCF involved, people experiencing homelessness, individuals living in poverty, individuals with mental health problems or with disabilities)
- Preying upon potential victims who have substance use disorders (SUDs) or addiction challenges
- Promises of well-paying jobs
- Exploitive work situations that escalate into labor trafficking

Common controlling behaviors used by traffickers include<sup>26</sup>:

- Physical and sexual violence
- Coercion and threats (e.g., threats of deportation or law enforcement involvement)
- Verbal and emotional abuse
- Confinement and isolation
- Economic abuse
- Denying, blaming, and minimizing
- Capitalizing on SUDs/addiction

## **B. Vulnerability**

There are several indicators and risk factors that law enforcement should be aware of to identify and assess the potential for trafficking.<sup>27, 28</sup> Predatory traffickers strategically target victims who are more vulnerable to recruitment tactics and methods of control. The key element in these instances is vulnerability. Specific attention should be paid to individuals who have any of the following risk factors:

- Economic instability, poverty
- Homelessness, unstable housing, living in group or foster homes
- Lower education level
- Prior victimization (child abuse/sexual assault)

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<sup>26</sup> Human Trafficking Power and Control Wheel. (2020). Polaris Project. Available: HT Power&Control Wheel NEW.pdf (humantraffickinghotline.org)

<sup>27</sup> Clawson, H. J., Dutch, N., Solomon, A., & Grace, L. G. (2009). Human trafficking into and within the United States: A review of the literature. *Washington, DC: Office of the Assistant Secretary for Planning and Evaluation, US Department of Human and Health Services. Retrieved December, 25, 2009.*

<sup>28</sup> Fedina, L., Williamson, C., & Perdue, T. (2019). Risk factors for domestic child sex trafficking in the United States. *Journal of interpersonal violence, 34(13), 2653-2673.*

- Low self-esteem, mental health issues
- History of running away or being unaccompanied (youth)
- Lack of emotional support
- Social isolation, lack of peer support
- LGBTQI+ identity
- Noncitizen, refugee, or lack immigration status
- Substance use disorders / addiction
- History of truancy or delinquency (shoplifting, carrying weapons or drugs)
- Past or current involvement in organized crime, including gangs
- Limited or no English language proficiency

### **C. Perpetrators**

Perpetrators of human trafficking do not fit a single stereotype and represent every socioeconomic, ethnic, and racial group. Exploiters can be any age, sexual orientation, or gender. Any combination of traffickers and victims can exist; for example, females can exploit other females. Traffickers may work in small or large-scale networks and can be involved with local gangs, can be part of a much larger organization, and can have no affiliation with any one group.

It is also critical to include the “buyers” as perpetrators. In addition to participating in human trafficking, they often commit secondary offenses that may not be prioritized but should also be fully investigated and prosecuted. Individuals involved with trafficking can include but are not limited to, the following:

- Friends and family members
- Organized criminal groups, including gangs
- “Pimps”/“Madams”
- Buyers/“Johns”
- People/groups who facilitate trafficking, such as drivers and those who create false identification documents

Additionally, human trafficking can be found in sectors and legal businesses such as the following<sup>29</sup>:

- Adult entertainment / strip clubs
- Hotels
- Restaurants, bars, cantinas
- Massage parlors
- Health and beauty businesses
- Home-cleaning services

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<sup>29</sup> Owens, C., Dank, M., Breaux, J., Bañuelos, I., Farrell, A., Pfeffer, R., ... & McDevitt, J. (2014). Understanding the organization, operation, and victimization process of labor trafficking in the United States. Washington, DC: Urban Institute.

- Nail salons
- Labor subcontractors
- Schools, residential programs
- Sober homes
- Factories
- Farms
- People's homes (where domestic help and care is provided)

#### **D. Impact of Trauma / Victim Responses**

It is critical for law enforcement to have a basic understanding of the impact of trauma and how trauma impacts the brain and behavior of a victim. With this understanding, law enforcement may respond in a more appropriate and effective manner. The nature of the trauma endured by trafficking victims reduces the likelihood they will reveal their true situation to law enforcement and service providers alike. Many victims may feel they do not have the support to “exit” exploitation. This is particularly true if the victim is being exploited by a family member or individuals involved in street gangs or other organized crime entities. Victims may feel ashamed, stigmatized, and embarrassed about their situation, and may lie to cover up the abuse or produce a rehearsed story to law enforcement.

Victims may also display anger and aggression toward law enforcement; a normal reaction for a traumatized person that is often based upon an underlying sense of fear or threats of harm by an exploiter. If a victim appears resistant and does not engage with law enforcement, they should not be viewed as any less deserving of support or assistance. For many trafficking victims, being exploited has been a continuum of violence and abuse that started early in their life, therefore, they are not always cooperative and/or trustful of anyone. Victims are uncertain about the law enforcement system and how it may respond to their situation (e.g., if they will/will not be believed, treated like a criminal for crimes committed as a result of their trafficking situation, or if they will self-incriminate).

*“Behind the anger/mask is a scared person.” — Survivor*

When encountering someone who appears to be experiencing symptoms of trauma, law enforcement should do the following:

- Address first the victim's safety and security needs by ensuring his or her physical concerns are acknowledged and addressed.
- Provide referrals for victims and witnesses through cooperative efforts with community stakeholders, to prevent further abuse and trauma such as connecting them with the District Attorney's Office Victim Witness Advocacy Program. For youth, initiate the appropriate notification protocols for the CSEC MDT Response. (See Section Six)
- Allow the traumatized person to vent about his or her feelings and provide validation. Listen attentively with a non-judgmental demeanor. Approach victims by asking, “What

has happened to you?” instead of “What is wrong with you?” When possible, try not to ask “why” questions, as this may be interpreted as a judgment on their actions.

- Enable prediction and preparation by explaining to the victim what happens next in processing of the case and his or her role in that process. Identify information about the criminal justice system that will help victims heal and prepare for their future. Be transparent about the voluntary nature of their involvement.
- Note that, in addition to victims, law enforcement officers can also be traumatized by a particular event or long-term history of/or exposure to violence. In both cases, access to services and supports should be made available to help an individual heal.<sup>30</sup>

## **E. Law Enforcement Challenges**

Law enforcement faces challenges regarding proper identification, referral, and investigation of human trafficking cases. Building upon the training and expertise of current law enforcement is crucial to increasing the awareness and recognition of trafficking victims among vulnerable populations. Law enforcement responds to offenses such as sexual assault, aggravated assault/battery, domestic violence, or narcotic activity, but often does not recognize the indicators of human trafficking that may be underlying these offenses.

Additional law enforcement challenges arise when individuals do not self-identify as human trafficking victims or are reluctant to disclose information due to fear of law enforcement or intimidation by the trafficker. Without proper training, some law enforcement officers may incorrectly assume that victims are “choosing” exploitation. As a result, it may be difficult for law enforcement to properly identify the crime or they may mislabel the crime and, in some circumstances, stigmatize the victim as an offender.

In situations where it appears that a victim has a “choice” to leave the trafficking situation, it is important to understand trauma bonding and cultural barriers. Victims who have been introduced into human trafficking at an early age by family members and/or through organized crime, see few choices or options leave involvement. Additionally, when gangs or other groups are involved with human trafficking, the life of the victim or the victims’ family members may be threatened—the “choice” is to comply with the gang or to live with the threat that their family members will be recruited into trafficking or killed. When thinking about “choices” it is important to note that under state law, child trafficking victims are never perceived as having a “choice.”

It is of the utmost importance to avoid, whenever possible, mislabeling the crime and perpetrator. This error leads to continuous victimization and decreases the likelihood of effective and successful prosecution; additionally, this error may limit resources that would otherwise be available to victims. Services and resources are crucial and there may be a very limited window

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<sup>30</sup> Altovise Love-Craighead, “Building Trust through Trauma-informed Policing,” *Think Justice, Police Perspectives: Building Community Trust* (blog) March 20, 2015, <https://www.vera.org/blog/police-perspectives/building-trust-through-trauma-informed-policing>.

to engage and offer victims this critical support. Law enforcement must have strong relationships with exploitation-specific service providers to navigate this challenge.

Finally, it is important for law enforcement to be aware that victims, witnesses, and perpetrators may need appropriate language assistance to facilitate referrals and response. Similarly, it is strongly encouraged that law enforcement officers be aware of their communication methods and be considerate of each individual's experiences, including oppression related to race, gender, and sexual orientation that can potentially impact victim engagement with law enforcement.

## **F. Relating to Victims**

A trauma informed approach and victim-centered response can increase the likelihood of a positive interaction between law enforcement and victims. Listening to individuals with the understanding that they have likely endured abuse and trauma from multiple persons is a must. Utilizing training and experience can help guide law enforcement's response; being patient and showing respect for the victim can establish trust and rapport.

Positive interactions with victims can lead to the following:

- Improved confidence in the police, reinforcing law enforcement's status as protectors of public safety
- Increased reporting of human trafficking
- Successful investigations and prosecutions
- Hope and justice for victims
- Disruption of the crime of human trafficking
- Reduced risk of retraumatization

### **1. Attending to Basic Needs**

Addressing safety concerns and other basic needs first is important. Victims must feel safe before they may be willing to speak with officers. Victims may be hungry and tired and may have an immediate need for food and rest. They may also have the need for shelter, medical and/or mental health assistance, detox, and/or support from a trusted person in their life. To participate in trafficking investigations, victims may first need protection, support, and safety planning for themselves and possibly for some family members. In addition, it is important not to make participation in investigations a requirement for victims to receive help.

### **2. Concern for Victims**

Conveying a genuine concern for the victim's well-being can create a connection, which can allow victims to feel safer to disclose abuse and to participate in the criminal justice process. This connection can help victims who may return to their trafficking situation, as a result of fear, coercion, threats, safety concerns, trauma bonding, and a lack of safe alternatives to earn money and to survive. Though law enforcement and other responders cannot force victims to exit trafficking, officers can point out the risks. Officers can say that they do not want the victim to continue to be hurt and can acknowledge concern about the victim's safety. These simple

statements can instill in victims a sense that they are cared about and can ultimately strengthen victims' ability to receive help.

### **3. Offering Choices**

As much as possible, offering victims choices—even with small things—can allow the victims to regain a sense of their power. Exploitation is about controlling victims. Offering an antidote to these experiences by giving victims as much control as possible will promote victim healing and participation in the criminal justice process.

### **4. Believing Victims**

Believing victims about their trafficking experiences is the cornerstone of relating to victims. They may fear that they will not be believed or that they will be judged. It is critical not to respond with disbelief, judgment, or shock. Some disclosures may be made years after abuse has occurred, while some disclosures are never made. When victims disclose abuse, it is important that they are believed and supported.

It can be useful, if appropriate, for officers to indicate that they have received training and have supported people with different experiences, such as abuse, including trafficking. This knowledge may convey to victims that officers are safe people to disclose their abuse to and that they will understand and believe them.

It is important for law enforcement to be aware that victims may describe the trafficking they endured in different ways—there is no “right way” for victims to report their experiences and one way should not be construed as more believable than another.

For example, victims may talk in a disorganized or contradictory way, and they may remember only fragments of the trauma. This is normal and has to do with how trauma is stored in the brain and how the brain protects the victim from the full impact of the abuse. Alternatively, some victims may report the trafficking in a more organized, chronological way. In addition, some victims may express emotion when talking about the abuse, while others may be reserved and unemotional. All of these presentations are normal and it is important for law enforcement to be attentive, patient, and understanding, regardless of how victims present themselves.

### **5. Interactions without Re-traumatization**

To the fullest extent possible, ensuring that victims are not re-traumatized during their interactions with officers is crucial. First and foremost, it is imperative not to see victims as delinquents or criminals. While safety protocols need to be followed, where possible, not handcuffing or asking victims questions in the back of a police car can be the first steps in a trauma-informed approach.

It is also important for officers to prevent victims from feeling “used” for the purposes of the investigation. Having a victim-centered approach—providing a systematic focus on the individual's needs and concerns to ensure compassionate and sensitive delivery of services in a



nonjudgmental manner<sup>31</sup>—helps prevent victims from being re-traumatized during law enforcement interactions, and promotes successful investigations and prosecutions.

## **6. Victims and Diversity**

Criminal justice data indicates that the majority of human trafficking cases identified in Massachusetts involve victims who are female. Nationally, the majority of individuals identified as trafficked for both labor and commercial sex are women and girls.<sup>32</sup> Females are also historically and disproportionately victims of domestic violence, rape, and sexual assault. It is important to note, however, that victims of trafficking are represented in all genders, backgrounds, races, cultures, socioeconomic classes, ages, sexual orientations, nationalities, education levels, and other demographic categories.

When officers interact with victims, it is crucial to be aware of each person’s attributes and identities, including the prejudices they may face. Victims in communities that have experienced persistent levels of discrimination, such as people of color and transgender people, may particularly fear law enforcement. As many police officers have done through community policing efforts, taking the time to learn about the people and cultures represented in the neighborhoods where law enforcement work will help boost victims’ and the community’s confidence in the police.

Racial, gender, and language representation among responding officers should be considered. For example, if it is possible to offer female victims the ability to speak with a female officer or to enable victims to speak with someone who can communicate in their primary language, victims may feel more comfortable with participating in the criminal justice process.

For transgender people, having to use their identification and their birth name can be distressing and in some cases, can have especially negative effects. It is important to ask transgender victims what name and pronouns they use and to refer to them in this way. Transgender victims may particularly benefit from having a supportive person present, if possible, when talking with law enforcement. Demonstrating sensitivity toward different gender identities may help mitigate fear.

Males are routinely underidentified as victims of human trafficking. It is important to be aware that males can be victims and are in need of assistance. They should be treated with the same seriousness as female and transgender victims.

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<sup>31</sup> Larry Alvarez and Jocelyn Cañas-Moreira, “A Victim-Centered Approach to Sex Trafficking Cases,” *FBI Law Enforcement Bulletin*, November 9, 2015, <https://leb.fbi.gov/articles/featured-articles/a-victim-centered-approach-to-sex-trafficking-cases>

<sup>32</sup> Task Force on Trafficking of Women and Girls, *Report of the Task Force on Trafficking of Women and Girls* (Washington, D.C.: American Psychological Association, 2014) 1, <https://www.apa.org/pi/women/programs/trafficking/report.pdf>.

## **7. Connecting Adult Victims to Resources**

Law enforcement officers should familiarize themselves with both local and statewide organizations that serve adult victims of human trafficking; these organizations can be contacted to assist with supporting these victims. Section Nine provides a more comprehensive list.

Additionally, sex and labor trafficking victims may qualify for U nonimmigrant status (U visa) and T nonimmigrant status (T visa) available through U.S. Citizenship and Immigration Services (USCIS).<sup>33</sup> It is recommended that victims of trafficking be connected to resources, including an experienced immigration attorney, as soon as possible to assist in this process. When victims request that law enforcement complete a USCIS declaration or certification, law enforcement should respond to confirm receipt of the request and a decision should be made within 90 days. In certain cases, involving urgent circumstances (e.g., derivative age-out or detained victims), law enforcement should expedite the requests.

## **8. T Visa**

A T visa is a longer-term immigration benefit that allows eligible trafficking victims to remain in the United States for up to four years, to eventually qualify for lawful permanent residence, and to petition for certain qualifying family members. Victims have the burden of showing that they are a victim of a “severe form of trafficking in persons” and of responding to a reasonable request for assistance from law enforcement, with limited exceptions (among other requirements). Victims that are under the age of 18 or who have experienced extreme trauma are exempted from the cooperation requirements. Victims may also request that law enforcement sign a declaration (Form I-914, Supplement B), a useful but not required document to support the T visa application.

## **9. U Visa**

The U visa is set aside for victims of violent crime, including human trafficking under state or federal law, who have suffered mental or physical abuse and who are helpful to law enforcement or government officials in the investigation or prosecution of criminal activity. The U visa is intended to strengthen the ability of law enforcement agencies to investigate and prosecute cases, while also protecting victims of crimes. Unlike the T visa, the U visa requires certification from a qualifying agency that explains that the applicant is a victim of the qualifying crime and that the victim had, has, or will be helpful to the investigation or prosecution of the case.

To satisfy these requirements, Form I-918, Supplement B, U Nonimmigrant Status Certification, must be submitted. If this form is not submitted, the victim will be unable to qualify.

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<sup>33</sup> “Information for Law Enforcement Agencies and Judges,” U.S. Citizenship and Immigration Services, last modified July 31, 2019, <https://www.uscis.gov/tools/information-for-law-enforcement-agencies-and-judges>.

Law enforcement should familiarize themselves with their department's policies and procedures when utilizing both T and U visas. Generally, the head of the agency has the authority to sign declarations or to delegate authority to other official in a supervisory role to sign declarations.

## **10. Individualized Needs**

In addition to having different backgrounds, victims can have varying experiences of exploitation—they may be victims of one trafficker or of a sophisticated network of traffickers and they may have been victims for a short period of time or for years. While trafficking victims share commonalities, they can have varying reactions and emotional responses and a range of other differences. The law enforcement response should consider victims' individualized needs and circumstances.

## **11. Supportive Person**

Whenever possible within existing safety protocols, allowing victims to contact a mentor from a victim services agency or another supportive person will further victims' sense of safety and will strengthen their interactions with law enforcement. If the support person can be physically present, officers should ensure safety by having the interaction in a controlled setting. A phone call or video chat is another option for bringing the support person into the interaction, if being physically present is not possible.

## **12. Filing a DCF Report for Child Victims**

Law enforcement should file a report with DCF as soon as possible for suspected and confirmed victims under the age of 18. This filing will initiate the MDT response. The [MDT section](#) provides details about the specific steps for law enforcement to take for young victims.

## **13. Transparency, Consistency, and Reliability**

The more that law enforcement can demonstrate to victims the qualities of transparency, consistency, and reliability, the more likely victims are to trust officers and to be engaged in investigations. It is important not to make participation in investigations a requirement for victims to receive help. The following are examples:

- **Explaining actions:** Offering victims transparency and predictability about officers' actions can help victims feel safer. Some actions, such as note-taking, can lead some victims to feel apprehensive—while other victims may feel heard when an officer takes notes. Explaining the purpose of note-taking and other actions may lessen any anxiety victims may feel and can build trust.
- **Interacting with the same officers:** If and when possible, enabling victims to interact with the same officers that they previously met with—especially if a victim expresses a preference for a particular responder—establishes consistency, which can build a sense of safety and trust.

- **Following up:** Ensuring timely follow-up with victims and making only promises and commitments that can be kept are critical to demonstrating reliability and trustworthiness.

#### **14. Nonverbal Communication**

Body language and other forms of communication have an effect on victims. It is important for officers to be aware of their tone of voice; many victims may feel more comfortable with a gentle tone. Additionally, if officers' hands are on their weapons, or if a weapon is exposed, victims may feel intimidated.

#### **15. Past Law Enforcement Experience**

In addition to groups that have historically been discriminated against, victims may have had negative past experiences with law enforcement and other government systems and may feel fear and mistrust. Treating victims with respect and patience may encourage victim engagement and lessen negative feelings.

#### **16. Victims of Organized Crime, Including Gangs**

Gangs and other organized crime groups can be involved in human trafficking and victims may be trafficked by more than one group. Organized crime groups may intimidate victims, their families, and others that victims know. The risk level for these victims and their families can be especially high and can make engagement with law enforcement feel especially frightening and dangerous. It is important not to make participation in investigations a requirement for victims to receive help. To participate in trafficking investigations, victims may first need protection, support, and safety planning for themselves and their families.

Organized crime "members" may actually be victims of human trafficking; some also may have been gang raped. It is important to differentiate these victims from other members; these victims are being harmed and need assistance. When gangs or other organized crime groups are involved in human trafficking, police gang units may be involved in the investigation or may collaborate with other law enforcement units.

### **SECTION FIVE: Initial Law Enforcement Response**

#### **A. Dispatch**

From the very first interaction, it is important that law enforcement make an authentic, caring impression, and show respect and compassion. First impressions matter and can help increase the likelihood of both the healing process of a victim and conviction of a perpetrator. Law enforcement should be aware that proper and appropriate initial screening and questioning by a dispatcher may reveal human trafficking red flags.

A trained and experienced dispatcher can convey a sense of safety to the caller and ask specific questions that allow for a more accurate assessment of the situation. The dispatcher should understand the power dynamics between law enforcement and an exploited person. The

controlling methods used by traffickers and the daily realities for victims may make it especially challenging for law enforcement to establish trust and elicit honest answers.

### **1. Discovering Human Trafficking during Calls for Service**

Human trafficking may be discovered during a variety of calls for service including the following:

- Sexual assault
- Aggravated assault/battery
- Domestic violence
- Kidnapping/false imprisonment
- Lost/found reports (child/adult)
- Traffic stops
- Disturbance; noise complaint/observation
- Labor dispute
- Suspected narcotic activity
- Shoplifting
- Prostitution

### **2. Human Trafficking Red Flags**

Human trafficking red flags include the following:

- Unawareness of the current location
- Exploitative working and living conditions
- Lack of freedom; lack of control over communication/transportation
- Lack of control of identification documents
- Trauma response: fear, anxiety, hypervigilance, submissiveness
- Not in control of own money; are unpaid or paid very little
- Being watched or followed
- Not allowed to speak for self
- Youth found with older teens/adults; missing from care
- Reporting false names/ages
- Youth traveling out-of-state
- Located in areas known for prostitution/exploitation (hotels, known addresses, streets)

### **3. Common Challenges When Asking Questions**

Law enforcement may encounter the following challenges when asking human trafficking victims questions:

- Fear or mistrust of law enforcement
- Fear of retaliation by exploiter
- May not perceive themselves as victims

- Fear retribution for “snitching” or exposing others involved
- May not be aware of their location or surroundings
- Feel shame about the type of work they were forced to do
- Believe that they have a contractual obligation to pay a debt despite being exploited
- View their situation as temporary, surviving on the hope they can earn freedom

## **B. First Responding Law Enforcement Officer**

The actions of the first responding law enforcement officer are critical to the success of the investigation and their importance cannot be overstated. A first responding officer can often directly and indirectly impact how a victim interacts with law enforcement and others involved with the criminal justice process. The initial response by law enforcement should include the following responsibilities:

- Victim / Witness Safety and Basic Needs
- Interview
- Crime scene preservation
- Reporting and notification

**The medical treatment and well-being of the victim should be the first priority.** It is important for law enforcement to be cognizant of a trauma-informed approach and utilize training and experience to present a professional and empathetic response to the situation.

When interacting with the victim, patience is key as they may not be ready to speak about their situation. Prioritizing meeting basic needs and focusing on building a good rapport at an early stage can provide the victim with appropriate support and increase the likelihood of “exiting” and their willingness to assist in the criminal justice process.

### **1. Victim/Witness Safety and Connections to Services**

As part of the emergency response, officers shall prioritize the safety and well-being of the parties involved. Different victims of human trafficking will have different reactions to trauma and to responders. It will be important to check-in with victims about how they are doing, and to provide them with opportunities to voice their needs. Appropriately addressing the immediate needs of victims will increase the trust and cooperation shown toward law enforcement. Subsequently, victims may be more willing to provide detailed information about the crime to officers, investigators, and prosecutors, thereby increasing the likelihood of successful prosecutions. (See “Relating to Victims” section for additional information.)

### **2. Responding to an Incident**

Upon responding to an incident, officers should do the following:

- Control the situation and separate parties to prevent any further conflict. This allows the officer to listen without unnecessary interruptions or an individual being overheard, influenced, or intimidated by the other party.

- Assess the need for medical attention which includes forensic evidence collection, the treatment of physical injuries, emergency contraception and sexually transmitted infection testing/treatment, and psychiatric evaluation. Obtain victim consent for ambulance transport to a hospital if there is observable injury or if the victim is reporting an injury or pain.
- If sexual assault is alleged to have occurred in the past 120 hours (5 days), victims (12 and older) are eligible for forensic evidence collection and it should be strongly encouraged that the victim be seen by a Sexual Assault Nurse Examiner (SANE). Offer to arrange EMS transport to a SANE site designated by the Massachusetts Department of Public Health (MDPH)<sup>34</sup>
- Evaluate the scene for suspects, vehicles, or objects involved, as well as for possible threats.
- Be cognizant of the victim's concerns for safety/threats and be reassuring and comforting. If the victim feels they cannot get the help they need to "exit" exploitation, victims will be less likely to cooperate.
- Communicate all vital information to the Patrol Supervisor and other responding officers, including any possible communication barriers or special circumstances.
- Follow appropriate notification protocols for protective service agencies, including: Department of Children and Families (DCF), Disabled Persons Protection Commission (DPPC), Executive Office of Elder Affairs (EOEA), and Department of Public Health (DPH), if abuse is suspected.
- If possible, provide adult victims with a direct referral for community services, particularly well-established survivor-informed organizations. At the very least, resources and contact information should be provided for potential follow-up.

### **C. Language Barriers**

If interpretative language services are needed, law enforcement should obtain such services as soon as possible. Using an independent party as an interpreter is strongly encouraged. Avoid the use of involved parties (i.e. friends, family members, children). Officers can call **QWEST**, a multilingual communications network provided to assist police departments at **(888) 892-2850** for interpretive language services 24 hours a day.

### **D. Interview**

Law enforcement officers should conduct a preliminary interview in addition to a subsequent, in-depth follow-up interview when dealing with an adult victim. (Interviews of child victims are discussed separately below). An in-depth follow-up interview should be conducted after the adult victim has been medically examined, treated, and personal needs have been met. The primary purpose of the preliminary interview is to establish whether a crime has occurred and obtain basic information similar to when investigating any other offense (e.g. who, what, where, when, how). For a list of potential screening questions, refer to Appendix B.

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<sup>34</sup> **Designated SANE site hospitals:** <https://www.mass.gov/info-details/designated-sane-site-hospitals>

During the initial interview with adult victims, the first responding officers should:

- Separate the parties and interview independently of each other. This allows for information to be relayed to an officer without threats of being overheard, influenced, or intimidated by the other party(ies).
- Address safety concerns of the victim and provide appropriate referrals (e.g., medical/SANE services, rape crisis services, survivor led programming);
- Obtain basic information to determine if a crime occurred;
- Establish the elements of the crime(s);
- Identify any and all witnesses and suspect(s);
- Identify possible locations of evidence and crime scene(s);
- Identify additional interviews to be conducted; and
- Advise a supervisor of additional resources and/or personnel needed (e.g. crime scene services, crime lab, etc.).

If children/youth are involved:

- Assess safety, whether or not medical services are needed;
- Record names and dates of birth;
- Conduct a “minimal facts” interview on scene if appropriate;
- Follow all necessary protocols for filings and referrals pursuant to Mass. Gen. Laws ch. 119, § 51A, to DCF.
- An in-depth, comprehensive interview should be done in concert with an MDT response. The forensic interview is scheduled by contacting the District Attorney’s Office/Children’s Advocacy Center to schedule a forensic interview.

The responding officer plays a key role in how a victim interacts with law enforcement and assists with the rest of the investigation. The most important initial steps are to respond to the needs of the victim and to engage with victims in the least traumatizing manner. Law enforcement can assist by establishing initial connections and making appropriate referrals to ensure basic needs (food, clothing, medical care, detox, rest, etc.) are met prior to an individual participating in an interview. It may be beneficial for the responding officer to explain their role as a first responder, what the victim may expect from the investigative team, and provide assistance with that transition.

## **E. Crime Scene Preservation**

Successful investigations start with effective crime scene preservation, search and gathering of evidence. The responding officer has the responsibility of eliciting information from the victim in order to identify the location(s) of crime scenes. A trafficking crime scene is unique, as a primary crime scene and secondary crime scenes may not always be evident and distinguishable. This is often a result of traffickers moving from place to place, and the current location may only be part of a larger crime scene.



Once identified, this crime scene information should be communicated to a supervisor to ensure that any additional crime scenes are secured as soon as possible and that the necessary steps are taken to prevent evidence from being lost, altered, destroyed, or contaminated.

The initial responding officer will be responsible for the following:

- Protect and preserve the scene (additional apartments, hotel rooms, and vehicles should be secured as well).
- Relay information to a supervisor; request a specialized investigator/crime scene examiner.
- Control entry to and exit from the scene.
- Document and preserve physical evidence.
- When possible, assign an officer as the collector of evidence who is responsible for marking or tagging each piece of evidence located.
- Keep a record of every move made and of every person who might have come into contact with evidence. Do not touch anything with bare hands, if at all possible.
- If the crime scene is an online-based operation, then secure associated electronic devices and locate advertisements and ‘business’ phones. Consent forms and passwords should be obtained, if possible, for immediate extraction of information.

## **F. Reporting and Notification**

Whenever law enforcement has reasonable cause to believe that a child under the age of 18 has been abused or neglected, in accordance with Mass. Gen. Laws ch. 119, § 51A a report must be filed with DCF. Additionally, if a minor has witnessed abuse, this could be also be flagged as “neglect” for purposes of mandatory filing.

A 51A report, filed due to concerns of Commercial Sexual Exploitation of Children, is categorized as “Human Trafficking – Sexually Exploited Child.” Per DCF’s Protective Intake Policy, allegations of “Human Trafficking-Sexually Exploited Child” will likely be screened in for an investigative response. Allegations of Human Trafficking (either Sexually Exploited Child or Labor) are an exception to DCF’s mandate to investigate abuse perpetrated by caregivers; there is a caregiver exception. This means that a caregiver does NOT have to be identified in order for DCF to investigate the allegation of Human Trafficking. Once a 51A report has been filed, and DCF has screened the report and made determinations regarding the investigative response, a copy of this report will be sent to the local law enforcement, the county District Attorney’s office and the local CSEC Coordinator at the Children’s Advocacy Center so that MDT coordination can take place.

During office hours (8:45-5:00 p.m.), law enforcement can contact the local area DCF office to file a 51A. After hours, the Child-At-Risk Hotline can be reached at 1-800- 792-5200. If law enforcement is filing the 51A report, be sure to explain the filing process to non-offending parent or caregiver. It is important to explain that the report is being filed on behalf of their child. A written report must be filed within 48 hours, and an oral report must be filed immediately upon knowledge of the concern.

The process of mandatory reporting and subsequent notification protocols are the initial steps that prompt the CSEC MDT response. This response supports additional communication between appropriate agencies and organizations involved with exploited youth and children at risk for trafficking. This process also allows for coordinated investigations (often including a forensic interview) and crucial services to be available depending on the situation (i.e. Interpersonal Support/Mentoring, Psychological Treatment, Medical Care, etc.)

## SECTION SIX: Role of the Multidisciplinary Team

### **A. The Multidisciplinary Response to Minor Sex Trafficking/CSEC**

Every county in Massachusetts has a specialized MDT, which is based in a Children’s Advocacy Center (CAC)<sup>35</sup> and is designated to coordinate interventions for minor victims of human trafficking. The CSEC MDTs are supported by Massachusetts statute and ensure that children under the age of 18 who are being trafficked are rightfully identified as victims of child abuse. Each county’s CSEC MDT is facilitated by a CSEC Coordinator, based in the local CAC. The teams work closely with local, state, and federal law enforcement, the Massachusetts DCF, and many other child-serving agencies to promote safety and healing and to support criminal investigations that can hold exploiters accountable.

CSEC MDTs provide child-centered, individualized support, streamlined information sharing, and coordination across agencies, so professionals can collectively ensure that children’s needs are met, and that exploiters are held accountable.

Law Enforcement plays a critical part in recognizing exploited children and making prompt referrals to the CSEC MDT; officers are frequently key members of the CSEC MDT. The following sections provide guidance on the steps law enforcement should take when identifying child victims of sexual exploitation and initiating the local CSEC MDT response.

*“The benefits of being part of the CSEC MDT are it provides a forum for discussion among the different agencies and service providers working with youth and victims. In addition, it provides law enforcement the opportunity to approach CSEC cases as victim first and to make our main goal the safe recovery of exploited youth.” — Detective Lieutenant Edward Hatten, MSP HRVU*

### **B. Relevant Background**

As mentioned, the Massachusetts Safe Harbor provisions compel mandated reporters to report the suspicion of minor human trafficking and sexual exploitation to DCF through a report pursuant to M.G.L. c. 119, section 51A (“51A report”). These reports should be filed based upon the suspicion of minor sex trafficking, including observed red flags and indicators. The threshold for filing is intentionally low to afford children who are not yet able to disclose their abuse and

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<sup>35</sup> Locate your county’s CAC, visit: <http://machildrensalliance.org/locate-a-cac>

children who may be at high risk for exploitation the opportunity to receive attention and support. Finally, the Massachusetts Safe Harbor legislation further ensures that sexually exploited children receive a coordinated, multidisciplinary response.

In 2014, Massachusetts was awarded a five-year federal grant to increase the state's capacity to recognize and respond to minor trafficking. As part of this statewide Child Welfare Anti-Trafficking Grant, each county engaged local stakeholders, including the local prosecutor's office, law enforcement, the defense bar, local offices of state human services agencies, and local nonprofit service providers to establish its own tailored minor sex trafficking/CSEC response protocol, specific to the county. Since 2018, there has been a designated CSEC Coordinator assigned to facilitate the CSEC MDT response based in each county's CAC.

### **C. The Purpose of the CSEC MDTs**

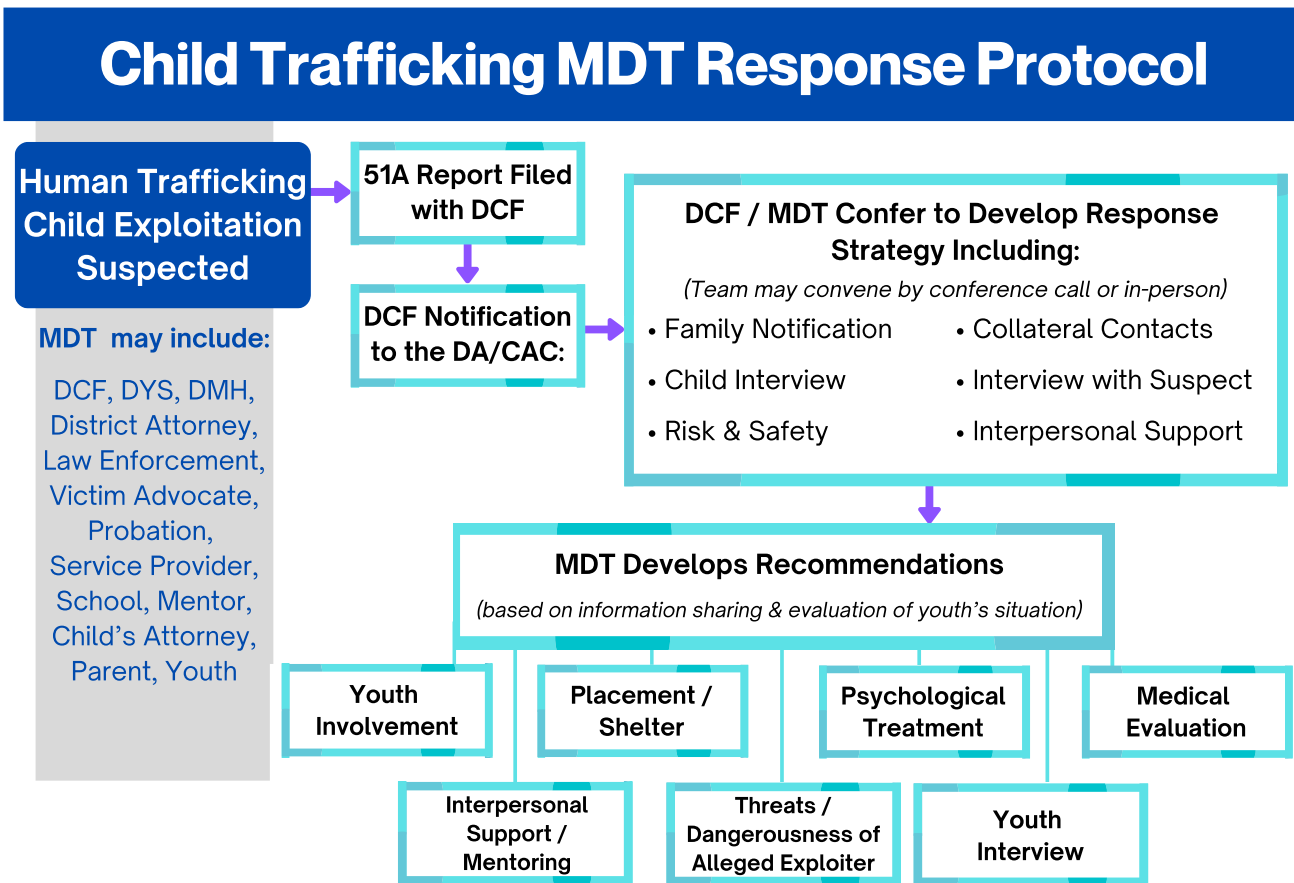
The county-based CSEC MDTs serve as the local hub for CSEC referrals across the state. When mandated reporters and community members report concerns to DCF, DCF is directed, by statute, to immediately refer the case to the local CAC, dependent on the jurisdiction of the abuse. The CSEC Coordinator assesses the report and connects with the local district attorney's (DA's) office, law enforcement, DCF, and others to determine potential assignments and next steps.

Because CSEC MDTs are child-specific and tailored to each individual child's referral, team composition can vary. Team members can include any of the following, given a child's risk, circumstances, and needs, and whether there is enough information to investigate a crime: police, prosecutors, victim witness advocates, DCF Response Workers or Ongoing Social Workers, congregate care or group home staff, juvenile defense attorneys, medical providers, including Pediatric Sexual Assault Nurse Examiner (Pedi SANE), school personnel, mental health clinicians, probation officers, mentors and life coaches, caregivers/a parent, and, ideally, the referred children themselves.

Typically, within 48 hours of receiving a referral, the CSEC Coordinator convenes a team meeting or case conference to discuss any information known about the concerns and to create a plan that addresses investigative and supportive steps. The information sharing that occurs on the team across disciplines is supported by statute. Teams discuss investigation and the forensic interview strategies, safety planning and the dangerousness of alleged offenders, interpersonal support, medical evaluation, mental health assessment, safe placement options, support for caregivers, and, importantly, strategies for engaging children in their own recovery.

It is important for law enforcement members to understand the critical role they play in referring children to the CSEC MDT and to understand how all of the different agencies fit together. An understanding of this multi-system response increases the likelihood of child safety, maximizes the ability to hold exploiters accountable, prevents the duplication of tasks, maximizes collaboration, and streamlines both communication and case planning.

**D. The following is a visual of the CSEC MDT Response Protocol**



**E. Steps to Refer to the CSEC MDT**

Human trafficking and sexual exploitation are an often hidden, unseen form of child abuse. Law enforcement officers that utilize their training and experience can effectively recognize the signs of trafficking and exploitation. It is imperative that these instances are reported—an officer may be the only adult in a child’s life to do so, and in so doing, a genuine lifeline.

Filing 51A reports of suspected child abuse under the allegation “Human Trafficking-Sexually Exploited Child” documents the concern of CSEC and connects children to the child welfare system, increasing their access to community resources and services. The 51A report also triggers the CSEC MDT response (including a multidisciplinary investigation) to which exploited children are entitled.

- To report suspicion of CSEC to DCF, contact the DCF Child At-Risk Hotline: 1-800-792-5200.
- Report the concern under the allegation “Human Trafficking-Sexually Exploited Child.”
- Unless you are directed otherwise by a supervisor, contact the local CAC/CSEC Coordinator directly to provide notification that a new 51A report has been filed.

## **F. The Benefits and Importance of the CSEC MDT Response**

### **No One Agency, and No One Person, Can Tackle this Issue Alone**

For child victims of trafficking and exploitation, the CSEC MDT can represent hope. CSEC MDTs leverage the expertise and resources of multiple child-serving agencies. It is not possible for one agency to meet the myriad needs of exploited children alone, or to have every answer. No one agency or single discipline can make every decision, understand all of the resources available, or determine every step to take. Especially because exploitation impacts so many aspects of a child's life, the CSEC MDT collaborates closely to make a comprehensive plan.

High-risk and exploited children may experience different levels and types of police involvement:

- Children who are exploited may intersect with multiple jurisdictions.
- If children are missing from care, their missing persons case may be assigned to a detective in another unit (not necessarily a child abuse or sexual assault detective).
- If children frequent hotels or are in areas known for exploitation, they may encounter uniformed officers in the field.
- If there is an active investigation into a trafficker and a minor is uncovered in a sting operation, the child may interact with detectives, state, and/or federal law enforcement.

Importantly, CSEC MDTs include specialized law enforcement members; many include designated human trafficking detectives or child abuse prosecutors. When filing a 51A and initiating the CSEC MDT response, law enforcement is helping to connect children to expert responders and a wide array of services.

Because each child is involved with multiple agencies, coordination is necessary to avoid duplication of efforts or, worse, overlapping, or conflicting action plans.

### **1. Coordinators Streamline Case Communication and Planning**

CSEC Coordinators work hand-in-hand with professionals spanning multiple sectors. They navigate complicated systems and communicate across disciplines seamlessly. They understand the investigative process, as well as the child-serving landscape and the resources available. The Coordinator serves as a facilitator, a connector, and a convener.

Rather than wrestle alone with questions—*Whom should I speak to at DCF? How can I learn about this child's history? Where should this child be placed into care? Does this child receive services already? Where can I refer this child for support?*—law enforcement should partner with the CSEC Coordinator. The Coordinator will facilitate information sharing and case planning and coordinate supportive service referrals.

## 2. A Trauma-Informed, Child-Centered Approach Matters

Law enforcement may be the first professionals to interact with exploited youth or to recognize their victimization. By extension, they are a representative of the Multidisciplinary Team. How law enforcement approaches child victims can set the tone for the subsequent intervention and can influence a traumatized child's willingness to engage in the investigation and services.

- **Trauma-Informed:** Whether or not a youth identifies as a victim, it is important to approach them with a “trauma-informed” lens. Exploited youth may be fearful, angry, distrustful of adults, or protective of their exploiter. They may act out physically. These are signs of trauma. Youth are often told by exploiters that they are “just a case”, “just a number”, or that “no one cares about them”. When law enforcement encounters youth and demonstrates understanding and compassion for underlying trauma, they can help dispel those messages. Not only can this help establish trust and build rapport, but a victim-centered approach can increase a youth's willingness to engage and promote a more successful investigation.
- **Respect for youths' identities:** It is recommended that law enforcement demonstrate respect around youths' various identities, including race, gender identity, and sexual orientation. For example,
  - If a child identifies as transgender, the child's preferred name and pronouns should be utilized to help them feel seen and respected.
  - If a child expresses a preference related to the gender of a responding officer, helping youth feel heard, and connecting them to someone they feel comfortable with, when possible, will promote their sense of safety.
- **Appreciation for youth's potentially negative experiences with the “system”:** It is important to remember that exploited youth may be dually involved with the child welfare and the criminal justice system and may have current or prior delinquency involvement. Their previous experiences with police may not be positive. How law enforcement treats high risk and exploited youth can help repair trust, especially if police are able to offer safety, comfort, and justice. First impressions matter immensely and can have a long-term impact on youth engagement.
- **Successes:** CSEC MDTs have many examples that celebrate the efforts and successes of law enforcement engaging some of the hardest-to-reach youth:
  - A young girl who shared that the only person she felt safe with was the officer who separated her from an exploiter after a traffic stop; that the officer provided her with a chance to ask for help.
  - A teenage boy who felt a strong bond with the detective assigned to his missing persons cases and who never gave up or dismissed him, but showed up every time worried about his safety and trying to connect him back to care.
  - A youth who talked about how the detective who found them and brought them to the hospital came back with a Happy Meal, didn't pressure them to answer questions when they weren't ready, and made sure their basic needs were met before talking to them about their experience.

- A teenage girl who shared that she preferred to get case updates from her detective, that she appreciated how the detective asked her how she was doing every time they communicated, that she wanted the detective with her at every stage of her trial, and how she found comfort in looking at her detective while testifying on the stand.
- A youth who shared that they never felt “ghosted”, that the police officer working with them always followed-up when they said they would, and never made a promise they could not keep.

## **G. Missing and Homeless Children**

The risk of exploitation for children who are missing, who are alone and unsupervised in the community, and who lack access to safe shelter, food, and safety cannot be overstated. It is critical to take a second look at missing children and to not overlook potential exploitation.

CSEC MDTs receive referrals for countless children who were approached by an exploiter while missing after running away. As exploiters build relationships with children, children may repeatedly leave their homes or placements to rejoin them. Other times, children may be unable to escape or return home, given their trauma bonds with an exploiter or given threats and force.

- When children are repeatedly missing, the real possibility of exploitation, each and every time a child goes missing, may not be recognized. It is critical that law enforcement always consider the possibility of exploitation and treat missing and homeless children in a trauma-informed manner.
- When children are reported missing, the MDT’s work is just beginning. CSEC MDTs can work together to recover or relocate missing children, to connect them to safe adults and services, and to engage them in an effort to prevent or reduce further instances of going missing.
  - Additionally, when children are missing, CSEC MDTs can work together to assess potential evidence of trafficking, including phone numbers linked to exploiters, online advertisements, social media and online communications with exploiters, and surveillance from areas children are known to frequent.
- There are resources available to law enforcement who encounter high risk and exploited children after hours:
  - Some CSEC MDTs have an on-call response available 24 hours a day, seven days a week.
  - Every DA’s Office has an on-call child abuse contact available for police and prosecutors to confer with about investigative steps. Some DA’s offices also have an on-call human trafficking contact. This list can be obtained through the Massachusetts District Attorney Association (MDAA).
  - Law enforcement can also contact the DCF At-Risk Hotline at 1-800-792-5200 after hours to seek assistance and a child welfare response for children in state custody.

## **H. Information Sharing**

The information sharing that occurs within CSEC MDTs is supported by the Massachusetts child abuse reporting statute.<sup>36</sup> Most typically, information sharing occurs in the form of team meetings or case conferences, team emails, phone calls, and written summaries of case plans and recommendations. The CSEC Coordinator acts as a clearinghouse for new information, helping to ensure that the appropriate law enforcement MDT members have all of the information relevant to investigations and that service providers have all of the information relevant to supporting children. Given the complexities of legal discoverability of information, it is important that MDTs talk about what information is shared and how it is shared. The CSEC Coordinator can help ensure that information sharing is productive, factual, and appropriate.

Information sharing within the CSEC MDT matters, because it helps team members tailor their intervention to be more responsive to the needs of children. The process of sharing information as an MDT can take time, and there may be some limits to what is shared. Ultimately, the MDT process of gathering information is worth the investment; it results in opportunities to learn as much as possible about the circumstances of children and their experience of exploitation, and this process leads to a more tailored and focused intervention.

## **I. Forensic Interviews and Minimal Fact Interviews**

Every CAC has forensic interviewer staff with specialized training and demonstrated expertise in interviewing children about their experiences of child abuse. Most forensic interviewers have also had training in interviewing victims of child trafficking. Forensic interviews minimize trauma by reducing the number of times children are asked to discuss their experience of abuse or exploitation. The interviews are structured, non-leading, and evidence based. For law enforcement encountering high-risk and exploited children, it is critical to remember that it is best practice for survivors of abuse to receive a forensic interview.

Especially when responding to an emergency, law enforcement may be in the position of establishing contact with a minor, gathering preliminary information to determine elements of a crime, and assessing a minor's imminent risk, safety, and need for medical attention. Law enforcement first responders can gather information, while being sensitive to the child's needs and the MDT approach. When possible, it is recommended that law enforcement conduct a minimal facts interview and act as a bridge for the children, helping them understand that they will have the opportunity to speak more fully about their experience with a trained specialist at the CAC.

## **J. Ongoing Resource Coordination**

The CSEC MDT can serve as an ongoing resource for children, not just when CSEC is first recognized. CSEC MDTs can be reconvened as investigations unfold, as new needs, information, and questions arise, and as supportive service plans are re-assessed over time.

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<sup>36</sup> <https://malegislature.gov/Laws/GeneralLaws/PartI/TitleXVII/Chapter119/Section51A>



It is unrealistic to expect that all issues will be resolved immediately via the CSEC MDT response or through any one discipline's involvement. CSEC MDTs recognize that the well-intentioned concept of "rescuing" children from exploitation is short-sighted and incomplete. In fact, focusing on rescue can be counter-productive to engaging children in services and holding exploiters accountable. It may appear that children do not want to be "rescued." For some, this is a normal reaction to the trauma they have endured. For children who do not identify as victims, or who may feel varying degrees of readiness to leave their abuser/exploitation, avoidance, disengagement, or resistance to responders may occur. Truly exiting exploitation and healing requires child participation and engagement. This may take time.

CSEC MDTs anticipate challenges and obstacles along a child's journey to healing. MDT members understand that a singular intervention will not resolve every issue and that success will most likely not be immediate. CSEC MDTs promote child safety and well-being and are anchored in the understanding that both healing and investigations will likely be a long-term process.

## SECTION SEVEN: Human Trafficking Investigations

### **A. Investigations**

There is no single profile or characteristic of a trafficking victim. The victims encountered are unique in their individual circumstances and in the paths that led them to their precarious existence. When this is taken into consideration, along with the stressors present when interacting with law enforcement in a criminal investigation, it makes the first communication with investigators critical to a successful investigation. The following actions, taken at the outset of an investigation, play a pivotal role in the resolution of a case.

Investigations commonly involve multiple agencies and benefit greatly from a collaborative response from agencies that otherwise may not be involved in an investigation (See Section Six). A multidisciplinary approach allows for an effective, high-level response to address incidents of trafficking.

It is imperative to corroborate the victim's story with independent evidence for future integrity challenges. In trafficking cases, law enforcement can ease the burden of a victim to provide testimony by collecting supporting evidence.

### **B. Documentation**

Investigations are dynamic and interactive, consisting of compilations of information, and no one portion of an investigation can stand on its own. It is challenging to establish a concrete picture of what occurred without the proper documentation. An officer's ability to communicate the facts, circumstances, and events of the investigation can often be the difference between a successful or failed prosecution.

Procedures regarding recording and documenting information obtained from victims, witnesses, and suspects depend upon individual departmental policies. All activities conducted and observations made at the crime scene must be documented as soon as possible, as they can be an excellent investigative tool. A “fresh” record of the facts and circumstances:

- Serves as a resource for police officers and witnesses when recollecting events;
- Assists during the filing of criminal complaints and other legal action(s) (e.g., search warrants); and
- Offers testimonial evidence during a trial should a witness become incapacitated or legally unavailable to testify.

### **C. Written Reports**

A written report should be clear and concise in order to communicate the facts to the reader. A report’s presentation is very important and can impact the perception of the officer’s thoroughness, competency, and professionalism. The most effective way to write a report that facilitates the reader’s ability to follow what occurred is to have a detailed, chronological account of the events.

The content documented in statements should be as close to verbatim as possible, especially those made by the victim and/or suspect. This is an important practice as it may establish a pattern of behavior exhibited by an offender which may reveal or link them to multiple cases. In addition, using exact statements rather than paraphrasing is an effective way to communicate what the victim and/or offender was thinking or feeling at the time of the incident.

Officers should document a detailed and precise description of the victim’s demeanor and state of mind. For example, “visibly shaking and crying” is more expressive than stating the victim was “upset.” It is important to be aware that a case may go to trial months or years from the date of report, so recording contemporaneous details is key.

Reports should also include the environmental aspects of crime scene/arrest/interview. This information can also be detailed in a separate and distinct report which communicates the tone and environment. For example, documenting the tone and various physical aspects such as: the number of officers that were present, the demeanor of the participants, how the officers were dressed, who was seated where, and if breaks/refreshments were afforded the suspect (e.g. drink, bathroom). Detailing the manner of how a suspect is interviewed showcases how a complete and comprehensive investigation was, while simultaneously avoiding potential bases for motions to suppress the defendant’s statements.

## **D. Audio Recordings**

Law enforcement should familiarize themselves with the expected practices, standard policies, and legal requirements for recording interviews by consulting a supervisor and/or the district attorney's office of jurisdiction. The use of audio recordings can be utilized for suspect, victim, and witness interviews. Law enforcement should provide victims with the opportunity to have their interview recorded; and explain that by recording it allows the officer doing the interview to focus on the victim's statement and not be distracted by note taking.

If the suspect refuses to have their statement recorded, the officer should record the refusal (if practical) and document it on a refusal form. If the interview is recorded, the officer should begin by:

- Identifying themselves and the interviewee
- Verbally stating the date, time, and location of interview
- Informing the suspect of any applicable rights (e.g. Miranda warning).
- Documenting that the person knows that they are being recorded and agree to same.
- If at any point the interviewee provides a physical demonstration or explanation, the officer should verbally explain any physically demonstrated explanation/information. (e.g. suspect demonstrates the length of the knife using their hands, officer should state that "the suspect showed a distance of approximately six inches.")

## **E. Photographic Documentation**

Photographs that document a crime scene, evidence, or injury can be critical in criminal investigations. Photos are able to provide a visual description of the scene for jurors and the corroborative element can help alleviate the burden on the victim. In addition, photographing the scene and evidence prior to recovery demonstrates thoroughness by the police and helps eliminate challenges to the integrity of the investigation. If photographing the victim/injuries, be sure to offer them the option and provide reasoning as to why photographing them is important. Also be sure to photograph in a manner that affords the victim the utmost privacy and dignity.

If law enforcement has access to a crime scene unit, it is recommended that it be utilized. This will ensure items are photographed according to scale and captured in a manner which provides context to the entire scene. If photographing injuries, there may be certain lighting and technology which capture different conditions better. Time aged photos may also be relevant. When documenting evidence through photographs, an overall photo, a mid-range photo, and a close-up photo should be taken to provide contextual basis for the evidence being displayed. In addition, it may be beneficial to have a ruler or a mechanism of measurement to provide a basis of size/scale of the item being displayed.

## **F. Video Recordings**

Video recordings are much like photographic documentation but can be more effective at capturing the big picture. This is especially true when trying to capture distances, location of objects, spatial relationships, and paths of entry or egress.

## **G. Sketches/Diagrams**

Sketching a scene can be helpful if there is no access to photographic equipment or when documenting outside scenes. Using sketches and triangulation will assist in pin-pointing the exact location of a recovery site at a later date.

## **H. Types of Evidence**

Documentation of evidence such as: call detail records, forensic cell phone extraction, subpoenaed advertisements, recovery of subpoenaed hotel video and records, and recovery of personal electronic devices associated with the crime are necessary to pass on to the prosecution team.

### **1. Physical**

- Document the demeanor of the victim
- Tattoos
- Injuries
- Condoms, Lubricants, Sex industry devices
- Bedding, clothing, towels
- Drugs/Drug paraphernalia
- Hotel keys, hotel registration information, surveillance system
- Physical aspects of crime scene/arrest (hot pots/cookware, etc.)

### **2. Documents**

- Contracts
- Property ownership/lease agreement
- Business/financial licenses
- Directories, client lists, ledger
- Utility bills/phone records
- Financial records (tax returns, bank records, receipts, etc.)
- Employment records
- Vehicle registration/violations/tickets
- Restraining order

### **3. Identification**

- Passports
- Visas
- Immigration documents
- Birth certificates
- Identification cards
- Driver's Licenses

#### **4. Digital / Photographic / Media**

- Cell phones/text messages (including pictures)
- Computers/websites/CDs/flash drives
- Email addresses
- Social media accounts
- Internet discussion boards, chat rooms, personal ads, matchmaking services
- Security system videos

#### **I. Investigative Support Units**

As with any reported crime and investigation, law enforcement are encouraged to contact their local District Attorney's Office, the Attorney General's Office, or the Massachusetts State Police High Risk Victim Unit for assistance and support. Human trafficking investigations are often complex cases, but can be most effective when leveraging partnerships and being proactive. Law enforcement agencies that pool their resources together for a common goal can increase the likelihood of building an investigation that ends the illicit activity. Further, appropriately involving the entities identified below can assist in streamlining, identifying, and charging traffickers as well as providing support to victims.

##### **1. Massachusetts Attorney General's Office**

- **The Human Trafficking Division (HTD)** uses a multidisciplinary team approach to prosecuting and preventing human trafficking through law enforcement efforts, policy development, and community partnerships.
  - The HTD is comprised of a dedicated team of prosecutors, victim-witness advocates, Massachusetts State Police troopers, and a paralegal.
  - The HTD uses a multidisciplinary team approach to investigate and prosecute multi-jurisdictional, high impact cases of both sex trafficking and labor trafficking throughout the Commonwealth, often alongside local law enforcement.
  - The HTD is also frequently involved in outreach and training for law enforcement and civilian community members statewide and works extensively with stakeholders on collaborative efforts toward prevention, service provision and data collection.
  - The HTD multidisciplinary teams working on investigations and prosecutions often include members and analysts from other AGO Divisions, including the Fair Labor Division, and the Digital Evidence Lab and the Criminal Bureau Financial Investigations Division.

- **The Fair Labor Division (FLD)** is the primary enforcer of wage and hour laws in Massachusetts. As such, complaints to FLD may include signs and signals that indicate potential labor trafficking. In these scenarios, FLD has teamed up with HTD to prosecute potential labor trafficking.
  - The FLD can be reached via email: [labortrafficking@mass.gov](mailto:labortrafficking@mass.gov)
  - Fair Labor Hotline: (617) 727-3465 from Monday to Friday, 10am to 4pm
  
- **The Digital Evidence Lab (DEL)** is an investigative, analytical team comprised of forensic examiners and support personnel with extensive forensic experience. DEL works to solve complex technical problems in criminal investigations, and supports federal, state, local law enforcement.
  - DEL phone numbers: (617) 963-2146 (office); (617) 963-2620 (lab main)
  
- **Commonwealth's Anti-Trafficking (CAT) Task Force** is a multidisciplinary Task Force based out of the AGO HTD that assembles partners across sectors to comprehensively address all forms of human trafficking in the Commonwealth.
  - The CAT Task Force builds on a comprehensive strategy for combating human trafficking through a state-wide, multidisciplinary, collaborative approach.
  - The CAT Task Force is a joint project between the AGO, the US Attorney's Office (USAO), service providers, and law enforcement to formalize a trauma-informed approach to address trafficking in Massachusetts.
  - The CAT Task Force receives referrals for all types of human trafficking cases. Referrals should be communicated to the CAT Task Force through the Attorney General's Office or via email to [CATTaskForce@mass.gov](mailto:CATTaskForce@mass.gov).

## 2. Massachusetts State Police

- **The High Risk Victims Unit (HRVU)**, created in 2016, expanded the Massachusetts State Police's (MSP) Division of Investigative Services. The HRVU is comprised of a dedicated team of Troopers responsible for the investigation and enforcement of state and federal crimes involving minor trafficking and sexual exploitation; and strengthening the capabilities of federal, state, and local law enforcement through training and investigative assistance.

The HRVU uses a multidisciplinary team approach to investigate and prosecute trafficking cases involving juveniles age eighteen and under. A key partnership in this unit is the investigative assistance and interagency communication between the HRVU and DCF. It is recommended that local law enforcement utilize the MSP and HRVU to augment responsibilities and broaden law enforcement response to better serve children and youth across the entire Commonwealth.

## SECTION EIGHT: Courtroom Preparation and Testimony

As the law enforcement investigation progresses into a criminal prosecution, it is incumbent upon the lead investigator to ensure that the District Attorney's Office that is prosecuting the case has a complete report of all relevant documentation regarding the investigation work. Working with prosecutors and victim witness advocates (VWA) early on in the process of an investigation allows for productive collaboration and will lead to a comprehensive investigation. The successful use of a collaborative approach will also assist in connecting victims and witnesses to the support network of advocates, non-governmental organizations, and other resources that go beyond just the investigative/prosecution team.

- **Successes:** There are many examples that celebrate the efforts of having a support network of law enforcement, investigative/prosecution team, and non-governmental organizations engage with adult victims during the investigation and trial process:
  - An adult survivor of sex trafficking remained connected to the service provider introduced by the VWA such that when it came time for trial this victim was readily located and the team was able to connect with her again.
  - An adult survivor of sex trafficking always appreciated a call from her VWA after court even if nothing happened and the court just gave the case a new date. Communication was important to her throughout the process and kept her connected.
  - An adult survivor of sex trafficking stayed in contact with her VWA because they made a strong connection on the first day they met and disclosed what she had been through.
  - An adult survivor of sex trafficking who connected with both her VWA and assigned Trooper because they treated her with respect and took the time to connect with her.

Law enforcement should be cognizant of the inherent struggles with moving forward toward a successful prosecution. When preparing for a trial, it is important to acknowledge that this process is often re-traumatizing for victims, as they will be required to recall and recount past experiences of their own exploitation or trafficking. To minimize or alleviate some concerns, law enforcement should help ensure that victims and witnesses are aware of what to expect and what will be expected of them.

Furthermore, it is important to keep in mind that time also plays a factor; the parties, especially victims, may be at a very different place in their lives by the time a case comes to trial. Including prosecutors/victim witness advocates who can collaborate closely with outside agencies/partners early on in the process of an investigation will provide continuity for victims and witnesses that increases the likelihood of a successful prosecution.

Law enforcement should adhere to the following considerations when assisting with court preparation and testimony:

- Review reports prior to testifying; being able to have an independent recollection of the events will display competency and professionalism

- Prepare in advance; this will help alleviate the natural anxiety and tension associated with testifying
- Do not guess the answer to any question; answer the questions honestly and to the best of your abilities
- Refrain from attempting to outsmart or out-think the questioning attorney(s)
- Always be courteous, and provide answers directly and in a positive manner
- If an answer to a question cannot be recalled, communicate that in a direct, non-defensive manner
- When testifying, relax, and be yourself
- Review all training and experience related to human trafficking (and other trainings, sexual assault, narcotics, etc.), being prepared to establish specific law enforcement experience that guided the ability to identify and make the conclusions
- Consider having an outlined and condensed professional resume on an index card that includes any relevant certifications, trainings, classes, and other information that displays experience on the subject matter

## SECTION NINE: Additional Resources and Referrals

Below is a list of organizations that law enforcement can utilize to provide additional assistance for victims and allow further access to victim services and aid in investigative methods. Please note this is not an exhaustive list but aims to provide a starting point for law enforcement looking to connect victims to appropriate services and agencies.

### A. Massachusetts Hotline Numbers

<i>NAME</i>	<i>CONTACT INFORMATION</i>	<i>WEBSITE</i>
<b>Child-at-Risk-Hotline</b>	Phone: 800-792-5200	<a href="http://www.mass.gov/how-to/report-child-abuse-or-neglect">www.mass.gov/how-to/report-child-abuse-or-neglect</a>
<b>Disabled Persons Protection Commission Hotline</b>	Phone: 1-800-426-9009	<a href="http://www.mass.gov/service-details/hotline-unit">www.mass.gov/service-details/hotline-unit</a>
<b>Institute for Health and Recovery / Substance Abuse</b>	Phone: 617-661-3991	<a href="http://www.healthrecovery.org">www.healthrecovery.org</a>
<b>SafeLink</b>	Phone: 877-785-2020	<a href="http://www.casamyrna.org">www.casamyrna.org</a>

### B. Children's Advocacy Centers

<i>NAME</i>	<i>CONTACT INFORMATION</i>	<i>WEBSITE</i>
<b>Massachusetts Children's Alliance – State Chapter</b>	11 Beacon St, Suite 321 Boston, MA 02108 Phone: 617-573-9800	<a href="http://www.machildrensalliance.org">www.machildrensalliance.org</a>



<i>NAME</i>	<i>CONTACT INFORMATION</i>	<i>WEBSITE</i>
<b>Children's Cove: The Cape &amp; Islands Child Advocacy Center (Barnstable, Nantucket &amp; Dukes Counties)</b>	PO Box 427 Barnstable, MA 02630 Phone: 508-375-0410	<a href="http://www.childrenscove.org">www.childrenscove.org</a>
<b>Berkshire County Kids' Place and Violence Prevention Center (Berkshire County)</b>	63 Wendell Avenue Pittsfield, MA 01201 Phone: 413-499-2800	<a href="http://www.kidsplaceonline.org">www.kidsplaceonline.org</a>
<b>Children's Advocacy Center of Bristol County (Bristol County)</b>	58 Arch Street Fall River, MA 02724 Phone: 508-674-6111	<a href="http://www.cacofbc.org">www.cacofbc.org</a>
<b>Essex Children's Advocacy Center Eastern District Attorney's Office (Essex County)</b>	10 Federal St, 5th Floor Salem, MA 01970 Phone: 978-745-6610 (ext. 5173) Phone: 978-984-7535	<a href="http://www.essexcac.org/">http://www.essexcac.org/</a>
<b>Children's Advocacy Center of Franklin and North Quabbin Area (Franklin County)</b>	PO Box 1099 Greenfield, MA 01302 Phone: 508-843-7306	<a href="http://www.cacfranklinNQ.org">www.cacfranklinNQ.org</a>
<b>Baystate Family Advocacy Center (Hampden County)</b>	300 Carew Street Springfield, MA 01104 Phone: 413-794-9816	<a href="http://www.baystatehealth.org/fac">www.baystatehealth.org/fac</a>
<b>Children's Advocacy Center of Hampshire County (Hampshire County)</b>	593 Elm Street Northampton, MA 01060 Phone: 413-570-5989	<a href="http://www.cachampshire.org">www.cachampshire.org</a>
<b>Middlesex District Attorney's Office (Middlesex County)</b>	15 Commonwealth Ave Woburn, MA 01801 Phone: 781-897-8400	<a href="http://www.middlesexcac.org">www.middlesexcac.org</a>
<b>Norfolk Advocates for Children (Norfolk County)</b>	12 Payson Road Foxborough, MA 02035 Phone: 508-543-0500	<a href="http://www.norfolkadvocatesforchildren.com/">http://www.norfolkadvocatesforchildren.com/</a>
<b>Children's Advocacy Center (Plymouth County)</b>	309 Pleasant Street Brockton, MA 02301 Phone: 508-580-3383	<a href="https://cac.plymouthda.com/">https://cac.plymouthda.com/</a>
<b>Children's Advocacy Center of Suffolk County – (Suffolk County)</b>	989 Commonwealth Ave Boston, MA 02215 Phone: 617-779-2146	<a href="http://www.suffolkcac.org/">www.suffolkcac.org/</a>
<b>Children's Advocacy Center of Worcester County (Worcester County)</b>	180 Main St, 5th Floor Worcester, MA 01608 Phone: 508-792-0214	<a href="http://www.worcesterda.com/childrens-advocacy-center-of-worcester-county">www.worcesterda.com/childrens-advocacy-center-of-worcester-county</a>

**C. Human Trafficking Resources**

<i>NAME</i>	<i>CONTACT INFORMATION</i>	<i>WEBSITE</i>
<b>SafeLink</b>	Phone: 877-785-2020	<a href="http://www.casamyrna.org/get-support/safelink/">www.casamyrna.org/get-support/safelink/</a>
<b>Polaris Project</b>	Phone: 202-745-1001 Hotline: 1-888-373-7888 Text: BeFree (233733)	<a href="http://www.polarisproject.org">www.polarisproject.org</a>
<b>Ascentria Care Alliance</b>	Phone: 774-243-3100 Paralegal: 774-243-3020	<a href="http://www.ascentria.org">www.ascentria.org</a>
<b>Eva Center / Casa Myrna</b>	Phone: 617-779-2133	<a href="http://www.evacenter.org">www.evacenter.org</a>
<b>Centerboard Inc. – We Rise</b>	Phone: 781-598-9417	<a href="https://centerboard.org/werise-index">https://centerboard.org/werise-index</a>
<b>Living In Freedom Together, Inc. (LIFT)</b>	Phone: 774-243-6025	<a href="http://liftworchester.org/">liftworchester.org/</a>
<b>My Life My Choice at Justice Resource Institute</b>	Phone: 617-529-2603	<a href="http://www.mylifemychoice.org/">www.mylifemychoice.org/</a>
<b>GLASS – Justice Resource Institute</b>	Phone: 857-399-1920 (ext. 2322)	<a href="https://jri.org/services/health-and-housing/health/boston-glass">https://jri.org/services/health-and-housing/health/boston-glass</a>
<b>Office of the Attorney General Victim Compensation &amp; Assistance Division</b>	Phone: 617-727-2200 (ext. 2160)	<a href="http://www.ago.state.ma.us">www.ago.state.ma.us</a>
<b>RIA House, Inc. (Ready.Inspire.Act)</b>	Phone: 774-245-9153 Phone: 888-373-7888	<a href="http://www.riahouse.org/">www.riahouse.org/</a>
<b>RFK Children’s Action Corps</b>	Phone: 617-227-4183	<a href="http://www.rfkchildren.org/">www.rfkchildren.org/</a>
<b>Support to End Exploitation Now (SEEN) Coalition</b>	Phone: 617-779-2145	<a href="http://www.suffolkcac.org/programs/seen/">www.suffolkcac.org/programs/seen/</a>
<b>Roxbury Youthworks Inc. Being United in Leading our Destiny (BUILD)</b>	Phone: 617-514-6090	<a href="http://www.roxburyyouthworks.org/">www.roxburyyouthworks.org/</a>

<i>NAME</i>	<i>CONTACT INFORMATION</i>	<i>WEBSITE</i>
<b>Roxbury Youthworks Inc. Gaining Independence For Tomorrow (GIFT)</b>	Phone: 617-474-2101	<a href="http://www.roxburyyouthworks.org/">www.roxburyyouthworks.org/</a>
<b>YWCA in Springfield La VIDA – Youth La VIDA – Adult</b>	Phone: 413-732-3121	<a href="http://www.ywworks.org">www.ywworks.org</a>

**D. Law Enforcement / Investigative Agencies**

<i>NAME</i>	<i>CONTACT INFORMATION</i>	<i>WEBSITE</i>
<b>Office of the Attorney General Human Trafficking Division</b>	Phone: 617-963-2011	<a href="http://www.mass.gov/fighting-human-trafficking">www.mass.gov/fighting-human-trafficking</a>
<b>Boston Police Department Human Trafficking Unit</b>	Phone: 617-343-6533 Phone: 617-779-2100	<a href="http://bpdnews.com/fjc">http://bpdnews.com/fjc</a>
<b>Federal Bureau of Investigation, Boston Field Office</b>	Phone: 857-386-2000	<a href="http://www.fbi.gov/boston/">www.fbi.gov/boston/</a>
<b>U.S. Attorney’s Office, District of Massachusetts</b>	Boston: 617-748-3100 Worcester: 508-368-0100 Springfield: 413-785-0235	<a href="http://www.justice.gov/usao-ma">www.justice.gov/usao-ma</a>
<b>U.S. Department of Homeland Security - Boston Office</b>	Phone: 617-565-4949 Victim Assistance: 617-565-4945	<a href="http://www.dhs.gov">www.dhs.gov</a>
<b>U.S. Citizenship and Immigration Services Trafficking in Persons and Worker Exploitation Task Force Complaint Line</b>	Phone: 1-800-375-5283	<a href="http://www.uscis.gov">www.uscis.gov</a>
<b>U.S. Department of Homeland Security: US Citizenship and Immigration Services USCIS and Bureau of Immigration and Customs Enforcement (ICE)</b>	USCIS Tel: 800-375-5283 ICE Reporting Hotline: 866-347-2423 ICE Public Affairs Tel: 202-732-4646	<a href="http://www.ice.gov">www.ice.gov</a>
<b>U.S. Department of Labor, Office of Inspector General</b>	Phone: 617-748-3218 OIG Hotline: 1-800-347-3756	<a href="http://www.oig.dol.gov/hotlinemain.htm">www.oig.dol.gov/hotlinemain.htm</a>

**E. National Hotline Numbers**

<u><i>NAME</i></u>	<u><i>CONTACT INFORMATION</i></u>	<u><i>WEBSITE</i></u>
<b>Dating Violence</b>	24-hour Hotline: 1-866-331-9474	National Dating Abuse Helpline
<b>Domestic Violence</b>	24-hour Hotline: 1-800-799-7233	National Domestic Violence Hotline
<b>Human Trafficking</b>	24-hour Hotline: 1-800-799-7233	National Human Trafficking Resource Center
<b>Missing Children / Child Pornography</b>	24-hour Hotline: 1-800-843-5678	National Center for Missing and Exploited Children
<b>Polaris Project</b>	24-hour Hotline: 888-373-7888	<a href="http://www.polarisproject.org">www.polarisproject.org</a>
<b>Runaway and Homeless Youth</b>	24-hour Hotline: 1-800-786-2929	National Runaway Safeline
<b>Sexual Abuse</b>	24-hour Hotline: 1-800-656-4673	Rape, Abuse and Incest National Network (RAINN)

## Appendix A: Examples of Other Laws That May Be Used with Potential Human Trafficking Cases

### **Rape of a Child**

<https://malegislature.gov/Laws/GeneralLaws/PartIV/TitleI/Chapter265/Section23>

### **Posing or Exhibiting a Child in a State of Nudity**

<https://malegislature.gov/Laws/GeneralLaws/PartIV/TitleI/Chapter272/Section29A>

### **Dissemination of Obscene Matter**

<https://malegislature.gov/Laws/GeneralLaws/PartIV/TitleI/Chapter272/Section29>

### **Deriving Support from Prostitution**

<https://malegislature.gov/Laws/GeneralLaws/PartIV/TitleI/Chapter272/Section7>

### **Maintaining a House of Prostitution**

<https://malegislature.gov/Laws/GeneralLaws/PartIV/TitleI/Chapter272/Section6>

### **Keeping a House of Ill Fame**

<https://malegislature.gov/Laws/GeneralLaws/PartIV/TitleI/Chapter272/Section24>

### **Sex for a Fee**

<https://malegislature.gov/Laws/GeneralLaws/PartIV/TitleI/Chapter272/Section53A>

### **Money Laundering**

<https://malegislature.gov/Laws/GeneralLaws/PartIV/TitleI/Chapter267A/Section2>

### **Conspiracy**

<https://malegislature.gov/laws/generallaws/partiv/titlei/chapter274/section7>

### **Failure to Pay Minimum Wage**

<https://malegislature.gov/laws/generallaws/parti/titlexxi/chapter151/section1>

### **Failure to Pay Proper Overtime**

<https://malegislature.gov/Laws/GeneralLaws/PartI/TitleXXI/Chapter151/Section1B>

### **Sexual Abuse of Minors**

<https://malegislature.gov/Laws/GeneralLaws/PartIII/TitleV/Chapter260/Section4C>

### **Forfeiture Proceedings after Human Trafficking Prosecutions**

<https://malegislature.gov/Laws/GeneralLaws/PartIV/TitleI/Chapter265/Section55>

<https://malegislature.gov/Laws/GeneralLaws/PartIV/TitleI/Chapter265/Section56>

## Appendix B: Sample Screening/Interview Questions

In 2013, the Massachusetts Interagency Human Trafficking Policy Task Force<sup>37</sup> developed a set of potential screening questions that may prove helpful when navigating conversations with potential minor and adult victims. The following are potential screening questions modified from what the Task Force developed for both law enforcement and case workers. It is recommended that the questions be asked in a conversational style, and not read from as a checklist.

### ***Potential Screening Questions for Adults:***

- What is your legal name? What is your preferred name?
- What pronouns do you use?
- How old are you?
- How are you feeling?
- Do you need any medical assistance?
- Do you feel safe?
- Where do you live (where do you sleep and eat)?
  - Who else lives there?
  - Do you feel that you can leave if you want? Do you have to ask permission to leave?
  - Have you ever been threatened if you tried to leave?
- Does anyone stop you from getting food, water, sleep, or medical care?
- Do you work? (Alternative: Do you get paid for what you do?)
  - How do you get to and from work?
  - Do you get paid for your work?
  - How did you find your job?
  - Do you owe anyone money because they helped you find your job?
  - Have you ever felt like you could not leave your job or felt pressured to work?
- Have you ever exchanged sex for anything of value such as shelter, food, clothing, or money?
- Have your identification or travel documents been taken from you?
- Have you ever been physically harmed in any way or seen anyone else harmed?
- Has anyone ever threatened you or your family?
- Has anyone ever threatened you with calling immigration authorities or the police?
- Is anyone making you do anything that you do not want to do?

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<sup>37</sup> <https://www.mass.gov/doc/interagency-human-trafficking-policy-task-force-findings-and-recommendations/download>


***Potential Screening Questions for Minors:***

- What is your legal name? What is your preferred name?
- What pronouns do you use?
- How old are you?
  - Are you in school?
    - If yes, where do you go to school?
- How are you feeling?
- Do you need any medical assistance?
- Do you feel safe?
- Where do you live?
- Who else lives there?
- Can you come and go as you please?
- Have you ever been threatened if you tried to leave?
  - Whom would you contact in an emergency?
  - Do you work or how do you get money?
  - Have you ever exchanged sex for food, clothing, shelter, or money?
  - Has anyone forced you to do something that you did not want to do?
  - Did someone ever touch you in a way you did not like?
  - Has anyone hurt or tried to hurt you? Are you lonely? Do you get to see your friends?

## Appendix C: Learn the Signs of Labor Trafficking

# Learn the Signs of Labor Trafficking


### Working Conditions



- Unpaid or paid very little
- Excessive wage deductions
- Works excessively long hours
- Not allowed breaks
- Unable to identify the employer


- High security measures (e.g. boarded up windows, barbed wire, security cameras)
- Recruited through false promises
- Inadequate protective clothing or gear
- Poor or non-existent health and safety standards
- Experiences threats or intimidation by employer

### Living Conditions




- Imposed place of accommodation
- Lives with employer
- Lives with multiple people in cramped space
- High security measures
- Poor living conditions
- Claims of “just visiting” and inability to convey where he/she is staying/address

### Lack of Control




- Not free to come and go as desired
- Not in control of his/her own money
- Not in control of his/her own identification documents
- Not allowed or able to speak for themselves (a third party may insist on being present and/or translating)
- Owes a large debt and is unable to pay it of

### Behavior



- Fearful, anxious, depressed, submissive, tense, and/or nervous/paranoid
- Inability to speak to an “outsider” alone
- Answers appear to be scripted/rehearsed
- Unable to identify what city he/she is in
- Has numerous inconsistencies in his/her story

### Physical Health



- Appears malnourished or shows extreme fatigue
- Suffers chronic health problems due to working conditions
- Shows signs of physical abuse, physical restraint, confinement, or torture
- Lacks or is denied medical care/services by employer

### Questions to Ask


<ul style="list-style-type: none"> <li>• How old are you?</li> <li>• Can you quit your job if you want to?</li> <li>• Can you come and go as you please?</li> <li>• Have you ever tried to leave and were not allowed to?</li> <li>• Have you been hurt or threatened if you tried to leave?</li> </ul>	<ul style="list-style-type: none"> <li>• Has your family been threatened?</li> <li>• Do you live with your employer?</li> <li>• Where do you sleep and eat?</li> <li>• Are you in debt to your employer?</li> <li>• How did you find your job?</li> <li>• Do you owe anyone money because they helped find you find your job?</li> </ul>	<ul style="list-style-type: none"> <li>• Are you in possession of your passport/ID? If not, who has it?</li> <li>• Do you get paid?</li> <li>• How do you get paid? How much do you get paid? How often are you paid?</li> <li>• Do you need medical assistance?</li> <li>• Do you feel safe?</li> </ul>
---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------

### What to Do

Explain first and foremost that you are concerned about the individual’s well-being.

If you believe that someone is in immediate danger, call 911

- Tip the National Human Trafficking Hotline:
  - Phone: **1-888-873-7888** Text: **233733**
  - Email: [help@humantraffickinghotline.org](mailto:help@humantraffickinghotline.org)
  - File a report at: <https://humantraffickinghotline.org/report-trafficking>
- Contact the MA Attorney General’s Fair Labor Division:
  - File a Non-Payment of Wage Complaint at [www.mass.gov/ago/wagetheft](http://www.mass.gov/ago/wagetheft)
  - Call the hotline (M-F/10AM-4PM): **617-727-3465**



Office of the  
Massachusetts  
Attorney General  
Maura Healey

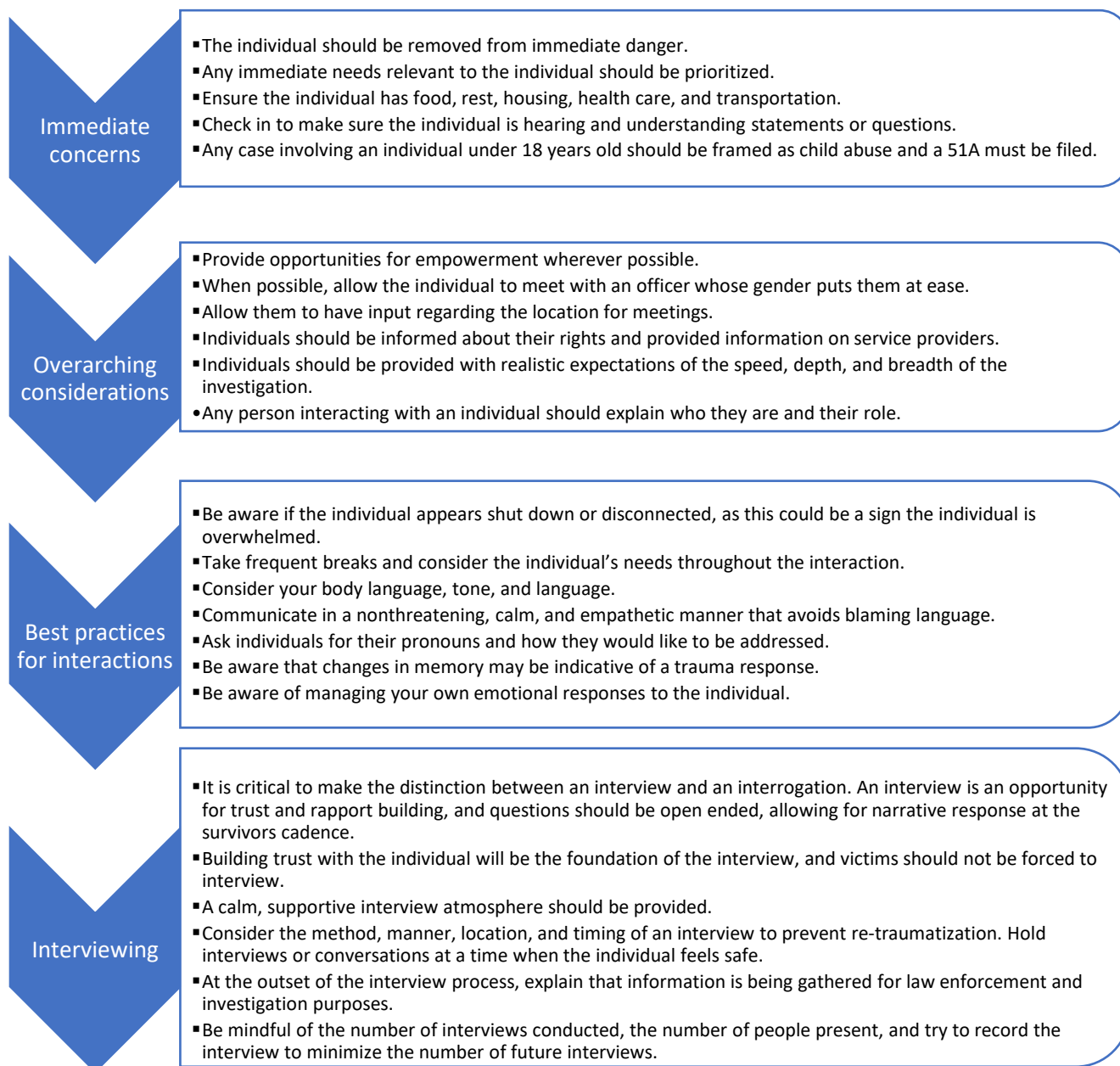
These are potential signs of labor trafficking.  
The indicators listed are not determinative nor cumulative; they are meant to inform and to raise awareness that one or several of these red flags may be present in a forced services situation.

All information has been provided by various sources. Contact the Office of the Attorney General for more information. Rev. 5/18



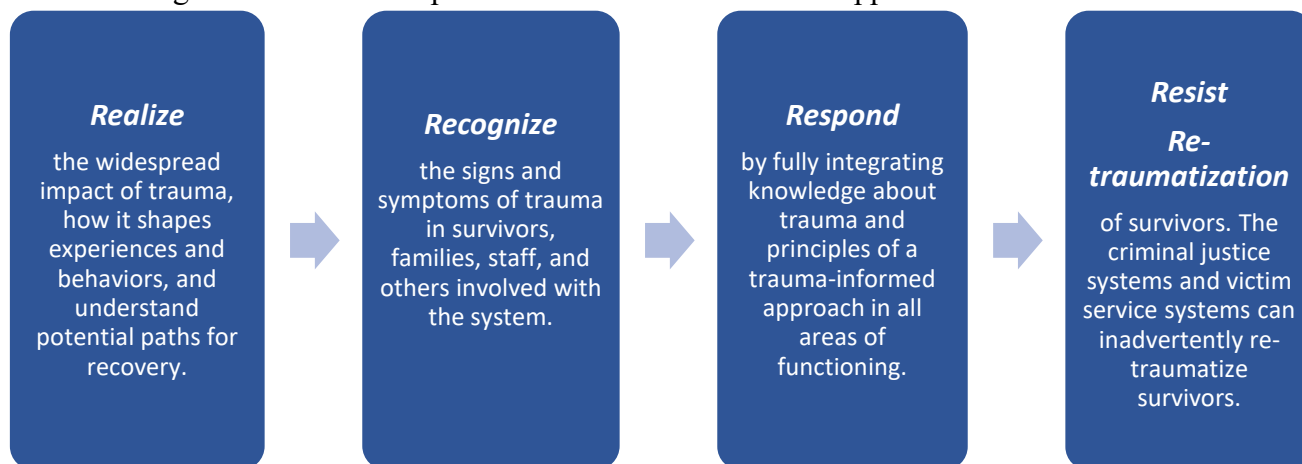
## Law Enforcement Brief: Implementing a Trauma-Informed Approach to Responding to Victims

The following checklist provides considerations for law enforcement during interactions with survivors. Taking the following steps can have an impact on the individual's sense of safety.<sup>1</sup>



<sup>1</sup> Adapted from Justice Resource Institute, 'Utilizing Trauma-Informed Approaches to Trafficking-related work.' [https://www.duq.edu/assets/Documents/forensics/Forensic%20Fridays/2018/MAR%209/H-O%20Trauma-Informed%20Case%20Study\\_final\\_2.pdf](https://www.duq.edu/assets/Documents/forensics/Forensic%20Fridays/2018/MAR%209/H-O%20Trauma-Informed%20Case%20Study_final_2.pdf)

Having knowledge of trauma and a trauma-informed approach can provide skills needed to work with survivors of human trafficking. **Individual trauma** results from an event, series of events, or set of circumstances that is experienced by an individual as physically or emotionally harmful or life threatening and that has lasting adverse effects on the individual's functioning and mental, physical, social, emotional, or spiritual well-being.<sup>2</sup> A **trauma-informed approach** comprises victim-centered practices that acknowledge a victim's trauma, avoids re-traumatization, and allows victims to begin processing their trauma while participating in the criminal justice system.<sup>3</sup> The following elements are incorporated into a trauma-informed approach:<sup>4</sup>



A trauma-informed approach to addressing human trafficking is structured around several key principles:<sup>5</sup>

- **Safety:** It is imperative to ensure the physical, psychological, and emotional safety of survivors.
- **Transparency and honesty:** To build trust with survivors, transparency, honesty, and clear communication are key. At each stage of the process, information should be communicated to survivors<sup>6</sup> and officers should follow through on statements made.
- **Collaboration and empowerment:** Law enforcement officers need to understand the importance of power differentials. It is important to restore feelings of self-efficacy and control to victims by providing them with opportunities for choice.<sup>7</sup>
- **Equity and Cultural Affirmation:** A response to human trafficking should be free from gender discrimination, racism, xenophobia, homophobia, transphobia, and value judgements. Officers should acknowledge biases and power dynamics.

<sup>2</sup> SAMHSA's Trauma and Justice Strategic Initiative, HHS (2014) *SAMHSA's Concept of Trauma and Guidance for a Trauma-Informed Approach*

<sup>3</sup> Milam, Borrello & Pooler (2017) "The Survivor-Centered, Trauma-Informed Approach." *United States Attorneys' Bulletin*.

<sup>4</sup> SAMHSA's Trauma and Justice Strategic Initiative, HHS (2014) *SAMHSA's Concept of Trauma and Guidance for a Trauma-Informed Approach*, 9-10.

<sup>5</sup> Heffernan & Blythe. "Evidence-Based Practice: Developing a Trauma-Informed Lens to Case Management for Victims of Human Trafficking." Published 1 April 2014. Springer International Publishing. *Glob Soc Welf*. Also, see SAMHSA and IACP resources

<sup>6</sup> When needed, an interpreter will be available to ensure effective communication between the investigative team and survivors.

<sup>7</sup> Milam, Borrello & Pooler (2017) "The Survivor-Centered, Trauma-Informed Approach." *United States Attorneys' Bulletin*.

# Commonwealth's Anti-Trafficking Task Force

## Victim Service Providers Contact Information

### **The Eva Center**

Location: Boston, Massachusetts Phone: (617) 779-2133

Website: <https://www.evacenter.org/>

The EVA Center provides a wide range of continuous and comprehensive services for women exploited through prostitution and sex trafficking.

### **Living in Freedom Together (LIFT)**

Location: Worcester, Massachusetts Phone: (508) 762-9660

Website: <https://liftworcester.org/>

LIFT is a community of unquestionable support for survivors of the sex trade. LIFT provides community programs and advocacy for survivors.

### **Garden of Hope**

Location: Queens, New York & Brooklyn, New York Hotline Phone: (718) 886-1960 Phone: (718) 321-8862

Website: <https://gohny.org/>

Garden of Hope has served hundreds of Chinese-speaking immigrants who are at risk of being trafficked or have been trafficked,

### **Sojourner House**

Location: Providence, Rhode Island Hotline 24/7: (401) 765-3232 Main office: (401) 861-6191

Website <https://www.sojournerri.org>

Committed to ending domestic, sexual violence human trafficking through emergency safe shelter, transitional and permanent housing. Immigration services and case management.

### **Boston University School of Law Immigrants' Rights and Human Trafficking Program**

Location: Boston, Massachusetts Contact: Julie Dahlstrom Office: (617) 353-2807

Website: <https://www.bu.edu/law/current-students/jd-student-resources/experiential-learning/clinics/immigrants-rights-human-trafficking-clinic/>

Services: Legal services for trafficking survivors, including immigration legal services, victim rights advocacy, record clearing, and civil legal assistance. We also provide referrals to survivor-led and victim services agencies locally as well as technical assistance about legal issues.

Geographic region: Massachusetts (state-wide)

### **My Life My Choice**

Location: Boston, Massachusetts Phone: (617) 396-7807 Email: [mlmcfinfo@jri.org](mailto:mlmcfinfo@jri.org)

Website: [www.mylifemychoice.org](http://www.mylifemychoice.org)

My Life My Choice provides Survivor-led Mentoring to young victims of commercial sexual exploitation as well as to youth identified as high-risk for exploitation. My Life My Choice accepts referrals for minors (up to age 18) of all genders. To make a referral or learn more go to:

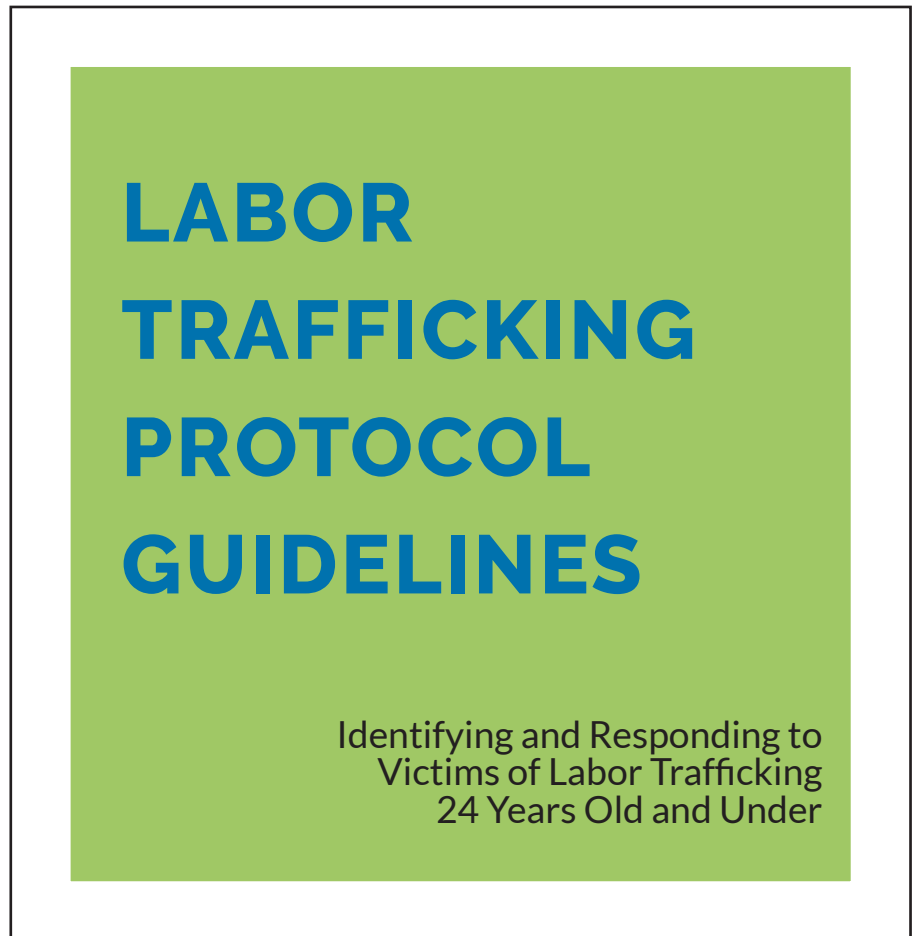
[www.mylifemychoice.org/get-help-here](http://www.mylifemychoice.org/get-help-here)

### **Support to End Exploitation Now (SEEN)/Children's Advocacy Center of Suffolk County**

Location: Boston, Massachusetts 24/7 Phone: (617) 504-6777

Website: <https://www.suffolkcac.org/what-we-do/seen>

The SEEN (Support to End Exploitation Now) Program coordinates the multidisciplinary response to child trafficking and commercial sexual exploitation of children across Suffolk County, MA. SEEN receives referrals for high-risk and exploited youth under the age of 18 in Boston, Chelsea, Revere, and Winthrop. Together with partners, spanning law enforcement, child welfare, medical & mental health providers, and community-based organizations, SEEN is available 24/7 to respond and provide immediate and ongoing case coordination to support multidisciplinary investigations and delivery of services



## ACKNOWLEDGMENTS

This report was made possible by support from grant number 2016-MU-MU-K153, awarded by the Office for Victims of Crime, Office of Justice Programs, U.S. Department of Justice, and the Minnesota Department of Health. The opinions, findings, and conclusions or recommendations expressed in this content are those of the contributors and do not necessarily represent the official position or policies of the U.S. Department of Justice.

Staff members on this project included Theresa Dykoschak, Madeline Lohman, and Jennifer Prestholdt.

We are grateful for the generous research support of our colleagues, volunteers, and interns. Nonetheless, as the author, The Advocates for Human Rights is solely responsible for the content of the report.

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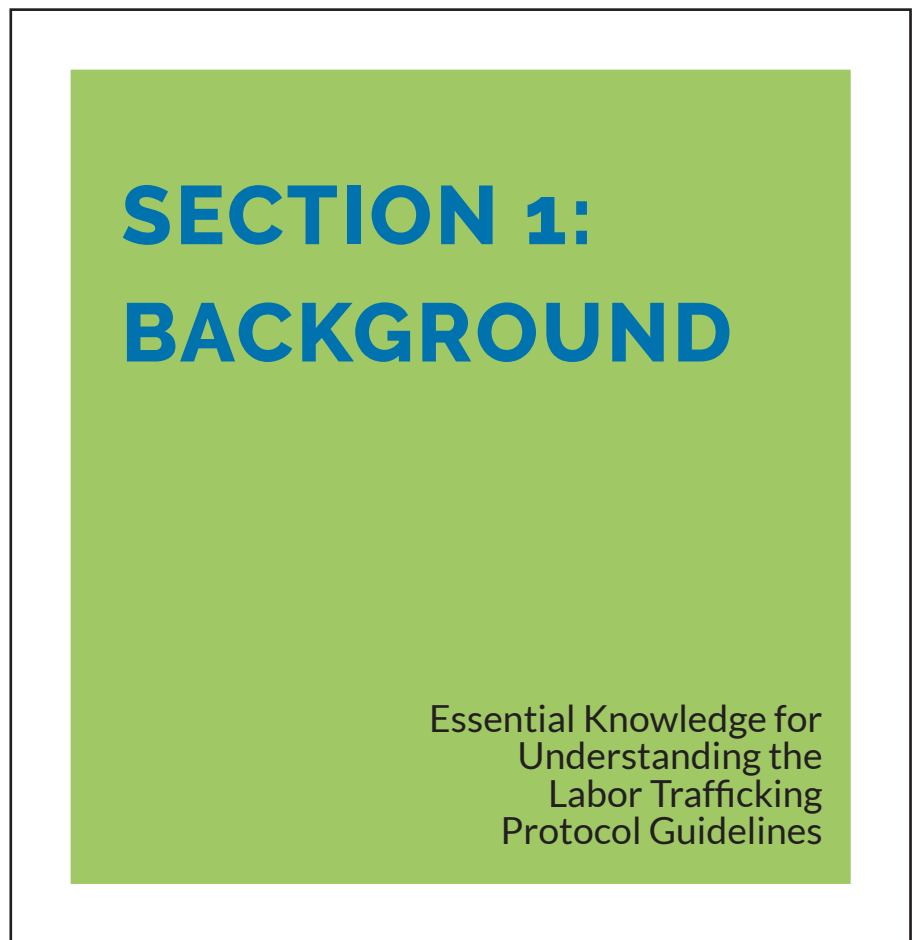
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# **SECTION 1: BACKGROUND**

Essential Knowledge for  
Understanding the  
Labor Trafficking  
Protocol Guidelines

# INTRODUCTION

**THE PROTOCOL  
GUIDELINES PROVIDE  
A ROADMAP FOR  
STATE AND LOCAL  
GOVERNMENTS,  
SERVICE PROVIDERS,  
COMMUNITY  
ORGANIZATIONS AND  
OTHERS TO PREVENT  
LABOR TRAFFICKING,  
PROTECT AND  
SUPPORT VICTIMS,  
AND HOLD  
TRAFFICKERS  
ACCOUNTABLE.**

Labor trafficking is a serious crime and a public health issue that inflicts lasting physical, psychological, emotional, and financial harm on its victims. Labor trafficking also harms society as a whole, from businesses facing unfair competition to local communities bearing the costs of recovery from the trafficker's actions. Youth especially are at high risk of labor trafficking and deserve special protections from society because of their vulnerability to abuse and limited ability to meet their own basic needs.

Victims of labor trafficking rarely come forward on their own because they fear retaliation by their trafficker and because they do not know that they are victims of a crime. Thus, individuals across Minnesota need to be able to recognize the signs of labor trafficking and know how to respond. Minnesotans also need to work together and develop relationships between governmental and non-governmental agencies and organizations in a wide range of sectors, as recovery requires substantial resources and a victim's needs cannot be met by one organization alone.

Minnesota has an obligation and an opportunity to take action against labor trafficking. Anyone – from individuals interested in learning more about how they can help, to professionals experienced in working with trafficking victims – can and should use these protocol guidelines. These protocol guidelines provide comprehensive information on the diverse needs of labor trafficking victims and different forms of relief available to them. The protocol guidelines also provide a roadmap for state and local governments, service providers, community organizations and others to prevent labor trafficking, protect and support victims, and hold traffickers accountable.

**Section 1: Background** provides key information for individuals and organizations wanting to understand the definitions of labor trafficking and how it occurs.

**Section 2: Universal Protocol** contains information that should be reviewed by anyone who may interact with victims of labor trafficking or who would like to learn more about the multiple components to a comprehensive response to labor trafficking, centered on protecting victims.

To respond effectively, all sectors must be actively involved, and communities must understand who they should contact if they suspect labor trafficking. The Universal Protocol provides an overview of which organizations and agencies may need to be involved in a response, as well as guidance on prevention, identification, confidentiality, and special considerations for victims who are minors, foreign nationals, or vulnerable adults.

Minnesota's unique context may place a greater burden on organizations and agencies to implement the protocol guidelines. Many government services are decentralized, with elected county and city officials exerting substantial control over agency policies and practices and affecting the conduct of law enforcement, child protection, adult protection, social welfare services, education, and other sectors. This allows policies to be responsive to local conditions, but also requires organizations and agencies implementing the protocol guidelines to investigate who is best placed to serve labor trafficking victims at the local level and the process their community will follow. **Section 3: Protocol Implementation Worksheet** provides an easy-to-use tool to help communities plan their response to labor trafficking.

As part of the development of these protocol guidelines, there were several types of organizations and agencies that were identified as regularly interacting with – or having the potential to regularly interact with – victims of labor trafficking. **Section 4: Sector-Specific Protocols** includes detailed guidelines and best practices for these sectors. These chapters are designed to be used in conjunction with the Universal Protocol Section. The Sector-Specific Protocols do not include chapters for every sector that may interact with trafficking victims; all sectors should refer to the Universal Protocol for guidance.

**Section 5: Recommendations** includes suggested changes in law and practice for policymakers, government agencies, and funders to improve Minnesota's response to youth victims of labor trafficking.

**Section 6: Appendices** provides a detailed list of federal and state statutes related to labor trafficking, a directory of Minnesota labor trafficking service providers, a list of key resources, materials for trafficking victims, and a sample of the survey that was developed to research existing services for labor trafficking victims.

The Advocates and the Minnesota Department of Health provide training and technical assistance on implementing the protocol guidelines. Please contact The Advocates for Human Rights at (612) 341-3302 for more information.

## METHODOLOGY

The Advocates developed the following protocol guidelines for the Minnesota Department of Health by applying a human rights monitoring methodology to the issue of labor trafficking of youth. The methodology combined qualitative research strategies, including interviews and data collection through survey instruments, with research and analysis of current literature, policies, and laws.

For the purposes of these protocol guidelines, "youth" is defined as people who are 24 years old or younger. Victims under age 18 who face special considerations under law are referred to by age or as minors.

The Advocates began in January 2017 by collecting preliminary data to identify organizations and agencies that were already serving youth victims of sex and labor trafficking in Minnesota. The Advocates developed an online survey that was widely disseminated to: state and federal agencies; listservs for the Minnesota Human Trafficking Task Force, Minnesota Sex/Labor Trafficking Prevention Network, Sexual Violence Prevention Network, and Minnesota Coalition for Battered Women DV Law Committee; and other stakeholders who could contribute to developing an effective response for labor trafficked youth. The survey questions are included in Appendix D. The Advocates received 365 survey responses from diverse stakeholders throughout Minnesota. The survey responses also identified individuals to interview in the next phase of research and protocol development.

In-person interviews were conducted from April to November 2017 to determine available services, barriers to

identification and accessing services, and shared goals for an effective response to youth victims of labor trafficking. The Advocates developed stakeholder interview questions tailored to specific sectors that may come into contact with labor-trafficked children and youth. The Advocates identified geographic outreach priorities based on the survey results and the Safe Harbor network of services for sex-trafficked youth, and interviewed stakeholders from the northwest, northeast, southwest, southeast, central and west Metro and east Metro Safe Harbor regions (see map on page 11). The Advocates conducted a total of 93 interviews throughout the state with prosecutors, child protection and adult protection workers, health care providers, police and other law enforcement officers, victim advocates, housing providers, legal service providers, worker organizations, public health officials, school administrators, social workers, and others who work with youth.

Based on the information obtained through the surveys and interviews, The Advocates created preliminary draft protocol guidelines to circulate to stakeholder groups convened by discipline and industry. Individual subject matter experts also reviewed the draft protocol guidelines to provide input. The Advocates made revisions based on gaps identified and areas where further clarification was needed.

## WORKING WITH TRIBAL NATIONS

In Minnesota, there are seven Anishinaabe (Chippewa/Ojibwe) reservations and four Dakota (Sioux) communities. In addition, thousands of Native Americans live in Minnesota's urban communities, including Bemidji, Duluth, Minneapolis, and Saint Paul. While The Advocates interviewed some Native American service providers, these protocol guidelines focuses on non-tribal agencies and organizations. Some of its recommendations may, however, be useful to tribes developing their own response to human trafficking. Local governments, service providers, and others who work with Native American victims should collaborate with the 11 tribal nations and their service providers, including law enforcement, to create a joint response to human trafficking. Tribal nations report that they have unique, culturally-sensitive, and trauma-informed responses to human trafficking based on their legal status, existing services, and other factors. Government agencies and nongovernmental organizations should consult with each tribal nation on the best way to identify and respond to human trafficking involving Native American victims or occurring on tribal lands.

## FINDINGS

Interviews with government officials, service providers, and community members revealed that currently, Minnesota does not have a well-developed response to the labor trafficking of youth, but that existing systems and policies provide a strong foundation for building an effective response.<sup>1</sup>

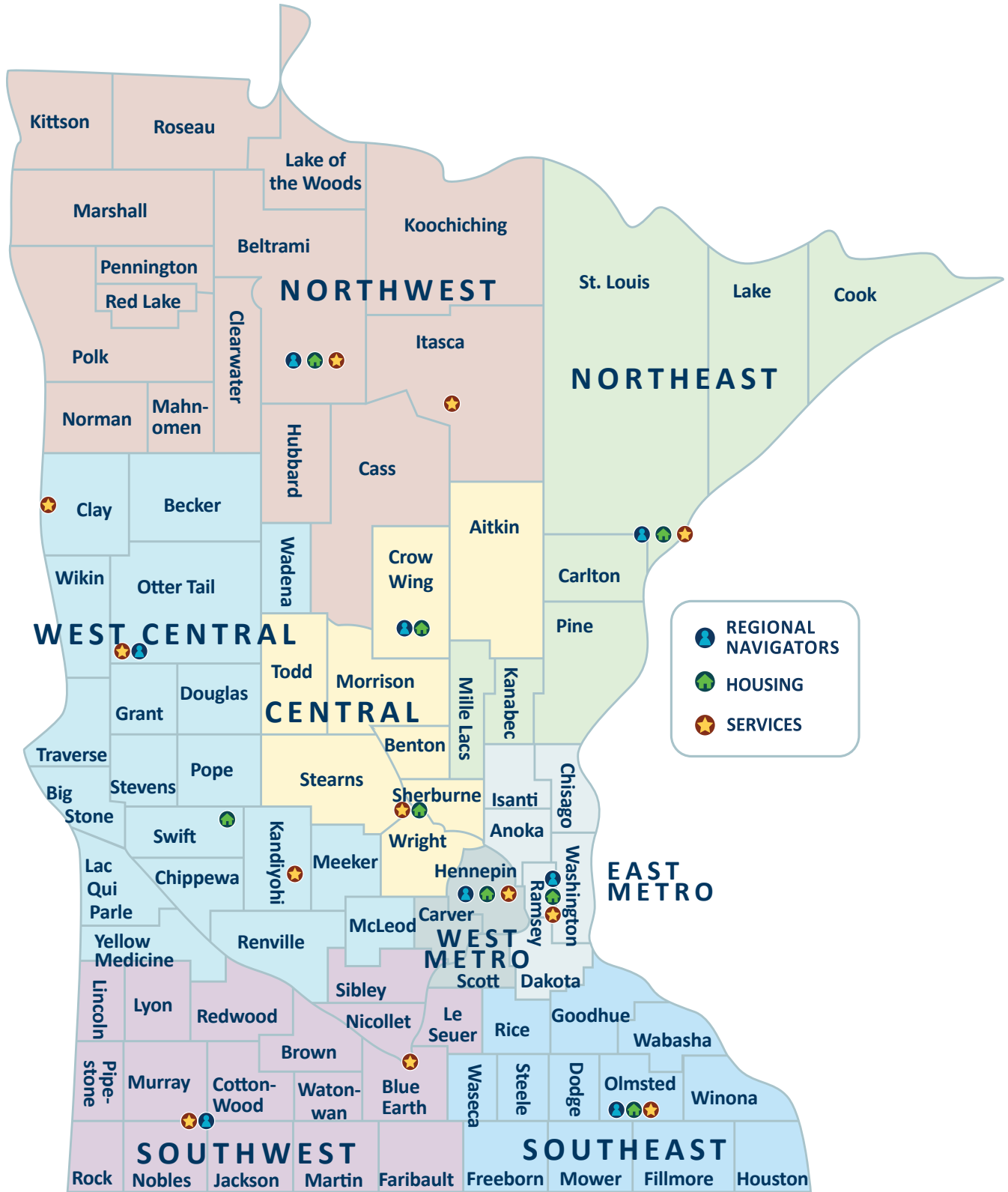
Most importantly, there is a widespread lack of awareness and misunderstanding of labor trafficking among all disciplines that work with youth throughout the state. As a result, very few instances of labor trafficking have been identified. At the time the interviews were conducted, few individuals had received training on labor trafficking, and few organizations screened for labor trafficking. Most of those interviewed stated a desire for training and a willingness to include labor trafficking in existing screening processes.

In addition to a lack of training and awareness, interviewees described a lack of resources to serve labor-trafficked youth. Throughout Minnesota, transportation is difficult for those who cannot afford their own car, and there is a shortage of housing. The lack of secure housing is particularly acute, especially for men and boys. Even when services are available, the providers may not be trained or experienced in working with victims of severe trauma. Interviewees also reported a lack of culturally-specific services and services for youth with multiple needs, such as trafficking victimization and chemical dependency.

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<sup>1</sup> For additional analysis of Minnesota's response to labor trafficking and labor exploitation, see "Asking the Right Questions: A Human Rights Approach to Ending Trafficking and Exploitation in the Workplace," Minneapolis, MN: The Advocates for Human Rights, 2016. Also available at [https://www.theadvocatesforhumanrights.org/uploads/asking\\_the\\_right\\_questions\\_2.pdf](https://www.theadvocatesforhumanrights.org/uploads/asking_the_right_questions_2.pdf).

# SAFE HARBOR REGIONS FOR SEX TRAFFICKING SERVICES



Foreign-born youth, who are at high risk for labor trafficking, face additional barriers to reporting or leaving trafficking situations because of immigration status, language barriers, unfamiliarity with the U.S. legal system, and fear of authorities. Specialized services for foreign-born victims, including legal assistance and culturally-specific care, are difficult to find. Foreign-born youth also face confusing restrictions on their eligibility for public assistance, including medical care, which complicate service providers' ability to meet their needs. Many interviewees lack understanding of the various immigration system actors and risk exposing victims to detention and deportation by involving immigration enforcement in their efforts to assist victims.

The foundation exists to improve this response. Minnesota has developed a comprehensive response to sex trafficking through the Safe Harbor network of regional navigators, housing providers, and supportive services. Interviewees reported that they were ready to add screening for labor trafficking, and many could draw on their experience working with sex trafficking. Most jurisdictions have existing interagency collaborations. In addition, the state legislature has demonstrated a willingness to help trafficking victims with legal changes, expanded services, and increased funding. The number of people trained on labor trafficking has already increased since the interviews were conducted, and a number of new cases have been identified.

Interviews statewide revealed enormous opportunity to improve Minnesota's response to youth victims of labor trafficking. Currently, labor trafficking is not widely understood, identified, or addressed, but interviewees repeatedly expressed a desire to learn more and respond to it.

# DEFINITIONS AND DYNAMICS OF LABOR TRAFFICKING

## TRAFFICKING IN FEDERAL AND STATE LAW

The federal Trafficking Victims Protection Act (TVPA) and Minnesota law define labor trafficking as follows:

### Federal Labor Trafficking Definition

A severe form of labor trafficking involves “the recruitment, harboring, transportation, provision, or obtaining of another for labor or services through the use of force, fraud, or coercion for the purpose of subjection to involuntary servitude, peonage, debt bondage, or slavery.”<sup>2</sup>

### Minnesota Labor Trafficking Definition

(1) The recruitment, transportation, transfer, harboring, enticement, provision, obtaining, or receipt of a person by any means, for the purpose of:

- (i) debt bondage or forced labor or services;
- (ii) slavery or practices similar to slavery; or
- (iii) the removal of organs through the use of coercion or intimidation; or

(2) receiving profit or anything of value, knowing or having reason to know it is derived from an act described in clause (1).<sup>3</sup>

<sup>2</sup> Trafficking Victims Protection Act, 22 U.S. Code § 7102(9)(B). The definition of “Severe forms of trafficking in persons” also includes sex trafficking. See Appendix A for a complete list of statutes.

<sup>3</sup> Definitions, Minn. Stat. § 609.281 (2017).



Federal and state laws both impose criminal sanctions against perpetrators of human trafficking and those who use documents to further a human trafficking scheme.<sup>4</sup> Federal laws against labor trafficking derive from the Thirteenth Amendment to the U.S. Constitution prohibiting “slavery or involuntary servitude.”<sup>5</sup> Congress originally created criminal offenses like peonage, enticement into slavery, sale into involuntary servitude, and other crimes to give force to the Amendment.<sup>6</sup> The TVPA, passed in 2000, created new criminal statutes<sup>7</sup> to penalize forms of human trafficking, including: forced labor;<sup>8</sup> trafficking with respect to peonage, slavery, involuntary servitude, and forced labor;<sup>9</sup> and sex trafficking.<sup>10</sup> These new statutes supplement, rather than replace, the existing criminal prohibitions.<sup>11</sup>

Minnesota passed a trafficking law in 2005, creating separate offenses for labor trafficking<sup>12</sup> and sex trafficking.<sup>13</sup> Notably, Minnesota’s law, in contrast to the federal law, does not require proving the use of force, fraud, or coercion.

## DYNAMICS OF TRAFFICKING

Labor trafficking occurs when an employer<sup>14</sup> compels or tricks a worker into providing involuntary labor. It occurs most often in industries where workers are itinerant or isolated or where an industry is fissured or illegal, making it difficult to collect data or identify the exact scope of these crimes. Trafficking cases that have been identified, however, indicate that involuntary labor typically takes place in abusive conditions, such as unsafe work environments, long hours without breaks, or work without pay.

People become susceptible to trafficking when their basic needs are unfulfilled or vulnerabilities are unprotected (e.g., youth; physical, emotional, or cognitive impairments; or lack of immigration status). People may be vulnerable to labor trafficking situations as they seek to secure food, housing, income, and physical protection for themselves and family members. Traffickers often lure victims into their schemes by promising to meet basic needs and providing some necessities, though generally not at a level that meets international standards for adequate housing, fair wages, or physical safety. Unfulfilled basic needs contribute not only to the decision to enter the trafficking situation, but also to the difficulty of leaving ongoing exploitation. In addition to using other forms of coercion, traffickers threaten the loss of housing, income, and other means of support to keep victims trapped.

Youth are at an especially high risk for trafficking for several reasons. First, youth frequently lack the experience and knowledge to recognize abusive employment practices and suspicious job offers. Second, youth face challenges securing well-paid work, both because of legal restrictions and because they lack work experience and advanced education. Some public benefits are available, especially to minors under age 18, but older youth may not be eligible. In cases where minors have family members that need support, public benefits do not typically support related adults in addition to the minor. Given this exclusion, some youth feel the only way to support their families is to work, even if they can only do so illegally, making them susceptible to trafficking. These factors are compounded in situations where youth lack support networks or face additional barriers to employment, such as a criminal record. Youth with experience in foster care or the juvenile justice system are at a particularly high risk.

Traffickers employ a variety of methods to keep victims trapped in exploitative situations. Reports suggest that methods of control can vary dramatically from case to case. Traffickers may use violence, physical abuse, sexual assault, physical restraint, or denial of food, water, medical care, and other necessities to inflict serious bodily harm

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4 Unlawful conduct with respect to documents in furtherance of trafficking, peonage, slavery, involuntary servitude, or forced labor, 18 U.S. Code § 1592 (2018); Unlawful conduct with respect to documents in furtherance of labor or sex trafficking, Minn. Stat. § 609.283 (2017).

5 U.S. Const. amend. XIII § 1.

6 See, e.g., Peonage, 18 U.S. Code § 1581 (2018); Sale into involuntary servitude, 18 U.S. Code § 1584 (2018).

7 Victims of Trafficking and Violence Protection Act of 2000, Public Law 106-386, 106th Cong., 2d sess. (October 28, 2000).

8 Forced labor, 18 U.S. Code § 1589 (2018). Note that federal law does not have a criminal statute for “labor trafficking.”

9 Trafficking with respect to peonage, slavery, involuntary servitude, or forced labor, 18 U.S. Code § 1590 (2018).

10 Sex trafficking of children or by force, fraud, or coercion, 18 U.S. Code § 1591 (2018) (amended in 2015 to include the activities of solicitation and patronizing).

11 Federal criminal statutes also penalize those who financially benefit from any form of human trafficking. See, e.g., Benefitting financially from peonage, slavery, and trafficking in persons, 18 U.S. Code § 1593A (2018).

12 Labor trafficking, Minn. Stat. § 609.282 (2017).

13 Solicitation, inducement, and promotion of prostitution; sex trafficking, Minn. Stat. § 609.322 (2017).

14 The Advocates uses “employer” to include employers, recruiters, contractors, and others who have control over a worker.

on the victim or on the victim's family and friends. Traffickers may also threaten violence without actually employing it. Traffickers may also engage in non-physical coercion and manipulation, including blackmail, lying about the nature of work that the victim will perform, creating false debts that the victim can never pay off, and cultivating emotional dependency and feelings of guilt.

Threatening to report victims to immigration or law enforcement is an especially powerful form of coercion in the United States. Workers may be vulnerable to threats of deportation, because the worker is undocumented, because the trafficker is holding their passports or other identification documents, or because the worker's immigration status is dependent upon the employer.<sup>15</sup> In the case of U.S. citizens or other victims with stable immigration status, traffickers may compel these victims to commit crimes such as theft or drug possession, and then threaten victims with arrest if they try to contact police. Regardless of the specific tactic, the outcome is that the trafficker can compel the victims to act against their will. Even when victims appear free to move around, the fear, dependency, and psychological harm generated by the trafficker can keep them trapped and unable to seek help or reveal what is happening.

Victims of labor trafficking very rarely come forward on their own. First, many victims do not know that they are experiencing labor trafficking, either because they are unfamiliar with U.S. law or because they believe they consented to the situation by initially accepting a job offer from the trafficker. Second, traffickers exert a level of control that prevents victims from revealing what is happening to them even when they encounter law enforcement or service providers, out of fear of retaliation. The fact that victims rarely report this crime makes it especially important for the people they encounter to recognize the signs of labor trafficking and know how to respond.

## VULNERABLE WORKERS

An inability to meet basic needs is not equally distributed throughout society and reflects long-standing inequities that harm disadvantaged groups. In Minnesota, racial and ethnic minorities, low income individuals, rural residents, immigrants, people experiencing homelessness, and people with disabilities face inequities in housing, employment, education, and other areas that have lasting impacts on health and lifespan.<sup>16</sup>

The inability to meet basic needs is closely connected to two related phenomena: the difficulty in finding legal work that pays an adequate wage and the barriers to receiving public benefits that might otherwise help people secure housing, food, medical care, and other support.

Foreign-born workers face legal restrictions to employment. Undocumented immigrants are not authorized to work in any capacity in the United States. Immigrants on temporary employment visas for unskilled workers can only work for the employer who petitioned for them to come to the United States. If the employer fails to pay them or otherwise violates employment laws, the immigrant worker cannot simply find another job with a different employer, but must restart the entire process of receiving a temporary employment visa sponsored by a new employer. If the employer withdraws support of the worker, regardless of cause, the worker must leave the country. These legal restrictions leave immigrants vulnerable to abuse by the employer who holds their visa or by an employer willing to employ them illegally.

In addition to legal barriers, the effects of systemic racism create significant barriers for people of color to achieve economic stability. Bias in employment opportunities is apparent when looking at unemployment rates and household income. In both categories, African American, Native American, Asian, and Hispanic populations fare dramatically worse than white populations.<sup>17</sup>

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15 Several visa programs allow employers to sponsor workers for either temporary or permanent residency in the United States. In almost all cases, the worker's visa status depends on continuing employment with the sponsoring employer. See U.S. Citizenship and Immigration Services, "Employer Information," <https://www.uscis.gov/working-united-states/information-employers-employees/employer-information>

16 Minnesota Department of Health, *Advancing Health Equity in Minnesota: Report to the Legislature* (Saint Paul, MN: Minnesota Department of Health, 2014), 5-6. Also available at [http://www.health.state.mn.us/divs/che/reports/ahe\\_leg\\_report\\_020114.pdf](http://www.health.state.mn.us/divs/che/reports/ahe_leg_report_020114.pdf).

17 Minnesota Department of Health, *Advancing Health Equity in Minnesota: Report to the Legislature* (Saint Paul, MN: Minnesota Department of Health, 2014), at 89-90. Also available at [http://www.health.state.mn.us/divs/che/reports/ahe\\_leg\\_report\\_020114.pdf](http://www.health.state.mn.us/divs/che/reports/ahe_leg_report_020114.pdf).

Criminal records make it more difficult for anyone to get a job, and this impact is particularly pronounced for African Americans and Native Americans because of Minnesota's disproportionate incarceration rates in these communities.<sup>18</sup> While laws in Minnesota prevent public and private employers from requiring job applicants to disclose convictions, the growing national trend toward requiring licenses for work, which now applies to one in four jobs, is exacerbating the effects of criminal convictions on job prospects.<sup>19</sup>

A government-funded social safety net could address any resource shortfalls caused by disparities in employment, but the current system excludes some of the very people who are also at a disadvantage in the labor market. Undocumented immigrants and foreign-born workers on temporary visas are barred from any public benefits other than emergency medical care.<sup>20</sup> Anyone with drug-related criminal convictions must pass regular drug tests to continue receiving food stamps and cash assistance.<sup>21</sup> Public assistance programs in Minnesota do not include everyone who requires assistance and exclude certain people from consideration, regardless of their needs.

## DEMAND FOR CHEAP LABOR

Traffickers prey on vulnerable workers to meet the demand for low-cost goods and services. That demand is created by both businesses and consumers who prioritize cheap labor over the rights of workers.

Minnesota businesses must abide by an extensive set of laws governing the treatment of workers, including wage and hour standards, health and safety regulations, protections for workers to act collectively, and freedom from discrimination, among others. These laws increase costs for business but, in exchange, improve the lives of workers and help the United States fulfill the basic human right to an adequate standard of living. Unscrupulous employers who violate these laws, in contrast, can increase their profits with their illegal business practices. Traffickers may take their illegally acquired gains as profit for themselves or use their illegally low labor costs to gain business from other companies or attract consumers with lower prices.

## LABOR EXPLOITATION AND THE CONNECTION TO LABOR TRAFFICKING

When employers profit from the illegal treatment of their workers, they are engaging in labor exploitation. Labor exploitation can occur in cases where the employer does not exercise the level of control that characterizes labor trafficking. Some employers, however, cross into trafficking by combining exploitative practices with a level of control over the workers that leaves them trapped in the situation. The overlap between exploitation and labor trafficking can complicate identification efforts.

Labor trafficking victims frequently experience multiple forms of labor exploitation, including:

- paying less than minimum wage;
- failing to pay all hours worked;
- failing to pay overtime;

<sup>18</sup> Minnesota Department of Health, *Advancing Health Equity in Minnesota: Report to the Legislature* (Saint Paul, MN: Minnesota Department of Health, 2014), 35. Also available at [http://www.health.state.mn.us/divs/che/reports/ahc\\_leg\\_report\\_020114.pdf](http://www.health.state.mn.us/divs/che/reports/ahc_leg_report_020114.pdf).

<sup>19</sup> National Employment Law Project, *Fair Chance Licensing Reform: Opening Pathways for People with Records to Join Licensed Professions*, Oct. 2017.

<sup>20</sup> Minnesota House of Representatives Research Department, *Eligibility of Noncitizens for Health Care and Cash Assistance Programs*, by Randall Chun and Danyell Punelli (Saint Paul, MN: Minnesota House of Representatives, Sept. 2011). Also available at <http://www.house.leg.state.mn.us/hrd/pubs/ncitzhhs.pdf>.

<sup>21</sup> Legal Action Center, *After Prison: Roadblocks to Reentry, Minnesota Report Card*, [http://lac.org/roadblocks-to-reentry/upload/reportcards/24\\_Image\\_Minnesota%20FINAL.pdf](http://lac.org/roadblocks-to-reentry/upload/reportcards/24_Image_Minnesota%20FINAL.pdf). See also Legal Action Center, *After Prison: Roadblocks to Reentry, 2009 Update*, (New York: Legal Action Center, 2009), 11. Also available at <http://lac.org/roadblocks-to-reentry/upload/lacreport/Roadblocks-to-Reentry--2009.pdf>.

- denying meal and rest breaks;
- denying access to water and toilet facilities;
- taking illegal deductions from paychecks or requiring workers to pay “kickbacks” in cash;
- requiring workers to pay recruitment fees;
- providing unsafe working environments, including a lack of training and safety equipment;
- providing unsafe transportation or housing;
- violating visa programs, including requiring workers to pay for their visa fees, travel expenses, and housing costs;
- denying a worker’s right to medical care after a workplace injury, or refusing to pay workers’ lost wages and medical costs associated with workplace injuries; or
- misclassifying employees as contractors to avoid payroll taxes, unemployment insurance, and other costs.

Traffickers often operate in industries with persistently high rates of labor exploitation not connected to trafficking. An environment of impunity for abusive employers allows the traffickers’ violations of labor and employment laws to go undetected or unprosecuted.

## LABOR TRAFFICKING AND THE CONNECTION WITH SAFE HARBOR

Labor trafficking is one form of human trafficking, which also encompasses sex trafficking. Minnesota state law defines sex trafficking as “receiving, recruiting, enticing, harboring, providing, or obtaining by any means an individual to aid in the prostitution of the individual.”<sup>22</sup> Under federal law, sex trafficking can include other forms of commercial sexual exploitation, but also requires showing that the victim is either under 18 years of age or that the trafficker used force, fraud, or coercion to control the victim.<sup>23</sup>

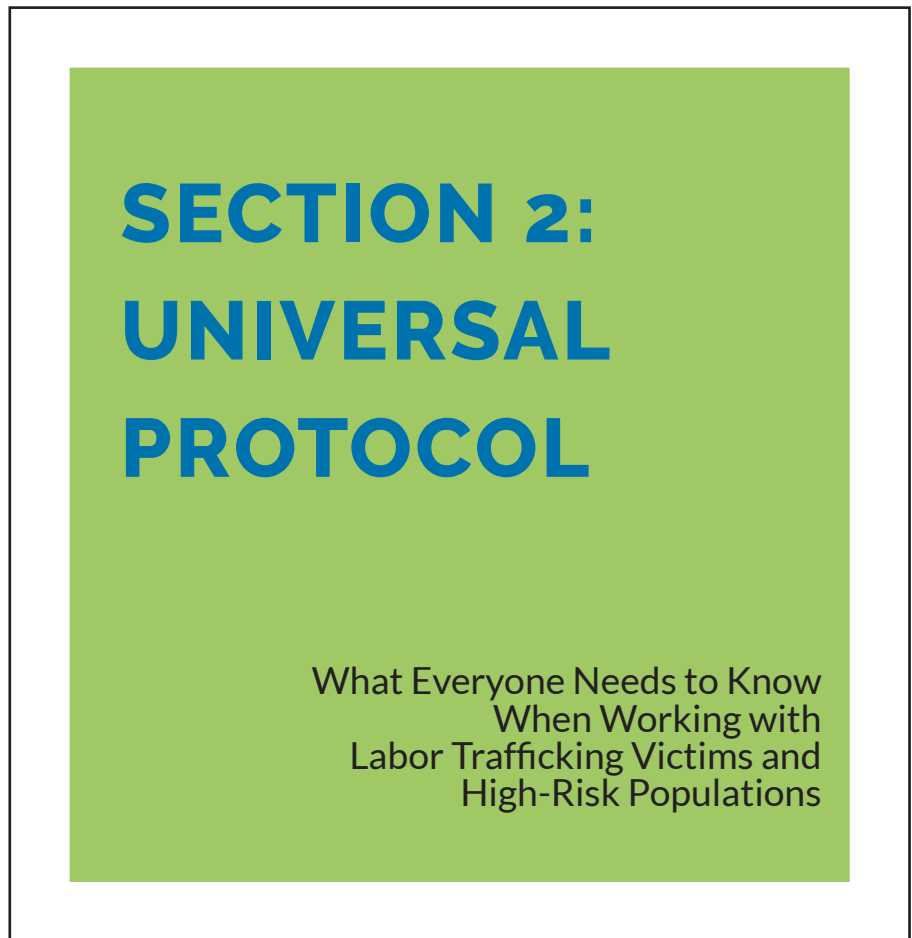
Despite the differences in the law, there are areas of significant overlap between sex trafficking and labor trafficking. Victims of both forms of trafficking share common vulnerabilities, including poverty, youth, and lack of immigration status. As a result, victims of one form of trafficking may have been trafficked for different purposes in the past and are at a high risk of being trafficked in the future if they do not receive help. In some cases, victims experience both sex and labor trafficking simultaneously, if they are required to provide both commercial sexual services and other forms of work, such as massage, housekeeping, or selling drugs. Victims of labor exploitation and trafficking, in turn, may experience sexual harassment or sexual assault in the workplace. Given the close connection between the two types of human trafficking, agencies and organizations that work on sex trafficking should be familiar with labor trafficking, as well as the reverse.

Minnesota has already developed a comprehensive response to the commercial sexual exploitation and sex trafficking of youth age 24 and under. The Safe Harbor network consists of regional navigators, housing, and supportive services for victims in all parts of the state. As part of the development and continued operation of the Safe Harbor program, agencies and organizations receive training on identifying and responding to the commercial sexual exploitation and sex trafficking of youth. Where appropriate, the resources and knowledge developed as part of the Safe Harbor program can assist in protecting and supporting youth victims of labor trafficking.

<sup>22</sup> Solicitation, inducement, and promotion of prostitution; sex trafficking, Minn. Stat. § 609.322 (2017).

<sup>23</sup> Trafficking Victims Protection Act, 22 U.S. Code § 7102(9)(A).



A large graphic with a light green background and a black border. The text is centered and reads: SECTION 2: UNIVERSAL PROTOCOL. Below this, in a smaller font, is the subtitle: What Everyone Needs to Know When Working with Labor Trafficking Victims and High-Risk Populations.

**SECTION 2:  
UNIVERSAL  
PROTOCOL**

What Everyone Needs to Know  
When Working with  
Labor Trafficking Victims and  
High-Risk Populations

# UNDERLYING VALUES FOR WORKING WITH VICTIMS OF LABOR TRAFFICKING

**VICTIMS SHOULD HAVE AS MUCH CONTROL OVER DECISIONS AFFECTING THEM AS POSSIBLE TO AVOID REPLICATING THE CONTROL EXERCISED BY THE TRAFFICKER.**

Responses to victims of labor trafficking should be based on shared underlying values, regardless of which organization or actor provides the response.<sup>24</sup>

As part of creating Minnesota's Safe Harbor model for working with sexually exploited and sex-trafficked youth, advocates and government officials developed a list of underlying values for everyone involved in the system. Based on interviews conducted throughout the state, many of the same underlying values were identified as applicable to labor trafficking responses, with only minor changes.

- **Service providers must prioritize the youth's safety and well-being.**
- **Service providers should be committed to understanding labor trafficking.**

Labor trafficking of youth occurs in Minnesota and affects youth across the state. Youth who are victims of labor trafficking often do not identify as such. Therefore, those who come into contact with youth should be trained to identify labor trafficking to ensure that Minnesota youth will be directed to services and support. See Identification: Laying a Foundation on page 29.

- **Youth who are labor trafficked are victims of a crime and should be treated as victims, not perpetrators or illegal aliens.**

Victims of labor trafficking can be forced to work in illegal industries, such as the drug trade, theft rings, commercial sex,

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<sup>24</sup> Based on Minnesota Department of Public Safety, Office of Justice Programs, "No Wrong Door: A Comprehensive Approach to Safe Harbor for Minnesota's Sexually Exploited Youth," Saint Paul, MN: Minnesota Department of Public Safety, 2013, 8. Available at <https://dps.mn.gov/divisions/ojp/forms-documents/Documents/!2012%20Safe%20Harbor%20Report%20%28FINAL%29.pdf>.

and others. They may be in the United States without authorization. They should be recognized as victims and not face criminal charges or immigration consequences for their coerced criminal acts.

→ **Victims should not feel afraid, isolated, or trapped.**

Victims should have as much control over decisions affecting them as possible to avoid replicating the control exercised by the trafficker. Threats of prosecution or deportation should not be used to compel youth to testify against traffickers.

→ **Youth should receive comprehensive services based in trauma-informed care.**

Labor trafficking can involve many forms of abuse – physical, sexual, psychological, or economic. As a result, victims may respond to the trauma in various physical, psychological, behavioral, and social ways. Those who work with labor trafficking victims need to understand that this trauma may exist and should remove practices, policies, and activities that may re-traumatize someone. See Protecting and Supporting Victims on page 35.

→ **Comprehensive services should be responsive to the needs of individual youth.**

This includes making services available that are gender-responsive, culturally competent, age-appropriate, and supportive for youth who are gay, lesbian, bisexual, transgender, and questioning (LGBTQ). See Protecting and Supporting Victims on page 35.

→ **Services should be offered statewide and designed to reflect the specific regional needs of different areas.**

Labor trafficking occurs in all parts of the state but may take different forms depending on local industries and vulnerable populations. Services can meet these varied needs if they are given the funding to do so.

→ **Youth have a right to privacy and self-determination, including the right to understand and consent to the data that is collected and shared about them.**

Trauma can remove a victim's sense of safety and protection. One way to rebuild that sense of safety is through building trust in others. It can be devastating for victims to reveal personal information and experiences, sometimes putting their own safety at risk, and then to have those same people not protect what victims thought would be confidential. Thus, anyone who works with a labor trafficking victim should identify who they are, what their role is, and what kinds of information they share and with what agencies, so that labor trafficking victims understand the consequences of sharing information and can decide what they are comfortable disclosing. For further information on confidentiality concerns, see Confidentiality on page 35 and Immigration Enforcement on page 48.

This transparency is especially important if agencies or organizations play similar roles in labor trafficking responses but have different duties. For example, victim advocates play similar roles, but a victim advocate who works for the county attorney's office or a federal agency may have disclosure and reporting requirements that are different from those of a non-governmental victim advocate. In addition, law enforcement agencies – even within the same city and county – may have different policies and procedures on disclosing immigration status to Immigration and Customs Enforcement (ICE).

→ **Services should be based on positive youth development principles.**

While minimizing the risks that make youth vulnerable to trafficking is vital to the safety and recovery of labor-trafficked youth, ensuring that services are based on positive youth development principles is equally important. Positive youth development builds on the strength and resiliency of youth, engages youth as equal partners, and ensures they have the support needed to become successful in life.<sup>25</sup>

→ **Labor trafficking can be prevented.**

While these protocol guidelines addresses youth victims of labor trafficking, it is equally important that everyone undertakes efforts to change the culture and environment that allows for and accepts the exploitation of all workers. For additional information, see Prevention on page 22.

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<sup>25</sup> Youth.gov, "Positive Youth Development," <https://youth.gov/youth-topics/positive-youth-development>.



# PREVENTION

## EFFECTIVE CHANGE REQUIRES A CULTURAL SHIFT AWAY FROM A SOCIETY THAT TOLERATES POVERTY AND THE VIOLATION OF FUNDAMENTAL HUMAN RIGHTS.

Trafficking can cause a wide variety of negative outcomes, including physical, psychological, and sexual health problems. Victims are frequently exposed to workplace and environmental hazards that impact their health. Because of the clear health impacts of trafficking, Minnesota has adopted a public health approach to the issue. This approach expands anti-trafficking efforts beyond criminal prosecution and victim services to the social and economic factors that make someone more vulnerable to trafficking. Prevention efforts target those factors.

Labor trafficking is driven by two primary factors: a population of workers vulnerable to exploitation and businesses seeking to maximize profits without taking into account the treatment of workers who perform the labor. Both factors are the result of complicated systemic inequities that can be addressed only through long-term changes in law, policy, and culture.

Both international and U.S. federal laws address trafficking prevention efforts,<sup>26</sup> with an emphasis on education campaigns and reducing the vulnerabilities of workers. Service providers can incorporate these standards into their local communities by including the following in their responses to labor trafficking:

- Policy measures to counter the demand for exploitative labor;
- Programs that help vulnerable populations secure their livelihoods;
- Information for potential migrants on migration risks and on legal avenues to migrate;

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<sup>26</sup> United Nations Protocol to Prevent, Suppress and Punish Trafficking in Persons Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime (Palermo Protocol), 2000; Protection and assistance for victims of trafficking, 22 U.S. Code § 7105 (2018).

- Trafficking awareness campaigns for the general public;
- Removing policies that may compel irregular labor migration;
- Increased opportunities for legal, non-exploitative labor migration; and
- Increased criminal prosecution of trafficking.<sup>27</sup>

## PREVENTION TACTICS

A best practice for developing successful prevention efforts relies on identifying at-risk populations and pursuing multiple strategies to reduce vulnerabilities.

### a. Outreach and Education

Educating high-risk populations on their rights in the workplace and the warning signs of labor trafficking can help them identify and avoid potential labor trafficking situations. If they are trafficked, public awareness campaigns can help them recognize what is occurring and find assistance.

The organizations best suited to provide this education are those that work with high-risk populations, including, but not limited to, youth (especially those in foster care, shelters, and detention centers), immigrants, people with intellectual disabilities, and people experiencing homelessness. Organizations that have access to areas where labor trafficking victims may be present should also consider public education campaigns. Examples include airports, highway rest stops, churches, schools, and free and low-cost health clinics. Organizations and agencies that address trafficking but do not have relationships with high-risk populations should consider developing collaborations with community groups. For more information, see Collaborative Responses to Labor Trafficking on page 25.

An effective anti-trafficking campaign realistically depicts trafficking, showing victims in a variety of high risk occupations without focusing on stereotyped images (e.g., only agricultural workers or only people who are physically restrained or abused). Such a campaign does not present victims in exploitative ways, provides avenues to take action for both victims and community members, and can be tailored to various environments. See Appendix D: Resource List on page 106 for a list of anti-trafficking education campaigns.

### b. Enforcement of Criminal and Civil Laws Against Exploitation and Trafficking

Effective enforcement of anti-trafficking laws can deter traffickers by increasing the risks of engaging in trafficking beyond the expected return. Since traffickers take advantage of lax workplace oversight, expanded enforcement of laws against labor exploitation also increases the likelihood that traffickers will be detected. Enforcement is a crucial part of the response to trafficking, and is discussed further in Offender Accountability on page 53.

### c. Addressing Root Causes

Businesses can take steps to reduce the demand for cheap labor that drives labor trafficking. They can incorporate anti-trafficking provisions into their contracts and increase supply chain oversight. By directly recruiting and employing workers instead of hiring intermediaries, scrupulous businesses can avoid unknowingly engaging a trafficker's services. Laws that require supply chain and contracting transparency can encourage businesses to adopt these practices.

No matter how thorough the education campaigns and enforcement efforts, however, trafficking will continue unless Minnesota addresses persistent human rights violations that leave people without adequate housing, food, health care, clothing, education, familial support, or legal status. People who lack these fundamental rights are vulnerable to traffickers who promise to fulfill these needs and may be more likely to overlook warning signs or to accept poor

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<sup>27</sup> UN Office of the High Commissioner for Human Rights (OHCHR), Recommended Principles and Guidelines on Human Rights and Human Trafficking, May 20, 2002, U.N. Doc. E/2002/68/Add.1. Also available at: <http://www.refworld.org/docid/3f1fc60f4.html>.

working conditions that are often intertwined with trafficking.

Children and youth have the same right to personal security and a decent standard of living as all other Minnesotans. Since youth are particularly susceptible to human trafficking, addressing child poverty should be a priority. Individuals with experiences of child abuse or neglect are overrepresented among youth trafficking victims. Providing safety and stability to children at risk of harm not only helps them in the moment, but also makes them less vulnerable in the future.

State and federal governments have the primary responsibility to protect, respect, and fulfill human rights and thus address the root causes of trafficking. At the federal level, laws that increase opportunities for safe, legal migration by unskilled workers or that allow undocumented immigrants to gain legal status can help prevent trafficking. At the state level, laws that provide greater access to public assistance based on need rather than strict eligibility criteria or that provide effective protection to children at risk of abuse can also help prevent trafficking. Effectively combating trafficking requires a cultural shift away from a society that tolerates poverty and the violation of fundamental human rights.

# COLLABORATIVE RESPONSES TO LABOR TRAFFICKING

**ESTABLISHING  
A SYSTEM  
WHERE TRUSTED  
COMMUNITY-BASED  
ORGANIZATIONS  
SERVE AS  
INTERMEDIARIES  
REQUIRES  
DELIBERATE  
EFFORTS TO BUILD  
TRUST BETWEEN  
INSTITUTIONS THAT  
MAY NOT ALWAYS  
SHARE THE SAME  
PRIORITIES.**

Traffickers purposefully prey on individuals who may be vulnerable precisely because they are not connected with institutions that can protect them. Age, race, ethnicity, language, culture, immigration status, and other factors can inhibit victims from trusting, or even knowing how to contact, service providers and government officials. In turn, that lack of knowledge and trust may make it difficult for service providers and government officials to interact with vulnerable populations and to identify labor trafficking during those interactions.

One of the first steps, therefore, to protecting trafficking victims is connecting them with organizations and government agencies with the training and resources to respond to labor trafficking. No single organization or entity can respond comprehensively to a labor trafficking victim's needs. Communities need to deliberately create systems that make connections if they do not already exist. Ideally, these connections are established before there are identified victims. See Protocol Implementation Worksheet: Identify Resources to Meet Victim Needs on page 62.

Organizations and agencies must develop a comprehensive response to labor trafficking that addresses both immediate safety concerns and long-term needs for stability and justice. Referrals and collaboration are necessary to meet all of the victim's needs, as indicated in the sample diagram on the next page.

## SYSTEM RESPONSE ACTIONS

Each community should identify who is best placed to perform each action step. Potential responders include: victim advocates, health care providers, legal services, housing organizations, child welfare agencies, law enforcement agencies, schools, faith communities, and anyone else who identifies or works with a labor trafficking victim. See Protocol Implementation Worksheet on page 61 for a tool to help build an effective response.






### IMMEDIATE RESPONSE

 <p>Assess safety</p>	 <p>Evaluate special needs</p>	 <p>Basic needs assessment</p>	 <p>Contact victim advocate</p>
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### SHORT-TERM RESPONSE

 <p>Decide criminal justice plan</p>	 <p>Mandated reporting for minors &amp; vulnerable adults</p>	 <p>Find providers for housing, social services, etc</p>	 <p>Secure access to be ts (SSN, immigration status, etc)</p>
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### LONG-TERM RESPONSE

 <p>Pursue criminal restitution &amp; civil compensation</p>	 <p>Establish formal collaboration structure</p>	 <p>Create plan based on victim's long-term goals</p>	 <p>Continue providing services, case management, &amp; advocacy</p>	 <p>Ensure family reunion</p>
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## INVOLVING TRUSTED COMMUNITY-BASED ORGANIZATIONS

Traffickers often target individuals who do not have strong connections to institutions that can protect them or who are from communities that do not have trusting relationships with government agencies. Institutions that work on labor trafficking must form mutually supportive relationships with organizations that occupy trusted positions in their communities. Those relationships can ensure that victims both receive the services they need and feel safe when interacting with law enforcement and service providers.

In some cases, communities may have trusted institutions that already interact with vulnerable populations and where victims feel more comfortable revealing traumatic experiences and seeking assistance. These trusted institutions may not have the capacity or ability to provide many of the services that trafficking victims may need. Instead, those institutions can serve as intermediaries, connecting victims to dedicated anti-trafficking organizations and agencies.

Establishing a system where trusted community-based organizations serve as intermediaries requires deliberate efforts to build trust between institutions that may not always share the same priorities and may face different constraints on their ability to act or on their resources. Criminal and civil enforcement agencies, in particular, should prioritize developing these relationships. Clear policies should be laid out at the start regarding how partners will handle issues such as immigration status, mandatory reporting, coerced criminal acts, and other potential disagreements.

## CREATING MULTI-DISCIPLINARY TEAMS

In addition to making individual connections with agencies and organizations, service providers should work together to provide a comprehensive response to labor trafficking. Multi-disciplinary teams (i.e., agencies and organizations from various disciplines working together) are recognized around the world as a best-practice response to human trafficking, and can result in increased victim reporting, cooperation, and satisfaction with services and the criminal justice system. Multi-disciplinary teams can take several approaches, from discussing specific cases, to analyzing best practices and implementing policy changes. There is a need for all forms of multi-disciplinary teams to respond to labor trafficking to ensure that individual victims receive comprehensive services and that agencies and organizations identify and address gaps in their systemic responses.

For labor trafficking responses, multi-disciplinary teams should include, at a minimum, community-based advocates (including housing providers and trusted community-based organizations), health care providers, legal service providers, law enforcement, prosecutors, and child welfare. Teams can also include trafficking survivors and community members, especially from cultural organizations.

In many areas of the state, multi-disciplinary teams already exist to address domestic violence, sexual assault, and sex trafficking, among other things. An initial step that communities can take, even before labor trafficking cases are identified, is to identify which multi-disciplinary teams already exist and in which team or teams labor trafficking may best be incorporated. If communities do not already have teams that can address labor trafficking cases, they should consider establishing them.

No matter what approach multi-disciplinary teams take, successful teams include the same core considerations. When establishing multi-disciplinary teams or incorporating labor trafficking into existing teams, communities can review the following considerations:<sup>28</sup>

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28 Office of Justice Programs, "OVC Human Trafficking Task Force e-Guide: Forming a Task Force," <https://www.ovcttac.gov/taskforceguide/eguide/2-forming-a-task-force/>.

- What role do victims and victim advocacy organizations play? Are these organizations at the core of the collaboration? Are victim concerns reflected in the team's response to labor trafficking? Organizations that provide services to victims should be at the center of these teams to ensure that responses are victim-centered.
- Who should be on the team? In addition to victims and victim advocacy organizations, teams should also include agencies and organizations that interact with labor trafficking victims in criminal, civil, or immigration proceedings, and should identify who within those organizations and agencies should be involved. It is important that leadership of the agencies and organizations invests in these efforts to ensure their active participation in the process and the implementation of shared goals.
- How will the team ensure the continuity of relationships among the agencies and organizations? Agencies and organizations should commit their institution to participating in the team, rather than relying on a single individual to maintain involvement. Relationships among the team members should not depend solely on personal relationships between the representatives. One way to address this concern is to establish a Memorandum of Understanding among the agencies and organizations on the team.
- What are everyone's roles in responding to labor trafficking? What services or actions can the agencies or organizations take? What are each agency's or organization's policies with respect to victims who are not U.S. citizens? What is the conflict resolution process if there is confusion about team member roles? Answering these questions clearly will provide all team members with an understanding of and respect for what other team members can and cannot do and may identify where there are gaps in responses.
- What are the goals of the multi-disciplinary team? Best practice goals for interventions include preventing trafficking, securing victim safety and autonomy, eliminating an offender's opportunity to commit violence, and changing a culture that tolerates violence. The team should establish a clear mission, purpose, and vision for its work.
- Do all team members share the same philosophical framework on the issue? Do team members understand the dynamics of labor trafficking? Do they implement victim-centered and trauma informed practices?
- What are the protocols and rules for the team? For example, will participants be able to share information with other team members? How often will the team meet, and how will it structure the meetings? What are the team's policies regarding immigration status, mandatory reporting, and coerced criminal acts? Will team members keep information and conversations confidential? Team members can create written policies for all of the stakeholders involved.
- How will the team evaluate and assess the system's response? What data will the team collect, and how will they collect it? Are confidentiality agreements needed for the team to review ongoing cases? Teams should envision how they will monitor the effectiveness of their work.

# IDENTIFICATION

## **AGENCIES AND ORGANIZATIONS SHOULD INCORPORATE SCREENING FOR LABOR TRAFFICKING INTO THEIR INTAKE OR ASSESSMENT PROCEDURES.**

Connecting victims with people trained and equipped with the tools to recognize and respond to labor trafficking is essential for successful identification. Organizations trained to respond to labor trafficking may not have connections to vulnerable communities, while organizations based in those communities may not have the capacity to address labor trafficking. A successful identification system bridges the gap between trusted communities groups and agencies and organizations that respond to labor trafficking. For more on building systems that can identify and respond to labor trafficking, see Collaborative Responses to Labor Trafficking on page 25.

### **LAYING A FOUNDATION**

All individuals working in agencies or organizations that potentially interact with labor trafficking victims should receive basic training on how to identify labor trafficking and how to refer to available services. This basic training should answer the following questions:

- What is labor trafficking?
- How does it occur?
- Where does it occur?
- How can it be identified?
- How can victims access services?



- What is the current response at the state and local level?
- What are the agency's or organization's internal policies on responding to labor trafficking victims?
- How does trauma affect an individual, and what are trauma-informed practices?

Those who provide direct services to labor trafficking victims should also be adequately trained on the potential criminal and civil remedies, immigration relief, and best practices for interacting with victims. See Protecting and Supporting Victims on page 35.

In addition, agencies and organizations should ensure that all staff are trained for the roles that they serve. Turnover is high in many agencies and organizations, especially among new staff. Even veteran staff members may need refresher trainings if they do not regularly work with labor trafficking cases.

### WHO SHOULD BE TRAINED?

**Trusted organizations:** Faith communities, cultural organizations, immigrant and minority community leaders, libraries, neighborhood centers, homeless and runaway youth programs, schools, worker/labor organizers

**Service providers and government agencies:** Law enforcement, health care, housing providers, legal aid, child protection, adult protection, county social services, labor enforcement agencies, workforce centers

**Organizations present in places where trafficking may occur:** Transit companies, code compliance inspectors, public health officials, industry-specific groups such as labor unions and agricultural extension services

## CONDUCTING ASSESSMENTS: SELECTING TOOLS

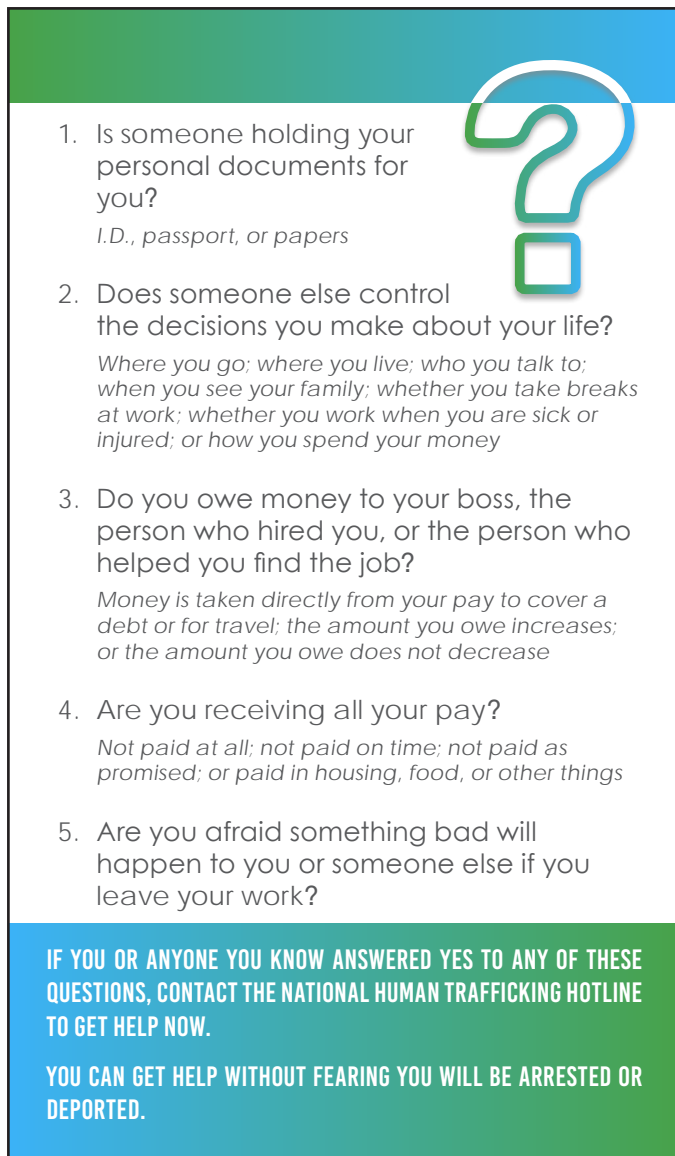
Agencies and organizations should incorporate screening for labor trafficking into their intake or assessment procedures. There is no uniform assessment that fits every organization. Assessments have been developed for certain victim populations, including youth, and particular industries and service providers.<sup>29</sup> When adopting an assessment tool, organizations should primarily consider what information they need to provide services to the victims and how best to ensure that victims receive all services that are necessary (which may require collaboration with several agencies or organizations) while minimizing harm to the victim. Victims can be re-traumatized when they must repeatedly share detailed descriptions of their experiences. A best practice is to collect only the amount of information necessary to decide next steps and the possible relief available for the victim.

A simple way to avoid re-traumatization is to use assessments of differing lengths and detail. Organizations should administer an initial shorter screening to determine who should receive a longer assessment or a referral to specialized services where they will conduct a detailed assessment. The Minnesota Department of Health and the Minnesota Department of Human Services are currently preparing a labor trafficking screening tool as part of the grant received from the OVC. Until that specific tool is released, agencies and organizations can use the best practices and resources listed in these protocol guidelines.

### a. Identify need for internal or external referral

The goal of an initial screening should be to identify red flags that indicate whether the person may need a more in-depth screening for labor trafficking. An initial screening is not intended to make a definitive determination that a person has or has not experienced labor trafficking. The questions should be short, few in number, easy to understand and answer, and not require details that may be traumatizing for the victim. Ideally they can be added to any existing intake. Victims may also reveal experiences that indicate potential trafficking outside of a formal intake. Staff can use familiarity with the indicators included in an initial screening to recognize those red flags no matter when victims choose to share their experience.

<sup>29</sup> See Resource List; Identification/Screening Tools which includes a list of resources specifically designed for potential youth victims.



1. Is someone holding your personal documents for you?  
*I.D., passport, or papers*
2. Does someone else control the decisions you make about your life?  
*Where you go; where you live; who you talk to; when you see your family; whether you take breaks at work; whether you work when you are sick or injured; or how you spend your money*
3. Do you owe money to your boss, the person who hired you, or the person who helped you find the job?  
*Money is taken directly from your pay to cover a debt or for travel; the amount you owe increases; or the amount you owe does not decrease*
4. Are you receiving all your pay?  
*Not paid at all; not paid on time; not paid as promised; or paid in housing, food, or other things*
5. Are you afraid something bad will happen to you or someone else if you leave your work?

**IF YOU OR ANYONE YOU KNOW ANSWERED YES TO ANY OF THESE QUESTIONS, CONTACT THE NATIONAL HUMAN TRAFFICKING HOTLINE TO GET HELP NOW.**

**YOU CAN GET HELP WITHOUT FEARING YOU WILL BE ARRESTED OR DEPORTED.**

The self-assessment card available from The Advocates for Human Rights includes examples of questions that could be asked at this stage. Created by a multi-disciplinary working group, the Labor Trafficking Self-Assessment Card provides workers with discreet and easy-to-carry information about labor trafficking.

The card contains five simple questions to help workers assess their situations and determine if they want to seek help. The card also provides the number for the National Human Trafficking Resource Center 24-hour hotline (888-373-7888) that can direct them to help in their area.

This level of screening is useful for most organizations, including:

- Agencies and organizations that come into contact with populations at high risk for labor trafficking, such as youth or immigrants  
*Examples: cultural organizations, youth after-school programs*
- Agencies and organizations that work in industries where labor trafficking can occur  
*Examples: groups involved in home health care, parks and landscaping organizations*
- Organizations that provide services to many different populations, which could include labor trafficking victims, and that need a way to identify individuals who need more comprehensive screenings  
*Examples: hospitals, schools, law enforcement, housing organizations, legal services*

- Organizations that work predominantly with labor trafficking victims but that also receive calls or referrals from others and that need to screen out people who are not victims of labor trafficking

*Examples: trafficking assistance program case managers, state labor trafficking service providers*

### **b. In-Depth Intake**

This screening gathers in-depth information that can be used to determine whether someone is a labor trafficking victim under federal or state law. This screening would not typically be given during every intake, but would be used only when the screeners identify elements of a client's story that indicate potential trafficking victimization, either because the screeners have already asked basic identification questions or based on their own knowledge of labor trafficking.

An in-depth intake should include questions about any work or services performed by the victim, including formal work in a legal business, informal work such as domestic service, or illegal work. For each instance of work, the interviewer should ask questions about how the person was recruited or hired for the job, the conditions of work, pay, living arrangements, and any threats or abuse by the trafficker.

The key characteristics of this type of assessment are that the questions are not too narrow and capture the wide variety of experiences that fall under labor trafficking. For example, screeners should use a broad definition of "employment" or "work." Victims of labor trafficking in informal or illegal employment may not recognize that they

are engaged in work, and could potentially exclude those experiences from their answers. The assessment should also capture the many ways traffickers can control their victims and focus on the trafficker's actions. People in trafficking situations may not feel they are victims and may not describe the actions of the trafficker as coercive.

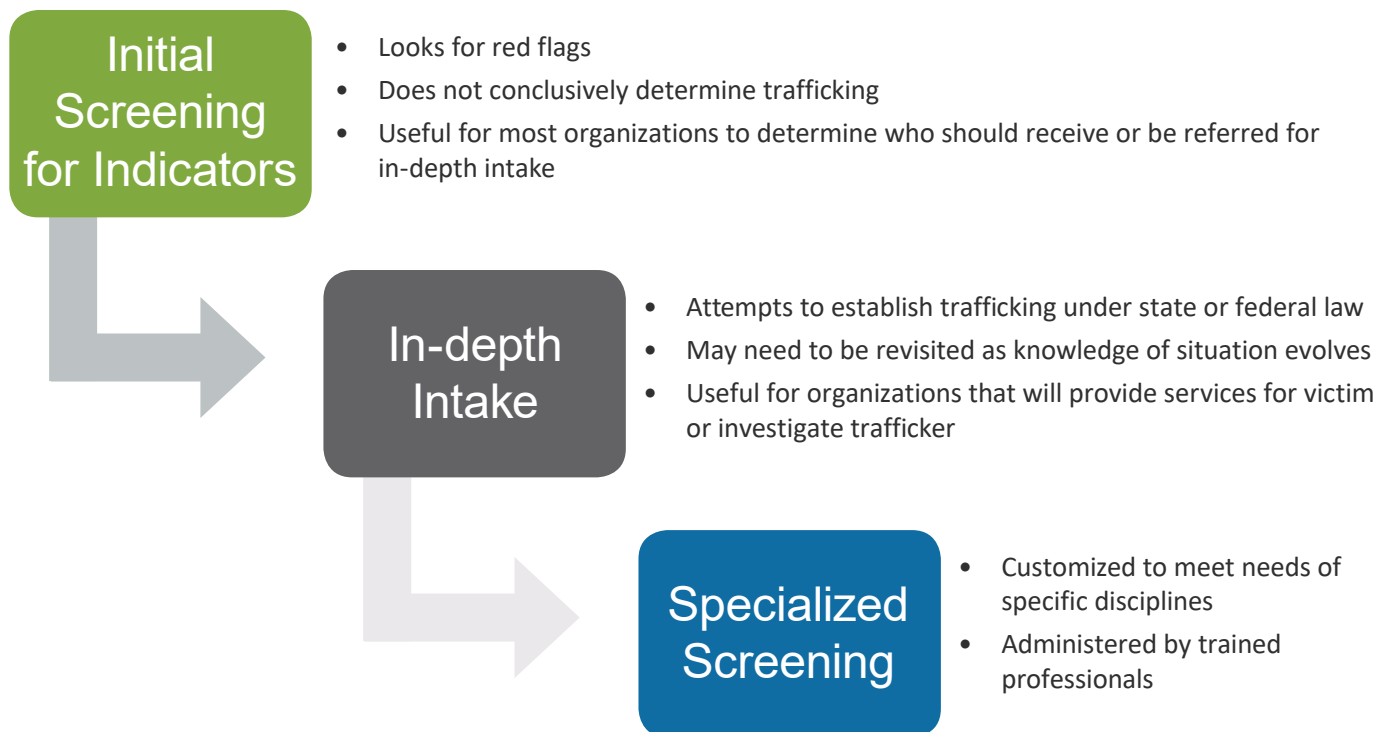
This level of screening is not appropriate for every organization. Only organizations that need detailed information, because they are either providing services for the victim or investigating the trafficker, should collect it. Repeatedly providing this level of information about their experience can re-traumatize victims and should not be required, if possible. People without experience in labor trafficking may also incorrectly interpret the answers, potentially preventing actual victims from receiving assistance.

This level of screening is most appropriate for:

- Organizations that provide services to many different populations and need to identify labor trafficking victims to provide specialized treatment and referrals to victims.
- Organizations that work predominantly with labor trafficking victims and need to know the details of the trafficking to provide targeted treatment, advocacy, and support.
- Organizations that investigate trafficking that need details to investigate and corroborate.

### c. Specialized Assessment

This level of screening is specialized by discipline to meet specific legal or other guidelines. Typically, this type of screening is administered only by trained professionals and has been customized to meet their precise needs. Examples include screening for T-visas in immigration, forensic interviews with children, mental health treatment, and law enforcement investigations.



## CONDUCTING ASSESSMENTS: BEST PRACTICES

Labor trafficking victims may have experienced trauma and various forms of abuse; those conducting screenings should follow best practices for working with trauma victims. These best practices include:

**Environment** – ensure the client is comfortable and feels safe during the screening by: meeting any basic needs for food, water, or clothing; holding the interview in a non-threatening location; and providing privacy.

**Timing** – respect that victims may need time and a chance to build trust before offering detailed information about their trafficking experience. Consider beginning with general conversation first and moving to screening questions later, perhaps even at later meetings after a relationship develops. Some services and forms of relief are available only after a victim has completed a thorough screening, which must be balanced against allowing clients time to feel safe and avoiding re-traumatization. In some cases, victims may want to share their entire experience initially. Be guided by their desire when determining how much information to gather.

**Role** – identify who is best suited to build rapport with victims so they can most easily share traumatic experiences. Consider who has the capacity to devote the necessary time to the relationship and who will be involved with victims going forward to minimize the number of times they have to tell their stories. Victims may disclose their experiences to the people they know best, not necessarily the people best suited to determine whether they have been trafficked. All staff should understand the red flags for trafficking so that victims can receive assistance even when they do not disclose their stories to a trafficking expert.

**Confidentiality** – tell the victim how the information from the intake will be shared. If a case meets mandatory reporting requirements, disclose this to victims, even though it may inhibit them from telling their stories. In other cases, sharing information from the interview is not mandatory but could help victims receive assistance from partner organizations and agencies without having to repeat their stories multiple times. A best practice is for agencies to be transparent with victims on how information may be used and to allow victims to decide what information they will disclose. See *Protecting and Supporting Victims: Confidentiality* on page 35.

**Screening in vs. screening out** – recognize that many workplace situations are ambiguous. Trafficking is complex and may be difficult to identify. Victims may also reveal information progressively as they become comfortable; situations initially identified as labor exploitation might be later confirmed as trafficking. Depending on the details, victims may be recognized as trafficking victims eligible to receive one type of assistance but may not meet the criteria for other services. Given the complexity of trafficking, a best practice is to not rely exclusively on the results of a screening to determine whether someone is a victim of labor trafficking.

**Recognizing trauma** – understand that victims may not tell a consistent story about what happened to them as a result of the trauma they experienced. Trauma may impair memory and recall of events, especially peripheral details. Instead of viewing inconsistencies as potential evidence of a false claim, recognize that they are common in narratives of traumatic events.

**Managing expectations** – the very fact of being screened for trafficking can lead some victims to assume they will be able to access certain benefits or assistance. Others may develop those expectations based on information shared with them by the person administering the assessment, in an effort to explain why the victim should participate in the assessment. When administering an assessment for trafficking victimization, organizations should consider how to manage victim expectations. Victims should understand that help may be available, but that there may also be barriers or waiting periods to access that help.

**Considerations for youth** – most of the considerations that apply to any victim also apply to youth. With youth victims, any screening should be conducted in age-appropriate language. Younger victims, in particular, may have difficulty recalling all the details of an event, but are also susceptible to providing less accurate information when pressed to answer suggestive questions. In these cases, it may be appropriate to consult with organizations that have expertise in child forensic interviews, such as child advocacy centers.

## DETERMINING NEXT STEPS

If an assessment identifies a potential trafficking victim, the next step is to evaluate what services and support the victim may need, and whether the screening organization will provide services directly or refer to others. Completing the Protocol Implementation Worksheet on page 61 can help you identify who to contact and collaborate with in your local community. Victims under age 18 and foreign-born victims may need specialized services; see *Working with Victims under the age of 18* on page 44 and *Working with Foreign-born Victims* on page 48.

Agencies and organizations should also consider having services available for ambiguous cases where individuals are not clearly victims of trafficking. Labor trafficking is complex, and details that confirm trafficking may not be revealed until victims feel safe or share details that did not seem important to them at first. Unidentified trafficking victims may also judge whether to come forward based on what they see happen to other exploited workers, even if those other workers are not technically trafficking victims.

# PROTECTING AND SUPPORTING VICTIMS

**SERVICES AND REFERRALS SHOULD BE AVAILABLE TO VICTIMS REGARDLESS OF WHETHER THE VICTIM REPORTS THE CRIME TO LAW ENFORCEMENT.**

At the core of a victim-centered approach is responding to the victim's needs and concerns. After being identified as a victim or leaving a trafficking situation, victims of labor trafficking may have many immediate needs, from basic food and housing to complicated legal matters. Common needs and concerns are identified in this section, and agencies and organizations should provide services and collaborate with other agencies and organizations to assess and address these and other victim needs and concerns. As victims begin to rebuild their lives, their needs may shift, but continued support is essential to prevent them from becoming vulnerable to trafficking again. Focusing on the victim's needs and hearing their concerns can empower them to exercise their rights and may encourage them to participate in investigations and prosecutions. Services and referrals should be available to victims regardless of whether the victim reports the crime to law enforcement.

## CONFIDENTIALITY

Labor trafficking victims may have many reasons for not sharing information about their trafficking. For example, they may fear retaliation by traffickers against them or their families, deportation, or charges for crimes they were forced to commit while trafficked. Confidentiality can be an important factor in helping labor trafficking victims access the services they need.

Depending on their roles, individuals who interact with victims of labor trafficking may have very different confidentiality and disclosure obligations. Even those who appear to have similar roles (e.g., a county attorney's victim services staff and community-based victim advocates) may have different obligations.

Certain professionals cannot disclose information revealed to them by patients or clients, except as provided by law (e.g., attorneys, doctors). Many of these same professionals are also granted the right not to testify or disclose documents in court proceedings without the client or patient's consent. These protections, however, are not always absolute. Some professionals who work with youth are legally required to report knowledge or reasonable belief that a child is being or has been neglected or abused in the last three years. Similarly, some professionals who work with vulnerable adults must report knowledge or reasonable belief of abuse, neglect, or financial exploitation.

Confidentiality protections and disclosure requirements can be grouped into four general categories listed below, with examples of the types of service providers or system actors. This list is not exhaustive, and those referring labor trafficking victims to another organization or agency should confirm the referral's confidentiality and disclosure requirements and share that information with the victim.

### **CONFIDENTIAL COMMUNICATIONS, NO MANDATORY REPORTING**

Attorneys and their employees cannot be compelled to disclose communications made by a client in the course of professional duties without the client's consent.

### **CONFIDENTIAL COMMUNICATIONS, MANDATORY REPORTING**

The following individuals cannot be compelled to disclose information obtained from a patient in their professional capacity without the patient's consent, but they must report abuse or neglect of children or vulnerable adults:

- Licensed physicians, registered nurses, psychologists, consulting psychologists, and licensed social workers;
- Licensed chemical dependency counselors, except if the communications reveal the contemplation or ongoing commission of a crime.

Sexual assault counselors, except in investigations or proceedings related to neglect or termination of parental rights, can have confidential communications, but they are required to report child abuse or neglect in certain circumstances.

### **NO ASSURED PRIVILEGE, MANDATORY REPORTING**

Some law enforcement officers will not maintain the confidentiality of communications with victims, and they are mandated reporters.

Victim services staff in county attorneys' offices or other government agencies disclose information to prosecutors.

Youth workers who are not licensed social workers are mandated reporters and do not have legally protected confidential communications, but they may have organizational policies against any voluntary breach of confidentiality.

### **NO ASSURED PRIVILEGE, NO MANDATORY REPORTING**

A worker or immigrant rights activist does not have legally protected confidential communications, but is not a mandated reporter.

## CULTURALLY-APPROPRIATE PRACTICES

In addition to following trauma-informed practices (e.g., Conducting an Assessment: Best Practices on page 33), organizations and agencies should also consider a victim's culture and incorporate culturally-appropriate practices. These can include:

- Asking victims about their cultural practices and preferences. What may be viewed as respectful in one culture may be seen differently in another. For example, maintaining eye contact may be taken as a form of respect in one culture, but it may make individuals uncomfortable if that is not their cultural practice.
- Discussing treatment approaches. For example, many Western-style counseling practices may not be familiar to certain victims; group therapy may be more common and expected.
- Recognizing that different cultures may react to trauma in different ways, and these are important factors to incorporate into an organization's or agency's assessment. These considerations should be incorporated in an analysis at every step of working with the victim, from initial identification to long-term treatment.
- Understanding how the victim perceives the role of the agency or organization. For example, in some cultures, there may be a distrust of law enforcement, but respect and regard for doctors.
- Recognizing that victims may not want to engage with certain aspects of their culture because their trafficker manipulated cultural norms and values to control them.

## ACCESSIBILITY

Individuals and organizations providing services to labor trafficking victims should review their policies and procedures for their impact on victims with disabilities. Important questions to cover include:

- Is our organization physically accessible to victims with disabilities?
- What kind of assistive technology might we need?
- Do we need training to distinguish the impact of trafficking victimization from underlying mental or intellectual conditions?
- Can we accommodate victims with complex communication needs?
- What organizations can we work with to address some of these needs?

Considering these questions in advance and having a plan in place can reduce the risk that the victim will suffer additional trauma as part of the reporting and investigation process.

## VICTIM ADVOCACY: WORKING WITH COMMUNITY-BASED ADVOCATES

Labor trafficking victims often need significant support when exiting a trafficking situation and afterward, as they navigate supportive services and potential criminal and civil cases against the trafficker. They have often been denied



the ability to make decisions about their lives while under the control of the trafficker, making it even more difficult for victims to identify and choose options among the many different agencies and organizations they may need. A best practice is to involve a community-based victim advocate as early as possible, including during any initial encounters with law enforcement, to support the victim.

The key characteristic of community-based victim advocates is that they prioritize the victim's needs over other objectives, such as prosecuting the offender. Some victim advocacy organizations have support available 24 hours a day through a hotline or on-call advocates, which can help victims who may not be able to safely contact anyone during business hours when they are working for the trafficker.

In addition to victim advocacy organizations, Minnesota receives federal funds to provide services for youth victims of labor trafficking, including legal assistance, counseling, and case management. These organizations can present all the options available to labor trafficking victims and help connect them with the resources they need. See Resource List on Minnesota's Safe Harbor Expansion Grantees.

## SAFETY PLANS

After identifying labor trafficking victims, organizations should assess their safety. In some cases, it may not be safe for them to return to their traffickers and they will need immediate referrals to services or law enforcement. In other cases, victims may not be ready to leave their traffickers, but can take steps to protect themselves while they plan their exits. As part of the safety planning process, the identifying organization may also want to connect victims to advocates or specialists in labor trafficking who can explain their options so victims can make the best decisions about their next steps.

Safety plans help reduce the victims' risk of future harm and increase their safety and the safety of those assisting the individuals. Agencies and organizations should assist victims with preparing a safety plan or, if they are not able to assist, refer them to an organization or agency that can help prepare one.

Safety plans identify the causes and contributing factors of potential harm to victims or their families and identify steps to take in response to situations and circumstances. Considerations vary based on the victim's situation, but safety plans:

- Are personalized, realistic, involve friends and family that the victim trusts, and cover every aspect of the victim's life.
- Focus on improving safety in the victims' environment (e.g., are they still living with the trafficker or have they found new housing).
- Assess the current risk and identify current and potential safety concerns.
- Create strategies for avoiding or reducing the threat of harm.
- Outline concrete options for responding when safety is threatened or compromised, including:
  - Determining who victims will call in an emergency and memorizing those phone numbers or preparing a small card listing the numbers
  - Identifying where victims will go if there is an emergency
  - Identifying what victims will do if the trafficker contacts them after they leave the trafficking situation (e.g., retain messages, contact the police or a victim advocate), and
  - Assessing how to handle safety issues when victims have family or friends, including those in another country, who are at risk of harm from the trafficker.

- Are re-evaluated at various stages of the trafficking situation (e.g., while victims are in the situation, when they are leaving, and after they have left).
- Reflect changing circumstances in the victim's life and changes in support or services. For example, victims may have felt safe with a particular situation at the time of preparing the safety plan, but they may not feel safe in that same situation in the future.
- Address what victims will do in response to flashbacks or triggers, including those in any new workplace.
- Strategize how to address and replace technology, such as cell phones, that the trafficker provided or had access to (e.g., leaving phones in places victims are allowed to be or providing phones just for calling 911).

Specifically for labor trafficking victims who are not U.S. citizens, safety planning should address what to do if they are arrested or detained by ICE. Those working with non-U.S. citizen populations can develop safety plans that include:

- Identifying and memorizing the phone number for an emergency contact in the United States.
- If they have children, providing authorization for an emergency contact to make medical and legal decisions for their child.
- Contacting or memorizing contact information for legal service providers who can assist with immigration and T or U visas.

Youth victims may have been more vulnerable to trafficking because they were homeless or runaways. Youth may return to homelessness after leaving a trafficking situation, especially if there is a lack of safe housing options. Safety plans with homeless or runaway youth victims should also:

- Assess the availability and safety concerns of housing options.
- Identify ways to protect the youth's physical and emotional safety on the street if housing is not available or is only available for part of the day.

## HOUSING

Housing is a crucial component of safety for trafficking victims; victims frequently depend on their traffickers for shelter and need alternatives to be able to exit the trafficking situation. Having safe and stable housing can also help victims avoid being trafficked again in the future because some victims enter trafficking situations to secure shelter. Interviewees reported, however, that there are few options when it comes to housing for labor trafficking victims. See Sector-Specific Protocols: Housing on page 84 and the Protocol Implementation Worksheet on page 61 on how to develop a list of local housing referrals.

Minnesota has a serious shortage of housing at all levels, including emergency shelter, transitional housing, long-term supportive housing, and affordable permanent housing. Victims with certain vulnerabilities can be difficult to house given their need for specialized care, such as youth with intellectual disabilities, mental illness, or chemical dependency. Men have an especially challenging time finding secure emergency shelter. Victims may have no job or source of income after leaving the trafficking situation, making it even more difficult to secure a place to live. Foreign national victims may not have work permission even if they are able to find jobs. The cash assistance available to certain trafficking victims is typically not enough to rent an apartment. There are no dedicated shelters for labor trafficking victims in Minnesota.

With all these barriers, it is important for organizations and agencies to know what options exist in their areas and discuss their responses with those housing organizations before a labor trafficking victim is identified. If safe housing is not immediately available, victims may not leave their traffickers or may disappear after identification, without receiving any assistance.

Organizations and agencies working with victims will need to evaluate different housing options. Not all options are available in all locations around the state, which makes placement difficult. Before arranging for housing in one of these locations, however, the organization or agency should discuss with the victims whether they would be comfortable in the type of housing and with the services provided and discuss safety and security with the victim.

#### **a. Homeless Shelters**

Homeless shelters are typically open to anyone needing shelter and can house trafficking victims when space is available. Minnesota has homeless shelters that are available specifically for homeless youth up to age 24. The structure of homeless shelters, however, where many people share space, can make trafficking victims feel unsafe. In some cases, traffickers have recruited victims directly from homeless shelters, which contributes to eroding victims' sense of safety. Shelters may also have rules that negatively affect trafficking victims. For instance, some shelters require residents to leave during the day, which may make victims feel unsafe and exposed to potential retaliation from their trafficker. See the discussion of safety considerations in Sector-Specific Protocols: Housing on page 84.

#### **b. Hotel Vouchers**

Some agencies use hotel vouchers in addition to or in place of homeless shelters. While hotel vouchers can give trafficking victims greater privacy, they do not address safety concerns and are an expensive option intended for short-term use only.

#### **c. Safe Harbor Housing**

Several organizations throughout Minnesota provide emergency, transitional, and permanent housing for sexually exploited or trafficked youth. This housing may be appropriate when labor trafficking occurs alongside sex trafficking or sexual exploitation.

#### **d. Domestic Violence and Sexual Assault Shelters**

These shelters exist to provide shelter for domestic violence and sexual assault victims who have an urgent need for safe and secure shelter. They tend to have higher levels of security, but may not meet trafficking victims' other needs, such as language access, or have experience with labor trafficking. Many of the shelters are dedicated to serving women and may not have a place to house men. Some shelters also have length-of-stay limitations that do not offer enough time for trafficking victims to resolve their situations and secure permission to work, public benefits, back wages, or financial restitution.

#### **e. Foster Care and Residential Facilities**

Children may be placed in family foster care or residential facilities if they cannot safely remain in their family's home. Minnesota's Department of Human Services supervises the county-run foster care system and operates residential and treatment programs. Foster care is provided in emergency shelter homes and various types of family foster homes. Residential facilities can provide mental health or chemical dependency treatment.

#### **f. Transitional, Long-term Supportive, or Subsidized Housing**

Trafficking victims frequently need assistance with housing for longer periods of time given the complexity of trafficking cases. Transitional or permanent subsidized housing can provide stability while trafficking victims rebuild their lives, but even with assistance, these units are often financially out of reach. There is also a serious shortage of subsidized housing, and victims may need to wait months or even years to get an apartment.

#### **g. Housing Assistance**

In some cases, victims may already have housing but may not have the income to remain there after exiting the trafficking situation. In cases where victims want to stay in their current housing, organizations should consider providing support for expenses such as rent, changing locks, home maintenance, and utilities. The Safe at Home program, administered by the Minnesota Secretary of State, can help victims stay safe in permanent housing by

keeping their addresses confidential.<sup>30</sup> If there are specialized services available to people in shelters, consider also making them available to victims who live independently.

## TRANSPORTATION

Labor trafficking victims need access to transportation in their daily lives, and a lack of transportation options can prevent them from obtaining employment or accessing services. Victims may not be able to afford a car to get to work. Even if they have the money to purchase one, they may not be able to obtain a driver's license, either because of age (if they are under the age of 16) or immigration status. Public transportation may not solve the problem either. Rural areas in Minnesota may have no or limited public transportation options. Even in metropolitan areas, public transportation may be difficult to navigate or not reach all parts of the city. Trafficking victims may not have used public transportation on their own before because they were forced to rely on their trafficker, and they may need support before they are comfortable using the system alone.

Organizations can help trafficking victims overcome this barrier in many ways. Some organizations provide public transportation cards to their clients or have volunteers who can provide free transportation. At a minimum, anyone who works with a labor trafficking victim can help explain the local transportation system.

## LEGAL NEEDS

Labor trafficking victims may have a variety of legal needs to protect and enforce their rights. When labor trafficking victims are identified, they should receive immediate referrals to legal services, whether or not they have decided to report the crime to law enforcement.

Because of the array of legal needs, it is unlikely that one organization or legal service provider will be able to meet all needs. Multiple referrals will likely be necessary, and victims may benefit from a legal case manager to coordinate efforts. These legal referrals include:

**Immigration** – When victims are not U.S. citizens, they should be provided with immediate access to an attorney who specializes in immigration law. This attorney can help them identify and request various forms of relief, including a T visa. See *Working with Foreign-Born Victims: Potential Forms of Immigration Relief for Labor Trafficking Victims* on page 49.

**Criminal defense** – Traffickers may have forced the victim to commit crimes as part of the trafficking. Victims may face criminal charges or have a criminal record from earlier arrests and convictions. Victims may want to pursue expunging or vacating their criminal convictions.

**Employment law** – Although victims can report employment law violations without legal representation, laws and regulations are complicated. Assistance and explanation of the system and process are often necessary so victims know their rights and options. An employment law attorney can advise victims on their rights and offer them guidance on pursuing a claim privately or making a complaint to a federal or state agency. See *Offender Accountability: Civil and Administrative Remedies* on page 55.

**Criminal restitution** – If the trafficker is convicted of a crime, victims are entitled to restitution. An attorney can help the victim calculate the correct amount of restitution and advocate with the prosecutor to request it.

**Civil litigation** – Victims can bring civil actions against traffickers under both state and federal law, regardless of whether the trafficker is prosecuted criminally. These actions can help victims receive compensation even when prosecutors do not file charges or when criminal restitution does not cover all of their losses.

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<sup>30</sup> Office of the Minnesota Secretary of State, "Safe at Home: Minnesota's Address Confidentiality Program," <http://www.sos.state.mn.us/safe-at-home/about-safe-at-home/>.

**Family law** – Victims may wish to request a civil order for protection or harassment restraining order, especially if there is no criminal proceeding or there are no restraining orders issued by the criminal judge. Victims may also need help with divorce, custody, guardianship, or adoption.

**Youth-specific proceedings** – Youth victims may need representation in guardianship proceedings or school-related issues (e.g., discipline or suspension). Courts appoint a guardian ad litem to represent the best interests of the child in juvenile or family court proceedings.<sup>31</sup> Children age 10 and older must receive their own court-appointed attorney in addition to a guardian ad litem in juvenile court proceedings or where they are the subject of a petition for child protection or services.<sup>32</sup>

**Public benefits access** – Labor trafficking victims may be eligible for federal or state public benefits and may need assistance to access them.

**Housing** – Labor trafficking victims may face eviction proceedings or other legal issues.

**Medical** – Victims may need assistance in seeking fee waivers for medical care.

**Identity recovery** – Victims may no longer possess their identification documents and need legal assistance to re-establish their identities.

**Worker’s compensation** – Labor trafficking victims who suffered workplace injuries may want to determine if they are eligible for worker’s compensation benefits.

**Probation** – Labor trafficking victims on probation for other crimes may need assistance to avoid violating probation or representation if they have violated probation.

Trafficking victims may not be able to afford private attorneys. Some free or low-cost legal assistance organizations can provide an initial assessment and referral even if they cannot fully represent the victim. For a listing of Safe Harbor Expansion legal service providers that work with labor trafficking victims, see Appendix C: Labor Trafficking Service Providers.

## PHYSICAL HEALTH

Labor trafficking can inflict significant harm on victims or trigger serious physiological responses. Accordingly, victims must be able to access health care to address any illnesses, injuries, or conditions that may need treatment. For example, victims may want to receive substance abuse treatment if traffickers forced or coerced the use of drugs, or alcohol or if victims misuse these substances in response to trafficking trauma. Victims often work in unsafe conditions, and they may need medical care for workplace injuries and chemical exposures.

Victims may face significant financial barriers in accessing medical care. They are unlikely to have health insurance, whether public or private. For victims who qualify for public health insurance, the process of enrolling can take time, which leaves them unable to access care for weeks. Some victims are not eligible for any kind of subsidized health insurance.

## MENTAL HEALTH AND COUNSELING

Trafficking can also severely impact mental health, which can contribute to post-traumatic stress disorder, depression, anxiety, and eating disorders. Victims may need or request counseling or therapy as part of their health treatment after trafficking. When finding mental health services, one important consideration is whether the provider has training in working with trafficking victims or people with severe trauma. Trafficking victims may have reactions such

<sup>31</sup> Guardian ad Litem Board, “Role of the Guardian ad Litem (GAL),” <https://mn.gov/guardian-ad-litem/program-information/role.jsp>.

<sup>32</sup> Hearing, Minn. Stat. § 260C.163, subd. 3(d) (2017).

as trauma-bonding with their trafficker that require specialized care. Trafficking victims may also have different backgrounds that require culturally sensitive approaches to therapy, including a greater emphasis on group therapy or the inclusion of traditional spiritual practices.

Unfortunately, there is a shortage of therapists and counselors in Minnesota who can provide specialized mental health services, especially in rural areas of the state. Identifying both local resources and the location of more specialized services in advance can ensure victims get help faster.

As with medical care, a lack of insurance can be a barrier to receiving mental health treatment or counseling. In some places, counseling services are available only to victims in shelters or secure housing, locations that may not be suitable for all victims. Other barriers for youth may arise if parents will not authorize the services.

## EDUCATION

Any response should include options for victims to continue their education so that they are better positioned for employment and less likely to be trafficked again. Youth victims of labor trafficking may have been removed from or fallen behind in school. Minors under age 17 are required to attend school and should be enrolled in a program that meets their educational needs. Youth between ages 16 and 21 are eligible for free public education, including day and evening adult basic education classes that allow the student to work. Labor trafficking victims over the age of 21 may want to enroll in English language classes, trade education, GED programs or higher education, but they will face challenges in paying for classes.

Agencies and organizations can provide assistance to victims in a variety of ways as they return to school, from helping to complete enrollment or financial aid paperwork, to assisting with applications, and providing tutoring or language assistance.

## EMPLOYMENT

Victims may lose their employment or income after reporting trafficking. Victims often want to resume earning income as soon as possible to rebuild their lives, especially if they are supporting family members. Organizations and agencies, including labor unions, can provide job search and placement assistance for labor trafficking victims. Ongoing collaborations and relationships with employers can identify appropriate and safe employment opportunities. Employers may need to be advised on keeping information about their new employee confidential as part of safety planning.

Labor trafficking victims who are not U.S. citizens may be unable to obtain another job unless they receive work authorization through the immigration process. Youth may need additional assistance with securing employment given a lack of work history and can benefit from job training programs and apprenticeships.

As with other victim-centered services, individuals should have input on whether they are comfortable in the type of employment offered and asked whether they have any safety or other concerns (e.g., if the trafficking situation involved similar work). Best practices also include comprehensive services in connection with employment, recognizing that victims may also need assistance with transportation and child care. If there is a high potential for re-traumatization or victimization, the organization or service provider should seek other employment or self-employment opportunities.

# WORKING WITH VICTIMS UNDER THE AGE OF 18

**AGENCIES AND  
ORGANIZATIONS  
SHOULD  
UNDERSTAND WHAT  
THEIR OBLIGATIONS  
ARE WITH RESPECT  
TO OBTAINING  
CONSENT TO  
PROVIDE SERVICES  
TO MINORS AND  
ESTABLISH POLICIES  
REGARDING VICTIM  
CONFIDENTIALITY.**

Working with minor victims of labor trafficking requires additional considerations. These considerations may vary depending on the youth's age, but youth victims should be provided with the ability to make decisions that are developmentally appropriate (e.g., a 17 year old can make different decisions than a 9 year old).

Federal law differentiates between minor and adult victims in trafficking crimes. Youth under the age of 18 are not required to cooperate with law enforcement in the investigation of crimes to receive access to services under the Trafficking Victims Protection Act. See *Working with Foreign-Born Victims: Foreign National Eligibility for Benefits* on page 50.

International best practices show a growing acceptance of a presumption of age in cases involving children. Under this presumption, a victim who may be a child is treated as a child, unless or until another determination is made.<sup>33</sup> Some victims of labor trafficking may not know their age or may have been directed by traffickers to lie about their age. If a victim's age cannot be immediately verified, agencies and organizations should consider applying this presumption to help victims qualify for assistance and services available to minors until their ages can be confirmed.

Many agencies and organizations have heightened reporting requirements when working with minors, which should be disclosed to the youth. Under Minnesota law, those who are engaged in "the practice of the healing arts, social services, hospital administration, psychological or psychiatric treatment,

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<sup>33</sup> Office of the United Nations High Commissioner for Human Rights, *Human Rights and Human Trafficking: Fact Sheet No. 36* (New York & Geneva: United Nations, 2014). Also available online at [http://www.ohchr.org/Documents/Publications/FS36\\_en.pdf](http://www.ohchr.org/Documents/Publications/FS36_en.pdf).

child care, education, . . . or law enforcement” are required to report when they know or have a reason to believe that a child is being neglected or physically or sexually abused,<sup>34</sup> which are often components of labor trafficking. Agencies and organizations must be aware of their reporting requirements and explain them to victims, so that the youth are able to decide what they want to share with the service provider.<sup>35</sup>

Agencies and organizations may also need parental consent to provide services or housing to youth under 18 years old. With limited exceptions, medical and mental health care providers are required to inform parents about services provided to their minor children, and parents can receive copies of the medical records. In some cases, parents may be culpable in the trafficking. Service providers should be aware of this possibility so they can appropriately investigate and provide additional safeguards for the minor. For example, if it is impractical or impossible to obtain consent for the services, agencies and organizations can request consent from child welfare workers.

Youth under age 18 may consent to medical treatment under certain exceptions, including seeking emergency care if their life or health is at risk if the treatment is delayed,<sup>36</sup> requesting medical or mental health services to diagnose and treat drug or alcohol dependence issues, and if they are living separately from parents or guardians and managing their own finances.<sup>37</sup> Agencies and organizations should understand what their obligations are with respect to obtaining consent to provide services to minors, and they should establish policies regarding victim confidentiality.

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34 Reporting of Maltreatment of Minors, Minn. Stat. § 626.556, subd. 3 (2017).

35 See section on Confidentiality.

36 Emergency Treatment, Minn. Stat. § 144.344 (2017).

37 Living Apart from Parents and Managing Financial Affairs, Minn. Stat. § 144.341 (2017).



# WORKING WITH VULNERABLE ADULTS

**A TRAFFICKER  
MAY DEVELOP A  
RELATIONSHIP  
WITH THE VICTIM  
AND THEN USE  
THAT POSITION TO  
EXTRACT SERVICES  
FROM THE VICTIM.**

Vulnerable adults have specific protections under Minnesota law that can encompass labor trafficking. “The act of forcing, compelling, coercing, or enticing a vulnerable adult against the vulnerable adult’s will to perform services for the advantage of another” is considered both a form of abuse and a form of financial exploitation,<sup>38</sup> regardless of whether the trafficker is a caregiver for the victim.

Under Minnesota law, vulnerable adults are defined as any person 18 years of age or older who either: 1) is a resident of a facility or receives certain types of licensed mental health care, home health care, or personal care assistance services; or 2) “possesses a physical or mental infirmity or other physical, mental, or emotional dysfunction” that impairs their ability to care for themselves and to protect themselves from maltreatment.<sup>39</sup> Maltreatment includes physical, mental, or sexual abuse, financial exploitation, and neglect.<sup>40</sup> That impaired ability to protect themselves from maltreatment puts vulnerable adults at high risk of labor trafficking. Vulnerable adults may also face significant barriers to accessing services. Organizations should evaluate how to improve their ability to serve vulnerable adults. See Protecting and Supporting Victims: Accessibility on page 37.

Trafficking victims who are vulnerable adults may be eligible for adult protective services from county agencies. Minnesota has a centralized, common entry point for reporting suspected abuse, neglect, or financial exploitation of vulnerable adults – the Minnesota Adult Abuse Reporting Center (MAARC) – operated by the Commissioner of Human Services. MAARC includes a toll-free phone number for the public operated 24 hours a day

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<sup>38</sup> Definitions, Minn. Stat. § 626.5572 (2017). Financial exploitation expands the definition to include services “for the profit” of another.

<sup>39</sup> Definitions, Minn. Stat. § 626.5572, subd. 21 (2017).

<sup>40</sup> Vulnerable Adult Act, Minn. Stat. §626.557.

and seven days a week, and a web-reporting system designed for mandated reporters<sup>41</sup> who are required to report suspected maltreatment immediately. Reports to the MAARC system are referred to a designated investigative agency and for emergency adult protective services, if needed.

County social services will be the lead investigative agency when the allegations involve self-neglect or non-licensed facilities or services.<sup>42</sup> Suspected criminal activity, including labor trafficking, is immediately referred to law enforcement for criminal investigation. A good practice is to coordinate interviews and other evidence gathering for these civil and criminal investigations to reduce trauma for the victims.

County social services are also responsible for offering emergency and continuing adult protective services. Adult protective services can help victims obtain restraining orders against perpetrators and offer referrals for care, services, and guardianship to prevent further maltreatment.

To ensure that vulnerable adults who are victims of labor trafficking receive all the benefits and protections to which they are entitled, the designated investigative agencies should explicitly screen for labor trafficking during intake and investigation. Investigators should evaluate existing standards for identifying abuse and financial exploitation to see if they include potential red flags for labor trafficking. These can include traffickers taking the victim's Social Security benefits, forcing the victim to work for them, or financially benefiting by forcing the victim to receive housing or other services from them. Cases that initially present as a type of financial abuse should be screened further when indicators of trafficking are present. Investigative agencies should also be aware that other allegations, such as sexual, physical, or emotional abuse, may need to be evaluated for potential trafficking.

One challenge is determining when vulnerable adults are performing services against their will. A trafficker may develop a relationship with the victim in which the trafficker acts as a friend, romantic partner, protector, or mentor, and then uses that position to extract services from the victim. Vulnerable adults may have added difficulty in recognizing this manipulation tactic and therefore claim that they have consented to whatever services the traffickers are having them perform. Compounding this difficulty, vulnerable adults may choose to work for less than minimum wage because earned income can reduce disability benefits.

Another consideration when working with vulnerable adults is balancing confidentiality with mandatory reporting requirements. As with minor victims of trafficking, mandated reporters should disclose what they will be required to report and understand that the victim may avoid answering questions because of the reporting obligation. (See Protecting and Supporting Victims: Confidentiality on page 35).

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41 Mandated reporters include professionals engaged in the care of vulnerable adults, licensed health professionals, educators, social workers, therapists, vocational rehabilitation employees, and law enforcement.

42 Other designated agencies include the Minnesota Department of Health, Office of Health Facility Complaints, for allegations involving hospitals, nursing homes, assisted living or home care agencies, and the Minnesota Department of Human Services for allegations involving adult foster care, group homes, or services that the Department licenses. <https://mn.gov/dhs/people-we-serve/seniors/services/adult-protection/contact-us/>.

# WORKING WITH FOREIGN-BORN VICTIMS

**ICE VIGOROUSLY  
APPREHENDS  
SUSPECTED  
UNDOCUMENTED  
IMMIGRANTS IN ANY  
PLACE WHERE IT  
ENCOUNTERS THEM,  
WHICH DIRECTLY  
UNDERMINES  
TRAFFICKING  
PREVENTION AND  
IDENTIFICATION BY  
DETECTING VICTIMS  
FROM REPORTING.**

Foreign nationals are at high risk for labor trafficking for multiple reasons, including immigration status, language barriers, unfamiliarity with the U.S. legal system, and fear of authorities. Working with foreign national victims requires addressing those factors to help victims rebuild their lives.

## IMMIGRATION ENFORCEMENT

Many foreign nationals fear that contact with any part of the government, or even any public service provider, may result in deportation. Under current policy, Immigration and Customs Enforcement (ICE) vigorously apprehends and detains suspected undocumented immigrants in any place where it encounters them, creating a real fear of being in public spaces, including courthouses. This fear directly undermines trafficking prevention and identification by deterring victims from reporting. Agencies and organizations that work with labor trafficking victims should ensure that the referrals they make and the information they share does not inadvertently expose their clients to immigration enforcement. Clarify the organization's or agency's policy on sharing information with ICE before making the referral. Those who do not regularly work with foreign-born victims can contact the organizations listed in the Appendix C: Labor Trafficking Service Providers for assistance in identifying safe referrals for victim services.

Safety planning for foreign-born victims should also include immigration considerations. For instance, ICE has sometimes apprehended immigrants at courthouses. Victims may need accommodations to avoid being in spaces where ICE is known to operate. See *Protecting and Supporting Victims: Safety Plans* on page 38.

Government agencies can counter the fear of immigration enforcement to some extent by adopting and widely promoting clear policies that prohibit forms of cooperation with immigration enforcement that may result in removal. The extent to which agencies can hold victim identity and immigration status confidential varies, and public messages should be very clear about the kind of information that is collected and under what conditions. Government agencies that share geographical or topical jurisdictions may want to coordinate their policies; victims will not always distinguish between an agency with a highly protective policy and one that directly cooperates with ICE when they both operate in the same area.

### CHARACTERISTICS OF EFFECTIVE SEPARATION POLICIES

- Prohibit using local resources on the enforcement of civil immigration law
- Do not detain individuals on the basis of ICE hold requests or notify ICE of release dates
- Require ICE to provide a criminal warrant or one signed by a judge before cooperating with enforcement requests
- Share only the minimum legally required information
- Do not collect information on immigration status unless necessary under the law
- Do not provide ICE agents access to jails either in person or on the phone
- Do not contract with ICE to provide bed space in jails or local law enforcement assistance with enforcing immigration law
- Do not use ICE or Customs and Border Protection (CBP) as interpreters
- Provide accountability by requiring reports on local government agency interactions with ICE<sup>1</sup>

<sup>1</sup> Immigrant Legal Resource Center, "Local Options for Protecting Immigrants" (2016), <https://www.ilrc.org/local-options>.

Agencies and organizations may also consider reaching out to the local consulate of the victim's country of origin to identify if the consulate provides services and support.

## POTENTIAL FORMS OF IMMIGRATION RELIEF FOR LABOR TRAFFICKING VICTIMS

Immigration status is a primary concern for many foreign national victims. Frequently, traffickers exploit victims' immigration status as a way of keeping them trapped. This is true of both undocumented immigrants and immigrants legally in the United States. Traffickers may sponsor their victims for temporary or permanent visas and then use their control over the immigration process to threaten their victims. Even when traffickers are not directly responsible for a victim's immigration status, they can use the high levels of fear and uncertainty about immigration enforcement to induce compliance. Victims being controlled through their immigration status need another option to remain in the United States legally, or they may not be able to exit the trafficking situation safely.

This list summarizes relief potentially available to labor trafficking victims, depending on the facts of the trafficking situation, age of the victim, and the relationship between the trafficking victim and trafficker. The eligibility

requirements listed below are not comprehensive and do not address numerous details. Foreign national victims should always be connected with an immigration attorney as soon as possible to explore immigration relief, especially since some forms of relief have time limits or age restrictions associated with them.

#### **a. Continued Presence**

A temporary status available to victims of human trafficking that lasts two years,<sup>43</sup> with the ability to renew annually. Only federal law enforcement and prosecutorial agencies can request this status. Recipients receive work permission and public assistance.

#### **b. T Visa**

Available to victims of human trafficking in the United States who cooperate with all reasonable requests from law enforcement, demonstrated by providing a certification from a law enforcement or other government agency or other evidence that the victim was willing to cooperate. Victims under the age of 18 or who have experienced extreme trauma are exempted from the cooperation requirements. T visa holders receive work permission and public assistance. Family members may also be eligible to receive T visas. After three years, T visa holders may apply for lawful permanent residency (LPR), also known as a “green card.” See Appendix B: Certifying Agencies for Immigration Benefits for a list of agencies that can provide certification for T visas.

#### **c. U Visa**

Available to victims of certain violent crimes, including human trafficking. A U visa may be appropriate for cases of human trafficking that do not qualify for a T visa. All U visa applications require law enforcement certification and have greater limitations on family reunification. There is currently a multi-year wait list for U visas. See Appendix B: Certifying Agencies for Immigration Benefits for a list of agencies that can provide certification for U visas.

#### **d. Other Forms of Relief**

Trafficking victims may be eligible for other forms of relief as well, depending on the specific circumstances of their case, including:

- VAWA Self-Petition or Cancellation of Removal<sup>44</sup>
- Battered Spouse Waiver
- Asylum
- Special Immigrant Juvenile Status

## **FOREIGN NATIONAL ELIGIBILITY FOR BENEFITS**

Foreign nationals are restricted from accessing public assistance depending on their visa category and the amount of time they have lived in the United States. In many cases, victims must stop working when they exit the trafficking situation, which leaves them without income. Since access to housing, medical care, food assistance, and other potential benefits can provide crucial support to victims, organizations and agencies must investigate if victims are eligible and if not, how they can become eligible.

<sup>43</sup> The White House, Office of the Press Secretary, “FACT SHEET: Building a Lasting Effort to End Modern Slavery,” Oct. 24, 2016, <https://obamawhitehouse.archives.gov/the-press-office/2016/10/24/fact-sheet-building-lasting-effort-end-modern-slavery> (“Immigration and Customs Enforcement updated its Continued Presence directive to make Continued Presence a two-year status in the United States for non-citizen human trafficking victims, renewable in increments of up to two years. Continued Presence is a temporary immigration status that allows trafficking victims to remain in the United States during the investigation of the crime committed against them. Extending this status to two years helps provide stability for trafficking victims while alleviating administrative burdens on victims, service providers, and the government.”).

<sup>44</sup> 8 U.S.C. §1154. Spouses and children of citizens and lawful permanent residents can petition for independent legal residency.

The access and use of public assistance benefits by newcomers to the United States is determined by federal eligibility rules combined with state and local rules and policies. Federal rules exclude all undocumented immigrants and most legal, temporary visa holders from receiving public benefits.

To offset the gaps in eligibility, Minnesota opted to use state money to provide limited access to state benefits to some immigrants who are not eligible for federally funded programs. Despite good intentions, these state-funded programs have been vulnerable to budget cuts and other challenges, leaving some Minnesotans at risk of not having their basic needs met.

Trafficking victims who are applying for or who have received continued presence or a T visa can access some public assistance by obtaining a trafficking certification letter from the U.S. Department of Health and Human Services (HHS). This letter grants them a Social Security number, work authorization, case management, and access to benefits equivalent to those of a refugee.<sup>45</sup> Trafficking victims who do not receive continued presence and have not applied for a T visa are not eligible for assistance. Even victims who have applied for a T visa can exhaust their benefits before the visa is processed. Only certain types of support are provided. Victims who are supporting family members abroad often need cash assistance that is not part of the available benefits.

Victims of trafficking under age 18 follow a different process to receive benefits. First, federal, state, and local officials must notify the Office of Trafficking in Persons (OTIP) at HHS within 24 hours of identifying a potential foreign national minor victim of trafficking. That child then receives an interim letter, allowing access to public benefits while OTIP determines if the child is a victim of trafficking under the TVPA. If the child is a victim, the child receives an HHS Eligibility Letter confirming access to benefits and case management. Victims under age 18 do not need to cooperate with law enforcement or receive continued presence or a T visa to get an Eligibility Letter. Applications for the Eligibility Letter must be filed before the victims turn 18. After victims turn 18, they are no longer eligible, even if the trafficking occurred when they were minors.

## LANGUAGE ACCESS

Foreign national victims and other non-English speakers should receive services in their primary language when possible. Language access ensures that victims understand the care they are receiving and the progress of their criminal, civil, and immigration cases. Language access also provides important social connections that address the isolation victims often feel as a result of trafficking.

Victims should be able to provide input on their interpretation preferences, including the interpreter's gender and family or clan connections. In some cases where interpreters may be well-connected to the victims' communities, victims may not want an in-person interpreter so as to protect their privacy, preferring a remote interpreter over the phone or computer. The best practice is to ask victims their interpretation preferences and respect their requests whenever possible. Never use ICE or CBP as interpreters, as doing so can expose the victim to deportation.

Interpreters follow a set of principles that ensure an accurate translation and protect the victim. Organizations employing interpreters should train them on these principles and include them in volunteer agreements or contracts.

**Competency:** Interpretation can carry high stakes depending on the context, especially for legal matters like immigration status. Interpreters must recognize and disclose limitations they may have in precisely interpreting between languages.

**Impartiality:** Interpreters must not allow their own personal feelings to interfere with accurate interpretation. If the interpreter disagrees with the victim's views or feels that the victim is not being honest, the interpreter should inform the organization and withdraw from the interview. The interpreter should never tell the client what to do or say.

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<sup>45</sup> These benefits may include the Supplemental Nutritional Assistance Program, public housing or tenant-based voucher programs, some medical services, including Medicaid and the Children's Health Insurance Program, and limited cash assistance programs, such as Temporary Assistance for Needy Families. U.S. Department of Health and Human Services, Office on Trafficking in Persons, Services Available to Victims of Trafficking, <https://www.acf.hhs.gov/otip/victim-assistance/services-available-to-victims-of-trafficking>.

**Confidentiality:** Confidentiality is an essential component of every interaction with a client. In addition to helping ensure the safety of the clients and their loved ones, the promise of confidentiality helps to build trust and rapport among the clients, the interpreter, and the staff member.

**Accuracy and completeness:** The consequences of inaccurate interpretations and translations are serious and may mean the victim loses an immigration, criminal, or civil case. Therefore, it is important to convey the exact spirit and meaning of words, even though the translation may not be word for word.

**Cultural broker:** Interpreting involves more than just translating words. A good interpreter must also act as a cultural broker, ensuring that each side understands the other's cultural and social systems. This keeps the interaction running smoothly and helps all parties avoid confusion and misunderstanding. Whenever interpreters are playing the role of cultural broker, they should always communicate what they are doing to all parties to avoid confusion.

**Boundaries and professionalism:** For the well-being of both the client and the interpreter, it is important to always maintain clear professional boundaries. Many trafficking victims have few resources or personal connections in the United States and may reach out to interpreters for assistance in matters outside of the trafficking case. This can lead to stress for both the victim and the interpreter. Remember also that interpreters have an obligation to remain impartial when interpreting for a victim. Becoming too involved a victim's life can negatively affect that impartiality.

# OFFENDER ACCOUNTABILITY

**CRIMINAL,  
ADMINISTRATIVE,  
AND CIVIL  
PENALTIES CAN  
ALL BE PURSUED  
BASED ON THE  
SAME UNDERLYING  
TRAFFICKING  
SITUATION.**

Labor trafficking is a crime and it frequently involves exploitative acts that violate employment laws and other civil protections. As a result, traffickers can face criminal investigations and prosecutions involving local, state, and federal law enforcement and prosecutors. In addition, government agencies that enforce employment laws can impose financial penalties and recover lost wages for victims. Victims can also file civil lawsuits for financial compensation and damages. Criminal, administrative, and civil penalties can all be pursued based on the same underlying trafficking situation, but they operate differently and have different implications for the victim. Agencies and organizations working with potential labor trafficking victims should be aware of the various types of proceedings so that victims can decide if they want to report violations of criminal laws and pursue civil or administrative remedies.

## CRIMINAL ACCOUNTABILITY

Strong criminal justice responses by law enforcement and prosecutors can prevent trafficking because traffickers know that they will be held accountable and that the risks of prosecution will outweigh the benefits of using exploited labor.<sup>46</sup> Labor trafficking and certain kinds of associated conduct are crimes under both federal and Minnesota law.<sup>47</sup>

<sup>46</sup> To date, federal prosecutors and county attorneys have charged only a small number of labor trafficking cases and most of these cases focus on adult victims; however, this number has increased in recent years. Prosecutors may seek to charge other crimes in labor trafficking situations (e.g., visa fraud or hiring unlawful aliens). The cases mentioned here include those charged as labor trafficking and those charged as other crimes but which were determined to be trafficking based on the description or the relief available to the victims.

<sup>47</sup> Minn. Stat. §§ 609.281-.283. *See also* 18 U.S.C. § 1581 (peonage), § 1584



During a criminal case under state law, victims may interact with:

- Local police
- County sheriffs
- Bureau of Criminal Apprehension
- County attorneys

During a federal criminal case, victims may interact with the following agencies<sup>48</sup> (see Working with Federal Agencies on page 58 for a description of each agency):

- Federal Bureau of Investigation
- Homeland Security Investigations, part of Immigration and Customs Enforcement, Department of Homeland Security
- Department of State Diplomatic Security Service
- United States Attorney's Office
- Department of Justice Civil Rights Division Human Trafficking Prosecution Unit
- Department of Health and Human Services, Administration for Children and Families, Office of Refugee Resettlement (regarding child trafficking and access to benefits and case management for all trafficking victims)

Labor trafficking cases are complex and can take anywhere from several months to several years to conclude. Law enforcement and prosecutors consider many factors when they decide to conduct investigations or file criminal charges. For example, evidence such as financial records may be difficult to obtain and analyze. Prosecutors may decide to charge trafficking cases under other criminal statutes, such as fraud or assault, or decide not to file any charges. The decision on whether to investigate and whether to charge any crime, including labor trafficking, does not mean that labor trafficking did not occur or that law enforcement and prosecutors do not believe the victim.

Enforcement of federal and state laws that criminalize labor trafficking may conflict with the victim's desires. In criminal investigations, prosecutors represent the government, not the victim. Law enforcement also has statutory duties to report certain crimes involving youth, and prosecutors may direct law enforcement to conduct investigations that may conflict with the victim's requests. Victims may not want the trafficker investigated or criminally prosecuted for many reasons, including ongoing relationships they may have with the trafficker or to protect their safety, but victims do not control that decision in a criminal case.

Crime victims, including trafficking victims, have certain rights under federal and state law.<sup>49</sup> To help victims secure these rights, Minnesota funds victim specialists in many county attorney offices to provide the required notices and explanations. See Prosecutors: Victim Considerations on page 72.

One important right for labor trafficking victims is financial compensation. When a trafficker is convicted of or pleads guilty to a crime, victims have the right to request restitution (money that a judge may order an offender to pay the

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(sale into involuntary servitude), § 1589 (forced labor), § 1590 (trafficking with respect to peonage, slavery, involuntary servitude, or forced labor), and § 1592 (unlawful conduct with respect to documents in furtherance of trafficking, peonage, slavery, involuntary servitude, or forced labor).

48 Additional federal agencies may be involved with respect to civil recoveries.

49 These rights include notice about the final disposition of a case, the release or escape of the offender, and any sentence modifications for the offender. Victims have a right to provide statements on the impact of the crime and objections to plea deals, pretrial diversion programs, and sentences. Victims also have a right to protection from harm and can request that the state keep their contact information confidential and withhold their identities in open court. Minnesota Department of Public Service, Office of Justice Programs, "Crime Victim Rights," <https://dps.mn.gov/divisions/ojp/help-for-crime-victims/Pages/crime-victims-rights.aspx>; Crime Victims' Rights Act, 18 U.S.C. § 3771 (2016).

crime victim) and reparations (financial assistance from the government for victims of violent crimes).<sup>50</sup> Federal law also requires the court to order forfeiture of any property used to commit or facilitate trafficking and any property derived from the proceeds of trafficking as part of the trafficker's sentence.<sup>51</sup> Victims may need assistance from an advocate or attorney to effectively claim the full amount of compensation they are owed. For additional information, see Prosecutors: Restitution on page 76.

## CIVIL AND ADMINISTRATIVE REMEDIES

In addition to criminal penalties, traffickers can be held accountable for violations of employment law and other civil protections. Civil and administrative cases can help labor trafficking victims receive financial compensation, including lost wages and damages for the pain and suffering they experienced.

Federal, state, and municipal laws<sup>52</sup> govern conditions in the workplace. Important laws protecting labor trafficking victims include wage and hour standards, occupational health and safety standards, and protections from discrimination and retaliation. Immigration status is irrelevant when determining whether a worker is protected by these laws; if undocumented immigrants perform work as employees, they are entitled to wages and the same workplace rights as other workers.<sup>53</sup>

Labor standards and employment laws do not apply to independent contractors. Traffickers sometimes treat their victims as independent contractors to avoid these laws, requiring victims to prove that the trafficker controlled how and when they worked, in addition to the overall labor standards violation.

Different agencies at the federal, state, and municipal levels enforce these laws and have their own process for investigating cases and assessing financial penalties on employers. Victims may need to contact multiple agencies to find the one that best fits their claim. These agencies include:

### a. U.S. Department of Labor

The U.S. Department of Labor (DOL) Wage and Hour Division enforces the federal law governing minimum wage, overtime provisions, and restrictions on child labor, among other issues. Both employees whose rights were directly violated and third parties who witnessed a violation can complain to the DOL.

### b. Minnesota Department of Labor and Industry

The Minnesota Department of Labor and Industry (DLI) Labor Standards unit enforces the state law establishing minimum wage and overtime regulations, as well as state laws governing child labor.

### c. Equal Employment Opportunity Commission

The Equal Employment Opportunity Commission (EEOC) enforces federal laws prohibiting discrimination on the basis of "race, color, religion, sex (including pregnancy, gender identity, sexual harassment, and sexual orientation), national origin, age (40 or older), disability or genetic information,"<sup>54</sup> as well as retaliation for bringing a discrimination complaint. When traffickers target a particular ethnic community or other vulnerable group, they may be held liable for violating anti-discrimination laws.

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50 Victims can file a civil lawsuit, in addition to seeking restitution and reparations. See Civil Lawsuits below, and Crime Victims Reparations, Minn. Stat. §§ 611A.51-.68 (2017).

51 Forfeitures, 18 U.S.C. § 2428 (2018).

52 The Fair Labor Standards Act, 29 U.S. Code §§ 201-262 (2018); Fair Labor Standards Act, Minn. Stat. §§ 177.21-177.44 (2017); Workplace Regulations, Minneapolis, Minn., Code of Ordinances, Title 2, Chapter 40 (2017).

53 Immigration status can impact the remedy available to workers. See *Hoffman Plastic Compounds, Inc. v. National Labor Relations Board*, 535 U.S. 137 (2002).

54 U.S. Equal Employment Opportunity Commission, "Prohibited Employment Policies/Practices," <https://www.eeoc.gov/laws/practices/>.

#### **d. Minnesota Department of Human Rights**

The Minnesota Department of Human Rights (MDHR) enforces the Minnesota Human Rights Act, which prohibits discrimination on the basis of “race, color, creed, religion, national origin, sex, marital status, disability, public assistance, age, sexual orientation, familial status, or local human rights commission activity.”<sup>55</sup>

#### **e. Minnesota Crime Victims Reparations Board**

Victims of crimes involving injury or death that occurred in Minnesota or in a country that does not have a compensation program can apply for financial help for losses they or their families incurred because of the crime. Victims must have reported the crime to the police within 30 days and fully cooperate with police and prosecutors. Other requirements, including deadlines, are included in the application form.<sup>56</sup>

#### **f. Minneapolis Department of Civil Rights**

The Minneapolis Department of Civil Rights Labor Standards Enforcement Division oversees compliance with the city’s minimum wage and sick and safe leave ordinances.

#### **g. St. Paul Department of Human Rights and Equal Economic Opportunity**

The St. Paul Department of Human Rights and Equal Economic Opportunity oversees compliance with the city’s minimum wage and sick and safe leave ordinances.

#### **h. Other Government Agencies**

Traffickers can also violate other laws governing the workplace, and victims can seek remedies from the agencies charged with enforcing those laws. Organizations focused on worker rights, employment and labor law attorneys, and other government agencies can all provide advice on the appropriate path to pursue.

- Workers’ Compensation: DLI and the Minnesota Department of Commerce
- Unemployment: Minnesota Unemployment Insurance Program, Minnesota Department of Employment and Economic Development
- Union and Other Concerted Activity for Workers’ Rights: National Labor Relations Board
- Workplace Safety: Minnesota OSHA Compliance

## **CIVIL LAWSUITS**

Both federal and state laws include causes of action that allow victims to file civil cases relating to their trafficking. At the federal level, victims of forced labor, trafficking into servitude, or sex trafficking can file a lawsuit against their trafficker and those who knowingly benefitted from the trafficking.<sup>57</sup> Minnesota state law also includes a similar civil cause of action against traffickers.<sup>58</sup> Labor trafficking victims may have other civil remedies available against their traffickers, including intentional torts such as assault and battery, breach of contract or unjust enrichment claims, violations of employment standards and anti-discrimination laws, and constitutional claims. Although these cases give the worker greater control over the proceedings than criminal cases, workers may need to find an attorney willing to represent them.<sup>59</sup>

<sup>55</sup> Minnesota Department of Human Rights, “Your Rights,” <https://mn.gov/mdhr/yourrights/>.

<sup>56</sup> Minnesota Department of Public Safety, Office of Justice Programs, “Minnesota Crime Victims Reparations Board,” <https://dps.mn.gov/divisions/ojp/help-for-crime-victims/Pages/crime-victims-reparations.aspx>.

<sup>57</sup> Civil Remedy, 18 U.S.C. § 1595 (2018).

<sup>58</sup> Labor or Sex Trafficking Crimes; Defenses; Civil Liability; Corporate Liability, Minn. Stat. § 609.284, subd. 2 (2017).

<sup>59</sup> Workers can file claims for up to \$15,000 in conciliation court without an attorney.

The benefits of civil lawsuits, as compared to criminal or administrative cases, include:

**Control of the case** – as plaintiffs, victims have greater control in a civil case than in a criminal or administrative case. They cannot be excluded from the courtroom and have final approval of settlement proposals.

**Compensation** – civil actions may provide greater compensation for monetary and emotional damages suffered and may include awards of punitive damages.

**Justice** – even if there were no criminal proceedings, civil lawsuits hold traffickers accountable to their victims.

**Burden of proof** – the burden of proof in civil proceedings (preponderance of the evidence) is lower than in criminal proceedings (beyond a reasonable doubt).

**Confidentiality** – victims may request to file civil lawsuits under pseudonyms, use confidentiality agreements, and file cases under seal to prevent disclosure to the public.

**Prevention** – civil lawsuits can include other responsible parties, including businesses that failed to enact proper security measures. Civil lawsuits have resulted in increased security protection in public places and other improvements.

## CRIMINAL AND CIVIL COLLABORATION

Since a labor trafficking case may give rise to both criminal and civil proceedings against the trafficker, it can be helpful if these agencies collaborate. Law enforcement agencies can benefit from the expertise of federal, state, and local labor standards agencies in analyzing payroll, documenting missing wages, and calculating restitution. Federal, state, and local labor standards agencies may encounter labor trafficking victims in the course of investigations into wage and hour complaints and other regulation violations. Those victims may need a criminal justice response to the labor trafficking they experienced. Some law enforcement agencies will have existing partnerships with civil enforcement agencies, but others will need to establish a relationship. See Collaborative Responses to Labor Trafficking on page 25 for key considerations on information sharing and confidentiality, among other issues.

# WORKING WITH FEDERAL AGENCIES

**COLLABORATION  
BETWEEN STATE  
AND LOCAL LAW  
ENFORCEMENT AND  
FEDERAL AGENCIES  
IS ESPECIALLY  
IMPORTANT, SINCE  
FEDERAL AGENCIES  
CAN ALSO REQUEST  
CONTINUED  
PRESENCE FOR  
VICTIMS.**

Multiple federal agencies are involved in labor trafficking investigations and prosecutions. State and local agencies and organizations need to understand what these federal agencies can do and how they might be able to assist victims of labor trafficking. Federal agencies often have experience providing certification to victims to assist in obtaining immigration relief. Indeed, one form of relief for foreign-born labor trafficking victims – continued presence – can only be requested by certain federal agencies. See Appendix B: Certifying Agencies for Immigration Benefits on page 102.

Federal agencies can bring additional resources and specialization to assist agencies and organizations at the state and local levels in serving victims of labor trafficking. This assistance can be beneficial to agencies and organizations that lack resources or have not had experience working with labor trafficking victims. On the other hand, federal agencies may assume control of investigations or prosecutions, removing decision-making authority from the local and state agencies and organizations that had been working with the victim.

Each of the federal agencies below has worked on labor trafficking cases, and agencies and organizations at the state and local levels may consider establishing relationships with them. Establishing these connections before an agency or organization identifies a labor trafficking victim can help to expedite providing additional resources to victims. See Protocol Implementation Worksheet on page 61.

## **a. Law Enforcement**

Collaboration with federal law enforcement agencies is especially important, since federal agencies can request continued presence for victims who meet the federal definition

of trafficking. State and local law enforcement cannot apply for continued presence for these victims.

### **Department of Justice, Federal Bureau of Investigation (FBI)**

The FBI investigates crimes, including crimes against children. The FBI also has victim advocates who support victims during an investigation and, sometimes, after the United States Attorney's Office has initiated a criminal case.

### **Homeland Security Investigations (HSI), Immigration and Customs Enforcement (ICE), Department of Homeland Security**

HSI is a division of ICE within the Department of Homeland Security. HSI investigates cross-border labor trafficking cases, provides victim assistance during federal criminal prosecutions, and can submit applications for continued presence. ICE Law Enforcement Parole Branch reviews these applications and has the sole authority to approve or deny applications. HSI has a victim assistance coordinator and connects with local community advocates to provide referrals to services.

### **Department of State, Diplomatic Security Services**

The State Department's Diplomatic Security Services also investigates trafficking crimes involving passport, visa, and travel document fraud. Because the State Department is involved with the process of issuing visas to foreign nationals to work in the United States, it can take a holistic view of labor trafficking situations both as crimes and as immigration violations.

#### **b. Department of Justice, Offices of the United States Attorneys**

U.S. Attorneys prosecute crimes under federal law, have victim assistance programs, and can submit applications for continued presence for victims of labor trafficking.

#### **c. Department of Justice, Civil Rights Division, Human Trafficking Prosecution Unit (HTPU)**

The HTPU is in the Criminal Section of the Civil Rights Division. Prosecutors in the HTPU collaborate with U.S. Attorneys and law enforcement agencies on trafficking investigations and identifying trafficking networks that cover multiple jurisdictions. Victim assistance coordinators are available to help with accessing services.

#### **d. Department of Health and Human Services, Administration for Children & Families, Office on Trafficking in Persons (OTIP)**

OTIP develops anti-trafficking strategies and programs to prevent trafficking, build responses to trafficking, increase victim identification and access to services, and improve outcomes for trafficking survivors. Among other things, OTIP issues certification letters to foreign adult trafficking victims and eligibility letters to foreign minor trafficking victims. OTIP also funds assistance for foreign victims and case management services for domestic and foreign trafficking victims.

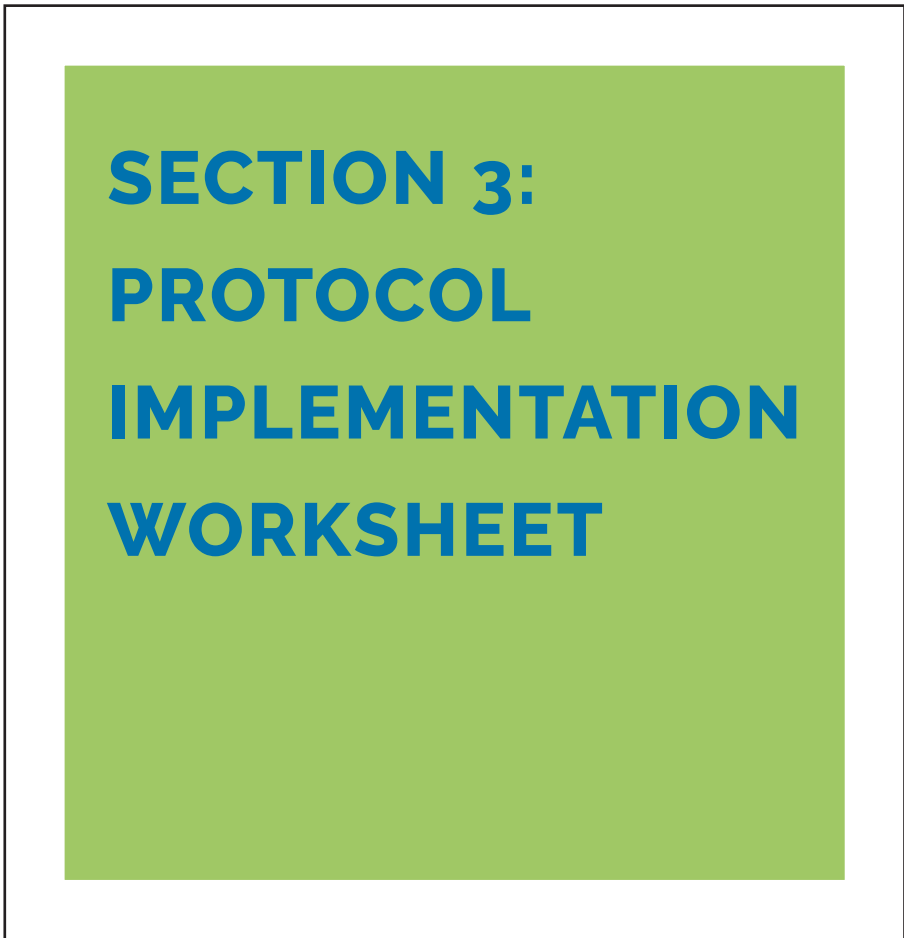
#### **e. Department of Labor, Wage and Hour Division**

The Department of Labor – Wage and Hour Division investigates violations of labor laws, irrespective of a worker's immigration status. It has the authority to conduct on-site investigations and can initiate investigations independent of a worker complaint. The Department of Labor, along with the EEOC, can provide certifications for T and U visas. See Appendix B: Certifying Agencies for Immigration Benefits on page 102 for the complete list.

#### **f. Equal Employment Opportunity Commission (EEOC)**

The EEOC investigates violations and enforces laws that prohibit discrimination against employees. Labor trafficking cases may involve discrimination on the basis of national origin, race, or sex, including sexual exploitation. EEOC enforcement generally applies to employers with at least 15 employees and covers most labor unions and employment agencies.



A large green rectangular box with a thin black border. Inside the box, the text "SECTION 3: PROTOCOL IMPLEMENTATION WORKSHEET" is written in a bold, blue, sans-serif font, centered vertically and horizontally.

**SECTION 3:  
PROTOCOL  
IMPLEMENTATION  
WORKSHEET**

After reviewing Section 2, the Universal Protocol, communities can begin planning their responses to potential labor trafficking victims and implementing the protocol guidelines in their communities. Planning should begin immediately, before there is an identified victim. The following worksheet will help communities identify resources they have available and any gaps that will need to be filled by resources that may be available in other communities.



# IDENTIFY RESOURCES TO MEET VICTIM NEEDS

Call local organizations and ask if they have resources to assist victims of labor trafficking. Confirm any eligibility restrictions and determine their policies on confidentiality. Fill out a Victim Service Organization table on page 64 for every organization contacted. Use that information to answer the following questions:

- Have you identified organizations that can meet the following needs? Indicate who should be the first point of contact for each need.

Victim Advocacy	
Case Management	
Housing	
Emergency	
Transitional	
Long-term Supportive	
Permanent	
Transportation	
Legal Services	
Physical Health Care	
Mental Health Care	
Education	
Employment	
Language Access	



# VICTIM SERVICE ORGANIZATION

Organization Name: \_\_\_\_\_

Address: \_\_\_\_\_

Phone: \_\_\_\_\_

Contact Person: \_\_\_\_\_

Contact Email: \_\_\_\_\_

Contact Phone: \_\_\_\_\_

→ **Restrictions on eligibility:**

- Age: \_\_\_\_\_
- Gender: \_\_\_\_\_
- Immigration status: \_\_\_\_\_
- Income: \_\_\_\_\_
- Other: \_\_\_\_\_

→ **Experience working with trafficking or victims of trauma**

- Extensive
- Some
- Very limited
- None
- Wants training

→ **Willingness and ability to serve**

- Resources typically available
- Willing but limited resources
- Unwilling – outside mission or no resources
- Wants to be part of collaborative response

→ **Confidentiality**

- Mandatory reporter
- Legally protected communications
- Other:

→ **Notes**

# IDENTIFY LAW ENFORCEMENT AGENCIES TO HOLD OFFENDERS ACCOUNTABLE

Call local law enforcement agencies and ask how they would respond to cases of labor trafficking. Confirm the agency's policy on working with immigration, both ICE and CBP.

Agency Name: \_\_\_\_\_

Address: \_\_\_\_\_

Phone: \_\_\_\_\_

Contact Person: \_\_\_\_\_

Contact Email: \_\_\_\_\_

Contact Phone: \_\_\_\_\_

→ **Experience working with labor trafficking:**

Extensive                      Some                      Very limited                      None                      Wants training

→ **Wants to be part of collaborative response?**

Yes                                      No

→ **Immigration policy:**

Formal policy prohibiting cooperation with ICE                      Informal policy of not sharing information about witnesses and victims                      Cooperates with ICE

→ **Notes:**

# CHECKLIST FOR WORKING WITH LABOR TRAFFICKING VICTIMS

- I am a community-based victim advocate or I have immediately referred the potential victim to a community-based victim advocate.
- I have disclosed to the victim what I can and cannot do with the information that the victim shares with me. I have also disclosed to the victim what referrals can and cannot do with the information the victim shares with them.
- The victim and I have discussed if there are culturally-appropriate practices that the victim would prefer.
- The victim and I have discussed any accessibility needs and how best to meet them.
- The victim and I have prepared or updated a safety plan or I have referred the victim to an organization that can assist in safety planning.
- The victim and I have discussed any needs and concerns, and we have a plan for:
  - Housing
  - Transportation
  - Legal needs
  - Physical health
  - Mental health and counseling
  - Education
  - Employment
- I have reviewed the following sections that are relevant to the victim and followed their recommendations when relevant:
  - Working with victims under the age of 18
  - Working with vulnerable adults
  - Working with foreign-born victims
- I have reviewed and discussed potential criminal justice responses with the victim and the benefits and potential consequences of reporting.
- I have reviewed and discussed potential civil and administrative remedies with the victim and have connected the victim with organizations or individuals that can assist with the case.
- If I have questions, I have consulted with one of the Minnesota Safe Harbor Expansion Grantees.
- Other considerations specific to this victim:

# **SECTION 4: SECTOR- SPECIFIC PROTOCOLS**

Guidelines for Key Sectors  
in a Comprehensive  
Labor Trafficking Response

# LAW ENFORCEMENT

**LAW ENFORCEMENT AGENCIES MAY BE ENCOUNTERING LABOR TRAFFICKING VICTIMS AND PERPETRATORS AMONG THE POPULATIONS WITH WHICH THEY ALREADY INTERACT.**

State and local law enforcement agencies have a crucial role to play in protecting victims of labor trafficking and prosecuting traffickers. When working with youth victims of labor trafficking, law enforcement should also incorporate the best practices identified in the Universal Protocol, especially those in Working with Victims Under the Age of 18 on page 44, Collaborative Responses to Labor Trafficking on page 25, and Conducting an Assessment: Best Practices on page 33.

## INTERNAL STRUCTURE

One of the first steps is determining how to assign responsibility internally for labor trafficking cases. Local law enforcement agencies use many models for determining where to place these investigations.

- Specialized anti-trafficking teams: A few agencies operate specialized anti-trafficking units. These units focus predominantly on sex trafficking, but officers in these units will be familiar with the emotional and psychological manipulation labor traffickers employ and how to gather evidence of that coercion.
- Runaway youth/crimes against children: Current Minnesota policies prioritize youth victims of human trafficking. Youth are at high risk for both sex and labor trafficking, so officers who have experience working with high-risk youth should know how to identify labor trafficking.

- **Violent crimes:** Physical violence is frequently a component of trafficking, and trafficking victims may first come to the attention of law enforcement as victims of assault.
- **Drug crimes/organized crime:** Labor traffickers are sometimes part of criminal gangs and can compel their victims to commit drug-related offenses including carrying, buying, and selling drugs. Trafficking charges are another potential point of entry for investigating organized criminal enterprises.

Law enforcement agencies take differing approaches to specialization, with some agencies rotating officers through different types of crime and others allowing officers to specialize in particular types of crime. The complexity of labor trafficking cases may be best suited to dedicated investigators, but agencies must balance that against resource constraints and other factors. If only one or two investigators work on trafficking cases, the agency may lose important institutional knowledge when they leave.

## GENERATING LEADS

Law enforcement agencies may be encountering labor trafficking victims and perpetrators among the populations with which they already interact. Labor traffickers can operate in illegal industries such as the drug trade or theft rings and may come into contact with law enforcement for those other criminal activities. Labor trafficking victims may have been forced by their trafficker to commit criminal activities and could end up in the custody of law enforcement agencies as a result. One way to uncover more labor trafficking cases is to screen existing victims, witnesses, and perpetrators for potential labor trafficking where the circumstances suggest trafficking may have occurred.

For other types of labor trafficking, law enforcement agencies may not have had extensive contact with potential victim populations, perpetrators, or locations. Law enforcement agencies can increase the tips they receive through outreach to those populations that are most vulnerable to labor trafficking. Many of those potential victim populations may be distrustful of law enforcement because of previous negative encounters with government officials, including other law enforcement agencies, child protection and child welfare, and immigration, and will not provide information about potential trafficking situations without concerted effort to overcome that distrust. Partnerships with trusted community organizations are one way to overcome those barriers. See Collaborative Responses to Labor Trafficking on page 25.

## INTERACTIONS WITH IMMIGRATION ENFORCEMENT

A major factor that leads to distrust of law enforcement agencies is the perception that they cooperate with immigration enforcement and that reporting a crime puts the victim at risk of deportation. Immigrants often fear deportation even when they have legal status in the United States; thus, this perception of cooperation harms not only undocumented immigrants but also immigrant communities as a whole.

Even when agencies have internal policies against investigating or reporting the immigration status of victims and witnesses, other forms of cooperation with immigration authorities can erode trust. These include using ICE and CBP as interpreters, providing ICE with access to arrestees, and contracting with ICE to provide bed space for immigrants in detention. For law enforcement agencies that have overlapping jurisdictions, such as county sheriffs and city police departments, immigrants often avoid interactions with both agencies when one of them cooperates with immigration, even if the other does not. Strong policies limiting cooperation with immigration, clearly and widely communicated, can help diminish this fear. See Working with Foreign-Born Victims: Immigration Enforcement on page 48 on how to craft policies that separate local law enforcement and public safety from federal immigration enforcement.

Federal immigration enforcement priorities may conflict with state prosecutions of labor trafficking. In addition to having clear limitations on cooperation, local law enforcement agencies and prosecutors should be prepared to advocate with ICE and CBP to ensure that they do not undermine trafficking investigations by deporting victims,



witnesses, or perpetrators before the case is resolved.

## CONDUCTING THE INVESTIGATION

Labor trafficking investigations that follow best practices are often characterized as victim-centered but not victim-driven. Information from the victim is often crucial to building a case, but at the same time, the victims may have suffered a level of trauma that makes it difficult for them to participate in the investigation and prosecution of the trafficker. Victims may not wish to participate in a case for many reasons, including the fear that cooperating could trigger retaliation from the trafficker or the desire to return to their homes and rebuild their lives as soon as possible.

### a. Interviewing the Victim

The labor trafficking victim may be the only person who can describe the coercion and control exercised by the trafficker that is the heart of a labor trafficking case. Law enforcement should recognize that, before victims can recount their experiences in a victim interview, victims might have certain needs that must be met. Such needs might include:

**Safety:** Victims, especially when they first encounter law enforcement, may not feel safe from their trafficker. Especially if their traffickers are connected to other people, they may worry that testifying against the traffickers could lead to retaliation against themselves or their families. When determining how to keep a victim safe, law enforcement agencies should consider the impact of their actions on the victims. For instance, though detaining victims in jail overnight may keep them safe from a trafficker temporarily, it may increase their distrust of the police, leading them to refuse to participate in the case and possibly return to the trafficker in the long term.

**Addressing trauma:** Victims may respond to the trauma they experienced in ways that can make it difficult to gather evidence against the traffickers. They may be hostile to law enforcement, defensive of their traffickers, unemotional or withdrawn when describing their experiences, or unable to recall events in a linear fashion. Best practices when interviewing victims take into account these possible responses, perhaps by giving the victims more time before asking for details about their experiences, or by conducting the interviews in spaces that do not feel threatening to the victims.

**Victim support:** Victims often benefit from being accompanied by a community-based advocate or attorney during their interactions with law enforcement. Advocates can help the victims feel safe telling their stories and provide emotional support during the investigations. Victims should also receive immediate referrals to other supportive services such as housing, counseling, or immigration assistance. Such services are crucial to helping victims rebuild their lives. See Collaborative Responses to Labor Trafficking on page 25.

### b. Gathering Evidence

In labor trafficking cases, best practices call for reducing the burden on the victims to provide testimony by collecting supporting evidence for their stories. The supporting evidence can corroborate not only the details of the coercion and control but also other details of their experiences to establish their credibility. Some of the types of evidence that might be relevant to labor trafficking investigations include:

- Immigration records, including visa applications
- Contracts
- Recruitment correspondence
- Paystubs, checks, or money deposits
- Internet advertisements, social media posts, and online communication
- Ledgers that can establish profit and daily monetary quotas that victims must earn and that can be used

to monitor income or customer contact information

- Financial records such as MoneyPak or prepaid debit cards used by the victims to send earnings to the trafficker
- Data from cellular phones, tablets, and computers that can include calls made and received; text messages to and from victims, potential recruits, fellow traffickers, and customers; photographs (of victims or places where the trafficker visited); an Internet search history; and even historical data regarding a phone's location
- Medical records that document victims' injuries, overdoses from forced drug ingestion or self-medication, exhaustion (and sicknesses that result from exhaustion and unhealthy living), venereal diseases, and forced abortions
- Victim arrest records
- Jail calls and visitor logs or bail bond records that substantiate the connection between a victim and a trafficker
- Journals and diaries<sup>60</sup>

Other agencies can assist with gathering evidence and evaluating records like payroll or financial accounts. See *Offender Accountability: Criminal and Civil Collaboration* on page 57 for more on coordinating with civil labor and employment enforcement agencies.

### **c. Balancing Victim Safety and Offender Accountability**

Law enforcement agencies take different approaches to the amount of control they grant to trafficking victims over the progression of an investigation. At one extreme, law enforcement may move forward with a case over the objections of victims and even pressure the victims to testify in the case, sometimes threatening criminal consequences if they do not cooperate. At the other extreme, an investigator may keep all the details of the potential case entirely confidential unless the victim agrees to move forward, limiting what they tell other law enforcement officers and prosecutors. A more balanced approach leaves the decision to move forward in the hands of law enforcement, but does not compel victim participation. Instead, law enforcement builds a case through supporting evidence rather than victim testimony. If the supporting evidence is insufficient, the case is typically dropped unless the victim decides at that point to testify. Any analysis of which approach to take should include the likely impact of the policy on victim recovery and safety, offender accountability, public safety more generally, and efforts to build trust with communities that may be suspicious of law enforcement decisions.

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<sup>60</sup> Office of Justice Programs, "OVC Human Trafficking Task Force e-Guide: Corroborating Evidence," <https://www.ovcttac.gov/taskforceguide/eguide/5-building-strong-cases/54-landing-a-successful-prosecution/corroborating-evidence/>.

# PROSECUTORS

**LABOR TRAFFICKING PROCEEDINGS CAN BE COMPLEX, AND VICTIMS MAY FEEL DISCONNECTED FROM THE CRIMINAL JUSTICE SYSTEM.**

Throughout a criminal proceeding, from charging decisions to plea agreements or trials, prosecutors may face a difficult dilemma: what the victim wants or needs may conflict with the prosecutor's duties to represent the government and society as a whole. The conflict between holding offenders accountable and responding to a victim's wishes may not be resolved in every circumstance, but prosecutors can incorporate victims and their requests into criminal prosecutions for labor trafficking.

## VICTIM CONSIDERATIONS

Prosecutorial practices that encourage trust have been shown to increase victim participation in cases. One such practice is to have the same prosecutor work on the case from the initial screening through disposition, if possible. This practice also prevents repeat consultations and interviews, reducing re-traumatization of the victims. In addition, when meeting with victims, prosecutors will build further trust by conducting interviews in comfortable and safe locations and by including victim advocates, interviewers of a particular gender, if requested, and qualified interpreters, if needed.

Labor trafficking proceedings can be complex, and victims may feel disconnected from the criminal justice system, which may make them reluctant to continue with their cases. Interviews and research have identified the following practices that help foster victim participation in a criminal case:

- Prosecutors explaining the victim's role and the criminal justice process. This explanation is especially helpful for foreign nationals who may be unfamiliar with judicial systems in the United States.

- Prosecutors returning items confiscated from victims as quickly as possible.
- Victims being notified of the defendant’s release from custody and receiving information on who they can contact if the defendant breaches the conditions of release.
- Prosecutors providing victims with regular updates on the status of the proceedings<sup>61</sup> and appeals. Labor trafficking proceedings may take many years.
- Prosecutors proceeding with cases on a timely basis. Timely prosecution can address safety concerns for the victims and prevent their long-term mental suffering.
- Victims having the opportunity to provide input on plea agreements and statements at sentencing hearings.<sup>62</sup>
- Prosecutors (or victim witness coordinators in their offices) introducing themselves to the victim upon or shortly after discovery. This introduction should not focus on collecting the victim’s testimony or evidence, but instead should focus on meeting the victim’s needs and developing a rapport with the victim.
- Prosecutors making efforts to ensure that their body language (e.g., crossing their arms) and spoken language (e.g., telling the victim what to do or not do) does not mirror language and actions that traffickers use.

### MEET WITH VICTIMS

- Engage a victim/witness specialist to participate

### KEEP VICTIMS INFORMED OF CASE PROGRESS

- Provide realistic timetables
- Schedule regular updates

### DO NOT USE IMMIGRATION OR OTHER BENEFITS TO COERCE COOPERATION WITH OR TESTIMONY IN CRIMINAL PROCEEDINGS.

## TRAINING AND SPECIALIZATION

Several county and city attorney offices have already instituted an effective practice by designating prosecutors to specialize in trafficking cases and by establishing multi-disciplinary teams for trafficking cases. These prosecutors can then receive additional training on effective investigation and prosecution strategies and approaches that support victim safety. These strategies and approaches can address: 1) ways to avoid secondary victimization during all stages of the proceeding; 2) special considerations when working with youth victims and victims who have experienced

61 Notification of Victim Services and Victims’ Rights: Victims’ Rights, Minn. Stat. § 611A.02, subd. 2(b)(5) (2017) (victims have a right to be informed of and participate in the prosecution process); Right to Notice of Final Disposition of Criminal Case, Minn. Stat. § 611A.039 (2017) (prosecutors shall make reasonable good-faith efforts to notify each victim within 15 days of the final disposition of the case).

62 Plea Agreements; Notification: Plea Agreements; Notification of Victim, Minn. Stat. § 611A.03, subd. 1 (2017) (prosecutors are required to make reasonable and good-faith efforts to inform victims of the contents of recommended plea agreements and the victims’ rights to be present at sentencing and plea hearings and to express their opinions on the disposition).

trauma; 3) confidentiality issues relating to the victims; 4) human rights principles; 5) safety assessments and risk management; 6) common behaviors exhibited by labor trafficking victims; 7) medical and economic issues that relate to labor trafficking prosecutions; and 8) how to address the media regarding trafficking cases.

A shortage of resources may prohibit many county attorney offices and city attorney offices from designating full-time prosecutors to specialize in trafficking. All prosecutors, however, should receive basic training on labor trafficking. County attorney and city attorney offices can identify one or two prosecutors to receive specialized training. When they identify labor trafficking situations, those prosecutors can consult with more experienced prosecutors throughout the state.

## SAFETY CONCERNS AND TRAFFICKING CHARGES

A key goal of the criminal justice system is to hold offenders accountable for their crimes. Trafficking victims, however, may have serious safety concerns for themselves and their families because of the prosecutor's decision to charge (or not charge) the traffickers.<sup>63</sup> Some victims may not want to, or be able to, commit the time and effort that would be required of them to be witnesses in the criminal proceedings.

Prosecutors can incorporate all of these victim concerns in their decision to charge or dismiss a trafficking offense by asking victims:

- What are your concerns if the perpetrator is prosecuted or, alternatively, is not prosecuted?
- Are you concerned for your safety or your family's safety?
- Would you like me to request a "no-contact order" against the trafficker? Why or why not?<sup>64</sup>
- Are there other conditions of release you believe should be imposed (e.g., travel restrictions, a ban on weapons, use of ankle bracelets)? Why or why not?<sup>65</sup>
- What concerns do you have if the defendant is not held in custody during the criminal proceedings? Are there conditions to release that you would want imposed?
- Would you be concerned for your safety if you were identified as a victim in this case? What are those concerns?<sup>66</sup>
- Do you have a safety plan in place?
- What were your physical, economic, or psychological injuries, and what damages did you suffer?
- Did the perpetrator use weapons?
- Has the perpetrator violated court orders?

By discussing these concerns with victims, prosecutors will be able to assess the victim's willingness or ability to participate in the criminal proceedings, if they charge the trafficker. If the victim is not able to participate, prosecutors

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63 There is no current prosecutorial policy on trafficking crimes, but the National District Attorneys Association's policy on prosecuting domestic violence cases may be persuasive. Under that policy, prosecution is not mandatory in domestic violence cases, but the policy includes prosecutorial discretion and specialized trainings to provide for victim safety and abuser accountability, as recommended above.

64 Because victims are in the best position to assess the risk that the trafficker poses to them and to their families, a best practice is first to consult with the victims and understand their concerns before requesting a no-contact order.

65 Release by Court or Prosecutor: Release Conditions, Minn. Rules of Crim. P. 6.02, subd. 2 (2018).

66 Traffickers may have threatened to harm the victim or the victim's family if they report the trafficking, or they may have cohorts who continue to exert pressure or make ongoing threats to the victim or the victim's family members. As a result, victims may not want to be identified as witnesses or cooperate with the prosecution out of fear that the traffickers will carry out the threats.

will know that they will need other evidence to support the case (discussed under Evidentiary Issues and Victim Testimony below).

Prosecutors have detained sex trafficking victims to prevent them from reuniting with their traffickers when there is probable cause to believe that the victims themselves have committed a crime. Although prosecutors employ this practice to protect victims, victim detention should be used only as a last resort in extreme cases, where there are no other safe housing options available, and in consultation with victim advocates.

Foreign national victims may have additional immigration and economic concerns if the trafficker is charged. They may need clarification on whether the criminal proceedings will have an impact on their immigration status, whether they will have work authorization so they can economically support themselves throughout the criminal proceedings, and whether they will be reported to ICE for deportation. Prosecutors can address these concerns by explaining what information, if any, they will report to ICE and by providing referrals to immigration attorneys and support for U or T visa applications. Prosecutors can also ask victims whether they would like to remain in Minnesota or if they prefer to return to their country of origin. See *Working with Foreign-Born Victims: Language Access* on page 51.

In deciding whether to charge other crimes, prosecutors should also evaluate whether the defendants are potential victims of labor trafficking themselves. Victims may have been forced to commit crimes by their traffickers, and they may not self-identify as victims or understand that their situations qualify as labor trafficking. These crimes can include a variety of offenses, such as theft or drug possession. Prosecutors need to be trained to identify labor trafficking situations<sup>67</sup> so they can refer victims to services, rather than charging them with crimes connected to their trafficking.

Prosecutors should not hold potential criminal charges over victims of labor trafficking as a way to compel their participation or testimony as witnesses in labor trafficking cases.

## EVIDENTIARY ISSUES AND VICTIM TESTIMONY

As indicated above, victims may be unable or unwilling to participate in prosecutions for many reasons. Accordingly, prosecutors may not be able to rely on victim testimony to support the case against the defendant. There are several other sources for evidence, however, including:

- physical evidence
- medical records
- forensic reports
- testimonies of psychologists and other expert witnesses
- past police reports
- evidence from the scene (photographs, phones, neighbor testimony, emergency call tapes, etc.)
- documents (passports, licenses, etc.)

<sup>67</sup> United Nations Office on Drugs and Crime, *Handbook on Effective Prosecution Responses to Violence against Women and Girls* (New York: United Nations, 2014), 86-87. Also available at [https://www.unodc.org/documents/justice-and-prison-reform/Handbook\\_on\\_effective\\_prosecution\\_responses\\_to\\_violence\\_against\\_women\\_and\\_girls.pdf](https://www.unodc.org/documents/justice-and-prison-reform/Handbook_on_effective_prosecution_responses_to_violence_against_women_and_girls.pdf).

- electronic equipment from the scene, the victim, suspects, or vehicles

No matter what form the evidence may take, prosecutors can ensure that evidence is collected in a timely manner, the collection is free of charge to the victim, and the collection will not re-traumatize the victim. Prosecutors should also review any evidence that is being disclosed to the defendants that contains victim information to minimize the disclosure, if possible, or to inform victims so that they can incorporate the defendants' knowledge into their safety plans.

If the victim does testify, prosecutors can seek to prevent secondary victimization and assess whether there are safety measures that can be in place to protect the victim during trial, especially if there is a youth victim or if there are concerns about exposing the victim to immigration enforcement. These measures can include:

- protecting the victim's identity from the public
- imposing gag orders on publicity by the individuals in the case
- limiting questions that can be posed to the victim
- permitting a support person to attend the trial
- imposing special courtroom procedures, including:
  - using a video-recorded interview, closed circuit television, or video links
  - examining the witness through an intermediary
  - requesting in-camera proceedings
  - using witness protection boxes

## RESTITUTION

Victims of labor trafficking may have suffered many losses because of their traffickers. Restitution claims provide prosecutors with another opportunity to support and assist crime victims. In addition, such claims allow victims to participate in the criminal proceedings and recover some of the losses.

Prosecutors establish the amount and appropriate form of restitution for crime victims.<sup>68</sup> To establish the correct amount, prosecutors should work with victims to determine the losses victims incurred because of the trafficking, and they should work with financial experts to quantify the claims. These losses can include, but are not limited to, any out-of-pocket losses resulting from the crime. Prosecutors can also consider assisting the victim in obtaining compensation from the Crime Victims Reparation Board, if applicable.

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<sup>68</sup> Procedure for Issuing Order of Restitution: Dispute; Evidentiary Burden; Procedures, Minn. Stat. § 611A.045, subd. 3 (2017).

## HEALTH CARE

**THE GOAL IS NOT TO CONVINCЕ THE PATIENT TO LEAVE THE TRAFFICKING SITUATION, BUT INSTEAD TO TREAT PATIENTS, EDUCATE THEM ABOUT THEIR OPTIONS, ASSIST THEM WITH SAFETY PLANNING, AND PROVIDE THEM WITH AVAILABLE RESOURCES.**

The health care sector offers tremendous opportunities for prevention, protection, identification, and intervention in labor trafficking cases. People who are experiencing trafficking often experience mental and physical health problems that cause them to seek medical help. An estimated 30% to 88% of trafficking victims access health care services while they are in a trafficking situation.<sup>69</sup> Thus, health care providers may be one of the first organizations or entities a labor trafficking victim encounters. Indeed, health care providers may be the only entity or organization that victims interact with while still in a trafficking situation. Further, due to the dynamics of labor trafficking, trafficked persons may interact with medical professionals in a variety of settings, including but not limited to the hospital emergency room after an assault or work injury, for OB/GYN services, during routine checkups, for mental health services, or for addiction treatment. Because of this unique access, health care providers should be fully integrated into any response to labor trafficking.

Some health care institutions in Minnesota, particularly hospitals with emergency departments, have begun to develop and implement protocols for serving patients who have been trafficked. The following best practices are based on this experience, as well as national and international guidelines and recommendations on caring for trafficking victims in health care settings.

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<sup>69</sup> Corinne Schwarz, Erik Unruh, Katie Cronin, Sarah Evans-Simpson, Hannah Britton, and Megha Ramaswamy, *Human Trafficking Identification and Service Provision in the Medical and Social Service Sectors*, 18(1) Health and Human Rights Journal, 181 n. 11 (June 2016).



## INITIAL RESPONSE

Interviews with health care providers throughout Minnesota confirmed that most health care providers already have protocols to address violence (intimate partner violence, child abuse, elder abuse, sexual assault, etc.). As a first step toward developing a human trafficking protocol, those existing policies and procedures should be reviewed. Health care providers should consider the extent to which a labor trafficking response can be incorporated into existing protocols to maximize efficiency in training, treatment, and referrals.

## COMPONENTS OF A LABOR TRAFFICKING PROTOCOL IN HEALTH CARE SETTINGS

### a. Identification

In a medical setting, the goal is not to convince the patient to disclose what has happened or to leave the trafficking situation, but to treat patients, educate them about their options, assist them with safety planning, and provide them with available resources. Identification is essential to providing the best services to the patient. As a result, a human trafficking response must include a process for identifying patients at risk for trafficking.

One best practice for improving identification in a health care setting is to set up a screening system that brings in a designated expert when labor trafficking is suspected. Front-line providers should be trained to recognize indicators of potential labor trafficking through the use of some basic screening questions about patient safety. Health care organizations should consider designating specific people to respond to indicators and ensure that those people receive training on working with labor trafficking victims. Social workers, Forensic Nurses/Sexual Assault Nurse Examiners (SANEs), or psychiatrists/clinical psychologists are all good candidates for this role. For smaller health care organizations that do not have a designated person to respond to trafficking, outside service providers who work with labor trafficking victims can serve as resources. In many cases, health care providers may not be able to make a final determination that trafficking occurred, but should still provide safety planning and other supports when indicators of trafficking are present. See Identification on page 29 and Appendix C: Labor Trafficking Service Providers on page 103.

Medical professionals also have an opportunity to conduct a more detailed physical exam than other service providers and can discover additional indicators of trafficking, such as signs of physical abuse in areas that are normally hidden from view, injuries that do not match the patient's account, malnutrition, and psychological reaction including post-traumatic stress disorder. A medical-forensic exam conducted by a Forensic Nurse/SANE can also reveal cases where sexual assault is used as a method of control or where labor and sex trafficking co-occur. Several tools provide lists of physical indicators of trafficking (see Appendix D: Resource List on page 106).

When conducting medical exams of trafficking victims, health care workers should consider patient safety and comfort. This consideration can include bringing in a chaperone, typically another health care worker, so that the victim does not feel isolated or pressured. In cases involving non-English speakers, interpreters should be independent, not someone who accompanied the victim. Victims may even feel more comfortable with an interpreter over the phone or computer, rather than in person, given the potential stigma associated with trafficking.

Speaking to the patient alone is essential. The power dynamics between the patient and the accompanying person(s) should be assessed, along with the patient's ability to speak freely. Some strategies for having a private conversation with the patient include telling the accompanying persons that it is hospital policy to interview the patient alone, directing them to the waiting room, or providing a reason for separation, such as a diagnostic test in another location.

Specialized training for staff designated as interviewers of potential victims should cover:

- The importance of obtaining consent from patients before an interview and ensuring patients are aware that they do not need to answer any or all questions;
- The importance of informing minors and others as applicable under state law that certain situations may trigger mandatory reporting;
- Strategies for conducting an interview while establishing trust and building rapport;
- The challenges one may face in obtaining an accurate medical history from a victim of human trafficking;
- Screening questions for suspected victims of trafficking;
- Potential reasons why the patient may not disclose victimization;
- Basic cognitive, emotional, social, and physiologic effects of complex trauma;
- How to monitor for signs of traumatic stress during the interview and to respond appropriately;
- Appropriate reactions to negative behaviors in a patient with a history of trauma;
- The phenomenon of trauma bonding; and
- An understanding of the complicated relationship that marginalized communities have with law enforcement.

## **b. Safety Considerations**

Labor trafficking is a state and federal crime and can involve many forms of criminal activity. The health care provider should involve clinic or hospital security in training and developing a protocol for responding to victims of labor trafficking. In addition, the provider should consult with local, state, and federal law enforcement about local trends in trafficking, how to respond safely to a potentially dangerous situation, and how to assess the safety of the facility. Clinic and hospital staff should be attentive to safety concerns and follow hospital protocols if there are safety threats.

Questions to consider include:

- Is the trafficker present?
- What does the patient believe will happen if the patient does not leave with or return to the trafficker?
- Does the patient believe anyone else (including family) is in danger?
- Is the patient a minor?

To protect patients who are trafficking victims, a health care provider should flag the patients' records or mark them as confidential so that if someone inquires regarding their location, all staff will deny that the patients are at the health care facility. Trafficking victims should not be left unmonitored in case their trafficker discovers their location and attempts to remove them from the facility.

Labor trafficking victims may disclose sensitive information to health care providers because they assume the doctor-patient relationship requires confidentiality. Although this is generally true, health care providers should explain to

patients, in a language that they understand, when the health care provider may be required to disclose information. For example, parents and guardians have access to a minor's health care records, except for health services that the minor is legally allowed to consent to or when minors live apart from their parents or guardians and manage their own financial affairs.<sup>70</sup> Health care providers should understand these obligations and communicate to victims the actions that they are required to take. Health care providers should also consider explaining the confidentiality requirements under HIPAA so that victims understand what the provider is allowed to share with other service providers and what must be shared by the victim.

To protect confidentiality when patients complain about workplace abuses that may indicate labor trafficking, health care providers should be aware that employers can access patient files in connection with workers' compensation claims. Records that would need to be disclosed in those circumstances should not reveal more information than is required. Victims may also want medical providers to wait to file workers' compensation claims until they have left the trafficking situation, since the claim will reveal that the workers have discussed workplace issues without the permission of the trafficker, potentially triggering retaliation. Health care providers should have policies in place that allow for a delayed filing of a claim.

### **c. Multidisciplinary Treatment and Referrals**

Health care providers should keep in mind that the goal of the patient encounter is not to convince the trafficking victim to leave the situation immediately but to develop a trusting, caring relationship with the patient. Treating the primary health complaints of victims builds trust that the provider will respond to their expressed needs and desires. Information and resources about trafficking should be introduced in a calm, nonjudgmental way.

Discharge planning should include safety planning as well as follow-up appointments or visits. The health care provider will need to discuss with the patients whether it is safe for the patients to follow up, as well as the safest way to communicate with them. If a patient has been identified as a potential labor trafficking victim, the health care provider will also need to be prepared with referrals for services (see *Protecting and Supporting Victims* on page 35).

Health care providers should consider the victims' safety after they leave the health care setting. If victims would like to exit the trafficking situation and there is an immediate threat to their safety, health care providers should call law enforcement. If the victims want assistance in connecting with law enforcement, then the health care providers can call the National Human Trafficking Hotline.

If victims are not in immediate danger, then the health care providers can coordinate with local organizations that provide victim advocacy, housing, or other services for trafficking victims. Sometimes victims are not ready to leave a trafficking situation for a variety of reasons (see *Definitions and Dynamics of Labor Trafficking: Dynamics of Trafficking* on page 14). In these cases, the role of the medical professional is to ensure that victims have information on resources for when they decide to leave the situation. Medical professionals should provide these referrals directly to the victim and not through or in the presence of anyone who accompanied the victim.

Note that it may not be possible for patients to take written information with them when they leave. Resources should be provided verbally to the patients while they are alone. Examples of discreet ways in which health care providers have shared resources include creating a contact with a fake name in the patient's phone with a crisis line number or writing a hotline number on a prescription pad. Providers can also offer to call a victim advocate to speak to the patient over the phone or bring a victim advocate in to meet with the patient while he or she is in the health care setting. Some providers report scheduling a diagnostic test that the patient has to wait to receive in order to allow enough time for a victim advocate to arrive.

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<sup>70</sup> These health services include, among other things, treatment for alcohol or other drug abuse. *Living Apart from Parents and Managing Financial Affairs*, Minn. Stat. § 144.341 (2017); *Pregnancy, Venereal Disease, Alcohol or Drug Abuse, Abortion*, Minn. Stat. § 144.343, subd. 1 (2017).

# VICTIM ADVOCATES

## **VICTIM ADVOCATES PRIORITIZE THE NEEDS OF THE VICTIM OVER OTHER OBJECTIVES SUCH AS PROSECUTING THE OFFENDER.**

Victim advocacy spans a range of actions from formal legal advocacy to informal assistance and accompaniment during a case. Key characteristics of victim advocates are that they prioritize the needs of the victim over other objectives such as prosecuting the offender, they provide both material and emotional support to the victim, and they support the victim during criminal or civil cases.

Victim advocates can play a powerful role in a labor trafficking case. As with domestic violence and sexual assault cases, where victim advocates are widely used, in labor trafficking cases, victims have suffered significant abuse that can reduce their ability to navigate the system by themselves. Isolation from social support is often a component of that abuse, and victim advocates can rebuild social connections and help victims feel part of a community again. During criminal proceedings against the trafficker, victim advocates can serve as a bridge between the victim and law enforcement or prosecutors. Advocates are typically familiar with the process of a criminal investigation, enabling them to explain what is happening from the victim's perspective, potentially increasing the ability of victims to participate in the case and feel they have received justice.

Labor trafficking victims also face systemic problems that can limit their ability to get help. For instance, most service providers and law enforcement agencies in Minnesota are not familiar with labor trafficking cases, and labor trafficking victims can have backgrounds that may bias responders against them. Victim advocates can push for a better response in an individual case and demand long-term changes that improve responses for all victims.

Victim advocates can also serve as a central point of coordination for referrals to services for labor trafficking victims.

Often victims need immediate assistance with safety planning, housing, counseling, and basic needs. Setting up a referral network before victims are identified can reduce the time victims must spend waiting for help, time that potentially makes them vulnerable to further harm from the trafficker.

Currently, however, there are no dedicated victim advocates for labor trafficking cases. Instead, the advocates who most commonly work with potential labor trafficking victims are domestic violence or sexual assault advocates, general crime victim advocates, and workers' rights organizers.

## DOMESTIC VIOLENCE, SEX TRAFFICKING, OR SEXUAL ASSAULT ADVOCATES

Victim advocates who focus on domestic violence, sex trafficking, and sexual assault may already be encountering unidentified labor trafficking victims in their client population. Traffickers can be intimate partners or immediate family members, and they can use threatened and actual sexual assault to keep their victims trapped and afraid. Labor trafficking victims may also be trafficked for sex by the same perpetrator, or they may have been trafficked in the past by different traffickers. In cases where labor trafficking overlaps with these existing missions, specialized victim advocates can use their knowledge of complex trauma to assist trafficking victims. To prepare for when they encounter possible labor trafficking situations, domestic violence or sexual assault advocates should:

- Add questions that screen for labor trafficking to any existing intake, needs assessment, or safety planning<sup>71</sup>
- Understand special remedies available exclusively to trafficking victims that differ from remedies a domestic violence or sexual assault victim can receive
- Recognize the ways in which labor trafficking may differ from other cases of domestic violence and sexual assault, such as a higher likelihood that organized criminal networks might be involved
- Assess whether to expand their mission to include labor trafficking that does not involve domestic violence, sex trafficking, or sexual assault, given their knowledge of the impact of sustained abuse and psychological manipulation on victims

## GENERAL CRIME VICTIM ADVOCATES

Labor trafficking more readily fits within the mission of victim advocates who serve victims of all crimes, including property crimes and crimes against persons. Unfortunately, in Minnesota there are very few nongovernmental advocates who work with victims of all crimes, though there is a hotline that can assist these victims.<sup>72</sup> Because these advocates work with victims of many different types of crime, from burglary to homicide, they may be well positioned to work with labor trafficking victims, who often have a wide range of experiences, from extremely violent abuse to financial or reputational harms. General crime victim advocates should:

- Add questions that screen for labor trafficking to any existing intake, needs assessment, or safety planning<sup>73</sup>
- Understand special remedies available exclusively to trafficking victims that differ from what other crime victims can receive
- Recognize the impact of sustained physical and psychological abuse on victims and the special needs they

71 See Conducting Assessments: Selecting a Tool on page 30.

72 Day One Services, "Services for Victims of Crime," <http://www.dayoneservices.org/services-for-victims-of-crime/>.

73 See Conducting Assessments: Selecting a Tool on page 30.

may have as a result

## WORKERS' RIGHTS ADVOCATES, INCLUDING LABOR UNIONS

Advocates who work with victims of labor exploitation may already be encountering unidentified labor trafficking victims who have come forward about the exploitation they have experienced but who do not recognize the larger crime of labor trafficking. Workers' rights advocates can advise labor trafficking victims on how to seek compensation for any unpaid wages, workplace injuries, discrimination, or other employment law violations as well as bring the victims into a larger worker justice movement. They may, however, have limited resources and need to refer victims to other organizations to pursue lengthy and complex cases or to handle the effects of trauma on victims. Workers' rights advocates should:

- Add questions that screen for labor trafficking to any existing intake or needs assessment<sup>74</sup>
- Understand the criminal law protections available for labor trafficking victims and learn how to access them effectively alongside the more familiar civil remedies
- Recognize the impact of sustained physical and psychological abuse on victims and the special needs they may have as a result
- Assess whether to expand their mission to include labor trafficking, given the high needs of victims and complexity of the cases
- Help identify when practices that are normalized by workers violate U.S. law

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<sup>74</sup> See Conducting Assessments: Selecting a Tool on page 30.

# HOUSING

## **SAFETY AND CONFIDENTIALITY SHOULD BE PRIORITY CONCERNS FOR ORGANIZATIONS THAT PROVIDE HOUSING TO LABOR TRAFFICKING VICTIMS.**

Trafficking victims face a challenge in securing emergency shelter, transitional housing, long-term supportive housing, and affordable permanent housing. Interviewees universally reported that there is a critical shortage of affordable housing in Minnesota. Organizations that provide housing may not be able to provide shelter to those who fall outside the scope of their funding, and there are few beds for labor trafficking victims in Minnesota, especially for male labor trafficking victims.

Because of this shortage, organizations that provide housing should identify other housing options (before they are needed) for emergency, short-term, and long-term housing for male and female victims of labor trafficking. Wherever possible, victims should have a choice in their housing options, including options that meet their cultural or religious needs. In addition, as indicated in Underlying Values for Working with Victims of Labor Trafficking on page 20, all agencies and organizations should receive basic training on identifying and working with labor trafficking victims, which includes all staff at housing organizations.

Housing providers should assess the services that they offer and whether they will be able to meet common needs of labor trafficking victims, including:

- Short- and long-term counseling
- Medical care
- Addiction treatment
- Legal assistance in criminal, immigration, civil, and administrative proceedings
- Employment and education assistance

- Childcare
- Financial/social services assistance
- Transitional or long-term housing assistance

All shelters should identify where they can refer a labor trafficking victim for services that they do not provide and determine how the victim can access the services while at the shelter. See Protocol Implementation Worksheet on page 61.

Many shelters institute rules that residents must follow to remain at the shelter. For shelters that accept victims of labor trafficking, the shelter should review those rules to ensure that they are sensitive to the needs of trafficking victims (e.g. if shelter residents must leave during the day, that may expose the victim to harm from their trafficker). Those rules should be re-assessed on a regular basis and reviewed with residents when they are not in a crisis.

Safety and confidentiality should be priority concerns for organizations that provide housing to labor trafficking victims, as shelters can be used as trafficking recruitment locations. Traffickers may also attempt to contact the victims at the shelter, putting the victims, staff, and other residents in danger. Shelters should establish safety plans with labor trafficking victims to identify what they should do if their traffickers attempt to contact them at the shelter or new traffickers approach them.<sup>75</sup> In addition, shelters should establish procedures to respond to these situations, train all staff on the response, and identify how they can improve their current security protections (e.g., video cameras, on-site security, 24-hour staff).

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<sup>75</sup> The contents of safety plans are described in *Protecting and Supporting Victims: Safety Plans* on page 38.



# LEGAL SERVICES

**SURVIVORS OF  
LABOR TRAFFICKING  
OFTEN NEED  
MULTIPLE LEGAL  
REMEDIES AND  
SOCIAL SERVICES,  
AND THEY BENEFIT  
GREATLY FROM A  
COMPREHENSIVE  
APPROACH THAT  
ADDRESSES ALL OF  
THEIR NEEDS.**

Although there is little research to date about the intersection of legal services and positive outcomes for youth victims of labor trafficking, access to legal assistance improves the outcomes for vulnerable children and youth in other contexts.<sup>76</sup>

## TYPES OF LEGAL ASSISTANCE

Cases involving trafficking are often very complex and resource intensive. Children and youth who are victims of labor trafficking may need legal assistance across multiple areas, including:

- Immigration
- Criminal defense
- Victim assistance services
- Civil protection orders
- Private civil actions against traffickers
- Restitution
- State and federal employment law violations (wage and hour claims, EEOC claims, H-2A contract violations, etc.)

<sup>76</sup> Center for the Human Rights of Children, Legal Services Assessment for Trafficked Children: Cook County, Illinois Case Study, by Katherine Kaufka Walts, Linda Rio Reichmann, and Catherine Lee (Chicago: Loyola University of Chicago, 2013), 13.

- Child welfare (accessing benefits, long-term foster care or other appropriate placement)
- Family law (child custody, private guardianship, emancipation)
- School placement, truancy, special educational needs
- Expungement

Non-U.S. citizen children and youth may have additional needs for specialized legal assistance with immigration relief (continued presence, employment authorization, T visa, U visa, Special Immigrant Juvenile Status, asylum, family reunification, or a derivative immigration benefit). Because traffickers often confiscate identification documents to exert control, these victims may also need legal assistance with obtaining documents such as passports, birth certificates, and driver's licenses.

For additional information on the various forms of legal relief, see *Working with Foreign-Born Victims: Potential Forms of Immigration Relief for Labor Trafficking Victims* on page 49.

## LACK OF IDENTIFICATION AND NEED FOR TRAINING

Interviews with civil legal service providers throughout the state indicated that few legal service providers are currently screening for labor trafficking. All legal professionals who routinely interact with populations at high risk for labor trafficking – particularly children and youth – should receive training on the legal issues and dynamics of labor trafficking, as well as identification and referral information.

Victims of labor trafficking often lack knowledge and understanding about labor trafficking and exploitation, which creates a barrier to self-identification and reporting. Most trafficking cases are referrals from advocates and organizations, including shelters, domestic violence programs, sexual assault centers, and food and housing providers.

## PREPARING TO WORK WITH VICTIMS OF LABOR TRAFFICKING

Legal service providers can incorporate practices to work with labor trafficking victims by taking the following actions:

- Review intake forms and procedures.
- Review the case management systems and assign a code for cases involving trafficking.
- Assess the best way to screen for labor trafficking in the intake system. For example, service providers can add additional questions to intake interviews (see the screening/intake questions below) or use a screening tool developed by others.<sup>77</sup>
- Educate all staff members on the dynamics of labor trafficking.
- Decide what aspects of a labor trafficking case fit within their service area and which will require referrals to other attorneys.
- Identify a point of contact within the legal service organization to receive training, triage cases as they come up, and coordinate with other agencies depending on needs.
- Develop relationships across disciplines to make referrals and develop a network of local resources. See Protocol Implementation Worksheet on page 61.

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<sup>77</sup> See Appendix D: Resource List on page 106.

- Develop a safety plan process with an emergency housing referral list for situations when an employer threatens clients.
- Develop a case strategy plan that addresses and coordinates with law enforcement, administrative agencies, labor agencies, and others.
- Convey clearly to the client what information is confidential and what can be shared, and communicate those understandings with other organizations and lawyers involved in complex cases.
- Recognize the complexities of interactions with law enforcement and immigration. For trafficking victims who are non-U.S. citizens, an immigration attorney must be involved in communication with law enforcement and federal agencies.

## SCREENING QUESTIONS/QUESTIONS TO ADD TO INTAKE

Legal service providers in Minnesota should consider adding the following questions to intake procedures to screen clients for potential labor trafficking. The screening should be done with the victim alone or with an independent interpreter provided by the legal service provider, not with anyone who accompanied the victim. Keep in mind that victims may not be forthcoming initially and that, if a story changes, it may not indicate that the victim was lying about the case, but was trying to remain safe.

- Have you ever been forced to work?
- Did anyone ever threaten to hurt you or your family if you did not work?
- Did anyone threaten to call the police on you?
- Did anyone force you to cook or to clean their house or provide childcare?
- Is anyone prohibiting you from contacting your family or coaching you on what to say to them?
- Were you lied to about the kind of work you would be doing?
- Did anyone take your money?
- What would have happened if you did not give that person your money?
- What did you fear would happen if you left?
- Were you ever forced to do something sexual for your abuser or someone else?
- Did you ever trade sex for money or some other benefit? If so, do you know others in the same kind of situation you were in?
- Were you able to keep your identification documents with you, or did someone take them from you?
- What were your working conditions like? How many hours did you work each day? Did you receive breaks?
- Do you feel safe at work? Were you ever injured while working? Were you allowed to go to the doctor?
- Are you free to come and go from your place of employment?
- Does anyone track your phone usage or where you go?

Additional questions for non-U.S. citizen clients:

- Were you able to keep your passport, visa, or identification with you, or did someone take it from you?
- Were you working to pay off a smuggler or other debt?
- Were you free to find another job to pay the debt, or were you forced to work at a certain place?
- Did anyone threaten to call immigration on you?

If the client came to the United States on a visa:

- Did you have to lie about who you were or what you would be doing in the United States?
- Were you coached on what to say during the interview?
- Were you ever separated from your family while en route?
- Were photos ever taken of you? Did you ever see a camera?
- Does anyone in your home country know about what is happening?
- Are you afraid of anyone making threats against you or your family?

## COMPREHENSIVE CLIENT CARE

Survivors of labor trafficking often need multiple legal remedies and social services, and they benefit greatly from a comprehensive approach that addresses all of their needs. Collaboration between legal service providers and non-legal service providers is important to provide services effectively to trafficked children and youth. Best practices for effective collaboration in a trafficking case include:

- Defining and communicating each actor's role in the case
- Working together as a multidisciplinary team<sup>78</sup>
- Scheduling regular meetings to discuss cases and common challenges
- Ensuring that youth trafficking victims have an advocate or social worker to help them in addition to a lawyer

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<sup>78</sup> For additional information on inter-agency responses, see Collaborative Responses to Labor Trafficking on page 25.

# CHILD WELFARE SYSTEM

**GIVEN THE RISK OF  
TRAFFICKING FOR  
CHILDREN INVOLVED  
WITH CHILD  
WELFARE, THE CHILD  
WELFARE SYSTEM  
SHOULD HAVE A  
CLEAR RESPONSE TO  
THE LABOR  
TRAFFICKING OF  
MINORS.**

Minnesota’s child welfare system includes a range of responses with the goal of providing children with safety, permanency, and well-being. Some of the specific programs are child protection and voluntary child welfare services, which may include adolescent services, parent support outreach, and children’s mental health services. The child welfare system is governed by state and federal law and policy, which counties implement as they administer their child welfare response.

Emerging Minnesota data estimates suggest that at least 28% of child sex trafficking victims served through the Safe Harbor Network of providers were already known to child welfare/protection.<sup>79</sup> Nationally, 50% to 80% of child sex trafficking victims are known to child welfare.<sup>80</sup> For these reasons, child welfare agencies and staff members are essential parts of an effective community response to human trafficking.

Children and youth may come in contact with child welfare programs while in a trafficking situation or after exiting a situation. The trafficker may be a family member, caregiver, intimate partner, or others who use violence, threats, debt bondage, and other manipulative tactics that trigger a child protection report. Children and youth who are the most

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<sup>79</sup> Minnesota Department of Health, Safe Harbor: First Year Evaluation Report, by Julie Atella, Laura Schauben, Emma Connell (Saint Paul, MN: Wilder Research, Sept. 2015), 29. Also available at <http://www.wilder.org/Wilder-Research/Publications/Studies/Safe%20Harbor/Safe%20Harbor%20First%20Year%20Evaluation%202015.pdf>.

<sup>80</sup> U.S. Department of Health and Human Services, Administration for Children, Youth and Families, “Guidance to States and Services on Addressing Human Trafficking of Children and Youth in the United States” (2013); Minnesota Department of Human Services, Corrected #17-68-09C: Sex Trafficked Children and Youth Investigative Protocols (bulletin), January 11, 2018, <http://www.dhs.state.mn.us/main/groups/publications/documents/pub/dhs-293934.pdf>.

vulnerable are homeless and runaway youth, LGBTQ youth, youth with mental illness, and children in foster care, all groups that receive child welfare services. For children in foster care (or those who have run away from foster care), the risk of being targeted for recruitment by traffickers is related to their potentially unstable living situations, physical distance from friends and family, traumatic experiences, and emotional vulnerability.<sup>81</sup>

Interviews conducted with child protection workers throughout Minnesota during the first half of 2017 revealed a lack of knowledge about labor trafficking. None of the child protection staff interviewed reported having worked with children or youth who were victims of labor trafficking. During 2017 and 2018, child protection and child welfare staff started receiving training on labor trafficking and developing a response, though the process was still in the initial stages.

## LABOR TRAFFICKING AND EXISTING CHILD WELFARE RESPONSES

Given the risk of trafficking for children involved with child welfare, the child welfare system should have a clear response to the labor trafficking of minors. Labor trafficking, however, is not explicitly named in state statutes as a form of child maltreatment, though it frequently overlaps with other types of maltreatment such as physical abuse or neglect.

Most labor trafficking is carried out by non-caregivers and would not be accepted for a child protection response. However, all maltreatment reports, whether screened in or screened out, must be cross-reported to law enforcement. Labor trafficking is a crime and triggers a mandated offer of child welfare services to “safeguard and enhance a child’s welfare.”<sup>82</sup> The child’s parent or guardian can choose whether to participate in the child welfare services offered. Depending on the severity of the labor trafficking at issue, child welfare agencies should consider making this mandated offer of services at a face-to-face visit.

If the alleged labor trafficker is a guardian or caregiver, the maltreatment would usually result in a child protection response. An example of such labor trafficking could be a child being forced by a family member to perform full-time housekeeping or child care. Traffickers typically employ physical, sexual, and emotional abuse, as well as neglect, to control their victims. Such reports involving a caregiver may require a child protection response.

Current screening guidelines and case databases do not identify the entire scheme as labor trafficking but instead flag each separate component of the abuse, which hinders collecting data on the number of labor trafficking cases identified. Labor trafficking victims are also eligible for certain benefits and restitution outside of the child welfare system and should be properly and consistently identified so they can be referred to those services (e.g., see *Offender Accountability: Civil and Administrative Remedies* on page 55 and *Working with Foreign-Born Victims: Foreign National Eligibility for Benefits* on page 50).

Finally, in some cases children are victims of both sex and labor trafficking simultaneously. Child protection agencies in Minnesota are in the process of fully implementing new procedures regarding child victims of sex trafficking.<sup>83</sup> Effective May 29, 2017,<sup>84</sup> these reports are now classified as child sexual abuse, regardless of the victim’s relationship to the offender. All reports of known or suspected child sex trafficking now must lead to a child protection investigation. Even when child victims do not meet the definition of known or suspected sex trafficking, children who are reported to be sexually exploited should be treated as victims of crime and offered child welfare services. A best

81 Child Welfare Information Gateway, *Human Trafficking and Child Welfare: A Guide for Child Welfare Agencies*, (Washington, D.C.: Child Welfare Information Gateway, Children’s Bureau/ACYF, July 2017). Also available at <https://www.childwelfare.gov/pubs/trafficking-agencies/>.

82 Minnesota Department of Human Services, *Minnesota Child Maltreatment Intake, Screening and Response Path Guidelines*, Dec. 2016, <https://www.ramseycounty.us/sites/default/files/screening%20guidelines%202012-2016.pdf>. See also *Reporting of Maltreatment of Minors*, Minn. Stat. § 626.556 subd. 10(a) (2017).

83 Recent federal legislation regarding sex trafficking of children and youth (the Justice for Victims of Trafficking Act of 2015) requires state agencies to add new requirements to their Child Abuse Prevention and Treatment Act plans and expands the definition of child abuse and neglect. The Act created new requirements for a child protection response to reports of children and youth who are known or highly suspected to be sex trafficked. Minn. Stat. §626.556, subd. 2(n) (2017).

84 Minnesota Department of Human Services, *Corrected #17-68-09C: Sex Trafficked Children and Youth Investigative Protocols* (bulletin), January 11, 2018, <http://www.dhs.state.mn.us/main/groups/publications/documents/pub/dhs-293934.pdf>.

practice guide for a child welfare system response to human trafficking and sexual exploitation is currently under development by the Minnesota Department of Human Services and will be released in 2020.

## BUILDING A COMPREHENSIVE CHILD PROTECTION RESPONSE TO LABOR TRAFFICKING

Even with the limitations on how child protection can respond to known or suspected labor trafficking, agencies can improve the existing response. Child protection investigations that involve any form of human trafficking should strive to secure safety and provide supportive services to youth.

Assessment tools and data collection systems should be updated so that child welfare system workers can identify and record cases of labor trafficking as distinct from other forms of maltreatment. Child protection and child welfare staff should receive training on indicators of labor trafficking and the use of any new assessment tools or changes in data collection practices.

Agencies should consider creating a procedure that ensures labor trafficking is specifically and clearly documented when cases of labor trafficking are accepted for a child protection response. Existing child protection multi-disciplinary teams should plan their local response to labor trafficking beforehand since the needs of labor trafficking victims are often significantly different from those of other abuse victims. Child welfare agencies should consider additional safeguards for unaccompanied minors (youth without a parent or guardian) in trafficking situations, since some trafficking is triggered by children fleeing conditions in their homes or countries.

Child protection staff will need to work with law enforcement to investigate human trafficking cases. Child protection and law enforcement should coordinate victim interviews between themselves to minimize re-traumatization. See Collaborative Responses to Labor Trafficking on page 25. In cases involving Native American youth, child welfare agencies should notify the tribe and follow the guidance of the Indian Child Welfare Act (ICWA). Agencies should review their ICWA policies to ensure that they cover the needs of labor trafficking victims (for more information, see Working with Tribal Nations on page 10).

Child welfare agencies should review how they provide child welfare services for victims of crime, including labor trafficking. Considerations include:

- Where will the victim live? Victims of labor trafficking frequently do not have stable housing and may be difficult to contact, requiring repeated attempts at outreach.
- Does the current procedure adequately serve the needs of labor trafficking victims who may have experienced significant trauma and have limited familial resources for support and guidance?
- Are child welfare and child mental health case workers prepared to work with victims of labor trafficking? In some cases, minor victims of labor trafficking will come into contact with the child welfare system for other needs, such as homelessness, truancy, mental health care, or guardianship. As they receive services for these other needs and become comfortable with their social worker, they may reveal that they are victims of labor trafficking.

All staff within the child welfare system should receive training on identifying indicators of labor trafficking to ensure that these children receive the help they need, even if the primary response is located within child protection or voluntary child welfare services.

In addition to the important role they play in identifying victims of labor trafficking, staff members within the child welfare system are uniquely situated to prevent trafficking. Children in foster care or otherwise involved in the child welfare system are at high risk for labor trafficking. Agencies should consider incorporating labor trafficking prevention education into the support they offer youth.

## FOREIGN-BORN MINOR VICTIMS

Foreign-born victims of labor trafficking have unique needs related to their immigration status, language abilities, and culture. They also may fear that interacting with a government agency could lead to deportation. Child welfare agencies should consider developing clear policies on working with foreign-born minors, especially when the victims do not have stable immigration status. Child welfare agencies can provide certifications for U visas for crime victims and may be closely involved with helping minors receive Special Immigrant Juvenile Status; they should know their role in each process. See *Working with Foreign-Born Victims* on page 48.





# **SECTION 5: RECOMMENDATIONS**

Suggestions for Policy Makers,  
Government Agencies, and  
Private Funders

Sectors should follow the current best practices set forth in the Universal and Sector-Specific chapters of these protocol guidelines; however, there are ways that the system can improve its underlying response through legislation, increased resources, and funding. Accordingly, the following are recommendations to address improvements.

## STATE LEGISLATURE

Legislators should ensure that Minnesota's laws articulate, reflect, and support a commitment to ending labor trafficking.

- Ensure that victims have access to services to address their basic needs and the effects of labor trafficking regardless of immigration status, criminal history, or cooperation with an investigation or prosecution.
- Invest long-term in organizations and agencies that provide housing so that victims have access to different types of housing that respond to their specific needs as victims of labor trafficking. The different housing types should include, at a minimum, emergency shelter, transitional housing, and long-term housing or financial support for long-term housing. Policy makers should ensure that the funding allocated for labor trafficking victims does not reduce the funding that these organizations and agencies receive to support the communities that they currently serve.
- Connect state, county, or municipal business licenses to labor standards.
- Provide resources for training and investigation to law enforcement agencies on identifying and responding to labor trafficking.
- Allocate funding to agencies that investigate labor and employment law violations to support proactive investigations in high-risk industries.
- Ensure that penalties for labor violations are sufficient to deter exploitative practices.
- Ensure employer accountability for labor violations of subcontractors.
- Require state and county law enforcement agencies to provide certifications for immigration relief designated in the Trafficking Victim Protection Act in a timely fashion.
- Amend Minnesota Statute section 299A.785 to require the collection of data on the number of requests received by state and local agencies for T or U visa certifications, the number of certifications approved, and the number of certifications denied.
- Expand eligibility criteria for state-funded benefits so that suspected labor trafficking victims have access to essential services regardless of immigration status, criminal record, previous use of benefits, or other exclusionary criteria.
- Expand state-funded benefits to provide support to the families of youth victims of labor trafficking to allow labor-trafficked youth to focus on education or training programs.
- Develop a state-wide network for labor trafficking referrals and for service providers and state agencies to access labor trafficking experts.
- Fund labor trafficking experts to provide hotline services so that victims have easy access to report violations and seek help.
- Expand the affirmative defense under Minnesota Statute section 609.325, subd. 4 to crimes other than prostitution that were committed as a direct result of being a labor trafficking victim.

- Fund legal services organizations that can assist labor trafficking victims expunge crimes committed as a direct result of their trafficking.
- Amend Minnesota legislation to allow trafficking victims to expunge crimes committed as a result of being a labor trafficking victim and simplify the expungement process for human trafficking victims.
- Adopt state-wide policies that limit cooperation with immigration enforcement so that labor trafficking victims can safely report crimes to law enforcement regardless of jurisdiction.
- Fund development and dissemination of prevention curricula for youth at risk of labor trafficking and exploitation.
- Fund a statewide public awareness campaign on labor trafficking in Minnesota, including distribution of materials in multiple languages on rights in the workplace and on recognizing trafficking, with special materials designed for low literacy populations and distributed by trusted community organizations.
- Allocate funding for labor rights education to reduce exploitation and potential trafficking.
- Enact supply chain transparency legislation so that Minnesota consumers know about the efforts that companies doing business in the state are making to end labor trafficking throughout their supply chains.
- Continue to fund tribal nations' responses to human trafficking and collaborate with tribal governments on trafficking responses.
- Consider aligning the definition of trafficking with the Uniform Act on Prevention of and Remedies for Human Trafficking drafted by the National Conference of Commissions on Uniform State Laws.
- Amend laws to designate penalties for labor trafficking felonies.

## GOVERNMENT AGENCIES

Agency leadership should review policies, programs, grant-making requirements, and other agency practices to ensure that they are working towards the prevention, identification, and response to labor trafficking wherever it is relevant.

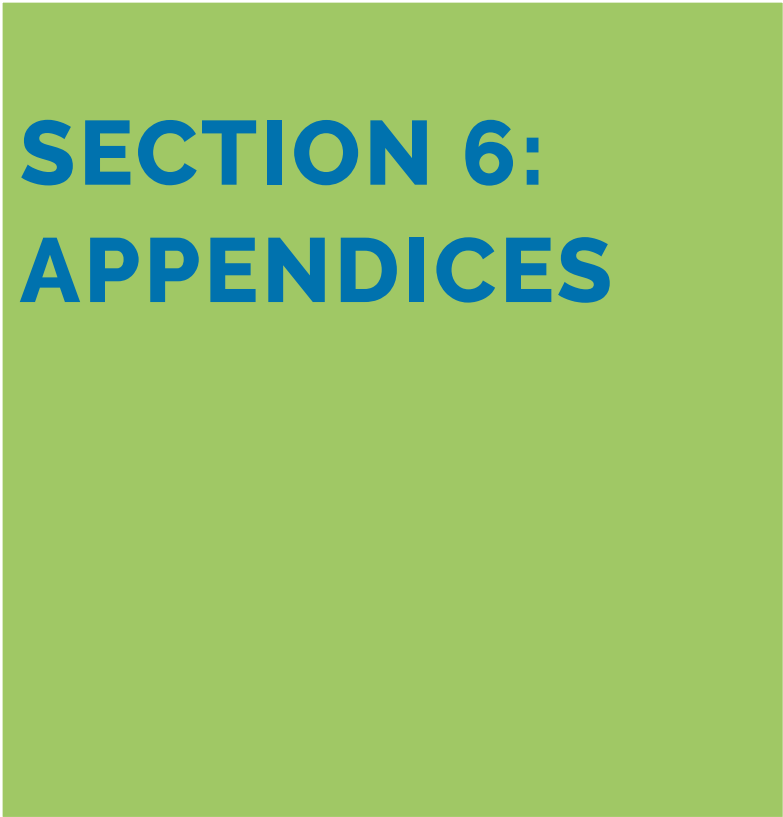
- Implement mandatory training on the basics of labor trafficking for all front line staff who interact with youth or other high risk populations, including:
  - all child protection personnel, with continuing education training every year;
  - health care staff at all levels; and
  - mandated reporters.
- Require advanced human trafficking training for staff and contracted service providers likely to interact with trafficked children and youth, including investigators and prosecutors of labor trafficking crimes.
- Continue training for labor standards investigators to use their authority to conduct in-person screenings and proactive investigations.
- Develop a state-wide model screening tool that can be adapted for use by different sectors.
- Provide training on labor trafficking under federal and state law to community organizations, especially those that routinely deal with workers, workplace issues, exploitation, or trafficking.

- Establish policies regarding the timely review and certification of T or U visa applications.
- Establish policies to minimize the prosecution of crimes committed as a direct result of being a trafficking victim.
- Adopt policies that presume a person whose age cannot be verified is a minor for purposes of benefits available to youth victims of trafficking until the victim's age can be confirmed.
- Create a central registry of human trafficking data collected pursuant to Minnesota Statute section 299A.785, including the number of requests for T and U visa certifications received, the number approved, and the number denied.
- Incorporate labor trafficking into statewide anti-trafficking campaigns.
- Develop anti-labor trafficking resources to share with at-risk youth.

## PRIVATE FUNDERS

Philanthropists and foundations should review their priorities and grant-making policies to determine how they can best improve the prevention, identification, and response to labor trafficking.

- Allocate funding to create resources for identifying and working with labor trafficking victims.
- Allocate funding for training to identify and work with labor trafficking victims.
- Provide flexible funding for labor trafficking victims to respond to various victim needs, including cash assistance.
- Fund services, especially in rural areas, that are available for labor trafficking victims upon discovery and not contingent on law enforcement certifications as victims.
- Fund community organizations that have established relationships with populations at high risk of labor trafficking and exploitation.
- Provide dedicated funding to providers of health care, housing, legal services, and other social services to identify and serve labor trafficking victims.



**SECTION 6:  
APPENDICES**

## APPENDIX A - LAWS

### a. Federal Statutes

18 U.S.C. §1581, Peonage

18 U.S.C. §1584, Involuntary Servitude

18 U.S.C. §1589, Forced labor

18 U.S.C. §1590, Trafficking with respect to peonage, slavery, involuntary servitude, or forced labor

18 U.S.C. §1591

18 U.S.C. §1592, Unlawful Conduct with Respect to Documents in Furtherance of Trafficking, Peonage, Slavery, Involuntary Servitude, or Forced Labor

18 U.S.C. §1593 mandatory restitution

18 U.S.C. §1593A

18 U.S.C. §1595 Civil remedy

18 U.S.C. §2428

18 U.S.C. §3771

22 U.S.C. §7102(9), Severe forms of Trafficking in Persons

22 U.S.C. §7105

29 U.S.C. §§201-262

### b. Minnesota Statutes and Rules

Minn. Stat. §144.341

Minn. Stat. §144.343

Minn. Stat. §144.344

Minn. Stat. §177.21-.44

Minn. Stat. §181A.04, subd. 1

Minn. Stat. §260C.163, subd. 3

Minn. Stat. §299A.785

Minn. Stat. §595.02 Testimony of Witness

Minn. Stat. §609.281, Definitions

Minn. Stat. §609.282, Labor Trafficking

Minn. Stat. §609.283, Unlawful conduct with respect to documents in furtherance of labor or sex trafficking

Minn. Stat. §609.284 Labor or Sex Trafficking Crimes; Defenses; Civil Liability; Corporate Liability

Minn. Stat. §609.322, Solicitation, inducement, and promotion of prostitution; Sex trafficking

Minn. Stat. §609.325, subd. 4

Minn. Stat. §611A.02

Minn. Stat. §611A.03

Minn. Stat. §611A.039

Minn. Stat. §611A.04 Order of Restitution

Minn. Stat. §611A.045

Minn. Stat. §611A.51 to §611A.68

Minn. Stat. § 626.556

Minn. Stat. §626.557

Minn. Stat. §626.5572

Minnesota Rules 3050.0100 to 3050.4100



## APPENDIX B - CERTIFYING AGENCIES FOR IMMIGRATION BENEFITS

### a. T Visas<sup>85</sup>

- Federal, State, Local, Tribal, and Territorial law enforcement agencies;
- Federal, State, Local, Tribal, and Territorial prosecutors' offices;
- Federal, State, Local, Tribal, and Territorial Judges;
- Federal and State Departments of Labor; and
- Other Federal, State, Local, Tribal, or Territorial government agencies that have criminal, civil, or administrative investigative or prosecutorial authority related to human trafficking

### b. U Visas

- Federal, State Local, Tribal, and Territorial law enforcement agencies;
- Federal, State, Local, Tribal, and Territorial prosecutor's offices;
- Federal, State, Local, Tribal, and Territorial Judges;
- Federal, State, and Local Child and Adult Protective Services;
- Equal Employment Opportunity Commission;
- Federal and State Departments of Labor; and
- Other Federal, State, Local, Tribal, or Territorial government agencies that have criminal, civil, or administrative investigative or prosecutorial authority

### c. Continued Presence<sup>86</sup>

- Homeland Security Investigations
- Federal Bureau of Investigations
- United States Attorney's Offices

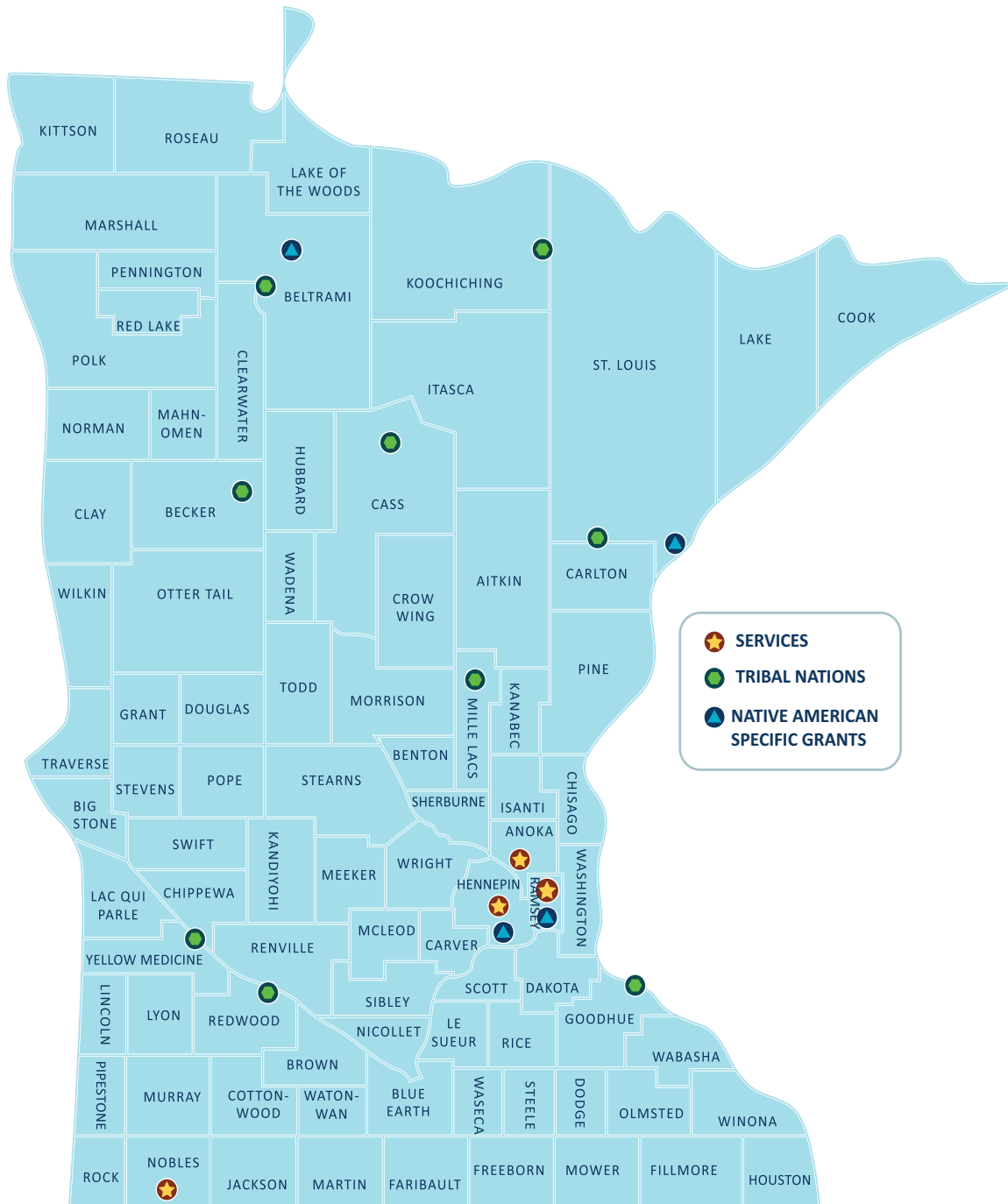
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<sup>85</sup> Department of Homeland Security, "U and T Visa Law Enforcement Resource Guide for Federal, State, Local, Tribal and Territorial Law Enforcement, Prosecutors, Judges, and Other Government Agencies," (2016), [https://www.dhs.gov/sites/default/files/publications/U-and-T-Visa-Law-Enforcement-Resource%20Guide\\_1.4.16.pdf](https://www.dhs.gov/sites/default/files/publications/U-and-T-Visa-Law-Enforcement-Resource%20Guide_1.4.16.pdf).

<sup>86</sup> U.S. Immigration and Customs Enforcement, "Continued Presence: Temporary Immigration Status for Victims of Human Trafficking," <https://www.ice.gov/doclib/human-trafficking/pdf/continued-presence.pdf>.

# APPENDIX C - LABOR TRAFFICKING SERVICE PROVIDERS

The Minnesota Department of Health (MDH) received federal funding to improve Minnesota’s response to sex and labor trafficking. Under the grant, MDH funded five direct service providers for labor trafficking victims 24 and under, nine Tribal Nations addressing human trafficking through training and collaboration building, and four Native American specific, youth serving nonprofits in four urban centers addressing human trafficking.



**a. Direct Service Providers**

**International Institute of Minnesota (Statewide)**

St. Paul                    651-647-0191                    iimn.org  
Provides state-wide training and intensive case management.

**The Advocates for Human Rights (Statewide)**

Minneapolis                    612-341-2971                    theadvocatesforhumanrights.org  
Provides legal representation for immigrants, and one-on-one needs assessment, resource identification, referrals, and case management for the duration of the client's case.

**The Enitan Story (Twin Cities)**

Fridley                    763-273-6624                    enitan.org  
Improves life skills and increased support for survivors through training programs, peer support groups, crisis case management services, and referrals to community resources.

**Southwest Crisis Center (Brown, Cottonwood, Jackson, Martin, Nobles, Pipestone, Rock And Wantonwan Counties)**

Worthington                    507-376-4311 or 1-800-376-4311                    mnsbcc.org  
Provides advocacy for personal, medical, and criminal and civil situations. Provides life skills, safety planning, safe housing options, connections to local resources, financial assistance, basic living needs and more.

**Standpoint (Statewide)**

Minneapolis                    800-313-2666 or 612-343-9842                    standpointmn.org  
Provides direct legal representation to youth victims of labor trafficking. Provides training for attorneys and legal staff, referrals to recruited and trained pro bono attorneys, and technical assistance for attorneys in Minnesota.

**b. Tribal Nations**

**Bois Forte**

Nett Lake                    218-757-3295 or 218-248-0067 (after hours emergency number)  
Attends Tribal Human Trafficking Task Force meetings and provides workshops for community awareness. Collaborates with law enforcement and other services for response for direct services.

**Fond Du Lac Band of Lake Superior Chippewa**

Cloquet                    218-787-8208  
Meets and collaborates as TRUST (Tribes United against Sex Trafficking) Task Force and trains professionals and communities to reduce human trafficking within Tribal Nations.

**Leech Lake Band of Ojibwe**

Cass Lake                    218-335-8299  
Trains, educates, and works with community and service providers to raise awareness about human trafficking.

**Lower Sioux Indian Community**

Morton                    651-775-1389  
Conducts community outreach and trainings, and strengthens the tribe's justice system through partnerships, trainings, and digital reporting.

**Mille Lacs Band of Ojibwe**

Onamia                    320-532-7793  
Provides outreach and education to community, establishes alternative reporting and multisystem response, and attends Safe Harbor workgroups specific to Tribal Nations. Direct services are available with financial assistance.

**Prairie Island**

Welch                    651-775-1389  
Trains staff and community to identify, report, and respond to sex and labor trafficking. Outreach education information and materials through training and events.

**Red Lake Band of Ojibwe Indians**

Red Lake 218-679-3313

Provides collaborative meetings and trainings to agencies that interact with youth to help them identify sexually and labor trafficked youth.

**Upper Sioux Community**

Granite Falls 320-564-6359

Trains police department and puts a system in place for reporting and follow up of all trafficking cases.

**White Earth Nation**

White Earth 218-983-4656

Conducts trainings for community members and staff of Shooting Star Casino, provides weekly group meetings, and establish a hotline number for youth or professionals to contact.

**c. American Indian Grantees**

Located in four urban centers, the following organizations are responding to human trafficking of Native youth.

**American Indian Community Housing (Duluth)**

Duluth 218-722-7225

Offers a culturally-specific training series, outreach campaign, and internal protocol for trafficking response.

**American Indian Family Center (St. Paul)**

St. Paul 651-793-3803

Develops partnerships and a service model that meets the needs of victims 24 and under. Provides trainings to American Indian Family Center staff and community workshops.

**Minnesota Indian Women’s Resource Center (Minneapolis)**

Minneapolis 612-728-2000

Develops a Resource Guide for Tribes of a tribal multi-systemic response to human trafficking and funding resources available to tribes.

**Northwest Indian Community Development Center (Northwest – Red Lake Nation, White Earth Nation, And The Leech Lake Band Of Ojibwe)**

Bemidji 218-759-2022

Provides direct services support to trafficked youth and training for Tribal providers, community members, and non-tribal providers.

## APPENDIX D - RESOURCE LIST

### a. Dynamics of Labor Trafficking

Urban Institute and Northeastern University, *Understanding the Organization, Operation, and Victimization Process of Labor Trafficking in the United States*, by Colleen Owens, Meredith Dank, Justin Breaux, Isela Banuelos, Amy Farrell, Rebecca Pfeffer, Katie Bright, Ryan Heitsmith, and Jack McDevitt (Washington D.C.: Urban Institute, 2014). Also available at <http://www.urban.org/sites/default/files/alfresco/publication-pdfs/413249-Understanding-the-Organization-Operation-and-Victimization-Process-of-Labor-Trafficking-in-the-United-States.PDF>.

Center for Urban Economic Development, National Employment Law Project, and UCLA Institute for Research on Labor and Employment, *Broken Laws, Unprotected Workers: Violations of Employment and Labor Law in America's Cities*, by Annette Bernhardt, Ruth Milkman, Nik Theodore, Douglas D. Heckathorn, Mirabai Auer, James DeFilippis, Ana Luz Gonzalez, Victor Narro, Jason Perelshteyn, Diana Polson, and Michael Spiller (New York, NY: National Employment Law Project, 2009), 39. Also available at <http://www.nelp.org/content/uploads/2015/03/BrokenLawsReport2009.pdf>.

### b. Prevention/Public Education Campaigns

There are several existing anti-trafficking public education campaigns that include labor trafficking.<sup>87</sup>

**Blue Campaign:** The Department of Homeland Security coordinates this anti-trafficking campaign. The posters show realistic scenarios of labor trafficking, domestic servitude, and sex trafficking. The campaign also contains a large collection of fact sheets, training materials, identification pamphlets, and more. The campaign includes videos with fictionalized recreations of trafficking scenes rather than victim or expert testimony. Materials encourage people to call the National Human Trafficking Hotline.

**Faces of Human Trafficking:** The Office for Victims of Crime created a 9-part video series on human trafficking. The videos draw extensively on the testimony of victims supported by both governmental and non-governmental experts. Fact sheets and posters accompany the videos. The posters feature a victim of trafficking speaking about their experience. Some of the posters target the general public, while others are directed at current victims of trafficking. The posters give the number to the National Human Trafficking Hotline, but also contain space for organizations to include their own contact information.

**Look Beneath the Surface:** The US Department of Health and Human Services coordinates this campaign. The posters show a variety of realistic labor trafficking scenarios, and some are tailored to health care and social service settings. The campaign also includes brochures and an assessment card. The materials encourage people to call the National Human Trafficking Hotline.

U.S. Administration for Children & Families, Office on Trafficking in Persons, *The Power of Framing Human Trafficking as a Public Health Issue*, Jan. 11, 2016, <https://www.acf.hhs.gov/otip/resource/publichealthlens>.

### c. Identification/Screening Tools

Urban Institute, *Pretesting a Human Trafficking Screening Tool in the Child Welfare and Runaway and Homeless Youth Systems*, by Meredith Dank, Jennifer Yahner, Lilly Yu, Carla Vasquez-Noriega, Julia Gelatt, and Michael Pergamit (Washington, D.C.: Urban Institute, April 2017), 38 (Appendix. List of Reviewed Screening Tools). Also available at <https://aspe.hhs.gov/system/files/pdf/257786/Pretesting.pdf>.

Jane Herlihy, Peter Scragg, and Stuart Turner, "Discrepancies in Autobiographical Memories— Implications for the Assessment of Asylum Seekers: Repeated Interviews Study," *BMJ : British Medical Journal* 324.7333 (2002): 324–327. <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC65293/>.

<sup>87</sup> Many anti-trafficking campaigns focus almost exclusively on sex trafficking and are not relevant in the prevention of labor trafficking.

*Adult Human Trafficking Screening Tool and Guide*, National Human Trafficking Training and Technical Center, (2018). [https://www.acf.hhs.gov/sites/default/files/otip/adult\\_human\\_trafficking\\_screening\\_tool\\_and\\_guide.pdf](https://www.acf.hhs.gov/sites/default/files/otip/adult_human_trafficking_screening_tool_and_guide.pdf).

*Human Trafficking Screening Tool*, Ohio Trafficking Task Force, (2013). <http://humantrafficking.ohio.gov/links/Screening-Tool.pdf>.

*Out of the Shadows: A Tool for the Identification of Victims of Human Trafficking*, Vera Institute of Justice, (2014). Tool is available in English and Spanish. <https://www.vera.org/publications/out-of-the-shadows-identification-of-victims-of-human-trafficking>.

*Screening Tool for Human Trafficking among Runaway/ Homeless youth*. Covenant House New York, (2013). Included as an appendix in the report. <https://humantraffickinghotline.org/resources/homelessness-survival-sex-and-human-trafficking-experienced-youth-covenant-house-new-york>.

American Bar Association, *Meeting the Legal Needs of Human Trafficking Victims: An Introduction for Domestic Violence Attorneys & Advocates*, by Jean Bruggeman and Elizabeth Keyes, (Chicago, IL: American Bar Association, 2009). Also available at [https://www.americanbar.org/content/dam/aba/migrated/2011\\_build/domestic\\_violence/dv\\_trafficking.authcheckdam.pdf](https://www.americanbar.org/content/dam/aba/migrated/2011_build/domestic_violence/dv_trafficking.authcheckdam.pdf).

#### **d. General Services / Response for HT victims**

Sharon Doering, *Human Trafficking Recovery: Conceptual and Dimensional Considerations in a Stage Model*, Cincinnati, OH: University of Cincinnati, 2012 (dissertation). Also available at [https://etd.ohiolink.edu/!etd.send\\_file?accession=ucin1336508012&disposition=inline](https://etd.ohiolink.edu/!etd.send_file?accession=ucin1336508012&disposition=inline).

“Safety Planning and Prevention,” National Human Trafficking Resource Center, (2011). <http://www.traffickingresourcecenter.org/sites/default/files/Safety%20Planning%20At%20A%20Glance.pdf>.

United Nations Office on Drugs and Crime, *Handbook on Effective Prosecution Responses to Violence against Women and Girls* (New York: United Nations, 2014). Also available at [https://www.unodc.org/documents/justice-and-prison-reform/Handbook\\_on\\_effective\\_prosecution\\_responses\\_to\\_violence\\_against\\_women\\_and\\_girls.pdf](https://www.unodc.org/documents/justice-and-prison-reform/Handbook_on_effective_prosecution_responses_to_violence_against_women_and_girls.pdf).

*Model Strategies and Practical Measures in the Elimination of Violence against Women in the Field of Crime Prevention and Criminal Justice*, United Nations Office on Drugs and Crime, (2010). <http://www.un.org/womenwatch/daw/vaw/egm/nap2010/EGM.GPNAP.2010.SP.01.UNODC.pdf>.

“Human Trafficking Identification and Service Provision in the Medical and Social Service Sectors,” Corinne Schwarz, Erik Unruh, Katie Cronin, Sarah Evans-Simpson, Hannah Britton, and Megha Ramaswamy, *Health and Human Rights Journal*, (2016). <https://www.hhrjournal.org/2016/04/human-trafficking-identification-and-service-provision-in-the-medical-and-social-service-sectors/>.

“Trafficking Survivor Care Standards,” Human Trafficking Foundation, (2015). [http://www.justice.gov/il/En/Units/Trafficking/MainDocs/Trafficking\\_Survivor\\_Care\\_Standards.pdf](http://www.justice.gov/il/En/Units/Trafficking/MainDocs/Trafficking_Survivor_Care_Standards.pdf).

#### **e. Offender Accountability**

“Assisting Human Trafficking Victims with Return of Property and Restitution,” Lou Longhitano, JD and Charlene Whitman, JD, (2014). <http://www.aequitasresource.org/Assisting-Human-Trafficking-Victims-with-Return-of-Property-and-Restitution.pdf>.

*Civil Litigation on Behalf of Human Trafficking Victims*, Southern Poverty Law Center, (2008). [https://www.splcenter.org/sites/default/files/d6\\_legacy\\_files/downloads/splc\\_human\\_trafficking.pdf](https://www.splcenter.org/sites/default/files/d6_legacy_files/downloads/splc_human_trafficking.pdf).

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*Guidelines on Justice in Matters involving Child Victims and Witnesses of Crime*, The United Nations, (2005). <https://www.un.org/ruleoflaw/files/UNGuidelinesChildVictimsWitnesses.pdf>.

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*I: CARE Health Care provider’s Guide to Recognizing and Caring for Domestic Minor Sex Trafficking Victims*. C Miller, D Sartor, Shared Hope International, (2016). <https://sharedhope.org/product/icare-health-care-providers-guide/>.

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“T Nonimmigrant Visa Status and the Trauma Exception,” National Human Trafficking Resource Center, (2015). <https://humantraffickinghotline.org/resources/t-visa-and-trauma-exception>.

Immigrant Legal Resource Center, “Local Options for Protecting Immigrants” (2016), <https://www.ilrc.org/local-options>.

#### **h. Health Care**

*A National Protocol for Sexual Assault Medical Forensic Examinations*, U.S. Department of Justice Office on Violence against Women, (2013) <https://www.ncjrs.gov/pdffiles1/ovw/241903.pdf>.

*Framework for a Human Trafficking Protocol in Healthcare Settings*, National Human Trafficking Resource Center, (2010). <https://humantraffickinghotline.org/sites/default/files/Framework%20for%20a%20Human%20Trafficking%20Protocol%20in%20Healthcare%20Settings.pdf>.

*Recognizing and Responding to Human Trafficking in a Healthcare Context*, National Human Trafficking Resource Center, (2012). <https://humantraffickinghotline.org/resources/recognizing-and-responding-human-trafficking->

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*Protocol Toolkit for Developing a Response to Victims of Human Trafficking in Health Care Settings*, Susie Baldwin, Jeffrey Barrows, Hanni Stoklosa, HEAL Trafficking and Hope for Justice, (2017). [goo.gl/qXEtWZ](http://goo.gl/qXEtWZ).

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#### **i. Child Welfare**

*Human Trafficking and Child Welfare: A Guide for Child Welfare Agencies: Bulletins for Professionals, Child Welfare Information Gateway*, (2017). <https://www.childwelfare.gov/pubs/trafficking-agencies/>.

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## APPENDIX E - SURVEY ON TRAFFICKING REFERRALS

The Advocates administered this survey to gather baseline data on the current availability of services for labor trafficking victims and to identify organizations and individuals to interview.

Organization Name:

Contact information:

Your name \_\_\_\_\_

Your telephone number \_\_\_\_\_

Your email address \_\_\_\_\_

Your mailing address \_\_\_\_\_

Primary counties served:

Other counties served:

List the areas in which your organization or agency works: [check all that apply]

- Basic Needs
  - Basic needs – food, clothing, hygiene products
  - Short-term or emergency housing
  - Long-term housing
  - Public benefits and cash assistance
- Education
  - Education (K-12, post-secondary, adult education, ESL)
  - Vocational training and assistance
- Health Care
  - Chemical dependency
  - Medical care
  - Mental health care
- Legal
  - Birth certificates/ID/document recovery
  - Child protection/child welfare/foster care/guardianship
  - Civil legal services – immigration, family law, employment law, and others
  - Criminal defense/public defender
  - Criminal investigation and prosecution

- Support Services
  - Spiritual support
  - Support and advocacy for victims
  - Translation/interpretation
  - Transportation
- Trafficking and Abuse
  - Domestic violence services
  - Labor trafficking victim services
  - Sex trafficking victim services
  - Sexual assault services
- Other (please specify) \_\_\_\_\_

Have you ever worked with someone who said that they were afraid of their employer? Y/N

Have you ever worked with someone who said that their employer exercised control over their pay or their life outside of work? Y/N

Have you or your organization worked with recognized labor trafficking victims or survivors? Y/N

If yes, approximately how many? \_\_\_\_

If yes, what age(s) were the victims? [check all that apply]

- Under 18
- 18-24
- Over 24

If no, why not? [check all that apply]

- Outside mission/not interested
- Need training on labor trafficking
- Insufficient funding
- Funding or eligibility restrictions
- Have not encountered victims
- Other (please specify) \_\_\_\_\_

Do you screen for labor trafficking? Y/N

Have you ever been trained on working with labor trafficking victims? Y/N

Do you know anyone who works with labor trafficking victims? Y/N

If yes, please list the organization or agency name(s) and provide contact information. \_\_\_\_\_

If you were to encounter someone who needed the following services, which organizations would you refer them to in your region? Please provide name and contact information.

Housing, both short- and long-term \_\_\_\_\_

Legal services \_\_\_\_\_

Medical care \_\_\_\_\_

Mental health care \_\_\_\_\_

Support and advocacy to reintegrate into the community \_\_\_\_\_





330 Second Avenue South, Suite 800  
Minneapolis MN 55401  
[www.theadvocatesforhumanrights.org](http://www.theadvocatesforhumanrights.org)



# Safe Harbor Protocol Guidelines

**Ramsey County Attorney's Office**  
**Sexual Violence Justice Institute at the**  
**Minnesota Coalition Against Sexual Assault**

# Victim-Centered Trauma-Informed Youth-Centered Strengths-Based Culturally-Responsive

Cover design by Megan Unrau.

Interior page layout designed by Daniel Lurvey and Stephen Lurvey of DesignWorks at the Minneapolis College of Art and Design.

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## Executive Summary

In 2014, the Safe Harbor law went into full effect, marking a significant shift in how the State of Minnesota addresses the sexual exploitation of youth. Under the law, originally enacted in 2011, youth under the age of 18 subjected to exploitation are directed to support and services rather than a juvenile justice response. A steadily growing infrastructure of services – specifically, the “No Wrong Door” system developed from 2011-2014 – provides support, healing, and care. Law enforcement and other resources have been redeployed toward holding exploiters, not victims/survivors, accountable. And professionals and communities alike are looking at the societal factors that fuel exploitation, as well as how to prevent it.

Although the Safe Harbor response ends criminalization of youth under the age of 18, its services are available to youth and young adults through age 24. There is also growing interest in seeking options for victims/survivors outside of the criminal justice system, no matter their age.

A truly effective response by professionals to juvenile sexual exploitation must be built at the local level, with agencies from the government and community-based sectors working together to develop multidisciplinary protocols. These protocols will vary greatly by community, based on the resources available, the make-up of the local population, and the most pressing challenges. Still, those developing individual protocols need best practices to draw upon. Moreover, sexual exploitation will not wait for individual community protocols; professionals need guidance in how to identify and respond to sexual exploitation while the protocol development process is underway.

The *Safe Harbor Protocol Guidelines* are intended to meet both of these needs—that of individual communities seeking best practices and recommendations to draw upon during the protocol-development process, as well as that of professionals and agencies requiring guidance on how to address sexual exploitation in the absence of their own community protocols.

The *Protocol Guidelines* consist of recommendations, insights, and resources to support professionals from a variety of disciplines in identifying and responding to juvenile sexual exploitation. They were originally developed and published in 2017 with the input of over 200 professionals from a wide variety of disciplines including the judiciary, education, law enforcement, child protection, health care, juvenile corrections, advocacy, and more. This second edition provides updates, including new information on responding to labor trafficking and exploitation, as well as fully revised chapters on emergency placement and child welfare. It continues to draw upon the expertise of many professionals to ensure the information is accurate, insightful, and helpful for this ongoing and critical work.

The *Protocol Guidelines* include:

- Eight “foundational” chapters intended to establish a base level of knowledge among professionals about crucial topics that cross disciplines, such as the dynamics of exploitation and working with victims/survivors in a trauma-informed, victim-centered, culturally-responsive and strengths-based way.
- Sixteen discipline-specific chapters providing both (1) guidance to professionals from the particular discipline, as well as (2) insight about the particular discipline for professionals from other disciplines.
- Four “next steps” chapters, written by the Sexual Violence Justice Institute at the Minnesota Coalition Against Sexual Assault (SVJI at MNCASA), to help individual communities begin the process of developing and implementing their own protocol on juvenile sexual exploitation. This information is based on SVJI at MNCASA’s experience working with specific Safe Harbor protocol teams to address the sexual exploitation of youth in six locations statewide.

Development of the *Protocol Guidelines* from 2015 to 2017 was led by the Ramsey County Attorney’s Office (RCAO), in partnership with SVJI at MNCASA, pursuant to an appropriation from the State of Minnesota. The 2020 update was developed by SVJI at MNCASA and the RCAO through a grant from the Minnesota Department of Health using appropriations to the Safe Harbor program from the State of Minnesota.



## Acknowledgments

The *Safe Harbor Protocol Guidelines* were developed by the Ramsey County Attorney's Office, in partnership with the Sexual Violence Justice Institute at the Minnesota Coalition Against Sexual Assault, pursuant to a legislative appropriation through the State of Minnesota. They were revised in 2020 by these same agencies pursuant to a grant from the Minnesota Department of Health.

### **Ramsey County Attorney's Office**

- John Choi, Ramsey County Attorney
- Erica Schumacher, Director, Strategic Initiatives & Community Relations
- Dave Pinto, Assistant Ramsey County Attorney and Director, Safe Harbor Training & Protocol Development
- Chelsea Holub, Coordinator, Safe Harbor Training & Protocol Development
- Hayley King, Intern
- Meredith Gingold, Intern

### **Sexual Violence Justice Institute (SVJI) at Minnesota Coalition Against Sexual Assault (MNCASA)**

- Jeanne Ronayne, Executive Director
- Caroline Palmer, Public and Legal Affairs Manager
- Leah Lutz, SVJI Program Manager
- Noelle Volin, Staff Attorney and Trafficking Policy Coordinator
- Kari Jacobson, Intern
- Fiona Kelliher, Intern
- Kelly Molloy, Intern

### **SVJI at MNCASA (2020 Revision)**

- Artika Roller, Executive Director
- Hannah Laniado, Associate Director
- Sarah Florman, Trafficking Policy Coordinator
- Jolene Engelking, Senior Rural Projects Coordinator
- Jude Foster, Statewide Medical Forensic Policy Program Senior Coordinator

## Contributors

The *Safe Harbor Protocol Guidelines* are the result of the work of more than 200 professionals from a variety of disciplines. The Ramsey County Attorney's Office (RCAO) and Sexual Violence Justice Institute at the Minnesota Coalition Against Sexual Assault (SVJI at MNCASA) extend many thanks to these individuals. Their contributions have been invaluable.

Participation by the individuals listed below should not, however, be read as an endorsement of the *Protocol Guidelines* by the organizations for which they work. The RCAO and the SVJI at MNCASA are solely responsible for the content of the *Protocol Guidelines*.

Organizational affiliations of contributors are listed as of the time that the *Protocol Guidelines* went to press; note that contributors may have been involved with different agencies during the development phase. The authors have made an effort to keep this information accurate and to include the names of all contributors. The authors apologize for any errors or omissions.

### 1. Workgroup Facilitators & Chapter Leads

Alex Cleaveland, Ramsey County Department of Human Services – Child Protection/Child Welfare

Kristi Cobbs, Hennepin County Home School – Juvenile Corrections

The Honorable Jamie Cork, First Judicial District – Child Protection/Child Welfare

Sarah Deer – Mitchell Hamline School of Law – Working with Tribal Nations

Pamela Dewitt-Meza, Create Impact Consulting – Health Care, Medical Forensic Exams

Ray Gainey, Gerald D. Vick Human Trafficking Task Force and St. Paul Police Department – Law Enforcement

Jen Harvey, Woman's Health Consultant – Public Health

Beth Holger-Ambrose, The Link – Housing

Amy Kenzie, Minnesota Department of Health – Public Health

Andrea McDonald Marboe, Magpie Solutions – Cultural Considerations

Marcia Milliken, Minnesota Alliance for Children – Children's Advocacy Centers

Patina Park, Minnesota Indian Women's Sexual Assault Coalition – Advocacy & Outreach

Dan Pfarr, 180 Degrees – Mental Health

Dave Pinto, Ramsey County Attorney's Office – Prosecution

The Honorable Kathryn Quaintance, Fourth Judicial District – Judicial

Kathryn Richtman, Ramsey County Attorney's Office – Placement

Nancy Riestenberg, Minnesota Department of Education – Schools

Jeanne Ronayne, Minnesota Coalition Against Sexual Assault – Advocacy & Outreach

Shunu Shrestha, Program to Aid Victims of Sexual Assault – Advocacy & Outreach

Alice Swenson, Midwest Children's Resource Center, Children's Hospital & Clinics of Minnesota – Health Care

Noelle Volin, Do Justice Consulting – Legal Representation

## 2. Workgroup Participants & Content Advisors

Deidre Y. Aanstad, United States Attorney's Office, District of Minnesota	Yvonne Cournoyer, Minnesota Coalition Against Sexual Assault
Sue Abderholden, NAMI Minnesota	Pat Dale, Headway Emotional Health Services
Trudee Able-Peterson, Youth Services Consultant	Christina M. Davenport, Winona County Attorney's Office
Dana Abrams, St. Paul Public Schools	Lindsay Davis, Minnesota State Bar Association
Rana S. Alexander, Standpoint	Sarah Davis, Legal Rights Center
Suzanne Alliegro, State Guardian ad Litem Board	Deborah Dayon, Hennepin County Juvenile Detention Center
Cordelia Anderson, Sensibilities Prevention Services	Jason Decker, Mitchell Hamline School of Law
Shannon Anderson, Wright County Public Health	Tenzin Dolkar, The Council on Asian Pacific Minnesotans
LaToya Balogun, Minneapolis Youth Coordinating Board	Gail Dorfman, St. Stephen's Human Services
David Becker, Minnesota AIDS Project	Maude Dornfeld, Life House, Inc.
Renee Benson, Bagley Police Department	Mary Doyle, Minnesota Department of Human Services
Rose Ann Bisch, Minnesota Department of Corrections	Mary Pat Dunlap, Ramsey County Community Corrections
Dawn Bjoraker, Minnesota Indian Women's Resource Center	Katherine M. Eagle, Program to Aid Victims of Sexual Assault
June Boie, Rice Memorial Hospital	Linda Eagle Speaker, Minnesota Indian Women's Resource Center
The Honorable Nancy E. Brasel, Fourth Judicial District	Laurel Edinburgh, Midwest Children's Resource Center, Children's Hospital & Clinics of Minnesota
Chris Bray, Ambit Network	Suzanne Elwell, Office of Justice Programs, Minnesota Department of Public Safety
Judy A. Brown, Minneapolis Public Schools	Jolene Engelking, Minnesota Coalition Against Sexual Assault
Danette Buskovick, Hennepin County Department of Community Corrections & Rehabilitation	Abigail English, Center for Adolescent Health & the Law
Shiloh D. Bute, Tubman Family Crisis & Support Services	Michelle Erdman, University of Minnesota
Heather Caillier, Ascend Consulting Solutions	Barton Erickson, Cornerstone
Julie Neitzel Carr, Minnesota Department of Health	Shannon Erickson, Fergus Falls Area Special Education Cooperative
Heidi Carlson, Goodwill—Easter Seals Minnesota	Jill Kehaulani Esch, Office of the Ombudsman for Families, State of Minnesota
Vednita Carter, Breaking Free	Liliana Espondaburu, Hennepin County Attorney's Office
Ellen Case, Mayo Clinic Children's Center	Juli Fast, Southwest Crisis Center
Tanereika Celestine, Dakota County Community Corrections	Mercedes Moreno Ferrer, Comunidades Latinas Unidas En Servicio
Marc Chadderdon, Nicollet County Sheriff's Office	Lisa Fink, Mayo Child and Family Advocacy Program
Raj Chaudhary, SEWA-AIFW	Joseph M. Fischer, St. Louis County Attorney's Office
Ross A. Chávez, Hennepin County Medical Center	
Dina Chou, Minnesota Department of Human Services	
Bonnie Clairmont, Tribal Law & Policy Institute	
Amanda Collier, 180 Degrees, Inc., Brittany's Place	

John Fishbaugher, Rochester Police Department	Intisar Hussein, The Family Partnership
Deb Flatness, Albert Lea Police Department	Kristi Jarvis, Sexual Assault Resource Services, Hennepin County Medical Center
Anna Frissell, Red River Children's Advocacy Center	The Honorable Krista J. Jass, Fifth Judicial District
The Honorable Michael D. Fritz, Seventh Judicial District	Christos Jensen, Ramsey County Attorney's Office
Jennifer Fox, Heartland Girls' Ranch	Sipra Jha, Asian Women United of Minnesota.
Jessalyn Akerman Frank, ASL Community	Doris L. Johnson, University of Minnesota
Paris Gatlin, The Arc Greater Twin Cities	Ellen Johnson, Regions Hospital SANE Program
Pam Glenn, Certified Nurse Midwife	Jenna Johnson, Wright County Public Health
Arne Graff, Mayo Child & Family Advocacy Program	Womazetta Jones, Ramsey County Human Services
Tarra Grammenos, Keystone Interpreting Solutions	Safia Khan, Minnesota Coalition for Battered Women
Debra A. Groehler, Olmsted County Attorney's Office	Hemlal Kafle
Wendy Grohs-Graeling, Arrowhead Regional Corrections	Maria Kamenska, Hennepin County Department of Community Corrections and Rehabilitation
Lindsay Gullingsrud, Minnesota Coalition Against Sexual Assault	Shirley Kampa, Minnesota Department of Education
Erin A. Gustafson, Olmsted County Attorney's Office	Mark Kinde, Minnesota Department of Health
Candy Hadsall, Minnesota Department of Health	Kelly Knutson, Minnesota Department of Human Services
Kelly D. Hall, Hennepin County Juvenile Probation	Suzanne Koeplinger, George Family Foundation
Annie Hansen-Burke, Minnesota School Psychologists Association	Rebecca Kotz, Central Minnesota Sexual Assault Center
John M. Harrington, Metro Transit Police	Katie Kramer, Minnesota Coalition for Battered Women
Sue Hartnett, St. Paul Police Department	Polly A. Krause, Hennepin County Public Defender
Nancy M Haugen, Licensed School Nurse Consultant	Ellen Krug, Call for Justice
Melissa Heinen, Minnesota Department of Health	Patti Larsen, Sacred Hoop Coalition
Tanis Henderson, Deer River Schools	Rick Laska, Lyn Lake Psychotherapy
Miskitoos (Holly) Henning, Ain Dah Yung Center and Division of Indian Work	Mong Lee, St. Paul Police Department
Lisa Her, Nickelodeon	Jennifer Lloyd-Benson, Freeborn County Victim Services
Sia Her, Council on Asian Pacific Minnesotans	Donna Marcy, Windom Police Department
Kathy Hermes, Lutheran Social Service-Duluth	Emily Marsden, Cornerstone
Sara Hollie, Minnesota Department of Health	Lauren Martin, Urban Research and Outreach-Engagement Center, University of Minnesota
Dotti Honsey, Freeborn County Crime Victim's Crisis Center	Francie Mathes, Minnesota Department of Human Services
Pamela Hoopes, Mid-Minnesota Legal Aid/ Minnesota Disability Law Center	Tamara Mattison, Consultant
Mark Hudson, Midwest Children's Resource Center, Children's Hospitals & Clinics of Minnesota	Tami McConkey, Ramsey County Attorney's Office
Emily Huemann, SOS Sexual Violence Services, St. Paul Ramsey County Public Health	Dariann McCormick, Hennepin County Child Welfare Services
Anne Hunter, Ramsey County Attorney's Office	Christy McCoy, Agape High School

Appendix B-10: Minnesota Safe Harbor Protocol Guidelines

Debbie McDermott, Mankato  
Department of Public Safety

Erik McKloskey, Hennepin County Sheriff's Office

Eric Meininger, Gillette Children's Hospital

Mary Jo Meuleners, Hennepin County  
Human Services & Public Health

The Honorable Robyn A. Millenacker,  
Second Judicial District

Taylor Mitsch, Tubman Family  
Crisis & Support Services

Yasmin Mullings, Ramsey County Attorney's Office

Liz Murphy, Mitchell Hamline School of Law

Bethany Murray, Cornerstone

Cody Nelson, Anishinabe Legal Services

Jessica Nelson, Wright County  
Health & Human Services

Ryan Nelson, Moorhead Police Department

Jennifer M. O'Brien, Hennepin  
County Medical Center

Alan O'Malley-Laursen, Olmsted  
County Community Services

Kari Ogradowski, St. Olaf College

Jenny Oliphant, University of  
Minnesota School of Medicine

Beth Olson, First Witness Child Advocacy Center

Irene M. Opsahl, Mid-Minnesota Legal Aid

Lilia Panteleeva, Children's Law Center of Minnesota

Shannon Pennington, Mitchell  
Hamline School of Law

Nigel Perrote, Minneapolis Public Schools

CeMarr Peterson, The Link

Erin Peterson, South Washington County Schools

Alex Peterson, Dodge Fillmore  
Olmsted County Victim Services

Alexandra Pierce, Othayonih Research

Kamala Puram, Asha USA

Laura M. Provinzino, United States  
Attorney's Office, District of Minnesota

Roberto Reyes, Minnesota Department of Education

Amanda C. Richards, Amanda  
Richards Consulting, LLC

Liz Richards, Minnesota Coalition  
for Battered Women

Craig Rigs, Hennepin County  
Juvenile Detention Center

Lonnie Roloff, Nobles County Sheriff's Office

B. R. Simon Rosser, University of Minnesota

Tom Rother, Mankato Department of Public Safety

Peggy Russell, Mid-Minnesota Legal Aid

Lauren Ryan, Minnesota Department of Health

Barry Scanlan, Anoka-Hennepin School District

Karrie Schaaf, Anoka-Hennepin School District

Paula Schaefer, Minnesota Department of Health

Kimber Schletty, Mission 21

Colleen Schmitt, Day One

Rebecca Scholtz, Mid-Minnesota Legal Aid

Emily Schwartz, Support Within Reach

Rocki Simões, Avenues for Homeless Youth

Rebecca Shlafer, University of Minnesota

Wendy Skottegard-Burke, Arrowhead  
Regional Corrections

The Honorable Andrew Small,  
Lower Sioux Tribal Court

Charisma Smith, The Family Partnership

Valerie Krzywkowski Snyder, Southern  
Minnesota Regional Legal Services, Inc.

Karla Decker Sorby, Minnesota  
Department of Health

Erin C. Stephens, Chisago County Attorney's Office

Thomas Strusinski, Anoka County Sheriff's Office

Lochlan T. Stuart, Minnesota  
Department of Education

Kristen Houlton Sukura, Sexual Violence Center

Laura Sutherland, Dodge Fillmore  
Olmsted Victim Services

Kesha Tanabe, ASK LLP

The Honorable Sally L. Tarnowski,  
Sixth Judicial District

Michelle Thompson, Anoka County Attorney's Office

Jeff Townsend, Hennepin County  
Juvenile Detention Center

Aria Trudeau, Family Advocacy  
Center of Northern Minnesota

Joann M. Usher, Rainbow Health Initiative



Dr. Alyssa Kaying Vang, AKV Psych / Consulting

Vincent Vaughn, Hennepin County  
Juvenile Detention Center

The Honorable Korey Wahwassuck,  
Ninth Judicial District

Linda Walther, Hennepin County Medical  
Center and Regions Hospital

Shan C. Wang, Stearns County Attorney's Office

William Ward, Minnesota Board of Public Defense

Sujata Warriar, Battered Women's Justice Project

Bailey Wethen, Support Within Reach

Gina Wieler, Minnesota Department of Public Safety

Benny Williams, St. Paul Police Department

Denise Williams-Griffin, Bridge for Youth

Laura Williams, Consultant

Tameika Williams, Minneapolis Youth Congress

Ian Wilson, Crow Wing County Sheriff's Office

Eva Wood, OutFront Minnesota

Joanna Woolman, Mitchell Hamline School of Law

Via Yang, Office of Family Engagement  
& Community Partnerships

Amanda K. Ysen, Support Within Reach

Karine Zakroczymski, Allina Health Sexual  
Assault and Forensic Nursing Services

Ashley Zurn, DOVE

### 3. 2020 Revision: Review Committee

Sarah Ladd, Minnesota Department  
of Human Services

Dariann McCormick, Minnesota  
Department of Human Services

Beatriz Menanteau, Minnesota  
Department of Health

Caroline Palmer, Minnesota Department of Health

BobbiJo Pazdernik, Bureau of  
Criminal Apprehension

Paula Schaefer, Minnesota Department of Health

### 4. 2020 Revision: Additional Contributors

Imran Ali, Washington County Attorney's Office

Mel Alvar, PAVSA

Trevor Berberick, Midwest  
Children's Resource Center

John Bowen, Wright County Attorney's Office

Amanda Colegrove, Minnesota  
Department of Health

The Honorable Jamie Cork, First Judicial District

Sarah Curtiss, Men As Peacemakers

Nancy Cusack, Midwest Children's Resource Center

Katie Erickson, Hennepin County Human Services

The Honorable Sheridan Hawley,  
First Judicial District

Ed Heisler, Men As Peacemakers

Karla Hurlley, Midwest Children's Resource Center

Erin Johnson, Washington County Attorney's Office

Anne LaFrinier-Ritchie, Someplace Safe

Kate LePage, Lutheran Social Services

Madeline Lohman, The Advocates for Human Rights

Marcia Milliken, Minnesota Children's Alliance

Bukola Oriola, The Enitan Story

Nigel Perrote, Minnesota  
Department of Public Safety

Nancy Riestenberg, Minnesota  
Department of Education

Lauren Ryan, Ramsey County Attorney's Office

Stacy Schultz, The Link

Pheng Thao, Mid-Minnesota Legal Aid

Romana Triliegi, Midwest  
Children's Resource Center

Noelle Volin, Men As Peacemakers

Linda Walther, RN, SANE A, SANE P

Rebecca Wilcox, Minnesota  
Department of Human Services

## Introduction

**“If we want to see something different,  
we have to do something different.”**

**-Rachel Lloyd, Founder and Chief Executive Officer**

***Girls Educational & Mentoring Services (GEMS), New York***<sup>1</sup>

### 1. Safe Harbor & No Wrong Door<sup>2</sup>

Minnesota’s groundbreaking Safe Harbor law represents a paradigm shift in how our state views youth who have been sexually exploited—not as juvenile delinquents, but as victims and survivors. Since August 1, 2014, youth involved in selling or trading sex cannot be arrested for or charged with the crime of prostitution. Rather, exploiters—both traffickers and those who purchase sex—face increased penalties for their crimes. These important legislative changes were only the first step to ensuring that perpetrators are held accountable and that victims/survivors of sexual exploitation are set on a path to recovery and healing. Safe Harbor also directed the Commissioner of Public Safety to work with stakeholders to create a victim-centered, statewide response for sexually exploited youth. Through a statewide multidisciplinary collaborative process, Minnesota developed one of the most comprehensive response models in the nation for responding to commercial sexual exploitation: “No Wrong Door.”<sup>3</sup>

The No Wrong Door Response Model creates a statewide infrastructure for service delivery, specialized housing and shelter, training for systems professionals, and the development of community-specific protocols across the state. It was founded upon a set of values and an overarching philosophy that recognize the impact of trauma on the lives and recovery of sexually exploited youth and the need for specific service models and training for all systems professionals who serve youth. Most importantly, No Wrong Door affirms that youth are capable of making decisions about their own recovery. The needs of youth cannot be effectively met without their own lived experience directly informing Safe Harbor training, service delivery, and protocol development.

1 Keynote speech at West Metro Safe Harbor Conference, Prior Lake, MN, June 18, 2015.

2 The 2020 revision of the *Safe Harbor Protocol Guidelines* was initiated in order to accurately reflect changes in both law and practice regarding sexually exploited youth in Minnesota. While not a comprehensive revision, this edition includes new information and resources not available at the time of the initial publication.

3 Department of Public Safety, Office of Justice Programs, *No Wrong Door: A Comprehensive Approach to Safe Harbor for Minnesota’s Sexually Exploited Youth*, (Jan. 2015), [https://dps.mn.gov/divisions/ojp/forms-documents/Documents/!2012%20Safe%20Harbor%20Report%20\(FINAL\).pdf](https://dps.mn.gov/divisions/ojp/forms-documents/Documents/!2012%20Safe%20Harbor%20Report%20(FINAL).pdf). As of this writing, the model has been significantly but not fully funded by the state.

At the core of the “No Wrong Door” model is a set of “Regional Navigators,” funded through the Minnesota Department of Health and coordinated by the Safe Harbor/No Wrong Door Director. Regional Navigators work with systems partners and service providers in their regions to identify and meet the specific needs of sexually exploited youth. An up-to-date list of Regional Navigators and other Safe Harbor resources is available on the Minnesota Department of Health website.<sup>4</sup> In addition, a Safe Harbor Resource List for Juvenile Justice and Child Welfare bibliography is included in the **Appendix**.

## 2. **The Safe Harbor Protocol Guidelines**

In connection with the passage of Safe Harbor, the Minnesota Legislature directed the Ramsey County Attorney’s Office (RCAO) to:

develop a statewide model protocol for law enforcement, prosecutors, and others, who in their professional capacity encounter sexually exploited and trafficked youth, on identifying and intervening with sexually exploited and trafficked youth.<sup>5</sup>

RCAO contracted with the Sexual Violence Justice Institute at the Minnesota Coalition Against Sexual Assault (SVJI at MNCASA) to develop a model protocol that could be utilized by communities across the state.<sup>6</sup> The result, these *Safe Harbor Protocol Guidelines*, represent the collective expertise of over 200 professionals and practitioners with on-the-ground experience and knowledge about the best practices for responding to the needs of sexually exploited youth.

From July 2014 through January 2016, state and national experts met in topic-specific workgroups to identify some of the most common and challenging issues associated with serving the needs of sexually exploited youth, as well as approaches for effectively engaging different disciplines, partners, and systems. These experts also drew upon past work, including the *Minnesota Model Sexual Assault Response Protocol*.<sup>7</sup>

4 <http://www.health.state.mn.us/injury/topic/safeharbor/navigators.html>.

5 2013 Minnesota Session Laws ch. 86, section 12, subd. 6(e).

6 SVJI at MNCASA is a long-term federal technical assistance provider through the Office of Violence against Women in the United States Department of Justice. In addition, through the continuing support of the Office of Justice Programs at the Minnesota Department of Public Safety, SVJI provides technical assistance and training to several sexual assault multidisciplinary response teams statewide. See [www.mncasa.org](http://www.mncasa.org).

7 Written by Etrulia Calvert and Laura Williams, this protocol (also known as the Minnesota Protocol Project), was first developed in 2000 and renewed in 2004. The Minnesota Protocol Project established the premise that adopting a protocol in and of itself does not create change. System change is the result of intentional creation, implementation and sustainability of protocols by multidisciplinary teams.

From the beginning, several things became clear:

- First, **what works in one part of Minnesota may not work in another**, and a single model protocol would never successfully meet the needs of every region in the state. Instead, the *Protocol Guidelines* provide foundational knowledge and identify key decision points to multidisciplinary teams as they begin to develop their own community-specific protocols.
- Second, **protocol development cannot happen without engaging in true multidisciplinary collaboration**. Because of this, the *Protocol Guidelines* themselves needed to be a product of this same collaborative process in order to capture the expertise of multiple disciplines, regions, and philosophies. The *Protocol Guidelines* are possible only because contributors shared a commitment to the process, a willingness to compromise, mutual respect for one another's ethical obligations, and agreement as to the ultimate purpose of the project—to ensure that every community can offer a “right door” to services and support for sexually exploited youth.
- Finally, and most important, **it is impossible to develop an effective and comprehensive response to sexually exploitation without input and feedback from those directly impacted**. Focus groups and surveys were provided to youth, youth survivors and adult survivors through a partnership between the Hennepin County No Wrong Door Initiative, Paula Schaefer & Associates, the RAO and the SVJI at MNCASA. Quotations from the resulting report, *Voices of Safe Harbor: Survivor & Youth Input for Minnesota's Model Protocol on Sexual Exploitation and Sex Trafficking of Youth*, can be found throughout the *Protocol Guidelines*.<sup>8</sup>

8 Hennepin County No Wrong Door Initiative, Paula Schaefer & Associates, Sexual Violence Justice Institute at Minnesota Coalition Against Sexual Assault, Ramsey County Attorney's Office, *Voices of Safe Harbor: Survivor & Youth Input for Minnesota's Model Protocol on Sexual Exploitation and Sex Trafficking of Youth* (Dec. 2015), <http://www.hennepin.us/~media/hennepinus/your-government/projects-initiatives/documents/no-wrong%20-door-voices.pdf?la=en>.

### 3. How to Use the *Protocol Guidelines*

#### a. Summary and Overview

The purpose of the *Protocol Guidelines* is to provide guidance to each community in developing its own response, based on its own unique set of resources, practices, and the needs of its particular population. For this reason, the *Protocol Guidelines* do not contain specific step-by-step protocols. Instead, they provide guidelines, suggestions, best practices, tools, and decision paths that each community can use to tailor its own response to the most common and challenging issues associated with serving the needs of sexually exploited youth.

The following components are designed to assist readers in understanding and using the information provided:

- **Terminology:** This list of terms and their definitions is intended to provide consistency of language and meaning around commonly-used (and often differently-defined, depending on the discipline) terms throughout the *Protocol Guidelines*.
- **Foundational Chapters:** These chapters lay a foundation for understanding the nature and dynamics of sexual exploitation of minors, working with sexually exploited and at-risk youth, using a victim-centered, trauma-informed, and youth-centered/ strengths-based approach, and incorporating these principles into each discipline for a more effective response.
- **Intergovernmental Coordination with Tribes:** The *Working with Tribal Nations* chapter provides guidance on opportunities for local, state, and tribal collaboration, which is critical to combating sexual exploitation in Indian Country and understanding the complex laws affecting jurisdiction.
- **Discipline Chapters:** These chapters are intended to help professionals identify common challenges, key considerations, and best practices within their discipline, as well as promote understanding of approaches being taken by other disciplines—which is critical to effecting multidisciplinary collaboration. It may be tempting to just read about one’s own discipline, but reading the entire *Protocol Guidelines* will provide a much

fuller picture of the different professional responses to the needs of sexually exploited youth and illuminate the need for collaboration across disciplines.

- **Survivor Expertise:** Woven throughout the *Protocol Guidelines* are quotes from youth, youth survivors and adult survivors, which are not only intended to provide readers with the “survivor’s voice,” but to directly inform the work done by communities to serve sexually exploited youth.
- **Next Steps:** These chapters, written by SVJI at MNCASA, provide guidance for engaging in effective multidisciplinary collaboration, understanding the protocol development process, and building a community response that seeks not only to intervene, but also prevent, sexual exploitation.
- **Appendix:** The Appendix is an online resource available at [mncasa.org](http://mncasa.org). Visit this webpage for links to the materials referenced in this document as well as additional tools for responders and service providers assisting sexually exploited youth.

b. Who Should Use the Protocol Guidelines

The *Protocol Guidelines* are intended to aid existing, formalized multidisciplinary collaborations—such as sexual assault response teams (SARTs), trafficking response teams, child protection multidisciplinary teams (MDTs), coordinated community responses, and other teams—to incorporate Safe Harbor protocol development into their current work. For communities that don’t yet have a team but are looking to form one, the *Protocol Guidelines* can provide an overview of key considerations for team formation, as well as a basic introduction to multidisciplinary collaboration and the protocol development process. The *Protocol Guidelines* are just a starting point and are not meant to bypass the extensive planning that goes into protocol development.

While the ultimate goal is to help communities develop a sustainable response to sexual exploitation through protocol, these guidelines are also intended to provide practical, on-the-ground guidance to systems and agencies that are already identifying and serving sexually exploited youth.

Effective responses to sexual exploitation—in both the long and

short term—ensure the participation and involvement of all relevant systems. Communities may reference the workgroup categories contained in the *Protocol Guidelines* for key membership representation.

In addition to the *Protocol Guidelines*, teams that are ready to embark on the protocol development process will have access to additional SVJI tools and resources, including a “Team Formation Starter Kit” and the Safe Harbor Protocol webinar series. See the **Next Steps** chapter and [mncasa.org](http://mncasa.org) for additional information.

## 5. Desired Outcomes

The *Protocol Guidelines* are intended to result in the following outcomes:

- Communities will assess the readiness of existing multidisciplinary teams in their area and **appoint (or form) the appropriate team** to take on the task of developing a community response to sexual exploitation.
- Multidisciplinary teams will **use the *Protocol Guidelines* to develop protocol that meet the needs of their own communities.**
- Multidisciplinary teams working on protocol development will understand that **writing and implementing protocol is only one aspect of developing a community response** to the sexual exploitation of youth, and will engage in the necessary foundational work to gain buy-in from essential systems and community partners, develop common values and language, and assess the current needs—including the cultural needs—of the region.
- Multidisciplinary teams working on protocol development will understand that **sex trafficking is only one form of the sexual exploitation of minors** and will take steps to increase institutional knowledge about the dynamics of survival sex, prostitution, sex trafficking, and all other forms of exploitation.
- Multidisciplinary teams working on protocol development will understand that **victims of sexual exploitation can be any gender identity, race, or sexual orientation**, and will ensure that the community response meets the specific needs of

all sexually exploited youth. They will also recognize the many societal and cultural issues that intersect with sexual exploitation including racism, gender violence, poverty, LGBTQ discrimination, and many more.

- Multidisciplinary teams working on protocol development understand that **the community response must extend beyond a youth's engagement with child protection or the criminal and juvenile justice systems** to ensure that sexually exploited youth are correctly identified and given access to appropriate services and support, including those provided by nonprofit, nongovernmental, community-based organizations, regardless of their point of entry.
- Multidisciplinary teams working on protocol development will understand and **incorporate the core values of No Wrong Door at all levels of their protocol work**, and commit to developing and implementing a response that is: victim-centered, trauma-informed, youth-centered, strengths-based, and culturally responsive.





# Foundational Chapters

These chapters lay a foundation for understanding the nature and dynamics of commercial sexual exploitation of minors, working with sexually exploited and youth at risk of exploitation, using a victim-centered, trauma-informed, youth-centered and strengths-based approach, and incorporating these principles to each discipline for a more effective response.

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Chapter 1

# Foundational Chapter Terminology

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## 1. Use of Terms

The following terms are used throughout the *Safe Harbor Protocol Guidelines* (except as appropriate in direct quotations, cited legal definitions, etc.). Other than as noted in “Language in Action” below, these terms are not meant to exclude other commonly-used terminology.

**Buyer:** Someone who pays for or trades something of value for sexual acts. (See “Language in Action” below.)

**Community or community-based:** Pertaining to nonprofit or nongovernmental organizations that provide services or support to victims/survivors (unless otherwise noted).

**Exploiter:** A trafficker, facilitator, buyer, or other individual who perpetrates sexual exploitation. (See “Language in Action” below.)

**Service provider (or provider or professional):** Any person, of any discipline, who in that person’s professional capacity encounters sexually exploited youth.

**Sex trafficking:** A form of sexual exploitation in which a third party (often termed a “trafficker”) is involved in the exploitation, whether by profiting from it or by (for example) recruiting, transporting, or advertising the person exploited.

**Sexual exploitation of a minor:** The use of a minor (1) for any kind of sexual activity in exchange for money, drugs, or something else of value (commonly termed “prostitution”), or in exchange for food, shelter, or other basic needs (often termed “survival sex”); or (2) in pornography, stripping, or a sexually explicit performance or photo. A third person—such as a trafficker—need not be involved.<sup>1</sup>

**System(s) or systems-based:** Pertaining to governmental or institutional responses to victims/survivors (unless otherwise noted).

<sup>1</sup> Note that the Minnesota Department of Health limits its Safe Harbor work to “minor commercial sexual exploitation,” a somewhat more narrow term. See *Dynamics of Sexual Exploitation* for more information.

**They/Them/Their:** Victims/survivors who are male, female and gender-nonconforming are subject to sexual exploitation. Non-gendered language is used throughout this document to promote a more inclusive response except in direct quotation or when a specific gender identity is discussed.

**Trafficker:** An individual who profits from or is otherwise involved as a third party in sexual exploitation. (See “Language in Action” below.)

**Victim/Survivor:** Someone who has experienced sexual exploitation. The term “victim/survivor” recognizes both the harms involved in exploitation and the strength that it takes to overcome those harms. “Victim” and “survivor” are both part of a continuum where individuals involved may choose what they would like to be called, and that choice may or may not change over time. “Victim/survivor,” then, is a way to capture various experiences in a general document such as this. The term “victim” may be used by certain disciplines when referencing someone in a criminal justice or medical context. (See “Language in Action” below.)

**Youth, Young People, Young Person, Minor:** A person under the age of 18. Note that the use of this variety of terms indicates the wide range of ages affected by exploitation, acknowledging that the needs of children (generally age 12 and under) and adolescents differ, particularly as young people near adulthood. Also note that Safe Harbor supportive services for victims/survivors extend through age 24, but protections against prosecution still end at age 18.

## 2. Language in Action

The proper use of terminology to fully describe exploitation should extend well beyond the *Protocol Guidelines*. Consider these suggestions as to the language that you and your colleagues use in your work and in the community:

Use these terms	Avoid these terms
Sexual exploitation, sex trafficking	Prostitution

**Use these terms****Avoid these terms**

Victim/survivor, survivor, victim  
(as appropriate in a legal  
context), a person who has  
survived sexual exploitation

Prostitute, hooker, whore, etc.

Buyer, commercial sex  
abuser, exploiter

John, patron

Trafficker, exploiter

Pimp

Use the terms “sexual exploitation” or “sex trafficking” rather than “prostitution,” and “exploited” or “trafficked” rather than “prostituted.” “Prostitution” carries cultural misconceptions that downplay its exploitative nature.

Use the term “victim/survivor” rather than “prostitute” (or worse). The former recognizes both the harms of exploitation and the strength of those who overcome it. The latter appears in statutes but is inappropriate. It limits the identity of the person exploited and draws upon stereotypes about exploitation. Note that “victim” should generally only be used in legal settings when necessary. Be mindful of the terms individuals use to describe themselves, and respectfully discuss their preferences when appropriate. Some people who have survived sexual exploitation have survived other experiences that may be even more significant to them. Many view themselves as much more than survivors of sexual exploitation. Some may not want to be labeled at all.

Use the terms “buyer,” “commercial sex abuser,” or “exploiter” rather than “John” or “patron.” The latter terms minimize the harms that buyers inflict. “John” allows a buyer to become a “regular guy” with claims to blamelessness. “Patron,” while the current legal term under Minnesota law, also frames an exploiter as an actor in an innocuous business system.

Use the term “trafficker” or “exploiter” rather than “pimp.” The latter conjures glamorous and casual images in pop culture, not real harm. “Pimp” can also have racial connotations that are stereotypical and untrue.

# Foundational Chapter

## Dynamics of Sexual Exploitation

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This chapter is intended as a very brief overview of some of the dynamics underlying the rest of the *Safe Harbor Protocol Guidelines*. A much deeper understanding of these dynamics is of crucial importance for any professional who intends to work with exploited youth. Resources to help professionals gain this understanding are referenced below and in the **Appendix**; we urge you to take advantage of them.<sup>1</sup>

## 1. Defining Sexual Exploitation

“Sexual exploitation” is a broad term with many possible meanings. State child protection law defines the term comprehensively, to encompass virtually any possible sexual crime involving anyone under the age of 18.<sup>2</sup> The Minnesota Department of Health (MDH) uses a more narrow definition, focusing on “commercial sexual activity,” in which sex with a minor is exchanged for something of value.<sup>3</sup> The *Protocol Guidelines* use a definition somewhat between these two. For the purpose of the *Protocol Guidelines*, “**sexual exploitation of a minor**” means the use of a minor:

- for any kind of sexual activity in exchange for money, drugs, or something else of value (often termed prostitution), or in exchange for food, shelter, or other basic needs (often termed survival sex); or
- in pornography, stripping, or a sexually explicit performance or photo.

Note that while Safe Harbor and the *Protocol Guidelines* relate specifically to sexually exploited youth, much of this definition would encompass the exploitation of adult victims/survivors as well.

1 L. Martin & A. Pierce, *Mapping the Market for Sex with Trafficked Minor Girls in Minneapolis: Structures, Functions and Patterns. Full Report: Preliminary Findings*. (Sept. 2014), <http://uroc.umn.edu/documents/mapping-the-market-full.pdf> [hereinafter, *Mapping the Market*]; L. Smith, S. Healy Vardaman & M. A. Snow, *The National Report on Domestic Minor Sex Trafficking* (May 2009), [http://sharedhope.org/wp-content/uploads/2012/09/SHI\\_National\\_Report\\_on\\_DMST\\_2009.pdf](http://sharedhope.org/wp-content/uploads/2012/09/SHI_National_Report_on_DMST_2009.pdf) [hereinafter, *Domestic Minor Sex Trafficking*]; E. Wright Clayton, R. Krugman, & P. Simon, eds. *Confronting Commercial Sexual Exploitation and Sex Trafficking of Minors in the United States* (Sept. 25, 2013), <http://www.nationalacademies.org/hmd/Reports/2013/Confronting-Commercial-Sexual-Exploitation-and-Sex-Trafficking-of-Minors-in-the-United-States.aspx> [hereinafter, *Confronting Commercial Sexual Exploitation*].

2 Minn. Stat. § 260C.007, subd. 31 (defining “sexually exploited youth”).

3 Minor Commercial Sexual Exploitation occurs when someone under the age of 18 engages in a commercial sexual activity. A commercial sexual activity occurs when anything of value or a promise of anything of value (e.g., money, drugs, food, shelter, rent, or higher status in a gang or group) is given to a person by any means in exchange for any type of sexual activity. A third party may or may not be involved. <http://www.health.state.mn.us/injury/topic/safeharbor/>.

Exploitation can be present even if only two people—such as a victim/survivor and buyer—are involved. Sometimes, however, a third person is involved, whether by profiting from the exploitation or by (for example) recruiting, transporting, or advertising the person exploited.<sup>4</sup> Under Minnesota law, this is "sex trafficking," an important subset of exploitation, with the third person often termed a "trafficker." Note that sex trafficking does not require the crossing of state or national borders and may occur even if the person trafficked appears to consent. More information on these definitions is in **Legal Framework**.

Sexual exploitation is a serious crime of sexual violence. Pop culture encourages us to associate prostitution and sexual exploitation with films like *Pretty Woman* or bachelor parties and other socially acceptable and non-threatening images. As victims/survivors and those who have worked with them know, this is far from the truth. Exploitation may seem like a new concept, but in fact you have likely been encountering it without realizing throughout your career. Safe Harbor represents a paradigm shift in Minnesota toward recognizing the realities of exploitation and its widespread and complex harms.

Sexual exploitation may take many forms. One unifying characteristic, however, is that a person with a sense of entitlement accomplishes self-centered goals by taking advantage of someone else who is more vulnerable.

## 2. What Fuels Exploitation

Sexual exploitation cannot be considered in a vacuum. It is a harm that intersects with and is fueled by other harms in our society, including physical and sexual abuse, as well as discrimination based on race, sex, gender identity, sexual orientation, economic status, national origin, and disability, among many others. So too, sexual exploitation is fueled by cultural norms that intersect with the societal harms identified above, such as the sexualization of minors, the prevalence and normalization of the commercial sex industry, and a tolerance for homelessness.<sup>5</sup> Sexual exploitation will not end unless we also work to address these larger intersections so that our communities are more equitable places for all.

4 Minn. Stat. §§ 609.321, subds. 7, 7a; 609.322 (defining trafficking and describing crime of trafficking).

5 *Mapping the Market*, *supra* note 1, at 27. See also American Psychological Association, *Report on the Task Force on Trafficking of Women and Girls*, 22-34 (2014).

### 3. Victims/Survivors

#### a. Vulnerability & Risk Factors

Age alone makes young people vulnerable to exploitation. Struggles with self-image and personal identity, sexual curiosity, peer pressure, and risk-taking are all common in adolescence. Every youth faces insecurity and loneliness. Every youth struggles at some point at home or in school. **Contrary to misconceptions, any youth—of any background, age, or gender or from any community—may be exploited.**

■ **"Whatever men asked of me I did so I could eat."<sup>6</sup>**

Having said this, there are youth who may be at a somewhat higher risk of exploitation. This includes those who face poverty, substance abuse, or disabilities or who have a history of involvement with the delinquency or child welfare systems. Youth of color, undocumented youth, and Native youth,<sup>7</sup> as well as youth who identify as LGBTQIA+ or gender-nonconforming, are particularly vulnerable as well. Some other factors put youth at an especially high risk:

- history of abuse or neglect;
- disruptive and traumatic events during childhood;
- homelessness, running away, or abandonment by family;
- pregnancy (or having young children);
- truancy;
- having a disability or impaired cognitive function;
- substance use; or
- involvement with foster care.<sup>8</sup>

6 Hennepin County No Wrong Door Initiative, Paula Schaefer & Associates, Sexual Violence Justice Institute at Minnesota Coalition Against Sexual Assault, Ramsey County Attorney's Office, *Voices of Safe Harbor: Survivor & Youth Input for Minnesota's Model Protocol on Sexual Exploitation and Sex Trafficking of Youth*, 9 (Dec. 2015), <http://www.hennepin.us/~media/hennepinus/your-government/projects-initiatives/documents/no-wrong%20door-voices.pdf?a=en> [hereinafter, *Voices*].

7 See *Working with Tribal Nations* for a discussion on the high rates of sexual exploitation experienced by American Indians.

8 For more information on factors that may increase vulnerability, see *Confronting Sexual Exploitation*, *supra* note 1, at 77-106.

### Spotlight: Exploitation on Reservations

Native youth living on reservations are especially vulnerable to sexual exploitation. Some reservations are remote and lack sufficient resources, including easy access to transportation, economic opportunity, and housing. Due to complexities in jurisdiction, tribal governments in Minnesota do not have full prosecutorial power, leaving a gulf in accountability for perpetrators, the majority of whom are non-Native. Many Native families have also experienced generations of poverty and trauma, and as a result, intra-familial exploitation is not uncommon. All of these make reservations prime targets for exploiters. See ***Working with Tribal Nations*** for additional information.

#### b. Recruitment

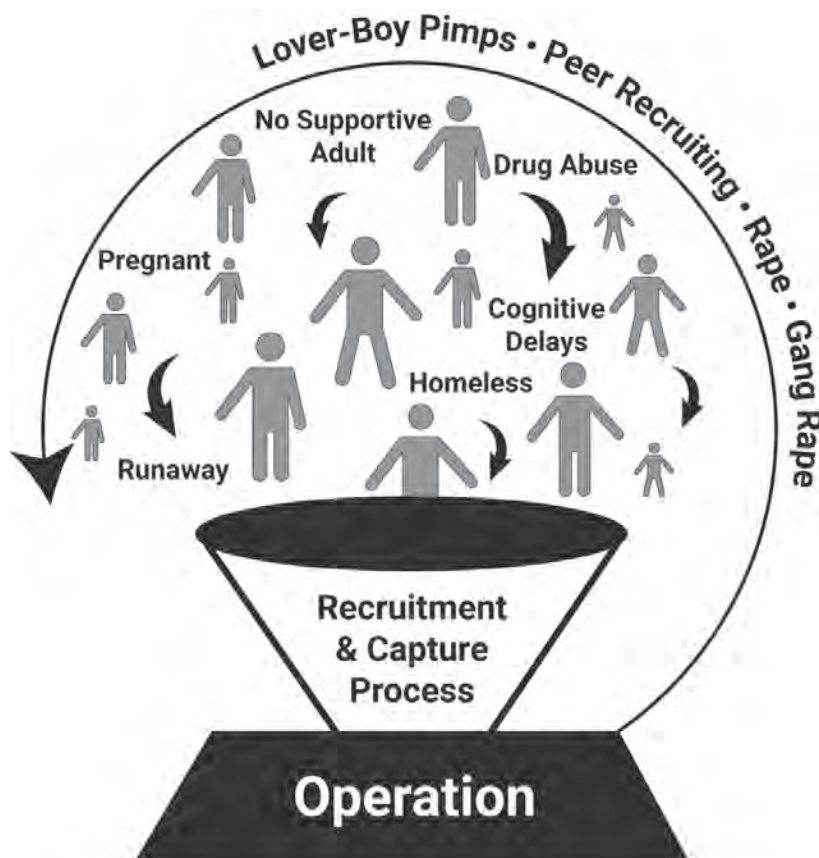
Exploiters take advantage of the vulnerabilities of youth to manipulate them into exploitation. As show in the diagram below,<sup>9</sup> methods vary widely, including:

- **Grooming:** Building up a relationship to develop affection, loyalty and dependence. The exploiter works to provide whatever is missing in the youth's life, whether it is food or shelter, a sense of family, or loving "acceptance." The exploiter may try to convince youth who have experienced sexual abuse in the past that they can regain control by charging money. The exploiter may remake the youth's identity with a new name, wardrobe, tattoos, or brands. The exploiter then uses the loyalty that has been built to turn the relationship into one of exploitation, isolation, threats, and abuse. In the case of trafficking, this is sometimes referred to as the "lover-boy/ boyfriend pimp" model.

9 *Mapping the Market*, *supra* note 1, at 51.

**"I just wasn't going home because it wasn't safe. I found safety with a man who I thought was good for me and built me up but really it was a source of control."<sup>10</sup>**

- **Offering opportunity:** Promising help in making money, such as a career in modeling or acting. The promise may not be kept or may result in a claimed "debt" so large that it can never be repaid.
- **Providing resources:** "Helping" the youth by offering, for example, a place to stay in exchange for sex. Taking advantage of a young person in a dire and vulnerable situation.
- **Using physical and sexual violence:** Employing force, threats, fear, or kidnapping to gain cooperation. In the case of trafficking, this is sometimes referred to as the "guerrilla pimp" model.



**Peer recruitment:** Using one young person—often a victim/survivor as well—to recruit others in schools, through online social networks, and other situations where young people spend time together. The peer recruiter often works for a larger organization and comes across as an older friend who takes an interest in the younger person. Once the relationship and trust is established, the peer recruiter might invite the youth to a party or other social activity where the sale of sex is introduced or the youth is sexually assaulted. Not all peer recruiters have a negative intent; some genuinely believe they are helping a friend, especially when the friend is homeless, looking for food or other support.<sup>11</sup> See “Bottoms & Historical Victims” below.

Many of these methods blend with one another. For example, many traffickers start with peer recruitment or grooming (or both) but eventually use at least some violence to control the person whom they are exploiting.<sup>12</sup>

The locations at which recruitment happens vary widely, including parties, schools, shelters, parks, abandoned buildings, malls, bus stops and bus rides, juvenile detention centers, and anywhere that people gather. And of course the Internet offers key access points, via social media as well as texts, calls, and apps.<sup>13</sup>

**"Some families encourage it, it's a cycle, their mother and grandmother did it."<sup>14</sup>**

Finally, note that recruitment may happen within families and between generations. Intra-familial trafficking, which is all too common, involves trading a family member—from a child or grandchild to an elderly relative—for money, food, rent, drugs, or something else.

11 *Mapping the Market*, *supra* note 1, at 66-66.

12 Heartland Girls' Ranch, *Heartland Girls' Ranch Hearts for Freedom Project: A Resource Guide for Working with Sexually Exploited Youth and Minnesota's Safe Harbor Law*, 64-66 (2015), <http://heartlandgirlsranh.org> [hereinafter, *Heartland Girls' Ranch*].

13 For more background on where recruitment happens, see *Mapping the Market*, *supra* note 1, at 61-66; *Confronting Commercial Sexual Exploitation*, *supra* note 1, at 106-07.

14 *Voices*, *supra* note 6, at 12.

### Spotlight: Exploitation on Transit

Urban and suburban communities are increasingly recognizing exploitation that occurs in connection with buses and other forms of transit. Youth are solicited while using public transportation and waiting at stops, either by other riders or drivers passing by. Transit is used to move youth from place to place. And traffickers solicit buyers on transit, with the victim/survivor taken off the bus to complete the transaction. Transit also presents opportunities for outreach information to youth, particularly those who are dependent on buses and other public transportation.

#### c. Traumatization

Whatever the recruiting method used, sexual exploitation is abuse—and inherently traumatizing. Exploiters use money, housing, food, access to drugs, and other tools to manipulate victims/survivors. By taking advantage of vulnerabilities, exploiters twist victims/survivors' sense of self, teaching that their value is only sexual and monetary and conflating exploitation with "empowerment." As a result, victims/survivors can feel broken, worthless, and alone. Their self-esteem can be obliterated, and they can become isolated from family and friends, increasing even further their dependence on the exploiter.

Trafficking in particular is extremely dangerous for victims/survivors. Sex with strangers for money can be emotionally devastating. Traffickers often impose financial quotas that must be met for the day. If the quota is not met, the trafficker will use the control that has been built to punish the victim/survivor, whether psychologically or through physical or sexual violence. And traffickers often pit victims/survivors against one another, adding to the stress. Victims/survivors may experience disease and poor nutrition. They may commit suicide or overdose on drugs or be killed by traffickers, buyers, or others.

Victims/survivors of all forms of sexual exploitation may cope with their trauma in ways that may exacerbate it. They may abuse drugs or alcohol or engage in other harmful behaviors. They may dissociate—disconnecting from themselves and fracturing their sense of identity. See "Being Trauma-Informed" in *Working with Sexually Exploited Youth*.

#### 4. Why Don't They Leave?

One of the most perplexing aspects of sexual exploitation is that victims/survivors seldom disclose on their own or necessarily even see themselves as victims. When they are identified, they may be uncooperative or even hostile. They may return repeatedly to an exploiter or may be exploited by someone else.

Those unfamiliar with the dynamics of sexual exploitation often assume that victims/survivors act this way because of fear of violence from exploiters. This may certainly be true. But there may be many other reasons as well, with the following overlapping reasons only serving as an indication of the range that may apply:

##### Lack of access to resources

- Dependence on the exploiter for basic needs, such as housing or food
- Lack of skills or experience to do any other work

##### Fear of what reporting will look like

- Distrust of the criminal justice system, due to negative experiences in the past or the exploiter's messaging that the systems won't help or care
- Fear of not being believed, fear of being judged, or fear of people thinking it's their fault
- Fearing consequences of criminal activity related to exploitation, like drug use or theft
- Being undocumented and not wanting to draw attention from immigration authorities

##### Difficulty in breaking connection with exploiter

- Feeling a bond with the exploiter (see below)
- Sharing a child with the exploiter

##### Ongoing psychological effects of exploitation

- Feelings of shame, self-loathing, and self-doubt
- Fear of rejection by family and friends or further isolation
- Blaming self for the exploitation
- Comfort with living on the streets and fear of losing independence
- Adaptation to the circumstances
- Feeling of security and belonging with the exploiter or in the world of exploitation



**“We’re not choosing to do this. We go with it because we don’t know other options.”<sup>15</sup>**

As discussed earlier, many exploiters target the needs of vulnerable victims/survivors, providing them with physical, social, or emotional support. At the same time, exploiters work to isolate and control victims/survivors, to ensure that no one else is in position to meet those needs. Many vulnerable victims/survivors may have received little help from the social service system before the exploitation began. It is not surprising then that victims/survivors very often feel a strong connection—one of loyalty and even love—with their exploiter.

This connection may well be furthered by the trauma itself. Exploiters often create a “trauma bond,” interspersing harsh treatment and physical control (threats, violence or drug addiction) with positive words or actions.<sup>16</sup> This leads the victim/survivor to feel trapped and powerless while at the same time grateful for the exploiter’s “kindness.” As a result, the victim/survivor may deny the extent of violence or injury, display concern for the exploiter’s needs, and view professionals trying to help as a threat.<sup>17</sup>

It should be clear that there are many parallels in the dynamics of sexual exploitation to those found in domestic violence, with the added complexity—at least in trafficking cases—that the exploiter has a strong financial incentive to keep the victim/survivor controlled.

Professionals should be aware of these many barriers and work to meet victims/survivors where they are and tailor the response to their specific needs. For practical tips on how to do this, see ***Working with Sexually Exploited Youth***.

### **Spotlight: Exploitation in Smaller Communities**

Sexual exploitation of youth occurs in virtually any community; it is not just a “city problem.” But it can look different in rural areas and small towns than in the metro. Traffickers use social media to target vulnerable youth in smaller communities, taking advantage of the geographic isolation and lack of

15 *Voices*, *supra* note 6, at 9

16 *Heartland Girls’ Ranch*, *supra* note 12, at 66.

17 United States Department of Human Services, Office of the Assistant Secretary for Planning and Evaluation, *Human Trafficking Into and Within the United States: A Review of the Literature*, 14 & 18. <http://aspe.hhs.gov/hsp/07/humantrafficking/litrev/index.pdf>.

opportunity. Smaller communities may see fewer online ads for sex, but exploitation may occur even more frequently within friends and families. Youth report being required to exchange sex for attendance at a house party, for example. And it can be especially difficult to acknowledge that buyers and other exploiters are members of the community.

## 5. Exploiters & Demand

Exploitation would not exist without the demand for it. This demand may come in many forms. The man who buys sex through an online ad is an exploiter. So is the friend who offers shelter to a homeless youth in exchange for a sex act, the stepfather who shares his stepchildren with his hunting buddies, the driver who solicits youth walking home from school, and the landlord who tells the young mother that he'll have to raise her rent unless he gets sexual favors. Again, the unifying characteristic is that the exploiter accomplishes selfish goals by using the needs of someone vulnerable.

### a. Buyers

Buyers, one subset of exploiters, can be anyone: lawyers, doctors, pastors, construction workers, social workers, teachers, coaches, business owners, or any other occupation. Buyers range widely in age, race/ethnicity, marital status, number and gender of children, etc., but most tend to be men, and specifically men with the means—the disposable income—to “buy” sex.<sup>18</sup> Buyers do great damage. All buyers exhibit an attitude of entitlement to sex and are willing to take advantage of another person in order to obtain it. Men who frequently purchase sex are more likely to commit sexually aggressive acts against women not involved in sexual exploitation.<sup>19</sup>

There are certainly individuals who set out specifically to obtain sex from youth. However, research indicates that relatively few are pedophiles or hebephiles (having a sexual attraction to prepubescents or adolescents, respectively). Some buyers are looking for a “younger” adult rather than a minor, some target youth in order to lessen the chance of receiving a sexually transmitted infection, and some solicit sex

<sup>18</sup> See *Mapping the Market*, *supra* note 1, at 52 (“Sex buyers are a diverse group in terms of socio-economic status, racial/ethnic background, and type and context of sexual services and experiences sought.”)

<sup>19</sup> *Confronting Commercial Sexual Exploitation*, *supra* note 1, at 112. For more information on the demographics, motivations, and actions of buyers, including buyers of youth, see *id.* at 111-15.

indiscriminately. Some buyers understand the full criminal structure that they support with their demand. Others choose not to recognize the harm that their actions inflict on victims/survivors; they may even try to convince themselves that they are doing victims/survivors a “favor” by giving them money for sex. No circumstances can excuse sexual exploitation. It is crucial that our systems make the reality and harms of exploitation clear to buyers and to the broader community. See **Prevention** for ideas on this.

b. Traffickers

Traffickers—another subset of exploiters—are usually motivated by a desire for money and/or the need to control other people, especially vulnerable people. They may have ties to gangs and organized crime. Still, traffickers often share similar risk factors to their victims, including a history of poverty and abuse, and may well come from the same communities.<sup>21</sup> They may even have a history of being exploited themselves. (See “Bottoms & Historical Victims” below.)

Traffickers operate in a variety of ways. Many work alone or with one other “associate,” but others operate in larger syndicates with national or even international reach, sharing information, laundering money, establishing false identities, and transporting victims.<sup>22</sup>

Traffickers use a variety of “business models;” one Minneapolis-based study described them as including:

- escort services,
- brothels and brothel-like settings
- street prostitution, and
- closed networks of sex buyers.<sup>23</sup>

Like buyers, traffickers come from a variety of backgrounds. To identify traffickers, focus on whether the actions of the person amount to trafficking, rather than relying on assumptions about how a trafficker is “supposed” to look or act. See “Identifying Exploitation” below. Look for individuals who have an unexplained influx of income or who are engaging in relationships with people much younger than them.

20 *Id.* at 114-15.

21 *Id.* at 109-110. See also *id.* at 108-11 (demographics, motivations, and actions of traffickers).

22 *Domestic Minor Sex Trafficking*, *supra* note 1, at 19.

23 *Mapping the Market*, *supra* note 1, at 53.

### **Warning on the Use of Names & Images**

Be cautious with using images of exploiters and victims/survivors during trainings and community awareness events. When such images show victims/survivors and exploiters from a variety of racial, ethnic, gender and socioeconomic backgrounds, they can help to overturn commonly-held but inaccurate narratives about who exploits, who is exploited, and how exploitation happens. However, all too often these images—e.g., a girl tied up with her mouth bound or depicting a victim always of one race and an exploiter always of one race—serve to reinforce rather than overturn these stereotypical and even racist narratives. Audience members who continue to conceive of exploitation narrowly will approach the problem narrowly as well. Instead, they should be taught to focus on behavior rather than preconceptions.

Information that could identify victims/survivors, including names and images, should of course never be used in trainings without their permission. Beyond the many prohibitions on the use and disclosure of such information under state and federal law, it constitutes a serious violation of victims/survivors' privacy and trust and is another instance of exploitation.

#### c. “Bottoms” & Historical Victims

The distinction between exploiters and victims is not always clear. For example, traffickers often use victims/survivors to recruit or control one another. Over time, a victim/survivor may become the trafficker's “bottom” or “main female,” trusted to play a significant role in running the enterprise. Some exploiters were previously sold for sex and/or more broadly exploited themselves, even if their own exploiter is no longer involved.

This blurring of categories poses many complications for professionals. On the one hand, anyone who recruits or controls vulnerable people for sexual exploitation should be viewed to at least some extent as an exploiter, especially when (as is so often the case) coercion or violence are used. On the other hand, “bottoms” and historical victims were targeted at one point for their own vulnerabilities as well. They may well have been operating under threat or at least manipulation when they recruited others. See Prosecution (“Victim-Defendants”) and

Legal Representation (“Criminal and Juvenile Justice Cases”) for more discussion on these issues.

d. Identifying Exploitation

Exploitation is often hidden in plain sight, yet can be difficult to identify. Exploiters work hard to keep themselves hidden, and victims/survivors seldom disclose on their own. Thus there can be many possible indications of exploitation, including:

- back rooms or VIP suites in a strip club;
- houses with frequent male visitors at odd or late hours;
- massage businesses that only serve male customers and use excessive security measures;
- young women or men entering a bar accompanied by a male companion, who sits apart but nevertheless monitors their actions; or
- hotel guests who pay with pre-paid cards, carry little or no luggage, and have many male visitors coming and going at all hours.

For those who work with youth, the following are just a few possible indications of exploitation:

- sexual or romantic relationship with significantly older partner (though note that an exploiter may be the same age or even younger and that often exploitation may be a form of intimate partner abuse, no matter the age difference);
- possession of money, cell phone(s), or other items without apparent ability to afford them;
- use of the Internet to post sexually explicit materials;
- friends or family involved in the commercial sex industry;
- attire that is brand new, overtly sexual, or not appropriate for the weather;
- unusually hostile, anxious, or withdrawn;
- tattoo or brand with exploiter’s name or symbol;
- possession of prepaid credit cards, hotel keys, and/or sex paraphernalia;
- runaway or truant;
- history of sexual abuse;
- unexplained cuts, bruises, burn marks or other injuries, as well

as sexually transmitted infections;

- no identification or someone else holding it for them; or
- travel to certain locations known for sexual exploitation or travel without means to do so.

Again, **this list is not complete**, and none of these examples is a definitive sign of exploitation. On the other hand, exploitation may be present even if none of these factors is present. For example, victims/survivors may continue to live at home or attend school during the exploitation, in an effort to avoid detection. Each situation should be considered in context, using your professional discretion.

### Awareness & Identification

Given the challenges, identifying sexual exploitation must be a community-wide effort.

Much work is being done around the state to train professionals, such as law enforcement, medical staff, and teachers, among others, as to how to identify exploitation and what to do when they see it. Extend this training in turn to the public, teaching students, for example, what to look for in their peers, and parents what to look for in their children (and their children's friends). For example, hotels and motels are now required by state law to train their staff on how to identify and respond to sex trafficking.<sup>24</sup> Workers in coffee shops, shopping malls or libraries, bus drivers, postal workers, housing inspectors, and parks staff can all be similarly trained. Use this training to counter assumptions about how victims/survivors will look and act and to teach that the aim of this work is not about "rescuing" or "saving" victims/survivors, but rather about empowering them.

In addition, communities must create spaces in which it is safe for victims/survivors to disclose on their own. For example, place pamphlets and posters about exploitation, including contact information for resources, in settings where victims/survivors are likely to be, such as in medical clinics and hospitals and on public transportation as well as public restrooms. (This is akin to similar information currently distributed on sexual and domestic violence.)

24 For more information on this initiative, see <https://www.health.state.mn.us/hoteltrafficking>.

Underpinning all of this is the need to raise public awareness and understanding about the realities of exploitation. Dispel myths that “this doesn’t happen here” and don’t pigeonhole exploitation as just a “city problem.” Raise awareness about buyers in your community: who they are, and how many of them there are. Spread understanding about how all youth are vulnerable, not just girls, as well as how some youth, such as LGBTQIA+ youth of color, are much more vulnerable than others. Teach healthy sexuality and gender roles; access to more information is a protective factor for youth. See **Prevention** and **Schools** for more ideas.

Throughout, show the link between sexual exploitation and other societal factors, in particular other forms of gender bias and violence. Over the years, awareness about domestic and sexual violence has increased. This knowledge can now help inform and deepen the response to exploitation and increase understanding about the connecting issues that exist between domestic and sexual violence and sexual exploitation.

Training resources of the kind described here are constantly expanding. Visit the Minnesota Human Trafficking Task Force online ([mnhttf.org](http://mnhttf.org)) to see the latest.

Chapter 3

# Foundational Chapter Working With Sexually Exploited Youth

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Working with sexually exploited youth is a challenging yet rewarding effort that requires the use of specific approaches. The *Safe Harbor Protocol Guidelines* have identified five core principles for working with and responding to youth who have been sexually exploited or trafficked: Victim-Centered, Trauma-Informed, Youth-Centered, Strengths-Based, and Culturally Responsive. This chapter discusses the first four of these principles and provides strategies for implementing them in your work with youth. (The fifth of these, cultural responsiveness, is addressed in ***Cultural Considerations***.) The chapter also addresses confidentiality and how to maintain staff well-being when engaging in this important work.

## 1. Being Victim-Centered

### a. Defining Victim-Centered

Victim-centered approaches focus on what is best for the victim/survivor instead of what is best for a system or process, such as the criminal justice process. A criminal justice response to sexual exploitation and trafficking is vital to the safety of our communities, its goals (arrest, prosecution) are not always aligned with the victim/survivor's needs and goals. Being victim-centered in your response sometimes means redefining what success looks like based on the needs of the individual youth with whom you're working.

Promoting support and autonomy for sexually exploited youth can improve outcomes for both the youth and the community at large. This does not mean the professional must do everything the victim/survivor requests. The purpose of victim-centered work is to recognize victims/survivors as the "experts" in their own lives, respecting their role in the systems response, and providing them appropriate resources to meet their current needs.

Victim-centered approaches look different in different disciplines. Each profession has certain legal and ethical requirements that govern their interactions with the victim/survivor. But all professionals share the ability to expand their role to keep in mind and respect the wishes of victims/survivors. For example, instead of just conducting a forensic medical exam or interview of a victim to get facts, consider how to go deeper through techniques like a forensic experiential trauma interview (FETI), which goes beyond interviewing about the facts include questions about sensory experiences as well. This can help uncover more salient

information about victim/survivor trauma and connect them with resources or anything else that may be needed.<sup>1</sup>

**"People will share when they feel safe."<sup>2</sup>**

Perhaps the most critical element of being victim-centered is allowing victims/survivors to move forward at their own pace. Because sexually exploited youth often do not view themselves as victims, they rarely self-identify. In addition, they often mistrust systems professionals; it takes time to build the trust and rapport required for a young person to disclose. Even then, change is likely to be slow, and youth who have been sexually exploited may not initially be interested in leaving “the life.” Many youth start and resume services multiple times before ultimately deciding to leave. Youth may not want their exploiter to be arrested or charged, either because of romantic or familial bonds, or out of fear of retaliation.

**Seven Simple Rules for Being Victim-Centered<sup>3</sup>**

1. **Consider the victim/survivor first.** Victims/survivors and their unique needs and abilities should be considered first.
2. **Listen generously.** Listen with belief; acknowledge their experience. Listen with patience; walk with victims/survivors as they determine their own path. **Listen with compassion; give voice to the victim/survivor’s experience.** Listen with faith; believe in the victim/survivor’s resilience. Listen to understand the victim/survivor’s own goals for safety, healing, and seeking justice. Listen generously to victims/survivors, colleagues, team members, community members to affect the change we seek. Create safe places for people to tell their stories.
3. **Promote victim/survivor self-agency.** An agent is “one that acts or has the power or authority to act.” Promote victim/survivor

1 See the **Appendix** for more information on FETI technique.

2 *Voices*, *supra* note 2, at 30. Hennepin County No Wrong Door Initiative, Paula Schaefer & Associates, Sexual Violence Justice Institute at Minnesota Coalition Against Sexual Assault, Ramsey County Attorney’s Office, *Voices of Safe Harbor: Survivor & Youth Input for Minnesota’s Model Protocol on Sexual Exploitation and Sex Trafficking of Youth*, 30 (Dec. 2015), <http://www.hennepin.us/~media/hennepinus/your-government/projects-initiatives/documents/no-wrong%20door-voices.pdf?la=en> [hereinafter referred to as *Voices*].

3 Sexual Violence Justice Institute (SVJI) at Minnesota Coalition Against Sexual Assault (MNCASA), [www.mncasa.org](http://www.mncasa.org).

self-agency by offering the support and information that victims/survivors need to act in their own best interest relative to the unique circumstances of their lives. For a victim/survivor in crisis, work to re-engage or increase their coping abilities to the point decision-making is again possible. Engage, consult, and inform a victim/survivor about decisions that will affect her or him. Informed decision-making means the victim/survivor knows what could be gained or lost in the options available to him or her.

**4. Coordinate and collaborate in the victim/survivor's interest.**

Coordinating disparate and fractured elements of a response can improve a victims/survivors' experience and lead to better cases. Coordinating primarily in the system's own interests can re-victimize victims/survivors and jeopardize case outcomes.

**5. Ensure victim/survivor safety.** Ensure victim/survivor safety. Ensure victims/survivors have the information, resources, and supports to be safe or move toward safety. This can include access to confidential services, privacy protections, access to legal remedies for protection, notification of an offender's release, and consideration of the unintended consequences to victims/survivors of the policy and procedural decisions we make.

**6. Seek just solutions for all.** Be honorable, fair, lawful, suitable, and free from bias.

**7. Hold self and others accountable.** Be able to explain and answer for our own actions and decisions. Ask others to do the same.

b. Tips for Being Victim-Centered

- Offer support and information that victims/survivors need to act in their own best interest.
- Take time to build trust and rapport.
- Try to limit the number of times that a victim/survivor has to describe the exploitation.

- Inform victims/survivors in advance of situations in which you may have to make a mandated report (see “Confidentiality & Reporting” below).
- If a victim/survivor is struggling or is in crisis, work to increase the victim/survivor’s coping abilities.
- Ask youth if they are comfortable speaking with you or would prefer speaking with a colleague of yours. The background of some people – size, race, gender – may remind some victims/survivors of their abusers. Other youth may feel judged by someone of their same gender or race.
- Begin intake sessions by asking youth informal questions (how they are doing) and asking if they need anything (water, food, etc.).
- Be aware of your body language and reactions. Sexually exploited youth, particularly those who have been surviving on their own, are good at “reading” people’s intentions. Try to achieve a balance between being neutral and nonjudgmental with being engaged and caring.
- Sexually exploited youth do not automatically “hate” men – exploiters can be male or female – but they can “read” who is a potential buyer or may see adults as potential “tricks.” Find out who the youth feels most comfortable interacting with when receiving services.
- When doing an intake with a youth, have a conversation rather than mechanically following a form in exact order. Read each question as if you have never read it before. The youth may feel you are insincere if you appear to know the answers before you are done asking the question.

## 2. Being Trauma-Informed

Sexual exploitation is highly traumatic on its own, and those who are subjected to it often encounter trauma from other sources as well. It is crucial that professionals who work with exploited youth understand the

effects of this trauma. Being trauma-informed shifts the approach from “What is wrong with you?” to “What has happened to you?”

a. Defining Trauma

Trauma is a *reaction* to one or more violent events or negative experiences. It is not the event or experience itself. Trauma can take many different forms. Consider these circumstances that may cause trauma for sexually exploited youth:

- sexual exploitation and other forms of sexual violence, including child sexual abuse;
- domestic and family violence;
- discrimination based on race, gender identity, sexual orientation, ability, economic status, national origin, religion, or other factors;
- witnessing the suffering of others (vicarious trauma);
- experiencing multiple levels of a traumatic event, e.g., having to repeatedly describe one’s exploitation (re-traumatization); or
- being a member of a community which has experienced long-term oppression (historical trauma).

**“Staff should be more understanding, not quick to judge. Learn more about the trauma of exploitation.”<sup>4</sup>**

The various forms of trauma experienced by sexually exploited youth may well intersect with, reinforce, and contribute to one another—a condition known as “complex trauma.” Note that complex trauma is distinct from post-traumatic stress disorder (PTSD). PTSD is a specific diagnosis that is the result of screening by a mental health professional. Not all trauma results in PTSD. See ***Mental Health*** for more information.

Do not seek to “check boxes” of what kind of trauma a youth has, how many different types, etc. Every person’s experience of trauma is unique. Focus on meeting the youth’s needs rather than judging the youth’s trauma. Do not define the youth based on their trauma history but rather be aware of this information and how it impacts the young person’s physical and emotional wellbeing.

### b. The Effects of Trauma

Any trauma, especially complex trauma, can have serious and long-term health effects, including addiction, chronic and sometimes debilitating physical conditions, depression, anxiety, self-harm, and other psychiatric conditions. Trauma in childhood (often termed “adverse childhood experiences,” or ACEs) can have negative effects much later in life, with multiple traumas having a cumulative result.<sup>5</sup> One of the most important impacts of trauma is on the brain. The exact science behind trauma and the brain is beyond the scope of this chapter.<sup>6</sup> In short, trauma directly affects how those who are traumatized interpret the world around them. It throws off coping skills and ability to gauge the risk of a situation. It affects both memory and linear thinking.

#### ■ **"Everybody recovers at different times."**<sup>7</sup>

Trauma does not always “go away” and can stay with someone indefinitely. Just like there are many types of trauma, there are many ways someone may manifest trauma. It is hard to predict how someone will respond to any given event. A person who has been traumatized may have different reactions under seemingly similar circumstances. Traumatized youth may exhibit, among other things:

- difficulty remembering details or an order of events;
- difficulty providing coherent, consistent, and organized narratives or explanations;
- flat affect or disconnected behavior;
- surprisingly upbeat behavior;
- anger or lashing out; or
- difficulty sitting still or concentrating.

Often, this behavior may seem surprising or inconsistent to professionals who are unfamiliar with trauma and exploitation, leading them to doubt the credibility of traumatized youth.

5 More information on the long-term impact of ACEs is in the **Appendix**.

6 There is a wealth of information available about the effects of trauma on the developing brain. One example is Child Welfare Information Gateway, U.S. Department of Health and Human Services, Children's Bureau, *Understanding the Effects of Maltreatment on Brain Development* (Apr. 2015), [https://www.childwelfare.gov/pubPDFs/brain\\_development.pdf](https://www.childwelfare.gov/pubPDFs/brain_development.pdf).

7 *Voices*, *supra* note 2, at 38.

For youth who are “acting out” or being “uncooperative,” a likely explanation is exposure to trauma. When youth experience multiple levels of trauma, their ability to gauge cause and effect is greatly impacted. Youth see that no matter what they do, traumatic things still happen to them. As they develop, they may not see that their behavior can have any impact at all. A traumatized youth who acts with hostility, for example, may use the hostility as a way to keep others from getting too close in order to avoid further harm, potential loss, or disappointment. The youth may be entirely unaware of the effect that this hostility can have on others and unable to understand the responses that it evokes.

c. Tips for Being Trauma-Informed

When encountering a sexually exploited youth, orient yourself toward the idea, “What has happened to this young person? What trauma has this youth endured?” This will help to explain the youth’s behavior and strengthen the effectiveness of your response. Do not approach youth as if there is something wrong with them or that you can “fix” their situation. This will be perceived by the youth as judgment, and it will be difficult to form a relationship or build trust.

Understand that if a youth’s memory seems unreliable, this does not mean the youth is not credible. The youth’s brain may well be having difficulty processing the details and order of events. Take things slowly and try asking questions in different ways. Sometimes simply letting a youth get some sleep can help.<sup>8</sup>

Do not try to convince a youth of how bad the youth’s exploiter is. For many reasons, the youth may still care about the exploiter and has been trained to distrust anyone who says things differently than the exploiter. Allow the youth to choose the terminology used to refer to the exploiter.

Understand that there are triggers that will upset a youth, and make an effort to identify when a youth is being triggered. Learn grounding techniques to help the youth work through an upsetting situation. Remember that some triggers may seem innocuous – but the negative memories they bring up are not.

As discussed earlier in this chapter, one approach that can help with a trauma-informed response is the Forensic Experiential

8 Note, by comparison, that common law-enforcement protocol for responding to a critical incident requires that a witness go through as many as two sleep cycles before receiving an in-depth interview.

Trauma Interview (FETI) technique. Developed for law enforcement, it is increasingly used by many different disciplines. See the **Appendix** for more information on FETI.

### 3. Being Youth-Centered

#### a. Defining Youth-Centered

Youth-centered is an approach to working with youth that recognizes their strengths and personal agency. In society, we often view children and adolescents as unable to care for themselves or make informed decisions. By following a youth-centered approach, we respect the youth's expertise and work with them rather than doing things for them.

Professionals may vary in their ability to enact youth-centered philosophies based upon the parameters of their legal, ethical, or professional obligations. To the extent that it is possible, being youth-centered can lead to positive long-term outcomes for sexually exploited youth.

**"Don't judge, don't bombard with questions, don't treat them like they are stupid."<sup>9</sup>**

In practice, professionals should seek to support youth instead of making decisions for them. Give youth options and opportunities, and discover their strengths as well as how to help youth develop skills. Learn about a youth's core values and provide the tools to live out those values. In addition, take things one step at a time. Focus on a youth's basic needs first. For example, while counseling may be very helpful at some point, a youth will not be able to benefit from such services if they do not have a safe and reliable place to stay. A youth who comes into a shelter will need to have food, sleep and clean clothes before going through a full intake.

#### b. Tips for Being Youth-Centered

##### i. Your Approach

**"They should not expect a youth to pour out their feelings and especially no pressuring."<sup>10</sup>**

<sup>9</sup> *Voices, supra* note 2, at 31.

<sup>10</sup> *Voices, Supra* note 2, at 29.



- Your purpose is not to “save” or “rescue” youth. Try to empower youth instead.

- Approach this work with humility. You don’t have all the answers and should not present yourself as someone who is going to attempt to solve all the youth’s problems.
- Try to be aware of current youth trends, culture, slang, etc. DO NOT, however, attempt to co-opt youth cultural manners or slang. You will likely be perceived as disingenuous or ridiculous by the youth.
- Don’t lie or sugarcoat difficult information. It is easy to lose trust with the youth by not being honest and direct.
- We’ve all been vulnerable at some point in our lives. Help youth understand that it is not a reason to be ashamed.

ii. Conversation and Interaction

**“They shouldn’t be all strict, they should be cool, act like an adult but know how to get along with teenagers. Don’t treat you like criminals, treat you like regular people.”<sup>11</sup>**

- It is easy to define and relate to youth as “victims” and forget that they are also just kids, testing boundaries, dealing with trauma. Give them opportunities to BE youth and enjoy what youth in their age group like to do – give them boundaries and rules but leave room for negotiation, and avoid talking down to youth, e.g., “You need to do this because I know what is best for you...”
- Recognize that sexually exploited youth are often slow to trust adults and may react negatively to someone who is showing care towards them.
- Always explain to youth that they have the right to refuse to answer any questions.

- Try to avoid requiring a youth to provide the same information repeatedly, at least within the same agency.

### iii. Follow-Up

- Be aware of familial issues and whether or not it is safe or unsafe to return a youth to “home,” or the place youth is staying. Before a youth is returned, assess the safety of the home, and determine why the youth left in the first place. Discuss where the youth was living or staying while away from home. And when home is not safe, consider other options, be sure to seek the youth’s input.
- The experiences of youth and families can impact their trust in the legal system. When a youth chooses to report, the youth may assume that the case will be charged and prosecuted. Recognize that when this does not happen, youth may be very reluctant to report again. They may also be re-victimized within the family and community for what appears to be lying about the incident. Explain, if possible, why a case cannot be pursued. Making an effort to do so may help the youth trust—or at least understand—the legal system in the future.
- Offer referrals as information that victims/survivors can use at their leisure. Do not demand or suggest what they “must” or “should” do. Never condition assistance on performing a particular action.

Youth are resilient and continue to learn from their experiences and their environment. Being consistent, patient, and respectful, and having healthy boundaries with youth will teach them to trust you and your colleagues and put them on a path to long-term health and well-being.

## 4. Being Strengths-Based

### a. Defining Strengths-Based

Being strengths-based means viewing the potential, not problems, of a youth. Youth are “assets and resources, not problems to be fixed or

prevented.” They are also more than the sum of things – in particular, traumatic things – that have happened to them. Each youth brings unique context, interests, and skills that have aided in that youth’s ability to survive. Draw upon these strengths when working with them.

■ **“Don’t judge, don’t bombard with questions, don’t treat them like they are stupid.”<sup>13</sup>**

b. Tips for Being Strengths-Based

- Realize that some behaviors that may seem “manipulative” are actually critical survival skills. Youth that exhibit these behaviors have had to find ways to get their needs met when traditional methods failed.
- Emphasize the resiliency of youth. Rather than seeing only the trauma that has happened to them, help them to be proud of what they have overcome.
- Ask youth what activities they enjoy, or what they feel they are good at. Then provide them with opportunities to share their talents.

## 5. Confidentiality & Reporting

Sexually exploited youth have rights to privacy and confidentiality in some cases similar to rights held by adults. In parallel to this, virtually all professionals who work with youth have strict legal and ethical obligations of confidentiality that will vary by discipline. See **Legal Framework** (“Confidentiality & Mandated Reporting”) for more information.

■ **“You don’t want to tell someone something difficult to talk about if they aren’t going to keep it confidential.”<sup>14</sup>**

12 The Link, [www.thelinkmn.org](http://www.thelinkmn.org).

13 *Voices*, *supra* note 2, at 31.

14 *Id.*

These rights to privacy and confidentiality are important not just because they are protected in law, but because they are fundamental to a victim- and youth-centered approach. Youth need privacy “to feel safe, to be safe, to ask for help, to agree to receive help, to develop problem-solving skills and to trust others.”<sup>15</sup> When confidentiality is breached, it can disrupt the victim/survivor’s recovery as well as create a chilling effect on seeking help for either the person whose confidentiality was violated or for others who hear about the breach by word of mouth. Breaches can damage the one-to-one relationship between victims/survivors and providers, damage the public-trust relationship in programs that claim confidentiality for victims/survivors, and have a negative impact on reporting and public safety, because victims/survivors may be more reluctant to come forward.

Still, youth confidentiality must sometimes be breached, such as when a mandated reporter is required to do so under Minnesota law. (See **Legal Framework** for information on the applicable requirements.) If this is necessary, it should be managed with full transparency. Specifically, **anyone receiving services from a mandated reporter for child maltreatment and neglect should be informed before any intake or meeting** that the provider is a mandated reporter and that there are certain situations that require a report. This forewarning gives the person subject to a report — in this case the youth — the chance to decide what information to share and when. These warnings should be repeated regularly, both during the initial conversation and throughout the timeframe of receiving help.

Being transparent about mandated reporting obligations helps to build trust and credibility between the provider and the youth, assures that the youth is not blindsided by a report, and allows the youth an opportunity to participate in the report if one must be made. Youth who have prior experience with the child protection, judicial, and corrections systems may be particularly hesitant about sharing information that will thrust them back into those systems. It is possible that if a provider has to make a mandated report, regardless of how well the youth has been prepared about that possibility, the youth may no longer wish to work with that provider. Or, if the relationship has to continue, there may be more barriers to an open dialogue.

As noted by The Confidentiality Institute: “Information disclosure can lead to unintended consequences. All disclosure carries risk for exploited youth. Risks knowingly undertaken can be managed. Nasty surprises

15 Alicia Aiken, The Confidentiality Institute, Minnesota Department of Health webinar “Confidentiality, Minors and Safe Harbor,” Jan. 7, 2015.

can destroy working relationships.”<sup>16</sup> Full transparency at the beginning of the relationship helps to increase understanding about why mandated reporting exists and when it must occur.

There may be situations that do not fall under mandated reporting statutes in which a youth may wish to voluntarily release information to others in order to access additional services and support. Let the youth know what information will be shared, with whom, through what process, and for how long. A youth should know the risks of sharing information; for example, once information is shared with a third party, it is difficult to control who else will see it. Any release of information should be pursuant to a document signed by the youth which is specific, time-limited, and contains an end date in the near future. The youth should review the release’s details carefully to ensure that it does not contain any surprises. Access to services, however, should never be conditioned on signing a release of information.

## 6. Preventing Burnout

Professionals cannot be effective in helping, caring for and supporting others if they do not care for themselves too. Working with victims and survivors of a disturbing crime like sexual exploitation can take a toll physically and emotionally, and it can be particularly upsetting to hear stories about children and youth who are harmed or to witness their trauma firsthand.

Secondary trauma, also known as vicarious trauma, compassion fatigue, or “burnout,” is common for persons in front-line engagement professions like victim advocacy, law enforcement, prosecution, public defense, health care, corrections and various judicial system roles, among many others where contact with people in crisis is common. Burnout and ineffectiveness are a frequent response and no person, not even the “toughest” among us, is immune. Survivors working to support other survivors, in particular, need to stay aware of how they react to reminders from their own past that may come up in the cases they see now.

Burnout prevention or self-care doesn’t have to involve “touchy-feely” activities, which can make some people uncomfortable or even cause more stress. Self-care is mainly about doing what is most enjoyable such as taking breaks, finding opportunities for mindfulness, going on vacations, spending time with friends or family, engaging in low-stress activities, or simply watching a favorite television show or movie. And

professionals are encouraged to seek support from a counselor from time to time, particularly when involved with difficult cases on a regular basis. Organizations can also assist by encouraging breaks, providing opportunities to decompress and offering debrief sessions. Staff appreciation activities can help with morale.

## Harm Reduction

Sexually exploited youth may engage in a number of harmful and risky behaviors, for the many reasons described in this chapter and in *Dynamics of Sexual Exploitation*. These harmful and risky behaviors may include drug use, alcohol abuse, sleeping in unsafe circumstances, self-harming behaviors and others. It is not realistic to expect that every youth will be able to stop and change this behavior as soon as there is system intervention, even when the intervention involves removal from the negative activities. Sometimes the lure of the familiar and known is too hard to resist or the control asserted by the exploiter over the youth is overwhelming.

For this reason, many providers employ “harm reduction” techniques when working with sexually exploited youth. The aim of harm reduction is to reduce the negative consequences associated with risky behavior, while recognizing that a youth may not be ready, willing, or able to end the behavior immediately. It is a principle most often connected with reducing drug use and HIV transmission but has application across behaviors.<sup>17</sup> Harm reduction recognizes that many youth will continue to take risks even when they are warned or receive help. This is particularly true for youth who are surviving on the streets and exchanging sex for money, drugs, food, shelter, transportation or other needs. Education and resources may help reduce the negative health and safety consequences for these youth until they are ready to stop the risky behavior altogether. Access to help should never be contingent on the youth stopping the risky behaviors.

Professionals working in street outreach, youth services, advocacy and health care most commonly employ harm reduction approaches. Examples of these tactics include providing access to contraceptives to prevent pregnancy and prevent the spread of sexually transmitted infections and HIV. Offering hygiene products

17 For examples, see the Harm Reduction Coalition ([www.harmreduction.org](http://www.harmreduction.org)) and Centers for Disease Control and Prevention ([www.cdc.gov](http://www.cdc.gov)).

or warm clothing to youth who are homeless or on the streets recognizes their basic day-to-day needs. Providing information about clean needle exchanges helps to reduce the risk of HIV and hepatitis C for injecting drug users.

Harm reduction can exist in some tension with the goals of public safety and of comprehensive, immediate health and safety for youth. For some professionals, such as many in law enforcement, child protection and the judicial system, harm reduction strategies are often less appropriate and may even run counter to their ethical obligations. Yet even these professionals should recognize the power in such strategies and not judge their use by service providers working directly with youth. Sexual exploitation is a complex, traumatic experience that frequently happens to individuals who have experienced many other forms of trauma. The response of professionals must be nuanced, focusing on the youth's immediate health and safety while striving toward long-term wellness.

Chapter 4

# Foundational Chapter Cultural Considerations

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The purpose of this chapter is to provide agencies and communities with guidance for interacting with sexually exploited youth from different cultural identities, as well as points to keep in mind when developing a culturally-responsive protocol.<sup>1</sup>

Culture is a complex, multi-layered topic. It does not mean just race or ethnicity. It also encompasses socio-economic status, nationality, citizenship, religion, ability, age, and much more. A range of personal and collective experience can coalesce into distinct cultural identities, such as sexual orientation and gender identification, disability, or homelessness, and street culture. Culture influences each individual's views, behaviors, and relationships with others. It plays a role in how individuals understand and process trauma, how they solve problems and describe their experiences, where they access support, and how they define justice.

Cultural identities, too, are complex and multi-layered. Cultural identity is a unique individual experience, but it is not the single defining factor of who a person is. Similarly, there are a multitude of viewpoints within cultures—as many viewpoints as there are individuals.

In short, it is impossible to capture the complexities of cultural identity in just a few pages. This chapter is not prescriptive or all-inclusive. It is intended, rather, to be a practical starting point for conversation, as well as a reminder to approach cultural issues from a position of humility and openness.

Being culturally-responsive to sexually exploited youth requires being culturally-responsive to *all* youth. This value should be built, proactively and with planning, into all of our work as agencies and individuals serving young people. This may include offering services in languages other than English, using materials that reflect a variety of cultural perspectives, or incorporating non-binary gender identification on forms. It should include youth empowerment in this area: informing them of the option to obtain culturally-specific services or allowing them to self-identify their race or ethnicity, for example. Fundamentally, professionals should work to address the cultural and racial bias that is within their organizations, their systems, and themselves.

A final critical point: Regardless of how openly sexual violence is discussed within communities, **sexual violence—including exploitation—is not an accepted practice within any culture.**

1 Many thanks to the creators and collaborators of the Ramsey County Safe Harbor Youth Intervention Project (SHYIP), from which much of the content in this chapter was adapted and updated.

## 1. Being Victim- & Youth-Centered

A core tenet of the *Safe Harbor Protocol Guidelines* is that the response to sexually exploited youth must be victim-centered and youth-centered—putting the needs of victims/survivors first and recognizing and honoring the strengths and perspectives of youth. (See ***Working with Sexually Exploited Youth*** (“Being Victim-Centered”; “Being Youth-Centered”.) This means seeking to understand and respect the cultures from which youth come as well as their individual perspectives on those cultures. Professionals must seek to “meet youth where they are.” Culture is a powerful force, but it is not completely determinative. Youth will have their own perspectives and preferences.

### a. Respect Self-Identification

Respecting personal identification is an important first step in working with sexually exploited youth. Again, identity can be complicated. A youth’s identity may not be apparent right away. Youth may claim a variety of cultural identities, these identities may be “layered” one atop the other, and they may shift over the course of time. There is no single “correct” term for youth from a particular community. Do not assume that the preference of one young person can be applied to other young people. Ask youth how they identify, and make every effort to attend to this information.

**"Including and opening up opportunities for ceremonial things or prayers and stuff and not making them change things about their daily lives[,] because some Natives put out tobacco every day and burn sage and are really traditional in that way[,] and if they were put in a shelter and sometimes they don't have that opportunity, they should be able to have that opportunity to have their ceremonies."<sup>2</sup>**

Recognize that youth from any community may vary in how they self-identify. Some youth may identify based on the country their family is from. Others may identify based on their family’s ethnic background.

2 Hennepin County No Wrong Door Initiative, Paula Schaefer & Associates, Sexual Violence Justice Institute at Minnesota Coalition Against Sexual Assault, Ramsey County Attorney's Office, *Voices of Safe Harbor: Survivor & Youth Input for Minnesota's Model Protocol on Sexual Exploitation and Sex Trafficking of Youth*, 26 (Dec. 2015), <http://www.hennepin.us/~media/hennepinus/your-government/projects-initiatives/documents/no-wrong%20-door-voices.pdf?la=en> [hereinafter, *Voices*].

For example:

- Youth whose families are **from Africa** may prefer to identify as African American, Black, or African; by country of origin (e.g., Somali or Somali American); or by ethnicity (e.g., Oromo); by some combination of all of these; or in some other way.
- Youth who are **Latinx<sup>3</sup>/Hispanic** may prefer to identify as Hispanic, Latino or Latina; by country of origin (e.g., Colombian or Colombian American); by some combination of all of these; or in some other way.
- Youth who are **American Indian/Alaska Native** may prefer to identify as American Indian, Indian, Alaska Native, Native American, Native, Indigenous, or First Nations<sup>4</sup>; by ancestry (e.g., Dakota or Ojibwe); by tribe (e.g., Mille Lacs Band of Ojibwe); by some combination of all of these; or in some other way.
- Youth whose families are **from Asia** may be prefer to identify as Asian American or Asian; by country of origin (e.g., Thai); by ethnicity (e.g., Hmong, Hmong-American, Karen, or Karen-American); by some combination of all of these; or in some other way.
- Youth who are **Muslim** may come from virtually any racial, cultural, and ethnic background. They may prefer to identify as Muslim or Muslim-American; by country of origin, ethnicity, or race; by some combination of all of these; or in some other way.<sup>5</sup>

In addition to identities of ethnicity, race, faith, and country of origin, youth may also identify with other aspects of their lives, such as their gender or sexuality (see “Gender & Sexuality” below), their membership in the Deaf community (see “Deaf or Hard of Hearing Youth” below), or even

3 Latinx (or Latino/a) is a written term that covers all gender identities. Similar terms such as Latino or Latina each imply only one gender.

4 The term “First Nations” may be preferred especially by Native youth from Canada and other countries.

5 Both the Hmong and Karen communities—two of the fastest-growing ethnic groups in the state—are from regions of multiple countries rather than from any one country. Both are minorities (usually ostracized minorities) in these places.

their life on the streets (see “Homelessness” below). Be guided always by preferences provided by the youth.

b. Avoid Assumptions

Avoid stereotyping. For example, recognize that youth who identify as Latinx or Hispanic come from a range of family backgrounds—documented immigrants, undocumented immigrants, and families who have been in the United States for multiple generations. Some may consider English to be their native language, others may consider Spanish to be their native language, and yet others may be native speakers of a variety of Indigenous languages. Similarly, Asian American youth come from a variety of backgrounds and countries. Some may have been born abroad, and others may have lived in the U.S. for generations. And youth who identify as Muslim may come from almost any racial, cultural, or ethnic background; they may or may not be immigrants; and—like those who follow other religions—they may practice Islam to varying degrees.<sup>6</sup>

**"The first time I ever ran away, this was supposed to be my fiancé, and nowhere in U.S. law was I married to him but under religion in my culture he was my husband. I went to the police station, a cop took me back. A cop said, "In your culture you guys have so many rules that I cannot come between." What part of I'm being raped and abused and forced into prostitution do you not understand? I'm forced to stay in this until I find a way out. That's where the stereotype comes in. Just because you're a Somali woman covered up with her husband does not mean she's happy or not being abused."**<sup>7</sup>

Avoid making assumptions about any part of a youth's identity—race, ethnicity, gender, sexual orientation, ability, etc. Beware of assumptions based on, among other things:

- **Clothing or appearance.** A youth's appearance can be deceiving. Homeless youth, for example, may look like any other youth; maintaining their image—clothes, makeup, cleanliness, etc.—is often an important component of their sense of self-worth.

<sup>6</sup> Islam is the name of the religion, while Muslim refers to a person who practices Islam.

<sup>7</sup> *Voices*, *supra* note 2, at 25.

As another example, many African immigrant youth wear a headscarf and prefer to cover their entire body. This may be required by their religion and is part of their culture and tradition; it does not necessarily indicate the youth's feelings and beliefs on all topics. On the other hand, youth may choose to dress less traditionally, and more along with trends in the dominant society, without disapproving of their entire culture and religion.

- **Family structure.** Family is important in every culture. Don't assume, however, that families come in only one arrangement or that a particular family arrangement says other things about the youth. For example, in some American Indian families, several women may be called "mother," and cousins may be called "sister" or "brother." Many other youth, from a variety of backgrounds, have two mothers or two fathers.

For all of these reasons, asking the question "Where do your mom and dad live?" can be alienating. Ask, rather, "Where does your family live?" or "Where do your parents live?" Find out who the youth considers to be a caregiver.

- **Faith.** Religion and spirituality are important to many youth and can be important components of a youth's healing. In African American and many other communities, for instance, the church is often an extension of family and can be a major contributor in supporting youth, if the youth desires that connection. Nevertheless, don't make assumptions about a youth's spiritual practices or beliefs.

For example, many American Indian/Alaska Native youth may be unfamiliar with the faith traditions of their Nations and lineages, due to generations of forced assimilation and many other factors. Others may not want to engage with these traditions. Don't assume youth know of, have access to, or want resources on these traditions.<sup>8</sup>

As another example, many youth who are Muslim pray five times a day and fast from dawn to dusk during the month of Ramadan; take these practices into account and provide support—e.g., a private place to pray—in your work with such

8 Another possible assumption about American Indians/Alaska Natives and spirituality has to do with "smudging." This is a spiritual practice conducted by some American Indians/Alaska Natives which involves lighting sage—which can smell like marijuana to those unfamiliar with it. Do not assume that the smell from a ceremony is marijuana; it may well be sage.

youth. But other youth who identify as Muslim may not follow these practices as closely. Do not assume.

If a youth was harmed by someone within the youth's faith community, do not assume that the youth will feel negatively toward that community; acknowledge the harm done by the individual, but do not criticize the youth's belief system.

Avoid making assumptions about how youth want to be served. For example, do not assume that a youth wants services from a program serving individuals of the youth's cultural origin. Ask youth what approaches will help them feel safe and comfortable.

Rather than make assumptions, simply ask youth about their background and preferences, to the extent that it is relevant to serving them or will help to deepen the relationship. Then, follow up with support, referrals, or resources as appropriate.

c. Recognize Barriers to Reporting

It is very common for sexually exploited youth not to report their own victimization, as discussed in *Dynamics of Sexual Exploitation* ("Why Don't They Leave?"). But youth from some cultural communities may face particular challenges to reporting.

Respect for elders, especially men, is particularly strong in many communities. In these communities, it may be difficult for a youth to seek help when the exploiter is a male family member or other elder.

Some cultures in Minnesota have very small populations in which "everyone knows everyone." Despite professionals' best efforts to protect confidentiality—see *Working with Sexually Exploited Youth* ("Confidentiality & Reporting")—news about exploitation can spread. Youth may fear becoming isolated from and shamed by their community if they report. They may also fear bringing this shame and ostracism—perhaps even retaliation—upon their family. The use of a local interpreter may be especially problematic, if it's likely the interpreter will know many of the people involved. (See "Working with Interpreters" below.)

All of this can be doubly true if the culture is one that "blames" victims/survivors for what they have experienced. In some Southeast Asian cultures, for example, sexual violence is traditionally viewed as resulting from the substandard character of the individuals involved, and so seeking help is not encouraged.

This sense of the community taking "ownership" over the offense—in ways that may be challenging for victims/survivors—can be strong. Some

cultural communities have traditional forms of resolution that may be applied to offenses. In the Hmong community, for example, offenses may be addressed through the clan system. Not all Hmong victims/survivors will want clan system involvement, and of course, such traditional approaches do not limit or replace involvement by the U.S. justice system. But they may also be preferred by youth; being victim-centered means accepting that choice and honoring it where possible.

LGBTQIA+ youth may be reluctant to report exploitation if it could involve coming out about their gender identity or sexual orientation. The families of LGBTQIA+ youth are not always accepting of their gender or sexuality and may even be outright hostile and abusive. See “Gender & Sexuality” below for more discussion of this.

Finally, if an exploiter shares a cultural identity with a youth, the youth may feel reluctant to report the exploitation due to fear of betraying that culture or undermining public understanding of it. Some deaf victims/survivors of sexual violence and exploitation, for example, perceive a lack of support within the Deaf community, particularly if the perpetrator is also deaf. (See “Deaf or Hard of Hearing Youth” below).

Youth who experience isolation and shame—whether because they report or because they decide not to do so—are even more vulnerable to further manipulation. See *Dynamics of Sexual Exploitation* (“Vulnerability & Risk Factors”).

#### d. Address Trauma

As discussed in *Working with Sexually Exploited Youth* (“Being Trauma-Informed”), all victims/survivors of sexual exploitation have experienced trauma. For victims/survivors from some communities, this trauma may be in addition to trauma experienced in other parts of their lives. For example, youth who are refugees—or whose families are refugees—may have experienced war or political persecution in their countries of origin and/or during their migration or during (often lengthy) stays in refugee camps.

Youth from these and other communities may also suffer from the effects of “historical trauma”—emotional and psychological wounds extending cumulatively across generations. One example of historical trauma comes from the experience of African Americans, who have been subjected to abuse, slavery, displacement, and disenfranchisement for hundreds of years, with devastating effects that last to this day.

Another example comes from the experience of American Indians/Alaska Natives. In the earliest days of colonization, colonizers traded

American Indian women as sexual commodities. Later, boarding schools devastated families by forcibly taking away their children. Throughout U.S. history, American Indians/Alaska Natives have been abused—physically, sexually, emotionally, and spiritually—for following their own cultures and traditions, such as speaking their own languages. Today, American Indian women are subject to particularly high rates of violence and assault, including prostitution and other forms of sexual exploitation.<sup>9</sup> Many American Indian families are no longer familiar with traditional cultural practices—practices which can provide self-worth to victims/survivors and promote healing.

Finally, note that not all cultures will view or treat trauma in the same way as Western cultures, which typically rely on therapeutic intervention. In the Hmong community, for example, trauma is usually associated with a spiritual cause, with spiritual healers such as shamans or pastors involved in treatment.

e. Build Trust

Building trust is important in any relationship with victims/survivors. But it is critical—and can be especially challenging—in working with youth from particular backgrounds.

Youth from certain cultural groups are particularly likely to mistrust governmental systems and even many community institutions. This can be true not only because of mistreatment experienced directly by youth and their families, but also because of broader inequities and historical trauma.

For example, the mistreatment of African Americans throughout our country’s history (see “Recognize Trauma” above) is linked inextricably with the inequality African Americans experience today in education, employment, health care, and the criminal justice system. As a result, many are reluctant to engage with systems like law enforcement or child protection.

The same is true for American Indians/Alaska Natives. Because of the subjugation of American Indian peoples throughout U.S. history (see “Recognize Trauma” above), American Indian youth may be distrustful of government agencies and other institutions. This may be particularly true for educational and religious institutions, because of the history of American Indian youth being forced to attend parochial boarding schools where they were abused and forced to abandon their culture.

9 M. Farley, N. Mathews, S. Deer, G. Lopez, C. Stark & E. Hudon, *Garden of Truth: The Prostitution and Trafficking of Native Women in Minnesota*, Minnesota Indian Women’s Sexual Assault Coalition, 10 (2011), [http://www.prostitutionresearch.com/pdfs/Garden\\_of\\_Truth\\_Final\\_Project\\_WEB.pdf](http://www.prostitutionresearch.com/pdfs/Garden_of_Truth_Final_Project_WEB.pdf).



For some immigrant populations, suspicion of systems and institutions may be a result of mistreatment in the U.S. as well as in their countries of origin. Youth and families who have previously experienced lawlessness or abuse of power may be fearful of law enforcement here or may not know how to engage these systems effectively. In many countries, cases of sexual or domestic violence may be less likely to be prosecuted than in the U.S., and considerable attention might be focused on the victim/survivor—with the victim/survivor’s picture even being publicized.<sup>10</sup>

The lack of trust in systems and institutions is not limited to racial and ethnic groups. Youth who are experiencing homelessness or who identify as LGBTQIA+ may share it as well, as a result of discrimination and mistreatment both at home and on the street. Youth in these categories from communities of color often distrust “authorities” even more strongly, for many of the reasons already stated.

**"No one makes it easier because of religious norms and societal norms. There are a lot of queer organizations coming up but really just for queer white youth. It's hard for an African American to get a grant in America for anything, let alone if they are trans."<sup>11</sup>**

How can professionals build trust with youth from these and other groups? The first step is to recognize the factors discussed in this section and in the remainder of the chapter. If you are a person of privilege, recognize your own limitations. As one obvious example, avoid making statements like, “Color doesn’t matter to me,” or “Some of my best friends are \_\_\_\_.” Statements like these will not impress youth and may even antagonize them and jeopardize the relationship. The approach to building trust—respect—is the same for all sexually exploited youth. See *Working with Sexually Exploited Youth* (“Being Victim-Centered”).

## 2. Homelessness & "The Life"

Many sexually exploited youth experience homelessness at some point, in varying forms. They may be “couch-hopping,” staying in shelters, or even living “on the street” (vacant buildings, etc.). Avoid defining homelessness for youth. Ask open-ended questions, such as, “Where did you sleep last night?” or “Do you feel safe where you’re staying?” A youth

<sup>10</sup> For additional discussion about immigration issues, see *Legal Representation* (“Immigration Cases”).

<sup>11</sup> *Voices*, *supra* note 2, at 24.

who is sleeping in a friend’s garage, may not self-identify as homeless. (See “Respect Self-Identification” above.) Also keep in mind that youth experiencing homelessness may not look different than other youth, whether in appearance or attitude. (See “Avoid Assumptions” above.)

The experiences of such youth, and the reasons that they are homeless, can vary widely as well. They may not be originally from the city in which you find them. They may have family members who provide them with some basic needs, or their family may have abused them or thrown them out entirely.<sup>12</sup> Although homeless, youth may have trusting and tight relationships, such as a network of other similarly-situated people or even dog ownership. This may mean that they have a responsible role in their community—which may make them more reluctant to engage with governmental systems.

Indeed, “the life”—a cultural term that refers to a wide range of experiences in prostitution and sexual exploitation—may be a culture of its own with which an individual youth identifies. Life on the street can be foreign to many professionals. Learn about it—the slang terms, means of survival, and even codes of conduct—from your interactions with homeless youth. Work to become familiar with it to better support youth.

### 3. Gender & Sexuality

Gender identity and sexual orientation are different and not necessarily related. Gender describes a person’s identity, e.g., male, female, transgender, gender-nonconforming, etc. Sexuality describes a person’s “orientation” or attraction to others, e.g., lesbian, heterosexual, pansexual, bisexual, asexual, etc. Young people in particular recognize that gender and sexuality are both spectrums and can be fluid in concept and description. (See “Recommendations: Sexuality Spectrum” for more guidance.)

Your ability to recognize the nuances of a young person’s identity is more important than understanding every piece of terminology about it. As discussed above (“Respect Self-Identification”), do not try to pigeonhole how youth identify; instead, ask how they prefer to be identified and accept the information that they provide.

In many cultures, sexuality is a highly personal subject, and questions about it may be perceived as shameful or disrespectful. Youth should be asked if they would prefer a female or male person to conduct

12 For additional information: M. Dank, J. Yahner, K. Madden, I. Banuelos, et. al., *Surviving the Streets of New York: Experiences of LGBTQ Youth, YMSM, and YWSW Engaged in Survival Sex*, Urban Institute (Feb. 2015), available at: <http://www.urban.org/sites/default/files/alfresco/publication-pdfs/2000119-Surviving-the-Streets-of-New-York.pdf> [hereinafter, *Surviving the Streets*].

a medical examination, make a police report, etc., or would prefer to do so in the presence of a particular person the youth trusts. (Note, however, that the involvement of a third party may have an impact on the youth’s confidentiality. See ***Working with Sexually Exploited Youth*** (“Confidentiality & Reporting”).) Be sure that any of these options is available before offering it to a youth.

### **Recommendations: Sexuality Spectrum**

- Never assume that a youth is straight or only has heterosexual sex/relationships.
- Provide youth with education on sexual health and sexually transmitted infections and diseases, as well as mental health support.
- If a youth identifies as having a particular sexual orientation, this does not necessarily explain all of the sexual activity the youth has engaged in. For example, a youth may identify as “straight” but have sex with people of the same gender identity.
- Youth may feel a sense of shame because of their sexuality. This self-blame often adds another layer of problematic thoughts for professionals to assess.

#### a. LGBTQIA+ Youth

LGBTQIA+ is not simply a reference to gender and sexuality. It is also a cultural identity—or rather, a range of cultural identities along the gender and sexuality spectrums. It encompasses those who identify as lesbian, gay, bisexual, transgender, or queer, as well as other identities of gender and/or sexuality such as asexual, intersexual, and Two-Spirit.<sup>13</sup>

For LGBTQIA+ youth, reporting exploitation may involve revealing their gender identity and sexual orientation. (See “Barriers to Reporting” above.) This information is best shared by youth themselves, if and

13 “Two-Spirit” refers to American Indian/Alaska Native people who identify as having both male and female spirit. The exact meaning of Two-Spirit varies between tribes, and it does not necessarily correlate with only the gender or sexuality spectrum. In general, it embraces the fluidity of both spectrums. Not all American Indian LGBTQIA+ people identify as Two-Spirit. Ask youth for their preference. For more information contact the Minnesota Two-Spirit Society, <https://mn2ss.wordpress.com/>.

when they are ready to do so, but you can offer to practice or role-play this conversation. If it is necessary for you to share this information as a professional, be sure to obtain informed and written consent from the victim/survivor; see ***Working with Sexually Exploited Youth*** (“Confidentiality & Reporting”).

Before making any referrals, determine if the resources are LGBTQIA+-friendly and safe by calling the service provider or seeking out specific indicators such as promotional materials or a website that indicates an openness and expertise for serving persons who identify as LGBTQIA+.

#### b. Male & Transgender Youth

As discussed throughout the *Protocol Guidelines*, youth of all genders are impacted by sexual exploitation. However, much of the focus—particularly in system response, in service provision, and in public awareness campaigns—has been on girls and young women. Male and transgender victims/survivors are often missed, because screening for sexual exploitation is not applied to them.

Boys and young men may feel that no one will believe them because of societal messages that they should be able to protect themselves. A youth who does not identify as gay or bisexual may feel confusion, or question his sexual orientation, when his exploiter is a man, especially if the youth experiences physical arousal during the encounter. Remind him that physiological responses such as erection or ejaculation can be caused by physical contact or stress and have nothing to do with sexual desire or consent.

Transgender youth lack access to support for even their most basic needs, let alone focused services to address sexual exploitation. **The authors recommend that services be greatly expanded for screening and support of male and transgender victims/survivors of exploitation.**

#### **Recommendations: Transgender Youth**

- Be sensitive and use respectful pronouns. Ask youth how and what gender pronoun they identify with, along with the name they prefer to be called.
- In residential placements, allow youth to self-define their gender. Ask them: “What are the most comfortable sleeping

arrangements for you?” “Do you want a male or female space to sleep, or would you prefer a private place to sleep?” (The latter option may be better for transgender youth.) See ***Shelter and Housing*** (“Cultural Considerations”).

- Let transgender youth have gender-neutral bathrooms in public spaces, and/or to let them choose a bathroom that aligns with their gender identity.
- Do not ask a transgender person about their surgical status, their genitalia, or how they have sex.
- Many transgender people have documents that have discrepancies between legal name and gender marker and gender presentation (and some might be undocumented citizens). Do not ask youth about their “real name,” especially in public. When necessary, it is best to inquire about a legal name privately to have questions clarified. Limit your questions only to what is necessary rather than to satisfy curiosity.
- Use discretion when calling out a transgender person’s name in a public place, such as in the lobby of a medical clinic. If you are aware a person is transgender, it is most respectful to walk up to the person and say it is the person’s turn, rather than call out the person’s legal name from across the room and thereby “out” the person or cause embarrassment or fear.

#### 4. Deaf or Hard of Hearing Youth

Being deaf or hard of hearing references a physical limitation, one that can encompass a wide range of hearing abilities and communication preferences. As in other areas, do not make assumptions about a youth’s abilities or preferences or what type of service a youth needs; always ask.

While the term “deaf” references a physical limitation, the capitalized term “Deaf” refers to a cultural identity, with unique behaviors, traditions, and values.<sup>14</sup> Some people who cannot hear may not belong to Deaf culture, if they do not consider themselves to be members. On the

14 “Deaf Culture,” World Federation of the Deaf, <https://wfdeaf.org/our-work/focus-areas/deaf-culture>.

other hand, Deaf culture may encompass hearing individuals who work or socialize with those who are deaf or hard of hearing.

This section provides guidance for hearing professionals in *communicating* with deaf or hard of hearing youth, but it is important to recognize that such youth can face unique challenges in reporting exploitation and receiving support. In addition to the fear of being stigmatized and other concerns discussed in “Barriers to Reporting” above, deaf or hard of hearing youth may be less likely to report exploitation because of their frustrations communicating with first responders and other professionals who fail to meet their communications needs. They may also perceive a lack of support within the Deaf community, particularly if the perpetrator is also deaf. And because some deaf or hard of hearing youth do not communicate well with their families (e.g., if their parents do not sign), they may not trust and feel support from family either.

a. Language & Communication

American Sign Language (ASL), which is used by many deaf or hard of hearing youth, is not the same as English. Knowing ASL does not mean that a youth will understand English reading or writing.

Deaf or hard of hearing youth may not have the language to talk about sexual violence and exploitation. They also may not have access to information in their language about violence.

Just because a deaf person is wearing a hearing aid, do not assume the person can hear you or read your lips. Avoid using lip-reading as the primary method for communication with a deaf or hard of hearing individual, even if the individual says that it is okay. Only a small percentage of deaf people read lips well. Moreover, only 30 percent of what is said is visible on the lips. And lip-reading may be especially difficult to understand in stressful situations.

Avoid using computers or writing on paper. When a deaf or hard of hearing person is in crisis, the person’s English and typing skills are likely to be impaired. Deaf youth are exceptionally visual. If communication cannot happen with visual language, try using drawing, toys, gestures, etc.

b. Working with Interpreters for Deaf or Hard of Hearing Youth<sup>15</sup>

As with any other kind of interpreter, interpreters for victims/survivors who are deaf or hard of hearing must be carefully selected.

Only use certified American Sign Language (ASL) interpreters. Look for interpreters who have certifications such as NIC, NAD, CI/CT, SC:L, CDI, or CSC.<sup>16</sup> For information about local ASL interpreters, visit the Minnesota Department of Human Service's interpreter referral webpage.<sup>17</sup> Do not allow "signers" (people who are not certified) to interpret, whether or not they know sign language, and do not use children or family members.

When interacting with an interpreter for a victim/survivor who is deaf or hard of hearing:

- Have the interpreter stand next to you facing the deaf or hard of hearing person, with you facing the deaf or hard of hearing person, not the interpreter.
- Give the deaf or hard of hearing person direct eye contact; avoid looking at or watching the interpreter. (While the deaf or hard of hearing person will mostly likely watch the interpreter, the person also will have eye contact with you.) Do not wear sunglasses.
- Speak directly to the deaf or hard of hearing person as you would a hearing person. Direct questions at the deaf or hard of hearing person (e.g., "How are you feeling?"). Avoid directing questions at the interpreter (e.g., "Tell her..." or "Ask her...").
- Do not over-enunciate, talk too slow or too fast, or shout.
- Make sure the room is well-lit and free from any distractions.
- Have the deaf or hard of hearing person face away from the light (from windows, flashing lights, and computer screens) or other distractions.

<sup>15</sup> For general guidelines on working with interpreters for any language, see "Working with Interpreters" below.

<sup>16</sup> Sometimes there will be a need for a Certified Deaf Interpreter (CDI), a person who is also deaf and has gone through special interpreter training. A CDI is native to ASL and can communicate with the victim/survivor in ways that a hearing interpreter cannot. If there is a need for a CDI, there will also be a need for a hearing interpreter to work as a team.

<sup>17</sup> Sign Language Interpreter Referral, Minnesota Department of Human Services, <http://mn.gov/dhs/people-we-serve/adults/services/deaf-hard-of-hearing/programs-services/interpreter-referral.jsp>.

If an in-person interpreter is simply not available, consider using Video Remote Interpreting, a pay-per-minute video service (via tablet or computer) similar to telephone “language lines” for spoken language interpreting.

As a very last resort, it is an option to use a computer or pen/paper to communicate back and forth. Be aware that during a crisis situation, youth will have difficulty trying to explain their experience through a keyboard or on paper. Remember that English is a second language for individuals with hearing disabilities. Keep written sentences short and use simple words. Instead of “Did he assault you?” say “Did he hurt you?” Be patient and understanding.

### **Tips for Law Enforcement When Working with Deaf or Hard of Hearing Youth**

The Deaf community recognizes law enforcement as a resource, but communications between deaf or hard of hearing youth and law enforcement can be challenging for both.

Consider these tips:

- Do not attempt to talk to a person with hearing disabilities while a squad car’s lights are flashing or when there are other visual distractions. Turn off the flashing lights, and find a quiet room to take the report.
- Be aware that deaf or hard of hearing youth may not hear or even see an officer yelling, “Stop!” Their lack of response can easily be misinterpreted as defiant behavior. Do not punish deaf or hard of hearing youth for their lack of hearing abilities.
- Do not automatically interpret “aggressive” signing as a youth being aggressive. ASL is a visual language with “exaggerated” facial expressions and body language; aggressive signing could just be the person’s way of communicating during a crisis.
- Remember that a deaf person whose hands are cuffed behind the person’s back will be unable to communicate.



## 5. Cognitive or Developmental Disabilities

Youth with cognitive or developmental disabilities can be particularly vulnerable to exploitation. Exploiters use a youth's vulnerability as a means of building trust and dependence. See ***Dynamics of Sexual Exploitation*** ("Vulnerability & Risk Factors"). Some youth may not know the difference between care and abuse—whether within a family or in the community—especially when abuse does not cause physical harm and the youth perceives positive aspects of the relationship. Some youth may not fully understand what is happening during the exploitation.

Generally, it is preferable to use language that does not emphasize disability as a primary form of identity. For example, instead of "disabled youth," say "youth with disabilities."

### a. Assessment

When a sexually exploited youth is cognitively or developmentally delayed, providers should attempt to assess and document the youth's level of functioning. Among other purposes, this information can be helpful in the criminal justice response; it can affect prosecutors' charging decisions and may constitute a separate offense.

Answer the following, working in collaboration with parents or guardians, with other professionals, and with youth themselves:

- Are the youth's cognitive/developmental challenges obvious? If so, in what way?
- Has the youth been evaluated recently? If so, by whom? (For law enforcement, attach a copy to the police reports.)
- How well does the youth conceptualize abstract questions?
- What is the youth's chronological age vs. developmental age?

### b. Communication

Youth with certain disabilities may have difficulty communicating that they have been exploited and may become frustrated with this. Customize your approach to communication based on the nature of a

youth's disability. These suggestions may be helpful, though may also be perceived as demeaning; use good judgment:

- speak slowly and clearly, using simple language, and presenting only one concept at a time;
- use visuals (draw pictures, make outlines); and
- ask for feedback by the youth to ensure clear comprehension.

### c. Services & Support

Sexually exploited youth with disabilities can experience particular challenges in accessing services and support. Even an initial report of exploitation may fall through the cracks—failing to be investigated—because of jurisdiction problems, multiple caretakers, and displacement. Virtually no services are designed to meet the needs of sexually exploited youth with disabilities. These youth may also be overly trusting towards providers.

Help to guide sexually exploited youth with disabilities through the reporting and referral process. Work with an advocate who is familiar with the rights and needs of persons with disabilities.

This chapter's theme of avoiding assumptions applies in full force here. Do not make assumptions about the limitations of a particular youth. Do not assume, for example, that youth with disabilities cannot make decisions about their interactions with providers. Do not assume that such youth cannot consent to *any* sexual activity or is being exploited. Youth with certain disabilities are often viewed as asexual and not provided sexual education. Many have the capacity to engage in healthy sexual relationships and should not be discouraged from doing so because of their disability.

## 6. Communications

### a. Body Language

Body language is as much a form of communication as talking or writing, and can manifest in many different ways according to cultural practices and traditions. Here are just a few examples:

- **Eye contact:** Many communities do not use or hold eye contact when in conversation with others; this is a cultural practice of

respect for elders or other adults and should not be considered a form of disrespect or not paying attention.

- **Shaking hands:** Not all females will shake hands with someone of the opposite sex. In some cultures, neither females nor males will shake hands. It is best not to offer to shake hands until one is extended to you.
- **Gestures:** Some common American gestures may be disrespectful to immigrants from other cultures or may have different meanings and contexts. For example, using the index finger to call someone to come towards you might be considered a sign of disrespect or have a sexual connotation. Some youth might nod their head in respect, intending to convey, “I hear you,” which can be misinterpreted as “I agree with you” or “I understand you.” Be sure to ask for a verbal response before making decisions.

Finally, ask permission before touching any youth (e.g., hugging or resting a hand on a youth’s arm). This is not only a cultural consideration but also a trauma-informed one, as many youth can feel threatened or even emotionally and physically triggered by an unexpected touch. Professional boundaries regarding touch should be observed.

#### b. Speech

Regardless of age or cultural community, do not talk to youth using slower English or by speaking louder, as this can be interpreted as minimizing the youth’s abilities or intelligence. Have access to interpreters and translation services available when working with youth from different cultures. See “Working with Interpreters” below.

When referring a victim/survivor to advocacy services, be sure to describe what “advocacy services” means—in some countries, an “advocate” is assumed to be a lawyer.

#### c. Working with Interpreters

Be cautious in selecting an interpreter. Always use a certified interpreter for any language that has a certification process. (Languages with fewer speakers in the United States may not have a certification process.) Never use family members, children, friends, or companions as

interpreters. (Note that an exploiter may use English-language abilities to control a victim/survivor; a friend or companion offering to interpret could in fact be an exploiter.)

Ask youth if they have a preference regarding the identity of an interpreter (e.g., race, gender, age). Victims/survivors of sexual exploitation may believe they cannot rely on interpreters to accurately represent their words and experiences. Ask if they have interpreters that they know and trust well to see if you can request them. Otherwise, when requesting an interpreter through an agency, ask for someone who has experience with sexual violence or youth issues or who has experience in your given field (e.g., medical, courts).

In some cultural communities, interpreter pools are small. It could be possible that the victim/survivor knows the interpreter. If the victim/survivor and interpreter are acquainted, it may not be appropriate to use the services of that interpreter. In some cases it may be necessary to secure interpreter services outside of your immediate community to provide confidentiality, avoid a conflict of interest, and assure that the victim/survivor is comfortable with the interview.

Consider these guidelines for working with an interpreter, once one has been selected:

- It is common in some countries for people to tip interpreters, and victims/survivors may try to do so. Explain that this is not required in the United States.
- If possible, provide an agenda or questions beforehand, so the interpreter can prepare.
- Direct your questions and answers toward the youth, not the interpreter (unless you are seeking a clarification from the interpreter).
- Allow time for delay when awaiting a response from youth.
- Note that not all languages have direct translations for words relating to sexual violence, sexual exploitation, or sexual health.
- Again, use a certified interpreter if at all possible. If the interpreter is not certified, pay particular attention to what the interpreter says and watch the interpreter's body language.

Uncertified interpreters are not bound by any code of ethics, and some may behave improperly, such as not relaying the correct information or adding their own opinion.

See “Working with Interpreters for Deaf or Hard of Hearing Youth” above for additional information on working specifically with ASL interpreters.

Chapter 5

# Foundational Chapter Legal Framework

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The most fundamental aspect of the Safe Harbor law is that prostitution is now explicitly excluded from the juvenile delinquency code.<sup>1</sup> Youth cannot be arrested for or charged with the crime of prostitution. Instead, prostituted youth, along with other sexually exploited youth, are directed to the child protection system.

This chapter outlines some of the laws that relate to Safe Harbor and the sexual exploitation of youth. Laws relating mostly to a particular discipline are generally discussed in the chapter for that discipline. The full text of any law should be referenced before relying on it.

## 1. Child Protection Law

The Safe Harbor law created a new category of youth within the child protection system. The term “sexually exploited youth” encompasses virtually any youth involved in prostitution, used in a sexual performance or pornography, victimized by criminal sexual conduct or sex trafficking, solicited for sex, or otherwise used for illegal sexual conduct.<sup>2</sup> All reports of sexual exploitation, including sex trafficking, received by child protection must now be investigated.<sup>3</sup> A youth may be the subject of a Child in Need of Protection or Services (CHIPS) proceeding as a “sexually exploited youth,” though the youth may also be the subject of a CHIPS proceeding as a runaway, truant, or other protected category. See **Child Welfare**. Mandated reporting requirements relating to sexual exploitation and sex trafficking have recently changed; see the next section for guidance.

## 2. Confidentiality & Mandated Reporting

Virtually all service providers are bound by obligations of confidentiality. Though these obligations vary significantly by discipline, they all impose strict legal and ethical obligations not to disclose, for example, information about an individual victim/survivor without that person’s informed consent or another legally-mandated exception.

1 Minn. Stat. § 260B.07, subd. 6(c).

2 Under the statutes, a “sexually exploited youth” is an individual who:

(1) is alleged to have engaged in conduct which would, if committed by an adult, violate any federal, state, or local law relating to being hired, offering to be hired, or agreeing to be hired by another individual to engage in sexual penetration or sexual conduct;

(2) is a victim of a crime described in section 609.342, 609.343, 609.344, 609.345, 609.3451, 609.3453, 609.352, 617.246, or 617.247;

(3) is a victim of a crime described in United States Code, title 18, section 2260; 2421; 2422; 2423; 2425; 2425A; or 2256; or

(4) is a sex trafficking victim as defined in section 609.321, subdivision 7b.

§ 260C.007, subd. 31.

3 §§ 260E.003, subd. 20; 260E.14 subd. 2(b).

Service providers should be sure to inform themselves about their own obligations and those of their partners.<sup>4</sup>

As a corollary to providers' obligations, youth have rights to confidentiality and privacy that parallel many of the rights held by adults.<sup>5</sup> Youth should be informed of these rights and their limits in the course of receiving services from a provider. See "Confidentiality & Reporting" in *Working with Sexually Exploited Youth* and "Privacy, Confidentiality, and the Trust Relationship" in *Legal Representation*.

One of the most significant exceptions to youth confidentiality relates to mandated reporting. Minnesota law requires any professional who works with youth (under 18 years old) to make a child protection report if the professional knows or has reason to believe a child is being neglected or abused, or has been neglected or abused within the preceding three years.<sup>6</sup> The reporter cannot shift the responsibility of reporting to a supervisor or anyone else. All mandated reports must be made to the local child welfare agency immediately (no longer than 24 hours) with a written report to follow within 72 hours (weekends and holidays are excluded). A reporter should contact the child protection intake line of the county or tribe where the child is located at the time of the report.<sup>7</sup>

**Known or suspected sex trafficking of a child is a mandated report, regardless of whether the sex trafficker is a caregiver or not.** Sex trafficking is defined in Minnesota as the act of a third party, not the purchaser or the victim, facilitating or profiting from a commercial sex act performed by another person.<sup>8</sup>

**Sexual exploitation other than sex trafficking is a mandated report only if the alleged offender is a caregiver, which includes parents, siblings and household members in a caregiving role.** Sexual exploitation of youth includes all commercial sex acts and non-commercial sexual abuse.<sup>9</sup>

4 Confidentiality and information-sharing can often be a source of tension among partners; see *Working as a Team* for more discussion on this.

5 For example, Minnesota's Minor's Consent to Health Care law outlines several situations in which a youth may consent to certain health care services without parental consent. See Minn. Stat. § 144.343. In addition, minors have a right to confidential communications under the Health Insurance Portability and Accountability Act. For additional information, see Minnesota Coalition for Battered Women, *Confidential Communications with Health Insurance Carriers: Guide for Advocates and Providers*, [www.mcbw.org](http://www.mcbw.org).

6 Minnesota Department of Human Services, Resource Guide for Mandated Reporters of Child Protection Concerns available at <https://edocs.dhs.state.mn.us/lfsrserver/Public/DHS-2917-ENG>. An online training is also available at <https://mn.gov/dhs/people-we-serve/children-and-families/services/child-protection/programs-services/mandated-reporting-training-overview.jsp>.

7 For a complete list of county and tribal child protection agencies, see <https://mn.gov/dhs/people-we-serve/children-and-families/services/child-protection/contact-us/>.

8 Minn. Stat. § 609.321, subd. 7a.

9 § 260C.007, subd. 31.



Youth up to age 24 who have been sexually exploited are eligible for services under Safe Harbor. If such a youth is a “vulnerable adult” under state law,<sup>10</sup> the sexual exploitation is also a mandated report. That is, if exploitation or other maltreatment is occurring or is suspected to have occurred, it must be reported to the Minnesota Adult Abuse Reporting Center (MAARC) at 1-844-880-1574 or at [www.mn.gov/dhs/reportadultabuse/](http://www.mn.gov/dhs/reportadultabuse/).

### 3. Criminal Law

This information is intended as general background for professionals who do not specialize in criminal justice issues. Further information on these laws is in ***Prosecution***.

#### a. Sex Trafficking & Promotion of Prostitution

“Sex trafficking” is a broad concept under Minnesota law, in recognition that exploitation may take many forms. For most purposes, it may be used interchangeably with the term “promotion of prostitution;” the two crimes are charged under a single law and result in the same penalties.<sup>11</sup> Collectively, they cover a broad range of behavior:

- soliciting or inducing anyone to practice prostitution;
- promoting the prostitution of anyone (including soliciting or procuring buyers, providing a place for the prostitution, and transporting the person being prostituted);
- receiving, recruiting, enticing, harboring, providing, or obtaining by any means an individual to aid in the prostitution of the individual; or
- receiving profit (or anything of value), knowing or having reason to know that it comes from prostitution.<sup>12</sup>

In simple terms, this list encompasses virtually any exchange of sex for money or something else of value that involves a third person (typically referred to as a trafficker), whether the third person is recruiting the victim, providing space, transporting the victim, or profiting.

The breadth of the crime goes even further under Minnesota law: Trafficking is still a crime regardless of whether the victim consents (or appears to consent), whether the victim actually goes through with the

10 § 626.5572, subd. 21.

11 § 609.322.

12 §§ 609.321, subd. 6, 7a; 609.322.

prostitution, and whether the trafficker uses force, fraud, or coercion to accomplish the crime.<sup>13</sup> Trafficking of a victim under 18 (1st –degree) is penalized more heavily than trafficking of an adult victim (2nd-degree), but otherwise the crime remains the same regardless of the age of the victim.<sup>14</sup> (Note that the federal definition of “sex trafficking” is somewhat narrower; see “Federal Law” below.)

The penalties for sex trafficking have increased greatly in recent years. See ***Prosecution*** for more information on these penalties.

b. Purchase of Sex

The purchase of sex from anyone under 18 – engaging in prostitution with the youth, or hiring or offering or agreeing to hire the youth – is a felony under Minnesota law. The penalties increase sharply as the age of the victim decreases; purchasing sex from a victim under the age of 13 results in a higher penalty than doing so from a 13- to 15-year old victim, which in turn is higher than doing so from a 16- or 17-year old victim.<sup>15</sup>

c. Other Crimes Relating to Sexual Exploitation

Several other crimes under Minnesota law involve the exploitation of children:

- using someone under 18 to engage in a “sexual performance” or pornographic work;
- possessing or disseminating a “sexual performance” or pornographic work involving someone under 18;
- soliciting someone under 16 for sex; and
- distributing sexual materials online to someone under 16.<sup>16</sup>

Each of these is still a crime regardless of whether the youth (or the youth’s parent or guardian) consents and whether the exploiter is mistaken about the youth’s age.<sup>17</sup>

In addition, note that housing a youth who is engaged in prostitution is a gross misdemeanor crime, where the host is unrelated to the youth and does not have the consent of the youth’s parents or guardian.

13 §§ 609.325, subd. 1, 2 (no consent defense); 609.321, subd. 7a (“any means”).

14 § 609.322.

15 § 609.324, subd. 1 (prostitution of minors).

16 §§ 609.352 (solicitation of children to engage in sexual conduct), 617.246 (use of minors in sexual performance), 617.247 (use of minors in pornographic work).

17 *Id.*

Residential placements made by a public or private social service agency are an exception, of course.<sup>18</sup>

d. Federal Law

The federal government supports justice for juvenile victims of sexual exploitation. The Trafficking Victims Protection Act (TVPA) of 2000<sup>19</sup> and more recently the Justice for Victims of Trafficking Act (JVTA) of 2015 demonstrate federal commitment to a comprehensive approach.<sup>20</sup> The 2015 revisions expanded the scope of the federal sex trafficking statute to include explicitly those who advertise, patronize, or solicit youth to engage in commercial sex acts. The federal government now also has additional tools for forfeiture and restitution for victims, including \$5000 payment into the Domestic Trafficking Victims' Fund.<sup>21</sup>

The federal and state definitions of "sex trafficking" are fairly similar with respect to juvenile victims. Under federal law, "sex trafficking" of a youth occurs when the exploiter knowingly recruits, entices, harbors, transports, provides, obtains, advertises, maintains, patronizes, or solicits the youth to engage in commercial sex acts (or knowingly benefits from a venture that does so).<sup>22</sup> An element of the offense under federal law is that the exploiter must know, recklessly disregard the fact, or have had a reasonable opportunity to observe that the victim is under 18.<sup>23</sup> Under state law, it does not matter whether the exploiter is mistaken as to the victim's age.<sup>24</sup>

With respect to adult victims, however, the federal sex trafficking statute is narrower than Minnesota law. It requires that the exploitation be accomplished through force, threats of force, fraud, or coercion;<sup>25</sup> state law has no such requirement. Coercion is defined as threats of serious harm, or physical restraint, or the abuse or threatened abuse of law or the legal process. (Serious harm means physical or nonphysical harm, including psychological, financial, or reputational harm.<sup>26</sup>)

18 § 609.324, subd. 1a.

19 22 U.S.C. § 78; Public Law No. 106-386.

20 Public Law No. 114-22.

21 18 U.S.C. § 3014.

22 18 U.S.C. § 1591.

23 In a prosecution where the defendant had a reasonable opportunity to observe the person so recruited, enticed, harbored, transported, provided, obtained, maintained, patronized, or solicited, the government does not need to prove that the defendant knew or recklessly disregarded the fact that the person had not attained the age of 18 years. 18 U.S.C. § 1591(c).

24 Cf. 18 U.S.C. § 1591 and Minn. Stat. § 609.325, subd. 2.

25 18 U.S.C. § 1591.

26 18 U.S.C. § 1591(e).

While there is a requirement that the trafficking has a connection with interstate or foreign commerce, there is no requirement of crossing a state line for a federal charge to apply. However, additional charges are available, including transportation and enticement/coercion, if the trafficker and victim(s) cross state or national borders.<sup>27</sup>

Even without travel, it is likely there will be an interstate nexus through the use of cell phones, hotels, social media, or even condoms, which are manufactured outside the state of Minnesota. The determination of whether to bring the case in federal or state court will rely on several factors. For example, when there are multijurisdictional cases—that is, the trafficking occurred in multiple cities, counties, or states and involved multiple defendants and victims—the federal government may have additional resources and jurisdiction to consolidate all charges in one federal case.

In addition, factors such as the exploitation of a victim under age 14 or the presence of child pornography are additional factors to consider in where to bring a case. Early coordination is particularly important in these cases because charges may be brought in both state and federal courts for maximum effect, and prosecutors can cooperate to assist each other in resolving cases in ways that save resources and achieve justice for victims. Different sentencing enhancements, including mandatory minimum sentences, exist on the federal level and may make a significant difference in sentencing when the defendant has a criminal history of trafficking or other sexual exploitation offense or engaged in sex trafficking while a registered sex offender.<sup>28</sup>

In addition to the Trafficking Victims Protection Act, as codified under 18 U.S.C. § 1591, there are additional relevant federal statutes that may be implicated in a sex trafficking investigation. These statutes address peonage and labor trafficking, unlawful conduct with respect to documents, transportation for prostitution activity (of adults and minors), and the production, distribution, receipt, and possession of child pornography.<sup>29</sup>

The interplay of the facts, law, jurisdictional considerations, sentencing exposure, and available investigative and prosecutorial resources can influence whether a case is brought in state or federal

27 See 18 U.S.C. §§ 2421, 2422, 2423.

28 18 U.S.C. §§ 3559(e) (sentencing classification requiring mandatory life imprisonment for repeated sex offenses against children) and 2260A (penalties for registered sex offenders).

29 See 18 U.S.C. §§ 1589 (forced labor), 1590 (peonage, slavery and trafficking in persons), 1592 (unlawful conduct with respect to documents in furtherance of trafficking, peonage, slavery, involuntary servitude, or forced labor), 1594 (general provisions penalizing attempts or conspiracies to commit forced labor or trafficking), 2251 (sexual exploitation of minors), 2252 (certain activities relating to material involving the sexual exploitation of minors), 2421 (transportation), 2422 (coercion and enticement), and 2423 (transportation of minors).

court. Early coordination between law enforcement, prosecutors, and victim-witness advocates is important. See **Prosecution** (“State vs. Federal vs. Tribal”) for a discussion of other factors that may be considered in this decision.

Chapter 6

# Foundational Chapter Working as a Team

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A central theme of the *Safe Harbor Protocol Guidelines* is the importance of multidisciplinary collaboration. The fight against sexual exploitation of youth occurs at the intersection of many fields. Ending it cannot be accomplished by any one discipline. Working in a team makes every professional more effective and improves the overall response.

## 1. Response

Survivors of exploitation have many needs, from mental health to housing to transportation to chemical dependency treatment. It is crucial that professionals specializing in each of these areas work in strong partnership with one another. The best grounding for such a partnership is through the development of a protocol for your community that is victim-centered, trauma-informed, culturally-responsive, and rooted in positive, strengths-based youth development. This will require a formal process involving multiple disciplines committed to building such a protocol. See **Introduction** and **Next Steps** for more information. Undertaking such a process can be challenging but has great rewards. It is “the difference between membership on athletic team that is content with its performance in pick-up games and one that strives and prepares instead for an Olympic performance.”<sup>1</sup>

If your community is still developing its protocol, consider in the meantime forming an interagency coordination team to address the needs of individual victims/survivors. The team might include representatives from law enforcement, child protection, health care, prosecution, other county human services, community-based advocacy, and others, and may be led by almost any of these.<sup>2</sup> If the situation involves an ongoing or likely child protection case, the team might qualify as a formal “multidisciplinary child protection team” (MDT) under the child protection statutes, allowing for the confidential sharing of information among team members.<sup>3</sup> See **Child Welfare** for more information.

An interagency coordination team may certainly be useful with respect to victims/survivors having ongoing contact with the criminal justice, juvenile justice, or child protection systems. But such a team may be especially valuable in situations where a sexually exploited youth has been identified and will be contacted by law enforcement seeking to remove the youth from harm’s way; careful interagency planning in such a

1 E. Calvert & L. Williams, *Minnesota Model Sexual Assault Response Protocol*, 37 (2002, 2004).

2 In some jurisdictions, such a team is led by a Children’s Advocacy Center. See **Children’s Advocacy Centers** for more information.

3 Minn. Stat. § 626.558 (governing multidisciplinary child protection teams).

situation can be crucial.

Any type of multidisciplinary team should be established, ideally through a coordinated community response, well in advance of its having contact with an exploited youth. Preparation, through the building of relationships, the understanding of professional ethical obligations, and the development of protocol, is crucial.

### **A Cautionary Note About Case Review**

Partners often want to review past cases—examining them for lessons and opportunities for improvement—as a central part of their community’s response to exploitation or other forms of sexual or domestic violence. They should proceed with great caution. Case review should be carried out in an intentional and organized manner, and only after relationships and basic protocols, such as protections for victim/confidentiality, as well as processes for obtaining victim consent, have been established. It is best to dive into details only once the team has a sense of the greater context in which a case occurs. Case review can yield excellent learning opportunities, but because it involves identifying areas for improvement, it can—if approached in a haphazard manner—lead to partners feeling accused, resentful, or misunderstood. Careful planning and the development of trust relationships over time amongst professionals can help to avoid these and other pitfalls. See the **Appendix** for more information on case review.

Even without a formally structured team, recognize that partnerships lie at the heart of this work. The closer the relationships are among professionals, the less likely they are to miscommunicate or to fumble a case. Consider the disciplines outlined in the individual chapters of these guidelines. How can you, in your role, partner with each of the disciplines listed? What skills and expertise can each contribute to better respond to sexual exploitation? Recognize both the opportunities and challenges posed by your partnerships with other professionals, and take the time to strengthen them. Do not impose approaches from your discipline that may not be appropriate to another.



## 2. Trust: Teamwork in Action

Working as a team provides benefits to everyone: Victims/survivors have greater access to better services, and professionals are able to share in the work of providing those services. Effective teamwork has the added benefit of building victims/survivors' trust in the system's response. If victims/survivors are able to see your trust and good relations with other professionals, it may give them greater confidence in the ability of the pieces of the system to come together to help them.

But working in partnership is not always easy. Even when each partner acts in a way that is ethical and victim-centered, disagreements and tensions may still occur. Like any relationship, the one among team members must be founded on trust. When there is trust, it is easier for team members to give feedback to one another, even when the feedback contains criticism, because the interaction is based on mutual respect and understanding.

In Minnesota's recent history, teams have come together across the state to change how we approach sexual and domestic violence. All-too-frequent skepticism of victims/survivors is being replaced by embedded organizational practices which seek to support, understand, and believe them. These efforts, challenging yet vastly rewarding, involved collaboration among different disciplines based on steadily increasing trust developed over a significant period of time. They provide a roadmap of lessons and inspiration for work now on the sexual exploitation of youth.

### a. Building a Relationship

Trust is built over time, in incremental steps, but it can be lost very quickly. It starts with simple familiarity and builds into a relationship. Take responsibility for building that relationship with your partners. Get together frequently, not only at formal meetings but also over meals and during community events if possible. Present to one another's staff members, and learn about one another's roles and organizations. Even while your community builds a broader response (see **Introduction** and **Next Steps**), consider reviewing some sample scenarios to consider what your options would be to work together in a time of crisis. Get to know one another, both on professional and personal levels, and continue to check in.

As you get to know your partners, you will begin to better understand and appreciate their roles. Each member of the team has a role to play. These roles involve different obligations of confidentiality, different

relationships toward the victim/survivor, and much more. Do not assume that your partner's role operates the same way as does yours. Instead, appreciate each role for what it brings. (See "Example: Law Enforcement/Advocacy Relationship" below for more on this point.)

Many of those who do not work in government systems, especially, feel that there is a hierarchy of professions in the response to sexual violence that seemingly prioritizes certain roles—especially law enforcement and prosecution—over others. It is crucial in the response to sexual exploitation that this hierarchy be eliminated, with all disciplines working in an integrated and equitable way. The reality is that there will be individuals with positional power within the team, but successful teams find ways to promote equity among members. This sense of respect for the role of each discipline will go far in building trust.

b. Keeping Commitments & Being Honest

Trust is earned over time through actions taken, through promises made and kept. A single betrayal—or sense of betrayal—can undermine months or years of relationship-building. On the other hand, it is critical to recognize that this is hard, complex work, with partners' roles and responsibilities frequently tugging in different directions. Your partners will act in ways that you will find frustrating, and vice versa. Ask for (or provide) explanations and talk through what happened and what if anything can be changed. Understand actions that your partner had a professional obligation to take, even if you disagree with them, and forgive any honestly-made mistakes where you can. Don't let disagreements or frustration undermine your work with victims/survivors.

It is vital for team members to be honest with one another. There may be many situations where you are unable, for legal and ethical reasons, to share information with your partners and your partners should accept these limitations. But never make statements that are not true or commitments that you cannot keep. Nothing erodes trust faster than dishonesty.

**3. Example: Law Enforcement/Advocacy Relationship**

One of the most important relationships between disciplines is the one between law enforcement and advocates for victims/survivors. For advocates, it should be clear that a strong, trusting relationship with local law enforcement can greatly help to keep victims/survivors safe and move them toward healing. Law enforcement should similarly

realize that advocates can help to provide the services and stability that all victims/survivors—including those involved in criminal cases—need. But, again, differing roles and expectations can lead to great conflict and frustration—a sense that the other side is a hindrance rather than a help. At best, there will be inevitable moments of tension. Advocacy and law enforcement partners must work hard to build the trust that will allow them best to serve victims/survivors.

a. Understanding & Valuing Roles

Our partners should not be viewed as obstacles to doing our jobs. Historically, there has been much tension between law enforcement and advocates for victims/survivors of sexual exploitation. Until recently, exploited youth were treated as delinquents, and even now, adult victims/survivors may be arrested and charged. Compare this with domestic abuse and sexual violence, which have also been subject to historic tension between law enforcement and advocacy. In recent decades, the approach in many communities to these broader crimes of domestic and sexual violence has been steadily changing. Not every problem has been solved, but greater understanding and communication has led to improved relationships.

The fight against sexual exploitation is only at the start of this change. Even with the advent of Safe Harbor, some tension between law enforcement and advocacy will continue to be present. Advocates and law enforcement have many shared goals—starting with the safety of victims/survivors—but reach these goals in different ways. The responsibility of an advocate is to respond to the needs of each individual client. The advocate’s response to those needs might well include actions which support the safety of other victims/survivors or of the public more generally, but if so that is a side benefit. The advocate’s role is centered on the individual client—the advocate does not judge the client or challenge the client’s credibility but rather focuses on helping victims/survivors navigate the many services and systems in their lives as a result of harm against them. Advocates also bring the voice of victims/survivors into system processes, consulting with partners on how a response can be victim-centered.

The responsibility of law enforcement extends beyond the individual victim/survivor, more broadly to public safety. Each side must be careful, though, not to view law enforcement’s role of “public safety” too narrowly or as an excuse to disregard victims/survivors’ desires or needs without good reason. The advocate’s duty to the victim/survivor is as important

as the officer’s duty to public safety. And public safety is about far more than securing an arrest or conviction. It comes as much from how officers do their jobs as from any particular result that they achieve.

Depending on your role and the wishes of the victim/survivor, make connections with your partners when possible. Law enforcement should make victims/survivors aware of the value of advocacy services and the options that accompany a police report. Consistent with this, respect the rapport and trust that other partners may have built up with the victim/survivor. Commonly, an advocate will have built up this rapport first; sometimes, law enforcement will have done so.

#### b. Information-Sharing

One issue that frequently leads to tensions between advocacy and law enforcement is the sharing of information. As with any other issue, it is important to start by acknowledging the different roles. Advocates have strict obligations of confidentiality and privilege and cannot share information without their clients’ informed consent (except in instances of mandated reporting of child maltreatment or by court order).<sup>4</sup> Law enforcement officers have strict obligations of confidentiality and data privacy as well under the law, such as with respect to ongoing cases.<sup>5</sup> It is crucial that everyone respect these boundaries, as they were put in place to benefit victims/survivors. There will be times that advocates cannot disclose information provided by a victim/survivor, even if the advocate on a personal level would want to do so. There will also be times that law enforcement cannot disclose information about an ongoing case, even if the officer on a personal level would want to do so.

On the other hand, there are many information-sharing opportunities that are fully consistent with each side’s role. Law enforcement should keep advocates—and therefore victims/survivors—as informed as possible on the status of ongoing investigation and cases. It is deeply frustrating for a victim/survivor to go through a long interview, disclosing many intimate details, and then hear nothing for weeks or months. For their part, advocates should discuss with the client whether or not they want to report to law enforcement. It should be noted that a victim/survivor who does not want to be identified to law enforcement may still want to have information shared, confidentially, about a dangerous trafficker or buyer.<sup>6</sup>

4 See **Advocacy & Outreach** as well as **Legal Representation** for additional information on this topic.

5 See, e.g., Minn. Stat. § 13.82, subd. 7 (protection for data during ongoing investigations), subd. 17 (protection of victim identities).

6 See **Legal Framework** for more information on legal obligations relating to disclosure.

Fundamentally, trust requires communication. Identify a champion for advocacy and law enforcement within one another's respective agencies, who can serve as a point of contact to improve communication and avoid assumptions. To the extent that you can consistent with your obligations, and recognizing that you have no obligation to do so, do others the professional courtesy of giving them a heads-up of actions that you will take that may be perceived as "against" them. Law enforcement may be able to give shelter facilities a heads-up before showing up to interview one of their residents. Advocates may be able to give law enforcement a heads-up if victims/survivors who had agreed to be interviewed have now changed their minds (and consent to the advocate sharing this information with law enforcement). If you cannot communicate in advance, provide an explanation—again, if you can consistent with your professional obligations—of actions that may frustrate your partners.

c. "Bottoms" & Historical Victims

As discussed in *Dynamics of Sexual Exploitation* ("Bottoms & Historical Victims"), some victims/survivors end up recruiting or controlling others, often because of manipulation by a trafficker. Dealing with "bottoms" and historical victims can pose a particular challenge for the relationship between advocacy and law enforcement.

As in any other circumstance, professionals in this situation should not expect their partners to abandon their roles and ethical obligations. Law enforcement should understand that advocates may strongly and even publicly disagree with the decision to pursue charges against a victim/survivor. Advocates should understand that law enforcement and prosecution may feel an obligation to pursue charges nevertheless. Do not let this conflict get in the way of other work. Continue to communicate about your intentions, to the extent that you can consistent with your professional obligations. For example, depending on the circumstances, and though they have no obligation to do so, law enforcement officers may be able to give a heads-up to their advocate partners before charges are brought against a victim/survivor for exploitation. Depending on the circumstances, and though they have no obligation to do so, advocates may be able to give a heads-up to their law enforcement partners before taking a public stand against that charge.

Do not personalize disagreements over this or any professional issue. Keep the lines of communication open, respect one another's roles, and rely on the relationship of trust that you continue to build over time.

Chapter 7

# Foundational Chapter Working With Tribal Nations

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Intergovernmental coordination is essential in the response to sexually exploited youth, and tribal governments are an important piece of this picture. This chapter is intended to provide guidance to state and local governments and other non-tribal professionals in Minnesota on working with tribes. This topic merits separate discussion from other forms of cross-jurisdictional coordination due to the unique political status of tribal nations, as well as the high rates of sexual violence perpetrated against American Indian/Alaska Native youth.

Significantly, the Safe Harbor law is state law, not tribal law. Tribal nations have independent sovereignty to develop their own statutory schemes for protecting sexually exploited youth. However, there are a number of ways that Safe Harbor and tribal law intersect, including through state criminal jurisdiction and child welfare systems, which are discussed in this chapter. The services provided under Safe Harbor are, of course, available to all.

## 1. Background

### a. Context

It is impossible to dive into practical tips for working with tribes without understanding the context in which tribes and American Indian/Alaska Native (hereinafter referred to as American Indian) people operate. American Indian people face disproportionately high rates of violence, including sexual exploitation.<sup>1</sup> On a broad historical scale, government policies like forced removal, boarding schools, sterilization, and urban relocation all contribute to the present-day conditions of American Indians. The generational impact is seen in the frequency of trauma (including historical trauma), homelessness, and lack of access to health care in American Indian communities.

American Indian youth grow up in environments that make them especially vulnerable to exploitation. One-quarter of American Indian youth live in poverty, and, compared to their peers, they have a 2.5 times greater risk of experiencing trauma.<sup>2</sup> Suicide rates for American Indian youth are three times higher than any other youth in the United States.<sup>3</sup>

It is estimated that over half of American Indian women will experience sexual violence in their lifetime, a rate significantly higher

1 L. Greenfield & S. Smith, Bureau of Justice Statistics, US Department of Justice, Office of Justice Programs, *American Indians and Crime*, February 1999. NCJ 173386. <http://www.bjs.gov/content/pub/pdf/aic.pdf>

2 United States Census Bureau, <http://www.census.gov/population/www/socdemo/race/censr-28.pdf> and the Anna Institute, <http://www.theannainstitute.org/American%20Indians%20and%20Alaska%20Natives/Trauma%20Exposure%20in%20AIAN%20Children.pdf> [hereinafter referred to as Anna Institute].

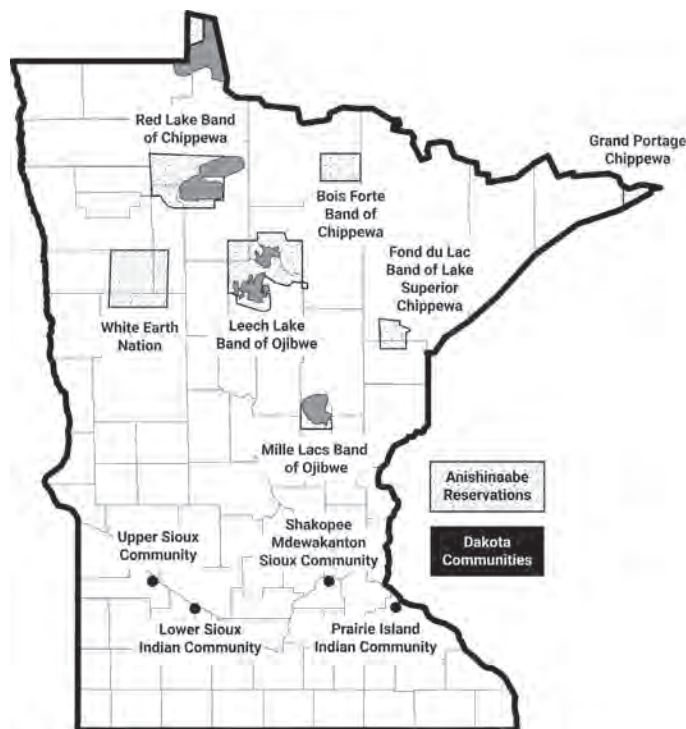
3 Anna Institute, *supra* note 2.

than the general population. Over 70 percent of the perpetrators are not American Indian.<sup>4</sup> In Minnesota, American Indian women are among the most over-represented in sexual exploitation.<sup>5</sup> And once exploited, American Indian women face high rates of Post-Traumatic Stress Disorder (PTSD).<sup>6</sup>

## b. Tribes in Minnesota

There are eleven sovereign tribes within the boundaries of Minnesota (see map below<sup>7</sup>.) Each tribe has a designated land base, though not all members of the tribe live there. The Anishinaabe (also called Ojibwe or Chippewa) tribes, include Bois Forte, Fond du Lac, Grand Portage, Leech Lake, Mille Lacs, Red Lake, and White Earth. The Dakota (also called Sioux) tribes, are Lower Sioux, Prairie Island, Shakopee Mdewakanton Sioux, and Upper Sioux. Many American Indians live outside reservations, including urban communities such as Little Earth in Minneapolis.

“Indian Country” is a legal term generally referring to land held in trust by the federal government for the benefit of tribal nations. Federal code provides a precise definition.<sup>8</sup>



4 *Id.*

5 A. Pierce, *Shattered Hearts: The Commercial Sexual Exploitation of American Indian Women and Girls in Minnesota. Report*, Minnesota Indian Women's Resource Center, (2009), [www.miwrc.org](http://www.miwrc.org).

6 S. Hamby & M. Skupien, *Domestic Violence on the San Carlos Apache Indian Reservation: Rates, Associated Psychological Symptoms, and Current Beliefs*, *The Indian Health Service Primary Care Provider*, 23: 103-106 (1998).

7 <http://www.health.state.mn.us/divs/opi/gov/chsadmin/governance/tribal.html>.

8 18 U.S. Code § 1151: “Indian Country” is “(a) all land within the limits of any Indian reservation under the jurisdiction of the United States Government, notwithstanding the issuance of any patent, and, including rights-of-way running through the reservation, (b) all dependent Indian communities within the borders of the United States whether within the original or subsequently acquired territory thereof, and whether within or without the limits of a state, and (c) all Indian allotments, the Indian titles to which have not been extinguished, including rights-of-way running through the same.”



## 2. Legal Framework

### a. Criminal Jurisdiction

Tribal courts face many barriers in holding perpetrators accountable. Tribal courts cannot prosecute any non-Indian offender for any crime. (An exception to this occurs under the 2013 Violence Against Women Act, see more information below.) In addition, their sentencing powers are limited to 1 year and a \$5,000 fine (or 3 years and a \$15,000 fine if special actions are taken, see more information about the Tribal Law and Order Act below).

Any crime that takes place in Indian Country faces a “jurisdictional maze” where prosecutorial authority varies based on the tribal affiliation of the victim, tribal affiliation of the perpetrator, and the type of crime.<sup>9</sup> (See chart below.)<sup>10</sup> In Minnesota, the tribe, state, and/or federal government may have exclusive or concurrent jurisdiction, all depending on the particular facts of the case. This poses challenges for systems but also for victims/survivors, who may not know where to report a crime or may not have a trusting relationship built with the system assigned to prosecute their case.

In Minnesota, the state is the prosecuting authority for violent crimes on nine of the 11 reservations.<sup>11</sup> This is called Public Law 280. On a theoretical level, this is problematic because it undermines the authority of tribes to address crimes that occur on their own lands. On a practical level, it has long posed issues relating to historic distrust, cultural misunderstanding, and a lack of resources on the state level. See “Tools for Intergovernmental Coordination” below for more ways to make this work in your jurisdiction.

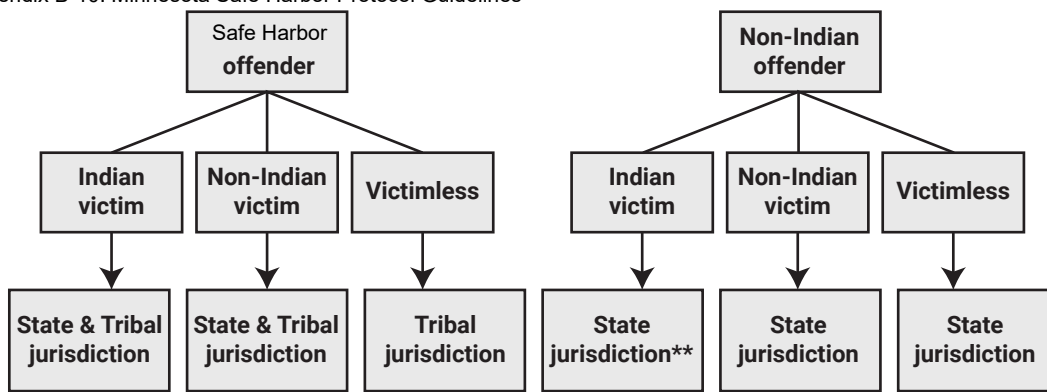
It is important to note that even with Public Law 280, tribal courts retain concurrent criminal jurisdiction over crimes committed by Indians. This may be concurrent with state or federal court.

Bois Forte and Red Lake are the only two tribes in Minnesota that are exempt from Public Law 280. This means that the state of Minnesota has no authority over criminal matters occurring on these reservations. The tribes retain concurrent jurisdiction with the federal government. In their

9 Offices of the United States Attorneys, U.S. Dept. of Justice, <https://www.justice.gov/usam/criminal-resource-manual-689-jurisdictional-summary>.

10 Indian Law and Order Commission, *A Roadmap for Making Native America Safer: Report to the President & Congress of the United States*, 7 (Nov. 2013), [http://www.aisc.ucla.edu/iloc/report/files/A\\_Roadmap\\_For\\_Making\\_Native\\_America\\_Safer-Full.pdf](http://www.aisc.ucla.edu/iloc/report/files/A_Roadmap_For_Making_Native_America_Safer-Full.pdf).

11 18 U.S.C. 1162 (1953). Note that not all states are included in Public Law 280.



\* Under the Tribal Law and Order Act of 2010. Tribes can opt for added concurrent Federal jurisdiction, with Federal consent. Neither this Tribe-by-Tribe issue nor the various configurations of Optional 280 status is shown in this chart.

\*\* Under the Violence Against Women Act Reauthorization of 2013 (VAWA Amendments), after 2015, Tribes may exercise Special Domestic Violence Jurisdiction with the Federal government and with States for certain domestic violence crimes.

case, Minnesota’s Safe Harbor law does not apply. The tribe and federal government have discretion in responding to sexually exploited youth.

For the other nine tribes, Public Law 280 does apply: the state of Minnesota’s criminal laws apply on these tribes’ reservations. For them, the Safe Harbor law does apply in the event that an act of sexual exploitation or trafficking occurs on tribal lands. Any law enforcement agency working on the reservation, tribal or otherwise, may not arrest or prosecute a non-Indian youth for engaging in prostitution. However, Safe Harbor does not limit the powers of tribal government over Indian people. For tribal governments who have criminal codes and exercise criminal jurisdiction, they have discretion over their response to sexually exploited youth who are Indian. However, not all tribes in Minnesota have criminal codes. Check with the particular tribe you are collaborating with to clarify jurisdiction related to Safe Harbor.

Several measures have been taken by the federal government recently to restore criminal jurisdiction to tribal nations. The Tribal Law and Order Act (TLOA) increased the sentencing authority of tribal courts (up to three years and a \$15,000 fine) if certain provisions are met. In addition, tribal courts under Public Law 280 jurisdiction may request concurrent jurisdiction with the federal government. As of publication, Mille Lacs and White Earth have this jurisdiction.

In addition, the Violence Against Women Act (VAWA) of 2013 restored limited tribal jurisdiction over non-Indian offenders in specific cases of domestic violence. Similar to TLOA, tribal courts must meet many obligations before being accepted for this jurisdiction. As of publication, no tribes in Minnesota have had the resources to apply for VAWA jurisdiction.

## Child Welfare

American Indian youth are disproportionately involved in child protection/child welfare systems and placed in out-of-home placements.<sup>12</sup> Youth who are involved in foster care, truancy, and running away from home are all at greater risk of being sexually exploited. Of note are the special provisions in place for American Indian youth in state child welfare systems. The federal Indian Child Welfare Act (ICWA) works to ensure that youth have opportunities to remain with their tribe to maintain their cultural and community ties. Fundamentally, it recognizes that American Indian youth are citizens of tribal nations and that these nations should have a say in what happens to their citizens in state court proceedings. ICWA focuses on state court matters and does not pertain to matters heard in tribal courts.

Minnesota has supplemented ICWA with the Minnesota Indian Family Preservation Act (MIFPA). The full provisions of ICWA and MIFPA are beyond the scope of this chapter. Readers should consult resources to learn more.<sup>13</sup> Generally, as soon as a county becomes aware of an exploited child who is a tribal member (or could potentially be enrolled), the county should notify the tribe. Regardless of where the youth is located, the tribal government should be informed before any adjudication takes place.

State child welfare systems should consider how to screen youth for ICWA eligibility. If a youth is a member of a tribe or eligible for membership, ICWA applies. Each tribe has its own policies for membership, but, generally, if youth have a parent or grandparent who is a member, they may be eligible.

### **3. Tools for Intergovernmental Coordination**

It is clear that there are many complexities involved in sexual exploitation in Indian Country. It takes all forms of government coming together to provide the best possible solutions for victims/survivors. Here are some ideas for ways you can collaborate:

- 12 Ombudsperson for Families, State of Minnesota. *2010-11 Biennial Budget*, 2, (Jan. 2009). <http://www.admin.state.mn.us/fmr/documents/BBS-1011%20Other%20Agency,%20bds,%20councils,%20comm/Ombudsperson%20for%20Families.pdf>.
- 13 To learn more about Indian child welfare, consult the National Indian Child Welfare Association, <http://www.nicwa.org>, or the ICWA Law Center, <http://www.icwlc.org>.

- **Develop memoranda of understanding (MOUs).** MOUs are agreements for organizations or governments to work together across jurisdictions. They define the roles and responsibilities of each entity and represent a commitment to coordinate in the interest of having a seamless response to sexual exploitation.
- **Consider cross-deputizing law enforcement officers.** Local law enforcement and tribal law enforcement can become authorized to enforce both state and tribal laws, mutually benefiting public safety.<sup>14</sup>
- **Involve each other in protocol development and interagency coordination teams.** If you are developing a protocol or team for responding to sexually exploited youth in your jurisdiction, invite regional tribal nations to participate. Consider other pre-existing teams that you or tribal nations have—like child protection multidisciplinary teams or Sexual Assault Response Teams (SARTs)—where sexual exploitation can be integrated. Working through these topics together, ahead of time if possible, will lead to better and smoother outcomes down the line.
- **Receive more training and cross-train each other.** Seek out additional training on sexual violence in Indian Country, Indian child welfare, and other issues concerning tribal sovereignty. Ask tribal agencies to come explain what they do, and offer to do the same for them. Tribes can help you identify culturally-specific referrals for sexually exploited youth and navigate what a culturally-appropriate response looks like for a non-tribal agency. Consult *Cultural Considerations* for practical tips on working with American Indian youth. Use this as a launching point, and pursue ongoing training on cultural-responsiveness.
- **Seek technical assistance as necessary.** The Tribal Law and Policy Institute can provide support around state and federal collaboration with tribal governments.<sup>15</sup> In addition, the Indian

14 See Minn. Stat. 626.90 *et seq.*

15 United States Department of Justice, *Tribal Law and Order Act*, <https://www.justice.gov/tribal/tribal-law-and-order-act> and *Walking on Common Ground: Resources for Promoting and Facilitating Tribal-State-Federal Collaborations*, <https://www.walkingoncommonground.org/> [hereinafter referred to as *Common Ground*]. See also, Bonnie Clairmont, Tribal Law and Policy Institute *Sexual Assault Response Teams: Resource Guide for the Development of a Sexual Assault Response Team (SART) in Tribal Communities* (Sept. 2008). [http://www.tribal-institute.org/download/SART\\_Manual\\_09\\_08.pdf](http://www.tribal-institute.org/download/SART_Manual_09_08.pdf).

Women's Sexual Assault Coalition provides training and technical assistance related to human trafficking in indigenous communities.<sup>16</sup>

The website *Walking on Common Ground*, as well as the website for the Tribal Law and Policy Institute, provide guidance on collaboration with tribal nations. Visit these websites for sample ideas and resources.<sup>17</sup>

16 [www.miwsac.org](http://www.miwsac.org)

17 *Common Ground*, *supra* note 15.

Chapter 8

# Foundational Chapter Preventing Sexual Exploitation

**“[We need] a new community resource – to get help ... to live a stable lifestyle, course on the effects of sex trafficking on your health, parenting courses, budgeting, finances, how to raise your credit score, counseling, GED, housing program, Life Track program, afterschool program, how to prevent risky sexual behaviors, shelter referral and bus tokens. A place in the community that youth and young adults can go to that’s safe.”<sup>1</sup>**

It is every bit as critical that we act to prevent sexual exploitation as it is that we intervene once the harm has occurred. Prevention is neither a dream nor an add-on. It is attainable and should be embedded in all of our work. As individuals, we wear seatbelts and bike helmets, we floss, we don’t drive under the influence of alcohol. As a society, we pass laws such as requiring child car seats, providing fluoridated water, and the Clean Indoor Air Act. As organizations, we establish policies such as mentoring, background checks, and prohibitions on sexual harassment and pornography. We all “do” prevention, because we value safety, good health and quality of life.

Prevention is the preferable moral choice, but it is a sound *financial* investment as well. Rather than waiting to assist victims/survivors only after they have been trafficked or to prosecute traffickers, preventing sexual exploitation from occurring in the first place “results in a return on investment of approximately \$34 for every \$1 spent.”<sup>2</sup>

Prevention is possible because public health, human services, and public safety agencies work with communities and multidisciplinary organizations to collect data, educate the public, and encourage public policy based on strong evidence and a critical need for change. We are all a part of prevention. We all see the harm and outcomes when prevention strategies, policies, and laws are not established. It is the harm we see and the causes we are acutely aware of that help inform us as to ways to prevent the harm from occurring in the first place.

The public health model considers prevention at three levels. Much of this document incorporates perspectives from the secondary level (the immediate response to a harm) and tertiary level (the long-term response

1 Hennepin County No Wrong Door Initiative, Paula Schaefer & Associates, Sexual Violence Justice Institute at Minnesota Coalition Against Sexual Assault, Ramsey County Attorney’s Office, *Voices of Safe Harbor: Survivor & Youth Input for Minnesota’s Model Protocol on Sexual Exploitation and Sex Trafficking of Youth*, 11 (Dec. 2015), <http://www.hennepin.us/~media/hennepinus/your-government/projects-initiatives/documents/no-wrong%20-door-voices.pdf?la=en> [hereinafter referred to as *Voices*].

2 L. Martin, R. Lotspeich & L. Stark, *Early Intervention to Avoid Sex Trading and Trafficking of Minnesota’s Female Youth: A Benefit-Cost Analysis*, Executive Summary, Minnesota Indian Women’s Resource Center, <http://www.castla.org/templates/files/miwr-c-benefit-cost-study-summary.pdf>.

to a harm). But primary prevention—acting before harm has occurred and even before risks have heightened—must be a tool that communities use as well. The same prevention principles applied to the above-named issues—from seatbelts to fluoridated water—can be applied to preventing sexual exploitation.

**“I’m sexually exploited by men who are in business, who are in society, mostly white men in power ... I could have been on my way to work, school, grocery store, out in the wee hours, out on a hot summer day, I get stopped by these older men who have some sort of feeling towards me and they want to pick me up, they want to use me and try to make money off me ...”<sup>4</sup>**

As with many other aspects of these guidelines, prevention approaches are not “one-size-fits-all;” the most effective and appropriate set of prevention initiatives will vary by community. As your community builds its response to exploitation (see the **Introduction**), its planning should fully incorporate prevention. This may come in a wide variety of forms, from strengthening individual knowledge and skills to educating youth, providers, and the broader community, to changing organizational practices, influencing policies and legislation, shifting embedded cultural paradigms, and much more.<sup>5</sup> See the **Appendix** for “The Spectrum of Prevention,” which outlines the different levels of engagement.

**“Healthy relationships are important because a lot of people don’t have them. My parents and their parents didn’t have them. People grow up not knowing what that would look like... It’s easier to get into unhealthy relationships when you don’t know the difference.”<sup>6</sup>**

Prevention in the context of sexual exploitation is too often limited to simply to educating youth about dangerous people and situations. It must go far beyond that. Sexual exploitation is a multifaceted challenge, and it requires a multifaceted response. Strategies must “work in combination and reinforce each other to influence both individual and environmental factors.”<sup>7</sup>

3 See the Sexual Violence Prevention Fact Sheet, at <http://www.atsa.com/sexual-violence-prevention-fact-sheet>.

4 *Voices*, *supra* note 1, at 23.

5 Prevention Institute, “Developing a Comprehensive Approach to Injury Prevention,” <http://www.preventioninstitute.org/component/jlibrary/article/id-105/127.html>.

6 *Voices*, *supra* note 1, at 15.

7 See Basile, K.C., DeGue, S., Jones, K., Freire, K., Dills, J., Smith, S.G., Raiford, J.L. (2016). STOP SV: A Technical Package to Prevent Sexual Violence. Atlanta, GA: National Center for Injury Prevention and Control, Centers for Disease Control and Prevention, at 11.



One such comprehensive approach is the “Six Pillars for Prevention,” developed by the National Coalition to Prevent Child Sexual Abuse and Exploitation and summarized here:

**Pillar #1:** Strengthen the capacity of organizations serving youth, including camps, schools, sports, etc., to address and prevent sexual abuse

**Pillar #2:** Support the healthy development of children, including the early assessment of adverse childhood experiences (ACEs)<sup>8</sup>

**Pillar #3:** Promote healthy relationships and research-based, developmentally-appropriate, and widely-available sexual health education for youth

**Pillar #4:** Prioritize a range of research-based efforts to end the demand for children as sexual commodities

**Pillar #5:** Develop sustainable funds to create, maintain, and evaluate a variety of evidence-based (or evidence-informed) strategies and programs to address prevention

**Pillar #6:** Prevent initial perpetration of child sexual abuse and exploitation, with special attention paid to children and youth with problematic sexual behaviors (including technology-facilitated interactions)<sup>9</sup>

Again, though each individual pillar is important on its own, together the six offer a holistic and more effective response. All professionals can find a way to integrate prevention messaging and expertise into their work.

As your community undertakes this work, keep in mind the larger circumstances—the “environmental, organizational and cultural norms”<sup>10</sup>—that disadvantage young people and make them vulnerable to exploitation and perpetration. As discussed in *Dynamics of Sexual Exploitation*, exploitation is fueled by poverty, racism, gender

8 More information on ACEs is in the **Appendix**.

9 National Coalition to Prevent Child Sexual Abuse and Exploitation, <http://www.preventtogether.org/Six-Pillars-for-Prevention>. More information on the **Six Pillars for Prevention** is in the **Appendix**.

10 No Wrong Door: A Comprehensive Approach to Safe Harbor for Minnesota’s Sexually Exploited Youth. Department of Public Safety, Office of Justice Programs, 2015 (24). Found at [https://dps.mn.gov/divisions/ojp/formsdocuments/Documents/!2012%20Safe%20Harbor%20Report%20\(FINAL\).pdf](https://dps.mn.gov/divisions/ojp/formsdocuments/Documents/!2012%20Safe%20Harbor%20Report%20(FINAL).pdf).

discrimination, and other inequities, as well as cultural norms that everything has a price and can be bought, including people. Addressing these deep societal factors is essential to ending sexual exploitation.<sup>11</sup>

This discussion can of course only scratch the surface on how communities can work to prevent sexual exploitation. The *Appendix* contains additional resources. For even more, contact the Minnesota Department of Health (MDH) Safe Harbor and Sexual Violence Prevention Program, the Minnesota Coalition Against Sexual Assault, the National Sexual Violence Resource Center, and the Association for the Treatment of Sexual Abusers.<sup>12</sup>

### **The Role of Education in Sexual Health and Healthy Relationships**

Prevention efforts must include information on sexual health and healthy relationships for youth.<sup>13</sup> The lack of comprehensive sexuality and relationship education provided by schools, families, and other venues where young people gain information is putting youth at risk for many health-related harms, including sexual exploitation.

Youth are inundated with sexual messaging on a daily basis and can readily access pornography through the internet. Yet they are rarely given sufficient education to put this information into context or to help them understand the concepts of mutual consent, healthy sexual intimacy, self-esteem, or the dynamics of sexual abuse, domestic violence, stalking, dating violence, and sexual exploitation. When education doesn't come from the adults in their lives—assuming that these adults have accurate information themselves—it may come from social media posts and peers who may or may not have accurate information.

Comprehensive sexual health education, when it occurs, needs to extend beyond the basics of pregnancy and disease prevention in order to provide meaningful assistance to youth. It can take many forms, including school-based curriculum, community-based curriculum, training for parents, and peer education.

11 “Change must occur at both the individual and structural level, as systems of inequality are not eradicated through one survivor’s ability to leave and thrive. ... we need massive social shifts to combat the continual cycles of violence and poverty that make so many people vulnerable in the first place.” Schwarz, Corinne and Britton, Hannah E. *Queering the Support for Trafficked Persons: LGBTQ Communities and Human Trafficking in the Heartland*. *Social Inclusion*, 3(1):65, 2015.

12 See [www.health.state.mn.us/svp](http://www.health.state.mn.us/svp), [www.mncasa.org](http://www.mncasa.org), [www.nsvrc.org](http://www.nsvrc.org), and <http://www.atsa.com>

13 Basile, *supra* note 7, at 19.



# Discipline Chapters

Sixteen discipline-specific chapters providing both (1) guidance to professionals from the particular discipline, as well as (2) insight about the particular discipline for professionals from other disciplines.

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# Discipline Chapter Advocacy & Outreach

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The role of an advocate is to provide support, counseling, advocacy and information to the victim/survivor. Services and support provided by a trained advocate should be victim-centered and based primarily on victim-defined need. Service providers best serve youth who have been sexually exploited by:

- protecting the youth’s confidences whenever possible, being transparent when these confidences cannot be protected;
- recognizing and honoring the youth’s culture(s) and identity;
- meeting youth where they are at emotionally and providing services in a nonjudgmental, trauma-informed manner;
- employing harm reduction approaches;
- providing access to language interpretation;
- understanding the specific needs of undocumented victims/survivors;
- being familiar with the particular concerns of young people in the foster care system;
- recognizing that some victims/survivors do not want to involve their families, especially if they have been abused, neglected, or barred from their homes; and
- are prepared for the possibility that the youth may not trust law enforcement, child protection, the courts or other systems.

**“They are going to need references and supplies. Education, from GED to college help, positive influences. People who can show them more to life.”<sup>1</sup>**

Effective advocacy and outreach can empower victims/survivors by providing safe and non-judgmental support and by endorsing belief in the victim/survivor’s experience.

## 1. The Roles and Types of Advocates

The term “advocacy” encompasses individuals in a range of roles, working in a variety of settings: victim services advocates in sexual assault advocacy, youth services and other community-based programs;

<sup>1</sup> Hennepin County No Wrong Door Initiative, Paula Schaefer & Associates, Sexual Violence Justice Institute at Minnesota Coalition Against Sexual Assault, Ramsey County Attorney’s Office, *Voices of Safe Harbor: Survivor & Youth Input for Minnesota’s Model Protocol on Sexual Exploitation and Sex Trafficking of Youth*, 16 (Dec. 2015), <http://www.hennepin.us/~media/hennepinus/your-government/projects-initiatives/documents/no-wrong%20door-voices.pdf?la=en> [hereinafter referred to as *Voices*].

victim/witness advocates in law enforcement and prosecution agencies; street outreach workers; child advocacy center staff; the Safe Harbor Regional Navigators; and many others. But while advocates may work in different places and have different roles, they also have much in common. They all provide resources, safety planning, information, connections with other professionals, and support to victims/survivors. In the process, they also form relationships with victims/survivors. The advocate explains what to expect from various systems and providers and how to access services, ranging from health care to housing and much more, as described throughout these *Protocol Guidelines*. Advocates serve as skilled guides who work with victims/survivors to determine their priorities and needs and to help them locate resources.

For as much as they have in common, there are different types of advocates who serve in different roles. The distinctions between them make a difference in terms of service delivery, confidentiality protections, and what a victim/survivor may expect. As a result, it is important for all advocates to make certain that victims/survivors understand the different roles of advocates; the advocate must be fully prepared to explain these differences to victims/survivors. For further information, see “Confidentiality and Trust” below and ***Legal Representation*** for additional detail on the different roles of community and government-based advocates.

In general, advocates are either community-based or government-based:

- **Community-based advocates**, including street outreach workers, are usually based in the community at nonprofit organizations. Community-based victim services and street outreach workers have expansive roles, engaging with the victim/survivor on a number of levels outside government systems in order to provide basic needs and supportive services. For many reasons, sexually exploited youth may not trust law enforcement, child protection systems, or the courts, and so they need another outlet to turn to for safety and help. This is why access to community-based advocacy and outreach services are so important. Community-based advocates may work with victims/survivors over a period of many years, as different needs arise.



- **Government-based advocates**, often called victim/witness advocates, assist victims/survivors who have cases in the criminal justice and civil legal systems (either as a witness or party). These advocates often work in either police departments or prosecutors' offices, and they provide ongoing support and logistical coordination over the course of a legal matter. They also provide resource referrals in the community. Government-based advocates work with victims/survivors during the course of a particular case and when the case ends, their advocacy role usually ends.

When cases do end up being prosecuted, community-based advocates and government-based advocates serve victims/survivors best by collaborating with each other. Community-based advocates have the benefit of an ongoing relationship with the victim/survivor and may be someone that the victim/survivor can talk with in confidence. Government-based advocates have the benefit of immediate access to the prosecutor and can obtain the most direct answers to a victim/survivor's questions about courts and sentencing and what will happen next. The various advocates should meet early on in the prosecution and get to know each other, share contact information with each other, discuss what the victim/survivor's needs are (based on releases of information signed by the victim/survivor), and keep in touch with each other throughout the case.

Finally, note that, in addition to providing one-on-one support to individual victims/survivors, advocates can work at a systems level to help to shape the overall response to sexual exploitation. Within a multidisciplinary team, an advocate can bring an advocacy lens to team discussions and considerations and contribute the unique perspective gained from walking through the criminal justice process at the side of victims/survivors. Advocates in this context can make recommendations for a different approach in an individual case or propose that a protocol or practice be changed with the impact on victims in mind. See ***Working as a Team*** and ***Next Steps***.

## 2. Intake/Initial Meeting

When an advocate first meets with a victim/survivor, it is helpful to identify and address the victim/survivor's immediate and long-term needs. At this first meeting, the advocate should also determine whether

the advocate's organization has any conflict of interest between the victim/survivor seeking services and another victim/survivor who is currently receiving services from the same program or agency.<sup>2</sup> Depending on the victim/survivor's needs and readiness to provide sensitive personal information, the intake process or initial meeting may require several subsequent meetings and may follow different conversational paths.

**Conducting an intake or initial meeting with a victim/survivor of sexual exploitation requires well-developed skills and expertise and should not be undertaken without training and supervision.** Sample intake forms and intake procedures can be obtained from Safe Harbor Regional Navigators. It is very important that these forms not be used by persons who lack substantial skills in working with victims/survivors of sexual exploitation.

### 3. Staffing

Extensive, ongoing training and on-the-job experience is critical to effective advocacy and outreach work. For example, sexual assault advocates are required to have 40 hours of training and be employed by or serve as a volunteer at an organization that provides crisis care to sexual assault victims and survivors.<sup>3</sup> There are specific licensing requirements for other professionals. Even when there are not specific professional requirements, services should only be provided by organizations that are funded to carry out this work. It is better to leave the ground-level work to advocates who are trained to understand the special needs of victims/survivors of sexual exploitation, are skilled in responding to these needs, and appreciate the boundaries that must be set in order to maintain a professional relationship that is protective of the victim/survivor.

At times, well-intended but untrained people seek to provide advocacy, outreach and other services such as housing to sexually exploited youth. **Untrained and unsupervised advocacy can cause more harm than good for both the victim/survivor and the person who just wants to help out.** Instead, trained and experienced advocates and

2 Conflicts of interest can be difficult to manage especially in greater Minnesota where there is considerable distance between programs, as well as in culturally specific service programs when a particular community is small and many people are known to one another. Programs should consider referral policies that are not onerous for the victim/survivor as well as develop internal procedures that protect against sharing of information if both parties in conflict are served by the same program. One approach is to refer a victim/survivor to a different office of a program if it operates in several locations.

3 Minn. Stat. § 595.02 subd. 1(k) ("sexual assault counselor" privilege). Domestic abuse advocates also have specific requirements for privileged communications under Minn. Stat. § 595.02 subd. 1(l).

outreach workers should keep an eye out for these efforts and re-direct them in productive directions. Interested community members can help out by volunteering with specific and supervised tasks, fundraising, and raising public awareness about the needs of programs serving sexually exploited victims/survivors. They can help engage in outreach with the wider community so that other potential supporters know about the agency's services and how to best support the agency's work.

Survivors who serve as advocates can have important credibility when working with other victims/survivors. Advocates and outreach workers do not need to also be survivors themselves, however. The most important quality is an advocate's ability to connect skillfully and authentically with victims/survivors. Survivors who wish to work in advocacy or street outreach roles should consider whether they have reached a point in their recovery—and have adequate emotional support—to help them engage professionally with other survivors.

#### 4. Building Rapport with Victims/Survivors

Advocates work hard to find a balance between respecting the tenet that victims/survivors know what is best for them, and at the same time appreciating that the harm in victims/survivors' lives cannot be ignored. For many advocates, this balance requires taking a harm-reduction approach, one that recognizes that change does not happen overnight but focuses on harm reduction. This approach builds the potential for deeper rapport that can lead to meaningful results. (See "Harm Reduction" in *Working with Sexually Exploited Youth*.) Readers of all disciplines are also encouraged to see the same chapter for additional information about establishing rapport.

While there is no cookie-cutter approach to building rapport with sexually exploited youth, there are several core advocacy skills. Some guidelines for advocates are to:

- Stay flexible in your responses to victims/survivors because they each present a different set of concerns. Inflexibility can harm the working relationship.
- Use trauma-informed practices (see *Working with Sexually Exploited Youth*).

- Empower victims/survivors to make informed decisions. When they have survived under the control of someone else, they may need to learn how to regain control over their own lives. As this process occurs, an advocate or street outreach worker should not tell the victim/survivor what to do, but instead should boost self-agency through access to information that supports informed decision-making
- Be clear about what you can offer, be transparent about your expectations, and be patient and willing to maintain an open door policy. A trauma-informed approach recognizes that it's never too late for someone to reach out for help and that they will likely need multiple opportunities to access services. Trauma-induced behaviors should not be a barrier to support; however, advocates may need to draw some lines when, for example, youth are recruiting their peers while receiving services through a program. (For more on addressing recruitment in facilities, see ***Shelter and Housing.***)
- Build a foundation for a positive relationship through active listening and a genuine interest in learning more about the young person's hopes for the future. Judgment implying that the victim/survivor's life is bad or wrong, or that the victim/survivor needs to get away from people you feel are harmful, can greatly limit communication or perhaps shut it down altogether. Being judgmental may cause victims/survivors to feel shame and anger at the very moment they are taking a risk in disclosing experiences and seeking help.
- Study adolescent development and use a strengths-based perspective.
- Understand youth culture—such as current slang—but do not adopt this language as an older adult. You will not seem authentic, and the attempt will seem silly to youth victims/survivors. Furthermore, young people, especially those who have lived on the streets, can “read” people and know when adults are putting on an act or being dishonest with them. When an adult is not acting in a genuine manner, it is hard for a victim/survivor to relax and open up.

- Never make assumptions about what victims/survivors want or are thinking about. Similarly, never make assumptions about what victims/survivors need or force them to engage with help. Some victims/survivors are not ready for services, and pushing this support could be traumatizing. It could be perceived as yet another example of someone asserting control over them. Instead, respect their processes, and let them take the lead whenever possible in everything from safety planning to case management.
- Constantly refine how you communicate and work with victims/survivors, recognizing that their methods of communication and collaboration are constantly changing too. The most common way young people interact is through technology, specifically texting, social media and mobile apps. When feasible, communicate with youth on the platforms they prefer. Note that there are ways that a victim/survivor's phone can provide a connection to services. For example, the Youth Services Network (at ysmn.org) is an online service and mobile app that provides real-time, up-to-date information about available shelter beds, medical care, food shelves, meals, outreach services, and other supportive resources.
- Be especially cautious when using electronic communication with victims/survivors. The phone or computer used by the survivor may be accessible to the exploiter as well, exposing your communication and potentially putting the survivor at risk. Moreover, be aware that even though these communications are protected from disclosure by certain laws (see "Confidentiality & Trust" below), it is still possible that these communications could be subpoenaed. It is important to discuss the risks of using electronic communication with the victim/survivor and to align this communication with your organization's internal confidentiality and safety protocols.
- When interacting with someone of a different culture or identity, be conversant in the culture and willing to respectfully learn more. **Cultural Considerations** offers more detail. Intake questions can help to a limited extent with regard to illuminating specific needs or accommodations. Organizations should also place a high priority on having a diverse staff that reflects the

community of victims/survivors served and offer educational opportunities to employees. Model inclusivity in a number of ways, such as providing posters and pamphlets in a waiting area that promote a safe environment for all, requiring that interpretive services are readily available, and holding regular trainings for staff to expand knowledge and skills. Funders, including the Minnesota Department of Health Safe Harbor grant program, can build requirements into their grants to help organizations improve their cultural outreach and promote a welcoming environment. Certainly refer out to culturally-specific agencies if the victim/survivor wants a culturally-specific service your agency is unable to provide.

- Create a welcoming environment by ensuring that victims/survivors of all sexual orientations and gender identities are received with knowledge and acceptance. Many LGBTQ victims/survivors who are homeless and sexually exploited have been forced to leave their homes because of discrimination from their family members and communities. Create an agency that is friendly and safe, for example, offering gender-neutral bathrooms, asking about preferred pronouns, using intake forms that recognize chosen names versus given names, and removing gendered language from agency materials.
- Remember that some victims/survivors, especially those from tight-knit communities, may not want to engage with others who may know them or their families for fear of a confidentiality breach. (See “Confidentiality & Trust” below.) Providing options is important and offers another level of accommodation for victims/survivors.

Many victims/survivors have grown accustomed to others taking away their agency. When you express care and concern without an expectation of something in return, be aware that this can be a new and positive experience for them.

## 5. Managing Triggers During Service Delivery

Victims/survivors of trauma suffer from constant reminders of their experiences. See *Working with Sexually Exploited Youth* (“Being Trauma-Informed”) for more information about the complexity of individual trauma responses.

Sometimes, trauma manifests in behavior that is considered difficult, extreme, or not socially acceptable, which can prove challenging. Victims/survivors may be labeled as “oppositional,” “defiant,” “bad,” or “troubled” because they are prone to “acting out” when, in fact, their behaviors may be related to past or ongoing trauma. Their behavior may be “triggered” by an experience that reminds them of instances in which they felt fearful, threatened, or angry. These triggers can affect how the victim/survivor interacts with an advocate or responds to rules.

Triggers can be sensory, such as a certain smell or sound or touch. Triggers can also be situational or sparked by a person who reminds the victim/survivor of someone who caused them harm. The trigger may seem mundane to others, but because the experience occurred during the course of a traumatic event, it is no longer mundane to the victim/survivor. Sometimes triggers can lead to flashbacks, fully immersing the individual in the traumatic experience and bringing the terrifying past into the present.

Victims/survivors may not know what exactly is triggering an emotional or physical reaction, and in order to control their responses, they may need intervention from a mental health professional who is skilled in working with victims/survivors of trauma. In the meantime, do not act as if triggers are unimportant. Instead, work with the victim/survivor to find out what approach will help to keep triggers at bay, and how best to respond when they are triggered. Help others to understand the triggers, if the victim/survivor consents to sharing this information. Be aware of basic grounding techniques to help victims/survivors who are in a triggered state to manage their own reactions until therapeutic assistance is available. A mental health professional can provide training in these techniques; in general, they involve redirecting the person’s focus back to their current environment and away from the traumatic memory or sensation.

## 6. Confidentiality and Trust

Understandably, victims/survivors of sexual exploitation may expect that the information they share with advocates will remain fully

confidential. However, professionals who support them may be under legal obligations that prevent them from fulfilling this expectation. If the victim/survivor is a youth, for example, the professional may be a mandated reporter and as such required to report information that the youth has been exploited. See **Legal Framework** and **Legal Representation** for a discussion of these legal obligations, and see **Working with Sexually Exploited Youth** for a discussion of how to address confidentiality issues when working with clients.

In order to avoid violating a victim/survivor's trust, it is important for advocates to understand the role of confidentiality and the possible limitations that may impede their ability to maintain confidences from a victim/survivor. These limitations depend upon what type of advocate they are:

- Community-based advocates who qualify as sexual assault counselors under statute<sup>4</sup> can offer privileged communications to victims/survivors, though they are also mandated reporters for child maltreatment and abuse. Some may qualify as domestic abuse advocates depending on where they are employed.<sup>5</sup>
- Many street outreach workers are qualified to provide confidential services, based either upon the types of organizations that employ them or their own licensing credentials. They are not, however, sexual assault counselors or domestic abuse advocates unless they meet the statutory requirements. They are mandated reporters.
- Advocates based in child advocacy centers (CACs) can also provide confidentiality but cannot offer privileged communications, because CACs do not qualify as sexual assault or domestic abuse programs under statute. They are also mandated reporters.
- Many government-based advocates who work in prosecutors' offices are under legal requirements to disclose any statement made by a victim/survivor, or any other witness, about the particular offense that is the basis of the case. Best practice is

4 Minn. Stat. § 595.02 subd. 1(k).

5 Minn. Stat. § 595.02 subd. 1(l).



for these advocates to explain this to victims/survivors at the onset of a criminal case and to provide referrals to community-based organizations if requested. They are also mandated reporters.

- Some other government-based advocates qualify for privilege as sexual assault counselors, because the agencies for which they work are recognized as sexual assault crisis centers.

Before discussing anything with a victim/survivor that might trigger a mandated report, advocates should give multiple, thorough explanations and warnings about confidentiality. Some victims/survivors want to report, and advocates can help to facilitate that process in those situations. Other victims/survivors may need time to consider their options and determine what course of action is in their best interests. It takes time to build a strong relationship, and breaking confidentiality can undermine trust and turn the victim/survivor away from help. Making a mandated report without giving any notice about confidentiality obligations ahead of time is very likely to result in a loss of trust and the victim/survivor potentially abandoning the service. See ***Working with Sexually Exploited Youth*** (“Confidentiality & Reporting”) for further discussion.

## 7. The Art of Street Outreach

Street outreach is an intervention approach based on training and skill that applies harm reduction philosophies as a means of engaging and sharing information with victims/survivors on their own turf, where they feel more in control.<sup>6</sup> It can take many forms, such as providing phone stickers or matchbooks that have crisis line information. Victims/survivors particularly want access to items that meet their daily needs, such as hygiene supplies, food, clothing, gift cards, and bus cards. They may also need basic information about sexual and reproductive health care (in paper and electronic formats), as well as connections to health care providers, drop-in clinics, and safer sex supplies like condoms and lubricant to help protect them from sexually transmitted infections, HIV, and pregnancy.

Avoid creating unsafe situations for both the victim/survivor and the

6 B. Holger Ambrose, C. Langmade, L. Edinburgh & E. Saewyc, *The Illusions and Juxtapositions of Commercial Street Exploitation Among Youth: Identifying Effective Street Outreach Strategies*, 22:3 J. Child Sex. Abuse, 335 (2013).

worker. For example, in general do not talk with a victim/survivor who is engaging in a transaction, even though this may be difficult to witness. It is possible that the victim/survivor is being watched, and an interruption could result in harm to the victim/survivor and potentially to yourself as well.

Serving victims/survivors on the streets requires different knowledge and approaches than serving them at a shelter or program. But some concepts remain the same, specifically the requirement to build rapport and to avoid pushing help or judgments upon them. Victims/survivors who are surviving on the streets are savvy because they have to be, and it's helpful to the relationship between the outreach worker and the young person to recognize that "street smarts" are a strength. Victims/survivors can tell when someone is not being transparent and tend to reject rules if they aren't given options and good reasons about why the rules exist. Victims/survivors may show signs of aggression or attempt to manipulate people and situations; these are survival techniques. Many exploited victims/survivors have been betrayed or used by people who claimed to care about them or have their best interests in mind. They have learned consequently not to get too close to anyone, and they may lash out at someone about whom they begin to care.

Many victims/survivors want to speak with others in street outreach who have had the same experience—mentorship from survivors is very important, as described earlier in this chapter. When possible, include survivors in the work of serving victims/survivors in outreach activities and also provide opportunities for survivors to work in other capacities in an organization. They may be able to establish rapport and credibility more readily with young people and demonstrate that change is possible even when it feels impossible. They may also have a better understanding of how to navigate street culture.

## **8. Advocacy and the Criminal Justice and Child Protection/ Child Welfare Systems**

Advocacy has a role in multidisciplinary collaboration and will often engage with many parts of the system in order to ensure that an individual victim/survivor's needs are met. Given the nature of sexual exploitation, victims/survivors will frequently have ongoing contact with the criminal justice, juvenile justice, or child protection systems. Both community-based and government-based advocates are uniquely positioned to provide support to victims/survivors as they navigate these systems. For example:

- **Healthcare:** In the course of a criminal or child protection investigation, a victim/survivor may undergo a sexual assault forensic exam—often performed by a sexual assault nurse examiner (SANE)—or a forensic interview—often performed at a child advocacy center (CAC). See **Medical Forensic Exams** and **Children’s Advocacy Centers**. Advocates can help support victims/survivors through this difficult process, by explaining what is happening, providing a supportive presence, and offering follow-up resources and counseling.
- **Law Enforcement:** It is not uncommon for victims/survivors to have frequent contacts with law enforcement, and one of the most important criminal justice relationships for advocates is the one they have with law enforcement partners. For example, a victim/survivor may need to be interviewed by law enforcement during an investigation of their exploiter. Advocates and investigators can arrange to conduct the interview at a location that is comfortable for the victim/survivor, rather than at the police station. CACs can be valuable resources in these situations. **Working as a Team** (“Example: Law Enforcement/Advocacy Relationship”) contains an important discussion of this relationship.
- **Courtroom/Legal Advocacy:** The period between the commencement of an investigation and the prosecution of a case—often quite lengthy—can be a very trying time for victims/survivors. They may fear retribution and be uncertain about their future while perhaps feeling ambivalence about their exploiter and their experience while being exploited. This is a critical time for advocates to provide support. If a case isn’t prosecuted, advocates should help victims/survivors to find out why and to understand that the lack of prosecution does not mean that they were not believed or taken seriously.

In some instances, a victim/survivor may have an outstanding warrant. Help the victim/survivor to obtain legal counsel to determine how best to address the warrant. Ensure that victims/survivors have access to information about their rights. (Providing this information does not interfere with an investigation and is consistent with an advocate’s role as a resource to services.) See **Legal Representation** for additional information about victim/survivor legal needs.

If a victim/survivor requires reparations to assist with payment of harms sustained during sexual exploitation, the advocate can assist with the process of applying to the state for crime victim assistance.<sup>7</sup> In addition, if the victim/survivor has a concern about how their case or another case has been handled by law enforcement or prosecution, the advocate can help provide a connection to the Victim Justice Unit at the Office of Justice Programs in the Minnesota Department of Public Safety.<sup>8</sup>

- 7 Minnesota Crime Victims Reparations Board, <https://dps.mn.gov/divisions/ojp/help-for-crime-victims/Pages/crime-victims-reparations.aspx>.
- 8 Crime Victim Rights Enforcement, Office of Justice Programs, Minnesota Department of Public Safety, <https://dps.mn.gov/divisions/ojp/help-for-crime-victims/Pages/crime-victim-rights-enforcement.aspx>.



Chapter 10

# Discipline Chapter Child Welfare

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The child welfare system plays a key role in Minnesota’s response to the sexual exploitation and sex trafficking of youth. In 2020, the state Department of Human Services released a comprehensive set of guidelines for county and tribal welfare agencies: “Minnesota’s Best Practice Response to Trafficking and Exploitation of Children and Youth: A Guide for County and Tribal Child Welfare Agencies” (*DHS Guidelines*)<sup>1</sup>. **Child welfare professionals, and others with a particular interest in the child welfare response to this issue, are urged to review the *DHS Guidelines* carefully.**

This chapter is intended to serve as a resource for professionals who do not work regularly with the *DHS Guidelines*, to provide an understanding of the role of child welfare in the Safe Harbor response and where it may intersect with the roles of other disciplines.

As with all disciplines, it is critical that child protection and child welfare professionals adopt a victim- and youth-centered, strengths-based, trauma-informed approach to working with sexually exploited youth. Review *Working with Sexually Exploited Youth* for guidance. These professionals should receive training on best practices for identifying and responding to sexual exploitation and trafficking. Foster care, pre-adoptive and kinship caregivers should also be given specialized training in how to care for at-risk or sexually exploited youth living in their homes.

## 1. Overview of Child Welfare Response to Exploitation and Trafficking

Minnesota’s child welfare system is supervised by the state, but it is administered (i.e., managed) separately by each of the state’s 87 counties and 11 tribes.<sup>2</sup> Each county and tribe is required to establish a child protection multidisciplinary team (MDT) that may consist of professionals from a wide variety of disciplines and organizations: law enforcement, prosecution, medical providers, community-based agencies and more. A child protection MDT allows these professionals to share confidential information in order to review cases and establish protocols for all aspects of the child welfare process.<sup>3</sup> (Note that a child protection MDT is only one type of multidisciplinary team. See the ***Next Steps*** chapters for more on multidisciplinary teams.)

Every county and tribal welfare agency should develop and implement a protocol, drawing from the *DHS Guidelines*, for responding to sexually exploited and trafficked youth. The same is true for child

1 DHS 7641-Z, available at <https://edocs.dhs.state.mn.us/lfserver/Public/DHS-7641Z-ENG>.

2 Two tribes, White Earth and Leech Lake, receive funding from the state and operate under state child welfare laws and policies. Mille Lacs and Red Lake are also expected to become “child welfare initiative” tribes in coming years.

3 Minn. Stat. § 260E.02 (governing multidisciplinary child protection teams).

protection MDTs, as well as other MDTs. See the **Next Steps** chapters for guidance on establishing protocols.

Because sexually exploited and trafficked youth may move around the state of Minnesota and across state lines, determining which child protection agency is responsible in a given situation can be complicated. In general, the responsible jurisdiction is the one where the custodial parent lives. Because sexual exploitation and trafficking are considered to involve imminent danger, however, the responsible jurisdiction – at least for the immediate safety response – is the one where the youth is located. Because of the nature of these cases, it can be very helpful to establish inter-agency agreements, and even inter-governmental agreements (between tribal nations and counties or the state),<sup>4</sup> in advance.

Coordination across disciplines is critical to the child welfare response to sexual exploitation. This includes coordination with law enforcement (see “Investigation and Interviews” below) and county or tribal child protection attorneys (see “The Role of Attorneys” below). It is also important for child welfare to coordinate early and often with the Safe Harbor Regional Navigator, medical and mental health professionals, and others who can help meet the individual needs of the youth. Greater discussions about these roles and relationships can improve outcomes both for investigations and for youth.

## 2. Steps in the Process

### a. Identification and Screening

Some reports of exploitation and trafficking come into the child welfare system via mandated reporters in other disciplines. See “Confidentiality & Mandated Reporting” in **Legal Framework**. Other such reports come via child welfare professionals, who are mandated reporters themselves.

Sexual exploitation may also be “hidden” in runaway, truancy, or other child welfare situations. **Dynamics of Sexual Exploitation** discusses many of the challenges of identification. Although awareness of the Safe Harbor law is spreading, many youth still believe they can be charged with a crime for exchanging a sexual act, which may make them reluctant to seek system-connected support. They may believe child protection is as an arm of law enforcement and prosecution. Many sexually exploited and trafficked youth come from families that have been engaged with the child protection system, as this is a significant risk factor for trafficking and exploitation. These youth may have been removed into foster care

4 See **Working with Tribal Nations**.



or adopted if their parents' rights were terminated. They may be also untrusting of the child protection system for these and other reasons, such as culture, language and historic trauma.

When a report of sexual exploitation or sex trafficking is made to child protection intake, staff determines whether it meets the criteria for child maltreatment and is therefore "screened in" for a child protection response. Sexual exploitation or sex trafficking by a caregiver qualifies, as does sex trafficking (though not sexual exploitation) by a non-caregiver.<sup>5</sup> A flowchart developed by DHS helps agencies in making this determination.<sup>6</sup>

All reports, whether screened in or not, must be shared immediately with law enforcement (see "Investigation and Interviews" below) and assessed for whether the Indian Child Welfare Act applies to the child (see "Working with American Indian Youth and Families" below). The caller should also be provided with contact information for the relevant Safe Harbor Regional Navigator.

If a report is screened in, a case worker at the child protection agency is required to make face-to-face contact with the youth within 24 hours, in order to assess the youth's safety. See "Safety and Services" below. Note that this should not involve a full interview of the child; such an interview should be coordinated with law enforcement and carefully planned, as discussed in the following section.

#### b. Investigation and Interviews

If a report of sexual exploitation or trafficking is screened in as "child maltreatment," it is investigated by both child protection and law enforcement.<sup>7</sup> Each agency must promptly share the report with the other and begin to coordinate their efforts. Coordination, which may involve law enforcement agencies across multiple jurisdictions, is critical to ensure the safety of all involved and the success of the investigation. While this work is collaborative, keep in mind that the two kinds of investigations – child protection and law enforcement – are conducted under different statutory authority and have different purposes, scopes, and outcomes.

The child protection investigation will include interviews with the youth, the primary caregivers, and the alleged offender (if different from the caregivers), as well as contacts with collateral sources for information about the allegation.

5 Although cases involving sexual exploitation by a non-caregiver are not screened-in, the youth and family must still be offered voluntary services. See "Safety and Services" below.

6 "Screening for Sex Trafficking or Sexual Exploitation," DHS 7641-N, available at <https://edocs.dhs.state.mn.us/lfserver/Public/DHS-7641N-ENG>.

7 See Minn. Stat 260E.14, subd. 2(b) (child welfare agency must investigate sex trafficking), subd. 5 (law enforcement must investigate when a crime is alleged).

An interview with the youth is a key component of the investigation. In such interviews, youth should not be pressured to disclose or made to feel like they have done something wrong. See ***Working with Sexually Exploited Youth*** for guidance. Because sex trafficking and sexual exploitation are forms of sexual abuse, a trauma-informed forensic interview, such as at a child advocacy center, may be the most appropriate format. See ***Children's Advocacy Centers***.

An interview with the alleged offender, while also important, can present unique safety concerns, especially if the alleged offender is not a caregiver. When preparing to make contact, the agency staff will consider, in consultation with law enforcement or county and/or tribal attorneys:

- the possibility of compromising a current or potential criminal investigation;
- the impact on the safety of the youth, family, or caseworker;
- the risk to the safety of any other potential victim; and
- whether the interview is necessary for an investigation or for the youth's safety, or whether the purpose is solely to make a maltreatment determination and close an investigation.<sup>8</sup>

c. Safety and Services

The focus of the child welfare system response to children and youth who experience trafficking and sexual exploitation is assessing safety and providing access to services. This starts within 24 hours of the child protection agency receiving the report, when a case worker is required to make face-to-face contact with the youth. The worker will assess the youth's safety and help to develop a safety plan.<sup>9</sup> (Note that this initial contact should not involve a full interview of the child; such an interview should be coordinated with law enforcement and carefully planned, as discussed in "Investigation and Interviews" above).

The case worker should begin early to assess the youth's needs for services and then to identify available resources, such as by working with the Safe Harbor Regional Navigator. Service planning can be complex, involving a wide variety of issues, from education and life skills trainings to legal representation and credit checks.<sup>10</sup> It may also include collaboration with multiple partners, including the youth and family

8 *DHS Guidelines*, supra note 1, at 16.

9 See "Youth Exploitation or Trafficking Safety Plan," DHS-7641R, available at <https://edocs.dhs.state.mn.us/lfsrserver/Public/DHS-7641R-ENG>.

10 See "Service Planning With Trafficked or Exploited Youth," DHS-7641U, available at <https://edocs.dhs.state.mn.us/lfsrserver/Public/DHS-7641U-ENG>.

themselves, the Regional Navigator, and other identified supports.

Note that youth confidentiality remains of paramount importance in the provision of services. If the youth signs a release of information, the case worker may begin to coordinate a specific response with the Regional Navigator or other advocate. If there is no release of information, the worker is limited to inquiring in general terms about available services, without providing information that would identify the youth.

Besides access to advocacy that is confidential (subject to mandated reporting requirements), it is important to ensure that youth have connections with trauma-informed therapeutic behavioral, mental, and chemical health services rooted in harm reduction and evidence-based care. These services can help support them, even if they resist system intervention, and can serve as bridges to system intervention when they are ready to engage. The response and services provided should be youth-directed to the extent possible.

Finally, note that even if a case does not qualify as “child maltreatment” because it involves sexual exploitation by a non-caregiver, the child protection agency must still offer voluntary services to the youth and the youth’s family.

#### d. Placement

As discussed in ***Emergency Placement***, the best place for many sexually exploited youth is with their families. If the exploiter is not a parent or caregiver, there may be no safety-related reason to place the youth outside of their home. On the other hand, if the youth’s safety is threatened, placement may be necessary even in that situation.

Before placing a youth, the child welfare agency must have legal authority for an out-of-home placement through an emergency hold by law enforcement, a subsequent court order, or a voluntary placement agreement with the family.<sup>11</sup> One advantage to the family and shelter of voluntary placement by the agency agreement is that the agency can take financial responsibility for the placement, including potential reimbursement from federal funding. Often, the process starts with a “self-referral” to shelter by the youth or family, followed by a mandated report to the agency by shelter staff. (see “Confidentiality & Mandated Reporting” in ***Legal Framework***). They are encouraged to make the report as early as it is safe to do so, so that the child welfare agency can assess whether to seek placement authority and reimbursement. See ***Shelter and Housing*** for information.

<sup>11</sup> See Minn. Stat. § 260C.227 (voluntary foster care agreements. Voluntary placement agreements may also be made under chapter 260D (allowing treatment access for children who are “emotionally disturbed” or developmentally disabled,” as defined in statute).

Issues relating to emergency custody and placement, including the emergency law enforcement hold, are addressed in **Emergency Placement**. As discussed in that chapter, if court intervention for ongoing child protection placement is needed, an emergency removal hearing must be held within 72 hours of the youth being taken into custody. At that point, the youth is released to family “unless there is reason to believe that the child would endanger self or others or not return for a court hearing, or that the child's health or welfare would be immediately endangered.”<sup>12</sup> In the event of such endangerment, the court can order the youth into the care of relatives or to a foster family home, group home, emergency shelter, or other residential facility.<sup>13</sup> Within 30 days after that, an out-of-home placement plan is prepared by the child welfare agency, in consultation with the family, the youth’s guardian litem (see “The Role of Attorneys and Guardians ad Litem” below), the tribe (if the youth is American Indian), the foster parent or facility representative, and the youth where appropriate.<sup>14</sup>

The guiding principle in child protection placement is the best interests of the child, taking into account nine factors set forth in statute, including the child’s current functioning, behaviors, and needs; interests and talents; history and past experiences; connection with community, school, and faith; and relationship with caregivers and family; as well as the preferences of the child (if old enough). The *DHS Guidelines* provide a detailed application of these factors in cases involving sexually exploited or trafficked youth.<sup>15</sup>

Taking these factors into account, services and placement options should be considered from least to most restrictive. Again, in many cases, living at home with community-based services, or making an out-of-home arrangement independent of the child welfare agency, will be most appropriate. If not, placement options should be considered in the following order:

- (1) living with a relative;<sup>16</sup>
- (2) living with “an important friend with whom the child has resided or had significant contact;”<sup>17</sup>
- (3) other family foster care;

12 § 260C.178, subd. 1(b).

13 §§ 260C.178, subd. 1(c) (order into “foster care”), 260C.007, subd. 18 (definition of “foster care”).

14 § 260C.212, subd. 1(a), (b).

15 DHS Guidelines at 31-32.

16 § 260C.212, subd. 2(a)(1).

17 *Id.*, subd. 2(a)(2).

- (4) congregate care, such as shelter or housing that is eligible for federal funding, therapeutic foster care, or residential treatment; and
- (5) hospitalization or an in-patient psychiatric residential treatment facility (only if medically necessary).

(Guidance on best practices with respect to individual foster care homes for sexually exploited youth does not yet exist in Minnesota; the authors recommend that such guidance be developed.)

Youth in child protection cases may be held in secure detention, for up to seven days, only when in contempt of a court order, such as an order to remain at a placement, and “only under the most egregious circumstances [where] ... all less restrictive alternatives have failed.”<sup>18</sup> Such a practice should only be used as a last resort. The DHS Guidelines direct child welfare professionals to never use secure detention to keep a known victim of sexual exploitation or trafficking safe, even when it is permissible under the law. For further discussion of this issue, see ***Emergency Placement***.

Youth should be empowered, and their choices honored, as much as possible in the placement process. Note that one of the “best interest” factors is the preferences of the youth, and statutes require that youth over age 14 be allowed to give input in the out-of-home placement plan.<sup>19</sup>

Placement of American Indian youth must comply with specific requirements in the Indian Child Welfare Act (ICWA) and Minnesota Indian Family Preservation Act (MIFPA). See “Working with American Indian Youth and Families” below.

### 3. The Role of Attorneys and Guardians ad Litem

To successfully respond to juvenile sexual exploitation, child protection staff must work closely with the child protection attorneys who file “child in need of protection or services” (CHIPS) petitions, the juvenile delinquency prosecutors who charge youth with crimes, and the attorneys and guardians ad litem who may represent youth in CHIPS cases. The need for coordination is especially important given that a youth otherwise in court in one of these cases may not be identified right away as having been sexually exploited or trafficked. See “Identification and Screening” above.

A CHIPS petition may be filed on the basis that the youth has been a victim of sexual abuse, physical abuse or neglect, or is a sexually

18 *State Ex. Rel. LEA v. Hamnergren*, 294 N.W. 2d 705, 707-08 (Minn. 1980). See also Minn. Stat. §§ 260C.421 (no adjudication of delinquency based solely on finding of contempt); 260B198, subd. 1 (only dispositional option is a stay of adjudication), subd. 3-4 (youth may be held in a secure facility pending disposition).

19 §§ 260C.212, subd. 1(b), subd. 2(b)(10).

exploited youth. Frequently, it may be filed on the basis that the youth is a runaway or truant. In some court systems, runaway or truancy cases may be heard on a juvenile delinquency calendar, or in a special docket for crossover youth, rather than with other CHIPS petitions; this could result in different services for the youth and family.

The petition should articulate only the basic safety concerns about the youth, such as living in a dangerous environment, status offenses (i.e., running away or being truant), and the number of times the youth has “absented.” Include enough information to support the allegations while also working to protect the privacy of victim/survivors (and to avoid tipping off exploiters who may be reviewing cases). Among other things, consider how to identify victim/survivors (e.g., Child 1) in any forms or documents filed in court. Sex trafficking and sexual exploitation are forms of sexual abuse, and victim privacy and confidentiality are paramount. See “Confidentiality & Reporting” in ***Working with Sexually Exploited Youth*** and “Confidentiality & Mandated Reporting” in ***Legal Framework***.

When a petition involves an American Indian youth, the requirements of ICWA and MIFPA must be followed (see “Working American Indian Youth and Families” below). The youth’s tribe may elect to participate in the case or move the case to tribal court. See ***Working with Tribal Nations***.

Often, when a child welfare petition has been filed and a case is before the court, an attorney will be appointed for the youth and a guardian ad litem (GAL) may also be appointed. A GAL is an objective adult who conducts an independent investigation and provides information to the court about the best interests of the youth. The GAL is not an attorney for the child, nor does a GAL provide shelter or care for the child or youth. GALs review social services, medical, school, psychological and criminal records or reports and meet with the youth. GALs also attend meetings with other professionals involved with the youth and family in order to make the best recommendation to the court in the child’s best interest. Court-appointed attorneys and GALs have a valuable role to play in advocating for the youth’s best interests and can be instrumental in developing community response protocols.

#### **4. Working with American Indian Youth & Families**

Tribal affiliation is a political status, not a racial category. As discussed in ***Working with Tribal Nations***, American Indian youth may be enrolled members, or eligible for enrollment, in a tribe, or they may be

part of an American Indian community that is not federally recognized as a tribe. American Indian youth live throughout Minnesota, with some on reservations, where they receive services from a tribe, but the majority living in urban areas. The state child welfare system addresses cases involving American Indian youth through the Indian Child Welfare Act (ICWA) and the Minnesota Indian Family Preservation Act (MIFPA).<sup>21</sup> Counties should have a strong system for screening for ICWA and MIFPA eligibility.<sup>22</sup>

It is important to understand the historical context when working with American Indian children involved with county or tribal child welfare agencies. In Minnesota and throughout the United States, there is a long history of historical trauma, including colonization and removal of American Indian children through the child welfare system.

For American Indian youth who experience trafficking or exploitation, one of the greatest needs after exiting a trafficking situation is rebuilding their sense of belonging, identity, and role within their community. Case workers can support this by incorporating mentoring, traditional healing practices, and community-based supports in the youth's and family's safety plan or case plan. If youth or family want support from the American Indian community, it is best practice to connect them with traditional healing supports, even if they are not enrolled tribal members.

If a child welfare agency has reason to believe a child is an Indian child, all the protections of ICWA / MIFPA apply until all relevant tribe(s) have responded that a child is not eligible for membership<sup>23</sup> or a determination has been made by a court that ICWA does not apply. The child welfare agency must follow all ICWA, MIFPA, and Bureau of Indian Affairs (BIA) requirements. As part of these legal requirements, the local child welfare agency must:

- (1) work with the Indian child's tribe and family to develop an alternative plan to out-of-home placement;
- (2) before making a decision that may affect an Indian child's safety and well-being or when contemplating out-of-home placement of an Indian child, seek guidance from the Indian child's tribe regarding family structure (including placement preferences), how the family can seek help, what family and tribal resources

21 ICWA is codified at 25 U.S.C. § 1900 et seq. MIFPA is codified at Minn. Stat. 260.753 et seq. (Minnesota Indian Family Preservation Act).

22 A comprehensive set of resources on ICWA and MIFPA is available at [https://mn.gov/dhs/assets/ICWA%20MIFPA%20Resources%2012.2018\\_tcm1053-363676.pdf](https://mn.gov/dhs/assets/ICWA%20MIFPA%20Resources%2012.2018_tcm1053-363676.pdf).

23 C.F.R. §23.107(b)(2).

- are available, and what barriers the family faces at that time that could threaten its preservation; and
- (3) request participation of the Indian child's tribe at the earliest possible time and request the tribe's active participation throughout the case.<sup>24</sup>

Child welfare agencies and county or tribal attorneys must comply with these requirements in partnership with tribes and courts. See ***Working with Tribal Nations***.

## 5. Working with Foreign Nationals

Some reports of sexual exploitation or trafficking may involve youth who are foreign nationals (not U.S. citizens or lawful permanent residents). Keep in mind that such youth may be reluctant to seek services because they are not familiar with American culture or because it may be hard for them to trust the system. They may feel not only fear the exploiter but suffer stigma within their community at large.

Federal help under the Trafficking Victims Protection Act (TVPA) is available for youth who are foreign nationals, if they have experienced a “severe form of trafficking in persons,” as defined in federal law, at any location and at any time before they turn 18. A local child welfare agency that identifies a potential trafficking concern for a foreign national youth must notify the Office of Trafficking in Persons (OTIP at the federal Administration for Children and Families within 24 hours and request assistance for the youth.<sup>25</sup> The purpose of this report is solely to provide the youth with access to benefits and services. The youth’s personal identifiable information will not be shared by OTIP with other federal agencies, unless a youth requests an interview with law enforcement.

If OTIP determines that the youth is a victim of trafficking under the TVPA, the youth is entitled to federal, state, and county public benefits and services to the same extent as a refugee. After the referral to OTIP, a federally funded case manager through the Trafficking Victims Assistance Program (T-VAP) may be assigned by OTIP to administer emergency financial assistance and help secure access to public benefits and services.

All non-U.S. Citizens who have experienced sex or labor trafficking should be referred for immigration services, specifically legal

24 Minn. Stat § 260.762, subd. 2.

25 22 U.S.C. 7105(b). The OTIP website, at <https://www.acf.hhs.gov/otip/resource/rfa-0>, has more information.



representation. If requested by youth, family, or their immigration attorney, child protection staff may have authority to provide documentation that could assist a youth or their family in pursuing immigration status on the basis of a youth being a victim of human trafficking (sex or labor) or other crimes, such as sexual assault or child abuse. That documentation relates to applications for U and T visas. Under federal law, child protection staff are authorized to provide certifications for U visa applicants and endorsements for T visa applicants under certain circumstances.

In addition to connecting youth with immigration representation, other potential resources include local law enforcement and federal partners like the Federal Bureau of Investigation and Homeland Security Investigation. Both of these federal agencies have victim assistance personnel who are skilled in working with this population and can assist with locating resources. These agencies can apply for “continued presence,” a temporary immigration status for victims of human trafficking; this status provides stability and protection while a law enforcement investigation and prosecution are ongoing.

For more on issues related to immigration, see ***Legal Representation*** (“Immigration Cases”).

# Discipline Chapter

## Children’s Advocacy Centers

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Children’s Advocacy Centers (CACs) are neutral, victim-centered agencies that utilize a multidisciplinary team of professionals (CAC teams) to provide forensic interviews, medical evaluations, mental health services, victim advocacy, family support and community referrals to vulnerable people—children, adolescents and vulnerable adults—who report sexual abuse, physical abuse, sexual exploitation, neglect or witness a violent crime.

All communities building a response to the sexual exploitation of youth should invite a CAC—whether one is geographically near or not—to participate in that response-building process. CACs can serve as a place to access a wide variety of resources: protocol and team development, therapy services, medical services, forensic interviews, advocacy, and case management.

As of May 2020, 12 CACs operate in Minnesota. These programs vary in their operations and structure, but all offer a safe place for victims/survivors to speak about their experiences and receive support and care.<sup>1</sup>

## 1. Cultural Considerations

Minnesota’s CACs honor and respect the rich diversity of the families served, and as such cultural considerations are paramount in CAC work. CAC teams include representation from different cultural groups and consultation with community elders. Recognizing an individual’s culture is part of providing individualized care. Questions during intake should take into account home environment, languages spoken and any other information that will help the youth feel more comfortable. See **Cultural Considerations** for more information on how to incorporate cultural needs into the CAC response to sexual exploitation.

## 2. The Role of CAC Teams

CACs do not operate on their own. Instead, they work through teams with members drawn from multiple disciplines: law enforcement, child protection, prosecution, mental health, medical and victim advocacy professionals, as well as other professionals who investigate reports of abuse, provide advocacy to victims, support families and seek to hold offenders accountable. The CAC team holistically treats vulnerable clients, provides support to caregivers, and offers resources for all involved to find the best legal, clinical, medical, and healing outcomes for the vulnerable child, adolescent, or adult.

1 Additional information about Minnesota’s CAC programs can be found in the **Appendix**.

Sexually exploited youth tend to have multiple complex needs. The CAC team should think broadly about other professionals or people who may be able to support the youth and complement the work of the CAC team during and after the investigation. Other experts may be invited to join the primary members of the CAC team, such as a chemical dependency counselor, to augment the team's resources and services.

CAC teams should work to increase their cultural diversity. It is critical that youth be able to see themselves and their families in the people who are providing them with services and support.

### **3. Referrals to CACs**

CACs receive referrals from primarily law enforcement, child protection or medical providers. One important issue for communities to determine are the circumstances under which such a referral should be made for a sexually exploited youth. These circumstances will vary greatly by community. Perhaps the most important consideration is whether the community is already accessing CAC services for victims/survivors of sexual abuse. If so, referral of victims/survivors of sexual exploitation is likely appropriate; indeed, the odds are good that the CAC is already seeing sexually exploited youth who present in other ways. Other considerations that law enforcement, child protection, and medical providers may use in deciding whether to refer a sexually exploited youth to a CAC include:

- the age of the youth—with younger victims/survivors possibly being more appropriate for referral; depending on the youth's maturity, they may prefer an agency that works with older youth and adults.
- the distance to the nearest CAC—though note that any CAC will see youth from any county; and
- the comfort level of the referring agency in handling the case, especially the interview of the youth, on its own or with other partners.

#### 4. Forensic Interviews of Sexually Exploited Youth

One of the many functions that may be performed via a CAC is the forensic interview. The forensic interview is a semi-structured conversation between the youth and a trained professional—who can be a CAC staff member, a member of law enforcement, a child protection investigator, or a medical provider—intended to elicit detailed information about the incident of alleged abuse.

##### a. Training for Interviewers

Forensic interviewers are trained in trauma and its neurobiological effects. They also receive special training<sup>2</sup> in how to listen to individuals talk about difficult experiences in a sensitive and objective manner that takes into account the individual's developmental, emotional, and cultural needs. Interviewers of sexually exploited youth should receive broader training in areas such as ***Dynamics of Sexual Exploitation*** and ***Working with Sexual Exploitation***. They should also be fully informed about the lifestyle, terms, and culture that may be familiar to sexually exploited or street-involved youth.

##### b. Location & Timing

In general, forensic interviews should be scheduled only when the youth indicates a readiness to talk. Not only is this a victim-centered approach, but research indicates that it will increase the likelihood that the youth will cooperate with the investigation. This can pose a particular challenge for sexually exploited youth, who may be uncooperative or even hostile. See ***Dynamics of Sexual Exploitation*** (“Why Don’t They Leave?”). Involvement with the law enforcement and child protection systems—as is frequently the case for youth coming to a CAC—may not be their preferred course of action.

It may therefore take sexually exploited youth an extended period of time to be ready to discuss their experiences. The CAC team may need to exercise considerable patience with them. In the meantime, the team should provide supportive services to help treat and stabilize them, while considering the right time to schedule the forensic interview.

Most forensic interviews conducted by a CAC are held at the CAC

2 The training for forensic interviewing through CACs is competency-based and sanctioned by the National Children's Alliance. [www.nationalchildrensalliance.org](http://www.nationalchildrensalliance.org)

itself. This not only offers a safe and neutral environment, it also allows team members easily to attend, observe, monitor, discuss and record the interview. (Forensic interviews with alleged victims of “sexual abuse,” including sexual exploitation, must be audio-video recorded.<sup>3</sup>) Exceptions may be made to conduct the interview off-site, particularly if the youth is in a protected place, such as a shelter or hospital, but that is not common practice.

In most cases of child abuse, the forensic interview process occurs in one session. Given the dynamics of sexual exploitation and the trauma that sexually exploited youth have experienced, interviews of such youth are more likely to take additional sessions, though this of course will depend on the circumstances of the case and the individual’s needs.

### c. Content

The forensic interview process includes building rapport, gathering information, and closure. The precise content and manner of questions, as well as the length of the interview, depend on the circumstances. There are different forensic interview training protocols available nationally, but the most common forensic interview protocols in Minnesota are CornerHouse and ChildFirst® First Witness.

The topics raised in interviews of sexually exploited youth may of course differ somewhat from interviews with other abused youth. Consider asking about topics such as money, websites, ability to come and go, living conditions, hours spent working, relationships and types of abuse. Elicit information about grooming acts by the exploiter, such as taking the youth shopping or out to eat, by asking, “Tell me what happened that very first day.” Ask related questions, such as, “What were they like when you first met them?” In response, the youth may describe friendly behavior initially by the exploiter or may also reveal threats against the youth or the youth’s family. Ask questions about bodily functions during and after sexual contact, which may help to determine injury (i.e., bleeding not associated with menstruation). Be sure also to ask questions that are empowering for the youth, such as “What do you want to do from here?” and make referrals to supportive services.<sup>4</sup> See the **Appendix** for additional information on conducting forensic interviews of sexually exploited youth.

Pornography is a tool of sexual exploitation. Some youth may

3 Minn. R. 9560.0220 (2016) (recording of forensic interviews).

4 L. Edinburgh, J. Pape-Blabolil, S. Harpin & E. Saewyc, *Assessing Exploitation Experiences of Girls and Boys Seen at a Child Advocacy Center*, *Child Abuse & Neglect* (2015) [https://www.researchgate.net/publication/276298903\\_Assessing\\_exploitation\\_experiences\\_of\\_girls\\_and\\_boys\\_seen\\_at\\_a\\_Child\\_Advocacy\\_Center](https://www.researchgate.net/publication/276298903_Assessing_exploitation_experiences_of_girls_and_boys_seen_at_a_Child_Advocacy_Center) .

have appeared in pornography. The CAC team should consider how traumatizing it may be for youth to identify themselves in pornography and whether the identification process is necessary. Most CACs do not present such evidence as part of the forensic interview process but instead leave that role to law enforcement.

Sexually exploited youth may have complex legal histories. In order to remain victim-centered and neutral, the forensic interviewer should not interrogate the youth about criminal activity. Still, disclosures about such activity—such as the youth recruiting other victims/survivors—may come out during the course of the interview. Consider in advance how to handle this. Should the youth be referred to legal counsel? Will the prosecution offer immunity? Be transparent up front with the youth about how any disclosures of wrongdoing may affect them.

## 5. Medical Evaluations

At CACs, medical providers with specialty training (e.g., child abuse pediatricians, sexual assault nurse examiners or physicians and mid-level practitioners with advanced training in child abuse) offer a medical evaluation to the youth. The medical evaluation may occur before, during, or after the forensic interview. Not every CAC has an examination room on site, so some CAC medical evaluations are conducted at hospitals or clinics, but all CACs partner with child abuse specialists.

The medical provider ensures that the youth is providing consent for the examination as a whole as well as each part. Overall, the examiner will conduct an evaluation of the youth's current state and make recommendations for aftercare. See **Health Care** and **Medical Forensic Exams** for more information on medical evaluations and care for sexually exploited youth.

## 6. Mental Health Services

At CACs, mental health services are trauma-informed, focus on a range of needs including dual diagnosis with alcohol/chemical use and assist each individual as well as family members. All CACs partner with mental health providers to ensure access to mental health services regardless of ability to pay. CACs ensure youth and families can also access cultural and spiritual counselors or advisors if they prefer. Please see **Mental Health** for more information.

## 7. Confidentiality

Ongoing conversations about the use of CACs for sexually exploited youth have addressed questions around youth confidentiality issues. Advocates on the CAC team maintain a confidential relationship with victims, sharing confidential information with the team only with the victim/survivor's consent. However, advocates working at a CAC do not have statutory sexual assault or domestic abuse counselor privilege. (Note that community-based advocates partnering with CACs, such as when a CAC does not have in-house advocates, often do have one of these statutory privileges. See **Advocacy & Outreach** for additional information.)





# Discipline Chapter Health Care

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Healthcare providers are often in the privileged position of being the first professional to encounter an individual experiencing sexual exploitation, whether in a clinic, at a hospital, or in the community. But many feel ill-equipped to identify and respond appropriately to these patients.<sup>1</sup> It is essential that the healthcare response be one that is patient-centered, culturally-responsive, and trauma-informed.<sup>2</sup>

This chapter is intended to highlight key issues that arise when health care professionals work with patients who have been sexually exploited. It is supported by **Medical Forensic Exams** and **Mental Health**, which focus on two important topics within the broader health care umbrella.

The **Appendix** includes a number of tools, including an Emergency Department Sexual Exploitation Algorithm, to help healthcare professionals and emergency medical personnel identify and respond to sexually exploited youth.

## 1. Organization & Training

As a first step, each health care system and facility should designate a point person who will be responsible for developing the system or facility's approach to sexual exploitation. In addition, each facility should designate one or more resource persons who can be reached 24 hours per day, whenever a victim/survivor has been identified. This designated resource person could be a physician, nurse practitioner (NP), physician assistant (PA), sexual assault nurse examiner (SANE), or a community trafficking service provider—so long as the designated person can be reached at any time, day or night. In smaller health systems with the challenges of limited resources, one individual may serve in both of these roles (developing the broader approach, and responding to individual situations).

Each of these designated individuals should receive specialized and extensive training and ongoing education on sexual exploitation, as should those who are most likely to work with patients who have experienced exploitation. These patients deserve care that is

- 1 J. Barrows and R. Finger, *Human Trafficking and the Healthcare Professional*, Southern Medical Journal 101 (5) (2008): 521–4 [hereinafter referred to as *Human Trafficking and the Healthcare Professional*]; M. Chisolme-Strike and L. Richardson, Assessment of Emergency Department (ED) *Provider Knowledge about Human Trafficking Victims in the ED*, Academic Emergency Medicine 14, suppl. 1 (2007): 134; Family Violence Prevention Fund, World Childhood Foundation, *Turning Pain into Power: Trafficking Survivors' Perspectives on Early Intervention Strategies*, San Francisco, (2005), [http://fvpf.convio.net/site/EcommerceDownload/Turning%20Pain%20into%20Power-1590.pdf?dnl=91592-1590-CgyjEPGG3AZ5\\_6Fs](http://fvpf.convio.net/site/EcommerceDownload/Turning%20Pain%20into%20Power-1590.pdf?dnl=91592-1590-CgyjEPGG3AZ5_6Fs).
- 2 See Office on Violence Against Women, *National Protocol* (2013) [hereinafter referred to as *National Protocol*].

trauma-sensitive, compassionate, effective, and informed as to rapidly-changing legal expectations.

Indeed, **all health care providers, no matter their role, should receive training and ongoing education on identification, response, and resources.** The extent of this training will vary by role but at least a basic level should be incorporated into professional education and then continue to be mandatory in practice for all providers.

In many cases, trainings can be incorporated into existing opportunities such as staff meetings, grand rounds and educational events for continuing education credits. The best source of training is by healthcare professionals with expertise in this area, in partnership with victims/survivors and the agencies who work with them.

Healthcare professionals should also educate themselves by engaging with local organizations that serve victims/survivors of sexual exploitation. Among other things, they should familiarize themselves with street terms and culture, so that they are better able to interact with street-involved youth—who are disproportionately exploited—without constant translation.

## 2. Identification

Health care professionals in virtually every setting—hospital emergency rooms and all hospital units, primary care and travel clinics, urgent care centers, sexual health and school-based clinics, home care, and the pre-hospital care environment with emergency medical services (EMS)—already come into contact with victims/survivors of sexual exploitation, often without realizing it. Victims/survivors may present for issues that are directly related to the exploitation—such as injuries, sexually transmitted infections (STIs), pregnancy, or mental health conditions—or for issues that are unrelated or only peripherally related. Victims/survivors may also present for routine medical care, such as management of a long-term health concern.

Health care setting should consider using a screening tool to help identify sexual exploitation among their patient populations. Screening tools can be easily and quickly administered even in busy health care settings. One example is the Short Child Sex Trafficking (CST) Screen for the Health Care Setting, a six-question tool asking about physical violence, running behavior, substance abuse and sexual history.<sup>3</sup>

3 Greenbaum VJ, Livings MS, Lai BS, Edinburgh L, Baikie P, Grant SR, Kondis J, Petska HW, Bowman MJ, Legano L, Kas-Osoka O, Self-Brown S. Evaluation of a tool to identify child sex trafficking victims in multiple healthcare settings J Adolescent Health, 2018.

Beyond screening tools, healthcare providers should use information gathered throughout the patient encounter to identify sexual exploitation.

As discussed in *Dynamics of Sexual Exploitation*, individuals may be vulnerable to and experience exploitation in a wide variety of ways. Many of these vulnerabilities and forms of exploitation can be counterintuitive to professionals who are unfamiliar with them. It is crucial that medical providers learn and keep alert for the subtle signs and symptoms of exploitation.

*Dynamics of Sexual Exploitation* (“Identifying Exploitation”) provides a number of such risk factors and red flags; professionals should review it carefully. This section builds on the list in that chapter by discussing indicators that are most commonly seen in the healthcare setting, including (1) disease states or injuries, (2) elements of the patient’s history, and (3) other signs in the course of the provider’s interaction with the patient. It is important, however, not to make assumptions based on the presence or absence of any one indicator. A urinary tract infection or tattoo, for example, may have nothing to do with exploitation. On the other hand, a patient’s situation may be exploitative even if none of these factors is present. Currently, there are no clinically validated screening tools to identify patients who have experienced sexually exploitation.

#### Disease States or Injuries

- STI, whether recurrent or initial;
- unplanned pregnancy (reproductive health providers in particular should be aware of this population);
- genital or pelvic pain or trauma;
- urinary tract infections in youth;
- foreign bodies in the vaginal vault, such as cosmetic sponges (used to continue trafficking activity while hiding menstruation);
- injuries inconsistent with patient history;
- other possible signs of physical violence, such as bite marks, pulled hair, or cigarette burns or other scars;
- extreme fatigue or malnutrition;
- mental health issues, including symptoms of depression, anxiety, PTSD, self-injurious behavior (such as cutting), and suicide attempts;
- dermatological conditions (which can be sign of homelessness or alternative living spaces, such as abandoned buildings or houses used solely to sell sex or drugs);
- conditions with complications that would have been easily treatable in the early stages (e.g. pelvic inflammatory disease,

- severe wound infection, dental cavities); or
- other signs of neglected health, including poor dental health, malnutrition, and dehydration.<sup>4</sup>

#### Elements of Patient’s History

- Stated history inconsistent with patient’s health presentation;
- history of sexual assault, repeated sexual assaults, child sexual abuse or gang rape;
- history of multiple pregnancies or abortions, possibly due to reproductive coercion (including either forced abortions or forced pregnancies resulting in birth);
- frequent visits to the emergency department, sexual health clinic, or urgent care;
- history of humiliation or other psychological trauma; or
- history of physical trauma, violence, nonlethal strangulation.

#### Other Indicators During Interaction with Patient

- High volume of calls coming in on patient’s cell phone;
- cell phone held or controlled by someone else;
- wearing clothes that are inappropriate for the season;
- demeanor that is combative or distrustful;
- tattoos or other markings referencing money or showing ownership by another; or
- tattoos on patients who are under 18.

Be aware as well of indicators related to the person who accompanies the patient to the evaluation. Notice in particular if the accompanying person appears controlling or provides all of the responses to the questions asked of the patient, or if the patient appears to be afraid of the accompanying person.<sup>5</sup> Again, at least a portion of any visit with a patient who may be at risk should be conducted in private, with the patient separated from anyone (other than an advocate) who has accompanied the patient to the facility. (See “Privacy” above.)

In all of this, it is important that the provider not limit the diagnosis of sexual exploitation to simple transactional sex involving the exchange of money for sexual acts. Keep in mind the full definition of sexual exploitation as set forth in ***Dynamics of Sexual Exploitation***: the use of a minor (1) for any kind of sexual activity in exchange for money, drugs, or something else of value (often termed prostitution), or in exchange

4 *Human Trafficking and the Healthcare Professional, supra* note 1 (listing some of these factors).

5 *Id.*

for food, shelter, or other basic needs (often termed survival sex); or (2) in pornography, stripping, or a sexually explicit performance or photo. Assess whether patients have ever been asked or told to have sex with someone else; whether they have ever had sex in exchange for something they wanted or needed (such as money, food, shelter, or drugs); and whether anyone has ever taken sexual pictures of them or posted such pictures on the internet.<sup>6</sup>

### 3. Interacting with Patients

As discussed in *Dynamics of Sexual Exploitation*, the trauma associated with sexual exploitation can have a devastating impact on a youth's mental health and well-being, resulting in depression, anxiety, post-traumatic stress disorder (PTSD), and harmful coping behaviors, including chemical dependency. It is crucial that providers understand and not pathologize this behavioral response to trauma.

At the heart of patient-centered, trauma-informed care is a nonjudgmental and supportive interaction between the healthcare professional and the patient. Be respectful and compassionate. Establish rapport by believing the patient. As with the assessment of pain, a patient's experience is what the patient says that it is. Recognize that victims/survivors of sexual exploitation may be under great stress and be at high risk for continued harm while accessing medical treatment. Patients who have experienced extreme violence may be in "survival mode," in a state of self-protective hypervigilance. Be sensitive to their needs. Patients will observe how you communicate with others, including family members, advocates and other staff; be aware of your verbal and non-verbal communication, including body language and facial micro-expressions. Just as the healthcare professional uses intuition and a gut feeling in assessing and treating patients, patients who have experienced sexual exploitation will also use these as a way to ascertain whether the health encounter is a safe one.

Try to create a patient environment that is as friendly as possible, even within a bustling emergency room setting. Consider creating safe patient "spaces" during interactions by wearing certain badges or buttons (e.g., a rainbow flag to show accessibility to LGBTQIA+ patients).

It is common for patients who are victims of violence and abuse to blame themselves. Be sure to explain that it is not their fault that

6 J. Greenbaum & J. Crawford-Jakubiak, *Child Sex Trafficking and Commercial Sexual Exploitation: Health Care Needs of Victims*, *Pediatrics* 135(3) (2015) [hereinafter, *Child Sex Trafficking*].

someone is hurting them and help provide a bridge to resources and advocacy programs for ongoing support and recovery. Never refer to victims/survivors of sexual exploitation as “prostitutes” or say that they have “prostituted” themselves, when interacting with patients (or for that matter with anyone). (See **Terminology** for further thoughts on the use of these and similar terms.) The **Appendix** contains a Healthcare Script to help providers discuss the issue of exploitation sensitively with patients.

A trauma-informed approach is important not only for the impact it has on the day of the visit but for its long-term effects on patient trust. A victim/survivor of sexual exploitation who feels supported and respected is more likely to seek health care, whether in the same health care setting or a different one, in the future. Conversely, a bad encounter can undermine trust and discourage the victim/survivor from ever accessing health care again. See **Working with Sexually Exploited Youth** for much more guidance on the issues raised in this section.

a. Cultural Considerations

For some patients who have experienced sexual exploitation, culture is especially important to their healing process. All patients should be asked about their cultural preferences and referred, if desired, to a culturally-appropriate care provider, who can incorporate cultural elements into medical treatments where possible. Note that the referral preference for some patients may be for a referral to a provider outside of their community.

In some communities, silence may be construed as acceptance or refusal. It is important therefore to ask open-ended questions and determine whether patients clearly understand what their choices are. One method is the “teach-back” method, where the patient is asked to explain the options that have been presented. For non-English speaking patients, an official interpreter should always be used. Consider using a “remote” interpreting service; patients may be concerned about sharing information with a local interpreter who may be part of the extended community. See **Cultural Considerations** for more thoughts on all of this.

b. Autonomy

Laws and organizational policies impose some constraints on the autonomy of juvenile patients. (See “Minors’ Consent to Medical Treatment” below.) Within those constraints, it is important that sexually exploited youth be empowered to make their own decisions about care and treatment.



Sexual exploitation involves a loss of patients' power and control over their own situations. Fully informing and showing respect for patients—which is appropriate care for all patients—is essential in caring for sexually exploited youth, as it helps to return to them some of the power that they have lost.<sup>7</sup>

However, a youth who has been accustomed to being controlled may be distrustful of healthcare or overly compliant or indecisive. The availability of choices may seem overwhelming, so the healthcare professional may need to take additional time and effort to help the youth feel safe and provide thorough explanations during procedures.

One particular concern in this area is reproductive coercion. This can be in the form of birth control manipulation, forced pregnancy, or forced abortion. Ensure that all patients are consenting freely to all medical procedures. It is also important to support patient autonomy over their own reproductive health choices, without allowing a provider's own bias or values to impact the decision. Teaching on birth control methods should include how the method is used, as a discrete or private method may be very important to a patient.

### **Minors' Consent to Medical Treatment<sup>8</sup>**

In Minnesota, as in most other states, the general rule is that a parent or guardian must be informed about and give consent for medical treatment of the parent or guardian's minor child. However, there are exceptions to this rule. For example, a minor may consent to medical or mental health services to diagnose and treat pregnancy or sexually transmitted infections. A minor may also access contraceptive care without parental consent, as well as obtain medical or mental health services to address drug or alcohol dependency issues. And when a minor's life or health is at such risk that treatment should not be delayed, consent from a parent is not required.

A youth who is (or has been) married, or is living separately from a parent or guardian and managing the youth's own financial affairs, may also seek any medical treatment for the youth or the youth's own child without parental consent.

See the **Appendix** ("Minors & Forensic Exam Access in Minnesota") for an explanation of how Minnesota's minor consent laws allow for youth to access a sexual assault examination.<sup>9</sup>

7 *Id.*

8 Minn. Stat. §§ 144.341-347.

9 See also, Hennepin County Medical Center, *Consent & Confidentiality: Providing Medical and Mental Health Care Services to Minors in Minnesota* (2002), [http://www.hcmc.org/cs/groups/public/documents/webcontent/hcmc\\_p\\_050277.pdf](http://www.hcmc.org/cs/groups/public/documents/webcontent/hcmc_p_050277.pdf).

### c. Privacy

Sexually exploited youth may be reluctant (or unable) to disclose information during exams and treatment. They may not wish to disclose a full medical history during a routine exam. They may be concerned that their family will learn about a visit to a physician or emergency room and may not want them to know about their health issues. Or they may be concerned that information they share will show up on an explanation of benefits on the family's insurance plan. Youth experiencing homelessness may be from another community or state and may not want their families to know where they are. And some youth who are transient or move between cities may be unable to provide basic information like an address or phone number or may not have possession of their identification.

Respecting patient autonomy requires respecting their choice of who supports them during a medical encounter. Nevertheless, **patients who appear to be at risk of experiencing sexual exploitation but are accompanied by someone else should be seen alone for at least part of the visit.** It is not uncommon for an exploiter—even someone of the same age or from the patient's family—to accompany the patient in the healthcare setting, in order to control what is disclosed. A trafficker may also bring a youth in for treatment so the youth can be in the physical condition to be exploited again. (See "Identification" above for possible indicators.) Even when the person accompanying the youth is a non-offending caregiver, the youth might not be inclined to divulge sensitive information for fear of upsetting or angering their family. As one teen stated, "Every time I go to the clinic, they ask me questions with my mom there, so I lie."<sup>10</sup>

Note that the imperative that the patient be seen alone does not encompass a community advocate who is present for support, unless of course the patient does not want the advocate to be present.

## 4. Treatment & Response

Sexual exploitation affects each person uniquely. Every patient requires and deserves a tailored response from health care providers in order to access the best possible supports and treatment.

10 L. Edinburgh, E. Huemann, K. Richtman, A. McDonald Marboe, E. Saewyc, *The Safe Harbors Youth Intervention Project: Inter-Sectoral Collaboration to Address Sexual Exploitation in Minnesota*, Nursing Reports 2:e4, 21 (2012). [https://www.researchgate.net/publication/233776785\\_The\\_Safe\\_Harbors\\_Youth\\_Intervention\\_Project\\_Inter-sectoral\\_Collaboration\\_to\\_Address\\_Sexual\\_Exploitation\\_in\\_Minnesota](https://www.researchgate.net/publication/233776785_The_Safe_Harbors_Youth_Intervention_Project_Inter-sectoral_Collaboration_to_Address_Sexual_Exploitation_in_Minnesota).

### a. Caring for Adolescent Patients

Fundamentally, sexually exploited youth are youth. The healthcare needs of this population are more similar to those of other adolescents than they are different. Like other adolescents, they should be seen by providers – specifically pediatricians or family medicine or internal medicine physicians, nurse practitioners, or physician assistants – who are familiar with the unique challenges presented by them and have training and skill in assessing and treating them.<sup>11</sup>

To paraphrase the mantra of many medical professionals who specialize in pediatric care, adolescents, like other children, are “not just small adults.”<sup>12</sup> At the same time, adolescents are not just large children. No matter the development of their bodies, adolescents’ brains are still being developed. Due to the rapid changes happening in their brains, they are primed to learn things, but they may have more difficulty and take longer than adults to make complex decisions. They also tend to be less risk-averse and less able to fully comprehend on their own the long-term effects of their actions.

### b. Clinical Evaluation

While general research on caring for adolescent patients can help guide care for sexually exploited youth, there is not a large body of research regarding the specific health problems affecting this population. One study suggests six broad categories of health consequences for victims/survivors of human trafficking: (1) infectious diseases including HIV and AIDS, (2) noninfectious diseases, (3) reproductive health problems, (4) substance abuse, (5) mental health problems, and (6) physical trauma.<sup>13</sup> The provider should be aware of these sets of issues when evaluating potential patients who may have experienced sexual exploitation—keeping in mind that exploitation may well be hidden. (See “Identification” above.)

A patient who presents acutely for a sexual assault or event of sexual exploitation should immediately be offered a medical forensic exam from a trained and certified provider with the appropriate medicolegal expertise, such as a sexual assault nurse examiner (SANE) or provider at a Children’s Advocacy Center (CAC). See **Medical Forensic Exams** and “Referrals” below. Such an exam—while helpful both for

11 See the Minnesota Department of Health’s set of resources for providers of healthcare to adolescents, at [www.health.state.mn.us/youth/providers/resourcesproviders.html](http://www.health.state.mn.us/youth/providers/resourcesproviders.html).

12 The American Academy of Pediatrics includes in its definition of “children” anyone under the age of 21.

13 *Human Trafficking and the Healthcare Professional*, *supra* note 1.

patient care and to support any investigation of the exploitation—is of course only one step in fully responding to the complex healthcare needs of these patients.

The clinical evaluation of patients who have been sexually exploited may be lengthy and detailed, given the risk factors for chronic and acute health problems. Providers should be aware of both chronic and acute medical problems, including dental care. Any injuries noted should be carefully documented. (See “Documentation” below.) Nutritional status should be assessed. Mental health issues and chemical health needs should be screened. (See “Referrals” below.)

Prophylaxis for sexually transmitted infections (STIs), including HIV, as well as pregnancy should be considered.<sup>14</sup> Note that HIV prophylaxis can be prescribed post-exposure when a patient presents within 72 hours of sexual assault or other acute event increasing their risk of HIV. Pre-exposure prophylaxis should be considered when there is an ongoing risk of HIV exposure, such as patients who may continue to experience exploitation or may be using intravenous drugs. This population is also at enormous risk for unintended pregnancy. Contraceptive options should be discussed and provided as well, including access to long-acting reversible contraception (LARC) and resources for follow-up care.

Examination and documentation of anogenital and other injuries, whether acute or non-acute, are ideally done with the aid of photography. Keep in mind, however, that—especially for youth whose exploitation has involved photographs or cell phone images—that may not be possible without re-traumatizing the patient. In that case, or if photographic equipment is not available, written documentation with diagrams is acceptable. Providers should be familiar with patterns of injury that are suggestive of inflicted trauma or assault, as well as those which are consistent with accidental injury. The full description of such assessments is beyond the scope of these *Protocol Guidelines*.

Laboratory testing for patients involved in juvenile sexual exploitation should be aimed at assessment of both sexual and non-sexual health. Complete STI testing should be done including serology for syphilis and HIV, with consideration given to Hepatitis testing based on immunization status and possible Hepatitis C exposure. STI testing should also include *Nisseria gonorrhoea* (GC), *Chlamydia trachomatis* (CT), and *Trichomonas vaginalis* testing. Testing may be done using Nucleic Acid Amplification Tests (NAAT) or Polymerase Chain Reaction (PCR) testing on urine. Alternatively, cultures of vaginal secretions may be

14 *Child Sex Trafficking*, *supra* note 8.

done on patients with a vagina. Urethral swabs for patients with a penis are not recommended. Also consider testing for infections in the throat and anus in addition to testing for genital infections. In any case, the least invasive method of diagnostic testing is preferred for all youth.

Patients may also be using needles to inject drugs; have information available about local needle exchange programs, to help patients protect themselves and others from infectious disease.<sup>15</sup> Patients with substance abuse disorders should also be prescribed and educated on the use of intranasal Narcan to reverse the effects of opioid overdose. Prescriptions for Narcan should be provided for all poly-substance users, not just patients who disclose use of opioids; such users are at risk of overdose if their use of substances changes or if drugs are contaminated with fentanyl. Note that these patients are also at high risk of witnessing someone else overdose.

Patients' health care needs should be evaluated in a timely manner, with an emphasis on relationship-building and follow-up that fully involve them in decision-making about their own treatment (see "Autonomy" above). It is imperative that the medical response not only address the immediate symptoms but also provide information about prevention and long-term care so that patients can make informed decisions.

c. Documentation

In examining patients who have experienced sexual exploitation, documentation by the healthcare professional is particularly important. Such documentation should include the physical and psychological state in which the patient presents, as well as any disclosures from the patient history and objective descriptions of physical findings. Documentation should be specific and concrete, without "subjective summaries." Patient statements while obtaining a patient health history such as, "I didn't have anywhere to go, so I told her I'd have sex with her if I could stay at her place overnight" or "My boyfriend told me I had to have sex with them in order to help pay for rent," are particularly descriptive and valuable, when documented factually in direct quotes.

d. Referrals

Again, a patient who presents acutely for a sexual assault or incident of sexual exploitation should immediately be offered a sexual assault

15 Visit [nasen.org](http://nasen.org) for a directory of syringe exchange programs in Minnesota.

exam. This may involve collaboration with law enforcement to refer to the appropriate local facility. It is best practice for such a patient to be offered a medical forensic exam from a trained and certified provider with the appropriate medicolegal expertise, such as a sexual assault nurse examiner (SANE).<sup>16</sup> Note, however, that the decision to receive a medical forensic exam, belongs to the patient, who should be informed of the options and possible outcomes of receiving or not receiving such an exam. See **Medical Forensic Exams**.

Youth who have experienced sexual exploitation, whether acute or not, may also be referred to a child advocacy center (CAC). Again, such youth should be informed of their options and the possible outcomes before making the referral. See **Children's Advocacy Centers** ("Referrals to CACs").

Sexual exploitation is very often accompanied by mental health issues. Such issues should be referred to mental health professionals with skills and experience addressing the needs of victims/survivors of sexual exploitation. See **Mental Health** for more information.

Youth who are experiencing chemical health issues should be referred to programs that are experienced in working with adolescents, and in particular adolescents who have experienced trauma. Patients experiencing both mental health care needs and chemical health needs should be referred, if possible, to programs that can provide dual-diagnosis care. For patients experiencing opioid addiction, consider referring for medication assisted treatment.<sup>17</sup>

#### e. Sexual Exploitation, Health and Adverse Childhood Experiences

As revealed in the landmark 1998 study on adverse childhood experiences (ACEs), exposure to ACEs such as physical and sexual abuse is associated with increased risk for serious long-term health consequences, both physical and mental. Youth who are exposed to multiple types of ACEs are at increased risk for obesity, suicide attempts, ischemic heart disease, cancer, stroke, and diabetes, among others. As a form of sexual abuse,<sup>18</sup> juvenile sexual exploitation is an ACE, exposure to which should be considered by medical providers to be a contributing

<sup>16</sup> National Protocol, *supra* note 2.

<sup>17</sup> AAP Committee on Substance Use and Prevention, Medication-Assisted Treatment of Adolescents With Opioid Use Disorders. *Pediatrics*. (2016) <https://pediatrics.aappublications.org/content/138/3/e20161893>

<sup>18</sup> L. Edinburgh, J. Pape-Blabolil, S. Harpin & E. Saewyc, *Assessing Exploitation Experiences of Girls and Boys Seen at a Child Advocacy Center*, *Child Abuse & Neglect* (2015) [https://www.researchgate.net/publication/276298903\\_Assessing\\_exploitation\\_experiences\\_of\\_girls\\_and\\_boys\\_seen\\_at\\_a\\_Child\\_Advocacy\\_Center](https://www.researchgate.net/publication/276298903_Assessing_exploitation_experiences_of_girls_and_boys_seen_at_a_Child_Advocacy_Center).

factor to such serious long-term health consequence.<sup>19</sup> Intervention by medical providers in cases of juvenile sexual exploitation results in both short and long-term health benefits. See the **Appendix** for more information on the impact of ACEs.

## 5. Reporting

Under Minnesota law, health care providers and other mandated reporters must report the maltreatment of minors, including certain forms of juvenile sexual exploitation, to child protection or law enforcement authorities. See **Legal Framework** (“Confidentiality & Mandated Reporting”) for more information on the applicable law. Providers should be sure to know the policies of their place of practice as well.

As discussed in **Working with Sexually Exploited Youth** (“Confidentiality & Reporting”), health care professionals should offer transparency when working with youth, by being clear at the beginning of the patient encounter about what is required for a mandated report and naming examples of some reportable situations. In this way, the youth can decide how much information to disclose at the very beginning of the patient encounter, helping to ensure that the youth does not later feel “tricked” in the event a report does need to be made. When a report is made, providers should try to include youth whenever possible, so that they continue to feel supported.

When reporting, the medical provider should emphasize to child protection (or law enforcement) that the patient is a victim /survivor of trafficking or sexual exploitation, rather than a juvenile offender who needs apprehension.<sup>20</sup>

The Health Insurance Portability and Accountability Act (HIPAA) applies in medical settings, providing additional privacy protections. However, the mandated-reporting requirement does override protections under HIPAA.

## 6. Collaboration Opportunities

Collaboration, both within health care (frontline care, adolescent health, mental health, etc.) and among multidisciplinary systems professionals (advocacy, law enforcement, service providers, etc.), is

19 V. J. Felitti et al., “Relationship of Childhood Abuse and Household Dysfunction to Many of the Leading Causes of Death in Adults: The Adverse Childhood Experiences (ACE) Study,” *American Journal of Preventative Medicine*, 14, 4 (1998).

20 *Child Sex Trafficking*, *supra* note 9.

critically important. Victims/survivors' first interactions with health professionals can set the tone for later interactions and affect how much they decide to engage with other professionals. A positive experience will open the opportunity for the victim/survivor to receive consistent care in the future.

Connecting with your community while establishing protocols and procedures is important to creating a seamless response for sexually exploited youth. Create bridges of support to help patients access resources. For example, offer to sit with patients while they call and make an appointment for follow-up care, rather than simply handing the patient a sheet of paper with resources to access later. Working together with patients to offer choices helps to empower them and is an important step in healing and recovery. See ***Working as a Team*** for more discussion on collaboration.





# Discipline Chapter

## Medical Forensic Exams

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A medical forensic exam (often referred to as a “SANE exam”) is an examination of a sexual assault patient by a health care provider, ideally one who has specialized education and clinical experience. The exam consists both of the evaluation and treatment of the patient’s health needs and of the collection of forensic evidence. A medical forensic examiner is independent of law enforcement and prosecution; however, evidence collected during an exam may be submitted for testing with the patient’s consent. **It is important to note that a medical forensic exam is entirely voluntary and subject to patient consent;** see “Patient Consent” below.

Sexual assault nurse examiners (SANEs), also known as Forensic Nurse Examiners (FNEs), conduct most medical forensic exams in Minnesota. (See “The Role of Sexual Assault Nurse Examiners and Forensic Nurse Examiners” below.) However, doctors and nurses can also be trained to conduct a medical forensic exam. This is particularly helpful in areas of greater Minnesota without SANE/FNE programs. Forensic exams may also be available through a children’s advocacy center; see ***Children’s Advocacy Centers*** for more information.

For further information about youth access to medical forensic examinations, see “Minors & Forensic Exam Access in Minnesota” in the **Appendix**.

## 1. The Role of Sexual Assault Nurse Examiners and Forensic Nurse Examiners

Sexual exploitation frequently involves the strategic use of physical, sexual, and psychological brutality.<sup>1</sup> SANEs and FNEs have considerable experience with the dynamics of sexual violence and can receive additional sexual exploitation training to be utilized as a triage resource for a health system. They can also conduct a full medical forensic exam if appropriate and if agreed upon by the patient (see “Patient Consent” below).

There are different specialties within the SANE/FNE field including pediatrics, and sometimes a physician is involved with an exam involving a child patient. There are distinctions in practice between child and adolescent patients, as noted in the recently released “National Protocol for Sexual Abuse Examinations—Pediatric” and furthered by the “National Protocol for Sexual Assault Medical Forensic Examinations—Adult/Adolescent.”<sup>2</sup>

1 See L. Martin, & A. Pierce, *Mapping the Market for Sex with Trafficked Minor Girls in Minneapolis: Structures, Functions, and Patterns. Full Report: Preliminary Findings*, (Sept. 2014), <http://uroc.umn.edu/documents/mapping-the-market-full.pdf>.

2 Office on Violence Against Women, *A National Protocol for Sexual Assault Medical Forensic Examinations—Pediatric*, U.S. Department of Justice, (2016), <https://www.justice.gov/ovw/file/846856/download>; Office on Violence Against Women, U.S. Department of Justice, *A National Protocol for Sexual Assault Medical Forensic Examinations—Adults/Adolescents* (2nd ed., 2013).

## 2. Patient Consent

Any medical forensic exam is voluntary, whether the patient is an adult or youth. It is the prerogative of the patient to choose whether or not to have one. Such an exam may not be conducted without the patient's consent. (For this reason, only in very limited, exigent circumstances should an exam be done on an unconscious patient.) The requirement for consent extends to each and every portion of the forensic exam.

No one—not a parent or guardian, law enforcement, or anyone else can require a patient to participate in a forensic exam. On the other hand, a patient is entitled to receive a medical forensic exam, if the patient wants one, regardless of whether a police report has been made.<sup>3</sup>

The need for patient consent is based not only in the law, but in best medical practice as well. Offering consent and patient choices are an important part of patient empowerment that can help with healing.

Note that if the patient is a youth, the medical provider may be mandated to file a report with child welfare or law enforcement. See **Legal Framework** (“Confidentiality & Mandated Reporting”) for more information. Even when such a report is mandated for the provider, however, the patient has no obligation to self-report or otherwise cooperate.

## 3. Timing & Content of the Exam

In communities with an existing SANE/FNE response, victims can access the medical forensic exam by simply arriving at an emergency department.

Timing can be critical. In most areas of the state, a forensic exam can be conducted within 120 hours of the sexual assault, though there may be exceptions depending on the assault history and age of the victim. Certain medications (HIV and pregnancy prophylaxis) need to be administered within a narrow timeframe to be effective; evidence collection is also time-sensitive. Informed consent includes education about what may happen when there is no medical forensic exam and immediate medication administration. Most SANE/FNE programs in Minnesota are already available and on call 24 hours a day, so there should generally be no need to wait for a response.

The medical forensic exam itself consists of obtaining and documenting the patient's history; collecting evidence; taking

3 See Minn. Stat. § 609.35(c) (access to a medical forensic exam paid for by the local jurisdiction is not contingent on making a report to law enforcement).

photographs (when indicated); evaluating and treating any injuries and sexually transmitted infections, including HIV; pregnancy prophylaxis, referring the patient for follow-up care; and planning for safe discharge, as determined by the patient.

As mentioned in *Dynamics of Sexual Exploitation*, LGBTQIA+ individuals are particularly vulnerable to exploitation, and there are additional practice elements to consider when performing a medical forensic exam for LGBTQIA+ youth. The advocacy group FORGE has a number of useful resources.<sup>4</sup>

#### 4. Following the Exam

The evidence collected in a medical forensic exam is referred to as a sexual assault kit. If the patient requests and signs a release, the kit and other evidence, such as clothing, must be collected by law enforcement within ten days and submitted to a forensic crime lab within another 60 days, unless it has been documented to have no evidentiary value. If the patient requests and signs a release, the kit must be collected by law enforcement within ten days and submitted to a forensic crime lab within another 60 days, unless it has been documented to have no evidentiary value.<sup>5</sup>

Note that patient consent and self-determination remain paramount at this stage as well. If the patient has not signed a release, the kit may not be submitted to a crime lab, and victims/survivors have extensive rights to information about the status of their sexual assault kits.<sup>6</sup>

#### 5. Collaboration with Advocacy

SANEs/FNEs and advocates have many opportunities and reasons for long-term collaboration. Because both operate outside of child protection and law enforcement—systems that youth struggle to trust—their relationship can be highly beneficial to youth. Advocates can be present during sexual assault and exploitation exams, and they can follow-up if the youth desires ongoing support to help navigate complicated legal and medical systems. See *Advocacy & Outreach* for additional information.

4 FORGE, *SAFE Protocol: Trans-specific Annotation*, <http://forge-forward.org/wp-content/docs/SANE-protocol-trans-inclusive-handout-2.pdf>.

5 Minn. Stat. § 299C.106.

6 *Id.*, § 611A.27.

Chapter 14

# Discipline Chapter Mental Health

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Sexual exploitation can result in unique mental health challenges for victims/survivors. Mental health providers can play a significant role in helping them to address these challenges.

These professionals may encounter these youth in a variety of settings, including treatment programs and residential treatment facilities (see ***Shelter and Housing***), child advocacy centers (see ***Children's Advocacy Centers***), and victim service programs (see ***Advocacy & Outreach***). Professionals in other fields should be prepared and trained to do screenings that help guide youth to the right mental health resources. Mental health professionals in turn should collaborate with colleagues from different disciplines to find appropriate and creative approaches and resources for serving sexually exploited youth. See ***Working as a Team*** for more information.

Youth who have experienced sexual exploitation may be reluctant to seek services due to shame, the messaging they have received about mental health services, the opposition of family members, or even their own experiences with mental health services. They may feel embarrassed or somehow responsible for the victimization they have experienced. It is helpful to let them know that many people of all ages and backgrounds seek out support. As with all interactions with them and all youth, they should be approached about mental health resources in a kind, respectful, and collaborative manner. (See ***Working with Sexually Exploited Youth.***)

Note that, overall, there is a significant lack of mental health resources statewide. And regulations on mental health services may pose a resource burden to smaller agencies, including agencies that are culturally-specific. They may not have the funding to manage the electronic health records requirements, or their staff may not have the capacity to address these difficult issues to the extent needed.

**The authors encourage increased funding for mental health services that are trauma-informed and culturally-specific to improve health equity.** This increased funding should be broad – not just for special projects but for agency operations as a whole, in recognition of the expenses that come with serving such a challenging population of clientele.

This chapter is intended to be read in conjunction with ***Health Care***, which contains information applicable to all health professionals, including those who specialize in mental health.

## 1. Screening & Assessment

### a. Screening Tools

A screening is simply a set of questions to identify possible experiences and general areas of need to get help with potential mental health concerns. A variety of tools may be used to screen for sexual exploitation experiences and vulnerability levels or to better understand the risk of exploitation. One such tool is the Commercial Sexual Exploitation – Identification Tool (CSE-IT), which is evidence-based and widely used in several states. Another is the Minnesota Youth Human Trafficking and Exploitation Identification Tool (MYTEI), which is survivor-centered, trauma-informed, and designed to identify youth ages 13-17 years old who may have experienced sex or labor trafficking or exploitation. See the **Appendix** for more information on both of these tools.

In addition, practitioners should consider using any or all of the tools that they would ordinarily use to screen for trauma or mental health issues, such as:

- Adverse Childhood Experiences (ACEs) Screening;
- Problem Oriented Screening Instrument for Teenagers (POSIT);
- Massachusetts Youth Screening Instrument Version 2 (MAYSI-2);
- Strengths and Difficulties Questionnaire (SDQ); and
- Child Adolescent Screening Intensity Inventory (CASII).

Try to keep the screening as short as possible, to help ensure that the youth completes it.

### b. Assessing for Trauma

Assessment is a follow-up to screening that is meant to assess the level of impact that trauma has had on one’s daily functioning, as well as to pinpoint more specific areas that may be of concern to a youth’s well-being.

Before assessing for trauma, professionals should have a good understanding of the latest developments in brain science and the neurobiology of trauma, particularly in relationship to adolescents. See “Being Trauma-Informed” in ***Working with Sexually Exploited Youth*** for more information and resources.



There are a wide variety of reactions to trauma, and traumatized individuals can require widely varied levels of support. The reaction to trauma may vary by individual personalities, cultural background, and the youth's support system. Some do well enough with help from friends and family, whereas others may experience deep pain if family members doubt their experiences. Some youth may want to join a survivors' group or see a counselor on a regular basis. Others may require a high-level intervention through inpatient or outpatient treatment. Often trauma survivors benefit from a combination of these levels of support.

Consider the client's experience with trauma and the context of this experience. If clients are still in the midst of experiencing trauma, just trying to cope in order to get through the day, it will be harder if not impossible for them to engage in a healing process. They may need support or therapeutic intervention focused on helping them simply to survive rather than focused on healing, emotionally or otherwise. Programming and expectations as to outcomes should keep these points in mind.

There are also long-term health effects associated with trauma, as discussed in ***Working with Sexually Exploited Youth*** ("Being Trauma-Informed"). Early intervention in a young person's life can be helpful in addressing the trauma experience before it becomes more complex and difficult to treat.

Rarely does sexual exploitation overlap with only one mental health-related concern. For this reason, providers should consider using screening tools or assessments that can provide further insight into some of the other issues that may be present for the youth. (See "Screening Tools" above).

c. Diagnoses

Following assessment, a mental health professional may have enough information and basis to give a diagnosis of the client's behaviors and reported symptoms. Common diagnoses include post-traumatic stress disorder, depression, anxiety, dissociative disorder, substance abuse, and adjustment disorders.

Caution is required, however, when diagnosing adolescents. Many (regardless of trauma experience) could exhibit symptoms and behaviors for any number of reasons, and the diagnoses share many of the symptom behaviors. Also consider the unintended consequences of providing a diagnosis in that a diagnosis can define an adolescent in their medical and insurance company files. This label follows the youth into adulthood and can be interpreted by non-mental health professionals

inaccurately and used in destructive ways, as explained further below.

Diagnoses of exploited youth will likely reveal important intersections between the exploitation and earlier trauma, such as neglect or abuse in the home. See **Health Care** (“Sexual Exploitation, Health and Adverse Childhood Experiences”) and the **Appendix** for information on adverse childhood experiences (ACEs).

Some non-mental health professionals may view a diagnosis as a stigma, a negative “label” carried by a sexually exploited youth. This “labeling” can be emotionally destructive and even dangerous to the youth when diagnoses are used as a base of reference outside the setting of mental health treatment (e.g., courtrooms and education systems). But diagnoses can be very helpful to youth when used appropriately, to guide the treatment of mental health needs and the provision of services. It is important to put a significant amount of thought into diagnosing a young person and to talk with the youth about the diagnosis and ways to address and alleviate the symptoms they are experiencing.

## 2. Treatment Approaches

Treatment needs vary greatly and must begin with a focus on safety, security, and stabilization. It is critical that victims/survivors have access to someone they trust, so that they feel comfortable seeking counseling and following a treatment plan.

It may take victims/survivors a long time to feel safe again and to learn coping techniques. They may have suffered severe blows to their self-esteem and self-worth, as well as the sense of autonomy that affects their ability to trust others and to navigate their relationships in the world around them. One of the most difficult issues to address is the strong trauma bond that can exist between the victim/survivor and the exploiter. (See “Why Don’t They Leave?” in **Dynamics of Sexual Exploitation**.) No matter how awful the experience, the level of loyalty, dependence, and even love for the exploiter can run deep. It takes time for the mindset and emotions of a victim/survivor who has been sexually exploited to change. Do not denigrate the exploiter, but acknowledge the pull between staying with and leaving the exploiter. Ask what the client thinks about the exploiter’s actions. Focus on safety, and build a relationship with youth that can model other healthy relationships they can have with adults.

Trauma-informed care can be provided using several different models. Cognitive Behavioral Therapy (CBT), for example, focuses on changing patterns of thinking and behavior that influence how a person manages the difficulties in their lives. CBT emphasizes mindfulness,

distress tolerance, interpersonal regulation, and emotion regulation, as well as integration of the seemingly opposite strategies of acceptance and change. CBT approaches include learning how to manage one's emotional reactions to the trauma. Eye Movement Desensitization and Reprocessing (EMDR) is used to help heal symptoms of emotional distress associated with traumatic experiences. Attachment-based therapies are also used to address, depression, anxiety and Radical Attachment Disorders.

One of the significant issues commonly faced by sexually exploited youth is chemical use. Mental health professionals should be aware of how chemical use interrelates to other issues in the client's life.

Serving sexually exploited youth requires flexibility in how services are provided, including *where* those services are provided. Youth should be met in the location that works best for them, provided the setting is appropriate and safe. Usually, an office is not the best place to talk. A young person may feel more comfortable going to lunch or for a walk. Sometimes texting is a more comfortable means of communication, if it can be done so confidentially. It can be very difficult for a homeless youth or a youth in transition to connect with professionals during the medical and insurance model of 50-minute appointments. Meeting basic needs is a high priority. A client cannot focus while hungry or sleep-deprived. In addition, always ask permission before hugging or touching a client in any way.

More broadly, meeting youth where they are means developing respect and sensitivity for their cultural backgrounds and cultural preferences. (See **Cultural Considerations**.) Support youth who wish to connect with traditional ways of healing from trauma, even if they are not necessarily recognized by Western medicine. Increasingly, professionals are recognizing the importance of alternative therapies and activities that emphasize the mind, body, and spirit connection. These may include meditation, art therapy, animal therapy (equine therapy in particular has proven useful for working with youth), storytelling, tai chi, and therapeutic massage, among others. Yoga, for example, has been used increasingly with soldiers suffering from PTSD as a means of addressing dissociation symptoms and dysregulation, as well as reducing stress and increasing awareness,<sup>1</sup> and can be similarly effective for victims/survivors of other traumatic experiences, like sexual exploitation. Note, however, that – given the experience of many victims/survivors – any methods that involve skin-on-skin contact must be used with great caution and care, and with clear boundaries and open communication.

1 Paula Schaefer, *Girls Circle H.E.A.R.T. Healing, Empowerment and Recovery from Trauma Training & Resource Manual*, 100-101 (2013).

Finally, the youth's support system is key to working through their mental health-related struggles. While youth must be in control of their own process, safe and caring family members and caregivers can provide stability and support. Reconnecting youth with such family members can be a long and challenging process, but building this base of support will provide the youth a sense of community and belonging, reinforcing that they are cared for. When these elements are not present, youth look for these connections elsewhere, often back with their exploiter. Mental health professionals should seek ways to involve family in the youth's recovery process, supporting and educating them and providing family therapy and even individual therapy sessions for family members and caregivers.



# Discipline Chapter Public Health

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Public health emerged out of the social justice and social hygiene movements in the late eighteenth and early nineteenth centuries as a response to labor exploitation in the industrial sector.<sup>1</sup> Public health draws upon research and evidence-based frameworks to address a wide range of social issues at the intersection of health, safety and welfare. Increasingly, research practices in public health are community-based and participatory – rather than the exploitative practices of the past – and led by those most impacted, including indigenous communities.

The sexual exploitation of youth is a public health and public safety issue that intersects with many other health and social concerns. These include sexual assault, domestic violence, child abuse and neglect, HIV and other sexually transmitted infections (STIs), unwanted or early pregnancies, basic unmet primary prevention health care needs of adolescents (e.g. immunization, tuberculosis screening, birth control), drug and alcohol abuse or addiction, and mental health and suicide, among many others discussed further below.<sup>2</sup>

## 1. Sexual Exploitation in a Public Health Context

A public health approach to a complex problem like sexual exploitation “has improved overall understanding of the consequences and possible risk factors of child maltreatment” and is effective “because of the focus on population-level prevention and early intervention inherent in such an approach.”<sup>3</sup> Many agencies commonly focus on interventions at an “advanced stage”—after the exploitation has occurred. As a state, Minnesota is unique in that its Safe Harbor approach is based in a public health model and housed in a state health department. As a result, communities in Minnesota (and increasingly across the country), view exploitation through a public health lens, developing programs and pursuing strategies that work toward prevention and early intervention.<sup>4</sup>

A “health in all policies” approach to sexual exploitation asks the question: How does or could a given policy affect the risk/protective factors for sexual exploitation? This includes examining policies at every level—organizational, systems, city, county, state, federal, tribal, etc. Sexual exploitation can be affected by seemingly unrelated policies

1 See, e.g., R. Everett, *Social Hygiene and Public Health*, J. Social Forces, 61 (1923).

2 E. Wright Clayton, R. Krugman, & P. Simon, eds. *Confronting Commercial Sexual Exploitation and Sex Trafficking of Minors in the United States* (Sept. 25, 2013), <http://www.nationalacademies.org/hmd/Reports/2013/Confronting-Commercial-Sexual-Exploitation-and-Sex-Trafficking-of-Minors-in-the-United-States.aspx> [hereinafter referred to as *Confronting Commercial Sexual Exploitation*].

3 *Id.* at 284.

4 *Id.*

in a wide variety of areas, including housing, education, childcare, work, economics, transportation, health care, criminal justice, social services, and more.

Additionally, historical and present-day policies and practices that perpetuate beliefs in the lesser value or lesser humanity of certain populations—whether intentionally or not—play a role in the higher rates of sexual exploitation perpetuated against those populations. The good news is that just as policies can perpetuate sexual exploitation, policies can also be created that help to reduce sexual exploitation. There is a lot of power in policy, thus there is a lot of power in a “health in all policies” approach.

Three areas are central to the public health conversation:

- **Prevention:** See Prevention and “Harm Reduction” in *Working with Sexually Exploited Youth*.
- **Data and assessments:** Information gathered from local assessments about activities and community norms can better inform prevention and intervention strategies. It may also examine inequities and risk and protective factors. Crimes of violence are rarely studied in local health assessments, and yet the potential for useful information that can inform a coordinated response is high.
- **Priorities and actions:** Once data is evaluated, public health can determine priorities and take action to respond. The Minnesota Department of Health (MDH) takes the lead in training the state’s public health workforce, but much targeted change can occur on the local level through city, county, and tribal public health agencies.

The public health workforce in Minnesota is broad-based and interacts with a variety of disciplines. Thus, there are ample opportunities for these professionals to come into contact with sexually exploited youth, so it is important to include this area of expertise in coordinated community efforts.



## 2. Intersecting Public Health & Social Concerns

As discussed in *Dynamics of Sexual Exploitation* (“What Fuels Exploitation”), it is impossible to consider sexual exploitation in a vacuum. The issues underlying exploitation—the vulnerability of victims, the sense of entitlement of exploiters, and much more—intersect with many of the structural inequities within our society.

For example, economic inequities contribute to sexual exploitation. Poverty decreases access to health care, in particular preventive measures that could educate youth about potential risks in their lives. More directly, poverty may fuel exploitation, because exploitation is perceived as a quick and “easy” way to make money for both the person doing the exploiting and the person who is exploited.

In addition, victims/survivors of exploitation often endure a host of short and long-term health problems as a result of sexual exploitation, including STIs, HIV infection, unwanted pregnancies, injuries from abuse, severe traumatization, and disability. (See **Health Care**.) Many of these health problems go unchecked. Again, individuals in poverty, including many victims/survivors, are less likely to have access to health care, as well as preventative care and awareness education.

These potential health impacts not only engage the medical and mental health fields, but also potentially law enforcement, prosecution, child protection, corrections, and the courts. When economic disparity fuels a public health problem, very quickly a host of different systems are drawn into the response.

While there is no guarantee that preventive and early intervention actions can keep a youth in poverty from being sexually exploited or suffering physical and emotional harm, it is possible that these actions can make a difference or at least mitigate some of the health impact. Tackling the problem of sexual exploitation from a social justice stance remains, just as it did over a century ago, the very essence of a public health approach.

## 3. Strategies for Identification & Support of Sexually Exploited Youth in Public Health Settings

One of the best opportunities for public health services to mitigate risks of sexual exploitation of youth is through the role of nurses and other service providers who visit families in their homes. Evidence

shows that visiting nurses are in a particularly good position to address underlying issues that might be affecting a youth, including the range of adverse childhood experiences. (For more on ACEs, see the **Appendix**.)

Early intervention with a public health nurse or community health worker can play a role in disrupting negative family dynamics by creating opportunities to discuss problems and engage additional support.<sup>5</sup> Mobile crisis teams who address mental health issues can work with families in their homes to assess risks, create safety plans, and provide a continuum of care.<sup>6</sup> These teams may travel to places beyond home—schools, coffee shops, etc.—to provide care where necessary. Some families may not want to receive services in their home—whether due to domestic violence, a lack of stable housing, or a fear of being penalized or judged for the condition of their home—so it is important to assess and support transportation needs as well.

Additional intervention strategies include support for families very early in children’s lives. Access to early childhood family education and education about prenatal care can help ensure a healthy start in a child’s life and increase the protective factors that could help shield a young person from sexual exploitation. Programs for teen mothers serve the dual purpose of supporting both the child and the mother, so that both are able to succeed. The Special Supplemental Nutrition Program for Women, Infants and Children (WIC) is critical to providing early support for healthy eating that can positively impact the physical and mental strength of a child.

#### **4. Educational Opportunities for Youth & Families in the Public Health Context**

Sexual exploitation can be a challenging conversation for a family. Public health services can help parents and educators engage in meaningful dialogue and consider appropriate interventions. It is important that the approach does not rely on the scare tactics or sensational stories sometimes employed by media or other venues to raise awareness about sexual exploitation. Rather, focus on the realities that a young person may recognize from their daily life and how these realities may increase vulnerability to exploitation.

Many youth may not understand what sexual exploitation is

5 See e.g., Child Trends, *Early Intervention Program for Adolescent Mothers*, <http://www.childtrends.org/?programs=early-intervention-program-for-adolescent-mothers>.

6 See e.g., NAMI Minnesota, *Mental Health Mobile Crisis Response Teams*, <http://www.namihelps.org/L11-Mental-Health-Crisis-Teams.pdf>.

(or have the language to talk about it), and may not realize that it is something that could impact them directly. Caring, connected adults should create a space where youth can feel comfortable asking questions and talking about this issue in a way that is relevant to the youth, nonjudgmental, and empowers the youth to make good choices. These adults should let youth know that there are steps they can take to mitigate the risk of being exploited (while reinforcing the message that if exploitation does happen, it is never the youth's fault). Point out familiar places where recruitment can occur, such as bus stops, schools, and shopping malls, and talk about potential recruitment tactics. But just like sexual violence is more commonly perpetrated by someone known to the victim than by a stranger, it is important to talk about how sexual exploitation can occur in the context of familial relationships as well as friendships. Finally, help youth to recognize that behaviors their peers may consider normal—such as making someone perform a sex act in exchange for a ride or entrance to a party, or convincing a friend to perform a sex act for drugs or dance in a strip club for “fast” money—may in fact constitute sexual exploitation.

The online world can pose many risks to youth. For example, because of its prolific nature and accessibility, many youth use pornography—which exposes them to harmful messages about sex and sexuality—as a guide to their own sexual interactions. Have conversations with youth about this, as well as about social media, online gaming, and other technology-related concerns. Often youth will be forthcoming in these conversations about the ways they have been approached online to engage in sexting, sexually explicit chats, and sexual activity with people they do and do not know.

Finally, access to comprehensive sexual health education and healthy relationships teaching is critical to ensuring youth have the baseline knowledge about boundaries and consent, as well as issues involving sexual violence, domestic abuse, and sexual exploitation. Peer-to-peer education and training for parents and other adults in young people's lives are both effective ways to augment classroom teaching. Education should begin in age-appropriate ways with children in elementary school and progress through middle school and high school, using information that transcends the basic curriculum of pregnancy and disease prevention and delves into the realities of growing up as a young person today. See **Schools** (“Education on Sexual Health & Healthy Relationships”). Based on Minnesota Student Survey results, over 5,000 youth in Minnesota are sexually exploited – and this is likely an undercount.<sup>7</sup>

7 L. Martin, B. McMorris, K. Johnston-Goodstar, N. Rider, *Trading Sex and Sexual Exploitation Among High School Students* (<https://www.nursing.umn.edu/research/research-projects/trading-sex-and-sexual-exploitation-among-high-school-students>).

## 5. Collaboration Opportunities

Community public health data is fundamental to the needs assessment portion of protocol development. Opportunities to partner with agencies to collect health-related information will prove useful in identifying areas of the community where outreach and services can be directed. Data collection that has a particular focus on cultural communities could also assist with the development of culturally-specific services that are either stand-alone or integrated into existing agencies.

Interactions with local health boards are another means of raising visibility about the sexual exploitation of youth and offer a community-wide forum to discuss ways to improve prevention and early intervention efforts. The collection of local public health data will help to inform the boards and support creation of innovative strategies. Local health boards could also take input from the health care providers who identify youth at risk for sexual exploitation to determine best practices. Additional training for health care providers will assist with better identification of sexually exploited youth, delivery of appropriate care, and referral to services.

An additional venue for interaction by the public health field is with juvenile corrections, specifically in regard to the intake forms required by the Prison Rape Elimination Act (PREA). Public health data collected through these forms could also shape community information and assist corrections staff in responding to the needs of a particular youth under their charge. See **Juvenile Corrections** for more information about PREA.

For a much broader understanding of prevention-based approaches to sexual violence, contact the MDH Sexual Violence Prevention Program.<sup>8</sup> Additionally, the MDH Sexual Violence Prevention Program coordinates the statewide Minnesota Human Trafficking Task Force (MHTTF).<sup>9</sup> The MHTTF brings the public health/prevention lens to this work through multidisciplinary, statewide engagement. Efforts include promoting the need to address root causes, conditions, and intersections at the systems level in order to interrupt and prevent harm. In addition, the MHTTF shares resources and promising practices as well as provides training to public health professionals and community stakeholders.

8 [www.health.state.mn.us/communities/svp](http://www.health.state.mn.us/communities/svp)

9 [www.mnhttf.org](http://www.mnhttf.org).



## Law Enforcement & Prosecution: Introduction

Sex trafficking and sexual exploitation are some of the most difficult crimes to investigate and prosecute. When done successfully, they can also be among the most rewarding for the well-being of the victims, as well as the community as a whole. While sexual exploitation comes with its own set of challenges, considerations, and laws, this form of violence does not exist in a vacuum. Many of the principles and approaches that are best practice in cases of domestic and sexual violence can be applied to these cases as well.

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Accordingly, as with domestic and sexual violence cases, it is critical that investigators and prosecutors have the interest, expertise and experience required. Designation of staff who have, or are willing to acquire, this expertise is strongly recommended. There are many state and national resources available to assist law enforcement and prosecutors to develop proficiency in this specialized area. (See “Training & Resources for Law Enforcement” in the **Appendix**.) Local experts can also be helpful in addressing specific issues relating to Minnesota law, as well as the specific needs and characteristics of a particular community.

Building relationships with outside partners, especially with local community-based service providers and advocates, can expand the capacity of any agency to investigate and prosecute sex trafficking cases. Victims of sexual exploitation and trafficking have many needs, including mental health, housing, transportation, legal advocacy, and chemical dependency treatment. The Safe Harbor Regional Navigator, individual advocates and/or an interagency coordination team, can provide the services needed to stabilize the victim, improving the chances of a successful outcome. See **Working as a Team**, and in particular “Example: Law Enforcement/Advocacy Relationship,” for an important discussion on this topic.

Collaboration and coordination among jurisdictions is another important component in the investigation and prosecution of sex trafficking cases. Sexual exploitation is rarely limited to one jurisdiction. Therefore, it is essential to coordinate with other agencies in your region, around the state, and around the country. This includes coordination with federal authorities, which can be of great assistance in successfully prosecuting and resolving these cases. Anticipate that this collaboration and coordination will involve sharing information on victims and suspects. Therefore, be aware of what information can be shared and with whom. Create data sharing agreements when needed, and take advantage of existing resources to conduct operations. Joining one of

the many existing law enforcement task forces, or forming a regional law enforcement task force or cooperative of your own, provides an efficient and critical way to share intelligence and investigative information.

**Law Enforcement** and **Prosecution** focus on features unique to cases of sexual exploitation and sex trafficking, in particular the exploitation and trafficking of juvenile victims. Given that these cases include elements of domestic violence, sexual violence and juvenile victimization, investigators and prosecutors should draw upon their preexisting expertise in these areas to aid their efforts.

### For Senior Leaders

Minnesota's Safe Harbor law represented more than just a statutory change. It changed the state's entire approach to sexual exploitation and sex trafficking. With a shift this significant, it is critical that the necessary change to both agency practice, as well as agency culture, come from the top down.

Senior agency leaders should build strong relationships with other agencies to ensure that multidisciplinary collaboration is truly effective and victim-centered. Senior leaders should also take advantage of their position to raise community awareness and to push for broader system change. See **Prevention** for ideas.

These cases can be enormously complicated and resource-intensive. Cases should be assigned to line staff with this understanding in mind. For example, many prosecution offices make an exception to ordinary case-assignment procedures when a homicide is involved. Trafficking cases, though more frequent, are often at least as challenging as homicides. These cases may well need to be subject to a similar specialized case assignment process. In addition, line staff may need flexibility in deciding how to handle more nuanced complications in the case, such as victim-defendants, underage victims, etc. Thus, it is important to develop clear standards for case resolution that provide the flexibility needed to consider these complicating factors.

Chapter 16

# Discipline Chapter Law Enforcement

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## 1. Your Approach: Victim-Centered

Minnesota's model for combatting sexual exploitation requires an important shift for law enforcement from a more traditional approach to casework. To be most effective in investigating sexual exploitation, officers must put the needs and well-being of victims/survivors first – still keeping officer safety in mind – and recognize the expertise they bring to the table.

This approach should be familiar in many ways to recent advances in the methods for responding to other forms of domestic and sexual violence. But it is not without its challenges. Victims/survivors of sexual exploitation are often viewed as uncooperative, untrusting, manipulative, and even hostile toward law enforcement. There are many good reasons for this, as discussed in *Dynamics of Sexual Exploitation* (“Why Don't They Leave?”). Sharing intimate details of sexual encounters with a stranger can be difficult. Added to this challenge are the layers of multiple forms of trauma experienced by most victims/survivors. In addition, individuals from many communities disproportionately affected by exploitation, particularly communities of color and other marginalized communities, have an historic and ongoing distrust of law enforcement.

On the other hand, victims/survivors have first-hand knowledge of their own exploitation. Their input, perspective, and expertise can provide a substantial advantage to the investigation. Recognizing that they have much to contribute, and engaging them in a victim-centered manner, will enhance their recovery and increase the likelihood of a successful case.

### a. Prioritizing the Needs of Victims/Survivors

How do you put victims/survivors first? Start by considering your goal. Individuals who have experienced sexual exploitation are often highly skilled at reading people. If your real goal is to get information from – rather than help – them, they will know that. You will be viewed as yet another person trying to get something from them, with the conversation simply a transaction. Instead, your first and top priority should simply be to meet their needs. Your investigation will be all the stronger when the victim/survivor is healthy, stable, and ready to participate with you to pursue it.

Given this, your attitude toward victims/survivors is crucial. Be patient, genuine, and kind, meeting them where they are with a lack of judgment. Review *Working with Sexually Exploited Youth*, including “Being Victim-Centered;” “Being Youth-Centered.” Recognize and respond to

what will make this person comfortable. For some, this may mean access to culturally-specific services or an interpreter. For others, this may mean offering to have them talk with a colleague of a different gender, if your gender makes them uncomfortable. The **Appendix** contains more “Practical Tips for Law Enforcement” that many agencies have found useful.

This work takes time, and time is at a premium for most investigators. Collaboration with partners in other disciplines is crucial. See **Working as a Team** for an important discussion on this, including suggestions for working effectively with advocates.

#### b. Disclosure & Interviewing

There is no one “magic question” or screening tool that will cause victims/survivors to disclose that they are being exploited. If they disclose, they will do so at their own time and in their own way. Unlike other cases, it is rare for the victim to provide “one good interview.” Take your time. Use active listening skills.<sup>1</sup> Gradually build trust and rapport. Full disclosure may take multiple conversations and interviews. As discussed in **Working with Sexually Exploited Youth**, victims in these cases may not provide coherent, consistent, and organized narratives or explanations. There may be many starts and stops along the way.

**“Some youth would feel uncomfortable because of an officer’s race or gender. So they should be able to talk with someone they feel safe with.”<sup>2</sup>**

Indeed, some victims/survivors may never disclose to you. Still, respond with the same patience and compassion, and without judgment. Your approach will shape how they think about law enforcement and other professionals. Victims/survivors are often told by exploiters not to trust law enforcement. Any positive interactions with law enforcement work to undo this manipulation. Someone who does not disclose to you now may well disclose to someone else – in law enforcement or otherwise—tomorrow, next month, or next year.

- 1 See the **Appendix** (“Crisis Intervention: Using Active Listening Skills in Negotiations”) for more information on active listening skills.
- 2 Hennepin County No Wrong Door Initiative, Paula Schaefer & Associates, Sexual Violence Justice Institute at Minnesota Coalition Against Sexual Assault, Ramsey County Attorney’s Office, *Voices of Safe Harbor: Survivor & Youth Input for Minnesota’s Model Protocol on Sexual Exploitation and Sex Trafficking of Youth*, 25 (Dec. 2015), <http://www.hennepin.us/~media/hennepinus/your-government/projects-initiatives/documents/no-wrong%20-door-voices.pdf?la=en> [hereinafter referred to as *Voices*].

These Protocol Guidelines cannot address the full scope of victim-interviewing techniques. See “Training & Resources for Law Enforcement” in the **Appendix** for sources for training on this. Note that interview methods should recognize the prevalence of trauma in the lives of victims/survivors. One trauma-informed approach developed specifically for law enforcement is the Forensic Experiential Trauma Interview (FETI). See the **Appendix** for more information.

c. Integrating a Victim-Centered Approach into Your Work

A victim-centered approach should flow through every aspect of how you and your agency handle sexual exploitation cases. It may lead you to focus your efforts on ways to identify and intervene with vulnerable and at-risk youth. See “Connecting with Vulnerable Youth” below. It should certainly lead you to consider carefully situations in which victims are used to recruit or control others. (See “Bottoms & Historical Victims” in ***Dynamics of Sexual Exploitation***.)

A victim-centered approach also creates a long-term responsibility to victims/survivors – one that exists long after the case is closed. Regardless of whether the exploiter was convicted, call or check in with them six months or even a year later. This outreach can have a powerful and meaningful impact. The message that you genuinely care may be more validating than any legal outcome.

## 2. Identification

a. Online Stings

Knowing that much sexual exploitation is advertised online, many officers turn naturally to “stings” to identify victims, and thereby traffickers. Proceed with caution. Responding to an online ad by pretending to be a sex buyer may not increase the trust and cooperation of victims/survivors. Moreover, not all exploitation occurs through online ads. Demand suppression operations are an important tool in holding buyers accountable (see “Identifying & Investigating Demand” below) or as part of proving that the sale of a person has occurred. Proactive recovery operations may also be necessary to bring victims to safety (see “Intervention” below). But there are other tools for identification, as discussed in the rest of this section, which may be more victim-centered and more effective in the long run.

Online ads for sex should not be ignored, of course. They can serve as valuable sources of intelligence on phone numbers, photos, etc. And agencies should certainly respond to them. One possible option for doing so is simply to make contact with the victim/survivor (similar to a “knock and talk”), without an undercover component. Identify yourself as law enforcement, ask whether the victim/survivor needs help, and offer services (remembering, however, that victims/survivors may well not disclose immediately or at all). Consider providing your contact information (so long as it is safe for the victim/survivor to take), with an offer that you can be called anytime. Youth should be placed in a safe place and reported to child protection. (See “At the Scene” below.)

b. Hidden in Other Investigations

Sexual exploitation is often hidden in other crimes, from domestic assaults to fraudulent financial transactions. Many officers can think of a traffic stop that, upon reflection, likely involved sex trafficking, or a runaway who may well have been trading sex for a place to stay. Indeed, virtually any unit within your agency may come across exploitation cases. Train patrol officers, as well as officers working in other disciplines, to recognize this crossover and report to sex trafficking investigators for follow up. The red flags listed in *Dynamics of Sexual Exploitation* are a good place to start. More guidance is in the Trafficking Resource Guide and in the Human Trafficking & Exploitation Informational Guide for Law Enforcement; copies of both are in the **Appendix**.

Agencies can also collaborate with community partners who may be able to help identify the signs of exploitation. One example is the lodging industry, which is now required to train all employees in how to identify and respond to sex trafficking; build relationships with local motels and hotels so that employees feel comfortable reporting when they see indicators of exploitation.<sup>3</sup>

c. Connecting with Vulnerable Youth

As discussed in *Dynamics of Sexual Exploitation*, exploiters target vulnerable youth. Identifying sexual exploitation requires identifying vulnerable youth as well. The list of vulnerabilities in *Dynamics*—from youth who have experienced past abuse to youth in foster care—is a

3 Information about the state-mandated trainings for hotels and motels is at <https://www.health.state.mn.us/communities/safeharbor/communities/hoteltrafficking.html>.

good place to start. Keep an eye out for those youth at highest risk. (See the “High-Risk Victims Model” box.) Involve those in your agency who work with youth – juvenile officers, school resource officers, missing-persons officers – as well as those outside of your agency (such as child protection) as well.

Take runaway cases seriously. File a report for every run, as legally required. Search for the runaway and have a conversation when the youth is found. Where was the youth? What happened while the youth was on the run? Consider adopting the “10 Questions,” a tool used by the St. Paul Police Department for interacting with runaways (and available in the **Appendix**). If the youth is reluctant to talk at the time of recovery, circle back a few days or weeks later; even if the youth still doesn’t disclose, your continued interest in the youth’s well-being will have sent a strong, positive message. And keep a special eye out for “throwaway” youth – those on the run whose families never even reported them as missing; their situations should be especially concerning.

#### **High-Risk Victims Model<sup>4</sup>**

A high-risk victims model, such as that originally developed by the Dallas Police Department, can be especially effective at identifying youth who are (or are at great risk of) being exploited. To use this model, select factors that seem especially likely in your jurisdiction to lead to exploitation, and then review records and cases to find those that match the model, e.g.:

- multiple runs,
- prior history of sexual abuse, or
- direct connection with an exploiter or another other victim.

Of course refer all vulnerable youth—and all vulnerable people—to services in the community. Exploiters seek to identify and provide whatever is missing in a youth’s life, from food or shelter to simply a sense of family. Eliminate that opportunity. By helping the youth, you may well prevent exploitation from starting in the first place.

4 Information about the Dallas High Risk Victims Model can be found at <https://www.doj.state.wi.us/sites/default/files/ocvs/specialized/Fassett-%20National%20Research%20Council%20Sex%20Trafficking.pdf>.

d. Other Sources for Identification

There are many other ways to identify exploitation and trafficking. Proactively monitor social media. Train crime analysts, so that they can help identify exploitation in the course of reviewing other reports.

Especially as awareness spreads, you will likely receive tips from your system and community partners. There are several national hotlines which receive tips; these may be forwarded to Minnesota law enforcement for investigation.

### 3. Intervention

a. Advance Planning

If you have identified a victim/survivor in advance, carefully plan ahead for the recovery. Answer some key questions. Who will interact with the victim first? Where will the victim go afterward? Is the victim a runaway? What are likely to be the victim's immediate needs? Physical safety? Help with trauma? Chemical use? Work with an interagency coordination team, of the type described in ***Working as a Team***.

Planning is especially important for proactive recovery operations, such as when an undercover officer responds to an online ad for the purpose of locating a victim/survivor. Whenever possible, include victim advocates in these operations. In support of a possible investigation, consider having on scene the capability to forensically examine the victim/survivor's cell phone, so that it can be returned right away. Alternatively, have a replacement phone available.

The process of identifying and intervening with a youth is often termed "rescue" within law enforcement and many other agencies. Note that victims/survivors are unlikely to have a positive impression of being "rescued." The term tends to take away agency from youth and can undervalue the long-term need for services.

b. At the Scene

Sometimes, it will not be possible to plan ahead for recovery; the victim may be identified by officers at a traffic stop, during a drug raid, in the course of runaway identification, or otherwise without prior notice. The Trafficking Resource Guide and Human Trafficking & Exploitation Informational Guide for Law Enforcement (copies of both are in the **Appendix**) contain guidance for these situations. As discussed above

(“Your Approach”), officers’ top priority should be on meeting the needs of the victim/survivor – for food, clothing, sleep or otherwise. Designate in advance two important contacts:

- the Safe Harbor Regional Navigator (see the map in the **Appendix**) or other provider of services to whom officers can refer victims/survivors, and
- an investigator—whether at your own or another agency—whom officers can contact with questions.

**“DO NOT assume they are a willing participant. Use calm, reassuring measures.”<sup>5</sup>**

A youth who is in conditions which an officer “reasonably believes will endanger the child’s health or welfare” may be taken into custody.<sup>6</sup> The officer has considerable discretion as to the form that custody takes. Secure detention is permissible, in the hours prior to the initial court appearance, but it should be a last resort. Far better in most cases is a high-quality, staff-secure therapeutic setting, if one is available. A full description of the law on placement and detention, as well as recommended policies, is in **Emergency Placement**.

If you do take youth victims/survivors into custody, consider carefully how you do so. Many have learned (or been taught) to distrust law enforcement, and most have experienced considerable trauma, which may lead them to experience any kind of touch as a “trigger” for a traumatic reaction. They may well resist. Remember that you are the one who has discretion. Try to take into account the circumstances – the youth’s past experiences, the current level of aggression, common triggers for survivors of trauma, etc. Avoid restraining the youth if possible and if consistent with safety. If the youth is at a shelter or residential placement, staff may be able to help minimize the reaction and de-escalate the situation. Recognize the balance inherent in addressing illegal behaviors by the youth. On the one hand, an appropriate response by law enforcement may provide a measure of accountability and – for those youth able to process cause and effect, despite their trauma – incentive for appropriate behavior in the future. On the other hand, a charge of obstructing legal process or assaulting an officer could have a lasting impact – and could further undermine the victim/survivor’s feelings about law enforcement.

5 *Voices*, *supra* note 2, at 37.

6 Minn. Stat. §§ 260C.175

Youth who are prostituted, trafficked, used in a sexual performance or pornographic work, or otherwise sold for sex must be reported to child protection, regardless of whether a parent or other authority figure is involved. See “Mandated Reporting” in **Legal Framework** for more information.

#### 4. Investigation

Exploitation cases can be enormously time-consuming, taking weeks or even months to investigate. It’s crucial that you use your time wisely. Work closely with the prosecutor to identify investigative paths that may be promising or unproductive.

Still, keep the focus on the victim/survivor, as discussed in “Your Approach” above. Under a victim-centered approach, there will likely be a gap between recovery and when the victim/survivor is ready to cooperate in an investigation. This gap might be one hour or it might be one year. As with any investigation, it may be necessary to act very quickly at certain times – to preserve evidence, protect a victim, or apprehend a suspect. But as much as possible within these limits, give the victim/survivor the space and time to begin the process of healing and be ready to engage with you.

##### a. The Importance of Corroboration

Most criminal investigations are aimed at finding evidence that relates fairly directly to the elements of the crime itself. For example, the investigation of a case involving possession of stolen burglary tools can safely focus on the tools themselves and when and how they were found with the suspect. Trafficking cases are different. As discussed earlier, trafficking victims often recant, become uncooperative, or fail to appear to testify – all for very good reasons – even more than do victims of domestic assault. And for deeply unfair reasons, even youth trafficking victims may be unsympathetic to juries. Victims may have criminal pasts themselves and may appear – to a jury unfamiliar with the dynamics of trafficking – to be complicit in their own victimization.

Reduce the pressure on the victim by looking for evidence that will support (or refute) every aspect of the victim’s statements, not just those tied narrowly to the crime itself. If the victim mentions going to a house, for example, ask for a detailed description of the interior – and then compare the description (and take photos) when you go to that house.



b. Evidence Collection

As with any case of domestic or sexual violence, officers at the scene should take many photos and collect a wide array of evidence. The Trafficking Resource Guide and Human Trafficking & Exploitation Informational Guide for Law Enforcement (both in the **Appendix**) contain suggestions for frontline officers.

Technology is of course a major aspect of these cases, and it is always changing. Take advantage of training to stay current with social media, phone hardware, apps, etc., and reach out to other experienced investigators as needed for technical assistance, including sample subpoenas for ad and social media sites.

c. Interviewing Suspects

Traffickers tend to be narcissistic and arrogant, accustomed to manipulating others; they may not provide much information during suspect interviews. Buyers and other exploiters are likely to provide more. These *Protocol Guidelines* cannot address the full scope of suspect-interviewing techniques.

Remember that victims/survivors are frequently used to recruit or control others; those in this role may be referred to as “bottoms.” See ***Dynamics of Sexual Exploitation*** (“Bottoms & Historical Victims”) for more background. See ***Prosecution*** (“Victim-defendants”) for a discussion of how prosecutors may view bottoms and other possible victim-defendants.

d. Jurisdiction & Collaboration

Sex trafficking cases, especially, can extend beyond geographic border lines. Jurisdiction—both geographic and federal/state/tribal—can become complicated. See ***Legal Framework*** and ***Prosecution*** for an overview of the differences between state and federal trafficking laws and ***Working with Tribal Nations*** for an overview of criminal jurisdiction in Indian Country. Multi-agency collaboration and de-confliction are especially important. The Minnesota Human Trafficking Collaboration site contains information on ongoing investigations; contact the BCA to become a user.

e. Preparing for Charging

To build a strong case, it is crucial that you document your work at every step. Write in a report everything that you do, including:

- when you did it,
- why you did it,
- where you did it, and
- what happened, including a careful description of any evidence that you received.

Do this even if the action in question was simple, such as sending a subpoena (without yet receiving anything back) or attempting unsuccessfully to contact a witness. Prosecutors and defense attorneys—who will be your eventual audience—aren't frightened of paper. If your work results in hundreds of reports, so be it.

The reason for all of this documentation is that these cases can be highly complicated. It can be very difficult for prosecuting attorneys later to build a timeline of events which can be very important to the case. Relying solely on your memory of events could likely lead to omissions or errors. Documenting your work contemporaneously at every step will protect both you and the process.

Note that charging can be a difficult time for victims/survivors. Keep in close contact, both with them and with any advocates that they are working with. Look for attempts by defendant to contact the victim, either directly or through associates; pay particular attention to jail calls.

## 5. Identifying & Investigating Demand

Sexual exploitation would not exist without the demand for it. Holding buyers accountable is a critical part of protecting victims/survivors.

Target demand by placing online ads offering sex. These operations should be handled with care, using the proper training and equipment and following clear policies.<sup>7</sup> Place ads on multiple sites, including those used by wealthier buyers. These operations can be resource-intensive; if yours is a smaller agency, share staff, equipment, and experience with other agencies in the area. Work closely with prosecutors in advance, to be sure that any cases are chargeable.

In the past, demand suppression operations used undercover officers making in-person contact with buyers. This practice is discouraged. In most cases, text messages, phone calls, and the buyer's arrival at the location will provide sufficiently clear evidence of intent. Given this, physical contact may pose unnecessary risks (see "The

<sup>7</sup> See the **Appendix** for information on several sources for training. For a sample policy, contact the St. Paul Police Department.

Experience of Undercover Officers Targeting Demand” below). Work with prosecutors beforehand, whatever your approach.

### **“John Letters”**

Undercover operations based on online ads may draw hundreds of responses, far more than can be pursued through to criminal charges. After a demand suppression operation, one agency examines all of the phone or text conversations that its undercover officers had with prospective buyers. If a conversation appears to involve the purchase of sex, the department uses an administrative subpoena to the phone carrier to obtain the subscriber’s contact information. It then sends an active-investigation warning letter to the address, also sending the message that sexual exploitation will not be tolerated in its community.

In investigating buyers, keep in mind the wide range of evidence that may be relevant: data from cell phones and computer, records from bank accounts or credit cards, social media activity, vehicle and employment records, and much more.

Online ads may also help to increase community awareness. Simply placing an ad and keeping track of the responses – even without running an undercover operation – can show residents the demand for commercial sex in your area. Prepare for media coverage of your operation, as well as for a potentially negative public response.

Evidence against traffickers, especially phone and computer content, frequently provides leads against buyers as well. While it is rarely possible to follow up on every one of these leads, certainly prioritize and pursue any individuals targeting underage victims.

In addition, think of ways that evidence about buyers can be used in investigations of traffickers. A buyer who has just left an in-call is likely to have considerable incentive to provide information about the trafficker or victim, how and where they operate, etc. Statements from buyers may later serve as evidence that a sex act occurred or that money changed hands.

## The Experience of Undercover Officers Targeting Demand<sup>8</sup>

In the past, an operation targeting demand involved an officer – often but not always female – going undercover (UC) to have face-to-face contact, in the room, with buyers of sex. The experience of these officers can give us some insight into the experience of victims/survivors.

UCs must read each buyer while having their bodies scrutinized and priced. They must regularly hear and pretend to respond positively to offensive language and acts wanted by buyers, including sex with children. They must put themselves in close proximity to suspects, even be touched by them. They may also deal with a violent offender intent on using force or a weapon to obtain sex. All of this occurs without the barrier of the officer's typical patrol equipment, uniform and vest – which otherwise would help to remind the officer that the operation is not personal.

UCs can experience a wide array of emotions—fear, anger, disgust, compassion, anxiety, anticipation and more— in a single incident. They may feel isolated from family, friends, and coworkers who do not understand what they have experienced. All of this can invoke secondary trauma, with physical and psychological ramifications.

8 The material in this box was provided by several officers who have worked undercover during buyer stings.



# Discipline Chapter Prosecution

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## 1. Taking a Victim-Centered Approach

A consistent theme of the Safe Harbor Protocol Guidelines, and of Minnesota's Safe Harbor system as a whole, is the importance of prioritizing the needs and well-being of victims/survivors.

For understandable reasons (see *Dynamics of Sexual Exploitation* and *Working with Sexually Exploited Youth*), people who have experienced sexual exploitation frequently act in ways that are counterintuitive to juries and others unfamiliar with this crime. They may recant their statements and may be uncooperative or even hostile to prosecution of perpetrators. Consistent with having experienced trauma, they may have difficulty providing statements that are clear and cohesive, and may be unable to remember details, or provide an accurate chronology of events.

In responding to these challenges, prosecutors of sexual exploitation can draw upon the skills that they have built in responding to other forms of domestic and sexual violence. At the foundation must be a sensitivity and respect when interacting with victims/survivors. *Working with Sexually Exploited Youth* discusses how professionals in general can work in a trauma-informed, victim- and youth-centered way. *Law Enforcement* (in the section "Your Approach: Victim-Centered") expands on this approach for criminal justice professionals. Prosecutors should review both chapters carefully.

As with any crime of relationship violence, a prosecutor of trafficking and sexual exploitation must build each case taking into account the possibility that the victim/survivor will be uncooperative, recant, or fail to appear. Prosecutors should minimize reliance on the victim/survivor's testimony, making that person as small a "target" at trial as possible. While juries typically want to hear from the victim/survivor, often there is an abundance of other evidence that can establish the elements of the case with or without that testimony. For example, a case can be proven through photographs, forensic data from phones and computers, hotel receipts, and much more. *Law Enforcement* (in the section "The Importance of Corroboration") discusses this subject further. Expert witnesses can also be critical to putting this evidence in context, including understanding terminology, the lifestyle, counterintuitive behaviors, etc. (See "Expert Witnesses" below.)

Taking responsibility for a conviction off the victim/survivor's shoulders will be beneficial to your case. More importantly, it will be beneficial to the victim/survivor. Holding the exploiter accountable is your job. The victim/survivor needs to be able to focus on recovery and healing.

These and other aspects of being victim-centered are woven throughout the topics that follow, which track roughly the path of a typical case from investigation to case resolution.

## 2. Investigation

These cases are very time-consuming for law enforcement. Make yourself available to your law enforcement partners, and get involved at the front end of the investigative process. Help law enforcement think through which investigative paths are most likely to lead to relevant evidence, which elements of an offense may be missing critical evidence, and which elements may already be established with the evidence available. Don't just give officers a checklist; help them to understand why a given piece of evidence matters. (See "The Importance of Corroboration" and "Preparing for Charging" in **Law Enforcement**.) Remind officers to focus not only on traffickers but also on buyers. (See "Prosecuting Buyers" below.)

A chronology—encompassing everything from online ads and hotel receipts to victim interviews and subpoena requests—can be a great help on particularly complicated cases. A chronology can be especially useful for charging, as an aid to ensuring no crucial details are missed. Note that a chronology is work product; in order to protect it against disclosure, the document should not be shared with the investigator or others outside of the prosecutor's office.

Law enforcement occasionally will ask whether an outstanding and often unrelated arrest warrant may be waived for a victim/survivor. The answer should likely depend on, among other things, the seriousness of the cause for the warrant. Be careful that any consideration for a waiver—or any lack of consideration—be documented. If the warrant is from another county, make sure that someone with authority in the county is kept fully informed.

## 3. Charging

### a. Trafficking Statute

The trafficking statute—Minn. Stat. § 609.322—is complicated, with hidden pitfalls. Here are just a few of the considerations:

- **Numbering of statute:** Be very careful with citations to the statute, as the numbering is confusing. The two basic crimes



of trafficking—1st-degree (minor victims) and 2nd-degree (adult victims)—are at subdivisions 1(a) and 1a, respectively, with subdivision 1(b) containing the “enhancing factors” applicable to both. Many computer systems automatically put a parenthesis around the “a,” which may incorrectly increase the charge from 2nd to 1st degree. Review the charging document with a critical eye so that errors of this nature are caught before the complaint is finalized.

- **Promotion of prostitution vs. trafficking:** The statute criminalizes four basic kinds of conduct: “solicit[ing] or induc[ing] an individual” to prostitute, “promot[ing] the prostitution of an individual,” receiving proceeds from prostitution, and engaging in sex trafficking. All four paths result in the same sentence. “Sex trafficking” has the broadest definition, and so it can be appealing to use that charge. Consider the facts presented: Can you proceed with a more straightforward charge of “soliciting” or “promotion,” or is this a more complicated, all-encompassing case which may justify the charge of “sex trafficking”? If charging a case with multiple victims (see “Multiple victims and defendants, and conspiracy” below)—some who were trafficked and others who were merely solicited—it may be beneficial to charge a combination of solicitation and trafficking counts, in order to draw a distinction for the jury at the time of closing arguments. The penalties are the same; the precision in language is what differs.
- **“Attempt”:** In a sense, Minnesota’s sex trafficking statute may be read to treat attempts as being equivalent to the underlying crime. (Indeed, the federal statute treats the two as the same.) That is, a trafficker who merely solicits a minor victim—encouraging the youth to engage in prostitution activity for the trafficker—could be guilty of 1st-degree promotion of prostitution (trafficking), even if the solicitation is unsuccessful.<sup>1</sup> The difference in conduct will likely be taken into account at sentencing but could be taken into account at charging as well. Consider the overall conduct of the defendant: Is this a person who has successfully promoted others into prostitution, or is this a first-time offender who unsuccessfully attempted promotion of the victim?

<sup>1</sup> Minn. Stat. § 609.322, subd. 1(a)(1) (“solicit or induce” into prostitution).

- **Enhancing factors:** The statute provides that if any of four factors is present—such as a victim who suffered bodily harm—the maximum sentence can be considerably longer.<sup>2</sup> These are not “aggravating factors” that would allow a judge to sentence above the otherwise-applicable range in the state sentencing guidelines.<sup>3</sup> Rather, they shift the presumptive range, increasing it by 48 months.<sup>4</sup> Because these factors are contained within the trafficking statute itself and increase the guideline sentence, the best practice is to set forth the specific “enhancing factor” in the charging document directly, rather than later file a notice of intent to seek an enhanced sentence. (See “Aggravating Factors” below.)

b. Multiple Victims & Defendants, and Conspiracy

Sex traffickers often victimize multiple individuals and collaborate with others as they commit a multitude of crimes. Charging each victim’s case separately—one victim at a time—may have the unintended result of limiting the evidence at trial, or the unfortunate result of forcing victims to testify repeatedly in one another’s cases. Consider charging the full operation as a conspiracy—or at least putting all of a trafficker’s victims in the same case—as a way to provide the full picture. Just because the victims/survivors do not know one another or do not overlap directly in time doesn’t mean the trafficker’s activities do not constitute a single, unified operation.

Charging defendants jointly can be more challenging; however, if there are no inconsistent defenses, a joint trial might be prudent.

Whether you proceed with charging defendants individually or jointly, adding a charge of conspiracy may aid in the admission of co-conspirator evidence at trial. Recognize, however, that a conspiracy count, if established, will likely go unsentenced due to the underlying conduct constituting the “same behavioral incident” as the conduct underlying the trafficking/promotion/solicitation charge(s).

2 *Id.* at § 609.322, subd. 1(b) (listing the four factors).

3 See § 244.10, subd. 5a (aggravating factors); Minn. Sent. Guidelines § 2.D(3).

4 Minn. Sent. Guidelines § 2.G(9).

c. Other Potential Charges

In addition to (or instead of) the charge of sex trafficking, prosecutors may consider other charges as well, including:

- **Criminal sexual conduct (A CSC charge):** Most trafficking cases involve at least one form of CSC. Note that a CSC charge—which usually focuses narrowly on a single moment—can be considerably more difficult to prove than a trafficking charge, which tends to involve much more expansive conduct. Sentences for trafficking tend to be at least as long as those for CSCs. Consecutive sentencing is possible, as is using the CSC as an aggravating factor supporting an upward departure motion. See “Aggravating Factors” below.
- **Charges against sex buyers:** See “Prosecuting Buyers” below.
- **Other exploitation charges:** These include the use of a minor (under 18) to engage in a “sexual performance” or pornographic work; the possession or dissemination of such a work; soliciting a child 15 or under to engage in sexual conduct; or distributing sexual materials online to a child 15 or under. All of these are felonies and all provide that, in most cases, neither consent nor mistake of age is a defense.<sup>5</sup>
- **Assault, domestic assault, and domestic assault by strangulation:** Exploiters very often use physical aggression as a means of controlling victims. This is especially true of traffickers but can be true of buyers and other exploiters as well. Adding assault charges ensures that evidence of the assault and resulting injuries will be admissible at trial and not restricted by a motion in limine. As another option, this evidence may also demonstrate excessive cruelty in support of an enhanced sentence. See “Aggravating Factors” below.
- **Contributing to delinquency or involvement in the child protection system:** Depending on the case, it may be beneficial

<sup>5</sup> Minn. Stat. §§ 609.352 (solicitation and online distribution); 617.246 (use of minor in sexual performance); 617.247 (possession of child pornography). One situation in which mistake of age may be a defense is outlined in *State v. Moser\_N.W.2d\_*, 2016 WL 4162818 (Minn. App.) (unpub.) (where the person solicited represents that he or she is 16 or older, the solicitation occurs over the Internet, and there is no in-person contact between the defendant and the person solicited).

to charge the exploiter, or others facilitating the exploitation, with contributing to the victim’s status as a juvenile petty offender or delinquency, or with contributing to the victim’s need for protection or services.<sup>6</sup>

d. State vs. Federal vs. Tribal

The federal trafficking statute is in certain ways narrower for prosecutors than Minnesota’s version. See **Legal Framework** (“Federal Law”). With adult victims (though not minor victims), the federal statute requires that the government prove the use of force, threats of force, fraud, or coercion. With minor victims, mistake of age is a defense.<sup>7</sup> State law contains neither the force, fraud or coercion requirements nor the mistaken-age defense. With state cases resulting in sentences of 20 to 50 years—even without upward departures—there may be less need for cases to be charged federally than is true for other crimes such as drug trafficking. (On the other hand, buyers may be chargeable under federal law as “traffickers.” See “Prosecuting Buyers” below.)

Talk early with your federal partners about who the targets are, the potential charges, and which agency is in the best position to achieve justice. The following are factors that the U.S. Attorney’s Office is likely to consider in deciding whether to take a case:

- number of jurisdictions, states, or countries involved,
- age and number of victims,
- number of traffickers,
- use of violence,
- immigration status of traffickers and victims,
- state resources available,
- occurrence on tribal land, and
- likely length of sentence.

Note that even if the U.S. Attorney’s Office does not charge a case, it can assist in the resolution of a state case by issuing a letter of no

6 §§ 260B.425 (Contributing to Status as a Juvenile Petty Offender or Delinquency); 260C.425 (Contributing to Need for Protection or Services).

7 18 U.S.C. § 1591(a) (knowledge or reckless disregard of age), (c) (reasonable opportunity to observe age, such as that government need not prove that the defendant knew or recklessly disregarded the fact that the victim was a minor).

prosecution, when the proposed resolution would provide for a sufficient punishment to serve the interests of justice.

Tribal jurisdiction can become quite complicated, both on its own and in relation to state and federal jurisdiction. See ***Working with Tribal Nations*** for a discussion of this and other issues relating to prosecuting sexual exploitation involving Native victims or exploiters.

e. Statutes of Limitations

Minnesota law recently changed to extend the statute of limitations on trafficking offenses to match the structure for CSC cases—as many as nine years in the absence of DNA evidence, or three years from the date of report to law enforcement, whichever is later. Most other crimes of exploitation remain at the general statute of limitations—only three years.<sup>8</sup>

A federal charge for trafficking must be brought within five years if the victim is an adult, but there is no statute of limitations if the victim is a child.<sup>9</sup>

f. Victim-defendants

As discussed in ***Dynamics of Sexual Exploitation*** (“Bottoms & Historical Victims”), the lines separating trafficking “victims,” “defendants,” and “witnesses” can blur significantly. Victims/survivors frequently become involved in other crimes, including trafficking crimes. They may recruit other victims/survivors, help the trafficker to conduct the operation—by taking photos, driving, buying phones, etc.—and even commit violence against others, at the trafficker’s behest or otherwise.

Whether to charge such individuals—often known as “bottoms” or “mains”—is one of the most difficult decisions faced by prosecutors. This is a judgment call and obviously subject to the prosecutorial discretion of each office. But there are a few factors that prosecutors might consider:

- age, vulnerabilities, and number of victims of the trafficking scheme,
- the nature and size of the role in the operation played by the victim-defendant,
- the length of time in which the victim-defendant was in the “defendant” rather than “victim” role,
- use of violence by the victim-defendant,

8 Minn. Stat. § 628.26.

9 18 U.S.C. § 3299.

- the victim-defendant’s level of cooperation with law enforcement,
- any coercion or violence experienced by the victim-defendant, and
- whether the victim-defendant herself was prostituted as part of the scheme.

Also, consider your case strategy. Is it better for the overall case to charge the victim-defendant and address mitigating factors (including possible cooperation) at sentencing? Is it better for the case for the victim-defendant to remain uncharged? Finally, be sure to check in with the investigator, who will have a good, and often quite subtle, sense as to the role of each person in the case.

#### g. Partnerships

A central theme in this protocol is the importance of building strong cross-disciplinary relationships. The charging decision is a key moment in such relationships. Whether your office is charging or declining a case, let your partners (law enforcement, community-based advocates, Safe Harbor Regional Navigators, county staff) know in advance as much as you can, consistent with professional obligations, of course. This advance notice is especially important—if especially difficult—when the charge is against a victim-defendant (see “Victim-defendants”). Advocacy partners who are disappointed will appreciate the heads-up and any explanation that you can provide. Don’t be disappointed in turn if advocates disagree with the charging decision, and even feel the need to do so publicly. If you have built your relationship over time, such a disagreement will not derail your partnership in support of victims. See ***Working as a Team*** (“Example: Law Enforcement/Advocacy Relationship”) for further discussion of this.

#### h. First Appearance

Bail arguments can be a strong opportunity to educate the bench and community about the harms posed by exploitation and trafficking.

Be sure to request no-contact orders (NCOs) between the defendant and each victim/survivor. Most traffickers work at some point in a team; get NCOs against the trafficker’s associates as well. This is necessary both to protect the victim/survivor and to limit the defendant from exerting influence over the victim/survivor in order to impact the case. (See “Post-Charge Contact Between Defendant and Victim” below.)

Often, the defendant and victim will qualify as “family or household members” under the domestic abuse laws, as a result of their living together, sharing a child, being in a “significant romantic or sexual relationship” or otherwise.<sup>10</sup> If so, request a domestic abuse no-contact order (DANCO), which can be considerably more powerful than an ordinary NCO.<sup>11</sup>

Encourage victims/survivors to consider getting an order for protection (OFP) or harassment restraining order (HRO) as well. An OFP or HRO gives a victim/survivor more flexibility and control; for one thing, it will continue to apply no matter what happens in the criminal case. See **Legal Representation** for more information.

Work closely with your partners—whether your multidisciplinary team, local advocates, or just law enforcement—to keep the victim/survivor informed and supported during this crucial first phase of the case.

#### 4. Discovery & Disclosure

##### a. The Importance of Organization

A trafficking case can encompass aspects of many of the most difficult cases that we face—a combination of a CSC with a domestic violence victim all wrapped inside of a financial crime. Simply keeping track of the paperwork can be challenging, but it is crucial. Start early by working with your investigator, who should document every step of the investigation. See “Preparing the Case for Charging Review” in **Law Enforcement**.

##### b. Disclosure of Expert Witnesses

Many trafficking cases will involve expert testimony; see “Expert Witnesses” below. The expert disclosure requirement for these cases is more limited than in a typical criminal case. Because the expert is providing information for the jury’s general understanding rather than specific to the case (see “Trial” below), the expert will have created no “results or reports” on the case and will be rendering no case-specific “findings, opinions, or conclusions.” The prosecutor therefore need only disclose “a written summary of the subject matter of the expert’s testimony.”<sup>12</sup>

10 Minn. Stat. § 518B.01, subd 2(b) (definition of “family or household member”).

11 § 629.75 (domestic abuse no-contact orders).

12 Minn. R. Crim. P. 9.01, subd. 1(4)(c).

c. Explicit Evidence Involving Minors

When copying or disclosing evidence, be careful not to disclose photos or videos of minors that would constitute child pornography.<sup>13</sup> This is a particular danger with online ads and forensic cell phone examinations. As with other child pornography, simply notify the defense attorney of the existence of the evidence and make arrangements for it to be reviewed.

d. Post-Charge Contact Between Defendant & Victim/Survivor

Witness tampering is a significant concern in these cases. Exploiters who have built a relationship of control over the victim will continue to try to exercise that control. As with domestic abuse cases, keep a close eye on contact between the defendant and victim/survivor. Ongoing contact between the defendant and victim, whether directly or through third parties, can provide strong evidence to support a case, as well as lead to new charges for violation of an OFP, HRO, NCO or DANCO, witness tampering or threatening conduct. Encourage the victim to let investigators know right away if the defendant seeks contact, either directly or through anyone else.

If the defendant is in custody, ask the investigator to listen to jail calls and collect mail, which can contain confessions, threatening and manipulative behavior, and much other conduct. Look for any calls from the jail to third parties and/or the victim's phone number, even if the defendant's PIN was not used (it might have been swapped). As with all evidence, be sure to disclose jail calls and intercepted mail quickly.

If the victim is unavailable for trial due to the actions of the defendant, the victim's statements may still be admissible. The doctrine of "forfeiture by wrongdoing," under which the defendant forfeits the constitutional right to confront an accuser, is beyond the scope of the *Protocol Guidelines*. Helpful information on the topic is available from AEquitas: The Prosecutor's Resource on Violence Against Women.<sup>14</sup>

e. Defense Access to Victim Records

Given that consent is not a defense to a sex trafficking charge, it is very rare that a victim's confidential medical, school, or juvenile court records will be relevant to the case. (Note that in general juvenile adjudications may not be used for impeachment of credibility.)<sup>15</sup> In

13 18 U.S.C. § 3509(m).

14 [www.aequitasresource.org](http://www.aequitasresource.org).

15 Minn. R. Crim. P. 609(d); *State v. Spann*, 574 N.W.2d 47, 52 (Minn. 1998) (requiring "a specific challenge to a juvenile's credibility demonstrating a clear motive to falsify testimony").



most situations, prosecutors should strongly resist defense requests for such records. **Legal Representation** contains helpful background and arguments.

Because trafficking victims frequently recant or become uncooperative, the prosecutor on the case should take particular caution to avoid becoming a fact witness. If possible, never talk with the victim alone; always have someone else present who could serve as a witness, if the victim were to make a statement about the facts of the case. (Note that this witness should not be an advocate, whether community-based or system-based.) Make note of all of your office's contact with the victim, so that later false accusations can be disproved.

## 5. Pre-Trial

### a. Victim Contact & Support

The biggest challenge in preparing for trial on a trafficking case is being in contact with and supporting the victim/survivor. This is a process for the long haul, and it is not one in which the prosecutor should play a central role. Draw on the help of victim/witness advocates (if your office has any), community-based advocates, law enforcement, Safe Harbor Regional Navigators, etc. Again, build those relationships early (see "Preparation" above). If your jurisdiction has formed an interagency coordination team (see **Working as a Team**), meet with it regularly. Ideally, the victim/survivor will be given a single, trusted point of contact for all needs.

To the extent that you can, and certainly recognizing the power differential in the relationship, treat the victim/survivor as a partner on the case. Inform the victim as to what to expect at each stage. Be careful not to commit to outcomes—don't make promises that you can't keep—but be open about what will happen and when, as far as you know. Build trust. That said, tread cautiously with the number of meetings between the prosecutor and victim. Evidence of multiple meetings with the prosecutor makes for ideal defense cross-examination material.

### b. Motions

As with CSC and domestic abuse cases, you should generally resist requests for continuances. As tempting as it may be to have plenty of time to prepare for trial, delay is an enemy in this kind of case. Over time, you will lose contact with victims, and they will lose interest in the case.

Get the case to trial as quickly as possible. In fact, if delays crop up, you might consider filing a speedy trial request yourself.

A sample set of pre-trial motions, including Jury Instruction Guides (JIGs), can be obtained from the Ramsey County Attorney's Office.

## 6. Trial

### a. Assisting the Victim in Preparing for Trial

A victim-centered approach should continue from the beginning of the investigation through trial. Just as you would for any case of domestic or sexual assault, show the victim the courtroom and explain the process well before the start of trial. Allow plenty of time for victims to talk through the process and ask questions—everything from what to wear to whom to look at if they get nervous. Help them understand potential areas of cross-examination to further ease their anxiety about testifying.

### b. Jury Selection

Because of the complexity of trafficking cases, a hybrid method, including both a questionnaire and panel voir dire, is recommended for jury selection. A template questionnaire is available from the Ramsey County Attorney's Office. Weeding out those who are at risk for re-victimization or biased for or against the state can be best accomplished without tainting the entire jury pool by using a questionnaire, followed by limited individual questioning on sensitive areas noted. This is then followed by panel voir dire for a more generalized discussion and gaining a better sense of juror interactions. This process may seem arduous on its face, but in practice it streamlines jury selection.

### c. Uncooperative or Absent Victims

Given the nature of exploitation, and for the reasons provided in ***Dynamics of Sexual Exploitation*** and ***Working with Sexually Exploited Youth***, it is very common for victims to be uncooperative with the prosecution at some point, perhaps even recanting or being absent altogether. This is normal and understandable, and it need not be a bar to a successful prosecution. Many of the methods used to address these challenges in other cases of domestic or sexual violence—for example, the use of expert witnesses (see the next section) can be applied in these

cases as well.

In general, it is better to have the victim testify at trial rather than not testify, no matter the resulting testimony. Jurors will want to see the victim and will be suspicious of the prosecution if the victim does not appear.<sup>16</sup> If the victim does not testify, be sure to call a law enforcement witness as to the steps taken to get the victim to testify. Make clear to the jury that the lack of testimony was not due to any action by the state.

Whether the victim testifies or not, again the focus of the case should not be the victim's testimony. Rather, most of the case should consist of evidence that supports the victim's statements or otherwise explains what happened. The investigator should have gathered much corroborating evidence. This can include evidence with clear relevance, such as online ads, phone dumps, and jail calls, in addition of course to the victim's statements to medical providers and frontline responders. But it should also include evidence with less obvious relevance that can *support* the victim's statements: the credit card receipt from the restaurant where the trafficker took the victim, or a diagram of the house where they stayed. See "Preparing the Case for Charging Review" and "The Importance of Corroboration" in ***Law Enforcement***.

#### d. Expert Witnesses

Trafficking is a deeply unfamiliar subject to most system professionals, much less jurors. Expert testimony that makes this topic more familiar and understandable can be very important.

There are generally two categories of such testimony in trafficking cases: (1) *typical dynamics of trafficking*—how it works, how victims are recruited and controlled, etc.;<sup>17</sup> and (2) *counterintuitive behavior* typically exhibited by the trafficking victim—nondisclosure, noncooperation, recantation, unexpected responses to traumatic events, hostility toward law enforcement and the courts, etc.<sup>18</sup> There is an obvious connection between the two categories—the reason that victims act in

16 The defense may argue that the State cannot call the victim as a witness if the victim has recanted before trial, claiming that a party cannot call a witness solely for the purpose of impeachment. But it is impossible to know in advance of trial whether the victim will stay with the recantation or revert to the original statement; there is nothing wrong in calling the victim in the hope and expectation that the victim will revert to the original statement. Moreover, even a recanting victim will often provide at least some supportive testimony; impeachment is not the *sole* purpose for introducing the testimony (e.g. the testimony can provide corroboration that the victim knew the accused and other members of the operation, had a specific cell phone number, contacted the trafficker at a specific location or via a specific cell phone number, etc.).

17 See, e.g., *State v. Carter*, Minn. Ct. App., 2007 WL 582903 (Feb. 27, 2007) (unpub.) (expert testimony by police sergeant about "typical" operations of a prostitution ring).

18 Cf. *State v. Obeta*, 796 N.W.2d 282, 293 (2011) (sexual violence); *State v. Grecinger*, 569 N.W.2d 189, 192-93 (Minn. 1997) (domestic violence).

counterintuitive ways is tied deeply to the ways that they are identified, recruited, and controlled. For whatever reason, some judges are more comfortable with the first category than the second. But either can be quite powerful.

Note that this is different than the expert testimony that might appear in, say, an arson case. The expert in a trafficking case is not rendering an “opinion” on disputed facts. Rather, the expert is providing general information—drawn from the expert’s “knowledge, skill, experience, training, or education”—which may “assist the trier of fact to understand the evidence or to determine a fact in issue.”<sup>19</sup> This knowledge need not come from formal training but may be acquired through substantial occupational experience—such as by working as an advocate, police officer or medical professional.<sup>20</sup> Ideally, the expert witness should have no knowledge about the case; this is not a requirement under the rules but will add to the expert’s credibility with the jury. (Of course, the expert should have no relationship with the victim—such as having served as an advocate for the victim—for reasons both of confidentiality and of credibility.)

Consider from the very beginning of the case how to help the jury understand better the dynamics of trafficking and the experience of the victim. In many cases, it may make sense to call the expert as the first witness, to help “set the stage” for all that follows. Similarly, think of every witness who follows—the officers, the victim’s family, and especially the victim—as an “expert” as well, who can help continue to build the jury’s understanding. For example, the investigator on the case can talk about the signs that the investigator looks for to identify trafficking—testimony that can help the jury to start thinking similarly.

A sample motion to support the admission of expert testimony is available from the Ramsey County Attorney’s Office.

#### e. Other-Acts Evidence

Because traffickers often have multiple victims over many years, other-crimes evidence may be admissible more commonly than in other cases. For example, evidence that the defendant trafficked a prior victim may satisfy several *Spriggl* factors, such as intent, knowledge, absence of mistake or accident, or the existence of a common scheme or plan.<sup>21</sup> Evidence that the defendant committed violence against a charged

19 Minn. R. Evid. 702.

20 *Hueper v. Goodrich*, 263 N.W.2d 408, 411 (Minn. 1978).

21 Minn. R. Evid. 404(b); *State v. Ness*, 707 N.W.2d 676, 685 (Minn. 2006).

victim may constitute immediate-acts evidence.<sup>22</sup> A good discussion of these doctrines in the context of a trafficking case is in *State v. Washington-Davis*.<sup>23</sup>

In addition, because many traffickers end up living or otherwise being in a “significant romantic or sexual relationship” with their victims, many frequently qualify as a “family or household member” of the victim.<sup>24</sup> If so, the special evidence techniques that are typically used with domestic crimes are available in trafficking cases as well. These include the history-of-the-relationship doctrine<sup>25</sup> and Minn. Stat. § 634.20. These evidentiary pathways can be very favorable for the State; under § 634.20, for example, evidence of past “domestic conduct” by the defendant is admissible unless the probative value is *substantially* outweighed by the dangers of confusion, prejudice, etc.—a high standard. Note that this encompasses domestic conduct by the defendant against household or family members other than the victim as well, making it potentially a powerful tool.

#### f. Cross-Examination of Defendant

Narcissistic, confident in their “gift of gab,” and accustomed to control, trafficking defendants are often eager to testify. Be prepared for this before trial. Be sure to pull jail calls and correspondence—an excellent window into the defendant’s mindset. Otherwise, the usual rules of cross-examination apply: get concessions early and then move to pointing out inconsistencies.

### 7. Case Resolution

Perhaps because of the frequently long sentences at stake and the personalities of the defendants, trafficking cases seem less likely than many other criminal cases to resolve short of trial.

#### a. Pleas & Offers

Other than the question of victim-defendants (see “Charging” above),

<sup>22</sup> See *State v. Riddley*, 776 N.W.2d 419, 425 (Minn. 2009) (immediate-acts doctrine).

<sup>23</sup> 867 N.W.2d 222 (Minn. Ct. App. 2015), *aff’d*, 881 N.W.2d 531 (Minn. 2016).

<sup>24</sup> See Minn. Stat. § 518B.01, subd 2(b) (defining “family or household member” for purpose of domestic assault laws).

<sup>25</sup> *State v. Volstad*, 287 N.W.2d 660, 662 (Minn. 1980) (purpose of “history-of-relationship” evidence is to illuminate the relationship and place the incident in its proper context).

the issues in making offers to resolve trafficking cases are similar to those of other cases. As in other cases, prosecutors will need to consider the likelihood of success at trial, the value of sparing the victim from having to testify, the relative value of one sentence over another, and much more.

Most traffickers have more victims than an initial investigation will uncover, and many of these will come forward once the initial charge is publicized. One benefit to the defendant of a quick resolution, therefore, is avoiding the possibility that the charges will be expanded to encompass more victims. Federal charges may also be possible. Especially if the case involves aggravating factors as well, a straight plea on the current charges may well be a good offer.

b. Aggravating Factors

Trafficking cases often involve factors that may lead to longer sentences. Some of these factors are specified in the trafficking statute. These “enhancing factors” shift up the sentencing grid, resulting in a longer guidelines sentence than would otherwise be the case. They must be raised at the time of charging and so are discussed in the “Charging” section.

Other factors may be used to depart above the relevant box in the sentencing guidelines. They can be raised after charging, though notice must be provided before trial.<sup>26</sup> The upward departure factors that may be relevant in a trafficking case include vulnerability of the victim due to reduced mental capacity, mental illness, size differential with the defendant, or the presence of a child; particular cruelty in the manner of the offense; active participation of three or more perpetrators; and more. A template “Notice of Intent to Seek Aggravated Sentence,” with full cites on the above factors, is available from the Ramsey County Attorney’s Office.

Still, note that guidelines sentences for trafficking are already very long. An upward-departure sentence may not be necessary or appropriate even in some cases where it could be legally justified.

26 Minn. R. Crim. P. 7.03 (requirements for notice of intent to seek aggravated sentence).

### c. Sentencing

In addition to encouraging the victim to provide an impact statement at sentencing, consider asking a community group or advocacy organization to do so as well. Such impact statements can make a major difference to judges, giving them a sense as to the real harm caused by the defendant. This is especially important for a sentencing that follows a guilty plea, as the judge will not be as familiar with the case.

Note that sentencing can be a key moment in the partnership between prosecution and community-based advocates, especially with respect to victim-defendants. (See “Victim-defendants” above.) An advocate may, with the consent of the victim-defendant, submit information to the court on how the victim-defendant’s exploitation may have contributed to the victim-defendant’s conduct in the case. See ***Advocacy & Outreach*** (“Criminal Justice Advocacy”). It is not uncommon for a court to take this information into consideration at sentencing or (with juvenile victim-defendants) when making placement decisions. See ***Judicial*** (“Considerations for Criminal Court”). Though your office may take a contrary position, again, such a disagreement need not derail your longer-term partnership with advocates. See ***Working as a Team*** (“Example: Law Enforcement/Advocacy Relationship”).

## 8. Prosecuting Buyers

Prosecuting buyers of sex—whether their victims are underage or not—sends the message that prostitution is exploitation and that the community will not tolerate it. Reducing demand is the only long-term, sustainable way to combat this epidemic.

The purchase of sex from anyone under 18 is a felony under state law. The younger the victim, the higher the penalty. An adult undercover officer may be used.<sup>27</sup> However, the buyer may be still be charged with a felony if the complaint alleges an attempt to violate the statute. Registration as a predatory offender is required.<sup>28</sup> Solicitation of a child (15 or younger) may also be a viable alternative charge and mandates registration.<sup>29</sup>

The purchase of sex from an adult is a felony only if the purchase occurs within 300 feet (or one block) of a school or park. Otherwise it is a

27 Minn. Stat. § 609.324, subd. 1.

28 § § 243.166, subd. 1b(a)(2).

29 § § 609.352 (crime), 243.166, subd. 1b(a)(2) (predatory offender registration). This statute does not require an actual child and only requires that the buyer had a reasonable belief that the person was 15 years or younger.

gross misdemeanor—if it occurs in a “public place” such as a hotel room, vehicle, or massage parlor—or a misdemeanor.<sup>30</sup> Gross misdemeanor and misdemeanor offenses of prostitution carry significant mandatory minimum fines and penalty assessments. Some jurisdictions offer diversion for buyers, while others do not.

Consent and mistake as to age are not defenses to prostitution crimes.<sup>31</sup> This point is often lost by defendants, who believe they can simply come in and claim they believed the victim was 18 or older. This can be a powerful tool to help resolve cases. Entrapment is often raised by defense attorneys but is rarely successful. Still, note that evidence sufficiency can be challenging.<sup>32</sup>

Buyers may also be chargeable as “sex traffickers” under federal law, which includes in the definition of a “trafficker” anyone one who “recruits, entices, harbors, transports, provides, obtains, advertises, maintains, patronizes, or solicits” a minor (or an adult, where force, fraud, or coercion are used) to commit a commercial sex act.<sup>33</sup>

## 9. Juvenile Prosecution

Under the Safe Harbor law, the offense of prostitution has been removed from the delinquency code; youth may not be charged with selling or trading sex. But youth may well commit other offenses, such as shoplifting or possession of drugs in the course of being sexually exploited. They may also give false information to police, and they may assault officers in the course of resisting arrest. Prosecutors should develop guidelines setting forth the circumstances under which such charges would be brought if ever. Such guidelines should be developed with the input of agency partners, both system- and community-based. Though prosecutors retain discretion in what can be difficult situations, developing guidelines in advance will help ensure that that discretion is exercised equitably.

Prosecutors should also consider other avenues of intervention available for youth who are being sexually exploited or trafficked. Victims of sex trafficking meet the legal definition of Children in Need of Protection

30 §§ 609.324, subd. 2, 3 (general penalties for “patrons”); 609.3242 (school or park zones).

31 § 609.325, subd. 3.

32 See *State v. Trebtoske*, 2014 WL 1660677 (Minn. App. 2014) (unpub.) (sufficient evidence to prove agreement or offer to engage in sex); *State v. Wilensky*, 2016 WL 3223109 (Minn. App. 2016) (insufficient evidence).

33 18 U.S.C. § 1591. See also *U.S. v. Jungers*, 702 F.3d 1066, 1075 (8th Cir. 2013) (buyers charged as traffickers, in that they “obtained” minor victim for sex).



or Services. (See **Child Welfare**.) They should not be charged with committing a delinquent act if the sole purpose is to provide services or to ensure cooperation with a criminal prosecution.

There may be times, however, when the child's delinquent behavior requires a juvenile justice response. When this is the case, a multi-disciplinary approach, in particular, a "cross-over" or "dual-jurisdiction" model approach, is strongly recommended.<sup>35</sup> The term "cross-over youth" refers to those youth who "cross over" from either the child protection system into the delinquency system or from the delinquency system into the child protection system.<sup>36</sup> "Dual-jurisdiction youth" are those who are simultaneously involved in both the child protection and delinquency systems.<sup>37</sup> For sexually exploited youth, it is imperative that both systems work together to address the youth's behavior and needs.

- 34 Minn. Stat. § 260C.007, subd. 31 (definition of sexually exploited youth). See also Stat. § 260C.007, subd. 2(i) (victim of physical or sexual abuse by person responsible for child's care), 3 (lacking the necessary food, clothing or shelter, because child's parent is unwilling/unable to provide that care), 4 (lacking necessary special care needed for physical, mental or emotional condition) 9 (child's behavior, condition or environment is injurious or dangerous to child or others) 11 (sexually exploited youth), 23 (runaway).
- 35 Center for Juvenile Justice Reform, Georgetown University, <http://cjjr.georgetown.edu/our-work/crossover-youth-practice-model/>.
- 36 *Id.*
- 37 John Petro, *Juvenile Justice and Child Welfare Agencies: Collaborating to Serve Dual Jurisdiction Youth Survey Report*, Child Welfare League of America (<http://66.227.70.18/programs/juvenilejustice/jjsurveyreport.pdf>).

# Discipline Chapter Legal Representation

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Under the Safe Harbor/No Wrong Door services model, one of the most important referrals is to an attorney who will represent sexually exploited youth. While there are still relatively few attorneys who focus on youth, the state has taken steps to improve legal access and increase representation through specially funded agencies, pro bono legal programs, professional trainings, and technical support. Youth-serving organizations and attorneys can also partner to improve access to legal services by streamlining their referral process and creating accessible opportunities for sexually exploited youth to obtain legal advice and representation, as well as access to educational resources that can help them understand their rights in a variety of settings.

Sexually exploited youth encounter a wide variety of legal issues. Because of the nature and dynamics of sexual exploitation, many sexually exploited youth may also have pending *delinquency/criminal or child protection cases*. In addition, a sexually exploited youth will have an array of *civil legal needs*, including:

- housing;
- family law (custody, paternity, designation of parental authority);
- Orders for Protection and Harassment Restraining Orders;
- access to benefits;
- immigration relief
- access to government documents
- disability protections, including access and accommodations;
- discrimination;
- name change;
- credit issues;
- access to education;
- bullying and harassment;
- access to sexual and reproductive health services;
- expungement of juvenile delinquency records or conviction records resulting from victimization;
- powers of attorney;
- confidentiality rights;
- access to medical care under minor consent laws;
- rights under the Homeless Youth Act; and
- civil rights violations that may occur when held in detention or residential facilities.

Sometimes a youth may not believe an issue has legal consequences until the youth learns more from you. When a youth is

seeking out help, you may find it helpful to conduct a “holistic” legal check-up to uncover all of the possible issues that could require a legal response.

Because sexually exploited youth will rarely self-identify (whether because they are unaware that what they have experienced is exploitation, or for various reasons, are unwilling to disclose their exploitation), it falls on systems professionals to be alert to possible red flags and risk factors and to integrate a trauma-informed approach when working with all youth. (See “Identifying Exploitation” and “Why Don’t They Leave?” in *Dynamics of Sexual Exploitation*, as well as *Working with Sexually Exploited Youth*.) Youth whose past experiences with the legal system have been traumatic may deliberately hide their exploitation in order to avoid becoming system-involved.

When you suspect that a youth client has been sexually exploited, remember that they may not act like you would expect a victim to act and they may not even see themselves as a victim. This is normal and should not discourage you from representing this youth. If you do not usually work with this population, do not be afraid to ask for additional help in managing a client. You are meeting a need that may not otherwise be met, and there are resources available to you. However, these cases may not be for everyone. If you do not feel equipped to handle the challenges that come with serving trauma-affected clients, access your resources and make every effort to find an appropriate referral.

## 1. Trauma-Informed Legal Representation

Youth in general often need help understanding what you as an attorney can offer and the significance and limitations of the attorney-client relationship. For sexually exploited youth especially, establishing trust is critical and can be especially challenging if the youth’s previous experiences with the legal system were negative and traumatic. Youth who have experienced trauma may have difficulty remembering details, keeping track of timelines, showing up for appointments, or controlling their anger. They may lie and try to manipulate the situation until they feel more settled. They may see you as a potential customer or take out their frustrations on those individuals who are trying to help them. The important thing to remember is that these behaviors are all part of the normal trauma response. (See “Being Trauma-Informed” in *Working with Sexually Exploited Youth*.) Even though it can be unpleasant, it may also be a sign of trust that the youth feels safe enough to express themselves in this way towards you.

Take the time at the very beginning of the relationship to help sexually exploited youth understand the scope of representation, as well as the confidentiality protections that exist within the client-attorney relationship (for example, private attorneys are not mandated reporters of child maltreatment). This can help to build a solid foundation of trust. At the onset of the first meeting, whether in person or through electronic means, it is important to let youth know that they are in control of the meeting. They can choose what they share and how much they are comfortable disclosing. They do not have to answer every question asked and can decline to answer a question or end the meeting at any time. It is also important to manage expectations so that youth understand that an attorney does not do the same things as an advocate, case worker, counselor, or other supportive services provider. On the other hand, there may be times when you—with the client’s consent—will be coordinating with these other professionals in order to best meet their legal needs. Be extra clear about the attorney-client relationship and your ethical obligations so that youth understand, for example, that providing transportation to the youth may not be allowed and that you cannot give the youth money or other resources.

Providing legal services to sexually exploited youth can also present practical challenges, compared to adults or youth who have not been exploited. For example, youth who are homeless, having trouble accessing transportation, or struggling with other issues related to their day-to-day survival may find it difficult to keep appointments and follow through on requests. Phone calls may be difficult if someone else is monitoring the youth’s phone access or if the youth doesn’t have a phone. Do not let these factors deter you from taking on a client who has been sexually exploited. You can strengthen your relationship with them by making simple accommodations during representation, such as multiple chances to keep appointments and coordinating with advocacy as well as offering more follow-up than you might in other cases and finding out what happened that kept them from a meeting or phone call.

In addition to having a basic understanding about working with youth clients in general, you should also be familiar with the basics of working with a client who has been sexually exploited. See ***Working with Sexually Exploited Youth*** (“Being Victim-Centered” and “Being Youth-Centered”) for practical tips on how to do this.

The following are some practical steps for ensuring that representation is trauma-informed, as well as victim-centered and based in positive youth development:

- **Safety:** Safety is a priority issue for sexually exploited youth, and you should take steps to ensure that your client’s safety is not inadvertently jeopardized during representation. Working out a communications safety plan should be part of the intake process. Also, a youth who is homeless may not have an address or even a post office box. Establish who can be trusted to receive correspondence on behalf of the youth, such as an advocacy organization, friend, or relative. Benefits-related mail can be directed toward “General Delivery.”
- **Communication:** Set expectations regarding communication. For example, is it acceptable for youth to contact you after regular business hours? Sexually exploited youth may also respond best to texting, which can be an effective form of contact with most youth these days. Texting, however, can also raise additional safety and confidentiality questions, particularly if the phone does not belong to the youth or if others have ready access to it. Some conversations may have to be deferred until an in-person meeting. If your office is not accessible for the youth, due to transportation issues or other barriers, then try to find other safe and convenient locations for discussion, such as an advocacy agency, a public library or the youth’s school. When meeting for the first time, avoid formal attire unless it is in court or a formal setting.
- **Avoiding triggers:** Work with the youth to identify potential points in representation that could be triggering, reminding the youth about a particularly painful event in the youth’s personal history. Build your skills in crisis communication and active listening, as well as motivational interviewing techniques, to help the youth set positive goals. Stay calm and nonreactive, and respond with empathy. Information in *Working with Sexually Exploited Youth, Advocacy & Outreach*, and *Shelter and Housing* may be helpful.
- **Cultural considerations:** Cultural considerations can also affect a youth’s legal needs. For example, a transgender youth may need assistance with a name change to gain legal recognition of the youth’s preferred gender identity. Youth from other countries may have immigration needs (see “Immigration Law” below) and require access to language interpretation. Youth with disabilities may need accommodations in their legal

representation as well as through the legal remedies they are seeking. Discrimination based on race or age may also play a role in the legal issues confronting the youth. You will need to keep cultural considerations in the forefront along with the legal concerns. For practical tips on incorporating cultural considerations into your work, see ***Cultural Considerations***.

- **Expert witnesses:** As previously mentioned, lying is a normal behavior for a youth who has experienced trauma. Assume nothing and sift out what does and does not seem credible while pulling together a case. If you sense that this could be an ongoing issue and potentially impact the case, consider working with an expert witness to talk about victim behaviors in the course of a legal proceeding.
- **Termination:** Sexually exploited youth may not understand that the attorney-client relationship ends after the legal matter has been resolved or if you are unable to serve the client any longer. For youth who have dealt with abandonment issues in their lives, this change can be difficult and may feel like a betrayal. Address the possibility of termination early in the relationship, and assure them that this is a normal part of legal representation. Give youth clients fair warning about what actions will result in termination, being sure to take into account the youth's circumstances (for example, a single missed meeting should not be enough to terminate representation). Offer to continue to be a resource.

### **Helping Parents Understand the Attorney's Role**

Some parents have a difficult time understanding that an attorney has confidential information about the youth that cannot be shared without the young person's consent. Parents may erroneously believe that they have a right to any information that has to do with their child. Explain limitations on sharing information to a parent who is calling with inquiries. Remind them that the youth, as the client, is the one you can talk to and that the youth controls who has access to their confidential communications and information. In addition, the youth needs

to understand that confidentiality protections will not apply if a parent or any third party is part of the conversation.

Some parents “pop up” when the youth becomes involved in the legal system. A parent may not have been present in the young person’s life before or may be the source of abuse and neglect. The youth may have run away from home because of the parent’s actions. There may even be cases in which a parent is seeking money from the youth through access to certain benefits.

So, while parents can be important allies to a youth seeking legal recourse, they may not always have the youth’s best interests in mind. As with any other representation, you need to focus on your client and ensure that they are protected and fully informed.

## 2. Privacy, Confidentiality, and the Trust Relationship

One of the most important things attorneys can do for sexually exploited youth is help them to understand their rights of privacy and confidentiality and to diligently protect these rights. Making decisions about how, when, and to whom their information is disclosed is one very critical way for these youth to exert their independence from a controlling and exploitive situation, and it can be the first step in reclaiming their sense of self-agency, as well as regaining trust in a system that will follow through in respecting their privacy.

**“I need my secrets to be kept.”<sup>1</sup>**

Confiding in someone signifies trust, and it is important for attorneys serving sexually exploited youth to remember that even when the attorney-client relationship is created, trust is not automatic. Details about the youth’s experience with exploitation may not be disclosed right away or at all, and, depending on the nature of the case, those details may not be necessary in order to provide legal representation. When details

1 Hennepin County No Wrong Door Initiative, Paula Schaefer & Associates, Sexual Violence Justice Institute at Minnesota Coalition Against Sexual Assault, Ramsey County Attorney’s Office, *Voices of Safe Harbor: Survivor & Youth Input for Minnesota’s Model Protocol on Sexual Exploitation and Sex Trafficking of Youth*, 29 (Dec. 2015), <http://www.hennepin.us/~media/hennepinus/your-government/projects-initiatives/documents/no-wrong%20door-voices.pdf?la=en> [hereinafter, *Voices*].



are disclosed, you must take care to respect the trust placed in you, and be aware of the legal, ethical, and professional guidelines around privacy and confidentiality.

### Safe at Home Program<sup>2</sup>

The Safe at Home Program is managed by the Minnesota Secretary of State's Office and provides address confidentiality for victims/survivors subjected to domestic abuse, sexual violence or stalking or who otherwise fear for their safety. While the program is for adults, families also access this program and a youth may be covered, so recognize Safe at Home as another area of confidential protection that may apply to a sexually exploited youth.

Unfortunately, despite the best of motives, systems that coordinate to provide services to youth are not always set up to provide youth with the ability to choose what happens with their information. In addition to direct representation, you can play a vital role in protecting the privacy and confidentiality of sexually exploited youth in other capacities. For example, if you provide legal assistance to third-party organizations holding confidential records (advocacy programs, health care providers, therapists, schools, etc.), you may need to address subpoenas for victim/survivor records sent in criminal and civil matters. Requests for this confidential information could come from the prosecution or defense in a criminal case or from the respondent in a protective order, family law, or other civil law matter. You may also be a part of a multidisciplinary team working directly with cases or protocol. Part of your role may be to clarify obligations around confidentiality for other team members and to speak up if the team members engage in conversations that violate the privacy and confidentiality of victims. Become familiar with the various laws related to privacy and confidentiality. Whatever your capacity as a legal professional, when you help to protect a sexually exploited youth's right to privacy and confidentiality, you are also enhancing their self-agency and trust in the legal system. Below is a chart summarizing relevant laws related to confidentiality. Further guidelines on these laws are available in the **Appendix**. Also see **Working with Sexually Exploited Youth** ("Confidentiality & Reporting") for tips on working with youth in a confidential manner.

<sup>2</sup> Safe at Home, Minnesota's Address Confidentiality Program, Office of the Minnesota Secretary of State, <http://www.sos.state.mn.us/safe-at-home/about-safe-at-home/>.

Type	To Whom It Applies	The Basics
Statutory privilege	Non-profit and community-based agencies, social workers, attorneys, health care providers, clergy and others	Only victim/survivor may grant sharing of information, does not apply when a third party is present. Non-voluntary disclosure in cases of mandated reporting or court order.
Minnesota Government Data Practices Act	Government-based agencies and organizations receiving grant funding from state agencies	Information designated as confidential or non-public cannot be disclosed without victim/survivor consent.
Contractual obligations	Organizations receiving grant funding from certain government agencies	Same as above.
Health Insurance Portability and Accountability Act (HIPAA)	Covered entities including healthcare providers	See <b>Health Care</b> .
Discovery	Prosecutors, other attorneys, law enforcement	Discovery obligations are outlined in criminal and civil rules of procedure as well as case law. Victim/survivor information may be shared pursuant to discovery rules.

### 3. Criminal & Juvenile Justice Cases

The Safe Harbor law protects youth from adjudication related to prostitution, but sexually exploited youth may be in juvenile court for other delinquency charges related to their exploitation. Because of this, public defenders and defense attorneys are in a unique position to identify sexually exploited youth. If you are a public defender or defense attorney who works with juveniles, you play an important role in ensuring that sexually exploited youth do not get lost in, or even re-victimized by, the criminal or juvenile justice system.

When a client is identified as a sexually exploited youth, take the time to learn the circumstances under which the client has entered the criminal or juvenile justice system. This does not mean forcing a youth to go into detail about their exploitation, which can be unnecessarily re-traumatizing. But, knowing how the youth has been victimized, at what age, and by whom can help you be an even stronger advocate on behalf of your client's needs.

Depending on the information received during the course of representation, you may also learn about issues beyond the criminal charge that affect the youth. For example, it is likely that sexually exploited youth will be dealing with a host of issues including alcohol/chemical use, mental health issues, abuse, neglect, sexual assault, dating violence, homelessness, disabilities, discrimination based on sexual orientation or gender identity, pregnancy and parenting, and behavioral issues related to trauma experiences. While this information may not directly relate to the case at hand, fully understanding will assist you in educating the court, influencing the outcome of the case, and ensuring that youth have access to the support and services they need. See **Judicial** ("Considerations for Criminal Court") and **Prosecution**.

**"Don't push too much. If they don't know how to share yet don't try to get a lot out of them."<sup>3</sup>**

Youth may also be involved in the exploitation of other youth as a result of their own exploitation. They may contribute to the operation, recruit, or even commit violence against other victims. It is important to educate the court as much as possible about the dynamics of sexual exploitation, so that the judge can take into consideration the circumstances and relative culpability of the youth at sentencing. See

3 *Voices, supra* note 1, at 28.

***Dynamics of Sexual Exploitation*** (“Bottoms & Historical Victims”) for more discussion about this issue.

Be prepared for youth who do not see themselves as victims and who may resist being portrayed as such. Probe for the reasons behind this perception to find out whether the resistance comes from a place of fear or lack of education about the impact of certain harms in their lives. Help the youth understand how information about their exploitation may influence the way the court rules, but respect their voice. In your conversations with youth and in court, it may help to use language that refers to the exploitation that has occurred, rather than language that labels the youth.

The following are additional tips and considerations to assist you during the course of your representation:

- **Building rapport and trust:** Building trust and rapport can be particularly difficult during the short period of a time you have to interact with a youth on a criminal or juvenile justice case, especially when they are worried about getting “in trouble.” Be transparent and realistic about why you are asking for certain types of information, including what family members and caseworkers may say about the youth in court. Remind the youth that everything they tell you is privileged, and that you will only use it to support their case, and if they have consented. Explain that it is better if you have all the necessary details in order to provide the best possible representation.
- **Initial screening and intake:** Details to uncover in client screening include who the youth has relationships with, who is showing up in the courtroom, who they fear, who they are hesitant to talk about, who is living in their house, whether they live in a shelter or a staffed residence or are homeless, who they talk to when they have an issue, who is visiting them, who is causing them distress, and whether they have any outstanding warrants that may need to be addressed. This information may assist with planning a trauma-informed affirmative defense or explaining mitigating factors to the court that can show how victimization influenced the young person’s actions that may range from drug use to theft, assault, burglary, and fraud. This information may also apply in Child in Need of Protective Services (CHIPS) cases involving absences such as truancy and running away.

- **Using experts and advocates:** Safe Harbor Regional Navigators and other advocates working with the sexually exploited youth can be helpful in preparing the youth for court, coordinating transportation, and meeting other physical and emotional needs through the course of their case. If you believe that coordinating with an advocate will help your case and best serve the needs of your client, and if the youth is willing, have the youth sign a release so that advocates can talk with you.

Advocates can also be used as expert witnesses (provided that they do not work directly with the youth in order to protect the youth's confidential information) or provide letters of support. They can talk generally about victim behavior. Advocates play a unique role in educating the criminal justice system about sexual exploitation, and sometimes their statements can sway the court's decision regarding adjudication, sentencing, or placement of the youth. (See **Advocacy & Outreach** and **Working as a Team**.)

- **Collateral consequences:** Collateral consequences of an adjudication or conviction is a concern for all young people, but particularly with sexually exploited youth. Any barrier to moving away from "the life" could prove especially discouraging to the youth and even sends a message that they have no option but to continue "in the life" as an adult. If a 16 or 17 year-old is charged with a felony, for example, the records are public regardless of the case outcome. Some stays remain on the record, and employers do not always understand what that really means. There may also be immigration consequences for undocumented or non-citizen youth, as outlined in "Immigration Cases" below.

Additional collateral consequences include negative impacts on housing, school access, college admission, credit, access to certain loans and government assistance, ability to join the military, and ability to work in certain professions. An adjudication or conviction also affects a young person's ability to get a plea deal or seek diversion in future cases. Knowing the youth's circumstances as a victim could play a very important role in avoiding collateral consequences. If the adjudication or conviction can't be avoided, however, the youth may have

an option for expungement of records in the future. (See “Civil Cases” below.)

- **Gender identity and sexual orientation:** There is a growing concern among attorneys who represent youth about the disparate systemic treatment by gender of youth who are victims of sexual exploitation. Most services are focused on youth who identify as female, and there are not as many options available for those who identify as male. Runaways are treated differently based on gender, with young men viewed more often as curfew breakers who can be released without supportive services while young women are more often directed toward assistance and housing. Sometimes male youth are released while female youth are either detained or sent into services to keep them safe. Gender-nonconforming youth are particularly at risk for misidentification and mistreatment by systems. LGBTQIA+ youth are particularly marginalized within the legal system due to lack of specific supportive services, and much work needs to be done for courts to understand the intersections between their specific needs and connections with exploitation.

#### 4. Civil Cases

Sexually exploited youth face a wide variety of civil legal issues, which can impact their ability to get out of “the life.” Sometimes, the youth is experiencing collateral consequences as a result of a past criminal or juvenile justice case. At other times, a youth may simply need legal assistance to avoid further exploitation, abuse, or discrimination. When assisting sexually exploited youth with civil legal matters, keep in mind the basics of using a trauma-informed, strengths-based approach to services.

The following are some common civil legal needs that sexually exploited youth face:

- **Protective orders:** Safety issues are a high priority for sexually exploited youth. They may need assistance obtaining an order for protection or harassment restraining order against exploiters. Depending on their age and circumstances, youth

may need to have an adult file on their behalf, though there are instances in which youth can file on their own.<sup>4</sup>

Filing a protective order can be a challenging process for some youth because of the court process and seeing the person against whom the order is filed in the courtroom. If a youth will be filing for a protective order, coordination with advocacy and potentially law enforcement and prosecution (if there is a criminal investigation) may be necessary. Note that what a victim says during an order for protection proceeding may be used in a criminal proceeding; however, what a respondent says may not be used against the respondent as a defendant in a criminal proceeding.<sup>5</sup> This possibility may be a deterrent to obtaining an order for protection for a youth who is in danger or if the youth is facing criminal charges, but safety should always be the paramount consideration.

- **Expungements:** Sexually exploited youth may be eligible for an expungement of their criminal or juvenile records, particularly if their charges were a result of their exploitation. Attorneys can utilize a provision in Minnesota’s expungement statute by demonstrating a nexus between the crime and the victimization.<sup>6</sup>
- **Family and independence:** There are many questions about the independence of a youth. Minnesota does not have a formal “emancipation” process, but youth who are older and living on their own may be treated differently under the law (i.e., have more rights to make decisions for themselves) than if they are living at home or within the foster care system.<sup>7</sup> Whether or not a youth is independent is a case-by-case determination.

Family law issues arise in different forms. Perhaps the youth no longer wants to live with a parent and wants another family member to assume custody. The youth may be pregnant or have a child, and paternity, custody, and/or child support matters may need to be determined. Within the context of

4 Minn. Stat. § 518B, subd. 4(a) (who may petition for relief).

5 *Id.* at subd. 15 (admissibility of testimony in a criminal proceeding).

6 § 609A.03, subd. 6a (nexus between criminal record to be expunged and person’s status as a crime victim).

7 See Emancipation fact sheet, <http://www.lawhelpmn.org/files/1765CC5E-1EC9-4FC4-65EC-957272D8A04E/attachments/142FAC1B-D276-4E40-97D4-9662A7B0DE56/y-12-emancipation.pdf>.

sexual exploitation, the exploiter may be depriving the youth of parental rights or using the child as leverage to keep the youth involved. The exploiter may be the other parent, which creates a long-term relationship that is difficult to break without a proceeding to terminate the parental rights of the exploiter.

Parenting issues may spill over into the child protection arena if it is determined that the sexually exploited youth is having trouble caring for the child or that the child is in danger. Young parents may be at risk for losing parental rights of their children. Issues around whether the child was conceived in the course of a sexual assault must also be considered, and child support waivers for good cause can be pursued if the county's pursuit of support will put the victim/survivor as custodial parent in danger.<sup>8</sup>

- **Housing and homelessness:** Legal issues around housing can be particularly challenging. There are no age discrimination laws to protect youth in the housing realm. An independent youth may be able to get a letter from an attorney or have parents sign a letter declaring the youth's independence in order to help a landlord feel more comfortable renting to a young person. Other housing-related issues may come up when a sexually exploited youth is barred from special services housing, shelter, or residential care for behavioral issues. Youth may need legal advocacy to either help them return under new terms or to find other options that will not hold past infractions against them.

Ensure that a sexually exploited youth experiencing homelessness has access to education, as required under the McKinney-Vento Act. **Housing** and **Schools** contain more information about these requirements. Additional school issues may include discrimination based on disability, sexual orientation or gender identity, issues around bullying or sexual harassment, and access to special education.

- **Benefits and identification:** Youth are eligible to receive certain benefits including food stamps, social security, and Medical

8 See Minnesota Department of Human Services, Child Support Good Cause Exemptions, [http://www.dhs.state.mn.us/main/idcplg?IdcService=GET\\_DYNAMIC\\_CONVERSION&RevisionSelectionMethod=LatestReleased&dDocName=cm\\_00122106](http://www.dhs.state.mn.us/main/idcplg?IdcService=GET_DYNAMIC_CONVERSION&RevisionSelectionMethod=LatestReleased&dDocName=cm_00122106).



Assistance. Youth with children are also eligible to receive payments from the Minnesota Family Investment Program (MFIP). One legal concern is the question of who is managing these benefits as a representative payee for the youth. In some instances, the person who is exploiting the youth has access to these funds, and the youth may never see the money.

Sexually exploited youth, like many homeless and system-engaged youth, are also particularly vulnerable to identity theft that can have damaging impacts on their credit before they ever have access to using it. Consider getting a credit check for the youth to better assess the youth's options. (The Minnesota Department of Human Services is required by federal law to conduct credit checks for youth age 14 and over in foster care.<sup>9</sup>) You may need to get involved to work with financial institutions, creditors, credit reporting agencies, and debt collectors to repair the youth's credit history and any associated legal issues resulting from the financial aspects of victimization.

In a related situation, youth may not have any official identification to help them access benefits or to change who controls their benefits. Identity theft may also be present in this case. Attorneys and advocates working together can assist youth in getting a social security card, getting fees waived for state identification if homeless, and obtaining a birth certificate. Setting up a power of attorney can also help with managing funds and protecting identification. Identity theft issues may also come up if the youth has had to change their name for safety or other reasons.

## 5. Immigration Cases

Immigrant populations face significant challenges and are particularly vulnerable to sexual exploitation because exploiters may use threats of exposure as well as threats to family. This population is less likely to seek help than others because of fear of being deported or, if the youth is a United States citizen, fear that family members who lack lawful

9 Minnesota Department of Human Services, *Credit Reports for Foster Care Youth*, <https://mn.gov/dhs/people-we-serve/children-and-families/services/adolescent-services/programs-services/credit-report-for-foster-care.jsp>.

immigration status will be deported. A victim may also have concerns about working with police or judicial systems because of bad experiences in their countries of origin. Other barriers include language, unfamiliarity with advocacy resources, and reluctance to seek help within a tight-knit cultural community due to confidentiality concerns.

No professional should make assumptions about an individual's immigration status. Just knowing a youth's country of origin is not enough to make a determination. In fact, there are very few instances in which a professional needs to know a client's immigration status; thus, there is little reason to inquire, and individuals seeking services should not be required to disclose this information. Asking for immigration status could create a barrier to seeking services that are critical to a client's health and well-being. If known, immigration status should have no impact on access to care or assistance.

If you suspect that your client may need assistance with an immigration matter, or if your client is explicitly seeking assistance with an immigration attorney, do not contact the Department of Homeland Security (DHS), and do not give advice if you are not qualified to do so. Instead, make a referral to your local Legal Aid office or to an immigration attorney as soon as possible. Immigration law is complicated and changes frequently, so be sure to involve a practitioner with experience. Referrals should not be made to individuals who are not licensed or disreputable. There are examples of fraud in immigration cases in which clients are made unrealistic promises. The clients pay substantial sums to the attorney with little result and some end up being deported.

Immigration law can be extremely complex; only attorneys with the requisite knowledge should practice in this area. Still, even those who do not specialize in immigration law should be aware of some basic information, to take precautions to protect clients and make the appropriate referrals. This section is meant to provide an overview of possible relief and to reinforce the importance of providing referrals to immigration law services for sexually exploited youth. The descriptions below are intended for general education purposes only, are not comprehensive, and should not be construed as legal advice.<sup>10</sup>

a. Jurisdiction & Enforcement

Three federal agencies, all operating under the United States Department of Homeland Security (DHS), enforce immigration law:

10 Information provided by Mid-Minnesota Legal Aid, [www.mylegalaid.org](http://www.mylegalaid.org).

Customs and Border Patrol; Citizenship and Immigration Services (CIS); and Immigration and Customs Enforcement (ICE). In addition, the Executive Office for Immigration Review, under the United States Department of Justice, oversees the immigration court system. Immigration enforcement is the sole responsibility of the federal government and does not fall under the jurisdiction of state or local governments.

Some jurisdictions, including Minneapolis and St. Paul, have “separation ordinances” that underscore this federal responsibility—the goal is to keep federal and local law enforcement separate in their duties. Local police should not inquire about an individual’s immigration status unless it relates to the particular crime under investigation. The purpose of these ordinances is to improve local community and police relations by reducing actions against undocumented immigrants.<sup>11</sup>

b. Special Immigration Considerations for Public Defenders & Defense Attorneys

Immigration law treats juveniles differently than adults. Juvenile delinquency adjudications are not convictions; however, conduct-based problems like drug use or prostitution could create a problem for a youth seeking permanent status in the United States (lawful permanent residence or citizenship). Public defenders have to consider the collateral consequences of certain adjudications or convictions on immigration status.<sup>12</sup> Also, ICE interviews youth in some juvenile detention facilities, but the youth may not know that they have a right not to consent to an interview—in these situations the youth should be referred to an immigration attorney. If ICE does become involved, attorneys should connect with the local ICE crime victim advocate.

c. Special Status

Applying for any of the following options for status as a documented immigrant—with, in some cases, eventual legal permanent residency and even citizenship—may be risky, involved, time-intensive, emotionally draining, and uncertain due to the lack of guarantee of approval. But if a remedy is obtained, it can be very helpful for the applicant. The process often requires a great deal of paperwork, can take many years, and is

11 United States Immigration and Customs Enforcement, *Delegation of Immigration Authority Section 287(g) Immigration and Nationality Act*, <https://www.ice.gov/factsheets/287g>.

12 *Padilla v. Kentucky*, 595 U.S. 356 (2010).

subject in some cases to service caps on how many visas are issued in a year. Attorneys should ensure that a sexually exploited youth going through the immigration process have access to advocacy support throughout the long waiting periods.

1. **Special Immigrant Juvenile Status:** Special Immigrant Juvenile Status (SIJS) is an immigration protection for vulnerable non-citizen children who have been abused, neglected or abandoned by a parent. Application for SIJS should be made as quickly as possible. SIJS provides a number of benefits including lawful permanent resident status (“green card,” which gives permission to live in the United States indefinitely), the ability to work legally in the United States, eligibility for a Social Security number and Minnesota state identification card or driver’s license, eligibility for certain public benefits including Medical Assistance and financial aid for college, the ability to join the United States military, and the opportunity to apply for United States citizenship in the future.
2. **Family-Based Immigration:** United States citizens may petition for documented status for “immediate” family members (spouses, unmarried children under 21, parents). Lawful permanent residents may petition for spouses or children, and U.S. citizens can also petition for adult and/or married children and siblings, but these petitions will often take a very long time to process. One issue to watch out for with family-based immigration is whether a family member with lawful status uses their power as the applicant over others on the petition to force them into certain activities or to assert control.
3. **Violence Against Women Act Self-Petitioning Protections:** Violence Against Women Act (VAWA) self-petitioning protections eliminate the need to rely on a family member with status if that person is abusive. The victim/survivor can self-petition and must prove they have been subjected to battery or extreme cruelty (which may include sexual exploitation) perpetrated by a United States citizen or Lawful Permanent Resident who is a spouse, parent, or child of the victim/survivor. The victim must have good moral character, and in cases involving an abusive spouse, the marriage must be in good faith.

4. **U Visa:** The U Visa protects victims/survivors who have been the victim of certain criminal activity within the U.S. (including prostitution, sexual exploitation, trafficking and domestic violence) and who assisted law enforcement in the detection, investigation, or prosecution of that criminal activity. In contrast to VAWA, to apply for a U visa the victim need not have been married or otherwise related to the perpetrator, and the perpetrator may also be undocumented. The purpose of the U visa is to strengthen the ability of law enforcement to investigate. Neither prosecution nor conviction is required.

The victim/survivor must obtain a signed certification form attesting to their helpfulness to the investigation and/or prosecution. This can be signed by various agencies, including law enforcement, child protective services, the prosecutor, or the judge. The U Visa gives the victim/survivor temporary legal status for four years and then an application for lawful permanent resident status can be filed. Once the U Visa is approved (which may take well over a year or even longer), the victim/survivor is given immediate authorization to work. The U Visa may be discoverable so sometimes the application process is put on hold until after a case is prosecuted (or declined for prosecution) since defense counsel representing a perpetrator may question a victim/survivor's motives for reporting the case, i.e. implying that they are only doing so to obtain a U Visa.

5. **T Visa:** The T Visa is similar to the U visa but only used for victims/survivors of trafficking. The applicant has to be in the United States or its territories on account of trafficking and has to comply with any reasonable request for assistance or investigation of the crime (The Department of Homeland Security, not law enforcement, determines what a reasonable request looks like).<sup>13</sup> The victim/survivor also must show they will suffer extreme hardship involving unusual and severe harm if they are removed from the United States. The T visa provides temporary legal status for four years and an opportunity to apply for legal permanent resident status before the expiration of the four-year period. The applicant can qualify for the same public benefits available to refugees as well as authorization to work.

13 There is a certification that law enforcement (local or not) signs, but unlike the U visa, where the certification is mandatory to apply, if a T applicant cannot get a signed certification, she or he can still apply and Department of Homeland Security decides whether or not the helpfulness grounds are met.

Like the U Visa, the T Visa is discoverable, and the process for approval may take well over a year or even longer

**Asylum & Refugee:** Asylum is available to individuals who fear being harmed in their country of origin because of race, religion, nationality, membership in a particular social group, or political opinion. There are particularly strict timelines and requirements associated with an asylum application. A potential asylee is already in the U.S. when applying for protection. Refugee status is similar, except the applicant must be located outside the U.S when seeking protection.

6. **Deferred Action for Childhood Arrivals (DACA):** The DACA program protects eligible immigrant youth who came to the U.S. when they were children. They may be eligible for a two-year forbearance of removal and access to work authorization and various federal benefits.



# Discipline Chapter Judicial

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As with other system professionals, judges encounter cases of sexual exploitation and sex trafficking nearly every day, even if they don't realize it. Victims of exploitation will often appear in court as runaways or truants, as delinquents charged with drug possession, shoplifting, or other crimes, and as victims (or perpetrators) of domestic violence. They are likely to show up on a judge's calendar for issues relating to child protection, state wards, and long-term foster care, among others. Judges can play a major role in identifying and protecting victims, holding exploiters accountable, and even preventing exploitation in the first place.

## 1. Approach to Victims

**"The state, the court, the people, the prosecutors—they think they know about your life, that you're a menace to society, they just assume but they don't really know what's going on. All they do is look at your record, they don't know what's going on."**<sup>1</sup>

Victims of sexual exploitation can present in very complicated ways, as discussed in *Working with Sexually Exploited Youth*. Often, this presentation may seem counterintuitive to judges and court staff. Not only are they unlikely to disclose their own victimization, they may well be uncooperative, oppositional, or even openly hostile. They may claim that they have everything under control and continue to willingly participate in sexual exploitation. Some victims may be in love with their exploiters. Multiple runs and failed placements, even when they are housed in the best-run facilities, are common. Victims frequently say that the best way for system professionals to interact with them is with patience and lack of judgment. "Judgment" is, of course, the core function of a judge. Yet, the judicial response should reflect a genuine concern and empathy absent shaming, shock, or contempt for what victims have experienced. Judges who have handled cases involving sexual or domestic violence will already be familiar with many of the counterintuitive dynamics that are common in cases of exploitation; many of the approaches used in such cases will be helpful in cases of exploitation and trafficking, too.

The courtroom, an intimidating setting for anyone, may increase the challenges of connecting with youth, for whom the judge may appear to

<sup>1</sup> Hennepin County No Wrong Door Initiative, Paula Schaefer & Associates, Sexual Violence Justice Institute at Minnesota Coalition Against Sexual Assault, Ramsey County Attorney's Office, *Voices of Safe Harbor: Survivor & Youth Input for Minnesota's Model Protocol on Sexual Exploitation and Sex Trafficking of Youth*, 10 (Dec. 2015), <http://www.hennepin.us/~media/hennepinus/your-government/projects-initiatives/documents/no-wrong%20door-voices.pdf?la=en>.

be an arbitrary authority figure. Consider coming down from the bench, perhaps even without robes, to sit at the table with youth to lessen intimidation and facilitate communication. It is helpful to develop some rapport around a particular interest of youth unrelated to the issue that brings them to court, thereby recognizing them as whole people rather than as “cases.”

It is also important to recognize that the dynamics of exploitation may look different in different cultural communities. Due to cultural practices, or even the small size of some communities where everyone knows everyone else, some youth may feel especially inhibited from seeking help or treatment, or even acknowledging being exploited. In fact, victims may blame themselves. **Cultural Considerations** provides much more discussion of these dynamics. Advocacy and treatment should be culturally-responsive wherever possible and take into account the wishes of youth to engage or not engage in culturally-specific services. Although their time together in court may be brief, the connection that a judge can make with sexually exploited youth is very important. Talk directly with, not around or about youth. Express genuine concern to them for their health and well-being. You may say, for example:

“I’m very concerned about your safety. It sounds to me as if you are alone on the streets without emotional support or money or food. As a judge, I see what sometimes happens to kids on the run. There are predators, drug dealers, and pimps waiting to take advantage of the fact that you are alone and homeless. That worries me, and I am sure it worries the people in your life who care about you.”

Recognize that it is unlikely that a judge will be the person to whom sexually exploited youth will first disclose their situation. But, identifying risks and referring to services for advocacy and mental health, or to a medical clinic that can treat sexually transmitted infections and other illnesses and trauma, may open the door to further discussion. Providing medical services to youth is a great way to encourage more conversation about their needs and concerns.

## 2. Identification of Victims

Again, judges are less likely than many other system professionals to be in a position to identify sexually exploited youth; the judge's role, rather, is to respond to exploitation identified by others. Still, judges should be alert for possible indicators of exploitation. Many of these are listed in *Dynamics of Sexual Exploitation* ("Identifying Exploitation"). Keep an eye out, especially at arraignments or other mass calendars, for the following possible red flags:

- a male posting bond for a young female involved in drugs or prostitution;
- an adult posting bail for a young, unrelated person;
- a young person in court for a delinquency or criminal matter that involves a significantly older adult (e.g., stealing from or assaulting an older, unrelated individual); or
- an adult seeking guardianship of a young, unrelated person, sometimes with allegations that the parent is abusive or neglectful.

Youth who are being exploited by a family member or other caregiver are unlikely to disclose the exploitation while the caregiver is present in court. Consider talking with youth in chambers, with as few others present as possible, to receive more candid responses. Also consider limiting the presence of strangers in the courtroom, to help protect youth privacy and, again, increase the likelihood of more candid responses.

The *Appendix* contains a sample information-gathering tool developed by Judge Andrew Small in the Lower Sioux Tribal Court. The tool helps to ensure that the appropriate inquiries are being made by social services, guardians ad litem, probation officers, and law enforcement so that relevant information can be prepared before the hearing and then presented to the court. The tool also helps further the knowledge of these professionals when they address the needs of sexually exploited youth. The tool, which becomes part of each youth's case file, can be used to better understand the life circumstances that make youth vulnerable. Answers to these questions will assist the judge when determining the right disposition, services, and possible placement.

Charges of curfew violation, truancy, and runaway status should be scrutinized with an eye towards identifying any sexual exploitation issues. If a juvenile girl is out after-hours in a car with three adult males, for example, someone should be looking beyond the curfew violation to

determine if anything else is going on.

Judges can also be alert when reviewing new complaints and search warrants. For example, in a drug investigation, an under-aged youth may be found in a hotel room bust. Has law enforcement interviewed that youth or investigated how they came to be there and whether they were there voluntarily? Simply asking a question could raise consciousness of the issue.

### 3. Referrals, Placement, & Detention

Many exploited youth will need to be placed outside of their parents' homes, and it is crucial that such placements be a good match. See ***Shelter and Housing*** and ***Emergency Placement*** for guidance on this issue.

Take the time to learn about the services available in your local area as well as statewide. Visit shelters, residential treatment facilities, group homes, and other housing and treatment options and ask questions of the providers and their clients. Find out if there are foster parents who have experience in housing sexually exploited youth. Make sure that trauma-informed, culturally responsive treatment is available when exploitation issues are suspected and that the placement has relevant experience and a good track record. Punitive treatment can further alienate these youth. Engage with the Safe Harbor Regional Navigator or other advocates serving your judicial district, and encourage other system professionals to do the same. A list of possible placement options is available via your Regional Navigator.

One of the most fundamental questions facing judges in cases involving sexually exploited youth is whether to authorize detention or otherwise secure placement. This should be a last resort because of the inherent risk of trauma and the perception that youth are being punished for having been victimized. If no alternatives are available, energy should be put towards developing other options. Again, see ***Shelter and Housing*** and ***Emergency Placement*** for a full discussion of this issue.

Consider a placement at a remote location, one less accessible to the exploiter. Such a location can pose inconveniences for families, but it can also discourage running and further contact with the exploiter. As in situations of domestic abuse, exploiters often continue and escalate the controlling behavior after the victim gets help. After victims have been placed, therefore, be prepared for attempts by exploiters to find them and get them back.

As with all youth, take steps to determine whether a sexually exploited youth is, or could be, enrolled as a member of an American

Indian tribe. If so, the tribe must be notified immediately pursuant to the Indian Child Welfare Act (ICWA). See ***Working with Tribal Nations***.

#### **4. Considerations for Criminal Court**

In general, cases involving charges of exploitation or trafficking can be addressed as with any other criminal case, particularly cases involving a vulnerable victim. One aspect that is unique to trafficking cases in particular is the role of “victim-defendants.” Because of the dynamics of trafficking, victims are frequently involved in other criminal activities related to their exploitation (such as theft or drug offenses). Victims can also become involved in the exploitation themselves. They may contribute to the operation, recruit, or even commit violence against other victims, but do so because of their own victimization. Judges will need to take these considerations and relative culpability into account at sentencing. See ***Dynamics of Sexual Exploitation*** (“Bottoms & Historical Victims”) for more discussion of this issue.

Orders for protection (OFPs), harassment restraining orders (HROs), and criminal no-contact orders (NCOs) or domestic abuse no contact orders (DANCOs) can be important tools to protect victims in criminal, delinquency, or child protection proceedings. The victim may be willing to pursue an OFP, HRO, NCO, or DANCO or the victim may feel that any action might provoke further controlling behavior by the exploiter. If there is a criminal case against the perpetrator, the specific dynamics of trafficking should be considered when setting bail, a criminal no contact order should be put in place, and jail calls should be monitored for ongoing attempts at contact.

#### **5. Improving the Court System’s Response**

Once judges become educated about exploitation, they begin to see things in a different way, and are in a position to make changes within the operation of their judicial districts that will improve the response to sexually exploited youth. They can raise awareness about sexual exploitation among colleagues by serving as peer educators. Trafficking and sexual exploitation are particularly complex and counterintuitive issues that are not widely understood, and judges may have a special credibility in educating their colleagues about them.

Consider the following other changes in how court services may be structured and delivered:

- Make the courts feel less distant and “system-bound” by going to schools to hold truancy hearings so that students are more comfortable being heard on their own “turf.” (Any such hearings should of course occur in a private space where non-family observers are excluded.) Assign the same judge for all appearances on all cases for a given youth. This ensures that the judge has more information and helps to establish the judge as a person with the power to help. Many youth strongly identify “my judge” as a concerned adult in their lives, particularly if they do not experience their parents as standing up for them. They may develop trust in the judge who listens and responds to their concerns.
- Develop a special calendar to focus on sexually exploited youth, regardless of the cases that they are involved with. This allows the court and staff to bring specialized training and expertise to bear and helps recognize the role that trauma plays in decision-making, thus balancing accountability with supportive services. Obviously the name of the calendar or docket should not disclose the victimization.
- Advocate for court services to be culturally-responsive and take the specific needs of sexually exploited youth into account. See **Cultural Considerations** for more details.
- Ensure that judges hearing judicial bypass cases are trained in the dynamics of trafficking and exploitation and are alert to the possibility that the youth seeking bypasses are being exploited.
- Post art, posters and brochures in the courtroom, as well as in the lobbies and bathrooms of the courthouse, to show that the courts are aware of the issues around sexual exploitation and can provide assistance. Seeing sexual exploitation identified and addressed in this way sends the message that the court is a safe place for victims and that they will not be shamed or blamed. A brochure identifying a hotline or other services may find its way into a pocket where it is available at a later time.
- Be aware that parents or other family members have been known to sell their children for drugs or money. Sometimes this has been happening for generations. Unfortunately, we cannot

assume that all parents or family members are safe adults or have the children's best interests as a priority.

- Ensure that the victims are released from jail or shelters to known persons who are appropriately identified by authorities. Be alert for "interested parties" who are evasive about their relationship to the victim.

Trafficking often occurs across jurisdictions, and across state lines (such as between Minnesota and the North Dakota oil fields). Trafficking also occurs both on and off reservations. Judges should confer with each other and with Tribal Courts (see *Working with Tribal Nations*) to ensure the best outcomes for youth. Coordination with federal authorities may also be appropriate.

## 6. Improving the Response of the Broader System

As system and community leaders, judges can have a significant influence in improving the broader response to exploitation and trafficking. Judges who are dedicated to this issue can raise community awareness, convene multidisciplinary task forces, help train other professionals, engage business and hospitality leaders, and push for strong protocols in individual communities.

The Children's Justice Initiative (CJI) provides an already-existing interdisciplinary forum for further training and discussion of issues related to sexually exploited youth and it ensures a statewide coordinated effort. Representatives from various districts can utilize this network as a way to share successful approaches, information about treatment, and best practices.

A judge's ability to refer or place a youth is, of course, limited to the options available. As discussed in *Emergency Placement*, at present these options are insufficient. Judges can play an important role in advocating for additional trauma-informed and culturally responsive treatment, services, and housing.

Judges can also explain how to access assistance from the courts by going into shelters, schools, and other community service programs to meet with young people and answer their questions about the legal system. This is not only an opportunity to explain the role of the court, but also to find out what youth are really concerned about in their daily lives.

# Discipline Chapter Shelter and Housing

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Safe and accessible shelter and housing is critically important for sexually exploited youth. This chapter contains guidelines for professionals operating shelter and housing programs. It focuses on congregate (i.e., communal) shelter and housing, including specialized emergency shelter, supportive housing programs, group homes, and residential treatment and care centers. That said, much of the material could also be relevant to non-congregate shelter and housing, such as scattered-site apartment units in the community or foster care homes.

In many cases, shelter and housing of sexually exploited youth will come as a result of a system-based placement, whether by a court or by agency. The law governing such placements, as well as recommendations for professionals in making these decisions, are contained in **Emergency Placement**, which also addresses the circumstances under which a locked setting may or may not be appropriate for sexually exploited youth.

In other cases, youth may gain access to shelter or housing without the involvement of formal systems. They may refer themselves (a self-referral) or their family may work directly with the facility (an independent family arrangement).

Shelter and housing providers vary widely in terms of the type of program, the location, the services provided, skill level of the staff, eligibility criteria, privacy protections, security precautions and more. Sexually exploited youth should be housed whenever possible in trauma-informed, gender- and culturally-responsive, therapeutic care settings specifically designed for their needs. Housing youth in programs that do not meet these standards has the potential to exacerbate and add to their trauma and inadvertently re-victimize them.

Over the past few years, Minnesota has made significant progress in meeting these standards. In particular, programs receiving Safe Harbor funding through the Minnesota Department of Health are required to provide trauma-informed services that are responsive to each youth's individual needs.<sup>1</sup>

Still, there are not enough shelter and housing options to meet the specific needs of sexually exploited youth. Many sexually exploited youth will continue to seek housing options that serve either a general population or a sub-population such as families or victims of domestic abuse.

1 For more information on Safe Harbor housing and shelter options, see <https://mn.gov/dhs/partners-and-providers/program-overviews/child-protection-foster-care-adoption/safe-harbor/>.

## 1. The Need for Housing

The family home is not always the best place for a sexually exploited youth. For some youth, family life is a source of abuse, neglect or rejection. For others, the family home, even if a place of support, is ill-equipped to meet their needs.

Standard rental housing in the community is a limited option for such youth, even if they have the funds to pay for it. Landlords are allowed to—and often do—refuse to rent to minors. A rental agreement signed by a minor is voidable (i.e., the minor can choose to get out of it before turning 18 or within a reasonable time thereafter). Landlords are often reluctant to take the chance on renting to a minor, even if a parent or guardian co-signs the lease.

As a result, there are many sexually exploited youth who are homeless or who have run away (or been kicked out) from home. They may be living with others in unsafe situations or in places not meant for human habitation. They may have no option but to exchange sex for a safe and warm place to sleep. Minnesota law recognizes the importance of assisting these youth through the Homeless Youth Act.<sup>2</sup>

**"A lot of people don't trust the [standard] shelters so they find another way to find a place to stay."<sup>3</sup>**

## 2. Getting Started

The Minnesota Departments of Human Services and Corrections oversee licensing processes for different types of shelter and housing programs. The licensing process assists organizations in developing policies and procedures related to safety of youth and other concerns. It can take several months (along with at least a year of planning) to move through the licensing process before the facility opens, and there will need to be a period of fine-tuning and troubleshooting after becoming operational. It is helpful to have a point person on staff whose job is dedicated to collecting necessary paperwork and facilitating the licensing process.

<sup>2</sup> Minn. Stat. § 256K.45.

<sup>3</sup> Hennepin County No Wrong Door Initiative, Paula Schaefer & Associates, Sexual Violence Justice Institute at Minnesota Coalition Against Sexual Assault, Ramsey County Attorney's Office, *Voices of Safe Harbor: Survivor & Youth Input for Minnesota's Model Protocol on Sexual Exploitation and Sex Trafficking of Youth*, 18 (Dec. 2015), <http://www.hennepin.us/~media/hennepinus/your-government/projects-initiatives/documents/no-wrong%20-door-voices.pdf?la=en>.

### 3. Staffing

Staffing—including the right scheduling and mix of personnel and a high level of professionalism—is a critical component to operating shelter and housing that meets the needs of sexually exploited youth.

Staff can have a huge impact on youth in shelter and housing programs. Youth work requires adaptability and creativity, and residential settings can be prone to volatility, particularly with sexually exploited youth. It is critical that staff have well-developed skills in youth work and trauma-informed care (see ***Working with Sexually Exploited Youth***). Experienced, well-trained staff are critical to the success of a residential program.

Staff members need to provide consistent care and maintain appropriate boundaries. New employees need to understand that working with youth is different than working with adults, and working with younger youth is different than working with older youth. There may be some similar skills required, but situations differ greatly, and therefore approaches need to differ. Staff working with adolescents must be trained on adolescent brain development and must have knowledge about physical and cognitive disabilities.

Due to the high levels of trauma experienced by sexually exploited youth, it is important for all models of shelter and housing to be grounded in trauma-informed care. This means understanding that some behaviors—such as yelling or being disrespectful—are not due to youth being a “bad kid” or “acting out” but rather a response to trauma. Staff need to not take these behaviors as personal attacks.

Service to sexually exploited youth is high intensity work; strong supervision and support for direct service staff is of the utmost importance. A program manager who oversees staffing but is not involved in the day-to-day interactions with youth should provide regular supervision and support: monitoring the program’s needs, overseeing scheduling, and handling staff matters. Agency leadership should promote self-care among staff; they should know that the organization supports them and recognizes the stresses of the job.

**“[Staff] have to have some kind of passion for working with teens. Can’t just work 9-5 and it’s just a job, hurry up and get off work. Don’t sign up for it if your heart isn’t in this profession. If I see that you don’t care, I’m out of here.”<sup>4</sup>**

4 *Id.*

a. Hiring

Building a safe, nurturing and competent team, as well as a healthy organizational culture, starts with recruiting, interviewing, and hiring practices.

Program leadership has the responsibility to ensure youth are safe from physical, mental or sexual abuse. This requires that all potential employees be vetted properly, through a thorough interview process. Many programs for sexually exploited youth have youth clients themselves interview candidates considered for employment. Youth are often able to sense which candidates will be safe and competent.

In assessing candidates, keep in mind the value of both professional and lived experience. Candidates with academic credentials, but no direct-service or lived experience, may face a steep learning curve and require additional training.

b. Training

The effectiveness and safety of any shelter or housing for youth depends on how well staff are trained, coached, and supervised. Program administrators, leadership, and all direct service staff must be trained on providing gender- and culturally-responsive, trauma-informed and trauma-recovery focused services. Staff must be given an understanding of the dynamics of sexual exploitation, as well as child and adolescent development, child maltreatment, and the neurobiological impact of child maltreatment and other trauma exposures.

No matter how skilled or experienced the staff is, there will be unexpected issues that arise as a result of the trauma experienced by the youth being served. Because of this, staff must be trained and skilled in the use of crisis intervention strategies and de-escalation techniques (see “Conflict & De-Escalation”), and on the provision of trauma-informed service delivery. Staff must be given a deep understanding that negative behaviors by youth are a result of trauma and do not reflect upon who they are personally.

Experts in working with sexually exploited youth should lead all trainings, and staff should have access to these experts for ongoing consultation.

c. Victims/Survivors on Staff

Having victims/survivors on staff is especially important for creating a victim-centered shelter or housing environment. Still, it is critical to make sure that a staff member who is a victim/survivor is ready to provide services and is not at risk of being triggered at work. Such staff will still need training, even though they have firsthand experience with the issue. Note that there may be issues with background checks for some victims/survivors; a program may need to look into obtaining waivers.

d. Gender Identity

Some facilities have cross-gender staffing especially when there is more than one gender represented among the youth. There still need to be precautions in place to ensure best practices when serving multiple genders, or when there are multiple genders on staff. For example, multiple genders should be represented on shift if serving multiple genders. Youth should be given privacy when sleeping, when in their rooms, and when dressing or in the restroom.

Some facilities provide gender-specific programming, including staff of the same gender-identity as the youth they serve. Other programs serve youth of all gender identities and may choose to employ staff members of all gender identities as well. Note that licensing guidelines for housing and shelter facilities include requirements for staffing as it relates to gender identity.

It is best to ask youth during the intake process if they have a preference for working with staff with a particular gender identity and to make accommodations whenever possible. The same should hold true for working with therapists. Forcing youth to work with staff of a particular gender identity with which they are not comfortable could be retriggering of harmful past events.

e. Scheduling

The safety and security of youth depends on having a high staff-to-youth ratio, both during awake and overnight shifts. Staff schedules should include a mix of employees. For example, weekend shifts should not be comprised solely of part-time employees or employees who have less experience than others. Staff should also have adequate time off in order to decompress from the stress of the job.

f. Diversity

Finally, staff should reflect the racial and cultural diversity of the youth in the program. Tokenism on staff will not lead to lasting employment relationships. A commitment to promoting cultural responsiveness throughout all aspects of the program will help youth and staff feel more comfortable in the setting.

#### 4. Other Issues Relating to Operation & Design

Shelters and housing programs become home, at least temporarily, for youth from a variety of backgrounds, and as such, they should make youth feel welcome and comfortable. Make sure that the environment is soothing and neutral in tone and reflects the spirit and creativity of the youth who live there. Have a quiet room that can be used for prayer or meditation.

“Mixing” sexually exploited youth with youth who have not experienced sexual exploitation can be detrimental to both groups. Provide separate residential areas and group services for each group.<sup>5</sup> Sexually exploited youth have unique and complex needs due to the trauma that they have experienced. These youth need a high level of care and security, and there is a risk of peer recruitment as well. (See “Peer Recruitment” below.)

The privacy and confidentiality of residents should be a high priority. For example, when approved professionals come into the facility to assist with stabilization, designate a room for these meetings, in order to protect the privacy of other residents.

#### 5. Intake

a. Emergency Shelter Settings

Some shelters allow stays of only three to five days, but 30 days is more common, and some shelters allow for an extended stay of 90 days. Note that where there are long waiting lists at community shelters, youth may need a system referral—such as from a county agency—in order to get in.

5 See J. Atella, L. Schauben & E. Connel, Wilder Research, *Safe Harbor: First Year Evaluation Report September 2015*.

When a sexually exploited youth first enters a shelter or similar setting, basic needs must be addressed such as food, fresh clothing, sleep and bathing. The intake should be short at this point and focused on identifying these basic needs and providing an explanation or orientation to the program: its program structure and requirements, what youth can and cannot have in their possession, grievance procedures, confidentiality and data privacy protections, and program services. Questions about medical or mental health concerns should be addressed and a medical exam provided if needed. If the youth is intoxicated or high upon intake, a determination should be made about whether detox can occur at the shelter or whether immediate medical intervention is needed. (Any need for chemical dependency evaluation and treatment should be noted for follow up.) Finally, the youth should be asked if they have any preferences about the gender of staff working with them. The Safe Harbor Regional Navigator can provide examples of intake forms and questions to service providers.

Shelter and housing programs may have a range of expectations around what items youth can have access to while in the facility. Some programs limit access to cell phones and computers, while others may allow these at all times or at certain designated times. Medications should always be securely stored. Programs should have clear and transparent policies on what items youth may or may not keep in their possession, such as those that could be used as weapons or gang-related materials. The personal items of youth should be inventoried upon their arrival, and any items they are not allowed to access must be returned to them when they are discharged.

The youth should be asked permission to take a photo that may be shared with the police in case the youth runs or is reported missing. Youth can decline having their picture taken and, as an alternative, staff can write up a physical description of the youth.

Some youth may be pregnant or may have a child. Ensure that such youth have access to prenatal care and childcare. Given the complexity in working with young parents, especially in cases where the child is tied to their exploiter, additional assistance with family law issues may be needed (see **Legal Representation**).

Many shelters will require a youth to have identification to be able to stay. Victim advocacy or street outreach can assist with making an application to the state.

The initial intake components described above should be as brief as possible, given that the youth is just entering the program. When it is time for a longer intake, it is helpful to use a “motivational interviewing”

approach that involves supportive conversations with the youth and less reliance on reading questions from a form. This approach fosters a collaborative conversation that helps to strengthen motivation and commitment to change. The individual is able to focus on a specific goal as well as their own reasons for change. The change can then take place within an accepting and encouraging environment.

b. Screening

Residential facilities should screen for sexual exploitation. This includes knowing what to look for, using appropriate screening tools, and accessing expert help when uncertain about whether or not a youth is being exploited. Youth victims of sexual exploitation typically do not talk about what has happened to them nor see themselves as victims. Well-trained providers need to actively build trusting relationships with youth, recognize the signs of sexual exploitation, ask the right questions, and connect youth to expert resources.

In addition to screening for sexual exploitation, youth should also be screened for trauma, mental health, chemical health and physical health. Screening and assessment tools and processes should be geared toward understanding the risk factors for youth exploitation. All of these are critical components in creating effective treatment plans, managing cases, and developing interventions and program services to meet the needs of these youth.

## 6. Safety & Security

Safety and security, both for youth and for staff, must be paramount in housing sexually exploited youth and those at risk. Youth who have experienced sexual trauma are justifiably vigilant to the potential for further victimization or violation of their privacy rights. They often have a heightened sense of danger and feel unsafe wherever they are. Youth need to be able to trust that staff, peers, or anyone else will not harm them.

Facilities serving sexually exploited youth should be “staff-secure,” meaning that although they are safe, they are not locked. Security from those who may wish to harm youth or staff is attained through:

- ample, 24-hour staffing;
- background checks of staff;
- security cameras and alarm systems;



- fencing;
- having a confidential address;
- awareness of the neighborhood and surrounding areas;
- limited phone use;
- supervised or no access to the Internet;
- locked doors from the outside; and
- heeding warnings from youth that an exploiter is planning to come to the facility.

As to emergency shelters in particular, few if any visitors should be allowed to enter, for both safety and privacy reasons. With any type of housing for sexually exploited youth, outside visits with family or others should require approval. Similarly, keep an eye out for contact between youth and exploiters. Be aware of who is trying to contact the youth either by phone, through a visit, through other residents or visitors, or by appearing for a court hearing.

Most fundamentally, safety and security is attained through strong relationships between youth and staff. A secure relationship with a trusting adult is vital for youth to feel secure, and to tell staff when they have concerns about their safety and the safety of others. Note that such strong relationships also minimize the likelihood that youth will leave the facility without permission. See “Running Away” below. It is also important for the staff team to have trusting and healthy relationships with one another. Hold regular staff meetings to debrief critical incidents and discuss how well the team is communicating and working together.

The Prison Rape Elimination Act (PREA) ensures that youth in residential- and custody-based facilities are free from sexual abuse from staff and other youth. See **Juvenile Corrections** for a discussion of PREA.

Note that safety is a much broader concept than mere protection from physical threat. Safety can mean many things to youth, encompassing culture, race and ethnicity, sexual and gender identity, and religious and spiritual life. To create a truly safe environment, programs should develop individual safety plans, asking each youth what would help them to both be and feel safe. When youth feel safe, they are better able to connect with staff, participate in programming and work on goals to improve their health and well-being.

## 7. Conflict and De-Escalation

Some programs accept youth with challenging survival behaviors, including sexually exploited youth, yet terminate these youth from the

program for running away, “non-compliance,” or aggressive behaviors. In programs where there is a focus on control and containment of behavior in ways that are punitive, harsh and judgmental (e.g., the use of isolation, level “drops,” and restraints), youth regularly act out in ways that require critical incident reporting by staff. Critical incidents include running away, self-harm and suicidal ideation, and aggressive and assaultive behavior. But these behaviors are directly related to the trauma and mental health challenges that sexually exploited youth experience. If youth do not feel physically, emotionally and culturally safe, they will act out in any number of ways. Competent programs understand this relationship and are well prepared to work with youth who have emotional and behavioral challenges by giving them multiple chances.

After all, conflict is inevitable in a congregate setting. Many situations can set off residents. One way to prevent situations from escalating is to talk with a youth during intake to find out what situations are particularly upsetting and the best way to approach the youth in those instances.

Staff members should be trained in de-escalation techniques, and staffing levels should be such that staff can intervene as necessary. Calling the police should never be the sole de-escalation plan. Sometimes involving law enforcement can make things worse because of fear and lack of trust on the part of the youth. Being put in a hold by officers can be re-triggering of past physical or sexual harm. If the youth tries to escape or fight back, this can lead to delinquency charges and all of the collateral consequences that can flow from a juvenile adjudication. Agencies should be prepared to advocate for youth who fall into this situation by helping other system professionals understand the specific needs of the youth and how their responses are influenced by past trauma.

Shelter or housing programs serving sexually exploited youth should not have a practice of using holds or restraints. A restraint by staff could be retriggering of past physical or sexual harm. It could even further escalate the situation, creating more danger for all and a possible assault charge. Strip searches should never be used; they are highly invasive and triggering.

During conflict, it is best to use positive strengths-based conversational techniques and to attempt to talk things through before something physical happens. Staff should be aware of, and avoid using, language that can be triggering. The goal is to seek cooperation and not compliance; trying to gain full control over the situation may be futile and could escalate the situation further. Over-talking by staff, or requiring the

youth to process the situation in the heat of the moment, can escalate the situation even further. Alternatively, showing the youth physical and emotional space to detach from the situation can help.

Processing can happen once the situation is calm. Humor can sometimes be an effective tool for defusing situations, but use it carefully so youth don't end up feeling belittled or that their concerns are insignificant. A critical tactic in de-escalation is to remove youth from any audience of their peers and into a private setting before processing the situation with them. Many sexually exploited and homeless youth live according to "street codes," which have forced them to keep an appearance of strength and control at all times, for survival purposes. In addition, no one wants to be embarrassed or called out in front of others. Managing accountability while avoiding the triggering of certain behaviors is an extremely delicate undertaking.

If none of these approaches work, calling 911 may be a necessary option. Establish a good relationship with local law enforcement to help responding officers understand what situations they are walking into and give them a heads-up about what actions will be triggering and escalating for youth at the facility.

Agency policies should take into account how behavioral outbursts are handled. In general, responses based on incentives are much more effective than those based on compliance and punishment. Outside of an extreme situation, kicking out a youth for a single infraction is inappropriate and unrealistic, given the challenges youth bring with them to the facility. Instead, consider employing tiered disciplinary plans, coordinated with youth themselves, that include removal of privileges and plans for corrective action. This will provide the best chance of buy-in and success.

Finally, after there has been conflict, have some calming activities available including relaxation techniques, weight blankets, aromatherapy, access to equine therapy, etc. that allows for time to decompress. If the youth has a history of suicidal ideation or self-injury, staff will need to watch for red flags indicating increased risk of suicide or self-harm.

Traumatized youth have the potential to act out their trauma in serious and sometimes frightening ways. When youth feel safe, cared for, and respected, this is much less likely to happen. When housing programs experience these critical incidents on a constant and/or consistent basis, when chaos and crisis is the "norm"—indeed, when a facility has high staff turnover and over-use of sick time—this is a sure sign that the organizational culture and program environment is not safe for youth or staff.

## 8. Running Away

While some youth do run from staff-secure facilities, it is less common than might be expected. Those who do run often maintain contact with staff, especially when good relationships are established. Oftentimes youth want to return to the facility after going on the run, and facilities should have clear policies that allow for the reentrance of youth who have run, unless this would be unsafe for the youth or the youth's peers.

Youth who have had severe trauma may have a history of running away and be at risk of running away from a shelter or housing program where they are living. The best way to reduce the risk of running is to use the best practices of trauma-informed care, victim/survivor leadership, and positive youth development while also maintaining appropriate staffing levels to supervise the youth in the program. Case managers can work with a youth to create a "run-risk" plan that allows the youth to identify certain situations that may trigger an urge to run and methods that the youth can use, in collaboration with staff, to address the urge. Youth may be able to identify on a scale of one to ten how likely they are to run.

Consider offering incentives not to run, such as allowing youth the opportunity to download an iTunes song for every hour they are able to stay or giving time in a massage chair. While incentives can have positive results, the youth should understand that the end goal is not receiving a reward but rather engaging in positive behavioral change.

Youth can be triggered by important anniversaries in their lives, including family members', friends' or exploiter's birthdays, dates of death and other significant events. An inability to cope with the flood of memories and sensations may be more than the youth can handle, and running is the only response they know. This information can be collected during intake and during therapy sessions, giving staff and the youth an opportunity to develop coping plans and ways to chart emotions. It can also be incorporated into the "run risk" plan.

Sometimes youth will run for no apparent reason other than they don't have the tools to regulate themselves. It is important to attempt redirection and find out what is driving the urge. Staff should be prepared to respond to youth who are signaling that they will run. Penalties for running should be used minimally, because running is part of a coping process for sexually exploited youth; opportunities to understand why a youth runs will prove more beneficial than a punitive approach.

If youth do run, hopefully they will have built sufficient relationships with staff so they will check in. Over time, the running may decrease as

trust builds. Staff can help foster this relationship by providing resources for youth to have on hand in case of a run. When a youth runs away, staff should ensure that their belongings are secure and out of reach of other residents. Staff should also contact appropriate people in the youth's life to alert them that the youth has left the facility and may be reaching out for help.

## 9. Cultural Considerations<sup>6</sup>

Creating partnerships with culturally-specific organizations and hiring diverse staff are both ways to increase the comfort level for youth served by a shelter or in residential care.

Policies should include procedures for observing different religious holidays and traditions, providing for dietary needs, serving different sexual orientations and gender identities, and offering programming that appeals to the mind, body and spirit without a preference of one religion or cultural practice over another.

If a shelter or residential setting is serving residential youth who are male, it is important that they have programming tailored to their needs.

For LGBTQIA+ youth, inclusivity includes:

- using the gender the youth identifies with for bedroom and bathroom assignments;
- providing gender-neutral access to clothing, hair products, and make-up;
- avoiding heterosexist language; and
- using the youth's preferred name and preferred pronouns.

LGBTQIA+-sensitive supportive services, such as a trans-friendly medical providers and safer-sex supplies for same-sex relationships, should be made available as well.

## 10. Programming

Programming in residential settings should take a holistic approach, helping residents to develop lifelong well-being and establish positive relationships. One of the most important protective factors with which programs can assist is helping youth become economically

<sup>6</sup> For more information on all of the issues raised in this section, be sure to review *Cultural Considerations*.

self-sufficient, so they are able to support themselves and do not have to rely on people who will exploit or harm them. Assisting youth to be well-prepared for entering the work force is critical. Youth should have access to education either onsite or in a local school, whichever best fits the need of each youth.

Given the trauma experienced by sexually exploited youth, programming should assist them with stress management, emotional regulation, and grounding techniques. Provide youth with these skills, and an opportunity to practice them daily, before engaging them in trauma work.

In a shelter setting, offering youth an array of activities is important to addressing their emotional needs, building their strengths, curbing boredom, and having fun.

Note that non-traditional approaches—such as theater arts, animal therapy, poetry, and dance/movement therapy—have all been shown to be effective for working with youth who have experience trauma. Psychoeducation support groups such as Not a #Number, Girls Circle, Girls’ Trauma Recovery and Empowerment (G-Trem) Voices, My Life My Choice, and Girls Circle H.E.A.R.T are common curricula used.

a. Support & Treatment Services

The majority of sexually exploited youth who end up in out-of-home placements have experienced sexual abuse and violence, as well as other types of trauma exposure in their lives, resulting in neurobiological impact that greatly impacts them physically, emotional and behaviorally. Therapeutic interventions need to be holistic and build on the youth’s resilience and strengths, acknowledging the underlying factors that caused the youth to be vulnerable to sexual exploitation in the first place. Interventions need to intentionally address trauma, grief and loss, and the shame and stigma present when working with sexually exploited youth. Clinical staff who provide therapeutic services must be trained in trauma, trauma-informed and trauma-recovery focused care and in working with sexually exploited youth.

An important aspect of this work is to teach youth emotional regulation skills and grounding techniques before engaging them in trauma work. There is a great deal of research on how mindfulness practices such as breathing and relaxation techniques, yoga, meditation, and expressive movement can have a positive impact on helping victims of trauma manage the neurobiological impact of trauma in healthy and

safe ways. If done effectively, this can help sexually exploited youth gain a sense of self-control and empowerment. These are important skills for all youth to learn and practice.

A serious component of case management in residential placement is developing safety plans with youth to address running away, day to day life once they leave placement, and identifying safe people and safety zones they can access after they leave residential care.<sup>7</sup> Running is common amongst this population of youth. Staff should utilize positive relationships with youth and incentives for not running vs. punitive approaches. It is critical to have policies in place that do not eject youth who run away.

The voices of youth and survivors should be seen as a key factor in the development of programs and services as well as ongoing programming assessment and improvement. Supportive services for sexually exploited youth need to be non-judgmental while addressing immediate needs such as health care, homelessness, economic security, substance abuse, and parenting.

#### b. Life Skills Programming

Effective programs take a holistic approach to teaching youth the necessary life skills to replace unhealthy coping skills. Residential programs have a responsibility to assist youth with learning and practicing essential life skills that will help them to not only survive in their communities but to thrive as well. Essential life skills include continuing education, healthy relationships, achieving financial wellness, how to access and obtain safe housing, childcare, transportation, and legal aid resources.

#### c. Education & Job Readiness Programming

One of the most important protective factors for sexually exploited youth is to help them become economically self-sufficient so they are able to support themselves and their children in legal ways, without relying on people who exploit them, or relying on government assistance.

The McKinney-Vento Act addresses education for homeless youth.<sup>8</sup> Access to education is particularly important because youth who are out

7 H. Clawson & L. Goldblatt Grace, U.S. Department of Health and Human Services, *Finding a Path to Recovery: Residential Facilities for Minor Victims of Domestic Sex Trafficking* (2007).

8 42 U.S.C. 11434a(2).

of the home will likely not attend their regular school or may not have been in school for a while and will need remedial assistance. Online schools are one option for making up credits. In addition, shelters and residential programs can also work with local school districts to apply to the Minnesota Department of Education to set up a program either onsite or within a local school (see additional information on educational access in **Schools**). If the youth has high behavior and/or safety issues, it may be best to offer an onsite school option. See **Schools** and **Legal Representation** for additional information about access to education.

Effective programs focus on the multiple skills and competencies needed to succeed in the workforce. Employment services for sexually exploited youth should include job readiness skills, vocational training, academic instruction, career counseling and exploration, mentoring, work experience and paid internships. Assisting sexually exploited youth to be well-prepared for entering the work force, in particular the high growth industries, will allow youth to obtain and keep legal employment that pays them livable wages.

d. Recreational Activities

Programming for sexually exploited youth should provide comprehensive, integrated, age and developmentally appropriate, gender and culturally-responsive and trauma-informed services that address substance abuse, physical and sexual abuse, trauma, physical and mental health, and the cultural and spiritual needs of youth in a holistic manner. Services should be grounded in positive youth development. Mind, body and spirit activities should be a regular part of programming. Teaching breathing and relaxation techniques and emotional regulation skill are important for when youth are experiencing stress and emotional “overload,” and/or when youth have been triggered and are experiencing a major trauma response.

Watching movies, engaging in art therapy, participating in preparing meals for one another, making crafts, exercising and playing games can help to pass the time and build relationships amongst the youth and staff.

The goals of physical exercise for sexually exploited youth should be to have fun, learn new skills, develop lifelong wellness activities and establish positive relationships. Physical exercise serves as a means for the constructive discharge of excess and/or stress energy often associated with trauma.

Leisure time is also an important component in a culturally responsive, trauma-recovery focused programming. Leisure activities



such as sports, music, art, creative arts, and theater are great opportunities for youth to learn new leisure skills, and for staff to interact and participate with youth in activities that promote fun and positive connection between youth and staff.

e. Health Care

Victims of sexual exploitation often experience physical, emotional and psychological abuse as a result of sexual exploitation. The majority of sexually exploited youth have a history of unmet health needs, such as injuries and illnesses that have gone untreated. Physical health problems associated with repeated beatings and rapes, reproductive injuries and health problems, including exposure to HIV and STDs, pregnancies, and mental health problems including PTSD as well as alcohol and other substance use and addiction are common. Access to comprehensive health screenings as well as holistic health care options should be made available. See **Health Care** for additional information.

f. Family Involvement & Support

Many evidence-based interventions that improve child functioning require the involvement of families/caregivers. Families/caregivers need help in supporting their children who have experienced victimization and in providing a nurturing environment in which healing can occur.

Residential providers should understand that families, particularly families of color, have a reasonable suspicion of systems that hold power over their children. Successful organizations work to overcome families' resistance from a strength-based perspective and collaborate with families to best help the youth in their programs.

Some sexually exploited youth have family members that are not able to support them through their recovery. There are a number of youth who have been exploited by family members. Reunification does not mean that youth should or can be reunited with their family, unless appropriate and safe, but rather youth receive the help to stay connected with family members who support their health and well-being. Youth need help to process and deal with difficult family relationships and the grief and loss that may accompany these relationships.

## Recruitment in Facilities

There must be a zero tolerance policy for peer recruitment in any setting housing youth. Recruitment is an effort by one youth to engage another youth in sexual exploitation, whether within or outside the facility. Recruitment can be subtle or overt and usually involves a process of befriending and building up a youth's confidence so that the youth believes that the peer has the youth's best interests in mind.

It is helpful to know if a sexually exploited youth has a history of recruiting before coming to the facility. The youth should be given a chance to stop the behavior based on clear expectations, particularly if it is apparent that the recruitment played a role in the youth's re-victimization. However, if the recruiting youth is unable to stop, the safety of the other residents depends on removing the youth who is recruiting. Note that the removed youth could still receive services from the program but would have to do so outside the residential setting.

Staff should also determine whether recruiting is an isolated incident and whether a particular youth is acting as a ringleader. Staff should also keep an eye out for any surreptitious activity. (Not allowing youth to go into one another's bedrooms can be helpful to curbing secrets.) Finally, it is up to staff to make sure that aspects of "the life" of sexual exploitation do not seep into the residential environment.

## 11. Re-Entry & After-Care

Transition and aftercare planning specific to the needs of sexually exploited youth are critical when youth are returning back to their communities.

Youth who transition back into the community face an uphill journey out of sexual exploitation. They must take the new skills they learned in residential placement and put them to use in the real world. In the right environment, youth will improve while in residential care but without ongoing support the transition back to the community will be difficult.

A multidisciplinary approach to transition and aftercare services should include community-based mental health/trauma treatment,

mentorship by a survivor of sexual exploitation, meaningful educational and employment opportunities, sexual and reproductive health services, stable housing and community-based programs that continue to emphasize healthy choices, healthy relationships, and physical health and well-being.

Building relationships with culturally responsive, and trauma-informed programs is essential to help minimize the potential for relapse. Programs and referring agencies should understand that relapse is common and not judge when it happens. Programs and services should be vetted to ensure their services are appropriate for sexually exploited youth before youth are referred. Connection to these community supports should begin prior to a youth leaving residential placements so they have ample time to form trusting relationships with providers while in a safe environment. It is essential to ensure that sexually exploited youth understand how to access community resources in order to get help if they are lured back into “the life” of sexual exploitation.

Chapter 21

# Discipline Chapter Emergency Placement

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■ If youth aren't getting real help and affection and support in [placement], it will make them go back to their exploiter.<sup>1</sup>

For many youth who have been sexually exploited or trafficked, the safest and healthiest place for them to be is with their families. For other exploited or trafficked youth, however, it may be best to live elsewhere, at least temporarily. Some youth choose to live with relatives or friends or to “self-refer” to a shelter or other facility. And sometimes, system professionals have the authority to place the youth in a setting outside of the home.

Many of the issues relating to placement of sexually exploited youth are addressed in **Child Welfare** (“Placement”). Custody and placement in the first 72 hours of system contact, however, raise foundational, multi-disciplinary issues that merit special consideration when developing local response protocols.<sup>2</sup>

The provisions discussed here address only situations involving emergency placement by system professionals. For more on arrangements made independently by youth or their family members (often with the help of service providers), see **Shelter and Housing**.

## 1. Legal Background

There are several ways that a sexually exploited youth may come into the immediate “custody” of law enforcement (that is, officers take responsibility for the youth, even if temporarily). Among the most common are:

- *endangerment*: when the youth is in circumstances which the officer “reasonably believes will endanger the [youth’s] health or welfare;”
- *runaway*: when the youth has run away from home;
- *child protection warrant*: pursuant to a court order, when the court has found that the youth is in surroundings or conditions which endanger the youth’s health, safety, or welfare; and
- *arrest for crime*: in accordance with the law relating to arrests, including for having committed a crime.<sup>3</sup>

1 Hennepin County No Wrong Door Initiative, Paula Schaefer & Associates, Sexual Violence Justice Institute at Minnesota Coalition Against Sexual Assault, Ramsey County Attorney’s Office, *Voices of Safe Harbor: Survivor & Youth Input for Minnesota’s Model Protocol on Sexual Exploitation and Sex Trafficking of Youth*, 35 (Dec. 2015), <http://www.hennepin.us/~media/hennepinus/your-government/projects-initiatives/documents/no-wrong%20-door-voices.pdf?la=en> [hereinafter referred to as *Voices*].

2 This chapter is intended to apply only to youth who are residents of Minnesota. For out-of-state youth located in Minnesota, practitioners must consult the Interstate Compact on Juveniles (ICJ) and the Interstate Compact Office. See Minn. Stat. § 260.515 et seq.

3 Minn. Stat. 260C.175, subd. 1(1), (2)(i), (2)(ii); 260B.175, subd. 1(b). Note that there are other ways, under either child protection or delinquency, as well.

The first three of these are CHIPS (child in need of protection or services) reasons, under the child protection code; the fourth is under the delinquency code. Each follows a slightly different path.

a. Child Protection

When a youth is taken into custody for one of the specified child protection reasons, the youth’s parent or guardian must be notified as soon as possible. Within 72 hours, the youth must be released to family “[u]nless there is reason to believe that the child would endanger self or others or not return for a court hearing, or that the child’s health or welfare would be immediately endangered.”<sup>4</sup>

If endangerment is believed to be present, the youth must be placed with a relative, a designated caregiver, or a shelter care facility, “in the least restrictive setting consistent with the child’s health and welfare and in closest proximity to the child’s family as possible.”<sup>5</sup> Secure detention is not permissible. The only exception is if the youth is being held as a runaway in which case the youth can be placed in a secure facility for no more than 24 hours, until returned to family.<sup>6</sup> If the youth is placed in a secure facility or in shelter care, additional specific notices must be made to the parent or guardian, the court, and the supervisor of the facility.<sup>7</sup>

If a youth was first taken into custody due to endangerment, and court jurisdiction and/or continued placement is desired, an emergency removal hearing in court must be held within 72 hours (excluding weekends and holidays).<sup>8</sup> At that time, the youth must either be released to family or else placed in “foster care,” which can include the homes of relatives, foster family homes, group shelters, emergency shelters, and certain kinds of residential facilities.<sup>9</sup> See **Child Welfare** for more on this decision and the steps involved in ongoing placement of a youth.

If the child welfare agency knows or has reason to know that the youth is American Indian, the specific provisions of the Indian Child Welfare Act (ICWA) and the Minnesota Indian Family Preservation Act (MIFPA) must be followed. Among other things, the child welfare agency needs to immediately contact the designated tribe and use “active efforts” (rather than “reasonable efforts”) to prevent out-of-home

4 § 260C.176, subd. 1.

5 § 260C.181, subd. 2.

6 *Id.*, subd. 1.

7 See § 260C.176, subd. 3, 4.

8 § 260C.178, subd. 1. See also § 260C.176, subd. 2(b) (72-hour limit without court review).

9 § 260C.178, subd. 1 (emergency removal hearings); Minn. Stat. § 260C.007, subd. 18 (definition of foster care).

placement. The specific order of placement preferences for Indian children must be followed by child welfare and the courts. See “Working with American Indian Youth and Families” in ***Child Welfare***, as well as ***Working with Tribal Nations***.

A reminder that status offenses such as runaway and truancy are CHIPS cases, not crimes which can be charged under the delinquency statutes. Youth cannot be held in secure detention for these reasons, other than an initial no more than 24 hours, applicable to runaways only, as referenced above.

b. Delinquency

Sexually exploited youth may also be taken into custody under the delinquency statutes, if they are suspected of having committed a crime other than prostitution. (A reminder that under Safe Harbor, anyone under age 18 may no longer be charged with prostitution.<sup>10</sup>) Some sexually exploited youth do commit criminal offenses, whether in connection with the exploitation or not. These offenses may include possession of drugs, assault, theft, and giving false information to police officers. Sexually exploited youth may even perpetrate exploitation themselves. (See “Victim-Defendants” in ***Prosecution*** for a discussion of such offenses.) Depending on the circumstances, juvenile justice professionals may well choose not to investigate or charge a particular offense committed by a sexually exploited youth. Even if such an offense is investigated or charged, professionals should consider whether detention is appropriate.

When a youth is arrested under the delinquency code, the youth’s parent or guardian must be notified as soon as possible. The youth must be released to family unless there is reason to believe that:

- “the child would endanger self or others, not return for a court hearing, run away from the child's parent, guardian, or custodian or otherwise not remain in the care or control of the person to whose lawful custody the child is released;” or
- “the child's health or welfare would be immediately endangered.”<sup>11</sup>

If one of these factors is present, the youth may only be detained in a shelter care or secure detention facility for up to 24 hours, with certain

10 § 260B.07, subd. 6(c).

11 § 260B.176, subd. 1.

exceptions. A court must then hold a delinquency hearing within 36 hours (excluding weekends and holidays).<sup>13</sup> At that time, the youth must be released to family unless the court finds the presence of one of the factors listed in the two bullets above, in which case detention may be extended for up to eight more days (excluding weekends and holidays).<sup>14</sup>

For more on the coordination between delinquency and child protection, see “The Role of Attorneys and Guardians ad Litem” in ***Child Welfare***.

## 2. General Guidance

**"It depends on the case and what kids want, if they don't think it's safe they shouldn't have to go home but if they do want to the courts should try hard to get them there."<sup>15</sup>**

As in all aspects of the response to the sexual exploitation of youth, cross-disciplinary coordination is critical in the process of initial placement. Law enforcement, child welfare, county or tribal attorneys, and courts should be in close consultation, both with one another and with the Safe Harbor Regional Navigator and other advocates.

Youth safety and wellness are of paramount importance. Sexually exploited youth should be given access to trained, trauma-informed, evidence-based medical and behavioral health services as soon as possible. Connections to a wide variety of resources are available from the Youth Services Network ([www.ysnmn.org](http://www.ysnmn.org) or via an app) and the Day One Crisis Line (866-223-1111).

If a youth is initially detained, the connection with services – whether Safe Harbor providers or otherwise – is even more important. If the youth is already working with a provider, the provider should be contacted and allowed to connect with the youth.

Note that if a youth is placed in emergency shelter, the shelter's location should be kept confidential and only disclosed if necessary, and only after consultation with the youth and shelter staff. (The law requires that the shelter location be disclosed to the youth's parent or guardian, but there is an exception if disclosure would place the youth in immediate danger.<sup>16</sup>)

12 § 260B.181, subd. 1.

13 § 260B.178, subd. 1(a). In the rare case that the youth is held in an adult jail, the hearing must be held within 24 hours. *Id.*

14 *Id.*, subd. 1(b), (2).

15 Voices, *supra* note 1, at 14.

16 Minn. Stat. § 260C.176, subd. 3(1), 5.



Youth should be empowered throughout this process as much as possible, based on their age and developmental level.<sup>17</sup> Honoring their choices where possible will help them to feel comfortable and safe. Under the values of the Safe Harbor No Wrong Door model, youth should never be made to “feel afraid, isolated or trapped.”<sup>18</sup>

### 3. If Not Family, Then Therapeutic Care

“Some good places and some bad places – put them where [it’s] best for them. Have a treatment facility that specializes in helping youth who are sexually exploited, so they can have different levels of care, chemical dependency problems, don’t isolate them with mental [health] patients.”<sup>19</sup>

As with ongoing child protection placements (see “Placement” in ***Child Welfare***), the first preference for any emergency placement of a sexually exploited youth (one who cannot remain with family) is with a relative or close friend.<sup>20</sup> This is consistent with the statutory directive that the youth be placed “in the least restrictive setting consistent with the child’s health and welfare and in closest proximity to the child’s family as possible.”<sup>21</sup>

If such a placement is not appropriate, then the youth should be placed, whenever possible, in care that is:

- therapeutic – based on a model of health and well-being rather than correction or punishment;
- trauma-informed, as described in ***Working with Sexually Exploited Youth***; and
- designed to meet the individual needs of the youth.<sup>22</sup>

17 See §§ 260C.212, subd 1(b) (providing significant input in the placement process for youth age 14 or over), subd. 2(b)(10) (identifying the youth’s preferences as one of the “best interest factors”).

18 Department of Public Safety, Office of Justice Programs, *No Wrong Door: A Comprehensive Approach to Safe Harbor for Minnesota’s Sexually Exploited Youth*, (Jan. 2015), [https://dps.mn.gov/divisions/ojp/forms-documents/Documents/!2012%20Safe%20Harbor%20Report%20\(FINAL\).pdf](https://dps.mn.gov/divisions/ojp/forms-documents/Documents/!2012%20Safe%20Harbor%20Report%20(FINAL).pdf), at 8.

19 *Voices*, supra note 1, at 36.

20 Minn. Stat. § 260C.212, subd. 2(a).

21 § 260C.181, subd. 2.

22 These elements are described in the “No Wrong Door” report. Department of Public Safety, Office of Justice Programs, *No Wrong Door: A Comprehensive Approach to Safe Harbor for Minnesota’s Sexually Exploited Youth*, 8, 21-23 (January 2013), [https://dps.mn.gov/divisions/ojp/forms-documents/Documents/!2012%20Safe%20Harbor%20Report%20\(FINAL\).pdf](https://dps.mn.gov/divisions/ojp/forms-documents/Documents/!2012%20Safe%20Harbor%20Report%20(FINAL).pdf).

Such care may come in family foster care or in a shelter. (Residential programs and group homes cannot be accessed on an emergency basis but require child welfare and court involvement.<sup>23</sup> See **Child Welfare**.) Emergency shelter and housing programs funded through the Safe Harbor program are specifically designed to provide residential care for exploited or trafficked youth.

Programs offering this care may be “staff-secure” – i.e., not locked but staffed and supervised 24/7. Such a setting discourages youth from leaving – not through locks but through facility design, environment, and programming, as well as safe and trusting relationships with well-trained and supervised staff.<sup>24</sup>

Even the best non-secure care may not be appropriate for some sexually exploited youth, such as those who exhibit assaultive and dangerous behavior, are actively suicidal, or are otherwise not medically or behaviorally safe to be in shelter.<sup>25</sup> Ideally, such youth would be placed – until they have gained stability – for hospitalization, crisis stabilization, or in a locked medical or treatment setting (such as a psychiatric residential treatment facility), with staff who have been trained to meet their specific needs. Unfortunately, few facilities currently exist in the state. **The authors urge that such facilities be developed and trained to serve exploited and trafficked youth.**

#### 4. Secure Detention?

Until more options are available, communities will often face a difficult choice between the risks of secure detention and the risks of continued exposure to trafficking and sexual exploitation. Some communities in Minnesota have chosen to prohibit the use of secure detention for sexually exploited youth, even from the initial contact with law enforcement and even when an offense has been charged under the delinquency statutes. Others have left this issue to professional discretion. There may well be other policy options. So long as communities follow the law described in “Legal Background” above and take a victim-centered, trauma-informed approach, they should choose the policy that works best for the youth in their community.

23 Minn. Stat. § 260C.157, subd. 3 (referencing juvenile treatment screening team).

24 For other guidance on best practices with respect to shelters, residential programs, group homes, and other congregate care settings, see **Shelter and Housing**.

25 In the view of some professionals, this list would also include certain youth who have run repeatedly from non-secure shelters and are at high risk of experiencing additional trauma while on the run, as well as certain youth who are recruiting others. Other professionals disagree and view secure settings, even if therapeutic, as never appropriate for youth who run repeatedly and/or are recruiting others. See the remainder of this section for more on both perspectives.

a. The Case to Prohibit Secure Detention

Placing a sexually exploited youth in secure detention can be problematic in many ways. For their long-term safety and stability, exploited youth need a broad, durable continuum of services that can help them recover from the trauma that they have experienced. While in detention, they do not have access to such services. They are physically and emotionally separated from their families and other social supports. With rare exceptions, juvenile detention centers are not prepared or equipped to address the mental, physical, and chemical health concerns that many youth face.

Time spent in detention can exacerbate the trauma for sexually exploited youth, who may have been subjected to parallel forms of control in their lives, including childhood abuse. They may feel like criminals who are powerless in a delinquency system – a system that may seem no less punitive than an exploiter. Common practices in detention centers, including isolation, mechanical restraints, strip searches, and invasive body searches, can be traumatizing to youth who have experienced exploitation. Some youth (especially those from the LGBTQIA+ population) report being sexually assaulted and/or solicited by other youth and even staff while in detention, especially once others find out why they are being detained there. When exploited youth are released from detention, they are often released right back into the initial unsafe circumstances, with little or no transition planning processes and no connection to community-based services. Their detention history can have a destructive effect on their education and employment prospects. All of this is counterproductive to healing and undermines the premise of “safety” that justified placing the youth in detention in the first place.

Youth who are determined to run will find a way to do so, even from locked settings. (They may find ways to get “kicked out” through assaultive or self-harming behaviors.) Fundamentally, a youth who is not ready to change behavior is unlikely to do so any more quickly because of being placed in secure detention. To the contrary, involuntary placement – a lack of respect for a youth’s own ability to choose the program or setting that best meets their needs – may make the youth even less open to change. In short, in the view of many professionals, secure detention creates more harms than benefits and should be used exceedingly rarely, if ever, even where good therapeutic alternatives are not otherwise available.<sup>26</sup>

26 For more information on this perspective, see “Harm Reduction” in *Working with Sexually Exploited Youth*.

## b. The Case to Permit Secure Detention

Other professionals believe that secure detention should remain an option for a limited number of sexually exploited youth. In the absence of therapeutic alternatives, this would certainly include those who exhibit assaultive and dangerous behavior, are actively suicidal, or are otherwise not medically or behaviorally safe to be in shelter. It would also include those who have repeatedly run from shelter and are at high risk of further exploitation. The kind of exploitation that these youth experience – often for weeks or months before the youth is located – can be horrific. In extreme circumstances, it can result in the youth falling even further into the abyss of pain, trauma, chemical and alcohol use, anxiety and depression – all of which makes treatment and recovery that much more difficult. Moreover, some youth end up pregnant or fathering children, and without adequate support, the abuse/neglect cycle begins to repeat itself. There is also a significant risk that at least some of these youth will die, whether by overdose, by suicide, or at the hands of traffickers, buyers, or others.

For some youth, detention can provide the short-term stability that they need to escape from exploitation and move forward with their lives. Some youth may even ask to be detained because they feel threatened, want to avoid services, or have built a bond with staff. Where secure therapeutic alternatives are not available, either because they do not exist or they are full, professionals must balance the temporary benefit of physical safety and stability while the youth is secure against the risks described in “The Case Against Secure Detention.”<sup>27</sup>

### **Electronic Home Monitoring (EHM)**

As with other forms of custody, the opinion of professionals varies as to the use of electronic home monitoring (EHM) for sexually exploited youth. (Note that whether EHM is considered “secure detention” depends on the community.<sup>28</sup>) Some professionals view EHM as particularly appropriate for youth who have run repeatedly from past placements or are recruiting others, providing many of the benefits of secure detention with few of the risks.

27 Indeed, the *No Wrong Door* report acknowledges this difficult balance, stating: “Holding youth in juvenile detention is undesirable. However, keeping youth safe from traffickers and commercial sex abusers is paramount,” and sometimes “youth must be securely held for personal safety reasons.” *No Wrong Door*, supra note 22, at 9.

28 EHM is a form of “detention.” See Minn. R. Juv. Delinq. Pro. 5.01 (definition of “detention”). However, “detention” may be “secure” or not. Different jurisdictions interpret this differently with respect to EHM.

Other professionals disagree. They point out that EHM, like secure detention, reduces the youth's sense of autonomy and agency and does not necessarily provide safety, as exploiters can still go to the youth's home and even the youth's parents could be recruiting. In addition, EHM may lead to delinquency charges – due to bracelet cutting – and yet tracking the youth via the bracelet seldom leads to helpful case-related information or greater safety for the youth. In some communities, a bracelet may even increase a youth's "street cred," defeating the purpose altogether.

If EHM is used, it should be limited to situations where there is no concern that the exploitation could continue at the home, whether by family members or by an exploiter coming to the home. (For example, EHM may be appropriate where there is only one trafficker who has been arrested, with no indication that the family is involved in the exploitation.) In addition, county attorneys should consider the circumstances which would underlie a delinquency charge for interfering with the EHM system – e.g., Cutting the bracelet only? Destroying it? Neither?

# Discipline Chapter Juvenile Corrections

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The Safe Harbor law has ended our state's reliance on delinquency proceedings as the sole response to meeting the needs of sexually exploited youth. But this does not mean that corrections and probation professionals lack opportunities to be helpful to youth who are being (or have been) exploited.

There are significant intersections among delinquency, child welfare, and sexual exploitation. As professionals should already be aware, youth who have been maltreated have a greater risk of juvenile delinquency, particularly when their trauma is left unrecognized and untreated. The factors that can put youth at risk of exploitation—see ***Dynamics of Sexual Exploitation*** (“Vulnerability & Risk Factors”)—can put them at risk of involvement in these other systems as well.<sup>1</sup> Indeed, youth in juvenile correctional facilities have reported the highest rate of exploitation compared to other youth.<sup>2</sup>

Thus, there are many opportunities for identification and intervention within the corrections and probation systems that could lead to improved outcomes for sexually exploited youth.

## 1. The Risks of System Involvement

Though the juvenile justice system has been designed with good intentions for the rehabilitation of youth, it is critical that professionals recognize the risks that system involvement poses for young people. Research has shown, for example, that sexual victimization from early childhood, along with the effects of complex trauma, can lead girls, particularly girls of color and LGBTQ/gender-nonconforming youth, into a victimization-to-imprisonment cycle.<sup>3</sup> Increased interaction with the juvenile justice system can increase the likelihood of damaging actions based on abuse-related triggers (see ***Working with Sexually Exploited Youth***) and start a cycle that may be difficult for the youth to escape, continuing into adulthood.<sup>4</sup> There are many reasons to believe that youth benefit more from engagement with systems that are less, rather than more, punitive.

1 Rights for Girls, *Issue Brief: Foster Care, Juvenile Justice, and Domestic Child Sex Trafficking*, <https://rights4girls.org/wp-content/uploads/r4g/2016/08/Dual-Crossover-March-17.docx.pdf>

2 L. Martin, B. McMorris, K. Johnson-Goodstar, G. Nic Rider, *Trading Sex and Sexual Exploitation among High School Students: Data from the 2019 Minnesota Student Survey*, School of Nursing, University of Minnesota, <https://www.nursing.umn.edu/research/research-projects/trading-sex-and-sexual-exploitation-among-high-school-students>

3 M. Saada Saar, R. Epstein, L. Rosenthal & Y. Vafa. *The Sexual Abuse to Prison Pipeline: The Girls' Story*. Human Rights Project for Girls, Georgetown Law Center on Poverty and Inequality, Ms. Foundation for Women. [www.law.georgetown.edu/go/poverty](http://www.law.georgetown.edu/go/poverty).

4 *Id.*

## 2. Identification & Immediate Response

Again, sexually exploited youth interact regularly with the juvenile justice system. For the reasons discussed in ***Dynamics of Sexual Exploitation*** (“Why Don’t They Leave?”), however, such youth seldom disclose on their own. They may have a history of being uncooperative and distrustful of people in authority, and so they may not meet our expectations of what a “victim” should look like. They may physically resist interactions with law enforcement based on distrust or fight back based on triggers from their trauma history. All of this may make it difficult to determine whether juvenile criminal behavior is a result of delinquency or of victimization and trauma.

It is critical, therefore, that corrections professionals be trained on and alert for the indicators of sexual exploitation. See the ***Dynamics of Sexual Exploitation*** (“Identifying Exploitation”) for examples of such indicators.

If a youth is identified as sexually exploited, a sexual assault advocate should be contacted, and the youth referred to victim-centered, trauma-informed, holistic and culturally-responsive services. The Safe Harbor Regional Navigator can serve as a resource.

Most immediately, the youth should be offered a medical exam by a sexual assault nurse examiner (SANE), if available. SANEs are specifically trained to address the needs of victims/survivors of sexual violence, as well as collect evidence for a potential investigation (with the patient’s consent). (See ***Medical Forensic Exams.***) Youth who have experienced sexual exploitation, whether acute or not, may also be referred to a child advocacy center (CAC) depending on local protocols. (See ***Children’s Advocacy Centers.***)

As corrections professionals are mandated reporters, they may also be required to report the exploitation immediately to child protection or law enforcement. They should make sure to inform youth of their status as mandated reporters prior to the youth disclosing information. Professionals should follow both the law and their facilities’ policies. See ***Legal Framework*** (“Confidentiality & Mandated Reporting”) for further information.

## 3. Working Effectively with Clients

Working with sexually exploited youth can be a tremendous opportunity to help youth access transformational services. See ***Working with Sexually Exploited Youth*** for general guidance on doing



so effectively. In addition, there are several considerations specific to corrections professionals.

One of the most important is the need to develop a strong relationship with the youth. This takes time but can also be an opportunity to teach youth about healthy relationships. Youth should not depend on you to meet all of their needs. Similarly, you should not feel solely responsible for their well-being. Corrections professionals may be among the few people in a youth's life who recognize the youth's strengths and positive qualities. Look for opportunities to provide positive encouragement by offering incentives for participation in supportive activities. Help youth to obtain state identification cards. Be patient and consistent with youth, respecting their perspective whether or not you agree with their choices. Do not be deterred by relapse or setbacks, as these are common steps on the path of healing.

Work with other community partners to develop a network of support. Victims/survivors of sexually exploitation are likely to require mental health services, culturally-competent counseling, and gender-responsive, trauma-informed care. Many sexually exploited youth will need support in learning fundamental life skills to transition toward independence. Community-based providers who use curricula specially designed for youth who have experienced trauma—especially the trauma of sexual exploitation—can help youth learn these skills.

#### 4. Correctional Facilities

Safe Harbor prohibits sexually exploited youth from being arrested for or charged with their exploitation. Nevertheless, sexually exploited youth are often placed in juvenile detention facilities or county jails—many of which are ill-equipped to recognize their exploitation or meet their specialized needs. It is critical that all professionals work to ensure that youth recognized as sexually exploited are placed in facilities suited for their needs. See ***Emergency Placement***. Given the hidden nature of exploitation, it is also critical that all correctional facilities, regardless of type, be prepared to recognize exploitation and provide a trauma-informed response.

See ***Shelter and Housing*** for further guidance on issues involving the housing of sexually exploited youth in correctional settings.

##### a. Intake & Screening

Youth entering a correctional facility are often in crisis mode. They have just been picked up—potentially out of a dangerous situation—and

may be agitated, exhausted, in need of a shower, hungry, intoxicated or high, or in need of medical and mental health care. They are likely not in the mood for a lengthy conversation about their trauma history or what might be happening to them at present.

Facilities should therefore consider which initial intake processes are essential (see “Prison Rape Elimination Act” below), and which can wait until after immediate basic needs are met. See ***Shelter and Housing*** (“Intake”) for guidance on meeting these basic needs.

When youth are ready, they should be screened for trauma and mental health issues, to identify their needs for immediate care or further assessment. Staff who work in juvenile facilities know all too well that youth in custody with mental health issues (including a history of trauma) can emotionally deteriorate and their conditions worsen.<sup>5</sup>

There are a number of screening tools designed to help identify sexually exploited youth.<sup>6</sup> Such instruments should be used in a standardized manner, and only by staff that have been trained to administer them, as well as trained on trauma-informed interviewing, risk factors for sexual exploitation (see “Identification” and “Immediate Response” above), and resources available to victims. Staff should make every effort possible to establish trust and rapport before asking difficult questions that focus on traumatic experiences. At the beginning of the interaction, staff should discuss with the youth how and when confidentiality will be maintained, and what limitations on confidentiality there may be.

Nevertheless, even the best screening process will not identify all sexually exploited youth. Facilities staff should be alert for indicators of exploitation, as discussed above in “Identification” and “Immediate Response.” Identifying exploitation earlier will lead in turn to earlier, more effective interventions.

#### b. Prison Rape Elimination Act

Screening pursuant to the Prison Rape Elimination Act (PREA) must happen within 72 hours of the youth’s arrival at the facility. Facilities must use a standard screening instrument to obtain information from the youth—such as charges or adjudications for criminal sexual conduct—that will help prevent the youth from being the victim of (or

5 S. Burrell & A. Bussiere, *Difficult to Place: Youth with Mental Health Needs in California Juvenile Justice*, Youth Law Center, 9 (2005).

6 For more information on available screening tools, contact the MN Department of Health

engaging in) sexual misconduct. The facilities must then make housing and programming assignments based on this information.<sup>7</sup>

While there are no exceptions to the administration of the PREA screening questionnaire, this should not be seen as a substitute to the process discussed in “Intake & Screening” above. Youth should be told that if they are uncomfortable with any of the questions on the PREA instrument, they do not have to answer. Answers to PREA questions can often result in mandated reports; youth should be informed of this possibility at the beginning of the PREA intake session.

c. Response to Identification

Ensure that any youth with identified needs—whether because of exploitation or otherwise—is referred to trauma-informed appropriate services and advocacy. If possible, such services should have expertise in working with sexually exploited youth. Establish a referral process to such services in advance. For example, facilities should set up a relationship through their medical provider with a local hospital that has a sexual assault nurse examiner (SANE) on call. See also “Survivor-Advocates” below.

If the intake screening indicates that a youth has experienced sexual victimization prior to entering a facility, staff should ensure that the youth is offered a meeting with a medical or mental health practitioner without delay. (PREA requires that such a meeting be offered within 14 days.) If the youth is victimized in the facility itself, the youth should of course be given timely and unimpeded access to emergency medical and crisis intervention services. (Note that this too is required under PREA.)

d. Trauma-Informed Care

Research has shown that youth in correctional facilities have a disproportionately high number of adverse childhood experiences (ACEs), including sexual victimization. (Information on ACEs can be found in the **Appendix**.) Given this reality, it is critical to adopt a trauma-informed approach to care—truly understanding the impact of trauma—in the correctional setting. See ***Working with Sexually Exploited Youth*** (“Being Trauma-Informed”).<sup>8</sup>

7 For more background on PREA, see <http://www.prearesourcecenter.org/about/prison-rape-elimination-act-prea>.

8 For further information, see *Essential Elements of a Trauma-Informed Juvenile Justice System*, developed by The National Child Traumatic Stress Network provided in the **Appendix**.

Juvenile facilities should be especially cautious in the use of physical holds or seclusion. Some states are moving away from the use of restraints in juvenile facilities, because considerable evidence shows that restraints re-traumatize already traumatized youth, do not improve behavior, and may lead to more acts of aggression. Note that holds and seclusion can be especially triggering for sexually exploited youth, because these tactics may replicate the methods of control expressed by the youth's exploiter.

Long-term residential programming can be a good option for many victims/survivors of sexual exploitation, giving them need time to heal. See ***Shelter and Housing*** ("Programming") for additional information.

e. Survivor-Advocates

Note that sexual exploitation poses a specific challenge when it comes to advocates having access to correctional facilities. Sexually exploited youth respond particularly well to professionals who have shared their experience. But advocates who are also survivors of sexual exploitation may have a criminal record related to their victimization, and these records may block access to facilities, depending on requirements under PREA (see "Intake & Screening" above) and other policies. Facilities should consider how advocates who are also survivors with criminal records can be allowed to visit and under what capacity, such as one-on-one interactions or as guest speakers.

## 5. Administration & Training

Leaders in juvenile corrections can take a number of steps to help support this work:

- Provide training to all staff on identifying and working with sexually exploited youth.
- Educate other parts of the system, such as child protection, prosecutors, judges and multidisciplinary teams in general, about the needs of sexually exploited youth.
- Collect comprehensive data, to better understand and improve the experience of exploited youth in individual facilities and in the corrections system as a whole.

Finally, consider establishing gender-specific probation caseloads. (Hennepin County, for example, has a gender-specific unit.) This approach gives corrections professionals an opportunity to specialize in the needs of their caseload and to advocate for particular services. Gender-specific probation may also ensure greater representation and focus on typically underserved populations, such as girls in the juvenile justice system and LGBTQ youth. Note that Minnesota's parity statute requires similar treatment for girls and women as boys and men in the corrections system.<sup>9</sup>

9 Minn. Stat. § 241.70 (programs for female offenders).

# Discipline Chapter Schools

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Schools can play an important part in preventing and identifying sexual exploitation. The daily relationship between educators and young people means that schools are a prime location where adults can engage in risk reduction, awareness-raising, and prevention. With the help of supportive adults, students can play an important role in all of these activities. A school-based response to sexual exploitation does not just consist of providing knowledge on this issue to staff. It requires that schools have policies and practices for creating a caring, supportive environment for all.

## 1. Identification

Educators and school personnel are poised to observe changes in the lives of the students they see on a daily basis. These changes can point to underlying problems that are affecting, outwardly, a student's behavior and appearance, academics, and social life. Problems within the school environment such as multiple unexplained absences, academic decline, and disciplinary problems are red flags that can prompt an intervention, not only for the obvious reasons, but also for the possibility of hidden sexual exploitation.<sup>1</sup> All adults in the school community need to pay attention to the possibility of sexual exploitation—teachers, school nurses, school-based health centers, school resource officers, school social workers, guidance counselors, attendance personnel, coaches, staff of after-school and enrichment programs, paraprofessionals, school volunteers, bus drivers, maintenance staff, and lunch room staff.

Several indicators may be present when a student is being sexually exploited, although none of these conclusively confirm that type of harm. ***Dynamics of Sexual Exploitation*** contains a list of many of these factors. Some of those that may be identified in a school environment include:

- changes in behavior and academic performance (especially a drop-off in grades);
- attendance problems;
- hunger, tiredness, depression or withdrawal
- lack of records about previous schools or homes;
- recurrent health issues;
- running away from home;

1 E. Wright Clayton, R. Krugman, and P. Simon, eds. *Confronting Commercial Sexual Exploitation and Sex Trafficking of Minors in the United States*, 297 (Sept. 25, 2013), <http://www.nationalacademies.org/hmd/Reports/2013/Confronting-Commercial-Sexual-Exploitation-and-Sex-Trafficking-of-Minors-in-the-United-States.aspx> [hereinafter referred to as *Confronting Commercial Sexual Exploitation*].

- use of lingo connected with sexual exploitation;
- an excess of cash or expensive clothing or jewelry that may be beyond the means of the student; or
- academic regression.<sup>2</sup>

It is also possible that none of these indicators will be apparent or present at all. Sometimes youth do well in school and maintain a “normal” routine, such that their sexual exploitation is not apparent and does not raise any concerns. They may be pressured by whomever is exploiting them to make it seem as if nothing unusual is going on.

## 2. Training

Schools not only may have sexually exploited students but may also serve as recruitment sites. Training for educators and school personnel should illuminate the dynamics of sexual exploitation, as well as provide information on referral procedures when staff suspect that a youth is a victim/survivor of a traumatic experience like sexual exploitation. It is especially helpful to provide training to staff regarding trauma, health disparities, historical trauma and other societal factors, along with their relationship to behaviors that are disruptive in the school setting.

## 3. Coordination

Addressing sexual exploitation is multilayered work; there are different responsibilities at each level of the school. Districts need to review policies to ensure that administrators have support to address the needs of sexually exploited youth. Districts need to review procedures with their district partners, particularly law enforcement, county and community mental health, first responders, and other community response organizations. Review agreements for services and collaboration with other service providers to address medical and mental health needs. Within the school, a multidisciplinary team—teacher, aides, student support staff, and administration—can review curriculum and programs that raise awareness about sexual violence in general. A multidisciplinary team can also review the academic, behavior and social needs of a student of concern.

Responding to sexual exploitation in a school requires coordination.

2 *No Wrong Door: Hennepin County Response Plan to End the Sexual Exploitation of Youth*, 23 (2014), [http://www.hennepin.us/~media/hennepinus/Media/Home%20page%20stories/08-001-01-14\\_No\\_Wrong\\_Door\\_report\\_single.pdf](http://www.hennepin.us/~media/hennepinus/Media/Home%20page%20stories/08-001-01-14_No_Wrong_Door_report_single.pdf).



One option is to base such coordination in the school's crisis response team, which is likely to include law enforcement, county and community health and mental health service providers, first responders, local clinics and hospitals. The crisis response team can then identify people with the skills and expertise that may exist within each district school building and bring them together to create protocol for prevention and intervention:

- Who interacts with youth on a regular basis?
- Who reviews attendance records?
- How often does the school nurse see a youth who may be exploited or abused?
- What does the school resource officer know about recruitment within the school and just outside its doors?
- Who understands data privacy around the issue of sexual exploitation?
- Who is aware of student data privacy laws?
- Who can work with other partners to assess safety issues for the youth within the family and determine when to notify parents or guardians?
- Who will investigate when sexual exploitation happens within the school?

This work should be integrated with the school's response to bullying and harassment pursuant to the Safe and Supportive Schools Act, Minnesota's bullying prevention and intervention statute. Sexual exploitation may result from threats or be part of bullying behaviors, and the Act requires schools to have a planned response to such behaviors. Staff included in this response should be trained to recognize and respond to indicators of sexual exploitation.<sup>3</sup>

It is also important that the school district's community partners understand the unique challenges faced by schools. Often educators and school personnel are in crisis mode all day, responding to everything from a broken wrist to a fight in the lunchroom to a student in need of a place to stay for the night. An immediate response to the request of a partner agency may be delayed, at least until school lets out for the day. The use of a collaborative team can provide defined roles for communication and response. This is helpful not only for the adults, but also for a youth, so the student does not have to tell their story repeatedly. Different people can take on the various tasks to address an identified student, such

as investigating, accessing needed services, and managing parent or guardian questions.

#### 4. Education on Sexual Health & Healthy Relationships

Students should learn about sexual exploitation—the dynamics, the risk factors, and much more. But it doesn't make sense to have that conversation without students having first received a comprehensive education on health and sexual health.

**"I had sex ed from my health teacher. It was a lot of facts, was kind of vague and boring and I didn't learn much."<sup>4</sup>**

At present, sexual health education in Minnesota focuses on disease and pregnancy prevention. The educators who provided input for the *Safe Harbor Protocol Guidelines* recommend that this education be reframed toward medically-accurate health information, as well as healthy relationships and sexual development. Age-appropriate, developmentally-specific, and evidence-based health and sexual health education that teaches both knowledge and skills should be provided, from elementary school on.

**"Normalizing the conversation in middle school. Middle school is when hormones kick in, puberty can hit early, I got my period at nine and I didn't know what I was going through. My mom was a kid when she had a kid and I wasn't getting proper education on my body and my school wasn't giving it to me. I was going through these changes I didn't know about."<sup>5</sup>**

All students need to understand themselves as they develop into adults, but some students may feel particularly at a loss with respect to sexual health education. This includes LGBTQIA+ youth; some health teachers are comfortable talking about sexuality only in the context of heterosexual interactions. District policy should ensure that teachers have the training and support that they need to address gender, sexual orientation and gender expression. Teachers may need additional training

4 Hennepin County No Wrong Door Initiative, Paula Schaefer & Associates, Sexual Violence Justice Institute at Minnesota Coalition Against Sexual Assault, Ramsey County Attorney's Office, *Voices of Safe Harbor: Survivor & Youth Input for Minnesota's Model Protocol on Sexual Exploitation and Sex Trafficking of Youth*, 20 (Dec. 2015), <http://www.hennepin.us/~media/hennepinus/your-government/projects-initiatives/documents/no-wrong%20-door-voices.pdf?la=en> [hereinafter, *Voices*].

5 *Id.* at 21.

to meet the needs of youth from cultures where sexuality and sexual health is not discussed in the home; such youth may want to talk further with others who know their cultural norms and expectations.<sup>6</sup>

**"Sexual education is more applicable to life, it will help you in your life, we will need reading, writing and math but we will need other things when you're out there in the real world. Things happen, it's not like math is going to solve your problems if you're in abuse."<sup>7</sup>**

Comprehensive sexual health education includes the topic of media literacy. At many schools, this topic is taught as a means of teaching cyber-etiquette. Schools should review such curricula to ensure that they address the issues of on-line grooming and sexual exploitation, the dangers of sexting, and the societal dynamics that allow for sexual exploitation, sexual violence and domestic abuse to continue.

One important tool in all forms of health education and media literacy is peer education, a proven approach in other health domains, such as smoking cessation and reproductive health care.<sup>8</sup> Youth are able to relate to one another more easily than they can to adults (and certainly know cyber-space far better!). Youth find credibility in the knowledge and experiences of other youth when discussing what they know about sexual exploitation.

**"In the class the teacher should communicate with the kids, try to be funny with them, create comfort, not just a teacher trying to make you learn because it's an obligation. So the teachers and youth have a connection."<sup>9</sup>**

## 5. Truancy

As discussed in "Identification" above, attendance problems can be one of the indicators that a student is being exploited. Even if it is not a current indicator, however, lack of regular attendance can be a significant risk factor for exploitation, in addition of course to other concerns such as impeded academic progress. Keeping students in school and engaged is a key prevention practice. Schools should therefore make every effort to minimize truancy, using alternatives to out-of-school suspension, to

<sup>6</sup> See **Cultural Considerations** for further discussion on different cultural perspectives relating to sexuality.

<sup>7</sup> *Voices*, *supra* note 4, at 21.

<sup>8</sup> *Confronting Commercial Sexual Exploitation*, *supra* note 1, at 316.

<sup>9</sup> *Voices*, *supra* note 4, at 21.

ensure that students are in school and engaged in learning.

The first step in minimizing absences is recognizing that students may be truant for many reasons: family responsibilities; being bullied or harassed in school; feeling disconnected from adults in school and from learning; problems with chemical or mental health; falling behind in school due to suspensions; engaging in illegal activity in the community; being sexually exploited; and much more. It is critical to identify, understand, and address these root causes. One of the best ways to do so is simply to talk with the student. Staff who do so should be good at developing rapport with youth.

Truancy teams should contact the parents of truant students (in languages that non-English speaking parents can understand) and have the parents make a police report when the youth is missing. Alternatively, these teams may need to find out why a parent is calling in and “covering” for a child. Such teams should look especially for trends in “school-skipping.”

When possible, avoid student suspensions. Youth who are suspended from school have more opportunity to engage in risky behaviors with other unsupervised youth or adults. They are also more likely to be truant, with all of the attendant risks. Instead, consider using alternative forms of discipline to repair harm. Restorative practices, for example, engage the community to help the youth understand how harm inflicted by the youth has affected others—an understanding which can have a powerful impact on a struggling student.

At some point, school staff may need to work with county employees to file a truancy petition.<sup>10</sup> The school will have to prove that it has tried to address the reasons why the student missed school. The court may order any number of possible remedies, including counseling, required participation in community service, denial of driving privileges, requirement that the parent or legal guardian deliver the child to school every day for a specified time period, probation supervision, or even transfer of legal custody. See **Child Welfare** for more information on this process. Note that involvement in the juvenile justice system can have its own risks. See **Juvenile Corrections** for a discussion of some of these increased risks.

10 A “habitual truant” is:

a child under the age of 17 years who is absent from attendance at school without lawful excuse for seven school days per school year if the child is in elementary school or for one or more class periods on seven school days per school year if the child is in middle school, junior high school, or high school or a child who is 17 years of age who is absent from attendance at school without lawful excuse for one or more class periods on seven school days per school year and who has not lawfully withdrawn from school...

Minn. Stat. § 260C.007, subd. 19.

## 6. Recruitment & Grooming

The recruitment of youth into sexual exploitation happens within the school building and also in the areas around schools, such as the surrounding streets, bus stops, playgrounds, athletic fields and community places where students gather. Young people need to understand what grooming looks like: It starts with relationship building and over time can take a different, more exploitive direction. For example, the “cool kid” may be asking another youth to come to a party for a “hook up.” A request from someone who seems older and more popular can be hard to resist, because young people want to fit in and to be liked. The youth’s vulnerability is used to engage and to persuade. See *Dynamics of Sexual Exploitation* for more information. Education on cyber stalking, learning about in-person predators provides students with key knowledge to keep themselves safe or to ask for help when they are confused.

## 7. Access to Education

Youth have access to education even if they are homeless. Under the McKinney-Vento Act (MVA) a young person is considered homeless if they lack “a fixed, regular and adequate nighttime residence.”<sup>11</sup> This can include living with a friend or relative if someone has lost their home or can’t afford a home, living in a motel/hotel/campground, living in a shelter, living in substandard housing, living somewhere not ordinarily used for sleep such as cars, parks, abandoned buildings, bus or train stations, awaiting foster care placement or abandoned in a hospital. Sexually exploited youth who are homeless may be eligible for educational assistance under the MVA.

The services for homeless youth are not limited by a set amount of time—it just matters that the youth is identified as homeless at some point in the school year. That designation secures education benefits under the MVA for the rest of year. Schools have an obligation to inform students about their MVA rights and distribute notices about education rights to youth in shelters, drop-in center, youth services, soup kitchens and other places where they can be found. And every school district must have a “homeless liaison” that ensures that the youth meets the MVA criteria and is directed to services. The liaison can enroll the student in school even if they don’t have immunization and medical records available.

11 42 U.S.C. 11434a(2).

In general, students who qualify under the MVA are required to attend public school, but Minnesota law provides options for an approved private school, home school and certified education as well.<sup>12</sup> They can stay in the school they were in when homeless even if permanent housing is found in another school district. It's also possible to attend a different school if it's in the designated area, including a charter school. The school has to provide safe transportation options for the youth or the youth can get reimbursed for providing their own transportation.

Attending school under MVA lasts until high school graduation or the equivalent under age 21 (or age 22 under federal law for special education).<sup>13</sup> MVA also guarantees access to online education that may be used when a student is in shelter or a residential setting.

Finally, MVA requires that any barriers to school activities such as fees should be waived or covered by district funds. This includes requirements for athletic associations to ensure participation by the youth.

## **8. Student Re-entry**

Sexually exploited youth who have been out of school due to exploitation or because of time spent in a residential setting or even a detention setting may have difficulty adjusting to the seemingly mundane day-to-day activities of school. In many ways, sexually exploited youth will feel older and more experienced than their peers, so the drama of middle school or high school may seem trivial.

When a youth is enrolling in school after transitioning from a shelter, placement or detention center, conduct a needs assessment with the student, develop an Individualized Education Program, and talk with mental health professionals to determine what can be done immediately to help the youth make the transition. Work with the family if possible. Educators and school personnel should avoid labeling or generalizing the youth's experiences after the youth has been exploited and/or homeless.

The local school must determine what will assist re-entering youth in their education, and consider placement at an alternative learning center, providing a continuum of services, or online learning. Smooth the youth's re-entry into school by working with advocates, child protection workers, probation officers and others who know the youth well.

12 Minn. Stat. § 120A.22.

13 Minn. Stat. § 120A.20 and 20 U.S.C. § 1412(a)(1)(A).

## 9. Cultural Considerations

Schools serve youth and their families from a wide array of cultural backgrounds and experiences. See ***Cultural Considerations*** for more general discussion on the issues raised in this section.

Being new to the state and the majority culture of the United States can make youth vulnerable to adults or other youth who wish to prey on them. If English is not the first language spoken in the home, it may be difficult for youth to understand the connotation of words, or to be able to read predatory grooming behavior.

Language differences may also be a barrier for youth and their families to engaging in the school. For example, because some parents or guardians cannot read English, the youth may be able to say, “There is no school because of a holiday,” even if there is school. As a result, the youth can develop a truancy problem that the parents do not know about. Further, if a youth is truant from school, consider that immigrant or refugee parents might not understand the school rules for “un-excused” absence and may keep the youth home to baby-sit or work. Ensuring that staff that speak the language of the home or that interpretive services are available as well as information provided in multiple languages will help to improve understanding. Students should not be expected to translate for their parents.

Recent focus on school bullying has led to a greater variety of approaches to ensure that all students are aware of harassment policies, and that actions taken against other youth have consequences. In particular, schools are doing more to address the needs of LGBTQIA+ youth. They are disproportionately represented among sexually exploited youth because of being shunned at home or at school. Identifying staff members who are LGBTQIA+-safe is helpful as well as setting up Gay-Straight Alliances to reinforce an accepting and welcoming environment.

Chapter 24

# Discipline Chapter Intersection with Labor Trafficking and Exploitation



Victims/survivors of sexual exploitation may experience labor trafficking and exploitation as well, with the two affecting similar vulnerable populations. Labor trafficking occurs when an employer compels or tricks a worker into working against their will. The employer often uses violence, threats of violence or deportation, manipulation of debt, blackmail, fraud, or other tactics to compel victims to work. Typically, such work takes place in abusive conditions, such as an unsafe work environment, long hours without breaks, or work without pay or overtime; however, the crux of labor trafficking is that victims/survivors feel that they cannot stop the work they are providing for fear of serious consequences.

Under Minnesota law, labor trafficking includes debt bondage or forced labor and services and is not limited to undocumented victims; many American citizens and immigrants with documentation are trafficked as well. Debt bondage means someone is under another's control and the debt cannot be paid in a reasonable amount of work due to fraudulent practices by the trafficker. Forced labor includes physical harm or restraint, abuse or threatened abuse of the legal process, withholding of identification documents, and use of blackmail.<sup>1</sup>

Labor exploitation involves the violation of laws on how workers are treated, including how much and when are paid, health and safety in the workplace, and when and how youth under 18 can work. Federal, state, and city laws all establish standards for wages, hours, breaks, and other workplace issues.<sup>2</sup> Organizations throughout the state, including The Advocates for Human Rights, International Institute of Minnesota, and Centro de Trabajadores Unidas en la Lucha, provide services to labor trafficking victims, and many Safe Harbor providers can assist with initial consultations and referrals. The Minnesota Attorney General's Office and the Minnesota Department of Labor and Industry respond to wage theft cases.<sup>3</sup>

A set of *Labor Trafficking Protocol Guidelines*, parallel to these *Safe Harbor Protocol Guidelines*, is available to help communities successfully identify and respond to victims/survivors of labor trafficking, especially those 24 years old and younger. These *Guidelines* provide an overview of which organizations and agencies may need to be involved in a response, as well as guidance on prevention, identification, confidentiality, and special considerations for victims who are minors, foreign nationals, or

1 Minn. Stat. § 609.282.

2 For example, Minnesota's law criminalizing wage theft is codified at Minn. Stat. § 609.52, subd. 1(13).

3 See <https://www.ag.state.mn.us/Consumer/Publications/WageTheft.asp>.

vulnerable adults. The Advocates for Human Rights can also provide technical assistance and training in implementing the *Labor Trafficking Protocol Guidelines* for organizations, communities, and government agencies. To access them, visit the website of the The Advocates for Human Rights, at [https://www.theadvocatesforhumanrights.org/labor\\_trafficking\\_protocol\\_guidelines](https://www.theadvocatesforhumanrights.org/labor_trafficking_protocol_guidelines).



# Safe Harbor Next Steps

Four “next steps” chapters, written by the Sexual Violence Justice Institute at the Minnesota Coalition Against Sexual Assault (SVJI at MNCASA), to help individual communities begin the process of developing and implementing their own protocols on responding to trafficking and exploitation of youth.

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## Safe Harbor Next Steps: Introduction

Now that you have read through the Safe Harbor Protocol Guidelines, it is time to start thinking about the next steps to building a community response to sex trafficking and sexual exploitation.

Your community may have already begun to build this response through community awareness events, professional trainings, and coordination between advocates and other service providers in order to meet the specific needs of currently identified sexually exploited youth. You do not want to lose momentum, and there are practical steps that you can take to transform existing community support into a long-term, sustainable systems response that will ensure that every door in your community is a “right door.”

The following **Next Steps** chapters are intended to provide you with a basic overview of multidisciplinary collaboration, the elements of an effective community response, and the protocol development process. You will also receive some basic, practical recommendations for getting started in your community, whether your community has an existing protocol team or is looking to form a new team.

MNCASA has developed numerous tools, resources, trainings, and other materials that will assist your community as you embark on the protocol development process. Please check the MNCASA website ([mncasa.org](http://mncasa.org)) for available resources, including a Team Formation Starter Kit, Protocol Writing Guidebook, and more.

# Safe Harbor Next Steps Elements Of An Effective Response

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An effective response to sexual exploitation requires engagement from the entire *community*. This means systems that exist within the community (i.e. victim advocacy, law enforcement, medical, education, etc.), as well as the community at large.

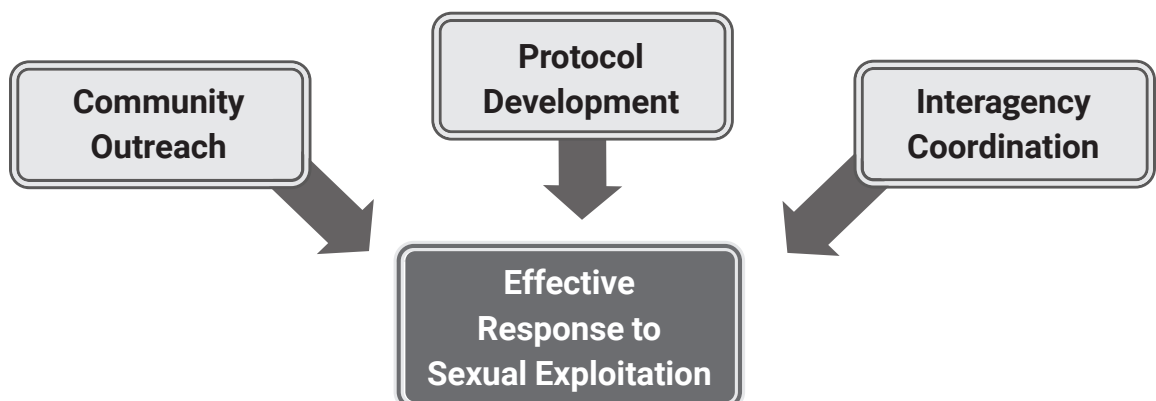
In order to be a community of “right doors,” local leaders, key stakeholders, allies, and systems professionals must agree that sex trafficking and sexual exploitation are problems impacting the community, then commit to investing the time and resources necessary for developing a long-term, sustainable, and victim-centered response.

Multi-level community engagement is a process of finding the right role for each member. Everyone has a different role to play, and that role is equally as important as the others. For teams working on protocol, every participating agency’s roles, obligations, and viewpoints must be heard and respected equally (See **Next Steps: Successful Multidisciplinary Collaboration**).

At the same time, systems partners must recognize that allies and stakeholders within the community also play an important role. For example, a local community activist may not lead a protocol team, conduct investigations, or provide advocacy to a victim, but they are in the best position to coordinate a training for hotel staff, host a fundraiser for a local youth services agency, or pull together a group of community members for a meeting with their state senator or representative.

There are three essential elements needed for an effective response to sexual exploitation:

1. **Community outreach** and awareness-building,
2. **Interagency coordination** of service providers and systems professionals in order to respond to current cases, and
3. A process for improving the overall system response to sexual exploitation—also known as **protocol development**.



These are *separate and distinct* elements that happen both independently and simultaneously. Each element is essential to the overall community response, and the work done on one front necessarily informs the others.

## 1. Community Outreach

The primary purpose of Community Outreach is to build community awareness about sex trafficking and sexual exploitation. Increasing the general public’s understanding of the issues helps create culture change, as well as obtain the buy-in and commitment necessary for becoming a community of “right doors.”

Community outreach teams leverage strategic partnerships between the professionals who work directly with sexually exploited youth (community-based advocates, healthcare providers, investigators, etc.) and key allies within the community (faith communities, local businesses, local government, etc.) to ensure that the information and education being provided to the general public is not sensationalized, but accurately reflects what is happening in the community. These teams also help community members better understand the role they can play in the overall response to sex trafficking and sexual exploitation. Some examples include:

- Engagement of community members in legislative and policy advocacy;
- Parents and students advocating for the integration of comprehensive sex education curriculum in their school district;
- Increased private funding and support for advocacy and youth services.

**"A lot of counties need to get more activity-based things to keep people out of trouble, more education-wise, programs like the YMCA, Step, all this stuff in the cities needs to be worldwide but a lot of counties don't have the money for that."<sup>1</sup>**

1 Hennepin County No Wrong Door Initiative, Paula Schaefer & Associates, Sexual Violence Justice Institute at Minnesota Coalition Against Sexual Assault, Ramsey County Attorney's Office, *Voices of Safe Harbor: Survivor & Youth Input for Minnesota's Model Protocol on Sexual Exploitation and Sex Trafficking of Youth*, 34 (Dec. 2015), <http://www.hennepin.us/~media/hennepinus/your-government/projects-initiatives/documents/no-wrong%20door-voices.pdf?la=en> [hereinafter, *Voices*].



## 2. Interagency Coordination

Interagency coordination brings together advocacy with other core agencies in order to meet an individual victim's short-term and long-term needs, regardless of whether the victim is participating in the investigation and prosecution of their exploiters.

Many communities are finding that with increased awareness comes an increase in victim identification and referrals. As a result, advocacy agencies and other systems partners have begun to adjust their practices and procedures, partner with other disciplines, and leverage existing resources in order to meet the specific needs of identified victims in their community. This level of coordination is complex, particularly when multiple agencies are reacting to an immediate crisis, so it can be helpful for advocacy and other core agencies to coordinate under an interagency agreement or memorandum of understanding.

## 3. Protocol Development

The primary purpose of protocol development is to develop a long-term and sustainable response to sex trafficking and sexual exploitation. In this work, there is often a lot of turnover and transition. Additionally, even if some individuals within an agency receive training, training alone is not sufficient to ensure that an entire agency is knowledgeable or that all staff and personnel consistently use victim-centered, trauma-informed practices. Protocols take the guesswork out of multidisciplinary collaboration and help teams to be responsive rather than reactive. (See **Next Steps: Protocol 101** for more information about the protocol development process.)

A protocol team is composed of essential community and systems partners and allies. It *does not respond to individual cases*, but looks at the big picture, focusing on ways to improve the systems response to sexual exploitation. The primary function is to develop a set of guidelines (or, protocols) that are victim-centered, trauma-informed, and based in positive youth development. Protocols formalize roles and responsibilities, integrate sustainable training and capacity-building, and guide not only how each agency responds, but how agencies interact with other team members in order to meet the needs of victims.

See the table below for more details about each essential element of a community response.

## Protocol Development

### Primary Purpose: Long-term sustainable community response to sexual exploitation

- Multidisciplinary and collaborative, the work is formalized through an interagency agreement or MOU.
- Not intended to conduct case management, but a review of the overall system response.
- Results in the development of guidelines and assigns responsibilities among partners, including changes to agency practice and procedure, training and capacity building, and prevention strategies.
- Ensures that even with personnel changes and turnover, every agency response is victim-centered, culturally-responsive, and trauma-informed.
- Considers each participating agency's legal, ethical, and professional obligations (particularly around victim/survivor confidentiality and advocate privilege).
- Is community-specific, takes into account the needs, culture, and resources of the community.
- Continuously assesses and evaluates changes that have been made to agency practice and procedure in order to ensure that they are resulting in the desired outcome.

## Interagency Coordination

### Primary Purpose: Case-by-case response to currently identified sexually exploited youth

- Victim-specific, coordination between advocacy and other core agencies to meet the individual victim/survivor's short-term and long-term needs (typically organized under a MOU).
- Helps identified victims/survivors access community-based advocacy and other services, whether or not they are participating in the investigation of the exploiter(s).
- Advocacy does not discuss case specifics or disclose victim information, but advises the rest of the team on the dynamics of exploitation and perspective of victims in general.
- Increased law enforcement initiatives targeting exploiters—both buyers and traffickers.
- Responds to each case using a victim-centered, culturally-responsive,

and trauma-informed approach.

- Considers each participating agency's legal, ethical, and professional obligations (particularly around victim confidentiality and advocate privilege).

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## Community Outreach

### Primary Purpose: Community awareness and buy-in

- Leverages strategic partnerships between community members and professionals to ensure that the information and education being provided is not sensationalized, but accurately reflects what is happening in the community.
- Increases awareness and understanding of sex trafficking and sexual exploitation in the general community, effects culture change.
- Encourages community engagement in legislative and policy advocacy.
- Increases the focus on prevention efforts throughout the community.

It is up to each community to decide how best to approach this work, and there is no one right way to develop an effective, community-specific response to sex trafficking and sexual exploitation. Some communities may elect to create separate teams for each distinct element. Other communities may find that, due to lack of resources, the same people may “wear more than one hat.”

Keep in mind that a victim/survivor's privacy is paramount. Confidentiality and data privacy practices must be maintained. Although the same person may play different roles, it is critical that parameters be put in place to ensure that work performed under one role does not cross over into another role (for example, an advocate and county social worker who work together on active case management should not discuss the case or any other identifying information about victim/survivor when doing protocol or community outreach work).

# Safe Harbor Next Steps Successful Multidisciplinary Collaboration

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Simply put, a collaboration is a group of people working towards a common goal. It is both a structure (see the “Types of Multidisciplinary Collaborations” table below) and a process.

When addressing a complicated issue like sexual exploitation of youth, it is not only important but necessary for disciplines and systems to work together in order to achieve the best possible outcomes for each victim. Successful multidisciplinary collaboration is what allows for resource sharing, development of critical professional relationships, sustainable systems change and improved access to services for victims/survivors.

## 1. Why Do We Collaborate?

Successful multidisciplinary collaboration has been shown to increase victim/survivor participation in the criminal justice process. When victims/survivors see that partners trust one another, they feel more comfortable engaging with a system that can be intimidating and overwhelming. Victims/survivors reluctant to come forward may be more willing to do so if they see the system responding positively and working for others like them. And when victims/survivors participate, criminal justice outcomes are better. Greater participation can lead to more convictions.

But convictions are not the only—or even the main—goal. For many victims/survivors, being treated with respect, belief, and care by providers is as important as case outcomes or offender accountability. Therefore, **an effective response to the sexual exploitation of youth will extend beyond the criminal justice or child protection systems.**

Not every sexually exploited youth engages with the government—either by choice or an inability to seek help. More often than not, the first “right door” they encounter is a service provider who helps meet day-to-day victim/survivor needs like health care, housing, education, advocacy support, and cultural connections. This is why community-based advocates and service providers are critical to the collaborative process, and are often in a position to respond more nimbly than system-based providers.

## 2. Collaboration vs. Cooperation and Coordination

Depending on numerous factors, including awareness, buy-in, and capacity, the level to which agencies work together may be broad or more limited. In the context of protocol development, *collaboration* refers to a formalized relationship between multiple agencies. This is because protocol development involves systems change—which requires

agency-level participation and decision-making. When collaborating to develop an effective response to sexual exploitation, participating agencies will negotiate about what changes need to be made to each agency's practice, as well as to the way agencies interact with one another.

*Cooperation* is the term used to describe a short-term or informal relationship that exists without any clearly defined mission, structure, or planning effort. Partners in this relationship share information only about the subject at hand. Each organization retains autonomy and keeps resources separate.

*Example: A law enforcement agency refers all adult victims of sexual exploitation to a local community-based advocacy program for women who have been prostituted. While there is no formalized policy in place, the two agencies have agreed that if the victim/survivor completes the advocacy agency's educational and support program within a specified amount of time, no citation for prostitution will be issued.*

*Coordination* denotes a more formal relationship between agencies. Partners focus their longer-term interaction around a specific effort or program and under a common mission statement. This level of partnership requires some planning and division of roles, and creates communication channels between organizations. Authority still rests with individual organizations, but resources are made available to all participants and rewards are shared.

*Example: A Sexual Assault Response Team (SART) whose members respond to an individual assault case/victim. This can include the sexual assault advocate, sexual assault nurse examiner (SANE), and the investigator (among others) who are involved in the initial response.*

### **3. Collaboration and the Need for Shared Values**

Members in a collaboration represent their separate organizations, with each organization bringing their full commitment, resources, and reputation to a common mission. Successful collaboration requires comprehensive planning, agreed upon language and philosophy, and well-defined communication channels operating on all levels. Trust, mutual respect, a unified purpose, and shared values among peers must drive the work.

When making systems change, teams will inevitably encounter tension points, and even conflict. This is a *good* thing, as it means the teams are willing to confront underlying issues and have difficult conversations, in order to make needed changes to how each discipline

or system responds to sexual exploitation. Shared values will help teams work through tension and conflict in a productive way, ensuring that the end result is victim-centered, and that every participating agency's roles, obligations, and viewpoints are heard and respected equally.

### Sample Core Values

1. **Victims/survivors are not to blame.** They did not “provoke” the harm. Interventions should focus on changing the offender’s behavior and/or improving the system and community response, not changing the victim/survivor. When victims/survivors DO report, cases should be vigorously investigated.
2. **Victims/survivors know best what decisions are right for them.** Assistance should be geared toward providing information and support to help in decision-making relative to the victim/survivor’s own goals of establishing safety, healing, and seeking justice. Informed decision-making means the victim/survivor knows what could be gained or lost in the options available to them—they can assess the balance that works in their favor. While all providers should facilitate victim/survivor agency, victims/survivors should have repeated access to free and confidential advocacy services to help guarantee it.
3. **Sexual exploitation affects each individual differently.** Providers should be especially aware of the different impacts that sexual exploitation has on community members from different cultures. Providers should consider specific ways to increase safety and accessibility that account for these differences.
4. **Each provider has a unique role to play in the response.** A coordinated community interdisciplinary response that supports and recognizes these roles—including that of victim/survivor advocates—is good for victims/survivors AND for community and public safety. Victims/survivors are best served when responders fulfill their roles with high degrees of skill, compassion, and coordination/collaboration with other responders.

5. **Ensure that the desired outcome is actually being achieved.**

Multidisciplinary teams must learn about the current response, design interventions, and monitor and evaluate their interventions together. The overall process should involve times when the team solicits information and insight from those outside the team—including victims/survivors themselves and the people they most often turn to in a community.

4. **How Can We Collaborate?**

Multidisciplinary collaboration takes on many forms. And there is no single “right” way to collaborate. Whether providers work together on a team, a task force, or another type of alliance depends on their shared goals and priorities, as well as function. This can sometimes be confusing, especially when the same individuals have a role on more than one type of team. An effective response requires collaboration, coordination, and cooperation at various levels. See **Next Steps: Elements of an Effective Response**. As your community begins to identify which “team” is responsible for, e.g., protocol development, or case management, or community outreach, it is important to clarify parameters about the role and function of that team.



### Types of Multidisciplinary Collaborations

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Coordinating Councils (CC)	Generic networking groups which form around domestic violence (XYZ County’s Family Violence Coordinating Council). They may or may not take on the task of designing response protocols.
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Coordinated Community Response (CCR)	Intervention strategy developed by the Domestic Abuse Intervention Project (DAIP) in Duluth. Often called the "Duluth model," a CCR is "system of networks, agreements, processes and applied principles created by the local shelter movement, criminal justice agencies, and human service programs" to protect victims and hold batterers accountable.
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Child Protection Multidisciplinary Team (MDTs), also referred to as "child protection team," "interdisciplinary team," or "case consultation team"	Used often in relation to a child protection team or mental health case review/case management team. Some jurisdictions have used their existing MDT to do the coordinating work around sexual assault.
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Sexual Assault Response Team (SART)	Most widely used in reference to community coordinated efforts regarding the response to sexual assault. SARTs are variously understood to be the team that responds to a victim in the emergency room/evidentiary exam setting; the larger criminal justice team that determines the best interagency protocol for community partners who respond to sexual assault; or the larger community team interested in a victim-centered response to sexual violence.
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## Types of Multidisciplinary Collaborations

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Sexual Assault Multidisciplinary Action Response Team (SMART)	The term used to identify the interagency protocol teams in Minnesota. SMARTs are teams that include criminal justice and community partners who commit to using the eight step-cycle of protocol development to enhance their local response to sexual violence.
.....	
Sexual Assault Interagency Council (SAIC)	The acronym coined by Boles and Patterson in the text <i>Improving Community Response to Violence: The Eight Step-Protocol Development Cycle</i> . SAICs and SMARTS are the same. Some Minnesota Teams have developed their own acronym—they are all “SMARTs” but have called themselves SAPT (Protocol Team), SAPIC (Protocol Interagency Council), etc.
.....	
Task Force	Temporary group of people formed to carry out a specific mission or project, or to solve a problem that requires a multidisciplinary approach.



# Safe Harbor Next Steps Protocol 101

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<b>2. Protocol Development is a Process</b>	<b>316</b>
<b>3. Overview of the Protocol Development Process</b>	<b>317</b>
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Minnesota's Safe Harbor law made significant changes to the way the state treats sexually exploited youth under the law. The No Wrong Door statewide services model provides a general framework for identifying and serving victims. It is now up to communities to build a practical, tailored, sustainable response based off that framework in order to ensure that they are a community of "right doors"—this response is shaped by the work of protocol.

## 1. What is Protocol?

In the context of Safe Harbor, protocols change the way systems respond to sex trafficking and sexual exploitation. They are formalized agreements between and among systems partners that institutionalize the roles and responsibilities of individual agencies, as well as the way agencies work together. Protocols ensure that good practice survives turnover, orients new staff in the collaborative work, and provides a benchmark for reviewing and improving the overall systems response to sexual exploitation.

Consider the various points of entry a sexually exploited youth could have into any one of the systems within a given community: a school resource officer, a county social worker, a youth shelter advocate, a health clinic nurse, a public defender, etc. At the agency level, think about the changes that need to be made to policies and procedures in order to ensure that the youth is first correctly identified as a victim of exploitation, and that once identified, they are treated in a way that is victim-centered, trauma-informed, and based in positive youth development.

Now consider the ways in which these systems will intersect with one another in order to ensure that the sexually exploited youth receives access to comprehensive services and support. What agency-level changes will need to be made to ensure that systems collaborate effectively? What inter-agency agreements will need to be in place in order to ensure that the agreed upon response is followed?

## 2. Protocol Development is a Process

There is an urgent need for agencies to coordinate in order to meet the needs of current cases involving sexual exploitation (see **Next Steps: Elements of an Effective Response** for more information about the difference between protocol development and interagency coordination). Although communities and teams may be eager for a document to just "tell them what to do," it is important to understand that protocol development

is more than creating checklists and assigning tasks; it is a process.

First, developing protocol involves making agency-level decisions, and participating agencies will each have different priorities, concerns, obligations and limitations. It is the product of negotiations among collaborating agencies and systems partners.<sup>1</sup> Negotiation is the key word. Protocol development cannot be separated from multidisciplinary team work. See **Next Steps: Successful Multidisciplinary Collaboration** for more information about working as a team. Protocol development builds partnerships between and among agencies—not just the individuals around the table—that are unified under an agreed upon mission and goals.

Furthermore, each community has its own unique set of needs and resources, and it is important to adopt a process that can sustain and adapt to changes in the community's status quo. For example, a community's law enforcement agency may create a new investigator position dedicated to intelligence analysis and the use of technology for sex trafficking investigations. Or, maybe a local youth shelter loses its funding. Over time, any number of changes can occur that impact the way systems in a community respond to sexual exploitation.

Additionally, new best practices will emerge, and laws will change. Communities will need to revisit and reassess their work, make additional changes, and reassess again. Committing to the process, rather than just a one-time product, enables communities to have a victim-centered response that is sustainable, adaptable, and tailored the specific community.

### 3. Overview of the Protocol Development Process

If your community has decided to embark on the protocol development process, you may be asking “what does this process look like?” Remember, protocol development entails “systems change,” or changes to the way that systems within your community respond to sex trafficking and sexual exploitation. This kind of change requires a process that is adaptable, with a built-in mechanism for not only reviewing your community's status quo, but also evaluating whether the changes your community has made in terms of practice and procedure are actually working.

Think of the protocol development process as a cycle, with three primary phases of systems change:

1 *Improving Community Response to Crime Victims: An Eight-Step Model for Developing Protocol*, A. Boles and J. Patterson, (SAGE Publications), 1997.

- Assessing the Status Quo,
- Making Change, and
- Measuring the Change.

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There are various methods that can be used in each phase, which can occur simultaneously and independently in a given community. For example, a team may be engaged in an evaluation of protocols around the systems response to cases where a sexually exploited youth has engaged in another crime as a result of their exploitation (e.g., theft, drugs, etc.), and at the same time, modifying existing protocols to enhance the community's ability to provide LGBTQ youth with culturally-responsive services and support. Approaching protocol development as a process allows teams to build a long-term response, while remaining flexible enough to adapt to changes in the community and emerging needs and best practices.

#### **4. Cultural Inclusivity and Responsiveness in the Protocol Development Process**

Fully integrating cultural inclusivity and responsiveness into the protocol development process, as well as existing agency policy and practice, is a necessity from the very beginning. While a protocol cannot capture every nuance, it can provide guidance to its users about how cultural identity plays a role in the response, what resources are available, and what myths or stereotypes can undermine victim-centered principles. Having frank conversations during the protocol development stage may help to avoid future mistakes or misunderstandings.

Do not treat cultural considerations as an afterthought; if you do, it will be very apparent that your efforts are not authentic. Recognize the failings in your response, because they will be present. Programmatic and systemic responses often assume similarity amongst victims.<sup>2</sup> Be open, respectful, and nonjudgmental in these crucial conversations. Ask questions, but at the same time educate yourself—do not place the burden of your education onto the people you serve.

When developing a protocol for sexual exploitation, ask yourself: What cultural identities are present in the community? What do the demographics look like? Who is most impacted by the crime of sexual exploitation? Consult your local community advocates and leaders. Who should participate in protocol development and the team? Who is missing from the process and what barriers are in the way of their participation?

In addition, think about what racial and gender stereotypes are being perpetuated by your protocol messaging within systems and to the public. For example, not all victims of sexual exploitation are female however most public services use this imagery, sending a message (intended or not) to male and transgender youth that they may not be welcomed or at least may not have their needs met. Likewise, images of exploiters are often portrayed as persons of color, perpetuating cultural stereotypes particularly of African Americans, even though the demographics of exploiters represent all backgrounds. Providing one-dimensional perspectives is racist and limits the ability of professionals and community members alike to see the true impact of exploitation.

## 5. Protocol FAQs

### ***Why can't we just do what another community does?***

Another community's protocols cannot meet the unique needs of your community. First of all, the way in which sex trafficking and sexual exploitation happen varies from community to community. For example, in some communities, third-party traffickers target youth in group homes and shelters, while in other communities, youth are trading sex for shelter, rides, or valuables, and in yet another communities, youth are recruiting their peers to engage in sex acts for money or drugs.

In addition, if protocols result from negotiated agreements—then they will likely represent what a particular team in a particular place and time could agree on. They may not represent what's best for

<sup>2</sup> E. Calvert & L. Williams, *Minnesota Model Sexual Assault Response Protocol*, 158 (2002, 2004).



your community, and they may not represent best practices. Protocol development (or the practice of adapting existing or model protocols) and implementation are intertwined— the best results come when teams actively engage in both and let them inform each other.

While it may be helpful to look at what other, similarly-situated communities are doing to become familiar with different options, it is important that your long-term community response be a product of your own protocol development process.

### ***How long does protocol development take?***

Remember, protocol development is an iterative process. While there is no set timeframe, SVJI at MNCASA has been a long-term federal technical assistance provider for protocol development and multidisciplinary collaboration. Over the years, SVJI at MNCASA has found the most success with teams who understand that a sustainable and effective response requires at least two years to develop fully, with continual evaluation and reassessment of progress and outcomes. This can be seen in the work of existing protocol teams across Minnesota who committed to using this process in their communities, and are still operating together today.<sup>3</sup>

### ***Do we need to form a new “protocol” team?***

Not necessarily—there is no need to “reinvent the wheel.” While MNCASA has developed tools and resources to assist newly formed teams, communities are strongly encouraged to leverage the multidisciplinary collaborations already in place. For example, some communities may find that an existing child protection team, sexual assault response team, or domestic violence coordinated community response team is in the best position to incorporate Safe Harbor protocol development in to their current work. SVJI at MNCASA also has resources to help guide existing teams across the state as they adapt their work under Safe Harbor.

### ***Who should be on a protocol team?***

Effective responses to sexual exploitation—both long term and

<sup>3</sup> For more information about the Minnesota SMART Collaboration Project, visit <http://mncasa.org/sarts-and-the-coordinated-response/>.

short term—ensure the participation and involvement of all relevant systems, and support from key allies and community leaders. Note that participants can be engaged in different ways and at different times (e.g., in the form of subcommittees or advisory committees), depending on the needs of the community and structure of the protocol team.

Refer to the workgroup categories contained in these guidelines for key membership representation:

***Advocacy & Outreach***

***Mental Health Care***

***Medical Response***

***Medical Forensic Exams***

***Public Health***

***Schools***

***Civil Legal Services***

***Public Defenders***

***Tribal***

***Youth Housing and Shelter***

***Child Protection***

***Child Welfare***

***Juvenile Corrections***

***Child Advocacy Centers***

***Law Enforcement***

***Prosecution***

***Judges***

### ***Who leads the team?***

Coordination of a protocol team is the responsibility of the participating systems partners and agencies engaging in the protocol development process (see above). That said, each team should decide on the structure and process that works for their specific community. For example, some teams may choose a single coordinator, some may choose co-facilitators (one community-based and one systems-based), some opt for a coordinator and “chair” leadership structure, and others may rotate leadership every year. Team coordination requires time and commitment, so selected leaders must not only have the capacity to coordinate, but should also have the full support of their agencies to take on this role. It is not the role of the Regional Navigators to coordinate the team, however, Navigators (or their agency) should be a key component of the response, and can also be consulted as a resource and subject matter expert.

### ***What about active cases?***

Developing an effective response to sexual exploitation has often been described as “building the plane while it’s in the air.” Communities will absolutely need to coordinate an immediate multidisciplinary

response to currently identified sexually exploited youth, but note that interagency coordination is not a substitute for protocol development. That said, while protocol development is a community's commitment the long-term process of making, implementing, and evaluating the system's response to sexual exploitation, there are ways to work incrementally within this process so that a community can nevertheless start putting into practice pieces of their long-term response, and building off each piece, evaluating and improving as they go.

Chapter 28

# Safe Harbor Next Steps Getting Started

Starting the protocol development process can be overwhelming, and it's often difficult to know where to start. These chapters provide some key steps – but be sure to remember that this is a continuous process, it may look different in different communities, and these steps may occur out of order, or be revisited several times.

SVJI at MNCASA has developed a number of resources to help you begin the Safe Harbor protocol development process, whether you are part of an established multidisciplinary team or an agency/organization looking to better serve sexually exploited and trafficked youth in your community.

A series of three videos will walk you through the process, from team formation through protocol implementation:

- Teaming Basics for Safe Harbor (29 minutes)  
<https://www.youtube.com/watch?v=HDCS7IPJp9Q>
- Introduction to Safe Harbor Protocol Development (38 minutes)  
<https://www.youtube.com/watch?v=SZYXbEzUbC4>
- Advanced Safe Harbor Protocol Development (25 minutes)  
<https://www.youtube.com/watch?reload=9&v=drwa4au6lUw&t=1s>

The **Safe Harbor Team Formation Starter Kit** (<https://www.mncasa.org/wp-content/uploads/2018/10/Safe-Harbor-Protocol-Team-Formation-Starter-Kit-web.pdf>) contains tools and information to help you assess your community's readiness, develop a shared mission and vision, and begin the process of systems change.

When it's time to start developing your protocols, the **Safe Harbor Protocol Writing Guidebook** (<https://www.mncasa.org/wp-content/uploads/2019/08/SH-Protocol-Writing-Guidebook-MNCASA.pdf>) is a customizable template and writing guide that you can use to shape your protocols. It contains sample language and formatting options for organizing your document.

Finally, remember that while this work is often challenging, the end result is rewarding: to create systems and processes that work for victims/survivors, lead to improved relationships between partner agencies, and formalize a sustainable response to sexual exploitation in your community.





# SAFE HARBOR PROCEDURE

\*ORC 2152.021 (F)

## REFER



A referral of a youth is made to the court by **ANY** party, including the judge.

- The child has been charged with loitering, solicitation, or prostitution.
- OR
- There is **reason to believe** the child is a victim of human trafficking.
- *Purpose: to intervene, protect, and provide services immediately.*

## APPOINT GAL



The court will immediately appoint a guardian ad litem (GAL), **SEPARATE** from the child's attorney.

- Court sets the next hearing.
- Informs all parties of child's possible Safe Harbor status.
- GAL will begin an investigation.

## INVESTIGATE



Child **IS** charged with loitering, solicitation, or prostitution: Child automatically qualifies for Safe Harbor Status (SHS); the charge is directly related to SHS.

Child is charged with **ANY** offense that is **NOT** loitering, solicitation, or prostitution: Is there reason to believe the child is a victim of human trafficking, and is the act charged related to the child's victimization?

## DETERMINE



Parties agree or after a hearing, the court determines the child **DOES** qualify for Safe Harbor Status -- parties meet to discuss status and child's charges will be placed in abeyance until final determination is made.

Parties agree or after a hearing, the court determines the child **DOES NOT** qualify for Safe Harbor Status -- and the court agrees -- **case proceeds without Safe Harbor.**

## RECOMMEND



GAL, prosecutor or defense counsel makes recommendation and/or moves for SHS.

- Court places child in Safe Harbor Diversion (SHD).
- Plan for assistance for child is created.
- 90-Day review hearing is set.

## SERVICES

Services are coordinated for the child through the Multi-Disciplinary Team (MDT).

After 90 days, the court can dismiss charges if the child completes diversion to the court's satisfaction or renew diversion up to **THREE** times.

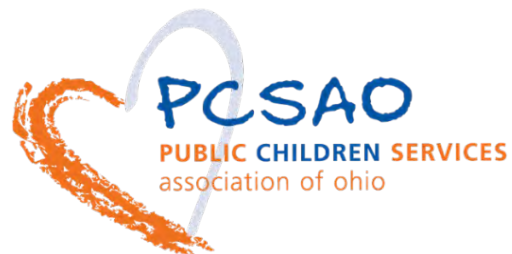




**This project is supported by Cooperative Agreement No. 2020-NZ-NX-002 2020 awarded by the Office for Victims of Crime, Office of Justice Programs, U.S. Department of Justice. The opinions contained herein are those of the author(s) and do not necessarily represent the official position or policies of the U.S. Department of Justice. References to specific agencies, companies, products, or services should not be considered an endorsement by the author(s) or the U.S. Department of Justice. Rather, the references are illustrations to supplement discussion of the issues.**

# Human Trafficking Resource Guide for Ohio's Public Children Services Agencies

August 2021



**Ohio**

Department of  
Youth Services

**Ohio**

Department of  
Public Safety

*This project is supported by Cooperative Agreement No. 2017-VT-BX-K013 awarded by the Office for Victims of Crime, Office of Justice Programs, U.S. Department of Justice. The opinions contained herein are those of the presenter(s) and do not necessarily represent the official position or policies of the U.S. Department of Justice. References to specific agencies, companies, products, or services should not be considered an endorsement by the author(s) or the U.S. Department of Justice. Rather, the references are illustrations to supplement discussion of the issues.*

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## Introduction

### What is human trafficking?

Human trafficking is the control and exploitation of a person for profit. Traffickers use force, fraud, or coercion to compel a person to engage in commercial sex acts or labor. If the person induced to perform commercial sex acts is a minor, law enforcement does not need to demonstrate that the minor was compelled (forced or coerced) to perform the acts. Minors induced to perform commercial sex are victims of human trafficking under the law, regardless of the presence of force, fraud or coercion. Further, minors involved in any commercial sexual activity, with or without the involvement of an explicit trafficker, should be considered victims of human trafficking.

There are many myths and misconceptions that prevent communities and professionals from identifying cases of human trafficking (Polaris). In movies, television shows, and other forms of media, human trafficking is often depicted in conjunction with the kidnapping, international border crossing, and forceful confinement of victims by strangers. Because of these common and often misleading narratives, many individuals struggle to identify human trafficking when it does not involve kidnapping, transportation, or confinement, or when the trafficker is the victim's romantic partner, employer, friend or family member.

Under state and federal law, there are two different types of human trafficking: sex trafficking and labor trafficking. Sex trafficking cases have been identified in diverse venues including street prostitution, escort services, pornography, and illicit massage businesses; sex trafficking can occur anytime there is a sex act exchanged for something of value. For example, homeless and runaway youth under the age of 18 who trade sex to meet their basic needs are considered victims of sex trafficking. Labor trafficking cases have been identified in industries such as hospitality, agriculture, construction, domestic work, and street economies (begging, peddling, illegal activities); labor trafficking occurs when a person is compelled to perform work or services for another person.

Human trafficking happens in rural, suburban and urban areas all across the state of Ohio. A recent study estimates that there were 1,032 known victims of human trafficking in Ohio between 2014 and 2016. Most of these identified victims were minors and victims of sex trafficking (Anderson, Kulig and Sullivan). The same study identified approximately 4,209 at-risk individuals with risk factors such as prior abuse/neglect, runaway behavior, truancy, substance use, family dysfunction, mental health challenges, and other risk-taking behaviors (Anderson, Kulig and Sullivan).

## Reminders

**Human trafficking is the control and exploitation of a person for profit.**

**Minors involved in any commercial sexual activity should be considered victims of human trafficking.**

**Sex trafficking can occur anytime there is a sex act exchanged for something of value.**

**Labor trafficking occurs when a person is compelled to perform work or services for another person.**

**There were 1,032 known victims of human trafficking in Ohio between 2014 and 2016. Most were minors and victims of sex trafficking (Anderson, Kulig and Sullivan).**

## Definitions

Under U.S. federal law, “severe forms of trafficking in persons” includes sex and labor trafficking.

**Sex trafficking** is the recruitment, harboring, transportation, provision, obtaining, patronizing, or soliciting of a person for the purposes of a commercial sex act, in which the commercial sex act is induced by force, fraud, or coercion, or in which the person induced to perform such an act has not attained 18 years of age (22 USC § 7102).

**Labor trafficking** is the recruitment, harboring, transportation, provision, or obtaining of a person for labor or services, through the use of force, fraud, or coercion for the purposes of subjection to involuntary servitude, peonage, debt bondage, or slavery, (22 USC § 7102).

“**Coercion**” includes:

- threats of serious harm to or physical restraint against any person;
- any scheme, plan, or pattern intended to cause a person to believe that failure to perform an act would result in serious harm to or physical restraint against any person; or
- the abuse or threatened abuse of the legal process (22 USC 7102(3)).

“**Commercial sex act**” is defined as any sex act on account of which anything of value is given to or received by any person (22 U.S.C. 7102 (4)).

## Federal Laws

### Trafficking Victims Protection Act

The Trafficking Victims Protection Act of 2000 (TVPA) is the first comprehensive federal law to address trafficking in persons. The TVPA and subsequent reauthorizations provide a three-pronged approach to combating trafficking by **preventing** human trafficking, **protecting** victims, and **prosecuting** traffickers.



This 3P (prevention, protection, prosecution) framework can be used to shape any community’s response to human trafficking (National Human Trafficking Hotline). Activists often also include a “4<sup>th</sup> P” – **partnership** – in recognition that all parts of a community are needed to achieve progress in combatting this issue (U.S. Department of State).

To read the TVPA and subsequent reauthorizations, see:

[Victims of Human Trafficking and Violence Protection Act of 2000](#)

[Trafficking Victims Protection Reauthorization Act of 2003](#)

[Trafficking Victims Protection Reauthorization Act of 2005](#)

[Trafficking Victims Protection Reauthorization Act of 2008](#)

[Trafficking Victims Protection Reauthorization Act of 2013](#)

[Trafficking Victims Protection Reauthorization Act of 2017](#)

## Justice for Victims of Human Trafficking Act

The [Justice for Victims of Human Trafficking Act \(JVTA\) of 2015](#) seeks to improve the U.S. response to trafficking by expanding the definition of sex trafficking to include those who “patronize or solicit,” to clarify that those who purchase sex acts from victims of human trafficking can be prosecuted as traffickers. This act also classifies child pornography as a form of human trafficking. This act amends the Runaway and Homeless Youth Act (RHYA) by declaring trafficked youth as eligible for services under the RHYA.

The JVTA amends the Child Abuse Prevention and Treatment Act (CAPTA) state grant program to add new requirements and modifies the definition of child abuse and neglect to consider any child who is identified by the state as a victims of sex trafficking or severe forms of trafficking as a victim of “child abuse and neglect” and “sexual abuse.” Specifically, the JVTA requires states to describe in their CAPTA state plan that they have:

- Provisions and procedures regarding identifying and assessing all reports involving known or suspected child sex trafficking victims as defined in the TVPA.
- Provisions and procedures for training child protective services (CPS) workers about identifying, assessing and providing comprehensive services to children who are sex trafficking victims.

This act also requires states to collect and report the number of children who are sex trafficking victims. The Children’s Bureau information memorandum (IM) can be found here:

[ACYF-CB-IM-15-05](#)

U.S. Department of Health and Human Services, Administration on Children, Youth and Families (2015)

## Preventing Sex Trafficking and Strengthening Families Act of 2014

The [Preventing Sex Trafficking and Strengthening Families Act of 2014](#) seeks to reduce sex trafficking among youth involved in the foster care system. This act has many mandates for supporting normalcy for children in foster care, such as involving youth ages 14 and older in the development of his or her case plan, improving adoption incentives, and various other provisions.

This act established the following requirements:

- States must have in place policies and procedures for identifying, documenting, screening, and determining services for children who are victims of sex trafficking or at risk of being victims of sex trafficking including:
  - Children with an open case file but who have not been removed from home
  - Children who have run away from foster care
  - Children who are receiving adoption assistance
  - Any individual under 26 at the option of the state, whether or not they are in foster care
- Child welfare agencies must report to law enforcement immediately when children in foster care are identified as sex trafficking victims
- Requires child welfare agencies to report missing youth to law enforcement, within 24 hours, for entry into the [National Crime Information Center](#) and to the [National Center for Missing and Exploited Children](#).

To learn more about the Preventing Sex Trafficking and Strengthening Families Act, see the [National Conference of State Legislatures’ Summary](#).

## Ohio's Laws

Enacted in 2011, [Ohio Revised Code \(ORC\) 2905.32](#) defines human trafficking as follows:

“(A) No person shall knowingly recruit, lure, entice, isolate, harbor, transport, provide, obtain, or maintain... another person (1) knowing that the person will be subjected to involuntary servitude or to be compelled to engage in sexual activity for hire, engage in a performance that is obscene, sexually oriented, or nudity oriented, or be a model or participant in the production of material that is obscene, sexually oriented, or nudity oriented.”

“...For prosecution under division (A)(1) of this section, the element “compelled” does not require that compulsion be openly displayed or physically exerted. The element “compelled” has been established if the state proves that the victim’s will was overcome for force, fear, duress, intimidation, or fraud.

For minors under the age of 18 and for people with a developmental disability, law enforcement officials do not need to prove that the minor was *compelled* by someone to engage in sexual activity for hire with a third party (ORC 2905.32 (A)(2)).

## Safe Harbor Act

In 2012, Ohio passed the Safe Harbor Act (H.B. 262), creating opportunities for minor victims of human trafficking involved in the juvenile justice system to access diversion programs and supportive services. ORC 2152.021 (F) allows juvenile courts to hold complaint(s) in abeyance (essentially putting the complaint(s) on hold) to allow minor victims of human trafficking to complete diversionary programming.

These diversion programs create an opportunity for survivors to rebuild their lives. To learn more about Safe Harbor, please review the [Supreme Court of Ohio Juvenile Human Trafficking Bench Card](#) and the [Safe Harbor Procedure Card](#).<sup>1</sup>

<sup>1</sup> These resources and more are available on the Ohio Human Trafficking Task Force website: [humantrafficking.ohio.gov](http://humantrafficking.ohio.gov).

## Reminders

**Ohio’s anti-human trafficking laws have various protections for adult and minor victims and survivors of human trafficking. Examples of these protections include:**

**Children services agencies and courts can terminate the parental rights of a parent convicted of trafficking their child (ORC 2115.414)**

**Courts can allow minors under the age of 16 to give testimony in preliminary hearings via closed circuit television to protect minors from facing their trafficker(s) directly (ORC 2937.11 (D)(1)(a))**

## Ohio's Response to Human Trafficking

### Ohio Human Trafficking Task Force

The Governor's Ohio Human Trafficking Task Force was originally created by Governor John R. Kasich via executive order in 2012, and was expanded by Governor Mike DeWine in 2021. The Task Force was created to marshal the resources of state agencies to coordinate efforts to prevent trafficking, identify victims, create a coordinated law enforcement system to investigate and prosecute trafficking crimes, and to provide the services and treatment necessary for victims to regain control of their lives.

An initial recommendation of the Task Force was to hire a State Anti-Trafficking Coordinator to manage the Task Force and state agencies' efforts to combat trafficking. The State Anti-Trafficking Coordinator's Office is housed within the Ohio Department of Public Safety's Office of Criminal Justice Services (OCJS) and works in close partnership with local service providers, law enforcement, public officials and advocates to strengthen the state's coordinated response to human trafficking. Additionally, the office provides extensive technical assistance and training to professionals and grassroots efforts, including those within child-serving agencies.

As a Task Force agency, the Ohio Department of Job and Family Services works closely with the State Anti-Trafficking Coordinator's Office. Past collaborations have included funding opportunities for trafficking prevention through the Ohio Children's Trust Fund, human trafficking training requirements for children services caseworkers, and direct funding to children's advocacy centers to serve victims of trafficking and those at-risk of exploitation.

In 2017, OCJS received funding from the U.S. Department of Justice to improve outcomes for child and youth victims of trafficking. OCJS utilized the federal funding to hire three liaisons housed at the Ohio Department of Youth Services, the Public Children Services Association of Ohio, and the Ohio Network of Children's Advocacy Centers. Through their respective agencies, the liaisons provided direct support, training, and technical assistance to county children services agencies, juvenile courts and children's advocacy centers.

To learn more about the Governor's Ohio Human Trafficking Task Force please visit [www.humantrafficking.ohio.gov](http://www.humantrafficking.ohio.gov), or email the State Anti-Human Trafficking Coordinator at SAHTC@dps.ohio.gov.

### Ohio's Anti-Human Trafficking Coalitions

The Ohio Network of Anti-Human Trafficking Coalitions includes over 20 anti-human trafficking coalitions which are locally coordinated and often comprised of social service providers, law enforcement, legal service providers, courts, nonprofit organizations, universities and interested community partners. Coalitions seek to develop local multidisciplinary approaches to combat sex trafficking and labor trafficking.

To promote a collaborative response, Ohio's anti-trafficking coalitions are encouraged to follow a [sample coalition model](#) which promotes a local response to protect victims and at-risk individuals, prosecute offenders, and prevent the crime from occurring in the first place.

To view a map of the local coalitions in Ohio, please visit the link below. Contact information and a brief overview of services provided by each coalition are listed on the website:

<https://humantrafficking.ohio.gov/coalitions.html>.



## Considerations for Children Services Practice

### Human Trafficking Identification

Human trafficking identification requires professionals to examine a situation to see if the circumstances meet the definition of human trafficking. The [Action-Means-Purpose \(AMP\) Model](#), developed by Polaris, can be helpful in understanding the federal definition of human trafficking. Human trafficking occurs when a perpetrator takes an **ACTION** such as recruiting or harboring a person and uses one of the **MEANS** of force, fraud or coercion for the **PURPOSE** of compelling that person to engage in a commercial sex act or provide labor or services.

ACTION	MEANS	PURPOSE
<ul style="list-style-type: none"> <li>• Recruitment</li> <li>• Harboring</li> <li>• Transporting (can include border crossing)</li> <li>• Providing</li> <li>• Obtaining</li> <li>• Patronizing, soliciting, or advertising (specific only to sex trafficking)</li> </ul>	<ul style="list-style-type: none"> <li>• Force: physical means of control such as physical abuse, sexual abuse, confinement, constraints</li> <li>• Fraud                             <ul style="list-style-type: none"> <li>• Deception for the purpose of exploitation</li> <li>• Lies</li> <li>• False documents</li> </ul> </li> <li>• Coercion                             <ul style="list-style-type: none"> <li>• Threats of harm against any person</li> <li>• Abuse or threatened abuse of the legal process</li> </ul> </li> </ul>	<ul style="list-style-type: none"> <li>• Commercial Sex Act: any sex act on account of which anything of value is given to or exchanged by any person</li> <li>• Labor or Services: any form of work, labor or services (legal, illicit, informal or formal)</li> </ul>

Inducing a minor to engage in commercial sex is always considered sex trafficking under federal law. Under Ohio's laws, minors under age 18 and individuals with development disabilities induced to engage in commercial sex are victims of human trafficking, regardless of the presence of compulsion. Survivors may experience both sex and labor trafficking. When working with a youth, consider what elements of sexual or labor exploitation are present in their story.

*Most trafficking victims do not self-identify as victims of human trafficking.*

They may not know what human trafficking is or how their situation could be considered human trafficking or victimization. Some may normalize their experiences after undergoing trauma and manipulation; some might see their experiences as a part of everyday life. Some might feel shame or self-blame or feel closely bonded to their trafficker. Because self-identification is rare, it is critical that child-serving professionals be familiar with what human trafficking is and how it occurs to be able to identify individuals at high risk or who are experiencing this type of victimization.

Many professionals working in the field have focused on educating key community stakeholders on “red flags” or “indicators” of human trafficking, but as understanding of this diverse and complex crime evolves, professionals now know that in many cases, there is nothing visible or obvious that can alert someone to human trafficking. To assist those reading this guide in deepening their understanding of human trafficking, the appendix includes “red flags” as well case studies which can be used to practice applying the AMP model to identify cases of human trafficking.

Often, individuals who have experienced human trafficking encounter children services, law enforcement, health care providers, or others in helping professions without being identified as a victim of human trafficking. Individuals may present with substance use concerns, intimate partner violence concerns, or any number of intersecting issues. Because of the hidden nature of this crime, human trafficking may not be identified initially; professionals may have multiple interactions with a trafficked person before seeing the indicators of human trafficking with that person’s experiences.

#### SCREENING TOOLS TO HELP IDENTIFY HUMAN TRAFFICKING

Tool	Additional Information
<a href="#"><u>Juvenile Human Trafficking, Ohio Laws &amp; Safe Harbor Response</u></a>	<i>Developed by the Supreme Court of Ohio</i> Includes a list of “Red Flags in Juvenile Human Trafficking”.
<a href="#"><u>Child Sex Trafficking Indicators Tool</u></a>	<i>Developed by <a href="#"><u>New York State Office of Children and Family Human Trafficking Resources</u></a></i> Can be used to identify if a child meets the federal definition of child sex trafficking or is at high risk of experiencing child sex trafficking.
<a href="#"><u>Florida's Human Trafficking Screening Tool (HTST)</u></a>	<i>Developed by Florida Department of Children and Families and Florida Department of Juvenile Justice</i> Can be used to identify child sex or labor trafficking; designed for use in child welfare and juvenile justice settings.
<a href="#"><u>Urban Institute Human Trafficking Screening Tool (HTST)</u></a>	<i>Developed by Urban Institute</i> Details the development and testing of the Human Trafficking Screening Tool administered in full-length (19 questions) and short form (6 questions). Tested as effective in identifying sex and labor trafficking in child welfare and runaway and homeless youth settings.
<a href="#"><u>WestCoast Children’s Clinic Commercial Sexual Exploitation – Identification Tool (CSE-IT)</u></a>	<i>Developed by WestCoast Children’s Clinic</i> Evidence-based screening tool designed for use in child welfare, juvenile justice, schools, residential, mental health, and other child-serving systems.
<a href="#"><u>Building a Child Welfare Response to Child Trafficking</u></a>	<i>Developed by <a href="#"><u>Center for the Human Rights for Children, Loyola University Chicago</u></a></i> Includes a Rapid Screening Tool for Child Sex and Labor Trafficking and a Comprehensive Screening and Safety Tool; can be used to identify child trafficking, understand the scope of the trafficking, and assess the child’s safety.

Within the Statewide Automated Child Welfare Information System (SACWIS), there are up to five (5) points the user may enter for identification of human trafficking victims:

1. The first is within a new intake if the referent is aware of human trafficking. This does not require a definitive report of human trafficking by the referent, but may be identified by the PCSA via collection of risk factors indicating that human trafficking may be occurring.
2. Second, within the Safety Assessment > Safety Factors section, Factor 14 includes information on "Child sexual abuse/sexual exploitation is suspected and circumstances suggest that child may be in immediate danger of serious harm."
3. Third, at the time of disposition, a harm description may be selected for Human Trafficking – Labor, or Human Trafficking – Sexual Abuse.
4. Fourth, within the Family Assessment > Strengths & Needs > Child Functioning > Self Protection section.
5. The fifth point is within a person's Profile > Characteristics > Traits/Behaviors/Family History. The characteristic feature allows the user to identify a person of either confirmed or suspected Human Trafficking Victim (Labor or Sex). Currently, a report in SACWIS (Client Characteristics Report) allows the user access to the total number of persons with each characteristic identified.

When several indicators cause children services to suspect human trafficking, the case should be further examined with supervision to determine next steps including utilizing screening/ interviewing tools, involving law enforcement, a children's advocacy center, prosecutor's office, etc.

## Role of a Children's Advocacy Center

A key component of a Children's Advocacy Center (CAC) is its Multidisciplinary Team (MDT). The goal of a CAC is to keep children from being re-traumatized by a system that is meant to protect them. By coming to a CAC where they can talk about their trauma experience and receive the help they need, the child will receive a coordinated response and reduce the number of times they must recount that history. The CAC consists of community partners to include law enforcement, prosecutors, victim advocates, health care providers, and local children services. Through each of the partners, CACs work together to provide hope to children and families.

Survivors of human trafficking are best served through the CAC model. This system ensures that abused children do not fall through the cracks of the traditional service delivery system. Minors are offered a safe, comprehensive response to their specific needs. Survivors of human trafficking are offered a caring and gentle place to be forensically interviewed, undergo a medical exam, and be referred for follow up trauma-focused therapy. Law enforcement officials are involved from the beginning and work closely with the team of social workers, medical providers and prosecutors to hold offenders accountable.

Although CACs are in place to help survivors and youth at risk of human trafficking, and are proven to be best practice, there are unique challenges with these types of cases. Often survivors do not see themselves as victims and are not willing to disclose their trauma, initially. Many survivors are frequently AWOL from their homes or placements which makes it more difficult to investigate and protect these youth. Extended interviews are often necessary to gain trust and to fully understand the events and individuals involved in these trafficking cases. These cases take time, patience and dedication. In addition, survivors often present as "unruly delinquents" and the human trafficking component is missed or not even addressed during assessments.

While these cases have challenges, CACs provide survivors and their families needed services to protect the child from further harm. To learn more, visit the [Ohio Network of Children's Advocacy Centers](#).

## Interview Considerations

Building rapport is the first step in interviewing victims in a trauma-informed way. Keep in mind that a victim's reality is your reality when preparing for and conducting investigative interviews with potential trafficking victims.

A forensic interview is a non-leading, victim sensitive, neutral, and developmentally-appropriate investigative interview that helps law enforcement determine whether a crime occurred and what happened.

The goals of a forensic interview are to minimize any potential trauma to the victim, maximize information obtained from victims and witnesses, reduce contamination of the victim's memory of the alleged event(s), and maintain the integrity of the investigative process.

Joint interviews between law enforcement and children services with the victim can be beneficial to the victim so both agencies can gather the necessary information while allowing the victim to complete one interview.

Various human trafficking identification tools have been developed by organizations such as Covenant House, Polaris, the Vera Institute, and the Ohio Human Trafficking Task Force. These tools can be accessed here:

- [Covenant House Interview and Assessment Tool for Minors](#)
- [Ohio Human Trafficking Task Force Screening Tool](#)
- [Vera Institute Human Trafficking Identification Tool](#)
- [National Human Trafficking Resource Center/Polaris Comprehensive Human Trafficking Assessment](#)

The Office of Victims of Crime Training and Technical Assistance center has additional resources about interviewing suspected victims of human trafficking through the [Human Trafficking Task Force E-Guide](#).

## Case Planning

Children who have been trafficked will have a variety of needs including safety, shelter, basic needs, medical and mental health care, legal assistance, educational/vocational needs, and much more. Case planning should not only consider immediate safety, but also long-term well-being.

## Reminders

**Any approach to the victim should be gradual and non-threatening. Be sure the victim has some control in the situation (breaks, water, seating placement). Avoid interrogation methods and refrain from physical contact with victims.**

**The screening interview should take place in a comfortable environment and be conducted by someone who was not directly involved with the victim during his/her arrest.**

**Use a conversational approach to obtain preliminary information rather than a rapid series of questions. Remember open-ended questions may elicit more information than yes or no questions.**

**Review "Considerations for Interacting with Survivors of Human Trafficking" in the appendix for suggestions on the language and approach to use with potential trafficking victims.**

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To identify local or regional trafficking-specific and trafficking-adjacent service providers, consider consulting with the [National Human Trafficking Hotline](#), which is available 24/7 at 1-888-373-7888 with tele-interpretation in over 300 languages. Its [online referral directory](#) lists anti-trafficking organizations and programs that provide emergency, transitional, or long-term services to those who have experienced human trafficking. Child welfare workers can also call the National Center for Missing and Exploited Children (NCMEC) for assistance with human trafficking cases. [See Appendix 4](#) for an overview of NCMEC's services and the regional point of contact for Ohio.

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No single entity will be able to successfully meet all the needs of a trafficked individual, and a collaborative multi-disciplinary team response is needed to provide trauma-informed, strengths-based, gender responsive, and culturally/linguistically appropriate services. Trafficking-specific programs are rare in Ohio, so training for providers working directly with trafficked or at-risk youth is needed to meet the needs of this population.

Children services agencies should develop a partnership with the local anti-trafficking coalition to take part in developing local response to human trafficking. Review the [Protocol for Serving Child Victims of Human Trafficking in Ohio](#) to understand the preferred practices for creating collaborative, survivor-centered interventions.

As described in the Protocol, communities should identify a centralized Point of Contact (POC) to coordinate care for the survivor. The POC should remain engaged with the survivor throughout their healing process and provide support before, during, and after a survivor engages with service providers. Depending on the case and the community, the POC could be the children services agency, a CAC, juvenile court or human trafficking victim services provider, or local anti-trafficking coalition. In some situations, there might be multiple POCs.

**Children who have been trafficked may suffer from health problems including but not limited to:**

**Physical**

- Injuries, sometimes untreated, due to physical violence and/or sexual abuse
- Reproductive health problems
- Malnutrition
- Substance use disorders
- Chronic back, vision, hearing, or respiratory problems due to unsafe working conditions

**Mental**

- Anxiety, depression
- Post-Traumatic Stress Disorder
- Changed relationships with others
- Anger, aggression, explosive behaviors
- Self-harm behaviors
- Feelings of shame, guilt, despair, hopelessness
- Traumatic bonding

Case management services should be trauma-informed, focused on empowering the child and equipping them with resources to prevent future victimization. Caseworkers and other services providers should focus on self-determination and partnership. Case planning should incorporate:

- An assessment of the child's needs
- Defining desired outcomes
- Obtaining necessary services, treatments, supports
- Managing crises

Caseworkers and service providers should consider:

- Educating the child about their rights as a victim of crime
- Legal protections and entitlements available to child survivors of human trafficking
- The criminalization of trafficked children and protections available, such as Safe Harbor
- Power dynamics when engaging with survivors (gender, age, race, profession, etc.)
- Avoiding victim-blaming attitudes, statements, and body language
- Avoiding reactions that convey judgement
- Being a consistent source of support through the process of recovery despite setbacks or challenges
- Learning about the culture and beliefs of the child (New York State Office of Children and Family Services)

Placements for children who have survived human trafficking need to be willing to support the suggested models for safety, mental health services, substance use disorders, and case management services. Providers need to be willing to accommodate additional needed services. These children may require more intensive mental health treatment as well as substance use treatment. Additional means of making the child feel safe may be required (such as locking doors, home alarms, etc.).

Utilize therapies including trauma-focused cognitive behavioral therapy (TF-CBT), dialectical trauma focused cognitive behavioral therapy (DTF-CBT), and eye movement desensitization and reprocessing (EMDR) which studies have shown to positively impact those diagnosed with post-traumatic stress disorder (PTSD) or child sexual abuse (Twigg).

Caseworkers should become knowledgeable about how Safe Harbor can be a resource for these children. Caseworkers should work with the court, the child's attorney, and any other relevant partners to ensure the child is able to access the appropriate protections and services.

## Reminders

**Children who have been trafficked may have been forced to engage in criminal activity due to the dynamics of their trafficking situation.**

**They may have been forced to engage in commercial sex, carry or sell drugs, steal for their trafficker or to meet their basic needs, or another criminal activity at the direction of their trafficker.**

**These children are often viewed as delinquent, but it is important to understand how these actions occurred because of the trafficking situations.**

## Statistics

Most youth who run away tend to be older teens. A slightly higher percentage of runaways are girls, and African American and Hispanic/Latino(a) youth were overrepresented among runaways compared to the rest of youth in care (Capacity Building Center for States).

Nearly 40% of the youth who ran away were expected to “age out” of care. About 42% of youth who ran away had five or more placement settings (Capacity Building Center for States).

Homeless and runaway youth face vulnerabilities to both sex and labor trafficking. Covenant House interviewed over 900 youth aged 17-25 from 13 cities across the United States and Canada. Nearly one in five of the youth interviewed were victims of human trafficking, with 15% trafficked for sex, 7.4% trafficked for labor, and 3% trafficked for both (Covenant House).

The National Center for Missing and Exploited Children (NCMEC) estimated that one in six of the endangered runaways reported to NCMEC in 2019 were likely victims of sex trafficking based on indicators such as disclosure of sex trafficking from the youth, recovery from known trafficker, commercial sex advertisements, and arrest on prostitution charges.

### What to Do If a Child Runs Away

Because children and youth who run away from foster care are particularly vulnerable to human trafficking, children services agencies are required to identify and report on youth who run away from foster care by contacting law enforcement and making a report to the National Center for Missing and Exploited Children (NCMEC) (OAC 5101:2-42-88).

Push and pull factors that may influence a child to run from foster care could include escaping from highly restrictive placements; gaining access to friends, family, or romantic partners; maintaining connection to community of origin; or gaining a sense of normalcy or independence (Latzman and Gibbs).

Children services caseworkers can support a child who has returned from running away by recognizing that this child has experienced a disruption in services and probably has unmet needs. In addition to asking about the child’s experiences while gone, caseworkers should have authentic conversations about why the child left care and what the child needs in order to prevent future runaway episodes (e.g. *What can we do to help improve the situation so that you don’t feel like you need to run in the future?*) (Latzman and Gibbs).

Programmatic approaches that show promise in reducing runaway behavior include treatment foster care, utilizing a continuum of comprehensive services including those specific to human trafficking, involving youth in placement decisions, and using family-based placements whenever possible (Latzman and Gibbs).

It is critical that youth at high risk of running away are knowledgeable about resources and ways to access assistance. Caseworkers should safety plan with the youth to mitigate risk if the youth does leave their home or placement; safety planning should include a discussion of what resources are available to keep them as safe as possible when they are out of their home or placement (T. B. Gambon).

Caseworkers should share information about local resources, such as drop-in centers, shelters, food banks, or other community resources where youth can access assistance, and local and national hotlines youth can call for assistance. Caseworkers should talk with youth about appropriate sources of support, safe adults who can help that youth in a crisis, and how to safely return.

The Ohio Child Welfare Training Program has developed a [sample protocol to follow when a child goes missing](#).

## Human Trafficking Education for Children Services Professionals

Ohio children services caseworkers and supervisors are required to complete an introductory course on human trafficking within two years of being hired (OAC 5101:2-33-55(F)(4); OAC 5101:2-33-56(A)(5)). This training should include:

- Laws governing human trafficking, including the definition of human trafficking under section 2929.01 of the Revised Code, the mandates of court, law enforcement and other organizations working to bring attention to the problem of human trafficking, and the criminal offense of trafficking in persons under section 2905.32 of the Revised Code.
- The dynamics of human trafficking and its effects on the victims.
- Human trafficking: what is it?
- The provision of resources to identify and assess victims of human trafficking. "[The Standards of Services for Trafficked Persons](#)" was developed in 2010 by the Ohio Human Trafficking Commission Victim Services Committee to provide best practice guidelines for communities seeking to develop or strengthen a response system for survivors of human trafficking.

The Ohio Child Welfare Training Program provides training on human trafficking which meets the requirements as specified by Ohio Administrative Code; children services professionals can search for and enroll in these trainings using [E-Track](#).

For additional training on local human trafficking responses and resources, consider reaching out to the regional anti-trafficking coalition. Contact information and a brief overview of services provided by each coalition are listed on <https://humantrafficking.ohio.gov/coalitions.html>. The Ohio Human Trafficking Task Force can also provide training on statewide anti-trafficking efforts. To request a speaker, visit <https://humantrafficking.ohio.gov/speaker.html>.

Training on human trafficking is not required for foster caregivers, but it is recommended for any foster caregivers who may be caring for a high risk, trafficked or exploited youth. The Ohio Child Welfare Training Program has collected resources for foster caregivers serving this population as well as a one-hour online training on "[What Caregivers Need to Know About Human Trafficking.](#)"

## Educating Mandated Reporters about Human Trafficking

Within the field of children services, it is imperative to develop partnerships with mandated reporters, especially law enforcement and hospital systems which may be in constant communication with children services as it relates to child abuse and the issue of human trafficking.

Mandated reporters should be connected to ongoing education to raise awareness about human trafficking in the community and to encourage collaboration with children services on suspected or identified cases of child trafficking. Mandated reporters should not only be educated about what human trafficking is, but common indicators (see Appendix 2), what to do if they suspect human trafficking, and resources in the community to help the potential victim. Mandated reporters should be encouraged to help establish a sense of safety and build a rapport with the survivor. The survivor should have a safe space to express their emotions and talk about their experiences.

If there is a local anti-human trafficking coalition, children services agencies should partner with the coalition to ensure that local human trafficking awareness and training efforts include information about the local resources and response efforts. If there is not a local coalition, there are human trafficking training resources available through the Governor's Ohio Human Trafficking Task Force.



## Working with Foreign National Juvenile Victims of Human Trafficking

Juvenile foreign nationals may be at risk of being trafficked for sex or labor in their home country, in transit, and within the United States. In their home country, they may face vulnerabilities such as poverty, gang violence, and civil and political unrest. They may experience abuse, gender-based violence, or lack of educational opportunities.

On route to the United States, they may be forced to earn money in dangerous settings and coerced into sex or labor trafficking. In the United States, they may have been charged heavy fees by smugglers and be expected to pay back these fees or additional expenses; they may experience debt bondage. They may also be victimized by family members or caregivers who treat them as domestic servants or force them into commercial sex.

The Department of Health and Human Services (HHS), [Office of Trafficking in Persons](#) (OTIP) can help foreign national children who have experienced human trafficking. These children can become eligible to receive benefits and services including medical screenings, Medicaid, Temporary Assistance for Needy Families, Supplemental Nutrition Assistance Program, and other public benefits.

If working with a foreign national minor who may have experienced human trafficking, contact the OTIP Child Protection Specialists at 202-205-4582 or by email at [childtrafficking@acf.hhs.gov](mailto:childtrafficking@acf.hhs.gov) to ask questions or to discuss a potential case. A Request for Assistance (RFA) can be filed through the [Shepherd Case Management System](#).

## Reminders

**Once law enforcement identify a foreign national minor victim of human trafficking, they must notify HHS within 24 hours.**

**OTIP issues Interim Assistance Letters to foreign children who may have been subjected to human trafficking. The letters provide potential victims with an up-to 90-day period of eligibility.**

**OTIP issues [Eligibility Letters](#) to a foreign child with credible information that the child was subjected to trafficking as defined by the Trafficking Victims Protection Act.**

**Child victims are not required to cooperate with law enforcement or receive Continued Presence or a T Visa as a condition for receiving an HHS Eligibility Letter.**

**A child victim with an Eligibility Letter who has no available parent or legal guardian is eligible for the Unaccompanied Refugee Minor (URM) program, which includes all services available to foster children and special services to help them adapt to the United States and recover from their experiences.**

## Appendix 1: Case Studies

Review the following case studies to test your knowledge.

- Is this case human trafficking? If yes, what components of the scenario align with federal and state law? If no, what components are missing?
- What are the red flags or indicators in this case?
- What service needs does this individual have?

### Case Study #1<sup>2</sup>

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Jamil is 14 years old and lives with his mother in an apartment. Even though she works two jobs, his mother struggles to make ends meet. Jamil spends a lot of time home alone, and the landlord often asks Jamil to help him with some projects around the building to keep him busy. For the last three months, while they are hanging out, the landlord makes Jamil perform oral sex and sometimes takes pictures of him during the sex acts. The landlord told Jamil and his mother that he would not evict them as long as Jamil keeps hanging out with him.

- In this scenario, if sex trafficking is occurring, who would be identified as the trafficker?

### Case Study #2

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Ashley is 16 years old. She lives with her 84-year-old grandmother, who also takes care of her four younger siblings. The week before her first day of school, Ashley realizes they don't have enough money to buy her school uniform and supplies. One of her friends suggests she go down to the local gas station and "stand on the corner" to make money. Within 15 minutes of standing on the corner, a man offers her \$50 for an oral sex act. Ashley agrees because \$50 will pay for her school uniform.

### Case Study #3

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Sam is an 18-year-old transgender woman. You've been working on a transitional living plan as she ages out of foster care, but you're having trouble locating housing. She decides she's going to stay with friends and says they're going to let her stay there for free. Unfortunately, that arrangement falls apart quickly, and Sam becomes homeless. One night while smoking a cigarette outside of the homeless shelter, a woman approaches Sam and asks her for a cigarette. The woman tells Sam that she's too pretty to be staying at the homeless shelter and knows a way for her to make quick money. Although Sam is hesitant, she thinks that anything has to be better than the shelter. The woman takes Sam back to her place and explains how to "walk the track" and "turn a trick." Sam's not thrilled about the idea but feels desperate, so she decides to give it a try.

Sam makes \$450 her first night out. On her second night out, a john/buyer violently assaults her, and she is admitted to the hospital. She calls you for help.

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<sup>2</sup> Case studies #1-4 from Capacity Building Center for States. (2015). "Child welfare response to child & youth sex trafficking: Caseworker's curriculum." Washington, DC: Children's Bureau, Administration for Children and Families, U.S. Department of Health and Human Services.

#### Case Study #4

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Vanessa just turned 15 years old and is on the run from her foster home when she meets an older girl who says she can get her a job as a stripper. The girl introduces Vanessa to her boyfriend, Ricky, who says he'll operate as her manager. Vanessa gets a job at the club without even interviewing. She's super excited, but at the end of her first night of dancing, Ricky tells her he needs all of her money to cover rent and her dance outfits. When she hands him \$300, he says it's not enough and tells her he needs her to work "overtime" in the back rooms. She feels like she does not have a choice if she wants a place to sleep that night, so she goes in the back and engages in sex acts to earn another \$300 for Ricky.

#### Case Study #5

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John is 15 years old and lives with his mother, Mary, and two younger siblings. John helps his mother take care of his siblings and has few friends. Mary has always struggled to maintain employment and has recently turned to selling prescription drugs to pay their bills. Mary has started using the drugs she was selling and is now forcing John to help her sell drugs. Mary will not let John attend school and says John must help more to pay the rent. Mary is becoming more dependent on the drugs and is sometimes physically violent when John disagrees with her.

#### Case Study #6<sup>3</sup>

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Lynette grew up in a very impoverished country. From a young age, she was expected to work in the house while taking care of her younger siblings. Once she finished school, she began looking for work abroad so that she could better support her family. She secured a job in Qatar which promised a salary and housing. But after a few days in the country, Lynette was offered a new opportunity, this time to come to the United States for a childcare position with a wealthy family. Excited and eager to help her family, she jumped at the chance.

But when Lynette arrived in the U.S., her dreams were crushed. Her employers forced her to take care of their medically ill child day and night. And while she had been promised free room and board, Lynette and others working for the family were denied access to proper clothing, food, and medical care. The workers were subjected to emotional and physical threats, and their identification was confiscated so they couldn't leave.

#### Case Study #7<sup>4</sup>

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Kevin was recruited by a crew member who came to his door selling magazines. When Kevin revealed that he was experiencing financial difficulties, the worker offered Kevin a job and a signing bonus. The crew that Kevin joined was under the control of several managers, all of whom openly boasted about their arrest warrants. These managers would frequently compel the crew members to work from eight in the morning until after midnight, would require them to reimburse the business for lodging and gas costs, and would only pay members if they met their daily quotas. Members who performed particularly well were typically paid in drugs instead of cash, and Kevin never saw the signing bonus he had been promised.

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<sup>3</sup> From Polaris: <https://polarisproject.org/blog/2015/11/30/survivor-story-global-journey-help-her-family>

<sup>4</sup> From Polaris: <https://polarisproject.org/blog/2015/08/25/survivor-story-abandoned-traveling-sales-crew>

Kevin reported to the National Human Trafficking Hotline that all the workers he interacted with while on the crew said that they wanted to leave. However, they were afraid to do so because of their managers' reputations. Workers who did try to leave were often beaten severely and in some cases were sexually assaulted by either the manager or the senior salespeople. When Kevin himself tried to leave, one of the managers threatened to kill him and confiscated his identification documents.

### Case Study #8<sup>5</sup>

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Mari is a 37-year-old African American woman who had been in a relationship with Darrell for 16 years. During that time Mari and Darrell had four children. Over the course of the relationship, Darrell had been verbally, physically, and sexually abusive of Mari. Additionally, when Darrell wanted extra money, he called friends of his and forced Mari into commercial sex. She had tried to leave Darrell in the past; however, he either threatened to hurt their children, or convinced Mari that she had no other options other than staying with him. He controlled all of her money, did not allow her to keep her own bank account, and forbade her from getting her driver's license. Mari could not see any alternatives for leaving.

### Case Study #9<sup>6</sup>

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Sarah is a 17-year-old Caucasian female who grew up in rural Ohio. Sarah ran away from home a few times because her mom and stepfather drank a lot and did not pay attention to her. A few months ago Sarah was walking to the store alone and a 30-year-old male drove up beside her and told her how pretty she was and asked why she looked so sad. Sarah told him that she was angry with her mom and just needed to take a walk. He asked if he could take her to get her nails done down the street to cheer her up, and she agreed. He paid right away while giving compliments and telling her he wanted to meet again the next day.

For the next two months he picked Sarah up and took her to eat, to get her nails done and continued to act like a loving boyfriend. They both began calling each other boyfriend and girlfriend. They spent a lot of time together and he asked Sarah to move in with him, but after another month of living together he told her he couldn't make the rent payment and needed help. He asked her to go on dates with older men and engage in commercial sex. Sarah felt uncomfortable but agreed because she would do anything not to return home, and wanted to make him happy. Her boyfriend praised her and told her he didn't mind that Sarah helped them get money for rent this way. This continued until one night when Sarah was out on the street and was raped by a stranger who initially solicited her for sex. She immediately called the police and was taken to the hospital for an exam.

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<sup>5</sup> From Polaris: <https://polarisproject.org/blog/2015/05/03/survivor-story-four-children-and-16-year-relationship>

<sup>6</sup> Polaris: <https://polarisproject.org/blog/2015/04/14/survivor-story-boyfriend-turned-trafficker>

## Case Studies: Answer Key

1. Is this case human trafficking? If yes, what components of the scenario align with federal and state law? If no, what components are missing?
2. What are the red flags or indicators in this case?
3. What service needs does this individual have?

### Case Study #1

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1. This scenario aligns with the definition of sex trafficking under federal law in that a minor is induced to engage in sex for something of value. Jamil is 14 years old and is engaging in sex acts with the landlord to keep his housing. This scenario does not align with Ohio's definition of human trafficking as the sexual activity would need to occur with a third party.
  2. Red flags in this scenario include Jamil spending time alone, the mother's economic struggles, the reliance on the landlord to keep Jamil busy, and pictures of Jamil during the sex acts.
  3. This is an unsafe housing situation as the landlord is sexually exploiting Jamil; alternate housing should be identified. Services should focus on addressing Jamil's vulnerabilities such as his family's economic insecurity. His mother may need economic support to help her meet her family's needs; his mother may benefit from workforce development programming. Jamil would likely need trauma-specific counseling to address the trauma from the sexual exploitation. Jamil may also benefit from after school programming so he is not spending so much time home alone.
- In this scenario, if sex trafficking is occurring, who would be identified as the trafficker?
    - This scenario does not include very much information about what the mother knows. The scenario states "The landlord told Jamil and his mother that he would not evict them as long as Jamil keeps hanging out with him." If Jamil's mother knows Jamil is experiencing sexual exploitation, she would be identified as the trafficker under federal law as well as state law.

### Case Study #2

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1. Yes. The child is a victim of sex trafficking according to both state and federal law, because she is a minor engaged in commercial sex.
2. The child is engaging in commercial sex.
3. First and most obvious, she needs a school uniform. She may also need less tangible resources like a mentor, who can model safe and appropriate means of meeting needs.

### Case Study #3

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1. In order for this case to meet the threshold of trafficking, there need to be elements of force, fraud, and/or coercion. It may be that the woman Sam met outside exploited Sam's basic needs and defrauded her into believing she can better meet her needs through commercial sex. More information is needed.
2. Sam was recruited into commercial sex. She is very vulnerable due to unmet needs like safe and stable housing.
3. Sam needs safe and stable housing, connections to a safe community, follow up medical care, and possibly mental health supports to address the trauma she endured.

#### Case Study #4

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1. Yes. The child is a victim of sex trafficking according to both state and federal law, because she is a minor engaged in commercial sex.
2. The child is engaging in commercial sex.
3. Vanessa is in need of housing in which she feels safe and supported. She also needs access to safe people and organizations that she can reach out to if she runs away in the future, as running away is a common trauma response. She may also be interested in safer opportunities for employment so that she can earn her own money.

#### Case Study #5

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1. Yes. The child is a victim of labor trafficking according to both federal and state law, because he is being forced to engage in labor. Labor trafficking can apply to illicit activities like drug sales, which is what is occurring in this case study.
2. The child is missing school, and his parent is suffering from a substance use disorder, both of which can be red flags for trafficking and/or other forms of maltreatment.
3. The child is in need of a safe place to live. He is also in need of resources to help him catch up in school, as he has been absent for an unknown period of time. In thinking holistically about the entire family, the youth's mom is in need of services to address her substance use disorder.

#### Case Study #6

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1. Yes. Lynette is a victim of labor trafficking. She was defrauded into the labor trafficking situation with false promises, and she is being forced and coerced to remain in that situation.
2. Lynette is being threatened, and she does not have access to her identity documents.
3. Lynette needs a safe place to live, and she needs someone to help her obtain new identity documents. She is also in need of immigration services and a plan to remain in the U.S. safely or to return to her country of origin.

#### Case Study #7

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1. Yes. Kevin is a victim of labor trafficking. He was defrauded into the employment with false promises, and he is being forced and coerced to stay with threats of violence and confiscation of his identity documents.
2. Kevin's employers are withholding wages, have made false promises about job opportunities, and are using violence to control their crew.
3. Kevin is in need of safe housing. He may also be in need of protection from his traffickers. Thinking more long term, Kevin is also in need of safe employment so that he can meet his basic needs.

### **Case Study #8**

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1. Yes. Mari is a victim of sex trafficking and domestic violence. Her partner has used force, fraud, and coercion to compel her engagement in commercial sex with his friends.
2. Mari is engaging in commercial sex with her husband's friends under threats of violence and abuse. She has no access to the resources she needs to exit the situation and does not feel safe doing so.
3. Mari is in need of safe housing for her and her children and protection from her abuser in order to exit the situation. She and her children will likely be in need of mental health services to help address the trauma her husband has caused them. She will need to be linked to safe employment eventually to meet her basic needs.

### **Case Study #9**

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1. Yes. The child is a victim of sex trafficking according to both state and federal law, because she is a minor engaged in commercial sex.
2. Most obviously - the child is engaging in commercial sex. Her runaway status is also a red flag, as is her relationship with a much older partner.
3. Sarah is in need of placement in which she feels safe. She is in need of counseling and psychoeducation regarding healthy relationships. She will likely be in need of a victim advocate, should she choose to pursue charges against her rapist and/or trafficker.

## Appendix 2: Chart of Indicators/Red Flags of Human Trafficking

### RED FLAGS FOR SEX OR LABOR TRAFFICKING

PHYSICAL	<ul style="list-style-type: none"> <li>• Signs of physical abuse and/or evidence of lack of appropriate medical care</li> <li>• Poor dental hygiene/lack of dental care</li> <li>• Malnourished, hungry, thirsty</li> <li>• Exhausted (e.g.: dark circles under eyes)</li> <li>• Wounds, lesions, bruises</li> <li>• Intoxicated or evidence of drug/alcohol abuse</li> <li>• Over-sexualized behavior</li> <li>• Branding/tattoos</li> <li>• Burns/chemical burns related to machinery</li> <li>• Repetitive stress injuries</li> </ul>
SOCIAL	<ul style="list-style-type: none"> <li>• Violence, drug abuse, alcoholism in home</li> <li>• Prior history of sexual or physical abuse</li> <li>• Guardianship by unrelated person</li> <li>• Older, controlling significant other</li> <li>• Runaway and/or homeless</li> <li>• No form of ID/documentation</li> <li>• Limited/no English proficiency</li> <li>• Unsure of address or inconsistencies in describing where he or she lives/goes to school</li> <li>• Not speaking for one's self and/or signs of being controlled</li> <li>• Evidence of being unable to move and/or unable to leave job</li> <li>• History of STDs, multiple sexual partners</li> <li>• Possession of items outside personal or family income level</li> <li>• Condoms, pre-paid credit cards, large amount of cash, hotel keys, fake ID</li> <li>• Items found on person: Multiple cell phones, list of names (likely buyers)</li> </ul>
PSYCHOLOGICAL	<ul style="list-style-type: none"> <li>• Expresses fear: of not returning home on time, of losing job, of caregiver, of significant other</li> <li>• Depression, suicidal ideation and/or history of suicide attempt</li> <li>• Lack of eye contact or dulled emotions</li> </ul>
LEGAL	<ul style="list-style-type: none"> <li>• Charges: Truancy, theft (esp. of basic necessities), multiple curfew violations, prostitution, solicitation, drug/alcohol charges</li> <li>• Circumstances of arrest: High risk location (e.g.: hotels and restaurants known for human trafficking incidents, truck stops, massage parlors, etc.)</li> <li>• If foreign national, limited English proficiency</li> <li>• If foreign national, no form of ID/documentation</li> </ul>



## Appendix 3: Considerations for Interacting with Survivors<sup>7</sup>

DO	DON'T	WHY
Express empathy and compassion.	Express pity or judgement.	Surviving human trafficking takes resourcefulness and resilience. Survivors of trafficking are more complex individuals who should be provided support.
Maintain composure and provide reassurance. <i>"I believe you, and it's not your fault."</i>	Gasp, make faces, appear shocked. <i>"That's so awful! I can't believe that happened to you! I don't believe it!"</i>	Sometimes survivors share parts of their story that may be difficult to process and understand. While interacting with a survivor, focus on providing reassurance and messages of safety. People may make expressions of disbelief because they are surprised or shocked, but this might have the unintended consequence of conveying that the story is not believable or that the survivor should not share about their experience.
Gently encourage information sharing.	Demand information.	Let youth share their story at their own pace.
Gather information that will ensure safety and service delivery.	Ask questions to satisfy your own curiosity.	Depending on your role and responsibilities, it is not necessary to know all the details of this youth's trauma history. It is important to understand safety concerns and the youth's service needs to facilitate care coordination.
Remain neutral and supportive.	Lecture or express other assessments of behavior.	Youth may have engaged in dangerous or risky behavior during their trafficking situation. It is important not to express judgment; focus on messages of support.
<i>"What happened to you wasn't your fault."</i>	<i>"You don't have to do that anymore."</i>	Saying that someone doesn't need to do something anymore implies that the youth consented to being trafficked.
Survivors need supportive providers as they leave their situation on their own terms and in a way that is safe for them.	<i>"We rescue victims."</i>	The focus should be on empowerment. Service providers should inform survivors of human trafficking of services available to them and what exactly it means to engage in these services. If we force youth to engage in services or "rescue" youth, we are not addressing their vulnerabilities, and they may return to their trafficker.
<i>"We will do everything we can to keep you safe."</i>	<i>"You are safe now."</i>	Our understanding of safety may be different from the youth's. Have conversations with the youth about their understanding of safety and how to achieve safety. Do not to make promises about safety because safety cannot be guaranteed.
<i>"We are here because we want to help you. We will do our best to meet your needs."</i>	<i>"We can fix your problems."</i>	It is important not to make promises about meeting the individual's needs because services cannot be guaranteed. Be transparent about your role and what you can and cannot do.
<i>"Is there anyone you know who might need help?"</i>	<i>"We want to make sure what happened to you does not happen to anyone else."</i>	Youth should not be made to feel responsible for the potential victimization of others. Asking if they know of other youth in need of services is acceptable, but youth should not be forced to provide information when they are unwilling to do so.
Use language like "human trafficking survivor, commercial sexual exploitation, or commercial sexual activity".	Do not say "child prostitute or teen prostitute".	Minors cannot consent to engage in commercial sex. To call a survivor of trafficking a "prostitute" implies that the youth made a choice instead of acknowledging the reality of commercial sexual exploitation and human trafficking.

<sup>7</sup> Adapted from New York State Office of Children and Family Services, "Do's and Don'ts When Discussing Child Trafficking."

## Appendix 4: NCMEC Child Sex Trafficking Recovery Services Team



### Child Sex Trafficking Recovery Services Team (RST)

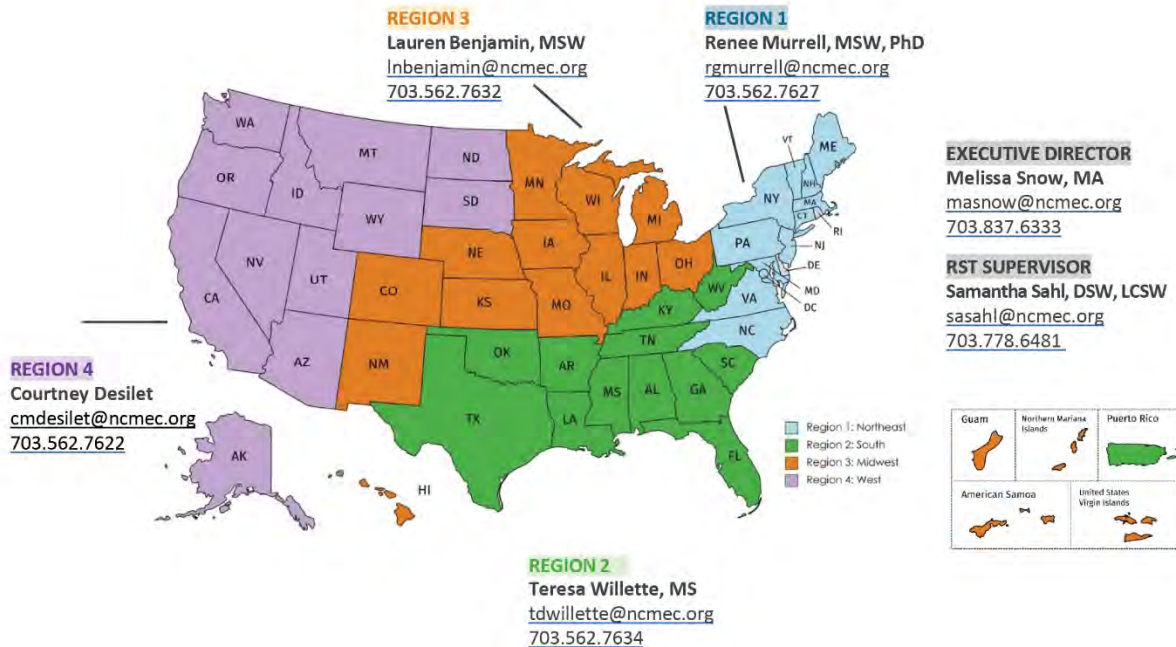
The National Center for Missing & Exploited Children (NCMEC) is available to provide specialized technical assistance and resources to child welfare professionals, foster parents and law enforcement who are working with missing children who are also victims of child sex trafficking.

RST Resource Specialists are assigned to multi-state regions and available to offer the following assistance for cases involving child sex trafficking:

- » Share promising practices in trauma-informed responses and reducing running behavior
- » Provide case-based assistance in the development of trauma-informed and victim-centered recovery plans
- » Connect professionals to local and national organizations that provide specialized services
- » Provide resources and support on meaningful youth engagement, effective approaches to trauma responses, strategies to address and reduce running behavior, and safety planning
- » Provide training and assist with protocol development
- » Support multidisciplinary efforts to prevent revictimization

#### Why Recovery planning?

When a survivor of child sex trafficking is “recovered” or returns to child welfare care, it is a disruption, or a pause, in their victimization. “Recovery Planning” recognizes this disruption as an unparalleled opportunity to begin to break the cycle of exploitation through intentional, planned, trauma-informed, and victim-centered engagement. Informed and specialized engagement at the time of and following recovery, has the potential to discredit the lies and manipulation of a trafficker and start to build the foundation of healthy, caring relationships.

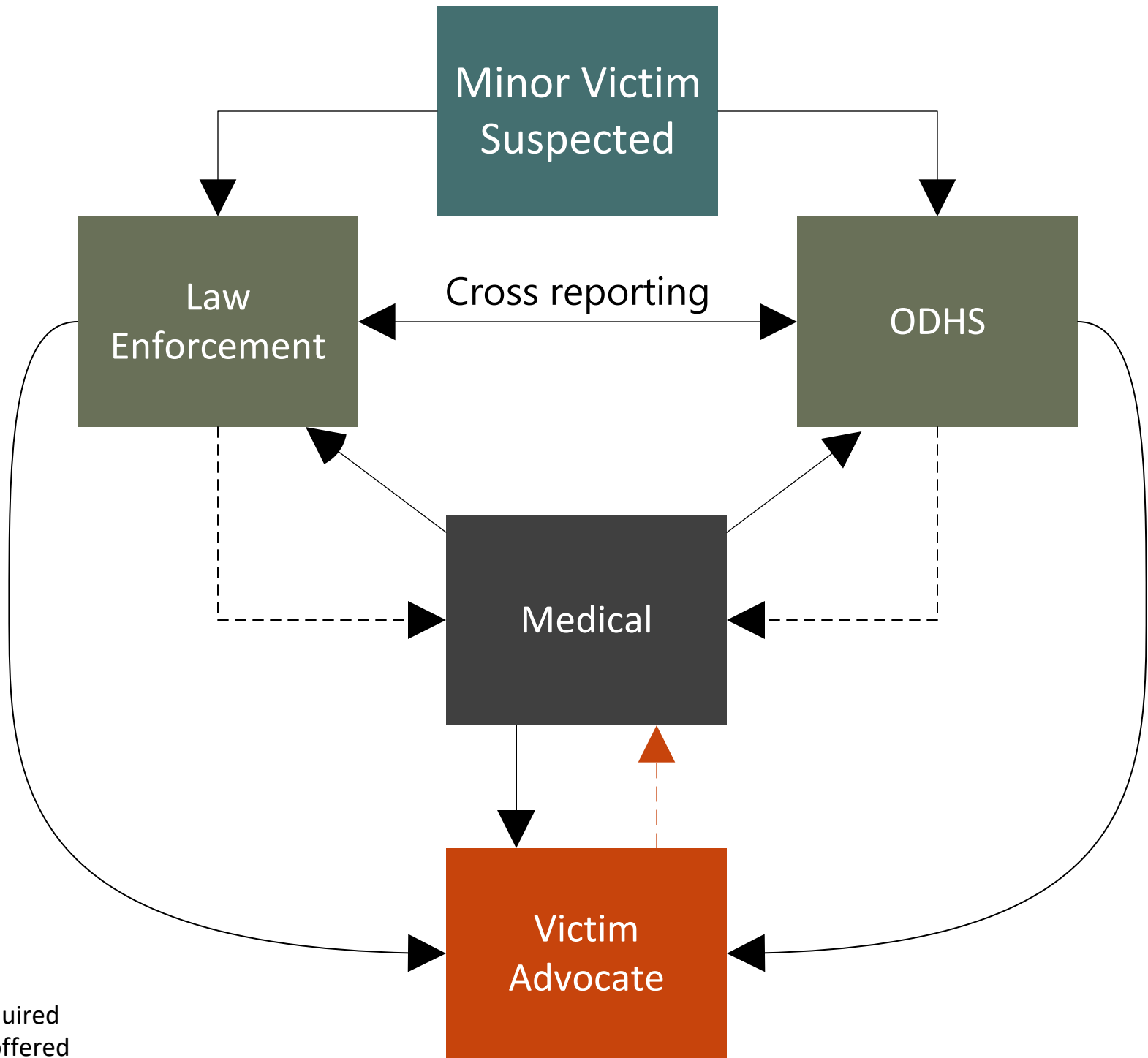


NCMEC has developed a three-part Child Sex Trafficking Training “Addressing Child Sex Trafficking: Risk Factors, Recognition and Response”. You can access it [here](#).

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# Standard Sex Trafficking Response Protocol



Solid lines: required  
Dotted lines: offered

## 24/7 Contact information for all agencies

Law Enforcement: [name, phone number]

Oregon Department of Human Services (ODHS)  
Oregon Child Abuse Hotline: (855) 503-7233

Medical: [name, phone number]

Victim Advocacy: [name, phone number]

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# Implementing a Landscape Analysis to Identify Partners in Improving Outcomes for Transition Age Youth Victims of Human Trafficking

**Authors: Sarah Russo and Staci Wendt**

## **A Landscape Analysis**

A focus of West Coast Children’s Clinic (WCC)’s pilot program is to engage and work with education and healthcare agencies and organizations in Alameda County that traditionally serve non-system-involved transition-aged youth (TAY), who are at-risk or victims of human trafficking. WCC began this process by conducting a “landscape analysis.” The landscape analysis is a process of researching and documenting agencies, organizations, and individuals in Alameda County serving this population. The purpose of the landscape analysis was to identify and collect information on the existing service providers, including those in the education and healthcare sectors, and use the information to engage agencies and organizations in the pilot program activities, particularly the CSE-IT training and technical assistance and the Service Coordination Team. WCC’s Steering Committee, whose members were already identified by WCC, guide and facilitate in the development of the Service Coordination Team. After consensus with the Steering Committee, WCC engaged identified agencies and organizations from the landscape analysis to participate in the Service Coordination Team. The Steering Committee and the Service Coordination Team will be mentioned in a future brief. The purpose of this brief is to describe the landscape analysis process, including perceived successes and barriers.

To learn about the landscape analysis, WestEd conducted two interviews with WCC leadership and staff who were involved in the landscape analysis, at the beginning of implementation (August 2019) and again after some time had passed since implementation (April 2020). Interviews took place virtually via Zoom. The first interview was with a WCC leadership member who oversaw the landscape analysis and a

WCC research assistant who was responsible for the day-to-day implementation of the landscape analysis. The first set of interview questions surrounded the process of the landscape analysis, how needs were identified, how organizations were targeted and engaged in other pilot program activities, and lessons learned at that time. The second interview was only with the WCC leadership member because the research assistant no longer worked for WCC. The interview questions helped identify any changes in landscape analysis processes since implementation, how changes were determined and made, the perceived responses of the engaged organizations, and the perceived successes and barriers of the landscape analysis process.

## Implementation and Process

The landscape analysis was a planned piece of the pilot program, with the purpose to inform and facilitate the engagement of necessary partners into pilot program activities. The landscape analysis began in July 2019. WCC began the landscape analysis process by identifying agencies and organizations in their current network. WCC first identified existing relationships with organizations and individuals. Because the pilot program focused on engaging and working with education and healthcare providers, WCC wanted to identify how many existing partners they had that were education and healthcare providers. Thus, WCC categorized existing relationships with agencies, organizations and individuals as either service types “education,” “healthcare,” or “other.” These service type categories were chosen based on places where youth might receive services that are not part of formal systems, including schools, teen clinics without eligibility restrictions, and homeless youth organizations. Within the education category, WCC further categorized agencies as either “School districts/School Attendance Review Boards” or “Community Colleges and Programs”. Within the overarching “healthcare” category, WCC assigned “type of service” for each of the organizations. These service types were assigned as the organizations were identified and reflected the serviced offered to clients. Examples of these service types are “primary care,” “sexual health services,” “HIV testing,” “mental health,” etc. Multiple service types were assigned to each healthcare organization. For example, one clinic’s assigned service types were “food,” “recreation,” “counseling,” “advocacy,” and “health care.”

For each of the education, healthcare, and other organizations, WCC documented the organization’s location, main contact name, contact information, and notes. For community college programs and other TAY service, WCC also documented eligibility requirements and target population when applicable.

## Tips, Tools and Successes

WCC used the Internet to search for organizations in Alameda County that serve TAY. Although WCC targeted their search to find organizations in education and healthcare settings, they also included other organizations that serve TAY. When an organization was found and documented, WCC would then look for the partners of that organization to help expand the search, thus following somewhat of a snowball sampling approach to identify organizations. During the online research process, WCC found an online list of providers serving TAY experiencing homelessness; WCC used this list to cross-check against and add new organizations to the landscape analysis list. WCC described that finding this list of TAY services online was a useful resource. No barriers were reported during this process, and WCC described the

online search engines and websites as “very helpful.” WCC also identified the practice of asking for and receiving input from partners as a key success strategy for the landscape analysis. WCC explained that this input fosters the expansion of the network of contacts.

## What the landscape analysis looks like so far

After a couple months of conducting the landscape analysis, at end of August 2019, WCC identified over 100 new and previously known agencies/organizations, including school-based programs. Having worked in Alameda County for over 10 years, WCC leadership reported to have had already been familiar (e.g., at least heard of the name) with approximately three quarters of the organization found via the landscape analysis. WCC reported that the school-based services serving TAY are the most prolific in Alameda County due to County efforts to make school-based services available to every student. WCC also reported that there were not as many programs serving TAY in healthcare settings. Additionally, WCC described that the lack of services for TAY experiencing homelessness in Alameda County was evident in low numbers of providers identified in the landscape analysis. This finding confirmed prior knowledge about the lack of homeless services in the County.

During the landscape analysis, WCC found that organizations and agencies are concentrated in specific areas of Alameda County, with a higher concentration established in North County (Emeryville, Oakland, Berkeley) and fewer in South County. WCC mentioned that this may be because there is a larger population in North County. Additionally, Oakland is a more well-known city and has more resources. Thus, most of the organizations WCC planned to engage in the Service Coordination Team were centered in North County. WCC identified a couple organizations that serve TAY county-wide, including one organization that serves youth experiencing homelessness.

## The landscape analysis is not a static document

WCC described the landscape analysis as a living and dynamic document, meaning it changes over time, by identifying and adding new organizations. WCC revisits the landscape analysis document in meetings throughout the year to consider any additions. For example, recently, a newly opened organization was added to the landscape analysis document. It is WCC standard practice to reach out to many contacts and learn about other organizations through their partners. The document is also used as a tool to inform WCC outreach. By August 2020, WCC had collected the information of 282 individuals and organizations. Information included the first name, last name, position, organization, email address, phone number, and sector. Sectors included “health,” “homeless,” “school-based,” “law enforcement,” “faith-based,” and “other.” WCC also included a column to identify Service Coordination Team members who had personal contacts at the organization.

## Engagement in Other Pilot Program Activities

**To offer CSE-IT training/ technical assistance,** WCC planned to reach out to organizations identified during the landscape analysis via mass emails. The email informs the organizations that WCC’s CSE-IT training is available and free. When WCC identifies large youth-serving organizations, where the youth are



August 2020

also likely to engage in WCC services, WCC personally reaches out to the organization to invite them to attend CSE-IT training.

**To engage organizations in the Service Coordination Team**, WCC planned to initially connect with organizations via email to set up phone calls and then in-person meetings. WCC described that talking to potential members on phone or in-person before attending a group meeting is helpful for engagement. WCC reports that no one has declined to participate in the Service Coordination Team upon invitation.

## Lessons Learned and Barriers

During the landscape analysis, WCC realized fewer homeless shelters and services available for TAY over 18 years old, emphasizing the “harsh cut off” at 18 years old. WCC also realized that there are programs within school districts specifically for TAY, while this was not the case in healthcare settings. No barriers to the landscape analysis were identified by WCC.

## **Regional Human Trafficking Specialists' Resource and Community Guidelines Project Plan**

Each region in Colorado has its own set of unique challenges when it comes to combating human trafficking. Some of those challenges include geographical location, access and availability of resources to support marginalized communities, the economy, and the availability of jobs, as well as education and awareness on the issue of human trafficking and how it manifests in Colorado. This project will focus on common needs across the region: (1) identify existing resources that may be able to support survivors, (2) raise awareness on the issue of human trafficking at the local level among service providers and community members, (3) identify gaps in resource needs, and (4) map and make recommendations to existing community guidelines that aid in the identification and response of trafficked youth.

This project is divided into two phases. The first phase includes an education and research component to set the framework for what information the regional specialist will be gathering from their communities. The second phase includes the activities of resource mapping and the identification of existing response guidelines within their region. The Regional Specialist(s) is tasked with identifying gaps and making recommendations to enhance community response to trafficking.

An on-going aspect of this project will be building trust between referral agencies and community partners. This will require information sharing, training and education, and one-on-one meetings with service providers, law enforcement, child welfare, as well as subject matter experts. This will coincide with the Council's public awareness campaign and will be supported by the Council's training facilitators across Colorado. This work will establish a foundation for the sustainability of anti-trafficking work in the region.

### **Phase 1 (Research):**

The first part of this project will focus on the myriad of ways in which a survivor may self-identify or be identified in the community and what support they may need to aid in their stabilization and healing. The Regional Specialist(s) will develop a holistic understanding of how child/youth survivors come into contact with and experience *local* systems by building upon their own knowledge of what trafficking looks like in their community. In addition, the Regional Specialist(s) will consult with the *Innovate Colorado* Expert Consultant(s) and if indicated, review relevant human trafficking research and literature. The Regional Specialist(s) will develop a comprehensive list of the types of resources that will meet both the immediate, ongoing, and long-term needs of human trafficking survivors with special consideration given to the custody and immigration status of youth victims. Areas such as funding, language accessibility, age, gender served, etc. will be documented. Specialists will utilize information gathered to complete a comprehensive list of resources available within their region. Phase one will be completed in early February 2021.

### **Phase 2 (Mapping):**

The second phase of this project is the collection of information on all available and pertinent resources in the assigned region of the specialist. During this phase, the Regional Specialist(s) will collect information on available resources and identified gaps as well as existing protocols and collaborations. They will identify areas of response that can be enhanced through support,

**Regional Human Trafficking Specialists' Resource and Community Guidelines Project Plan**

education, and referral to additional funding opportunities. This will be completed by the end of spring 2021.

The Regional Specialist(s) will map available **services and resources** within their communities. This project will list resources that are currently available and identify gaps in resources that serve child/youth trafficking victims and those at risk. Services to be mapped include but are not limited to: specialized case management specialized out of home placement resources, trafficking-specific services, and survivor-led services, existing taskforces, and multi-disciplinary teams. Youth who have experienced trafficking are often in need of basic medical care, interpretive services, immigration, and other legal services; these should also be included in the resource mapping. Services to address long-term needs such as transitional housing, financial literacy, trades, and education should also be documented. In order to address gaps identified, this project will identify available resources to fulfill gaps outside of the region (state, national, services offered virtually) and include that information in the resource directory. The mapping exercise will also allow for the Regional Specialist(s) to build community buy-in and trust with the identified stakeholders.

Regional Specialists will map existing **community response guidelines** currently in place to respond to incidences of child/youth trafficking in the region. For example, protocols exist in child welfare and law enforcement's response to cases of child abuse and neglect. It is outside the scope of this project to collect the actual internal policies- notation of an existing organization policy and how they fall into the community response is sufficient. Formal and informal agreements may exist between local agencies and service providers or MDT's. The mapping will also identify possible barriers and gaps in the regional response to child/youth trafficking. The Regional Specialist may contribute to larger community efforts in the development or enhancement of community-wide guideline(s) that will serve children and youth experiencing or at risk of human trafficking. Project metrics for evaluation of progress towards project goals will be identified first to ensure that the project is achievable and measurable. This will be done by spring 2021. This project will make possible recommendations for improvements to existing response guidelines to child/youth trafficking.

In an effort to highlight the project findings and to encourage community support, the Regional Specialist(s) will host a community meeting (in-person or virtual) in summer 2021. Representatives from referral agencies, child welfare, law enforcement, expert consultants, and service providers will be presented with the findings and recommendations for response guideline enhancement.

**Project Deliverables:**

- (1) Services & Resources: Comprehensive resources directory with each resource vetted utilizing the CHTC victim's services standards, identified training needs of each provider included in the directory along with a training plan to meet those needs.

**Regional Human Trafficking Specialists' Resource and Community Guidelines Project Plan**

(2) Response Guidelines: Mapping and recommendations of improvement of all existing community response guidelines that address child/youth trafficking and cover all identified points of entry.

(3) Collection of existing guidelines/MOU's that is publicly available.



Appendix B-16: Colorado: Resource Mapping Tool

	Town/city	Services provided	Languages	Ages served	Genders served	Hours of operation	Barriers to access	Specialty programming	Phone number	Website	Point of contact	Have they been contacted?	Have they been trained?	Date of training
Type of resource	Be sure to use full name, separate entries with commas	This column will be for internal purposes only	Be sure to list full name of language(s) with a comma separating each	Children = under 18; Youth = 16-24; Adults = 18 or over; or input specific age range	Use the drop down list, you will have to type them if it is more than one so just be sure to use the same language from the drop down list		This column will be for internal purposes only	Do they offer specific programming for certain identities or lived experiences, ie. A peer support group for LGBTQ youth.						Use form: 01/01/20
													FALSE	
<b>NATIONAL CRISIS HOTLINES</b>													FALSE	
<b>Name</b>	<b>Contact</b>	<b>Services</b>											FALSE	
National Human Trafficking Hotline	1-888-373-7888; Or text HELP or INFO to BeFree (233733)	24/7 Human Trafficking & Nationwide Services											FALSE	
National Suicide Hotline	1-800-SUICIDE TTY: 1-800-799-4889 Spanish: 1-800-SUICIDA	24/7 Nationwide Suicide Prevention Services											FALSE	
Trevor Project	1-866-488-7386; Text START to 678678	24/7 Suicide Prevention - LGBTQIA+ Youth											FALSE	
National Sex Assault Hotline	1-800-656-HOPE	Nationwide Services											FALSE	
National Domestic Violence Hotline	1-800-799-SAFE TTY: 1-800-787-3224	Nationwide Services											FALSE	
National Teen Dating Abuse Hotline	1-866-331-9474; TTY: 1-866-331-8453	Nationwide Services											FALSE	
National Child Abuse Hotline	1-800-4-A-CHILD TTY 1-800-2-A- CHILD	Nationwide Services											FALSE	
National Elder Abuse Hotline	1-800-252-8966	Nationwide Services											FALSE	
National Center for Missing and Exploited Children	1-800-843-5678	Report Missing Children and Child Exploitation; Nationwide Services											FALSE	
FBI Innocence Lost	1-800-CALL FBI TTY: 1-800-225-5324	Report Child Trafficking Nationwide											FALSE	
Trans Lifeline	1-877-565-8860	Peer support for Transgender individuals 9am-3am CT											FALSE	
Strong Hearts Native Helpline	1-844-762-8483	Domestic Violence and Sexual Assault Services for Native Communities, 7am-10pm CT											FALSE	
<b>National Runaway Hotline</b>	1-800-621-4000											FALSE	FALSE	

Appendix B-16: Colorado: Resource Mapping Tool

	Training organization	Are they trauma informed?	Have things shifted with Covid? What has changed?	Notes	Contact for Community Meeting
Type of resource	Acceptable training organizations: For example: Council, LCHT, BATT, SOAR (online), NHTAC	This column will be for internal purposes only	If hours or protocols have shifted temporarily that should be noted here		
CASE MANAGEMENT					
CHEMICAL DEPENDENCY					
CRISIS SUPPORT					
DAY DROP IN CENTERS					
DHS/CHILD AND ADOLESCENT SERVICES					
DISABILITY SERVICES					
EDUCATION/Job Training					
FINANCIAL ASSISTANCE					
HOUSING					
<i>Long term</i>					
<i>Short term</i>					
<i>Emergency</i>					
IMMIGRATION					
LAW ENFORCEMENT					
LEGAL					
MEDICAL					
MENTAL HEALTH					
MENTORSHIP PROGRAMS/SUPPORT GROUPS					
SEX ASSAULT/DOMESTIC VIOLENCE RESOURCES					
TRANSPORTATION					
Additional Statewide Resources					
Services					

Appendix B-16: Colorado: Resource Mapping Tool

	Training organization	Are they trauma informed?	Have things shifted with Covid? What has changed?	Notes	Contact for Community Meeting
Type of resource	Acceptable training organizations: For example: Council, LCHT, BATT, SOAR (online), NHTTAC	This column will be for internal purposes only	If hours or protocols have shifted temporarily that should be noted here		
<b>NATIONAL CRISIS HOTLINES</b>					
<b>Name</b>					
National Human Trafficking Hotline					
National Suicide Hotline					
Trevor Project					
National Sex Assault Hotline					
National Domestic Violence Hotline					
National Teen Dating Abuse Hotline					
National Child Abuse Hotline					
National Elder Abuse Hotline					
National Center for Missing and Exploited Children					
FBI Innocence Lost					
Trans Lifeline					
Strong Hearts Native Helpline					
<b>National Runaway Hotline</b>					





**NICWC**  
NEBRASKA INDIAN CHILD  
WELFARE COALITION

Indian Children: Culturally Connected, Rights Protected  
WE EDUCATE + WE ADVOCATE + WE BRING PEOPLE TOGETHER

## Nebraska Tribal Human Trafficking Listening Sessions Report

### INTRODUCTION

Under the grant project OVC-2020-18412 *Improving Outcomes for Child and Youth Victims of Human Trafficking Support for Youth Victims of Human Trafficking in Nebraska*, the Nebraska Indian Child Welfare Coalition (NICWC) conducted an assessment of the current state of human trafficking in tribal communities via listening sessions with each of the four tribes in Nebraska: the Omaha Tribe of Nebraska and Iowa, the Ponca Tribe of Nebraska, the Santee Sioux Nation, and the Winnebago Tribe of Nebraska. This report summarizes the feedback from each session, identifies key needs and follow-up, and sets forth a plan of action.

The resounding note from every tribal listening session was an awareness that human trafficking cases are occurring in each tribal area, despite low reporting numbers, and the overarching fear and concern was for the safety of their youth in the community. While this grant focuses on outcomes with older youth, in speaking with the tribal communities, there is a general state of needing to try to understand and respond to trafficking overall. Additionally, at each tribal listening session, participants shared there is a need to move toward a preventative and awareness approach to human trafficking overall instead of just a reactionary and responsive approach. The Improving Outcomes grant program can address efforts to raise awareness, however it does not include prevention, which may be an area for other programs and/or funding to address.

### PARTICIPATION AND METHODOLOGY

Four listening sessions were conducted between September 2022-January 2023, with each of the four tribes headquartered in Nebraska. A fifth listening session included representatives working in Indian Country from the U.S. Attorney's Office and the FBI.

In the interest of time and out of respect for the attendees' busy schedules, the sessions lasted for 90 minutes to 2 hours (depending on participant availability). Participating offices and service providers included tribal court judges and staff, domestic violence program staff and victim advocates, tribal human/social services programs, child welfare staff, federal law enforcement officers, and tribal probation officers.

Questions to lead the discussion were divided into three focus areas: identification of trafficking survivors, response to trafficking cases, and resource needs for communities and programs. The discussion was facilitated by NICWC's Executive Director, Misty Flowers; Tribal Liaison, Kitty Washburn; and Tribal Trafficking Resource Specialist, Kirby Williams.

This document was created with the support of grant #OVC-2020-18412, awarded by the Office for Victims of Crime, Office of Justice Programs, U.S. Department of Justice. The opinions, findings, and conclusions or recommendations expressed in this content are those of the contributors and do not necessarily represent the official position or policies of the U.S. Department of Justice.

## RESULTS

The following is a summary of the information gathered from each listening session, with key findings and takeaways from the discussions. The report presents the key findings for each of the listening sessions.

### **Santee Sioux Nation**

The Santee Sioux Nation is located in northern Knox County, Nebraska, on the Santee Reservation near Niobrara, Nebraska. According to 2018 census estimates, 690 Native Americans live on the Santee Reservation. Criminal jurisdiction is exercised by the tribal and federal governments.

#### Identification:

The overarching discussion included countless stories within the community of human trafficking cases occurring but a significant lack of reporting or accessing services due to fear and other barriers. Circumstances of concern included the regular occurrence of strange vehicles from out of town entering the small community and noted stalking situations of workers and casino patrons from outside of the community following and tracking local women and children. In response, local community elders and relatives have taken to waiting outside of an establishment for their loved ones to head home and accompanying the loved one to ensure they get home safely and alone. In addition, reports of older youth prompting young children to go into homes and steal items (such as cash, cigarettes, etc.) for the older youth have become a common occurrence, leading parents of the young children to file for restraining/protection orders against the older youth. It was also reported that there have been several instances of parents exploiting (referred to as “pimping” by participants) their young children in exchange for drugs. There have also been several reports of parties, drawing in local and out-of-town youth, being hosted on the reservation resulting in extreme acts of violence, abuse, and assaults. Participants mentioned several times a rising concern about the general impacts of social media and cell phone access in relation to trafficking, abuse, and exploitation.

Outside of general community accounts, cases of human trafficking, child exploitation, and intimate partner violence are often reported or disclosed through community and family/relative referrals to tribal agencies. Oftentimes, victims are seeking services unrelated to their victimization and eventually disclose their experiences. However, there is typically “not enough evidence” for federal charges, resulting in a dropped case or a lesser charge in tribal court. Community intervention programs will often place flyers throughout the community, but there have been noticeable efforts by outsiders in the community to tear down human trafficking resource flyers, especially at the Ohiya Casino, located on the Santee Reservation.

Noted concerns with overall community attitudes towards human trafficking and intimate partner violence included: perceptions that a significant other is “property” by young individuals in relationships, the normalization of abuse and physical violence in relationships (sometimes referenced as “Indian Love”), and a lack of willingness for community members and leaders to address these concerns unless they or their loved ones are directly impacted.

Response:

When cases are declined/dropped and accountability and justice are not fulfilled, known perpetrators are reported as “walking around high and mighty” with a smugness that they’ve “gotten away with ruining someone’s life.” Listening session participants expressed concern that perpetrators, abusers, and traffickers feel untouchable and, therefore, able to carry on with harmful behavior. Due to the limited domestic violence program staffing and resources, victims will often contact the program once for resources but not continue with any follow-up or further assistance beyond the initial contact. There was also a noted lack of inter-agency coordination between tribal service providers and federal government agencies. The standard response to intimate partner violence concerns in the community is to provide referrals to the victim. Advocacy and assistance are limited due to capacity, which leaves the responsibility for the follow-up to the victim.

There is a standard between the tribal court and local police department for the local domestic violence program to be immediately called in intimate partner violence cases. It was noted, however, that the full process for charging perpetrators with acts of violence, holding perpetrators accountable, providing access to victim services, etc., can oftentimes take weeks to address a single case. This leaves victims in limbo, waiting for necessary assistance, and often results in counterproductive, negative coping behaviors to address trauma, such as substance abuse.

It was noted that most of the individuals currently on probation in the community had struggles related to substance abuse. In cases where substance abuse is related to victimization, the responsibility again falls on the victim to communicate their circumstances and needs to a tribal court judge for consideration, although court advocacy and assistance to support the victim in this setting is rare. No substance abuse treatment facilities/programs or domestic violence shelters are currently active on the reservation, with the closest locations being at least 90 to 120 minutes away.

Cross-jurisdictional cooperation and communication were described as extremely limited or rare. A continued lack of capacity for tribal programs and law enforcement (due to lacking staffing and resources) has left significant gaps in follow-up and response to community concerns. Jurisdictional barriers and resulting federal requirements have placed undue hardship on community agencies and limited appropriate response. One specific example that was relayed involved the suicide death of a community member resulting in waiting 8 hours for the FBI to show up to respond. The already limited local police department was forced to stay with the body to wait for the FBI and forensic teams

to show up from Sioux City, IA, and Omaha, NE (a respective 1.5-hour drive and 3.5-hour drive one-way from each location to Santee, NE), causing prolonged confusion, trauma, and despair for the community and relatives of the deceased. While there is specific federal training that tribal law enforcement would like to take advantage of to avoid this issue, lack of resources and staff capacity prevent it.

The most significant reported barrier to responding to violence in the community was that local law enforcement, tribal court, human services providers, and all other programs in the community are severely overworked and understaffed, primarily due to lack of funding, a limited number of people, and increased requirements set forth by off-reservation state and federal agencies. These requirements often include advanced educational degrees, continually increasing training hours, meeting excessive job qualification criteria, clean criminal records, etc.

#### Tribal Code:

There was a resounding sentiment that the tribal code for the Santee Sioux Nation needs a thorough review and update. One positive aspect of the tribal code was a provision stating that Child Family Services and/or the domestic violence program must be present before other local agencies may speak with/interview child victims. An immediate necessary update suggestion to the tribal code is to amend that a 24-hour waiting period is enacted before filing a formal report for a missing adult; there is no waiting period to report a missing child. It was also reported that there is no language or provision relating to human trafficking in the current tribal code, and therefore the community must rely on federal law enforcement and prosecution.

#### Needs:

The following needs and suggestions were offered in relation to the above information:

#### Community:

- The need for a traffic light or other entity to slow down and take pictures of the license plates of vehicles to monitor vehicles that pass through the Santee community.
- The need to develop curriculum and community awareness education regarding the indicators of human trafficking for the community overall and especially for youth.
  - Need to identify the appropriate age to begin teaching young children and youth in the community about the dynamics of trafficking.
  - Suggestion to find a way to standardize and implement the age-appropriate curriculum in local schools regarding consent, intimate partner violence, etc.

- Suggestion to organize and host a “mandatory youth trafficking awareness conference” open to young people, community members, and service professionals in the tribe to provide hands-on scenarios, video examples, survivor stories, and other information regarding dynamics and responding to human trafficking.
  - Suggested that door prizes, providing a meal, and t-shirts were good ways to increase attendance in the community.

Agencies and Service Providers:

- The need for screening tools and questionnaires related to human trafficking and training on their usage.
- Collaborative inter-agency coordination and dialogue regarding assisting intimate partner violence, child abuse/exploitation, and human trafficking victims and survivors to ensure proper referrals between agencies are taking place.
- The suggested best format for providing pieces of training to community service providers was through virtual video content, preferably uploaded in one-hour segments.
- Addressing issues related to limited staff capacity and resources and removing non-relevant job requirements that limit the ability to hire.

Follow-up Recommendations:

- Identify technical assistance agencies/opportunities to help address inter-agency communication and collaboration.
- Record training videos relating to human trafficking, intimate partner violence, etc., focusing on dynamics, indicators, and proper response.
- Organize and host a community-wide, yearly human trafficking conference with awareness information, scenarios, videos, survivor stories, etc.
  - Culturally relevant incentives to promote community attendance should include door prizes/giveaways, t-shirts, and a meal.
- Identify tribal code issues and process for amending tribal code, with necessary education facilitation on the process to relevant parties (i.e., tribal council, tribal court, etc.)

**Winnebago Tribe of Nebraska**

The Winnebago Tribe of Nebraska is located in Winnebago, Nebraska, in Thurston County and Dixon County, Nebraska, and Woodbury County, Iowa, on the Winnebago Tribal Reservation. According to 2018 census estimates, 1,844 Native Americans live on the Winnebago Reservation. Criminal jurisdiction is exercised by the tribal and federal governments.

Identification:



Human trafficking and intimate partner violence case referrals reach the tribal children and family services (CFS) department, tribal court advocates, and/or domestic violence program through tip line calls, police reports, inter-agency referrals, and community and family/relative referrals. Advocacy typically starts when tribal police begin an investigation. The police department's victim advocate is usually a case's first point of contact. Additional advocacy services are available for follow-up from the tribal court victim advocates, tribal CFS providers, and/or the tribal domestic violence program advocates.

Reported circumstances affiliated with human trafficking cases in the community include the influence of trafficking rings from the Sioux City, IA area and other metropolitan areas recruiting and exploiting individuals in the Winnebago tribal community, survival sexual exploitation including sex in exchange for money, drugs, and basic human necessities such as housing, and specific "party" houses in the community with significant foot traffic from inside and outside of the reservation. There was a noted trend by the Human Services and CFS departments of families in the community with intergenerational contact with CFS having a higher risk for vulnerability to exploitation and abuse. A resounding sentiment from all participants was the prevalence of abuse and intimate partner violence cases as the first means of contact for tribal programs, with suspected trafficking or trafficking victimization that was later disclosed due to shame and fear. Participants mentioned several times a rising concern about the impacts of social media, game chat rooms, and cell phone access in relation to trafficking, abuse, and exploitation.

Parents and school systems in the community have noticed an increase in children and youth with access to money but are unaware of where the money came from. Community service providers reported an awareness that more cases are happening in the community that are being reported and that there is a significant need to educate and encourage the community members to report and hold perpetrators accountable. It was also noted that education regarding where parents, relatives, and community members can turn to for help in addressing human trafficking was a significant need.

Response:

Overall, participants reported some form of inter-agency collaboration within the tribal community programs, with a noted need for more formal meetings to take place to encourage communication and collaboration. The standard procedure for addressing a youth human trafficking case is for tribal law enforcement and the FBI to be involved from the start, with follow-up assistance from tribal court victim advocates, tribal CFS providers, tribal domestic violence program advocates, and other community programs as needed. Staff with the tribal court noted a reliance on local CFS and law enforcement agents to keep up with their respective individual staff training in order to recommend appropriate services to the court as part of mandated in court orders.

All tribal programs reported a need for more screening tools regarding human trafficking and related training on identifying and assisting human trafficking victims.



Suggested outlets for collaboration and training included the local tribal youth crisis shelter, local tribal hospital, and local school system staff, in addition to CFS, domestic violence program, tribal court, and police victim advocates.

The most significant issue regarding responding to human trafficking in the community was staff capacity. Programs have experienced high turnover rates, and there is a need for consistent and repeated training to ensure that all staff is equipped with important information. Additional noted concerns involved limited staffing and resources for local tribal law enforcement and ensuring proper training and education for responding to victimization cases to ensure appropriate follow-up from other community agencies. Some areas for recommended follow-up discussions with law enforcement included consistency with entering missing person cases and tribal court orders into the National Crime Information Center (NCIC) system, screening all passengers in a vehicle that is stopped off the main highway, especially when youth are present, and ensuring that all victim identification information (such as contact information, addresses, names, etc.) is included for advocates to follow up with services.

#### *Tribal Code and Law & Order:*

Overall, it was reported that the tribal code did not present any significant barriers to identifying or providing assistance to human trafficking victims. CFS suggested that the code explicitly mention human trafficking to ensure that cases were covered; human trafficking code language is currently applicable in the context of “sexual assault” and “false imprisonment.” It was also suggested that language for “mandatory screenings” be added to policy statements for agencies in the community. An additional area of concern was the lack of ability for the tribe to prosecute non-Native perpetrators due to federal mandate. Previous work had been completed to meet VAWA provision standards to prosecute non-Native perpetrators but was left stalled with the need for the tribal council to pass a code revision to jury pool selection. It was suggested during the session that efforts to address this concern could be reviewed again in the future.

The most significant barrier regarding addressing human trafficking was a lack of cooperation from city, county, and state law enforcement agencies, particularly the Sioux City Police Department. Inter-agency collaboration with federal agencies, such as the FBI and U.S. Attorney’s office, was noted as working well for tribal programs, especially when agents are involved as quickly as possible. State agencies, however, are severely lacking in enforcing tribal court orders. Reported concerns included Sioux City Police Department not investigating or acting on sexual assault cases involving tribal members in the Sioux City, IA area and an Omaha, Nebraska hospital refusing to perform a sexual assault exam on a 16-year-old victim due to the state’s statute on the age of consent, despite the victim stating they were assaulted.

#### *Needs:*

The following needs and suggestions were offered in relation to the above information:



### Community:

- The need to develop curriculum and community awareness education regarding the indicators of human trafficking for the community overall and especially for youth.
- Programming specifically developed for parents, relatives, and educators to recognize warning signs and how to navigate and respond to youth human trafficking cases.
  - Curriculum should also include information on safe technology usage, body sovereignty/consent, etc.
- The need for a list of human trafficking-related resources available to the community and Native Americans in Nebraska
  - Specifically noted the need for statewide resources for families that don't feel comfortable accessing assistance within the Winnebago community due to fear or stigma.

### Agencies and Service Providers:

- The need for screening tools and questionnaires related to human trafficking and training on their usage.
- Collaborative inter-agency coordination and dialogue regarding assisting intimate partner violence, child abuse/exploitation, and human trafficking victims and survivors to ensure proper referrals between agencies are taking place.
- Consistent and repeat training overall to account for staff turnover
- Identify resources and develop programming to assist with staff retention related to self-care and support for domestic violence staff, human services, and other community advocates.
- Hands-on victim advocacy training for local law enforcement officers and other program advocates

### Follow-up Recommendations:

- Develop and facilitate the following staff training:
  - Capacity, retention, self-care, and support for program staff
  - Working with youth victims of abuse and exploitation
  - Screening tools, identifying, and working with human trafficking cases
- Develop and facilitate the following community awareness education presentations:
  - Indicators, dynamics, and proper response to human trafficking
  - Parental, relative, and school involvement in assisting and supporting Native youth and the prevention of youth victimization.
- Organize and facilitate collaborative meetings between tribal agencies.
- Organize and facilitate meetings to discuss tribal code revisions addressing:
  - Explicit mentions of human trafficking



- VAWA provisions for the tribal court to prosecute non-Native perpetrators.
- Identify tactics to promote tribal court order enforcement with non-tribal agencies.

## **Omaha Tribe of Nebraska and Iowa**

The Omaha Tribe of Nebraska headquarters is in Macy, Nebraska, on the Omaha Tribal Reservation, which occupies Thurston County, Cuming County, and Burt County, Nebraska, and Monona County, Iowa. According to 2018 census estimates, 2,233 Native Americans live on the Omaha Reservation. Criminal jurisdiction, except those “involving the operation of motor vehicles on public roads or highways,” is exercised by the tribal and federal governments.

### Identification:

The Child and Family Services (CFS) department staff were the only attendees for the listening session with the Omaha Tribe of Nebraska and Iowa. The tribe’s domestic violence program has undergone several restructuring attempts over the last several years; currently, domestic violence program staff are providing basic victim advocacy while they continue to establish the program. For the CFS department, human trafficking and abuse cases are identified via victim disclosure or from a tip call. The tribe has received at least one youth human trafficking victim case per year; cases were identified while investigating allegations of other child and family abuse claims. In cases involved in the last few years, victims were teenagers who were trafficked by family members; in one case, a buyer was also a family member. The CFS program has not received direct calls to report human trafficking cases on the reservation and is aware that they may not be receiving calls to identify all cases present in the community. The program received far more allegations of sex trafficking from Indian Child Welfare Act (ICWA) cases that occur off the reservation, especially cases dealing with youth who have runaway.

CFS currently utilizes a welfare screening tool from the Nebraska Department of Health and Human Services (DHHS) called N-FOCUS (Nebraska Family Online Client User System, linked with ACCESS Nebraska) to screen cases. CFS also collaborates with a local child advocacy center (CAC) when a forensic interview is needed for a case. Collaboration with state agencies, however, has provided some issues when assisting tribal youth outside of the reservation, with state workers/agencies often neglecting to contact the tribe for resources and collaboration when assisting Omaha Tribal youth.

While CFS focuses primarily on child and youth welfare for the tribe, they also work to address concerns with all members of a household in need; however, identifying adult victims and identifying resources for vulnerable adults has been difficult.

### Response:



One of the most significant issues facing the CFS department for the tribe is staff capacity and a lack of inter-agency coordination for programs within and outside of the tribe. It was expressed that it felt as if different tribal departments are often “siloeed” from each other and that there is a general lack of willingness to cooperate from state agencies and resources. The need for a service array assessment and opportunities to collaborate with other programs and departments was expressed multiple times. An additional barrier was a noted lack of staff and professionals in the area specifically dedicated to addressing human trafficking and trauma-related cases. Within the community, addressing human trafficking and other forms of abuse and exploitation was described as “taboo,” and the general sentiment is to not talk about these issues and leave them as “a family matter.”

*Tribal Code, CFS Policy, and Law & Order:*

The current CFS policy that includes sex trafficking is as follows:

*CFS is responsible for identifying, documenting, and determining appropriate resources for any child receiving services who is, has been, or is at risk of becoming a victim of sex trafficking, coordinating with healthcare providers, school personnel, and other workers with at-risk youth, to ensure there is community awareness and resources available for victims, cooperating with local and federal enforcement and court staff to assist with the prosecution of perpetrators, immediate reporting and in no case later than 24 hours, any identified or suspected trafficking victims to the appropriate local or federal law enforcement agencies and CFS will also report any missing or abducted children to law enforcement for entry in the NCIC and NCMEC.*

The policy is currently being revised to apply more specificity and clarify the CFS role in addressing these cases.

The CFS policy is derived from the Omaha Tribal Code. The current code mentions human trafficking in the context of sex offender registration (Chapter 17), but human trafficking is not mentioned in the domestic violence or youth code sections. There was a resounding agreement that the tribal code needed to be updated to explicitly include human trafficking in the domestic violence and youth code sections. It was also noted that the Major Crimes Act limits the tribal court from holding perpetrators accountable by only enabling the court to sentence an offender to up to a year in jail.

Another significant issue of concern was noted regarding a lack of enforcement and recognition of tribal court orders by non-tribal city, county, and statewide agencies. Reports included a lack of enforcement or recognition of tribal court orders by non-tribal

medical centers, child advocacy, and welfare centers, law enforcement, and other agencies. Attempts by the tribe to address this matter are ongoing, but there is a noted lack of awareness of tribal court orders or willingness to cooperate on the part of non-tribal agencies. With regards to CFS, it was also noted that outside federal agencies, who are supposed to respond to abuse cases, such as the FBI, U.S. Attorney's office, etc., had very limited presence or interaction with tribal case workers and programs outside of the tribal court and tribal law enforcement. It was suggested that Indian Country liaisons within these agencies should make a point to have more of a presence in the community.

Needs:

The following needs and suggestions were offered in relation to the above information:

Community:

- The need to develop curriculum and community awareness education regarding the indicators of human trafficking for the community overall and especially for youth.
- The need for a list of human trafficking-related resources available to the community and Native Americans in Nebraska.

Agencies and Service Providers:

- The need for more forensic interviewer training for CFS staff.
- The need for human trafficking awareness and child abuse training for tribal government agencies, tribal councils, law enforcement, tribal court, etc.
- Collaborative inter-agency coordination and dialogue regarding assisting intimate partner violence, child abuse/exploitation, and human trafficking victims and survivors to ensure proper referrals between agencies are taking place.
  - Specifically stated need for a service array assessment
- Addressing issues related to limited staff capacity and resources.

Follow-up Recommendations:

- Develop and facilitate the following staff training:
  - Capacity, retention, self-care, and support for program staff
  - Legal issues navigation relating to jurisdiction, tribal court orders, protection orders, and custody orders.
  - Addressing human trafficking in tribal communities
  - Forensic Interviewer training for CFS staff
- Develop and facilitate the following community awareness education presentations:
  - Indicators, dynamics, and proper response to human trafficking
  - Parental and relative involvement in assisting and supporting Native youth and the prevention of youth victimization.

- Identify technical assistance to conduct a service array assessment.
- Identify technical assistance agencies/opportunities to help address inter-agency communication and collaboration.
- Identify tactics to promote tribal court order enforcement with non-tribal agencies.
- Identify tribal code issues and process for amending tribal code, with necessary education facilitation on the recommended changes (i.e., tribal council, tribal court, etc.)

## **Ponca Tribe of Nebraska**

The Ponca Tribe of Nebraska headquarters is in Niobrara, Nebraska. The tribe occupies and operates a 15-county service delivery area; Sarpy, Burt, Platte, Stanton, Holt, Hall, Wayne, Knox, Boyd, Madison, Douglas, and Lancaster Counties in Nebraska, Woodbury and Pottawattamie Counties in Iowa, and Charles Mix County in South Dakota. Due to the nature of the tribe's land holdings, the tribe currently exercises civil jurisdiction and does not presently exercise criminal jurisdiction. According to the Ponca Tribe's 2018 Census, 4,185 people are enrolled in the Tribe, and 1,654 reside in the service delivery area. According to 2018 U.S. Census estimates, 24,330 people identify racially as Native American living in the Ponca Tribe's service delivery area.

### Identification:

It was estimated that the domestic violence program has assisted seven youth victims in the last 3-5 years for clearly identified human trafficking victimization, with most related services being requested by and provided to adult victims. Clients often find out about the domestic violence program through social media and community outreach, resulting in most cases being classified as "walk-ins." Most clients initially establish contact with the program for domestic violence services and later disclose the need for human trafficking services. The tribal court staff also makes a point to provide referrals and information regarding the domestic violence program and other related resources to individuals filing protection orders, divorce, or custody cases. Domestic violence program outreach often includes homeless shelters, soup kitchens, community service agencies, middle schools, high schools, and other Ponca Service Delivery Area domestic violence programs to establish connections, collaborations, and a referral network. There was a noted concern that while human services, the domestic violence program, and tribal court work well in inter-agency collaboration and referral, working to ensure collaboration with other programs and locations within the tribe across the tribal service delivery area has been an ongoing challenge. For instance, ensuring that all medical/health services, behavioral health services, emergency management, etc., staff are aware of the need to refer clients to relevant domestic violence program services. Efforts to educate tribal leaders and other programs on the need to emphasize collaboration between all tribal programs are currently underway after taking a significant hit due to the COVID-19 pandemic.

Reported human trafficking cases often involved victims who were drugged or experienced physical force as a component of their victimization. A reported recruitment tactic of increasing concern is older men preying on young girls in middle schools and high schools and reaching out to them through social media.

Response:

The domestic violence program's current practice is to screen clients for human trafficking only after the victim self-identifies as having experienced human trafficking. The domestic violence program's intake form currently relies on classification for services by identifying the primary and secondary victimization for all crimes (i.e., domestic violence, sexual assault, forgery, burglary, child abuse, incest, etc.). There are currently two questions related to human trafficking: one for labor trafficking and one for sex trafficking. The implementation of the human trafficking resource tool PAVE (Providing Avenues for Victim Empowerment) is also in development to assist tribal programs with screening, assessments, and resource follow-up for victims and survivors.

The domestic violence program currently assists clients with identification and placement in a shelter, clothing, financial assistance (i.e., rental assistance, utilities, groceries, etc.), general program advocacy (i.e., court accompaniment, appointment transportation, safety planning, etc.), referrals to behavioral health, legal assistance, and other community services, providing "bolt bags" and other necessary items for displaced survivors, organizing trauma-informed therapy support groups and activities, and additional assistance as able. Program advocacy and services are comprehensive for clients, despite victimization type (i.e., domestic violence victims receive the same support and services as human trafficking victims). However, the program does carefully consider the next steps when addressing shelter for human trafficking survivors and an effort to avoid the standard hotel arrangement option that is given to other survivor clients. The program also currently has a cap on the amount of money they can spend on each victim, despite there being more than sufficient funds to assist beyond the current cap; it was suggested that the program evaluate the current spending cap.

The most significant issue within the tribe for responding to human trafficking and intimate partner violence is keeping up with staffing and case management due to high staff turnover. It was noted that there is a significant need for better self-care and support for staff members to increase staff retention. Tribal programs are currently working on developing a tribal court advocacy position to assist victims in court who are not identified by the domestic violence program, child family services, human services, etc.

Tribal Code and Law & Order:

References to human trafficking are currently included in the tribal code for the Ponca Tribe of Nebraska. In general, the sentiment is that the current tribal code has been working to suit the needs of the tribe; the tribe currently conducts regular reviews of

the tribal code to close gaps and ensure that it continues to work for the tribe.

Current challenges to the tribal code and tribal sovereignty stem from a lack of enforcement of tribal court orders (i.e., protection orders) by city, county, and state law enforcement. There have been previous issues with individuals challenging the Ponca Tribe's jurisdiction, and a lack of tribal-affiliated law enforcement has made it difficult to ensure the enforcement of tribal court orders. Tribal domestic violence program staff have placed emphasis on the need to prepare clients/survivors to advocate for themselves when dealing with non-tribal courts and law enforcement. Examples have included victims calling city/county/state law enforcement due to a protection order violation, the responding officer not recognizing the tribal protection order, and the victim, victim advocate, and/or victim's attorney having to persistently persuade the officer that the tribal court order is valid and should be upheld and enforced. Efforts to address this issue with city/county/state law enforcement have been mixed, with the majority of responses being negative and combative instead of collaborative.

Needs:

The following needs and suggestions were offered in relation to the above information:

Community:

- Provide community awareness education regarding dynamics, indicators, and proper response.
  - Especially for parents and service providers working with youth.
- The need for a living document/information database on social media apps and websites being used to perpetuate human trafficking.
- Access to a storage unit/container for victims experiencing homelessness to store belongings while they are in the shelter.
  - To be managed by the domestic violence program

Agencies and Service Providers:

- Identify resources and develop programming to assist with staff retention related to self-care and support for domestic violence and human services program staff.
- Implement and train tribal programs and agencies to utilize PAVE tool (currently in development)
- Ongoing and consistent training regarding tribal code, filing protection orders, and navigating jurisdiction concerns with tribal domestic violence program staff and tribal human services providers.
  - Request especially for child custody case navigation training
- Additional training for working with youth survivors, especially in relation to the legality of working with youth, such as navigating what advocates can say to law enforcement, what permission is/is not required with youth's parents, etc.

- The idea was proposed for potential training collaboration with child advocacy centers.
- Consistent and repeat training overall to account for staff turnover
- Encouragement from tribal leadership on the need for inter-tribal programs, collaboration, and assistance in the facilitation

Follow-up Recommendations:

- Develop and facilitate the following staff training:
  - Capacity, retention, self-care, and support for program staff
  - Legal issues navigation relating to jurisdiction, tribal court orders, protection orders, and custody orders.
  - Working with youth, especially youth human trafficking victims
- Develop and facilitate the following community awareness education presentations:
  - Indicators, dynamics, and proper response to human trafficking
  - Parental and relative involvement in assisting and supporting Native youth and the prevention of youth victimization.
- Organize and facilitate collaborative meetings between tribal agencies to ensure understanding of various program services and encourage referral networking.
- Identify tactics to promote tribal court order enforcement with non-tribal agencies.

**U.S. Attorney's Office and Federal Bureau of Investigation (FBI)**

Federal jurisdiction currently applies to the three tribal reservations headquartered in Nebraska: the Omaha Tribal Reservation, the Santee Sioux Nation Reservation, and the Winnebago Tribal Reservation.

Identification:

The typical process for involvement in human trafficking and victimization cases with the participating federal agencies is for the FBI to be contacted of a case first by local tribal law enforcement. The case would be referred to the U.S. Attorney's Office following an FBI investigation. There was a noted lack of youth human trafficking cases being referred to the FBI and/or U.S. Attorney's Office, along with an expressed concern by the agencies that youth may not be willing to cooperate. While each agency reported a lack of standard screening and protocol for addressing human trafficking, it was noted that cases involving youth victims would be referred to a child advocacy center (CAC) for follow-up screening.

Response:



Each agency employs specific victim advocates to work on Indian Country cases in Nebraska. Advocacy services from each agency typically involve assistance with resource referrals and strategic problem-solving, such as identifying options for transportation and childcare to attend court sessions. Victimization cases were noted as being handled on a “case-by-case” basis, and agencies relied on collaboration with local multi-disciplinary teams (MDTs) to ensure that CAC interviews were completed. The distance to travel from federal agency offices (primarily Sioux City, IA/South Sioux City, NE and Omaha, NE) to Nebraska’s tribal reservations and the limitation to conduct business via phone was identified as the most significant issues when responding to victimization cases. Many Native Americans in the area do not have a reliable or safe phone number or address and often utilize social media messaging (i.e., Facebook) or text messaging as the most reliable means of communication; this has become a significant barrier for federal agency staff as they are mandated to communicate with victims via phone call or mail only. The ability of the U.S. Attorney’s Office to communicate with victims in other manners would require a policy change from the Department of Justice (DOJ). Additional noted issues included staff turnover for referral agencies/programs and the need for consistent follow-up with victims.

*Tribal Code and Law & Order:*

There was some noted collaboration between federal agencies and local tribal government agencies regarding determining which government would be most appropriate in prosecuting and charging a perpetrator, but a lack of knowledge regarding the tribes’ codes was noted by the federal agencies. A current issue of concern, which federal agencies are following up on, is to address jurisdiction concerns on the tribal reservation following the recent *Castro-Huerta v. Oklahoma* decision from the Supreme Court. Federal agencies noted they would discuss this concern with state partners.

*Needs:*

The following needs and suggestions were offered in relation to the above information:

- Organization and facilitation of inter-agency collaboration meetings between tribal and federal agencies to educate on case needs and limitations. Topics to address should include:
  - Case walk-throughs for each community with available services in each area
  - Training from the U.S. Attorney’s Office with the criteria needed to go before a grand jury and how tribal agencies and the FBI can ensure appropriate evidence is collected.
- The need for a list of human trafficking-related resources available in each tribal community and for Native Americans in Nebraska



## PLAN OF ACTION

Nebraska Indian Child Welfare Coalition (NICWC) will work to address and complete the following for the remainder of the grant period:

- Draft training curriculum to specifically address the identified needs for each tribal community listed above and schedule for implementation (to be completed before or after the grant period)
- Begin initial work to develop community awareness education regarding human trafficking for tribal youth, parents, school systems, and tribal reservations.
- Compile a list of human trafficking-related resources to distribute to tribal community programs and affiliated partner agencies/programs.
- Assess and draft sample human trafficking-related tribal code language to offer each tribe.
- Additional follow-up and collaboration facilitation to ensure continued work to address human trafficking beyond this grant period.

To fulfill these goals, NICWC will seek to collaborate with the Nebraska Tribes Addressing Violence Coalition (NETAV), tribal domestic violence programs, tribal human services programs, tribal CFS programs, tribal courts, tribal councils, Legal Aid of Nebraska's Native American Program, and other relevant programs and agencies.

## Vetting Process

1. Site visit to meet with leadership team / relevant staff for the project. The purpose is to make connections, get a sense of the location, get a sense of the services provided.
2. Ask about best practices that they implement. Do this so we can learn more about them and identify training opportunities. – what are the practices that you use?
3. Ask if they are up to date on all legal elements, licenses, and if they are HIPPA compliant or have a confidentiality agreement (we won't require them to give us proof).
4. Have a review board review a list of organizations that have completed site visits for final approval. The board would be small (3-5 people) and consist of people that want to be involved but aren't in the pathway, so far I was thinking of Tom Hall and Judge Romero.



### Draft Vetting Questions

*For organizations that commit to being Champion or Partner level, the REACH Team will request information regarding organization structure, best practices and funding. The REACH Team will also conduct a site visit to learn more about the organization and make observations. **Inclusion in the Pathway App will be at the discretion of the New Mexico Office of the Attorney General and privileges can be removed at any time.***

**Organization Name:** \_\_\_\_\_ **Established In:** \_\_\_\_\_

**Specific Populations Served (circle all that apply):**

Men	Women	Transgender Men	Transgender Women
Children	Youth	Adults	0-12yr
12-16yr	17yr-24yr	24+	English Speakers
Spanish Speakers	Native Americans	People with disabilities	Other: _____

**Services Provided (circle all that apply):**

Medical Care	Children's Advocacy	Immigration Support
Residential Treatment	Therapeutic Process	SANE
Basic Needs	Employment Training	Legal Services
Initial Intake	Group / Individual Therapy	Housing
Transitional Housing	Advocacy and Accompaniment	Support Groups
Culturally-Specific Services	Traditional Healing	Other: _____
Service and Safety Plan	Educational Resources	Other: _____

**Age of Clients:** \_\_\_\_\_

**Geography of Services (County, Tribe, Urban Area, etc.) :** \_\_\_\_\_

**Referral Process:**

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**Referral Phone Number / Web Link:**

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**Name and contact details for referral point person:**

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**What level of involvement in the resource pathway are you committed to?**

**Champion                  Partner                  Contributor**

**What are your concerns regarding this commitment?**

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### **Draft Vetting Questions Cont.**

1. Describe the organization's board or oversight committee. Please provide demographics of members including gender, race, age, tribal affiliation, etc.
2. Describe the organization's sources of funding.
3. Describe your compliance with HIPPA, client confidentiality, etc.
4. What best practices or models do you incorporate into programming?
5. How do you incorporate survivor/client feedback?
6. Describe your client-centered practices.
7. Describe any organizational troubles in the last year and how it was/is being addressed.
8. Describe your relationship with other service providers.
9. Describe your relationship with law enforcement.

**Please Provide:**

- Official Confidentiality Policy
- Non-Discrimination Policy
- Housing License
- Non-Profit Status documentation
- Screening Form



- Detailed information on your referral process
- A recent annual report or program evaluation
- 2 references from other service providers or law enforcement agencies
- For all staff, please provide trauma safeguards, rules of engagement, and a list of support services.
- For survivor staff, please provide any organizational policies tailored to the needs of a survivor staff.
- If your organization conducts survivor led training/ engagements please provide a list of expectations and confidentiality agreements used by your organization.

### **Outline of Site Visit**

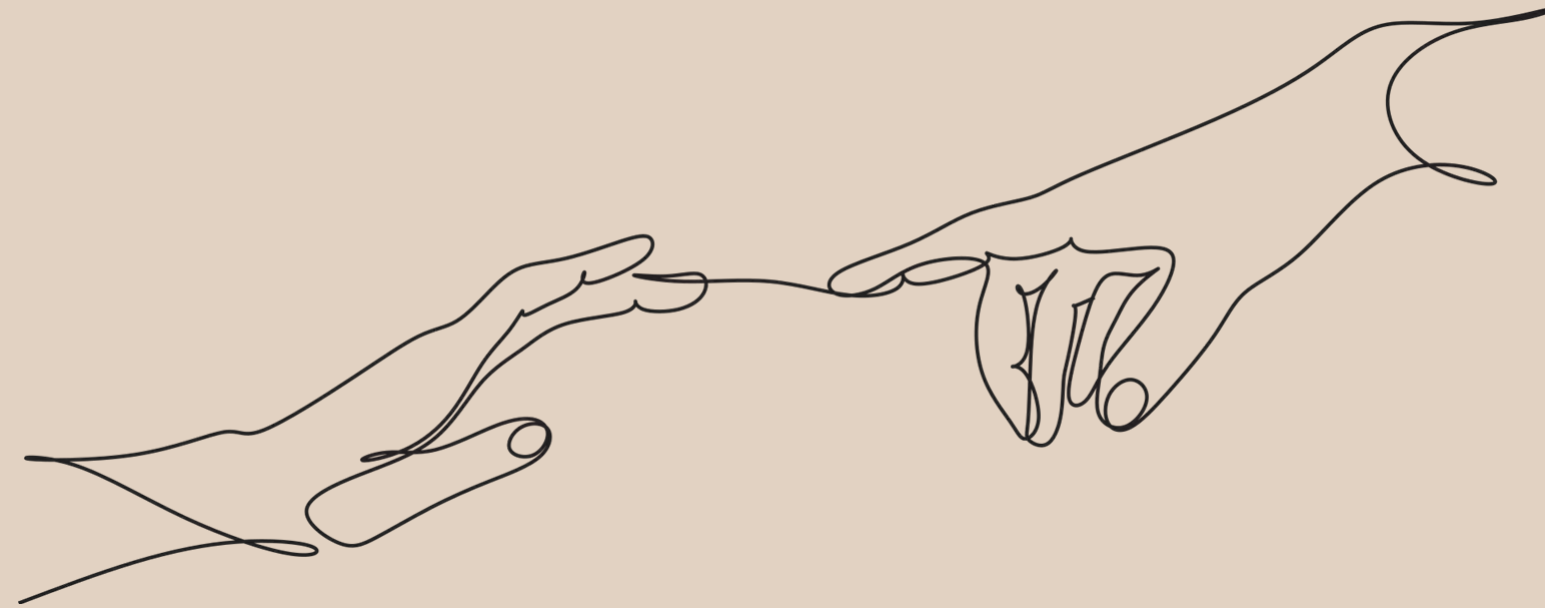
Following the review of the organization's details and documentation, the REACH Team will schedule an onsite visit. The purpose of this visit is to get to know the organization more and confirm the accuracy of the information provided.

We would like to see where services are provided and meet members of your organization.

### **Outline of Membership Process**

*Following a review of documentation and the onsite visit. REACH members will determine if the organization follows best practices and provides sound resources. This determination will be reviewed by a panel of survivors to ensure an extra level of accountability. Following this review, organizations will be included into pathway membership or will be given an opportunity to implement improvements to gain membership in the future.*

# New Mexico Resource Pathway



## The REACH Team

This presentation was created with the support of grant #2020-NZ-NX-001, awarded by the Office for Victims of Crime, Office of Justice Programs, U.S. Department of Justice. The opinions, findings, and conclusions or recommendations expressed in this content are those of the contributors and do not necessarily represent the official position or policies of the U.S. Department of Justice.



The New Mexico Office of the Attorney General works to protect New Mexicans in order to make our communities safe and prosperous. We prosecute criminal and civil offenses, advocate for consumers and those without a voice, empower the public by proactively educating it and connecting the public with beneficial resources. We serve as legal counsel for the State and its agents.



The mission of NMDC is to provide a 360° strategic approach to address human trafficking in New Mexico through prevention activities, outreach to victims, services for survivors, and a support system for clients in their self-determination.



# About the Partnership...

This grant funding is critical to preventing human trafficking and identifying potential victims.

A multi-provider collaboration is needed to identify and connect children and youth with appropriate and needed services that may help them address unique challenges based on their trafficking experience.

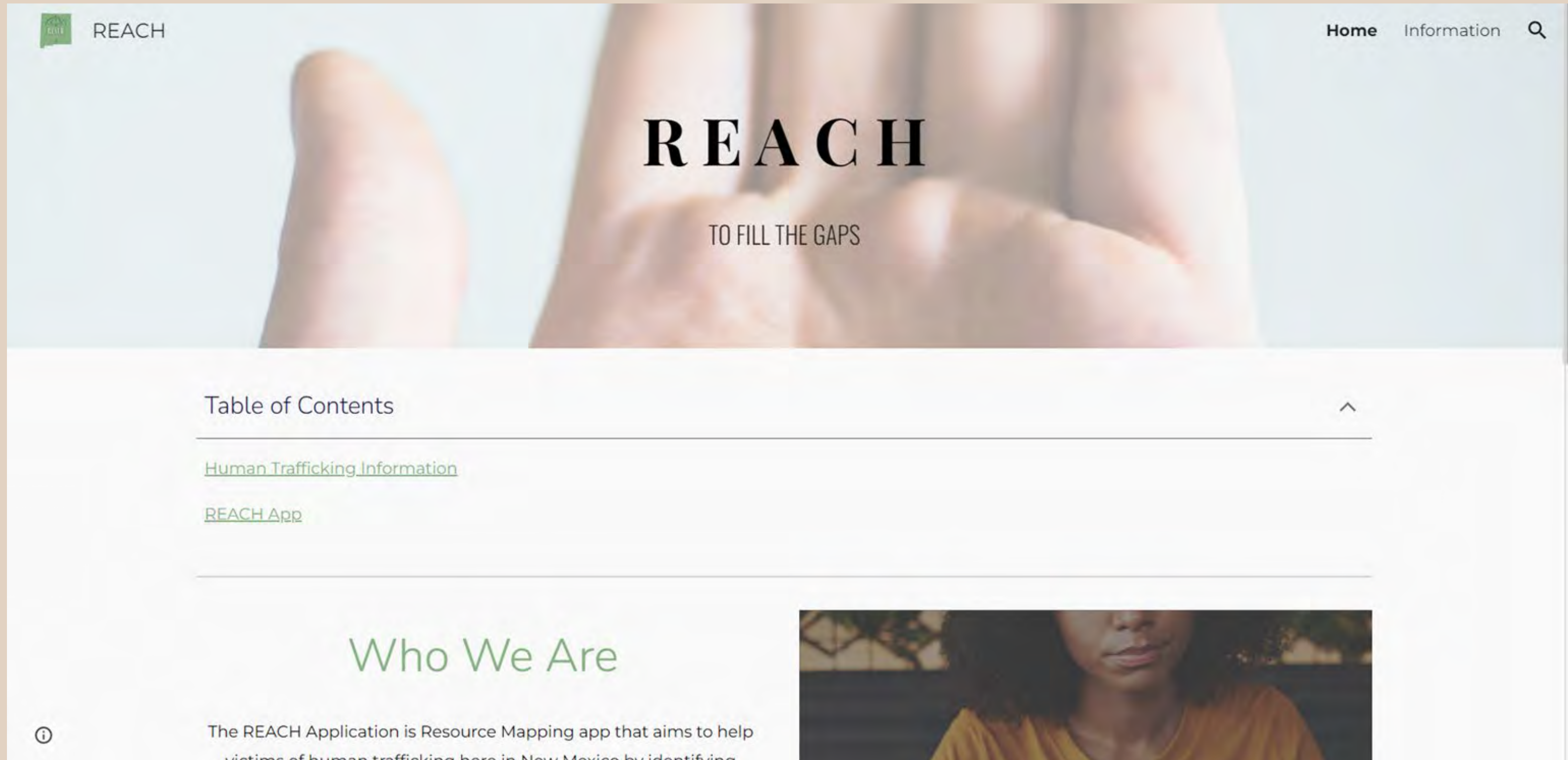
The New Mexico Office of the Attorney General, in partnership with the New Mexico Dream Center, will work towards improving outcomes by focusing on the top four issues:

- 1) Lack of accessible resources for child and youth victims of sex and labor trafficking
- 2) No specialized shelter or residential services for trafficked minors
- 3) No coordinated response when trafficked minors are identified
- 4) No reliable data collection

# How To Use The REACH APP



# The Landing Page



# The Information Page

REACH Home Information

## HUMAN TRAFFICKING INFORMATION

### Definitions of Human Trafficking

**Sex trafficking** is the recruitment, harboring, transportation, provision, obtaining, patronizing, or soliciting of a person for the purposes of a commercial sex act, in which the commercial sex act is induced by force, fraud, or coercion, or in which the person induced to perform such an act has not attained 18 years of age (22 USC § 7102).

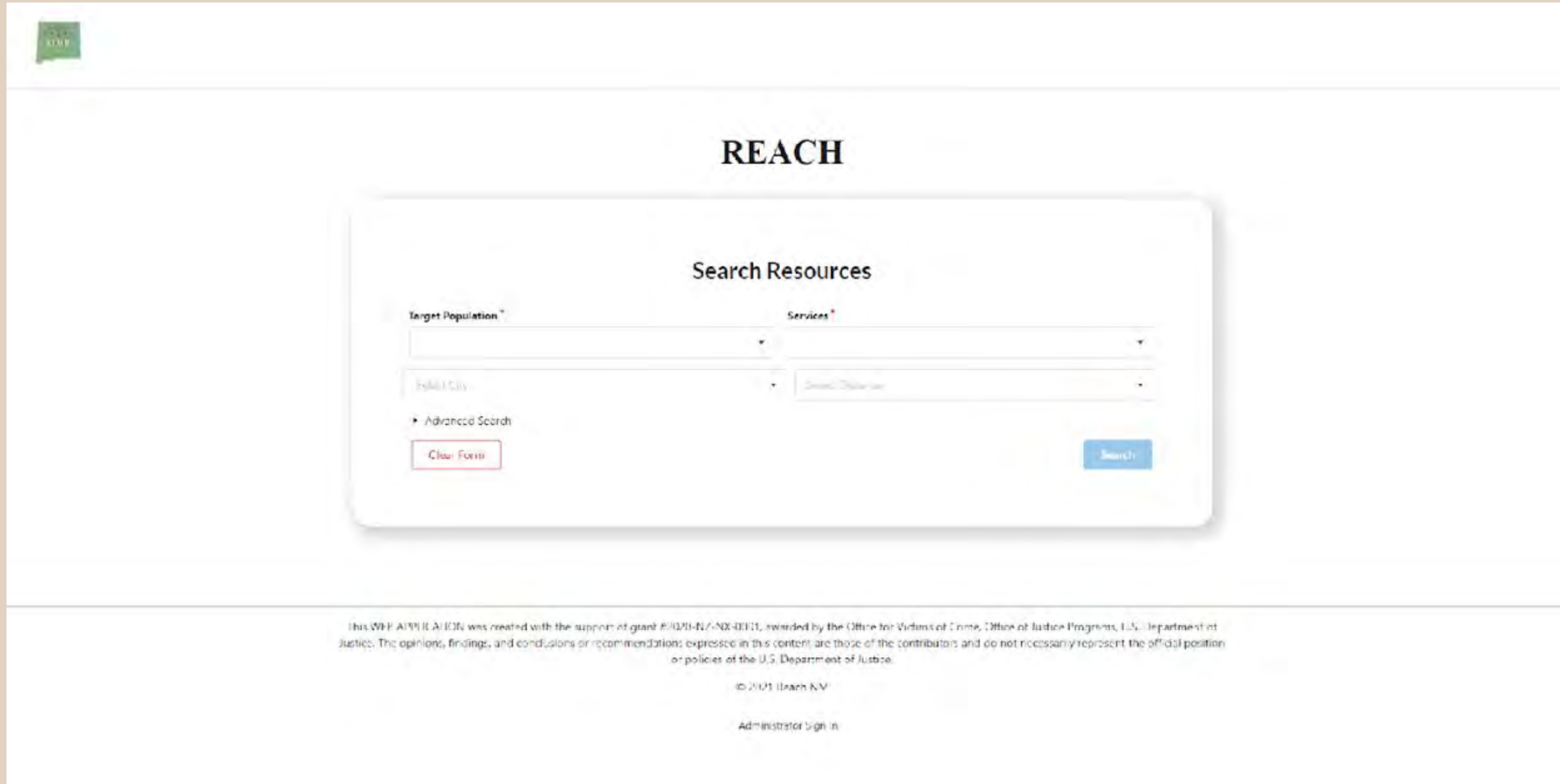
Under federal and New Mexico laws, children under the age of 18 are considered victims of human trafficking, not criminals. There is no need to prove fraud, force, coercion, or third party involvement in the scope of sex trafficking.

**Labor trafficking** is the recruitment, harboring, transportation, provision, or obtaining of a person for labor or services, through the use of force, fraud, or coercion for the purposes of subjection to involuntary servitude, peonage, debt bondage, or slavery. (22 USC § 7102)

Risk Factors for Youth

Situation-Based Examples

# The Search Page



# QUESTIONS?



# Implementing a Multidisciplinary Oversight Body to Improve Outcomes for Transition Aged Youth Victims of Human Trafficking

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**Sarah Russo and Staci Wendt**  
**November 2020**

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Suggested citation: Russo, S., & Wendt, S. (2020). *Implementing a Multidisciplinary Oversight Body to Improve Outcomes for Transition Aged Youth Victims of Human Trafficking*. WestEd.

WestEd is a nonpartisan, nonprofit research, development, and service agency that works with education and other communities throughout the United States and abroad to promote excellence, achieve equity, and improve learning for children, youth, and adults. WestEd has more than a dozen offices nationwide, from Massachusetts, Vermont, Georgia, and Washington, DC, to Arizona and California, with headquarters in San Francisco.





# The Steering Committee

As part of the pilot program, WestCoast Children’s Clinic (WCC) developed the Steering Committee. The Steering Committee is a multidisciplinary oversight body comprising service provider partners who serve non-systems involved transition aged youth (TAY) in Alameda County. The Steering Committee members represent one mental health organization, one legal services organization, three healthcare organizations, one housing organization, one homeless services organization, and one county-level government agency. These partners were identified prior to the Landscape Analysis WCC conducted in 2019 as part of their pilot program (see the brief titled “Implementing a Landscape Analysis to Identify Partners in Improving Outcomes for Transition Age Youth Victims of Human Trafficking”<sup>1</sup>). The Steering Committee ensures that identification and response protocols are established for non-systems involved TAY. The purpose of this brief is to describe the Steering Committee’s process, perceived outcomes, and successes and challenges.

To learn about the Steering Committee, WestEd conducted an interview with the WCC staff member who leads the Steering Committee; the interview occurred in April 2020, six months after implementation of the Steering Committee began in October 2019. WestEd also conducted interviews with eight Steering Committee members in May 2020. Each interviewed Steering Committee member represented a unique organization. The interviewed Steering Committee members have diverse service provision backgrounds, including referral agencies, housing services, hospital services, domestic violence services, and legal services. Interview questions for both the WCC staff member and Steering Committee members addressed perceived roles; engagement and recruitment processes; experience of a typical Steering Committee meeting; perceived Steering Committee impact, outcomes, successes and barriers to implementing the Steering Committee; and experience with other pilot program activities. The April and May interviews served as baseline data collection; WestEd will conduct interviews with the same individuals six months after the baseline interviews to examine change over time.

WestEd also observed one virtual Steering Committee meeting in May 2020, documenting meeting structure, attendance, how often members spoke, how members responded to questions and prompts, roles within the meeting, and familiarity among members. WestEd also reviewed Steering Committee agendas to understand the progression of topics discussed and to confirm the meeting structure.

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<sup>1</sup> Russo, S., & Wendt, S. (2020). *Implementing a Landscape Analysis to Identify Partners in Improving Outcome for Transition Age Youth Victims of Human Trafficking*. WestEd.

The following sections discuss findings from the interviews, observations, and document reviews. The brief begins with a description of the Role of the Steering Committee, followed by Recruitment of Steering Committee Members, Meeting Structure, and then Perceived Impact and Outcomes of the Steering Committee on the Network of TAY Service Providers and the TAY. Next, we discuss Members' Engagement in Other Pilot Program Activities, Tips and Successes, and finally the Lessons Learned and Barriers for developing and implementing the Steering Committee.

## Role of the Steering Committee

The following sections discuss members' perceptions of the purpose of the Steering Committee, the Steering Committee's role in developing the Service Coordination Team, and the impact of COVID-19 on the Steering Committee's development of the Service Coordination Team.

### Members' perceptions of the purpose of the Steering Committee

WCC's objectives for the Steering Committee were developing a multiagency protocol for serving non-systems involved TAY and developing the Service Coordination Team. Steering Committee members' description of their roles were aligned with WCC's intended roles for the Steering Committee. In most cases, members were aware of the purpose of the Steering Committee and their role within the committee. All eight interviewed Steering Committee members understood that they were a part of the Steering Committee to serve non-systems involved TAY. Most described their role as a thought partner or having an advisory component, while representing and coordinating their services and/or the youth they serve. A couple of members did not feel that they knew their role very well. These members were either new to the Steering Committee or felt that they needed more time on the Steering Committee to articulate their personal role. Steering Committee members also reported additional roles as part of the Service Coordination Team.

### The Steering Committee develops a multiagency protocol that establishes identification, referral, and intervention pathways for the Service Coordination Team

The main role of the Steering Committee was to develop the identification, referral, and service coordination protocol for the Service Coordination Team. The Service Coordination Team comprises members from the organizations who sit on the Steering Committee. The Service Coordination Team intends to meet approximately bi-weekly to coordinate the services of non-systems involved TAY. We further differentiate between the roles of the Steering Committee and the Service Coordination Team in the "Service Coordination Team" section later in this brief. The process of developing the Service Coordination Team protocol began with identifying the gaps in the community to troubleshoot any potential challenges, needs for resources, and work in the community that would help serve non-systems involved TAY. The Steering Committee capitalizes on the diverse backgrounds and perspectives of its members in addressing varying trends, resources, challenges, and solutions for non-systems involved TAY. Each of the members' perspectives are unique in part due to the youth served by their organizations. For example, all youth served in WCC's mental health programs are enrolled in Medi-Cal, but that may not be the case for the youth served by other organizations. The multiple perspectives foster a more nuanced and

inclusive understanding of what youth at risk of human trafficking experience and the available resources for these youth.

The Steering Committee worked together to define the Service Coordination Team's youth identification and referral processes. The development of these processes took place both during and outside Steering Committee meetings. At the first Steering Committee meeting, WCC introduced the pilot program, discussed the purpose of the Steering Committee and Service Coordination Team, and shared the objectives of the Steering Committee. In the next two meetings, over a period of five months, the Steering Committee addressed aspects of data sharing, memoranda of understandings (MOUs), referral pathways, and protocol development. By the fourth Steering Committee meeting, approximately seven months after the first meeting, the Steering Committee had developed a service coordination flow chart. Upon approval of the flow chart, the meeting shifted to addressing the needs of individual youth and the impact of COVID-19 on youth and services.

During in-person meetings, WCC shared physical copies of draft protocols and referral pathway documents with attendees and asked for input and feedback. WCC also used this time to have members share updates from the field and challenges related to the development of the protocol. When WCC identified Steering Committee work that needed to be completed but there was not enough time during the meetings, WCC sent draft protocols and referral pathway documents to members via email as meeting follow-up materials with identified tasks. Steering Committee members reviewed these documents and completed tasks before identified deadlines or before the next meeting.

### **The COVID-19 pandemic impacted the Steering Committee's development of the Service Coordination Team**

The COVID-19 pandemic has known and anticipated effects on youth and the organizations that serve them. In response to COVID-19, an additional task for WCC and the Steering Committee was to prepare a temporary model of the Service Coordination Team that is compliant with the Center for Disease Control (CDC) guidelines and prioritizes health and safety. California's stay-at-home order beginning in March 2020 prompted the shift from the initially planned team-model to a more one-on-one model, in which WCC staff served as a hub, working with individual Service Coordination Team members to process referral requests and service coordination. WCC communicated and organized this change with the Steering Committee with the intention of returning to the team-based model, following the end of the shelter-in-place order and changes to CDC guidelines that support in-person group meetings.

WCC and the Steering Committee also planned for the effects of COVID-19 after the shelter-in-place order ends. WCC emphasized the importance of internal planning regarding this matter before engaging with other organizations for service coordination. WCC worked internally and with the Steering Committee to address what had changed since the shelter-in-place order, how the changes affect their work, and any new needs that developed as a result of COVID-19. Through the COVID-19 pandemic, WCC and the Steering Committee continued with their development of the one-on-one hub model for the Service Coordination Team, providing support to meet youth needs and completing the MOUs to prepare for the start of the Service Coordination Team's team-based model. More information on the Service Coordination Team will be available in a future brief.

## Recruitment of Steering Committee Members

WCC reported that all Steering Committee members were individuals and/or organizations that WCC had in mind before conducting the landscape analysis. WCC considered the addition of one organization that they identified in the landscape analysis as well as through word of mouth from other organizations. WCC considered engaging this organization because of the organization's services—providing shelter to domestic violence and human trafficking victims—and the perceived alignment of their work and the work of the pilot program. Prior to convening the Steering Committee, WCC believed that the organization would bring a unique perspective to the pilot work as a housing provider for adult human trafficking victims. After several attempts to connect with the organization via email and receiving no response, this organization was not included in the Steering Committee. However, after convening the Steering Committee, WCC recognized that the perceived gap was filled by another organization that provides similar services and thus provides a perspective from that area of work. WCC noted that this one organization that did not respond to the invitation was the one organization with which WCC did not have a prior relationship. As WCC launched the Service Coordination Team, WCC reached out to this housing organization again and, this time, established a partnership and potential referral source.

To recruit Steering Committee members, WCC began the process by sending an email invitation to individuals with whom they had existing relationships through previous work; these invitations were tailored to each individual. The invitation emails followed a general outline that: (1) introduced the pilot program, (2) introduced the Steering Committee, (3) briefly described its purpose, (4) invited the invitee to join, and (5) asked the invitee to respond as soon as possible. A couple of members described follow-up phone calls, during which WCC provided more information about the pilot program. One member said that WCC personally invited her to join the Steering Committee during a group session of service providers, during which WCC took inventory of services of the group. Another member had already planned to be a part of the Steering Committee because her organization was written into the pilot program grant. A couple of members were referred to the Steering Committee by their supervisors who had received the invitation to join the Steering Committee. The newest Steering Committee member was one of said members and was also new to her organization's position. Due to her recent onboarding to her position within her organization and on the Steering Committee, at the time of the interview she was unable to provide information about the Steering Committee and was unclear of her role.

### Steering Committee members had previous relationships with WCC

Most Steering Committee members had previous relationships working with WCC. One member reported that their organization had also previously worked Motivating, Inspiring, Supporting and Serving Sexually Exploited Youth (MISSSEY), which is a subgrantee of WCC for the pilot program. Multiple members reported previously working with WCC to develop and/or pilot the Commercial Sexual Exploitation - Identification Tool (CSE-IT).<sup>2</sup> The individuals who were new to their respective agencies did not have

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<sup>2</sup>The CSE-IT is an evidence-based, universal screening tool that identifies youth with clear indicators of exploitation. The CSE-IT was created by WCC in 2014, informed by the experiences of youth and young adults. It is designed to be used in any setting serving youth and young adults, including homeless shelters, mental health agencies, juvenile or criminal justice settings, and child welfare. WCC also developed a version for medical providers, called the CSE-IT: Healthcare.

previous experience working with WCC and were unaware of whether their organizations had previously worked with WCC.

## Need for additional members

WCC leads the Steering Committee in collectively brainstorming members' needs during meetings. Steering Committee members described a process of having group conversations about who else to bring to the table, a process which for many members felt complete. Many members described "exhausting their list" and were unable to identify any additional members who would bring added value to the Steering Committee.

Although most Steering Committee members considered the committee to be complete, a couple of members had recommendations for additional members. One member suggested including the presence of young people. Another member recommended bringing on a young women's development and advocacy organization that has a prominent presence in the community. One member who provides housing services suggested more housing support. She reported that the need for housing identified through the Steering Committee exceeded her organization's capacity. Another member similarly anticipated the need for more housing providers at the table by the time the Service Coordination Team is implemented.

Additionally, the Steering Committee is in the process of connecting with a newly opened local community center. WCC was interested in expanding their outreach through this project and engaging the local community center in the Steering Committee.

## Including survivor voice in the Steering Committee

Approximately ten months into the implementation of the Steering Committee, WCC invited a Survivor Consultant to participate in the Steering Committee. The Survivor Consultant serves a flexible role, engaging in multiple aspects of the pilot program. WCC plans for the Survivor Consultant to assist with outreach to youth and to participate in the Steering Committee as a full team member, providing ongoing feedback and suggestions. WCC intends for the Survivor Consultant to raise questions that providers might not consider from a provider's lens, so that the pilot program includes multiple perspectives. The Survivor Consultant will also be involved in discussions between the Steering Committee and Service Coordination Team to communicate feedback and facilitate any changes to better serve non-systems involved TAY. Thus far the Survivor Consultant has reviewed WCC's youth outreach tools and lead efforts to collect youth feedback for improvement, such as conducting focus groups with youth. WCC emphasized the importance of keeping the Survivor Consultant engaged in the pilot program work to obtain ongoing feedback.

To hire a Survivor Consultant, WCC developed a position description which described WCC and its mission, the pilot program and the Steering Committee, the Survivor Consultant position, consultant responsibilities, qualifications and experience, compensation and working conditions, contractor expectations, and information to submit an application. WCC distributed the job description widely through their networks, leveraging a state-level commercially sexually exploited children (CSEC) action team as a recruiting resource. WCC received several applications and interviewed three individuals. WCC reported that they selected the final Survivor Consultant because the individual was engaging in the interview,

confident in sharing opinions and raising questions, and provided the type of feedback they were seeking for the pilot program. The individual had experience working for a community-based organization serving human trafficking survivors, had training, was perceived by WCC as “warm” and “enthusiastic,” and had an interest in pursuing this line of work as a career.

## Steering Committee Meeting Structure

WCC’s development of the Steering Committee followed the phases of developing group dynamics: forming, storming, norming, and performing. WCC noted that the “forming” phase “took a while,” during which the first couple of meetings and emails between meetings involved assessing how the group was going to work together. WCC emphasized that the process of creating a shared understanding as a necessary step the development process. After the Steering Committee completed the “forming” phase, WCC described that the Steering Committee was able to easily begin and hold productive conversations and that members were comfortable and equally informed. When Steering Committee documents were ready for members to review and provide specific areas of feedback, the Steering Committee shifted into the “performing” phase. During the “performing” phase, members engaged in more targeted and active discussions during meetings. WCC noted that the production of documents and tasks related to providing feedback facilitated member engagement.

Steering Committee members described meetings as following a “consistent” and “well organized” structure. Prior to meetings, WCC emails members with the upcoming meeting’s agenda and minutes from the previous meeting. Pre-meeting emails might also include documents for members to review and edit (e.g., MOUs, protocols). WCC leads the meeting, beginning with introductions, check-ins, and updates from each of the members about trends they are noticing with the youth they serve. Then, members can share information that they feel will be beneficial to youth. WCC follows the agenda closely and facilitates any discussion around each of the items. Most members reported that WCC facilitates meetings well and the WCC leader is “very organized” and “prepared.” WCC creates to-do lists during meetings, and members sign up to complete specific items. WCC takes notes during the meetings and minutes are sent to members prior to the next meeting. Most communication within the Steering Committee outside of meetings is via email, with phone calls used when individually preferred. The structure the members described was nearly identical to the meeting WestEd observed in May 2020. In that meeting, all eight attending members spoke at least once, indicating that members had a level of comfort with each other and were engaged.

Prior to the COVID-19 pandemic, Steering Committee meetings were hosted in person at WCC’s facilities and the facilities of a partner organization. Upon California’s state-wide shelter-in-place order beginning in March 2020, WCC shifted to conducting meetings virtually, using the video conferencing platform Zoom, until the CDC and shelter-in-place guidelines allow for in-person meetings.

## Perceived Impact on Network of TAY Service Providers

Although early in implementation, the WCC staff and the Steering Committee members described the perceived impacts of the Steering Committee on the network of TAY service providers. These impacts include improving professional relationships among service providers and improving access to

resources. Most Steering Committee members expect additional impacts as their work together continues.

### **Discussing and defining service provider roles in the community reinvigorated relationships between WCC and other organizations**

WCC reported that the process of developing and implementing the Steering Committee invigorated longstanding relationships between providers and agencies that had been previously stagnant. Specifically, the process of mapping resources and defining service roles within the community initiated and fostered relationship rebuilding. For example, through the Steering Committee, WCC revived a relationship with a local sexual violence crisis response organization. To reinvigorate this relationship, WCC and this organization participated in conversations that clarified each other's specific roles in the community and for what purposes each organization would be called for services. Communicating and understanding who does what in the community was a key factor in renewing relationships between service providers who serve TAY.

### **The Steering Committee serves as a referral source and brings awareness to additional resources**

Some members mentioned that the Steering Committee serves as another source for referrals to their organizations. While this is beneficial for increasing youth access to resources, for a few organizations, the increased visibility and referrals from the Steering Committee have brought to light some of their own organization's challenges and shortcomings. One member expressed that their organization has limited capacity to address all the youth the Steering Committee refers. Another member expressed that their intake processes are not TAY friendly and are a barrier when engaging TAY into their network. Another member noted that the Steering Committee brings awareness to additional resources and supports, but this causes some confusion regarding how to determine what resource is most appropriate for their referrals.

### **A few months of Steering Committee implementation is too early to for members to assess perceived impact**

Given that these were baseline interviews conducted in the early stages of implementation, most of the members believed it was too early to assess impacts. Nearly half of the Steering Committee members reported uncertainty as to the impact of the Steering Committee on the network of service providers who serve non-systems involved TAY. One member said she may feel this way because she has worked with the organizations in the Steering Committee before and thus is still waiting for any additional collaboration or relationship building that might result from the Steering Committee participation to come to fruition.

Though multiple Steering Committee members reported that the Steering Committee has not been implemented long enough to assess the Committee's impacts on collaboration, some members already appreciate the opportunity to work with new people. One member said this newfound collaboration has exposed her to more resources for clients (e.g., mental health, food, housing, and workforce

development services). Another member said that new collaborations among organizations were forming in the beginning, but the inconsistent attendance of certain members hindered the progress.<sup>3</sup>

## Perceived TAY Outcomes of Steering Committee

Most members mentioned increases in effective collaboration as an outcome of participation in the Steering Committee; this increased collaboration should result in more available services, more efficient service delivery, and ultimately better outcomes for the TAY the Steering Committee are serving. More specifically, reported anticipated outcomes include increased visibility of services, an increase in collective resources, improved service coordination and provision to TAY, efficient protocol and workflow processes (specifically the Service Coordination Team’s referral process), CSE-IT training for organizations for better identifying TAY at risk or victims of human trafficking, and collaborations on funding. Members anticipated additional positive outcomes as the Steering Committee continues to develop and convene.

## Steering Committee Members’ Engagement in Other Pilot Program Activities

**CSE-IT Training/Technical Assistance:** CSE-IT training/technical assistance is available to the Steering Committee members and their organizations. WCC conducted a CSE-IT training in March 2020, hosted by one of the Steering Committee organizations, for all Steering Committee members and their staff. Two Steering Committee members and their staff from two organizations attended. Both Steering Committee members expressed positive reviews of the training. These members had already been trained in CSE-IT but attended to bring their staff who needed to be trained. Neither of these members have personally used the CSE-IT tool since the training. Nearly all Steering Committee members had been trained to use the CSE-IT in previous years. One member from a healthcare setting mentioned that prior to the pilot program, she could not participate in CSE-IT training because it was cost-prohibitive for her organization. As part of the pilot program, WCC offers CSE-IT training free of charge, which made it more accessible for her organization. No Steering Committee members have participated in any CSE-IT technical assistance services thus far.

**Service Coordination Team:** All Steering Committee organizations are part of the Service Coordination Team, except for the one county-level government agency. This agency continues their role as a thought partner and providing oversight on the Steering Committee, but rather than sitting on the Service Coordination Team, they facilitate referrals from SafetyNet.<sup>4</sup> All Steering Committee organizations are

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<sup>3</sup> This barrier is discussed in more detail in the “Lessons Learned and Barriers” section.

<sup>4</sup> SafetyNet is a multidisciplinary team launched in 2011 by the Alameda County District Attorney’s Office and is designed to provide an immediate response to CSEC in Alameda County, starting at the moment of their identification and throughout their potential interface with any system. This includes but is not limited to youth who are involved in the juvenile justice system, social services, other government agencies, law enforcement, and/or community-based agencies. The participating agencies are the Alameda County Public Defender’s Office, Alameda County Probation Department, Bay Area Women Against Rape,



considered referral sources for the Service Coordination Team, meaning the organizations provide client cases who need service coordination. The same organizational representatives who are on the Service Coordination Team do not necessarily also sit on the Steering Committee. Staff who have more leadership and management roles serve on the Steering Committee as thought partners and provide oversight. By comparison, staff who are more field facing with youth serve on the Service Coordination Team. For example, a healthcare organization's clinical director would be a Steering Committee member; whereas their health navigator, who directly works with clients, would be on the Service Coordination Team. Steering Committee members were aware of the Service Coordination Team's purpose in that it is a space where referrals are shared, but there was some variability in the understanding of their role in the process. As mentioned previously, there were changes to the Service Coordination Team implementation plan because of COVID-19; this could be one reason why there is some lack of clarity on roles and purpose of the Service Coordination Team. Some Steering Committee members reported that they have already started the referral process, but there has yet to be follow up about those service connections.

## Tips and Successes

WCC shared strategies and resources that were beneficial in the development and implementation of the Steering Committee, which facilitated successful engagement, collaboration, and protocol development.

### Prior experience working with multidisciplinary teams doing similar work was helpful

WCC has 10 years of experience and leadership in working with multidisciplinary teams to respond to sexually exploited youth in Alameda County. For example, WCC is an active member of the multidisciplinary team, SafetyNet. In addition, WCC has prior experience developing multiagency protocols. WCC facilitated the development of an interagency CSEC protocol in Alameda County and Sacramento County to leverage state funding dedicated for a CSEC program in child welfare. For this CSEC program, WCC facilitated a multiagency process with the Department of Children and Family Services (DCFS), the Alameda County Probation Department, MISSSEY and 10 other stakeholder agencies to develop a protocol for a DCFS-led multidisciplinary response to sexually exploited youth. When interviewed, WCC reported that their prior experience with multidisciplinary teams benefited the development and implementation of the Steering Committee.

### Having prior close relationships with organizations facilitated engagement

WCC relied on existing relationships to develop the Steering Committee. WCC had prior relationships with many of the Steering Committee members, some of them closer than others. The previous relationships were a defining factor in the successful engagement of the Steering Committee. The one

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Behavioral Health Care Services, East Bay Children's Law Offices, MISSSEY, Oakland Unified School District, Project Permanence, and WCC.

organization that did not engage with the Steering Committee was the only organization WCC did not have a prior relationship with. The organizations were aligned in their excitement and strong beliefs that the Steering Committee work will benefit their clients and that clients will receive necessary services.

## **Commitment to a culture of collaboration across all membership levels**

The development and function of the Steering Committee benefit from members' prior experiences, but also the commitment of its leadership and members to the work and to collaboration. WCC emphasized that organizations that are only focused on their individual role or work did not contribute to this committed culture of collaboration. From the beginning, bringing individuals and organizations to the table who uphold a culture of collaboration was important for the success of the committee. WCC's leadership reflected and supported a culture of collaboration. WCC practiced strategies that fostered engagement from Steering Committee members. The facilitation of meetings prioritized clarity and follow-up emails to encourage more input and feedback from Steering Committee members. Whether or not the requests for feedback resulted in comments or responses, these intentional practices of engagement contributed to the collaborative atmosphere.

## **MOUs with Steering Committee members**

MOUs between the Steering Committee members' organizations were necessary to efficiently facilitate referrals for individual cases to the Steering Committee. WCC was successful in developing MOUs with all Steering Committee members for the pilot program. At the third Steering Committee meeting in February 2020, WCC shared an MOU outline with attendees and received verbal affirmation that members understood the MOU. Revisions were made to the MOU documents through July 2020. WCC included time to collectively review MOU updates in Steering Committee meetings. WCC finalized the MOUs in July 2020.

## **The Steering Committee's multiagency protocol identified areas of integration with other multidisciplinary teams**

Early in protocol development, WCC prioritized the integration of the Steering Committee's multiagency protocol with other multidisciplinary teams in the field, including DCFS and SafetyNet. Proper integration minimizes duplication and ensures effective county-wide coordination. WCC began this process at the first Steering Committee meeting. WCC sent members copies of existing protocols, MOUs, and confidentiality agreements and together identified areas of overlap to avoid and gaps where WCC's Steering Committee can contribute.

WCC also worked with Steering Committee members to clarify the purpose of their developed referral pathway and what processes to follow. If a member had a question regarding whom to send a referral to, WCC identified which pathways were appropriate, while providing the Service Coordination Team services as a catch-all net for any TAY referrals that are in question. WCC emphasized to the Steering Committee that members should not worry about determining the "correct" referral pathway. WCC would be open to receiving any referral for TAY and would determine how to refer the youth.

## The Steering Committee improved awareness of challenges in the County

One success of the Steering Committee thus far is improving awareness and knowledge of challenges in the County, including housing gaps. Initially, WCC and Steering Committee members were under the assumption that there were ample housing programs in Alameda County. Through the Steering Committee work, WCC and members learned that there are many barriers to accessing these programs and gaps in services within the housing continuum. The housing organizations on the committee provided other members insights into these challenges.

## A multidisciplinary oversight body streamlined efficient referral processes

Many referrals for clients were based on the general knowledge of an organization's services that sometimes lacked specific details about eligibility for services. For example, an organization may refer a youth to a housing organization, with the general knowledge that the housing organization serves exploited youth; however, the housing organization may have specific service requirements, such as only serving youth who are trying to exit trafficking. This information could be shared in a team-based multidisciplinary setting to streamline referral efforts and decrease youth wait time for to receive services. A multidisciplinary oversight body can provide a larger knowledge base and reduce time spent learning organizations' services and requirements, creating a more efficient referral process. The Steering Committee developed a referral process that is faster and prevents the misplacement of client referrals due to misunderstanding of services.

## Lessons Learned and Barriers

During the development and implementation of the Steering Committee, WCC and Steering Committee members experienced challenges, most of which stemmed from limitations related to time, capacity of members, and funding.

### Engagement process took longer than anticipated

WCC reported that the engagement process took longer to begin and complete due to other project work as well as the nature of engagement taking time. A long engagement process delayed the Steering Committee development timeline by approximately two months.

### Inconsistent attendance of members

Multiple Steering Committee members mentioned that inconsistent attendance was a barrier. One Steering Committee member observed that while a handful of organizations were consistent in attendance, other organizations were less frequently present. One reason for inconsistent attendance was that meeting times conflicted with members' work schedules and commitments. For example, one member mentioned that she did not have the capacity to attend meetings due to work commitments. Another member works in a hospital, and to attend Steering Committee meetings, she must cancel clinical hours

and take paid time off. Another reason for inconsistent attendance was that the travel to the meeting location was not convenient for some members. One member mentioned that it was difficult for her to attend meetings because it was an hour-long drive. She preferred online meetings with quarterly in-person meetings. As noted earlier, the Steering Committee shifted to conducting virtual meetings after the stay-at-home order in March 2020 and plans to continue for the duration of the COVID-19 pandemic. One Steering Committee member mentioned that inconsistent attendance of organizations, particularly leadership, resulted in difficulty in driving the intended changes to serving non-systems involved TAY. Another member mentioned that inconsistent attendance also hindered the progress of collaboration among members.

### **Navigating another resource with specific eligibility requirements**

One member mentioned that although the Steering Committee is successful in serving as another resource for TAY, she experienced frustration with having to navigate the various criteria and requirements of other resources and multidisciplinary teams. She noted that the Steering Committee and the Service Coordination Team only served non-systems involved TAY, echoing the perceived barriers and fragmentation of services based on age and system involvement. To avoid confusion and frustration, she would prefer a system for which there would be a single number to call for serving youth who are at risk or victims of human trafficking. This is not a critique of the Steering Committee specifically nor its referral process for the Service Coordination Team, but a member's observation of the current landscape of services and multidisciplinary teams for serving youth who are at risk or victims of human trafficking.

### **Sustainability after grant period**

Additionally, one member mentioned the ending of the grant period and the uncertainty of the Steering Committee's sustainability due to funding as a potential barrier.

# LCYTC Case Referral Process

Case identified  
(high risk or  
confirmed  
trafficking)

Cases referred by DCFS and Law enforcement can go directly to email.

If case referred from another agency, mandated reporting laws must be followed prior to LCYTC referral.

Referral  
contact made  
to LCYTC  
regional  
coordinator

Utilize LCYTC directory to identify correct coordinator. CC: referrals@lacacs.org on the email. Utilize secured email server to send information. *Note whether region has specialized emergency (24-48 hour) response capacity, or standard (maximum 7 days) emergency response capacity.*

referral info

Child name, DOB, Caregiver contact information, contact information of individual referring case/ referral agency. Notify whether an emergency case or general case.

Coordinator will contact referral POC for more information about the case to ensure client is eligible

Coordinator notifies  
Emergency  
Response  
Team

Notification made via email- without identifying information of client. Key personnel includes: DCFS, law enforcement, prosecutor, care providers, and other regionally-determined professionals

Specialized  
Emergency  
Response

Emergency  
Response

Most MDTs have emergency response case reviews that will occur within 72 hours of the referral being made, but the absolute maximum would be 7 days.

Several regions in LA have established emergency response teams that will host a case review within 48 hours of notification.

Care  
plan  
established

initial care plan should include: whether reporting to DCFS/LE needs to be completed, immediate care referrals, and potential long-term referrals.

Refer to  
MDT's case  
review  
meetings for  
ongoing care

Regularity of the ongoing case meetings will depend on regional capacity and needs of the client.





## Essential Elements of MDT Development

*The purpose of this document is to offer a list of core elements that should be incorporated into the structure of a successful Multidisciplinary Team (MDT) for child and youth trafficking victims. This document will guide MDT development for the Louisiana Child and Youth Trafficking Collaborative (LCYTC) to ensure that the child and youth trafficking response MDTs across Louisiana are consistent, sustainable, organized, and effective.*

### 1. **Establish mission, vision, and values statements**<sup>1</sup>

*Mission:* A mission statement defines the overall purpose of the team.

*Samples:*<sup>2</sup>

- “To inform social change that eliminates human exploitation”
- “Our mission is to protect every child’s human right to grow up free from the threat of sexual exploitation and trafficking.”
- “We are working to ensure that trafficked persons have access to justice, safety, and opportunity.”

*Vision:* A vision statement is an inspirational statement that describes the group’s long-term objective for the future.

*Samples:*

- “The end of human trafficking”
- “A world in which no child is bought, sold, or used for sex”
- “We envision a world passionately opposed to sex trafficking and a community committed to restoring survivors to lives of purpose, value and choice – one life at a time.”

*Values:* Values represent the core priorities in the organization’s culture, including what drives members’ priorities and how they truly act in the organization, etc.

*Samples:*

- “Integrity”, “social justice”, “lived experience”, “research-driven insight”  
“Trauma-informed”, “survivor-centered”
- “Respect”: all individuals served by the MDT are victims/survivors, not criminals. We will not use the “P” word (prostitution) or other blaming, shaming language for the youth we serve.
- “Collaboration”: We believe in cross-disciplinary collaboration.<sup>3</sup>

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<sup>1</sup> <https://managementhelp.org/strategicplanning/mission-vision-values.htm>

<sup>2</sup> Sample: Establishing a Multi-disciplinary team: <https://www.ncjrs.gov/pdffiles1/ojdp/170020.pdf>

<sup>3</sup> See page 24-25 of this sample document:  
<https://ccyj.org/wp-content/uploads/2018/07/Revised-Protocol-Feb-2016-v2.pdf>



**2. Define the scope and activities of the MDT**

MDTs come in many different forms. To ensure that MDTs under the LCYTC umbrella have some consistency, we want to offer some specific guidance. An MDT can meet for a variety of purposes.

*Definitions: Refer to the LCYTC Taxonomy document for more information about the guiding definitions for MDT efforts of the LCYTC.*

<b><i>Term</i></b>	<b><i>Definition</i></b>	
<u>Multi-disciplinary Team (MDT)</u>	A group of professionals from specific, distinct disciplines that collaborates from the point of report and throughout a child and family’s involvement with the CAC. MDTs coordinate intervention so as to reduce potential trauma to children and families and improve services overall, while preserving and respecting the rights, mandates and obligations of each agency. <sup>4</sup>	
<u>Advisory Team</u>	Under the umbrella of the MDT. A collaborative MDT of field experts that meets regularly to address systemic issues and opportunities in their community’s anti-trafficking response.	
<u>Case Coordination</u>	<p>Under the umbrella of the MDT. A collaborative, multi-disciplinary team meeting to assess and respond to the needs of specific trafficking victims through the case review process. Case coordination is based on the level of urgency affiliated with the client’s case.</p> <p>There are two types of case coordination: case review and emergency response.</p>	<p><u>Case Review:</u> Regular meetings that occur on a set schedule (weekly, monthly, etc.) that can respond to one or more individual cases to identify the client’s service needs and issues related to their case.</p> <p><u>Emergency Response:</u> A case review for a specific case and response within 7 days of victim identification, referral, or identification of trafficking.</p> <p><i>NOTE:</i> Some MDTs have the capacity for a specialized emergency response team, which can take a case within 72 hours or less.</p>

<sup>4</sup> This definition is based on the 2017 NCA Standards for Accredited Members: <https://www.nationalchildrensalliance.org/wp-content/uploads/2015/06/NCA-Standards-for-Accredited-Members-2017.pdf>



- When reviewing your existing MDT, reflect on the following:
  - Does your team have elements of an advisory team? Does your team have elements of case coordination? Do you have both elements within your team?
  - What elements of an MDT are missing from your team? How can you build those components to ensure you have a robust MDT?
- Identify a name for your team.
- **Required functions for LCYTC MDTs include:**
  - *Case Coordination*: from referrals as part of an established process or protocol (not just ad-hoc, informally, or randomly when a case pops up). Case Coordination meetings should occur regularly to ensure that information sharing happens regularly, for example every other week or monthly (for Emergency Response, cases should happen within 7 days of a case being identified).
    - *Emergency Response*: A case review for a specific case and response within 7 days of victim identification, referral, or identification of trafficking.
    - *Case Review*: regular meetings that occur on a set schedule (weekly, bi-weekly, monthly, etc.) that can respond to one or more individual cases to identify the client's service needs and issues related to their case. Note that for many jurisdictions, quarterly is not frequent enough to effectively serve the youth. Consider how often meetings should occur based on the needs for information sharing and child services.
    - *Sample functions of a Case Coordination meeting (either Emergency Response or Case Review) might include:*
      - Safety planning and threats related to client's safety
      - Psychological treatment and mental health support referrals
      - Forensic interview referrals
      - Social services referrals
      - Youth involvement and client voice/choice
  - *Advisory Team*: Multi-disciplinary collaboration that includes designated time to discuss systemic issues such as collaboration, community awareness, outreach and education, or challenges. This meeting can happen less frequently, for example bi-monthly or quarterly.
    - *Sample functions of an Advisory Team meeting might include:*
      - Outreach and awareness
      - Conflict resolution
      - Ongoing education and training
      - Writing protocols
      - Building relationships, identifying new partners
- Establish a timeline and expectations for meetings, minimum standards of care for clients and a response communication plan.





- *Samples: See resource linked below*<sup>5</sup>

### 3. **Identify participants, roles, and responsibilities**

#### *Participants:*

- Essential MDT members include:
  - A coordinator
  - Local law enforcement
  - Service provider
  - Department of Children and Family Services (DCFS)
  - Prosecutor
  - Medical provider
- *Additional members can include:*
  - Federal and state law enforcement, additional state agencies such as Families in Need of Services (FINS), juvenile justice services, medical providers, faith community, wellness providers, survivor consultants or youth representatives.

#### *Roles and responsibilities:*

- Clearly define roles and responsibilities for each party, and designate a point person from each agency.<sup>6</sup> These roles and responsibilities should provide guidelines that help folks “stay in their lanes” and be held accountable to the MDT group.
  - *Samples:* Law enforcement will notify the coordinator of a new case at their earliest convenience; coordinator will be in charge of creating meeting agenda and sending out the zoom meeting login information; local DCFS representative will attend all emergency and general case review meetings.
- The use of an MOU, protocol, or other guiding document that outlines roles and responsibilities is critically important. This document should be updated annually to reflect any changes in membership or scope of the MDT’s work.

### 4. **Protocol development**

Protocols are created to ensure that the multi-disciplinary team cooperates together effectively.

- Screening process to identify potential clients to serve through the MDT: Determine how cases can be referred to your MDT.
  - Screening tools to use include the CSE-IT tool, disclosures during forensic interviews, or the use of the DCFS trafficking screening tool.
- Establish a process for referrals (for example, integration of state agencies like DCFS, FINS or law enforcement.)
  - Educate community partners on the referral process for your MDT to ensure that there are consistent referrals and established processes when a client is identified.

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<sup>5</sup> Sample (page 31) <https://ccyj.org/wp-content/uploads/2018/07/Revised-Protocol-Feb-2016-v2.pdf>

<sup>6</sup> Samples: page 28 <https://ccyj.org/wp-content/uploads/2018/07/Revised-Protocol-Feb-2016-v2.pdf>



**5. Information sharing and confidentiality:**

Every MDT should take the utmost care to ensure that client information and confidentiality are upheld. Policies around confidentiality should be written into the MOUs and protocols established.

- *Samples:* signing a confidentiality form at each meeting; utilizing secure, encrypted emails to send any information regarding case review.

**6. Survivor and family engagement practices:**

Survivor-centered and trauma-informed practices should be at the forefront of any MDT structure. To ensure that survivors have a voice in the process of their healing, we suggest that you formally establish how you'll integrate youth voice and family voice into the MDT setting.

- *Samples:* non-offending caregiver participation in their child's case review, including a youth representative or a child trafficking survivor (who is now an adult) during case review, hosting a youth council to review potential service plans, utilizing shared decision making tools with the client.

**7. Continuity and sustainability**

Continuity and sustainability are critical components of a successful MDT. Once an MDT is established, it takes an active membership with clear understanding of the goals and expectations.

*Samples of questions you should answer to address continuity and sustainability include:*

- How often will your group meet?
- How often will you communicate with each other? What methods will you use to communicate with each other?
- How will you establish an onboarding process in the case of turnover and new members?
- Are there any other steps you're taking to ensure that this collaborative continues?
- How often will you review your mission, vision, and values statement?
  - We suggest that this be updated annually.
- What are your goals for your MDT? We suggest you establish goals for 6 months and 1 year.

**Summary**

***At minimum, each MDT under the LCYTC umbrella should have the following elements in place:***

- An established Advisory Team and regular Advisory Team meetings
  - Meetings for the Advisory team should occur quarterly *at minimum*.
  - Meetings for Case Review should occur bi-monthly *at minimum*.
- A protocol that includes:
  - A vision, mission and values statement;
  - A referral protocol that adapts the LCYTC referral process into their MDT, and ensures that case reviews occur within 7 days of a case submission or referral to the LCYTC Coordinator;
    - NOTE: Some MDTs have the capacity to respond in 72 hours or less (or a 'specialized emergency response')- which is preferred. LCYTC acknowledges



that the MDTs in Louisiana are growing and building capacity. As such, we have outlined 7 days as the maximum allowed days between referral and Emergency Response meeting. Our goal is that all MDTs will eventually have the capacity for specialized emergency response.

- Established roles and responsibilities of partners, outlined in writing in an MOU or protocol.
- Establishment of a Case Coordination processes- particularly a Case Review, along with capacity building for Emergency Response
  - The process for case review should address immediate needs, as well as ongoing follow-up to meet long-term and emerging needs until the case is resolved.
  - Case Review established with information sharing and confidentiality processes, partners, and set timing. Meetings that occur at minimum bi-monthly.
  - Emergency Response that occurs within 7 days of a referral.

*This content was produced by the Louisiana Child and Youth Trafficking Collaborative under 2018-NZ-NX-K001, awarded by the Office for Victims of Crime, Office of Justice Programs, U.S. Department of Justice. The opinions, findings, and conclusions or recommendations expressed in this guide are those of the contributors and do not necessarily represent the official position or policies of the U.S. Department of Justice.*



## Referral for LCYTC MDT

Today's Date: \_\_\_\_\_

Child's Name: \_\_\_\_\_

Location of Child's Case (jurisdiction): \_\_\_\_\_

Child's DOB: \_\_\_\_\_ Age: \_\_\_\_\_ Race: \_\_\_\_\_ Sex: \_\_\_\_\_

Caregiver's Name: \_\_\_\_\_

Caregiver's Address: \_\_\_\_\_

\_\_\_\_\_

Caregiver's Phone Number/ Email: \_\_\_\_\_

Reason for Referral: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

### **Name/Phone Number of Person Making Referral (if other than caregiver):**

Representative name: \_\_\_\_\_

Title/ Agency: \_\_\_\_\_

Phone Number/ Email: \_\_\_\_\_

Additional information (If child screened, please include and attach to referral form)

\_\_\_\_\_



## Louisiana Child & Youth Trafficking Collaborative (LCYTC) Taxonomy

*These definitions will guide the development of LCYTC's regional MDTs.*

**Multi-disciplinary Team (MDT):** A group of professionals from specific, distinct disciplines that collaborates from the point of report and throughout a child and family's involvement with the CAC. MDTs coordinate intervention so as to reduce potential trauma to children and families and improve services overall, while preserving and respecting the rights, mandates and obligations of each agency. <sup>1</sup> *An umbrella term for multi-disciplinary activities to improve collaborative anti-trafficking response, which includes both advisory team and case coordination activities.*

**Advisory Team:** A collaborative, multi-disciplinary team of field experts that meets regularly to address systemic issues and opportunities in their community's anti-trafficking response. *A term for collaborative, multidisciplinary meetings to address systemic issues.*

**Case Coordination:** A collaborative, multi-disciplinary team meeting to assess and respond to the needs of specific trafficking victims through the case review process. Case coordination is based on the level of urgency affiliated with the client's case. There are two types of case coordination: case review and emergency response. *An umbrella term for the process of multi-disciplinary review of individual cases.*

### Types of Case Coordination:

- **Case Review:**  
A multidisciplinary case review is a team meeting that occurs regularly to assess one or more cases for service needs, investigative updates, and referral opportunities. *Response to one or more cases, meetings occur regularly.*
- **Emergency Response:**  
A multidisciplinary case review for a specific case that occurs within 7 days to address immediate needs of a victim and to provide urgent interventions. *Response to a single case, meetings occur ad-hoc when a new case emerges.*



<sup>1</sup> This definition is based on the 2017 NCA Accreditation Standards for Members: <https://www.nationalchildrensalliance.org/wp-content/uploads/2015/06/NCA-Standards-for-Accredited-Members-2017.pdf>



## **SHARED PURPOSE AGREEMENT**

### **Overview of the REACH Project**

In October 2020, the New Mexico Office of the Attorney General (NMOAG), in partnership with the New Mexico Dream Center (NMDC) was awarded a grant from the Office for Victims of Crime (OVC). The goal of Resources for Engaging Adolescents and Children Holistically (REACH) project is to tap into the strengths of local communities through the development of robust and known resource pathways for children and youth who have been trafficked.

This 3-year initiative brings together stakeholders, experts, community gatekeepers, service providers, law enforcement, people with lived experience, and members of the judiciary to focus on three objectives: map the resources that exist in New Mexico, fill the existing gaps, and strengthen and create partnerships and resources for victims of human trafficking. REACH seeks to improve victim outcomes by articulating and strengthening the resource pathway in New Mexico.

### **Our Shared Purpose**

As part of this effort, we have developed a resource pathway application that will provide a directory of services and resources available to survivors of human trafficking in the State of New Mexico. Service providers and law enforcement will be able to use this app to identify local services that are relevant to the needs of their clients. The services listed in the app will be compiled of “pathway members.” Pathway members are organizations that have an established relationship with our team so that when people use the app, they can trust the services they are referring their client to.

### **Benefits and Responsibilities of Pathway Members**

Membership will allow pathway members unique opportunities for networking and collaboration with fellow members and users of the app (i.e., other service providers and law enforcement agents) seeking to support child and youth victims of human trafficking. Pathway members will be listed as a resource in the resource pathway app. This means that Pathway member agencies will receive referrals from other service providers and send referrals to other partner agencies through the platform. The REACH team will provide pathway members with trainings, meetings, and collaboration opportunities. Pathway members will provide the REACH team with aggregate data on services and supports provided to human trafficking victims to help us better understand the human trafficking landscape in New Mexico and demonstrate the impact of these referral connections through the app.

**Commitment to Uphold Our Shared Purpose**

By Signing below, I am stating that I believe in the Shared Purpose Agreement and will, to best of my abilities, participate as a pathway member, participate in training provided by the REACH team, and provide my expertise and services as appropriate.

\_\_\_\_\_  
Printed Name

\_\_\_\_\_  
Date

\_\_\_\_\_  
Signature

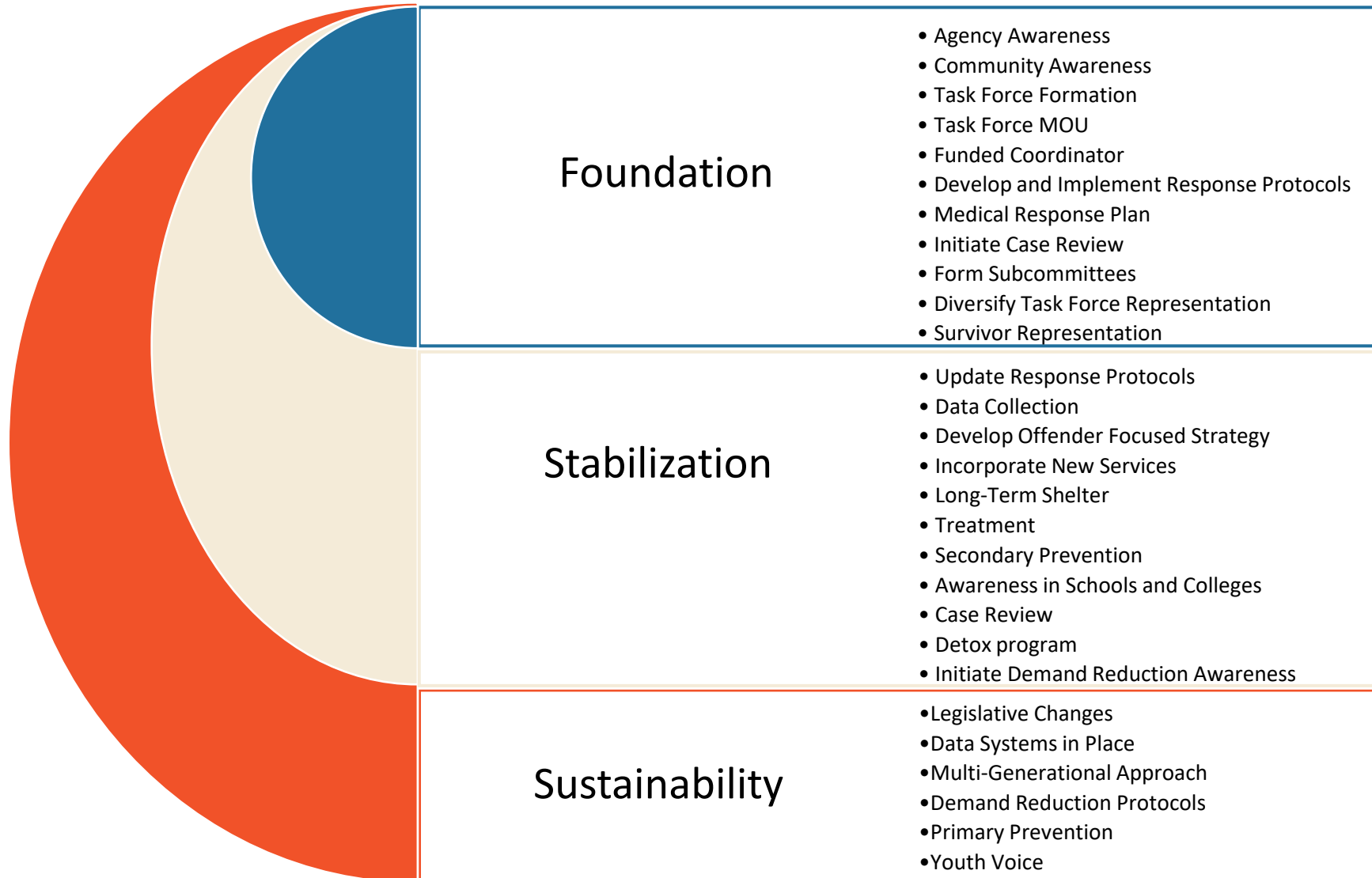
\_\_\_\_\_  
Affiliation

*Your signature does not legally bind you to any of the principles or provision of this Shared Purpose Agreement and does not require that you make any financial commitment to the resource pathway or to any idea or concept contained within this document.*



## Task Force Stages

*Guidance for prioritizing efforts in addressing human trafficking in your community*







*Movement through the stages is fluid.*

### Foundation

- Agency Awareness – Human trafficking training for service providers to identify and respond
- Community Awareness – Campaign to raise awareness of human trafficking
- Task Force Formation – Create mission, values, goals for the task force
- Task Force MOU – Create a Memorandum of Understanding (MOU) with task force partners
- Funded Coordinator – Apply for funding to designate a full-time coordinator for the task force
- Develop and Implement Response Protocols – An inclusive response for when a victim is identified
- Medical Response Plan – Identify how medical professionals will respond when working with a victim
- Initiate Case Review – Develop a review process for cases (either to help build the case or to review the collaboration when working on cases to enhance the response)
- Form Subcommittees – Committees of the task force for specific issues or disciplines
- Diversify Task Force Representation – Include underserved, marginalized, oppressed communities and Tribal Nations in task force membership
- Survivor Representation – Leadership from survivors on task force and/or committees

### Stabilization

- Update Response Protocols – Periodically review protocols to update/expand response to include all genders and marginalized groups, adults, labor trafficking victims
- Data Collection – Develop a system with MOUs to collect information on referrals, confirmed cases, sex-buyers, and exploiters
- Develop Offender-Focused Strategy – Accountability for offenders (legislation, buyer’s accountability)
- Incorporate New Services – Develop relationships with new service providers
- Long-Term Shelter – For minors and adults extending from 12-18 months (does not need to be a trafficking-specific shelter) to serve trafficking victims and involve shelter in task force partnership
- Treatment – Behavioral Rehabilitation Service (BRS) placements offering treatment and support for complex trauma of trafficking victimization. Substance abuse treatment programs for all ages.
- Secondary Prevention – Training more professionals about human trafficking to recognize the signs
- Awareness in Schools and Colleges – Engage with middle schools, high schools, and college staff to identify warning signs, develop education tools and make referrals to service providers, and partner with Title IX advocates. Awareness programs in schools for students.
- Case Review – Continue case review and assess effectiveness of county responses
- Detox Program – Programs for minors and adults
- Initiate Demand Reduction Awareness – Engage with the community to focus on demand reduction

### Sustainability

- Legislative Changes – Changes to advance legislation
- Data Systems in Place – Data is being collected and used to address human trafficking, update MOUs to include data sharing among partners (quarterly, biannually, annually)
- Multi-Generational Approach – Support to families with multiple generations of trafficking victims
- Demand Reduction Protocols – Buyer’s education and consequences
- Primary Prevention – Partner with appropriate agencies to offer primary prevention in schools
- Youth Voice – Including voices from youth in a youth advisory board/youth ambassador program



Trafficking Task Force Development and Maintenance

[Office for Victims of Crime \(OVC\) Training and Technical Assistance Center \(TTAC\) Human Trafficking task Force e-Guide](#)

[OVC TTAC recorded webinars](#) including a section on Capacity Building Webinars for Human Trafficking Service Providers

[Building a CSEC/Y MDT manual](#) (activities included)

Victims Assistance Training and Resources

[OVC TTAC Victim Assistance Online Training Basics](#) (Includes training on systems, competencies and skills, crimes and victim services)

[View of the Criminal Justice System](#)

[United States Attorney's Office for the District of Oregon](#)

Human Trafficking Training

[OVC TTAC Understanding Human Trafficking Training](#)

[The Life Story](#) - interactive website to share experiences and voices of those in the sex trade while providing the solutions they need

[World Without Exploitation](#) – recorded webinars

[Rebecca Bender Initiative](#) - Survivor leader in Oregon providing resources, training and books.

[Human Trafficking Hotline](#)

[Polaris Project](#)

Trauma Informed Care Training

[OVC Vicarious Trauma Toolkit](#)

[Trauma Informed Oregon](#)

Strategic Planning

[OVC TTAC Strategic Planning Toolkit](#)

Leading Teams, Group Facilitation and Multi-Stakeholder Collaboration

[Community At Work](#)

## Screening Tool Example

Commercial Sexual Exploitation Identification Tool (cse-it)

Oregon Specific Information

Trafficking Task Force Stages document (attached)

Department of Human Services (DHS) Determination of Sex Trafficking Victim Status Form (attached)

Training for Community Partners

Medical Professionals:

HEAL Trafficking

Department of Health and Human Services, Administration for Children and Families, Office on Trafficking in Persons, SOAR training

Law Enforcement:

Department of Homeland Security law enforcement training

International Association of Chiefs of Police Resources:

Toolkit: Child Sex Trafficking: A Training Series for Frontline Officers

The Crime of Human Trafficking: Roll-Call Training Video

The Crime of Human Trafficking: A Law Enforcement Guide to Identification and Investigation

**National Sheriff's Association (NSA)**

NSA First Response to Victims of Crime



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## KENTUCKY CABINET FOR HEALTH AND FAMILY SERVICES

# Human Trafficking 101: An Overview

Human Trafficking Training Series

This training was developed with the support of grant 2020-NZ-NX-0003-00, awarded by the Office for Victims of Crime, Office of Justice Programs, U.S. Department of Justice. The opinions, findings, and conclusions or recommendations expressed in this content are those of the contributors and do not necessarily represent the official position or policies of the U.S. Department of Justice.

**Presented by:**

Marissa Castellanos, M.S.W.

Program Director

Bakhita Empowerment Initiative

Catholic Charities of Louisville



# Objectives

- Increase knowledge of human trafficking definitions and terminology
- Increase knowledge of vulnerabilities, risk factors, and protective factors for children and youth, as well as the different types of trafficking
- Learn about tools and resources for response to identified victims of human trafficking

Human Trafficking Overview

# DEFINITIONS AND OVERVIEW

# Human Trafficking: Federal Definition

The Trafficking Victims Protection Act of 2000 (TVPA) is the first comprehensive federal law to address trafficking in persons. The law provides a three-pronged approach that includes **prevention, protection, and prosecution**:

- Under U.S. federal law, “severe forms of trafficking in persons” includes both **sex trafficking** and **labor trafficking**.
- Human trafficking is a crime that involves exploiting a person for labor, services, or commercial sex.
- TVPA and its subsequent re-authorizations define human trafficking and include protections for victims.

Victims of Trafficking and Violence Protection Act of 2000 (TVPA), Pub. L. No.106-386, 8 U.S.C. §1101, §7101, 114 STAT 1464 (2000)



# Human Trafficking: Definitions and Terminology

## Sex Trafficking

The recruitment, harboring, transportation, provision, or obtaining of a person for the purpose of a commercial sex act, in which the commercial sex act is induced by force, fraud, or coercion or in which the person induced to perform such act has not attained 18 years of age

## Labor Trafficking

The recruitment, harboring, transportation, provision, or obtaining of a person for labor or services, through the use of force, fraud, or coercion for the purpose of subjection to involuntary servitude, peonage, debt bondage, or slavery

22 U.S.C. § 7102, Victims of Trafficking and Violence Protection Act. (2000). Sec. 201–103, 106th U.S. Congress.  
<https://www.govinfo.gov/content/pkg/BILLS-106hr3244enr/pdf/BILLS-106hr3244enr.pdf>

# Methods of Control

**Force:** sexual assault, physical assault, confinement, forced drugging

**Fraud:** false and deceptive offers of employment, relationship, better life

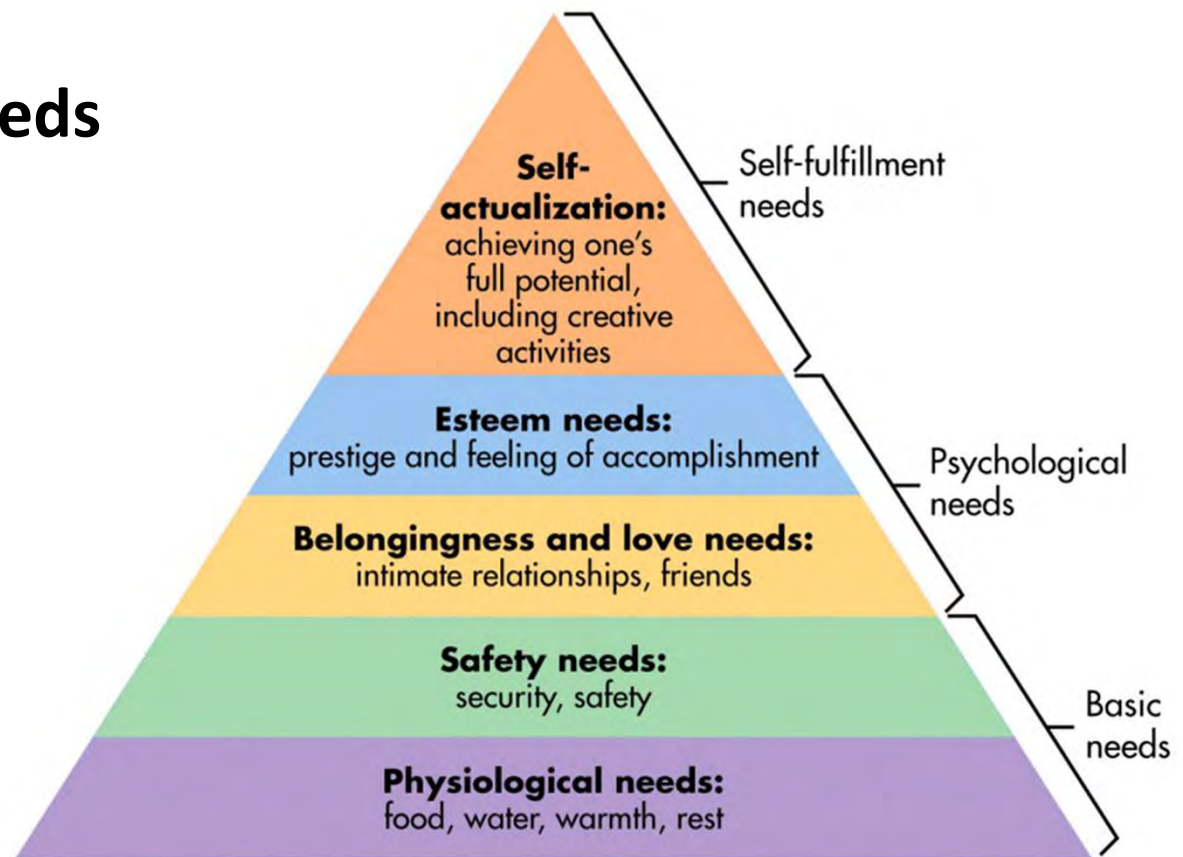
**Coercion:** threats of serious harm; shame tactics; any scheme, plan, or pattern intended to cause victims to believe that failure to perform an act would result in harm to them or loved ones; threats related to abuse of the legal process



Polaris. (2010). *Human trafficking power and control wheel*. Adapted from the Domestic Abuse Intervention Project's Duluth Model Power and Control Wheel. <https://www.acesdv.org/wp-content/uploads/2014/06/Human-Trafficking-PowerControl-Wheel.pdf>

## Control Methods and Maslow's Hierarchy of Needs

- Promises or broken promises about providing for their needs (fraud)
- Requiring exchanges to access basic needs (force/coercion)
- Withholding love, affection, drugs, money based on behavior (coercion)
- Lack of safety (force) and promising safety (fraud)



# Coercion as a Method of Control

## Federal Definition of Coercion

- Threats of serious harm to or physical restraint against any person
- Any scheme, plan, or pattern intended to cause a person to believe that failure to perform an act would result in serious harm to or physical restraint against any person
- Abuse or threatened abuse of the legal process

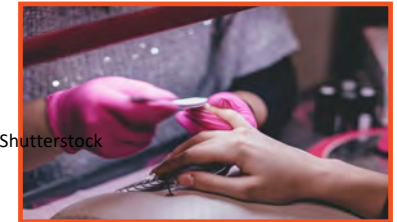
## Examples of Coercive Control

- Threats to harm the victim or their family
- Threats to shame the victim
- Control by withholding money, food, drugs, medicine, or other needed items
- Control by taking personal identity documents (ID, birth certificate, visa, passport, etc.)
- Threats to call law enforcement and report the victim

22 U.S.C. § 7102, Victims of Trafficking and Violence Protection Act. (2000). Sec. 201–103, 106th U.S. Congress.  
<https://www.govinfo.gov/content/pkg/BILLS-106hr3244enr/pdf/BILLS-106hr3244enr.pdf>

# 25 Typologies of Human Trafficking

In 2017, Polaris analyzed data collected from the National Human Trafficking Hotline and released a typology of the 25 primary types of human trafficking that exist in the US. Each type has a unique business model, trafficker & victim profile, recruitment strategies and control mechanisms that facilitate that particular type of trafficking.



Images Source: Shutterstock

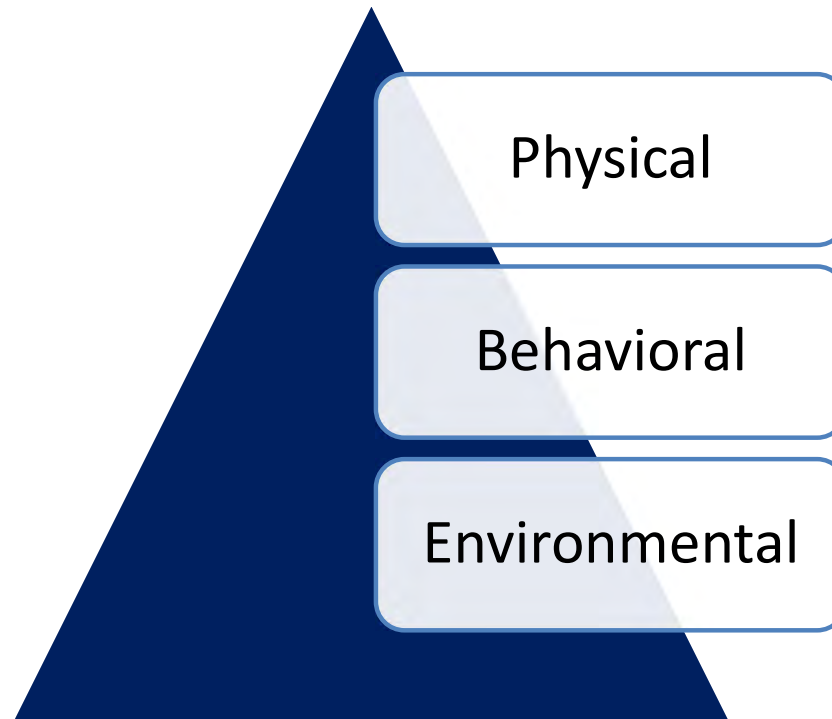
Polaris. (2017). *The typology of modern slavery: Defining sex and labor trafficking in the United States*. <https://polarisproject.org/typology>

# 25 Typologies of Human Trafficking

Escort Services	Illicit Massage, Health & Beauty	Outdoor Solicitation	Residential	Domestic Work
Bars, Strip Clubs & Cantinas	Pornography	Traveling Sales Crews	Restaurants & Food Services	Peddling & Begging Crews
Agriculture & Animal Husbandry	Personal Sexual Servitude	Health & Beauty Services	Construction	Hotels and Hospitality
Landscaping	Illicit Activities	Arts & Entertainment	Commercial Cleaning Services	Factories & Manufacturing
Remote Interactive Sexual Acts	Carnivals	Forestry & Logging	Health Care	Recreational Facilities

Polaris. (2017). *The typology of modern slavery: Defining sex and labor trafficking in the United States*. <https://polarisproject.org/typology>

# Potential Indicators of Trafficking



Human Trafficking Overview

# HUMAN TRAFFICKING AND IMPACTED POPULATIONS



# Populations Impacted by Trafficking

## At-Risk Populations

- Runaway and homeless youth
- Youth who are or have been in out-of-home care
- Youth who are undocumented
- Black, Indigenous, or Youth of Color
- LGBTQI individuals
- Youth who have physical, emotional and behavioral health challenges
- Survivors of other crimes
- Department of Juvenile Justice involved

## Intersectional Issues

- Homelessness
- Substance use disorder
- Interpersonal violence

# Study: Labor and Sex Trafficking Among Homeless Youth

## Human Trafficking Incidents

- 641 youth were interviewed at Covenant House sites in the United States and Canada.
- Nearly 1 in 5 experienced some form of human trafficking.
- More than 14% of the total population had been trafficked for sex.
- 8% had been trafficked for other forced labor.
- 3% were trafficked for both sex and labor.

## Exploitation/Attempted Exploitation

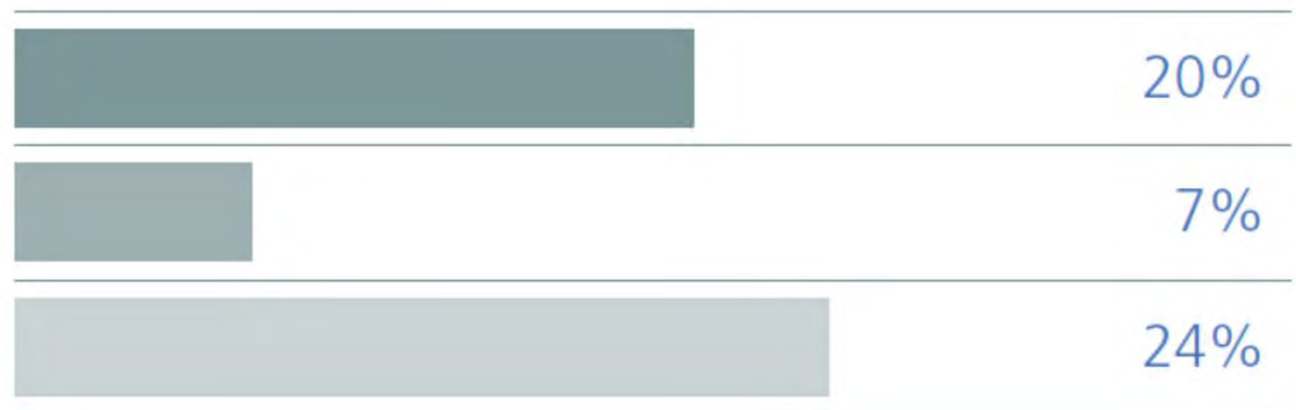
- 91% of the respondents reported being approached by someone offering an opportunity for income that was too good to be true.
- This included situations that turned into trafficking and other offers for commercial sexual exchanges, fraudulent commission-based sales, credit card scams, stolen phone sales, and check fraud.

# Human Trafficking Incidents

Among female-identifying youth:

- 20% experienced sex trafficking
- 7% experienced labor trafficking
- 24% experienced both sex and labor trafficking

Young Women (243)



Murphy, L. (2016). *Labor and sex trafficking among homeless youth: A ten city study*. New Orleans, LA: Loyola University. <https://www.covenanthouse.org/sites/default/files/inline-files/Loyola%20Multi-City%20Executive%20Summary%20FINAL.pdf>

# Human Trafficking Incidents

Among male-identifying youth:

- 11% experienced sex trafficking
- 9% experienced labor trafficking
- 16% experienced both sex and labor trafficking

Young Men (383)



Murphy, L. (2016). *Labor and sex trafficking among homeless youth: A ten city study*. New Orleans, LA: Loyola University. <https://www.covenanthouse.org/sites/default/files/inline-files/Loyola%20Multi-City%20Executive%20Summary%20FINAL.pdf>

# Human Trafficking Incidents

Among LGBTQ-identifying youth:

- 24% experienced sex trafficking
- 8% experienced labor trafficking
- 29% experienced both sex and labor trafficking

LGBTQ Youth (123)



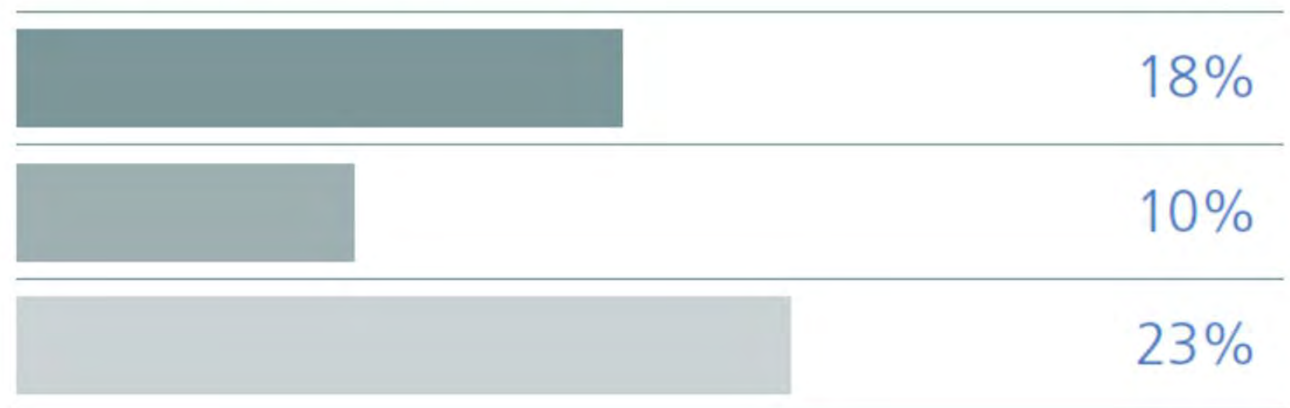
Murphy, L. (2016). *Labor and sex trafficking among homeless youth: A ten city study*. New Orleans, LA: Loyola University. <https://www.covenanthouse.org/sites/default/files/inline-files/Loyola%20Multi-City%20Executive%20Summary%20FINAL.pdf>

# Human Trafficking Incidents

Among youth with a foster care history:

- 18% experienced sex trafficking
- 10% experienced labor trafficking
- 23% experienced both sex and labor trafficking

Youth with Foster Care History (137)



Murphy, L. (2016). *Labor and sex trafficking among homeless youth: A ten city study*. New Orleans, LA: Loyola University. <https://www.covenanthouse.org/sites/default/files/inline-files/Loyola%20Multi-City%20Executive%20Summary%20FINAL.pdf>

# Tactics for Trafficking Children and Youth

Force or Coercion	Emotional Manipulation
Alcohol/Drugs	Material Possessions
Dependency	Social Isolation

Cole, J., & Anderson, E. (2013). *Sex trafficking of minors in Kentucky*. Lexington, KY: University of Kentucky, Center on Drug and Alcohol Research, Center on Trauma and Children.  
<http://www.cdar.uky.edu/CoerciveControl/docs/Sex%20Trafficking%20of%20Minors%20in%20KY.pdf>

# Familial Trafficking

- Facilitated by one or more family members (typically adults)
- May be sex trafficking or labor trafficking
- May extend beyond or stay within family
- Typically involves minors as victims
- Often involves one or more of the following conditions:
  - Substance misuse
  - Exploitation of an individual who is foreign born
  - Exploitation of individuals with disabilities
  - Debt
  - Isolation
  - Additional interpersonal violence
- Without intervention or exit, may continue until or past the time the victim becomes an adult



# 25 Typologies of Human Trafficking

Escort Services	Illicit Massage, Health & Beauty	Outdoor Solicitation	Residential	Domestic Work
Bars, Strip Clubs & Cantinas	Pornography	Traveling Sales Crews	Restaurants & Food Services	Peddling & Begging Crews
Agriculture & Animal Husbandry	Personal Sexual Servitude	Health & Beauty Services	Construction	Hotels and Hospitality
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Remote Interactive Sexual Acts	Carnivals	Forestry & Logging	Health Care	Recreational Facilities

Polaris. (2017). *The typology of modern slavery: Defining sex and labor trafficking in the United States*. <https://polarisproject.org/typology>

# Familial Trafficking



## Labor Trafficking: Informal Sectors

- Childcare
- Domestic work
- Panhandling/begging
- Illicit activities



## Labor Trafficking: Formal Sectors

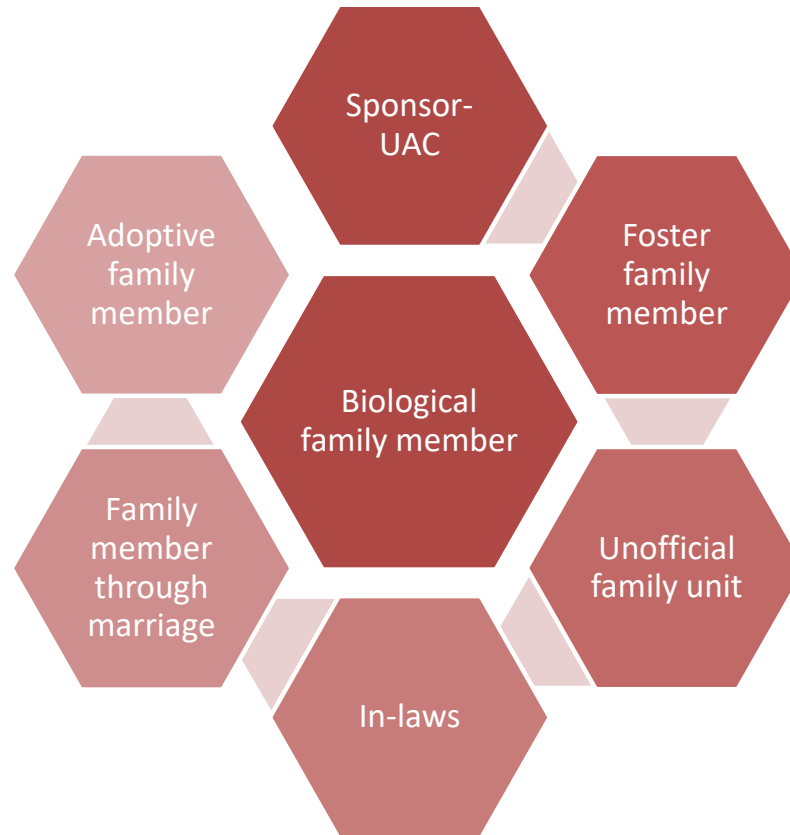
- Restaurant and food services
- Agriculture and animal husbandry
- Commercial cleaning
- Hotels and hospitality



## Sex Trafficking

- Personal sexual servitude
- Residential
- Pornography
- Remote interactive sexual acts

# Facilitation of Familial Trafficking



# Discussion

- What are some **indicators** that familial trafficking may be occurring?
- What are some **tactics** perpetrators use in familial trafficking?

## Keep in Mind

- May have originated in another country, and the United States is the destination country.
- May involve multiple family members.
- Although the family member may facilitate the trafficking, other community members are likely involved.
- May morph over time, involving different elements of exploitation and abuse.
- Isolation, silence, fear, and power differentials are vital components of familial trafficking.
- Many individuals may be knowledgeable about the trafficking but not directly involved in facilitating the trafficking. They are also culpable when the victim is a child.

# Human Trafficking and Substance Use Disorder

- **Recruitment through substance misuse:** Traffickers may target individuals with existing substance misuse issues to recruit into a trafficking situation.
- **Control through substance addiction:** Traffickers may use substance addiction to keep individuals in a trafficking situation. It can be framed as a reward or punishment or as a way to decrease the individual's ability to resist trafficking and abuse.
- **Substance misuse as a coping mechanism:** Some individuals who have experienced trafficking may misuse substances as a response to the trauma.

Office for Victims of Crime Training and Technical Assistance Center. (n.d.). *Human trafficking task force e-guide*. Retrieved February 10, 2020, from <https://www.ovcttac.gov/taskforceguide/eguide/4-supporting-victims/44-comprehensive-victim-services/mental-health-needs/substance-abuse-needs/>

# Substance Misuse and Trafficking

History of sex trafficking is associated with substance misuse and dependence. It increases risky behaviors of youth who were sex trafficked, including:

- Truancy
- Substance use
- Criminal activity
- Running away

Cole, J., Sprang, G., Lee, R., & Cohen, J. (2016). The Trauma of Commercial Sexual Exploitation of Youth: A Comparison of CSE Victims to Sexual Abuse Victims in a Clinical Sample. *Journal of Interpersonal Violence*, U.S. National Library of Medicine. [www.ncbi.nlm.nih.gov/pubmed/25381275](http://www.ncbi.nlm.nih.gov/pubmed/25381275)

# Interventions Specific to Children and Youth

## Prevention Education

- My Life My Choice curriculum
- I AM curriculum
- Not a Number curriculum (Love146)

## Service Interventions

- Support group
- Mentoring
- Trauma-specific therapy
- Case management
- Emergency housing
- Legal services
- Low-barrier services: drop-in centers; case management; and basic needs such as food, clothing, and personal items



Human Trafficking Overview

# KENTUCKY STATE LAW

# KRS Human Trafficking Crimes

**Human Trafficking (KRS 529.010):** refers to criminal activity whereby one or more persons are subjected to engaging in:

- a) Forced labor or services; or
- b) Commercial sexual activity through the use of force, fraud, or coercion ***except that if the trafficked person is under the age of eighteen, the commercial sexual activity need not involve force, fraud, or coercion*** (emphasis added)

**Crime of Human Trafficking (KRS 529.100):** A person is guilty of human trafficking when the person intentionally subjects one or more persons to human trafficking

**Promotion of Human Trafficking (KRS 529.110):** A person is guilty of promoting human trafficking when the person intentionally:

- a) Benefits financially or receives anything of value from knowing participation in human trafficking; or
- b) Recruits, entices, harbors, transports, provides or obtains by any other means, or attempts to recruit, entice, harbor, transport, provide, or obtain by any means, another person knowing that the person will be subject to human trafficking

## Safe Harbor : Services, not Criminalization

- **Prohibits prosecution of anyone under 18 for prostitution or loitering for prostitution and requires law enforcement to report those cases to CHFS as possible victims of HT. KRS 529.**
- **Prohibits charging for or finding guilt for status offenses related to conduct arising out of the HT of the child unless it is later determined child was not a victim of HT. KRS 630.125.**

Kentucky Revised Statute (2020), Kentucky General Assembly, KRS 529.010, KRS 529.100, KRS 529.110, accessed online: <https://apps.legislature.ky.gov/law/statutes/chapter.aspx?id=39397>

## Safe Harbor: Police Response

- Permits **law enforcement** to take a child victim of HT into protective custody, similar to sexual abuse cases, after making mandatory report to Cabinet. KRS 529.
- Example: KSP responds to a call that a girl is going from cab to cab at a truck stop, with a suspicion that she is involved in commercial sex. The officer responds, briefly interviews the victim, contacts the Cabinet to make a report and request assistance.

Kentucky Revised Statute (2020), Kentucky General Assembly, KRS 529.010, KRS 529.100, KRS 529.110, accessed online:  
<https://apps.legislature.ky.gov/law/statutes/chapter.aspx?id=39397>

# Human Trafficking Victims Rights Act (HTVRA)

## Safe Harbor

- Child victims of human trafficking should be treated as victims, not criminals.
  - Requires a report to CHFS if there is reasonable cause to believe a child is a victim of human trafficking (forced labor or commercial sex) .
  - Adds human trafficking to the mandatory reporting statute for child abuse.
  - The case is required to be treated as a **dependent, neglected, or abused (DNA)** case regardless of whether the perpetrator was a parent, guardian or someone exercising custodial control or supervision KRS 620.030 (3).

Kentucky Revised Statute (2020), Kentucky General Assembly, KRS 529.010, KRS 529.100, KRS 529.110, accessed online: <https://apps.legislature.ky.gov/law/statutes/chapter.aspx?id=39397>

# Safe Harbor : The Cabinet Response

## **Cabinet for Health and Family Services must:**

- Provide assessment, treatment, housing, and services to the child as a victim of HT and treat the child as a DNA child. KRS 620.040 (1) (b).
- Proceed with the case in accordance with DNA statutes regardless of whether the perpetrator was a parent, guardian or someone exercising custodial control or supervision. KRS 620.040 (1).
- **Respond to the report of human trafficking of a child within four to twenty four hours by treating it as a high-risk case, like a report of sexual abuse**

Kentucky Revised Statute (2020), Kentucky General Assembly, KRS 529.010, KRS 529.100, KRS 529.110, accessed online: <https://apps.legislature.ky.gov/law/statutes/chapter.aspx?id=39397>

# Safe Harbor: Human trafficking investigations

- Child human trafficking cases involving commercial sexual activity shall be investigated by multi-disciplinary teams (MDTs).
- Human trafficking advocates may now be a part of MDTs.  
KRS 431.600 (1).

Kentucky Revised Statute (2020), Kentucky General Assembly, KRS 529.010, KRS 529.100, KRS 529.110, accessed online:  
<https://apps.legislature.ky.gov/law/statutes/chapter.aspx?id=39397>

# Uniform Crime Report

KRS	Code	Description	Level	Class
529.100	40100	Human Trafficking	Felony	C
529.100	40101	Human Trafficking (serious physical injury)	Felony	B
529.100	40102	Human Trafficking (victim u/18 YOA)	Felony	B
529.100	40083	Human Trafficking- Forced Labor	Felony	C
529.100	40091	Human Trafficking- Commercial Sex Activity	Felony	C
529.110	40104	Promoting Human Trafficking	Felony	D
529.110	40105	Promoting Human Trafficking (victim u/18 YOA)	Felony	C
620.030	02819	Failure to report victim of human trafficking (first offense)	Misdem.	B

Kentucky State Police (2020), *Kentucky Uniform Crime Reporting Codes*, accessed online: <http://kentuckystatepolice.org/crime-traffic-data/>

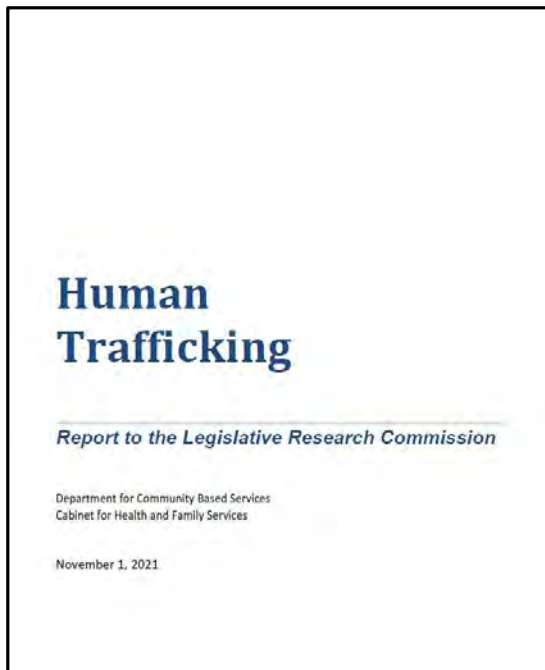


Human Trafficking Overview

# KENTUCKY CHILD TRAFFICKING DATA

# Child Trafficking Incidents Reported

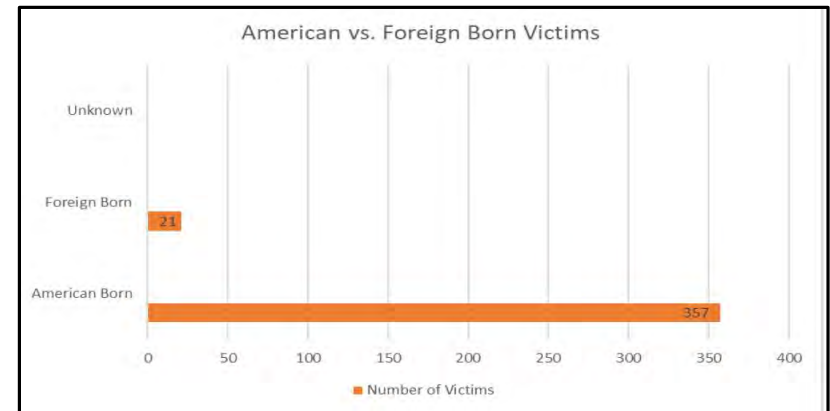
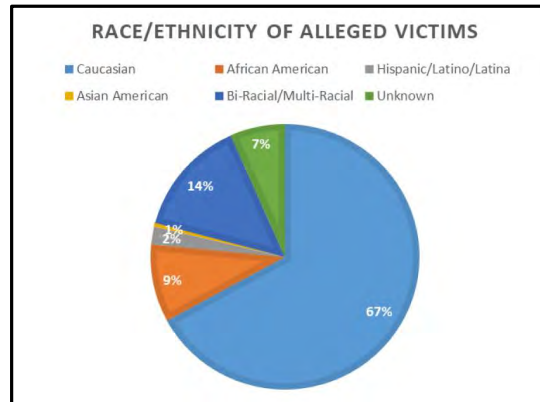
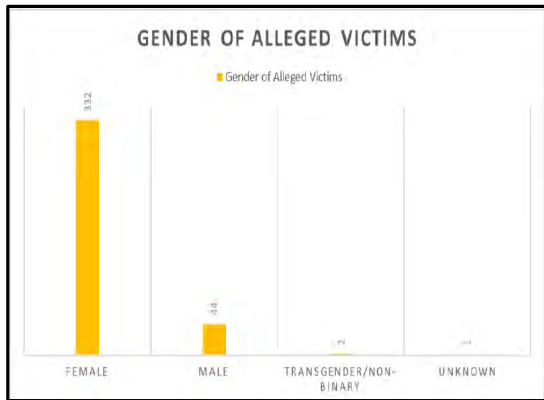
CHFS 2021 Report on Child Trafficking in Kentucky



Source: 2020 CHFS Child Trafficking in Kentucky Report to the Legislature, November 2021

# Child Trafficking Demographics

CHFS 2021 Report on Child Trafficking in Kentucky



Source: 2021 CHFS Child Trafficking in Kentucky Report to the Legislature, November 2021

# 2021 Case Details

## CHFS 2021 Report on Child Trafficking in Kentucky

### 2021 Human Trafficking Investigative Findings

Caretaker		Non-Caretaker	
Substantiated	35	Human Trafficking Confirmed	43
Unsubstantiated	70	Human Trafficking Not Confirmed	103
Pending	61	Pending	75
Unable to Locate	2	Unable to Locate	2
No Findings	0	No Findings	1
Total	168	Total	224

Source: 2021 CHFS Child Trafficking in Kentucky Report to the Legislature, November 2021

Human Trafficking Overview

# RESOURCES AND SPECIALIZED SERVICES

# Recommended Services for Survivors and Those at Risk of Trafficking

- Victim-centered approach
- Coordinated services for both the survivor and their family
- Trauma-informed services
- Safety Planning
- Therapeutic Services
- Advocacy
- Legal Services

Source: Greenbaum J, Crawford-Jakubiak JE. Child sex trafficking and commercial sexual exploitation: health care needs of victims. *Pediatrics*. 2015;135(3):566-74. <http://pediatrics.aappublications.org/content/135/3/566>

## Least Restrictive Placement

- The level of DCBS involvement will be individualized and in correlation to the assessed safety and risks of the child.
- Children who have been or are at risk of being trafficked should be placed in the most appropriate, least restrictive placement type.
- Caregivers must be mindful that trafficking causes a severe breakdown of confidence and trust for survivors. Caring for and parenting survivors of trafficking requires patience, awareness and skill. Caregivers should be empathetic and non-judgmental in their approach as the trafficked youth establishes safe relationships and learns to trust.

## Community Based Resources

- Accessible Service Array
  - service systems that acknowledge and are responsive to the youth’s circumstances and experiences
- Wraparound Services
- Collaboration and Coordination

Source: Child Welfare Information Gateway. (2017). *Human trafficking and child welfare: A guide for child welfare agencies*. Washington, DC: U.S. Department of Health and Human Services, Children’s Bureau.



# Core Principles in Service Provision

- Client choice
- Client empowerment
- Non-exploitative engagement with survivors
- Trauma-informed services
- Culturally appropriate services
- Non-discriminatory access to services



## Response- Bakhita Empowerment Initiative

- Bakhita utilizes the National Human Trafficking Hotline through Polaris Project as 24 hour crisis response resource: 1-888-373-7888
- All Bakhita program staff are available M-F during regular business hours. Some availability outside of regular business hours.
- Staff may schedule to be on call with advance notice



## Response (cont.)

### Program Staff May:

- Be on the scene of a law enforcement action: Not physically at the location, but nearby, and available to meet with potential victims immediately.
- Speak to potential victims: Help build rapport, provide screening, explain services that may be available
- Coordinate services: organize and provide emergency housing, interpreters, food, clothing, direct cash, etc.
- Provide information and additional resources for other services

# Services Available through Catholic Charities

## In-House Services through Bakhita / Catholic Charities

- Emergency / Transitional Shelter
- Interpreter/Translation Services
- Case Management / Advocacy
- Immigration Legal Services
- Food, clothing, personal care items
- ESL Classes / Job Development Assistance
- Assistance with Certification
- Accessing Public Benefits
- Family Reunification / Repatriation

## Coordinated Services through Contracts or Referrals

- Mental Health Services / Therapy
- Immigration Legal Services
- Family Legal / Civil Legal Services
- Emergency Residential Shelter
- Substance Abuse Treatment
- Accessing Health Care Benefits
- Unaccompanied Minor Refugee Foster Care
- Medical Care
- Tattoo/Scar Removal

# Case Management

## Bakhita Empowerment Initiative

- Needs assessment and service plan for program participants
- Ongoing personal support for program participants
- Providing outreach calls/text and home visits to program participants
- Organizing and providing comprehensive services
- Keeping records of service needs and services provided, including duration of services and service provider details.
- Advocacy with service providers, law enforcement, and courts
- Accompanying program participant to service appointments, court dates, interviews with law enforcement
- Assist with applications for benefits for which clients are qualified to apply



## Contact Information:

Marissa Castellanos, MSW  
Program Director  
Bakhita Empowerment Initiative  
Catholic Charities of Louisville  
2222 W. Market St  
Louisville, KY 40212  
[mcastellanos@archlou.org](mailto:mcastellanos@archlou.org)  
[www.bakhitaempowerment.org](http://www.bakhitaempowerment.org)  
502-974-4947(cell)



# Specialized Residential Treatment

- Kentucky's DCBS contracts with residential treatment providers who are specialized in serving trafficked and at-risk youth.
- The minimum standards for specialized designation include:
  - Trauma-informed care
  - Training requirements for all levels of staff
  - Exploitation prevention education
  - Screening and assessment
  - Data collection and reporting

# Specialized Services and Resources

Contact the human trafficking program leads on the [out-of-home care branch](#) or [child protection branch](#) for additional information





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KENTUCKY CABINET FOR  
HEALTH AND FAMILY SERVICES

# Screening and Identification of Human Trafficking

## Human Trafficking Training Series

This training was developed with the support of grant 2020-NZ-NX-0003-00, awarded by the Office for Victims of Crime, Office of Justice Programs, U.S. Department of Justice. The opinions, findings, and conclusions or recommendations expressed in this content are those of the contributors and do not necessarily represent the official position or policies of the U.S. Department of Justice.

**Presented by:**

Marissa Castellanos, M.S.W.

Program Director

Bakhita Empowerment Initiative

Catholic Charities of Louisville



# Objectives

- Review definition of human trafficking, focusing on the elements of control
- Increase knowledge of vulnerabilities and red flags specific to human trafficking
- Become familiar with screening tools and techniques for human trafficking identification
- Expand understanding of integrating screening into intake and assessment processes and response to screening outcomes

Screening and Identification of Human Trafficking

# DEFINITIONS AND OVERVIEW

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## Labor Trafficking

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# Methods of Control

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# Coercion as a Method of Control

## Federal Definition of Coercion

- Threats of serious harm to or physical restraint against any person
- Any scheme, plan, or pattern intended to cause a person to believe that failure to perform an act would result in serious harm to or physical restraint against any person
- Abuse or threatened abuse of the legal process

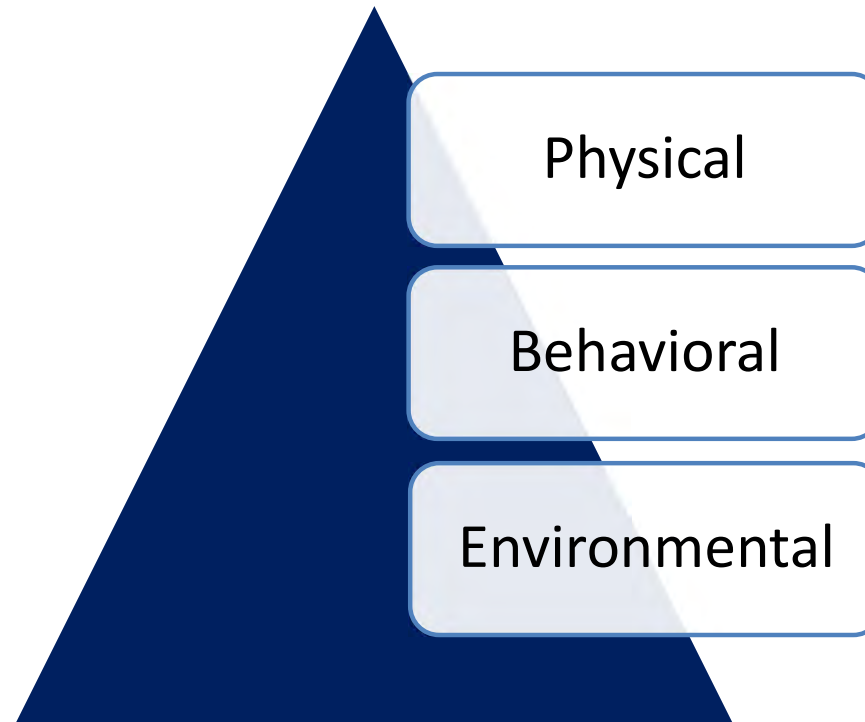
## Examples of Coercive Control

- Threats to harm the victim or their family
- Threats to shame the victim
- Control by withholding money, food, drugs, medicine, or other needed items
- Control by taking personal identity documents (ID, birth certificate, visa, passport, etc.)
- Threats to call law enforcement and report the victim

22 U.S.C. § 7102, Victims of Trafficking and Violence Protection Act. (2000). Sec. 201–103, 106th U.S. Congress.  
<https://www.govinfo.gov/content/pkg/BILLS-106hr3244enr/pdf/BILLS-106hr3244enr.pdf>



# Potential Indicators of Trafficking



# Populations Impacted by Trafficking

## At-Risk Populations

- Runaway and homeless youth
- Youth who are or have been in out-of-home care
- Youth who are undocumented
- Black, Indigenous, or Youth of Color
- LGBTQI individuals
- Youth who have physical, emotional and behavioral health challenges
- Survivors of other crimes
- Department of Juvenile Justice involved

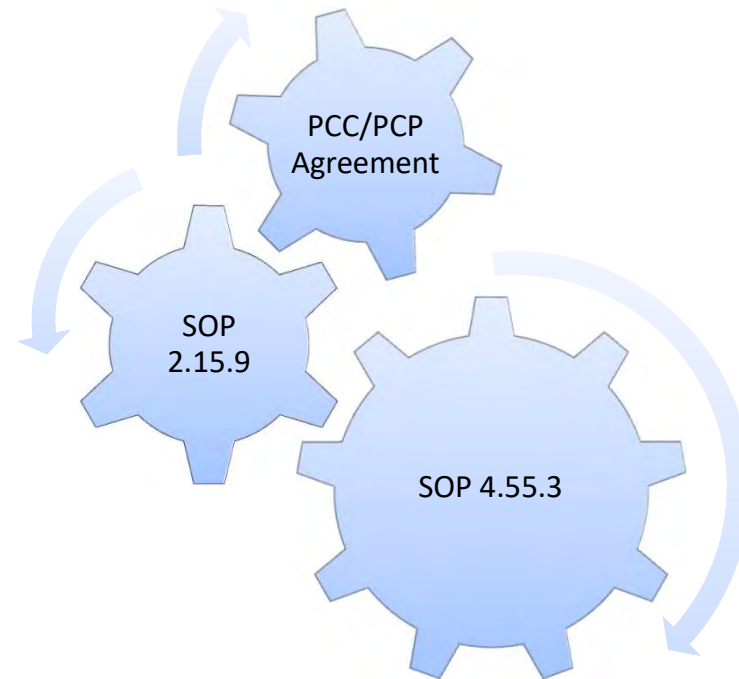
## Intersectional Issues

- Homelessness
- Substance use disorder
- Interpersonal violence

Screening and Identification of Human Trafficking

# SCREENING FOR HUMAN TRAFFICKING

# Standards of Practice



# Screening for Human Trafficking

- Screening for all potential victims of trafficking
- Rapid screening, followed by in-depth screening as needed
- Utilize validated screening tools as tested
- Include labor trafficking questions in screening
- Train staff on screening prior to use

# Implementing Screening Practices

## Practical Application



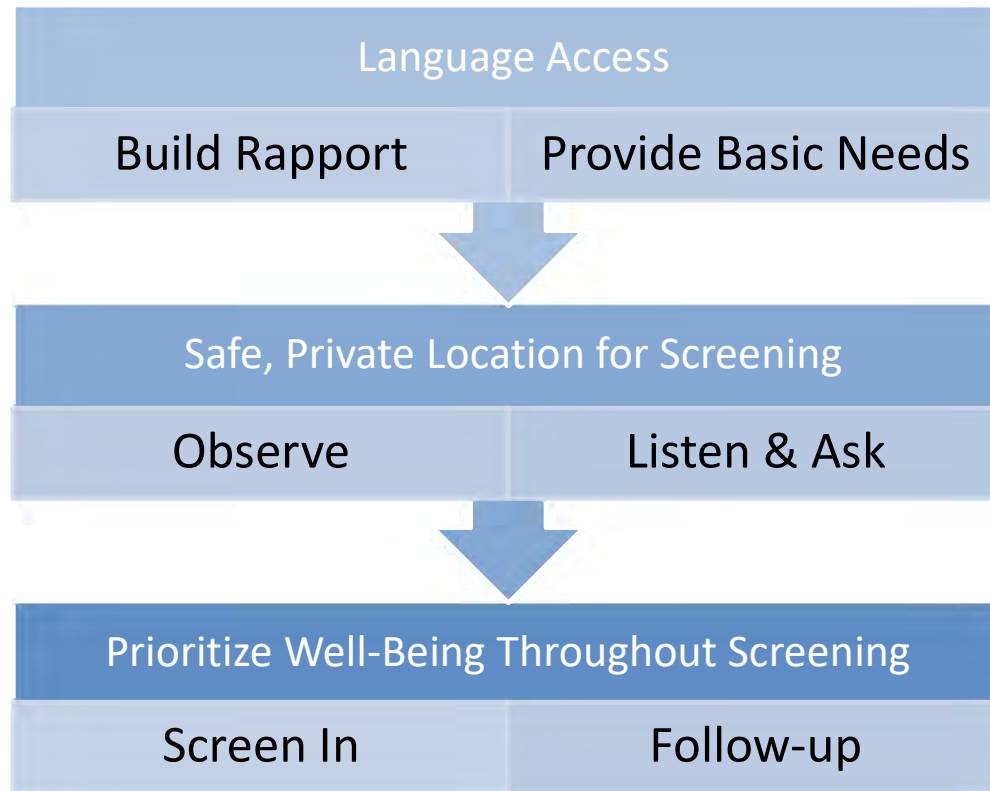
- Process and conducting screening
- Process for “next steps” and referrals
- Screening for sex and labor trafficking

## Problematic Practices



- Not screening for human trafficking
- Assumption of trafficking history
- Conflation of other issues with trafficking

# The Screening Process



Screening and Identification of Human Trafficking

# THE VERA SCREENING TOOL: TVIT



# The VERA Screening Tool: TVIT

- Trafficking Victim Identification Tool (TVIT)
- Developed in 2014 by the VERA Institute of Justice
- Tool validation and evaluation implementation research by the National Institute of Justice
- There is both a short and a long form
- The long form has six sections
- The TVIT is available online in English and in Spanish. It can be translated into other languages as needed, or an interpreter may be used to interpret for the screening

VERA Institute of Justice. (2014). *Screening for Human Trafficking- Guidelines for Administering the Trafficking Victim Identification Tool (TVIT)*. Available online at: <https://www.vera.org/downloads/publications/human-trafficking-identification-tool-and-user-guidelines.pdf>

## Why use the TVIT?

- The Trafficking Victim Identification Tool (TVIT) has been tested, evaluated, and has been found to be valid and reliable in identifying victims of human trafficking.
- The TVIT was validated for use with a broad population: males and females, ages 13+, foreign born and domestic
- The TVIT screens for both sex trafficking and labor trafficking

VERA Institute of Justice. (2014). *Screening for Human Trafficking- Guidelines for Administering the Trafficking Victim Identification Tool (TVIT)*. Available online at: <https://www.vera.org/downloads/publications/human-trafficking-identification-tool-and-user-guidelines.pdf>

## TVIT: Tips for Screening

- Setting up the Screening
- Developing trust and demonstrating respect
- Maintaining confidentiality
- Understanding the effects of trauma and victimization
- Asking questions

VERA Institute of Justice. (2014). *Screening for Human Trafficking- Guidelines for Administering the Trafficking Victim Identification Tool (TVIT)*. Available online at: <https://www.vera.org/downloads/publications/human-trafficking-identification-tool-and-user-guidelines.pdf>

# TVIT: Additional Considerations

- Screening Purpose
- Screening Timing
- Deferred / Suspended Screening

VERA Institute of Justice. (2014). *Screening for Human Trafficking- Guidelines for Administering the Trafficking Victim Identification Tool (TVIT)*. Available online at: <https://www.vera.org/downloads/publications/human-trafficking-identification-tool-and-user-guidelines.pdf>

# TVIT: Frequently Asked Questions

1. When should this screening tool be used?
2. Will the tool detect all forms of trafficking victimization
3. What if there are discrepancies between a person's response and what you know about them?
4. How do I know if I am using the tool correctly?
5. How do we determine trafficking once the tool has been completed?
6. What if there were multiple incidents of trafficking?
7. What if the potential trafficking situation occurred outside of the United States?

VERA Institute of Justice. (2014). *Screening for Human Trafficking- Guidelines for Administering the Trafficking Victim Identification Tool (TVIT)*. Available online at: <https://www.vera.org/downloads/publications/human-trafficking-identification-tool-and-user-guidelines.pdf>

# TVIT: Screening Tool Sections

Long Form	Short Form
Section 1: Screening	Section 1: Screening
Section 2: Personal Background	Section 2: Personal Background
Section 3: Migration to the US	
Section 4: Work	
Section 5: Living and/or Working Conditions	Section 3: Living and/or Working Conditions
Section 6: Post-Interview Assessment	Section 4: Post-Interview Assessment

VERA Institute of Justice. (2014). *Screening for Human Trafficking- Guidelines for Administering the Trafficking Victim Identification Tool (TVIT)*. Available online at: <https://www.vera.org/downloads/publications/human-trafficking-identification-tool-and-user-guidelines.pdf>

# Trafficking Victim Identification Tool

## Section 1: Screening Background

VERA Institute of Justice. (2014). *Screening for Human Trafficking-Guidelines for Administering the Trafficking Victim Identification Tool (TVIT)*. Available online at: <https://www.vera.org/downloads/publications/human-trafficking-identification-tool-and-user-guidelines.pdf>

### Trafficking Victim Identification Tool (TVIT) Long Version

**Screening purpose.** This screening tool is intended to be used as part of the regular intake process or as part of enrollment for specific programs. In order for the results to be valid, the screening should be administered according to pre-arranged protocols, *whether or not the client is believed to be a victim of human trafficking*. Please refer to the *User Guide* for directions on using this screening tool.

**Screening timing.** Since each agency's intake process is unique, agencies should determine how to best integrate this screening tool with their other intake forms or procedures. Whatever the timing and context of the interview, please begin and end with comfortable topics of conversation to minimize the client's discomfort.

**Deferred/Suspended Screening.** In some cases the intake process extends beyond the first meeting with the client. Service providers may sometimes choose to postpone sensitive screenings, judging that clients are not yet ready to disclose or discuss experiences of victimization and would prefer to continue the interview at a later date. If in the course of an interview the client shows acute signs of anxiety, ask the client if s/he would prefer to stop the interview and resume it at a later time.

#### Section 1: Screening Background [DO NOT READ TO CLIENT]

1a. Date of interview: \_\_ / \_\_ / \_\_\_\_ (MM/DD/YYYY)

1b. How client was referred to your agency **most recently** [select only one]:

- Own agency/ internal referral
- Other social service provider [fill in]: \_\_\_\_\_
- Healthcare provider
- Local Police Department
- Dept. of Homeland Security (DHS) / Immigration & Customs Enforcement (ICE)
- Federal Bureau of Investigation (FBI)
- Other law enforcement [fill in]: \_\_\_\_\_
- Referred by other client
- Referred by someone else [fill in relationship to client]: \_\_\_\_\_
- Walk-in

1c. Client status: Official determination of trafficking known?

[INTERVIEWER: This includes HHS certification, T-visa approval, or certification by law enforcement or a judge]

- No
- Yes

## Trafficking Victim Identification Tool

### Section 2: Personal Background

VERA Institute of Justice. (2014). *Screening for Human Trafficking- Guidelines for Administering the Trafficking Victim Identification Tool (TVIT)*. Available online at: <https://www.vera.org/downloads/publications/human-trafficking-identification-tool-and-user-guidelines.pdf>

**Section 2: Personal Background**

**INTERVIEWER READ: "I'd like to begin by asking you a few simple questions about your personal and family background."**

2a. What is your date of birth? \_\_/\_\_/\_\_\_\_ (MM/DD/YYYY)

2b. If you don't know your date of birth, approximately how old are you? \_\_\_\_\_

*[INTERVIEWER: If respondent cannot provide a number, offer the following response brackets to choose from]*

under 12  13-17  18-19  20-24  25-29  30-34  35-39  40-44  45-49  50-54  55-59  60+

2c. How many years of schooling have you completed?

1-6 years  7-12 years  More than 12 years  Other \_\_\_\_\_

2d. What country were you born in? \_\_\_\_\_

2e. Are you a citizen of any *other* countries besides where you were born?

*[INTERVIEWER: If concept of 'citizenship' is not clear, rephrase as 'Where were your parents born?']*

No

Yes → Other country of citizenship # 1 \_\_\_\_\_ # 2 \_\_\_\_\_

Don't know \_\_\_\_\_



## Trafficking Victim Identification Tool

### Section 3: Migration to the United States

VERA Institute of Justice. (2014). *Screening for Human Trafficking- Guidelines for Administering the Trafficking Victim Identification Tool (TVIT)*. Available online at: <https://www.vera.org/downloads/publications/human-trafficking-identification-tool-and-user-guidelines.pdf>

**Migration** *[PLEASE USE THE MIGRATION SECTION WITH FOREIGN-BORN CLIENTS ONLY]*

**INTERVIEWER READ:** "Now I am going to ask you some questions about your country of origin. I am not asking you this to find out about your immigration status. I am only trying to understand fully what your circumstances are so that we can refer you for the right help, if necessary. The questions ask about your migration to the U.S., who was involved, and how it was arranged."

*For children, this may be rephrased:* "We would like you to tell us about what happened to you when you traveled to the U.S."

3a. Can you tell me why you left your country?

To find work  
 To join family  
 To join romantic partner (spouse/girlfriend/boyfriend)  
 To escape abuse by family or someone else you know  
 To escape conflict/violence/persecution  
 Other *[fill in]:* \_\_\_\_\_

3b. What country did you live in for at least 3 months before you came to the U.S.?  
\_\_\_\_\_

*[INTERVIEWER: If client has come to the U.S. more than once, probe to make sure client refers to most recent place of residence]*

3c. In what year was your most recent arrival to the U.S.? \_\_\_\_\_(YYYY)  
*[INTERVIEWER: If client has come to the U.S. more than once, you can ask them about other entries to the U.S. if relevant.]*  
→ If you don't know exactly when you arrived in the U.S., about how long have you been here *[check one]*?

Less than 1 year    1 year    2 years    3 years    4 years    5 to 10 years    More than 10 years

3d. Did anyone arrange your travel to the U.S.?  
 No  
 Yes → Can you tell me who?  
\_\_\_\_\_  
→ What did they do?  
\_\_\_\_\_

3e. Did the people or person who arranged your travel pressure you to do anything (for example, did anyone ask you to carry something across the border)?  
*[REPHRASE: Did you have to do anything so that they would help you?]*  
 No  
 Yes → What were you pressured to do?  
\_\_\_\_\_

# Trafficking Victim Identification Tool

## Section 4: Work

VERA Institute of Justice. (2014). *Screening for Human Trafficking-Guidelines for Administering the Trafficking Victim Identification Tool (TVIT)*. Available online at: <https://www.vera.org/downloads/publications/human-trafficking-identification-tool-and-user-guidelines.pdf>

**Work**

**INTERVIEWER READ:** "Now I'm going to ask you some questions about work you've done *in the United States* and people you have worked for and with. I'm particularly interested in any kind of work you've done in which you felt that you did not get paid as much as you should, or if you felt scared or unsafe while working. This includes jobs that were not 'official' in regular workplaces. Remember, everything you tell me is confidential and you do not have to answer any questions that you don't want to answer."

4a. How have you supported yourself while in the U.S.? [REPHRASE: How have you paid for food, housing and other items in the U.S?]

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

4b. Have you worked for someone or done any other activities for which you thought you would be paid?

[INTERVIEWER: This could include activities like unpaid domestic work that might not be readily defined as "work" and should only detail those jobs in which the person felt unsafe or did not get paid what the person felt he/she should.]

No

Yes →What kind(s) of work or activities were you doing?

\_\_\_\_\_

\_\_\_\_\_

→How did you find out about these jobs/activities? [INTERVIEWER: probe for details, especially as they deal with recruitment from abroad]

\_\_\_\_\_

\_\_\_\_\_

## Trafficking Victim Identification Tool

### Section 5: Living and/or Working Conditions

VERA Institute of Justice. (2014). *Screening for Human Trafficking-Guidelines for Administering the Trafficking Victim Identification Tool (TVIT)*. Available online at: <https://www.vera.org/downloads/publications/human-trafficking-identification-tool-and-user-guidelines.pdf>

**Living and/or Working Conditions**

**INTERVIEWER READ:** "Next, I have just a few more questions I'd like to ask about problems you may have had in your living or working situation in the United States."

5a. When you were in that situation, were you living [or do you currently live]: *[INTERVIEWER: Should determine if client still in situation in question]*

by yourself,  
 with your family, or  
 with others? If others, who did you live with? \_\_\_\_\_

5b. Do you live, or have you ever lived, in the same place where you work?  
*[INTERVIEWER: This could include activities like unpaid domestic work that might not be readily defined as "work"]*

No  
 Yes *[INTERVIEWER: Record volunteered information here]* \_\_\_\_\_

5c. Have you ever felt you could not leave the place where you worked [or did other activities]?  
*[INTERVIEWER: Probe for situations where someone threatened to do something bad if client tried to leave.]*

No  
 Yes → Could you tell me why you couldn't leave?  
\_\_\_\_\_  
→ What do you think would have happened to you if you tried to leave?  
\_\_\_\_\_  
\_\_\_\_\_

5d. Have you ever worked [or did other activities] or lived somewhere where there were locks on the doors or windows or anything else that stopped you from leaving?

No  
 Yes *[INTERVIEWER: Record volunteered information here]* \_\_\_\_\_

5e. Did anyone at the place where you lived or worked [or did other activities] monitor you or stop you from contacting your family, friends, or others? *[REPHRASE: did you have to ask permission to contact your family, friends or others?]*

No  
 Yes → Could you tell me why not?  
\_\_\_\_\_  
\_\_\_\_\_

# Trafficking Victim Identification Tool

## Section 6: Post-Interview Assessment

VERA Institute of Justice. (2014). *Screening for Human Trafficking- Guidelines for Administering the Trafficking Victim Identification Tool (TVIT)*. Available online at: <https://www.vera.org/downloads/publications/human-trafficking-identification-tool-and-user-guidelines.pdf>

**Post-interview Assessment (to be completed by the interviewer)**

6a. Note any nonverbal indicators of past victimization:

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

6b. Note any indicators that responses may have been inaccurate:

\_\_\_\_\_

\_\_\_\_\_

6c. Indicate the likelihood that the client is a victim of trafficking:  
 certainly not  likely not  uncertain either way  likely  certainly

6d. Briefly state up to three reasons for your rating:

(1) \_\_\_\_\_

\_\_\_\_\_

(2) \_\_\_\_\_

\_\_\_\_\_

(3) \_\_\_\_\_

\_\_\_\_\_

6e. What kind of service referrals, if any, will you make for the client?

(1) \_\_\_\_\_

\_\_\_\_\_

(2) \_\_\_\_\_

\_\_\_\_\_

(3) \_\_\_\_\_

\_\_\_\_\_

(4) \_\_\_\_\_

\_\_\_\_\_

(5) \_\_\_\_\_

\_\_\_\_\_

6f. Additional notes:

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

# TVIT: Short Form

Section 1: Screening Background

Section 2: Personal Background

Section 3: Living and/or Working Conditions

Section 4: Post-Interview Assessment

Total of 20 Questions

VERA Institute of Justice. (2014). *Screening for Human Trafficking- Guidelines for Administering the Trafficking Victim Identification Tool (TVIT)*. Available online at: <https://www.vera.org/downloads/publications/human-trafficking-identification-tool-and-user-guidelines.pdf>

Screening and Identification of Human Trafficking

# **RESPONSE TO SCREENING OUTCOMES**

## DCBS Screening Policies

- Positive Screener → Investigation
  - Make a report to Central Intake
    - include all known information regarding the trafficking situation
  - Refer to SOP 2.15.9 Investigations of Human Trafficking
    - Work investigation jointly with law enforcement
    - Ensure child/ren complete a forensic interview at the Child Advocacy Center
    - Consult case with the local Multidisciplinary Team (MDT)
    - Assess child/ren's safety throughout investigation
    - Ensure child/ren and/or family is referred to appropriate services

# DCBS Screening Policies

A child who has a positive rapid screen for human trafficking is appropriate for services regardless of investigation outcome.

Intervention  
corresponds  
to risk

Least  
restrictive  
placement

Safety and  
Trust



# National Human Trafficking Hotline



**NATIONAL HUMAN TRAFFICKING HOTLINE**

24/7 • Toll free  
Confidential  
200+ languages

**CALL**  
1-888-373-7888

**TEXT**  
"BeFree" (233733)

**LIVE CHAT**  
humantraffickinghotline.org

**GET HELP • REPORT TRAFFICKING**

Source: National Human Trafficking Hotline (2020), online at: <https://humantraffickinghotline.org/>

## Contact Information:

Marissa Castellanos, MSW  
Program Director  
Bakhita Empowerment Initiative  
Catholic Charities of Louisville  
2222 W. Market St  
Louisville, KY 40212  
[mcastellanos@archlou.org](mailto:mcastellanos@archlou.org)  
[www.bakhitaempowerment.org](http://www.bakhitaempowerment.org)  
502-974-4947(cell)



# Screener: Resources

Subjective

Validated

Definitions and Resources

Consultation

# Specialized Services and Resources

Contact the human trafficking program leads on the [out-of-home care branch](#) or [child protection branch](#) for additional information



CABINET FOR HEALTH  
AND FAMILY SERVICES

## **Sex Trafficking of Children and Youth**

Human Trafficking Training Series

**Slide 1**

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**CS0** Make sure to add a slide at the beginning with the disclaimer information. See the Material Review Conventions for the exact language.

Charm, Samantha, 2022-09-21T20:56:01.911

This training was developed with the support of grant 2020-NZ-NX-0003-00, awarded by the Office for Victims of Crime, Office of Justice Programs, U.S. Department of Justice. The opinions, findings, and conclusions or recommendations expressed in this content are those of the contributors and do not necessarily represent the official position or policies of the U.S. Department of Justice.

## Presented by:

- Marissa Castellanos, M.S.W.
- Program Director
- Bakhita Empowerment Initiative
- Catholic Charities of Louisville





# Objectives

- Become familiar with definitions, terminology, and federal guidance specific to sex trafficking of children and youth
- Increase knowledge of vulnerabilities, risk factors, and protective factors for children and youth
- Become familiar with Kentucky state laws and data related to sex trafficking of children and youth
- Expand understanding of prevention and intervention options for working with children and youth who have experienced sex trafficking

# Definitions and Terminology

Sex Trafficking of Children and Youth

# Common Terminology



## Sex Trafficking of Children and Youth

Defined in federal law under the TVPA

This is the terminology we will primarily use



## Commercial Sexual Exploitation of Children (CSEC)

Often used interchangeably with “Sex Trafficking of Children and Youth” or “DMST”, which is not accurate or recommended practice.

Not defined in federal law. Includes child sex trafficking but is used frequently for a broad range of activities that may not be prosecuted for sex trafficking.



## Domestic Minor Sex Trafficking (DMST)

Often used interchangeably with “Sex Trafficking of Children and Youth” or “CSEC”

Typically refers to sex trafficking involving children born and raised in the US.

# Sex Trafficking of Children and Youth: Definitions



## Sex Trafficking

***The recruitment, harboring, transportation, provision, or obtaining of a person for the purpose of a commercial sex act, in which the commercial sex act is induced by force, fraud, or coercion or in which the person induced to perform such act has not attained 18 years of age*** (emphasis added)

The term “**commercial sex act**” means any sex act on account of which anything of value is given to or received by any person.

22 U.S.C. § 7102, Victims of Trafficking and Violence Protection Act. (2000). Sec. 201–103, 106th U.S. Congress.  
<https://www.govinfo.gov/content/pkg/BILLS-106hr3244enr/pdf/BILLS-106hr3244enr.pdf>

Office of Juvenile Justice and Delinquency Prevention (2021), Definition of Commercial Sexual Exploitation of Children.  
<https://ojjdp.ojp.gov/programs/commercial-sexual-exploitation-children>, reference to 18 U.S.C. § § 1591, 2251, and 2423(c)



## Commercial Sexual Exploitation of Children (CSEC)

Refers to a range of crimes and activities involving the sexual abuse or exploitation of a child for the financial benefit of any person or in exchange for anything of value (including monetary and non-monetary benefits) given or received by any person.

## Federal Laws

### Trafficking Victims Protection Act (2000, reauthorized 9 times, last in Jan 2019)

The Trafficking Victims Protection Act (TVPA) of 2000, as amended, defines “severe forms of trafficking in persons” in 22 U.S.C. § 7102 (11)

22 U.S.C. § 7102, Victims of Trafficking and Violence Protection Act. (2000). Sec. 201–103, 106th U.S. Congress. <https://www.govinfo.gov/content/pkg/BILLS-106hr3244enr/pdf/BILLS-106hr3244enr.pdf>

Child Welfare Information Gateway. (2019). Responding to child victims of human trafficking. Washington, DC: U.S. Department of Health and Human Services, Administration for Children and Families, Children’s Bureau, <https://www.childwelfare.gov/pubPDFs/traffickingresponse.pdf>

### Prevention Sex Trafficking and Strengthening Families Act (2014)

Amended title IV-E with provisions to prevent and address sex trafficking of children in foster care through focused policies and procedures, specialized services, and reporting.

### Justice for Victims of Trafficking Act (2015)

Amended CAPTA and requires training for child protective services workers and authorizes specialized training programs for other child-serving professionals specific to child trafficking.

# Methods of Control

**Force:** sexual assault, physical assault, confinement, forced drugging

**Fraud:** false and deceptive offers of employment, relationship, better life

**Coercion:** threats of serious harm; shame tactics; any scheme, plan, or pattern intended to cause victims to believe that failure to perform an act would result in harm to them or loved ones; threats related to abuse of the legal process



Polaris. (2010). *Human trafficking power and control wheel*. Adapted from the Domestic Abuse Intervention Project's Duluth Model Power and Control Wheel. <https://www.acesdv.org/wp-content/uploads/2014/06/Human-Trafficking-PowerControl-Wheel.pdf>

# Sex Trafficking: Definitions and Terminology

## Dated Language

- Pimp
- Buyer
- John



- Runaway
- Juvenile

## Preferred Language

- Exploiter
- Trafficker



- Missing Child
- Child
- Youth
- Survivor

# Additional Definitions and Terminology

## Missing Child

Any individual less than 18 years of age whose whereabouts are unknown to such individual's legal custodian

## Absent from Care

Instead of referring to children as “runaways” consider using more intentional, accurate language such as “absent from care”.

At that moment, their whereabouts are unknown by the agency/individual(s) responsible for their care.

42 USCS § 5772 Title 42, The Public Health and Welfare; Chapter 72. Juvenile Justice and Delinquency Prevention; Missing Children, <https://www.govinfo.gov/content/pkg/USCODE-2009-title42/pdf/USCODE-2009-title42-chap72.pdf>

22 U.S.C. § 7102, Victims of Trafficking and Violence Protection Act. (2000). Sec. 201–103, 106th U.S. Congress. <https://www.govinfo.gov/content/pkg/BILLS-106hr3244enr/pdf/BILLS-106hr3244enr.pdf>



# Children and Youth Absent from Care



Most children/youth are gone for only a week or less when they are absent from care, but many are gone for a month or more.



Reasons children/youth may be absent from care include:

- Needing to have contact and maintain connectedness with families or friends
- Feeling unsafe or uncared for in their placement
- Wanting more freedom and autonomy than the placement can offer them



While absent from care, children/youth are at high risk of:

- Being sexually or physically victimized
- Engaging in antisocial or harmful behavior
- Using drugs or alcohol
- Experiencing sex or labor trafficking

CS0

Children's Bureau, ACF (2020) Responding to Youth Missing from Foster Care, [https://www.childwelfare.gov/pubPDFs/missing\\_youth.pdf](https://www.childwelfare.gov/pubPDFs/missing_youth.pdf)

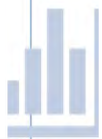
**Slide 12**

---

**CS0** What do we mean when we say delinquent? you've done a good job using non-judgmental language, particularly related to youth behavior. Could we be more behaviorally specific here?

Charm, Samantha, 2022-09-21T20:58:17.578

## National Data on Sex Trafficking of Children and Youth



Over a 3-year period, the majority of likely child sex trafficking victims among missing child reports to NCMEC were female (94%) and between 15-17 years of age (84%) (FY 2017-2019).



Sex trafficking incidents among homeless youth: Female Youth- 20%, Male Youth- 11%, LGBTQ Youth- 24%, Youth in Foster Care-18%



Children and youth reported to be experiencing sex trafficking were on average missing from care for 40 days per missing incident, compared to other children and youth who were missing from care an average of 35 days per missing incident.

CS0

National Center for Missing and Exploited Children. (2020). *Children Missing from Care: 2019 Update*.  
[https://www.missingkids.org/content/dam/missingkids/pdfs/CMFC%202019%20FINAL\\_030620.pdf](https://www.missingkids.org/content/dam/missingkids/pdfs/CMFC%202019%20FINAL_030620.pdf)

Source: Murphy, Laura, Labor and Sex Trafficking Among Homeless Youth: A Ten City Study, Loyola University (2016), Retrieved online:  
<https://www.covenanthouse.org/sites/default/files/inline-files/Loyola%20Multi-City%20Executive%20Summary%20FINAL.pdf>

**Slide 13**

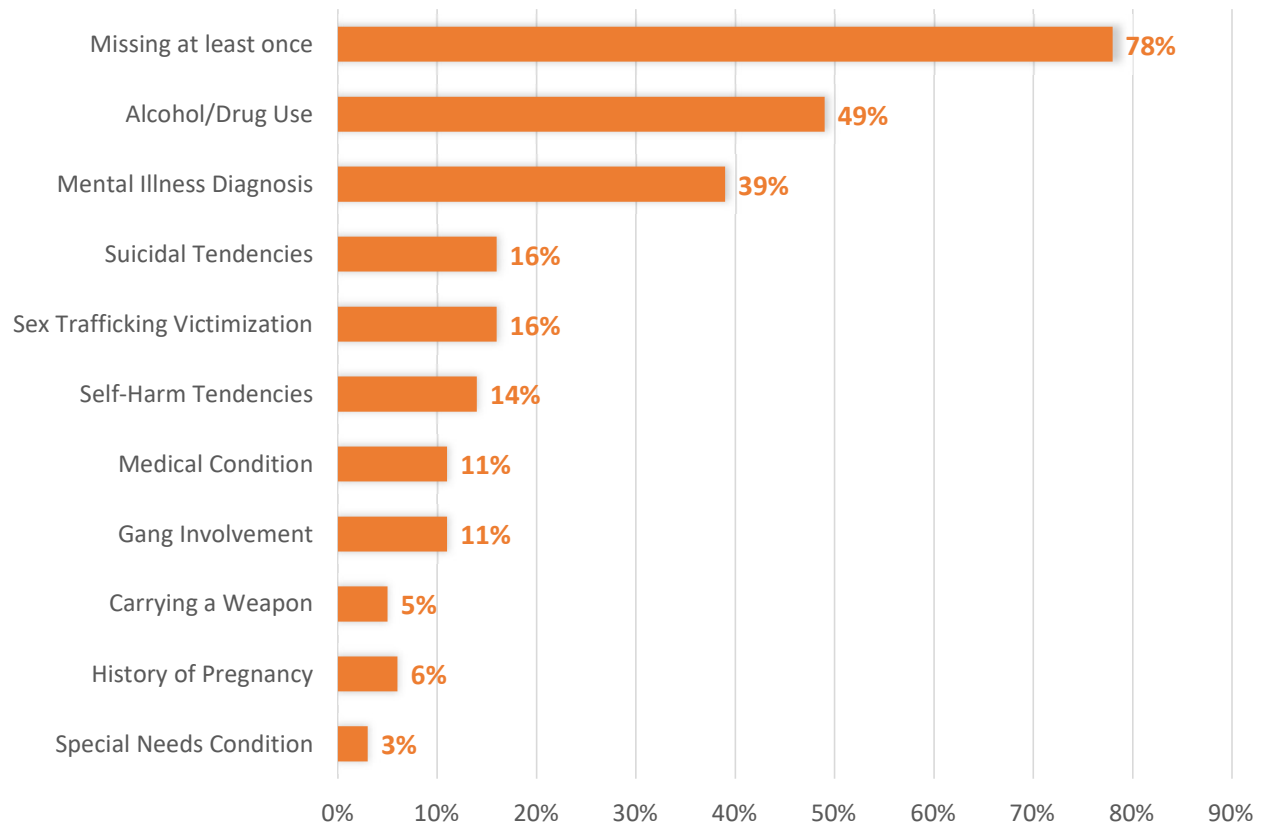
---

**CS0** in a year? or total throughout their time in care? in a given absence?  
Charm, Samantha, 2022-09-21T20:58:50.154

# Children Missing from Care Report: Most Common Endangerments Reported

National Center for Missing and Exploited Children

FY 2017-2019

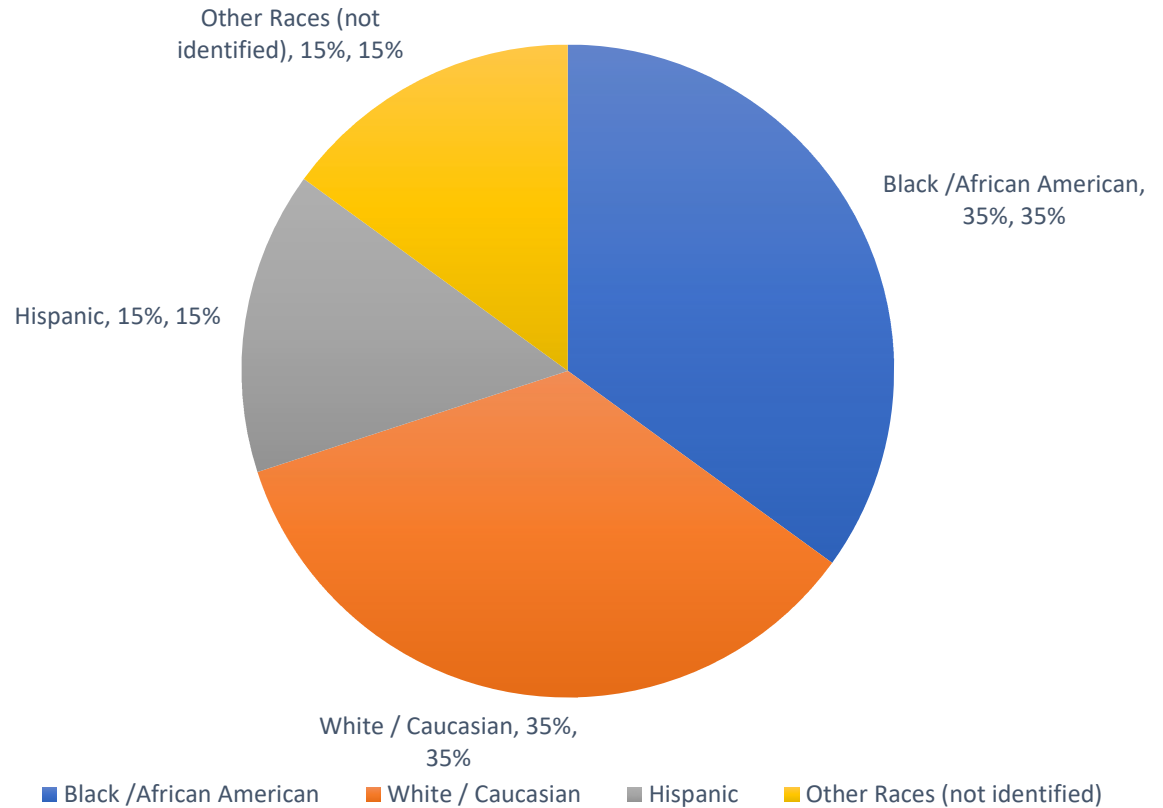


National Center for Missing and Exploited Children. (2020). *Children Missing from Care: 2019 Update*. [https://www.missingkids.org/content/dam/missingkids/pdfs/CMFC%202019%20FINAL\\_030620.pdf](https://www.missingkids.org/content/dam/missingkids/pdfs/CMFC%202019%20FINAL_030620.pdf)

# Children Missing from Care Report: Reported Sex Trafficking of Children and Youth by RACE

National Center for Missing and Exploited Children

FY 2017-2019

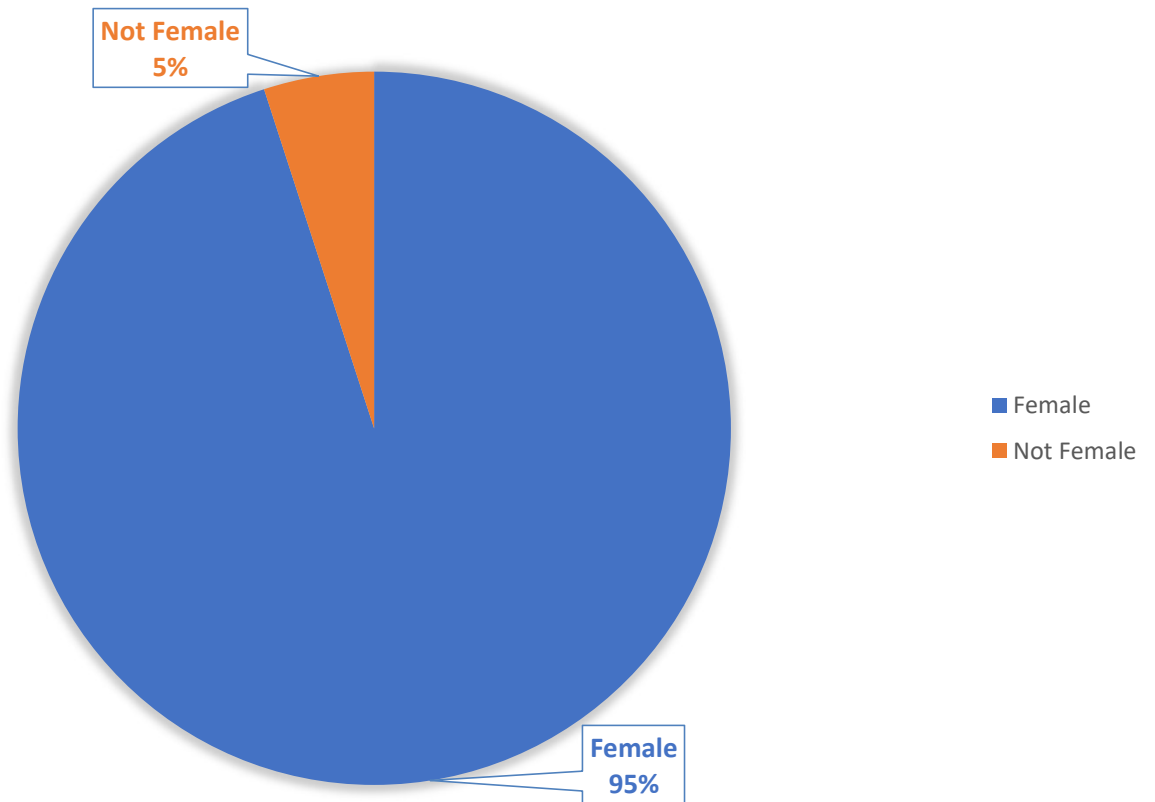


National Center for Missing and Exploited Children. (2020). *Children Missing from Care: 2019 Update*.  
[https://www.missingkids.org/content/dam/missingkids/pdfs/CMFC%202019%20FINAL\\_030620.pdf](https://www.missingkids.org/content/dam/missingkids/pdfs/CMFC%202019%20FINAL_030620.pdf)

## Children Missing from Care Report: Reported Sex Trafficking of Children and Youth by GENDER

National Center for Missing and Exploited Children

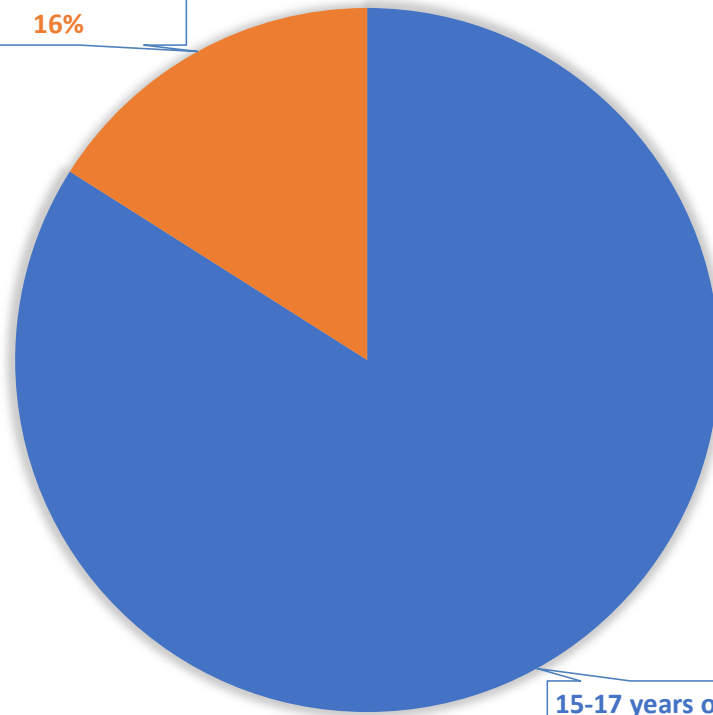
FY 2017-2019



National Center for Missing and Exploited Children. (2020). *Children Missing from Care: 2019 Update*. [https://www.missingkids.org/content/dam/missingkids/pdfs/CMFC%202019%20FINAL\\_030620.pdf](https://www.missingkids.org/content/dam/missingkids/pdfs/CMFC%202019%20FINAL_030620.pdf)

# Children Missing from Care Report: Reported Sex Trafficking of Children and Youth by AGE

Younger than 15 yrs old  
16%



- 15-17 years old
- Younger than 15 yrs old

National Center for Missing and Exploited Children

FY 2017-2019

National Center for Missing and Exploited Children. (2020). *Children Missing from Care: 2019 Update*. [https://www.missingkids.org/content/dam/missingkids/pdfs/CMFC%202019%20FINAL\\_030620.pdf](https://www.missingkids.org/content/dam/missingkids/pdfs/CMFC%202019%20FINAL_030620.pdf)



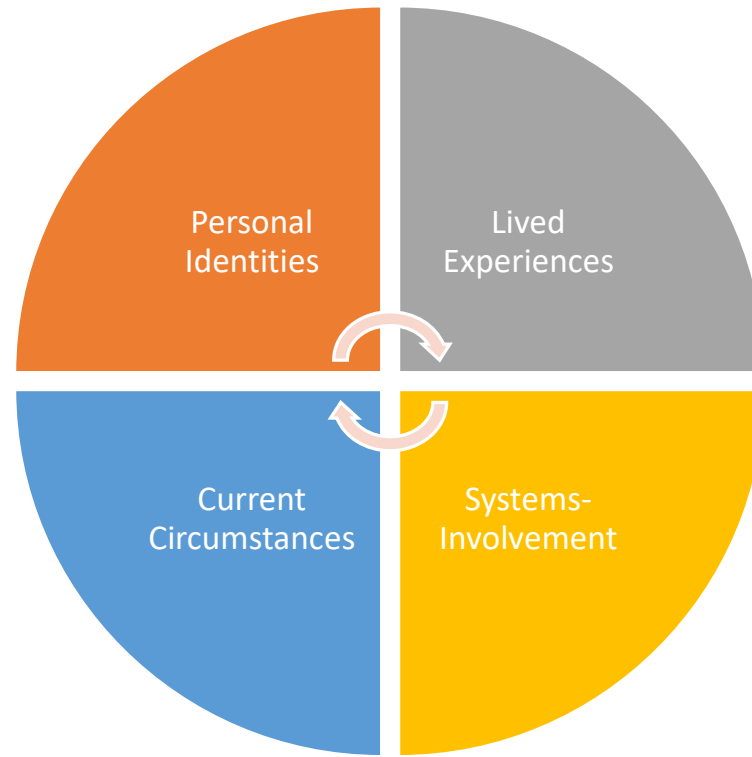
**Slide 17**

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**CS0** For the speaker notes, it may be worth noting that these demographics only apply to youth missing from care. I know you said you have been seeing increasing in familial trafficking of children (<15 yo), but those cases would not be included here because those children are not missing from care. i.e. make sure the audience understands these demographics don't include to ALL children/youth who experience trafficking.

Charm, Samantha, 2022-09-21T21:26:42.235

# Increased Risk Among Children and Youth



# Risk Factors Among Youth Experiencing Homelessness



Family and Youth Services Bureau (2020). ISSUE BRIEF- Human Trafficking Prevention: Strategies for Homeless and Runaway Youth Settings, available online

# Protective Factors for Children and Youth

## Individual Factors

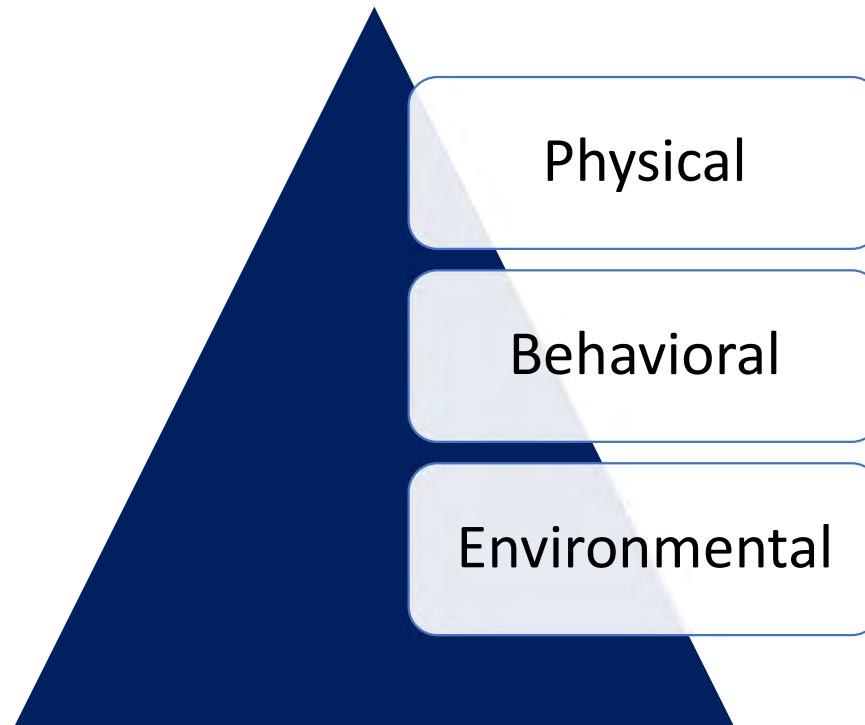
- Social Connections
- Emotional Competence
- Nurturing Relationships
- Presence of a Supportive Adult
- Increased Self-Confidence

## Family Factors

- Connections to Community Resources
- Parenting Skills
- Parenting Resilience
- Concrete Support for Families

Chisolm-Straker, M. et al. (2018). A supportive adult may be the difference in homeless youth not being trafficked. *Children and Youth Services Review, 91*, 115–120.

# Potential Indicators of Trafficking



**Slide 21**

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- CS0** I would add brief speakers' notes here as we know OVC is particularly concerned about how this is characterized. I think you should be able to pull this from one of your previously approved trainings.  
Charm, Samantha, 2022-09-21T21:00:21.999

# Tactics Used to Control Children and Youth



University of Kentucky Center on Drug and Alcohol Research, Cole, J., Anderson, E. (2013), "Sex Trafficking of Minors in Kentucky," <http://www.cdar.uky.edu/CoerciveControl/docs/Sex%20Trafficking%20of%20Minors%20in%20KY.pdf>

# Kentucky State Law

Sex Trafficking of Children and Youth



# KRS Human Trafficking Crimes

CS0

**Human Trafficking (KRS 529.010):** refers to criminal activity whereby one or more persons are subjected to engaging in:

- a) Forced labor or services; or
- b) Commercial sexual activity through the use of force, fraud, or coercion ***except that if the trafficked person is under the age of eighteen, the commercial sexual activity need not involved force, fraud, or coercion*** (emphasis added)

**Crime of Human Trafficking (KRS 529.100):** A person is guilty of human trafficking when the person intentionally subjects one or more persons to human trafficking

**Promotion of Human Trafficking (KRS 529.110):** A person is guilty of promoting human trafficking when the person intentionally:

- a) Benefits financially or receives anything of value from knowing participation in human trafficking; or
- b) Recruits, entices, harbors, transports, provides or obtains by any other means, or attempts to recruit, entice, harbor, transport, provide, or obtain by any means, another person knowing that the person will be subject to human trafficking

Kentucky Revised Statute (2020), Kentucky General Assembly, KRS 529.010, KRS 529.100, KRS 529.110, accessed online:  
<https://apps.legislature.ky.gov/law/statutes/chapter.aspx?id=39397>

**Slide 24**

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**CS0** Minor: This font is different than the slides around it.  
Charm, Samantha, 2022-09-21T21:50:50.661

## Safe Harbor : Services, not Criminalization

- **Prohibits prosecution of anyone under 18 for prostitution** or loitering for prostitution and requires law enforcement to report those cases to CHFS as possible victims of HT. KRS 529.
- Prohibits charging for or finding guilt for **status offenses** related to conduct arising out of the HT of the child unless it is later determined child was not a victim of HT. KRS 630.125.

Kentucky Revised Statute (2020), Kentucky General Assembly, KRS 529.010, KRS 529.100, KRS 529.110, accessed online:  
<https://apps.legislature.ky.gov/law/statutes/chapter.aspx?id=39397>

## Safe Harbor: Police Response

- Permits **law enforcement** to take a child victim of HT into protective custody, similar to sexual abuse cases, after making mandatory report to Cabinet. KRS 529.
- Example: KSP responds to a call that a girl is going from cab to cab at a truck stop, with a suspicion she is involved in commercial sex. The officer responds, briefly interviews the victim, contacts the Cabinet to make a report and request assistance.

Kentucky Revised Statute (2020), Kentucky General Assembly, KRS 529.010, KRS 529.100, KRS 529.110, accessed online:  
<https://apps.legislature.ky.gov/law/statutes/chapter.aspx?id=39397>

# Human Trafficking Victims Rights Act (HTVRA) Safe Harbor

- Child victims of human trafficking should be treated as victims, not criminals.
  - Requires a report to CHFS if there is reasonable cause to believe a child is a victim of human trafficking (forced labor or commercial sex) .
  - Adds human trafficking to the mandatory reporting statute for child abuse.
  - The case is required to be treated as a **dependent, neglected, or abused (DNA)** case regardless of whether the perpetrator was a parent, guardian or someone exercising custodial control or supervision. KRS 620.030 (3).

Kentucky Revised Statute (2020), Kentucky General Assembly, KRS 529.010, KRS 529.100, KRS 529.110, accessed online:  
<https://apps.legislature.ky.gov/law/statutes/chapter.aspx?id=39397>

# Safe Harbor : The Cabinet Response

## **Cabinet for Health and Family Services must:**

- Provide assessment, treatment, housing, and services to the child as a victim of HT and treat the child as a DNA child. KRS 620.040 (1) (b).
- Proceed with the case in accordance with DNA statutes regardless of whether the perpetrator was a parent, guardian or someone exercising custodial control or supervision. KRS 620.040 (1).
- Respond to the report of human trafficking of a child within four to twenty four hours by treating it as a high-risk case, like a report of sexual abuse

Kentucky Revised Statute (2020), Kentucky General Assembly, KRS 529.010, KRS 529.100, KRS 529.110, accessed online:  
<https://apps.legislature.ky.gov/law/statutes/chapter.aspx?id=39397>

# Safe Harbor: Human trafficking investigations

- Child human trafficking cases involving commercial sexual activity shall be investigated by multi-disciplinary teams (MDTs).
- Human trafficking advocates may now be a part of MDTs.  
KRS 431.600 (1).

Kentucky Revised Statute (2020), Kentucky General Assembly, KRS 529.010, KRS 529.100, KRS 529.110, accessed online:  
<https://apps.legislature.ky.gov/law/statutes/chapter.aspx?id=39397>

# Uniform Crime Report

KRS	Code	Description	Level	Class
529.100	40100	Human Trafficking	Felony	C
529.100	40101	Human Trafficking (serious physical injury)	Felony	B
529.100	40102	Human Trafficking (victim u/18 YOA)	Felony	B
529.100	40083	Human Trafficking- Forced Labor	Felony	C
529.100	40091	Human Trafficking- Commercial Sex Activity	Felony	C
529.110	40104	Promoting Human Trafficking	Felony	D
529.110	40105	Promoting Human Trafficking (victim u/18 YOA)	Felony	C
620.030	02819	Failure to report victim of human trafficking (first offense)	Misdem.	B

Kentucky State Police (2020), *Kentucky Uniform Crime Reporting Codes*, accessed online: <http://kentuckystatepolice.org/crime-traffic-data/>



# Survivors of Sex Trafficking have Rights in Federal and State Law

- Right not to be imprisoned or detained for underlying offenses, unless
  - Detention is least restrictive alternative
  - Necessary for safety
  - Poses threat to community safety
- Victims should not be held culpable for crimes that were committed as a direct result of their victimization
- Communications between trafficking victim and trafficking counselor are privileged.

22 U.S.C. § 7102, Victims of Trafficking and Violence Protection Act. (2000). Sec. 201–103, 106th U.S. Congress.

<https://www.govinfo.gov/content/pkg/BILLS-106hr3244enr/pdf/BILLS-106hr3244enr.pdf>

Kentucky Revised Statute (2020), Kentucky General Assembly, KRS 422.295(c), KRS 431.063, KRS 529.010, KRS 529.100, KRS 529.110, accessed online: <https://apps.legislature.ky.gov/law/statutes/chapter.aspx?id=39397>

# Child Trafficking Response

- Child Victims Protection Act / Safe Harbor
- Mandatory Report to CHFS
- Criminal investigations may be federal or state
- Screenings provided by DCBS, AOC/CDWs and DJJ

Kentucky Revised Statute (2020), Kentucky General Assembly, KRS 529.010, KRS 529.100, KRS 529.110  
accessed online: <https://apps.legislature.ky.gov/law/statutes/chapter.aspx?id=39397>

# Kentucky State Law on Children Absent from Care

- Assess a child's experiences while absent from care
- When child that has been missing is located, the social worker must do the following:
- Interview the child within 48 hours of their return to evaluate the following:–Factors that contributed to the child's disappearance–The child's current level of functioning–The child's experiences while missing–Screening for human trafficking victimization while absent from their placement

**Slide 33**

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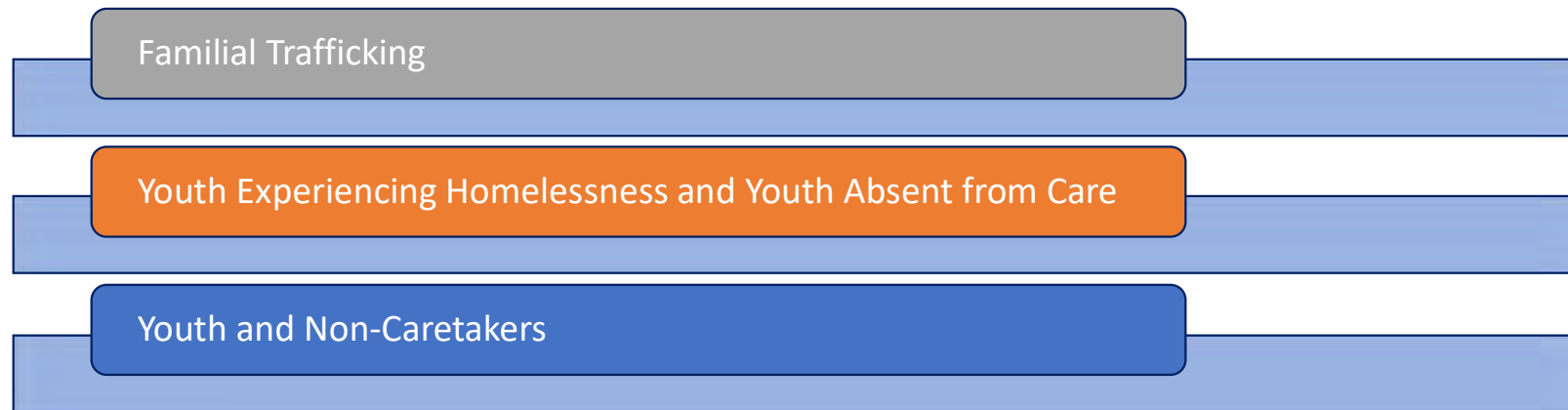
**CS0** Tiny thing- but this changes font from the previous slides  
Charm, Samantha, 2022-09-21T21:39:08.261

# Kentucky Specific Data

Sex Trafficking of Children and Youth

# Sex Trafficking of Children and Youth in Kentucky

CS0



**Slide 35**

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**CS0** Again minor: I think it would be helpful to color code these to match the next slide. (See the example changes I made)

Charm, Samantha, 2022-09-21T21:40:37.278

# Sex Trafficking of Children and Youth: Presentation

A child in DCBS custody leaves to live with their boyfriend who asks them to have sex with his friends to pay the rent.

A mother “rents” her children to her drug dealer, providing sexual access to them, to support her drug addiction.

A child is taught to play the “money game” by their caretaker who arranges appointments to “play the game”.

An unaccompanied minor seeking asylum in the United States was sexually assaulted during her travel to the US and told it was part of the “fee” she owed for entry into the country.

A youth experiencing homelessness engages in oral sex in exchange for a bus ticket.

CS0

A minor is friends with an older couple who offers to introduce them to friends of theirs who will pay for different sex acts with the minor, with a small fee paid to the couple for setting up the meetings.



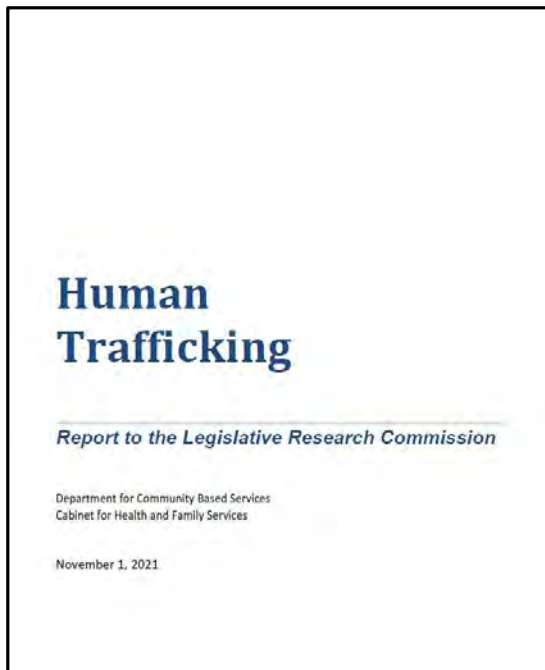
**Slide 36**

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**CS0** I would make sure to use person first language "a youth who is experiencing homelessness".  
Charm, Samantha, 2022-09-21T21:48:25.098

# Child Trafficking Incidents Reported

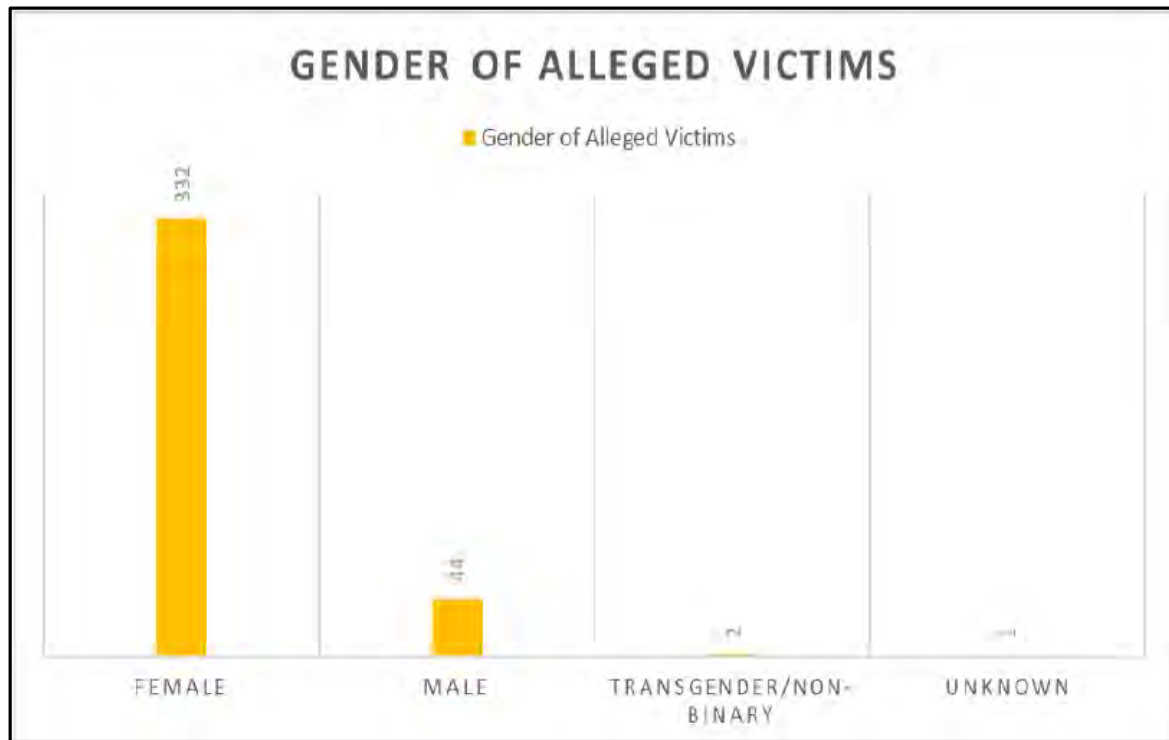
CHFS 2021 Report on Child Trafficking in Kentucky



Source: 2021 CHFS Child Trafficking in Kentucky Report to the Legislature, November 2021

# Child Trafficking Demographics

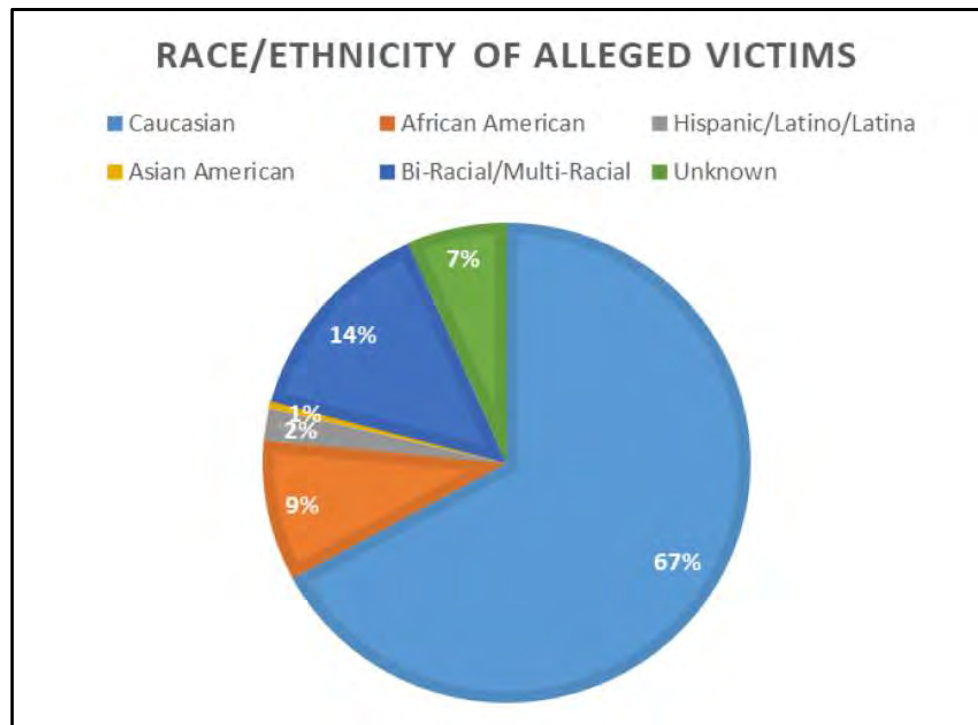
CHFS 2021 Report on Child Trafficking in Kentucky



Source: 2021 CHFS Child Trafficking in Kentucky Report to the Legislature, November 2021

# Child Trafficking Demographics

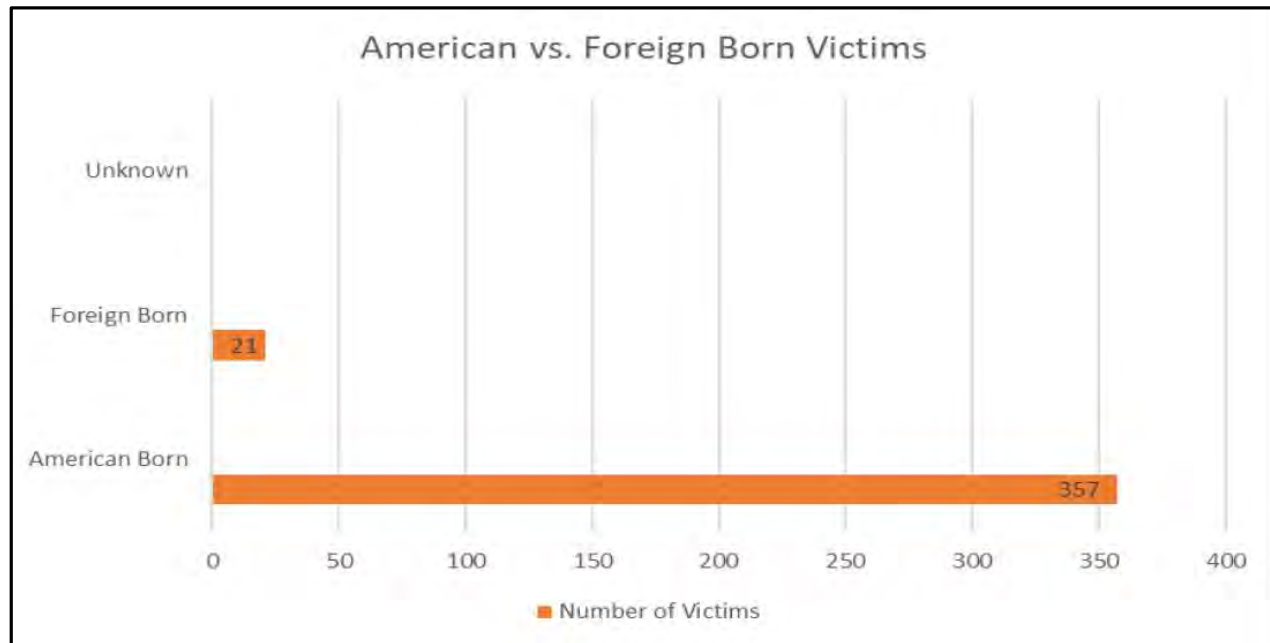
CHFS 2021 Report on Child Trafficking in Kentucky



Source: 2021 CHFS Child Trafficking in Kentucky Report to the Legislature, November 2021

# Child Trafficking Demographics

CHFS 2021 Report on Child Trafficking in Kentucky



Source: 2021 CHFS Child Trafficking in Kentucky Report to the Legislature, November 2021

# 2021 Case Details

## CHFS 2021 Report on Child Trafficking in Kentucky

### 2021 Human Trafficking Investigative Findings

Caretaker		Non-Caretaker	
Substantiated	35	Human Trafficking Confirmed	43
Unsubstantiated	70	Human Trafficking Not Confirmed	103
Pending	61	Pending	75
Unable to Locate	2	Unable to Locate	2
No Findings	0	No Findings	1
<b>Total</b>	<b>168</b>	<b>Total</b>	<b>224</b>

Source: 2021 CHFS Child Trafficking in Kentucky Report to the Legislature, November 2021

# Revictimization and Prevention

Sex Trafficking of Children and Youth

# Levels of Prevention

Primary- Occurs before victimization

Secondary- Crisis intervention in midst of victimization

Tertiary- Longer term intervention post victimization

Adapted from Department of Health and Human Services. (2019). *The levels of prevention*. <https://vetoviolence.cdc.gov/levels-prevention>

Adapted from Family and Youth Services Bureau (2020). ISSUE BRIEF- Human Trafficking Prevention: Strategies for Homeless and Runaway Youth Settings, available online



# Build Protective Factors

- Flexible, client-first, “non-linear” programs
- Informing youth of their rights
- Job skills training
- Healthy and unhealthy relationship curriculum
- Integrating discussion about social media
- Safety planning and harm reduction
- Support network building

Family and Youth Services Bureau (2020). ISSUE BRIEF- Human Trafficking Prevention: Strategies for Homeless and Runaway Youth Settings, available online

# Professional Engagement

- Integration of prevention into local Task forces and coalitions
- Partnering with groups serving homeless and runaway youth
- Building capacity on the intersections of human trafficking among runaway and homeless youth
- Ensuring prevention education materials are not re-traumatizing or exploitative
- Court intervention
- Promoting prevention in rural and tribal areas
- Increasing awareness of youth absent from care

Family and Youth Services Bureau (2020). ISSUE BRIEF- Human Trafficking Prevention: Strategies for Homeless and Runaway Youth Settings, available online

**Slide 45**

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**CS0** Minor: I would make the capitalization consistent throughout this slide (either all words capitalized or just the first word)

Charm, Samantha, 2022-09-21T21:43:39.088

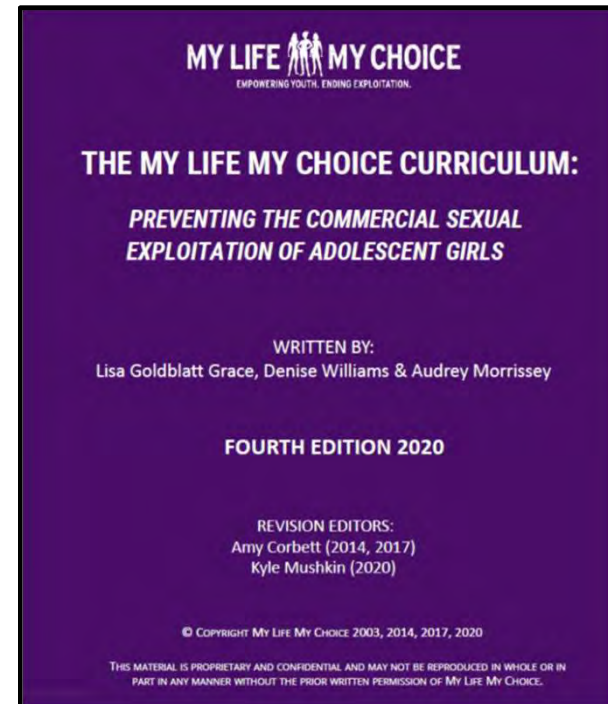
# Intervention

Sex Trafficking of Children and Youth

# Prevention Education for Female-Identifying Youth

## My Life My Choice

- Developed by the Justice Resource Institute in Boston in 2002
- Groups typically have 5-12 participants, ages 12-18
- Participating youth have either a history of sex trafficking or have been identified as at-risk
- Two Group Facilitators: Clinician and Survivor Mentor
- Groups meet once a week for 10 weeks
- MLMC is a VOCA-funded project in Kentucky provided through Catholic Charities of Louisville



What is one thing you learned from the MLMC prevention education classes?

*“That you can’t always tell who people are just by looks”*

*“Pimps come in all shapes and sizes and once that one time happens, it’s so easy to get into the life”*

*“I learned that I am a leader and that people look up to me”*

*“I learned how to say no to a pimp”*

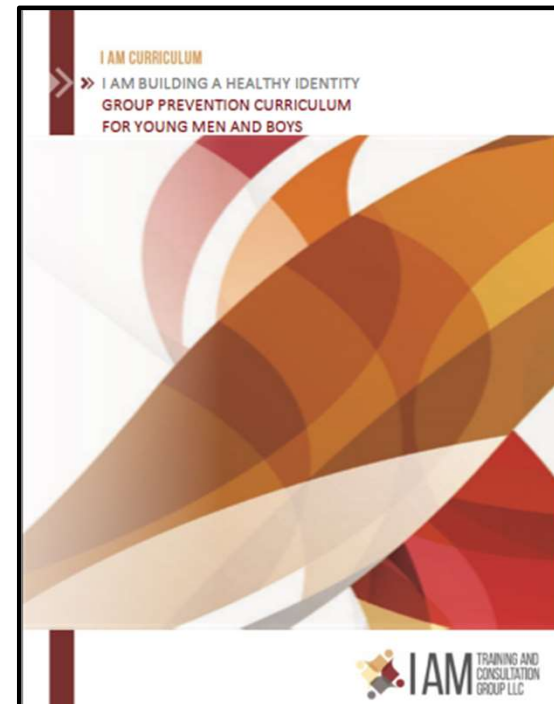
Source: Catholic Charities of Louisville, Quotes from MLMC Group Participants at Dept. of Juvenile Justice Facilities

Catholic Charities of Louisville, Bakhita Empowerment Initiative (2020) Prevention Education Report, available online: <https://cclou.org/wp-content/uploads/2020/07/Prevention-Education-Report-1.pdf>

# Prevention Education for Male-Identifying Youth

## I AM Building a Healthy Identity

- Developed by Stefania Agliano and Bryan Hall in Hartford, Connecticut
- Groups typically have 5-12 participants, ages 12-18
- Participating youth have either a history of sex trafficking or have been identified as at-risk
- Two Group Facilitators: Both Clinicians
- Groups meet once a week for 10 weeks
- I AM is a VOCA-funded project in Kentucky provided through Catholic Charities of Louisville



**“Respect Her”**

Question: How does your mom know you respect her?

I give her hugs and listen to her and that is how I show her respect.

Question: Why does she deserve your respect?

Because she has has always been there for me.

Source: Catholic Charities of Louisville

Catholic Charities of Louisville, Bakhita Empowerment Initiative (2020) Prevention Education Report, available online: <https://cclou.org/wp-content/uploads/2020/07/Prevention-Education-Report-1.pdf>



# Considerations when Talking with Children and Youth about Sex Trafficking and Exploitation

- **KEEP IN MIND:** You never know when you may get a disclosure
- It's important to be present
- Be mindful not to force anything
- Wait for forensic interview
- Follow written policy and protocol

# Recommended Services for Survivors and Those at Risk of Trafficking

- Victim-centered approach
- Coordinated services for both the survivor and their family
- Trauma-informed services
- Safety Planning
- Therapeutic Services
- Advocacy
- Legal Services

Source: Greenbaum J, Crawford-Jakubiak JE. Child sex trafficking and commercial sexual exploitation: health care needs of victims. *Pediatrics*. 2015;135(3):566-74. <http://pediatrics.aappublications.org/content/135/3/566>

## Least Restrictive Placement

- The level of DCBS involvement will be individualized and in correlation to the assessed safety and risks of the child.
- Children who have been or are at risk of being trafficked should be placed in the most appropriate, least restrictive placement type.
- Caregivers must be mindful that trafficking causes a severe breakdown of confidence and trust for survivors. Caring for and parenting survivors of trafficking requires patience, awareness and skill. Caregivers should be empathetic and non-judgmental in their approach as the trafficked youth establishes safe relationships and learns to trust.

# Community Based Resources

- Accessible Service Array
  - service systems that acknowledge and are responsive to the youth's circumstances and experiences
- Wraparound Services
- Collaboration and Coordination

Source: Child Welfare Information Gateway. (2017). *Human trafficking and child welfare: A guide for child welfare agencies*. Washington, DC: U.S. Department of Health and Human Services, Children's Bureau.

## Service Intervention: Connecting to Resources

- KY Dept. for Community-Based Services
  - Child Protection Branch
  - Out of Home Care Branch
- Catholic Charities of Louisville
  - Bakhita Empowerment Initiative
  - Family Support Services
  - Immigration Legal Services
  - Migration and Refugee Services
- Children's Advocacy Centers
- Local Task Forces and Coalitions

# Eligibility Letter Request Process

If you are working with a minor who is a foreign national and you CS0 have concerns that they may have experienced forced labor or commercial sex at any point in their life, [submit a referral through the Shepherd Case Management System Visit disclaimer page](#).

OTIP Child Protection Specialist:  
202-205-4582

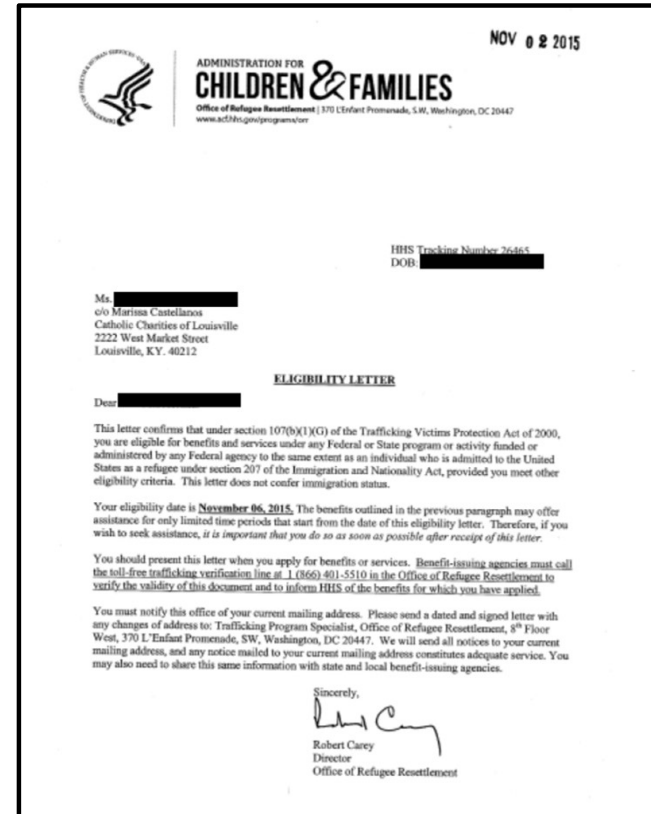


Image Source: Catholic Charities of Louisville, Used with Permission

ACF Office on Trafficking in Persons (2021), Eligibility Letters, <https://www.acf.hhs.gov/otip/victim-assistance/eligibility-letters>

**Slide 56**

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**CS0** I would revise to use person first language - "a minor who is a foreign national"  
Charm, Samantha, 2022-09-21T21:46:14.010

# National Human Trafficking Hotline



Source: National Human Trafficking Hotline (2020), online at: <https://humantraffickinghotline.org/>



# Contact Information:

Marissa Castellanos, MSW  
Program Director  
Bakhita Empowerment Initiative  
Catholic Charities of Louisville  
2222 W. Market St  
Louisville, KY 40212  
[mcastellanos@archlou.org](mailto:mcastellanos@archlou.org)  
[www.bakhitaempowerment.org](http://www.bakhitaempowerment.org)  
502-974-4947(cell)





CABINET FOR HEALTH  
AND FAMILY SERVICES

# Labor Trafficking of Children and Youth

Human Trafficking Training Series

This training was developed with the support of grant 2020-NZ-NX-0003-00, awarded by the Office for Victims of Crime, Office of Justice Programs, U.S. Department of Justice. The opinions, findings, and conclusions or recommendations expressed in this content are those of the contributors and do not necessarily represent the official position or policies of the U.S. Department of Justice.

# Presented by:

- Marissa Castellanos, M.S.W.
- Consultant & Training Partner



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**KENTUCKY CABINET FOR  
HEALTH AND FAMILY SERVICES**



# Objectives

- Become familiar with definitions, terminology, and federal guidance specific to labor trafficking of children and youth
- Increase knowledge of vulnerabilities, risk factors, and protective factors for children and youth
- Become familiar with Kentucky state laws and data related to labor trafficking of children and youth
- Expand understanding of prevention and intervention options for working with children and youth who have experienced labor trafficking

# Definitions and Terminology

Labor Trafficking of Children and Youth

# Labor Trafficking of Children and Youth: Definitions

## Labor Trafficking

The recruitment, harboring, transportation, provision, or obtaining of a person for labor or services **through the use of force, fraud, or coercion** for the purpose of subjection to **involuntary servitude, peonage, debt bondage, or slavery.**

## Involuntary Servitude

- A **condition of servitude induced by means of any scheme, plan, or pattern** intended to cause the person to believe that, if the person did not perform such labor or services, that person or another person would **suffer serious harm or physical restraint;** or by means of the **abuse or threatened abuse of law or the legal process.**

18 U.S.C. § 1581 & 1584, Victims of Trafficking and Violence Protection Act. (2000). Sec. 201–103, 106th U.S. Congress.  
<https://www.govinfo.gov/content/pkg/BILLS-106hr3244enr/pdf/BILLS-106hr3244enr.pdf>

US Department of Justice, Involuntary Servitude, Forced Labor, and Sex Trafficking Statutes Enforced (2021), <https://www.justice.gov/crt/involuntary-servitude-forced-labor-and-sex-trafficking-statutes-enforced>

# Labor Trafficking of Children and Youth: Definitions

## Peonage

Closely related to involuntary servitude, but where a person's involuntary servitude is tied to the payment of a debt.

Also known as "debt servitude".

## Debt Bondage

A person is under the control of their debtors as a security for a debt. If the value of those services as reasonably assessed is not applied toward the liquidation of the debt, or the length and nature of those services are not respectively limited and defined.

18 U.S.C. § 1581, Victims of Trafficking and Violence Protection Act. (2000). Sec. 201–103, 106th U.S. Congress.  
<https://www.govinfo.gov/content/pkg/BILLS-106hr3244enr/pdf/BILLS-106hr3244enr.pdf>

US Department of Justice, Involuntary Servitude, Forced Labor, and Sex Trafficking Statutes Enforced (2021), <https://www.justice.gov/crt/involuntary-servitude-forced-labor-and-sex-trafficking-statutes-enforced>

# Federal Laws

## Trafficking Victims Protection Act (2000, reauthorized 9 times, last in Jan 2019)

The Trafficking Victims Protection Act (TVPA) of 2000, as amended, defines “severe forms of trafficking in persons” in 22 U.S.C. § 7102 (11)

## Fair Labor Standards Act (FLSA)

Federal law governing child labor in the US. Children must be 14yrs old to work in most industries, except agriculture. Limits number of hours a child may work, except agriculture and domestic work.

## Occupational Safety and Health Act (OSHA)

Establishes standards of safety for work environments and provides guidance for sharing safety rights of workers. Live-in domestic workers are excluded from these federal protections.



# Federal Laws

## Trafficking Victims Protection Act (2000, reauthorized 9 times, last in Jan 2019)

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The Fair Labor Standards Act of 1938. 29 U.S.C. 213(b)(12) <http://www.dol.gov/compliance/laws/comp/flsa.htm>  
OSHA, Information about Young Workers: <https://www.osha.gov/youngworkers/>  
National Human Trafficking Resource Center, Child Labor Trafficking in the United States

## The Elements of Control in Labor Trafficking

- Unlike child sex trafficking, child victims of labor trafficking must prove they were compelled into exploitative labor
- Federal and state statutes require proof of force, fraud, or coercion
- The burden of proof rests with the child

Kaufka Walts, Katherine (2017). Child Labor Trafficking in the United States: A Hidden Crime, Center for Human Rights of Children, Loyola University Chicago, Social Inclusion Journal 2017, Volume 5, Issue 2, Pages 59-68.

# Methods of Control

- **Force:** sexual assault, physical assault, confinement, forced drugging
- **Fraud:** false and deceptive offers of employment, relationship, better life
- **Coercion:** threats of serious harm; shame tactics; any scheme, plan, or pattern intended to cause victims to believe that failure to perform an act would result in harm to them or loved ones; threats related to abuse of the legal process



Polaris. (2010). *Human trafficking power and control wheel*. Adapted from the Domestic Abuse Intervention Project's Duluth Model Power and Control Wheel. <https://www.acesdv.org/wp-content/uploads/2014/06/Human-Trafficking-PowerControl-Wheel.pdf>

# What do we know about child labor trafficking?

- There is some information available through the Human Trafficking Data online database of criminal and civil cases
- 11 of 17 known U.S. research studies or reports on trafficking of children and youth include labor trafficking (2013-2021)
- Information on services provided through federally funded anti-trafficking programs
- Federal reports to Congress (HSI, DOL, DOJ)

Bouche, Vanessa, HumanTraffickingData.org, [http://www.humantraffickingdata.org/search?no\\_results=1](http://www.humantraffickingdata.org/search?no_results=1)

Wright, Eric R., Ana LaBoy, Kara Tsukerman, Nicholas Forge, Erin Ruel, Renee Shelby, Madison Higbee, Zoe Webb, Melanie Turner-Harper, Asantewaa Darkwa. 2021. The Prevalence and Correlates of Labor and Sex Trafficking in a Community Sample of Youth Experiencing Homelessness in Metro-Atlanta. Social Sciences 10: 32. <https://doi.org/10.3390/socsci10020032>

# Data on Labor Trafficking of Children and Youth in the United States

Labor trafficking incidents among homeless youth: Female Youth- 7% (24% S&L), Male Youth- 9% (16% S&L), LGBTQ Youth- 8% (29% S&L), Youth in Foster Care-10% (23% S&L)

Among 143 unaccompanied minors who were trafficked, 24% were trafficked for labor

ICE domestic agents logged 99,750 hours and spent \$18.72 million on forced child labor investigations in 2018. Cases initiated-142; Arrests- 119, Indictments- 80, Convictions-91 (these case statistics don't indicate how many involve child labor violations)

Goździak, Elzbieta (2016) Trafficked Children and Youth in the United States: Reimagining Survivors, Rutgers University Press, New Brunswick, NJ.

Murphy, Laura, Labor and Sex Trafficking Among Homeless Youth: A Ten City Study, Loyola University (2016), Retrieved online:

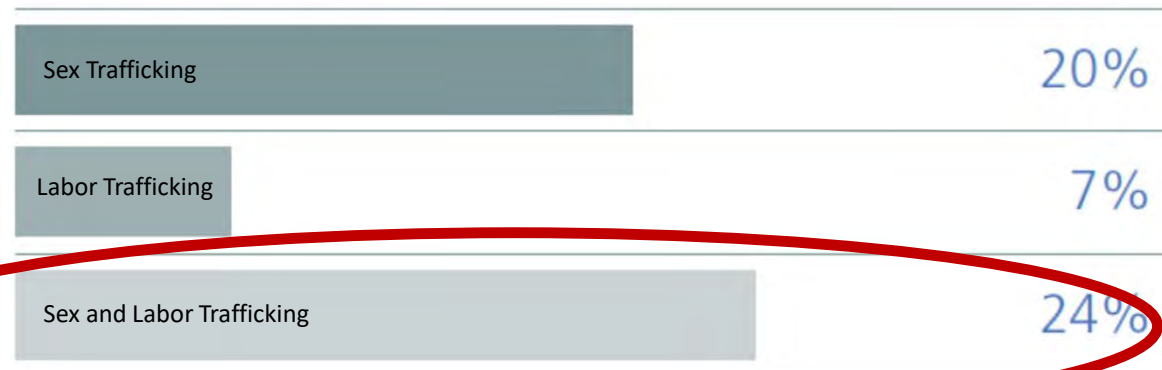
<https://www.covenanthouse.org/sites/default/files/inline-files/Loyola%20Multi-City%20Executive%20Summary%20FINAL.pdf>

Homeland Security Investigations, US Immigration and Customs Enforcement (May 2019) Forced Labor and Forced Child Labor Report: Fiscal Year 2018 Report to Congress, [https://www.dhs.gov/sites/default/files/publications/ice\\_-\\_forced\\_labor\\_and\\_forced\\_child\\_labor.pdf](https://www.dhs.gov/sites/default/files/publications/ice_-_forced_labor_and_forced_child_labor.pdf)

## Incidents of Human Trafficking Among Homeless Youth

- Among **female-identifying youth**:
  - 20% experienced sex trafficking
  - 7% experienced labor trafficking
  - 24% experienced both sex and labor trafficking

### Young Women (243)



Murphy, L. (2016). *Labor and sex trafficking among homeless youth: A ten city study*. New Orleans, LA: Loyola University.  
<https://www.covenanthouse.org/sites/default/files/inline-files/Loyola%20Multi-City%20Executive%20Summary%20FINAL.pdf>

## Incidents of Human Trafficking Among Homeless Youth

- Among **male-identifying youth**:
  - 11% experienced sex trafficking
  - 9% experienced labor trafficking
  - 16% experienced both sex and labor trafficking

### Young Men (383)



Murphy, L. (2016). *Labor and sex trafficking among homeless youth: A ten city study*. New Orleans, LA: Loyola University.  
<https://www.covenanthouse.org/sites/default/files/inline-files/Loyola%20Multi-City%20Executive%20Summary%20FINAL.pdf>

## Incidents of Human Trafficking Among Homeless Youth

- Among **LGBTQ-identifying youth**:
  - 24% experienced sex trafficking
  - 8% experienced labor trafficking
  - 29% experienced both sex and labor trafficking

### LGBTQ Youth (123)



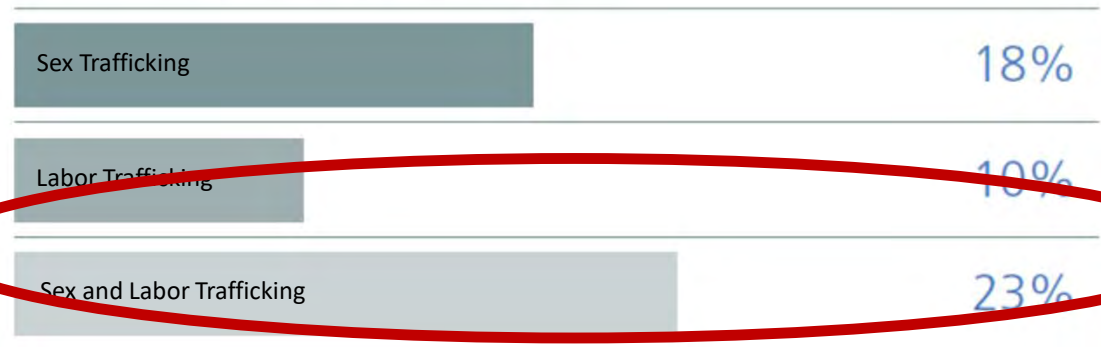
Murphy, L. (2016). *Labor and sex trafficking among homeless youth: A ten city study*. New Orleans, LA: Loyola University.  
<https://www.covenanthouse.org/sites/default/files/inline-files/Loyola%20Multi-City%20Executive%20Summary%20FINAL.pdf>



## Incidents of Human Trafficking Among Homeless Youth

- Among **youth with a foster care history**:
  - 18% experienced sex trafficking
  - 10% experienced labor trafficking
  - 23% experienced both sex and labor trafficking

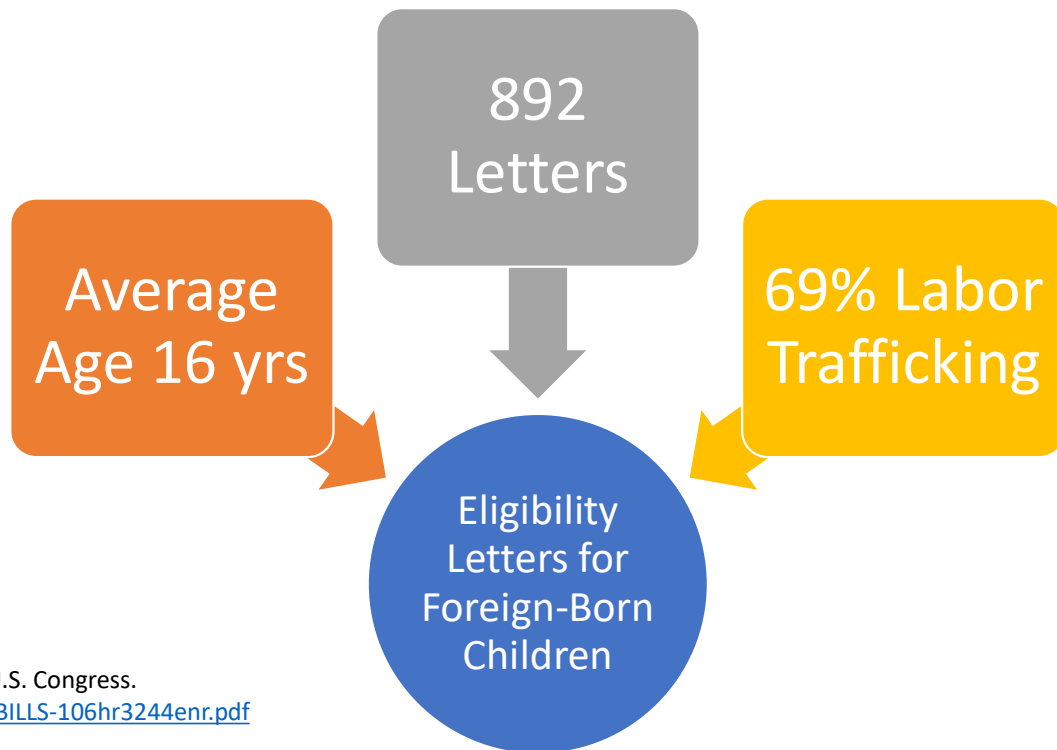
Youth with Foster Care History (137)



Murphy, L. (2016). *Labor and sex trafficking among homeless youth: A ten city study*. New Orleans, LA: Loyola University.  
<https://www.covenanthouse.org/sites/default/files/inline-files/Loyola%20Multi-City%20Executive%20Summary%20FINAL.pdf>

# Eligibility Letters Issued by HHS (FY 2019)

The Trafficking Victim Protection Act requires Federal, State, or local officials to notify HHS within 24 hours after discovering a foreign national minor may have experienced human trafficking to facilitate provision of assistance.



Victims of Trafficking and Violence Protection Act. (2000) 106th U.S. Congress.  
<https://www.govinfo.gov/content/pkg/BILLS-106hr3244enr/pdf/BILLS-106hr3244enr.pdf>

Administration for Children and Families (2020), Victim Assistance Programs- FY 2019, Date of Issuance: April 24, 2020

# Labor Trafficking Typologies

	Illicit Massage, Health & Beauty			Domestic Work
Bars, Strip Clubs & Cantinas		Traveling Sales Crews	Restaurants & Food Services	Peddling & Begging Crews
Agriculture & Animal Husbandry		Health & Beauty Services	Construction	Hotels and Hospitality
Landscaping	Illicit Activities	Arts & Entertainment	Commercial Cleaning Services	Factories & Manufacturing
	Carnivals	Forestry & Logging	Health Care	Recreational Facilities

Polaris. (2017). *The typology of modern slavery: Defining sex and labor trafficking in the United States*. <https://polarisproject.org/typology>

# Traveling Sales Crews

*“Sales crews typically recruit U.S. citizen youth ages 18 to 25, with promises of travel, a care-free life, and the ability to make a lot of money. A “crew” consists of an average of 3 to 40 youth, under the direction of a manager, who moves the crew from city to city every few weeks. Crewmembers receive a small daily stipend of \$8 to \$15 or less, to cover the cost of meals and personal items. Violence, sexual assault, sexual harassment, pressure tactics, and abandonment in unfamiliar cities are common.”*

*- Polaris*



Magazines



Candy



Books



CDs / DVDs

Image Sources: Stock Images and Shutterstock, Used with Permission

Polaris, “Sales Crews, Peddling, and Begging Rings” (accessed online Feb 2021), <https://humantraffickinghotline.org/what-human-trafficking/labor-trafficking/sales-crews-peddling-begging-rings>

# Peddling / Begging

*“Begging and peddling rings may target immigrants who are vulnerable to exploitation due to language barriers and a lack of alternative job options.”*

*“In some cases, traffickers may pose under the guise of a seemingly legitimate charitable or religious organization claiming to provide trips and enrichment services to ‘at-risk youth’. These rings exploit young U.S. children by forcing them to sell candy... or solicit “donations” on streets or in shopping centers. Parents may also exploit their own children in begging rings.”*



Holding Signs



Sitting with Adults for Sympathy



Selling items



Asking for Money

## Polaris

Polaris, “Sales Crews, Peddling, and Begging Rings” (accessed online Feb 2021), <https://humantraffickinghotline.org/what-human-trafficking/labor-trafficking/sales-crews-peddling-begging-rings>  
Image Sources: Stock Images and Shutterstock, Used with Permission

Polaris. (2017). *The typology of modern slavery: Defining sex and labor trafficking in the United States*. <https://polarisproject.org/typology>

# Domestic Work

*“Labor trafficking victims in domestic work commonly work 12-18 hours a day (some as much as 24/7) for little to no pay. They may experience extreme isolation and confinement, sexual harassment, high levels of monitoring, debt bondage, extreme wage theft, and restricted access to food and medical care. Labor trafficking in domestic work can often last for years or even decades.” - Polaris*

Victims are often (though not always) female and may be foreign-born. Some victims go to school, others are required to remain only in the home.



Cleaning House



Nanny



Outdoor Work



Residential Business

Image Sources: Stock Images and Shutterstock, Used with Permission

Polaris. (2017). *The typology of modern slavery: Defining sex and labor trafficking in the United States*. <https://polarisproject.org/typology>

# Agriculture

*“ Investigations found consistent, significant risks to children’s health and safety who are working on tobacco farms in the United States. The children are exposed to nicotine and toxic pesticides. Every child interviewed described having illnesses with specific symptoms associated with acute nicotine poisoning and pesticide exposure, including nausea, vomiting, loss of appetite, headaches, dizziness, irritation and difficulty breathing. Ironically, it is still legal in the United States for children as young as 12 to work on tobacco farms, as long as they have parental permission. There are no age limitations for children who work on small, family-owned farms.” - Lou Gutheil*



Tobacco



Cotton



Food Crops



Residential  
Business

Image Sources: Stock Images and Shutterstock, Used with Permission

Gutheil, Lou, “Not Gone, but Forgotten: Millions of Children Trapped Between Poverty and the Profits of Others (2019). *The typology of modern slavery: Defining sex and labor trafficking in the United States* <https://www.gfa.org/special-report/child-labor-today/>

## Recreational Facilities / Sports

*“Victims are usually misled with false employment contracts promising free transportation to and from work, fairly priced housing, a living wage.” - Polaris*

Victims may also be promised a good education or a career as a successful athlete. Many child and youth victims are foreign-born and may be brought to the US on F-1 student visas, while others are undocumented. They may be moved around between communities to keep them more isolated.



Basketball



Golf Course



Carnivals / Fairs



Summer Camp

Image Sources: Stock Images and Shutterstock, Used with Permission

Polaris. (2017). *The typology of modern slavery: Defining sex and labor trafficking in the United States*. <https://polarisproject.org/typology>



# Illicit Activities

*“[Child and youth are exploited] in illicit activities as in any legitimate labor industry. Often involves street-level drug distribution businesses and cross border drug smuggling, along with general domestic gang activity. Domestic gangs tend to target vulnerable boys and young men who are looking for protection and a surrogate “family unit” and convince them to act as look-outs and commit burglary and sometimes more violent crimes for profit. Latino cartels and other criminal entities are known to abduct people or fraudulently promise their victims protection in their migration to the United States only to force them to carry drugs across the border. - Polaris*



Drug Muling



Selling Drugs



Shoplifting



Gang Activity

Image Sources: Stock Images and Shutterstock, Used with Permission

Polaris. (2017). *The typology of modern slavery: Defining sex and labor trafficking in the United States*. <https://polarisproject.org/typology>

# Risk Factors Among Children and Youth



Family and Youth Services Bureau (2020). ISSUE BRIEF- Human Trafficking Prevention: Strategies for Homeless and Runaway Youth Settings, available online.

Kaufka Walts, Katherine (2017). Child Labor Trafficking in the United States: A Hidden Crime, Center for Human Rights of Children, Loyola University Chicago, Social Inclusion Journal 2017, Volume 5, Issue 2, Pages 59-68.

Goździak, Elżbieta (2016) Trafficked Children and Youth in the United States: Reimagining Survivors, Rutgers University Press, New Brunswick, NJ

Child Welfare Information Gateway. (2019). Responding to child victims of human trafficking. Washington, DC: U.S. Department of Health and Human Services, Administration for Children and Families, Children's Bureau, <https://www.childwelfare.gov/pubPDFs/traffickingresponse.pdf>

# Protective Factors for Children and Youth

## Individual Factors

- Economic Well-Being (self and family)
- Social Connections
- Emotional Competence
- Nurturing Relationships
- Presence of a Supportive Adult
- Increased Self-Confidence

## Family Factors

- Connections to Community Resources
- Parenting Skills
- Parenting Resilience
- Concrete Support for Families

Chisolm-Straker, M. et al. (2018). A supportive adult may be the difference in homeless youth not being trafficked. *Children and Youth Services Review, 91*, 115–120.

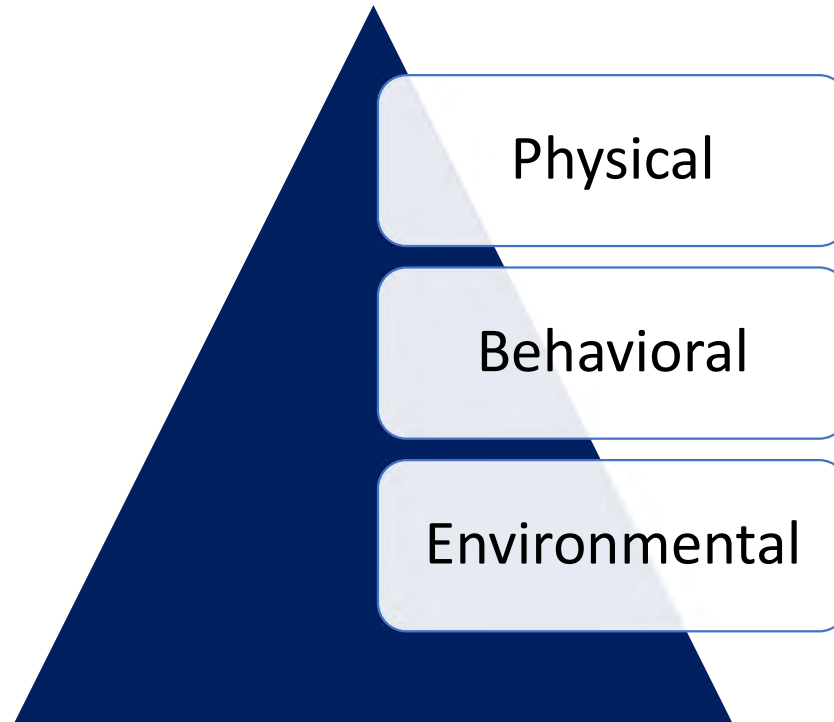
Goździak, Elżbieta (2016) *Trafficked Children and Youth in the United States: Reimagining Survivors*, Rutgers University Press, New Brunswick, NJ

# Populations Impacted by Labor Trafficking

- Young children and adolescents
- Children of any race and culture
- United States citizen and foreign-born children
- Children traveling to the United States alone (unaccompanied minors)
- Children traveling to the United States with their families
- All genders
- Homeless youth and youth absent from care
- Children and youth in the foster care system
- LGBTQ youth

Kaufka Walts, Katherine (2017). Child Labor Trafficking in the United States: A Hidden Crime, Center for Human Rights of Children, Loyola University Chicago, Social Inclusion Journal 2017, Volume 5, Issue 2, Pages 59-68.

# Potential Indicators of Trafficking



# Barriers to Identification

- The child's fear of deportation
- The effects of trauma
- Being expressly coached to deny any abuse or exploitation
- Child may not know they have been trafficked or that rights were violated
- Showing control may be difficult due to power imbalance between adults and children

Kaufka Walts, Katherine (2017). Child Labor Trafficking in the United States: A Hidden Crime, Center for Human Rights of Children, Loyola University Chicago, *Social Inclusion Journal* 2017, Volume 5, Issue 2, Pages 59-68.

# Kentucky State Law

Labor Trafficking of Children and Youth

# KRS Human Trafficking Crimes

**Human Trafficking (KRS 529.010):** refers to criminal activity whereby one or more persons are subjected to engaging in:

- a) Forced labor or services; or
- b) Commercial sexual activity through the use of force, fraud, or coercion ***except that if the trafficked person is under the age of eighteen, the commercial sexual activity need not involved force, fraud, or coercion*** (emphasis added)

**Crime of Human Trafficking (KRS 529.100):** A person is guilty of human trafficking when the person intentionally subjects one or more persons to human trafficking

**Promotion of Human Trafficking (KRS 529.110):** A person is guilty of promoting human trafficking when the person intentionally:

- a) Benefits financially or receives anything of value from knowing participation in human trafficking; or
- b) Recruits, entices, harbors, transports, provides or obtains by any other means, or attempts to recruit, entice, harbor, transport, provide, or obtain by any means, another person knowing that the person will be subject to human trafficking

Kentucky Revised Statute (2020), Kentucky General Assembly, KRS 529.010, KRS 529.100, KRS 529.110, accessed online:  
<https://apps.legislature.ky.gov/law/statutes/chapter.aspx?id=39397>



# Safe Harbor : Services, not Criminalization

- **Prohibits prosecution of anyone under 18 for prostitution** or loitering for prostitution and requires law enforcement to report those cases to CHFS as possible victims of HT. KRS 529.
- Prohibits charging for or finding guilt for **status offenses** related to conduct arising out of the HT of the child unless it is later determined child was not a victim of HT. KRS 630.125.

Kentucky Revised Statute (2020), Kentucky General Assembly, KRS 529.010, KRS 529.100, KRS 529.110, accessed online:  
<https://apps.legislature.ky.gov/law/statutes/chapter.aspx?id=39397>

# Safe Harbor: Police Response

- Permits **law enforcement** to take a child victim of HT into protective custody, similar to sexual abuse cases, after making mandatory report to Cabinet. KRS 529.

Kentucky Revised Statute (2020), Kentucky General Assembly, KRS 529.010, KRS 529.100, KRS 529.110, accessed online:  
<https://apps.legislature.ky.gov/law/statutes/chapter.aspx?id=39397>

# Human Trafficking Victims Rights Act (HTVRA) Safe Harbor

## **Child victims of human trafficking should be treated as victims, not criminals.**

- Requires a report to CHFS if there is reasonable cause to believe a child is a victim of human trafficking (forced labor or commercial sex) .
- Adds human trafficking to the mandatory reporting statute for child abuse.
- The case is required to be treated as a **dependent, neglected, or abused (DNA)** case regardless of whether the perpetrator was a parent, guardian or someone exercising custodial control or supervision. KRS 620.030 (3).

Kentucky Revised Statute (2020), Kentucky General Assembly, KRS 529.010, KRS 529.100, KRS 529.110, accessed online:  
<https://apps.legislature.ky.gov/law/statutes/chapter.aspx?id=39397>

# Safe Harbor : The Cabinet Response

## **Cabinet for Health and Family Services must:**

- Provide assessment, treatment, housing, and services to the child as a victim of HT and treat the child as a DNA child. KRS 620.040 (1) (b).
- Proceed with the case in accordance with DNA statutes regardless of whether the perpetrator was a parent, guardian or someone exercising custodial control or supervision. KRS 620.040 (1).
- **Respond to the report of human trafficking of a child within four to twenty four hours by treating it as a high-risk case, like a report of sexual abuse**

Kentucky Revised Statute (2020), Kentucky General Assembly, KRS 529.010, KRS 529.100, KRS 529.110, accessed online:  
<https://apps.legislature.ky.gov/law/statutes/chapter.aspx?id=39397>

# Uniform Crime Report

KRS	Code	Description	Level	Class
529.100	40100	Human Trafficking	Felony	C
529.100	40101	Human Trafficking (serious physical injury)	Felony	B
529.100	40102	Human Trafficking (victim u/18 YOA)	Felony	B
529.100	40083	Human Trafficking- Forced Labor	Felony	C
529.100	40091	Human Trafficking- Commercial Sex Activity	Felony	C
529.110	40104	Promoting Human Trafficking	Felony	D
529.110	40105	Promoting Human Trafficking (victim u/18 YOA)	Felony	C
620.030	02819	Failure to report victim of human trafficking (first offense)	Misdem.	B

Kentucky State Police (2020), *Kentucky Uniform Crime Reporting Codes*, accessed online: <http://kentuckystatepolice.org/crime-traffic-data/>

# Survivors of Labor Trafficking have Rights in Federal and State Law

- Right not to be imprisoned or detained for underlying offenses, unless
  - Detention is least restrictive alternative
  - Necessary for safety
  - Poses threat to community safety
- Victims should not be held culpable for crimes that were committed as a direct result of their victimization
- Communications between trafficking victim and trafficking counselor are privileged.

22 U.S.C. § 7102, Victims of Trafficking and Violence Protection Act. (2000). Sec. 201–103, 106th U.S. Congress.  
<https://www.govinfo.gov/content/pkg/BILLS-106hr3244enr/pdf/BILLS-106hr3244enr.pdf>

Kentucky Revised Statute (2020), Kentucky General Assembly, KRS 422.295(c), KRS 431.063, KRS 529.010, KRS 529.100, KRS 529.110,  
accessed online: <https://apps.legislature.ky.gov/law/statutes/chapter.aspx?id=39397>

## HB2- 2020 Kentucky General Assembly

- Amended KRS 529.010 to create new definitions related to human trafficking; amended KRS 529.100 to specifically list the elements of human trafficking.
- Added definitions of debt bondage and forced labor
- Removed requirement of kidnapping in labor trafficking definition
- Added the following as means of control:
  - Abuse (or threatened abuse) of legal process
  - Destroying, concealing, removing, confiscating or possessing of identity documents
  - Use of debt bondage
  - Facilitation, controlling, or threatening to control and individual's access to a controlled substance

Kentucky Revised Statute (2020), Kentucky General Assembly, KRS 620.030(3)  
accessed online: <https://apps.legislature.ky.gov/law/statutes/chapter.aspx?id=39397>

# Child Trafficking Response

- Child Victims Protection Act / Safe Harbor
- Mandatory Report to CHFS
- Criminal investigations may be federal or state
- Screenings provided by DCBS, CDWs and DJJ

Kentucky Revised Statute (2020), Kentucky General Assembly, KRS 529.010, KRS 529.100, KRS 529.110  
accessed online: <https://apps.legislature.ky.gov/law/statutes/chapter.aspx?id=39397>



## Kentucky State Law on Children Absent from Care

- Assess a child's experiences while absent from care
- When child that has been missing is located, the social worker must do the following:
- Interview the child within 48 hours of their return to evaluate the following:– Factors that contributed to the child's disappearance–The child's current level of functioning–The child's experiences while missing–Screening for human trafficking victimization while absent from their placement

# Kentucky Specific Data

Labor Trafficking of Children and Youth

# Labor Trafficking of Children and Youth in Kentucky

US Citizen Children and Youth

Foreign-Born Children and Youth

Formal and Informal Labor Sectors

# Labor Sectors: Formal and Informal

## Formal Labor Sectors

- Agriculture and animal husbandry
- Restaurants and food services
- Factories and manufacturing
- Commercial cleaning
- Construction
- Massage, health, and beauty
- Landscaping
- Recreation
- Hotels and hospitality
- Health care
- Forestry and logging

## Informal Labor Sectors

- Childcare
- Domestic work
- Carnivals
- Traveling sales crews
- Panhandling/begging
- Illicit activities
  - Drug trafficking
  - Shoplifting

# Labor Typologies Involving KY Children and Youth

	Illicit Massage, Health & Beauty			Domestic Work
Bars, Strip Clubs & Cantinas		Traveling Sales Crews	Restaurants & Food Services	Peddling & Begging Crews
Agriculture & Animal Husbandry		Health & Beauty Services	Construction	Hotels and Hospitality
Landscaping	Illicit Activities	Arts & Entertainment	Commercial Cleaning Services	Factories & Manufacturing
	Carnivals	Forestry & Logging	Health Care	Recreational Facilities

Polaris. (2017). *The typology of modern slavery: Defining sex and labor trafficking in the United States*. <https://polarisproject.org/typology>

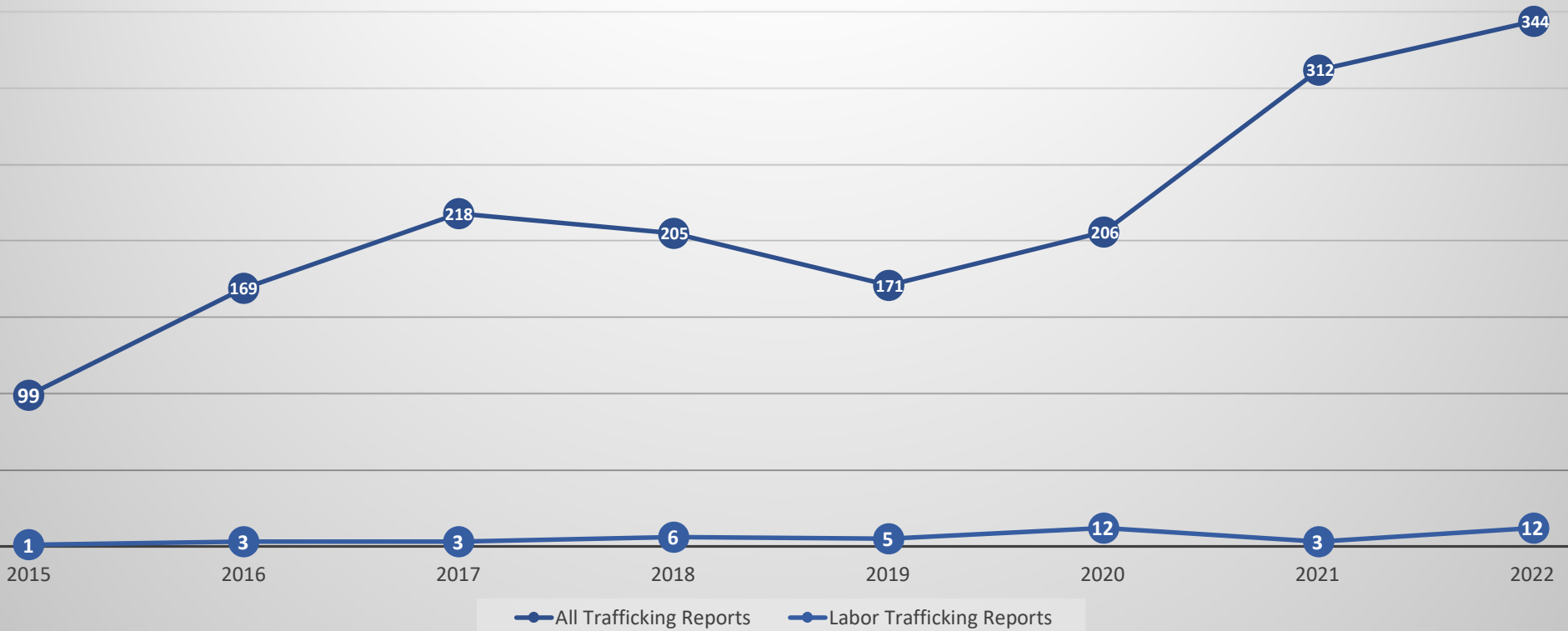
# Labor Trafficking Incidents Reported in Kentucky



Total Labor Trafficking Incidents Reported to CHFS = 45  
(3% of all reports)

Source: 2015-2022 CHFS Child Trafficking in Kentucky Report to the Legislature, November 2015, 2016, 2017, 2018, 2019, 2020, 2022

### All Human Trafficking & Labor Trafficking Only Reported to CHFS (2015-2022)



Source: 2015-2022 CHFS Child Trafficking in Kentucky Report to the Legislature, November 2015, 2016, 2017, 2018, 2019, 2020, 2022

# Labor Trafficking Incidents Reported in Kentucky

The 2015-2022 CHFS Child Trafficking in Kentucky Reports highlight door to door sales as the most common labor trafficking reported among children and youth.



Youth found working in a massage parlor



Child or youth found traveling & working with magazine or candy sales



Child or youth found traveling & working in other sales

Source: 2015-2022 CHFS Child Trafficking in Kentucky Report to the Legislature, November 2015, 2016, 2017, 2018, 2019, 2020, 2021, 2022





# Presentation of Labor Trafficking Among Children and Youth in Kentucky

A foreign-born teen is sold into marriage to an adult man who brings her to the US where he sexually assaults her and forces her to work in the fields.

A mother and stepfather require 4 teen daughters to make items to sell and advertise them for work to others. Tattooed, sexually abused, and punished excessively.

An unaccompanied minor is forced at gunpoint to bring marijuana across the US border. He is released from immigration detention to a sponsor, who is his aunt.

A foreign-born teen is recruited to play basketball by a "scout" who brings him to the US. He is not allowed to attend the school on his visa, is required to practice basketball day in and day out, left alone for days at a time, without food, with many other teens in similar circumstances.

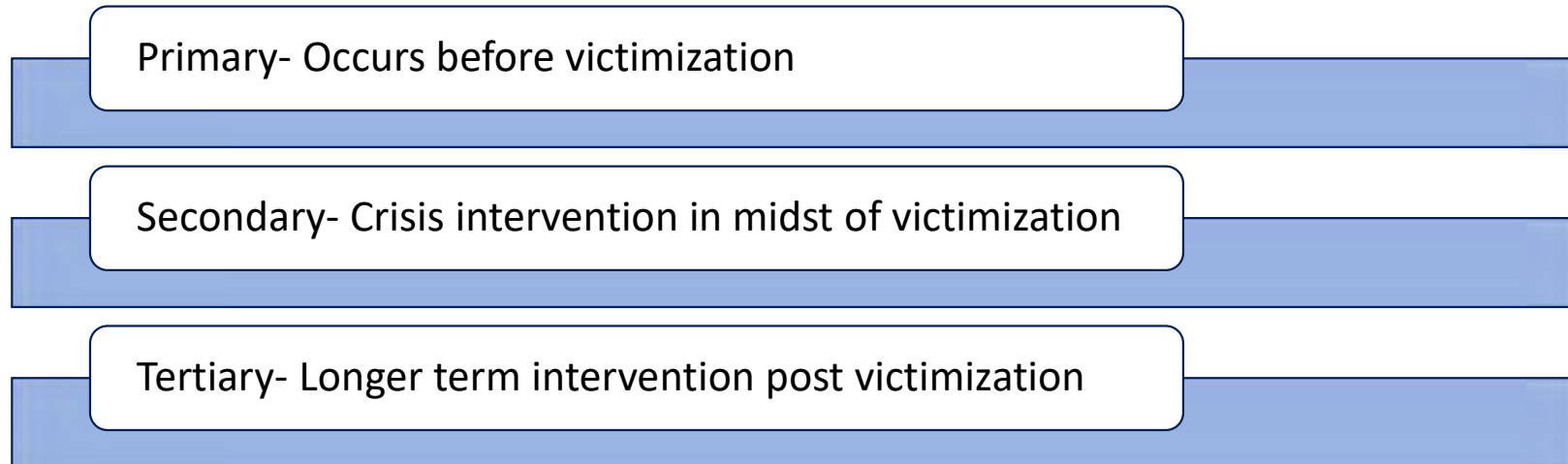
Parents require their children to assist in their panhandling scheme: taking money from cars, holding signs, counting money, and also sexually abuse the children.

A 10yr old child is brought to the US from another country and required to do domestic work, including caring for the children in the house. She is not paid, not provided basic sanitary items, required to fix food she is not allowed to eat, not called by her name but instead called by a nickname which means "dog", allowed to sleep only a few hours a night, frequently verbally abused, and not permitted to have contact with her family.

# Prevention & Intervention

Labor Trafficking of Children and Youth

# Levels of Prevention



Adapted from Department of Health and Human Services. (2019). *The levels of prevention*. <https://vetoviolence.cdc.gov/levels-prevention>  
Adapted from Family and Youth Services Bureau (2020). ISSUE BRIEF- Human Trafficking Prevention: Strategies for Homeless and Runaway Youth Settings, available online

# Strategies to Build Protective Factors

- Flexible, client-first, “non-linear” programs
- Informing youth of their rights
- Job skills training
- Healthy and unhealthy relationship curriculum
- Integrating discussion about social media
- Safety planning and harm reduction
- Support network building

Family and Youth Services Bureau (2020). ISSUE BRIEF- Human Trafficking Prevention: Strategies for Homeless and Runaway Youth Settings, available online

# Engaging in Prevention as Professionals

- Integration of prevention into local task forces and coalitions
- Partnering with groups serving youth experiencing homelessness and absence from care
- Building capacity at the intersections of human trafficking among runaway and homeless youth
- Ensuring prevention education materials are not re-traumatizing or exploitative
- Court intervention
- Promoting prevention in rural and tribal areas
- Increasing awareness of youth absent from care

Family and Youth Services Bureau (2020). ISSUE BRIEF- Human Trafficking Prevention: Strategies for Homeless and Runaway Youth Settings, available online

## It may be easier to talk about labor...

- Talk with children and youth about workers rights
- Discuss workplace conditions
- Explain where the lines are
  - wage/hour violations, wage theft, labor trafficking
- Let children and youth know how the law protects them
- Provide access to resources for more information
- This can be done at a young age, in age-appropriate ways

# Considerations when Talking with Children and Youth about Labor Trafficking and Exploitation

- **KEEP IN MIND:** You never know when you may get a disclosure
- It's important to be present
- Ask open-ended questions that address migration, daily life, access to basic needs, work conditions, etc. (VERA Screening Tool: TVIT)
- Have a written policy and protocol in place



# Recommended Services for Survivors and Those at Risk of Trafficking

- Victim-centered approach
- Coordinated services for both the survivor and their family
- Trauma-informed services
- Safety Planning
- Therapeutic Services
- Advocacy
- Legal Services

Source: Greenbaum J, Crawford-Jakubiak JE. Child sex trafficking and commercial sexual exploitation: health care needs of victims. *Pediatrics*. 2015;135(3):566-74. <http://pediatrics.aappublications.org/content/135/3/566>

## Service Intervention: Connection to Resources

- KY Dept. for Community-Based Services
  - Child Protection Branch
  - Out of Home Care Branch
  - Clinical Services Branch
- Catholic Charities of Louisville
  - Bakhita Empowerment Initiative
  - Family Support Services
  - Immigration Legal Services
  - Migration and Refugee Services
- Children's Advocacy Centers
- Local Task Forces and Coalitions

# Eligibility Letter Request Process

If you are working with a foreign national minor and have concerns that they may have experienced forced labor or commercial sex at any point in their life, [submit a referral](#) through the [Shepherd Case Management System](#) [Visit disclaimer page](#).

OTIP Child Protection Specialist:  
202-205-4582

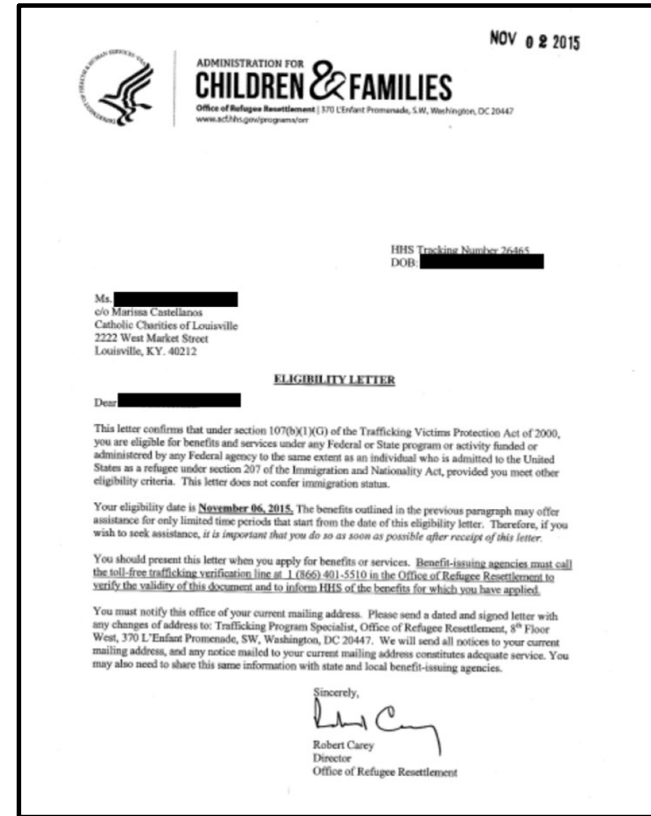


Image Source: Catholic Charities of Louisville, Used with Permission

# National Human Trafficking Hotline



Source: National Human Trafficking Hotline (2020), online at: <https://humantraffickinghotline.org/>

## Human Trafficking: At Risk Populations, Indicators, and Protective Factors

This resource is a service-planning tool. If previously undisclosed human trafficking is suspected, please refer to [SOP 2.15.9 Investigations of Human Trafficking](#).

Not all risk factors or indicators listed below are present in every human trafficking situation, and the presence or absence of any of the risk factors or indicators is not necessarily proof of human trafficking. [When indicators of human trafficking are present, further screening or assessment may be warranted](#). The presence of protective factors does not necessarily mitigate risk, but are important factors for consideration in case/service planning with survivors and those at risk of human trafficking.

**At Risk Populations:** While anyone can be affected by trafficking, available research indicates some populations that live and work in the communities you serve are at more vulnerable to trafficking. These include, but are not limited to:

- Youth who experience homelessness<sup>1,2</sup>
- Youth who have runaway episodes<sup>1,3-5</sup>
- Youth who are, or have been, in out-of-home-care<sup>4,5</sup>
- Youth who are undocumented<sup>6</sup>
- Black, Indigenous, or Youth of Color<sup>3,7,8</sup>
- Lesbian, Gay, Bisexual, Transgender, and Queer/Questioning (LGBTQ+) individuals<sup>9-11</sup>
- Youth who have physical, emotional and behavioral health challenge<sup>12</sup>
- Survivors of other crimes, particularly child abuse, child maltreatment, or sexual assault<sup>5</sup>
- Youth who are or have been involved with the Department of Juvenile Justice<sup>1,13</sup>
- Youth who have previous allegations of human trafficking, regardless of confirmation

**Indicators:** There are varieties of potential “red flags” that can be indicators of either labor or sex trafficking.<sup>14</sup>

None of these red flags directly indicates trafficking; rather they can offer potential clues that further screening or information gathering may be warranted. These potential indicators are presented as guidelines with encouragement that staff consider individual situations with each child or youth with whom they work.

### Physical Indicators:

- Untreated or undertreated workplace injuries
- Bruising and burns
- Exposure to toxic chemicals
- Respiratory issues
- High number of anonymous sexual partners/older partners
- Multiple pregnancies/abortions
- Physical impacts of long-term trauma
- Frequent treatment for sexually transmitted infections and injuries
- Physical and sexual abuse
- Communicable and noncommunicable disease (e.g., TB, hepatitis)
- Substance misuse
- Dental issues
- Tattoos, burns, or scarring to indicate branding

### Behavioral Indicators:

- Sudden changes in behavior
- Confusing or contradicting stories
- Inability to focus or concentrate
- Unaware of location, age, time
- Protects the person who hurt them, minimizes abuse
- Guilt and shame about experiences
- Reserved/avoiding interaction or providing limited information
- Psychological trauma
- Depression and anxiety disorder
- Sexual acting out in children and young adolescents
- Knowledge and behavior outside of typical range for age

**Environmental Indicators:**

- Accompanied by another person who answers for them, preventing them from speaking freely
- Constantly accompanied by a person who won't leave them alone
- In school settings, students no longer coming to school when they should
- Wearing the wrong clothing based on the season
- Possession of multiple cell phones, hotel keys, fake ID's, etc.
- Living at work or living in overcrowded locations
- Not allowed to take adequate breaks, eat, or drink at work
- Recruited for different work than currently doing
- Homeless minors, and those not living with relatives or foster parents (i.e., living in motel, "couch surfing", living with non-relatives who are several years older)

In addition to the aforementioned physical, behavioral and environmental red flags, ask yourself: *Do you have any other reason to believe the child may be a victim of human trafficking?* Whatever this reason is, including your gut feeling, if it is new and unexplored, consider it an indicator that warrants further screening.

**Protective Factors for Children in Foster Care**

Protective factors are conditions or attributes of individuals, families, communities, or the larger society that, when present, promote well-being and reduce the risk for negative outcomes. These factors may "buffer" the effect of risk exposure and help individuals and families negotiate difficult circumstances and fare better in school, work, and life.

The following presents the nine protective factors with the strongest evidence to date for youth in and aging out of foster care.<sup>15</sup>

<b>Individual Level</b>	<b>Relationship Level</b>	<b>Community Level</b>
Self-regulation skills	Parenting competencies	Positive school environment
Relational skills	Caring adults	Stable living situation
Academic skills	Living with family member(s)	Supports for independent living

The impact of stability and healthy relationships with safe adults cannot be overstated. Traffickers exploit existing vulnerabilities; youth are less likely to fall prey to these tactics when they have caring adults around them. As you assess the child's needs and identify potential resources, keep the child's risk and protective factors in mind. Services should strive to decrease risk while increasing natural supports/protection.

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This tip sheet was created with the support of grant 2020-NZ-NX-0003-00, awarded by the Office for Victims of Crime, Office of Justice Programs, U.S. Department of Justice. The opinions, findings, and conclusions or recommendations expressed in this content are those of the contributors and do not necessarily represent the official position or policies of the U.S. Department of Justice.

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# Louisiana Care Coordination:

*A Statewide Model for Crisis Recovery and Long-Term Support of Minor Victims of Trafficking*

Training Date | Agency being trained  
Coordinator Name





# Disclaimer

This content was produced by the Louisiana Child and Youth Trafficking Collaborative under 2021-63005, awarded by the Office for Victims of Crime, Office of Justice Programs, U.S. Department of Justice. The opinions, findings, and conclusions or recommendations expressed in this guide are those of the contributors and do not necessarily represent the official position or policies of the U.S. Department of Justice.



# Outline of Presentation

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- Overview of the Louisiana Child and Youth Trafficking Collaborative
- Understanding the Scope of Human Trafficking in Louisiana
- Care Coordination Model
- Case Study
- Get Involved



# Louisiana Child and Youth Trafficking Collaborative (LCYTC)

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The **Louisiana Child and Youth Trafficking Collaborative (LCYTC) Accessibility Initiative** is a multi-year project to improve outcomes of child and youth victims of human trafficking. The project is administered by the **Louisiana Governor's Office** in collaboration with the **Louisiana Alliance of Children's Advocacy Centers**.

The vision for the LCYTC Accessibility Initiative (AI) is to ensure that all children in Louisiana, regardless of their location or identity, have access to a comprehensive continuum of care.



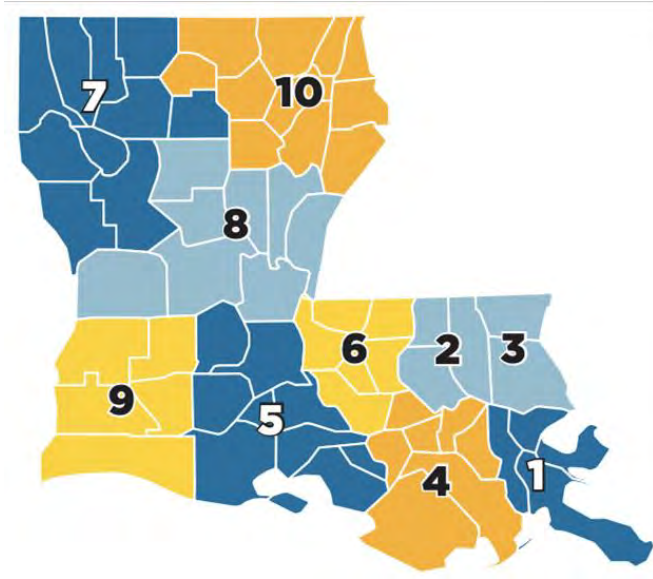
The Louisiana Child and Youth Trafficking Collaborative

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# Regional Care Coordinators

To find your region's coordinator, visit <https://www.lacacs.org/lcytc>.



- 1- Orleans:** New Orleans Children's Advocacy Center
- 2- Covington I:** Child Advocacy Services
- 3- Covington II:** Hope House Children's Advocacy Center
- 4- Thibodaux:** Terrebonne Children's Advocacy Center
- 5- Lafayette:** Hearts of Hope
- 6- Baton Rouge:** Baton Rouge Children's Advocacy Center
- 7- Shreveport:** Gingerbread House Children's Advocacy Center
- 8- Alexandria:** Children's Advocacy Network
- 9- Lake Charles:** Family and Youth Counseling Agency
- 10- Monroe:** Children's Advocacy Center of Northeast Louisiana.



# About Children's Advocacy Centers

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**Children's Advocacy Centers (CAC) protect and care for victims of child abuse, neglect, human trafficking, and children who witness violent crimes.**



- Children's Advocacy Centers coordinate the investigation, treatment, and prosecution of child abuse cases by **utilizing multidisciplinary teams of professionals**.
- Services offered by CACs statewide: Multidisciplinary teams, Forensic interviews conducted in an objective, non-duplicative manner, Medical evaluation and treatment\*, Therapeutic intervention\*, Victim support/advocacy, Case review and tracking.
- To find your local Children's Advocacy Center, visit <https://www.lacacs.org/>.



The Louisiana Child and Youth Trafficking Collaborative

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# Understanding the Scope of Human Trafficking in Louisiana

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# Human Trafficking Defined:

Human trafficking is **the crime of using force, fraud, or coercion to induce another person into commercial sex acts or labor services against their will;** or to induce a person under the age of 21 into commercial sex acts.\*

Two major types of trafficking:

- Sex trafficking in which a commercial sex act is induced by force, fraud, or coercion, or in which the person induced to perform such an act has not attained 21 years of age (LA RS 14:46.2 and RS 14: 46.3).
- Labor trafficking in which a person is induced to perform labor or services through force, fraud, or coercion. (RS 14:46.2)

\*Under Louisiana law, any person under the age of 21 that is engaged in commercial sexual activity is considered a victim of crime.



# Statewide Data Collection

## Louisiana Human Trafficking Data Report 2022



992 Total Served  
592 (65%) Confirmed  
309 (30%) Suspected  
44 (4%) Unknown



**GENDER**  
871 (88%) Female  
96 (10%) Male  
9 (1%) Transgender  
4 (4%) Non-Binary  
12 (1%) Unknown



**AGE**  
693 (70%) 17 & under  
296 (30%) 18 & over  
3 (<1%) Unknown



**RACE**  
524 (53%) African American  
389 (39%) White  
30 (3%) Multi-Racial  
9 (.9%) American Indian  
or Alaska Native  
2 (.2%) Asian  
18 (2%) Other  
20 (2%) Unknown



**ETHNICITY**  
843 (85%) Not Hispanic or  
Latino  
88 (9%) Hispanic or Latino  
61 (6%) Unknown



**TYPES OF TRAFFICKING**  
779 (79%) Sex Trafficking  
41 (4%) Sex & Labor  
23 (2%) Labor Trafficking  
149 (15%) Unknown

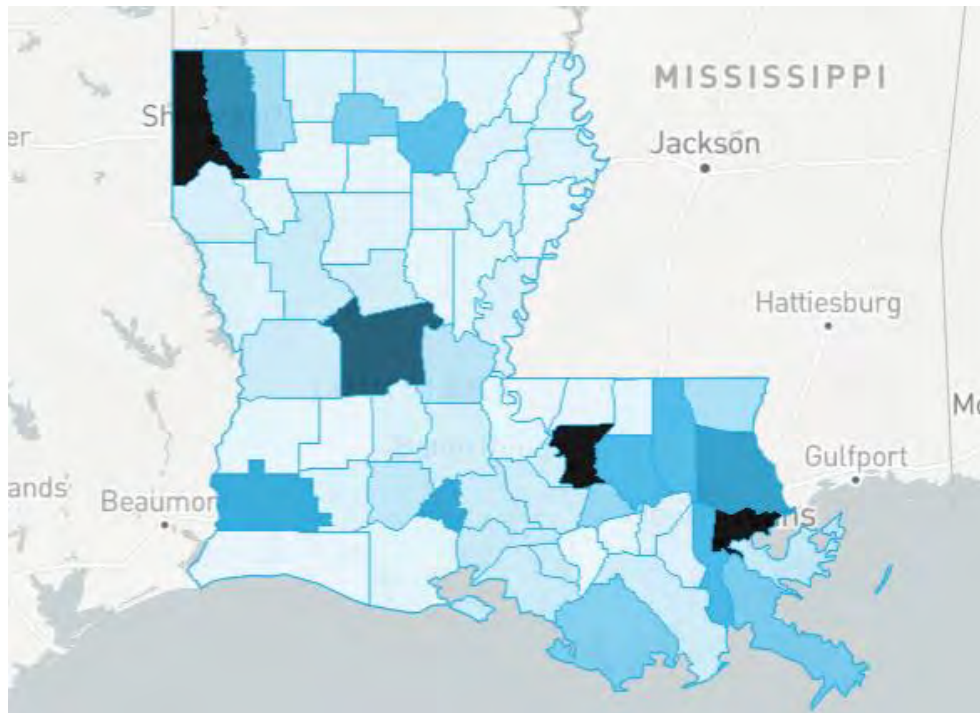


## Trafficking by Region

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Between 2017-2022, the majority of trafficking incidents were concentrated in the large urban areas, led by New Orleans, Shreveport, Baton Rouge, and Alexandria.

Many rural parishes also recorded incidences of human trafficking.





# Care Coordination Model for Child and Youth Trafficking Victims

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# A Care Coordination Model

## What is LCYTC Care Coordination?

### Advisory Team

**Airplane level**  
*Addressing system-wide issues and opportunities*

A collaborative, multi-disciplinary team of field experts that meets regularly to address systemic issues and opportunities in their community's anti-trafficking response.

*Sample topics of meetings include:*

- Outreach and awareness
- Systemic challenges facing survivors
- Training
- Improving collaborative practices
- Writing protocols
- Conflict resolution
- Ongoing education for providers
- System mapping and identifying new partners

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### Case Coordination

**On the ground level**  
*Addressing the specific needs of individual victims*

A collaborative, multi-disciplinary team meeting to assess and respond to the needs of specific trafficking victims through the case review process. Case coordination processes are based on the level of urgency affiliated with the client's case.

*Sample topics at case reviews include:*

- Social service needs
- Investigative interview
- Interpersonal support/mentoring
- Safety planning
- Mental health and general health care

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#### Emergency Response

*A multidisciplinary review of a specific case that occurs within 72 hours of referral to address immediate needs of a victim and provide urgent interventions.*

#### Ongoing Case Review

*A multidisciplinary team meeting that occurs regularly to assess one or more cases for service needs, investigative updates, and referral opportunities.*

Care Coordination is facilitated by established Children's Advocacy Centers, and at a minimum provides to confirmed and suspected victims:

- **Emergency** multidisciplinary coordination and service planning to address immediate needs of the victim following identification and investigative needs.
- **Ongoing** multidisciplinary coordination and service planning to address the long-term service needs of the victim, and investigative needs.
- **Advisory** meetings to address the continuous improvement of care coordination processes.

# Care Coordination Teams

Team Members may include:

- Care Coordinator
- Law Enforcement
- DCFS
- District Attorney's Office
- Service Providers
- Juvenile Justice
- Medical Providers
- Survivor Consultants
- Advocate (in 2023)



## Reporting and Referrals

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- **Act 662 Requirements:** As of January 1, 2023, DCFS will receive all calls of child sex trafficking. To report a case of suspected sex trafficking, call the DCFS child abuse/neglect hotline at **855-452-5437**, then select **option #4**. The hotline is toll-free, 24 hours a day, 7 days a week. DCFS reports cases of confirmed or suspected trafficking to Louisiana State Police and to Care Coordination services.
- **Referrals to Care Coordination:** Contact your local CAC, Regional Care Coordinator, or email [carecoordination@lacacs.org](mailto:carecoordination@lacacs.org).

Learn more about Act 662 and reporting to DCFS at  
[www.dcfs.la.gov/page/juvenile-sex-trafficking](http://www.dcfs.la.gov/page/juvenile-sex-trafficking)



# Your Region's CCT

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## Care Coordination Team Members

- Care Coordinator



# Your CCT Protocols

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# Your CCT Advisory Team and Members

A collaborative, multi-disciplinary team of field experts that meets regularly to address systemic issues and opportunities in our community's anti-trafficking response.

- Outreach and awareness
- Systemic challenges facing survivors
- Training and ongoing education
- Writing protocols
- Conflict resolution
- System mapping and identifying new partners

## Advisory Team Members

- Care Coordinator







# Care Coordination Case Study

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# Case Study: Referral

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# Case Study: Emergency Response

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A case review for a specific case within 72 hours to 7 days of victim identification and referral - depending on the needs and urgency of the case.



# Case Study: Ongoing Care Coordination

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Multidisciplinary Teams (MDTs): Regular meetings that occur on a set schedule monthly that can respond to one or more individual cases to identify the client's service needs and issues related to their case.



# Case Study: Outcome

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## Case Study: [You Decide]

Fill in or rearrange any other slides with additional info, depending on the nature of the case. Be sure to make it narrative and follow the flow of the case. Other topics you could cover:

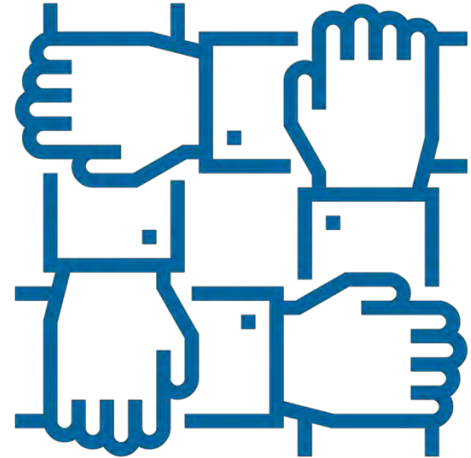
- Prosecution
- Case Review
- Forensic Interview
- Recovery of Child, etc



## Get Involved

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- Join a Care Coordination Team
- Request additional training
- Screen for child trafficking
- Contact us:





## Facilitation Techniques

One of the biggest challenges of hosting an MDT is the process of hosting and facilitating meetings. Below are some resources to support you as you build your facilitation skills. In addition, I have added my own tips and tricks that I learned from coordinating in my past.

*Document compiled by Leanne McCallum, LACAC. If you have questions or any additions you'd like to make, please email [leanne@lacacs.org](mailto:leanne@lacacs.org) to have the document adjusted!*

### Facilitator 101:

- [9 Characteristics of a good Facilitator](#) Kickstart Alliance
- [Activity: Exploring the Four Leadership Styles](#)
- [How you spot the different personality types in meetings - HUONE International](#)
- [MDT Facilitator resources](#): Southern Regional
- *Leanne's tips and tricks:*
  - **Find your leadership and confidence before the meeting starts.** *It can be very scary to facilitate meetings. When I first started, I was often so nervous I could hardly hold my coffee mug without spilling during the meeting. However, it is critical that when you're the facilitator that you establish you're knowledgeable, reliable, and capable. Particularly for young professionals, sometimes team members will judge you as incompetent if you seem nervous or regularly defer to others for guidance or support. It's like the phrase "don't let them see you sweat"- try your best to have confidence in yourself and demonstrate how talented you are! For example, for me to build my confidence I would be extra organized and pre-plan the meetings as much as possible by practicing my introductions ahead of time.*
  - **Accommodate different learning styles for meetings.** *For example, some folks need an agenda or to know what will be discussed ahead of time- at least 2 days ahead of the meeting- in order to be active participants. Others will disregard the agenda and want to hear what will be discussed at the beginning of the meeting. Make sure to do both in order to accommodate both preferences- even if you personally prefer one over the other, there will be members of your team who are different!*
  - **Build relationships through listening.** *Get to know what makes your MDT members tick. Some folks love to talk about their dogs, children, favorite sports team, etc. Know those things about your team and remember to inquire with your members before the meetings. This will create connections and improve their*





*willingness to engage in the group. Especially during COVID-19 when we're not physically meeting together, creating connection is critical to maintain group cohesion.*

### **How to host an effective discussion:**

- [Tips on Facilitating Effective Group Discussions | Sheridan Center](#) Brown University
- [Group Facilitation and Problem-Solving | Techniques for Leading Group Discussions](#)
- *Leanne's tips and tricks:*
  - ***ALWAYS COME PREPARED- HAVE A PLAN!*** Know what your goals are for the discussion, and have questions pre-written in advance of the meeting. This will help you ensure you make the best use of your time. If the discussion goes off topic, re-state the goals to your team to remind them of what you're trying to accomplish that day.
  - ***Ask a concrete question if you want a response.*** Using phrases like "I'd like to discuss \_\_\_\_\_" or "we'd like to talk about \_\_\_\_\_" can be too broad for some folks to respond. Instead, say "What are your thoughts on \_\_\_\_\_". Using yes/no questions and then asking why they answered that way is another mechanism to get folks to respond.
  - ***After you ask a question, pause for a full 5 seconds minimum. Do not be afraid of silence-*** some folks have to speak to think, others speak to think. Give space for folks to answer.
  - ***Some folks are too shy to respond or may not engage without encouragement.*** If I notice that one discipline hasn't spoken up, I might say "I haven't heard from (insert discipline, for example law enforcement) yet. Would someone from law enforcement be willing to give some feedback?" In other cases, I might notice that someone's body language is displaying that they have an idea. In that case I might say "(NAME) I noticed you look like you have something to say/ an idea. Would you be willing to share your thoughts with us?" **HOWEVER**, In both cases, make sure you know your audience as this tactic could offend some people. **Another option is to ask for written responses to the questions- this is particularly useful accommodation for folks who are Blue personality or very shy.**
  - ***When nobody is responding or talking,*** I sometimes use statements like "I've heard some people say that \_\_\_\_\_. Do you agree or disagree with that statement? Why is that?" Some folks have an easier time responding to something specific and building off of that.
  - ***When you have a particularly difficult group that struggles to have robust discussions, pre-designate someone to speak up during silences.*** I sometimes will ask a close colleague who will be attending the meeting to be my



*“wingman/wingwoman” by filling long gaps with an idea or having them request folks speak up. Having an ally on the call can relieve some pressure on your shoulders as the facilitator!*

### **Adult learning techniques:**

- [9 Adult-Learning Tips and Techniques](#)
- [5 Adult Learning Techniques to Improve Your Training Programs](#)
- [Principles of Adult Learning and ISD](#)
- [Adult Learning Theories and Principles](#)
- *Leanne’s tips and tricks:*
  - **Know your teaching style and be authentic to who you are!** *I, for example, am a big nerd and I use that to my advantage. I focus on using the data and sharing my expertise in that way. I don’t try to be the bubbly orator because that is not my style. When you’re authentic people are more receptive to you.*
  - **People like to learn about things that apply directly to their work.** *Adjust your training materials or dialogue to ensure that your audience feels the information is relevant. For example, if you’re speaking to medical professionals use case examples of people identified in medical settings. If you’re speaking to DCFS workers, make sure to talk about indicators that they might see when investigating abuse allegations.*
  - **Acknowledge the expertise of your audience.** *They’re experts in their field, you’re the expert in trafficking. Let them know that you want to build their expertise to include trafficking. Give them the opportunity to share their knowledge and lived experience whenever possible.*
  - **Co-train whenever possible.** *Co-training with a member of the audience’s community will help them understand how your information is applicable to them. For example, when I was a coordinator I would always try to have a therapist co-train when I presented to mental health professionals, or would have an FBI agent join me when training law enforcement. This was critical to improve audience interest in the topic.*

### **Conflict resolution in group spaces:**

- [Conflict Management Styles Assessment](#) Blake Institute
- [Fear of conflict and the Discovery Behaviours](#) (the 4 conflict types- red, yellow, green and blue)
- [MBTI® Basics](#) - get to know your personality and how you handle professional settings and conflict!
- *Leanne’s tips and tricks:*



- **Know the conflict style of yourself and your team members.** This is so critical to prevent a major disaster. (Leanne’s note: I’m an INFJ, and I’m generally Blue with a hint of Green in the conflict style. Knowing who I am makes me more empathetic and self-aware about the way I interact with my professional work. Get to know yourself too!) When folks approach conflict differently than you, it’s not that they’re mean/passive-aggressive/aggressive/spineless or any other negative term. It’s simply that they approach it differently. This will help you focus on the disagreement itself, rather than the emotional/personal side of the conflict. Prior to a conflict arising, there are TONS of free online tests for professional settings to identify personalities/conflict styles that you can have all your team members take, and then share with the group where everyone lies on the ‘personality chart’.
- **Promote an environment of mutual respect.** When a conflict arises, it will be less painful if there’s already established respect for all members. After a conflict, some respect may be diminished so it’s important to do relationship-building exercises afterward to try to rebuild.
- When things get testy, I try to **remind the group of the “lowest common denominator” or what we all agree on and why we’re all together.** It’s important to remind folks who are in conflict that they share values with the team, because that will keep them engaged.
- **Try to stay neutral while facilitating a group through a conflict.** Even if you have a strong opinion, remember that you represent the whole group. If you are unable to be a neutral party, bring in an outside mediator or facilitator who is not affiliated with any parties at the table. You can always reach out directly to me (Leanne) if you need additional support finding a facilitator.
- **Assume good intentions during conflict.** Even when it doesn’t feel like it. Intent versus impact is an important topic to acknowledge for both parties who are in conflict.
- **Avoid blaming individuals for systemic problems.** For example, blaming an HSI agent for President Trump’s policies on immigration is not going to solve problems or build your MDT team. Blaming a DCFS agent for failures of the broader child welfare system is not going to build your MDT team. However, holding individual members accountable to the team values and their individual behavior IS encouraged. For example, “John, I noticed you haven’t been attending meetings for the past 5 months. Our MOU says that you’ll attend monthly meetings. Can we discuss this?”

## Effective Virtual Meetings



- [How to host effective group discussions online](#)
- [What It Takes to Run a Great Virtual Meeting](#)
- [The seven secrets of successful virtual meetings](#)
- *Leanne's tips:*
  - **Create space for interpersonal connection.** *Ask an icebreaker question to include in the introductions! It seems cheesy but really does work to open people up. Have a conversation about life! Make sure they know that you still care and still are in relationship with them.*
  - **Take breaks more often than you would for in person meetings.** *People get distracted and fidgety when working from home because there are so many distractions. When you build time for the fidgets it helps folks stay focused during the meeting.*
  - **Encourage folks to keep their videos on,** and tell them ahead of time that they should prepare to have their videos on. *Data shows folks are more engaged when their video is on because they feel more pressured to focus and not multi-task. Trauma-informed care means folks do not have to do anything- but encouraging it is okay!*
  - **Create an inclusive, welcoming space-** explicitly tell folks it's ok if their child interrupts, the dog barks, or the mailman rings the doorbell. *Let them know we're all in this together! For example, I like to include a picture of my dogs barking when I share this with the group to try to break the formality and build connection.*
  - **Utilize web-based engagement tools.** *This can include [Mentimeter](#), [polleverywhere](#), or other web polling tools. It can also include small discussion and breakout groups. Most platforms like Zoom and GoToMeeting have built in tools for polls. For example, you can ask the audience to write down essential members of an MDT and make a word cloud, or do a poll to see whether your audience has been trained on a certain tool. Have set questions for small groups to discuss and then bring back to the whole group afterward. A word of caution: make sure that the engagement adds something useful or meaningful to your meeting. Using it just to use it will seem like busy work to your audience.*



## *An Introductory Training*

# HUMAN TRAFFICKING AWARENESS AND REPORTING

Trainer Manual

Version 4: Updated on Aug 29, 2022



The Louisiana Child and  
Youth Trafficking Collaborative



## Training disclaimer:


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## Training overview:


This training manual is prepared for the 2022 version of the Louisiana Child and Youth Trafficking Collaborative's Human Trafficking Awareness and Reporting Presentation.






*An Introductory Training*  
**HUMAN TRAFFICKING  
AWARENESS AND REPORTING**

Coordinator Name



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### Training Notes

Use this slide to introduce yourself and this training. For example: ““Good morning. My name is [your name] and I serve as the [your title] and am a certified trainer for the Louisiana Child and Youth Trafficking Collaborative. Thank you for participating in this Louisiana Child and Youth Trafficking Collaborative Awareness and Reporting Training. This training is a standardized statewide training that provides basic knowledge on sex and labor trafficking. The information you receive today will by in no means make you a subject matter expert but will give you a foundation on which to build your knowledge base and empower you begin to better understand what human trafficking is and how to better identify and assist victims.”

Edit with your name and title.



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## Disclaimer

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### Training Notes

*This text is required by the grant. You don't have to talk for this slide.*



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## Editors

*This presentation was collectively developed and edited by the following organizations:*

- Louisiana Governor's Office of Human Trafficking Prevention | Dr. Dana Hunter
- Department of Children and Family Services | Sec. Marketa Walters
- FREE Coalition | Laurie McGehee
- Gingerbread House Children's Advocacy Center | Jessica Milan-Miller
- Greater New Orleans Human Trafficking Task Force
- Consultant | Dr. Samantha Sahl
- Consultant | Dr. Laura Murphy
- Consultant | Alliece Cole
- Louisiana Alliance of Children's Advocacy Centers | Kate Shipley
- Louisiana Alliance of Children's Advocacy Centers | Leanne McCallum
- LCYTC Survivor Advisory Council

*Please do not use or distribute this powerpoint without permission.  
If interested in partnering to provide training, please contact Dr. Dana Hunter  
([Dana.Hunter@la.gov](mailto:Dana.Hunter@la.gov)) or email [humantrafficking.la.gov](http://humantrafficking.la.gov).*



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### Training Notes

The purpose of this slide is to demonstrate that the development of this training was a collaborative effort. You can say, "This statewide training was developed and reviewed by a number of agencies, experts, and survivors from across the state, and in collaboration with federal partners such as the US Department of Justice Office for Victims of Crime and the Research Triangle Institute. Listed here are the statewide partners who assisted in the development of this training presentation. We could not be more thankful for the collective expertise of our partners."



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## Louisiana Child and Youth Trafficking Collaborative (LCYTC)

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### LCYTC Key Partners:

Office of the Governor  
Louisiana Alliance of Child Advocacy Centers  
University of Louisiana at Lafayette Cecil  
J. Picard Center  
WestCoast Children' Clinic  
Department of Children and Family Services  
Department of Health (LDH)

Louisiana State Police (LSP)  
Free Coalition  
Empower 225  
Survivor Advisory Council  
Office of Juvenile Justice (OJJ)

*This training was supported by federal grant 2018-NZ-NX-K001, awarded by the  
Office for Victims of Crime, Office of Justice Programs, U.S. Department of Justice.*



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### Training Notes

You mentioned in a previous slide the editors who assisted in the development of the presentation. This slide lists additional partners who play a role in this statewide collaborative project. And again, we want to acknowledge and thank our federal partners the US Dept. of Justice for their generous funding to address this issue in Louisiana.



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## Louisiana Child and Youth Trafficking Collaborative (LCYTC)

The **Louisiana Child and Youth Trafficking Collaborative (LCYTC)** is a multi-year 1.6 million dollar project to improve outcomes of child and youth victims of human trafficking. The project is administered by the **Louisiana Governor's Office** in collaboration with the **Louisiana Alliance of Children's Advocacy Centers**.



The Collaborative's goal is to strengthen Louisiana's human trafficking response in four core areas:

- **COLLABORATION** Utilize the MDT model and case coordination to improve communication across agencies.
- **ADVOCACY** Ensure access to high-quality care centered on victim healing.
- **SCREENING** Utilize a validated screening tool to identify child and youth trafficking victims.
- **OUTREACH** Provide trauma-informed, victim-centered training to improve identification and response to human trafficking.



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### Training Notes

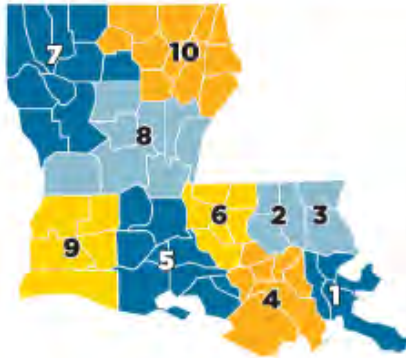
(This slide can be read and explained verbatim). This training was developed and will be conducted with community-based providers in each region of the state to increase statewide awareness of human trafficking.



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## Louisiana Child and Youth Trafficking Collaborative (LCYTC)



**Project Lead:**  
Governor's Office of  
Human Trafficking  
Prevention

**Project Manager:**  
Louisiana Alliance for  
Children's Advocacy  
Centers (LACAC)

- 1- **Orleans:** New Orleans Children's Advocacy Center
- 2- **Covington I:** Child Advocacy Services
- 3- **Covington II:** Hope House Children's Advocacy Center
- 4- **Thibodaux:** Terrebonne Children's Advocacy Center
- 5- **Lafayette:** Hearts of Hope
- 6- **Baton Rouge:** Baton Rouge Children's Advocacy Center
- 7- **Shreveport:** Gingerbread House Children's Advocacy Center
- 8- **Alexandria:** Children's Advocacy Network
- 9- **Lake Charles:** Family and Youth Counseling Agency
- 10- **Monroe:** Children's Advocacy Center of Northeast Louisiana



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### Training Notes

This slide is to highlight the regional model and placement of the coordinators. For example, you can say: "As I mentioned before, the Louisiana Child and Youth Trafficking Collaborative is a statewide initiative designed to improve the state and individual community's response to sex and labor trafficking. Regional coordinators have been hired throughout the state to assess, advocate, and assist in improved identification of victims and enhanced community/MDT response. Currently, 9 regional Coordinators are housed in the local Child Advocacy Centers across the state listed here. The project is operated by the Louisiana Governor's Office of Human Trafficking Prevention who contracts with the Louisiana Alliance of Children's Advocacy Centers to manage this project." *This would be a good time to include any specific details or information about your local agency.*



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## Content Warning

This presentation discusses human trafficking and refers to abuse, violence, other potentially upsetting content related to victimization. Pay close attention to your body and emotions. If at anytime you need to take a break or step outside of the room, feel free to do so.



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### Training Notes

For those who have experienced trauma, **trigger warnings** or content warnings help them to avoid being “triggered” or re-traumatized when they are exposed to words or imagery that remind them of the trauma. Trigger warnings are important because people in the audience may have experienced some type of victimization (or human trafficking) that they are reminded of during this presentation. For people who haven’t experienced trauma, trigger warnings are still helpful to prepare the audience for an emotionally challenging topic.

**Trigger warnings are critical to inclusion.** Even if it feels uncomfortable, it is a necessity. Offer for folks to get up, stretch, or get a glass of water any time. Offer suggestions for ground techniques, such as breathing deeply.



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## Overview

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- What is Human Trafficking?
  - Common Misconceptions
  - Labor Exploitation, Child Labor, Labor Trafficking
  - Sex Trafficking
- Understanding Victimization
  - Recruitment & The Grooming Process
  - Risk Factors and Vulnerability
- Victim Identification
  - Barriers
  - Potential Indicators
- Support for Victims
- Reporting and Resources



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### Training Notes

This is a good way to let people know that their questions will be answered.



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# What is Human Trafficking?



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## Training Notes

Use as an opportunity to ask people “what do you know or what have you heard about human trafficking?” Ask to raise their hands or enter in the chat box and share things they have heard. Let them know it’s okay to share things even if they aren’t sure or think it may be untrue.



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## Common Misconceptions



*"The only thing my pimp ever said that made sense was that we (survivors) all come from different walks of life."*  
-Survivor testimony

- Happens only in other countries
- Happens only to women or girls
- Power is always maintained through drugs or physical force
- Movement is required for trafficking
- Labor trafficking is less common, does not happen here, is less traumatic
- Traffickers are always strangers
- Trafficking doesn't happen at home
- Victim behavior causes trafficking
- All survivors present the same way



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### Training Notes

It could take a long time to go through all of these. Depending on time, choose a few to dive a little deeper into. You can also ask, "which one of these surprises you the most?" Or "which one of these have you heard?" Or if anyone mentioned specific ones, go ahead and explain those specifically.

The goal here is to clear up some misconceptions that exist around human trafficking. When people are looking for victims through the lens of these misconceptions (women from other countries, women chained in basements, etc.), they will likely miss victims that are right in front of them. A lot of these misconceptions are perpetuated in the media – movies like Taken, TV shows like Law and Order, etc. Misconceptions are also perpetuated when people generalize from really small sample sizes. The reality is there is a lot we don't know about human trafficking, and much of what we do know is based on really small sample sizes of mostly women and girls who are in treatment programs.

- Happens only in other countries – Human trafficking is happening in likely every country, including the United States. There are both foreign national victims and



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### domestic victims

- Happens only to women or girls – boys, men, trans individuals are also victimized by both sex and labor trafficking. Research on the experience of boys and men is lacking, and stigma/shame might prevent boys and men from seeking help or self-identifying as victims.
- Power maintained through drugs or physical force – traffickers often use many tactics to induce compliance/ prevent a victim from fighting back/ make a victim stay with them. Many of these tactics are forms psychological coercion that we will cover later on.
- Movement is required for trafficking – This is a confusion between Human Smuggling and Human Trafficking. The word “trafficking” sounds like it implies movement, but movement is not required for human trafficking to occur, people can be trafficked out of their own home/ in their own community. Human Smuggling is the illegal transportation of a person from one place to another – it is a crime against a border. Human Trafficking is a crime against a person.
- The Super Bowl is the biggest human trafficking event ever – Human Trafficking is a crime rooted in economic gain – someone is profiting. As an economic crime, it follows the laws of supply and demand – supply being victims of human trafficking, demand being people who want to purchase sex or who want the labor services of another person. If areas with more people, the demand increases, so they supply must rise to meet the demand. Statements like this about the Super Bowl are misleading because they lead us to believe that human trafficking only happens around big events – when the reality is it is happening in small towns, in the absence of large events, in homes, etc.
- Human trafficking “hubs” – same as above. The National Human Trafficking hotline puts out a “heat map” of the US – which leads people to believe that human trafficking is only happening in areas lit up on the map. In reality, those areas likely have more training and resources so more people are identifying and reporting victimization
- Sensationalism – media (TV, movies, songs, etc.) tend to sensationalize human trafficking and make it seem like a victim would be obvious as they would be chained up somewhere, crying for help, covered in bruises, etc. As mentioned earlier, psychological coercion is much more common.
- Labor Trafficking is less common – along with the media sensationalizing human trafficking, it tends to only focus on sex trafficking. Labor trafficking, which often also involves physical, sexual, and psychological violence and trauma is often left out of the conversation, or seen as “less traumatic”.
- Traffickers are always strangers - people can be trafficked by family members, close friends, or significant others - people who have formed a trusting



relationship with them. Similar to Trafficking doesn't happen at home - reminder that *movement* is NOT required for trafficking. People can be trafficked out of their own homes.

- Victim behavior causes trafficking - shaming and blaming. Traffickers manipulating a need or vulnerability of a victim is what causes trafficking.
- Same walk of life - trafficking survivors can come from two-parent loving households - anyone can become a victim of human trafficking.

#### SURVIVOR QUOTES:

*On understanding the experiences of survivors:* "People like to tell me that they understand and now I'll be able to move on, but that's not true... With the damage they've done to me, I won't." - DP



## U.S. GOVERNMENT HUMAN TRAFFICKING DEFINITION:

### SEX TRAFFICKING

Sex trafficking is the recruitment, harboring, transportation, provision, obtaining, patronizing, or soliciting of a person for the purposes of a commercial sex act, in which the commercial sex act is induced by *force, fraud, or coercion*, or in which the person induced to perform such an act has not attained 18 years of age (22 USC § 7102).

*Trafficking Victims Prevention Act (TVPA)*

### LABOR TRAFFICKING

Labor trafficking is the recruitment, harboring, transportation, provision, or obtaining of a person for labor or services, through the use of *force, fraud, or coercion* for the purposes of subjection to involuntary servitude, peonage, debt bondage, or slavery, (22 USC § 7102).



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### Training Notes

Use this as a transitional moment to say “now that you know what trafficking *isn't*, let's discuss what trafficking *is*.”

Read through entire definitions, pause, then acknowledge their “wordiness” and highlight the following:

- The many verbs in the legal definitions allow law enforcement and prosecutors to hold everyone involved accountable for exploitation. Give examples (ex. harboring – if a hotel owner allows a friend to use a room and knows that someone is being exploited in that room, or a hotel owner houses labor trafficking victims)
- For sex trafficking, force, fraud, or coercion must be present for adult victims but not for minors – note that you will break this down further
- For labor trafficking, force, fraud, or coercion must be present regardless of age –



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which, again, you will break down for them.

Three elements that make this easier to understand:

1. The trafficker acts.
2. They use force, fraud, or coercion.
  - Force = physical
  - Fraud = trickery
  - Coercion = psychological elements
3. For the purpose of commercial sex or labor

For sex trafficking the special component is that for any person under 18 you do not have to prove force, fraud, or coercion. All commercial sex work is not sex trafficking. If you are over 18, federal law says that you must prove force, fraud, or coercion.

Louisiana is a unique state because it has a law that covers not just people under the age of 18- it is for up to the age of 21 that force, fraud, and coercion does not need to be proven. This means that in Louisiana anyone under 21 who is engaging in commercial sex is considered a victim of human trafficking. We will dive a bit further into the differences of Louisiana law later in the presentation.



## What Does That Mean?

FORCE	FRAUD	COERCION
Kidnapping Physical violence Drugging Threats with weapons Denial of medical care and disability support	False or deceptive work offers Promises of employment, marriage, or a better life Debt bondage	Threats of violence Control of children Photographing in illegal situations Long hours without reprieve Controlling communication Holding important documents
*Inability to walk away		



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### Training Notes

Quotes from survivors:

- *On the inability to walk away:* “You can’t walk away. They say, ‘ if you walk away, we’re going to put a bullet between your eyes.” - DP
- *On controlling communication:* “The only time that we were allowed to talk to other girls— not like us—was when we were recruiting them.” - DF
- *On fraud and controlling their movements:* “If we did have money, we weren’t allowed to spend it. We would have to give it to him and he might give us \$5 to buy food.” - MJ
- *On denial of medical care and disability support:* “They took my disability check... and after my arm was broken, they wouldn’t bring me to a doctor.” - DP
- *On holding identification, travel documents, debit/credit cards, and personal property:* “The pimps will keep all of our IDs but won’t carry their own... we had to bring him [the pimp] to the hospital once and he used a fake name.” -DF



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Depending on the length of the presentation, this is a good slide for audience involvement. Before switching to this slide, you can ask “What do you think an example of force is? Fraud? Coercion?”

- Force – physical force and violence. Discuss items in the list.
- Fraud – false promises of employment, marriage, or a better life. This includes promises of citizenship. For example, “Come to this country, you can work as a maid” but then they arrive and are forced to engage in commercial sex. Debt bondage is when someone gets trapped in a cycle of debt. For example, “Come work for me – you can pay me back for the flight” – person makes \$500/ week but owes \$400/ week for room and board, \$100/ week for food, \$50/ week for phone calls/ other, \$50/ week to pay back for the flight – so they are just in a perpetual cycle of debt.
- Coercion – this is more psychological: “If you don’t do \_\_\_\_, then \_\_\_\_ will happen.” If you don’t have sex for money, I will expose these images of you. If you don’t do this job, I will get you deported/ I will harm your children, etc.

Be prepared for people comparing their experiences to trafficking victims (“my student loans are debt bondage,” “my boss has those same expectations,” etc.). You should be prepared to shut that down in a respectful way.

An example of labor trafficking as psychological control: Imagine an extremely long day at work. When you get home, the first thing your partner asks is what do you want for dinner. You’re so exhausted you can’t make a decision. You might even say something like ‘I can’t even think about that right now.’ For people working in these circumstances, their mental facilities are diminished. That’s a means of psychological control.



# Labor Trafficking



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## Training Notes

Explain that you are going to talk specifically about Labor Trafficking - but also the common overlap between sex trafficking and labor trafficking

Even though we hear about sex trafficking more often, international studies show that labor trafficking occurred in 70% of cases of trafficking.

Ask people if they've ever been trained on labor trafficking or if they even knew that trafficking included labor.



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## Labor, Child Labor, & Labor Trafficking

### Labor Exploitation

- A person is working legally but is denied basic legal rights such as fair compensation

### Child Labor

- Youth working under the legal working age or engaged in work that is harmful to their health, development, or education
- 14 is the legal working age in Louisiana, some types of employment are off limits to youth under ages 16 & 18

### Labor Trafficking

- Someone forces, defrauds, or coerces another person into providing labor or services



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### Training Notes

#### Quotes From Survivors:

- “They denied my rights. They made me work for free.” - DP

The goal of this slide is to explain the difference between labor exploitation, Child Labor law violations and labor trafficking. An organization can violate child labor laws without trafficking the child. States have different child labor laws. In Louisiana, 14 is the legal working age, but some types of employment youth have to be 16 or 18, for example, carry heavy equipment, working with hot oils or dangerous chemicals, operating certain machinery.

Basic rights that can be denied under labor exploitation: minimum wage, breaks, etc.

Unless it's a family farm or restaurant, in most industries, children under 14 cannot work in Louisiana. The Dept of Labor in Louisiana just released guidance on this.



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It takes time and expertise to understand the differences between these types of abuse. It's okay to not know everything. Instead of saying "I don't know" and undermining your authority, say something like "that's a great question, I'd love to follow up with a report" or "I'd love to meet with you after." The worst thing you can do is make something up.

Human trafficking does not just happen in the normal economy. There are a lot of jobs in the 'grey' or 'informal' economy, such as selling drugs, sex work, and day laboring. Dr Laura Murphy's 10-city study of homeless and runaway youth across the US found that of the youth who experienced labor trafficking, 80% were trafficked in forced criminal activity.

Even if a person does something illegal, if it happens in the context of their labor trafficking, they are still a victim. That doesn't matter if it is Drug sales, panhandling, or theft.

Foreign nationals and unaccompanied minors can also experience labor trafficking.

Resources you can share with the audience or places you can go to learn more on the topics are:

Dept of State Trafficking in Persons Report  
DOL wage and Hour Child Labor Laws Handbook



## Forced Criminal Activity

- Requires that there be an element of force, fraud, or coercion
- Often begins when youth are very young or vulnerable
- Trafficker could be family member or friend or neighbor
- Usually involves threats, implied violence, or acts of violence



Murphy, Laura. *Labor and Sex Trafficking Among Homeless Youth*. Loyola University New Orleans, Modern Slavery Research Project, 2015.



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### Training Notes

Note that youth who have a missing caregiver (incarcerated, deceased parent), in poverty, and in high-crime neighborhoods are at high risk. Often youth are unable to leave the situation without undergoing extraordinary violence. In Louisiana we certainly have young people experiencing forced criminal activity labor trafficking. During the 10 city study conducted by Dr. Laura Murphy, she found that 80% of homeless youth who experienced labor trafficking did so in forced criminal activity.

Equate this to child soldiers. People understand that those children are poor, forced into it, ignorant of the resources available to the world at large, etc. These same things can be said about youth forced into criminal activity.

Be prepared for pushback on this slide. A great tool is to ask the rest of the room what they think about that. "Does anyone have a response to that?" Then, instead of the trainer calling out an audience member, you allow the room to moderate. You can "validate," by saying "That has been a common way to see this, but now we know more about these victims... "I can definitely understand how it might seem like this, but when you look a little deeper, you find..."



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When you're asked a difficult/problematic/offensive question, take a pause. Maybe say "that's an interesting point." Take the opportunity to meet people where they are at and create a learning moment.

Key questions to ask youth in these situations are "if you wanted to stop (enter illegal activity) could you?/ what would happen?" "If you wanted to stop, could you?" "What would happen if you tried?" If the youth were to respond, "sure I could just stop dealing drugs" it is not labor trafficking. But if they respond "well he would shoot me" it could be labor trafficking. HOWEVER: remind folks they shouldn't ask these questions unless they are trained and there's a benefit to screening.

## Sites/Types of Labor Trafficking in U.S.

- Restaurant and food service
- Peddling and begging
- Health and beauty services (salons)
- Construction
- Hotels and hospitality
- Landscaping
- Illicit activities (i.e. drug dealing)
- Forced begging
- Arts & entertainment
- Commercial cleaning services
- Factories and manufacturing
- Carnivals
- Forestry and logging
- Health care
- Recreational facilities
- Forced/fraudulent marriage
- Child marriage
- Domestic work



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## Training Notes

Point out the ones that are relevant to your audience:

For example, people who serve youth, I'd talk about restaurants and food service or illicit activities. For people who serve the homeless population, talk about peddling.

Questions that may come up:

- Child marriage: children leagally cannot consent to sexual activity or marriage. Louisiana actually does not have a law for a minimum age for marriage but there is a federal law.
- Carnivals: opportunities to abuse because it is deregulated, traveling and leaving town before people notice that workers may be abused.
- Health care: people exploit skilled guest worker visas. Someone may not speak great English or might have their passport taken away- for example, there were some big cases in California in 2019 about foreign workers at nursing homes being abused. Also important to note that survivors present in health care settings.
- Recreational facilities: Camp counselors. This happens in isolated environments where it can be difficult to get help or leave.
- Forestry and Logging: isolated logging camps. Very similar to herders, fisherman, ranchers, they get physically isolated. The working conditions are harsh or unsafe.
- Fishing and seafood industry. Not only are they physically isolated, but also socially isolating. There is often a cultural or language barrier as well. Migrant workers are reporting labor trafficking particularly in crawfish fields, aquaculture.

To learn more, go into the Polaris Typology Report.



## In Louisiana...

- Seafood industry
- Aquaculture
- Agriculture
- Restaurants
- Construction
- Drug trade



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### Training Notes

In 2019 the Greater Human Trafficking Task Force used open source data to identify the following as likely sectors for potential labor trafficking in Louisiana: agriculture, seafood, and others. In New Orleans the likely sectors are: construction, restaurants, health and home services. To learn more about this, visit [www.nolatrafficking.org/resources](http://www.nolatrafficking.org/resources).

This list also includes the drug trade because of research of Dr. Laura Murphy in the “10 City Study of Homeless Youth” which found that 80% of the homeless youth who had experienced labor trafficking were in forced criminal activity and drug trade.

To find labor trafficking specific awareness raising materials visit <http://www.nolatrafficking.org/awareness>



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# Sex Trafficking



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## Training Notes

This is a transition slide, but take a moment to say that labor and sex often overlap.



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## Sex Trafficking

Sex trafficking is the crime of using force, fraud, or coercion to induce another person into commercial sex acts, or to induce a person under the age of 21 into commercial sex acts.

### RS 14:46.2 Human Trafficking

It shall be unlawful: For any person to knowingly **recruit, harbor, transport, provide, sell, receive, isolate, entice, obtain, or maintain the use of another person through fraud, force, or coercion** to provide services or labor.

\*"commercial sexual activity" means any sexual act performed or conducted when **any thing of value has been given, promised, or received by any person.**

### RS 14:46.3 Trafficking of Children for Sexual Purposes

It shall be unlawful: For any person to knowingly **recruit, harbor, transport, provide, sell, purchase, receive, isolate, entice, obtain, or maintain the use of a person under the age of eighteen years for the purpose of engaging in commercial sexual activity.\***



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### Training Notes

Sex Trafficking is the crime of using force, fraud, or coercion to induce another person into commercial sex acts, or to induce a person under the age of 21 into commercial sex acts.

Louisiana has become a leader in anti-trafficking legislation. Louisiana's criminal definitions of human trafficking are outlined in Revised Statute 14:46.2 and 14:46.3 (specifically covering trafficking of minors for sexual purposes). We would like to share some specific examples of Louisiana laws that expand upon the federal human trafficking laws.

One example of a particularly strong law is our Trafficking of Children for Sexual Purposes statute. This law includes extra words that expand forms of harm that qualify as trafficking, as well as expanding the ways in which abusers can be culpable of trafficking. Additionally, our law states that not knowing the victims age cannot be a defense. Overall, this law strengthens our ability to hold traffickers accountable.

Read this law verbatim. Explain the following:



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- This is similar to the LA adult trafficking law in RS 14:46.2, which is similar to national law.
- It defines “commercial sexual activity” as any sort of sex act performed or conducted by any person when a thing of value is given, promised, or received by any person.
- \*\*Good time for audience engagement – ask them “Imagine a child/ teenager who has been kicked out of their home, or who lives in a group home – what is a thing of value for them?” “What do they *need* or think they need in order to survive on the street?”
- Highlight the word “Purchase” and explain that the person buying sex from the child is also trafficking the child. In the absence of a third party (trafficker/ exploiter, or other person) who is benefiting from the child being exploited (ex. in the case of survival trafficking – child exchanging sex for a place to sleep/ food/ money) then the buyer can be arrested and charged with trafficking of children. This is true for all people under the age of 21, as we will see in a couple slides. For adult victims, over the age of 21, the purchase of sex is outlined in Louisiana’s prostitution-related offenses.
- Also highlight advertising – posting an ad of a child, or a dating app profile of a child. Also if a parent/ guardian knowingly permits the child to engage in commercial sex, they can also be charged with trafficking of children





## What does this mean?

- Any individual selling a person in their home, neighborhood, hotel, etc., in exchange for anything of value
- A child exchanging a sex act for anything of value (survival trafficking)
- Familial trafficking
- Gang trafficking
- Children exploited through pornographic images\*
- Intersection of sex trafficking and labor trafficking or forced labor

\*Meets the state definition of child sex trafficking

*"A lot of times it's intergenerational. My mom's mom and her sisters were trafficked on naval bases at age 14."*

- Survivor



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### Training Notes

- The first type of sexual exploitation is the one most commonly known and depicted in the news and media - "pimp-controlled" trafficking. This is when there is an individual (trafficker, pimp, exploiter) who is facilitating and/or profiting from the exploitation of the victim.
- Survival trafficking - the child is the one receiving the thing of value in exchange for a sex act.
- Familial trafficking - when a family member/ relative exploits a victim. This can happen to younger children who might know that they are being harmed/ sexually abused, but often do not know that a transaction is happening in the other room/ not know that their family member/ parent is facilitating and profiting from the abuse. We have seen this happen where children are sold for drugs, for money at the end of every month to pay for rent or a car note, or to help the parent with bills. We have also seen family members trafficking victims who have disabilities.

You can give specific examples from your work or you can explain hypotheticals "here's what that can look like..."



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## Victim Rights & Protection in Louisiana

### **CHC Art. 725 SAFE HARBOR:**

*Safe harbor law that protects minors from being arrested or charged with prostitution-related offenses.*

### **RS 14.46.2(A)(b):**

*Extends the age to 21 that force, fraud, and coercion don't need to be proven for a person to be considered a victim of sex trafficking*

**What does this mean?** Any person under the age of 21 that is engaged in commercial sex is considered a victim of human trafficking - force, fraud or coercion does not have to be proven. Louisiana law protects victims from being charged with crimes committed as a result of their trafficking.



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### **Training Notes**

Louisiana laws protect victims of human trafficking in a variety of ways. We would like to highlight two specific laws.

First, Louisiana has a safe harbor law. Many states have Safe Harbor laws that prevent children from being arrested and prosecuted for prostitution related offenses. In Louisiana, there is a Safe Harbor law protecting children from prosecution if they are victims of sex trafficking. Remind folks that this only applies to sex trafficking, not labor trafficking.

Second, Louisiana's human trafficking statute expands the federal definition to provide additional protection to young people. The statute increases the age from under 18 to under 21 that force, fraud, or coercion do not need to be proven. Any person under the age of 21 that is engaged in commercial sex is considered a victim of human trafficking - force, fraud or coercion does not have to be proven. In addition, through post-conviction relief (expungement and vacatur of criminal record) and affirmative defense laws, Louisiana law protects victims (adults and minors) from being charged with crimes committed as a result of their trafficking.



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## Changing Societal Norms

- **REMOVE** the word prostitution from your vocabulary, **especially** when discussing child sex trafficking
- Implies consent & criminality
- Victim-blaming



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### Training Notes

When discussing child sex trafficking or trafficking of a person under the age of 21, it is really important that we completely remove the work “prostitute/ prostitution” when we are talking about children. There is no such thing as child prostitution.

Prostitution is a criminalized act providing a sexual service BY AN ADULT where the person providing the service of their own consent and receives the profit. As prostitution is illegal in most of the U.S., and such, this word implies criminality.

**For children:** a child cannot commit that crime - they are being abused. This word also implies choice or consent, when a child under the age of 17 cannot consent to have sex with an adult - therefore they cannot consent to sell sex either.



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**For adults:** Adults survivors of human trafficking and adults engaged in commercial sexual activity/ sex work have shared that using the term “prostitute” to describe their experience is blaming and criminalizing. Regardless of whether an adult is engaging in commercial sexual activity by choice or by force, people who work with vulnerable communities need to show respect and care in the words we choose. Alternative words to describe “prostitution” can include: sex work, commercial sexual activity, and commercial sex work.

**Overall:** We need to be aware that the words we use when interacting with people will impact whether or not they can form a trusting relationship with us. And the words we use in our minds or in conversations with colleagues impact how we interact with child and adult victims. Words inform feelings which inform actions. Child trafficking victims are victims and survivors of child rape - there is no such thing as a child prostitute. Use person first language whenever possible, for example “victim of child sex trafficking”, “person engaged in commercial sex work”, or “person with down syndrome”.



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# Understanding Victimization



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## Training Notes

This is a section about what the trafficker does to victims that makes them stay in vulnerable situations. These apply to both sex and labor. This section explores how and what traffickers do to manipulate and control victims and who are often more vulnerable to the tactics of traffickers. This will help us explore why so many victims are unable to leave their situations of abuse.




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# MASLOW'S HEIRARCHY of NEEDS

## Grooming Process



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### Training Notes

The number one goal of this slide is empathy building. The slide is very relatable because we all have these needs. "How the hell does this happen?" This is a great slide to walk through a story. Empathy building not only for how they get them hooked, but also how they get them to stay.

Maslow's Hierarchy of needs describes the basic psychology behind human motivation. Maslow believed you had to meet your basic physiological needs before you could focus on meeting your higher level needs like self-esteem and self-actualization. There was a trafficker who wrote an article entitled: "How to be a Pimp: Using Maslow's Hierarchy of Needs to Make the Most Money." He said if you can identify what unmet needs a person has, you can meet these needs, then make them dependent on you for meeting these needs, and then exploit their dependence on you for need fulfillment. This can also be fulfilled in labor trafficking situations, for example in Gang settings. These groups can fill the need for family, friendship, basic needs, and self-actualization.

If you imagine a child who has run away from home, or a child who was kicked out of their home, or a homeless young adult, or an unemployed or underemployed young adult - it is easy for someone to meet their basic needs by giving them somewhere to sleep, food to eat. Next is the need for safety and security. The trafficker might promise protection - for harms that come to people on the streets, but also protection from family members or law enforcement that might be looking for missing children who don't want to be found. Beyond that is the need for love and belonging. Traffickers often make a victim feel like their boyfriend/ or girlfriend, or like they are part of their family. They build trust and rapport, they get the child to confide in them. Traffickers can even go beyond that and make victims feel valued and respected. They may meet all of these needs before ever asking the child or adult to do something in return. At that point, the victim may feel like they don't have a choice, or like they would rather do what the trafficker wants than lose the traffickers love or support.

You can talk about this as a push or a pull:

- Push: These are unmet needs that cause someone to search out and become vulnerable
- Pull: These are things that traffickers offer which pull people into trafficking

It's important also to mention that there are books sold on Amazon that describe pimping that use Maslow's Hierarchy. Trafficking is learned behavior. In the same way that victims are groomed to be victims, traffickers are also groomed to be traffickers.

"If they place me in homes with people who don't care about me, what's the big deal if I leave with someone who does care about me."



## Grooming Process

1. Target the victim
2. Befriend/ gain trust
3. Fill a need(s)
4. Isolate/ create dependence
5. Abuse while meeting needs
6. Maintain control



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### Training Notes

Quotes from survivors:

- *On gaining trust:* "In the beginning, I was allowed to go home to mom's house, then eventually he wouldn't let me go. If I said I wanted to go home, he said he would break my bones then he would bring me to my mom's house." - MJ
- *On creating dependence:* "He gave me a cell phone. He got me to come back to him everyday, so he could check his calls." - MJ
- *On abusing and maintaining control:* "I was brainwashed... It all started when my mom died and they made me believe I was crazy and committed me into a mental hospital. After I go out, the day before my 22<sup>nd</sup> birthday, they changed. They told me that I deserved to die." – DP

Process of Grooming:



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- Target the victim – target people with some noticeable vulnerability – (low self-esteem, living in poverty, abuse at home, homeless, etc.) This kid has this need that's not being met.
- Befriend, gain trust, or create a connection – collecting information – figuring out what they can exploit. Traffickers often befriend their victims or offer something, or have people who they've victimized for a long time do the recruiting or befriending for them. In cases of labor trafficking, this may be acting as a helper to find them a job, or a caring family member offering them something.
- Fill a need(s) – information gathered helps them fill a need – like Maslow's Hierarchy – easy to meet basic needs, then also meet emotional ones.
- Isolate/ create dependence – isolate from family and friends – people with other values and perspectives – but also to make it so the trafficker is the only one meeting those needs. This can occur through physical isolation, cultural isolation (such as lack of other people who speak the same language), or relationship isolation (not allowing them to talk to their family or loved ones, sabotaging their friendships).
- Abuse while meeting needs – continuing to intermittently meet some of these needs – but in exchange for the victim having sex with them – and then having sex with people for money. When the abuse starts, the victim often feels like the abuse/ exploitation was their idea, or is the only thing they are good for, or they deserve it, or it's how they have to show the trafficker that they love them. For labor trafficking survivors, they may occasionally be paid a small amount or be connected to them through a relationship that they don't feel they can walk away from.
- Maintain control – through threats, cycle of violence – sometimes giving gifts/ being kind - Then the trafficker maintains control through either psychological coercion, physical violence, drugging - often a combination of tactics that serve to induce compliance and prevent conflict.



## Psychological Coercion

### What does that look like?

- Simultaneously meeting the needs of victims while abusing
- Making the victim feel dependent on the trafficker
- Broken spirit, impaired judgement
- Trauma-bonds - relationships of Power and control
- Empathy for the abuser, attachment

*"He used my baby to control me. He would say if you make this much money you can go see him. It was never enough. I didn't see my baby for 5 months."*

-Survivor



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### Training Notes

Traffickers often use many tactics of psychological coercion to induce compliance and reduce the victim's will to fight back. These tactics are similar to those experienced by victims of domestic violence. Instead of asking why a victim hasn't left, or why they keep returning - the better question is "what does the trafficker do to get them to stay/ get them to come back?" Often the trafficker is meeting a lot of needs that the victim has - and the victim may feel like if they don't do what the trafficker wants, they will lose either very practical needs or emotional needs. USE EXAMPLES here if you have any. (Ex. one child said that there were many times she could have gotten away from the trafficker/ the violence if she wanted to, but ultimately she was afraid no one would ever *understand* her like he did.). Traffickers might use drugs, violence, tactics that create exhaustion - like over working or preventing sleep, in order to reduce the will or ability to fight back.

Note that these quotes were put here with survivor permission. Survivors of human trafficking are often reexploited for their story.



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## Recruiting Can Happen Anywhere

- Social media
- Gaming with live chat
- Home, neighborhood, on the street
- Foster homes, group homes
- Juvenile detention centers
- Runaway and homeless youth shelters
- Clubs, bars, hotels, casinos, parties
- Schools and bus stops
- Job sites, Craigslist
- Government assistance offices
- **Anywhere vulnerable people congregate**



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### Training Notes

- Again, traffickers prey on vulnerable populations/ people with an unmet need that they can exploit. Youth and young adults are also vulnerable because of their under developed frontal lobe and strong desire for validation and love. Traffickers know where schools are, where group homes and foster homes are, where homeless youth and young adult shelters are. They know where the unemployment offices are. They might prey on young adults exiting prison, or working at clubs or casinos.
- A lot of recruitment also happens online - on dating sites, other communication apps, or various websites where postings for commercial sex are made.
- Be familiar with your local area so that you can speak to hotspots



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## Vulnerabilities

*Anyone can experience human trafficking,  
but some people are at higher risk than others.*

- Childhood trauma
- Youth with runaway behavior or homelessness
- System involvement
- LGBTQIA+
- Immigrant or undocumented
- People with disabilities
- Substance use disorders and/or mental health disorders
- Poverty



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### Training Notes

- Anyone can experience trafficking, but some people are at higher risk than others. These are just a few of the vulnerabilities that can make a person more susceptible to human trafficking.



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## Risk Factors

### Individual

- Previous abuse
- Running from home
- Loss of caregiver
- Homelessness
- Truancy
- Foster system involvement

### Societal

- Racism, sexism, ableism, xenophobia, and other forms of discrimination
- Poor labor protections
- Poverty
- Lack of resources
- Criminalization of vulnerable communities



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### Training Notes

Quotes from survivors:

- *On having a disability:* "I don't like that word [autistic]. I don't like when they called me that 'autistic girl.'... People take advantage of vulnerable people." - DP
- *On recovery and healing:* "If it wasn't for my little girl, I wouldn't be here today. She gives me strength... And I wouldn't be here today, if y'all didn't help me." - DP

Anyone can be a victim of human trafficking, but it's important to look at who is especially vulnerable. Poverty compounds all other risk factors. Not to mention, many other risk factors stem from poverty. Anytime we can improve poverty, we are combating abuse.

LGBTQIA+ (lesbian, gay, bisexual, transsexual, queer, intersex, asexual, plus) Research to know what each of these letters mean



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# Identification



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## Training Notes

This is the identification section.



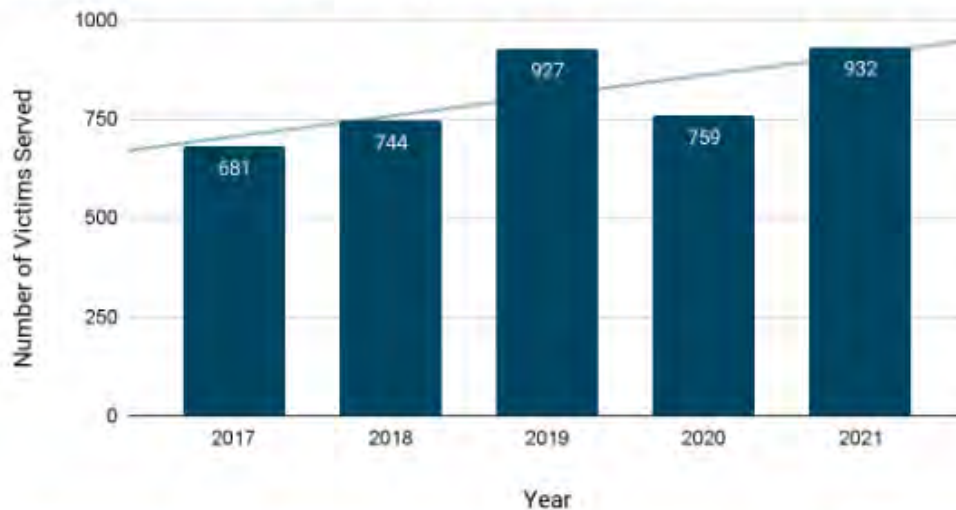
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## Scope of the Problem: Louisiana

*Louisiana Human Trafficking Data 2017-2021*



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### Training Notes

Update appropriately with statewide human trafficking statistics that demonstrate that trafficking is happening here.

The Governor's Office of Human Trafficking Prevention collects annual data on human trafficking, including demographics and services provided. This report relies on service providers around the state to report the number of victims served by their agency. This graph may make it look like human trafficking has been increasing in Louisiana, but in reality, the number of reported victims is increasing because training (like this one!) on identification and response has increased around the state, so more victims are being identified and supported.



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## Scope of the Problem: Regional

INSERT YOUR LOCAL DATA HERE



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### Training Notes

**Individualize this slide to your region- DO NOT LEAVE IT AS IS!** Discuss the local Multidisciplinary response (whether it is established or in development), discuss numbers - and if they are low or 0, discuss why this could be (lack of training or coordination), maybe the difficulties in identifying victims in more rural/ spread out areas, fewer resources for victims or opportunities for identification.

\*To locate regional data, use the Louisiana Annual Human Trafficking Data reports by DCFS (2014-2020) and the Office of Human Trafficking Prevention (2021 and ongoing).

You need to be familiar with your area. Bring it home; know what your audience is interested in. Think about the jobs of the people in their audience (teachers, law enforcement, etc.) Explain sample cases that you have worked in your community, or what you have seen.



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## Barriers to Identification

### Victims often don't self-identify as victims

- Fear
- Shame, humiliation
- Trauma-bond to the trafficker
- Distrust in systems/ individuals
- Do not see the trafficking as trauma compared to other life events
- Language barriers
- Cultural barriers



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### Training Notes

Even with increased training and awareness there are so many barriers to identifying human trafficking victims. Victims often don't self-identify as victims - either because of fear of the trafficker, or trauma-bonds/ psychological coercion leading the victim to think that the trafficking is their fault, their choice, or just how they show the trafficker that they love them. Added layer of barriers for foreign victims - especially if there are language barriers that isolate victims, or fear of deportation.

Additional barriers include:

- Victims are removed and isolated from society
- Victims do not know they are being trafficked
- Service professionals not adequately trained in victim identification and the realities of human trafficking.



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## Flying Under the Radar



- Males
- LGBTQIA+ individuals
- People with substance use disorders
- **Who else are we missing?**



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### Training Notes

When you click through, first you will just see the silhouette. Ask your audience “who’s flying under the radar? Who are the victims we may not see because of barriers or bias?” After they share some examples, advance slides to show examples. Recognize that we don’t always know who we need to serve. This goes back to some of the misconceptions addressed in the beginning. Male, transgender, and LGBTQIA+ youth are often underreported due to shame, stigma, etc.

Ask the audience, who else are we missing? Who else might be extremely vulnerable and go undetected? Foreign nationals, especially non-English speakers, children of foreign nationals, homeless individuals, people with disabilities etc...



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## Bias Impacts Identification

**Bias is a disproportionate weight *in favor of* or *against* an idea or thing**

- Bias impacts the way that we serve the community
- Biases come from our identities: race, culture, gender, sexuality, socio-economic, religious, linguistic, age, culture
- Everyone has bias: what are your biases? How could bias impact how you interact with patients?



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### Training Notes

**You could have a multiple day training on this- there's such a big topic and this is just an introduction.**

**Bias** is a disproportionate weight *in favor of* or *against* an idea or thing, which can be in a way that is **closed-minded**, **prejudicial**, or unfair. Biases can be innate or learned. People may develop biases for or against an individual, a group, or a belief. Bias is inherent in all of us. We grew up a certain way, surrounded by certain people, with certain beliefs. Oftentimes, these biases are unconscious, meaning we do not realize they're there.

**Renee Navarro, PharmD, MD**, Vice Chancellor, Diversity and Outreach welcomes you to UCSF's initiative to address unconscious bias. ([Transcript](#))

### What is unconscious bias?

**Bias** is a prejudice in favor of or against one thing, person, or group compared with another usually in a way that's considered to be unfair. Biases may be held by an individual, group, or



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institution and can have negative or positive consequences.

There are types of biases

1. **Conscious bias** (also known as **explicit** bias) and
2. **Unconscious bias** (also known as **implicit** bias)

It is important to note that biases, conscious or unconscious, are not limited to ethnicity and race. Though racial bias and discrimination are well documented, biases may exist toward any social group. One's age, gender, gender identity physical abilities, religion, sexual orientation, weight, and many other characteristics are subject to bias.

**Unconscious biases** are social stereotypes about certain groups of people that individuals form outside their own conscious awareness. Everyone holds unconscious beliefs about various social and identity groups, and these biases stem from one's tendency to organize social worlds by categorizing.

Unconscious bias is far more prevalent than conscious prejudice and often incompatible with one's conscious values. Certain scenarios can activate unconscious attitudes and beliefs. For example, biases may be more prevalent when multi-tasking or working under time pressure.

<https://diversity.ucsf.edu/resources/unconscious-bias>

- The strategy of categorization that gives rise to unconscious bias is a normal aspect of human cognition. Understanding this important concept can help individuals approach their own biases in a more informed and open way (Burgess, 2007).
- Opportunities to have **discussions, with others (especially those from socially dissimilar groups)** can also be helpful. Sharing your biases can help others feel more secure about exploring their own biases. It's important to have these conversations in a safe space-individuals must be open to alternative perspectives and viewpoints.

<https://diversity.ucsf.edu/resources/strategies-address-unconscious-bias>

Unconscious bias for health professionals:

<https://www.aamc.org/what-we-do/diversity-inclusion/unconscious-bias-training>

**Give an example of a bias you may have. For example, Leanne is not from Louisiana, she's from the Northwest. She often hears that "people from Seattle have the Seattle freeze- meaning they're cold or mean to newcomers". This is a bias. It's not intentional, it's a social bias some folks may think.**

**Ask the community partners what their biases are! Engage in an open conversation.**



## Cautionary Tales

Bias can cause us to see trafficking where it isn't, and to miss trafficking where it is.

Shopes.com

Did Flight Attendant Sheila Fedrick Save a Girl from Human ...

Alaska Airlines flight attendant saved a young female passenger from ... plus stories about local efforts to stop sex trafficking, none mention a ...  
Feb 7, 2015



Facebook

Dad Questioned After Southwest Flight Attendant Suspects Human Trafficking

This may have prompted the Southwest Airlines flight attendant to report the white man and Asian child ... last week, however, AAH was still promoting the story as proof that flight attendants can and do stop human trafficking.  
Dec 23, 2017



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### Training Notes

Unfortunately, some folks who are trying to help and spot potential victims do not recognize their biases, and as a result they either 1) see trafficking where it isn't happening (such as some misguided attempts to identify trafficking in airports which led to racial profiling and accidentally detaining families travelling for vacation), or the 2) or bias against victims and not seeing them as victims--- some people don't see victims who are right in front of them (like the now infamous case of Cyntoia Brown).

When we have bias we can also miss traffickers. If we have assumptions about what a trafficking victim or trafficker looks like, it will block us from seeing who is a victim and who is perpetrator.

For example: young, black men are disproportionately charged with child sex trafficking, even though we know that anyone can be a trafficker. This represents bias to SEE trafficking. Just imagine: who are the traffickers we are not seeing who are getting away with this horrible crime because of our bias? This is not to suggest we should not prosecute traffickers, this is to say that we are missing some abusers because we have expectations about who they are



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and what they look like. Here's an article about black men being prosecuted more for trafficking crimes:

<https://www.washingtonpost.com/news/monkey-cage/wp/2019/01/11/young-black-men-are-disproportionately-likely-to-be-prosecuted-for-human-trafficking-this-explains-why/>

Bias can also lead us to unintentionally see trafficking where it is not happening. One case example of this is Hawaiian family that was detained by flight attendant. Another example is of Cindy McCain when she told KTAR radio she thwarted a crime by alerting Phoenix airport police to a woman of a different ethnicity than the child she was with.

But Phoenix police told the station on Wednesday that they found no criminal wrongdoing after performing the check. Critics on social media have accused her of racial profiling and harassment. <https://www.bbc.com/news/world-us-canada-47148044>

Another example is in an airport when Southwest Airlines required that a mother of a biracial child prove that she was the mother. <https://www.bbc.com/news/world-us-canada-44292513>



## Potential Indicators

- Frequent truancy or running behavior
- Fearful, anxious, or submissive behavior
- Tattoos that they are reluctant to explain
- Evidence of controlling relationships, older boy/girlfriend
- Unexplained/suspicious injuries or health complications
- Scripted or recited story
- Physical exhaustion, malnourishment
- Not in possession of identification/ lies about identity
- Mentions not being paid for work or working in dangerous conditions

National Human Trafficking Resource Center: [www.TraffickingResourceCenter.org](http://www.TraffickingResourceCenter.org)



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### Training Notes

None of these things on their own mean someone is being trafficked. A trafficking victim may have one, all, or none of these things. The important thing is to look for suspicious behavior/signs and ask questions or alert the appropriate person. There are things that might not even be on here that can be suspicious.



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# Support for Victims



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## Training Notes

Tips for trainers: bring your own laptop and thumb drive. But print copies of the powerpoint and bring it. Because technical difficulties do happen.



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## Trauma-Informed Care

### What is helpful:

- Take time to build rapport and trust
- Be clear about your role and what will happen next
- Provide choices – restore autonomy
- Focus on strengths/ resilience
- Monitor signs of distress, minimize risk of re-traumatizing
- Only ask questions you need to know to do your job
- Listen and W.A.I.T. (why am I talking)
- Be aware of power imbalance
- Treat them as a victim- regardless of the context
- Recognize anxieties around legal issues or criminalization
- Offer translators to address language barriers



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### Training Notes

\*\*Spend some time on these slides. These slides give the audience some tools for when they do encounter victims. But remind people that they are not experts. Take time to build rapport and trust - recognize that victims have often been failed by people and systems that were designed to protect them. Understand why they will not immediately trust you.

Be clear about your role and what will happen next - we have a tendency to “go through the motions,” leaving people confused and scared, unsure of what is happening. Take the time to explain everything you are doing and ask if they have any questions.

Provide choices - part of the trauma involved with human trafficking the loss of control. This loss of control is often perpetuated by well-meaning service systems that think victims are vulnerable and unable to make decisions for themselves. Provide choices whenever possible, no matter how small, to help victims regain a sense of control over their lives. Make them feel like their voice and choice matter.



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Monitor signs of distress - if you are questioning or working with a victim, recognize if they are becoming agitated, shutting down, or other signs that they are “triggered”, and take a step back or a break. Only ask questions that you need to know the answer to in your role. If you aren’t a forensic interviewer or a therapist helping them build a trauma narrative, you do not need to know the gory details of the abuse they endured. Also be prepared in case they start flooding you with information.

Power imbalance - there is always a power imbalance between client/victim and provider - notice if the answers to your questions are all “yes ma’am, no sir” - take a step back, give choices, validate their experience and perspective

Be honest about your role and the next steps that you know will happen. But offer choices where you can. “I am your teacher. Because of that, I have to report this. Do you want to talk in the office or outside?”

Treat victimization even in the context of illegal activity - remember that illegal activity can be a result of human trafficking force, fraud, or coercion. If you see the individual only for the crime they allegedly committed, you will miss the victimization. If we see them primarily as a victim, we are more likely to build rapport.

Language barriers - NEVER have a “friend” or relative translate - always get a professional/certified translator through a language line service or another professional whenever possible. Recognize that language barriers are used to manipulate and control victims.

Quotes from survivors:

- “In the life, you tend to lose your faith in humanity. Victims need their faith in humanity restored...It’s important to let victims know that they are people out there that you can trust and want to see you become a survivor.” – DF
- We had a survivor on a recent (not trauma-informed) intake call with another agency that, after the call, said “I didn’t feel like I was trafficked enough to get services.”



## Trauma-Informed Care

### Practices to avoid:

- Shaming or asking intimate or accusatory questions
- Blaming words like prostitute, promiscuous, fast
- Making promises you can't keep
- Expecting them to trust you right away
- Expect them to self-identify as a victim of human trafficking or abuse - disclosure is NOT THE GOAL
- When possible, avoid touching the person without their permission or verbally explain why you're touching them



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### Training Notes

\*\*Spend some time on these slides

Practices to avoid - asking shaming/blaming questions, or any questions that you don't need to know the answer to in order to do your job.

Be careful with your word choice - and don't assume you know the meaning of words that they use to describe their experience.

Do not touch anyone without permission - and again, remember the power imbalance. If you ask "Can I hug you?" - they might not feel like they can say no. And is that for YOU or for them?

Do not make promises you can't keep. People respect and trust you more if you truthfully say "I don't know, let me try to find out" or "I'm not sure, I don't want to lie to you or be wrong."

Don't expect them to self-identify as a victim of human trafficking or abuse. Don't expect them



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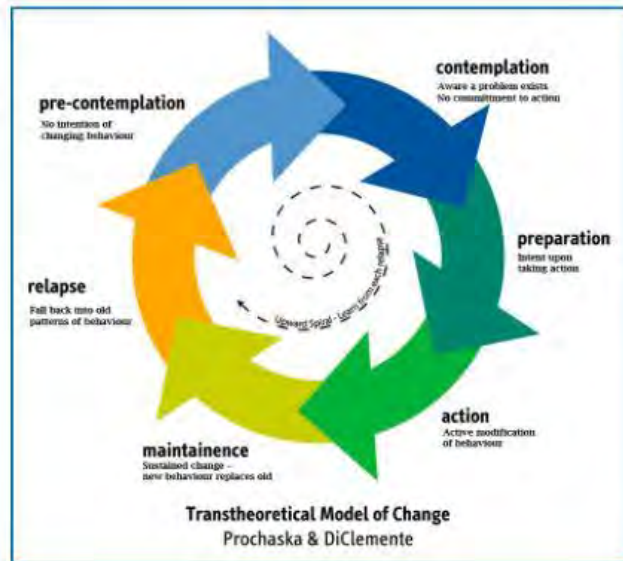
to see the trafficker as a bad person. Remember that youth and young adults are often bonded to their offenders, and the trafficker has often met the needs of their victim better than other system providers or family members ever had.

Additionally bullet point examples:

- Do not say you understand, unless you've been through it.
- Do not treat interview as an interrogation
- Do not prioritize paperwork over the victim



## Model of Change



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### Training Notes

(You can use the example of quitting smoking - or just jump in to how this applies to leaving a human trafficking situation)

This is about identifying where a minor or adult victim is in their change process and meeting them where they are in order to build rapport and encourage meaningful change.

Whenever we make a change in our lives, we go through this process - starting in pre-contemplation where we don't recognize that there is a problem. This could be a child who sees the trafficker as their boyfriend and believes they are having sex for money to prove their love to the trafficker. In contemplation, victims recognize there is something they don't like about the situation, but are weighing the pros and cons of making a change. Oftentimes, something *happens* to move an individual from precontemplation to contemplation - this could be an incident of violence (physical, sexual, or psychological), a sexual health complication, etc. For example, a victim might be weighing the pros of leaving the situation (not enduring



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more violence, not wanting to have sex for money) with the cons of leaving (will lose the trafficker who makes them feel seen/heard/ loved, etc., won't have a place to sleep, doesn't want to go back to a group home, etc.). In preparation, a victim is making a plan to leave the situation. This is when service providers can inform victims of various options for housing, mental health support, job programs, etc., and provide support in planning to leave. In action, a victim is actively leaving the situation and engaging in supportive services. Weighing the pros and cons of leaving is an ongoing process. A victim in action might feel like their housing placement is not supportive or like their needs aren't being met, and return to the trafficker. You should expect relapse and an extended time for healing.



## Reporting: Suspected Trafficking Victims

1. Follow protocol and work policy for reporting child abuse and neglect
2. Report to DCFS
  - 1-855-452-5437
  - \*Child sex trafficking cases require a mandatory report.
3. Report to Local Law Enforcement
  - Call 911 or your local law enforcement
  - Louisiana State Police Hotline 800-434-8007
4. Call the National Human Trafficking Hotline
  - 888-373-7888 or text "Be Free" to 233733



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### Training Notes

Especially for education professionals or people who work with young people: you must follow work protocol. Going to your boss alone to report is not enough. You have to be the person who reports to DCFS or law enforcement. Note, beginning in January of 2023, all child sex trafficking cases require a mandatory report to DCFS.

Encourage people to put the National Hotline in your phone. They will often direct you back to services in your local community.

NOTE - for adults, you need their consent to make a report. If they do not want to report trafficking, sexual assault, or any other crime committed against them to the police, you cannot report for them or make them report. Your job is to provide them with whatever form of support they would like from you, and support them in making a report if they choose to do so. Provide them with information about their options, provide them with choices whenever possible, and provide them with support.



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## Regional/ Local Response

*[Insert MDT or other Team Name]*

- Brief overview of process or protocol

*[Partner Agencies]*

- For example: Law Enforcement, DCFS, DA's Office, Juvenile Services, Mental Health Provider, Housing Provider, Advocacy or Mentorship Agency

*[Insert flow chart if available to show process]*

Each Coordinator should create this slide based on local/regional response. This slide should be reviewed and modified as needed as local trafficking response process is developed.



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### Training Notes

**DO NOT LEAVE THIS SLIDE AS IS: INSERT YOUR LOCAL REGIONAL RESOURCES HERE!** Brief overview of your local response and efforts. Emphasize that we now have regional trafficking coordinators.

Better to report and be wrong than to do nothing at all.

Teachers have to follow their work policy, but then they must follow up that process with a call to DCFS. Failure to report is a felony. Let your principal know that after you speak with them you will be reporting both to DCFS and to law enforcement. You can also report anonymously after school if you're worried about professional repercussions. Keep note of who you reported to and when, so that you can protect yourself against liability.

Communicate that if you have questions, your CAC is a great resource. It's a great neutral party to walk you through the process. But the CAC isn't the agency to report to.



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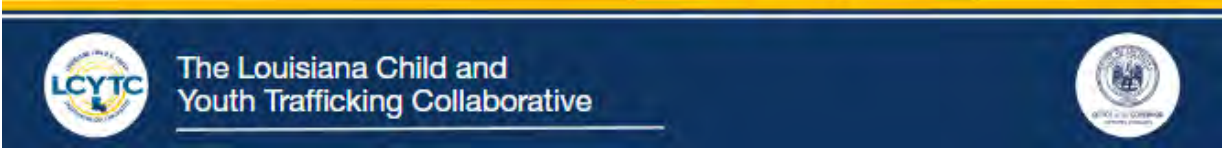
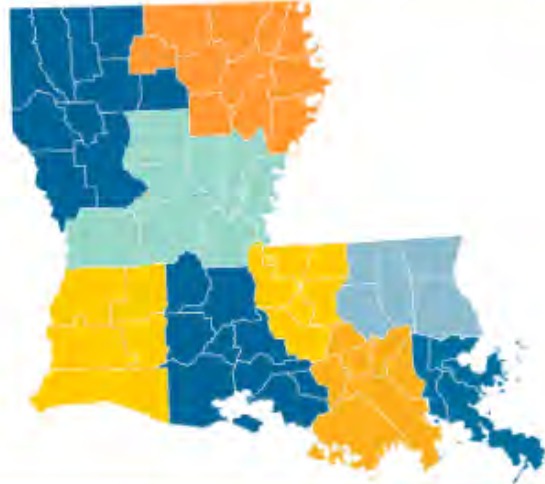


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## Resources for Survivors

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For information on services and resources for survivors in your region, please visit [humantrafficking.la.gov/resources](http://humantrafficking.la.gov/resources).



### Training Notes

Share with the audience about the Human Trafficking Resource Center of Louisiana which includes a map with regional services and resources specifically for victims of human trafficking.

To be added to the resource map, contact the Office of Human Trafficking Prevention at [humantrafficking@la.gov](mailto:humantrafficking@la.gov).



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## Training Resources

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For additional training resources:

Contact your local Children’s Advocacy Center and ask about their available trainings.

Visit the Louisiana Child Welfare Training Academy website:  
<https://www.lcwtta.org/>.

Email the Office of Human Trafficking Prevention at  
[HumanTrafficking@La.Gov](mailto:HumanTrafficking@La.Gov).



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### Training Notes

Mention any additional resources or trainings you’d like to include from your agency or others in your region; such as, trainings on trauma-informed care, online safety, child abuse prevention, etc.



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# QUESTIONS?

REGIONAL COORDINATOR

CAC Name

Phone Number | E-mail



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## Training Notes

**Edit with your information.**



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JAMES BEL EDWARDS



*An Introductory Training for  
EMS professionals*

**HUMAN  
TRAFFICKING  
AWARENESS AND  
REPORTING**

Trainer Manual

*Version 1: Updated June 23rd, 2021*



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## Training overview:

This training manual is for the 2 hour human trafficking training focused on EMS professionals in Louisiana. This presentation is intended for trained professionals who have attended a Train-the-Trainer program through the LCYTC. This user guide may not be distributed without the expressed written consent of LCYTC leadership. This training should take approximately 2 hours to complete, including a 10 minute break in the middle of.

### Training Overview:

- **What is Human Trafficking?**
  - Common Misconceptions
  - Sex Trafficking
  - Labor Exploitation, Child Labor, Labor Trafficking
- **Psychological Coercion**
- **EMS and healthcare responses**
  - Biases
  - Red Flags & Victim Identification
- **Interacting with Victims**
  - Reporting
  - Resources (local and statewide)
- **Case Studies**

### Draft Training Agenda

<b>50 minutes</b>	Introductions Human trafficking definitions Human trafficking in Louisiana Risk factors and vulnerabilities Psychological coercion, grooming, and control
<b>10 minutes</b>	Break time
<b>50 minutes</b>	Best practices for serving and identifying victims Trafficking indicators Case studies for EMS professionals Local resources Q & A
<b>10 minutes</b>	Closing

*This training was supported by federal grant 2018-NZ-NX-K001, awarded by the Office for Victims of Crime, Office of Justice Programs, U.S. Department of Justice.*





## *An Introductory Training for EMS Professionals*

# HUMAN TRAFFICKING AWARENESS AND REPORTING

Date | Presentation Group  
Coordinator Name | Title



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### Training Notes

Use this slide to introduce yourself and this training. For example: “Good morning. My name is \_\_\_\_\_ and I serve as the Regional Child and Youth Trafficking Coordinator for the Louisiana Child and Youth Trafficking Collaborative. Thank you for participating in this Louisiana Child and Youth Trafficking Collaborative Awareness and Reporting Training for EMS professionals. This training is a standardized statewide training specifically for EMS professionals that provides basic knowledge on sex and labor trafficking. The information you receive today will by in no means make you a subject matter expert but will give you a foundation on which to build your knowledge base and empower you begin to better understand what human trafficking is and how to better identify and assist victims.”

Edit with your name.



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## Disclaimer

This training presentation was created with the support of grant #2018-NZ-NX-K001, awarded by the Office for Victims of Crime, Office of Justice Programs, U.S. Department of Justice. The opinions, findings, and conclusions or recommendations expressed in this content are those of the contributors and do not necessarily represent the official position or policies of the U.S. Department of Justice.



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### Training Notes

*This text is required by the grant. You don't have to talk for this slide.*



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JAMES BEL EDWARDS

## Editors

*This presentation was collectively developed and edited by the following organizations:*

- Louisiana Governor's Office Children's Cabinet | Dr. Dana Hunter
- Department of Children and Family Services | Sec. Marketa Walters
- FREE Coalition | Laurie McGehee
- Gingerbread House Children's Advocacy Center | Jessica Milan-Miller
- Greater New Orleans Human Trafficking Task Force
- Consultant | Dr. Samantha Sahl
- Consultant | Dr. Laura Murphy
- Consultant | Alliece Cole
- Louisiana Alliance of Children's Advocacy Centers | Kate Shipley
- Louisiana Alliance of Children's Advocacy Centers | Leanne McCallum
- LCYTC Survivor Advisory Council

*Please do not use or distribute this powerpoint without permission.  
If interested in partnering to provide training, please contact Dr. Dana Hunter  
([Dana.Hunter@la.gov](mailto:Dana.Hunter@la.gov)) or Leanne McCallum ([leanne@lacacs.org](mailto:leanne@lacacs.org))*



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### Training Notes

The purpose of this slide is to demonstrate that the development of this training was a collaborative effort. You can say, "This statewide training was developed and reviewed by a number of agencies, experts, and survivors from across the state, and in collaboration with federal partners such as the US Department of Justice Office for Victims of Crime and the Research Triangle Institute. Listed here are the statewide partners who assisted in the development of this training presentation. We could not be more thankful for the collective expertise of our partners."



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## Special Thanks

*The EMS component of this presentation was created in partnership with the following individuals:*

- Orleans Parish Juvenile Court | Brianna Rock
- Louisiana EMS for Children | Amanda Perry
- Louisiana DHS, Bureau of EMS | John A. Cavell

*Please do not use or distribute this powerpoint without permission. If interested in partnering to provide training, please contact Dr. Dana Hunter ([Dana.Hunter@la.gov](mailto:Dana.Hunter@la.gov)) or Leanne McCallum ([leanne@lacacs.org](mailto:leanne@lacacs.org))*



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### Training Notes

The purpose of this slide is to demonstrate that the EMS portion of the training was created in partnership with people from that field. You can say, "This statewide training was developed and reviewed by a number of agencies, experts, and survivors from across the state, and in collaboration with federal partners such as the US Department of Justice Office for Victims of Crime. Listed here are the statewide partners who assisted in the development of this training presentation. We could not be more thankful for the collective expertise of our partners."



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## Louisiana Child and Youth Trafficking Collaborative (LCYTC)

### LCYTC Key Partners:

Office of the Governor Children's Cabinet  
Louisiana Alliance of Child Advocacy Centers  
University of Louisiana at Lafayette Cecil  
J. Picard Center  
WestCoast Children' Clinic  
Department of Children and Family Services  
Department of Health (LDH)

Louisiana State Police (LSP)  
Free Coalition  
Empower 225  
Survivor Advisory Council  
Office of Alcohol and Tobacco  
Control (ATC)  
Office of Juvenile Justice (OJJ)

*This training was supported by federal grant 2018-NZ-NX-K001, awarded by the  
Office for Victims of Crime, Office of Justice Programs, U.S. Department of Justice.*



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### Training Notes

You mentioned in a previous slide the editors who assisted in the development of the presentation. This slide lists additional partners who play a role in this statewide collaborative project. And again, we want to acknowledge and thank our federal partners the US Dept. of Justice for their generous funding to address this issue in Louisiana.



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## Louisiana Child and Youth Trafficking Collaborative (LCYTC)

The **Louisiana Child and Youth Trafficking Collaborative (LCYTC)** is a multi-year 1.6 million dollar project to improve outcomes of child and youth victims of human trafficking. The project is administered by the **Louisiana Governor's Office** in collaboration with the **Louisiana Alliance of Children's Advocacy Centers**.



*The Collaborative's goal is to strengthen Louisiana's human trafficking response in four core areas:*

- **COLLABORATION** Utilize the MDT model and case coordination to improve communication across agencies.
- **ADVOCACY** Ensure access to high-quality care centered on victim healing.
- **SCREENING** Utilize a validated screening tool to identify child and youth trafficking victims.
- **OUTREACH** Provide trauma-informed, victim-centered training to improve identification and response to human trafficking.



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### Training Notes

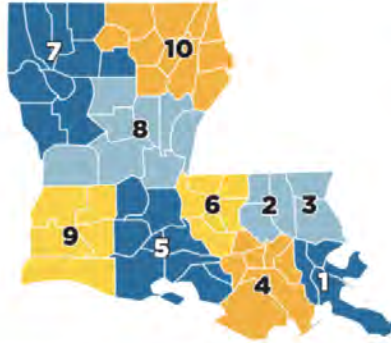
(This slide can be read and explained verbatim). This training was developed and will be conducted with community-based providers in each region of the state to increase statewide awareness of human trafficking.



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## Louisiana Child and Youth Trafficking Collaborative (LCYTC)



### Regional Child and Youth Trafficking Coordinators:

- 1- Orleans:** Jefferson Children's Advocacy Center
- 2- Baton Rouge:** Baton Rouge Children's Advocacy Center
- 3- Covington:** Child Advocacy Services
- 4- Thibodaux:** Terrebonne Children's Advocacy Center
- 5- Lafayette:** Hearts of Hope
- 6- Lake Charles:** Coordination provided by the Calcasieu Office of Juvenile Justice Services
- 7- Alexandria:** Children's Advocacy Network
- 8- Shreveport:** Gingerbread House Children's Advocacy Center
- 9- Monroe:** Children's Advocacy Center of Northeast Louisiana
- 10- Hammond:** Hope House

**Project Lead:**  
Dr. Dana Hunter  
Governor's Office  
Children's Cabinet

**Program Director:**  
Kate Shipley, LACAC

**Project Manager:**  
Leanne McCallum,  
LACAC



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### Training Notes

This slide is to highlight the regional model and placement of the coordinators. For example, you can say: "As I mentioned before, the Louisiana Child and Youth Trafficking Collaborative is a statewide initiative designed to improve the state and individual community's response to sex and labor trafficking. Regional coordinators have been hired throughout the state to assess, advocate, and assist in improved identification of victims and enhanced community/MDT response. Currently, 9 regional Coordinators are housed in the local Child Advocacy Centers across the state listed here. The project is operated by the Louisiana Governor's Office Children's Cabinet who contracts with the Louisiana Alliance of Children's Advocacy Centers to manage this project." *This would be a good time to include any specific details or information about your local agency.*



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## TRIGGER WARNING

This presentation discusses human trafficking and refers to abuse, violence, other potentially upsetting content related to victimization. Pay close attention to your body and emotions. If at anytime you need to take a break or step outside of the room, feel free to do so.



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### Training Notes

For those who have experienced trauma, **trigger warnings** help them to avoid being “triggered” or re-traumatized when they are exposed to words or imagery that remind them of the trauma. Trigger warnings are important because people in the audience may have experienced some type of victimization (or human trafficking) that they are reminded of during this presentation. For people who haven’t experienced trauma, trigger warnings are still helpful to prepare the audience for an emotionally challenging topic. Talk about grounding techniques, encourage folks to take care of themselves.

**Trigger warnings are critical to inclusion.** Even if it feels uncomfortable, it is a necessity. Offer for folks to get up, stretch, or get a glass of water any time. Offer suggestions for ground techniques, such as breathing deeply.



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## Overview

- **What is Human Trafficking?**
  - Common Misconceptions
  - Sex Trafficking
  - Labor Exploitation, Child Labor, Labor Trafficking
- **Psychological Coercion**
- **EMS and healthcare responses**
  - Biases
  - Red Flags & Victim Identification
- **Interacting with Potential Victims**
  - Reporting
  - Resources (local and statewide)
- **Case Studies**



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### Training Notes

This is a good way to let people know that their questions will be answered.



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# What is Human Trafficking?



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## Training Notes

Use as an opportunity to ask people “what do you know or what have you heard about human trafficking?” Ask to raise their hands or enter in the chat box and share things they have heard. Let them know it’s okay to share things even if they aren’t sure or think it may be untrue. The next slide will address common misconceptions and start a conversation.



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## Common Misconceptions



*"The only thing my pimp ever said that made sense was that we (survivors) all come from different walks of life."*  
-Survivor testimony

- Happens only in other countries
- Happens only to women or girls
- Power is always maintained through drugs or physical force
- Movement is required for trafficking
- Labor trafficking is less common, does not happen here, is less traumatic
- Traffickers are always strangers
- Trafficking doesn't happen at home
- Victim behavior causes trafficking
- All survivors present the same way



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### Training Notes

It could take a long time to go through all of these.

Depending on time, choose a few to dive a little deeper into. You can also ask, "which one of these surprises you the most?" Or "which one of these have you heard?" Or if anyone mentioned specific ones, go ahead and explain those specifically.

The goal here is to clear up some misconceptions that exist around human trafficking. When people are looking for victims through the lens of these misconceptions (women from other countries, women chained in basements, etc.), they will likely miss victims that are right in front of them. A lot of these misconceptions are perpetuated in the media – movies like Taken, TV shows like Law and Order, etc. Misconceptions are also perpetuated when people generalize from really small sample sizes. The reality is there is a lot we don't know about human trafficking, and much of what we do know is based on really small sample sizes of mostly women and girls who are in treatment programs.



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- Happens only in other countries – Human trafficking is happening in likely every country, including the United States. There are both foreign national victims and domestic victims
- Happens only to women or girls – boys, men, trans individuals are also victimized by both sex and labor trafficking. Research on the experience of boys and men is lacking, and stigma/shame might prevent boys and men from seeking help or self-identifying as victims.
- Power maintained through drugs or physical force – traffickers often use many tactics to induce compliance/ prevent a victim from fighting back/ make a victim stay with them. Many of these tactics are forms psychological coercion that we will cover later on.
- Movement is required for trafficking – This is a confusion between Human Smuggling and Human Trafficking. The word “trafficking” sounds like it implies movement, but movement is not required for human trafficking to occur, people can be trafficked out of their own home/ in their own community. Human Smuggling is the illegal transportation of a person from one place to another – it is a crime against a border. Human Trafficking is a crime against a person.
- The Super Bowl is the biggest human trafficking event ever – Human Trafficking is a crime rooted in economic gain – someone is profiting. As an economic crime, it follows the laws of supply and demand – supply being victims of human trafficking, demand being people who want to purchase sex or who want the labor services of another person. If areas with more people, the demand increases, so they supply must rise to meet the demand. Statements like this about the Super Bowl are misleading because they lead us to believe that human trafficking only happens around big events – when the reality is it is happening in small towns, in the absence of large events, in homes, etc.
- Human trafficking “hubs” – same as above. The National Human Trafficking hotline puts out a “heat map” of the US – which leads people to believe that human trafficking is only happening in areas lit up on the map. In reality, those areas likely have more training and resources so more people are identifying and reporting victimization
- Sensationalism – media (TV, movies, songs, etc.) tend to sensationalize human trafficking and make it seem like a victim would be obvious as they would be chained up somewhere, crying for help, covered in bruises, etc. As mentioned earlier, psychological coercion is much more common.
- Labor Trafficking is less common – along with the media sensationalizing human trafficking, it tends to only focus on sex trafficking. Labor trafficking, which often also involves physical, sexual, and psychological violence and trauma is often left out of the conversation, or seen as “less traumatic”.



- Traffickers are always strangers - people can be trafficked by family members, close friends, or significant others - people who have formed a trusting relationship with them. Similar to Trafficking doesn't happen at home - reminder that *movement* is NOT required for trafficking. People can be trafficked out of their own homes.
- Victim behavior causes trafficking - shaming and blaming. Traffickers manipulating a need or vulnerability of a victim is what causes trafficking.
- Same walk of life - trafficking survivors can come from two-parent loving households - anyone can become a victim of human trafficking.

SURVIVOR QUOTES:

*On understanding the experiences of survivors:* "People like to tell me that they understand and now I'll be able to move on, but that's not true... With the damage they've done to me, I won't." - DP



## U.S. GOVERNMENT HUMAN TRAFFICKING DEFINITION:

### SEX TRAFFICKING

Sex trafficking is the recruitment, harboring, transportation, provision, obtaining, patronizing, or soliciting of a person for the purposes of a commercial sex act, in which the commercial sex act is induced by *force, fraud, or coercion*, or in which the person induced to perform such an act has not attained 18 years of age (22 USC § 7102).

*Trafficking Victims Prevention Act (TVPA)*

### LABOR TRAFFICKING

Labor trafficking is the recruitment, harboring, transportation, provision, or obtaining of a person for labor or services, through the use of *force, fraud, or coercion* for the purposes of subjection to involuntary servitude, peonage, debt bondage, or slavery, (22 USC § 7102).



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### Training Notes

Use this as a transitional moment to say “now that you know what trafficking *isn't*, let's discuss what trafficking *is*.”

Read through entire definitions, pause, then acknowledge their “wordiness” and highlight the following:

- The many verbs in the legal definitions allow law enforcement and prosecutors to hold everyone involved accountable for exploitation. Give examples (ex. harboring – if a hotel owner allows a friend to use a room and knows that someone is being exploited in that room, or a hotel owner houses labor trafficking victims)
- For sex trafficking, force, fraud, or coercion must be present for adult victims but not for minors – note that you will break this down further



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- For labor trafficking, force, fraud, or coercion must be present regardless of age – which, again, you will break down for them.

Three elements that make this easier to understand:

1. The trafficker acts.
2. They use force, fraud, or coercion.
  - Force = physical
  - Fraud = trickery
  - Coercion = psychological elements
3. For the purpose of commercial sex or labor

For sex trafficking the special component is that for any person under 18 you do not have to prove force, fraud, or coercion. All commercial sex work is not sex trafficking. If you are over 18, federal law says that you must prove force, fraud, or coercion.



## What Does That Mean?

### FORCE

Kidnapping  
 Physical violence  
 Drugging  
 Threats with weapons  
 Denial of medical care and disability support

### FRAUD

False or deceptive work offers  
 Promises of employment, marriage, or a better life  
 Debt bondage

### COERCION

Threats of violence  
 Control of children  
 Photographing in illegal situations  
 Long hours without reprieve  
 Controlling communication  
 Holding important documents

\*Inability to walk away



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### Training Notes

Depending on length of presentation, this is a good slide for audience involvement. Before switching to this slide, you can ask “What do you think an example of force is? Fraud? Coercion?”

- Force – physical force and violence. Discuss items in the list
- Fraud – false promises of employment, marriage, or a better life. This includes promises of citizenship. For example, “Come to this country, you can work as a maid” but then they arrive and are forced to engage in commercial sex. Debt bondage is when someone gets trapped in a cycle of debt. For example, “Come work for me – you can pay me back for the flight” – person makes \$500/ week but owes \$400/ week for room and board, \$100/ week for food, \$50/ week for phone calls/ other, \$50/ week to pay back for the flight – so they are just in a perpetual cycle of debt.
- Coercion – this is more psychological: “If you don’t do \_\_\_\_, then \_\_\_\_ will happen.” If you don’t have sex for money, I will expose these images of you. If you



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don't do this job, I will get you deported/ I will harm your children, etc.

Be prepared for people comparing their experiences to trafficking victims (“my student loans are debt bondage,” “my boss has those same expectations,” etc.). You should be prepared to shut that down in a respectful way.

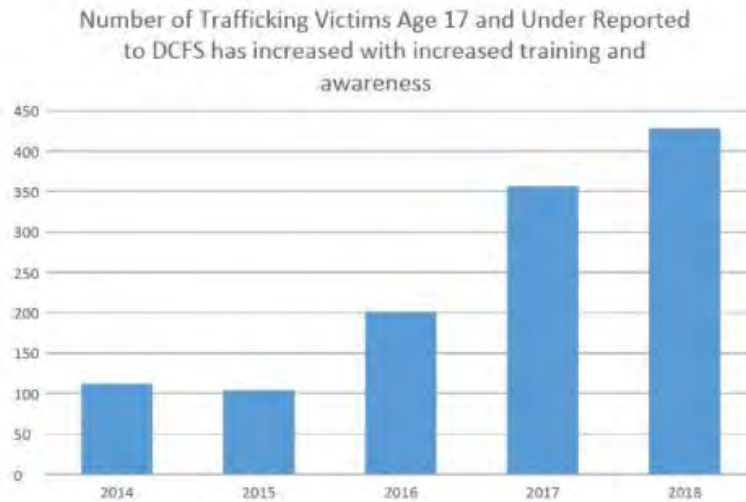
An example of labor trafficking as psychological control: Imagine an extremely long day at work. When you get home, the first thing your partner asks is what do you want for dinner. You're so exhausted you can't make a decision. You might even say something like 'I can't even think about that right now.' For people working in these circumstances, their mental facilities are diminished. That's a means of psychological control.

Quotes from survivors:

- *On the inability to walk away:* “You can't walk away. They say, ‘ if you walk away, we're going to put a bullet between your eyes.” - DP
- *On controlling communication:* “The only time that we were allowed to talk to other girls— not like us—was when we were recruiting them.” - DF
- *On fraud and controlling their movements:* “If we did have money, we weren't allowed to spend it. We would have to give it to him and he might give us \$5 to buy food.” - MJ
- *On denial of medical care and disability support:* “They took my disability check... and after my arm was broken, they wouldn't bring me to a doctor.” - DP
- *On holding identification, travel documents, debit/credit cards, and personal property:* “The pimps will keep all of our IDs but won't carry their own... we had to bring him [the pimp] to the hospital once and he used a fake name.” -DF



## Scope of the Problem: Louisiana



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### Training Notes

Update appropriately with statewide human trafficking statistics that demonstrate that trafficking is happening here.

In 2014, a law was passed in Louisiana that required DCFS to collect and report on the number of trafficking victims in Louisiana. This report relies on service providers around the state to report to DCFS every year on the number of victims their agency served. This graph may make it look like human trafficking has been increasing in Louisiana since 2014, but in reality, the number of reported victims is increasing because training (like this one!) on identification and response has increased around the state, so more victims are being identified and supported.



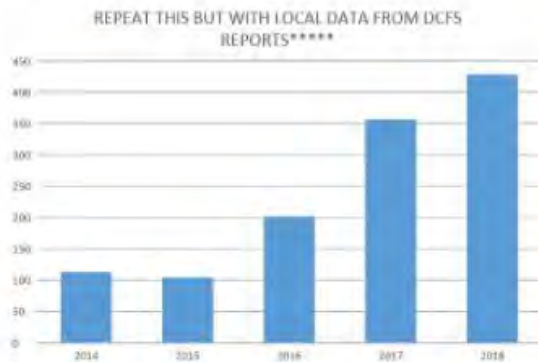
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## Scope of the Problem: Regional

### INSERT YOUR LOCAL DATA HERE

2014-2018: The Caddo-Bossier Community Response Team (CRT) served 159 high risk youth in Northwest Louisiana, 72 of whom were confirmed cases of child sex trafficking. (45%)



- Age: The most common ages were 14, 15, and 16 years old.
- Gender: There have been 4 trans-girl victims and 4 male victims



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### Training Notes

**Individualize this slide to your region- DO NOT LEAVE IT AS IS!** Discuss the local Multidisciplinary response (whether it is established or in development), discuss numbers - and if they are low or 0, discuss why this could be (lack of training or coordination), maybe the difficulties in identifying victims in more rural/ spread out areas, fewer resources for victims or opportunities for identification.

You need to be familiar with your area. Bring it home; know what your audience is interested in. Think about the jobs of the people in their audience (teachers, law enforcement, etc.)



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# Labor Trafficking



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## Training Notes

Explain that you are going to talk specifically about Labor Trafficking - but also the common overlap between sex trafficking and labor trafficking

Even though we hear about sex trafficking more often, international studies show that labor trafficking occurred in 70% of cases of trafficking.

Ask people if they've ever been trained on labor trafficking or if they even knew that trafficking included labor.



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## Labor, Child Labor, & Labor Trafficking

### Labor Exploitation

- A person is working legally but is denied basic legal rights such as fair compensation

### Child Labor

- Youth working under the legal working age or engaged in work that is harmful to their health, development, or education
- 14 is the legal working age in Louisiana, some types of employment are off limits to youth under ages 16 & 18

### Labor Trafficking

- Someone forces, defrauds, or coerces another person into providing labor or services



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### Training Notes

The goal of this slide is to explain the difference between labor exploitation, Child Labor law violations and labor trafficking. An organization can violate child labor laws without trafficking the child. States have different child labor laws. In Louisiana, 14 is the legal working age, but some types of employment youth have to be 16 or 18, for example, carry heavy equipment, working with hot oils or dangerous chemicals, operating certain machinery.

Basic rights that can be denied under labor exploitation: minimum wage, breaks, etc.

Unless it's a family farm or restaurant, in most industries, children under 14 cannot work in Louisiana. The Dept of Labor in Louisiana just released guidance on this.

It takes time and expertise to understand the differences between these types of abuse. It's okay to not know everything. Instead of saying "I don't know" and undermining your authority, say something like "that's a great question, I'd love to follow up with a report" or "I'd love to



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meet with you after.” The worst thing you can do is make something up.

Human trafficking does not just happen in the normal economy. There are a lot of jobs in the ‘grey’ or ‘informal’ economy. Drug sales, selling drugs, sex work, day laboring. Dr Laura Murphy’s study: if the youth that experienced labor trafficking, 80% participated in forced criminal activity.

Even if a person does something illegal, if it happens in the context of their labor trafficking, they are still a victim. Drug sales, panhandling, theft.

Foreign nationals and unaccompanied minors can also experience labor trafficking.

Dept of State Trafficking in Persons Report  
DOL wage and Hour Child Labor Laws Handbook

*Quotes From Survivors:*

- “They denied my rights. They made me work for free.” - DP



## Sites/Types of Labor Trafficking in U.S.

- Restaurant and food service
- Peddling and begging
- Health and beauty services (salons)
- Construction
- Hotels and hospitality
- Landscaping
- Illicit activities (i.e. drug dealing)
- Forced begging
- Arts & entertainment
- Commercial cleaning services
- Factories and manufacturing
- Carnivals
- Forestry and logging
- Health care
- Recreational facilities
- Forced/fraudulent marriage
- Child marriage
- Domestic work



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### Training Notes

Point out the ones that are relevant to your audience:

For example, people who serve youth, I'd talk about restaurants and food service or illicit activities. For people who serve the homeless population, talk about peddling.

Questions:

- Child marriage: children leagally cannot consent to sexual activity or marriage. Louisiana actually does not have a law for a minimum age for marriage but there is a federal law.
- Carnivals: opportunities deregulated, traveling
- Health care: people exploit skilled guest worker visas. Someone may not speak great English or might have their passport taken away. Also important to note that survivors



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present in health care settings.

- Recreational facilities: camp counselors. This would happen in isolated environments.
- Forestry and Logging: isolated logging camps. Very similar to herders, fisherman, ranchers, they get physically isolated. The working conditions are harsh or unsafe.
- Fishing and seafood industry. Not only are they physically isolated, but also socially isolating. There is often a cultural or language barrier as well. Migrant workers are reporting labor trafficking particularly in crawfish fields, aquaculture.

To learn more, go into the Polaris Typology Report.



## In Louisiana...

- Seafood industry
- Aquaculture
- Agriculture
- Restaurants
- Construction
- Drug trade



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### Training Notes

In 2019 the Greater New Orleans Human Trafficking Task Force used open source data to identify the following as likely sectors in broader Louisiana: agriculture, seafood processing, restaurant work, and health/home services.

Awareness raising materials: <http://www.nolatrafficking.org/awareness>



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## Youth Forced into Criminal Activity

- Requires that there be an element of force, fraud, or coercion
- Often begins when youth are very young or vulnerable
- Trafficker could be family member or friend or neighbor
- Usually involves threats, implied violence, or acts of violence



Murphy, Laura. *Labor and Sex Trafficking Among Homeless Youth*. Loyola University New Orleans, Modern Slavery Research Project, 2016.



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### Training Notes

Note that youth who have a missing caregiver (incarcerated, deceased parent), in poverty, and in high-crime neighborhoods are at high risk. Often youth are unable to leave the situation without undergoing extraordinary violence. In Louisiana we certainly have young people experiencing forced criminal activity labor trafficking. During the 10 city study conducted by Dr. Laura Murphy, she found that 80 of homeless youth who experienced labor trafficking did so in forced criminal activity.

Equate this to child soldiers. People understand that those children are poor, forced into it, ignorant of the resources available to the world at large, etc. These same things can be said about youth forced into criminal activity.

Be prepared for pushback on this slide. A great tool is to ask the rest of the room what they think about that. "Does anyone have a response to that?" Then, instead of the trainer calling out an audience member, you allow the room to moderate. You can "validate," by saying "That has been a common way to see this, but now we know more about these victims... "I can definitely understand how it might seem like this, but when you look a little deeper, you find..."



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When you're asked a difficult/problematic/offensive question, take a pause. Maybe say "that's a really great point." Take the opportunity to meet people where they are at and create a learning moment.

Key questions to ask youth in these situations are "if you wanted to stop (enter illegal activity) could you?/ what would happen?" "If you wanted to stop, could you?" "What would happen if you tried?" If the youth were to respond, "sure I could just stop dealing drugs" it is not labor trafficking. But if they respond "well he would shoot me" it could be labor trafficking. HOWEVER: remind folks they shouldn't ask these questions unless they are trained and there's a benefit to screening.





# Sex Trafficking



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## Training Notes

This is a transition slide, but take a moment to say that labor and sex often overlap.



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## Louisiana RS 14:46.3 Trafficking of Children for Sexual Purposes

It shall be unlawful: For any person to knowingly **recruit, harbor, transport, provide, sell, purchase, receive, isolate, entice, obtain, or maintain the use of a person under the age of eighteen years for the purpose of engaging in commercial sexual activity.**

**"commercial sexual activity"** means any sexual act performed or conducted when **any thing of value has been given, promised, or received by any person.**

- ... to knowingly benefit from activity
- ... to knowingly facilitate any of the activities
- ... by any means, including but not limited to helping, aiding, abetting, or conspiring
- ... to knowingly advertise any of the activities



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### Training Notes

Louisiana Trafficking of Children for Sexual Purposes law

- This is similar to the LA adult trafficking law, which is similar to national law.
- It defines “commercial sexual activity” as any sort of sex act performed or conducted by any person when a thing of value is given, promised, or received by any person.
- \*\*Good time for audience engagement – ask them “Imagine a child/ teenager who has been kicked out of their home, or who lives in a group home – what is a thing of value for them?” “What do they *need* or think they need in order to survive on the street?”
- Highlight the word “Purchase” and explain that the person buying sex from the child is also trafficking the child. In the absence of a third party (trafficker/ exploiter, or other person) who is benefiting from the child being exploited (ex. in the case of survival trafficking – child exchanging sex for a place to sleep/ food/ money) then the buyer can be arrested and charged with trafficking of children.



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- Also highlight advertising – posting an ad of a child, or a dating app profile of a child. Also if a parent/ guardian knowingly permits the child to engage in commercial sex, they can also be charged with trafficking of children



## What Does That Mean?

### *What does sex trafficking look like in our community?*

- Any individual selling a child in their home, neighborhood, hotel, etc., in exchange for anything of value
- A child exchanging a sex act for anything of value (survival trafficking)
- Familial trafficking
- Gang trafficking
- Children exploited through pornographic images
- Intersection of sex trafficking and labor trafficking or forced labor

*"A lot of times it's intergenerational. My mom's mom and her sisters were trafficked on naval bases at age 14."*

- Survivor



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### Training Notes

- The first type of sexual exploitation is the one most commonly known and depicted in the news and media - "pimp-controlled" trafficking. This is when there is an individual (trafficker, pimp, exploiter) who is facilitating and/or profiting from the exploitation of the child.
- Survival trafficking - the child is the one receiving the thing of value in exchange for a sex act.
- Familial trafficking - when a family member/ relative exploits a child. This tends to be younger children who might know that they are being harmed/ sexually abused, but often do not know that a transaction is happening in the other room/ not know that their family member/ parent is facilitating and profiting from the abuse. We have seen this happen where children are sold for drugs, for money at the end of every month to pay for rent or a car note, or to help the parent with bills.



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You can give specific examples from your work or you can explain hypotheticals “here’s what that can look like...”



## Safe Harbor Laws



*Louisiana has Safe Harbor laws that protect minors from being arrested or charged with prostitution-related offenses.*

### What this means:

Any person under the age of 18 that is involved in commercial sex is considered a victim of human trafficking - force, fraud or coercion does not have to be proven.



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### Training Notes

Many states have Safe Harbor laws that prevent children from being arrested and prosecuted for prostitution related offenses. Some state harbor laws also support services for victims, education for law enforcement and service providers, etc. In Louisiana, there is a Safe Harbor law protecting children from prosecution if they are victims of human trafficking.

You're welcome to mention that Shared Hope puts out a state report card. Know that while Louisiana may have an A in comparison to other states, there's still room for improvement. For instance, nowhere does it say that a child can't be arrested for prostitution. They can't be prosecuted, but they can be arrested.



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## Changing Societal Norms

- **REMOVE** the word prostitution from your vocabulary when discussing Commercial Sexual Exploitation of Children
- Implies consent & criminality
- Victim-blaming



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### Training Notes

Note: Make sure you don't just say the "P" word, explicitly tell people that the "P" word is prostitution and that we should not use that to describe children who can't consent to engage in commercial sexual encounters.

It is really important that we completely remove the work "prostitute/ prostitution" when we are talking about children. There is no such thing as child prostitution.

Prostitution is the provision of a sexual service BY AN ADULT where the person providing the service receives the profit. As prostitution is illegal in most of the U.S., this word implies criminality, when a child is not committing a crime - they are being abused. This word also implies choice or consent, when a child under the age of 17 cannot consent to have sex with an adult - therefore they cannot consent to sell sex either.

We need to be aware that the words we use when interacting with people will impact whether or not they can form a trusting relationship with us. And the words we use in our minds or in conversations with colleagues impact how we interact with child and adult victims. Words inform feelings which inform actions. Child trafficking victims are victims and survivors of child rape - there is no such thing as a child prostitute.




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# MASLOW'S HEIRARCHY of NEEDS

## Grooming Process



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### Training Notes

**DON'T TAKE TOO MUCH TIME ON THIS-** remember that the most important information is for EMS response and giving them concrete skills in the second section of the training.

The number one goal of this slide is empathy building. The slide is very relatable because we all have these needs. "How the hell does this happen?" This is a great slide to walk through a story. Empathy building not only for how they get them hooked, but also how they get them to stay.

Maslow's Hierarchy of needs describes the basic psychology behind human motivation. Maslow believed you had to meet your basic physiological needs before you could focus on meeting your higher level needs like self-esteem and self-actualization. There was a trafficker who wrote an article entitled: "How to be a Pimp: Using Maslow's Hierarchy of Needs to Make the Most Money." He said if you can identify what unmet needs a person has, you can meet



these needs, then make them dependent on you for meeting these needs, and then exploit their dependence on you for need fulfillment. If you imagine a child who has run away from home, or a child who was kicked out of their home, or a homeless young adult, or an unemployed or underemployed young adult - it is easy for someone to meet their basic needs by giving them somewhere to sleep, food to eat. Next is the need for safety and security. The trafficker might promise protection - for harms that come to people on the streets, but also protection from family members or law enforcement that might be looking for missing children who don't want to be found. Beyond that is the need for love and belonging. Traffickers often make a victim feel like their boyfriend/ or girlfriend, or like they are part of their family. They build trust and rapport, they get the child to confide in them. Traffickers can even go beyond that and make victims feel valued and respected. They may meet all of these needs before ever asking the child or young adult to do something in return. At that point, the victim may feel like they don't have a choice, or like they would rather do what the trafficker wants than lose the traffickers love or support.

You can talk about this as a push or a pull:

- Push: These are unmet needs that cause a child to search out and become vulnerable
- Pull: These are things that traffickers offer which pull children into trafficking

It's important also to mention that there are books sold on Amazon that describe pimping that use Maslow's Hierarchy. Trafficking is learned behavior. In the same way that victims are groomed to be victims, traffickers are also groomed to be traffickers.

"If they place me in homes with people who don't care about me, what's the big deal if I leave with someone who does care about me."



## Grooming Process

1. Target the victim
2. Befriend/ gain trust
3. Fill a need(s)
4. Isolate/ create dependence
5. Abuse while meeting needs
6. Maintain control



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### Training Notes

1. Target the victim – target kids with some noticeable vulnerability – (low self-esteem, abuse at home, homeless, etc.) This kid has this need that's not being met.
2. Befriend/ gain trust – collecting information – figuring out what they can exploit. Traffickers often befriend their victims, or have people who they've brainwashed and victimized for a long time do the recruiting or befriending for them.
3. Fill a need(s) – information gathered helps them fill a need – like Maslow's Hierarchy – easy to meet basic needs, then also meet emotional ones
4. Isolate/ create dependence – isolate from family and friends – people with other values and perspectives – but also to make it so the trafficker is the only one meeting those needs
5. Abuse while meeting needs – continuing to intermittently meet some of these needs –



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but in exchange for the child having sex with them – and then having sex with people for money. When the abuse starts, the victim often feels like the abuse/ exploitation was their idea, or is the only thing they are good for, or they deserve it, or it's how they have to show the trafficker that they love them.

6. Maintain control – through threats, cycle of violence – sometimes giving gifts/ being kind - Then the trafficker maintains control through either psychological coercion, physical violence, drugging - often a combination of tactics that serve to induce compliance and prevent conflict.

Quotes from survivors:

- *On gaining trust:* “In the beginning, I was allowed to go home to mom’s house, then eventually he wouldn’t let me go. If I said I wanted to go home, he said he would break my bones then he would bring me to my mom’s house.” - MJ
- *On creating dependence:* “He gave me a cell phone. He got me to come back to him everyday, so he could check his calls.” - MJ
- *On abusing and maintaining control:* “I was brainwashed... It all started when my mom died and they made me believe I was crazy and committed me into a mental hospital. After I go out, the day before my 22<sup>nd</sup> birthday, they changed. They told me that I deserved to die.” – DP



## Recruiting Can Happen Anywhere

- Social media
- Gaming with live chat
- Home, neighborhood, on the street
- Foster homes, group homes
- Juvenile detention centers
- Runaway and homeless youth shelters
- Clubs, bars, hotels, casinos, parties
- Schools and bus stops
- Job sites, Craigslist
- Government assistance offices
- **Anywhere vulnerable people congregate**



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### Training Notes

Again, traffickers prey on vulnerable populations/ people with an unmet need that they can exploit. Youth and young adults are also vulnerable because of their under developed frontal lobe and strong desire for validation and love. Traffickers know where schools are, where group homes and foster homes are, where homeless youth and young adult shelters are. They know where the unemployment offices are. They might prey on young adults exiting prison, or working at clubs or casinos.

A lot of recruitment also happens online - on dating sites, other communication apps, or various websites where postings for commercial sex are made.  
Be familiar with your local area so that you can speak to hotspots



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## Psychological Coercion

### What does that look like?

- Simultaneously meeting the needs of victims while abusing
- Making the victim feel dependent on the trafficker
- Broken spirit, impaired judgement
- Trauma-bonds - relationships of Power and control
- Empathy for the abuser, attachment

*"He used my baby to control me. He would say if you make this much money you can go see him. It was never enough. I didn't see my baby for 5 months."*

-Survivor



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### Training Notes

Traffickers often use many tactics of psychological coercion to induce compliance and reduce the victim's will to fight back. These tactics are similar to those experienced by victims of domestic violence. Instead of asking why a victim hasn't left, or why they keep returning - the better question is "what does the trafficker do to get them to stay/ get them to come back?" Often the trafficker is meeting a lot of needs that the victim has - and the victim may feel like if they don't do what the trafficker wants, they will lose either very practical needs or emotional needs. USE EXAMPLES here if you have any. (Ex. one child said that there were many times she could have gotten away from the trafficker/ the violence if she wanted to, but ultimately she was afraid no one would ever *understand* her like he did.). Traffickers might use drugs, violence, tactics that create exhaustion - like over working or preventing sleep, in order to reduce the will or ability to fight back.

Note that these quotes were put here with survivor permission. Survivors of human trafficking are often re-exploited for their story.

Psychological coercion includes trauma bonding and maintaining control. Victims feel loyalty, dependence, empathy for their trafficker. The trafficker takes advantage of the relationship of



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power and control. These victims may have cognitive dissonance – two conflicting views – hard to hold both in our heads “he loves me, he wants to be with me, but he’s hurting me and making me have sex with lots of other people” when we have dissonance, we have to change or thinking to remove the conflict – “just doing this for the time being so we can build that life that he promised,” etc. ‘

Function of trauma bonds:

Survival: Trauma-bonds help the mind from being taken over by terror – convince yourself oh he loves me – feels less threatening and less scary



## Risk Factors

### Individual

- Previous abuse
- Running from home
- Loss of caregiver
- Homelessness
- Truancy
- Foster system involvement

### Societal

- Racism, sexism, ableism, xenophobia, and other forms of discrimination
- Poor labor protections
- Poverty
- Lack of resources
- Criminalization of vulnerable communities



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### Training Notes

Anyone can be a victim of human trafficking, but it's important to look at who is most vulnerable. Poverty compounds all other risk factors. Not to mention, many other risk factors stem from poverty. Anytime we can improve poverty, we are combating abuse.

LGBTQIA+ (lesbian, gay, bisexual, transsexual, queer, intersex, asexual, plus) Research to know what each of these letters mean

Quotes from survivors:

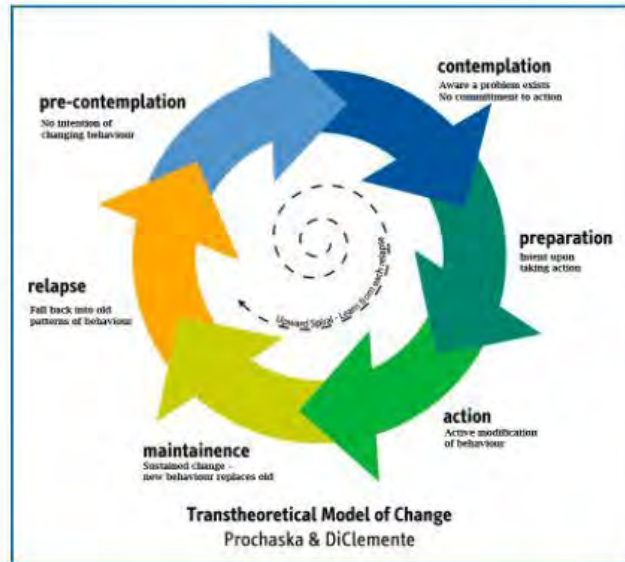
- *On having a disability:* "I don't like that word [autistic]. I don't like when they called me that 'autistic girl.'... People take advantage of vulnerable people." - DP
- *On recovery and healing:* "If it wasn't for my little girl, I wouldn't be here today. She gives me strength... And I wouldn't be here today, if y'all didn't help me." - DP



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## Model of Change



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### Training Notes

DON't TAKE TOO MUCH TIME ON THIS- FOCUS ON THE BIG STUFF- that relapse is normal and that most folks aren't ready to leave

(You can use the example of quitting smoking - or just jump in to how this applies to leaving a human trafficking situation)

This is about identifying where a youth or young adult is in their change process and meeting them where they are in order to build rapport and encourage meaningful change.

Whenever we make a change in our lives, we go through this process - starting in pre-contemplation where we don't recognize that there is a problem. This could a child who sees the trafficker as their boyfriend and believes they are having sex for money to prove their love to the trafficker. In contemplation, victims recognize there is something they don't like about the situation, but are weighing the pros and cons of making a change. Oftentimes, something *happens* to move an individual from precontemplation to contemplation - this could



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OFFICE of the GOVERNOR  
JAMES BEL EDWARDS



be an incident of violence (physical, sexual, or psychological), a sexual health complication, etc. For example, a victim might be weighing the pros of leaving the situation (not enduring more violence, not wanting to have sex for money) with the cons of leaving (will lose the trafficker who makes them feel seen/heard/ loved, etc., won't have a place to sleep, doesn't want to go back to a group home, etc.). In preparation, a victim is making a plan to leave the situation. This is when service providers can inform victims of various options for housing, mental health support, job programs, etc., and provide support in planning to leave. In action, a victim is actively leaving the situation and engaging in supportive services. Weighing the pros and cons of leaving is an ongoing process. A victim in action might feel like their housing placement is not supportive or like their needs aren't being met, and return to the trafficker. You should expect relapse and an extended time for healing.



# 10 minute break



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## Training Notes

Let folks know to take a 10 minute break, and that when they return we will focus on the EMS response to trafficking.

Before you start the next section, ask if anyone has lingering questions specifically about trafficking.



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# EMS Response

## *Intersection with human trafficking*



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### Training Notes

This section is all about EMS responses to trafficking and providing them with tangible skills they can apply to their work.



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# EMS providers are often the first set of eyes on trafficking victims

**87.8%**  
of sex trafficking victims say they had some contact with health care while being trafficked

Health Care Setting	Percentage
Hospital/ER	63.3 percent
Planned Parenthood	29.6
Regular doctor	22.5
Urgent care clinic	21.4
Women's health clinic	19.4
Neighborhood clinic	19.4
On-site doctor	5.1
Other	13.1

Source: Lauri J. Ledone and Christopher R. Wetzel, "The Health Consequences of Sex Trafficking" MARKETPLACE

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### Training Notes

According to a study of sex trafficking survivors, 87.8% of sex trafficking survivors surveyed said that they had some type of contact with health care while being trafficked- 63% of whom encountered a hospital or emergency room. There are many opportunities that you may encounter trafficking survivors as EMS professionals. So why haven't we identified more survivors?

## Common co-occurring public health issues

- Domestic violence
- Child abuse & Neglect
- HIV and other STIs
- Unwanted pregnancies
- Unmet preventative healthcare needs
- Drug and alcohol use & addiction



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### Training Notes

Human trafficking doesn't happen in a vacuum. Oftentimes, the clients we serve are experiencing a variety of harms at the same time. This idea is expressed through words like "polyvictimization" or "co-occurring disorders"- when a person is experiencing multiple types of victimization or multiple types of medical issues at the same time. Additionally, many victims will try to hide what is happening to them due to fear or shame. For example, survivors may call 911 claiming they've been in a domestic violence situation, when their abuser is their boyfriend who is also their trafficker. In other cases, they might have issues- such as unwanted pregnancies and STIs- as a result of their human trafficking experience. Kids who are experiencing human trafficking may be mis-identified as victims of child abuse or child neglect when they are also experiencing both the child abuse and the human trafficking.



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## EMS/ Healthcare

- Reasons the victim may call 911:
  - Sexual assault
  - Psychosis
  - Physical harm
- Exacerbations of chronic conditions
- Infections
- Substance misuse or overdose
- Impacts/ complications on sexual health



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### Training Notes

EMS professionals may encounter human trafficking survivors for a variety of reasons. In the context of emergency medicine, the most likely reasons will be for sexual assault, psychosis, and physical harm. In some cases, it can be from chronic conditions that are untreated because the trafficker does not allow them to receive preventative or primary care treatment. For labor trafficking, you may also see workplace injuries due to unsafe conditions. Many survivors battle substance use disorders or mental health disorders, and may present for psychosis, suicidal ideation, overdose, or other mental-health related emergencies. Dental, tooth, and jaw issues may also be a reason that clients present.



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## Barriers to Identifying Victims

*Victims often don't self-identify as victims*

- Fear of the trafficker
- Shame, humiliation
- Fear of arrest
- Trauma-bond to the trafficker - hostile or protective of exploiter
- Distrust in systems/ individuals
- Do not see the trafficking as trauma compared to other life events
- Do not identify as a victim
- Fear of legal action, deportation, or arrest
- Language barriers to disclosure and services
- Isolation
- Providers not adequately trained to identify



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### Training Notes

You can read this verbatim or give examples of ways that clients you have worked with have been missed by the system.

Survivor feedback for other ways that survivors are underidentified:

- Victims are removed and isolated from society
- Victims do not know they are being trafficked
- Service professionals not adequately trained in victim identification and the realities of human trafficking.

Quotes:

- *On not being correctly identified:* "I was being trafficked and had all the red flags but police pulled me and my wife-in-law over and labeled it as 'drug trafficking.' They didn't see the matching tattoos and the prostitution charges." – MJ
- *On not knowing they were a victim:* "You are a part of a different lifestyle." -DF and



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"We didn't follow laws as a citizen; we follow the trafficker's policies and procedures." – DF and MJ

- *On not knowing they were a victim:* "My trafficker made me watch 'Taken.' I didn't think that was me."
- *On not being identified by police/law enforcement:* "If police would identify us as victims instead of criminals... maybe we would have talked sooner. We were never offered help." – DF





## Flying Under the Radar



- Males
- LGBTQIA+ individuals
- People with substance use disorders
- **Who else are we missing?**



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### Training Notes

When you click through, first you will just see the silhouette. Ask your audience “who’s flying under the radar? Who are the victims we may not see because of barriers or bias?” After they share some examples, advance slide to show examples. Recognize that we don’t always know who we need to serve. This goes back to some of the misconceptions addressed in the beginning. Male, transgender, and LGBTQIA+ youth are often underreported due to shame, stigma, etc.

Ask the audience, who else are we missing? Who else might be extremely vulnerable and go undetected? Foreign nationals, especially non-English speakers, children of foreign nationals, homeless individuals, etc...



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## Bias Impacts Identification

**Bias is a disproportionate weight *in favor of* or *against* an idea or thing**

- Bias impacts the way that we serve the community
- Biases come from our identities: race, culture, gender, sexuality, socio-economic, religious, linguistic, age, culture
- Everyone has bias: what are your biases? How could bias impact how you interact with patients?



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### Training Notes

**You could have a multiple day training on this- there's such a big topic and this is just an introduction.** But we want to keep it simple to remind folks that despite our best efforts, we may accidentally be missing some victims.

**Bias** is a disproportionate weight *in favor of* or *against* an idea or thing, which can be in a way that is **closed-minded**, **prejudicial**, or unfair. Biases can be innate or learned. People may develop biases for or against an individual, a group, or a belief. Bias is inherent in all of us. We grew up a certain way, surrounded by certain people, with certain beliefs. Oftentimes, these biases are unconscious, meaning we do not realize they're there.

**Renee Navarro, PharmD, MD**, Vice Chancellor, Diversity and Outreach welcomes you to UCSF's initiative to address unconscious bias. ([Transcript](#))

**What is unconscious bias?**



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**Bias** is a prejudice in favor of or against one thing, person, or group compared with another usually in a way that's considered to be unfair. Biases may be held by an individual, group, or institution and can have negative or positive consequences.

There are types of biases

1. **Conscious bias** (also known as **explicit** bias) and
2. **Unconscious bias** (also known as **implicit** bias)

It is important to note that biases, conscious or unconscious, are not limited to ethnicity and race. Though racial bias and discrimination are well documented, biases may exist toward any social group. One's age, gender, gender identity physical abilities, religion, sexual orientation, weight, and many other characteristics are subject to bias.

**Unconscious biases** are social stereotypes about certain groups of people that individuals form outside their own conscious awareness. Everyone holds unconscious beliefs about various social and identity groups, and these biases stem from one's tendency to organize social worlds by categorizing.

Unconscious bias is far more prevalent than conscious prejudice and often incompatible with one's conscious values. Certain scenarios can activate unconscious attitudes and beliefs. For example, biases may be more prevalent when multi-tasking or working under time pressure.

<https://diversity.ucsf.edu/resources/unconscious-bias>

- The strategy of categorization that gives rise to unconscious bias is a normal aspect of human cognition. Understanding this important concept can help individuals approach their own biases in a more informed and open way (Burgess, 2007).
- Opportunities to have **discussions, with others (especially those from socially dissimilar groups)** can also be helpful. Sharing your biases can help others feel more secure about exploring their own biases. It's important to have these conversations in a safe space-individuals must be open to alternative perspectives and viewpoints.

<https://diversity.ucsf.edu/resources/strategies-address-unconscious-bias>

Unconscious bias for health professionals:

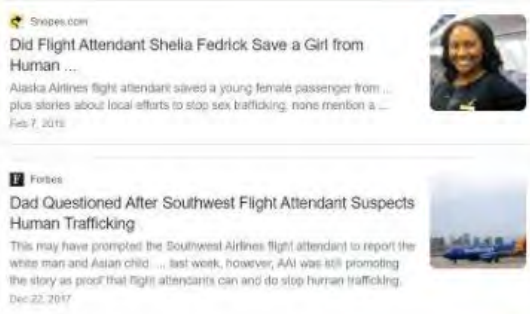
<https://www.aamc.org/what-we-do/diversity-inclusion/unconscious-bias-training>

Give an example of a bias you may have. For example, Leanne is not from Louisiana, she's from the Northwest. She often hears that "people from Seattle have the Seattle freeze-meaning they're cold or mean to newcomers". This is a bias. It's not intentional, it's a social bias some folks may think.

Ask the audience "What are some of your biases?" start a conversation to normalize that we all have them as humans. The more we are aware of them, the more we can overcome them and have empathy for others who are different than us.



## Cautionary Tales



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### Training Notes

Unfortunately, some folks who are trying to help and spot potential victims do not recognize their biases, and as a result they either 1) see trafficking where it isn't happening (such as some misguided attempts to identify trafficking in airports which led to racial profiling and accidentally detaining families travelling for vacation), or the 2) or bias against victims and not seeing them as victims--- some people don't see victims who are right in front of them (like the now infamous case of Cyntoia Brown).

Young, black men are disproportionately charged with child sex trafficking, even though we know that anyone can be a trafficker. This represents bias to SEE trafficking. Just imagine: who are the traffickers we are not seeing who are getting away with this horrible crime because of our bias? Article about black men being prosecuted more for trafficking crimes <https://www.washingtonpost.com/news/monkey-cage/wp/2019/01/11/young-black-men-are-disproportionately-likely-to-be-prosecuted-for-human-trafficking-this-explains-why/>



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Bias can also lead us to unintentionally see trafficking where it is not happening. One case example of this is Hawaiian family that was detained by flight attendant. Another example is of Cindy McCain when she told KTAR radio she thwarted a crime by alerting Phoenix airport police to a woman of a different ethnicity than the child she was with. But Phoenix police told the station on Wednesday that they found no criminal wrongdoing after performing the check. Critics on social media have accused her of racial profiling and harassment. <https://www.bbc.com/news/world-us-canada-47148044>

Another example is in an airport when Southwest Airlines required that a mother of a biracial child prove that she was the mother. <https://www.bbc.com/news/world-us-canada-44292513>



# Vulnerabilities

*Anyone can experience human trafficking,  
but some people are at higher risk than others.*

- Childhood trauma
- Youth with runaway behavior or homelessness
- System involvement
- LGBTQIA+
- Immigrant or undocumented
- People with disabilities
- Substance use disorders and/or mental health disorders
- Poverty



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## Training Notes

Anyone can experience trafficking, but some people are at higher risk than others. These are just a few of the vulnerabilities that can make a person more susceptible to human trafficking.



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## Potential Indicators

- Frequent truancy or running behavior
- Fearful, anxious, or submissive behavior
- Tattoos that they are reluctant to explain
- Evidence of controlling relationships, older boy/girlfriend
- Unexplained/suspicious injuries or health complications
- Scripted or recited story
- Physical exhaustion, malnourishment
- Not in possession of identification/ lies about identity
- Mentions not being paid for work or working in dangerous conditions

National Human Trafficking Resource Center: [www.TraffickingResourceCenter.org](http://www.TraffickingResourceCenter.org)



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### Training Notes

None of these things on their own mean someone is being trafficked. A trafficking victim may have one, all, or none of these things. The important thing is to look for suspicious behavior/signs and ask questions or alert the appropriate person. There are things that might not even be on here that can be suspicious. Like a kid who consistently wears a hoodie even though it's hot.



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## Possible Indicators Cntd.

- Frequent runaway behavior and truancy
- Youth in possession of hotel card keys, condoms, sex objects
- Delay in seeking treatment for medical needs
- Multiple cell phones – anxiety around answering cell phone
- Tattoos that he/she is reluctant to explain
- Physical exhaustion, malnourishment
- Mentions not being paid for work or working in dangerous conditions



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### Training Notes

None of these things on their own mean someone is being trafficked. A trafficking victim may have one, all, or none of these things. The important thing is to look for suspicious behavior/signs and ask questions or alert the appropriate person. There are things that might not even be on here that can be suspicious. Like a kid who consistently wears a hoodie even though it's hot.



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# Support for Victims



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## Training Notes

This is an introduction to the next section, which will focus on how to interact with trafficking survivors.



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## Tips for Talking to Possible Victims

### If possible & safe – interview the patient **ALONE**

- Example: Only patients are allowed in the ambulance
- ALWAYS use an interpreter
- Questions should be direct, non-threatening, non-judgmental
- Be aware of cell phones



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### Training Notes

You can read this slide verbatim and explain each subsection.

*Create separation between the victim and the people on the scene:* Traffickers are often controlling of their victims. It's imperative that you create separation to talk to the patient alone to understand what is happening. Suggest that they use medical jargon or other excuses to ask questions of the victim alone. Note that victims still may lie even if the trafficker isn't in the room with them, due to mental/psychological control. Trust your gut if the client's words and demeanor aren't matching up.

*Interpreters:* Although it can be inconvenient, avoid using people on the scene to translate unless absolutely necessary. For example, if a trafficker is on the scene they could lie or tell you something different than the victim is saying. Utilize language lines or other external resources to communicate with the client directly.

Non-judgemental/non-threatening/non-blaming questions: Practices to avoid - asking



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shaming/blaming questions, or any questions that you don't need to know the answer to in order to do your job. Be careful with your word choice - and don't assume you know the meaning of words that they use to describe their experience. If you see the individual only for the crime they allegedly committed, you will miss the victimization. If we see them primarily as a victim, we are more likely to build rapport.

*Cell phones:* Traffickers, like domestic abusers, use cell phones as a means of control over their victims. If a person is frantically receiving calls and texts from one person, that could be a red flag.



# Trauma-Informed Care

## What is helpful:

- Take time to build rapport and trust
- Be clear about your role and what will happen next
- Provide choices – restore autonomy
- Focus on strengths/ resilience
- Monitor signs of distress, minimize risk of re-traumatizing
- Only ask questions you need to know to do your job
- Listen and W.A.I.T. (why am I talking)
- Be aware of power imbalance
- Treat them as a victim- regardless of the context
- Recognize anxieties around legal issues or criminalization
- Offer translators to address language barriers



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## Training Notes

These slides give the audience some tools for when they do encounter victims. But remind people that they are not experts. Also note that EMS professionals often don't have enough time to do all of these things, which is ok.

Take time to build rapport and trust - recognize that victims have often been failed by people and systems that were designed to protect them. Understand why they will not immediately trust you.

Be clear about your role and what will happen next - we have a tendency to "go through the motions," leaving people confused and scared, unsure of what is happening. Take the time to explain everything you are doing and ask if they have any questions.

Provide choices - part of the trauma involved with human trafficking the loss of control. This loss of control is often perpetuated by well-meaning service systems that think victims are vulnerable and unable to make decisions for themselves. Provide choices whenever possible,



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no matter how small, to help victims regain a sense of control over their lives. Make them feel like their voice and choice matter.

Monitor signs of distress - if you are questioning or working with a victim, recognize if they are becoming agitated, shutting down, or other signs that they are “triggered”, and take a step back or a break. Only ask questions that you need to know the answer to in your role. If you aren’t a forensic interviewer or a therapist helping them build a trauma narrative, you do not need to know the gory details of the abuse they endured. Also be prepared in case they start flooding you with information.

Power imbalance - there is always a power imbalance between client/victim and provider - notice if the answers to your questions are all “yes ma’am, no sir” - take a step back, give choices, validate their experience and perspective

Be honest about your role and the next steps that you know will happen. But offer choices where you can. “I am your teacher. Because of that, I have to report this. Do you want to talk in the office or outside?”

Treat victimization even in the context of illegal activity - remember that illegal activity can be a result of human trafficking force, fraud, or coercion. If you see the individual only for the crime they allegedly committed, you will miss the victimization. If we see them primarily as a victim, we are more likely to build rapport.

Language barriers - NEVER have a “friend” or relative translate - always get a professional/certified translator through a language line service or another professional whenever possible. Recognize that language barriers are used to manipulate and control victims.

Quotes from survivors:

- “In the life, you tend to lose your faith in humanity. Victims need their faith in humanity restored...It’s important to let victims know that they are people out there that you can trust and want to see you become a survivor.” – DF
- We had a survivor on a recent (not trauma-informed) intake call with another agency that, after the call, said “I didn’t feel like I was trafficked enough to get services.”



## Trauma-Informed Care

### Practices to avoid:

- Shaming or asking intimate or accusatory questions
- Blaming words like prostitute, promiscuous, fast
- Making promises you can't keep
- Expecting them to trust you right away
- Expect them to self-identify as a victim of human trafficking or abuse - disclosure is NOT THE GOAL
- When possible, avoid touching the person without their permission or verbally explain why you're touching them



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### Training Notes

Practices to avoid - asking shaming/blaming questions, or any questions that you don't need to know the answer to in order to do your job.

Be careful with your word choice - and don't assume you know the meaning of words that they use to describe their experience.

Do not touch anyone without permission - and again, remember the power imbalance. If you ask "Can I hug you?" - they might not feel like they can say no. And is that for YOU or for them?

Do not make promises you can't keep. People respect and trust you more if you truthfully say "I don't know, let me try to find out" or "I'm not sure, I don't want to lie to you or be wrong."

Don't expect them to self-identify as a victim of human trafficking or abuse. Don't expect them to see the trafficker as a bad person. Remember that youth and young adults are often



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bonded to their offenders, and the trafficker has often met the needs of their victim better than other system providers or family members ever had.

Additionally bullet point examples:

- Do not say you understand, unless you've been through it.
- Do not treat interview as an interrogation
- Do not prioritize paperwork over the victim



## Tips for EMS

- Transporting to a medical facility is often safer than leaving on-scene – encourage consent for transportation
  - If they decline, consider having a physician speak with the patient
  - If they consent – inform the social worker at the ER of your concerns
- If the suspected victim is a minor, you are mandated to call DCFS and/or Law Enforcement



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### Training Notes

When working with a client who may be experiencing trafficking, trying to create separation from the potential trafficking situation is very important. Getting the client to a medical facility, where a professional can do a full assessment to identify potential trafficking and additional needs the client may have, is important. Talk to the EMS professionals about strategies they use to help clients get to a medical facility when they don't want to. This is also an important point to remind EMS professionals that if the person is a child, they are required to call DCFS and law enforcement to follow mandated reporting laws.



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# EMS Case Studies



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## Training Notes

Now, introduce Case Studies. You can say “In this section, we will go through 5 case studies where you can apply some of the lessons that you learned today. This is where you can connect your EMS expertise with your new human trafficking knowledge.”



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## Case Study Questions

1. Are there indicators of trafficking?
2. What additional information do you need?
3. What would you do first?
4. What would you do next?



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### Training Notes

For the training, you will facilitate several case studies for EMS professionals. These case studies will help them consider how they would utilize the training information to respond appropriately to potential trafficking situations.

For each case study, you will ask the group to respond to the following questions:

- Are there indicators of trafficking? (If so, what are they. If not, what's missing?)
- What additional information do you need (to identify trafficking or to serve appropriately)
- What do you do first?
- What would you do next?



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You can either do each of the case studies together as a big group, or can assign the training attendees into multiple smaller groups and have each grouping focus on a different case study and then report back to the larger group what they found and how they'd respond.

**BEFORE FACILITATING THESE SLIDES, PLEASE REVIEW THE “EMS HT 101 CASE STUDIES TRAINER GUIDE”**



## Case Study 1

A youth was found passed out on Canal Street downtown New Orleans. Your team is called out to assess the youth. When you get to the scene, the youth is awake but is slurring their words. You find their wallet, which has an ID with the name John Jackson. They become extremely agitated when they are called by the name John, and continue to refer to themselves as Jennifer. They also become agitated when they are referred to using he/him/his pronouns. When you examine them, you notice that the youth has a wad of money and multiple phones. The patient begins texting frantically and checking their phone, and taking phone calls from what appears to be the same person who they refer to as “Daddy”. When you ask who is calling, they say it’s their boyfriend. They become uncooperative and silent after your question, and tell you to hurry to treat them because they need to get back to work.



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### Training Notes

Read the case verbatim.

- Are there indicators of trafficking? Potentially
  - Vulnerabilities/ Potential indicators: potentially a member of LGBTQ community, substance use, wads of money and cash, communication on phone
  - FFC: the calls/ texts could be a form of control
  - Trafficking Type: Unclear, maybe labor
- What do you do now?
  - **Treat them with dignity and respect using their pronouns, regardless of your personal beliefs.**
  - Treat their medical needs



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- Figure out their age. This Could be either a youth or an adult- think about how your responses might be different depending on their age. If it's a child, how would your response be different?
  - Adults: have the option to choose not to go to the ER or report anything. Do you remember what stage of change this person might be in? If so, what can you do to help them reduce harm or move into the next stage? Can you offer them resources?
  - Children: mandated reporting and mandatory care may be required, additional questions about why they aren't in school or a safe place
- Try to de-escalate the client and get them comfortable and talking again by asking questions about themselves, such as: What do they do for work? Who is calling? Is there anything they need help with?
- What would you do next?
  - See if the client would be willing to go to the hospital (if they're an adult or don't disclose they are a child). For example, you could say ""We spoke to our doctor, they feel that we should take you to the hospital to get (issue x) checked out.""
  - Offer support services such as treatment facility, housing, or domestic violence resources

**A final question to share with the group at the end of the Case Study: Drunk and disorderlies are common calls. Would you have considered it a potential trafficking situation before this training?**



## Case Study 2

911 dispatches you to a hotel. Shannon (20 year old) meets you in the lobby. She brings you upstairs to Julie, a 16 year old who presents with several marks on her arms that she tries to cover with her hand. She also has a bruised eye and a busted lip. Shannon states that Julie got into a fight. Shannon and Julie and both incredibly agitated, and Shannon is very demanding of the nurses and administrative staff. When you arrive and ask what happened, Julie is very quiet and Shannon does almost all of the talking while Julie cries. Shannon says that Julie got into a fight with her boyfriend. Shannon blames the boyfriend, insists Julie is innocent, and avoids going into any further details. When asked if she wants to press charges, Julie is adamant that she absolutely will not press charges.



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### Training Notes

#### Read the case verbatim.

- Are there indicators of trafficking? POTENTIAL
  - Vulnerabilities: underage girl in hotel with older girl, physical harm
  - Force, fraud, coercion: physical harm/domestic violence, Katie talking over her, Skye quiet
  - Trafficking Type: unclear
- What additional information do you need?
  - Where is the boyfriend? Is Skye safe?
  - What caused the fight?
  - Why are they in this hotel?
  - What is Katie's relationship with Skye?
  - Who are Skye's caregivers? Where are they located?
- What do you do now?



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- Treat immediate medical needs
- Separate Katie from Skye to ask her some questions and make sure is a safe person. Creating separation: Katie is agitated and making Skye uncomfortable, it is important to separate to find out 1) Katie's relationship to her, 2) what Skye wants
  - Ask the audience: how do you create separation in situations like this? Give some examples.
  - **USE THAT MEDICAL JARGON!** Non-medical professionals don't know most of the process and equipment that EMS folks use. You can use this to your advantage by making an excuse to get Skye out of the room for a fake test of some sort. "Katie, I have to take Skye into the ambulance to use the Blahblahblah machine to check her blahblah levels. Due to COVID, you'll have to stay in this room. We will be right back!"
- What would you do next?
  - Mandated reporting- tell the child that you are required by law to make a mandated report to DCFS because she's under 18 and she experienced physical. Ask her how she would like to go through that process. Does she want to be on the call with you? Or would she prefer you do it yourself?
  - Offer resources on domestic violence, sexual violence, and human trafficking.
  - Notify hospital staff of domestic violence and potential trafficking situation
  - Get the client to the hospital

*This case study is based on a real person. This is a real story from a survivor leader in the movement who gave approval to share. She was Katie (older friend) in the story. The trafficker had her assault the younger girl for not doing something he asked. He left before they called EMS so they would think it was a basic domestic violence case, which are common occurrences with EMS. The EMS and hospital professionals did not ask the right questions and following the medical treatment, and missed an opportunity for Skye (who was a minor) to get the help she was too scared to ask for. Eventually Skye and Katie both escaped the trafficker after they were arrested for prostitution.*

**A final question to present at the end of the Case Study to the audience:**

*This scenario is probably all too common of a call for EMS workers. Make sure to check your biases and listen for indicators it could be more than a domestic dispute. Would you have considered it a potential trafficking situation before this training?*



## Case Study 3

You are called to a worksite for a workplace injury. At the worksite you find Jose, a teenager working on the construction site who severely hurt their hand using a tool. They do not speak English, and only speak broken Spanish. It seems like Spanish is not their first language. Their uncle, who says that they are in charge of the construction site, insists on translating for Jose. Jose seems very scared of EMS personnel and doesn't talk. You notice that the Uncle will not let Jose be out of his site. What do you do?



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### Training Notes

#### Read the case verbatim.

You are called to a worksite for a workplace injury. At the worksite you find Jose, a teenager working on the construction site who severely hurt their hand using a tool. They do not speak English, and only speak broken Spanish. It seems like Spanish is not their first language. Their uncle, who says that they are in charge of the construction site, insists on translating for Jose. Jose seems very scared of EMS personnel and doesn't talk. You notice that the Uncle will not let Jose be out of his sight.

- Are there indicators of trafficking?
  - POTENTIAL labor trafficking
  - Vulnerabilities: child in a workplace, non-English speaking, controlling uncle
  - Force, fraud, coercion: Uncle demanding to speak for child, scared, Uncle demanding to translate



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- Trafficking Type: labor?
- What do you do now?
  - Treat immediate injury needs
  - Spanish is not his first language, so things could get lost in translation. Don't rely on the uncle, get a translator if possible or use a language line interpreter.
  - Ask the appropriate questions of the uncle and the teen or others who witnessed the accident. Teenager on a worksite with a workplace injury- how did it happen? Why is a teen doing this work? Were child labor laws broken?
  - USE JARGON to de-escalate and create separation
- What would you do next?
  - Acknowledge that immigration status and cultural beliefs about systems (EMS for example could look like law enforcement) could impact how he works with you, try to get to a safer place like a hospital to see if he discloses he needs help
  - Try to get the client to the hospital for ongoing care
  - Contact DCFS to make a report

This is based on a real case.

**A final question for this case study: Often labor trafficking goes without identification, but this has many red flags. Would you have considered it a potential labor trafficking situation before this training?**



## Case Study 4

Arti works as a nanny for a family in Metairie. When you arrive at the home, a neighbor greets you, and explains Arti had told about a sexual assault that occurred. Arti was fearful of telling their host family because they were never given days off. The neighbor pretended to take Arti to a church event in order to get the ambulance. Arti speaks little English, but a translator explains that Arti came from Indonesia ten months ago on a work visa. Arti does not have their passport, no other documentation, and no money. They are crying, afraid, and have visible bruises on their arms. When you offer to call law enforcement, they beg you not to.



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### Training Notes

- Are there indicators of trafficking?
  - Vulnerabilities: non-english speaking, no documentation, domestic work, immigrant, experienced violence
  - Force/fraud/coercion: sexual assault, no documents, scared
  - Trafficking Type: Labor?
- What do you do now?
  - Treat her immediate medical needs
  - Try to get her to a hospital for a forensic medical exam
  - Let her know that she has rights as an immigrant, that it is illegal to assault someone
- What would you do next?
  - Offer immigrant services resources, sexual violence resources



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- Notify law enforcement if she allows- if she's an adult you need to respect her wishes

**This is based on a real case.**

**A final question for this case study: Often labor trafficking goes without identification, but this has many red flags. Would you have considered it a potential labor trafficking situation before this training?**



## Case Study Takeaways

- Disclosure is not the goal- high quality, trauma-informed care is the goal
- Use your medical jargon and knowledge to de-escalate and/or create separation to serve the patient
- Be aware of your biases- they could impact whether or not you recognize a potential victim
- Meet the client where they're at



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### Training Notes

***If you only take away 4 things from the case studies, they are as follows:***

- Disclosure is not the goal- most clients will not disclose trafficking. Your job is to provide high-quality, trauma-informed care to the client. Every positive interaction they have with providers gives them an opportunity to see that services are available.
- Use your medical jargon and knowledge to de-escalate and/or create separation to serve the patient.
- Be aware of your biases: they could impact whether or not you recognize a potential victim.
- Meet the client where they're at. They may not want your help, their trauma may present in ways that are negative. This is normal. Giving them options to make choices offers autonomy and respect that the trafficker may not be giving them.



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## Reporting: Minor Trafficking Victims

1. Follow protocol and work policy for reporting child abuse and neglect
2. Must report to DCFS
  - 1-855-452-5437
3. Report to Local Law Enforcement
  - SPD: 318-673-7300
  - CPSO: 318-675-2170
  - FBI: 1-800-CALLFBI (225-5324)
4. Call the National Hotline
  - 888-373-7888



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### Training Notes

You can give a brief description of how to report trafficking of children in your region. Remember to explain that mandated reporters must call DCFS if they have reason to believe a child may be experiencing abuse or trafficking.

Especially for medical professionals or people who work with young people: you must follow work protocol. But if you think going to your boss is enough, you're wrong. You have to be the person who reports to DCFS or law enforcement. Encourage people to put the National Hotline in your phone. They will often direct you back to services in your local community.

NOTE - for adults, you need their consent to make a report. If they do not want to report trafficking, sexual assault, or any other crime committed against them to the police, you cannot report for them or make them report. Your job is to provide them with whatever form of support they would like from you, and support them in making a report if they choose to do so. Provide them with information about their options, provide them with choices whenever possible, and provide them with support.



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## Regional/ Local Response

*[Insert MDT or other Team Name]*

- Brief overview of process or protocol

*[Partner Agencies]*

- For example: Law Enforcement, DCFS, DA's Office, Juvenile Services, Mental Health Provider, Housing Provider, Advocacy or Mentorship Agency

*[Insert flow chart if available to show process]*

Each Coordinator should create this slide based on local/regional response. This slide should be reviewed and modified as needed as local trafficking response process is developed.



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### Training Notes

**Edit with your information. DO NOT LEAVE THIS AS IS.**

Let them know it is better to report and be wrong than to do nothing at all.

Provide a brief overview of your local response and efforts. Emphasize that we now have regional trafficking coordinators.

EMS have to follow their work policy, but they must follow up that process with a call to DCFS. Failure to report is a felony. You can also report anonymously if you're worried about professional repercussions. Keep note of who you reported to and when, so that you can protect yourself against liability. Communicate that if you have questions, your CAC is a great resource. It's a great neutral party to walk you through the process. But the CAC isn't the agency to report to.



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# Resources

## **Caddo Parish Juvenile Services**

318-226-6500

## **Purchased-Not For Sale**

318-230-7482 (Hot Line)

## **Gingerbread House Children's Advocacy Center**

318-674-2900

## **Empower 225**

225-532-1500

Hope@empower225.org

## **Intervene Assessment from Shared Hope International**

## **Shared Hope International**

## **Polaris Project**

1-888-373-7888 or text "Be Free" to 233733



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## **Training Notes**

**Edit with your local region's information or with appropriate links for your audience. DO NOT leave this the same unless you're in NW Louisiana!**



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## Training Resources

For additional training resources, visit the Louisiana Child Welfare Training Academy website: <https://www.lcwta.org/>

Louisiana Child Welfare Training Academy Human Trafficking (HT) 101 Online Training link: <https://moodle.lcwta.org/login/index.php>



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### Training Notes

Let them know that there are free, online training resources available to support ongoing education for medical professionals.



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# QUESTIONS?

REGIONAL COORDINATOR

CAC Name

Phone Number | E-mail



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## Training Notes

Edit with your information.



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**Title of program:** Human Trafficking Identification and Response

**Date:** INSERT DATE

*Please answer the questions below based on the following ratings:*

*(1=Not at all      5= Absolutely)*

Did the instructors exhibit expertise and answer participants' questions?

1   2   3   4   5

Did the training meet your expectations?

1   2   3   4   5

Did the instructor present the material clearly and logically?

1   2   3   4   5

Please rate the adequacy of the facilities.

1   2   3   4   5

*Please rate the following statements (1=Not at all      5= Absolutely)*

I better understand how to identify a person who is trafficked.

1   2   3   4   5

I can identify five factors that place a person at risk for being trafficked.

1   2   3   4   5

I better understand how to identify a potential victim of trafficking.

1   2   3   4   5

I am more aware of resources in my community to offer to trafficking survivors.

1   2   3   4   5

**What topics would you like to see covered in future trainings?**

---

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**Title of program:** Human Trafficking Identification and Response

**Date:** INSERT DATE

*Please answer the questions below based on the following ratings:*

*(1=Not at all      5= Absolutely)*

Did the instructors exhibit expertise and answer participants' questions?

1   2   3   4   5

Did the training meet your expectations?

1   2   3   4   5

Did the instructor present the material clearly and logically?

1   2   3   4   5

Please rate the adequacy of the facilities.

1   2   3   4   5

*Please rate the following statements (1=Not at all      5= Absolutely)*

I better understand how to identify a person who is trafficked.

1   2   3   4   5

I can identify five factors that place a person at risk for being trafficked.

1   2   3   4   5

I better understand how to identify a potential victim of trafficking.

1   2   3   4   5

I am more aware of resources in my community to offer to trafficking survivors.

1   2   3   4   5

**What topics would you like to see covered in future trainings?**

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# Addressing Sex Trafficking in Your Courtroom

# Staggered Start—Welcome!

1. Please complete the pre-survey.
2. Take a definition from the table and match it to a sex trafficking term posted on the wall.
3. Find someone you don't know and get acquainted.
4. Discuss your experiences with sex trafficking in your courtroom or other professional experience

# Training Objectives

By the end of this morning's training, you will be able to:

1. Define human trafficking and child sex trafficking.
2. List at least 4 examples of court cases that might involve sex trafficking.
3. Identify at least 3 risk factors for sex trafficking.
4. Describe the connection between trauma and risk for sex trafficking.
5. Describe criminalization of trafficking victims and the resulting impact on victims.

# Training Objectives

By the end of this afternoon's training, you will be able to:

1. Identify at least 5 red flags or indicators of sex trafficking.
2. Describe options for post-conviction relief for sex trafficking victims.
3. List at least 3 strategies for making courtrooms more trauma-informed.
4. Identify at least 2 options to address sex trafficking in a mock case.
5. Apply the above objectives as you practice managing mock courtroom cases.

# Please Tell Us

- Your Name
- Jurisdiction
- How Long?



# What is human trafficking?

---

*Human Trafficking* is the exploitation of an individual for profit through forced labor or commercial sex.



# Human Trafficking

## Sex Trafficking

## Labor Trafficking

Adult

Child

**Sex trafficking** is the recruitment, harboring, transportation, provision, obtaining, patronizing or soliciting of a person for a commercial sex act in which the act is induced by ***force, fraud or coercion, or in which the person performing the act is under 18.***

Trafficking Victims Protection Act, 2000



**Child sex trafficking** refers to the trafficking of anyone under 18 and is a form of **child abuse**.

Victim is 17 or younger

Involves a commercial sex act

No movement required

Does not require force, fraud, or coercion

# Federal Human Trafficking Laws...



...define minors involved in commercial sex as victims of trafficking (TVPA, 2000, TVPRA 2003, TVPRA 2005, TVPRA 2008)

# Maryland Statutes:



- Criminal Law Article § 11-303. Pandering
- § 11-304. Receiving earnings of prostitute
- § 11-306. House of prostitution
- § 3-324. Sexual solicitation of minors
- Courts and Judicial Proceedings Article, § 3-801
- Family Law Article § 5-701
- Criminal Procedure Article, § 8-302. Motion to vacate judgment of prostitution

# Specific to Juveniles

- No Safe Harbor Laws
- Definition of sexual abuse includes trafficking
- Dearth of services for victims/survivors



# Placement questions to consider:

Which is better?

- Place youth in a setting close to home that is familiar but still close to the trafficker

-OR-

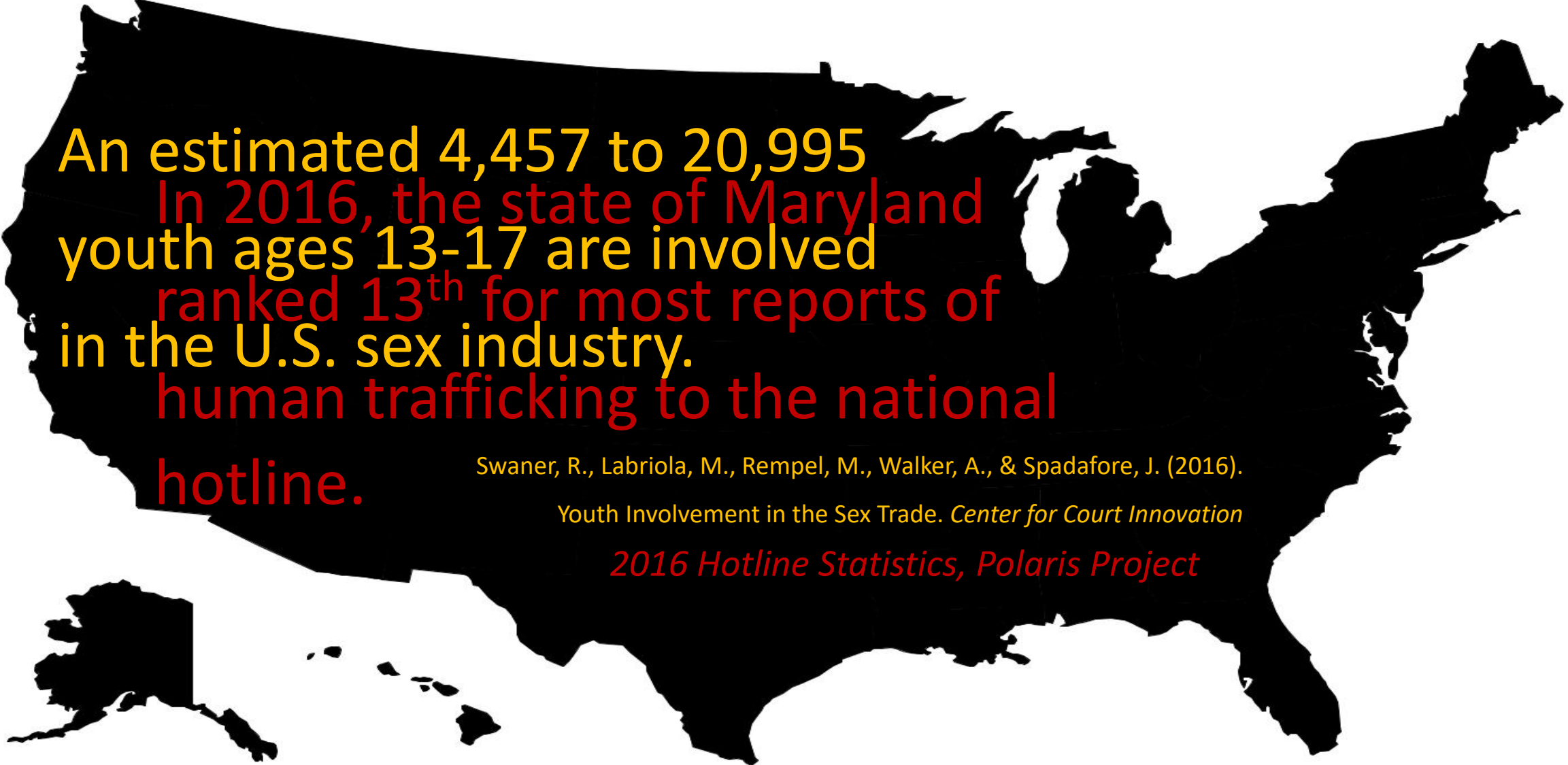
- Place them farther away where they might be isolated



How do you ensure that LGBTQ youth in care get placements that are ready to support their special needs and vulnerabilities?



## Scope of Human Trafficking



An estimated 4,457 to 20,995  
In 2016, the state of Maryland  
youth ages 13-17 are involved  
ranked 13<sup>th</sup> for most reports of  
in the U.S. sex industry.  
human trafficking to the national  
hotline.

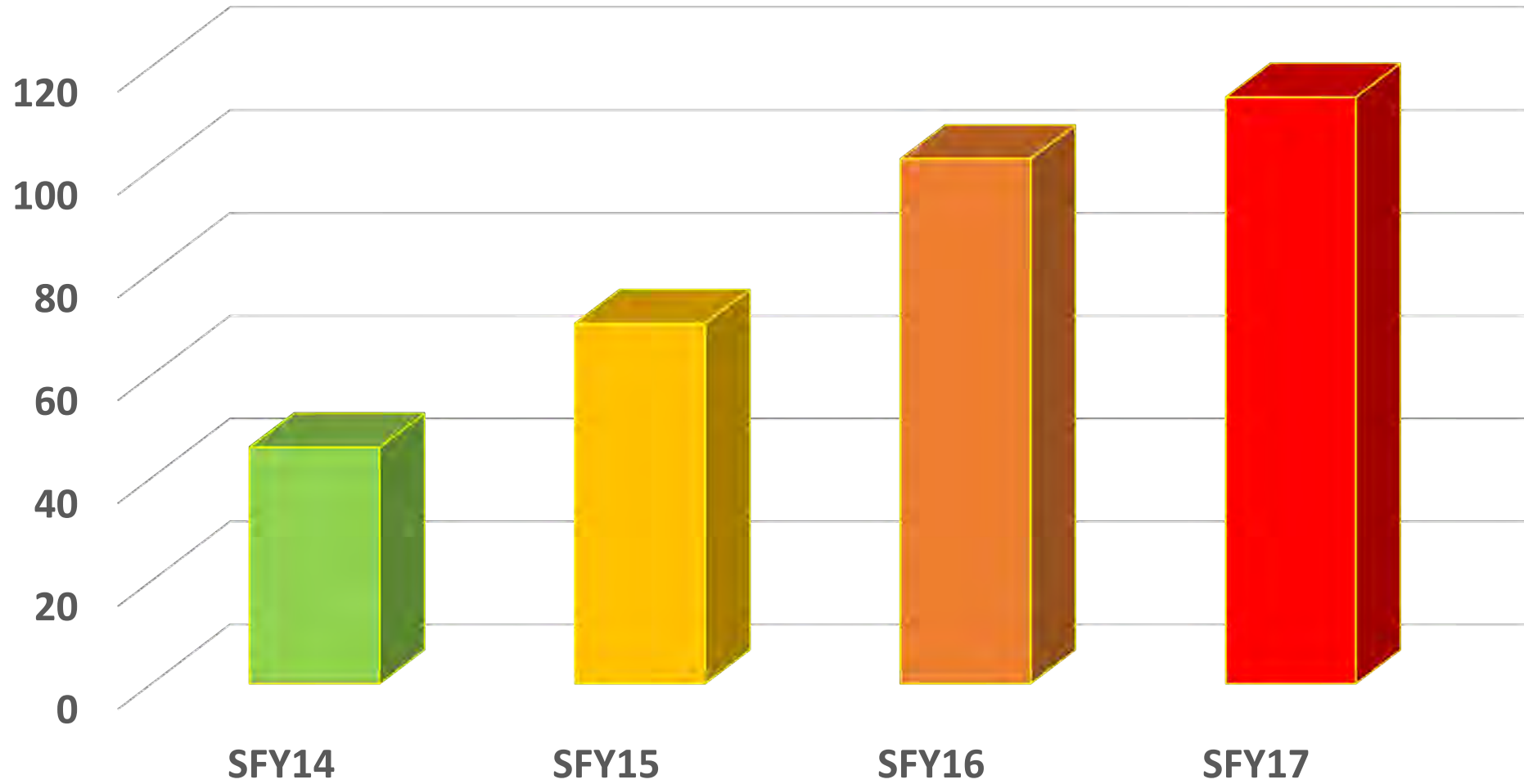
Swaner, R., Labriola, M., Rempel, M., Walker, A., & Spadafore, J. (2016).

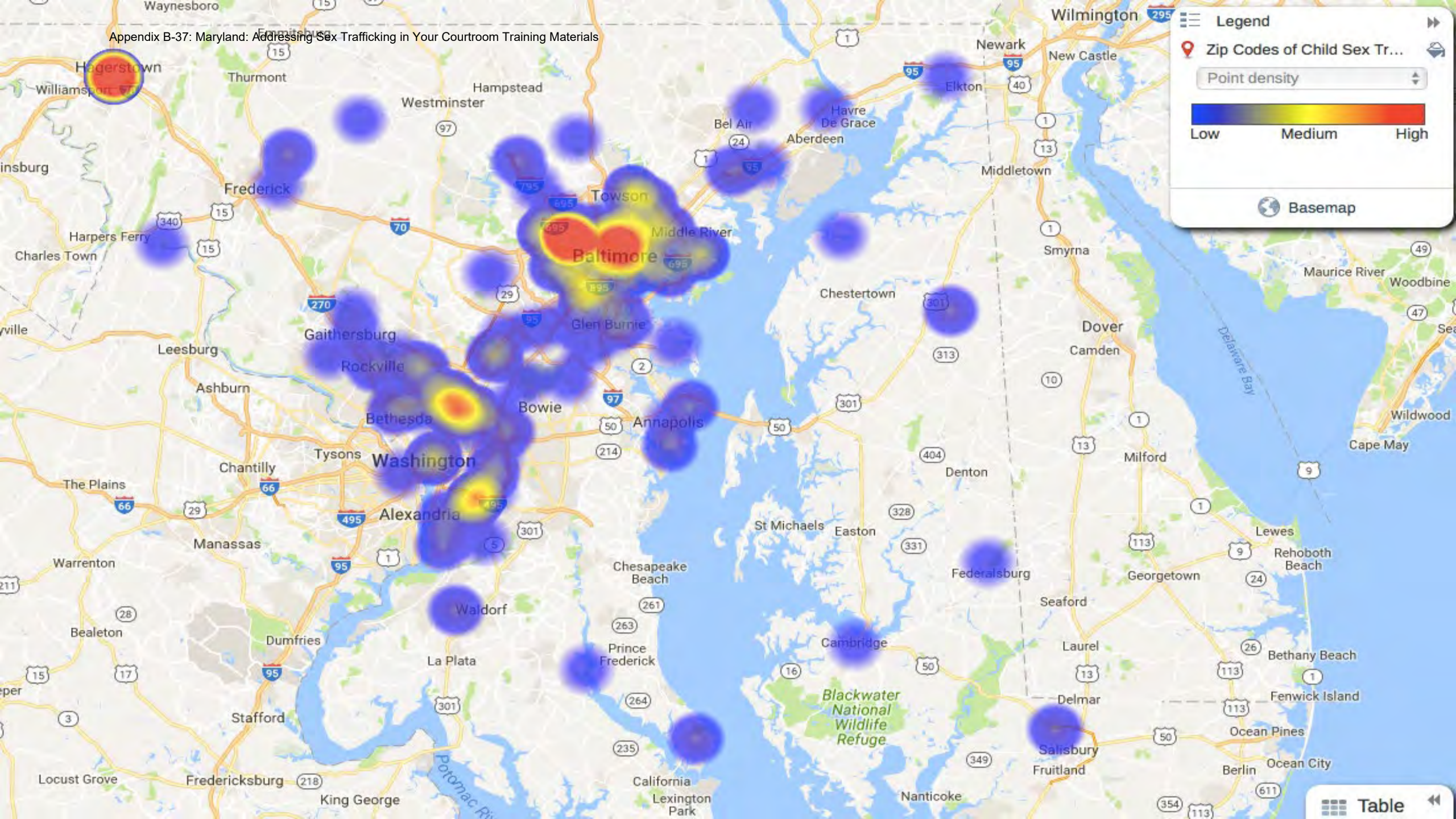
Youth Involvement in the Sex Trade. *Center for Court Innovation*

*2016 Hotline Statistics, Polaris Project*

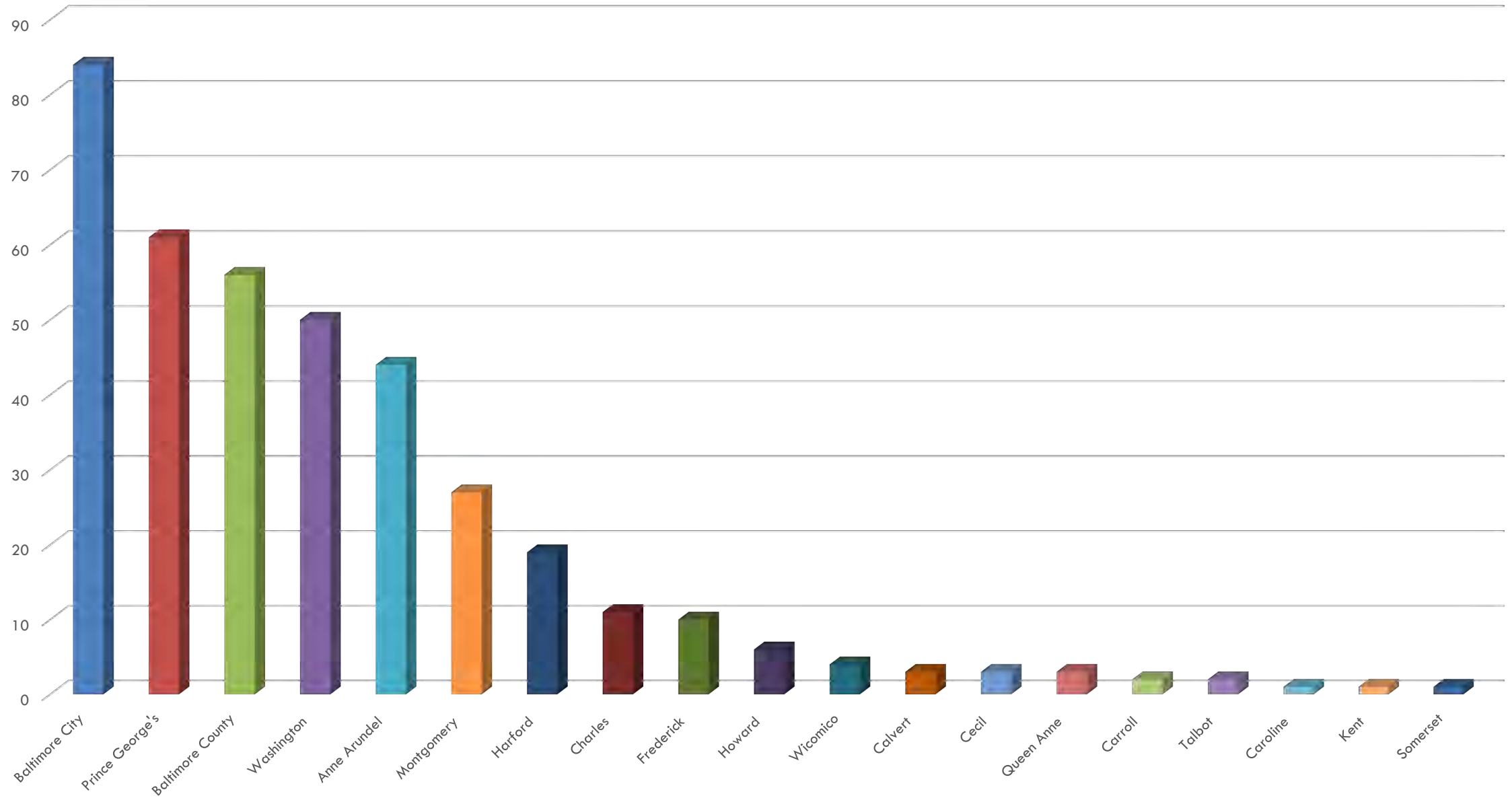


# Child Sex Trafficking Reports to CPS in Maryland





# Child Sex Trafficking Reports Screened In by CPS by County, July 2013 - Jan 2018



# Where does trafficking happen?

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# Sex trafficking happens in:

- *Street (track/ blade/ stroll)*
- *Online*
- *Hotels/ motels*
- *Private Homes*
- *Strip Clubs*
- *Truck Stops*

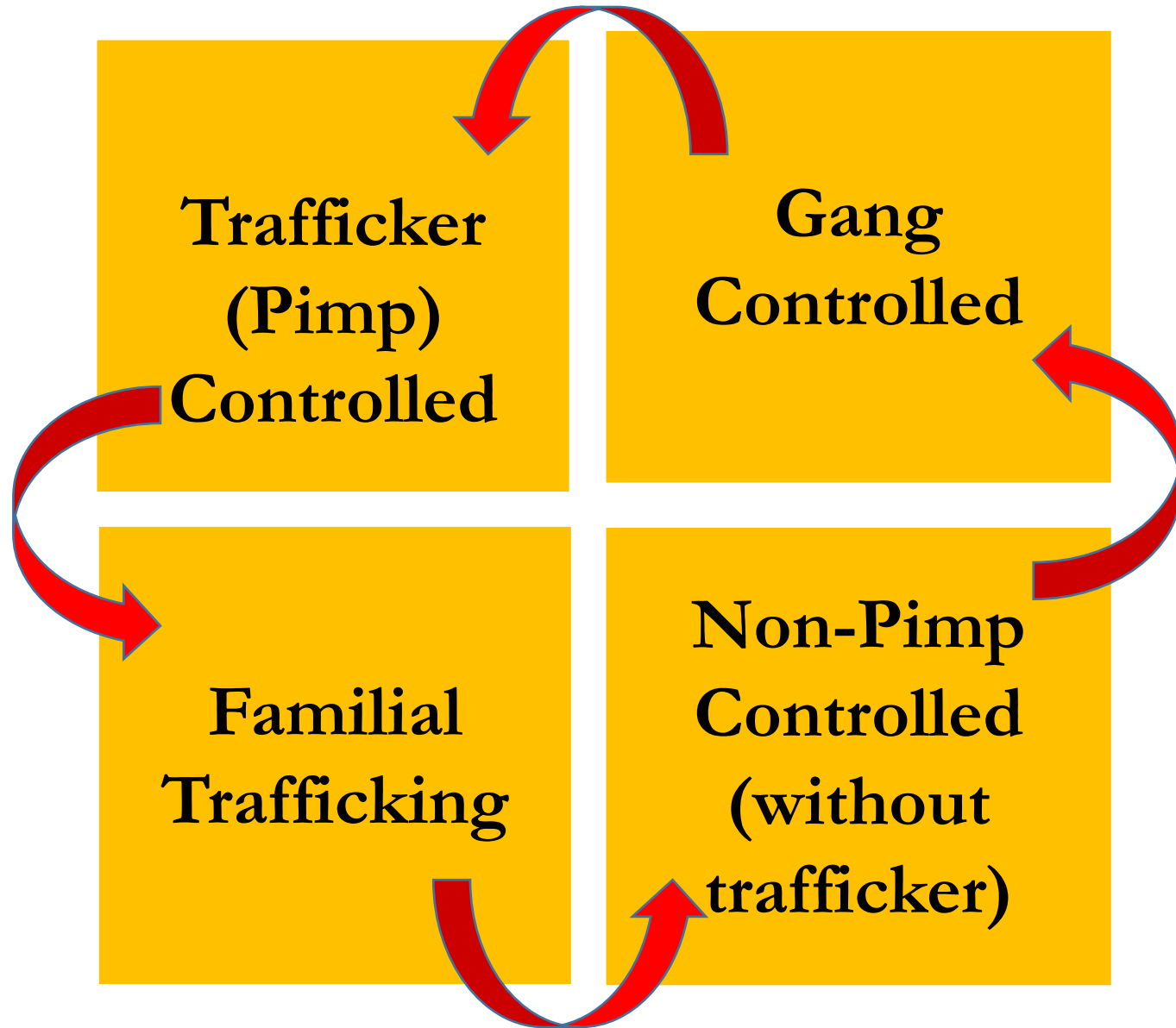


# Why Maryland?

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- Centrally located: I-95 corridor, I-270, I-70
- International Airports
- Multiple vulnerable populations: Foster youth, unaccompanied minors, domestic servants, agricultural workers.
- Gang presence

# Types of Child Trafficking





# CASE STUDIES

*Trafficking or not?*



# Trafficking or Not: Small Group Questions

Answer for each case study:

- Is this is a case of sex trafficking?
- Why or why not?



## Human Trafficking Methods of Control



### Force

- Physical and sexual violence: hitting, kicking, rape, beatings
- Confinement, physical restraint, accompany victim in public
- Deny food/water/ medical care
- Forced drug use
- Kidnapping
- Burns, brands or other forced markers of “ownership”



### Fraud

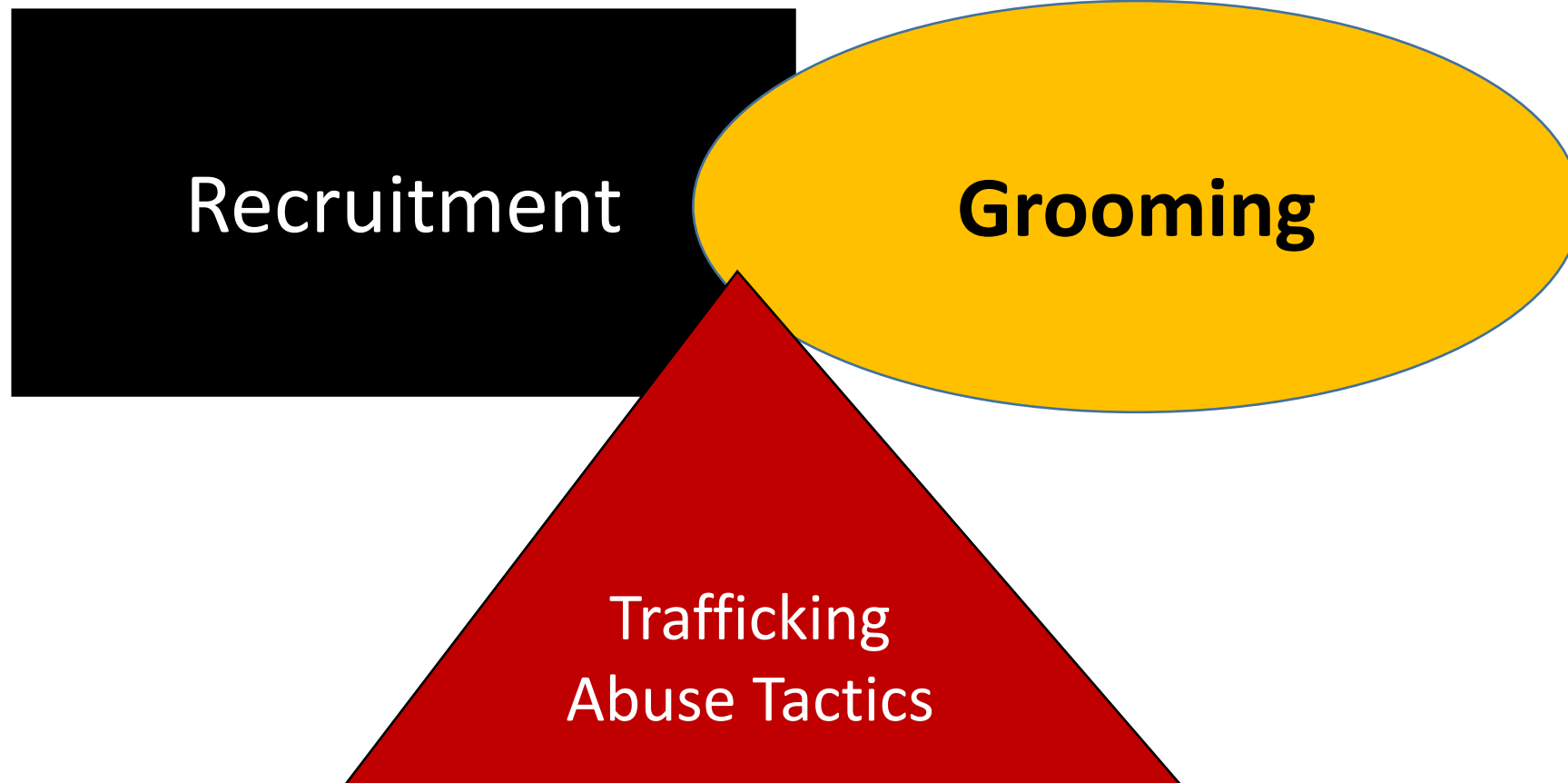
- False promises of better life
- Fraudulent statements re: job, working/living conditions
- Withholding wages, contract fraud
- Faking romantic relationship
- Providing fraudulent documents (ID cards, visas, immigration documents)
- Traffickers often lie about their age & identity



### Coercion

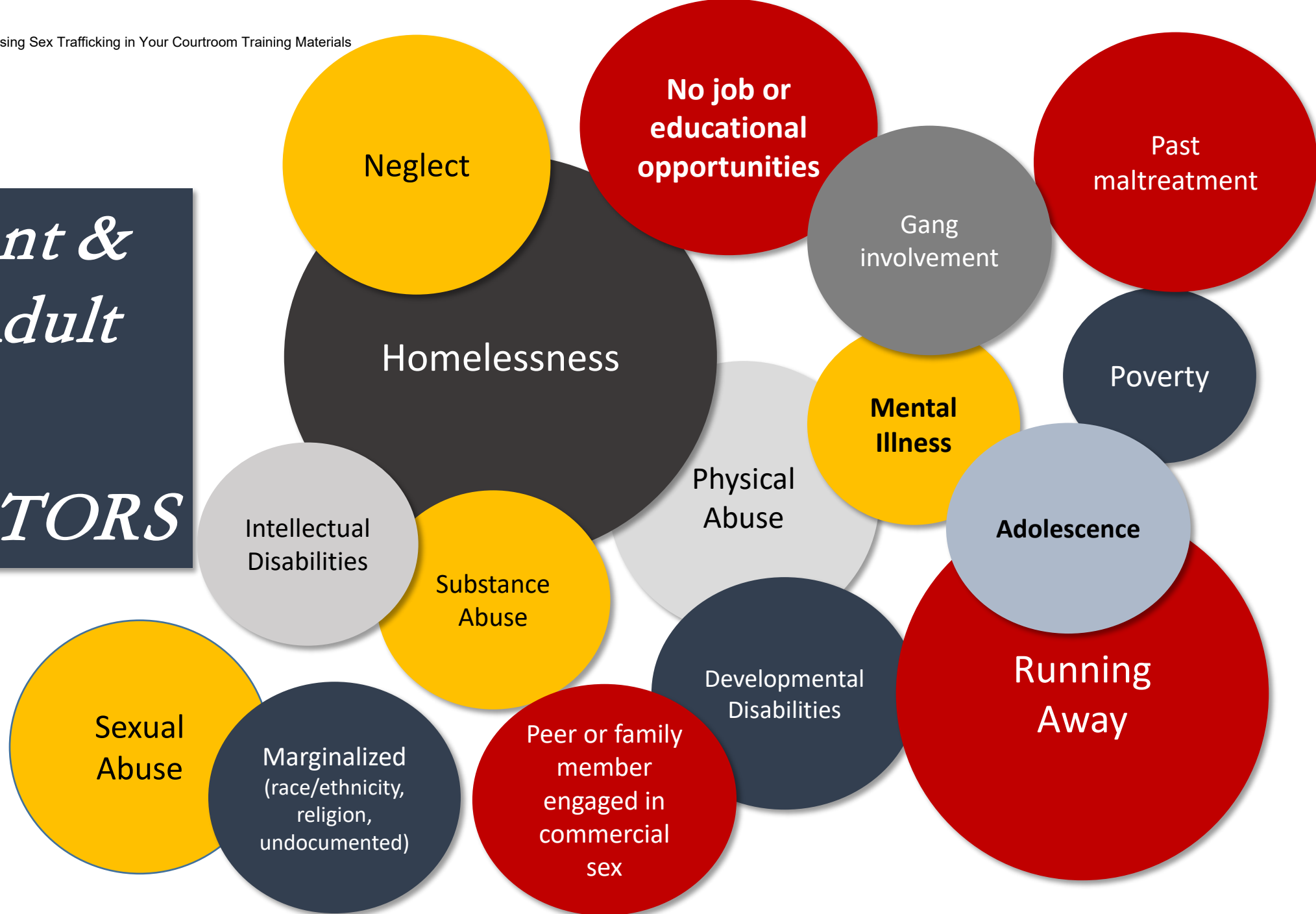
- Threat of serious harm/physical restraint against victim or family
- Making one believe that failure to perform an act will result in serious harm
- Creating dependency
- Abuse of legal process/system
- Emotional abuse & humiliation
- Confiscating legal or ID documents

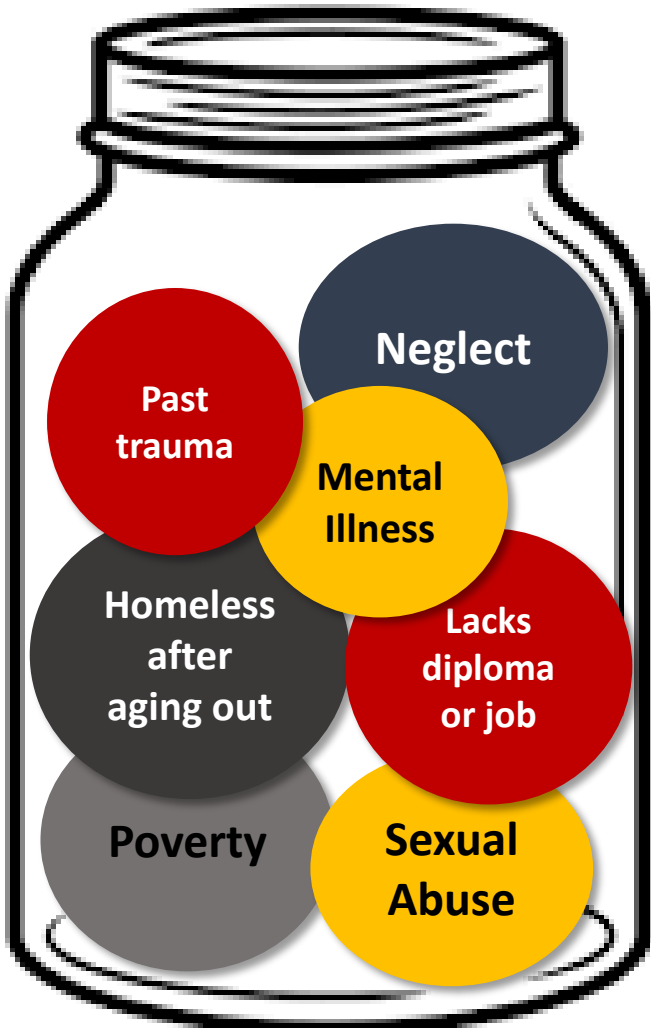
# Methods of Recruitment and Control



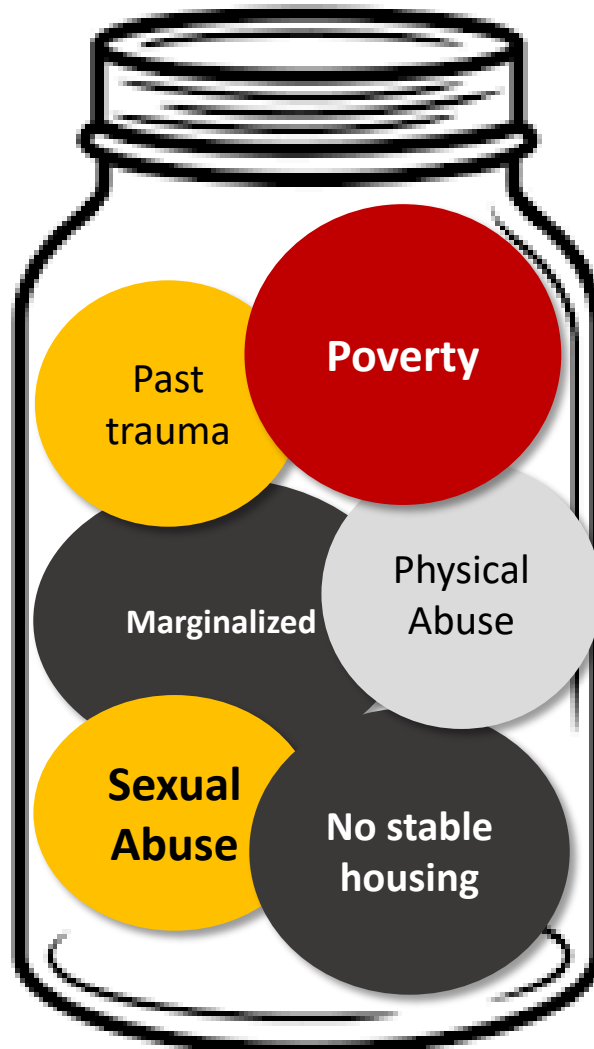
# *Adolescent & Young Adult*

## *RISK FACTORS*

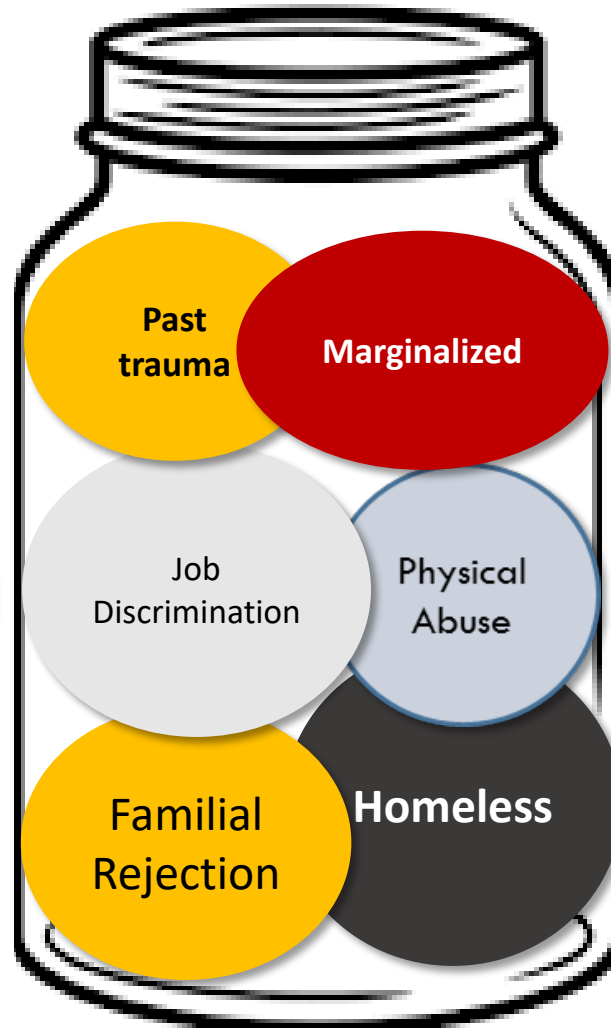




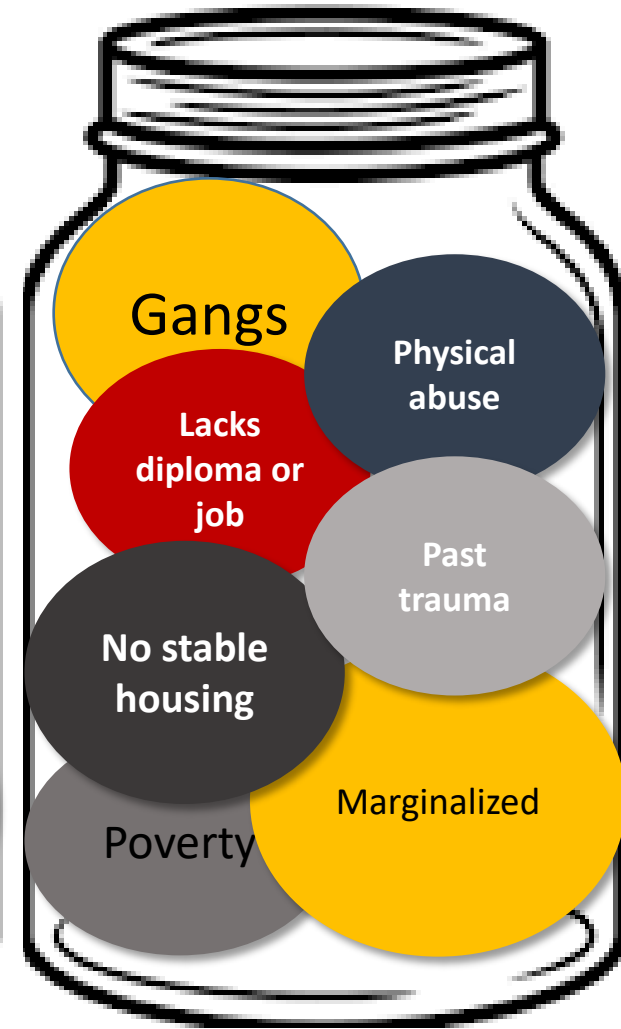
***Youth in Out of Home Care***



***Runaway & Homeless Youth***

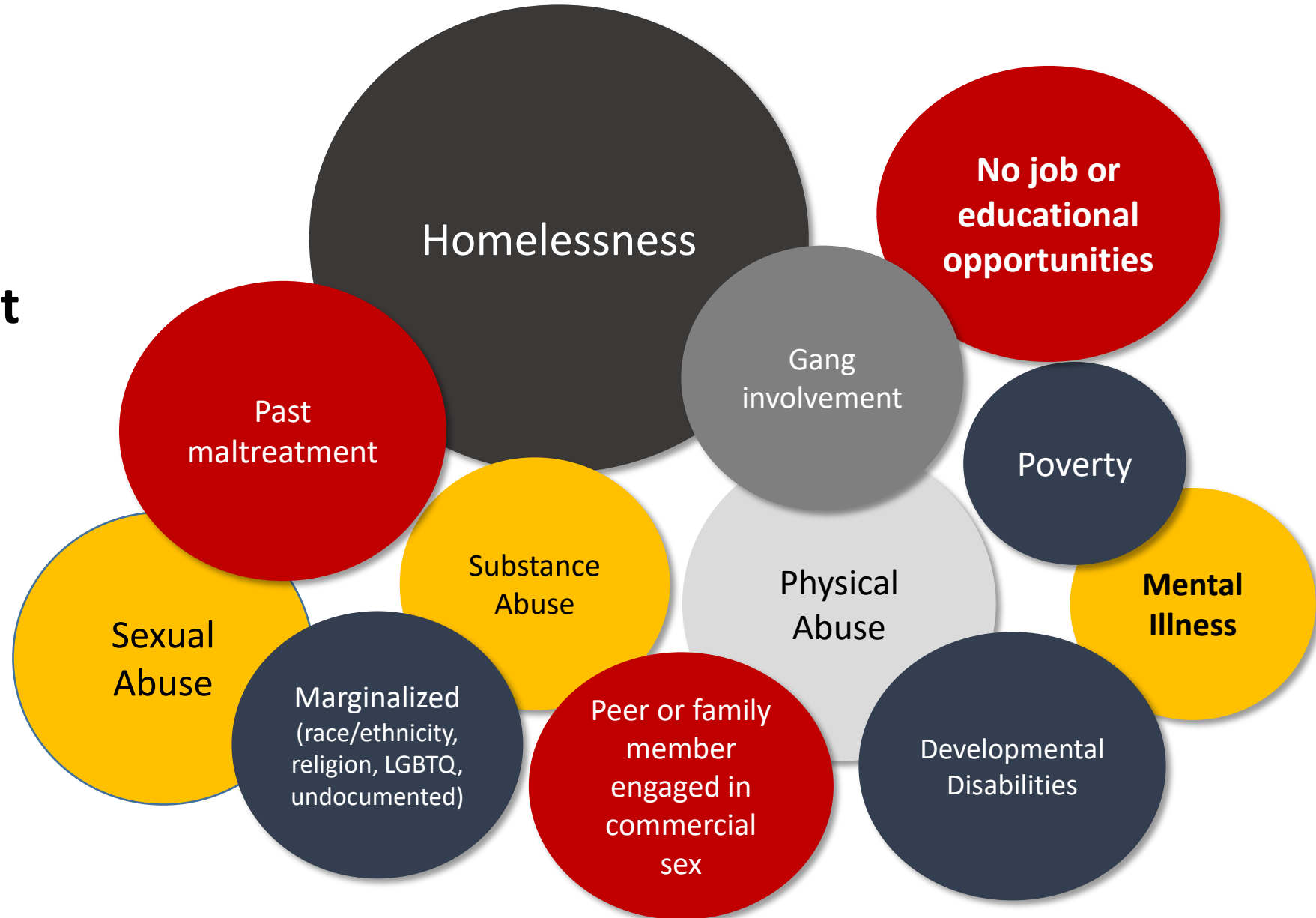


***LGBTQ Youth***



***Undocumented Youth***

**Which of these risk factors also apply to adult victims?**



# What is Trauma?

- Serious injury or shock to the body.
- Emotional wound or shock that creates serious and lasting psychological damage.
- Event or situation that causes great distress and disruption.



# Complex Trauma

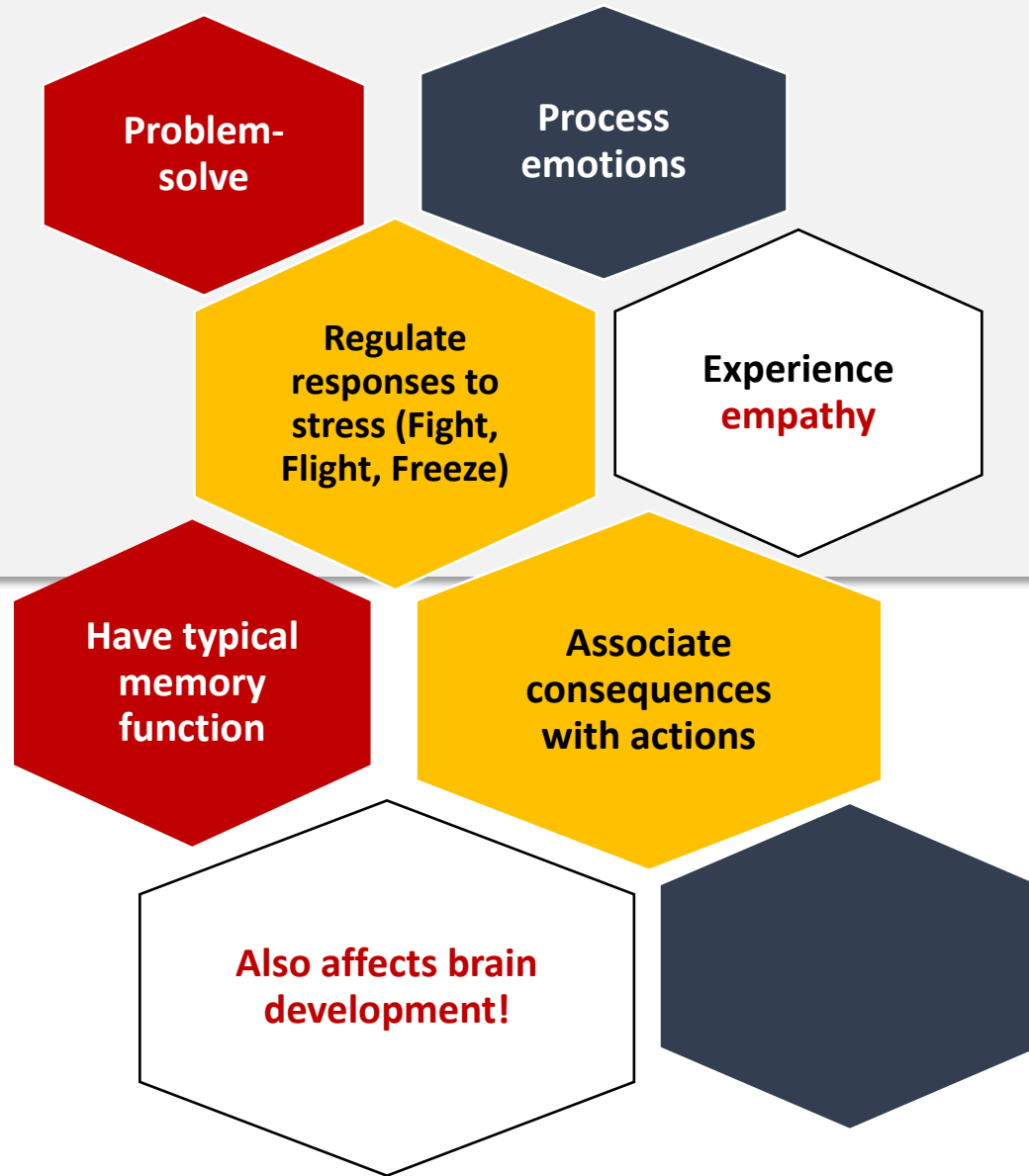
- Results from **extended** exposure to trauma.
- Associated with increased and more severe symptoms.





# Common Reactions to Trauma

- **Nightmares, Anxiety, Panic**
- **Phobias, Depression, Emotional Numbness**
- **Self-medicating via substance abuse**
- **Somatization**
- **Intrusive Thoughts and Flashbacks**
- **Hypervigilance, Hypo-arousal, Dissociation**
- **Avoiding all reminders of trauma**



# Biology of Trauma

Trauma has emotional, **psychological**, **behavioral**, and **neurobiological** impacts including the ability to:

# Trauma Bonding

- Dysfunctional attachment
- A result of alternating cycles of affection & abuse
- A victim's survival strategy in the face of danger, shame & exploitation
- Created & enhanced by traffickers who manipulate their victims



# Indicators of Trauma Bonding

- Show intense gratitude for small kindnesses
- Deny and rationalize violence
- Deny feeling anger toward their exploiter
- Believe they have control over abuse
- Blame themselves
- Don't identify as victims
- Display ongoing symptoms of trauma or PTSD



# Typical Courtroom Behaviors

- Deny being trafficked or abused
- Normalize any trauma or exploitation
- Display fear, distrust, denial & conflicting loyalties
- Show gratitude toward trafficker
- Normalize relationship with trafficker
- Present themselves as being in control

# They may display PTSD Symptoms:

- Active mental health symptoms
- Emotional numbness -- detachment
- Symptoms of phobias or panic attacks
- Symptoms of anxiety or depression
- Highly emotional, hostile, or angry
- Avoid appointments, court dates, etc.
- Forget important details or dates
- Negative behavior toward attorney, judge, & personnel
- Distrust law enforcement or service providers

# Typical Criminal Charges

*(What kinds of criminal activities might victims be coerced to commit?)*

- ✓ Loitering, trespassing,
- ✓ Disorderly conduct,
- ✓ Curfew, runaway,
- ✓ Theft, shoplifting,
- ✓ Battery, assault,
- ✓ Drug possession and/or sales
- ✓ Prostitution
- ✓ Recruiting other victims



# Cases Where You Might See Trafficking

*(In what kinds of cases might a juvenile victim appear in court?)*

- ✓ Delinquency
- ✓ Status Offense
- ✓ Dependency
- ✓ Guardianship
- ✓ Child Placement



# Questions to Consider

- How might a sex trafficking victim show up in a delinquency case? A guardianship case?
- What concerns or additional issues would you expect for a juvenile who is undocumented?
- How might trauma impact a juvenile victim's case?





# *COLLATERAL CONSEQUENCES OF CONVICTION*

**Housing**

**Employability**


**Occupational  
State Licenses**

**Federal & State  
Benefits**

**Immigration  
Relief**

**Education**

**Child Custody**



# JUDICIAL RESPONSE

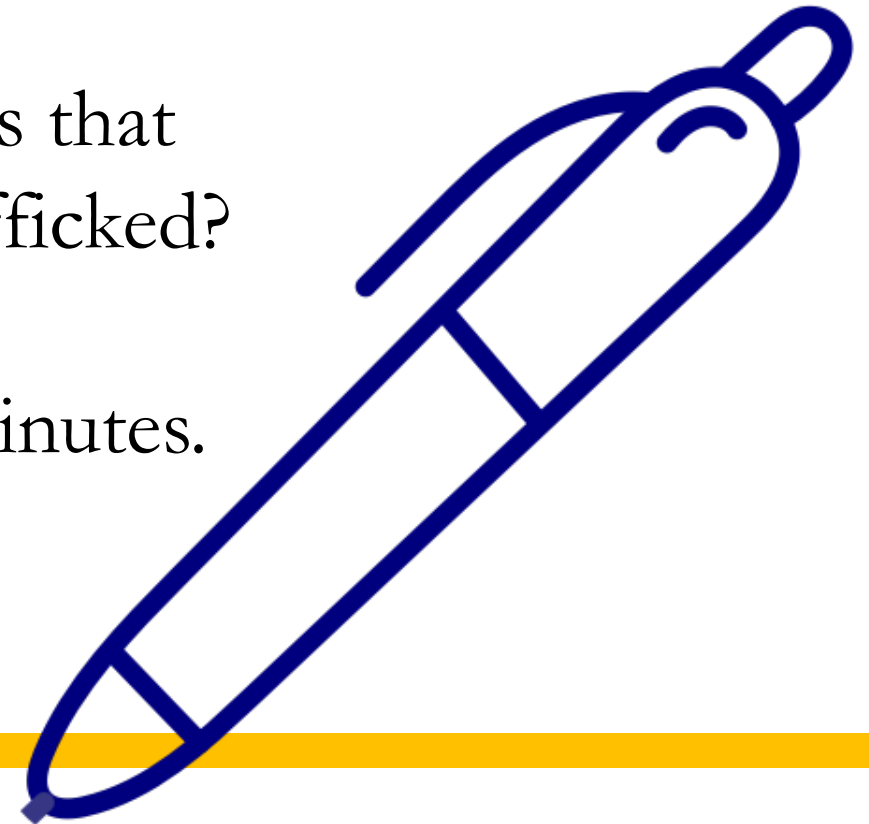
# Training Objectives

By the end of this afternoon's training, you will be able to:

1. Identify at least 5 red flags or indicators of sex trafficking.
2. Describe options for post-conviction relief for sex trafficking victims.
3. List at least 3 strategies for making courtrooms more trauma-informed.
4. Identify at least 2 options to address sex trafficking in a mock case.
5. Apply the above objectives as you practice managing mock courtroom cases.

# Activity: Identifying Victims

- Find a partner sitting close by.
- Brainstorm 3-4 red flags or indicators that might signal a defendant is being trafficked?
- Jot down your ideas. You have 2-3 minutes.





# Red Flags



# Signs of Sex Trafficking

- Under 18 & engaged in commercial sex acts
- Absence of supervision at home
- History with child welfare system
- Family history: Incarceration, substance abuse, domestic violence
- Alcohol or drug abuse
- Behavioral problems at school; Behind in grade level
- Chronic runaway or truancy – gone for extended periods
- Prostitution: Arrest, Use of terminology, paraphernalia
- Significant tattoos (ex: initials of boyfriend)
- Sexually provocative social media posts
- Described as promiscuous; # of sexual partners inconsistent with age
- Romantic partner significantly older -- overly interested or controlling
- Is fearful, anxious, depressed, withdrawn, avoids eye contact
- Signs of physical/sexual abuse, confinement, malnourishment
- Not allowed to speak for self (3<sup>rd</sup> party insists on being present)
- Clothing & possessions don't fit situation (hair, nails, shoes, electronics)
- Not in control of own money or identification documents
- Numerous inconsistencies in story, reluctant to share information
- Reported recent or multiple sexual assaults, STIs, unplanned pregnancies
- Member of high-risk group: LGBTQ, undocumented youth, etc.



# Questions to Consider

- What additional information would you try to get if you suspect a defendant is being trafficked?
- How would you try to get that information if the defendant has a lawyer?
- How would you proceed if the defendant doesn't have a lawyer?



# Being Trauma Informed

Ask: “*What **happened to** this defendant?*” vs. “*What’s **wrong with** this defendant?*”

- Understand self-destructive behaviors as **attempts to cope** with past trauma vs. character flaws.
- Recognize **triggers** for re-traumatization:
  - Feeling a lack of control
  - Experiencing unexpected change
  - Feeling threatened or attacked
  - Feeling vulnerable or frightened
  - Feeling shame

# Trauma-Informed Judiciary

- Mindful of trafficking dynamics that impact victims' demeanor in court.
- Prioritizes making defendants feel safe.
- Re-examines courtroom policies & procedures.
- Takes an individual approach to each case.
- Employs trained, welcoming, & nonjudgmental courtroom staff.
- Works closely with members of defendant's "team."

# Activity Instructions

- Find a nearby partner.
- Turn to page titled “Activity: Creating a Trauma-Informed Judiciary” in Workbook.
- Discuss specific ways to make your courtroom trauma-informed.
- You have 10 minutes.

Communication	Procedures	Environment	Safety Considerations

# Debrief Questions

- What impact could these kinds of changes in communication, procedure & environment have on trafficking cases?
- On defendants?



# When you see red flags

As a judge or magistrate, how might you facilitate getting a sex trafficking assessment for a defendant?

- As a condition of probation



# Discussion

- Questions or Comments?
- What other actions could you take when deciding cases involving sex trafficking?
- What additional steps might you take in juvenile sex trafficking cases?

# Mock Case Assignments

Discuss the following:

- What red flags (signs of sex trafficking) do you see?
- What are your options for responding?
- What is your group decision for handling this case?

Prepare a brief report to give your peers.

You have 15 minutes.

# Reporting Process

- Reporter from each group reads their case, red flags observed, & decision. (5 minutes maximum)
- Questions & Comments from group. (3 minutes)
  - Do you agree with the decision?
  - What might you do differently?



# Post-Conviction Relief in MD

## **Expungement** – What does this involve?

- Refers to the removal of records from public inspection
- May apply to both convictions and non-convictions
- Can typically answer “no” to questions relating to arrest/conviction
- May have immigration consequences

## **Shielding** – What does this involve?

- Record hidden from public view
- Still “exists” in the legal/physical sense
- Typically remains accessible (law enforcement, criminal justice & certain employers)
- May have immigration consequences

# Post-Conviction Relief in MD (cont.)

**Pardon** – What does this involve?

- Formal recognition of forgiveness for criminal conviction by a governing body
- May allow individual to regain certain rights
- May open up additional post-conviction options

**Vacatur** – What does this involve?

- Nullifies & clears judgment of conviction
- Reflects fundamental error in original judgment
- “Adjusted” disposition still visible to public
- May have immigration consequences

# Maryland Vacatur Laws

## Advantages

- Doesn't require official documentation of trafficking or cooperation with law enforcement
- Doesn't require survivor to prove they left sex industry or have been "rehabilitated"
- Retroactive, therefore inclusive, of older convictions

# Maryland Vacatur Laws

## Limitations

- Only applies to convictions for prostitution
- Doesn't allow Court to take additional appropriate action beyond language of the statute
- Doesn't require vacatur of eligible convictions

# Maryland Vacatur Laws

## Limitations

- Doesn't provide presumption of eligibility if official documentation is provided
- No explicit confidentiality provisions
- Doesn't automatically expunge arrest or resulting non-conviction
- No funding to assist victims with vacating their convictions

# Take Away Messages

- Sex trafficking is real. It's happening in your community.
- Impact on victims is extremely harsh; they need supportive services.
- There are **Red Flags** that can alert you to the possibility of trafficking...
- However, victims can be difficult to identify or they may deny their victimization.
- Victims pass through the justice system without being identified.
- Court may be the last recourse for a trafficking victim to get help.
- Your role in this work is very important.



# **Working with Patients Experiencing Trafficking**

*Medical Providers in Maryland*

**Developed By:**

Healthy Teen Network

On behalf of

The University of Maryland School of Social Work,  
Prevention of Adolescent Risk Initiative (PARI)

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Healthy Teen Network & University of Maryland School of Social Work, Prevention of Adolescent Risk Initiative (PARI)

This training was produced by Healthy Teen Network under Prime Award No. 2017-VT-BX-K056, Sub-Award No. 10018773, awarded by the Office for Victims of Crime, Office of Justice Programs, U.S. Department of Justice. The opinions, findings, and conclusions or recommendations expressed in this training are those of the contributors and do not necessarily represent the official position or policies of the U.S. Department of Justice.

**Special thanks:** This product would not have been possible without the support, input, and hard work from those working tirelessly to address human trafficking in Maryland and across the United States. Special thanks to the subject matter experts and reviewers who supported the development of this resource:

- Joyce Williams, Stevenson University
- Jessica Volz, Adventist Healthcare, Shady Grove Medical Center
- Nadine Finigan-Carr, Amelia Rubenstein, & Sharon Henry, University of Maryland
- Sydney Nastasi, Survivor Advocate
- Nicole Lee, Survivor Advocate
- David Williams, DDS
- Staff from Healthy Teen Network

Suggested citation:

Eisler, A. (2019). Working with patients experiencing trafficking. Baltimore, MD: Healthy Teen Network, University of Maryland School of Social Work.



## **Introduction & Considerations**

This training was developed as part of a state-wide effort to improve how professionals in Maryland identify and respond to child and adolescent victims and survivors of sex and labor trafficking. This specific training product is intended to be delivered with medical professionals working in a variety of settings across the state. Attendees may be physicians, nurses, physicians assistants, or other medical providers and may work in a variety of settings including, but not limited to, internal medicine, obstetrics and gynecology, dentistry, and emergency medicine.

While this training manual is relatively prescriptive, the authors prefer that any trainers wishing to implement this training event be comfortable delivering an interactive training that encourages participation and engagement with attendees. *This training is not intended to be delivered in a lecture format. We expect that participants will be actively engaged in their learning, practice applying concepts, and action planning for their own practice.*

Before delivering this training, trainers should prepare themselves in advance with audience- and location-specific information, including, but not limited to:

- Local industries that are vulnerable to trafficking;
- Contact information for local service providers who will be best equipped to respond to trafficking situations (local/state police, social services/case management, service providers, and nonprofits), as participants may need this specific information;
- Local agencies that are equipped to respond to trafficking victims/survivors (mental health, addiction, immigration, housing, etc.); and
- Trauma-informed and trauma-specific practices, particularly as they relate to human trafficking.

**Goal:** Improve medical providers' ability to identify and respond to patients who have experienced human trafficking.

**Objectives:** By the end of this training, participants will be able to:

- Define human trafficking.
- Identify common signs of human trafficking that medical providers may see in their practice.
- Describe appropriate steps medical providers can take to support patients who may have experienced human trafficking.

Trainers should assess the level of knowledge and skill that their participants may have on topics related to addressing human trafficking. It may be useful to recommend to participants that they also receive training on trauma-informed practices in the medical field or other relevant training. For those new to human trafficking, you can also recommend the Human Trafficking 101 elearning unit at UMD as a good resource to start with.

**Timing:** Given the timing outlined on the following page, this training is almost 6.5 hours long, including two 15 minute breaks and one 60 minute lunch. This means that if started at 9:00 a.m., this training would conclude just before 3:30 p.m. If trainers feel there is a gap in the content and would like to add content that would lengthen this training, they may. Possible topics the trainer can include are common myths and facts about trafficking (see the Human Trafficking Hotline for examples) and to spend more time discussing resources for patient referrals, as well as training resources for professionals.

**[TRAINING NAME] AGENDA**

<b>Time</b>	<b>Unit/Topic</b>
15 minutes	<b>Unit 1: Welcome &amp; Introduction</b>
80 minutes	<b>Unit 2: Human Trafficking Foundations</b>
15 minutes	<b>Break</b>
50 Minutes	<b>Unit 3: Identifying Human Trafficking in a Medical Setting</b>
60 minutes	<b>Suggested Lunch Break</b>
40 minutes	<b>Unit 4: Working with Trafficked Patients</b>
60 minutes	<b>Unit 5: Protocols and Referrals</b>
15 minutes	<b>Break</b>
45 minutes	<b>Unit 6: Action Planning &amp; Wrap-Up</b>

## **GENERAL MATERIALS**

- Answer Key: Signs of Trafficking Worksheet
- Answer Key: Human Trafficking Case Studies: What More Could Have Been Done?
- Flipchart paper: Parking Lot
- Flipchart paper: Group Agreements
- Flipchart paper: Strategies, Protocols, and Standards of Care
- Flipchart paper: Medical Needs (x2)
- Flipchart paper: Observations (x2)
- Flipchart paper: Ways to Learn more
- Internet connection
- Markers
- Name tents
- Painters tape
- PowerPoint slides
- Scratch paper
- Sign: "Not Trauma-Informed" Continuum End
- Sign: "Very Trauma-Informed" Continuum End
- Speakers
- Trauma-Informed Statement Slips

## **PARTICIPANT PACKET: WORKSHEETS AND HANDOUTS**

- Training Goal and Objectives Handout
- Labor Trafficking Case Study Handout
- Sex Trafficking Case Study Handout
- Identifying Victims of Human Trafficking: What to Look for in a Healthcare Setting Handout
- Signs of Trafficking Worksheet
- Stages of Change Model Handout
- Trauma-Informed Care Worksheet
- Trafficking Referral Handout
- Human Trafficking Case Studies: What More Could Have Been Done? Worksheet

## **Unit 1: Welcome & Introduction**

---

### **Learning Objectives**

*At the completion of this module, training participants will be able to...*

1. Identify other individuals participating in the training, including the trainer(s).
2. Describe the purpose of this training.

### **Time**

15 minutes

### **Materials**

- PowerPoint slide deck for training
- Name tents
- Training goal and objectives handout
- Flipchart paper: Parking Lot
- Flipchart paper: Group Agreements

### **Preparation**

- ✂ Set up training room with participant materials available, including a name tent
- ✂ Hang flipchart paper titled "Parking Lot" somewhere visible and accessible

### **Procedure**

#### **Welcome (3 minutes)**

Trainer welcomes participants to the training saying, *"Welcome to the Working with Patients Experiencing Trafficking training. We're excited to have you here and we hope that you'll find this training useful in building your own skills, but also a great experience to work with and learn from your colleagues on a challenging topic: human trafficking."*

Trainer(s) introduce themselves, sharing the following information:

- Name and professional role,
- Organization they work for, and
- Relevant information about their background and experience.

Depending on the size of the group and the timing available, the trainer may have participants go around the room and share their name and where they work.

Participants may share:

- Their name,
- Role and where they work, and
- What they hope to learn as a result of this training.

### **Goal, Objective, and Agenda (2 minutes)**

Trainer directs participants to the goal and objectives sheet in their participant materials and continues, *"This training is designed to increase your awareness of human trafficking, the signs of trafficking you may see in your practice that would alert you to the possibility a patient is experiencing trafficking, and some ways you can address a trafficking situation when working with patients."*

*"Please turn to the agenda in your materials. After this welcome and introduction, we will discuss some basics of human trafficking, what to look for in your practice, what you can do to address these issues, and then we'll spend some time action planning next steps you can take to better prepare your practice to address these scenarios."*

### **Materials and Group Agreements (5 minutes)**

Trainer directs participants to their materials packet and generally orients participants to the materials they have before them.

The trainer then reviews the "Group Agreements" saying, *"We know that human trafficking is a complex and emotionally challenging topic. During this training we will all be asked to practice various skills that will help support victims. You will be asked to think critically about how you would support patients, and we ask that the group adhere to*

*some basic group agreements that will help us all to participate and feel comfortable doing so. Please share some group agreements that would help you to be able to participate fully and learn. Once you agree to the group agreements, give a thumbs-up to show you agree to them.*" Trainer scribes the agreements shared by participants.

Agreements should include:

- Assume positive intent,
- Take up more space/less space (for people who tend not to participate much, please make an effort to engage with the group and for those who tend to participate a lot, please make space for those who may need more space or time to think),
- Be present (step out to take calls or send emails),
- Begin and end on time, and
- Ask questions and engage with the content/your colleagues.

The trainer then allows participants to read the agreements and answers questions as necessary.

At this time the trainer(s) share relevant information about:

- Cell phones,
- CEUs,
- Attendance, and
- Other relevant information for participants.

### **Parking Lot (1 minute)**

Trainer points to the flipchart paper titled "Parking Lot" and explains, *"This chart paper marked 'Parking Lot' is available to you throughout the training. Use this space to write questions or comments you have that are either tangential to the topic at-hand or require deeper discussion that is not available at the present time. We will use this to keep track of*



*these discussions and will return to them either later in the training or after the training has concluded."*

### **Housekeeping & Logistics (3 minutes)**

Trainer highlights the following housekeeping and logistical notes:

- Location of bathrooms,
- Parking or other site-specific notes, and
- Specifics about when breaks will be provided.

### **Transition (1 minute)**

Trainer checks for questions saying, *"Are there any questions at this time? Next we'll cover foundational information about human trafficking."*

Trainer answers questions as necessary.

## **Unit 2: Human Trafficking Foundations**

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### **Learning Objectives**

*At the completion of this module, training participants will be able to...*

1. Restate critical elements that define sex and labor trafficking.
2. Describe characteristics of sex and labor trafficking.

### **Time**

80 minutes

### **Materials**

- PowerPoint slides
- Labor trafficking case study handout
- Sex trafficking case study handout
- Chart paper: Medical Needs (x2)
- Chart paper: Observations (x2)
- Internet connection to show the Ted Talk via YouTube
  - <https://www.youtube.com/watch?v=Cpx-YWNpU54>
- Speakers

### **Preparation**

- ✧ Be familiar with the Trafficking Victims Protection Act.
- ✧ Watch the Ted Talk in advance.

### **Procedure**

#### **Introduction**

Trainer says, *“Now we will cover foundational information about human trafficking: what it is and how it tends to show up in Maryland.”* Trainer checks for questions.

#### **What Is Human Trafficking? (30 minutes)**

Trainer displays a PowerPoint slide with the Federal definition of human trafficking on it and points out the following elements:

- The **Trafficking Victims Protection Act (TVPA)**<sup>1</sup> defines sex and labor trafficking.
- **Labor trafficking:**
  - TVPA defines labor trafficking as the use of force, fraud, or coercion to compel someone to do work. This means someone would have to feel compelled to do work due to force (forced labor), trickery/false promises, or be coerced (often through threats of violence, deportation, or other frightening means).
  - Sometimes labor trafficking occurs as bonded labor where the trafficker uses loans to entrap someone into doing work that they likely never will pay off. Often the trafficker will repeatedly change the terms of the loan or inaccurately account for the work so that the victim will be unable to leave the trafficking situation.

**Trainer's note:** Labor trafficking exists at the most extreme end of a continuum of labor exploitation.

Labor trafficking and labor exploitation can involve similar forms of exploitation (e.g. withholding of wages), harassment, or false promises.

Labor exploitation crosses into labor trafficking, though, when the exploited person is not free (or does not feel free) to leave the situation because of *force, fraud, or coercion* ranging from being physically imprisoned to threats of harm to self or family.

- **Sex trafficking:**
  - TVPA defines sex trafficking also as the use of force, fraud, or coercion to compel someone to do commercial sex acts (intercourse, stripping, pornography, or other sex act for something of value) OR that a person is

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<sup>1</sup> <https://www.state.gov/j/tip/laws/>

engaged in commercial sex and is under the age of 18. People under 18 cannot consent to sex work and, therefore, commercial sex is by default sex trafficking. *This means that there is no such thing as a prostitute under the age of 18—they have been trafficked.*

- Trainer asks the group, *“What do you think counts as ‘something of value’?”*

Trainer takes a few responses, ensuring the following is shared:

*“something of value” can be anything of value to the person receiving it: housing, money, food, electronics, clothes, etc.*

Trainer explains that now they will watch a Ted Talk video from a medical provider discussing how and when human trafficking shows up in medical settings. Trainer says, *“Please pay attention to anytime she mentions signs of trafficking a patient may display or share with a provider or the kinds of characteristics of their visit or history that could alert a provider to trafficking. You may consider making notes as you listen.”*

Trainer plays this Ted Talk video:

<https://www.youtube.com/watch?v=Cpx-YWNpU54>

Once the talk is done, the trainer asks the group:

- *“What were some signs of sex or labor trafficking you heard mentioned that you might see in your practice?”* (E.g., malnourishment, sexual assault, over work, unstable immigration status, relevant tattoos (although this seems to have fallen out of favor recently, but could still be a sign) etc.—trainer may point out that none of these signs by themselves mean someone is trafficked, but they may “add up” to indicate trafficking.)

**Trainer’s note:** *Sex trafficking-associated tattoos include indications of a trafficker, like a trafficker’s name or symbol/brand, indication of money or commerce (bar codes), words associated with the sex trade (“Daddy”), etc.*

Trainer checks for questions from the group.

Trainer then shows a slide with a map of Maryland and asks participants, *“Please take a moment to guess, out of 50, what you think Maryland ranks for human trafficking compared to other states. What number do you think Maryland is?”* After several participants guess, trainer says that Maryland’s ranking as 18<sup>th</sup> out of 50, as of 2017.<sup>2</sup>

**Trainer’s note:** Trainer should periodically update these statistics, as they become available from reputable sources, such as The Polaris Project.

Trainer then asks the group, *“What characteristics does Maryland have that could make it vulnerable to both sex and labor trafficking?”* After participants give several responses, the trainer reveals on the PowerPoint slide the following answers:

- Access to major interstates (esp. I-95, I-270, and I-70);
- Access to international airports;
- Presence of multiple vulnerable populations (foster youth, unaccompanied minors, domestic servants, agricultural workers); and
- Transnational gang presence.

Trainer asks the group, *“How likely do you think a trafficked person is to seek medical care while they are being trafficked?”*

- Answer: Very likely. According to a survey of survivors, 87.8% said that they accessed health care during this time in their lives. Of these, 68.3% said they went to the emergency room.<sup>3</sup>

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<sup>2</sup> <https://humantraffickinghotline.org/states>

<sup>3</sup> <https://humantraffickinghotline.org/sites/default/files/The-Health-Consequences-of-Sex-Trafficking%20-.pdf>

Trainer explains, *“Now we’re going to briefly split between talking about sex and labor trafficking to better understand how they show up in Maryland and potentially among your patients.”*

### **Labor Trafficking Specifics (10 minutes)**

*“In labor trafficking there are many industries that are vulnerable to trafficking and exploitation. We’ll take a brief moment to review the most common industries here in Maryland, but know that this is not an exhaustive list.”*

Trainer shows a PowerPoint slide that displays six common industries: agriculture, restaurant/hospitality, nail salons, fisheries/crabbing, sales crews/begging, and domestic work. Trainer then briefly reviews each industry<sup>4</sup>, taking questions from participants throughout the discussion:

- **Agriculture:** Agricultural contracts or agreements may promise an hourly wage, but then pay workers per piece picked, which can trap laborers with low wages and few resources to move on or travel. Given how complex our agricultural system is, there are many ways and levels at which workers may be exploited.
- **Nail salons**<sup>5</sup>: Some nail salons recruit women (often not U.S.-born) to work for wages well below the minimum wage; sometimes they are not paid at all. In these cases, nail technicians work exceptionally long hours and work in hostile environments that leave them feeling trapped. In some cases, women live in cramped quarters where they share space with many other people.
- **Restaurants/hospitality**<sup>6</sup>: Back-of-house employees in hotels and restaurants (dishwashers, cleaning, etc.) may be exploited by working long hours and being

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<sup>4</sup> <https://polarisproject.org/typology>

<sup>5</sup> [https://www.nytimes.com/2015/05/10/nyregion/at-nail-salons-in-nyc-manicurists-are-underpaid-and-unprotected.html?mcubz=3&\\_r=0](https://www.nytimes.com/2015/05/10/nyregion/at-nail-salons-in-nyc-manicurists-are-underpaid-and-unprotected.html?mcubz=3&_r=0)

<sup>6</sup> <https://www.npr.org/sections/thesalt/2017/03/29/521971468/in-u-s-restaurants-bars-and-food-trucks-modern-slavery-persists>

paid well below market rate for their work, while a recruiter or restaurant owner holds their documentation or finds another way to compel them to work.

It is not uncommon that traffickers leverage workers' limited English with their immigration status to entrap them in an untenable work situation.

- **Fisheries/crabbing**<sup>7</sup>: Not unlike the experiences of agricultural workers, fisheries often exploit the immigration system to recruit laborers who are promised good, hourly wages only to experience unstable work, little training, limited/no medical care, and unpleasant or unsanitary living conditions.
- **Sales crews/begging**: These tend to focus on young people and adolescents, promising decent wages or enrichment trips and programming like camps and educational trips by requiring them to sell items (e.g., magazines, candy, subscriptions, etc.) or panhandle. Traffickers recruit young people from already disadvantaged situations and use threats, violence, and other means to keep their recruits from leaving. These young people will likely never receive compensation either. Traffickers may transport victims across cities and states, forcing youth to make sales or beg.
- **Domestic Work**<sup>8</sup>: Victims in the U.S. often live with their traffickers and clean or care for children, the elderly, or the infirm. Several cases in Maryland indicate that victims or their families can be lured with a promise of education or legitimate work only to arrive and be held captive in the home, receiving little to no compensation. It is not uncommon that people trapped in this situation will also experience sexual abuse.
- Trainer may choose to show the page or a screen grab of the *Polaris Typology of Modern Slavery*<sup>9</sup> webpage to (very) briefly highlight that there are many other

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<sup>7</sup> <http://www.cdmigrante.org/picked-apart-the-hidden-struggles-of-migrant-worker-women-in-the-maryland-crab-industry/>

<sup>8</sup> <https://bethesdamagazine.com/Bethesda-Magazine/September-October-2015/Human-Trafficking-in-Montgomery-County/>

<sup>9</sup> <https://polarisproject.org/typology>

industries that are also vulnerable to trafficking. If time does not allow, the trainer can tell participants where to find this information.

### **Labor Trafficking Exploration (15 minutes)**

Trainer hands out a packet of four short case studies titled "Trafficking or Not: Labor Trafficking Case Studies", breaks large group into small groups of three people, and assigns each group one case study to examine. Tell the groups:

- *"In your small groups, read your assigned case study."*
- *"Decide together if you think it is or is not a case of labor trafficking."*
- *"Make a few notes about the kinds of issues that might come up in a case like this that would necessitate medical care."*
- *"Be prepared to report to the larger group."*

Allow the groups five minutes to read their cases and make notes. Then go through each case study by:

- Asking the group to very briefly describe what happened in their case so others are aware,
- Asking if the case was labor trafficking (presence of force, fraud, or coercion) or not,
- Describe possible medical needs that could arise as a result of the case or reasons they could imagine that person connecting with a medical professional. (Trainer scribes these medical needs on chart paper titled "Medical Needs," adding as various medical issues are described across case studies.)
- Describe characteristics of the patients, the visit, or anyone who accompanies the patient that might alert them to "something suspicious" going on. (Trainer separately scribes these possible observations on chart paper titled

**Trainer's note:** *When scribing, if groups share information that was previously shared by other groups, simply put a check mark or star next to the originally scribed note rather than writing it again.*



“Observations,” adding to it as groups share. Note that this question was not part of the worksheet but is meant to drive further conversation.)

Trainer leaves the chart paper displayed in the room and then transitions by saying, “Now we’ll move on to talk about sex trafficking.”

### **Sex Trafficking Basics (10 minutes)**

Trainer explains that we’ve briefly talked about what sex trafficking is a little while ago, now we’re going to get into some specifics.

- Trainer asks the group to share what sex trafficking is. (Answer should include the use of force, fraud, or coercion to compel someone to engage in commercial sex.)
- Then asks the group to say what commercial sex is. (Answer should include a sex act for which anything of value is given to or received by any person. The item of value can be money or valuable commodities like shelter, food, clothing, or drugs.)

**Trainer’s note:** No need to scribe answers, just get the group to restate this information.

Trainer shows the slide describing the four contexts for sex trafficking and explains, “There are four typical contexts where sex trafficking may occur. Let’s explore what they are.” Trainer briefly shares critical points from each of the four contexts and takes questions from the group as they arise:

- **Trafficker controlled:** A trafficker, sometimes called a pimp, oversees the sexual exploitation of victims. They may arrange “dates,” take and manage money, and/or exact punishment and control over the people they force into commercial sex. Traffickers often use physical control and psychological manipulation to control the people they exploit.

- **Non-trafficker controlled:** A victim does not have a trafficker but is engaging in commercial sex. If this person is under the age of 18, this is still sex trafficking, even if they “choose” to do this work to take care of their basic needs. In these cases, there may be no trafficker. If the person is over 18, and they are engaged in this kind of sex work, it is only considered trafficking if they were forced, defrauded, or coerced.
- **Gang controlled:** Members of a gang are the traffickers that exploit others by forcing them to perform sex acts for something of value, sell drugs, or beg on the streets. When they do this, they are doing it as part of their affiliation with the gang and not as an individual.
- **Familial:** A family member traffics a victim. These family members may traffic victims in a variety of settings, but they also may traffic them in their own home. Trafficking does not require any kind of movement or transportation of victims or services.

Drug use can be a common factor in familial, gang controlled, non-trafficker controlled, and trafficker-controlled scenarios, with traffickers receiving drugs or money for their

**Trainer’s note:** *Depending on the group discussion, it may be helpful to add context to the term “pimp” in the anti-trafficking field. In the anti-trafficking field, the word “pimp” is a loaded one.*

*In some ways, it’s useful because it’s a term that people understand and it may help them to identify people who are sex traffickers when they encounter them.*

*However, it is a term that is rife with cultural (and often racial) subtext. It conjures up stereotypes of violent Black men in flashy outfits and can seem “cool” to some people.*

*It is advisable to refer to “traffickers” over “pimps,” while being clear about what traffickers do.*

own addiction. They may also use addiction as a way of controlling the person they traffic.

### **Sex Trafficking Exploration (15 minutes)**

Trainer explains that participants will repeat a similar activity as they did when exploring labor trafficking:

- They will be assigned a case study on sex trafficking, but these ones are all trafficking;
- Determine which type of sex trafficking context they are reading;
- Determine what medical needs might arise in this case; and
- What clues might a medical practitioner see if this person were to come to their practice?

Trainer directs participants to the Sex Trafficking Case Study Handout, assigns small groups of three people to investigate one case each (there will be multiple groups working on the same case).

Allow the groups five minutes to read their cases and make notes. Then go through each case study by:

- Asking the group to very briefly describe what happened in their case so others are aware,
- What type of sex trafficking context was present in their case,
- Describe possible medical needs that could arise as a result of the case or reasons they could imagine that person connecting with a medical professional. (Trainer scribes these medical needs on chart paper titled "Medical Needs," adding as various medical issues are described.)

**Trainer's note:** When scribing, if groups share information that was previously shared by other groups, simply put a check mark or star next to the originally scribed note rather than writing it again.

- Describe characteristics of the patients, the visit, or anyone who accompanies the patient that might alert them to “something suspicious” going on. (Trainer separately scribes these possible observations on chart paper titled “Observations,” adding to it as groups share.)

After the groups have shared, place the chart papers near the ones created in the labor trafficking exercise in a part of the room that allows the group to reference these sheets. When groups are done discussing their case studies, ask, *“Is it possible that a victim of sex trafficking might feel attached or bonded to their trafficker?”* Take a few responses and emphasize that this is very likely. Tell the group, if they haven’t said it already, that this is called trauma bonding: *“Trauma bonding happens when a person experiences alternating cycles of affection and abuse that can make them feel loyal or even protective of their abuser.”*

**Trainer’s note:** *Depending on how the conversation has gone with participants, it may be necessary to point out that a patient who is being trafficked may have a complicated relationship with their trafficker or their trafficking situation.*

*If they have a trafficker, that person may be family, someone who says they love them, someone connected to their family, or someone who has developed a bond or sense of loyalty with them.*

*Saying that someone’s boyfriend, parent, or employer is bad and doesn’t care about them can alienate them and could make it harder for them to see and understand the abuse inherent in a situation like that.*

*To be clear, trafficking and abuse are bad. However, framing complex relationships that may involve family, romantic feelings, feelings of self-worth, loyalty, and ways people provide for their basic needs as “bad” is unhelpful.*

*Recognizing the complexity of these situations is critical for a productive conversation. A dichotomy between “good” and “bad” can make it challenging for a patient to identify complex but dangerous relationships.*

## ***Unit 3: Identifying Human Trafficking in a Medical Setting***

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### **Learning Objectives**

*At the completion of this module, training participants will be able to...*

1. Describe signs you may see in your practice that a patient might be trafficked.
2. Describe steps medical staff can take to learn more if a patient is showing signs that make them suspicious of a trafficking situation.
3. Explain who in their practice could be involved in identifying these signs.

### **Time**

50 minutes

### **Materials**

- Handout: Identifying Victims of Human Trafficking: What to Look for in a Healthcare Setting
- Signs of Trafficking Worksheet
- Signs of Trafficking Worksheet Answer Key
- Flipchart paper titled "Ways to Learn More"

### **Preparation**

- ✧ Consider in advance the kinds of things your participants would observe if they were seeing trafficking in their geographic area. This will help tailor the conversations in this unit.

### **Procedure**

#### **Introduction**

Trainer says, *"Let's dive a little deeper into how trafficking victims and survivors might show up in your medical practice."* Trainer checks for questions.

#### **Signs of Trafficking (40 minutes)**

Trainer directs participants to the checklist provided by The National Human Trafficking Hotline<sup>10</sup>, *Identifying Victims of Human Trafficking: What to Look for in a Healthcare Setting*, displays the PowerPoint slide with images of the checklist, and walks participants through each section of the handout on the first two pages, giving time for participants to read through the checklist to themselves. Trainer then asks, “*What did you notice about this checklist? Did anything stand out to you as interesting? A pattern? Or surprising?*” Participant responses may include:

- Victims may be accompanied/escorted by someone involved in their trafficking,
- Some indicators are also indicators of intimate partner violence, addiction, homelessness, and other situations that may not be trafficking.
- Many indicators seem to be a lack of control of belongings, health, housing, etc.
- Patient may be resistant or hostile.
- There are many potential indicators.

Trainer should point out that while there are lots of indicators listed here, no one indicator definitely would mean someone is being trafficked (unless they tell you they are experiencing force, fraud, or coercion or they are a minor and say they are participating in commercial sex—both of those would mean trafficking is happening). It is important to remember that if providers don’t ask, victims typically do not disclose so participants should be looking for situations where various signs start to “add up” and begin to paint a picture that a patient may be trafficked. Patients may be more likely to disclose these experiences when

**Trainer’s note:** *Trainer may remind participants of the statistic discussed earlier about how many victims seek medical care. They may see these patients more than once.*

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<https://humantraffickinghotline.org/sites/default/files/What%20to%20Look%20for%20during%20a%20Medical%20Exam%20-%20FINAL%20-%20202-16-16.pdf>

clinicians spend additional quality time with them to build trust. This kind of trust may take several visits to build.

Trainer directs participants to the *Signs of Trafficking Worksheet*. Participants will work in pairs to read each of the three case studies and respond to the questions. They will have ten minutes. Once they have completed the worksheet or ten minutes has passed, go through each case study and review each answer with the group using the corresponding answer sheet.

Once the worksheet has been reviewed, trainer tells the group, *"Let's explore further some techniques for appropriately learning more about a patient's situation so we can determine if they need help."* Display the chart paper titled "Ways to Learn More" and ask the group, *"What are some techniques you could use to probe or otherwise learn more about a patient's circumstance? These could be ways they shared on their worksheet or they can be ways that haven't yet been discussed."* Answers should include:

- Ask probing questions to see if the patient has an inconsistent story;
- Take time to build rapport with the patient;
- Ask the patient to provide their identification to see if they have control of their documentation (make up a reason for this like you need to verify it in their chart);
- If the patient is escorted by someone:
  - Ask patient questions and observe if the escort frequently butts in/cuts off/contradicts the patient;
  - Have reasons for the escort to fill in paperwork/retrieve documents from front desk so as to talk to the patient alone; and
  - Explain that in your practice you always make "alone time" with patients and ask escort to leave so that you can talk privately to a patient.

### **Observing Trafficking (10 minutes)**

Display a PowerPoint slide that says "Points of Observation" and explain, *"Keeping track of all of these things is a lot to look for! It can be almost impossible for one practitioner to notice enough of these signs to know if a trafficking situation is going on. Let's discuss who else within a practice might be well positioned to notice some of these signs."*

Lead the group in a large group discussion about which staff, at various levels of responsibility in a practice, could participate in observing a patient and/or their escort. Trainer should ask the following:

- *"Who could observe a patient's (and escort's) general demeanor?"*
- *"Who could observe a patient's history/presentation during exam?"*
- *"Who could assess a patient's signs and symptoms?" and*
- *"Who can observe what happens during discharge instructions/planning and follow up?"*

Trainer thanks the group for their thoughtful exploration of the signs they may encounter in their practice. At various points in the discussion, trainer should ask, *"What are some ways that staff could communicate with one another about concerning signs they notice?"* (E.g., training all staff to place Post-It Notes in charts so that the clinician is aware, using specific fields in the medical record to communicate this information, some electronic programs use "ticklers" to relay these kinds of notes, etc.)

**Trainer's note:** Consider directing participants to the checklist as they discuss so that have a working list of the types of characteristics/behaviors they should be observing.



## **Unit 4: Working with Trafficked Patients**

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### **Learning Objectives**

*At the completion of this module, training participants will be able to...*

1. Describe at least three (3) practical ways to integrate trauma-informed approaches into their work with patients.
2. Identify at least three (3) steps they can take to prepare their practice for working with a patient who may be trafficked.
3. Explain at least three (3) next steps they can implement at their practice to meet the needs of trafficked patients.

### **Time**

40 minutes

### **Materials**

- Stages of Change Model Handout
- Trauma-Informed Care Worksheet
- Trafficking Referral Handout
- Trauma-Informed Statement Slips
- "Not Trauma-Informed" Continuum End
- "Very Trauma-Informed" Continuum End
- Painters tape

### **Preparation**

- ✧ Be prepared to talk about trauma-informed care, including the Stages of Change Model, and to answer specific questions that might arise in the group conversations.
- ✧ Consider identifying some local trauma-informed care trainings or resources you can recommend to participants that would be convenient for them to access.

### **Procedure**

#### **Introduction to Trauma-Informed Care (15 minutes)**

Trainer tells participants that they are now shifting focus somewhat, *"We're now going to focus more closely on how to work with these patients directly. Who has heard of trauma-informed care and can describe what it is or how it looks in practice?"* Trainer takes

several answers and shares the definition<sup>11</sup> of trauma-informed care with the group and shows the corresponding PowerPoint slide:

*"A program, organization, or system that is trauma-informed:*

- 1. Realizes the widespread impact of trauma and understands potential paths for recovery;*
- 2. Recognizes the signs and symptoms of trauma in clients, families, staff, and others involved with the system;*
- 3. Responds by fully integrating knowledge about trauma into policies, procedures, and practices; and*
- 4. Seeks to actively resist re-traumatization."*

Trainer further explains that a trauma-informed approach can be implemented in any type of service setting or organization and is distinct from trauma-specific interventions or treatments. Trauma-specific interventions/treatments are approaches that are designed specifically to address the consequences of a specific trauma and to facilitate healing from that particular issue.

Trainer explains that trauma-informed care plays out in a couple ways:

- How the clinician interacts with a patient based on their particular needs and
- How a practice structures their facility, policies, and general protocols to meet the needs of all patients, accounting for the fact that many people have experienced trauma.

Trainer explains that the group will start by discussing how they can approach a patient who is struggling with a complex and dangerous situation, like trafficking.

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<sup>11</sup> <https://www.samhsa.gov/nctic/trauma-interventions>

Trainer directs participants to a handout with the Stages of Change Model and shows the corresponding slide and asks, *"Who here has heard of the Stages of Change Model, sometimes called the Transtheoretical Model?"*<sup>12</sup> Trainer takes a few responses making sure the following are covered:

- There are five steps to this model (pre-contemplation, contemplation, preparation, action, and maintenance), plus "relapse;"
- This model helps people understand how people approach changing their behavior—and is often applied to challenges like substance abuse;
- This model is a series of steps that progress through someone understanding and addressing an issue/problem they are having;
- Progress isn't always in a "straight line;" and
- People can enter the stages at any point—they don't always start at the first stage.

The trainer then engages the group in a short discussion covering the following points:

- In the **pre-contemplation stage** a person may not realize changing a behavior could help them. Or perhaps they don't want to change that behavior. Perhaps they don't see their situation as one they should leave.
- In **contemplation**, the person realizes that the situation is one they dislike or would want to change. They haven't taken any actions to change their situation.
- When a person is "**preparing**" to make a change, they are planning how they could take action. They haven't made changes yet, but would like to. This is a time they might gather information about where they can go, who they can call, or how they can get help.

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<sup>12</sup> Prochaska and DiClemente, 1983

- During **action** the person is making moves to exit their situation or change their behavior; they are ready and willing to take steps to get out of a dangerous situation.
- **Maintenance** is when a person continues to avoid a dangerous behavior or maintain a healthier behavior.
- **Relapse** can happen at any time in this system. It refers to a person slipping back to an old habit or situation. They then would need to repeat a step or a few to regain their progress.
- Clinicians may encounter a patient at any point in this model. You may meet them at a time where they see no problem with what is going on or you may meet them when they are actively trying to change their lives.

**Your job is to meet your patient where they are.** If they are not ready to leave their trafficker/trafficking situation, don't force the issue. Be supportive, demonstrate care, indicate that they can get help when they need it, and share resources (and follow mandatory reporting procedures).

**Trainer's note:** Point out that "saving" someone might be appealing, it might not be in their best interest and could put them in an unsafe situation. Be extremely cautious about how and when you talk to a patient about their situation.

### **Trauma-Informed Care in Practice (15 minutes)**

Following this discussion, trainer directs participants to a worksheet titled "Trauma-Informed Care Worksheet." *"Obviously people who have been trafficked have been traumatized by their trafficking experience, but also people who have been trafficked are likely to have been traumatized by other life events—perhaps they have been in the foster system, had a difficult and troubling passage to the United States, maybe they were abused as children or as adults. This is called complex trauma. Trauma impacts how they*

*may react in a setting like a medical facility, so let's discuss how we can make our practices as trauma-informed and comfortable for them as possible."*

Trainer explains:

- Working in pairs, participants will be assigned one section of the four sections on the worksheet where they will brainstorm as many considerations and practical suggestions as they can think of to make that aspect of care trauma-informed.
- The groups will have 5 minutes (you may allocate more time if it seems helpful) to discuss these prompts, write notes, and prepare to share what they discussed to the group.
- Once that time has passed, the trainer will go around the room and ask each group to share what they came up with. If multiple groups are working on the same prompt/topic, then the trainer will check in with all of these groups.
- The trainer should make an effort to discuss each group's findings and broadly engage the larger group in a conversation about how these efforts can play out in their workplaces.
- The trainer will engage the group in this report-out/large group discussion until all five sections (environment, relational, balance of power, patient involvement, and coordination) have been discussed.
- Trainer should ensure the following points are covered during the discussion, but does not need to read them word-for-word:
  - **Environment:**
    - **Physical environment:** Make thoughtful choices about if the door is open/shut and if the patient wears a gown vs. their personal

**Trainer's note:** *If it seems helpful, the trainer may scribe responses on chart paper at the front of the room.*

clothing. Ask for consent throughout the exam particularly if you are going to ask personal questions or touch the patient. You can do this by checking in with the patient throughout the exam.

- **Sensory:** Monitor your facial expressions and body language. Don't express surprise ("wow" face) if a patient discloses. Ask for permission before touching the patient in any way. Even a touch on the shoulder can be alarming.

- **Relational:**

- Verbally assure patient's dignity, choice, autonomy, and strengths.
- Develop rapport with the patient. They may not seek help or services today, but working with someone who seems like they care may encourage them to seek help in the future.

- **Balance of Power and Patient Involvement:**

- Acknowledge balance of power in the room (medical provider in relationship to the patient).
- Acknowledge own power in relationship to the patient. Tell the patient that if anything feels uncomfortable for them during the exam, they should tell you or ask you to stop.
- If appropriate, acknowledge balance of power within health or other systems (e.g. foster care) or between patient and trafficker.
- Engage patients in their own decision-making to build trust, this increases the likelihood they'll comply with treatment, or seek help when they leave their trafficker.
- Be especially cognizant of this when issues of mandatory reporting mean the patient may not be able to control what happens next.

- **Coordination of Services:**

- Survivors of trafficking may need services ranging from mental health, job readiness, housing, and medical care. Be prepared to refer and recommend for services in a coordinated way.
- Give your patient as many details as possible: what organization to go to, who to see, and (to the best of your ability) what they can expect.
- Make an effort to coordinate services so that the patient will explain their situation as few times as possible and avoid scenarios that may re-traumatize them.
- In advance, find out if your organization has (or can make) a referral list that is geographically convenient. Resources on a good referral list should include:
  - Polaris;
  - Food banks;
  - Housing;
  - Social services;
  - Legal services;
  - Clothing donations;
  - Law enforcement;
  - Mental health care;
  - Anti-trafficking advocacy organizations;
  - Forensic medical units;
  - Victim advocates;
  - Resources for short- and long-term care needs, as many injuries/illnesses may not resolve immediately; and
  - As possible, don't simply make referrals to resources; communicate with those organizations to make sure they

can appropriately respond to the needs of trafficking survivors.

### **Trauma-Informed Continuum (10 minutes)**

To practice, trainer hands out slips of paper with statements and questions on them. A few of them require the use of two people to act out a very brief exchange.

After these are handed out, the trainer hangs (or reveals) two ends of a continuum: Not Trauma-Informed and Very Trauma-Informed. Trainer explains, *"In a moment, if you have a slip of paper you will read your slip to the group (and if it requires two of you, you and your neighbor will read your parts) and then decide where on this continuum you would place your statement or question."*

One by one, each statement or question is read, the participants will then hang them with painter's tape somewhere along the continuum and explain why they are placing it there. The trainer will ask the large group if they agree where it is placed and to share ways that a statement, question, or situation could be improved to be more trauma-informed.

Once all statements have been placed and discussed, trainer shows the slide that points out some characteristics of useful statements and questions: non-judgmental/non-stigmatizing language, plain language, some questions can be answered with a nod/shake of the head and others are open-ended, ask about various parts of a patient's life to give context to a visit, and they are not leading.



Depending on the group's familiarity with trauma-informed care, the trainer may want to further engage the group in a short conversation about the benefits of participating in more training on these techniques. You can explain that trainings like these are critical for caring for this population and will generally improve their practice. Trainer thanks the group for their thoughtful discussion about trauma-informed practice.

## ***Unit 5: Protocols and Referrals***

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### **Learning Objectives**

*At the completion of this module, training participants will be able to...*

1. Describe at least two (2) protocols or standards of care they can implement in their practice.
2. Identify at least two (2) signs a patient may be trafficked.
3. Describe at least two (2) steps a clinician can take if they think they see signs of sex or labor trafficking.

### **Time**

60 minutes

### **Materials**

- Scratch paper
- Flipchart paper: Strategies, Protocols, and Standards of Care
- Worksheet: Human Trafficking Case Studies: What More Could Have Been Done?
- Answer guide: Human Trafficking Case Studies: What More Could Have Been Done?

### **Preparation**

- ✧ Look up who the most appropriate law enforcement and social services contacts are for human trafficking in the geographic area where the training will take place.
- ✧ Review the case studies highlighted in this unit. Read the documents where they were pulled from as there is some background and follow up information provided that will help you to lead the debrief discussion more effectively.

### **Procedure**

#### **Establishing Protocols and Standard of Care (10 minutes)**

Trainer displays the PowerPoint slide titled “Strategies, protocols, or standards of care” and starts the group conversation by asking, *“Take out a sheet of paper you can write notes on. Given what we’ve talked about so far, take two minutes to write down some strategies, protocols, or standards of care that you can think of that would help you and your colleagues better identify and work with patients who have experienced or are*

*experiencing trafficking.*” Trainer allows two minutes for participants to write notes and then asks them to report out while the trainer makes notes on chart paper. Trainer should ensure that the following strategies come

up:

- Make a standard of care to have “alone time” with all patients;
- Have a vetted referral list available at all times (dentistry, sexual/reproductive health needs, forensic medical units, chronic illness, addiction, intimate partner violence, immigration, housing, etc.);
- Research in your county/city who the most appropriate law enforcement and social services contacts are for trafficking; and
- Ensure all staff who have contact with patients receive some level of appropriate training on the signs of trafficking.

**Trainer’s note:** *If necessary, point out to participants that not all law enforcement or social services personnel have the same level of training to work with trafficking victims. It may be helpful to research who in the geographic area where you are training is the best contact and provide it to the group.*

### **Referrals (5 minutes)**

Share with participants that there are few best practices for referrals they should know about and show the PowerPoint slide titled “Referrals”:

- If working with a minor, follow mandatory reporting procedures;
- Everyone:
  - Make an effort to talk with them 1:1 (especially if they are there with family or someone is “escorting” them to the visit) using trauma-informed approaches to learn more and determine if they want a referral/help now or if you can just build a sense of caring for them;
  - Establish discreet ways to offer a referral by:

- Making notes that are small (palm cards) and can fit in a shoe;
- Putting the referral info into a sanitary napkin wrapper;
- Putting referral text lines/phone numbers on prescription pad disguised as an x-ray or prescription number.

Trainer points out that it is critical if a staff member makes a referral to a specific organization or person, the referral should be a “warm referral.” Warm referrals mean that the person making the referral sits with the patient and calls or otherwise contacts the person to whom they are referring. This style of referral is much more likely to get the patient to feel comfortable following through to see these services.

Trainer asks the group if they have other ideas or things they are already doing regarding referrals that they’d like to share.

### **Human Trafficking Case Studies: What More Could Have Been Done? (45 minutes)**

Trainer directs participants to the worksheet titled “Human Trafficking Case Studies: What More Could Have Been Done?” and explains, *“In a moment you all will work in small groups and be assigned one of these case studies. Your job will be to fill out the worksheet to explore what more could have been done to help these patients. You will explore:*

- *“What signs do you see that could have pointed to sex or labor trafficking?”*
- *“What did staff do to learn more about this situation or what could they have done in this study to learn more? Remember, to ask questions or make observations a person does not have to be a doctor or nurse. They could be any staff person in a position to do so.*
- *“If staff in the case study suspected trafficking, what could they have done to get that person help?”*

- *“Would this case study have played out differently if this patient sought services in your place of work? How?”*

Trainer then breaks the groups into pairs or groups of three and assigns each group one of the three case studies (multiple groups may have the same case study). Trainer will give ten minutes for participants to work through their case study and worksheet. Once they are done, the trainer will lead a debrief using the following steps:

- Start with Case Study 1 and ask one of the groups assigned that case study to briefly describe what happened.
- Ask the groups assigned that case study to volunteer their responses to the first question (what signs could have pointed to trafficking).
- After the groups have offered sufficient responses, ask those groups to share what they wrote for the second question (What could staff have done to learn more about the situation).
- Follow these same steps for the remaining questions.
- Then move on to the next two case studies, following the same steps for each while engaging the group in a robust conversation. Try to keep the whole discussion for all groups within 30 minutes.

## **Unit 6: Action Planning and Wrap Up**

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### **Learning Objectives**



*At the completion of this unit, training participants will be able to...*

1. Identify next steps they can take to better work with patients who may have been trafficked.
2. Describe preparation and professional development needs they may have to better meet the needs of these patients.

### **Time**

45 minutes

### **Materials**

-  Markers
-  Scratch paper

### **Preparation**

Action Planning 4-Square	
Personal Preparation	Personnel Preparation
Protocol Development	Next Steps

### **Procedure**

#### **Action Plan (15 minutes)**

Trainer explains, *“As you are aware, identifying patients in extremely challenging situations, like trafficking, can be difficult. This is why receiving training like this, connecting with other concerned colleagues, and planning ahead can make all the difference in the lives of these patients.”*

Trainer hands out a blank sheet of paper to each participant and reveals the "Action Planning 4-Square" slide. Trainer tells participants, *"Please replicate the four quadrants on your blank paper."*

Trainer tells participants they may work alone or in small groups with others they work with.

Trainer explains the following about each quadrant:

- *"In the top left marked 'Personal Preparation' write what you need to do to prepare personally to improve your knowledge and skills to identify and meet the needs of these patients. Perhaps you want more training on trauma-informed care techniques. Maybe you need to learn more about how signs of trafficking could show up in your specific practice."*
- *"In the top right marked 'Personnel Preparation' write how you plan to advocate for your colleagues or staff to identify victims/survivors of trafficking. Perhaps you are in a leadership position and can arrange for them to participate in professional development. Or maybe you are not in a leadership position and you would like to advocate to leadership about staff receiving this training."*
- *"In the bottom left marked 'Protocol Development' write ways that protocols or standards of care could be leveraged in your workplace to support these patients. Perhaps existing protocols should be approached in a new way or maybe you see a gap where a new or improved protocol could help."*
- *"In the bottom right marked 'Next Steps' write specific action items you need to take to make your practice more responsive to patients who are or may be trafficked. Be as specific as possible: name who you need to talk to or what specifically you would like to work on."*

Tell participants they have the next 8-10 minutes to fill in their sheet and will have a moment to share and ask questions to the larger group.

### **Training Plan Review (10 minutes)**

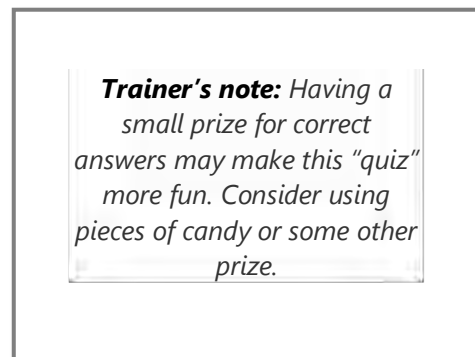
After the group has completed their "Action Planning 4-Square," trainer regains everyone's attention and leads a large group debrief using these questions:

- *"What are some questions you still have about identifying or meeting the needs of patients who have been trafficked—or are at-risk for trafficking?"*
- *"Of the four quadrant topics, which would you like to hear what your colleagues wrote?"* Then ask colleagues to share accordingly.
- *"What additional support do you need?"*

Thank the group for their attention and hard work.

### **"Pop Quiz" (10 minutes)**

Trainer engages the group in a short "pop quiz" to review a few critical pieces of information before closing the training. The trainer says, *"When I ask a question, if you know the answer please raise your hand. The first person to raise their hand gets to answer."*



Trainer then uses the following review questions and shows the corresponding PowerPoint slides:

- According to the Trafficking Victims Protection Act (TVPA), what are the three elements that define human trafficking, regardless of if the trafficking is sex or labor?
  - Force, fraud, or coercion
- Can a minor consent to sex work?



- No, they cannot. If a minor engages in sex work they are being trafficked.
- Name three indicators or signs you might notice in your practice if a patient were being trafficked.
  - Answers may vary, but could include: Is escorted, has an inconsistent story, has an injury/infection/ailment consistent with an industry that is vulnerable to trafficking, does not appear to have control over their own documentation/money/personal effects, uses language associated with the sex trade (sex trafficking only), etc.
- Name three things you/your practice can do to identify or meet the needs of people who have been trafficked or are vulnerable to being trafficked.
  - Answers may vary, but could include: Make “alone time” with all patients, have a vetted referral list for all patients, make “warm referrals,” implement trauma-informed care practices into your personal practice, implement trauma-informed practices into the broader practice where you work, etc.
- Describe at least one technique you can use to provide a discreet referral.
  - Answers may include: put a phone number on a prescription pad disguised as an Rx or X-ray number, make palm cards that can fit in a shoe, put a referral into another item (e.g., a sanitary napkin), etc.

### **Training Closure (10 minutes)**

Trainer wraps up the training by:

- Thanking the group for their hard work and dedication to serving a population that very much needs their support.
- Asking if there are any remaining questions.
- If using an evaluation survey, hand out the survey to participants and ask them to return it once it's complete.

### Prevention of Adolescent Risks Initiative Statewide-Unified Training Strategy: Human Trafficking Trainings for Professionals

Standardization is the process used to develop methods and implement standards for training, specifying essential skills, characteristics and uniformity across disciplines. Some benefits of standardization are as follows:

- ✓ Improves clarity — Eliminates gaps in training across disciplines
- ✓ Guarantees quality — Incorporates best practices; Trainees receive pre-defined learning components
- ✓ Increases collaboration across disciplines --- Trainees receive unified message
- ✓ Improves training effectiveness --- Easier for measurement and evaluation

Training Level	Training Focus	Training Components						
<b>101 Human Trafficking Trainings</b>	Focuses on foundational knowledge and awareness of human trafficking.	<ul style="list-style-type: none"> <li>▪ Clearly define state and federal definitions of human trafficking (sex and labor) of adults and minors</li> <li>▪ Understand mandated reporting requirements of minor trafficking victims.</li> <li>▪ Ability to connect victims to child welfare agencies and other appropriate local resources.</li> <li>▪ Recognize risk factors, which make children and youth vulnerable to trafficking.</li> <li>▪ Understand the signs/red flags of trafficking (sex and labor)</li> <li>▪ Working with victims using a trauma-informed approach</li> <li>▪ Recognize potential challenges in working with trafficking victims</li> <li>▪ Understanding victimization/survivor perspective embedded or part of training</li> <li>▪ Understand where trafficking is happening</li> <li>▪ Appropriate steps that can be taken if human trafficking is suspected</li> <li>▪ Identify best practices related to human trafficking and determine how practices direct procedure</li> </ul>						
<b>201 Human Trafficking Trainings</b>	Focuses on the use of advanced skills to respond to human trafficking, based on discipline. Many of the trainings focus on the application of intervention and strategies used to address human trafficking, as well as collaboration with different systems/professionals.	<ul style="list-style-type: none"> <li>▪ Survivor perspective embedded or part of training</li> <li>▪ Strategies for engaging trafficked youth</li> <li>▪ Trauma informed response/ Apply trauma-informed practices when interviewing or working with trafficking victims and those at high-risk.</li> <li>▪ Working with other professionals/collaborating with other professionals</li> <li>▪ Reviewing Case studies</li> <li>▪ Adequately responding to the needs of victims/ Resources (referring for services to address needs)</li> </ul> <p><b><i>Discipline Specific Training Components</i></b></p> <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td data-bbox="703 1227 1178 1263"><i>Law Enforcement</i></td> <td data-bbox="1178 1227 1997 1263"><i>Investigative strategies and techniques</i></td> </tr> <tr> <td data-bbox="703 1263 1178 1365"><i>Mental Health/Medical</i></td> <td data-bbox="1178 1263 1997 1365"><i>Application of clinical interventions and strategies, treatment models and other considerations</i></td> </tr> <tr> <td data-bbox="703 1365 1178 1463"><i>Mental Health, CWW, DJS</i></td> <td data-bbox="1178 1365 1997 1463"><i>Application of engagement strategies and interviewing techniques (i.e. motivational interviewing)</i></td> </tr> </table>	<i>Law Enforcement</i>	<i>Investigative strategies and techniques</i>	<i>Mental Health/Medical</i>	<i>Application of clinical interventions and strategies, treatment models and other considerations</i>	<i>Mental Health, CWW, DJS</i>	<i>Application of engagement strategies and interviewing techniques (i.e. motivational interviewing)</i>
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<i>Mental Health, CWW, DJS</i>	<i>Application of engagement strategies and interviewing techniques (i.e. motivational interviewing)</i>							
		<ul style="list-style-type: none"> <li>▪ Survivor perspective embedded or part of training</li> </ul>						

Training Level	Training Focus	Training Components		
<b>301 Human Trafficking Trainings</b>	Focuses on understanding the impact of trafficking, as well as continuing to focus on advanced interventions and strategies to increase skills to address human trafficking.	<ul style="list-style-type: none"> <li>▪ Coordinating with other professionals</li> <li>▪ Case application/ experiential learning</li> <li>▪ Understanding the impact of trafficking</li> <li>▪ Advanced interventions and strategies to address trafficking</li> </ul>		
		<b><i>Discipline Specific Training Components</i></b>	<b><i>Specialized/Customized trainings:</i></b>	
		<i>Law Enforcement</i>	<i>Labor trafficking, Human Trafficking and Social Media, Electronic Evidence, Internet Strategies, Interviewing Techniques, Burnout</i>	
		<i>Mental Health</i>	<i>Brain Science/Neurobiology, Understanding the Impact complex trauma, trauma bonding/therapeutic alliance</i>	
		<i>CWW, DJS, Mental Health</i>	<i>Self-Care of Professionals</i>	

DRAFT

# Human Trafficking Risk Indicators

## Physical

- Evidence of lack of medical/dental care
- Evidence of physical abuse

## Behavioral

- History of running away
- Possessions of items outside of income level
- Self-harm
- Trading sex for anything of value
- Unhealthy personal boundaries

## Social

- Mental health diagnoses/symptoms
- Limited English proficiency
- No form of identification
- Housing instability
- Older, controlling significant other or friends
- History of abuse/neglect/substance disorders/violence



Referral Form  
Assessment Center  
740-833-2601  
Safe Harbor  
740-833-2670

Any individual  
or community  
partner can  
make a referral

Assessment Center  
Referral Form



# Look at it through a human trafficking lens

**Delaware County Juvenile Court's Assessment Center and Safe Harbor Program will coordinate individualized services for identified youth.**

## Charges

- Truancy
- Theft
- Curfew violations
- Drug/alcohol charges
- Soliciting
- Prostitution
- Pandering
- Violent Offenses

## Circumstances of arrest

- High risk locations
  - hotels
  - truck stops
  - vacant buildings
- If foreign national, no form of identification or documentation.

This content is supported by the Ohio Department of Public Safety, Office of Criminal Justice Services under 2020-NZ-NX-1102, awarded by the Office for Victims of Crime, Office of Justice Programs, U.S. Department of Justice. The opinions, findings, and conclusions or recommendations expressed in this training are those of the contributors and do not necessarily represent the official position or policies of the U.S. Department of Justice.

**The Informed  
Conversation:** Improving  
Skills to Engage Kin/Foster  
Parents in Supporting  
Youth Impacted by  
Human Trafficking



# TRAINING AGENDA

## Welcome & Introductions

- Practical application of knowledge gained through prior attendance at Understanding and Responding to Victims of Commercial Sexual Exploitation training.
- Learn strategies for having conversations with Kin/Foster Parents who care for youth who have experienced human trafficking or other forms of exploitation.
- Practice utilizing skills learned through role play, group discussion and small group work

This training was adapted with the support of grant #2019-MU-MU-0033, awarded by the Office for Victims of Crime, Office of Justice Programs, U.S. Department of Justice and the MA Executive Office of Public Safety and Security. The opinions, findings, and conclusions or recommendations expressed in this content are those of the contributors and do not

necessarily represent the official position or policies of the U.S. Department of Justice.

# A WORD ON DEFINITIONS

## Human Trafficking

- Force, fraud, or coercion
- Labor trafficking
- Sex trafficking
- Any commercial sex act under 18

## Commercial Sexual Exploitation of Children (CSEC)

- Under 18
- Sexual exploitation
- Inducing a minor into sexual exploitation



# THE LAW

- ❑ Trafficking Victims Protection Act of 2000  
(Federal Law)
- ❑ Human Trafficking Massachusetts General Law  
of 2012

\*Please reference handout distributed by email prior to the training for official definitions\*

**RUNAWAY**  
**VS.**  
**MISSING OR ABSENT**

# INITIAL IMPRESSIONS

Stephanie, 17 ½ year old, Black transgender girl was recently admitted to a STARR program, with the goal to return to a foster family. A 51A has been filed on an unknown perpetrator, who authorities believe is actually her exploiter. Her foster family reported that she had been missing for over two months. She has had multiple placements since the age of 3. Prior to the 51A, the school reported she had been frequently truant and had been caught smoking marijuana on school grounds. School officials also noted that a student had witnessed Stephanie carrying large amounts of money. Stephanie does not have a job.

Stephanie was initially tearful upon entering the STARR program, but has settled in over the last week and has begun to open up to her program clinician. She has a history of intermittent outpatient therapy but has not followed through with recommendations for medication or treatment due to frequent changes in placement. When pressed about her natural supports, she reports few, with the exception of a “friend” who she says is always there for her.

# QUESTIONS

**WHAT INFORMATION WOULD YOU, A FRW / IFC STAFF WANT/NEED TO KNOW?**

**WHAT INFORMATION IS IMPORTANT TO CONVEY TO THE FOSTER PARENTS AT THIS TIME? WHAT DO THEY NEED TO KNOW FROM A TRAUMA-INFORMED PERSPECTIVE FOR STEPHANIE?**

**WHAT INFORMATION DO WE NEED TO KNOW FROM STEPHANIE ABOUT THE TIME SHE WAS MISSING FROM CARE?**

**WHAT TYPES OF SAFETY MEASURES OR PLANS ARE/SHOULD BE PUT INTO PLACE FOR STEPHANIE WHILE SHE IS IN THE PROGRAM?**

# AFTER A WEEK...

Stephanie's foster family came to visit her in the STARR program to bring some of her belongings so she's comfortable during her stay. The visit goes well overall but as they leave, Stephanie is visibly upset. She quickly rejoins the group to participate in "Spa Night" and has her hair and nails done by a peer. Stephanie is engaged in the activity and is responsive to redirections however, staff notice her mood has changed since the visit. At shift change that night, she is still awake and is tearful in her room. Stephanie is having a hard time settling but is unwilling to talk to staff about what is going on. Staff continue to do checks but it is not until she gets a personal check-in with a favored staff that she falls asleep.

At about 3:15 am, when staff are completing checks, they notice that Stephanie is awake and putting her clothes and shoes on. She gathers a few things and sneaks out the back stairwell before staff can call for support.

# QUESTIONS

**What were potential triggers in this situation?**

**What were some of the indicators that something might be different for Stephanie?**

**What other plans or supports could have been implemented for Stephanie? When?**

**What should be included in the Kin/Foster parents plan for when Stephanie returns?**

# SIGNS AND BEHAVIORS

- Running/Late from curfew
- Grooming
- Hoarding
- Withdrawal from friends or family
- Attire shift
- Re-connecting with old people, places, things
- Fuck-Its
- Lying
- Cigarette smoking
- Stealing
- Confronting/Aggressive

# LABOR TRAFFICKING

- Please refer to the handout provided regarding Labor Trafficking.
- **Street Economy**
  - Shoplifting
  - Packing and selling drugs
  - Panhandling/begging



# A FEW DAYS LATER...

Stephanie appears back on the doorstep of the STARR program as other children are leaving for school. She is incessantly ringing the doorbell. Staff open the door and notice her clothing is disheveled and she smells like weed. She is wearing different clothing than what she left in. She attempts to push past staff and says, “get out of my way, I’m tired and want to go to sleep.”

# QUESTIONS

What does Stephanie need right now?

Who is having the conversation with her?

What are your immediate safety concerns? Any visible injuries? Did you see how she arrived?

Does she have any drug paraphernalia on her?

# LATER THAT AFTERNOON...

Stephanie has been medically cleared, showered and has had something to eat. Staff have checked in her belongings and have found a new iPhone and \$200 cash. Stephanie has reluctantly agreed to meet with her program clinician. During the session she gives very little information and will not give a clear picture of where she was or what she was doing.

The clinician asks how she survived while she was missing. Stephanie replied, “I’m not stupid, I know how to get what I need to take care of myself!” Stephanie is adamant she will not give any information until staff return her money and phone. Her clinician expresses concern about how she got these things and Stephanie states, “go fuck yourself” and walks out of the room.

# Questions

**WHAT DOES STEPHANIE NEED FROM FRW/IFC STAFF RIGHT NOW?**

**WHO IS HAVING THE CONVERSATION WITH HER?**

**BASED ON WHAT YOU KNOW; DO YOU HAVE REASONABLE CAUSE TO BELIEVE THAT A 51A SHOULD BE FILED?**

**WHAT TYPE OF CONTACT SHOULD THE FOSTER FAMILY HAVE WITH STEPHANIE AT THIS POINT?**

# AT STEPHANIE'S TREATMENT PLAN MEETING

Staff continue to express concerns about Stephanie's ability to keep herself safe. Since returning to the STARR program, she has minimally engaged in activities, has consistently refused drug screens and the school reports she has missed some of her classes. On days that she attended school, she would often sneak onto the internet and post ads for people to come "get her" from school. When she has left school, she has been able to get back in time to catch her bus back to the program.

Stephanie advocates in the meeting to return to her foster family, and the foster family agrees to have her return. Additional supports will be provided to Stephanie and the foster family according to her individualized plan put together with the MDT.

# Questions

What does Stephanie need to return to her foster family?

What do the foster parents need to make this a successful transition for Stephanie?

What role does everyone play in Stephanie's treatment plan?

What CSEC & identity-specific services need to be put into place prior to Stephanie's discharge to her foster family?

# REFLECTION POINTS

The Team could do all these things...and we don't necessarily know if it will work

On another note, one thing we may have said 5 months ago could still resonate with Stephanie.

\*Importance of consistent, supportive & non-judgmental care\*

# CLINICAL FORMULATIONS

Appendix 4: Massachusetts: Informed Conversation: Improving Systems to Engage Kin/Foster Parents in Supporting Youth Impacted by Human Trafficking

## WHY WHAT WE WRITE IS IMPORTANT

When you are going through the exercise of a writing a clinical formulation it is imperative that you cover:

- Purpose
- Context
- Agreements
- Network/Stakeholders



# CSEC & FILING A 51A: KEY POINTS

- CSEC is a form of child abuse.
- You must file **regardless** of caretaker status.
- 51As filed due to concerns of CSEC will be screened as “Human Trafficking – Sexually Exploited Child”
- DCF will screen and determine whether to initiate an investigative response.
- Report will be sent to the **District Attorney’s office** and **CSEC Coordinator** at the **Children’s Advocacy Center**.
- **Multidisciplinary response will result.**

# FAQ: Is a new 51A filed each time a youth at-risk of CSEC goes missing?

If new information is obtained, a new 51A needs to be filed with the immediate mandatory DA referral.

This new information may:

- Contribute to the recovery of the youth
- Be of use in a DA/Law Enforcement case

# MA County Child Trafficking Multidisciplinary Response

**Child Exploitation Suspected**  
Conversation: Improving Skills to Engage Kin/Foster Parents in Supporting Youth

**MDT Members  
may include:**  
DCF, DA, DYS, DMH  
Law Enforcement,  
Probation, Provider,  
Victim Advocate,  
Child's Attorney,  
Mentor, School,  
Parent, Youth,  
Other

**51A Report Filed with DCF**

**DCF Makes Immediate Notification to the DA/CAC:**  
Call: **XXX-XXX-XXXX**  
Email: **XXXX@XXXX**

**DCF and MDT Confer to Develop Response Strategy including:**

- Family Notification
- Child Interview
- Risk & Safety
- Collateral Contacts
- Interview with Suspected Offender
- Interpersonal Support

*Team may convene by conference call or in-person*

**Team Develops MDT Recommendations**  
*(based on Team sharing info & evaluation of youth's situation)*

**Youth  
Involvement**

**Placement/  
Shelter**

**Threats/  
Dangerousness  
of Alleged Pimp/  
Perpetrator**

**Psychological  
Treatment**

**Interview  
with Youth**

**Interpersonal Support/  
Mentoring**

**Medical Evaluation &  
Health Care**

# MDT RESPONSE

- 51a Filed
- Role of police/detectives
- SANE Nurse/Exam
- SAIN Interview with DA office (role of VWA)
  - What is it?
  - Who can go?
  - What supports may youth need?
  - What happens next?

# WELCOME BACK

## PLACEMENT ROLE

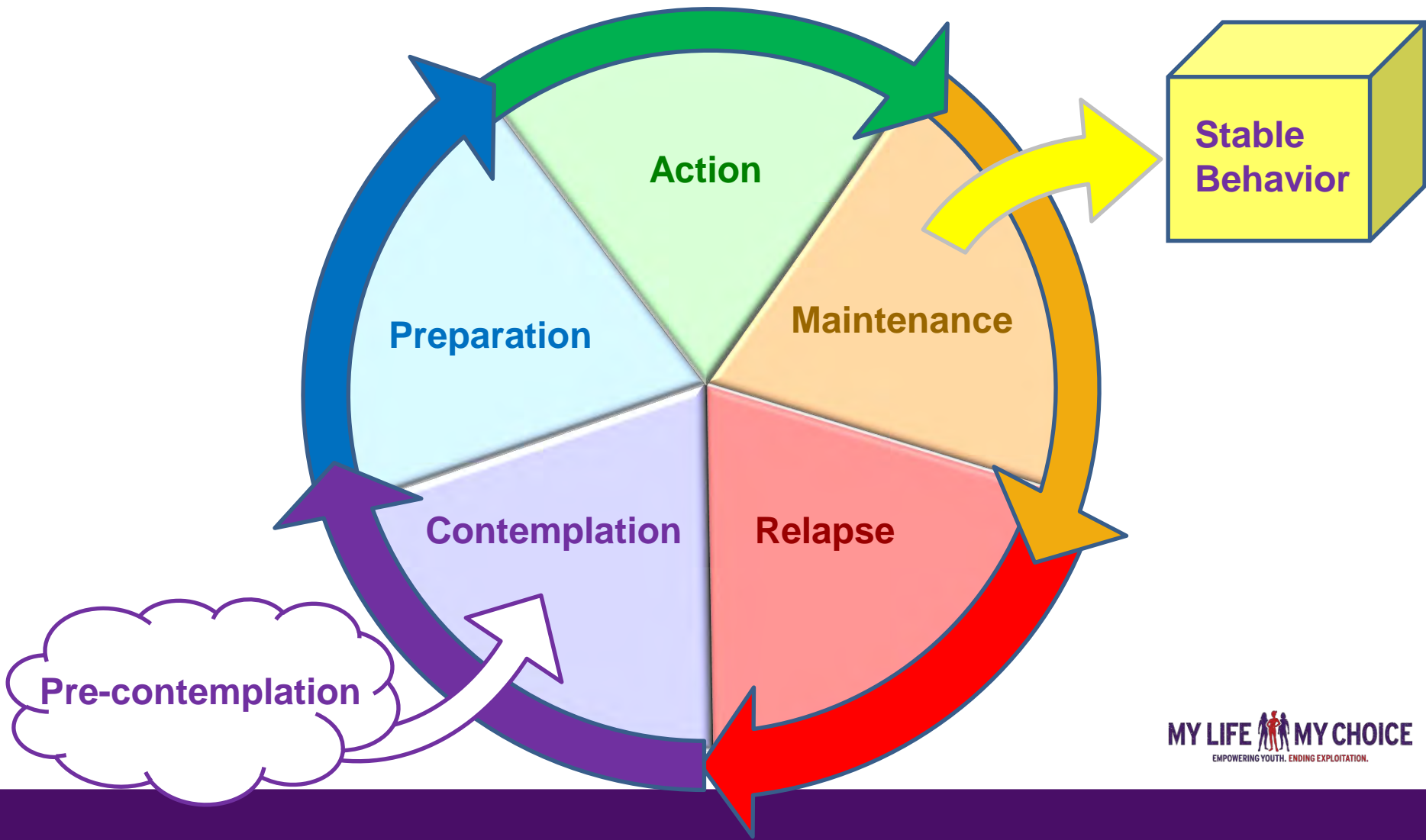
- Room clean vs. tossed
- Happy to see the youth
- Ask if they are hungry
- Don't bombard with questions
- Don't immediately go to consequences

## COLLATERAL/SUPPORT ROLE

- Return plan/safety plan immediately after youth goes missing/absent
- Support staff/youth community meetings
- Happy to see youth upon return/ask “what did we miss?”
- Represent youth in follow up meetings (mentor, life coach)
- MDT role- is there a need for a case conference or meeting

# STAGES OF CHANGE MODEL

PROCHASKA & DICLEMENTE 1983



# STAGES OF CHANGE EXERCISE

# MENTAL HEALTH IMPACTS

- “Oversexualized” behavior
- Aggression/Assault
- Recruiting
- Running Away/Missing



# REMEMBER: RELAX

R apport building

E xpress concern (specific behavior/thing noticed)

L isten

A ttune

Ne X t Steps (Be Honest!)

# SMALL GROUP ROLE PLAYS

# VICARIOUS TRAUMA

- Difficulty falling asleep or excessive sleeping
- Constantly feeling tired, even after having time to rest
- Increased levels of anger, irritability, resentment or cynicism
- Hypersensitivity to emotionally charged material
- Questioning, *“Is any of this effective? Am I making any difference?”*
- Dread of activities that used to be positive or neutral
- Using behaviors to escape (eating, alcohol/drugs, caffeine, TV, shopping, work)
- Seeing danger everywhere and hypervigilance to the safety of those you care about
- No separation of personal and professional time, being the helper in every relationship
- Viewing other people as less important who are not involved in your same field

# TAKING CARE OF YOU

- **SUPERVISION**
- **IS THIS SUSTAINABLE?**
- **WHAT DO YOU NEED?**

# TRAINING QUESTIONS

**Nikki Valila, LCSW**

Director of Training &  
Partnerships

**(617) 483-0568**

[nvalila@jri.org](mailto:nvalila@jri.org)

*“We are so lucky to have My Life My Choice here in Massachusetts. Not only do they provide critical support services to sexually exploited children in our state, they also provide outstanding training to law enforcement, schools, and others who work with young people.”*

**Maura Healey**  
Massachusetts  
Attorney General

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# Human Trafficking and Exploitation Informational Guide

## What is human trafficking?

Human trafficking occurs when one person manipulates or controls another person to provide labor or sex for someone else's benefit. In Minnesota, victims can be trafficked by any means. Victims of human trafficking are not able to leave their situation for a variety of reasons.

**To control their victims, traffickers may use multiple methods, including but not limited to:**

- Intimidation
- Coercion and threats
- Abuse (emotional, physical, sexual)
- Isolation
- Denying, blaming and minimizing
- Privilege and superiority
- Economic abuse
- Sense of obligation towards the victim's family
- Withholding documents

*No single sign can definitively identify human trafficking. The most important thing to look for is a pattern of control by a trafficker over one or more people.*

## What is exploitation?

Exploitation happens when one person treats another person unfairly to benefit from their work. There is an unequal power dynamic between the exploiter and the victim, with the exploiter holding the power. Exploitation can be seen as middle ground between total freedom and human trafficking. These situations can be overlapping and individuals can experience different places between freedom and trafficking at different times.

Commercial sexual exploitation occurs when someone exchanges sex for anything of value or a promise of something of value such as money, drugs, food, shelter, rent, or higher status in a gang or group. Labor exploitation is subjecting workers to unfair labor practices and can include refusing pay or being underpaid for labor, or wage theft (withholding legally or contractually promised wages, including overtime).

## Who are the traffickers and buyers?

Anyone of any age, race, ethnicity, or gender can be a trafficker. Traffickers can be a family member or a close friend, or may even appear to be a boyfriend, girlfriend, or spouse.

Like traffickers, buyers can be of any age, race, ethnicity, or gender. They come from urban, rural, and suburban communities. Buyers use the internet, in-person solicitation, and word of mouth networks to purchase sex.

## Who are the victims?

Anyone can become a victim of human trafficking. Victims/survivors come from every background, race, gender, sexual orientation, citizenship status, and economic status.

Traffickers target individuals who, for any reason, are vulnerable to the trafficker's manipulation and control. Social conditions of communities, such as high unemployment rates or lack of resources, can make it easier for traffickers to target victims. Conditions that increase the risk of trafficking include:

- Poverty
- Unemployment
- Sexual orientation and gender identity
- Age – children, youth, elderly
- Immigration status
- Racial minority
- History of abuse
- Chemical dependency
- Having a disability
- Homelessness

## How should I talk about human trafficking?

The words we use shape how we view a situation and others. It is important to use terms that decrease stigma and allow people to feel accepted so they can come forward for help, without shame. Use sensitive and appropriate terms such as commercially sexually exploited, human trafficking victim, survivor, or someone who has been subjected to exploitation or trafficking.

## What do I do if I suspect human trafficking?

- Contact your [Safe Harbor Regional Navigator \(http://www.health.state.mn.us/communities/safe-harbor/response/navigators.html\)](http://www.health.state.mn.us/communities/safe-harbor/response/navigators.html) or the Day One Hotline at 1-866-223-1111 to learn more about services available in your area.
- Report a suspected trafficking situation to the Bureau of Criminal Apprehension's (BCA) Tip Form, or call the BCA at 1-877-996-6222 or email [bca.tips@state.mn.us](mailto:bca.tips@state.mn.us)
- Call 911 if you or someone you know is in immediate danger.

## Resources

For more information about human trafficking, please visit [Minnesota Safe Harbor \(https://www.health.state.mn.us/communities/safeharbor/index.html\)](https://www.health.state.mn.us/communities/safeharbor/index.html)



Minnesota Department of Health -- Safe Harbor  
85 East 7th Place  
PO Box 64882  
St. Paul, MN 55164-0882  
651-201-5000  
[health.safeharbor@state.mn.us](mailto:health.safeharbor@state.mn.us)  
[www.health.state.mn.us](http://www.health.state.mn.us)

To obtain this information in a different format, call: 651-201-5484.



# HUMAN TRAFFICKING AND EXPLOITATION INFORMATIONAL GUIDE FOR CAREGIVERS

## Special Considerations

### Traffickers do not fit one single stereotype

- Traffickers are often people that the child knows.
- Traffickers often target vulnerable children and youth by promising things such as food, money, clothing, or shelter.
- Traffickers may recruit or befriend people in public places such as libraries, malls, parks, or schools.
- Traffickers often approach people online through social media or phone applications.
- Traffickers seem to have everything together, acting as if they have all the answers. They are an easy person to get to know quickly.

### Talking to a child about possible trafficking or exploitation

- The child will probably not identify their situation as exploitation or trafficking. Even if they say something about what is happening, they might not see themselves as a victim.
- Be non-judgmental and avoid shaming the child if they open up about their exploitation or trafficking situation (or any other traumatic event).
- Body language is important. Pay attention to your own body language, and that of the child, to be sure that you are not shutting them down.
- If the child begins to withdraw or shut down during the conversation, do not push the issue and let them know they can talk with you when they are ready.
- Ask the child if they would like to talk with a sexual assault advocate, therapist, or anyone else that they identify as a supportive person.
- If the child is in a dangerous situation, you may need to reach out without permission, but use this as an opportunity to build trust by involving them in the process.

### Caring for exploited or trafficked children

- Every child has personal needs and strengths.
- Talk with the child about what services they feel would be helpful and supportive.
- Remember that exiting trafficking or exploitation situations can be a difficult process for children and may take multiple attempts.
- Protect a child's privacy. Their story belongs to them. For the safety of all involved, it is critical to protect the confidentiality of the child's information whenever possible.



## Next Steps

- **If in immediate danger:** call 911
- **Make a report to child protection or law enforcement.** Minnesota law requires mandated reporters (e.g. foster parents) to make a report if they know or have reason to believe a child or youth is being abused or neglected, or has been within the past three years. Sex trafficking of a child, regardless of who the alleged offender is, is a mandated child protection report. Parents or caregivers who are not mandated reporters may still report to the local child welfare agency to ask for help for your child.
- **Talk to your Safe Harbor Regional Navigator.** If you suspect that your child is at risk of trafficking or exploitation, you can contact your Safe Harbor Regional Navigator for support and connection with resources. The Safe Harbor services map indicates the contact information and service area for the Safe Harbor Regional Navigators statewide.
- **Make a plan to protect the child's safety.** Talk with the child to create a safety plan. This can be done with assistance from the Regional Navigator, a Safe Harbor provider or other professionals that may be working with the child. Talk the child through different scenarios to help prompt safety plan ideas and realistic action steps. In addition, talk with the child about who are trusted adults and peers they could talk with. Know that safety planning can be a triggering event.

## Resources

- [Minnesota Department of Human Services Safe Harbor \(https://mn.gov/dhs/partners-and-providers/program-overviews/child-protection-foster-care-adoption/safe-harbor/\)](https://mn.gov/dhs/partners-and-providers/program-overviews/child-protection-foster-care-adoption/safe-harbor/)
- [Center for Parent and Teen Communication \(https://parentandteen.com/\)](https://parentandteen.com/)
- [A Parent's Guide to Human Trafficking \(Polly Klaas Foundation\) \(http://www.pollyklaas.org/safe/a-parents-guide-to-human-trafficking.pdf\)](http://www.pollyklaas.org/safe/a-parents-guide-to-human-trafficking.pdf)
- [National Center for Missing and Exploited Children NetSmartz \(https://www.missingkids.org/netsmartz/\)](https://www.missingkids.org/netsmartz/)
- [Shared Hope: Your Kids and Technology, Parent's Safety Guide \(https://sharedhope.org/wp-content/uploads/2018/11/Designed-Internet-Safety-e-book.pdf\)](https://sharedhope.org/wp-content/uploads/2018/11/Designed-Internet-Safety-e-book.pdf)
- [Love 146: Internet Safety Guide \(https://love146.org/action/online-safety/internet-safety-guide/\)](https://love146.org/action/online-safety/internet-safety-guide/)
- Free webinar presented by the Minnesota Department of Human Services and MNAdopt: [Human Trafficking and Sexual Exploitation: Basics for Foster and Adoptive Families \(https://www.mnadopt.org/product/1187-webinar-human-trafficking-and-sexual-exploitation-basics-for-foster-and-adoptive-families/\)](https://www.mnadopt.org/product/1187-webinar-human-trafficking-and-sexual-exploitation-basics-for-foster-and-adoptive-families/).
- Free online legal resources and search engine for free legal assistance in victim's area: [LawHelpMN.org Providers and Clinics \(https://www.lawhelpmn.org/providers-and-clinics\)](https://www.lawhelpmn.org/providers-and-clinics)
- [National Human Trafficking Hotline Safety Planning \(www.humantraffickinghotline.org/faqs/safety-planning-information\)](http://www.humantraffickinghotline.org/faqs/safety-planning-information)

Minnesota Department of Health -- Safe Harbor  
 85 East 7th Place  
 PO Box 64882  
 St. Paul, MN 55164-0882  
 651-201-5000  
 health.safeharbor@state.mn.us  
 www.health.state.mn.us  
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*This guide was produced by the Minnesota Department of Health under 2016-MU-MU-K153, awarded by the Office for Victims of Crime, Office of Justice Programs, U.S. Department of Justice. The opinions or recommendations expressed in this guide are those of the contributors and do not necessarily represent the office position or policies of the U.S. Department of Justice.*



## HUMAN TRAFFICKING AND EXPLOITATION INFORMATIONAL GUIDE FOR LAW ENFORCEMENT

### Special considerations

- Consider what has happened to the victim, not what the victim has done wrong.
- People experiencing trauma have a wide range of coping mechanisms including, but not limited to, hostility, violence, and shutting down. They may not be compliant.
- Building trust and rapport are key to helping the person. Slow down and be patient. Whenever possible explain what is happening, even why you can't share some things.
- Bring an advocate whenever possible.
- Investigations of human trafficking involving a minor require a coordinated effort with child protection services, state and federal labor departments, and civil legal services.
- Be aware of any culturally specific behaviors, items, or wishes that need to be respected and accommodate them as much as you can.
- In labor trafficking situations, the person may have entered into employment willingly at first, but work and living conditions may rise to level of trafficking later.
- Labor trafficking and sex trafficking can occur at the same time, or one of the crimes may intersect with another crime, like domestic violence or sexual assault.

### What to look and listen for

#### Who are they with?

- Controlling or abusive "Daddy"/"Boyfriend"/"Wifey" or an older male or female.
- Someone else is carrying the victim's identification and personal items.
- Person with them is considered an employer, supervisor, or crew leader.
- Other minors present who seem controlled or manipulated.
- The victim cannot identify the person they are with.
- In a group providing services and/or someone is controlling them or their money.
- They live with the person they are working for.

#### What are they telling you or not telling you?

- Able to have a conversation without looking nervous.
- Answers seem coached, rehearsed, or look to someone else before answering.
- Talk excessively about travelling or moving around.
- Avoid answering where they are living and/or working.
- Claim, without prompting, that no one is forcing them to do this.
- Telling inconsistent stories.
- Talk about owing money to the person they work for.
- Afraid of the person they work for.
- Fearing something bad may happen if they leave their current job.
- Working and not receiving all of their pay.

## What do they have?

- Carrying a lot of cash or prepaid credit cards.
- Have sexual items like condoms, lube, lingerie, or sex toys.
- Carrying multiple cell phones.
- Have self-defense weapons such as tasers or pepper spray.
- Expired driver's license.
- Do not have control of their own documents or documents are invalid.

## Next steps

- **Start a conversation.**
  - Separate all people first.
  - Make sure the victim(s) are ok: food, water, a blanket, medical attention, and in a place where they feel safe. Call a third party interpreter if necessary.
  - Keep victim information confidential, unless given permission to share.
  - Give the victim(s) an opportunity to contact a safe guardian or caregiver, as long as the contact is not the trafficker or assisting the trafficker.
- If they seem unwilling to talk, give them your contact information because they may be ready to talk later.
- **Consult with a trauma-informed investigator for assistance and guidance.**
- **Contact Child Protection Services if the victim is a minor.**
- **Ensure the person is aware of victim resources and programs that are available.**
- **Ask if there are other potential victims.**
- **Record evidence**
  - Phones: match to owner and obtain password. Check number for matching sex ads, ask for consent to view photos, calls, and messages.
  - Computers: match to owner and obtain passwords. Look for social media accounts like Facebook, Instagram, TikTok, and dating apps.
  - Confiscate evidence related to labor or sex trafficking: phones, money, credit cards, and sexual items. Try to return phones as soon as possible.
  - Collect separate statements from each person interviewed.
  - Collect employment-related documents from victim(s) and from employer/contractor, including copies of any work contract, pay statements, pictures of working and living conditions, electronic messages exchanged with the employer/contractor, and any other work-related documents victim may have.
  - Take pictures of the subjects and victims, evidence, and area.
  - Write notes on each encounter (attitude, description, information divulged).

## Resources

- Minnesota Human Trafficking Investigators Task Force (MNHITF) - 651-793-7000
- [Regional Safe Harbor Navigator \(www.health.state.mn.us/communities/safeharbor/response/navigators.html\)](http://www.health.state.mn.us/communities/safeharbor/response/navigators.html)
- Minnesota Day One Crisis Hotline - 866-223-1111



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Adapted from the Minnesota Human Trafficking Investigators Task Force (MNHITF) pocket card. You may obtain this information as a pocket card through the MNHITF.

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## HUMAN TRAFFICKING AND EXPLOITATION INFORMATIONAL GUIDE FOR MEDIA

### What is human trafficking and exploitation?

Human trafficking is a public health, public safety, human rights, and human services issue. It can take the form of sex or labor trafficking (or sometimes both), affects all ages and is often accompanied by other forms of exploitation and abuse.

Commercial sexual exploitation occurs when someone exchanges sex for anything of value or a promise of something of value such as money, drugs, food, shelter, rent, or higher status in a gang or group. Another person may or may not be involved in arranging this exchange.

#### Minnesota law

Under Minnesota law, sex trafficking is commercial sexual exploitation involving the prostitution<sup>1</sup> of an individual in which a **third** person (not the buyer or victim) – facilitates or profits.

Under Minnesota law, labor trafficking includes debt bondage or forced labor or services and is not limited to undocumented immigrant victims; many American citizens and immigrants with documentation are trafficked as well. Debt bondage means someone is under another's control and the debt cannot be paid in a reasonable amount of work due to fraudulent practices by the trafficker. Forced labor includes physical harm or restraint, abuse or threatened abuse of the legal process, withholding of identification documents, and use of blackmail.

#### Federal law

Federal law also defines sex and labor trafficking, but the definitions are different from state law. For adults, trafficking requires the use of force, fraud, or coercion to compel a victim to work or perform commercial sexual services. Minor victims of sex trafficking are not required to show the use of force, fraud, or coercion. Sources may not all use the same definition, which can impact how cases are handled and how victims are affected.

Labor exploitation involves the violation of laws on how workers are treated, including how much and when they are paid, health and safety in the workplace, and when and how children under 18 can work. Federal, state, and city laws all establish standards for wages, hours, breaks, and other workplace issues.

#### Minnesota's response

Minnesota's statewide response to human trafficking includes the Minnesota Department of Health, Minnesota Department of Human Services, and the Minnesota Department of Public Safety working in partnership with tribal nations and community-based service providers.

Safe Harbor in Minnesota is a statewide multi-agency initiative designed to meet the needs of sex trafficked and exploited or at-risk youth using a public health, public safety, human services, and human rights approach. Youth under the age of 18 who are sexually exploited are treated as victims, not juvenile delinquents. Supportive services as well as housing and shelter are available through age 24. Safe Harbor includes a child welfare response, training and technical assistance across disciplines, outreach initiatives, protocol development, and program evaluation.

<sup>1</sup> Prostitution is a stigmatizing word. Although used in the language of the law, it is considered best practice to use other terms that reflect the exploitation and violence experienced by individuals in these situations. More information on what terms to use and why can be found in the language section of this document.

## Seek out credible data

Many common statistics associated with human trafficking are misleading. When using statistics, check the reliability of source, the research methodology, and the age of the data. In addition, talk to leaders in the field of human trafficking to find out how they perceive the information. Data can be limited because victim/survivors may not report due to fear of retaliation or shame and may not be identified. The Minnesota Department of Health Safe Harbor program can provide Minnesota-specific data and referrals to credible research sources in the state and nationally. These include Safe Harbor evaluation and research reports available at the [Minnesota Department of Health \(https://www.health.state.mn.us\)](https://www.health.state.mn.us) as well as statewide human trafficking reports from the [Department of Public Safety Office of Justice Programs Statistical Analysis Center \(https://dps.mn.gov\)](https://dps.mn.gov). For national information, visit the [Polaris Project \(http://www.polarisproject.org\)](http://www.polarisproject.org) and the [Office on Trafficking in Persons \(https://www.acf.hhs.gov/otip\)](https://www.acf.hhs.gov/otip).

## Know who the victim/survivors are

Trafficking and exploitation take many forms and impact persons from all backgrounds in urban, suburban, and rural settings. Victim/survivors are of all genders, races, ages, economic status, sexual orientation, and nationality. They can be American citizens or from other countries. Some circumstances, however, create particular vulnerability to traffickers and exploiters. These include economic insecurity, lack of opportunity, racism, homophobia and transphobia, historical trauma, civil unrest, immigration, natural disasters, and much more. The United States' history of colonialism and displacement, for example, has created disparate impacts on American Indian populations; so too, the legacy of chattel slavery in the United States impacts African Americans.

In terms of labor trafficking and exploitation, the most common industries nationally where victim/survivors have been found are domestic work, agriculture, traveling sales, and restaurants. Minnesota has also seen cases in the construction industry. Victim/survivors of sex trafficking and exploitation are most commonly found in prostitution, online sites, pornography, strip clubs, or massage parlors. These are only some examples of where victims/survivors are indentified. This is not meant to be an exhaustive list.

## Avoid sensationalism<sup>i</sup>

Stories about human trafficking and exploitation are often accompanied by shocking headlines and sensational imagery, particularly when the subject is sex. Avoid tabloid-style descriptions. Stock photos show victims in chains, bound, beaten, or tattooed with bar codes. These images tend to dehumanize, objectify, and sexualize persons in dealing with ongoing effects of trauma or still in traumatic situations. They also create misconceptions that trafficking only occurs when someone is in such conditions, when many victim/survivors are not physically restrained or harmed, but are controlled in other ways. In addition, images often show white victim/survivors while exploiters are depicted as persons of color. Stock photos and innacuate headlines do not portray what trafficking and exploitation most commonly look like. This does a disservice to public education about the issue and deters victims from reporting if their personal experiences do not match the extreme imagery. Better choices include images of hope and resilience. For additional information see the section about practicing responsible photojournalism.

## Talk to those in the know

Many people can provide helpful information to promote accurate information and avoid sensationalism. They include victim/survivors themselves as well as supportive services agencies, members of law enforcement and prosecutors, researchers, and policymakers. Keep a list of trusted sources. Service organizations can also be helpful in supporting victim/survivors if they share their stories with the media. The MDH Safe Harbor program can provide background and connections to contacts in Minnesota as well as nationally.

## Use accurate terminology<sup>ii</sup>

- Note that people identify themselves as victims or survivors or victim/survivors. In general, “victim” is a term used in criminal cases. “Survivor” acknowledges the lived experience of someone who has endured trafficking or exploitation. Sometimes people prefer to say they have “lived experience” but do not use the term “victim” or “survivor.” And in some cases you will see references to a “victim/survivor,” especially by supportive service providers, as well as throughout this document. When possible, ask the person how they prefer to describe themselves.

Do not use	Use	Why?
Child prostitute	Commercially sexually exploited minor (or child or youth)	In Minnesota, a minor under the age of 18 cannot consent to engage in prostitution. Under state law a minor is a victim of commercial sexual exploitation when something of value is traded for sex.
Underage prostitute	Commercial sexual exploitation of minors (or children or youth)	Note that the Associated Press recommended that writers avoid using this terminology in 2016.
Teenage prostitute	Minor, child, or youth	Never use the term “sex worker” to describe a minor as it implies consent.
Child prostitution		
Child sex worker		
Underage woman or man		
Prostitute	Prostituted individual or person Sex worker, if preferred The victim/survivor was forced or coerced into prostitution	“Prostitute” is a complex term that conveys criminality to a reader. It conflates an individual’s identity with a crime.  When interviewing a person with lived experience, always ask about how they prefer to describe themselves.  Note that some people do choose to use “prostitute” or “sex worker” to describe their experience. If this is the case, be sure to quote the speaker or explain that it is a term used by the speaker.

## Use accurate terminology continued...

Do not use	Use	Why?
<p>The language of consensual sex when it cannot be consensual</p>	<p>Use language specific to the crime committed. For example, a minor cannot consent to sex at age 15 and therefore cannot “have sex” or “perform sexual acts” with an adult.</p> <p>The minor is a victim of criminal sexual conduct. Alternative language to criminal sexual conduct is sexual assault or criminal sexual acts.</p>	<p>Using terms and language that suggests a minor can consent to sex or sex acts with an adult when the minor cannot consent due to age implies that minors are not victims.</p> <p>Because of their age, minors are victims, even if they say they had a choice. The crime should be made clear with the language used.</p>
<p>Alleged</p>	<p>Reported</p> <p>Alternatively, use the terms “police say” or “prosecutors say.”</p>	<p>The term “alleged” is not as neutral a term as “reported” because it suggests skepticism of a victim/survivor’s experience.</p> <p>Using “say” is another way to avoid this issue by stating who is handling the report. Overall, consider whether the language choice presents an opinion about the victim’s credibility. If it does, use a different word.</p>
<p>Slavery</p> <p>Modern day slavery</p> <p>Sex slaves</p>	<p>Human trafficking</p> <p>Sex trafficking</p> <p>Sex exploitation</p> <p>Labor trafficking</p> <p>Labor exploitation</p> <p>Victims/survivors of sex trafficking or exploitation</p>	<p>“Slavery” is a term related to institutionalized or systemized oppression.</p> <p>In the United States chattel slavery particularly impacted African Americans.</p> <p>Slavery and trafficking are two different experiences with similarities and should not be conflated.</p> <p>As with “prostitute” above, however, if the speaker uses this term, present it with quotes or indicate in some other way that it is the speaker’s term.</p>

## Use accurate terminology continued...

Do not use	Use	Why?
<p>Rescue</p> <p>Save</p>	<p>Use language that describes long-term progression such as “connected with services” or “healing process.”</p> <p>Note that law enforcement sometimes use the terms “recovery” or “freed” when locating victims from a scene, which may be appropriate in that context.</p> <p>Terminology may also depend on whether someone was abducted or held against their will.</p>	<p>There is not a single act of recovery or rescue in most human trafficking cases.</p> <p>Victims may not wish to be “rescued” and there may be reasons why it is not safe for them to leave.</p> <p>Using simple terms like “saved” and “rescue” makes it seem as though there is a simple solution, involving only one event — the rescue. Leaving a human trafficking situation can be very complicated and dangerous for the victim; a “rescue” is not an accurate way to describe the process.</p> <p>Further, many victim/survivors play an active role in leaving trafficking and exploitations. Use language that supports their empowerment.</p> <p>Leaving the situation is only the first step toward a long-term recovery process, which may include the victim returning to the situation several times before leaving altogether.</p> <p>Victims need access to supports and services to help them regain control over their lives.</p>
<p>Predator</p> <p>Prey</p>	<p>Defendant</p> <p>Offender</p> <p>Trafficker</p> <p>Exploiter</p> <p>Buyer</p> <p>Victim, Survivor</p> <p>Predatory acts or tactics</p>	<p>Traffickers, exploiters, and buyers come from all walks of life. Vivid labels like predator leads people to believe that only certain people are capable of such acts.</p> <p>Instead, describe their actions, which may be “predatory.”</p> <p>Describing a victim/survivor as “prey” is dehumanizing.</p> <p>If the speaker uses this term present it with quotes or indicate in some other way that it is the speaker’s term.</p>



## Use accurate terminology continued...

Do not use	Use	Why?
Pimp	Trafficker Exploiter Abuser	<p>“Pimp” minimizes the seriousness of the harm because it is a common popular culture term. It also perpetuates stereotypes when applied to specific racial and ethnic groups.</p> <p>Again, if the speaker uses this term present it with quotes or indicate in some other way that it is the speaker’s term.</p>
John Trick	Buyer Purchaser	<p>Like “Pimp,” the term “John” also minimizes the seriousness of the harm because it a popular culture term.</p> <p>“Trick” makes the exploitation sound like a game while stigmatizing the victim/survivor. It masks the exploitation and violence. Additionally, it implies the buyer is the one being taken advantage of instead of the victim/survivor.</p> <p>Again, if the speaker uses this term present it with quotes or indicate in some other way that it is the speaker’s term.</p> <p>Be aware that there are instances in which the law could be accurately applied to say that a buyer is committing sexual assault or sexual abuse, especially when there is a child involved.</p>
Sex ring	Organized sexual exploitation Organized sex trafficking Organized sexual abuse Conspiracy	<p>“Sex ring” is another vivid term but is also vague out of context and does not necessarily describe who is involved or what is occurring (e.g. strangers, family members).</p> <p>If using this term, provide more explanation or use some of the other terms provided when appropriate.</p> <p>If the speaker uses this term present it with quotes or indicate in some other way that it is the speaker’s term.</p>

## Take care when telling survivor stories<sup>iii</sup>

There are several considerations when interviewing a victim/survivor, including ability to consent, age, vulnerability, safety concerns, and requests for anonymity. Avoid revictimization by ensuring that the victim/survivor is empowered, not shamed, by sharing their story. Start off by talking about the story being available to the public, so the survivor is aware of what to expect.

When first connecting with a victim/survivor, outline the purpose of the story, provide an idea of the questions that will be asked, find out where the victim/survivor is most comfortable being interviewed, and generally allow the victim/survivor to make the rules. Allow the victim/survivor to have a support person if they wish and provide breaks. Offer professional interpretation services for those with limited English. Sometimes the interview may need to take place in more than one session. Be calm and empathetic, ask open-ended questions, avoid blaming language, and don't push for salacious details.

Note also that trafficking victim/survivors may not tell consistent stories, follow linear timelines, or present as traditionally "credible." These are the effects of trauma and are not an indication that their story is untrue.

Remember the victim/survivor only represents themselves and not all victim/survivors; do not generalize. Let the victim/survivor know when the story will come out; if you're not sure, follow up with a date so they can prepare. Be sure to check with the victim/survivor if you have any questions about what they told you.

Let the victim/survivor know:

- They can provide feedback to you as well as corrections.
- That you will follow up after the story to see how the victim/survivor is doing.
- About possible outcomes of the story.
  - If the story doesn't work out, it is not the victim/survivors fault.
  - If it is published, it may attract negative attention and the victim/survivor should be prepared.
  - Encourage them to seek support services.

If you are reporting on a human trafficking or exploitation case through police reports, court records, or other media, follow best practices for maintaining victim/survivor name privacy and avoid using details that could reveal a victim/survivor's identity. Note that sometimes revealing (and possibly harmful) detail can show up in the comments section, so do not include this option with a story.

## Practice responsible photojournalism<sup>iv</sup>

Do not perpetuate sensationalism through photojournalism. If photographing or filming a victim/survivor ask what they would prefer the world to see – it may be a more hopeful image. Follow these guidelines:

- Do not post a victim/survivor's image from social media or other platforms without their permission.
- Respect the victim/survivor's wishes if they do not wish to have their face shown or their voice heard.
- Be aware that showing a victim/survivor's tattoos may be risky, especially if they represent gang affiliation.
- Be mindful of whether the location of a photo or video shoot is identifiable.
- Offer to use non-identifiable photos (e.g., of victim/survivors hand, not face).
- Do not use old images of survivors without their consent, even if survivor consented to use the photo in a previous story. Check with the survivor to see if they have a photo they would prefer to use.
- Go over potential safety concerns with the victim/survivor before taking photos.
- Do not surprise the victim/survivor by doing something they do not expect – be true to your word.

## Remember prevention

Human trafficking and exploitation can be prevented. Think about how media stories can better educate the public about the signs and risks factors of human trafficking. Think about the big picture, and consider how stories about racism, sexual orientation and gender identity, food insecurity, homelessness, joblessness, lack of access to health care, geographic isolation, sexual violence, domestic abuse, disability, immigration, and sexual health education connect to human trafficking and exploitation. Complex issues are impacted by a host of societal influences. For more information on human trafficking, see the Human Trafficking and Exploitation Information Guide.

## Provide resources

When reporting on human trafficking give resources for help. Visit [MDH Safe Harbor website \(https://www.health.state.mn.us/communities/safeharbor\)](https://www.health.state.mn.us/communities/safeharbor) for information about Safe Harbor grantees throughout the state, including several tribal nations. Visit the [Minnesota Youth Services Network \(https://ysnmn.org\)](https://ysnmn.org) for information and contacts for specific services. They also have an app. Information is also available 24/7 through the Day One Crisis Hotline at 866-223-1111. In addition, the Bureau of Criminal Apprehension in the Minnesota Department of Public Safety has a task force number that can be reached 24/7 at 651-793-7000. The National Human Trafficking Resource Center at 888-373-7888 also provides connections to Minnesota resources, however MDH recommends prioritizing local resources to assist survivors in finding support more directly.

<sup>i</sup> See University of North Carolina School of Media and Journalism, [The Irina Project \(http://www.theirinaproject.org/using-images-when-reporting-on-human-trafficking.html\)](http://www.theirinaproject.org/using-images-when-reporting-on-human-trafficking.html).

<sup>ii</sup> See Maine Coalition Against Sexual Assault, [2015 Sex Trafficking & Exploitation Media Guide \(https://www.mecasa.org/for-media.html\)](https://www.mecasa.org/for-media.html); Minnesota Coalition Against Sexual Assault, [Reporting on Sexual Violence: A Guide for Journalists \(https://www.mncasa.org/media-resources/\)](https://www.mncasa.org/media-resources/).

<sup>iii</sup> See Ethical Journalism Network, [Media and Trafficking in Human Beings Guidelines \(https://ethicaljournalismnetwork.org/resources/publications/media-trafficking-guidelines/good-practice/interviewing-guidelines\)](https://ethicaljournalismnetwork.org/resources/publications/media-trafficking-guidelines/good-practice/interviewing-guidelines).

<sup>iv</sup> See The Irina Project, supra note i.

Minnesota Department of Health  
Safe Harbor  
85 East 7th Place  
PO Box 64882  
St. Paul, MN 55164-0882  
651-201-5000  
[health.safeharbor@state.mn.us](mailto:health.safeharbor@state.mn.us)  
[www.health.state.mn.us](http://www.health.state.mn.us)

To obtain this information in a different format,  
call: 651-201-5484.



*This guide was produced by the Minnesota Department of Health under 2016-MU-MU-K153, awarded by the Office for Victims of Crime, Office of Justice Programs, U.S. Department of Justice. The opinions or recommendations expressed in this guide are those of the contributors and do not necessarily represent the office position or policies of the U.S. Department of Justice.*

# Tribal Response and Resources for Human Trafficking Victims in Nebraska

Nebraska Indian Child Welfare Coalition (NICWC)  
Nebraska Tribes Addressing Violence Coalition (NETAV)

This document was created with the support of grant #OVC-2020-18412, awarded by the Office for Victims of Crime, Office of Justice Programs, U.S. Department of Justice. The opinions, findings, and conclusions or recommendations expressed in this content are those of the contributors and do not necessarily represent the official position or policies of the U.S. Department of Justice.

# Training Objectives

This presentation will address:

- Identify indicators for human trafficking in adults and youth
- Present screening tool options for community agency implementation/use
- Introduction to tribal trafficking response checklist
- Identify available tribal resources and statewide resources for assisting human trafficking survivors

# Human Trafficking & Exploitation Against Native Americans

# Human Trafficking

**According to the DOJ, human trafficking is a crime that involves exploiting a person for labor, services, or commercial sex.<sup>1</sup>**

- Exploiting a minor for commercial sex is human trafficking, regardless of whether force, fraud, or coercion were used.
- The Trafficking Victims Protection Act of 2000 states that human trafficking involves:
  - a) Sex trafficking in which a commercial sex act is induced by force, fraud, or coercion, or in which the person induced to perform such act has not attained 18 years of age; or
  - b) The recruitment, harboring, transportation, provision, or obtaining of a person for labor or services, through the use of force, fraud, or coercion for the purpose of subjection to involuntary servitude, peonage, or debt bondage.

<sup>1</sup> U.S. Dept. of Justice. (2018). *Human trafficking defined*. Retrieved from: <https://www.justice.gov/humantrafficking>

# Youth Human Trafficking Statistics

- National Human Trafficking Hotline's 2021 calls included<sup>1</sup>:
  - **28%** of identified sex trafficking situation involved a minor<sup>1</sup>
  - **13%** of identified labor trafficking situations involved a minor<sup>1</sup>
  - **240** signals (**0.5%** of total signals) came out of Nebraska; **107** were received from victims/survivors<sup>2</sup>
    - **134** victims were involved in **57** identified cases in 2021 in Nebraska<sup>2</sup>
      - **47** cases involved sex trafficking<sup>2</sup>
      - **5** cases involved labor trafficking<sup>2</sup>
      - **16** cases were identified as involving a minor<sup>2</sup>
- **1 in 5** identified youth experiencing homelessness had been a victim of human trafficking (labor, sex, or both)<sup>3</sup>
  - **81%** of labor trafficking cases involved forced drug dealing, often through familial/cultural coercion<sup>3</sup>

<sup>1</sup> National Human Trafficking Hotline. (2022). National Human Trafficking Hotline Data Report: 1/1/2021-12/31/2021 Overview of Incoming Calls. Retrieved from: <https://humantraffickinghotline.org/sites/default/files/2023-01/National%20Report%20For%202021.docx%20%283%29.pdf>

<sup>2</sup> Polaris. (2023). National Human Trafficking Hotline Statistics for Nebraska in 2021. Retrieved from: <https://humantraffickinghotline.org/en/statistics/nebraska>

<sup>3</sup> Murphy, L. T.(2016). Labor and Sex Trafficking Among Homeless Modern Slavery Research Project Loyola University. Retrieved from: <https://oag.ca.gov/sites/all/files/agweb/pdfs/ht/murphy-labor-sex-trafficking-homeless-youth.pdf>



# Native American Trafficking Statistics

- Native Americans are considered a vulnerable population to be trafficked<sup>1</sup>
- A study on trafficking of homeless youth age 17-25 conducted in the U.S. and Canada showed that of the **641 participants, 9% identified as Indigenous.**<sup>2</sup> Of the identified Indigenous youth:
  - **26%** identified as experiencing any trafficking
  - **9%** identified as sex trafficking victims
  - **18%** experienced labor trafficking
  - **24%** experienced any commercial sex
- While exact numbers are difficult to identify, a study conducted in the U.S. and Canada showed that “**an average of 40%**” of sex trafficking victims identified as Native women.<sup>3</sup>
- It is important to note that Native women only represent 10% or less of the general population in the studied communities.<sup>3</sup>
- **37%** of sex trafficking cases involving Native Americans reported to the National Human Trafficking Hotline from 1/1/2011-3/31/2017 involved a victim who was a minor.<sup>4</sup>

<sup>1</sup> Kane-Hartnett, L. (2018). Trafficking in Tribal Nations: the impact of sex trafficking on Native Americans. Human Trafficking Search. Retrieved from: <https://humantraffickingsearch.org/traffickingofnativeamericans/>.

<sup>2</sup> Murphy, L. T. (2016). Labor and Sex Trafficking Among Homeless Modern Slavery Research Project, Loyola University. Retrieved from: <https://oag.ca.gov/sites/all/files/agweb/pdfs/ht/murphy-labor-sex-trafficking-homeless-youth.pdf>

<sup>3</sup> National Congress of American Indians. (2016). Tribal insights brief: trafficking in Indian Country. Retrieved from: <http://www.ncai.org/policy-research-center/research-data/pre-publications/TraffickingBrief.pdf>

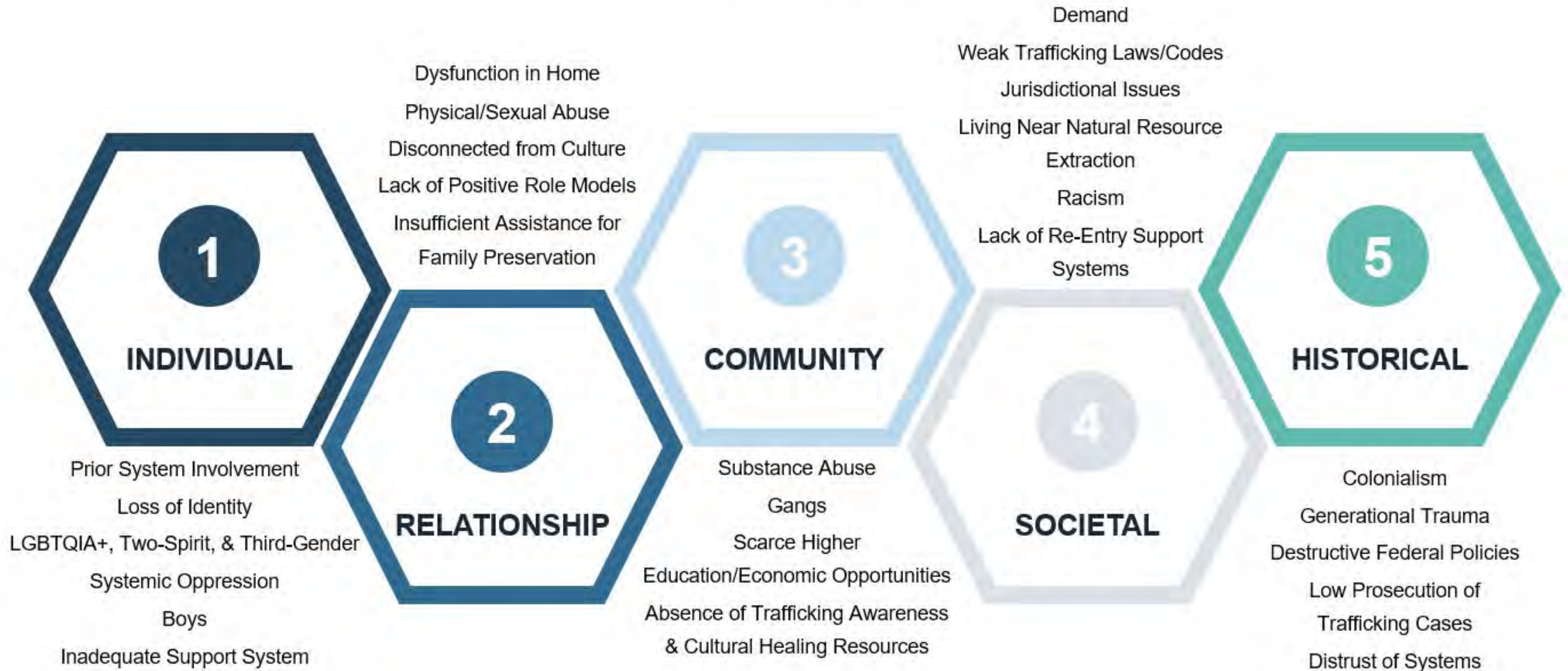
<sup>4</sup> Administration for Children and Families (2018). Combatting trafficking; Native youth toolkit on human trafficking. Retrieved from [https://www.acf.hhs.gov/sites/default/files/otip/native\\_youth\\_toolkit\\_on\\_human\\_trafficking.pdf](https://www.acf.hhs.gov/sites/default/files/otip/native_youth_toolkit_on_human_trafficking.pdf)

# HTLA Class 5 Cohort Report

- Human Trafficking Leadership Academy (HTLA) is a fellowship program organized by the National Human Trafficking Training and Technical Assistance Center (NHTTAC) and Coro Northern California
- Class 5 (2019-2020) consisted of 11 Indigenous fellows
- Project Question:  
**How can culture be a protective factor in preventing trafficking among all Indigenous youth?**

# INDIGENOUS TRAFFICKING RISK FACTORS

Why are we targeted?



# Indicators of Human Trafficking

- Traffickers are not always strangers; in many cases, traffickers are someone the victim knows (i.e. family member, partner, friend, community member, etc.)
  - Move beyond the “white van/abduction” narrative
    - While this sometimes happens, it is not the majority of cases
- Traffickers often use love, affection, attention, bribery/promises to lure the victims and gain their trust
  - To make victims stay, traffickers may use physical force, threats, blackmail, manipulation, and controlling resources/basic needs

# Indicators of Human Trafficking

- Trafficking can happen ANYWHERE
  - Rural and Urban areas (including Indian Country)
  - Factories, farms/ranches, restaurants/bars, construction sites, hotels, casinos, strip clubs, and private homes
  - Internet-based services, brothels, street-based, drug trade, etc.
  - High attendance events (such as sports games, conventions, etc.) can increase trafficking in an area

# Indicators of Human Trafficking

- Not able to be independent; is accountable to someone
- Works unusual/excessively long hours
- Unable to pay off a large debt
- Fearful, anxious, depressed, tense, nervous
- Fearful or anxious when Law Enforcement is discussed
- Lacks health care
- Malnourished
- Inconsistencies with story
- Signs of physical and/or sexual abuse
- Very few personal possessions
- Claims to be “just visiting” or “passing through;” no tangible address/doesn't know where staying
- Lack of knowledge of whereabouts
- Lost sense of time
- Avoids eye contact

# Indicators of Trafficking of Youth

- Does not attend school on a regular basis/unexplained absences
- Frequently runs away from home
- Makes references to frequent travel to other cities
- Exhibits bruises or other signs of physical trauma
- Withdrawn behavior, depression, anxiety, fear
- Shows signs of drug addiction
- Coached/rehearsed responses to questions
- Sudden changes in attire, personal hygiene, relationships, or material possessions
- Sudden delinquent conduct
- Has a “boyfriend,” “girlfriend,” or significant other who is noticeably older and/or refusal to disclose the identity of their dating partner
- Confusion about when/where they are
- Attempts to conceal recent scars or tattoos

# Possible Factors for Additional Consideration

- Disproportionality of Native children in the foster care system and the separation of Native families and children<sup>1</sup>
  - In Nebraska Native children are 2.5X more likely to be placed in foster care than non-Native children
- Suicide rates for Natives are more than 3.5 times higher than other race/ethnicity groups with the lowest rates<sup>2</sup>
  - Native youth, aged 10-24, made up over 1/3 of all Native suicides, from 2003-2014<sup>2</sup>
  - From 1999 to 2017, Native females had the largest increase in suicides, by 139%<sup>3</sup>
    - Higher suicide rates linked to poverty, substance abuse, geographic location, and limited access to health services
- Native Americans have some of the highest rates of substance abuse, among persons aged 12 or older<sup>4</sup>
  - Alcohol abuse was reported by 69% Native youth aged 15-24 admitted for SA treatment

1. State of Nebraska Foster Care Review Office. (2018). Annual Report, 2017-2018. Retrieved from: <http://www.fcro.nebraska.gov/pdf/FCRO-Reports/2018-annual-report.pdf>

2. Leavitt RA, Ertl A, Sheats K, Petrosky E, Ivey-Stephenson A, Fowler KA. Suicides Among American Indian/Alaska Natives — National Violent Death Reporting System, 18 States, 2003–2014. MMWR Morb Mortal Wkly Rep 2018;67:237–242. DOI: <http://dx.doi.org/10.15585/mmwr.mm6708a1external icon>.

3. Curtin SC, Hedegaard H. Suicide rates for females and males by race and ethnicity: United States, 1999 and 2017. NCHS Health E-Stat. 2019.

4. Substance Abuse and mental Health Services Administration. (2013). SAMHSA American Indian/Alaska Native Data. Retrieved from: [https://www.samhsa.gov/sites/default/files/topics/tribal\\_affairs/ai-an-data-handout.pdf](https://www.samhsa.gov/sites/default/files/topics/tribal_affairs/ai-an-data-handout.pdf)



# Intersection Between Human Trafficking and Domestic Violence

- Often an individual who is a victim of trafficking, first presents to professionals as a victim/survivor of domestic violence or other form of violence
- Intimate Partner Violence and Trafficking often intersect through abusive behavior as means of power and control:
  - Physical abuse
  - Financial abuse and exploitation
  - Sexual abuse
  - Emotional/Verbal abuse
- It is hard to separate the two crimes, and therefore, it is important to provide services that won't limit the survivor when recovering and healing from both
- Adopting a similar survivor-centered approach to both, will enable the survivor to make the best decisions for them

# Indicators and Screening

- It is important to note that indicators are factors you may come across that may alert you to screen someone.
- You may want to consider screening all clients for human trafficking as you work with them and in your initial intake.
- Screening should be introduced after some rapport and working relationship has been established, and only if the client is able/willing/comfortable doing so. Clients should NOT be forced to complete a screening tool.
- Screening should not be completed while a client is in active distress.

# Indicators and Screening

- If you are simply carrying out the screening and will refer the client/patient to another provider in the case of a positive screen, ask the questions as written.
- If you will continue services after a positive screen, then follow up with a deeper conversation using elements of motivational interviewing to confirm trafficking, perform a lethality assessment, pursue safety planning, and/or provide referrals to other resources based on identified needs.
- Discuss confidentiality and the limits to what can and cannot be asked.
- Respect the client/patient's right not to answer questions and to make their own decisions, even if you don't agree with them.

# Indicators and Screening

- If human trafficking is suspected following the screening, identify whether mandated reporting is required. It is crucial that the individual filing the report discusses the need to file a report using a nonthreatening manner. This is critical to maintaining rapport. With adult potential victims of human trafficking, it is important to explain in a sensitive way the reasons for concern, the potential benefits of filing a report, and what to expect when filing a report.
- Following a positive screen, make the necessary referrals to services, whether those services exist within or outside of the agency/organization, in a manner that will enhance their follow-up.

# Screening Tools

# Quick Youth Indicators for Trafficking (QYIT)

- 4 YES/NO questions
- Best for:
  - Limited time
  - Homeless/runaway youth
  - Initial screener and can then follow up with more thorough assessment
- Link to copy for printing:
  - [https://vcrhyp.org/client\\_media/Trafficking%20and%20Exploitation%20Tools/QYIT%20-%20Covenant%20House%20NJ.pdf](https://vcrhyp.org/client_media/Trafficking%20and%20Exploitation%20Tools/QYIT%20-%20Covenant%20House%20NJ.pdf)

## Quick Youth Indicators for Trafficking (QYIT)

Circle one response (Yes, No, Skip) for each question below:

It is not uncommon for young people to stay in work situations that are risky or even dangerous, simply because they have no other options. <b><i>Have you ever worked, or done other things, in a place that made you feel scared or unsafe?</i></b>	Yes No Skip
Sometimes people are prevented from leaving an unfair or unsafe work situation by their employers. <b><i>Have you ever been afraid to leave or quit a work situation due to fears of violence or threats of harm to yourself or your family?</i></b>	Yes No Skip
Sometimes young people who are homeless or who have difficulties with their families have very few options to survive or fulfill their basic needs, such as food and shelter. <b><i>Have you ever received anything in exchange for sex (e.g. a place to stay, gifts, or food)?</i></b>	Yes No Skip
Sometimes employers don't want people to know about the kind of work they have young employees doing. To protect themselves, they ask their employees to lie about the kind of work they are involved in. <b><i>Have you ever worked for someone who asked you to lie while speaking to others about the work you do?</i></b>	Yes No Skip

# Adult Human Trafficking Screening Tool

- 8 YES/NO questions
- Best for:
  - Limited time
  - Initial screener and can then follow up with more thorough assessment
- Link to copy for printing:
  - [https://nhttac.acf.hhs.gov/sites/default/files/2018-07/adult\\_human\\_trafficking\\_screening\\_tool\\_and\\_guide.pdf](https://nhttac.acf.hhs.gov/sites/default/files/2018-07/adult_human_trafficking_screening_tool_and_guide.pdf) ; pgs. 16-17

Adult Human Trafficking Screening Tool		
<p>This screening tool is part of a guide and is to be used with the “Adult Human Trafficking Screening Tool and Guide.” It has been provided as part of a screening toolkit to a professional who is trained to administer it. For information about this screening tool or the recommended training for its application, please contact the National Human Trafficking Training and Technical Assistance Center (NHTTAC) at <a href="mailto:info@nhttac.org">info@nhttac.org</a> or 844-648-8822.</p>		
Question	Respondent Answers	Notes
1. Sometimes lies are used to trick people into accepting a job that doesn't exist, and they get trapped in a job or situation they never wanted. Have you ever experienced this, or are you in a situation where you think this could happen?	Yes No Declined to Answer Don't Know	
2. Sometimes people make efforts to repay a person who provided them with transportation, a place to stay, money, or something else they needed. The person they owe money to may require them to do things if they have difficulty paying because of the debt. Have you ever experienced this, or are you in a situation where you think this could happen?	Yes No Declined to Answer Don't Know	
3. Sometimes people do unfair, unsafe, or even dangerous work or stay in dangerous situation because if they don't, someone might hurt them or someone they love. Have you ever experienced this, or are you in a situation where you think this could happen?	Yes No Declined to Answer Don't Know	
4. Sometimes people are not allowed to keep or hold on to their own identification or travel documents. Have you ever experienced this, or are you in a situation where you think this could happen?	Yes No Declined to Answer Don't Know	
5. Sometimes people work for someone or spend time with someone who does not let them contact their family, spend time with their friends, or go where they want when they want. Have you ever experienced this, or are you in a situation where you think this could happen?	Yes No Declined to Answer Don't Know	
6. Sometimes people live where they work or where the person in charge tells them to live, and they're not allowed to live elsewhere. Have you ever experienced this, or are you in a situation where you think this could happen?	Yes No Declined to Answer Don't Know	
7. Sometimes people are told to lie about their situation, including the kind of work they do. Has anyone ever told you to lie about the kind of work you're doing or will be doing?	Yes No Declined to Answer Don't Know	
8. Sometimes people are hurt or threatened, or threats are made to their family or loved ones, or they are forced to do things they do not want to do in order to make money for someone else or to pay off a debt to them. Have you ever experienced this, or are you in a situation where you think this could happen?	Yes No Declined to Answer Don't Know	
<p><b>If the client/patient answered YES to any of the questions, this may indicate a risk for current, former, or future trafficking. If you feel this individual is at risk, or is being trafficked, discuss referral options, including possibly reporting to the appropriate authorities trained on human trafficking. Ask, “do you want</b></p>		

# Trauma-Informed Screening Practices

- Recognize the effects of violence on human development and coping
- Ensure that services are accessible and readily available
- Identify co-occurring problems comprehensively
- Ensure that services are culturally and linguistically appropriate
- Minimize possibility of re-traumatization
- Emphasize education, choice, and resilience



# Administering Human Trafficking Screening Tools

- Establish a relationship/rapport
- Be aware that survivors current state will differ when seeking services; do your best to meet their current needs
- Avoid criticizing or condemning the trafficker as the survivor may be defensive on the trafficker's behalf
- Administer the screening verbally; not as a written self-evaluation for the survivor

# Best Practices for Screening and Relationship-Building

- Create a safe and private space for screening
- Offer water, snacks, show survivor where the restroom is, and check in to give them breaks
- Cue into your body language
  - Avoid: touching the person, hovering, crossing your arms
  - Try to: remain close, stay at eye-level, respect personal space
- Limit yes/no questions to screening tools; allow for open-ended responses from the survivor to tell their story

# Resources/Needs

# Resources to Assist Survivors

- **Housing**
  - Shelter
  - Safety Modifications to Current Home
  - Assistance Finding a New Place to Live
- **Job/Income/School**
  - Assisting with job ideas
  - Asking how survivor can support themselves moving forward
- **Physical Health/Medical Care**
- **Substance Abuse Treatment**
- **Mental Health Care**
  - Referrals to Counseling Services
- **Childcare Situation and Assistance**
- **Social Benefits (SSI/SSDI, SNAP, Food Stamps, Etc.)**
  - SNAP:  
[https://www.benefitscheckup.org/factsheets/factsheet\\_nutrition\\_ne\\_snap\\_program/#/](https://www.benefitscheckup.org/factsheets/factsheet_nutrition_ne_snap_program/#/)
  - SSI/SSDI:  
<https://www.ssa.gov/applyfordisability/>
- **Crime Victim Reparations Fund**
  - From The Nebraska Crime Commission:  
<https://ncc.nebraska.gov/crime-victim-reparations>

# Nebraska Human Trafficking Resource Lists

- Nebraska PATH Directory
  - [https://www.nebraskacoalition.org/get\\_informed/publications/resources.html](https://www.nebraskacoalition.org/get_informed/publications/resources.html)
- Tribal Response and Resources for Human Trafficking Victims in Nebraska

# Additional Questions or Concerns

# Resources

- **StrongHearts Native Helpline**– 1-844-762-8483
- **National Human Trafficking Hotline:**
  - Call 1-888-373-7888
  - Text “BeFree” to 233733
- **National Center for Missing and Exploited Children:**
  - Call 1-800-LOST; 1-800-843-5678
- In cases involving an active threat to you or the victim, or to report a human trafficking case to law enforcement, **call 911**
  - Tips for law enforcement can also be directed to the **National Human Trafficking Hotline** (1-888-373-7888)
  - For tips to Nebraska State Patrol (for cases on non-reservation land) call the **Nebraska Human Trafficking Tip Line** (1-833-757-5665; 1-833-PLS-LOOK).
- If you have a case involving a child/minor, it is best practice to call the Nebraska Child Abuse and Neglect Hotline 1-800-652-1999 (on or off the reservation)

# Contact Info for Questions and Assistance



**Misty Flowers**

**Nebraska Indian Child Welfare Coalition (NICWC)**

E-mail: [misty@nicwc.org](mailto:misty@nicwc.org)

Website: [nicwc.org](http://nicwc.org)

Phone: 855-280-2526



**Kirby Williams**

**Nebraska Tribes Addressing Violence Coalition (NETAV)**

Phone: 531-205-6837

E-mail: [kwilliams@netav.org](mailto:kwilliams@netav.org)



Thank you!  
Questions?

# **Tribal Response and Resources for Human Trafficking Victims in Nebraska**

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This document was created with the support of grant #OVC-2020-18412, awarded by the Office for Victims of Crime, Office of Justice Programs, U.S. Department of Justice. The opinions, findings, and conclusions or recommendations expressed in this content are those of the contributors and do not necessarily represent the official position or policies of the U.S. Department of Justice.

## INTRODUCTION

Under the grant project OVC-2020-18412 *Improving Outcomes for Child and Youth Victims of Human Trafficking Support for Youth Victims of Human Trafficking in Nebraska*, and following listening sessions to assess the current state of human trafficking in tribal communities with each of the four tribes in Nebraska, the Nebraska Indian Child Welfare Coalition (NICWC) has created this protocol document as a reference on responding to human trafficking for tribal programs and non-tribal programs serving Native American survivors.

## DEFINITION OF HUMAN TRAFFICKING

According to the DOJ, human trafficking is a crime that involves exploiting a person for labor, services, or commercial sex.<sup>1</sup>

- The Trafficking Victims Protection Act of 2000<sup>2</sup> states that human trafficking involves:
  - a) Sex trafficking, which is the recruitment, harboring, transportation, provision, obtaining, patronizing, or soliciting of a person for the purposes of a commercial sex act, in which a commercial sex act is induced by force, fraud, or coercion, or in which the person induced to perform such act has not attained 18 years of age<sup>3</sup>;
    - Exploiting a minor for commercial sex is human trafficking, regardless of whether force, fraud, or coercion were used.
  - or
  - b) The recruitment, harboring, transportation, provision, or obtaining of a person for labor or services, through the use of force, fraud, or coercion for the purpose of subjection to involuntary servitude, peonage, debt bondage, or slavery.<sup>4</sup>

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<sup>1</sup> U.S. Dept. of Justice. (2018). Human trafficking defined. Retrieved from: <https://www.justice.gov/humantrafficking>

<sup>2</sup> Tribal Victims Protection Act of 2000. Retrieved from: <https://www.congress.gov/106/plaws/publ386/PLAW-106publ386.pdf>

<sup>3</sup> 22 U.S.C. § 7102(11)(A)

<sup>4</sup> 22 U.S.C. § 7102(11)(B)

## Response Checklist

During the tribal listening sessions, each tribal community requested a checklist containing best practices recommendations for responding to human trafficking cases. This checklist is not exhaustive, but is meant to serve as a reference for community service providers on action steps and resources to consider when addressing human trafficking and assisting survivors of human trafficking.

### SCREENING:

- **Best practice recommendations:**
  - Screen all clients or potential clients for human trafficking with regular screening/intake protocols/procedures
  - Administer the screening tools verbally (advocate/staff member asking the client the questions)
    - Screen for trafficking in a safe, private, and welcoming environment
    - Explain the purpose of the questions
    - Maintain transparency through the conversation
    - Inform youth of any limitation to confidentiality early in the conversation
    - Delay screening when the individual is in crisis
  - If the victim does not identify as a human trafficking victim on the screening tool, this does NOT mean that the person has not experienced human trafficking at some point. Always allow for victim to identify later and look into rescreening later on as needed.
- **Screening Tools:** (please note, this is not an exhaustive list of human trafficking screening tools; programs may implement others as needed/helpful)
  - Quick Youth Indicators for Trafficking (QYIT)
    - 4 yes/no questions
    - Best for screening with limited time, screening for homeless/runaway youth, initial screener and can then follow up with more thorough assessment
    - Link to copy for printing:  
[https://vcrhyp.org/client\\_media/Trafficking%20and%20Exploitation%20Tools/QYIT%20-%20Covenant%20House%20NJ.pdf](https://vcrhyp.org/client_media/Trafficking%20and%20Exploitation%20Tools/QYIT%20-%20Covenant%20House%20NJ.pdf)
  - Adult Human Trafficking Screening Tool
    - 8 questions
    - Link to screening tool and guide for use:  
[https://nhttac.acf.hhs.gov/sites/default/files/2018-07/adult\\_human\\_trafficking\\_screening\\_tool\\_and\\_guide.pdf](https://nhttac.acf.hhs.gov/sites/default/files/2018-07/adult_human_trafficking_screening_tool_and_guide.pdf)
      - Note: the Screening Tool is located on **pages 16-17** to print/utilize
- If the screening/intake does indicate that the client has experienced human trafficking, follow up with next step, RESOURCES/NEEDS

### RESOURCES/NEEDS:

- If client identifies a human trafficking victim (either through screening or self-identification), ask **“What additional resources or information can I assist you with today?”**
  - Sometimes individuals may not know what types of resources and information are available, so consider naming some options or reframing the question, such as **“I can help you identify some resources or information that could be helpful for you. Let’s talk about what you need right now and I can share about some possible ways we could get support around those needs.”**
- Additional resources/needs could include (but not limited to); note, you can verbally ask the client if they need assistance with each area listed:
  - Mental Health Services
  - Health Care Services (i.e. physical health needs)
  - Substance Abuse Services
  - Housing/Shelter
  - Transportation
  - Domestic Violence/Human Trafficking/Sexual Assault/Intimate Partner Violence Advocacy Services
  - Legal Assistance
  - Youth Services
  - Other Social Services/Needs
- Based on the resource needs identified by the client, please reference the tribal resource list on the following pages, sorted by category for available resource options in your area. Please note that this list is not exhaustive. If you have additional resources you would like to add, please contact Misty Flowers at [misty@nicwc.org](mailto:misty@nicwc.org) or Kirby Williams at [kwilliams@netav.org](mailto:kwilliams@netav.org).
  - For additional human trafficking-related resources in Nebraska, please reference the [NebraskaPATH Service Provider Directory](#), on the “Our Publications” page on the Nebraska Coalition to End Sexual and Domestic Violence [https://www.nebraskacoalition.org/get\\_informed/publications/resources.html](https://www.nebraskacoalition.org/get_informed/publications/resources.html)

ADDITIONAL QUESTIONS OR CONCERNS:

- If you are unsure of how to proceed with a human trafficking case, please contact:
  - National Human Trafficking Hotline (1-888-373-7888)
  - StrongHearts Native Helpline (1-844-7NATIVE; 1-844-762-8383)
  - National Center for Missing and Exploited Children [NCMEC] (1-800-LOST; 1-800-843-5678)

These phone lines are available 24/7 to victims/survivors, family members of survivors, and advocates who need guidance and assistance.

- If the case involves an active threat to you or the victim, or to report a human trafficking case to law enforcement, **call 911**.

- Tips for law enforcement can also be directed to the National Human Trafficking Hotline (1-888-373-7888)
- For tips to Nebraska State Patrol (for cases on non-reservation land) call the Nebraska Human Trafficking Tip Line (1-833-757-5665; 1-833-PLS-LOOK).
- If you have a case involving a child/minor, it is best practice to call the Nebraska Child Abuse and Neglect Hotline 1-800-652-1999 (on or off the reservation)

## Tribal Resources List

The following resources are available from tribal nations, tribal-led organizations, and/or have programs specifically to serve Native Americans in Nebraska. Resources are sorted by category of need and include service area/location and contact information. Please reach out to specific resources for more information or to provide assistance/referrals for clients you are working with.

**Human Trafficking Shelters***Omaha Metro Area*

- Heartland Housing Sanctuary Program
  - 24-Hour Shelter Phones:
    - 402-597-1009
    - 402-672-8608
- Magdalene Omaha
  - Phone: 402-934-8599

**Tribal Domestic Violence Programs**

<b>Tribal Domestic Violence Program</b>	<b>Service Location</b>	<b>Does the Program have a shelter?</b>	<b>Available Services</b>	<b>Contact Information</b>
Omaha Tribe Domestic Violence Program	Omaha Tribal Reservation (Macy, NE and Walthill, NE)	Yes, but it is not fully open as of April 2023	<ul style="list-style-type: none"> <li>• Advocacy</li> <li>• Transportation</li> <li>• Safety Planning</li> <li>• Protection Order Assistance</li> <li>• Other Advocacy Needs</li> </ul>	<b>Phone (8am-4:30pm):</b> 402-846-5280 ext. 2312 <b>After hours:</b> Macy Police, 402-837-5907 or 402-837-5906
Ponca Tribe Domestic Violence Program	Ponca Service Delivery Area (INCLUDE COUNTY LIST)	No. Will assist with shelter referrals.	<ul style="list-style-type: none"> <li>• Advocacy</li> <li>• Transportation</li> <li>• Financial Assistance</li> <li>• Clothing Assistance</li> <li>• Safety Planning</li> <li>• Protection Order Assistance</li> <li>• Trauma-Informed Support Groups</li> <li>• Resource Referral</li> <li>• Other Advocacy Needs</li> </ul>	<b>Lincoln:</b> 531-248-3030 <b>Omaha:</b> 402-734-5275 <b>Norfolk:</b> 402-371-8834 <b>Niobrara:</b> 402-857-3391 <b>Sioux City:</b> 712-258-0500

Santee DTSU	Santee Sioux Nation Reservation	No	<ul style="list-style-type: none"> <li>• Advocacy</li> <li>• Transportation</li> <li>• Safety Planning</li> <li>• Resource Referral</li> <li>• Other Advocacy Needs</li> </ul>	<p>Phone: 402-857-2342</p>
Winnebago Tribe Domestic Violence Intervention Program	Winnebago Tribal Reservation	Yes	<ul style="list-style-type: none"> <li>• Advocacy</li> <li>• Transportation</li> <li>• Safety Planning</li> <li>• Protection Order Assistance</li> <li>• Trauma-Informed Support Groups</li> <li>• Resource Referral</li> <li>• Other Advocacy Needs</li> </ul>	<p><b>Winnebago Domestic Violence Intervention Program</b>  <u>Crisis Phone:</u> 1-402-922-3850  <u>Phone:</u> 1-844-823-6240  <b>Winnebago Police Department Victim Advocate</b>  402-878-2245  <b>Winnebago Tribal Court Victim Advocate Project</b>  402-878-2570</p>
Nebraska Urban Indian Health Coalition (NUIHC)	Omaha City Metro Area, Lincoln City Metro Area, Sioux City Metro Area	No	<ul style="list-style-type: none"> <li>• Advocacy</li> </ul>	<p>Project Beacon: 402-346-0902</p>
Nebraska Tribes Addressing Violence Coalition (NETAV)	Statewide	No	<ul style="list-style-type: none"> <li>• Training for service providers</li> <li>• Education for community (including youth)</li> <li>• Technical Assistance</li> <li>• Resource Networking</li> </ul>	<p>Website: netav.org  Phone: 531-205-6837</p>



## **Tribal Youth and Family Programs and Services**

### Omaha Tribe Area Services:

- Omaha Tribe Social Services
  - Services: Child family services, child protective services, ICWA resources, family/cultural support
  - Phone: 402-837-5331

### Ponca Tribe Area Services:

- Ponca Tribal Youth Program (TYP)
  - Project Venture: an outdoor, experiential youth development program for 5<sup>th</sup>-8<sup>th</sup> grade Native American youth
  - Children in Needs of Supervision (CHINS): intervention services for Native American youth (age 18 and under) involved or at risk of “status offenses” (i.e. truancy, running away, etc.) or arrest, probation, parole, etc.
  - Tribal Youth Reconnection (TYR): program for 14-18 year old “at risk” Native American youth to help connect them and their families with their tribal culture.
  - Phone:
    - Norfolk: 402-371-8834
    - Lincoln: 402-438-9222
- Indian Child Welfare Act (ICWA) Assistance:
  - Services: foster care placements, pre-adoptive/adoptive placement, etc.
  - Phone: 402-371-8834 ext. 123

### Santee Sioux Nation Area Services:

- Santee DTSU
  - Phone: 402-857-2342
- Warrior’s Lodge
  - Services: youth programming and prevention, sport-focused programming, youth center
  - Phone: 402-857-3338

### Winnebago Area Services:

- Winnebago Youth Crisis Intervention Center (YCIC)
  - Services: Mental health, crisis intervention, emergency youth shelter
  - Phone: 402-878-2046
- Winnebago Human Services
  - Services: Human Services, Social Services, Child & Family Services, Preserving Native Families Unit
  - Link to Website with Phone numbers: <https://winnebagotribe.com/human-services/>

### Statewide Tribal Services:

- Bluebird Cultural Initiative
  - Services: Cultural services, community support, youth groups
  - Website: bluebirdculturalinitiative.org

- Nebraska Indian Child Welfare Coalition (NICWC)
  - Services: Parenting classes, ICWA assistance/advocacy, youth empowerment, education/training
  - Website: [nicwc.org](http://nicwc.org)
  - Phone: 855-280-2526

## **Tribal Health Resources**

### Omaha Tribe Area Services:

- Carl T. Curtis Health Center
  - Phone: 402-837-5381

### Ponca Tribe Area Services:

#### *Omaha Area*

- Fred LeRoy Health and Wellness Center
  - Phone: 402-733-3612

#### *Norfolk Area*

- Ponca Hills Health and Wellness Center
  - Phone: 402-371-8780

#### *Lincoln Area*

- Lincoln Health and Wellness Center
  - Phone: 531-248-3030

### Santee Sioux Nation Area Services:

- Santee Sioux Nation Health Clinic
  - Phone: 402-857-2300

### Winnebago Area Services:

- Twelve Clans Unity Hospital
  - Phone: 402-878-2231

### Statewide Tribal Services:

- Nebraska Urban Indian Health Coalition (NUIHC)
  - Services: mental health, general physical healthcare, substance abuse treatment
  - Locations:
    - *Omaha:* 2226 N St, Omaha, NE 68107; Phone: 402-346-0902
    - *Lincoln:* 2331 Fairfield Street, Lincoln, NE 68521; Phone: 402-434-7177
    - *Sioux City:*
      - Action Taxi; Phone: 712-252-4777
      - Jackson Recovery Center; Phone: 712-234-2300

## **Tribal Mental Health Resources**

### Omaha Tribe Area Services:

- Carl T. Curtis Health Center
  - Phone: 402-837-5381

### Ponca Tribe Area Services:

#### *Omaha Area*

- Fred LeRoy Health and Wellness Center
  - Phone: 402-734-5275

#### *Norfolk Area*

- Ponca Hills Health and Wellness Center
  - Phone: 402-371-8834

#### *Lincoln Area*

- Lincoln Health and Wellness Center
  - Phone: 531-248-3030

### Santee Sioux Nation Area Services:

- Santee Sioux Nation Health Clinic
  - Phone: 402-857-2300

### Winnebago Area Services:

- Twelve Clans Unity Hospital
  - Phone: 402-878-2231
- Winnebago Youth Crisis Intervention Center (YCIC)
  - Services: Mental health, crisis intervention, emergency youth shelter
  - Phone: 402-878-2046
- Winnebago Public Health, Behavioral Health Department
  - 402-878-2911
  - After Hours: 712-259-3263

### Statewide Tribal Services:

- Nebraska Urban Indian Health Coalition (NUIHC)
  - Services: mental health, general physical healthcare, substance abuse treatment
  - Locations:
    - *Omaha:* 2226 N St, Omaha, NE 68107; Phone: 402-346-0902
    - *Lincoln:* 2331 Fairfield Street, Lincoln, NE 68521; Phone: 402-434-7177
    - *Sioux City:*
      - Action Taxi; Phone: 712-252-4777
      - Jackson Recovery Center; Phone: 712-234-2300
- Morningstar Counseling
  - Services: In-person and telehealth mental health counseling
  - Locations:
    - *Lincoln:* 2641 S 70th St., Ste A, Lincoln, NE 68506; Phone: 402-327-9711
    - *Beatrice:* 500 Market St., Ste 2, Beatrice, NE 68310; Phone: 402-540-2303

- *Walthill*: 104 S. Costello, Walthill, NE 68067; Phone: 402-846-5533
- *Santee Community Health Center*: 110 Visiting Eagle St., Niobrara, NE 68760; Phone: 402-327-9711
- *Winnebago Public Schools*: 202 Osborne St., Winnebago, NE 68071; Phone: 402-327-9711
- *Little Priest Tribal College*: 601 E College Rd., Winnebago, NE 68071; Phone: 402-327-9711
- *Nebraska Indian Community College*: 1111 US-75, Macy, NE 68039; Phone: 402-327-9711
- Society of Care
  - Services: Mental health services, youth empowerment services, parenting skills, etc.
  - Phone: 402-580-1535
  - Contact form: <https://societyofcare.org/contact/>

## **Tribal Law Enforcement**

### *Omaha Tribe Area Services:*

- Macy Police:
  - Phone: 402-837-5907 or 402-837-5906
- Walthill Police:
  - Phone: 402-846-5685

### *Santee Sioux Nation Area Services:*

- Santee Sioux Nation Tribal Police
  - Phone: 402-857-2527

### *Winnebago Area Services:*

- Winnebago Police:
  - Phone: 402-878-2245

## **Tribal Courts/Legal Services**

### *Omaha Tribal Court:*

- Phone: 402-837-5814

### *Ponca Tribal Court:*

- Phone: 402-371-8834

### *Santee Sioux Nation Area Services:*

- Phone: 402-857-2812

### *Winnebago Area Services:*

- Phone: 402-878-2570

### *Statewide Services:*

- Legal Aid of Nebraska's Native American Program:
  - Phone: 1-800-729-9908, Monday-Friday, 9am-noon
  - Online Application: <https://lawhelpne.legalaidofnebraska.org/#/login>

## **Tribal Transportation**

### *Omaha Tribe Public Transit*

- Phone: 402-837-4361

### *Ponca Express*

*Service Days, All Locations: Monday – Friday*

- Ponca Express Rural (Norfolk and Niobrara)
  - Phone: 1-877-769-3111
  - Rural Transportation 7:30 am-5:30 pm
  - Rural office hours 8:00 am-4:30 pm
- Ponca Express Metro (Omaha, Lincoln, and Sioux City)
  - Phone: 1-855-766-2239
  - Metro Transportation 8:00 am-4:30 pm
  - Metro Office Hours 8:00 am-4:30 pm
- To schedule an appointment:
  - Phone: 1-877-769-3111 for Ponca Express Rural (Norfolk and Niobrara)
  - Phone: 1-855-766-2239 for Ponca Express Metro (Omaha, Lincoln and Sioux City)

### *Santee Sioux Nation Transit*

- Contact Mike Crosley
  - Phone: 402-857-3338
  - E-mail: [mike.crosley@yahoo.com](mailto:mike.crosley@yahoo.com)

### *Winnebago Tribal Transit*

- Phone: 402-878-4225
- More info: <https://winnebagoTribe.com/tribal-transit-transportation/>



## **Tribal Food Distribution**

### *Omaha Nation Food Distribution Program*

- Phone: 888-745-1986

### *Winnebago Tribe Food Distribution Program*

- Phone: 402-878-2799

### *Santee Sioux Nation Food Distribution Program*

- Phone: 402-857-2514

**Tribal Temporary Assistance for Needy Families (TANF)**

Omaha Tribe TANF

- Phone: 402-837-4473

Winnebago TANF

- Phone: 712-203-2352

Santee Sioux Nation TANF

- Phone: 402-857-2302

## **Tribal Substance Abuse Programs**

### Omaha Tribe Area Services:

- Omaha Tribe Alcohol Program
  - Phone: 402-837-4053

### Ponca Tribe Area Services:

Substance Abuse Services are part of Behavioral Health Department

#### *Omaha Area*

- Fred LeRoy Health and Wellness Center
  - Phone: 402-734-5275

#### *Norfolk Area*

- Ponca Hills Health and Wellness Center
  - Phone: 402-371-8834

#### *Lincoln Area*

- Lincoln Health and Wellness Center
  - Phone: 531-248-3030

### Santee Sioux Nation Area Services:

- Santee Sioux Nation HEART Program
  - Phone: 402-857-2508

### Winnebago Area Services:

- Winnebago Tribe Alcohol Program
  - Phone: 402-878-2480
- Winnebago Tribe Detox and Drug Rehab Center
  - Phone: 402-878-2911
- Winnebago Tribe Drug Dependency Unit (DDU)
  - Phone: 402-878-2440
- Winnebago ATLAS Program
  - Phone: 402-878-2162

### Statewide Tribal Services:

- St. Monica's Women are Sacred Program
  - Services: residential substance abuse program for Native American women and their children
  - Lincoln Phone: 402-441-3768

## **Tribal Websites**

### *Omaha Tribe of Nebraska and Iowa*

- <https://www.omahatribe.com/>

### *Ponca Tribe of Nebraska*

- <https://www.poncatrIBE-ne.org/>

### *Winnebago Tribe of Nebraska*

- <https://winnebagoTribE.com/>

### *Santee Sioux Nation*

- <https://santeesiouxnation.com/>



**Training Plan**  
**Know what you're doing: Modules 1, 2, 3**  
**Do it well: Modules 4 and 5**  
**Keep doing it: Modules 6, 7, 8**

Pathway Trainings	Training Description	Modules
Human Trafficking and Protecting Victims	Participants will understand the definition, laws, and resources associated with labor trafficking, DMST and HT. Participants will understand behaviors associated with victimization of youth and adults and acquire knowledge to better understand survivor experience. Participants will understand the specialized needs of unique populations in New Mexico such as indigenous populations, LGBTQ+, individuals with disabilities, and migrant populations.	<p>Module 1: Definition Laws and Resources, Labor, Sex, and DMST</p> <hr/> <p>Real world application: Module 2: Understanding the Victimization and Vulnerabilities of Human Trafficking Survivors</p> <hr/> <p>Module 3: First Encounters with Victim (trauma informed response)</p>
Referral Process, Warm Hand Offs and Positive Exits	Participants will discuss best practices for the referral process, warm hand offs and positive exits. The goal is to ensure clients receive appropriate care and providers are equipped with the necessary client information to do so.	Module 4: Referral Process
Sustainability: Provider Retention, vicarious trauma, funding your growth	A field expert will discuss the benefits of employee wellness and present a model for self-care in the workplace that is specific to addressing vicarious trauma. Participants will also look over models that have received funding and explore avenues to receive funding for their project.	<p>Module 6: Vicarious trauma, self-care for providers</p> <hr/> <p>Module 7: Sustainability, funding your growth for Executive Directors/CFOs.</p>
Service Provider and Law Enforcement Collaboration	Participants will understand the importance of collaboration within human trafficking cases. They will review case studies and identify preferred methods of communication, collaboration, and	Module 5: Collaboration on local, state, federal levels. <i>Ask Kyle Woods and Hartsock could help create this training.</i>



	interaction from the perspective of both law enforcement and service providers. Participants will learn what law enforcement and service providers can and cannot do and how to support their counterparts.	
Incorporating Survivor Experience	Participants will learn best practices for incorporating survivor experience and discuss opportunities in their organizations.	Module 8.

This document was created with the support of grant #2020-NZ-NX-001, awarded by the Office for Victims of Crime, Office of Justice Programs, U.S. Department of Justice. The opinions, findings, and conclusions or recommendations expressed in this content are those of the contributors and do not necessarily represent the official position or policies of the U.S. Department of Justice.



## Series: What You Need to Know

# Module 1: Definitions, Case Studies, and Laws for Labor Trafficking and Sex Trafficking

# DOJ Disclaimer

THIS PRESENTATION WAS CREATED WITH THE SUPPORT OF GRANT #2020-NZ-NX-0001, AWARDED BY THE OFFICE FOR VICTIMS OF CRIME, OFFICE OF JUSTICE PROGRAMS, U.S. DEPARTMENT OF JUSTICE. THE OPINIONS, FINDINGS, AND CONCLUSIONS OR RECOMMENDATIONS EXPRESSED IN THIS CONTENT ARE THOSE OF THE CONTRIBUTORS AND DO NOT NECESSARILY REPRESENT THE OFFICIAL POSITION OR POLICIES OF THE U.S. DEPARTMENT OF JUSTICE.



# Goals and Objectives



Objective 1: Summarize and define Human Trafficking



Objective 2: Explore the difference between sex and labor trafficking



Objective 3: Recognize the indicators of both sex and labor trafficking



Objective 4: Apply relevance of Human Trafficking to the state of New Mexico

# Definition of Human Trafficking



According to the Trafficking Victims Protection Act of 2000, Human Trafficking is defined as follows,

- A) Sex trafficking in which a commercial sex act is induced by force, fraud, or coercion, or in which the person induced to perform such act has not attained 18 years of age; or
- B) The recruitment, harboring, transportation, provision, obtaining, patronizing, or soliciting of a person for labor or services, through the use of force, fraud, or coercion for the purpose of subjection to involuntary servitude, peonage, debt bondage, or slavery.

(22 U.S.C. § 7102(9)).

# Examples of Force, Fraud, and Coercion

<b>Force</b>	<b>Fraud</b>	<b>Coercion</b>
Physical Abuse or Assault	False promises of work/living conditions,	Threats of harm to self or others
Sexual Abuse or Assault	Withholding promised wages	Debt bondage
Confinement	Contract fraud	Psychological manipulation, or document confiscation

# Labor Trafficking (LT)

“The recruitment, harboring, transportation, provision, or obtaining of a person for labor or services, through the use of force, fraud, or coercion for the purpose of subjection to involuntary servitude, peonage, debt bondage, or slavery.”

(22 USC § 7102).



# Sex Trafficking (ST)

“The recruitment, harboring, transportation, provision, or obtaining of a person for the purpose of a commercial sex act in which a commercial sex act is induced by force, fraud, or coercion.”


(22 USC § 7102)



# Key Indicators That Might Be Present

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## Labor Trafficking


 Workers exhibit signs of malnutrition and/or physical abuse

 Workers live on or near the work premises

 Excessive security around the facility

 Self-contained camps

 Security cameras

 Large number of workers living in the same place, particularly in a space not normally suited as a living area

 Workers have no access to telephones

 Workers unable to leave the premises














 Prevented from accessing medical care

 Lack of access to personal documents such as passport, etc

# Key Indicators That Might Be Present

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## Sex Trafficking

-  Any person under the age of 18 who engages in commercial sex acts, regardless of the use of force, fraud, or coercion, is a victim of human trafficking, even if they appear to consent to the commercial sex act.
-  Large amounts of cash
-  Large quantities of condoms
-  Multiple sexual partners at a young age
-  Frequents hotels, even when they live nearby
-  Inadequately dressed for the season and/or circumstances
-  Use of terminology such as: “the life,” “daddy,” “tricks,” etc.
-  Shows signs of physical abuse and/or neglect
-  Shows signs of tattoo/branding that matches their trafficker and/or others in a group
-  Constantly running away from home
-  Has significantly older boyfriend
-  Has expensive possessions with no means of paying for them
-  Never left alone and has restricted movement

# Human Trafficking Statistics from New Mexico

National Human  
Trafficking Hotline  
(references to New  
Mexico) 2020

367 contacts

51 human trafficking  
cases reported

Children Youth and  
Families Department  
2021

261 Commercial  
Sexual Exploitation of  
Children  
investigations

3 Main Service  
Providers 2021

Provided services to  
approximately 273  
victims

Internet Crimes Against  
Children 2020

Received 2200 child  
enticement tips



# New Mexico's Human Trafficking Background



- In 2008, our state legislature enacted the New Mexico's anti-human trafficking law, which makes it a crime to traffic in persons in New Mexico.
- In 2019 the NM legislature passed its first Safe Harbour law in which states "E. whose [minor] is: (1) alleged to be engaged in an act that would be designated as prostitution if committed by an adult; or (2) a victim of human trafficking as defined in Section 30-52-1 NMSA 1978" (Chasey, G.; Trujillo, C. 2019, HB0056).
- NM Police Academy requires all cadets to attend 2 hours of training on HT.
- Additional training is offered to LE by the NMAG, NMDC, etc.

# References

- 1) <https://nmlegis.gov/Sessions/19%20Regular/bills/house/HB0056.pdf>
- 2) <https://www.nmlegis.gov/sessions/08%20Regular/final/SB0071.pdf>
- 3) <https://www.justice.gov/humantrafficking>
- 4) <https://humantraffickinghotline.org/type-trafficking/human-trafficking>
- 5) <https://humantraffickinghotline.org/what-human-trafficking/federal-law;>
- 6) <https://www.govinfo.gov/content/pkg/BILLS-115s1862enr/pdf/BILLS-115s1862enr.pdf>
- 7) [Faces of Human Trafficking: An Introduction to Labor Trafficking - YouTube](#)
- 8) [Faces of Human Trafficking: An Introduction to Sex Trafficking - YouTube](#)
- 9) <https://humantraffickinghotline.org/state/new-mexico>

# Presenters Guide

## Module 1

This training is geared towards law enforcement and service providers. The presenter will use the presentation and notes to guide conversation around understanding the victimization and vulnerabilities of human trafficking survivors. The goal of this training is to build understanding from not only listening to the presentation but also the conversations that follow.

**Slide One:** We have three categories of trainings. The first one is titled What You Need to Know, the goal of it is to understand the definition, case studies and laws associated with labor trafficking and sex trafficking. The What You Need to Know section has three modules to it. The first module which is what we will be going through now is Human Trafficking 101. We will be going over definitions, case studies, and laws for Labor Trafficking and Sex Trafficking.

**Slide Two:** DOJ Disclaimer

**Slide Three:** Goal and Objectives slide

**Slide Four:** I want to emphasize the caveat that force fraud or coercion does not need to be proven for persons under the age of 18 in the case of Sex Trafficking

**Slide Five:** Force is when you make someone do something against their will. Some examples of how force can be used is by kidnapping, torture, physical abuse ect.

Fraud is when you device someone else into doing something. Some examples of how fraud can be used are promises of immigration

papers or documentation, or misrepresenting the working conditions, or by convincing someone you are in a relationship ect.

Lastly Coercion is getting someone to do things by the threat of force. Some examples of how coercion can be used is by withholding legal documents or money, controlling communications, ect.

Again I want to emphasize that Force Fraud or Coercion is not necessary in the case of the person being under the age of 18 in regards to sex trafficking.

**Slide Six:** Debt bondage is defined as “the status or condition of a debtor arising from a pledge by the debtor of his or her personal services or of those of a person under his or her control as a security for debt, if the value of those services as reasonably assessed is not applied toward the liquidation of the debt or the length and nature of those services are not respectively limited and defined.” (22 U.S.C. 7102)

“Involuntary servitude – forcing a person to work against their will by creating a climate of fear” OJP

**Slide Seven:** “Sex traffickers frequently target victims and then use violence, threats, lies, false promises, debt bondage, or other forms of control and manipulation to keep victims involved in the sex industry for their own profit.

Sex trafficking exists within diverse and unique sets of venues and businesses including fake massage businesses, escort services, residential brothels, in public on city streets and in truck stops, strip clubs, hostess clubs, hotels and motels, and elsewhere.”

“Sex trafficking is a market-driven criminal industry that is based on the principles of supply and demand. Therefore, people who purchase commercial sex increase the demand for commercial sex and likewise provide a profit incentive for traffickers, who seek to maximize profits by exploiting trafficking victims. Therefore, buyers of commercial sex

need to recognize their involvement in driving demand. By not buying sex and not participating in the commercial sex industry, community members can reduce the demand for sex trafficking.”

**Slide Eight:** *Video is Hyperlinked, click where it says Labor Trafficking and it will play the video.*

It is important to note that these indicators are not comprehensive, as well as just because a person/company may have some of these indicators it does not mean they are involved in labor trafficking. We use these indicators as a rough guide in understanding what to look for. What Key indicators did you notice in this video?

**Slide Nine:** *Video is Hyperlinked, click where it says Sex Trafficking and it will play the video.*

Just like with the key indicators of labor trafficking it is important to note that these indicators are not comprehensive, as well as just because a person may have some of these indicators it does not mean they are involved in sex trafficking. We use these indicators as a rough guide in understanding what to look for. What Key Indicators did you notice in this video?

**Slide Ten:** Some of these numbers are from 2019 and some are from 2020. It is important to note that the numbers spiked during the pandemic and as of now we do not have accurate numbers for 2021 these are the most recent numbers we have. It is important to note that there are limitations with this type of data- not every survivor is going to seek help in these settings, and hotline calls are not a precise indicator of trafficking.

NHTH is cited, the other stats come from the NM HT Task Force reports and are not published.

**Slide Eleven:** New Mexico's Human Trafficking Background

**Slide Twelve:** References.

**Presenters Guide:** This training is geared towards law enforcement and service providers. The presenter will use the presentation and notes to guide conversation around understanding the victimization and vulnerabilities of human trafficking survivors. The goal of this training is to build understanding from not only listening to the presentation but also the conversations that follow.



Series: What You Need to Know

# **Module 2: Understanding the Victimization and Vulnerabilities of Human Trafficking Survivors**



# DOJ Disclaimer

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# Learning Objectives



Objective 1: Identify the factors of specific populations that may increase vulnerability for human trafficking



Objective 2: Recognize the victimization of human trafficking survivors



Objective 3: Recognize the specific vulnerabilities of specialized populations



Objective 4: Summarize the effects of ACE scores on victimization

# It can happen to anybody no matter age, race, or gender



# Although human trafficking can happen to anyone, certain populations are more vulnerable and at a higher risk of becoming victims



Chronic runaway youth



Youth experiencing homeless



Young people who are or were in the child welfare system



Young people who are or have been in the juvenile justice system



Students who dropout of school



Students with intellectual and developmental disabilities or differences



LGBTQIA+ youth



Unaccompanied migrant youth

# How Traffickers Take Advantage of Vulnerable People

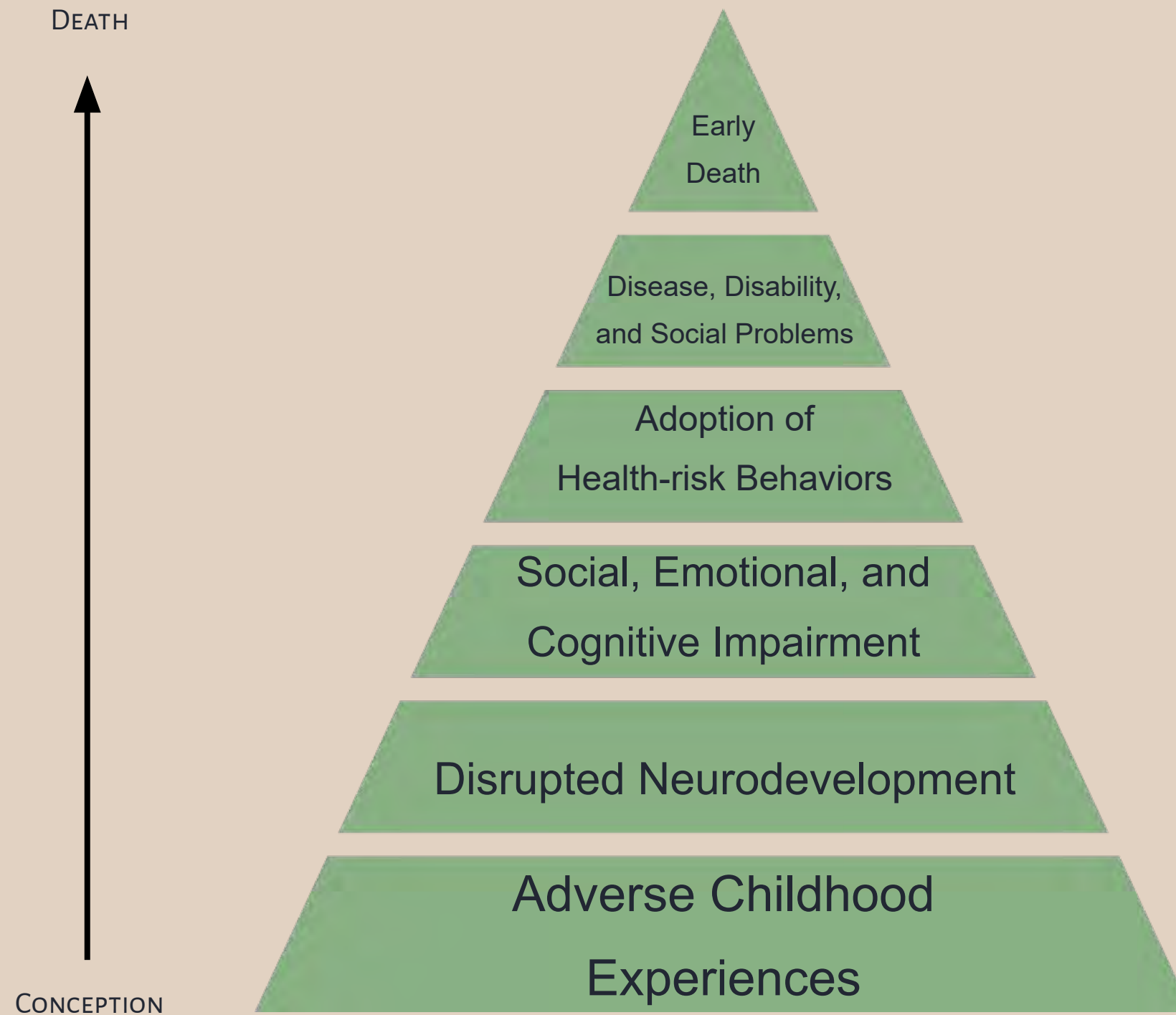
- ▶ Traffickers are master manipulators and prey on vulnerabilities.
- ▶ They might make promises such as telling:
  - ▶ A father that his child will go to a good school
  - ▶ A teenager that they will have a great acting, modeling, or singing career
  - ▶ A youth experiencing homelessness that they will have a well-paid job
  - ▶ An individual who is substance dependent or addicted that they will be provided a steady supply of their primary substance of choice



# Quick Survey

Is there a certain population that you are most likely to encounter that has one or more of the vulnerabilities discusses?

# Adverse Childhood Experiences



# Types of ACE

## Abuse



Physical



Emotional



Sexual

## Neglect



Physical



Emotional

## Household Dysfunction



Mental Illness



Mother Treated Violently



Divorce



Incarcerated  
Relative



Substance Abuse



# Impacts of ACEs



0 ACEs



1 ACEs



2 ACEs



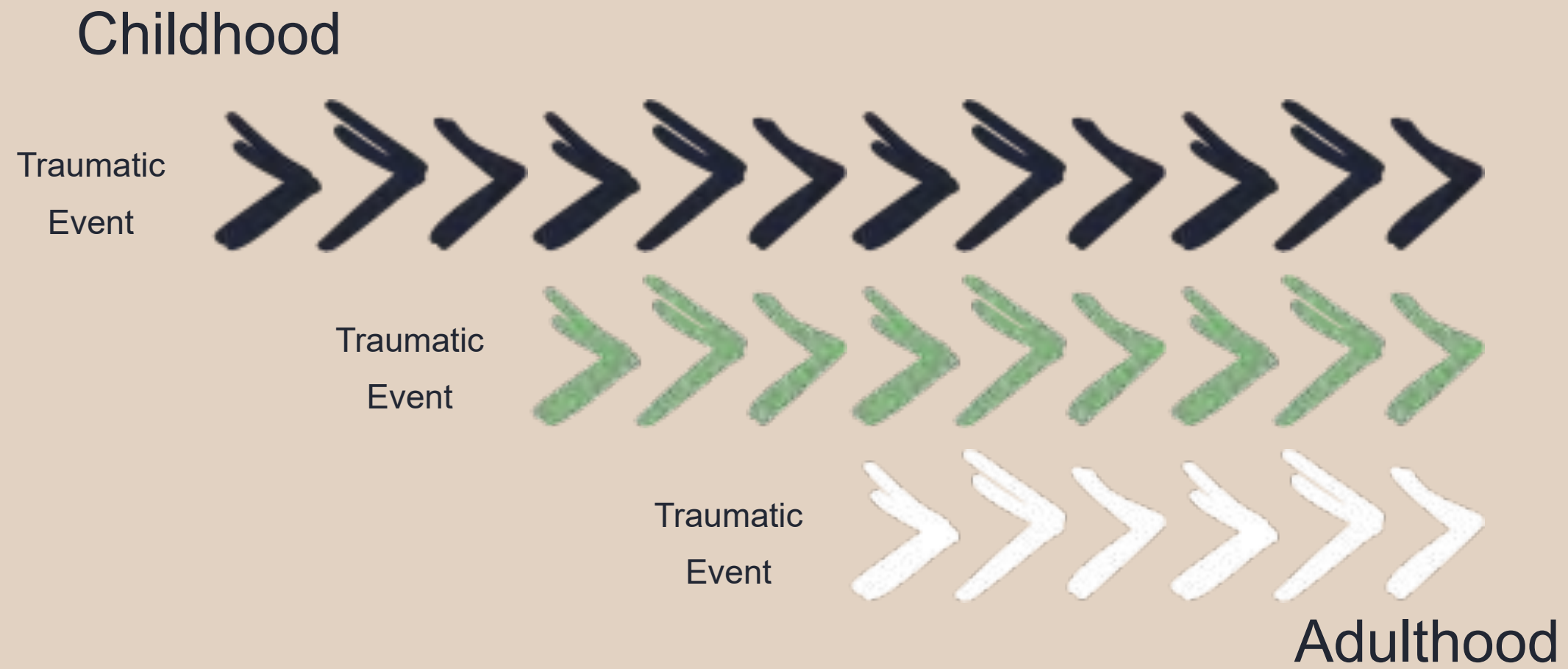
3 ACEs



4+ ACEs

Risk of Negative Health Consequences

# Polyvictimization and Human Trafficking



# Why They Stay: The Dynamics of Trafficking

To attempt to understand why trafficking victims might stay you need to understand how the trafficker creates a climate of fear, and because of that a trafficked person may remain in a trafficking situation for a number of reasons including:

- Fear
- Debt Bondage
- Religious Belief
- Shame and Guilt
- Dependency and Isolation
- Grooming

# Case Study: Elijah Muhammad



- Can you identify some vulnerabilities of Elijah's?
- How did those vulnerabilities contribute to his victimization?

# References

- <https://ovc.ojp.gov/program/human-trafficking/faces-of-human-trafficking>
- <https://safesupportivelearning.ed.gov/human-trafficking-americas-schools/vulnerable-populations>
- <https://www2.gov.bc.ca/gov/content/justice/criminal-justice/victims-of-crime/human-trafficking/human-trafficking-training/module-1/take-advantage>
- <https://polarisproject.org/blog/2021/02/love-and-trafficking-how-traffickers-groom-control-their-victims/>
- <https://www.cdc.gov/violenceprevention/aces/about.html>
- <https://www.ajpmonline.org/action/showPdf?pii=S0749-3797%2898%2900017-8>
- <https://www.ovcttac.gov/taskforceguide/eguide/4-supporting-victims/44-comprehensive-victim-services/mental-health-needs/>
- <https://www.youtube.com/watch?v=fovsme5Ljt4>

# Presenters Guide

## Module 2

This training is geared towards law enforcement and service providers. The presenter will use the presentation and notes to guide conversation around understanding the victimization and vulnerabilities of human trafficking survivors. The goal of this training is to build understanding from not only listening to the presentation but also the conversations that follow

**Slide Two:** We have three categories of trainings. The first one is titled What You Need to Know, the goal of it is to understand the definition, case studies and laws associated with labor trafficking and sex trafficking. The What You Need to Know section has three modules to it. The second module which is what we will be going through now will dive into the victimization and vulnerabilities of human trafficking survivors.

**Slide Three:** DOJ Disclaimer

**Slide Four:** Goal and Objectives slide

**Slide Five:** **Video is hyperlinked, press the titled where it says It can happen to anybody no matter age, race, or gender and the video will play.**

**Slide Six:** Although this list is not exhaustive, these are some populations that are vulnerable to trafficking. “the presenter will discuss some of the vulnerabilities of these populations as well as ask the audience what vulnerabilities they see in these populations.

**Slide Seven:** All of the factors that we have already discussed that

make a person vulnerable to human trafficking work to create despair, and desperate people are vulnerable people.

**Slide Eight:** There are many vulnerable populations and trends in human trafficking, but remember that traffickers are equal opportunists. While some populations are particularly vulnerable, it is important to not let stereotypes preclude your judgment.

**Slide Nine:** In the mid-90s, the Centers for Disease Control and Prevention (CDC) and Kaiser Permanente surveyed 17,000 participants on childhood maltreatment, family dysfunction, and current health status and behaviors for a study on Adverse Childhood Experiences (ACE).

The ACE Pyramid represents the conceptual framework for the ACE Study, noting how strongly related ACEs are to the development of risk factors for disease and other negative health outcomes, such as human trafficking.

**Slide Ten:** ACEs are categorized by three categories: abuse, neglect, and household dysfunction.

Abuse can be physical, emotional, or sexual

Neglect can be physical or emotional

House dysfunction can include mental illness, incarcerated relative, mother treated violently, substance use, or divorce

**Slide Eleven:** According to a study done by the American Journal of Preventive Medicine, "The ACE study found that adverse childhood experiences are vastly more common than recognized or acknowledged. 64% of the respondents in the original study had at least one ACE. The study also found that ACEs have a powerful relationship to adult health. As the number of ACEs a person has experienced increases, so does their risk for negative health outcomes. In fact, childhood trauma has staggering health, social, and economic impacts, and many trafficking victims may have already experienced adverse childhood experiences which compound the

abuse, neglect and trauma experienced while being trafficked. This may also contribute to the 'normalizing' of trafficking among U.S. trafficked youth. "

([http://www.ajpmonline.org/article/S0749-3797\(98\)00017-8/abstract](http://www.ajpmonline.org/article/S0749-3797(98)00017-8/abstract))

**Slide Twelve:** We mention ACE score for many reasons one of those is because of polyvictimization.

Polyvictimization is not unusual in human trafficking. It is very rare that a person at risk of trafficking or those that have been trafficked experience their first victimization when exploited as victims of trafficking

"Polyvictimization, also known as complex trauma, describes the experience of multiple victimizations of different types, such as sexual abuse, physical abuse, bullying, exposure to family violence, and more. This definition emphasizes different kinds of victimization, rather than just multiple episodes of the same kind of victimization, because it signals a generalized vulnerability. Research shows that the impact of polyvictimization is much more powerful than even multiple events of a single type of victimization."

- National Children's Advocacy Center

And it is important to keep in mind that the issues they present when you work with them may be related to trauma they experienced prior to being trafficked.

**Slide Thirteen:** Fear

Some traffickers will confine or imprison trafficked persons to control them, but traffickers use other methods such as threats of violence or sexual assault. Someone in fear for themselves or their loved ones will most likely do what they're told. If they do try to leave, the trafficker may then use actual violence to maintain control.

Debt Bondage



Trafficked persons fear that if they fail to repay their debt, they or their families, will face violent consequences from the traffickers. Threats of harm, deportation, and arrest for failing to repay the debt are also used by traffickers.

### Shame and Guilt

A person who has been trafficked may have been sexually assaulted by the trafficker or others, may be pregnant or addicted, or have acquired a sexually transmitted infection. They may feel too ashamed and guilty to tell the authorities, or to return to friends and family. For males who have been exploited, there's often shame due to the fact that it isn't commonly recognized that they can also be trafficked.

### Dependency and Isolation

A person alone no family, no friends in an unfamiliar place where they might not know the language, local laws, or customs may end up believing that the trafficker is their only support.

The trafficker may forbid them from talking to or even making eye contact with others, or keep them moving from place to place so they never get to know anyone else. The trafficker may also hold passports and other identity documents as security, or even get them hooked on drugs or alcohol for complete control.

A child who has been trafficked is particularly easy to keep dependent and "invisible" through extreme isolation or within a ring where many people possibly family and community members are involved in the exploitation.

### Religious Belief

A trafficker may be able to use religious beliefs to control a trafficked person. Some cultures believe that if someone else has a sample of their hair or a nail clipping or piece of skin that person can also control their bodies.

Grooming: Traffickers are experts at finding those moments when people are vulnerable, of working the angles, of manipulating reality and leveraging fears. The process is called grooming. It is methodical, intentional and it works. The purpose of the grooming process is for a

trafficker to be able to gain full control over their victim and manipulate them into cooperating in their own exploitation.

**Slide Fourteen:** Video is hyperlinked, press the title where it says Case Study: Elijah Muhammad and the video will play.

**Slide Fifteen:** Reference Page



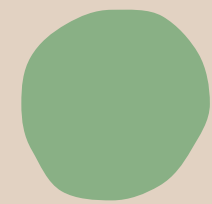
## Series: What You Need To Know

# Module 3: First Encounters with Victims and Trauma Informed Responses

# DOJ Disclaimer

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# Learning Objectives



Objective 1 Illustrate best practices for first encounters.



Objective 2 Demonstrate how to use screening tools effectively.



Objective 3 Reflect on your organization's trauma-informed practices.

# First Encounters

If you think your client is a victim of human trafficking

Promote Empowerment



Ensure Safety



Be Transparent



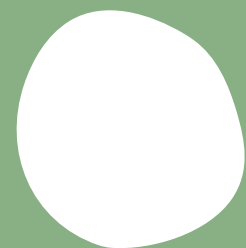
# Building Trust



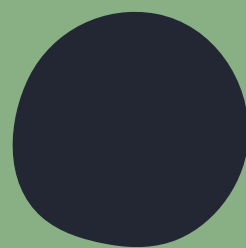
Be patient.



Do not mention to the person that they may have been trafficked.



Maintain confidentiality when possible.



Don't make assumptions.

# New Mexico Mandatory Reporting Law

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Every person who knows or has reasonable suspicion that a child is being abused or neglected in New Mexico must report the matter immediately to CYFD's Statewide Central Intake child abuse hotline (1-855-333-7233), or to law enforcement or the appropriate tribal identity. Specific professionals mentioned under the law as mandated reporters are: licensed physicians, residents or interns, law enforcement officers, judges presiding during a proceeding, nurses, schoolteachers, school officials, social workers, and members of the clergy who have information not privileged as a matter of law.



# Creating a Child Friendly Safe Space



# Check In



- Has your organization encountered a HT survivor?
- What policies or procedures do you have in place that can help you with first encounters?

# Screening: what is it and why do we do it?

---

*What?*

What is screening? Screening is the first step in identifying potential trafficking survivors.

*Why?*

Why do we screen? We screen in order to ensure vulnerable clients and clients who are trafficked are identified and appropriate and effective services are provided.

# Your Role in Screening for Trafficking



# Survivor-Centered Screening Techniques

---



Screen for trafficking in a safe, private, and welcoming environment



Explain the purpose of questions



Maintain transparency throughout the conversation



Inform youth of any limits to confidentiality early in the conversation

# Screening Tool Example (QYIT)

<p>It is not uncommon for young people to stay in work situations that are risky or even dangerous, simply because they have no other options.</p> <p><b>Have you ever worked, or done other things, in a place that made you feel scared or unsafe?</b></p>	<p>Yes</p> <p>No</p> <p>Skip</p>
<p>Sometimes people are prevented from leaving an unfair or unsafe work situation by their employers.</p> <p><b>Have you ever been afraid to leave or quit a work situation due to fears of violence or threats of harm to yourself or your family?</b></p>	<p>Yes</p> <p>No</p> <p>Skip</p>
<p>Sometimes young people who are homeless or who have difficulties with their families have very few options to survive or fulfill their basic needs, such as food and shelter. <b><i>Have you ever received anything in exchange for sex (e.g. a place to stay, gifts, or food)?</i></b></p>	<p>Yes</p> <p>No</p> <p>Skip</p>
<p>Sometimes employers don't want people to know about the kind of work they have young employees doing. To protect themselves, they ask their employees to lie about the kind of work they are involved in.</p> <p><b>Have you ever worked for someone who asked you to lie while speaking to others about the work you do?</b></p>	<p>Yes</p> <p>No</p> <p>Skip</p>

# Assess Your Organization's Trauma-Informed Response



# SAMHSA's Four R's

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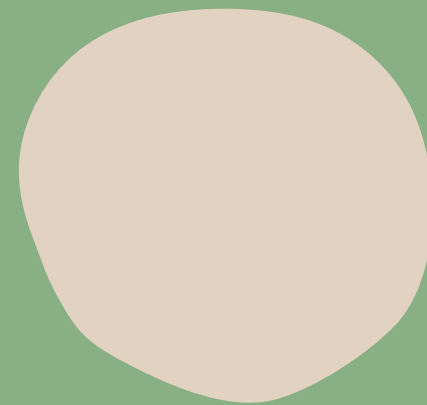
**Realize**



**Respond**



**Recognize**



**Resist**

**Retraumatization**



# References:

- [https://nhttac.acf.hhs.gov/soar/eguide/respond/Trauma\\_Informed\\_Care](https://nhttac.acf.hhs.gov/soar/eguide/respond/Trauma_Informed_Care)
- <https://www2.gov.bc.ca/gov/content/justice/criminal-justice/victims-of-crime/human-trafficking/human-trafficking-training/module-3/build-trusting-relationship>
- <https://www.cyfd.nm.gov/protective-services/child-abuse-and-neglect/report-abuse-neglect/>
- <https://www.state.gov/child-friendly-spaces-for-survivors-of-human-trafficking/>
- <https://www.nctsn.org/what-child-trauma-trauma-types-sex-trafficking/screening-identification-and-assessment>
- <https://docs.google.com/document/d/16e7dSUaieH1I1F5tIB7XuyJ0ucfrE5kiMpmeRJE6ShY/edit>
- [https://ncsacw.acf.hhs.gov/userfiles/files/SAMHSA\\_Trauma.pdf](https://ncsacw.acf.hhs.gov/userfiles/files/SAMHSA_Trauma.pdf)

# Presenters Guide

## Module 3

This training is geared towards law enforcement and service providers. The presenter will use the presentation and notes to guide conversation around understanding the victimization and vulnerabilities of human trafficking survivors. The goal of this training is to build understanding from not only listening to the presentation but also the conversations that follow.

Text that is *Italicized* is directly from the slide itself.

Text that is **Highlighted** is tips for the presenter.

**Slide One(Title Slide):** We have three categories of training. The first one is titled What You Need to Know, the goal of it is to have participants learn the definitions, laws, and resources associated with labor trafficking, sex trafficking, and domestic minor sex trafficking. Participants will understand behaviors associated with victimization of youth and adults and acquire knowledge to better understand survivor experience. Participants will understand the specialized needs of unique populations in New Mexico such as indigenous populations, LGBTQ+, individuals with disabilities, and migrant populations. Participants will learn how/when to screen and understand trauma informed responses. The What You Need to Know section has three modules to it. The third and final module which is what we will be going through now is titled *First Encounters with Victims and Trauma Informed Responses*.

**Slide Two (DOJ Disclaimer slide):** *This Training was created with the support of grant #2020-NZ-NX-0001, awarded by the Office for Victims of Crime, Office of Justice Programs, U.S. Department of Justice. The opinions, findings, and conclusions or recommendations expressed in this content are those of the contributors and do not necessarily represent the official position or policies of the U.S. Department of Justice.*

**Slide Three (Learning Objective Slide):** Review Learning Objectives:

*Objective 1 Illustrate best practices for first encounters.*

*Objective 2 Demonstrate how to use screening tools effectively.*

*Objective 3 Reflect on your organization's trauma-informed practices.*

**Slide Four (First Encounters Slide):** First encounters are important. Here are some tips if you think your client could be a victim of human trafficking. First, you want to promote empowerment, you want to make the survivor feel like they are in the driver seat. Some ways to do this is by allowing the client to share their experiences and ask questions only as needed. Be clear in explaining your role and the options the client has. Respect the decisions clients make, even if you disagree. It is important to remember this client might not be ready to leave the situation. Your job is to be someone that they can trust and know they can come to when they are ready.

The second thing you want to do is ensure safety as best you can. You can do this by providing a welcoming environment. No one wants to walk into a cold dark office and wait around forever. You want to

make people feel comfortable and make sure they feel welcome. One way you can do this is by offering water or a snack while they wait. You want to be sensitive to potential triggers that might remind a client of past trauma. This is easier said than done. Try to be conscious of posters or signage, things that could potentially trigger a survivor. You will not always know what will be triggering but it is important to be sensitive to the possibility. Another way you can ensure safety is make sure you do not pressure the client to answer questions if they hesitate. You want to again make sure your client is comfortable and feels they are in control.

Lastly, you want to be as transparent as possible with your client. Be sure to maintain appropriate professional boundaries. This is important because a lot of these survivors will not know what are appropriate boundaries and it is our job to model them. Make sure to clarify your role, help them to understand what you can do to help them. Always obtain informed consent. Make sure the client knows what services are available and what those services entail. You want to be consistent. It takes time to build trust.

**Slide Five (Building Trust Slide):** Building trust is not easy especially when you are working with people that trust has been broken at extreme levels. Just because you are there to help them does not mean they are going to trust you right away.

Be patient, go slowly and allow time for the person to express themselves in their own way at their own pace. Like mentioned previously it takes time to build trust, you do not want to rush this process. Make sure the client knows they are in the driver seat and they can share as much or as little as they are comfortable with.

When trying to build trust it is important to not mention to the person

that they may have been trafficked. In many cases, the client may not see themselves as a victim or trafficked person. They may see their trafficker as a partner, employer, trusted friend or family member. Respect their own assessment of their situation. This is the time we are building the groundwork of trust we need to allow them to come to that conclusion when they are ready.

Maintain confidentiality when possible. If the person knows their information will not go anywhere else, they may be more likely to speak freely. Assure them that you will not contact the police, immigration officials or anyone else without their consent. Unless the person is an immediate threat to themselves or others, or is a minor, in which case you should follow your agency's duty-to-report protocols or call the police. This is a tricky one, you always want to maintain confidentiality when possible, but you also need to be transparent that there are some cases that would entail mandatory reporting. We will discuss this more a little later.

Don't make assumptions. If you don't understand what they are saying, ask for clarification and give time for explanations. This is a big one, communicating your story is not easy, it is important as the one listening to it that you don't assume anything and always ask for clarification if you do not understand something.

**Slide Six (Mandatory Reporting in NM Slide):** *Every person who knows or has reasonable suspicion that a child is being abused or neglected in New Mexico must report the matter immediately to CYFD's Statewide Central Intake child abuse hotline (1-855-333-SAFE [7233] or #SAFE from a cell phone), or to law enforcement or the appropriate tribal identity. Specific professionals mentioned under the law as mandated reporters are: licensed physicians, residents or interns, law enforcement officers, judges*

*presiding during a proceeding, nurses, schoolteachers, school officials, social workers, and members of the clergy who have information not privileged as a matter of law.*

It is also important to consult with workplace policy on what you are mandated to do. Some workplaces not listed above still require their employees to report abuse.

**Slide Seven (Child Friendly Safe Space Slide):** It is important to tailor your “safe space” to the age group you are working with. When working with children you want to make sure your child-friendly spaces provide a calm and reassuring physical environment.

This is accomplished by providing age-appropriate furniture and decorations, painting the walls in calming colors, and displaying children’s artwork or murals. Toys, art supplies, and age-appropriate books are also provided. A comforting environment and informal play can assist survivors in expressing their feelings of fear and distress while also supporting their resiliency.

Second, ensuring that a child feels safe is the most important part, which means that the physical space must be easily accessible, ideally through its own entrance and exit, and separates the survivor from the perpetrator to prevent further trauma. A safe space affords children privacy so they can talk about their experiences more freely. Staff and relevant stakeholders should be able to observe the child from a separate room, where appropriate. This is really well displayed in the different child advocacy centers across the state. If you ever have any questions about what that looks like, reach out to your local CAC for support.

Third, a multidisciplinary child-friendly space provides survivors with an array of comprehensive services and referral networks in one place. In addition to addressing immediate needs by providing food, water, and sanitary facilities, a child-friendly space should address longer-term needs through the provision of medical screening and services, psychosocial counseling, referrals, and information about legal proceedings. Receiving various services in one place and during the same timeframe shields the survivor from having to repeat the story of what happened to them multiple times. We also know that this isn't always feasible, that is when having a close relationship with the other service providers and law enforcement in the area comes into play. Collaboration is key in these situations.

Finally, all services provided in the space should be trauma-informed (meaning we understand the clients we work with have experienced trauma and are sensitive to the fact that they may need more or different care), age-appropriate, and culturally and linguistically sensitive (not everyone we work with will be from the same culture or speak the same language as us it is important to be aware of that and have a plan in place if that were to happen). This means that service providers can recognize signs of trauma in individuals and respond by integrating knowledge about trauma into policies, procedures, practices, and settings. This approach considers the vulnerabilities and experiences of trauma survivors and places priority on restoring a survivor's feelings of safety, choice, and control.

**Slide Eight (Check In Slide):** *Has your organization encountered a HT survivor? What policies or procedures do you have in place that can help you with first encounters?*

**Slide Nine (Screening What/Why Slide):** Screening, what is screening and why do we do it? Screening is a tool that service providers and law enforcement can utilize in order to identify potential human trafficking survivors. We want to screen because it allows us to then be able to get those survivors the services they need. Do any of your organizations do screening? What does that look like at your organization?

**Slide Ten (Your role in screening slide):** When you are screening, always remember to use a trauma-informed approach when interacting with youth and their caregivers. Do this by working to create comfort before asking screening questions. This is not something you are going to do on the first encounter, this goes back to building trust. You will want to minimize questions regarding specific details of traumatic events. In the next couple of slides we will go over an example of a screening tool you can use that will help guide you through this process. When screening you do not need to know specifics about the trafficking you are just trying to find out if it has occurred. You will want to maintain an open, respectful, nonjudgmental demeanor with active listening. 55% of communication is nonverbal, it is important to be aware of body language. Make sure to offer choices when possible and respect the client's right to refuse to answer questions. Screening is voluntary and you should never make a client answer anything they are not comfortable with, again this goes back to trust. You do not want to do something that will jeopardize the trust you are working hard to build. It is also important to know that screening can be traumatic for the clients so it is important to familiarize yourself with trauma responses and how to handle them. There are a lot of great trainings out there on this topic, if you would like more information on this please reach out at the end.



**Slide Eleven (Screening Techniques Slide):** Some survivor-centered screening techniques include screening for trafficking in a safe, private, and welcoming environment. This is where the safe spaces come in handy. Screening should always take place in private; you want to make sure that the client feels comfortable. You will want to explain the purpose of the questions. EX: “ I am going to ask you some questions to make sure we are getting you the best services to help with your needs.” You want to maintain transparency throughout the conversation, I know I sound like a broken record here but this goes back to building that trust you want to be as transparent with the client as possible. On that same note you want to inform youth of any limits to confidentiality early in the conversation. IE. Mandatory reporting, treatment team discussion, ect. Further, it is important to use terms that are readily understandable to youth and relevant to their daily lives. The success of any screening tool in identifying youth at high-risk may be significantly influenced by the specific wording of the questions, the environment in which the screening process occurs, and the relationship between the client and the provider.

**Slide Twelve (QYIT Screening tool Slide):** **The hyperlink for the video is in the title of the slide. Click where it says Screening Tool Example (QYIT) and it will take you to the video to play.**

First we are going to watch this quick video made by Covenant House who are the ones who created the QYIT screening tool which we will review in a minute.

Has anyone ever used the QYIT screening tool? How do you like it?

This is just one screening tool there are a lot of them out there and if you would like help finding more please talk with me after.

As you can see this is a very simple screening tool. There are only four questions and they are all yes or no. These questions do not require your client to indulge any details they do not want to. The good thing about this is that you don't have to read off the sheet. They are easy questions to remember and you can make it more conversational.

Another thing to remember, some of your clients may continue to deny being trafficked even when there is clear evidence of exploitation. It is not uncommon for survivors to continually deny being exploited and then later disclose, after a safe relationship has been established. Again, it is not our job to tell our clients they are trafficking victims, it's our job to provide services to help them and be a safe person they can come to when they are ready.

**Slide Thirteen (Assess Your Organization slide):** Let's take some time and think about your organizations. Does your organization ensure individuals feel respected when they seek services from you or your program? How?  
Do you create a warm, hospitable, inviting environment? Is the environment free of anything that may create stress or discomfort? How?

Do you ensure individuals feel physically and emotionally safe when talking with staff? How?

What steps does your organization take to ensure individuals' privacy and confidentiality?

How does your organization provide opportunities for peer support, leadership, or mentoring?

Can you identify potential sights or sounds that might trigger reactions from individuals who have experienced trafficking? How can your organization relieve that?

**Slide Fourteen (SAMHSA's Four R's Slide):** **The hyperlink for the video is in the title of the slide. Click where it says SAMHSA's Four R's and it will take you to the video to play.** I would like to end this training by playing one last video that talks about SAMHSA's 4 r's of trauma informed care.

Thoughts on the video?

**Slide Fifteen (Reference Slide):** Alright, we have made it to the end of module three. Are there any questions I can answer for anyone?



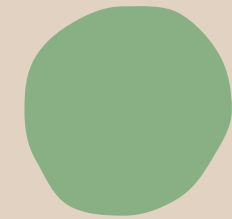
**Series: Do It Well**

# **Module 4: Referrals and Services for Survivors of Human Trafficking Victims**

# DOJ Disclaimer

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# Learning Objectives



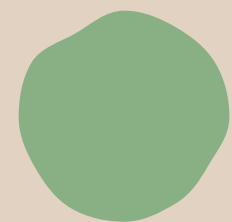
Objective 1 Summarize best practices for referral processes.



Objective 2 Examine effective collaboration techniques.

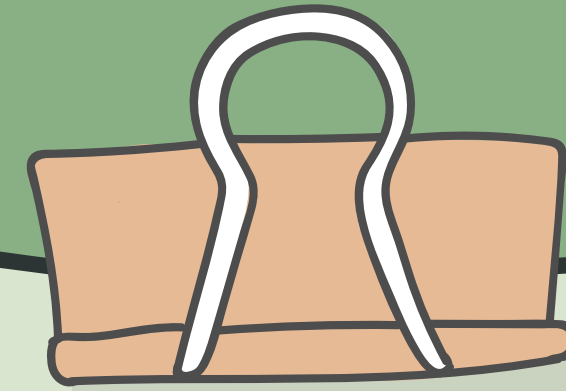


Objective 3 Illustrate the array of services HT survivors might need.



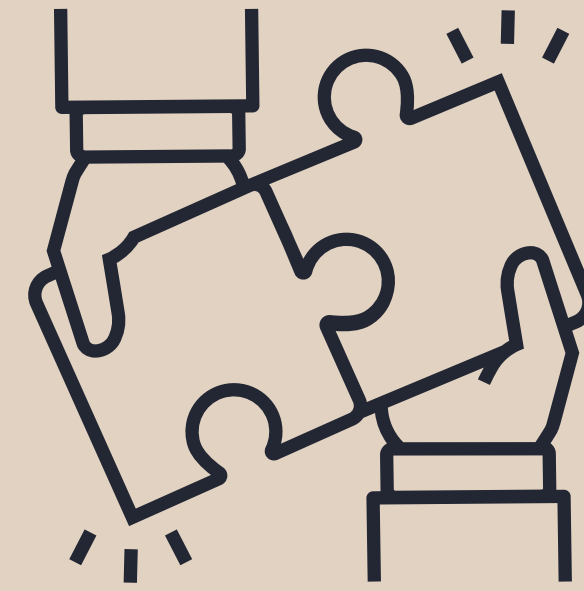
Objective 4 Discuss warm-hand offs.

# What Services Might a Trafficking Survivors Need?



- Case management.
- Child-specific (dependent) assistance.
- Clothing.
- Crisis intervention.
- Cultural and community support.
- Dental care (emergency and long-term).
- Education and GED classes.
- English as a Second Language classes.
- Financial literacy and education.
- Family contact or reunification.
- Food.
- Housing (emergency, transitional, permanent).
- Identification documents.
- Job preparation and placement.
- Legal representation (immigration, criminal, civil).
- Medical care (emergency and long-term).
- Mental health care (emergency and long-term).
- Public benefits assistance.
- Religious and spiritual assistance.
- Repatriation assistance.
- Safety planning.
- Sexual assault trauma services.
- Substance abuse services.
- Translation and interpretation.
- Transportation.
- Victim advocacy.

# Why Collaborate?



The best way you can support trafficking survivors in accessing the services they need is to build relationships with organizations and allies in key systems that encounter or help crime victims.



# Referral Process: Best Practices

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## Organizational Practices

Process

Collaboration

Policies

Training

# Referral Process: Best Practices

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Rapport

Confidentiality

Cultural awareness

Transparency

## Individual Practices

# Referral Process: Best Practices

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**Barriers**

**Empower**

**Discretion**

**Individual Practices**

# Building Effective Collaborations

## Who Should Be Included in Your Partnership?

- Local, state, tribal (if applicable), and federal law enforcement.
- Child welfare systems.
- Juvenile justice systems.
- Child advocacy centers.
- Rape crisis centers/ Sexual assault services
- Domestic violence shelters and service providers.
- Civil legal service providers.
- Immigrant-serving agencies.
- Youth service providers/ mentoring programs.
- Court related advocates
- Public defenders.
- Human trafficking service programs.
- Hospitals and urgent care clinics.
- Schools, especially school resource officers and counselors.
- Student groups.
- Service organizations (such as Rotary Club, Kiwanis, Chamber of Commerce).
- Faith-based organizations (such as churches, mosques, temples, synagogues).
- Business leaders.

# Building Effective Collaborations

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## Why Is Collaboration Important?

No one agency will be able to respond to all the needs to all the human trafficking survivors in our state. When we are able to remove ourselves from working in a silo we have a better ability to holistically serve this population.

We all want to make a greater impact on this problem. We can do that through effective multidisciplinary teams. Partnerships are the greatest strength in fighting crime and supporting victims.

# Warm Handoffs:



A warm (handoff) referral is defined as a connection that is made with the permission of the survivor, to an external service provider who is able to fill a need that has been identified by the survivor.

# In Summation...

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- Services for human trafficking victims is varied and wide reaching.
- We need to embrace a trauma informed lens when interacting with this population.
- We need to be transparent in our role and what we can provide to our clients.
- We need to be proactive when it comes to collaboration and referrals.
- We need to communicate frequently with our partners in order to best support the survivors in our communities.

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# Presenter's Guide

## Module 4

This training is directed towards law enforcement and service providers who may interact with young people who have experienced trafficking. The presenter will use the presentation and notes as tools to present information about the referrals and services for survivors of human trafficking victims. The goal of this training is to increase the knowledge needed to create capacity to assist young human trafficking victims. Strategies utilized within this training are listening and viewing the presentation, questions and answers generated throughout the training, conversations and reflections regarding salient points within the training.

Text that is *Italicized* is directly from the slide itself.

Text that is **Highlighted** is tips for the presenter.

**Slide One (Titled Slide):** The NMOAG has created three categories of training modules to help law enforcement and service providers develop skills and practices needed when working with young people who have experienced trafficking. We have worked through the first series of these trainings that are focused on “What You Need to Know”, essentially the basics of human trafficking. We will now start on the second series that is titled “Do It Well”, which has 2 training modules. We’ve created this series to help everyone understand some of the most important best practices when working with a human trafficking victim. Today’s training is the first of this series and has a goal to help participants understand best practices for referral processes, examine effective collaboration techniques, illustrate the

array of services a HT survivors might need, discuss warm-hand-offs, and positive exit practices. The second training for this series is to help participants be able to recognize the importance of collaboration between law enforcement and service providers within human trafficking cases, as well as, understand the main focus and different goals between law enforcement and service providers when working with human trafficking survivors. It also has information related to demonstrating how a multidisciplinary approach may look.-Let's get started with the first in this series and it is titled Referrals and Services for Survivors of Human Trafficking Victims.

**Slide Two(DOJ Disclaimer Slide):** *This Training was created with the support of grant #2020-NZ-NX-0001, awarded by the Office for Victims of Crime, Office of Justice Programs, U.S. Department of Justice. The opinions, findings, and conclusions or recommendations expressed in this content are those of the contributors and do not necessarily represent the official position or policies of the U.S. Department of Justice.*

**Slide Three (Learning Objective Slide):** Review Learning Objectives

*Objective 1 Summarize best practices for referral processes.*

*Objective 2 Examine effective collaboration techniques.*

*Objective 3 Illustrate the array of services HT survivors might need.*

*Objective 4 Discuss warm-hand offs*

**Slide Four (Services Trafficking Survivors Might Need Slide):**

Let's start by talking about what kind of services a trafficking survivor might need to utilize. These services are wide ranging depending on the survivors age, type of victimization (labor or sex trafficking victims, or both are likely to need different types of services), the level of trauma the survivor has experienced and is currently in, the survivors

immigration status, or health. What does the survivors' family structure, education level, or skill level look like? Is there a criminal history? What are their plans for the future?

As you can see this is a long list and there are so many services that a survivor might want or need to utilize. Let's take a minute here and see what types of services you think would be good to have on this list. Anybody have an idea? (Encourage people to brainstorm, if you see them on the slide list, point it out) Generally, organizations that are likely to work with this population might include law enforcement, prosecutors, and service providers. They all need to build strong partnerships to ensure that the needs of all victims can be met. Considering the long list on this slide, I am sure that not one organization can provide all of those services. That is why collaboration is so important.

**Slide Five (Why Collaborate Slide):** So why should you collaborate? Collaboration allows for trafficking survivors to get the services they need to heal and grow and learn. As we discussed on the last slide, trafficking survivors may need an array of services and when we collaborate we are able to support them in obtaining the services they need. But there is more to collaboration than just that. Yes, victims/survivors benefit from a wider range of support and gain access to more resources. When we collaborate oftentimes we are sharing responsibility and pooling knowledge which allows our diverse organizations to better navigate barriers that human trafficking victims could encounter. Oftentimes, collaborative partners have different strengths, experiences, and expertise, which then adds to the greater knowledge bank that benefits the trafficking victim. (Ask the group) When you think of collaboration, what would you see as additional benefits?

**Slide Six (Referral Process: Best Practices Slide):** In the next couple of slides we are going to be talking about some best practices for the referral process. Let's start at the organizational level. When we consider the organizational level we are looking at policies and procedures, and training that can provide the foundation for staff to respond to the needs of young people.

Your organization is likely to need processes in place for identifying trauma-informed agencies that you can make referrals to. As you start creating that list, always be sure to update it regularly. This is important because your organization cannot provide every service for every survivor. You are going to have to use referrals, however when referring clients, especially young clients, you want to make sure you are referring them to an agency that is trauma informed or at minimum aware of the unique needs of human trafficking survivors.

On the same note, these referrals that you are developing are an important starting point to begin working collaboratively with other service providers in your field and area. This will allow you to identify gaps and inconsistencies in order to better serve these survivors.

Your organization should have policies in place that value the survivor's privacy. As well as avoid re-traumatization during the referral process as much as possible by being conscious of the information that is necessary, by not asking for more than what is needed. In addition to this, taking a look at internal practices that could compromise that privacy. (Ask audience) What do you all do? Or what have you seen that you think would be good practice for this?

And lastly your organization should access training about the signs and symptoms of trauma, strategies for working with victims of trauma, and training about vicarious trauma for service providers. We

will have a training in the next series that addresses vicarious trauma, but your organization will benefit from consistent training on vicarious trauma and also have policies in place to address it when it arises.

To sum up, it is important to remember that human trafficking survivors have experienced immense and often continued trauma. So when you are making referrals you will need to be sure they are working with other providers that are trauma informed so that person gets the best possible resource possible.

**Slide Seven (*Referral Processes: Best Practices Slide*):** Now that we've discussed some best practices at the organization level let's pivot and talk about these at the individual level.

Our first recommendation when you are working one on one with a client is building *RAPPORT*. Survivors are likely going to feel distrustful about working with law enforcement and service providers. We should expect this type of response and realize That it is our job to start helping them build trust. One of the important steps to get to trust is to begin with developing rapport. Listening to the person talk about their needs instead of assuming their needs is a great way to develop rapport. The survivor knows what they need better than we do, and when we actually listen to them, we are respecting their autonomy as a person and their voice and choice in what they need or want. They are a person, they have value and they should be able to use their voice. Their wants and needs matter. (To the audience) What are some other ways you've effectively developed rapport with someone? Any tips from the audience?

The next best practice is *Confidentiality*. Play this video ([https://www.youtube.com/watch?v=hSO-nudEbcg&list=PLaS4Etq3lFrWgggcKstcBwNiP\\_j8ZoBYK&t=93s](https://www.youtube.com/watch?v=hSO-nudEbcg&list=PLaS4Etq3lFrWgggcKstcBwNiP_j8ZoBYK&t=93s)) about the limitations of confidentiality. This is a tricky one. We want to ensure the survivor

has given consent before referring them to another agency and definitely before sending information to that other provider. Just because we think they would benefit from that referral we need to make sure that they have given consent first.

*Cultural Awareness* is also important. Here is the definition of Cultural Awareness from the National Association of Social Workers (NASW) Code of Ethics: Cultural awareness refers to being mindful or conscious of similarities and differences between people from different groups. Cultural awareness includes being aware of issues related to power, privilege, and oppression.

**(To the audience)** Considering this definition, What could be a part of a survivor's cultural background? Some examples of this could be nationality, gender identity, gang identity, etc... This is very important in making appropriate referrals, as well as providing culturally competent services within your agency. It is important to be aware of available options in order to be able to provide access to specialized services that may be available for different cultural groups or identities. The big one that you might see in New Mexico are those from indigenous communities, oftentimes we find that those clients prefer traditional healing options.

You will also want to be transparent and honest. It is important for you to know the reason behind the questions you are asking in the referral/intake process. This is vital so that you can be able to explain to a survivor why that information is important. You don't want to ask questions for the sake of asking questions, you want to make sure you are able to explain the importance of the questions in order to make sure the survivor is comfortable and understand why you have to ask what you are asking.

**Slide Eight (*Referral Process: Best Practices Slide*):**

Let's talk about *BARRIERS*. One of the most challenging things in working with young victims of trafficking is understanding there are many barriers and/or shortages to resources. When working with victims, you want to make sure you are aware of and able to explain the barriers to services that exist. This is oftentimes going to be a very important conversation as New Mexico is still trying to develop resources for young trafficking victims. Actively "brainstorming" with the survivor to try and come up with a solution if possible to mitigate or address those barriers helps them understand the situation. Be sure to not make promises that cannot be kept.

As a provider you should seek to EMPOWER the survivor rather than make decisions for them. Whenever possible, you want to give them VOICE (the opportunity to speak their preferences) and CHOICE (the ability for the young person to choose their next action) The survivor should be in the driver's seat as much as is possible, and be allowed to make decisions in their life as is allowable. As we all know, working with minors is going to mean that there is not always a way for that person to have a wide variety of options for resources and care, but as much as possible frame questions with options.

And lastly, we need to talk about *DISCRETION*. You need to be discreet when providing referral information, as it could pose a danger if found by a trafficker. Some of the people you are trying to help could still be in the trafficking situation. In these cases discretion is vital. (To the audience) What are ways that information could be relayed in a discreet manner? Some things that might be helpful are to have contact information for referral services written on a small card that a survivor may take with them after the interview and keep hidden for future reference.

**Slide Nine (*Building Effective Collaboration Slide*):** Now let's talk about collaboration and who should be included and what that can look like. As I am sure all of you know, human trafficking is a complex issue and addressing it requires the ability to not only identify and serve victims, but oftentimes it requires law enforcement to investigate, arrest and prosecute the traffickers. Considering this complexity, it is necessary to collaborate with all types of organizations. That being said, this is why we created the REACH web app! It is important to think through all of the agencies, organizations, businesses, and individuals who might be able to contribute something to your effort. It is also important to mention that there isn't a one size fits all approach to collaboration. A few key points as you build local collaboration is to 1) Develop a key person that you can talk to at the organization 2) Be mindful of what that org does and doesn't do 3) Communicate regularly with them 4) Be responsive when they reach out to you. As you work on relationship building, make sure you foster connections with different organizations in order to better serve the population.

**Slide Ten (*Why is Collaboration Important Slide*):** Working in silos impedes the effectiveness of the work we are trying to do. Because of the opportunistic nature of traffickers the resulting victimization is extreme and encompasses many different types of populations, each with a variety of needs. The best response to human trafficking is one that is coordinated and collaborative. Having known and trusted law enforcement person or agency to call, knowing the agency that can quickly provide basic necessities, and having the phone number of a great doctor or clinic are all examples that come from collaborative relationships. The needs of human trafficking survivors are vast, vacillating from medical care to housing to mental health, and even legal needs. It is important that we use a cooperative approach when caring for victims.



**Slide Eleven (*Warm Hand-Offs Slide*):** Now that we have talked about how vital collaboration is, let's discuss how different agencies can interact. One of the biggest benefit of a collaboration is the ability to have a referral be a “warm handoffs”. *A warm handoff (referral) is defined as a connection that is made with the permission of the survivor, to an external service provider who is able to fill a need that has been identified by the survivor.*

As service providers we have to provide referrals to outside agencies. We don't want to just hand our client a piece of paper and send them on their way. A “warm-handoff” allows us to help the survivor connect with the other provider in a way that helps them to feel safer. Here are some strategies to help with a warm handoff: 1) Speak with the other agency representative on speaker phone with the survivor next to you 2) Go with the young person to the other agency so that you can show them the entrance and stay with them to introduce them to the other agency staff 3) Allow them to ask questions in front of you and the other representative so there is clarity in the situation.

**Slide Twelve (*In Summation Slide*):** We've made it to the end! Let's wrap up by summarizing some key points.

*Services for human trafficking victims is varied and wide reaching, therefore:*

*We need to embrace a trauma informed lens when interacting with this population.*

*We need to be transparent in our role and what we can provide to these survivors.*

*We need to be proactive when it comes to collaboration and referrals. We need to communicate frequently with our partners in order to best support the survivors in our communities.*

Any questions?

**Slide Thirteen (Reference Slide): No Notes**



## Series: Do It Well

# Module 5: Service Provider and Law Enforcement Collaboration

# DOJ Disclaimer

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# Learning Objectives



Objective 1: Recognize the importance of collaboration between law enforcement and service providers within human trafficking cases.



Objective 2: Describe the main focus of law enforcement and service providers when working with human trafficking survivors.



Objective 3: Demonstrate what a multidisciplinary approach can look like.

# The Value of Partnerships

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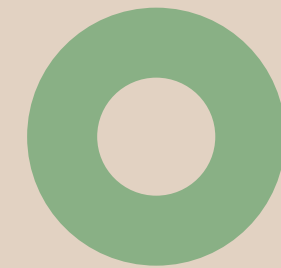
Collaboration among law enforcement is central to any successful human trafficking investigation, but the partnerships formed with victim service providers and other community stakeholders are equally important.

Appendix B-15: New Mexico Training Module Series

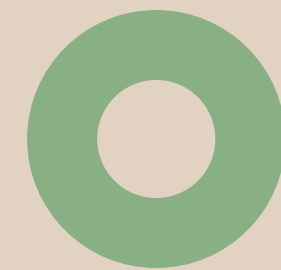
# Office for Victims of Crime: "Human Trafficking, Domestic Violence, and Sexual Assault: Strategies to Strengthen Community Collaboration to Respond to Survivor's Needs"

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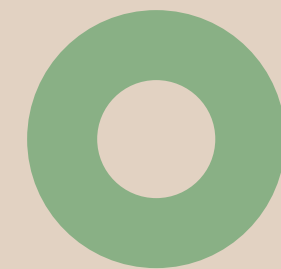
**What Does  
Collaboration Look  
Like: Service  
Providers**



**Focused Missions**



**Limited Resources**



**A Multidisciplinary  
Approach**

Appendix B-4: New Mexico Training Module Series

# Office for Victims of Crime: Human Trafficking, Domestic Violence, and Sexual Assault: Strategies to Strengthen Community Collaboration to Respond to Survivor's Needs

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- Collaboration Movements in Law Enforcement
- Task Groups are Dynamic & Event Based
- Task Teams are Crime Focused
- Task Forces are Mission Based, Multi-Agency

**What Does  
Collaboration Look  
Like: Law Enforcement**



# Law Enforcement

# Service Provider

## Focus

## Focus



Investigations



Suspect Apprehensions



Interrogation



Procedure Facing



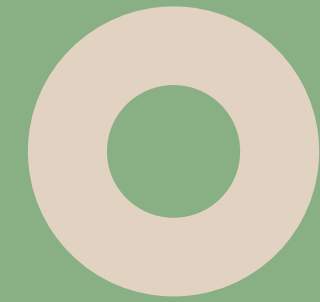
Victim Centered



Trauma Informed Lens



Interview



Process facing

# Example of Successful Collaboration

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# A Multidisciplinary Approach

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# Presenters Guide

## Module 5

This training is directed towards law enforcement and service providers who may interact with young people who have experienced trafficking. The presenter will use the presentation and notes as tools to present information about service providers and law enforcement collaboration. The goal of this training is to increase the knowledge needed to create capacity to assist young human trafficking victims. Strategies utilized within this training are listening and viewing the presentation, questions and answers generated throughout the training, conversations and reflections regarding salient points within the training.

Text that is *Italicized* is directly from the slide itself.

Text that is **Highlighted** is tips for the presenter.

**Slide One (Title Slide):** The NMOAG has created three categories of training modules to help law enforcement and service providers develop skills and practices needed when working with young people who have experienced trafficking. We have worked through the first series of these trainings that are focused on “What You Need to Know”, essentially the basics of human trafficking. We have now started on the second series that is titled “Do It Well”, which has 2 training modules. We’ve created this series to help everyone understand some of the most important best practices when working with a human trafficking victim. Today’s training is the second of this series and has a goal to help participants be able to recognize the importance of collaboration between law enforcement and service providers within human trafficking cases, as well as, understand the

main focuses and different goals between law enforcement and service providers when working with human trafficking survivors. It also has information related to demonstrating how a multidisciplinary approach may look. Let's get started with the last in this series and it is titled Service Provider and Law Enforcement Collaboration.

**Slide Two (DOJ Disclaimer Slide):** *This Training was created with the support of grant #2020-NZ-NX-0001, awarded by the Office for Victims of Crime, Office of Justice Programs, U.S. Department of Justice. The opinions, findings, and conclusions or recommendations expressed in this content are those of the contributors and do not necessarily represent the official position or policies of the U.S. Department of Justice.*

**Slide Three (Learning Objectives Slide):** Review Learning Objectives

*Objective 1: Recognize the importance of collaboration between law enforcement and service providers within human trafficking cases.*

*Objective 2: Describe the main focus of law enforcement and service providers when working with human trafficking survivors.*

*Objective 3: Demonstrate how a multidisciplinary approach can look like.*

**Slide Four (Value of Partnership Slide):** As we discussed in our last module, collaboration is key to serving these survivors effectively. Today we are going to drill down on some of the key aspects of collaboration between law enforcement and service providers.

*Collaboration among law enforcement is central to any successful human trafficking investigation, but the partnerships formed with victim service providers and other community stakeholders are equally important.*

As we consider the human trafficking that is happening in our state we see law enforcement and service provider collaboration happening in a variety of ways that are beneficial, but may have different goals that can still support each other and the victim.

Law enforcement agencies are beginning to understand how vital it is to get victims to service providers, and therefore rely on the partners as victims are identified.

Service providers are in a unique position in the fight against human trafficking as a crime and support law enforcement. Since these are victim-based crimes a service provider that provides services and activities related to victim care and stabilization is very valuable. A victim that has been able to progress in their personal journey is often more prepared to be a part of a court case if that is their choice.

**Slide Five (Service Provider Collaboration Slide):** The first type of collaboration that we are going to look at is the collaboration that happens between service providers. This information comes from a training developed by the Office for Victims of Crime. Key aspects of service provider collaboration are encompassed within the 3 bullet points on the slide: Focused Missions, Limited Resources and A Multidisciplinary Focus. We are going to start with Focused Missions. Often victim services providers are in the nonprofit domain and therefore have a very concise focused mission. **(To the audience)** Can

you all call out some nonprofits that you are aware of and tell me what they do?

Your answers clearly illustrate the need for intra-agency collaboration. If one agency can provide housing, but not mental health services, it is beneficial for the two diverse agencies to help one another.

The next aspect that demonstrates the importance of collaboration is Limited Resources. As we all know in New Mexico, we are constantly working with very limited and sometimes non-existent resources. The best way that we can mitigate that is to work together to provide the services and resources that exist within each of our program focuses. **(To the audience)** Does anybody here have an example of how a client's need was met through a collaborative relationship?

Considering the points we just discussed, service provider collaborations tend to operate with a multidisciplinary approach. **(To the audience)** Let's take a few minutes and brainstorm some ways that a multidisciplinary approach is beneficial to both clients and the agencies involved. - **Here are some ideas if the group needs help** - It gives a client access to an entire team of experts; It expedites the referral process; It improves service coordination...

**(To the audience)** Ok you all, that was great! Now we always want to operate in reality, so let's brainstorm ways that a multidisciplinary approach could be challenging for our clients or our agencies. - **Here are some ideas if the group needs help** - There is always a time pressure involved in providing services and some agencies need more time than others; It requires frequent collaboration to be effective; Poor decisions can happen without complete information. Excellent work you guys! Let's move onto the next type of collaboration that we need to be aware of.



**Slide Six (Law Enforcement Collaboration):** Using the same OVC training, let's look at collaborations from the law enforcement side.

The training discusses how law enforcement has engaged in collaborative movements over the years such as community-oriented policing. This approach recognizes that police rarely can solve public safety problems alone, and encourages interactive partnerships with relevant stakeholders. Problem-oriented policing. This approach aims to understand the root cause of specific crimes and then adjusting the response based on what they find. In more recent years intelligence-led policing has grown. This approach as you might guess uses the latest technological advances that allows greater intelligence in investigating crimes. It is important to note that the focus of collaboration in law enforcement is geared towards solving and/or preventing crimes as opposed to victim service providers who are focused on victim support and healing.

Law enforcement also works within task groups, these task groups are focused on community events or multi agency operations and pull different law enforcement agencies into a short term effort as they work collaboratively. On the slide, I also use the word Dynamic for this type of collaboration, that is because this type of collaborative effort is a useful force that stimulates change or progress within a short term goal.

When law enforcement agencies put together Task Teams, they are specifically focused on a particular type of crime. These teams will pull different types of law enforcement officers to come together to address the given mission for that task team.

Finally, we are at Task Force that has some significant differences from the other collaborations. A Task Force is Mission Based which means that the overall goal of the task force encompasses more than just law enforcement agency goals. Additionally, it is a multi agency team to address the variable aspects of the determined mission. Within the human trafficking movement where task forces are involved, we see that to be more victim centered utilizing a trauma-based approach in working investigations, apprehensions and interacting with the survivors.

Now that we have looked at what collaboration looks like from the service provider perspective and the law enforcement perspective, what have you all seen with collaboration in your agencies? Are any of you working within multidisciplinary teams or task forces?

**Slide Seven (Different Focuses Slide):** We are going to shift from collaboration to agency focus standards.

Let's start with law enforcement. Their primary responsibility is to protect lives and property. All of their tasks relate back to this one responsibility. As we look at the list on the slide, all of those focus areas point directly back to protecting lives and property. **(To the audience)** Let's go through each of these, and call out to me what you think each bullet point addresses.

- *Investigations*
- *Suspect Apprehensions*
- *Interrogation*
- *Procedure Facing*

Law enforcement's goal is to focus on crimes and people who commit those crimes, so when they run across a victim they may not even

realize that person is actually a victim, and they certainly do not have the resources to provide care for that victim.

From the service provider side, their focus is on the victim. Their mission and goal is to help provide services to the victim.

(To the audience) Let's look at the bullet points on the Service Provider side of the slide, and please call out what each of these focuses means.

- Victim centered
- Trauma informed lens
- Interview
- Process facing

(To the audience) Let's discuss two more points, on the LE side of the slide we have interrogations and the SP side has interviews. What are the differences between those two things? What about the differences between procedures and processes?

Differences between interrogations and interviews: Interrogation comes from a place of finding information about the crime. Interviews come from a place of trying to find out the services the survivor needs.

Differences between Procedures and Processes: Law Enforcement are taught the procedures they have to follow from the beginning of their training. There is a process for everything with law enforcement and they have to follow it strictly. With Service Providers they operate more with processes and those processes can be more fluid and change with needs.

It is important to mention neither of these focuses are bad, we actually need both of them. They are just the different roles that a victim is likely to interact with, and it points out the importance of collaboration. Service providers cannot fulfill the role of law enforcement and law enforcement cannot replace service providers.

**Slide Eight (Case Study Example):** Now let's look at this case study that shows a successful collaboration effort between law enforcement and service providers.

35-year-old female foreign national victim is brought to the United States by a friend of her family. Forced into domestic servitude, she is repeatedly sexually assaulted by her family friend. She eventually escapes on her own. After being referred to a service provider from a priest she meets at church, she eventually discloses her fear of being jailed and deported, something her trafficker insisted would be the result if she ever spoke out.

"The service provider contacted the fellow task force member. So, in this circumstance, they have an existing relationship with law enforcement, including Homeland Security Investigations (HSI) who agrees to meet with the victim to talk about his role as an agent, and his commitment to the investigation and concern about what is going on, without ever asking for the victim's name. So he is focused on building a rapport with that individual, and not about reinforcing what the trafficker said about his interest in deporting her. So, the victim builds rapport with that agent, and she eventually discloses her name. The agent applies for something called Continued Presence, which is a short-term immigration status that is available to human trafficking survivors to stabilize the victim. Eventually, she agrees to cooperate fully in the case. She applies for a T visa, which is a long-term form of

immigration relief for foreign national victims of human trafficking, and she is doing that with the help of an immigration attorney. The agent – the federal agent from HSI, also provides what is called an I-918B that affirms that she is a victim of human trafficking and that she is cooperating with law enforcement, which helps her application significantly. The survivor graduates from the victim service program, and now has become a peer counselor for other foreign national survivors of human trafficking, as well as domestic violence and sexual assault, who fear coming forward to law enforcement."

**Slide Nine (Multidisciplinary Approach Slide):** The video is hyperlinked if you click on the title it will pull up the video. Click where it says, "[A Multidisciplinary Approach](#)" and it will take you to the video.

We are going to watch a short video that discusses a multidisciplinary approach.

Based on the video and the information provided today, what do you see as some opportunities that can be fostered in New Mexico to better coordinate? What are the barriers we need to overcome to do that? Let's have a quick discussion about how we, in this room, can work together.

**Slide Ten (Reference Page Slide):** No Notes



## Series: Keep Doing It

# Module 6: Vicarious Trauma

# DOJ Disclaimer

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# Learning Objectives



Objective 1: Examine what vicarious trauma is.



Objective 2: Demonstrate the warning signs of vicarious trauma.



Objective 3: Illustrate a model for self-care in the workplace that is specific to addressing vicarious trauma.

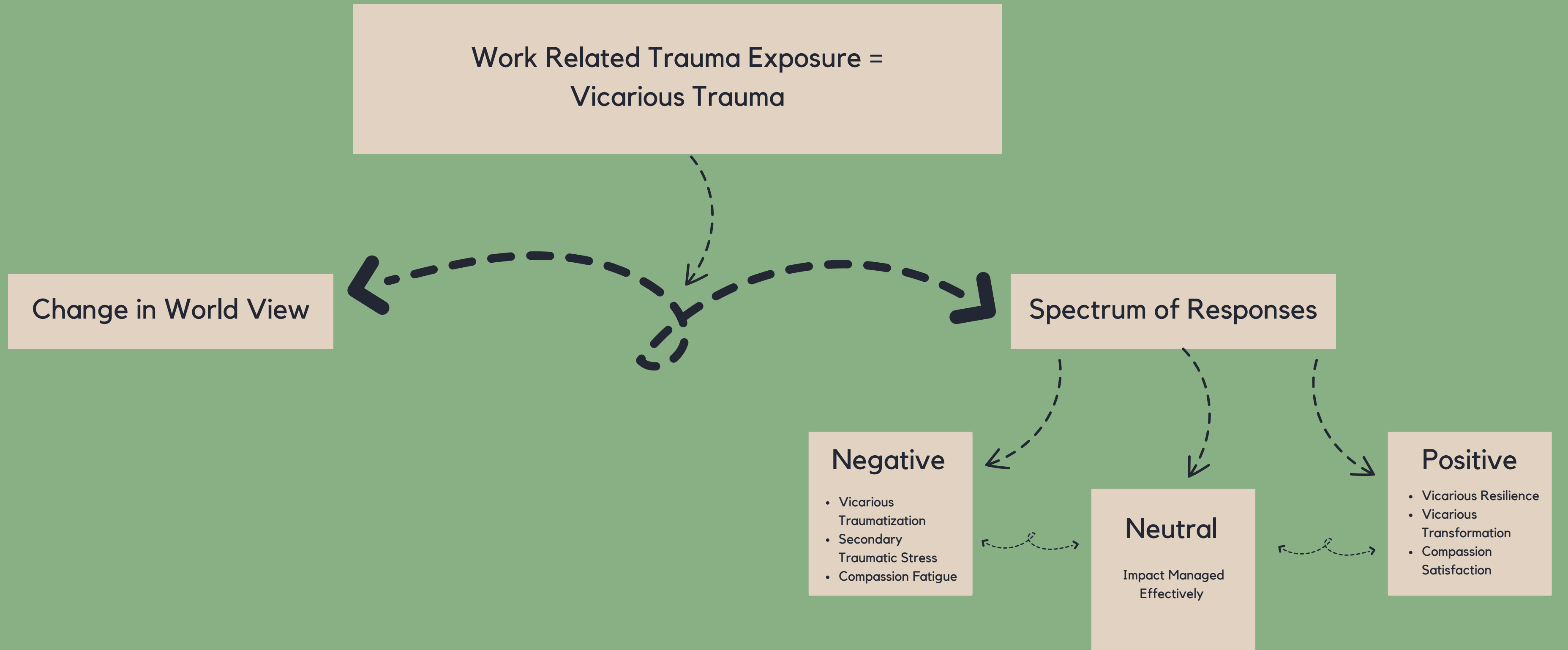


# What is Vicarious Trauma?

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Vicarious trauma, happens when people accumulate and carry stories of trauma, including images, sounds and details, that they hear and witness.

# OVC Vicarious Trauma Toolkit



# Who Is at Risk of Being Affected by Vicarious Trauma?

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Anyone working with survivors of trauma and violence is at risk of being negatively impacted by the varied effects of vicarious trauma. Factors that may make employees or volunteers more vulnerable to this occupational risk include.





# Symptoms May Include:

- Difficulty managing emotions
- Relationship problems
- Feeling emotionally numb or shut down
- Feeling vulnerable or worrying excessively about potential dangers in the world and loved ones' safety
- Fatigue, sleepiness, or difficulty falling asleep
- Increased irritability; aggressive, explosive, or violent outbursts and behavior
- Physical problems or complaints, such as aches, pains, and decreased resistance to illness
- Destructive coping or addictive behaviors
- Being easily distracted, which can increase one's risk of accidents
- Lack of or decreased participation in activities that used to be enjoyable
- Loss of a sense of meaning in life and/or feeling hopeless about the future.
- Avoiding work and interactions with clients or constituents

# How Coworkers Can Help



- Reach out and talk to them individually about the impact of the work
- Help them establish a consistent work-to-home transition that creates an important boundary and safe place outside the workplace
- Encourage them to attend to the basics—sleep, healthy eating, hygiene, and exercise
- Support connections with family, friends, and coworkers
- Refer them to organizational supports such as a peer support team, employee assistance program, or chaplain
- Encourage them to discuss their experience with their supervisor

# How Supervisors Can Help



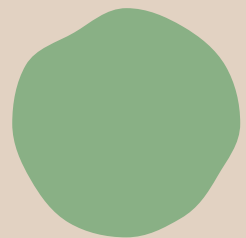
Discuss vicarious trauma as part of supervision



Allow flexible work schedules, recognizing the need for and protect down time, while staying attuned to the possibility of withdrawal or isolation



Create time and a physical space at work for reflection through reading, writing, prayer, and meditation, among other activities



Provide them with information about organizational supports.



# What is Self-Care?

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Self-care refers to activities and practices that we can engage in on a regular basis to reduce stress and maintain and enhance our short- and longer-term health and well-being. Self-care is necessary for your effectiveness and success in honoring your professional and personal commitments.

# Examples of Self-Care

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## Physical



- Eat a healthy meal
- Engage in exercise
- Go for a walk
- Drink water
- Practice good sleep )
- Have a cup of tea
- Sit in the sunlight
- Take a shower or bath

## Mental



- Practice mindfulness
- Take a break
- Play video games
- Listen to music
- Read a book
- Listen to a podcast
- Reflect on things you are grateful for

## Spiritual

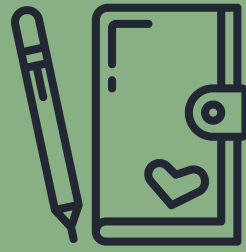


- Pray
- Call/text a friend
- Connect with nature
- Meditate
- Engage in self-reflection



# Self-Care at Work

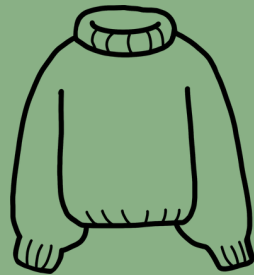
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60-Second Desk Cleanup



Keep a List of Inspiring Words and Images



Stay Comfortable



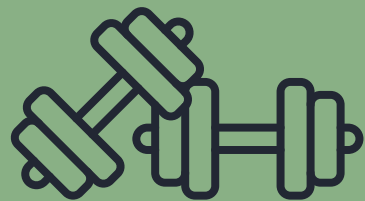
Stay Hydrated



Keep Healthy Snack in the Office



Set Boundaries for Productivity



Set a Timer for a 5 Minute Stretch



Set a Time Schedule to Respond to Emails



Practice Good Eye Screen Health

# References:

- [https://freedomnetworkusa.org/app/uploads/2021/05/Appendix-C-SAMPLE-Trauma-Responsive-Policy\\_-\\_Supporting-Staff\\_508c.pdf](https://freedomnetworkusa.org/app/uploads/2021/05/Appendix-C-SAMPLE-Trauma-Responsive-Policy_-_Supporting-Staff_508c.pdf)
- <https://ovc.ojp.gov/program/vtt/what-is-vicarious-trauma#what-happens-to-those-exposed-to-vicarious-trauma>
- <https://socialwork.buffalo.edu/resources/self-care-starter-kit/introduction-to-self-care.html#:~:text=Self%2Dcare%20is%20an%20essential,term%20health%20and%20well%2Dbeing>
- <https://www.utoledo.edu/studentaffairs/counseling/selfhelp/copingskills/selfcare.html>
- <https://omh.ny.gov/omhweb/resources/publications/self-care-at-work-infographic.pdf>

# Presenters Guide

## Module 6

This training is geared towards law enforcement and service providers. The presenter will use the presentation and notes to guide conversation around understanding the victimization and vulnerabilities of human trafficking survivors. The goal of this training is to build understanding from not only listening to the presentation but also the conversations that follow.

Text that is *Italicized* is directly from the slide itself.

Text that is **Highlighted** is tips for the presenter.

**Slide One (Title Slide):** We have three categories of training. We have worked through the first two sets that were titled What You Need to Know and Do It Well. We will now start on to the third and final set that is titled Keep Doing It. The first set of goals of this series is to have participants examine what vicarious trauma is, to demonstrate the warning signs of vicarious trauma as well as illustrate a model for self-care in the workplace that is specific to addressing vicarious trauma. In the other training in this series we will work through sustainability and funding your growth as well as incorporating survivor experience.

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*necessarily represent the official position or policies of the U.S. Department of Justice.*

**Slide Three (Learning Objectives Slide): Review Learning Objectives.**

*Objective 1: Examine what vicarious trauma is.*

*Objective 2: Demonstrate the warning signs of vicarious trauma.*

*Objective 3: Illustrate a model for self-care in the workplace that is specific to addressing vicarious trauma.*

**Slide Four (What is Vicarious Trauma Slide):** *Vicarious trauma, happens when people accumulate and carry stories of trauma, including images, sounds and details, that they hear and witness.*

When people work with survivors of violence i.e. human trafficking survivors whether directly or indirectly vicarious trauma can occur. The stories we hear from our clients can affect our bodies, our minds, and our worldview.

That is why it is important to be able to identify vicarious trauma not only in our coworkers/employees but in ourselves as well.

**Slide Five (OVC Vicarious Trauma Toolkit Slide): Work through the tool and how to use it.**

People who experience vicarious trauma can respond in many ways, however it is inevitable that their view on the world will change. Think about it, when you hear story after story of atrocious things that these clients have been through it only makes sense that you would start to

view the world differently a little more cynically or fearfully. Or, you might go the opposite way and become more appreciative of what you have and what your experiences have been and sometimes both happen.

As we see from this tool the responses to vicarious trauma we see can either be harmful, neutral, or positive. These things can also change over time. They also are not always the same from person to person.

According to Office for Victims of Crime, “Vicarious traumatization is an adverse reaction to trauma exposure and includes a range of psychosocial symptoms. (In the VTT, the term “vicarious traumatization” is used broadly to include other related words such as secondary traumatic stress (STS), compassion fatigue (CF), and critical incident stress (CIS).”

When dealing with vicarious trauma a neutral reaction is one that the individual is able to be resilient, has support and is able to cope with the traumatic material and has no effect on the individual.

As far as vicarious resilience and vicarious transformation, these are newer concepts that positively reflect the effect of this work. For example some of you may be able to draw inspiration from the clients you work with and their resiliency. This can the strength your mental and emotional

For instance, individuals may draw inspiration from a victim’s resilience, which strengthens your own mental and emotional resiliency. Like some survivors are able with time positively be transformed by their trauma so can service providers that work with those individuals.

The term compassion satisfaction refers to the sense of meaning you might gain when working as a service provider or as a first responder. These positive outcomes can motivate and as well protect against the adverse effects of being exposed to the trauma that our clients have faced.

**Slide Six (Who Is at Risk Slide):** *Anyone working with survivors of trauma and violence is at risk of being negatively impacted by the varied effects of vicarious trauma. Factors that may make employees or volunteers more vulnerable to this occupational risk include.*

Those with who might be at risk of experiencing vicarious trauma are those with prior traumatic experiences. Those who experience social isolation, both on and off the job. Those that have a tendency to avoid feelings, withdraw, or assign blame to others in stressful situations. Those that have difficulty expressing their feelings. Some other contributors might include a lack of preparation, orientation, training, and supervision in these jobs. On the same note those that are newer employees and less experienced at their jobs can also be at a higher risk of experiencing vicarious trauma. Those that have constant and intense exposure to trauma with little or no variation in work tasks; as well as those that lack an effective and supportive process for discussing traumatic content of the work are all at added risk for experiencing vicarious trauma.

**Slide Seven (Symptoms Slide):** It is important to mention that each individual may experience the effects of vicarious trauma differently. Just as no two people are the same no two responses to vicarious trauma are the same. Some common response might include.. (read a few of the examples from the slide).

(Good time for activity, break and have them reflect and check-in with themselves)

**Slide Eight (Coworkers Help Slide):** If you see a coworker and believe they might be struggling with some negative reactions to vicarious trauma, some things to consider might be... (read a few of the examples from the slide).

(Could use this time to engage the audience to see how they might be able to relate to their coworkers and help them with working through this)

**Slide Nine (Supervisor Help Slide):** If you are a supervisors and believe an employee might be experiencing vicarious trauma, here are a few suggestions that might help. (read a few of the examples from the slide).

(Could use this time to engage the audience to see how they might like their supervisor to help them with working through this)

**Slide Ten (What is Self-Care Slide):** Let's talk about self-care, what is self-care? *Self-care refers to activities and practices that we can engage in on a regular basis to reduce stress and maintain and enhance our short- and longer-term health and well-being. Self-care is necessary for your effectiveness and success in honoring your professional and personal commitments.*

When we practice self-care regularly we can identify and manage the challenges that we face when working with these survivors.

We can be more aware of your own personal vulnerabilities and in turn help with burnout as well as vicarious trauma.

We can achieve a more balanced life by paying attention to the different areas of our life in a way that makes sense to you.

All in all when we take part in self-care we are better able to perform our jobs because we have taken care of ourselves. As the saying goes you cannot pour from an empty glass. In order to take care of our clients we must first take care of ourselves.

**Slide Eleven (Examples of Self-Care Slide):** Now that we have defined self-care let's talk about some examples. Self-care is not just about addressing professional stressors. It also should incorporate your overall well-being. When we talk about self-care there are some common goals such as, taking care of physical and psychological health, managing and reducing stress, honoring emotional and spiritual needs, fostering and sustaining relationships, achieving an equilibrium across one's personal, school, and work lives. It is also important to mention that each of us may differ in the areas that we emphasize and the balance we seek among them.

(Engage audience: break into groups to talk about what they see as self-care and how they can incorporate more into their lives)

**Slide Twelve (Self-Care at work Slide):** So how do we incorporate self-care at work? There are many ways that you can incorporate self-care during your work day but here are a few examples that might be helpful.

60-Second Desk Cleanup: You can do this by setting a timer for one minute. In that minute take spend it on organizing loose papers, or store stray supplies and dispose of clutter. Cleaning up our space



periodically can help us be more organized in turn help us be more productive and reduce stress.

**Keep Healthy Snacks in the Office:** Self-care is also taking care of our physical health so keeping a few healthy options like nuts, granola, bananas, or peanut butter at your desk can help you stay energized. But you know sometimes we need a pick me up during our day so don't be afraid to indulge in a piece of chocolate every now and then as well.

**Stay Comfortable:** I don't know about you but my office fluctuates temperature like crazy. So what I like to do is keep a sweater on hand when the office feels like a freezer and a desk fan for when the office feels like a sauna. Do what you can to be as comfortable as you can.

**Set a Timer for a Five-Minute Stretch:** Along the same lines as our 60-second clean up idea. Set a timer to stand up, close your eyes, stretch your hands over your head. Move your arms side to side. Do this daily to clear your head, relieve tense muscles, improve productivity and stress reduction. I know how easy it is to stay hunched over our desk staring at our computer screens for hours on end. That is not good for our physical or mental health. Be intentional about standing up and moving around more throughout the day.

**Practice Good Eye Screen Health:** Depending on your position or even day sometimes we spend hours looking at our screen. That is hard on our eyes and they are probably fatigued from staring at that screen all day. So, practice the 20-20-20 rule: Look 20 feet away from your screen, for no less than 20 seconds, every 20 minutes.

**Keep a List of Inspiring Words and Images:** It is important to surround ourselves with inspiration throughout our day. Keep a favorite quote

or inspirational photos close to your desk so that motivation is always close by.

**Stay Hydrated:** This is sometimes easier said than done. It is very easy to lose track of how much water you're consuming. Keep a water bottle on your desk. There are now some really cool water bottles that have time marks that show you how much you should be consuming by each time of day. But if that isn't for you, something else you might do is when you set the time to stretch make sure to drink some water also.

**Set Boundaries for Productivity:** Just like in our personal lives we also need boundaries in our work lives as well. This can be done through the use visual cues: Some things we do at my office is we have a dial on our doors that we can use to indicate if we are working through something and do not want to be disturbed, if we are in a meeting, if we have left the office all of those things. If that isn't something that would work for you all, some other ideas are using headphones and that can show that you are working and do not want to be interrupted at that time. Whatever you do, make it your own and make sure your coworkers understand what you are needing.

**Set a Time Schedule to Respond to Emails:** Emails can be one of those never ending tasks that we have to deal with on a daily basis. One way we can help with that task is instead of interrupting your workflow every time an email is delivered you can set aside time to respond to emails throughout the day. For example you can answer emails when you first get to work, then again before you head to lunch and one last time before you end your work day.

**Slide Thirteen (Reference Slide):** Take time to see if there are any questions.



Series: Keep Doing It

# Module 7: Sustainability and Funding Your Growth

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# Learning Objectives



Objective 1: Identify Factors that Lead to Sustainability.



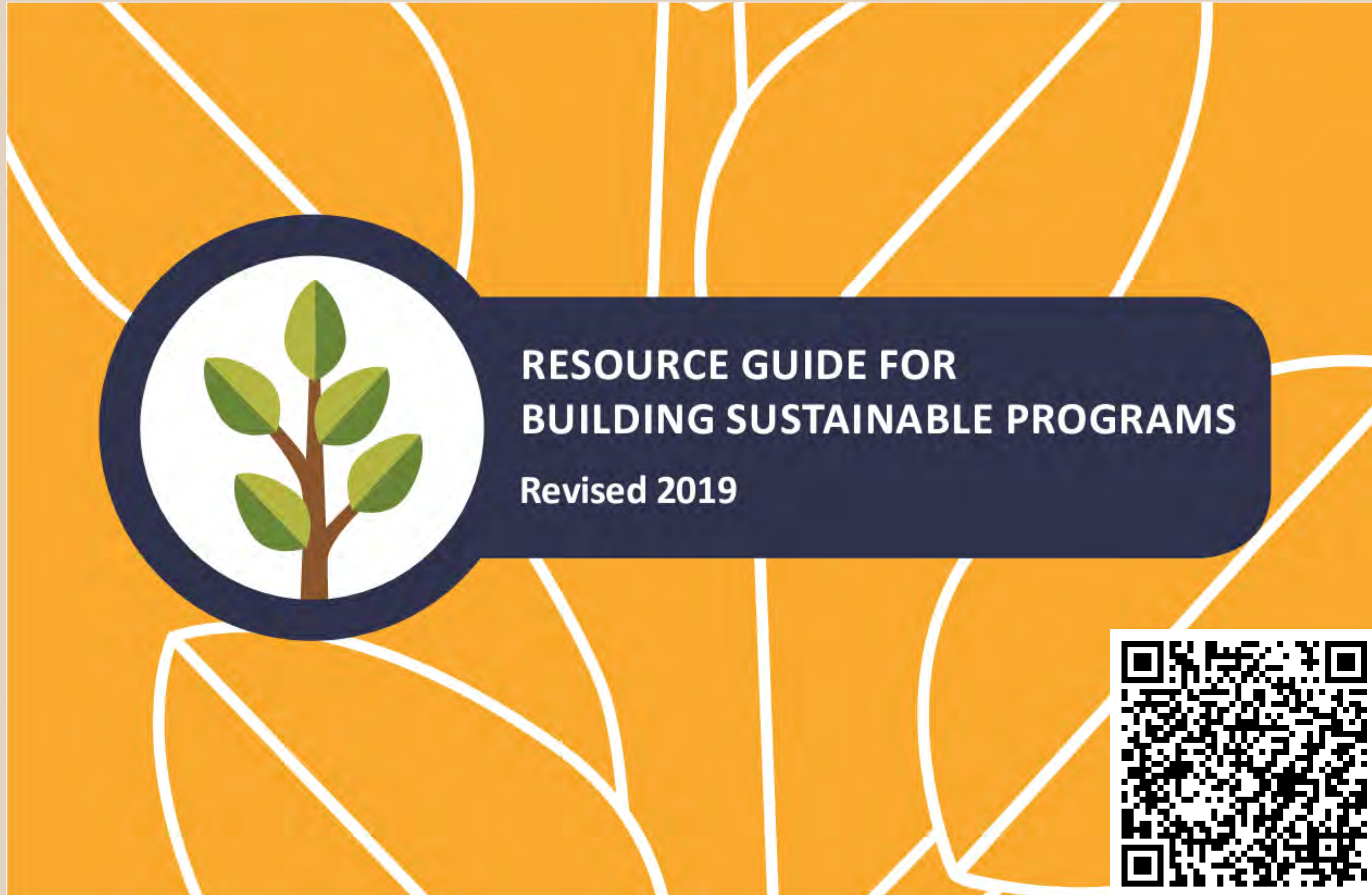
Objective 2: Evaluate Different Funding Streams and Financial Strategies.

# What is sustainability?

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Sustainability refers to receiving ongoing resource support, scaling services, or institutionalizing practices and policies proven to improve outcomes.

# Office of Adolescent Health Resource Guide



# Framework for Program Sustainability

## Factor 1: The Roots





# Framework for Program Sustainability

## Factor 2: Assess



# Framework for Program Sustainability

## Factor 3: Lead



# Framework for Program Sustainability

## Factor 4: Evolve



# Framework for Program Sustainability

## Factor 5: Communicate



# Framework for Program Sustainability

## Factor 6-7: Integrate and Partner



# Framework for Program Sustainability

## Factor 8: Diversify



# Possible Funding Opportunities

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Office for Victims of Crime



Office on Trafficking in  
Persons



Administration for Children  
& Families



Grants.gov

## Federal

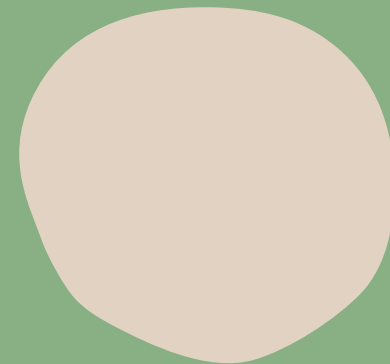
# Possible Funding Opportunities

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## Local



Research your local community!



State Considerations.



Crime Victims Reparation Commission.



# Let's Work To See New Mexico Care For Our Vulnerable Trafficked Children

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"In every community, there is work to be done. In every nation, there are wounds to heal. In every heart, there is the power to do it."

– Marianne Williamson

# References:

- Department of Health and Human Services. (2019). RESOURCE GUIDE FOR BUILDING SUSTAINABLE PROGRAMS. Sustainability Guide Revised 2019. Retrieved April 14, 2023, from <https://opa.hhs.gov/sites/default/files/2021-01/sustainability-guide-revised-2019.pdf>
- National Center on Substance Abuse and Child Welfare. (n.d.). SUSTAINABILITY TOOLKIT FIVE STEPS TO BUILD A SUSTAINABILITY PLAN FOR SYSTEMS CHANGE . National Center on Substance Abuse and Child Welfare: Administration for Children & Families. Retrieved April 14, 2023, from <https://ncsacw.acf.hhs.gov/files/sustainability-toolkit-508.pdf>

# Presenters Guide

## Module 7

This training is directed towards law enforcement and service providers who may interact with young people who have experienced trafficking. The presenter will use the presentation and notes as tools to present information about sustainability and funding your growth. The goal of this training is to increase the knowledge needed to create capacity to assist young human trafficking victims. Strategies utilized within this training are listening and viewing the presentation, questions and answers generated throughout the training, conversations and reflections regarding salient points within the training.

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**Slide One (Title Slide):** The NMOAG has created three categories of training modules to help law enforcement and service providers develop skills and practices needed when working with young people who have experienced trafficking. We have worked through the first two series of these trainings that were focused on “What You Need to Know” and “Do it Well”, essentially the basics of human trafficking and some of the most important best practices when working with a human trafficking victim. We are now on the third and final series that is titled “Keep Doing It”, which has 3 training modules. We’ve created this series to help everyone to continue supporting victims of human trafficking and support those that are doing the work. Today’s training is the second of this series and has a goal to help participants identify factors that lead to sustainability and evaluate different funding

streams and financial strategies. Let's get started today's training is titled, "Sustainability and Funding Your Growth".

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**Slide Three (Learning Objective Slide):** Review Learning Objectives.

*Objective 1: Identify Factors that Lead to Sustainability.*

*Objective 2: Evaluate Different Funding Streams and Strategies.*

**Slide Four (What is Sustainability Slide):**

**Link for definition:**

**<https://ncsacw.acf.hhs.gov/files/sustainability-toolkit-508.pdf>**

As part of the REACH pathway app, we are so glad that you have chosen to serve minor victims of trafficking. As support to you, the NMOAG is committed to ensuring that all Pathway Partners are equipped with tools and resources.

**Read Definition of Sustainability:** Sustainability refers to receiving ongoing resource support, moving toward scale, or institutionalizing practices and policies proven to improve outcomes.

A sustainability plan is a roadmap for moving beyond an isolated pilot project into long-term continuation, expansion, or institutionalization. Now in today's session, we are not going to develop a sustainability plan with you, but we do want to provide a framework and resources that you can utilize.

When considering adding additional resources or programming to any agency it is important to have a "Why". Here is our "Why":

- The state of New Mexico is screening for human trafficking indicators at an ever increasing level.
- The Children Youth and Families Department screens for indicators in youth shelters and in a variety of ways throughout the Juvenile Justice Program.
- Albuquerque has added components to help identify and provide referrals through their Coordinated Entry program for homeless services.
- At our office, we take tips for investigation through our Human Trafficking Investigative Unit, as well as tips that come through our Internet Crimes Against Children Unit.
- Albuquerque agencies New Mexico Dream Center and First Nations Community HealthSource currently screen.
- Santa Fe service provider, The Life Link, screens for indicators.

If our goal is true systems change, then we need to incorporate 3 Key elements statewide:

1. Relationships: strong and effective collaboration among child welfare, SUD treatment, courts, law enforcement and you, our service providers;
2. Resources: community, human, and financial;
3. Results: successful outcomes for children, parents, and family members;

We are building elements 1 and 2 through our collaborative meetings and trainings, so that we can realize element 3.

### **Slide Five (Health Resource Guide Slide):**

**Link: [Resource Guide for Building Sustainable Programs \(Revised 2019\)](#)**

For this presentation we are going to be utilizing a free resource that all of you can easily reference, "The Resource Guide for Building Sustainable Programs". The U.S. Department of Health and Human Services, Office of Population Affairs (OPA) provides a collection of resources to help with planning to achieve sustainable impact. This guide provides direction for creating a sustainability plan specifically for programs and services aimed at improving adolescent health. Since we want to Improve Outcomes for Child and Youth Human Trafficking Victims, this seemed like a great resource for us to utilize. Additionally, this toolkit has a simple model to follow, great activities to help with development and you can access it for 0 dollars!

We are going to quickly highlight the 8 Factors that create a Framework for Sustainability:

- Strategize: Create an Action Strategy
- Assess: the Environment

- Lead: Identify, Engage, and Develop Leaders
- Evolve: Remain Flexible and Evolve
- Communicate: Communicate with Stakeholders
- Integrate: Integrate Program Services into Local Infrastructures
- Partner: Build Strategic Partnerships and Mobilize the Community
- Diversify: Secure Diverse Financial Opportunities

## **Slide Six (Factor 1: The Roots Slide):**

As we begin to build a framework for sustainability, we are using images from the resource guide as a reference, that way when you are looking through these notes and/or the resource guide you'll have a simple reference point.

Factor 1 is the “roots” of this tree, so we are going to spend a few extra minutes here. To create an action strategy, you must have, well, a strategy which is Factor 1!

**(To the audience)** I want to check in with you all; What do you think are some questions that you should ask yourself and your team to create a strategy?

*Sample Questions to help start interaction - if needed.*

- Where are we right now?
- Where do we want to be?
- What are the goals?
- What are the steps to the goals
- What do we have internally?
- What do we need?
- What does success look like?

As you think about these questions that we've talked about, they can become the basis to start developing your strategy. In the resource guide that we are referencing, here a few action steps to achieve a feasible strategy to sustainability:

- Create a shared vision with partners and community leaders
  - P.S. That's what we are all doing right now!
- Create a definition of sustainability for your program
- Using that definition, develop a sustainability plan
- Determine your measures of success and reflect that in your sustainability plan

Now, keep in mind that in the toolkit that we are utilizing today, these points are much more fleshed out than what we can do today.

## **Slide Seven (Factor 2: Assess Slide):**

**(Using a pointer, point to assess section on the image)**

Let's take just a minute to talk about what it means to assess sustainability. The first consideration is to think about both the internal and external environments in which programs or services operate.

**(To the audience)** Anybody have some insight on Internal assessments? Why should we look at our agencies and programs?

When we take some time to use a critical eye as we look at our own agencies, this can help your team understand the strengths and weaknesses. Assess your organization's staffing, management, and infrastructure.

Let's jump to External assessments. This type of consideration is looking at the impact of your community-level factors that are outside of your organization.

Here are some things to consider that are external to your agency:

What are the local demographics?

Are there existing child/youth/adolescent programs and/or activities?

Do you know what the financial environment for current and future funding may be?

Please keep in mind that utilizing environmental assessments can occur at any time.

Which means that it doesn't matter if you are at startup or in full implementation.

You want to use the information gathered to decide what should be sustained

### **Slide Eight (Factor 3: Lead Slide):**

For this slide, where we talk about LEAD, it is about identifying, engaging and developing leaders. You will want to identify members of your own leadership team from within the organization, but also recruit and develop external champions. These external champions often help provide leadership to assist your organization move toward its sustainability goals. Additionally, strong external leaders can help your agency champion the program/services that you are bringing to the community and help develop a larger network of supporters, all of which are critical to sustainability.

One of the mistakes that we've seen is relying on a single identified leader rather than building a leadership team. The benefit of a team approach helps agencies work through things like: agency leadership or staffing transition, identifying alternative or new funding streams, and maintaining the important relationships with vital external partners.

A few tips about creating a successful leadership team:

- Keep organizational and senior leaders, who are not on the team, updated on the goals, progress, needs, etc.
- Promote leadership development
- Utilize shared leadership opportunities

*(If you have time with the group, have them brainstorm how to go about each of these points)*

## **Slide Nine (Factor 4: Evolve Slide):**

Factor number 4 is: Remain Flexible and Evolve. Remember, achieving and maintaining sustainability is a continuous process. All of us need to value the ability to be flexible as we are continually learning and growing to ensure effectiveness in our programs and services. We also need to be ready to evolve with a changing social services climate. Honestly, everyone here today is embracing this because the change in climate that is happening in our state is the need for service providers for young victims of trafficking. We want to match the services offered to our identified community needs and priorities for these young trafficking victims.

## **Slide Ten (Factor 5: Communicate Slide):**


Let's talk communication! I pulled this quote from the resource guide directly because it is so great; "A deliberate, tailored, and well-planned communication approach that leverages community assets and partnerships is critical to successful program implementation".

So many people in our state still don't know what the trafficking of children and youth looks like. If we make strategic communications, marketing, and outreach a part of our strategic and sustainability plans then we are able to leverage unique resources that are out of the scope of our programming.

Planning an effective communication should include: articulating the problem we are addressing statewide and your program's or service's mission, goals, and successes packaged in a way that resonates with the audience.

This is another way to utilize your external champions from your leadership team! Equipping them to be able to share your message opens doors that can lead to funding, additional resources, and other collaborators.

## **Slide Eleven (Factor 6: Integrate and Partner combined into this Slide):**

We are going to talk about the next 2 factors that help bring about sustainability together, because they are like puzzle pieces that fit together. The two components are Integrate and Partner. Here is a video from our own TEDxABQ that talks about collaboration:  The power of collaboration: Dr. Shelle VanEtten de Sánchez at TED...

As you start with the concept of integration, you can begin to think about how to make the activities, services, and programs essential parts of your community and, perhaps regular activities of a partner organization. When an org builds strategic partnerships, that org is then giving the larger community an opportunity to learn about its program,



understand the program's value, view it as indispensable to the community, and step up to support it when it is at risk. This is why integration and partnership is so valuable. Since we are talking about this specifically relating to services for young victims of human trafficking, our communities in support of these programs are filling in a vital gap!

Let's take a minute and talk about the different types of partnerships that we could potentially integrate programming with. Anybody brave enough to call out some ideas? *(Here are types to help guide the conversation, or start off to help people engage)*

- Respected individual community leaders
- Neighborhood associations
- Faith-based organizations and their leaders
- Public and/or private school systems
- Community-based providers offering adolescent health services
- Community-based social service, public health, and education providers serving the same population through different programs and services
- Policymakers
- Business and community leaders
- Youth or parent-run advocacy groups
- Other advocacy organizations

Ok folks we are down to our last component in building sustainability! After this next concept, we are going to share some local and federal funding opportunities with you!

### **Slide Twelve (Factor 8: Diversify Slide):**

This final component is to SECURE DIVERSE FINANCIAL OPPORTUNITIES. As I am sure we all know - securing a variety of funding streams is absolutely essential to maintaining long-term sustainability. That is so much easier said than done, right? There are some "seeds to success" cited in the resource guide, and I want to just read these out to you all. If you have been involved in any of these activities, pop up your hand.

- Review the program budget to identify core activities and services
- Identify and pursue alternative funding opportunities
- Create a sustainability planning budgetary line item
- Determine what program components could become fee-for-service
- Build fundraising and grant-writing capacity

Before we go onto some funding opportunities or sources. I want to just remind you all that these sustainability concepts are fully fleshed out in the free Resource Guide for

Building Sustainable Programs. We are running through these concepts to help spark ideas and point out areas that need strengthening. The guide does a deep dive into each of the concepts for sustainability and has activities for each one. This could really be a great resource for your team to utilize for agency growth.

### **Slide-Thirteen (Federal funding opportunities Slide):**

On this slide, we have cited two federal funding agencies that offer a variety of human trafficking related grants.

Within the Office for Victims of Crime - you can find these current financial resource options here: <https://ovc.ojp.gov/program/human-trafficking/grants-funding> (click on the link and then highlight the different opportunities - being sure to mention dates)

Another federal funding opportunity is through the Office on Trafficking in Persons. Here is what they have going on right now: <https://www.acf.hhs.gov/otip/grants> (click on the link and then highlight the different opportunities - being sure to mention dates)

This next funding agency incorporates human trafficking funding within services to Runaway and Homeless Youth: <https://www.acf.hhs.gov/fysb/runaway-homeless-youth> (click on the link and then highlight the different opportunities - being sure to mention dates)

Utilizing Grants.gov to search for federal opportunities is the easiest way to find federal funding opportunities. This site also provides a learning center to help users apply for grant opportunities.

### **Slide Fourteen (Local funding opportunities Slide):**

Let's see what may be available locally to support your work. The first state agency you need to know about for funding support is the Crime Victims Reparation Commission: <https://www.cvrc.state.nm.us/> (click on the link and navigate to the "For Victims" menu option) CVRC provides emergency funds to support victims - every service provider and law enforcement agency needs to know about this state funded resource! A few tips here, (navigate to the "Training" menu and open the drop down, then hover over "New Mexico Academy for Victim Assistance) this is where you can get information about accessing and utilizing funds to support a victim that you are working with. Though these tools are useful for self education, I would really recommend that you


(hover over “Request a Training” and click to open.) The CVRC team is a fantastic group of people who can help you and your staff understand this system.

Another option is for you to research your local community, and what they may be able to offer for your program. Here are two examples of how this has happened for two different nonprofit organizations.

- 1) The Chavez County Children’s Advocacy Center in Roswell provides a variety of services for children, youth and families in their community. As they learned about human trafficking they began to plan a way to assist the youth experiencing homelessness in their community and decided that opening a drop-in center for young people would be a great next step. They located a space that was way to expensive for them, so their director went to the mayor of Roswell and presented the plan. Funding soon followed!  
<https://nmcacs.org/directory/chaves-county-childrens-advocacy-center/>
- 2) In Albuquerque, New Mexico Dream Center has been providing outreach to youth experiencing homelessness because of their extreme vulnerability to trafficking situations. They began attending coalition meetings to address homelessness. Through those meetings, they were able to connect with funding specifically for homeless trafficking survivors.

### **Slide Fifteen ( Let’s work together Slide):**

We’ve made it! You are an important part of New Mexico being able to better care for our children and youth - we all need each other. (Click on video link:

 Funny Motivational Speaker | Teamwork - Engagement | Jon Petz )

Thanks for being here today. Let’s keep in touch.

### **Slide Eighteen (Reference Slide):**






Series: Keep Doing It

# Module 8: Incorporating Survivor Experience

# DOJ Disclaimer

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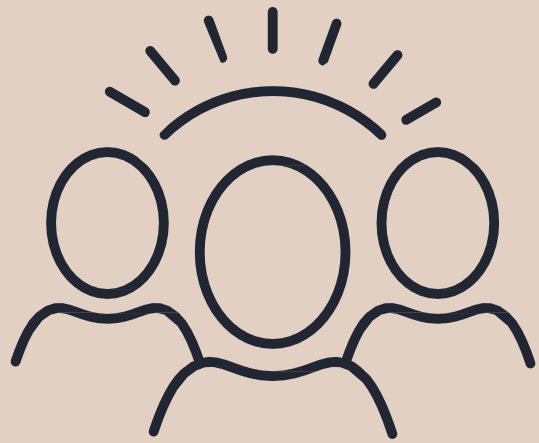
# Learning Objectives

-  Objective 1: Identify principles of survivor engagement.
-  Objective 2: Illustrate values of meaningful engagement.
-  Objective 3: Summarize survivor-informed services.

# Survivor Engagement

"Survivor engagement allows organizations to better serve clients, craft programs, identify challenges and opportunities, and achieve agency missions and mandates. As a primary stakeholder in the anti-trafficking field, survivor leaders offer invaluable insight and expertise."

# Principles of Survivor Engagement



Survivors are more than their lived experience.



Engaging survivors as partners requires intentionality.



Supporting partnerships with survivors requires commitment and investment of resources.



# Values of Meaningful Engagement



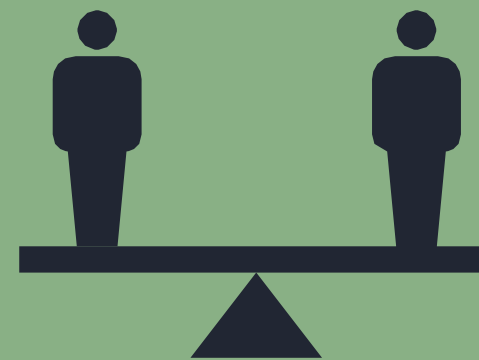
Self-determination



Dignity



Trauma-informed



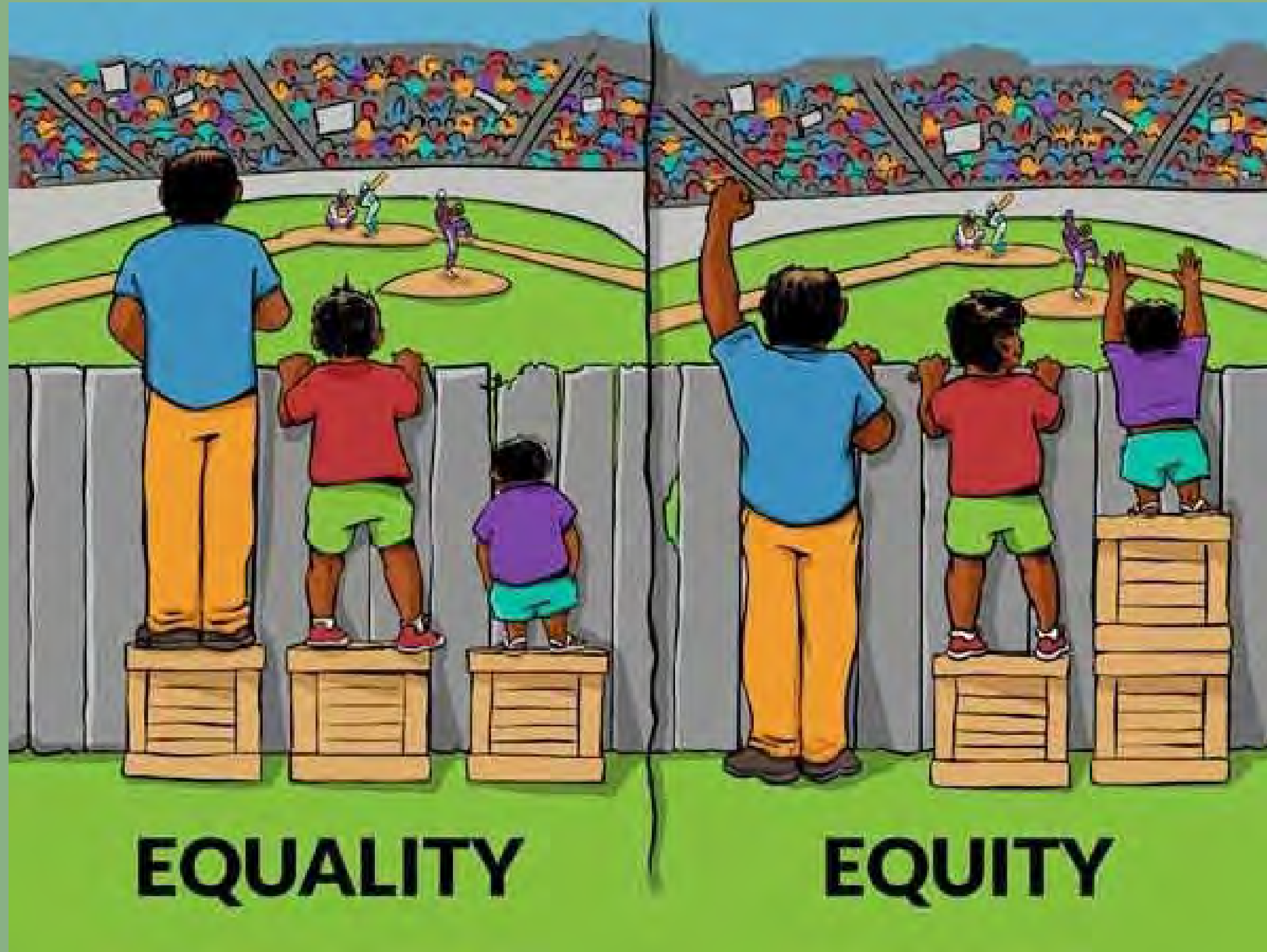
Equality and Equity

# Ways to Meaningfully Engage Survivors

- Ask empowering questions
- Show, don't tell.
- Explain the details
- Offer Examples
- De-Jargon



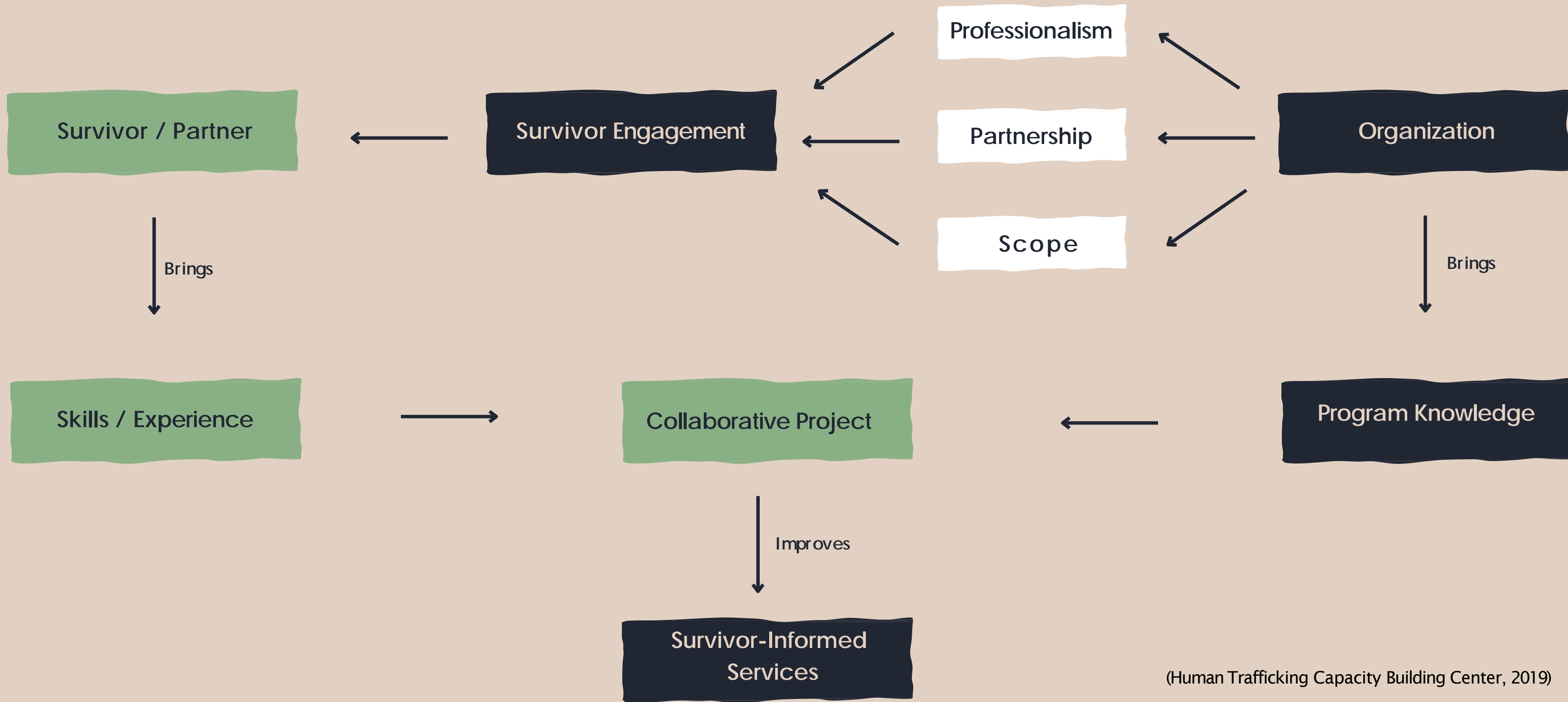
# Equality Versus Equity



# What are Survivor-informed Services?

"A program, policy, intervention, or product that is designed, implemented, or evaluated with intentional partnership, collaboration, and input from survivors to ensure that the program or product accurately represents the needs, interests and perceptions of the target victim population."

# Survivor-Informed Services.



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# Presenters Guide

## Module 8

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identify principles of survivor engagement, illustrate values of meaningful engagement, and summarize survivor-informed services. Let's get started, today's training is titled, "Incorporating Survivor Experience".

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**Slide Three (Learning Objective Slide):** **Review Learning Objectives.**

*Objective 1: Identify principles of survivor engagement.*

*Objective 2: Illustrate values of meaningful engagement.*

*Objective 3: Summarize survivor-informed services.*

**Slide Four (Quick Poll Slide):** **Engage audience by asking:**  
*What does survivor engagement mean to you?*

**Slide Five (Survivor Engagement Slide):**

*"Survivor engagement allows organizations to better serve clients, craft programs, identify challenges and opportunities, and achieve agency missions and mandates. As a primary stakeholder in the anti-trafficking field, survivor leaders offer invaluable insight and expertise."*



In the development of agency practices, more and more service providers are working towards becoming Survivor-informed agencies. This designation of service provision is dedicated to offering trauma-informed and person-centered services. Since we are talking about human trafficking survivors, all of our efforts are more successful when diverse professionals are involved, and to work with and allow survivor leaders to be a part of the efforts. That's because this approach allows organizations and communities to better serve clients, craft programs, identify challenges and opportunities, and achieve agency missions and mandates because survivors can bring to light experiences and insight that others may not have.

I also want to talk about some terminology that we are going to utilize during this training. It is our experience that some people who have experienced trafficking choose to embrace the title "survivor," others do not. We also need to recognize that some organizations will collaborate with professionals who do not share that they have experienced trafficking. The choice to disclose this kind of information should remain in the control of the person who has experienced trafficking. We believe that it is important to recognize people's full life experiences, skill sets, and professional accomplishments. We do not focus solely on the trafficking that had occurred.

**Slide Six (Principles of Survivor Engagement slide):**

Our first category for this training is the 3 principles of survivor engagement.

1. *Survivors are more than their lived experience.* As I previously stated, each survivor you engage with brings a unique set of skills with them beyond their lived experience; they may have skills that can be utilized, and they definitely have a depth and

breadth of experience which can bring a richness to the areas where they are allowed to contribute.

- (To the audience) Considering this point, what are ways that you think a survivor would add benefit to an org?

2. *Engaging survivors as partners requires intentionality.* Truthfully evaluating and understanding your organization's culture is a critical step in determining readiness to engage survivors as a partner. It may be necessary to confront your organizational culture and change some things to do this work. It is vitally important to understand that when engaging with survivors, a trauma-informed client-centered org will be more successful.

- (To the audience) What would be some org-wide things that could need adjusting to engage a survivor as a partner?

3. *Supporting partnerships with survivors requires commitment and investment of resources.* Consider how current funds or resources can be used to support survivor leaders' professional involvement across your organization. Often you will find that when engaging with survivors there are gaps in resources, if your organization can't fill those gaps, or it is outside of their scope, consider how collaboration could work.

### **Slide Seven (Values of Meaningful engagement slide):**

Let's talk through 4 Values that help our engagement with survivors be particularly meaningful. Please keep in mind that a value is a person's principles or standards of behavior; one's judgment of what is important in life.

So when we talk about the - values of meaningful engagement - we are in essence saying that these are agency wide cultural aspects.

1. *Self-determination*: Keep in mind that people with lived experience are the experts in their own experience. When you are engaging with them it is important to empower them, not decide things for them or assume things about them.
  - (To the audience) Can anyone share about a time where you felt that you didn't have a voice in a situation or decision?
  
2. *Trauma-Informed*: We've talked a lot about being trauma informed throughout these trainings.
  - So let me ask, why is having a trauma informed lens important? How many reasons can we come up with? (Here are some points to get the group started if needed)
    - Improve survivor engagement
    - Minimal retraumatization
    - Improved program adherence
    - Staff wellness
  
3. *Dignity*: This seems like it should be obvious, but oftentimes this can slip through the cracks. We usually intend to treat survivors with respect and dignity, but practices such as stereotyping, or by tokenizing are pretty common.
  - (To the audience) Can anyone tell me what stereotyping is?
    - is most frequently now employed to refer to an often unfair and untrue belief that many people have about all people or things with a particular characteristic.
  - How about tokenizing?
    - Tokenism is a superficial practice to create the appearance of inclusivity and diversity; it includes members of underrepresented groups, including survivor leaders, as a symbolic gesture to avoid criticism.

- So, what does it mean to “treat someone with dignity?”  
(*Here are some examples if needed*)
  - Safety -
  - Acceptance of Identity
  - Assume they have integrity.
  - Recognition
  - Acknowledgment
  - Inclusion
  - Fairness
  - Independence
  - Benefit of the Doubt

4. *Equality and Equity*: Oftentimes people consider equality and equity to be the same thing but they are pretty different.

- Equality means we give everyone the same tools to succeed, but equality does not necessarily support the success of those who have been denied access in the first place or who have higher barriers to success. Simply put, equality gives every person access to the same resources and opportunities.
- Equity means we give everyone the support they need to feel successful and have access to wellness. The support given in ways that bypasses the systemic oppression impacts that access. Essentially, equity accounts for different starting points for survivors that are based in historical oppression or personal trauma.

#### **Slide Seven (Equality vs. Equity):**

- (To the audience) This can get a little confusing, so let’s talk through each.
  - How can we practice equality in our orgs with a survivor?  
(Some ideas to get the discussion rolling)

- Ensuring that each survivor has access to the same resources offered.
- Spending time illustrating the common policies or procedures used within the agency.
- Now, how can we practice equity? (Some ideas to get the discussion rolling)
  - Seek out opportunities that fit that person.
  - Is there a collaborative partner that would benefit them.

Human trafficking affects people of a variety of backgrounds, therefore our organizations need to be able to serve survivors in a trauma-informed and culturally sensitive manner. Having an organizational culture that emphasizes the inclusion of diverse voices in an equitable manner should be a goal for all of us. Working aside people with lived experiences means that we equally and should be seen as key collaborators and partners.

**Slide Nine (Ways to Meaningfully Engage Slide):** There are many ways to engage survivors meaningfully.

One way is to ask empowering questions such as, “*what do you need right now?*” Or “*What would help you feel safer and more supported*”.

Why would these be considered empowering questions? (if no one answers - They give survivors voice in a situation)

- Ask empowering questions
- Show, don't tell
- Explain the details
- Offer Examples
- De-Jargon

Let's run through these other examples.

- What does Show, don't tell mean? (Offer to do the task with them)

- The next one is, Explain the details. Why would that be considered a meaningful way to engage with a survivor? (We can't expect people to know or understand the ins and outs of our agencies, so when we explain the details they don't have to guess or assume.)
- How about, Offer Examples? (provide documents, or samples of things they may run across, use stories as an example of a situation, etc)
- The last one on this list is de-jargon. You all, we've all experienced a situation where the person talking is using words or acronyms that we have no idea about. Our "jargon" makes things less accessible to survivors that we are working with.

Can you think of any other ways to meaningfully engage survivors?  
Have you done something to meaningfully engage a survivor?

**Slide Ten (What are survivor informed services slide):** *"A program, policy, intervention, or product that is designed, implemented, or evaluated with intentional partnership, collaboration, and input from survivors to ensure that the program or product accurately represents the needs, interests and perceptions of the target victim population."*

Let's watch this short video that explains survivor informed services.

**Slide Eleven (Survivor Informed Services flowchart slide):** This is a really cool flowchart that was created by OVC that breaks down survivor informed services. So let's look at it.

Starting with the survivor/partner, they bring with them skills and experience. Those skills and experiences can be used in collaborative

projects. Those collaborative projects can then improve survivor informed services.

Now let's look at organizations. Organizations bring program knowledge. That program knowledge can be used in collaboration projects and in which they can improve survivor informed services.

**(To the audience)** Do we have anyone here that can talk through how this has worked in whole or part in their organization?

Thank you all for participating in this series, and our hope is that we can continue our relationship!

**Slide Twelve (reference slide):** Questions?

Date: \_\_\_\_\_

**REACH Modules 1-8, Training Evaluation Form**

1. For each of the topics listed in the table below, please check the box under the number that indicates your level of knowledge both before and after completing the course:

**1 = No understanding    2 = A little understanding    3 = Some/moderate understanding**  
**4 = Quite a bit of understanding    5 = Almost complete understanding**

How do you rate your understanding of the following:	BEFORE the training:					AFTER the training:				
	1	2	3	4	5	1	2	3	4	5
New Mexico’s Anti-trafficking laws										
The Trafficking Victims Protection Act of 2000										
Key indicators of labor trafficking										
Key indicators of sex trafficking										
Populations that are more vulnerable and at a higher risk of becoming victims										
ACEs and their relationship with being a human trafficking victim										
How to build trust with victims of human trafficking										
Survivor-centered screening techniques										
Best practices for referring victims of human trafficking to support services										
Best practices in creating a support system for victims of human trafficking										
What collaboration looks like between service providers and law enforcement										
The specific roles of law enforcement and service providers in supporting victims										
Signs and symptoms of vicarious trauma										
How to create agency sustainability to better support victims of human trafficking										
How to engage survivors as partners										
What do survivor-informed services look like										



2. Please indicate to what degree you agree with each statement:

	<b>Strongly Disagree</b>	<b>Disagree</b>	<b>Neither agree or disagree</b>	<b>Agree</b>	<b>Strongly Agree</b>
Compared to before I took this training, my knowledge of this topic has increased.	1	2	3	4	5
The training content was related to the skills and knowledge I need to do my job.	1	2	3	4	5
The trainer(s) communicated the information clearly.	1	2	3	4	5
The trainer engaged the audience.	1	2	3	4	5
I plan to implement what I learned in this training.	1	2	3	4	5
The training met my purpose in attending.	1	2	3	4	5
Overall, I am satisfied with the training.	1	2	3	4	5

3. How likely would you be to recommend this training to a colleague (mark one)?

Not at all likely

Extremely likely

0	1	2	3	4	5	6	7	8	9	10
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4. Please describe how this training was helpful for you and how you might apply it in your work.

5. How can we improve this training?

6. What additional training in human trafficking would you or your agency like to receive?

# Participant Pre-Post Test & Evaluation Form

## Responding to the Crime of Human Trafficking in Ohio

<b>Presenter(s):</b> _____	<b>Training Date:</b> _____			
<b>Location:</b> _____	<b>Training Time:</b> _____			
<b>Please select <u>one</u> box below that <u>best</u> describes your field of work:</b>				
<input type="checkbox"/> Child Advocacy Center	<input type="checkbox"/> Child Welfare	<input type="checkbox"/> Detention Center Staff	<input type="checkbox"/> Foster Parent	<input type="checkbox"/> Social Service/Victim Service Provider
<input type="checkbox"/> Housing/Shelter Personnel	<input type="checkbox"/> Juvenile Court Judge or Magistrate	<input type="checkbox"/> Juvenile Court Staff	<input type="checkbox"/> Law Enforcement	<input type="checkbox"/> Medical/Public Health Providers
<input type="checkbox"/> Mental Health/Substance Use Provider	<input type="checkbox"/> Other Child/Youth Serving Provider	<input type="checkbox"/> School/Educational Institution	<input type="checkbox"/> State/Local Government	<input type="checkbox"/> Other (Please Elaborate) _____

**Pre-Presentation Questions: Please indicate whether you believe the following statements are True or False. If you are unsure of the answer, please mark "Unsure."**

Statement	True	False	Unsure
Minors who are compliant in commercial sexual activities may not be victims of human trafficking.			
Ohio's Safe Harbor law allows for the courts to intervene with services rather than adjudicate a trafficked youth.			
Youth who commit crimes as gang members cannot be considered victims of human trafficking.			
Travel is a necessary component of human trafficking.			
Federal law states any minor engaging in commercial sex is a victim of human trafficking, regardless of the circumstances.			
Trauma bonding occurs in the presence of inconsistent reinforcement.			
Victims must identify as victims of human trafficking before they can be linked to services.			
Youth engaged in peer recruitment are not eligible for Safe Harbor.			
Kidnapping or abduction are the primary methods traffickers use to gain access to victims.			

**Please complete the back of this page once the presentation is finished and then return to the training facilitator.**

**Post-Presentation Questions: Once the training has been completed, please indicate whether you believe the following statements are True or False. If you are unsure of the answer, please mark "Unsure."**

Statement	True	False	Unsure
Minors who are compliant in commercial sexual activities may not be victims of human trafficking.			
Ohio's Safe Harbor law allows for the courts to intervene with services rather than adjudicate a trafficked youth.			
Youth who commit crimes as gang members cannot be considered victims of human trafficking.			
Travel is a necessary component of human trafficking.			
Federal law states any minor engaging in commercial sex is a victim of human trafficking, regardless of the circumstances.			
Trauma bonding occurs in the presence of inconsistent reinforcement.			
Victims must identify as victims of human trafficking before they can be linked to services.			
Youth engaged in peer recruitment are not eligible for Safe Harbor.			
Kidnapping or abduction are the primary methods traffickers use to gain access to victims.			

Please mark the extent to which you agree with the following statement:

	Strongly Disagree	Disagree	Neither Agree/Disagree	Agree	Strongly Agree
This training increased my ability to identify and respond to human trafficking in my professional role.					

**What was the most valuable piece of information you learned from the presentation?**

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**Is there any additional information that you would like to have seen in the presentation?**

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**Please provide your email address if you would be willing to participate in a follow-up survey after this training:** \_\_\_\_\_

# Identifying and Responding to Juvenile Victims of Human Trafficking in Ohio

Training Resource Packet



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## Handout 1: Do You Stay, or Do You Go?

- You are a 15-year-old girl.
- When you were 9, children’s services removed you from your mother’s custody due to her drug use. You spent some time in foster care. It was difficult for you to adjust to new families, schools, locations, and rules on a regular basis. After your fifth foster home, you were placed in a large group home. You didn’t get along well with the other girls in the home, and your last week there, a group of your roommates threatened to “jump” you. You were very fearful. Children’s services then moved you to your aunt’s home, where you live now.
- You live with your aunt, uncle, and cousin Jasmine in a low-income neighborhood. You have no contact with your mother or your father, whose whereabouts are unknown.
- Six months ago, your uncle sexually assaulted you. When you told your aunt about the abuse, your aunt accused you of lying and being a “troublemaker.” She said if you didn’t stop lying, she would contact children’s services and send you back to foster care. Though you didn’t want to stay at your aunt’s home, you were afraid to go back to a group home.
- After that, you hated coming home to your aunt’s after school. You began spending a lot of time online, trying to distract yourself. One day while you were on Facebook, a man named Jason sent you a friend request. You had mutual friends, so you accepted.
- Jason’s first message said, “Hey beautiful, thanks for the add. You’re sooo cute. I’d like to get to know you.” This is the first time you can ever remember someone telling you that you’re pretty. You and Jason spend most of the night messaging each other, and you feel an instant connection. You agree to meet Jason, and in person, he is just as attentive and doting as he is online. He takes you to dinner and gives you lots of compliments.
- At your aunt’s home, your uncle has been coming into your room at night. The abuse is intensifying, but you’re not sure what to do. You start to spend more and more time with Jason to get away. You finally open up to him about what’s going on with your uncle. You haven’t told anyone since you tried to tell your aunt. Jason is so angry that your uncle is hurting you. He tells you he wants to protect you and treat you right.
- After a few weeks, Jason asks if you want to stay at his place to get away from your creepy uncle. Moving in with him sounds great, especially since your aunt doesn’t seem to want you at home anymore. A few days later, you move in with Jason.

This exercise was adapted from an activity developed by the National Judicial Institute on Domestic Minor Sex Trafficking.



## Handout 2: Overview of State & Federal Human Trafficking Laws

### FEDERAL LAW

#### Trafficking Victims' Protection Act of 2000

"The Trafficking Victims Protection Act (TVPA) of 2000 created the first comprehensive federal law to address human trafficking, with a significant focus on the international dimension of the problem. The law provided a three-pronged approach: prevention through public awareness programs overseas and a State Department-led monitoring and sanctions program; protection through a new T-Visa and services for foreign national victims; and prosecution through new federal crimes."

— Polaris, [www.polarisproject.org](http://www.polarisproject.org).

**As defined in the Trafficking Victims Protection Act of 2000, the legal definition of "severe forms of trafficking in persons" is:**

- a) sex trafficking in which a commercial sex act is induced by force, fraud, or coercion, or in which the person induced to perform such an act has not attained 18 years of age; or 22 USC § 7102 (9)(A)
- b) the recruitment, harboring, transportation, provision, or obtaining of a person for labor or services, through the use of force, fraud or coercion for the purpose of subjection to involuntary servitude, peonage, debt bondage, or slavery. 22 USC § 7102 (9)(B)

For more information: <https://polarisproject.org/current-federal-laws>

#### Preventing Sex Trafficking and Strengthening Families Act of 2015

The Preventing Sex Trafficking and Strengthening Families Act is a comprehensive law addressing accountability and reporting of runaway and missing children in foster care. The law required review of Ohio Administrative Code (OAC) to ensure Ohio is in compliance with **Public Law 113-183**.

**Federal law and OAC changes (OAC 5101:2-42-88) require state and local agencies to:**

- Report each missing or abducted foster child to law enforcement and to the National Center for Missing & Exploited Children (1-800-THE-LOST, <https://cmfc.missingkids.org/reportit>)
- Determine the primary factors that contributed to the child's running away or being absent from care and to use these factors when determining future placements
- Address the events and experiences that took place while the child was AWOL including determining whether the child was a sex trafficking victim

### OHIO'S HUMAN TRAFFICKING LAW

**As defined by the Ohio Revised Code Section 2905.32 (Trafficking in Persons), Ohio's legal definition of human trafficking is:**

"(A) No person shall knowingly recruit, lure, entice, isolate, harbor, transport, provide, obtain, or maintain...another person knowing that the person will be subjected to involuntary servitude or be compelled to engage in sexual activity..."

"...For a prosecution under division (A)(1) of this section, the element "compelled" does not require that the compulsion be openly displayed or physically exerted. The element "compelled" has been established if the state proves that the victim's will was overcome by force, fear, duress, or intimidation, or fraud."

Ohio has a tiered definition of *sex trafficking*:

- For minors under the age of 16, law enforcement officials do not need to prove that the minor was compelled to engage in commercial sexual activity. ORC 2905.32 (A)(2)
- For 16-17 year olds, law enforcement officials do not need to prove that the minor was compelled to engage in commercial sexual activity if the trafficker is in a "position of authority" over the victim (as defined in section 2907.03 of the ORC, which includes parents or persons acting in loco parentis, teachers, coaches, and others). ORC 2905.32 (A)(3)
- For people with developmental disabilities, law enforcement officials do not need to prove that the person was compelled to engage in commercial sexual activity. ORC 2905.32 (A)(2)



## CRIMINAL SANCTIONS FOR TRAFFICKERS AND PURCHASERS

- Trafficking in Persons is a first degree felony, with a mandatory minimum of 10 years in prison ORC 2905.32 (E)
- Sex traffickers are required to register as sex offenders (Tier II) and cannot live within 1,000 feet of a school ORC 2950.01 (F)(1)(g)
- Obstruction of Justice is a felony of the second degree in human trafficking cases ORC 2921.32 (C)(6)
- Advertising illicit massage parlor activity with the suggestion or promise of sexual activity is a prohibited activity punishable with a misdemeanor offense (Sec. 2927.17)
- Purchasing sex from a person with a developmental disability is a felony offense of the third degree (Sec. 2907.24)
- Purchasing sex from a minor is a felony offense, tiered as follows: (Sec. 2907.24)
  - For minors under the age of 16, the penalty is a felony of the third degree. Offender is required to register as a tier II sex offender.
  - For minors aged 16-17, the penalty is a felony of the fifth degree.

## PROTECTIONS FOR VICTIMS

### Safe Harbor for Minors

- Judges can sentence minors to diversion programs to receive needed protection and treatment through the juvenile justice system ORC 2152.021 (F)
- Ohio's law prohibits public disclosure of the names of minor victims of trafficking by law enforcement agencies, even if they have criminal records (the law contains exceptions for criminal justice professionals, parents, attorneys, child welfare agencies, and others) (Sec. 149.435 (B))
- Courts can allow minors under the age of 16 to give testimony in preliminary hearings via closed circuit television to protect minors from facing traffickers directly (Sec. 2937.11 (D)(1)(a))
- Child welfare agencies and courts have the authority to terminate the parental rights of a parent convicted of trafficking his or her own child (Sec. 2151.414)

### Intervention for Adult Victims

- Permits courts to accept an offender's request for intervention in lieu of conviction if the offender was a human trafficking victim at the time of the offense and that victimization was a factor leading to the offender's criminal behavior

### Expungement

- Adults and minors who have prior convictions of prostitution, solicitation or loitering to engage in solicitation may apply to the sentencing court to expunge the conviction of any offense, except murder, aggravated murder and rape, if they can prove that their participation in the offense was a result of being a victim of human trafficking. ORC 2953.38; ORC 2151.358 (E)

### Victims Compensation

- Victims can pursue civil damages against traffickers ORC 2307.51
- The Ohio Department of Job and Family Services may administer compensation to identified trafficking victims through the Victims of Human Trafficking Asset Seizure Fund ORC 5101.87

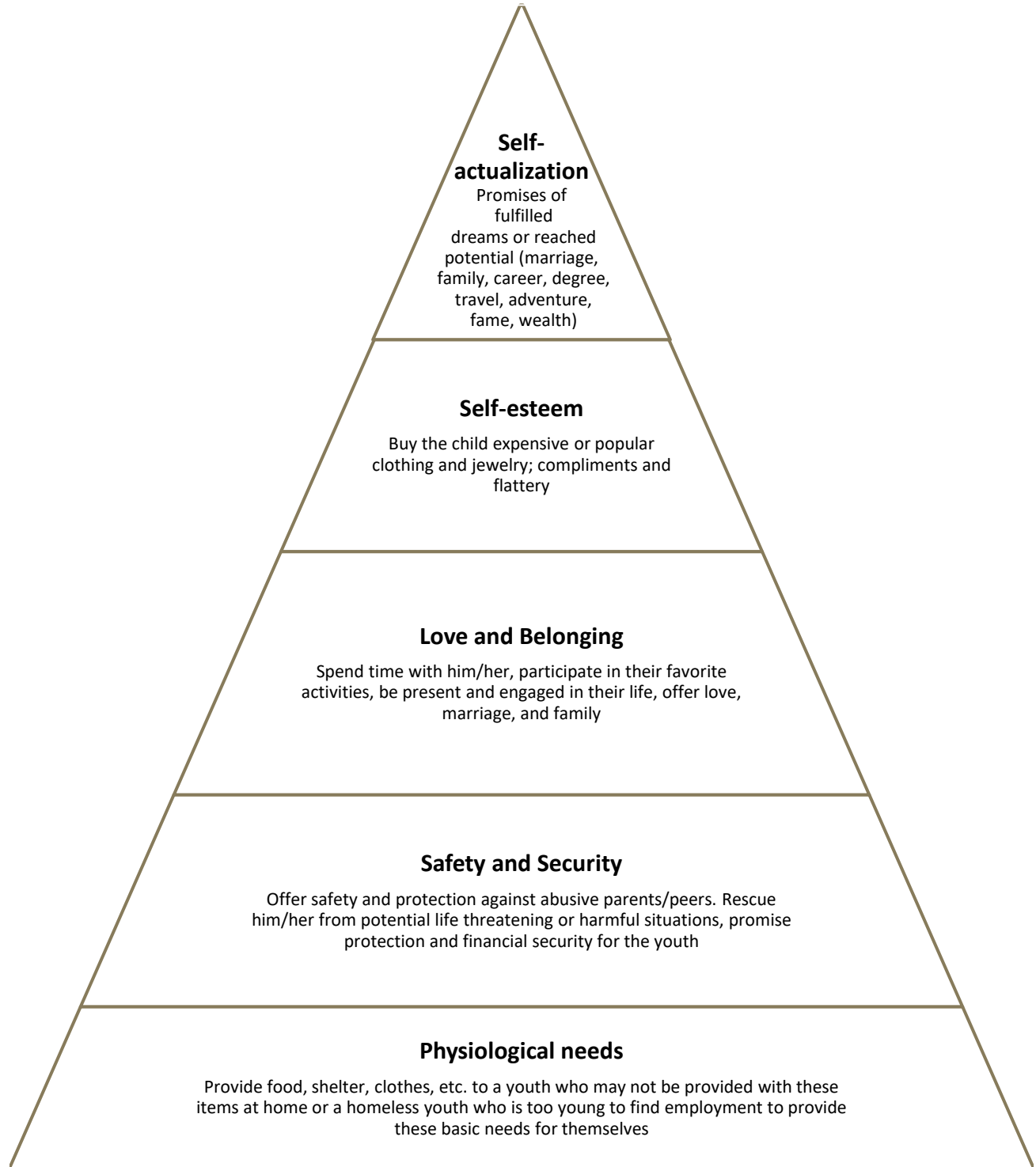
### Mandated Training

- Law enforcement officers are required to receive human trafficking training through the Ohio Peace Officers Training Academy ORC 109.73
- School districts are required to incorporate human trafficking training content into safety and violence prevention training plans ORC 3319.073 (B)

### Data Collection

- Local law enforcement must report the number of human trafficking cases to the Ohio Attorney General's Office to be released annually ORC 109.66

## Handout 3: Maslow's Hierarchy of Needs



## Handout 4: Power & Control Wheel of Human Trafficking



This wheel was adapted from the Domestic Abuse Intervention Project's Duluth Model Power and Control Wheel, available at [www.theduluthmodel.org](http://www.theduluthmodel.org)

## Handout 5: Red Flags & Indicators of the Trafficking of Youth

	<b>RED FLAGS FOR SEX OR LABOR TRAFFICKING</b>
<b>PHYSICAL</b>	<ul style="list-style-type: none"> <li>• Signs of physical abuse and/or evidence of lack of appropriate medical care</li> <li>• Poor dental hygiene/lack of dental care</li> <li>• Malnourished, hungry, thirsty</li> <li>• Exhausted (e.g.: dark circles under eyes)</li> <li>• Wounds, lesions, bruises</li> <li>• Intoxicated or evidence of drug/alcohol abuse</li> <li>• Over-sexualized behavior</li> <li>• Branding/tattoos</li> <li>• Burns/chemical burns related to machinery</li> <li>• Repetitive stress injuries</li> </ul>
<b>SOCIAL</b>	<ul style="list-style-type: none"> <li>• Violence, drug abuse, alcoholism in home</li> <li>• Prior history of sexual or physical abuse</li> <li>• Guardianship by unrelated person</li> <li>• Older, controlling significant other</li> <li>• Runaway and/or homeless</li> <li>• No form of ID/documentation</li> <li>• Limited/no English proficiency</li> <li>• Unsure of address or inconsistencies in describing where he or she lives/goes to school</li> <li>• Not speaking for one's self and/or signs of being controlled</li> <li>• Evidence of being unable to move and/or unable to leave job</li> <li>• History of STDs, multiple sexual partners</li> <li>• Possession of items outside personal or family income level</li> <li>• Condoms, pre-paid credit cards, large amount of cash, hotel keys, fake ID</li> <li>• Items found on person: Multiple cell phones, list of names (likely buyers)</li> </ul>
<b>PSYCHOLOGICAL</b>	<ul style="list-style-type: none"> <li>• Expresses fear: of not returning home on time, of losing job, of caregiver, of significant other</li> <li>• Depression, suicidal ideation and/or history of suicide attempt</li> <li>• Lack of eye contact or dulled emotions</li> </ul>
<b>LEGAL</b>	<ul style="list-style-type: none"> <li>• Charges: Truancy, theft (esp. of basic necessities), multiple curfew violations, prostitution, solicitation, drug/alcohol charges</li> <li>• Circumstances of arrest: High risk location (e.g.: hotels and restaurants known for human trafficking incidents, truck stops, massage parlors, etc.)</li> <li>• If foreign national, limited English proficiency</li> <li>• If foreign national, no form of ID/documentation</li> </ul>

## Handout 6: Case Studies

**In groups of 3-4, discuss:**

- Is this case human trafficking? If yes, what components of the scenario align with Federal and State law? If no, what components are missing?
- What are the red flags or indicators in this case?
- What service needs does this individual have?

### Case Study #1

Jamil is 14 years old and lives with his mother in an apartment. Even though she works two jobs, his mother struggles to make ends meet. Jamil spends a lot of time home alone, and the landlord often asks Jamil to help him with some projects around the building to keep him busy. For the last three months, while they are hanging out, the landlord makes Jamil perform oral sex and sometimes takes pictures of him during the sex acts. The landlord told Jamil and his mother that he would not evict them as long as Jamil keeps hanging out with him.<sup>1</sup>

- In this scenario, if sex trafficking is occurring, who would be identified as the trafficker?

### Case Study #2

Ashley is 16 years old. She lives with her 84-year-old grandmother, who also takes care of her four younger siblings. The week before her first day of school, Ashley realizes they don't have enough money to buy her school uniform and supplies. One of her friends suggests she go down to the local gas station and "stand on the corner" to make money. Within 15 minutes of standing on the corner, a man offers her \$50 for an oral sex act. Ashley agrees because \$50 will pay for her school uniform.

### Case Study #3

Sam is an 18-year-old transgender woman. You've been working on a transition plan but have had trouble locating housing. She decides she's going to stay with friends and says they're going to let her stay there for free. Unfortunately, that arrangement falls apart quickly, and Sam becomes homeless. One night while smoking a cigarette outside of the homeless shelter, a woman approaches Sam and asks her for a cigarette. The woman tells Sam that she's too pretty to be staying at the homeless shelter and knows a way for her to make quick money. Although Sam is hesitant, she thinks that anything has to be better than the shelter. The woman takes Sam back to her place and explains how to "walk the track" and "turn a trick." Sam's not thrilled about the idea but feels desperate, so she decides to give it a try.

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<sup>1</sup> Case studies #1-7 from Capacity Building Center for States. (2015). "Child welfare response to child & youth sex trafficking: Caseworker's curriculum." Washington, DC: Children's Bureau, Administration for Children and Families, U.S. Department of Health and Human Services.

Sam makes \$450 her first night out. On her second night out, a john/buyer violently assaults her, and she is admitted to the hospital. She calls you for help.

- What are some reasons Sam is at increased risk in the commercial sex industry for being assaulted by a john/buyer?

#### Case Study #4

Vanessa just turned 15 years old and is on the run from her foster home when she meets an older girl who says she can get her a job as a stripper. The girl introduces Vanessa to her boyfriend, Ricky, who says he'll operate as her manager. Vanessa gets a job at the club without even interviewing. She's super excited, but at the end of her first night of dancing, Ricky tells her he needs all of her money to cover rent and her dance outfits. When she hands him \$300, he says it's not enough and tells her he needs her to work "overtime" in the back rooms. She feels like she does not have a choice if she wants a place to sleep that night, so she goes in the back and engages in sex acts to earn another \$300 for Ricky.

#### Case Study #5

An officer in your local law enforcement vice unit has contacted you at 11 p.m. following a sting operation where they located a missing 15-year-old youth from another state. The officer found the youth after responding to an online classified ad posted on websites like Backpage.com and Myproviderguide.com. The child told the police officer that she met "Cream" outside of her group home about a month ago. She keeps referring to "Cream" as her boyfriend and says that they have been on the road moving from hotel to hotel for about three weeks. She's really worried about whether he is in trouble and keeps asking when she will get to see him. Law enforcement is asking for someone to come and take her to a placement for the evening.

- How would your agency respond to this request from law enforcement?

#### Case Study #6

You receive a call from a foster parent who is expressing frustration about Maria, who was placed there a month ago. Maria just turned 16 years old and has been in nearly every placement in the area. The foster mom says that she can't control Maria. In the last month, Maria has run away three times, and when she does come home, it's hardly ever before midnight. The foster mom says that she received a call from the school counselor saying Maria is sleeping through most of her classes. The foster mom is suspicious that Maria might be getting into drug dealing because she returned from her last run with her nails done and had upgraded her phone, which she's always using. When you sit down to talk with Maria, you notice that she has a notepad from the Red Roof Inn in her purse and several condoms.

- How would you approach asking Maria about these concerns? What would you ask?

## Case Study #7

Liz, who is 17 years old, runs away from her foster home for the fourth time this month because she hates the other kids placed there. While sitting outside of a local mall, she gets a message on a social networking app from Mike, a cute older “boy” (33 years old) who hit her up a few weeks ago and said he thought she was pretty. They’ve been communicating for weeks, and he always contacts her when she’s having a rough day. He seems so sweet and asks her about her life and promises to help her achieve her hopes and dreams. Liz quickly falls for him, and when he hears she ran away, he says she can stay at his place. She thinks they are in love. After spending what she considers an amazing month together, he says she is costing him too much money and must earn her keep. When she says she does not want to prostitute, Mike says, “Your uncle has been taking it for free for years, it’s about time you got something for it.” So Liz agrees because she wants to prove her love for him. Mike takes a couple photos and posts her escort ad online. Within minutes, the first text responses come in asking to coordinate a location and time for a date, and within the hour, she’s already made \$100 for Mike.

- How do you think Liz feels about the \$100 she made in an hour?

## Case Study #8

My name is Roberto, and I am 13 years old. My family and I work on orchards and farms, picking fruits and vegetables. We travel from place to place with our foreman, going where the crops are ripe and ready to be picked. We live in cheap, wooden shacks, usually with outdoor bathrooms that farmers allow us to use while we work on their land. Because we move so often, I cannot go to school for more than a few months during the winter season. My family and I work from sunrise to sunset, with a half-hour break for lunch. Sometimes, when it is very hot, I wish the foreman would bring us more than two small bottles of water. But, I know if I complain, it might cause problems for me and my family. Sometimes I can barely breathe because of the pesticides that have been sprayed on the fields, and I get terrible rashes from the chemicals. I don’t know if there are laws that keep kids my age from working on farms, or telling the bosses how long we can work, or how much we must be paid. I think I make about \$2 per hour.<sup>2</sup>

## Case Study #9

Jessica is a 17 year old girl looking for a summer job and sees an online advertisement promising a fun, well-paying job as a traveling magazine salesperson and a \$450 signing bonus. Once on the magazine crew, she does not receive her signing bonus and discovers that she will not be paid either on an hourly or commission-based wage. Instead, they only provide a small daily stipend for food, and they charge her extra for accommodation and gas. She has to meet a daily sales quota of six subscriptions, and as she struggles to meet that quota, she becomes more and more indebted to the magazine crew. The magazine crew does not have proper sales permits, and Jessica is cited for solicitation. Her crew leader holds all the paperwork related to these citations and refuses to allow her to respond. As a result,

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<sup>2</sup> Case study #8 developed by the Public Children Services Association of Ohio (2018).

Jessica is fearful that she might have arrest warrants; she's reluctant to leave this job because it seems like the crew is the only thing protecting her from arrest.<sup>3</sup>

## Case Study #10

Sandy is 15 years old and lives with her mother, Mary, and two younger siblings. Sandy helps her mother take care of her siblings and has few friends. Mary has always struggled to maintain employment and has recently turned to selling prescription drugs to pay their bills. Mary has started using the drugs she was selling and is now forcing Sandy to help her sell drugs. Mary will not let Sandy attend school and says Sandy must help more to pay the rent. Mary is becoming more dependent on the drugs and is sometimes physically violent when Sandy disagrees with her.<sup>4</sup>

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<sup>3</sup> Case study #9 from Polaris. (2015). "Knocking on Your Door: Labor Trafficking on Traveling Sales Crews." Washington, DC. Retrieved from: <https://polarisproject.org/resources/knocking-your-door-labor-trafficking-sales-crews>

<sup>4</sup> Case study #10 developed by the Public Children Services Association of Ohio (2018).



## Case Studies Notes Page

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# Case Studies Notes Page

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## Handout 7: Shifting to Trauma Informed Language

Insensitive Terms	Trauma-Informed Insight	Trauma-Informed Language
Controlling	<i>She has survived by controlling her environment.</i>	<i>She has leadership skills and desires input in her life outcomes.</i>
Paranoid		
Manipulative		
Prostituting		
Attention-seeking		
Doesn't want help		
Liar		
He/she is "an illegal"		
Uncooperative		

Adapted from the Government of Alberta Canada's Trauma-Informed Toolkit  
<http://fasd.alberta.ca/documents/toolkit-worksheet-trauma-informed-language.pdf>

## Handout 8: Considerations for Interacting with Survivors of Human Trafficking

DO	DON'T	Why
<b>Express empathy and compassion.</b>	Express pity or judgement.	Surviving human trafficking takes resourcefulness and resilience. Survivors of trafficking are more complex individuals who should be provided support.
<b>Maintain composure and provide reassurance. <i>"I believe you, and it's not your fault."</i></b>	Gasp, make faces, appear shocked. <i>"That's so awful! I can't believe that happened to you! I don't believe it!"</i>	Sometimes survivors may share parts of their story that may be difficult to process and understand. While interacting with a survivor, the focus should be on providing reassurance and messages of safety to the individual. Sometimes people may make expressions of disbelief because they are surprised or shocked, but this might have the unintended consequence of conveying that the story is not believable or that the survivor should not share about their experience.
<b>Gently encourage information sharing.</b>	Demand information.	Let youth share their story at their own pace.
<b>Gather information that will ensure safety and service delivery.</b>	Ask questions to satisfy your own curiosity.	Depending on your role and responsibilities, it is not necessary to know all the details of this youth's trauma history. It is important to understand safety concerns and the youth's service needs to facilitate care coordination.
<b>Remain neutral and supportive.</b>	Lecture youth or express other assessments of behavior.	Youth may have engaged in dangerous or risky behavior during their trafficking situation. It is important not to express judgment; focus on messages of support.
<b><i>"What happened to you wasn't your fault."</i></b>	<i>"You don't have to do that anymore."</i>	Saying that someone doesn't need to do something anymore implies that the youth consented to being trafficked.
<b>Survivors need supportive providers as they leave their</b>	<i>"We rescue victims."</i>	The focus should be on empowerment. Service providers

<p><b>situation on their own terms and in a way that is safe for them.</b></p>		<p>should inform survivors of human trafficking of services available to them and what exactly it means to engage in these services. If we force youth to engage in services or “rescue” youth, we are not addressing their vulnerabilities, and they may return to their trafficker.</p>
<p><b><i>“We will do everything we can to keep you safe.”</i></b></p>	<p><i>“You are safe now.”</i></p>	<p>Our understanding of safety may be different from the youth’s understanding of safety. It is important to have conversations with the youth about their understanding of safety and how to achieve safety. It is important not to make promises about safety because safety cannot be guaranteed.</p>
<p><b><i>“We are here because we want to help you. We will do our best to meet your needs.”</i></b></p>	<p><i>“We can fix your problems.”</i></p>	<p>It is important not to make promises about meeting the individual’s needs because services cannot be guaranteed. It is important to be transparent about your role and what you can and cannot do.</p>
<p><b><i>“Is there anyone you know who might need help?”</i></b></p>	<p><i>“We want to make sure what happened to you does not happen to anyone else.”</i></p>	<p>Youth should not be made to feel responsible for the potential victimization of others. Asking youth if they know of other youth in need of services is acceptable, but at the same time, youth should not be forced to provide information when they are unwilling to do so.</p>
<p><b>Use language like “human trafficking survivor,” “commercial sexual exploitation,” or “commercial sexual activity”.</b></p>	<p>Do not say “child prostitute” or “teen prostitute”.</p>	<p>Minors cannot consent to engage in commercial sex. To call a survivor of trafficking a “prostitute” implies that the youth made a choice instead of acknowledging the reality of commercial sexual exploitation and human trafficking.</p>

Adapted from New York State Office of Children and Family Services, “Do’s and Don’ts When Discussing Child Trafficking.”

## Handout 9: Amanda's Case Study

### Multidisciplinary Team Approach

Roles:

- Amanda
- Law Enforcement
- Prosecutor
- Public Defender
- GAL/CASA
- Children's Services Caseworker
- Victim Advocate
- Judge

### Amanda's Story

Amanda, age 14, was found by law enforcement during a SWAT raid at a home known for selling drugs. As the sole person in the residence at the time of the raid, Amanda was arrested and charged with Possession with Intent to Distribute. When questioned, she shared she lived with her boyfriend in the residence but refused to provide any information about his whereabouts. She shared she ran away from her foster home several months prior. Over the course of the interview, investigators learn she suffers from an opiate dependency, and to support her addiction, her boyfriend sometimes asks her to have sex with men in exchange for money. He also has her sell drugs from the home when he is away. Amanda reports she agrees to do both because she loves her boyfriend, and she wants to do her part financially.

### Questions

- Is this a case of human trafficking? Why or why not?
- What is the goal of your assigned role?
- What do you need to achieve your goal?
- What barriers do you see to achieving that goal?
- What agencies/individuals would you be working with?
- How would you facilitate collaboration? What makes collaboration difficult?



## Handout 10: Resources

### Contacts

**Bhumika Patel, MA**

*Anti-Human Trafficking Coordinator  
Public Children Services Association of Ohio*

614-224-5802

[Bhumika@pcsao.org](mailto:Bhumika@pcsao.org)

**Dominique Burns, PhD, LPC, NCC**

*Statewide Human Trafficking Coordinator  
Ohio Network of Child Advocacy Centers*

614-557-9874

[Dburns@oncac.org](mailto:Dburns@oncac.org)

**Rebekkah O'Bryan, LSW**

*Juvenile Justice Human Trafficking Liaison  
Ohio Department of Youth Services*

614-779-0230

[Rebekkah.obryan@dys.ohio.gov](mailto:Rebekkah.obryan@dys.ohio.gov)

**Veronica Scherbauer, MPA**

*Anti-Human Trafficking Grant Coordinator  
Ohio Department of Public Safety*

614-369-3399

[Veronica.Scherbauer@dps.ohio.gov](mailto:Veronica.Scherbauer@dps.ohio.gov)

### Websites

- Governor's Ohio Human Trafficking Task Force: <https://humantrafficking.ohio.gov/>
- Polaris: <https://polarisproject.org/>
- National Human Trafficking Hotline: <https://humantraffickinghotline.org/>
- National Center for Missing and Exploited Children: [www.missingkids.com/home](http://www.missingkids.com/home)
- Ohio Child Welfare Training Program has developed a free, online course on "What caregivers need to know about human trafficking." This course and additional resources can be found at [www.ocwtp.net/human-trafficking-caregivers.html](http://www.ocwtp.net/human-trafficking-caregivers.html)

### Legal Services for Victims of Human Trafficking

- Advocating Opportunity: <http://www.advocatingopportunity.com/>
- Ohio State University Moritz College of Law, Greif Fellowship in Juvenile Human Trafficking: <https://moritzlaw.osu.edu/justice-for-children/greif-fellowship-in-juvenile-human-trafficking/>

### Human Trafficking Prevention and Intervention Curriculum

- My Life, My Choice: [www.fightingexploitation.org](http://www.fightingexploitation.org)
- Ending the Game: <https://endingthegame.com/etg>

### Hotline Numbers

- National Center for Missing and Exploited Children (NCMEC): 1-800-The-Lost (1-800-843-5678)
- To report child abuse and neglect: 1-855-OH-CHILD (855-642-4453)

**National Human Trafficking Hotline: 1-888-373-7888**



## Ohio Human Trafficking Task Force-Supported Resources on [humantrafficking.ohio.gov](http://humantrafficking.ohio.gov)



### Ohio Coalitions

Map of anti-trafficking service providers, coalitions, advocacy and research organizations by county



### Laws

Want to know more about state and federal anti-trafficking laws?



### Awareness Campaign

Posters, fact sheets and billboards



### Ohio's Response

Current programs and initiatives to combat trafficking in Ohio



### Anti-Trafficking Updates

A brief overview of current news and updates in Ohio's anti-trafficking movement



### Data & Reports

Statistics and research



### Funding

State and federal funding resources for anti-trafficking organizations



### Outreach Toolkit

Outreach Toolkit On Identifying and Serving Foreign Nationals



### Request a Speaker

Would you like to request a representative of the Ohio Human Trafficking Task Force for a speaking engagement?

## **Ohio Coalitions**

Ohio is home to over 20 anti-human trafficking coalitions which are locally coordinated and often comprised of social service providers, law enforcement, legal service providers, courts, nonprofit organizations, universities and interested community partners. Coalitions seek to develop local multidisciplinary approaches to combat trafficking. Find a map of Ohio's anti-trafficking coalitions, along with a tip sheet on how to build a coalition response to human trafficking.

## **Laws**

In 2012, 2014 and 2018, Ohio passed laws to significantly strengthen its legal framework to combat human trafficking through increased penalties for offenders and increased legal protections for victims. Find an overview of the state and federal anti-trafficking laws.

## **Awareness Campaign**

Increasing awareness of human trafficking is a key priority of the Governor's Task Force. In 2013, the Office of Criminal Justice Services developed strategic awareness campaign materials including posters, fact sheets, full page ads and billboards. Find downloadable PDFs for the awareness campaign materials.

## **Ohio's Response**

The Governor's Task Force prioritizes the development and dissemination of tools and resources to assist professionals with combating human trafficking. Find ethical service standards, health and human services resources, community response models, screening tools, court resources and other practical tools.

## **Anti-Trafficking Updates**

Find up-to-date news, technical assistance resources and local events that are updated monthly.

## **Data & Reports**

Find primary human trafficking victim data collected from state sources, links to the Ohio Attorney General's annual human trafficking reports, and reports and briefs developed by the Office of Criminal Justice Services.

## **Funding**

Find a list of federal and state grant opportunities from the U.S. Department of Justice, U.S. Department of Health and Human Services, the Office of Criminal Justice Services and the Ohio Attorney General's Office.

## **Outreach Toolkit**

The Ohio Department of Public Safety and its partners developed a toolkit on identifying foreign national victims of trafficking. Find community outreach materials and guidance for engaging with potential trafficking victims.

## **Request a Speaker**

Organizations interested in bringing in a speaker to provide a human trafficking training can submit a speaker request form, and a representative from the Governors' Task Force will work with the requester to schedule and coordinate a training.

*This project is supported by Cooperative Agreement No. 2017-VT-BX-K013 awarded by the Office for Victims of Crime, Office of Justice Programs, U.S. Department of Justice. The opinions contained herein are those of the author(s) and do not necessarily represent the official position or policies of the U.S. Department of Justice. References to specific agencies, companies, products, or services should not be considered an endorsement by the author(s) or the U.S. Department of Justice. Rather, the references are illustrations to supplement discussion of the issues.*

# Serving Youth Survivors of Trafficking

Chelsea Gaffey, ODYS  
Vanessa Perkins, OVC Consultant  
Kizzy Williams, AO



Department of  
Youth Services



*This project is supported by Cooperative Agreement No. 2020-NZ-NX-002 awarded by the Office for Victims of Crime, Office of Justice Programs, U.S. Department of Justice. The opinions contained herein are those of the presenter(s) and do not necessarily represent the official position or policies of the U.S. Department of Justice. References to specific agencies, companies, products, or services should not be considered an endorsement by the author(s) or the U.S. Department of Justice. Rather, the references are illustrations to supplement discussion of the issues.*

# Survey

- Pre-Test:
  - Please take ASAP:
- Post-test survey link will be shared at the end of the training.



# Notes before we start...



Terminology used during  
this presentation



Note on self care



Questions



Handouts

# OVC Improving Outcomes Grant

- ❑ In 2020, The Department of Public Safety was awarded a grant through the federal Office for Victims of Crime.
- ❑ Funds are being utilized for the following:
  - ❑ Employing a grant coordinator at the Office of Criminal Justice Services
  - ❑ Consultation and training with subject matter experts
  - ❑ Employing a Safe Harbor Coordinator at two juvenile courts
- ❑ 3-year grant program focusing on:
  - ❑ **Building Ohio's capacity to implement Safe Harbor law and adopt Safe Harbor protocols**
  - ❑ Technical assistance to better serve youth victims



# Objectives

- Review Human Trafficking
  - Overview of human trafficking definitions and dynamics
- Develop Plan for Services
  - **Review of AO's case plan model**
- Strategize to Build Rapport
  - Confidentiality and transparency
  - Practical strategies for engagement
- Plan for Harm Reduction
  - Safer vs. Safest Behaviors
- Identify Service Models
  - Mentorship
  - Advocacy





# *Reviewing* Human Trafficking



# What is human trafficking?



# Federal Legal Definition of Trafficking

As defined in the Trafficking Victims Protection Act (TVPA) of 2000, the **legal definition of “severe forms of trafficking in persons” is:**

- a) **sex trafficking** in which a commercial sex act is induced by force, fraud, or coercion, or in which the person induced to perform such an act has not attained 18 years of age;  
-from 22 USC § 7102 (9)(A)

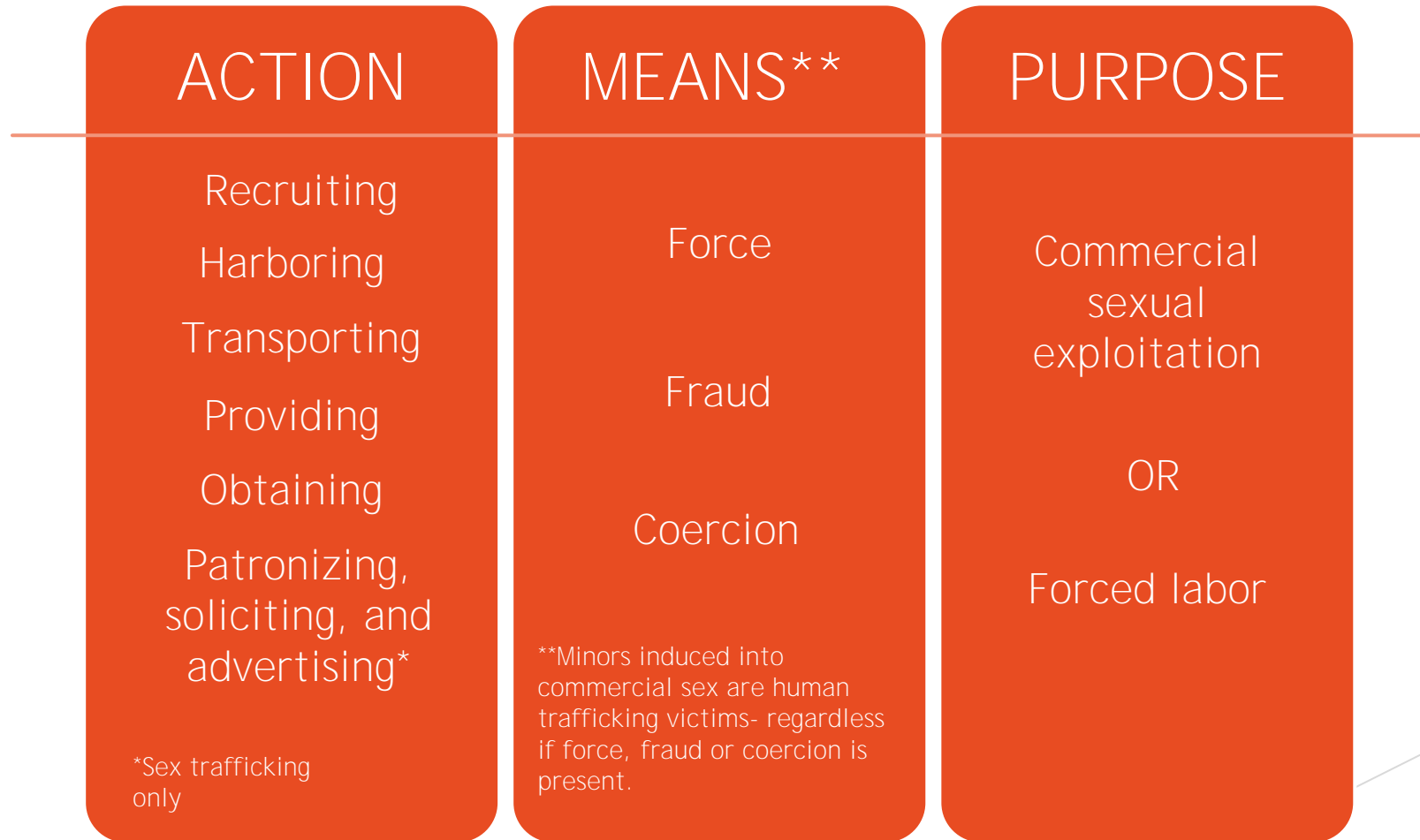
*or*

- b) the recruitment, harboring, transportation, provision, or obtaining of a person for **labor or services**, through the use of force, fraud or coercion for the purpose of subjection to involuntary servitude, peonage, debt bondage, or slavery.  
-from 22 USC § 7102 (9)(B)

-The TVPA of 2000 was the first comprehensive federal law to address trafficking in persons. The TVPA was reauthorized in 2003, 2005, 2008, 2013, and 2017.



# How Trafficking Occurs



\*Sex trafficking only

Source: Polaris



# Ohio's Definition of Trafficking

As defined by the Ohio Revised Code Section 2905.32 (Trafficking in **Persons**), **Ohio's legal definition of human trafficking is:**

“(A) No person shall knowingly recruit, lure, entice, isolate, harbor, transport, provide, obtain, or maintain...another person knowing that the person will be *subjected to involuntary servitude or be compelled* to engage in sexual activity...”

“...For a prosecution under division (A)(1) of this section, the element "compelled" does not require that the compulsion be openly displayed or physically exerted. The element "compelled" has been established if the state proves that the victim's will was overcome by force, fear, duress, or intimidation, or fraud, by furnishing or offering a controlled substance to the victim, or by manipulating the victim's controlled substance addiction.”



# Ohio's Definition of Trafficking

- In January 2021, Governor DeWine signed HB 431 into law, which eliminated a previously tiered definition of sex trafficking, increasing protections for minors
- Under this new law:
  - Minors (anyone under 18) and persons with developmental disabilities induced to engage in sexual activity for hire by one person with another person is considered sex trafficking, regardless of evidence of compulsion
  - Other additional provisions related to protecting survivors



# Ohio's Safe Harbor Law

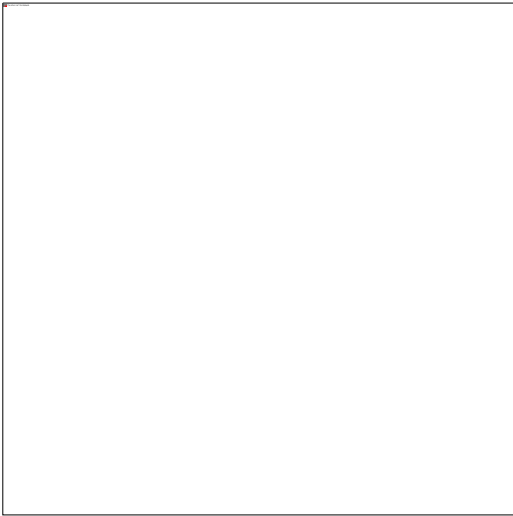
- Safe Harbor Law was enacted in 2012 as a means for courts to intervene in lieu of conviction or adjudication
- Per Safe Harbor statute, if there is reason to believe a youth is a victim of trafficking, and their presenting charge is related to their victimization, the charge can be held in abeyance, and they can be connected to supportive services
- If the youth completes programming satisfactorily, the charge is dismissed **and expunged from the youth's record**



# *Developing* Plan for Services







What is your current response to trafficked youth?

ⓘ Start presenting to display the poll results on this slide.

# Response Building

- A comprehensive approach to serving survivors plans for short-term and long-term goals:
  - Immediate Safety
  - Emergency, Short-Term, and Long-Term Placement
  - Physical and Psychological Health
  - Legal issues
  - Educational Goals
  - Life Skills
  - Job Skills
  - Mentorship



## Case Plan Model: Advocating Opportunity's Building Organic Roots

- Four primary objectives
  - 1. Decrease isolation and reduce service gaps through development of community connections
  - 2. Increase client resilience and success through development of broader support systems and fostering diverse interests
  - 3. Increase client independence and self-sufficiency
  - 4. Increase service utilization and more accurate identification of potential clients through two-way referral systems



# Building Organic Roots: 10 Steps



# *Strategize* to Build Rapport



# Confidentiality and Transparency

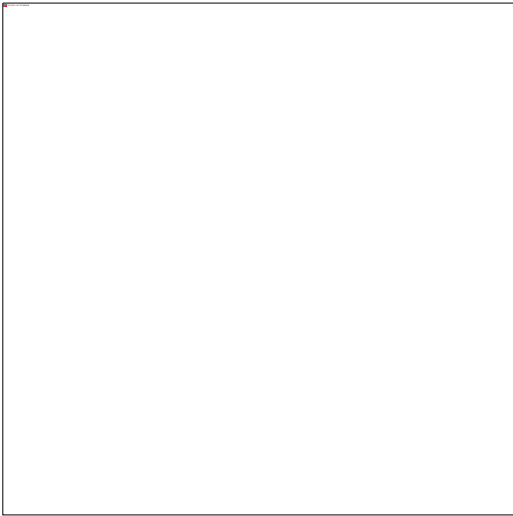
Confidentiality refers to  
**the youth's right to  
privacy**

- Consider confidentiality among family members
- Following ethical guidelines regarding client privilege in your discipline

Transparency  
acknowledges there are  
**limits to the child's  
privacy**

- How do you explain mandatory reporting?
- How can you remain transparent when having to share/report information the youth would prefer you not share/report?





# What Does Authenticity Mean to You?

ⓘ Start presenting to display the poll results on this slide.

# Authenticity

How do your closest friends and family show their authenticity?

Why is authenticity important?





# Survivor-Centered

A survivor-centered approach prioritizes the **survivor's**:



Consider:

- **“nothing about me without me”**
- Survivors should be the ultimate decision-makers
- Forward looking stance versus focus on past challenges

Source: *Human Trafficking in Youth-serving Programs: A Blueprint for Organizations Working with Street Youth, Homeless Youth, and Youth at Risk*, developed by Family & Youth Services Bureau, Runaway and Homeless Youth Training & Technical Assistance Center, available at [rhyttac.net](http://rhyttac.net)



# Mandated Reporting

- Human trafficking and exploitation is a form of child maltreatment
- If you suspect trafficking or exploitation, you should follow state and agency guidelines for mandated reporting
- What are your mandated reporting requirements?
  - Report to law enforcement and/or child welfare
  - Calling the national human trafficking hotline does NOT fulfill your requirement as a mandated reporter
- How do you report in a trauma-informed, survivor-centered manner?



# Youth-Focused Services

- Working with youth can be complex, as they are often involved in multiple systems
  - Family
  - Court
  - Child welfare
  - Schools
- It is critical that the youth has someone on their service team who represents and advocates for their interests as their primary responsibility



# Choice and Autonomy

The desire for autonomy is natural and healthy

- How do you assert autonomy in your own life?

Youth who have been trafficked may have a complex relationship with autonomy and choice:

- The trafficker may have taken their ability to make choices and exercise autonomy through control
- The trafficking experience may have provided the illusion of autonomy
- The youth may have been exercising autonomy to meet their needs in a way that seemed most accessible to them at the time





## Choice and Autonomy

- Why is it important that we respect **the youth's right to be autonomous** and their need to make choices?
- How can we do that in both small and significant ways?
  - Controlling the car radio, youth being part of service team meetings, etc.

# Conversation Strategies

## Mirroring language, tone, and non-verbals

- Using terms the youth uses to identify people in the youth's life

## Developmentally appropriate

- Use language and content the youth is prepared to engage with
- When educating elementary-age youth on trafficking, for instance, it may not be appropriate to discuss sex trafficking. Instead, the educator may focus on healthy boundaries in all relationships and safe vs. unsafe touch, etc.

## Trauma-informed language

- Avoid blaming, stigmatized, and triggering language



# Trauma-Informed Language Worksheet



# Strengths-Based Approach

- Shift away from looking at deficits
- **Focus on individual's and family's capacities,** competencies, connections, values, hopes, etc.
- Does not mean ignoring challenges
- Encourage experiences where youth can be successful





# Managing Resistance

- EXPECT RESISTANCE
  - Why might youth who have been trafficked be resistant in your work with them?
- Understand that at times, you and the **youth you're working with will have** different ideas and recommendations **for the youth's success**
  - You can reduce relationship damage by maintaining **transparency, valuing the youth's** insight even when disagreeing, and ensuring the youth is aware of all recommendations and reports you make regarding them



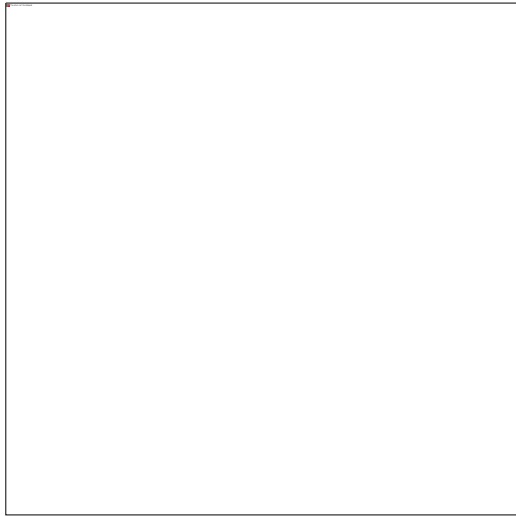
# Managing Resistance Roleplay

- Find a partner.
- Take turns roleplaying the youth and the professional
- Youth should make a challenging statement, and the professional should respond in a trauma-informed manner
  - Youth examples:
    - “You’re paid to be here.”
    - “You don’t care about me.”
    - “You don’t know anything about my life.”
    - “I don’t want your help.”
    - Additional examples?



# *Plan for* Harm Reduction





# What Is Harm Reduction?

ⓘ Start presenting to display the poll results on this slide.

“

Social work core values mirror those of harm reduction; they recognize the inherent worth and dignity of all people, take a non-judgmental stance, respect diverse populations, encourage professional competency and the right to self-determination, advocate for social justice, adopt a strengths perspective, encourage ongoing research and evaluation, and facilitate inter-professional practice. ”

“*Harm Reduction*” refers to policies and practices that aim primarily to reduce adverse health, social, and economic consequences of high-risk behaviors. Harm reduction benefits people engaging in high-risk behaviors as well as their families and communities.

Source: Runaway and Homeless Youth- Training and Technical Assistance Centers





## Safer vs. Safest

- Youth will continue to engage in high-risk behaviors
  - Safety planning is key
    - Where can youth go if they do runaway?
    - Do they know who to call in an emergency?
    - Can they identify safe individuals in their life?
      - Family, friends, case manager, etc.
- If youth do continue engaging in these behaviors, how can we focus on reducing the level of harm instead of focusing on eliminating the behavior all together?
  - For instance: abstinence-only education vs. teaching safe sex
  - CDC studies show that when people use Syringe Service Programs there is an appx. 50% reduction in HIV/HCV incidence.



## Runaway Youth

- According to Polaris, running away is one of the top five risk factors that increase vulnerability of youth to trafficking
- Incidences of running away should be reported
  - Be transparent about this
- Harm reduction = planning
  - Have a safety plan that is developed with the youth
  - Clearly outline your obligation of reporting runaway behavior



# Substance Use

- What are some ways we can practice harm reduction around substance use?
  - Connect individuals to overdose education, counseling, and referral to treatment for infectious diseases and substance use disorders.
  - Distribute opioid overdose reversal medications (e.g., naloxone) to individuals at risk of overdose, or to those who might respond to an overdose.
  - Lessen harms associated with drug use and related behaviors that increase the risk of infectious diseases, including HIV, viral hepatitis, and bacterial and fungal infections.





# Substance Use

- What are some ways we can practice harm reduction around substance use?
  - Reduce infectious disease transmission among people who use drugs, including those who inject drugs by equipping them with accurate information and facilitating referral to resources.
  - Reduce overdose deaths, promote linkages to care, facilitate co-location of services as part of a comprehensive, integrated approach.
  - Reduce stigma associated with substance use and co-occurring disorders



# Physical Safety/Sexual Health



- Identify key people within the reproductive health field that they can reach out to in times of a sexual crisis:
  - Free clinics
  - Community testing
  - Sexual assault crisis centers
  - Department of health
    - Freely available contraceptives
- Education around safe sex/sexual health



# Relationships



42% were brought into trafficking by a member of their own families.

39% were recruited via an intimate partner or a marriage proposition.

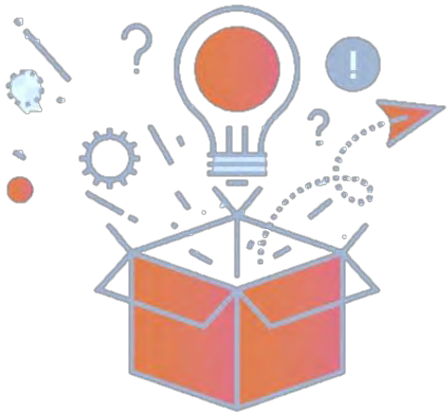


# Relationships

- Relationships are a key component to healing
- Key qualities of a healthy relationship:
  - Mutual Respect
  - Communicate openly
  - Ability to be oneself



# Thinking Outside the Box



- Examples of Harm Reduction practices
- What is your organization doing around harm reduction?

# *Identify* Service Models



# Mentorship



# What are the benefits of mentorship?

Increased high school graduation rates

Lower high school dropout rates

Healthier relationships and lifestyle choices

Better attitude about school

Higher college enrollment rates and higher educational aspirations

Enhanced self-esteem and self-confidence

Improved behavior, both at home and at school

Stronger relationships with parents, teachers, and peers

Improved interpersonal skills

Decreased likelihood of initiating drug and alcohol use (MENTOR, 2009; Cavell, DuBois, Karcher, Keller, & Rhodes, 2009)





# Mentorship

- Provides connection with safe adults
  - This is one of the top 5 Resiliency Factors
    - Source:  
<https://governor.ohio.gov/priorities/building-resiliency/about-the-summit/growing-resiliency>
  - Two different types of mentorship:
    - Natural (Informal)
      - Coach, Older Family Member, Teacher
    - Assigned (Formal)
      - I.E. Big Brothers/Big Sisters



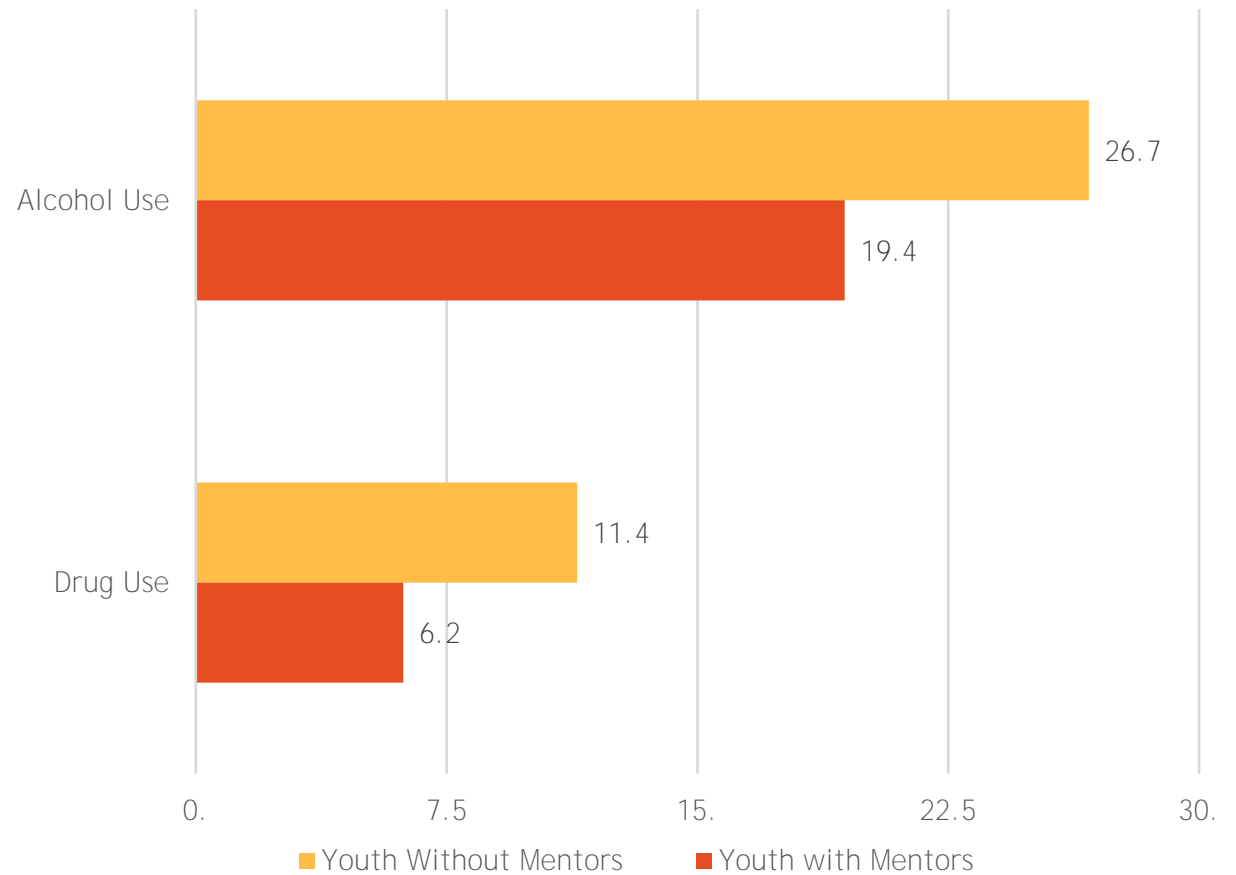
# Mentorship

- Basic Models for Mentoring Programs:
  - One Adult, One Youth
    - National programs like Big Brothers/Big Sisters
  - Group Mentoring (one adult, up to 4 youths)
  - Team Mentoring (Multiple adults, multiple youth)
  - Peer Mentoring
  - E-mentoring



What does the research say?

- In a 2015 study done with Big Brothers/Big Sisters:



# Advocating for Youth



# What is Advocacy?



SELF ADVOCACY



INDIVIDUAL  
ADVOCACY



SYSTEMS  
ADVOCACY

# Advocating WITH Youth

- Involve youth in the decision-making process
  - Choice provides agency, a sense of control, and encourages independence.
    - These are things that are usually stripped away from someone who has experienced trafficking
    - It is key to recovery
  - Choice can start small:
    - Music you listen to in the car
    - Where you take them for lunch
    - What are some other examples?



## Advocating With Youth

- Choice can be overwhelming
  - Narrow down options and give choice between a few options
- Choice can include boundaries or restrictions
  - **Sometimes working within our programs doesn't allow for a lot of choice**
  - Be transparent about the choices that are available and any limitations



Questions?





# Contact Information

Chelsea Gaffey, LSW  
*Human Trafficking Liaison - Ohio Department of Youth Services*  
[chelsea.gaffey@dys.ohio.gov](mailto:chelsea.gaffey@dys.ohio.gov)

Vanessa Perkins  
*OVC Anti-Trafficking Consultant*  
[Vess\\_555@yahoo.com](mailto:Vess_555@yahoo.com)

Emily Dunlap, JD  
*Staff Attorney - Advocating Opportunity*  
[ed@advocatingopportunity.com](mailto:ed@advocatingopportunity.com)

Kizzy Williams, MPH, LSW  
*Advocating Opportunity*  
[kw@advocatingopportunity.com](mailto:kw@advocatingopportunity.com)



# Understanding and Addressing Sex Trafficking in Our Community

*Presented by:*

[insert instructor name]



# OVC Funding

This training was created with the support of grant 2019-NZ-NX-0034, awarded by the Office for Victims of Crime, Office of Justice Programs, U.S. Department of Justice.

The opinions, findings, and conclusions or recommendations expressed in this content are those of the contributors and do not necessarily represent the official position or policies of the U.S. Department of Justice.

# *Before we get started...*



**Take breaks  
when needed.**



**Be part of the  
discussion.**



**Move around  
when needed.**



This presentation includes stories about traumatic experiences.

They include domestic violence, child abuse, and sexual assault.

We encourage you to take breaks as needed.

# The Issue



# Human Trafficking is...

*A public health concern.*

*Impacts individuals, families, and communities across generations.*

*A crime that involves exploiting a person for labor, services, or commercial sex.*

Trafficking  
Victim  
Protection  
Act

# Labor Trafficking



The recruitment, harboring, transportation, provision, or obtaining of a person for labor or services, through the use of force, fraud or coercion for the purpose of subjection to involuntary servitude, peonage, debt bondage, or slavery.

*22 USC § 7102*



# Sex Trafficking



A commercial sex act is induced by force, fraud, or coercion, or in which the person induced to perform such act has not attained 18 years of age.

# Does sex trafficking require movement of people for it to be trafficking?

A: Yes

B: No



**Answer: B**

# Where does sex trafficking happen?

Strip Clubs  
Hotels  
Pornography  
Truck stops  
Social Media

Websites  
Messaging apps  
Private parties  
Massage Parlors  
Escort Services



# The Way it Happens





*The Life Story,*  
*Entry Into The Life*

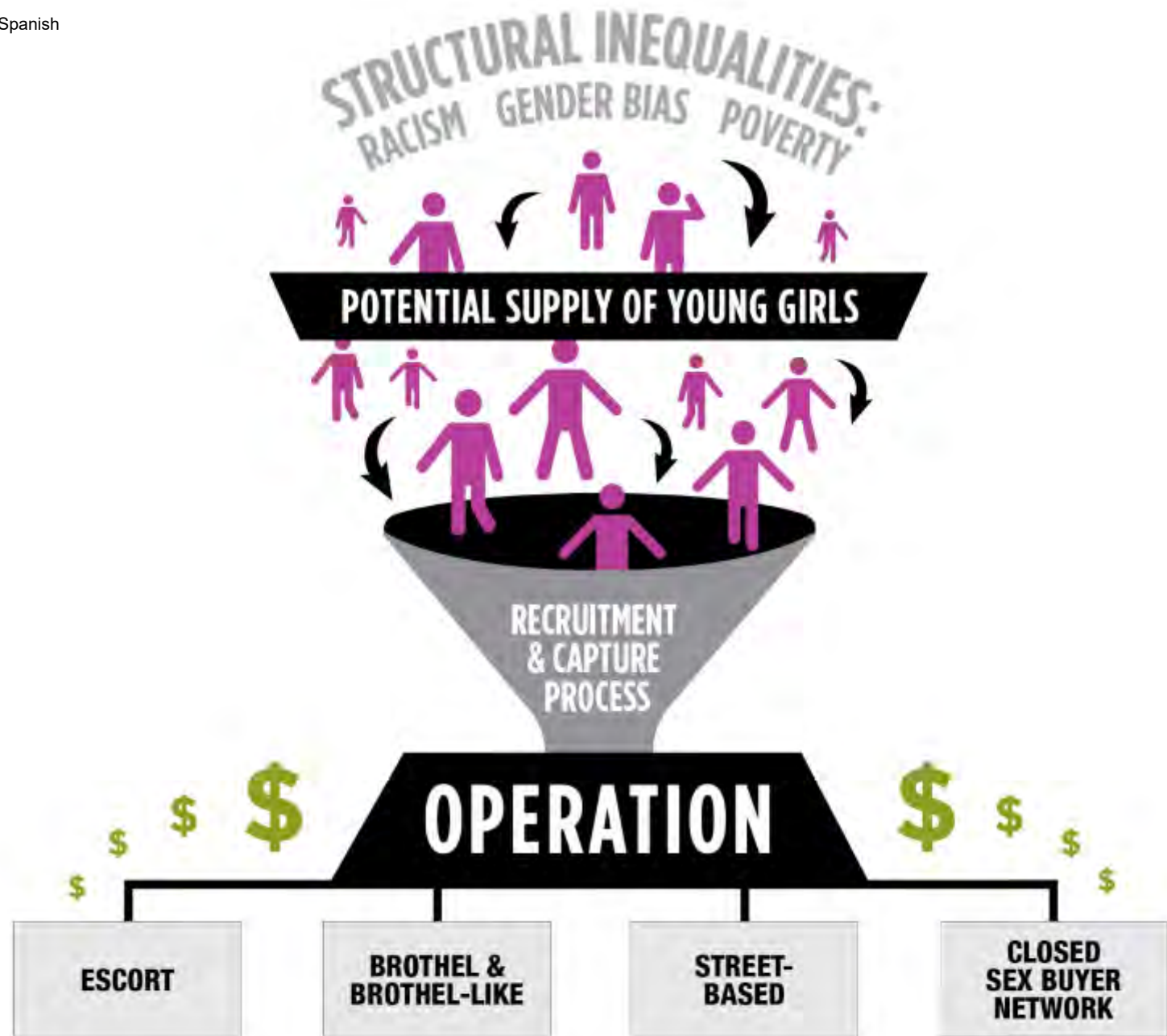


What **stood out** to you?

# Trafficker Tactics



# Mapping the Market





# The Impact





*The Life Story,  
Trauma and Addiction*

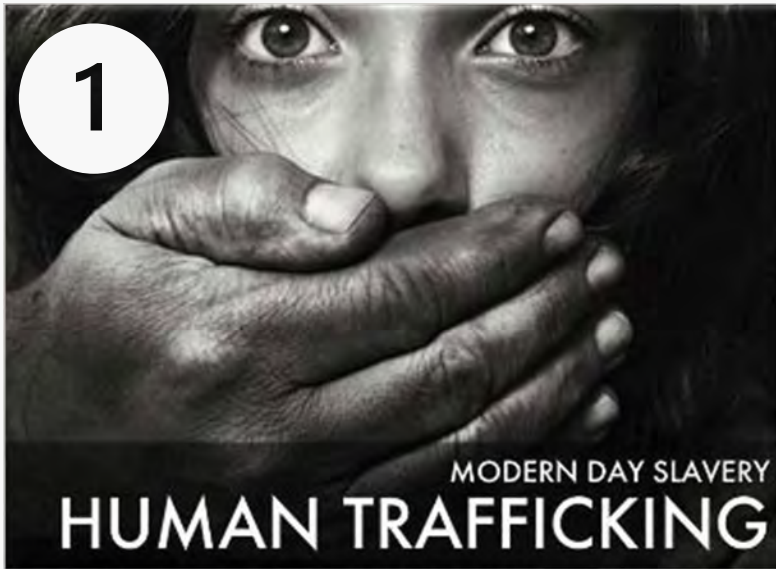


What **stood out** to you?



# Misidentification

---



Demand



# The Location



# Our community includes people who are vulnerable to sex trafficking.

A: True

B: False



**Answer: A**



# Sex trafficking happens in our community.

A: True

B: False



**Answer: A**



*Rebecca Bender's Story -  
Human Trafficking Survivor*

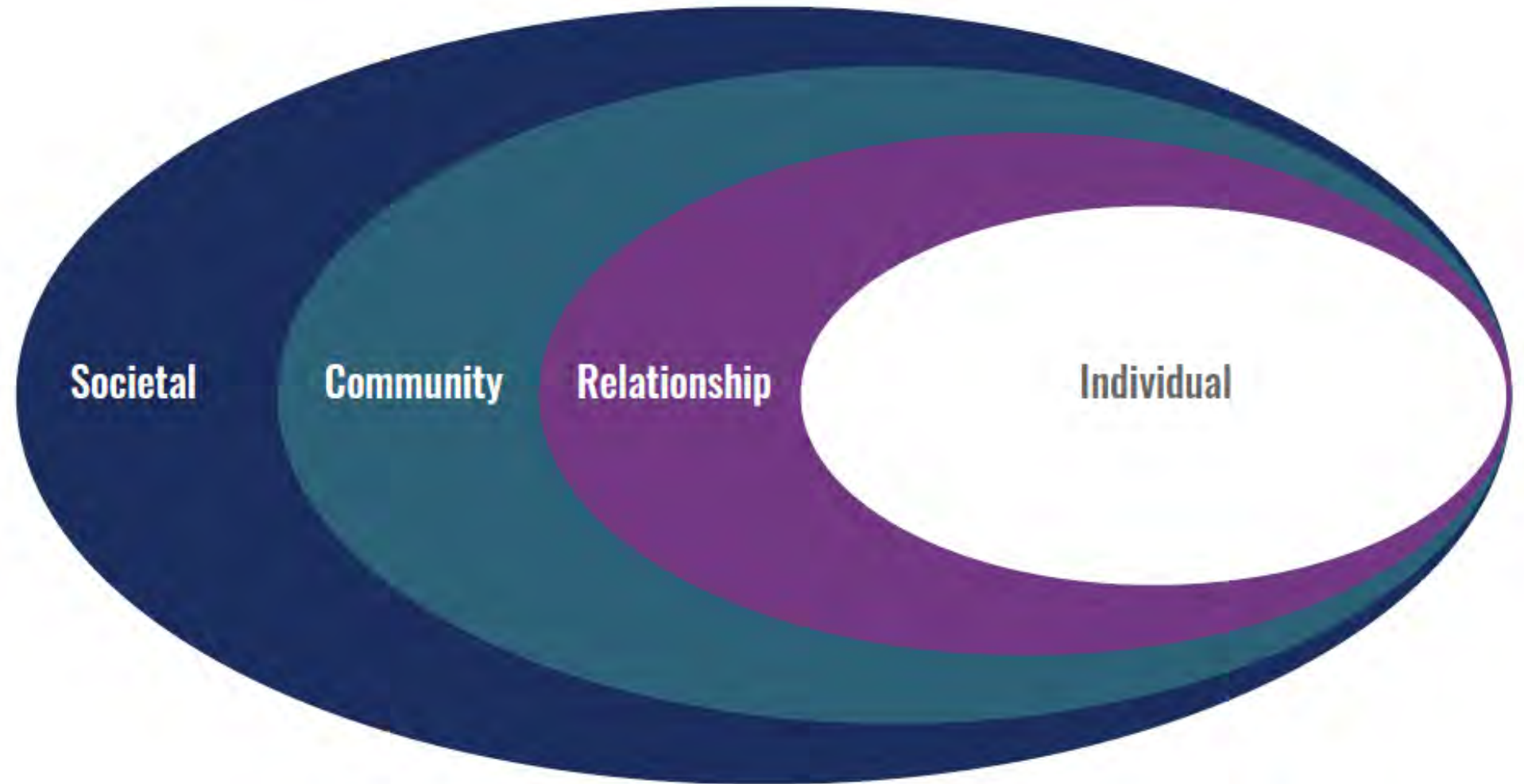


What **stood out** to you?

# The Action



# Socio-Ecological Model



- Adapted from the CDC Socio-Ecological Model of violence prevention.

Report child abuse  
1-855-503-SAFE (7233)  
Keep Oregon's children safe



# NATIONAL HUMAN TRAFFICKING HOTLINE



**CALL**

1-888-373-7888



**TEXT**

"BeFree" (233733)

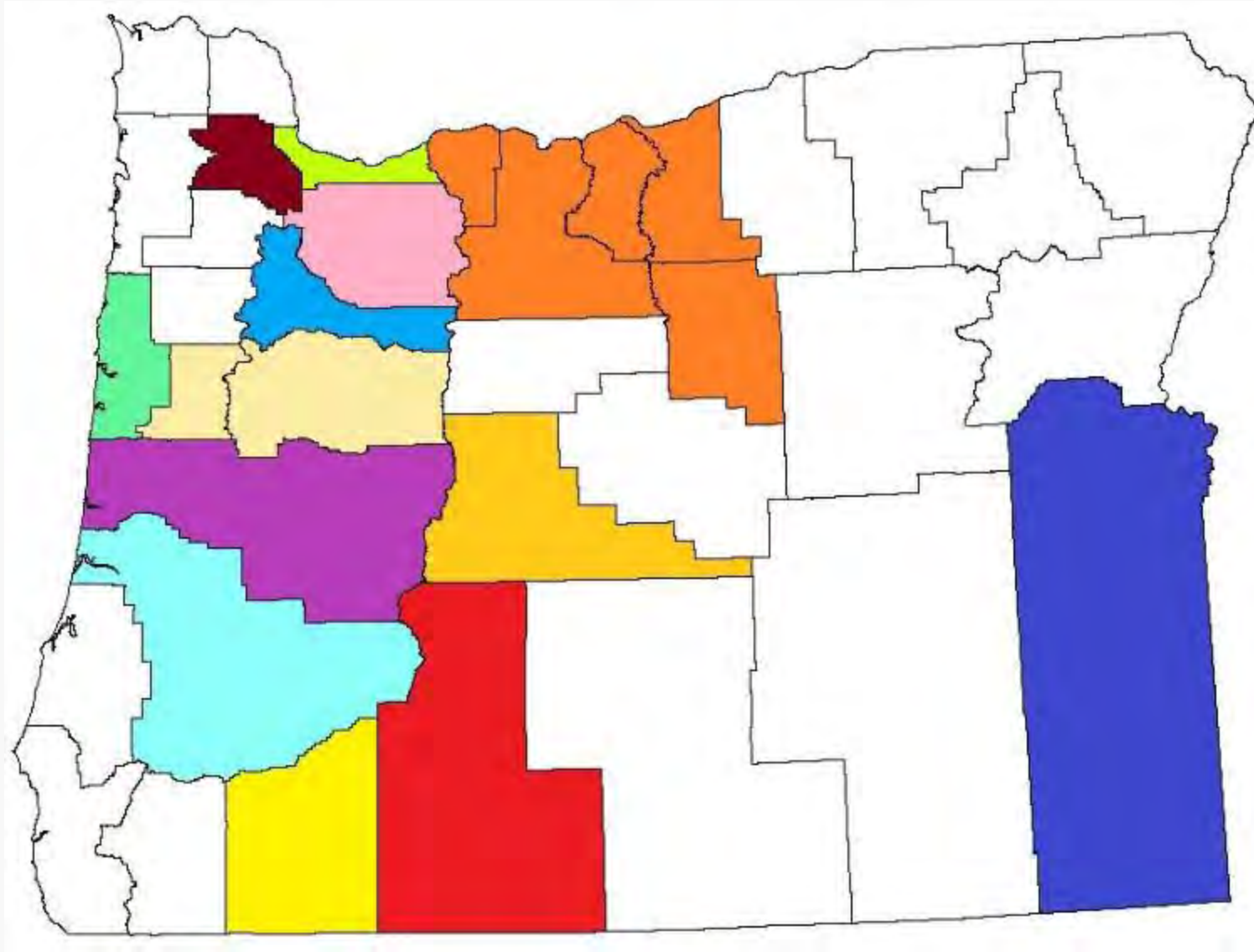


**LIVE CHAT**

HumanTraffickingHotline.org

- ✓ Get help.
- ✓ Report a tip.
- ✓ Find services.
- ✓ Learn about your options.

# Trafficking Intervention Task Forces



\*As of July 2022



# Our Community

# Thank you!

[Presenter's Name]  
[Contact Info]



September 2022

# Understanding and Addressing Sex Trafficking in Our Community

## Facilitator's Guide



This training was created with the support of grant 2019-NZ-NX-0034, awarded by the Office for Victims of Crime, Office of Justice Programs, U.S. Department of Justice. The opinions, findings, and conclusions or recommendations expressed in this content are those of the contributors and do not necessarily represent the official position or policies of the U.S. Department of Justice.

This is a training program produced by the Oregon Trafficking Response and Intervention Program (T.R.I.P.) within the Crime Victim and Survivor Services Division (CVSSD) of the Oregon Department of Justice.

For more information about the training, please contact:

Amanda Swanson, Human Trafficking Intervention Coordinator

[Amanda.Swanson@doj.state.or.us](mailto:Amanda.Swanson@doj.state.or.us)

Letetia Wilson, Human Trafficking Intervention Specialist

[Letetia.Wilson@doj.state.or.us](mailto:Letetia.Wilson@doj.state.or.us)

Caroline Olfert, Training and Curriculum Policy Coordinator

[Caroline.Olfert@doj.state.or.us](mailto:Caroline.Olfert@doj.state.or.us)

[www.doj.state.or.us/htresources](http://www.doj.state.or.us/htresources)



We would like to express special appreciation to Emily Hall, Camerron Resener, and Robin Miller for their consultation on this curriculum. For the many survivors who shared their lived experience through The Life Story and Rebecca Bender, your stories inspire us to do more and do better. Thank you.



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## Background

Oregon's approach to human trafficking, like most states, continues to evolve.

Community task forces support and encourage a multidisciplinary, collaborative response among law enforcement, prosecution, victim service providers, and a diverse team of practitioners including culturally specific services, and tribal nations. While the task forces are independent and include local experts, they share the "no wrong door" approach for victims accessing services in Oregon.

We designed this curriculum to support task forces and their partners in their efforts to address sex trafficking in their communities.

## About this Curriculum

Using stories, we designed this curriculum to help audiences:

- develop empathy for victims and survivors of sex trafficking,
- increase awareness that it happens in their communities, and
- identify steps they can take to address the issue.

Our use of storytelling as a method of instruction was strategic. Effective storytelling allows listeners to imagine themselves inside the story. This development of empathy, coupled with a deeper understanding of sex trafficking, influences the listener, creating an opportunity to change their attitudes and build motivation to do something.<sup>1</sup>

This curriculum incorporates three videos of survivors sharing their experiences. Two videos come from [The Life Story](#), which "seeks to elevate the experiences and voices of those in the sex trade while providing the solutions they need."

A final video features an Oregon survivor leader, Rebecca Bender, who shares her story and serves as an example of how one person can help end sex trafficking.

Instructors must rely more heavily on facilitation than presentation skills. The difference between "presenting" and "facilitating," as described by many, is the difference

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<sup>1</sup> *What Makes Storytelling So Effective for Learning?* Harvard Business Publishing, 2017

between being the “sage on stage” and the “guide on the side”<sup>2</sup>. Instructors use their facilitation skills to guide the audience through discussions about the stories. The audience members are active, rather than passive, learners. Engaging in discussion about the topic in class prepares them to talk about it with others after class.

In addition to having strong facilitation skills, the ideal instructors for this curriculum are people who work in a field intersecting with sex trafficking. Solid understanding of the complexities of sex trafficking is critical to responding to comments and questions that reflect commonly held myths and misinformation, as well as to statements that place blame on victims for their victimization. For this reason, all instructors must have attended, at a minimum, an introductory level human trafficking course, such as one offered by Polaris Project ([www.polarisproject.org/training](http://www.polarisproject.org/training)).

## Customization of the Curriculum

We designed this curriculum to be customizable by the instructor based on the following considerations:

- Audience
- Community
- Delivery method
- Time available

### *Audience:*

This curriculum is designed for a variety of audiences, including the general public, service providers, and people who may meet victims of sex trafficking through their work. We recommend audiences of no more than 50 people (40 people if delivered online). We encourage you to consider your audience every time you deliver the curriculum and find opportunities to link their connection to sex trafficking when considering what their next steps might be in Module 5.

### *Community:*

It is important to connect this topic to the community where the training is occurring. This includes noting characteristics (location, industries, individuals) of the community that may be attractive to traffickers when covering [Module 4](#). It is also important to

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<sup>2</sup> *Sage on the Stage to Guide on the Side*, Allison King, 1993

give information about local resources in [Module 5](#), highlighting community-specific programs or initiatives that participants may want to support.

#### *Delivery Method:*

You may deliver this curriculum in person or online. We have included tips for [delivering content online](#).

#### *Time:*

We recommend that you deliver this curriculum as we designed it – in a 90-minute block of time – especially when you are training people who may meet trafficking victims and survivors based on their work. We understand, however, that this may not always be possible. We developed a 60-minute version of this training for those situations. Additionally, you may be able to sufficiently educate social clubs, places of worship, the business community, and/or philanthropic groups using a 45-minute version of this curriculum. Shorter slide decks with modified slide notes are available upon request.

## Evaluating Training

### *Why?*

Having participants evaluate their training experience gives us important feedback about whether we achieved our goals. Training evaluations can point out areas for improvement as well as communicate to stakeholders and funders the value and impact of the training. Evaluations also allow us to ask participants to consider what they plan to do because of their training experience, which prompts them to create a plan to apply what they have learned.

### *How?*

You will have a better response rate if you encourage people to complete the evaluation before they leave the training. Include time in the overall training agenda for participants to complete the evaluation.

Consider using software to collect responses while participants are still in the training. [Poll Everywhere](#), [Survey Monkey](#), and [Mentimeter](#) have free versions that work for this purpose. If you are training in person and prefer not to use an electronic format, give people a hard copy evaluation form and collect them before they leave.

*What?*

We recommend that you move beyond questions about whether people liked the training. Ask about what information was new to them and about their commitment to use what they learned. You will find a [sample training evaluation form](#) in the handout section.

## Training Schedule

The training schedule, shown below, breaks down the approximate amount of time allotted to each module. Because this training is highly interactive and discussion-based, it can be difficult to predict exact timing. While the timetable shows a total time of 75-minutes, we know it takes longer. We recommend scheduling 90-minutes to 2-hours for this training to allow for interactivity and audience engagement.

This training includes videos with traumatic stories. We strongly encourage you to always offer participants a 5- to 10-minute break, 45-minutes into your presentation.

*90-minute version*

<b>Module</b>	<b>Time</b>	<b>Module</b>	<b>Time</b>
Welcome and Introductions	8	The Location	8
The Way it Happens	21	The Action	13
The Impact	25	<b>TOTAL TIME</b>	<b>75</b>

*60-minute version*

<b>Module</b>	<b>Time</b>	<b>Module</b>	<b>Time</b>
Welcome and Introductions	6	The Location	7
The Way it Happens	20	The Action	8
The Impact	19	<b>TOTAL TIME</b>	<b>60</b>

*45-minute version*

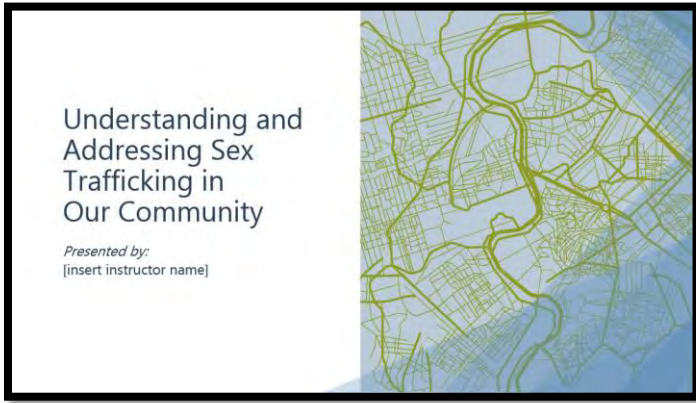
<b>Module</b>	<b>Time</b>	<b>Module</b>	<b>Time</b>
Welcome and Introductions	6	The Location	7
The Way it Happens	20	The Action	8
		<b>TOTAL TIME</b>	<b>41</b>

# Instructor Notes for In-Person Delivery

## Module 1: Welcome and Introduction

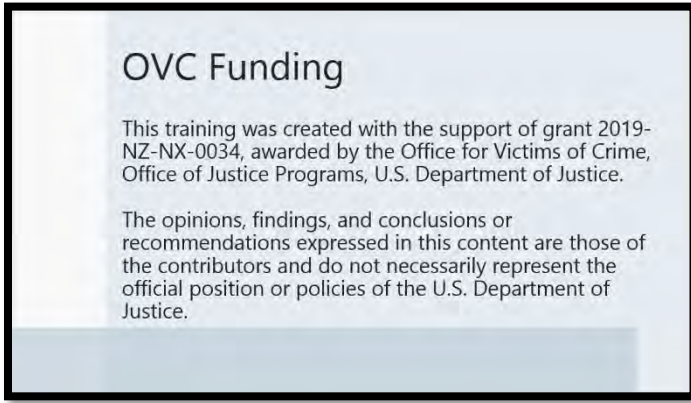
- Objective:** To welcome participants, introduce the instructor(s), share logistical information, outline expectations, and review definitions of human trafficking, labor trafficking, and sex trafficking.
- Handouts:** None
- Time:** 8 minutes
- Prepare:**
- Add name of instructor(s) on slide #1.
- Consider:**
- What support will be available for participants who become distressed during training?
  - Should people ask questions as you go or hold until end?
  - Would it be helpful to allow folks to respond to the questions on slide #9 anonymously? If so, consider if using an engagement tool like Mentimeter to capture responses.
- Customize:**
- What industries where labor trafficking occurs might be most relevant to the participants? Some of the industries where labor trafficking occurs include agriculture (tree farms, marijuana grows, nurseries); fishing; food (restaurants, canneries); door-to-door sales; and forced panhandling.
  - What locations where sex trafficking occurs are most relevant to your community?
- Learn:**
- [Trafficking Victim Protection Act](#)
  - [OVCs' Faces of Human Trafficking series](#)

Slide 1:



<b>Facilitate</b>	Do	<ul style="list-style-type: none"> <li>• Show slide #1.</li> <li>• Distribute handouts for all modules.</li> </ul>
	Say	<ul style="list-style-type: none"> <li>• Welcome participants.</li> <li>• Thank the host.</li> <li>• Introduce the topic.</li> <li>• Introduce the instructor(s) (name, title, organization, trafficking task force and connection to the topic).</li> </ul>
<b>Slide Time</b>		30 seconds

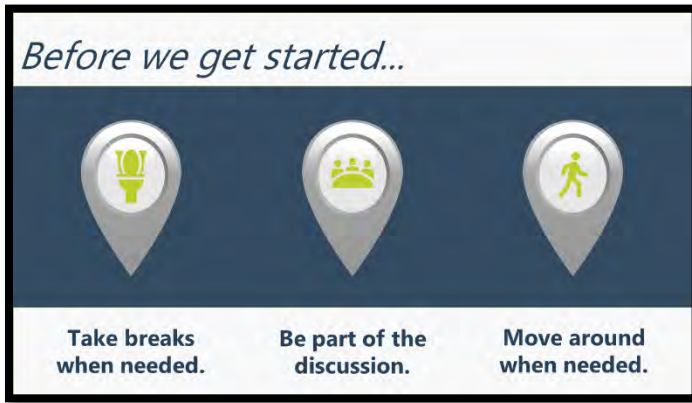
*Slide 2:*



<b>Facilitate</b>	Do	Show slide #2.
	Say	This training was created with OVC funding.
<b>Slide Time</b>		30 Seconds



Slide 3:



<b>Facilitate</b>	Do	Show slide #3.
	Say	<ul style="list-style-type: none"> <li>• This training will last 90-minutes.</li> <li>• We will take a 5-minute break.</li> <li>• The bathrooms are located...</li> <li>• The emergency exits are located...</li> <li>• This training will be interactive.</li> <li>• Your participation is important.</li> <li>• Have something to write on and with.</li> <li>• Stand up and move around as needed.</li> <li>• Ask questions as we go / Hold questions until the end.</li> </ul>
<b>Slide Time</b>		1 minute

Slide 4:



<b>Facilitate</b>	Do	Show slide #4.
	Say	<ul style="list-style-type: none"> <li>• Today’s training may be particularly difficult for those who have experienced trauma.</li> <li>• The videos we will show you today have stories that include child sexual and physical abuse, domestic violence, sexual assault, pornography, and racism.</li> <li>• This icon of the heart over the hand will appear throughout the training before we share traumatic information.</li> <li>• Take care of yourself and step away, as needed.</li> </ul>
<b>Slide Time</b>		30 seconds

Slide 5:



<b>Facilitate</b>	Do	Show slide #5.
	Say	<ul style="list-style-type: none"> <li>• We will hear stories from survivors of sex trafficking.</li> <li>• We will learn more about the dynamics of sex trafficking.</li> <li>• We will talk about risk factors and vulnerabilities for sex trafficking.</li> </ul>
	<b>Ask</b>	<b>By show of hands, how many of you have taken a training on human trafficking or sex trafficking before?</b>
	Say	<p>I am hoping that by the time we leave here today, we will all have:</p> <ul style="list-style-type: none"> <li>• Greater empathy for survivors of sex trafficking.</li> <li>• Ownership of the issue in our community.</li> <li>• At least one step we can take to address it.</li> </ul>
<b>Slide Time</b>		1 minute

Slide 6:



<b>Facilitate</b>	Do	Show slide #6.
	Say	<ul style="list-style-type: none"> <li>• The Trafficking Victim Protection Act was authorized in 2000 and continues to be reauthorized.</li> <li>• Reauthorization happens every few years to adjust the law as we learn more about human trafficking.</li> <li>• Human trafficking is a public health concern.</li> <li>• It impacts individuals, families, and communities across generations.</li> <li>• It is a crime that involves exploiting a person for labor, services, or commercial sex, which we will break down next.</li> </ul>
<b>Slide Time</b>		30 seconds

Slide 7:



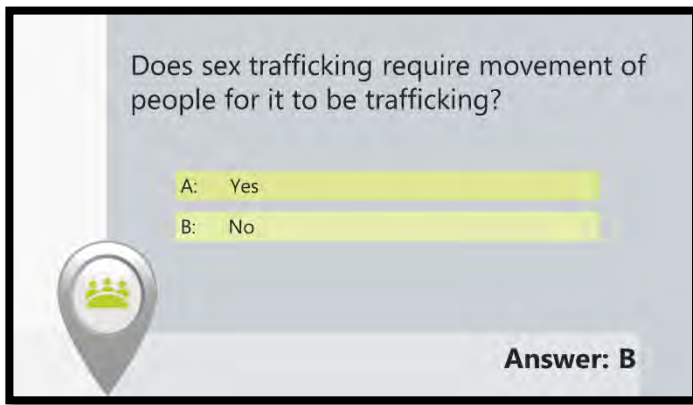
<b>Facilitate</b>	Do	Show slide #7.
	Say	<ul style="list-style-type: none"> <li>• Labor trafficking is the recruitment, harboring, transportation, provision, or obtaining of a person for labor or services, through the use of force, fraud, or coercion for the purpose of subjection to involuntary servitude, peonage, debt bondage, or slavery.</li> <li>• While we are not diving into labor trafficking in this training, it is important to know that it happens in Oregon.</li> <li>• It occurs in many different industries.</li> <li>• Some of the industries we might think about for our community are... (fill in for your community).</li> <li>• Some labor trafficking victims also experience sex trafficking.</li> <li>• For example, a person may be forced to work in agriculture and be forced to engage in sex acts with the owner and/or other workers.</li> </ul>
<b>Slide Time</b>		1 minute

Slide 8:



<b>Facilitate</b>	Do	Show slide #8.
	Say	<ul style="list-style-type: none"> <li>• A commercial sex act is induced by force, fraud, or coercion, or in which the person induced to perform such act has not attained 18 years of age.</li> <li>• It is important to remember four things about sex trafficking.                             <ul style="list-style-type: none"> <li>○ People under the age of 18 are minors and cannot legally consent to sex. We should view any minor involved with commercial sex as a victim of trafficking.</li> <li>○ People over 18 can also be victims of sex trafficking. However, to prosecute their trafficker, it is necessary to prove force, fraud, or coercion. Providers may not need this type of proof for a victim to receive services.</li> <li>○ A victim can be trafficked out of their own home and within their own community, without ever having left the area. Trafficking does not require movement.</li> <li>○ A “commercial sex act” occurs when a person gives something of value in exchange for a sexual act. “Value” does not only mean money. It includes drugs, rent, food, higher status in a group, etc.</li> </ul> </li> </ul>
<b>Slide Time</b>		1 minute

Slide 9:



<b>Facilitate</b>	Do	Show slide #9.
	<b>Ask</b>	<b>Does sex trafficking require movement of people for it to be trafficking?</b>
	Say	Based on what we have just talked about, raise your hand if you think the answer is yes.
	Do	<ul style="list-style-type: none"> <li>• Click mouse once to have answer appear.</li> <li>• If some people answered this question wrong, let the group know that this is a common misconception about trafficking.</li> </ul>
	Say	<ul style="list-style-type: none"> <li>• Sex trafficking can involve movement between various places; however, movement of people is not what makes it a crime.</li> <li>• Remember, a victim can be trafficked out of their own home and/or in their own community.</li> <li>• When we dispel this common myth, we are better able to recognize victims in our community.</li> </ul>
<b>Slide Time</b>		1 minute

Slide 10:



<b>Facilitate</b>	Do	Show slide #10.
	<b>Ask</b>	<b>Where does sex trafficking happen?</b>
	Do	<ul style="list-style-type: none"> <li>• Invite people to respond.</li> <li>• Click mouse once to have list of locations appear.</li> </ul>
	Say	<ul style="list-style-type: none"> <li>• Not everyone in the sex industry is being trafficked, but sex trafficking could not flourish the way it does without the sex industry.</li> <li>• The internet makes all communities at risk for sex trafficking.</li> </ul>
<b>Slide Time</b>		1 minute





## Module 2: The Way it Happens

- Objective: To increase participants' understanding of the dynamics of sex trafficking by reviewing the tactics used by traffickers.
- Materials: PowerPoint file, laptop, projector, screen, speakers, slide clicker, sticky notes, charting paper, markers, tape, and timer.
- Handouts: None
- Time: 21 minutes
- Prepare:
- Watch the Life Story's *Entry into the Life* video and note the tactics the traffickers used.
  - This module has a video that includes audio. Make sure you will have speakers and you have checked the volume level before class begins.
- Learn:
- [The Life Story](#)

Slide 11:



<b>Facilitate</b>	Do	Show slide #11.
	Say	<ul style="list-style-type: none"> <li>• Our presentation today includes videos from The Life Story.</li> <li>• The Life Story elevates the experiences and voices of those who have experienced sex trafficking.</li> <li>• This video looks more closely at what led up to the trafficking.</li> <li>• While you watch the video, listen to what the survivors say, paying close attention to what tactics the traffickers used.</li> <li>• When we have finished the video, we will discuss what you noticed.</li> <li>• This video includes descriptions of sexual assault, domestic violence, sexual exploitation, sex trafficking, and pornography.</li> <li>• We encourage you to take a break if you need to.</li> </ul>
<b>Slide Time</b>		1 minute

Slide 12:



<b>Facilitate</b>	Do	<ul style="list-style-type: none"> <li>• Show slide #12.</li> <li>• Share video using link on screen or below.</li> </ul>
<b>Slide Time</b>		8 minutes (includes video)
<b>Video Time</b>		7:27 minutes
<b>Link</b>		<a href="https://thelifestory.org/entry-into-the-life">https://thelifestory.org/entry-into-the-life</a>
<b>Acknowledgment:</b> The <i>Entry into the Life</i> video shared with permission from The Life Story, <a href="https://thelifestory.org/">https://thelifestory.org/</a> .		

Slide 13:



<b>Facilitate</b>	Do	Show slide #13.
	Say	<ul style="list-style-type: none"> <li>• We are going to talk about what we saw in the video.</li> <li>• First, I want to pause and acknowledge that the video is impactful.</li> <li>• It is hard to sit with it. But it is important to hear from people who have lived experience.</li> </ul>
<b>Slide Time</b>		10 minutes
<b>Entry Into the Life Exercise</b>	Do	<ul style="list-style-type: none"> <li>• Divide participants into small groups (4-5 people).</li> <li>• Give each group a pad of sticky notes.</li> </ul>
	Say	<ul style="list-style-type: none"> <li>• For 5 minutes, discuss the victim’s introduction to trafficking.</li> <li>• Write down the tactics the trafficker used, one per note.</li> <li>• Decide who will be your group’s speaker.</li> </ul>
	Do	<ul style="list-style-type: none"> <li>• Write “Tactics” on charting paper and tape to a wall.</li> <li>• Invite speakers to bring sticky notes to the front of the room.</li> <li>• Ask each speaker to share the tactics their group noticed and attach their notes to the “tactics” paper.</li> <li>• Share any of the tactics you noted from watching the film that participants did not mention.</li> </ul>

Slide 14:



<b>Facilitate</b>	Do	Show slide #14.
	Say	<ul style="list-style-type: none"> <li>• To wrap up our discussion, traffickers target specific people based on their vulnerabilities.</li> <li>• Then they manipulate them to keep them under their control.</li> <li>• They commit acts of violence.</li> <li>• Traffickers use all these tactics to control the victim.</li> </ul>
<b>Slide Time</b>		1 minute

Slide 15:



<b>Facilitate</b>	Do	Show slide #15.
	Say	<ul style="list-style-type: none"> <li>• This infographic shows what trafficking looks like as a business model.</li> <li>• It highlights how structural inequalities such as racism, poverty, and gender bias create a potential supply of victims who are vulnerable to the manipulative tactics of traffickers.</li> <li>• This means trafficking has a disproportionate impact on people based on race, poverty, and gender bias. Traffickers use recruitment to pull victims into the industry of trafficking and turn them into a product.</li> <li>• The trafficker then sells them in different venues that feed the demand for sex.</li> <li>• One thing to point out is that this image is from a study that only focused on girls. The same is true for boys and everyone else. It is not exclusive to girls.</li> </ul>
<b>Slide Time</b>		1 minute

## Module 3: The Impact

- Objective: To increase participants' understanding of the impact of sex trafficking and dispel myths about the sex industry.
- Materials: PowerPoint file, laptop, projector, screen, speakers, slide clicker, and timer.
- Handout: None
- Time: 25 minutes
- Prepare:
- Watch The Life Story's *Trauma and Addiction* video.
  - Note the ways that survivors coped with their trauma, as well as ways in which the survivors' stories in both videos might challenge what people have heard or think about the sex industry and sex trafficking.
  - This module has a video that includes audio. Make sure you will have speakers and you have checked the volume level before class begins.
- Consider:
- How does society portray the sex industry differently than what the survivors in the Life Story shared? Think about:
    - Consensual vs. Rape
    - Lucrative vs. Indebted
    - Glamorous vs. Damaging
- Learn:
- [The Life Story](#)
  - [Want to Do More?](#) (Polaris)



Slide 16:



<b>Facilitate</b>	Do	Show slide #16.
	Say	<ul style="list-style-type: none"> <li>• Now that we have discussed the dynamics of sex trafficking, we will look at the impact it has on survivors.</li> <li>• In this next video, survivors talk the trauma they experienced.</li> <li>• While you watch the video, pay attention to the ways they coped with their victimization.</li> <li>• When we have finished the video, we will discuss what you noticed.</li> <li>• Again, as a reminder, this video includes descriptions of racism, sexual assault, sexual exploitation, substance abuse, eating disorders, sex trafficking, and pornography.</li> <li>• We encourage you to take a break if you need to.</li> </ul>
<b>Slide Time</b>		1 minute

Slide 17:



<b>Facilitate</b>	Do	<ul style="list-style-type: none"> <li>• Show slide #17.</li> <li>• Share video using link on screen or below.</li> </ul>
<b>Slide Time</b>		7 minutes (includes video)
<b>Video Time</b>		6:13 minutes
<b>Link</b>		<a href="https://thelifestory.org/trauma-and-addiction">https://thelifestory.org/trauma-and-addiction</a>
<b>Acknowledgment:</b> The <i>Trauma and Addiction</i> video shared with permission from The Life Story, <a href="https://thelifestory.org/">https://thelifestory.org/</a> .		

Slide 18:



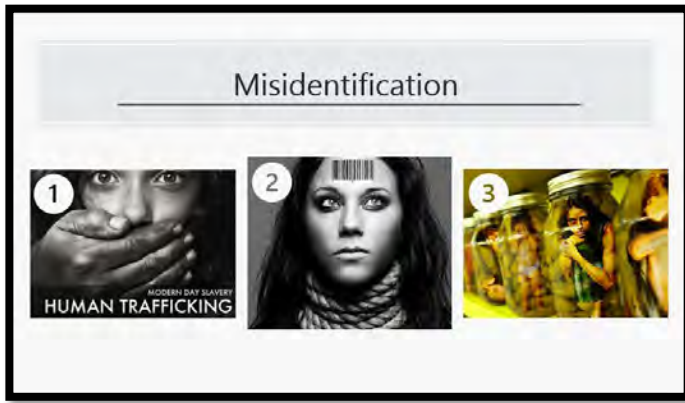
<b>Facilitate</b>	Do	<ul style="list-style-type: none"> <li>• Show slide #18.</li> <li>• Pause before speaking.</li> </ul>
	Say	<ul style="list-style-type: none"> <li>• We just heard hard stories about how these survivors coped with their experiences.</li> <li>• Remember, it is okay to take breaks when you need to.</li> <li>• Let's talk about what we saw.</li> </ul>
	Do	Complete the "Trauma and Addiction" exercise.
<b>Slide Time</b>		10 minutes
<b>Trauma and Addiction Exercise (7-min)</b>	Do	Have participants work in groups of 4-5.
	Say	<p>For 4 minutes, discuss:</p> <ul style="list-style-type: none"> <li>• How the survivors coped with trauma.</li> <li>• How the videos have challenged or reinforced messages you have heard about sex trafficking.</li> </ul>
	Ask	<ul style="list-style-type: none"> <li>• <b>What stood out from your discussion?</b></li> <li>• <b>How do the stories from the videos compare to what you have heard about sex trafficking?</b></li> </ul>

Slide 19:



<b>Facilitate</b>	Do	Show slide #19.
	Say	<ul style="list-style-type: none"> <li>• The messages portrayed about the sex industry is that it is fun, glamorous, and lucrative, but what we have been hearing from survivors is that the reality is much different.</li> <li>• Separating fact from fiction is essential to bringing awareness to this issue and helping people recognize that trafficking happens in our own community.</li> <li>• The media and social media share images that contribute to misinformation about trafficking.</li> </ul>
<b>Slide Time</b>		1 minute

Slide 20:



<b>Facilitate</b>	Do	Show slide #20.
	Say	The images used to portray sex trafficking also have an impact.
	Ask	<ul style="list-style-type: none"> <li>• <b>How could these images contribute to misinformation about trafficking? What do they suggest?</b></li> <li>• <b>Does what they suggest match what you have learned?</b></li> <li>• <b>What is the problem with the images?</b></li> </ul>
	Do	<p>Debrief each image, as time allows. Examples of responses:</p> <ul style="list-style-type: none"> <li>• Image #1: trafficker controls who the victim speaks to and what they say.</li> <li>• Images #2 and #3: victimization will be easy to see; sensationalized image is not realistic.</li> <li>• Overall – these images only depict victims who appear to be white and female.</li> </ul>
<b>Slide Time</b>		5 minutes

Slide 21:



<b>Facilitate</b>	Do	Show slide #21.
	Say	<ul style="list-style-type: none"> <li>• There are 3 elements of demand:                             <ol style="list-style-type: none"> <li>1. Businesses profit from the exploitation.</li> <li>2. Bystanders who do nothing and look the other way allow it to happen.</li> <li>3. Buyers, many of whom could be our neighbors, coworkers, prominent social figures, and loved ones create the demand for trafficking.</li> </ol> </li> <li>• Sex trafficking would not occur if there was no demand if there were no buyers.</li> <li>• We have included resources for demand reduction on the Resource Handout. They include the EPIK Project &amp; Demand Abolition.</li> </ul>
<b>Slide Time</b>		1 minute



## Module 4: The Location

Objective: To encourage participants to see trafficking in their own community.

Materials: PowerPoint file, laptop, projector, screen, speakers, and slide clicker.

Handout: None

Time: 8 minutes

Prepare: 

- Review the [Rebecca Bender video](#).

Learn: 

- The [Rebecca Bender Initiative](#).

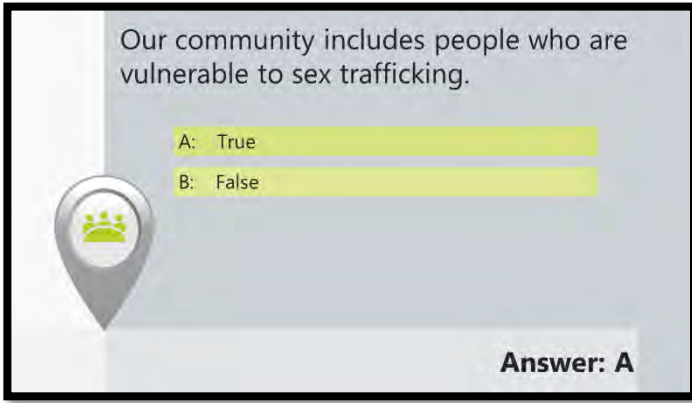


Slide 22:



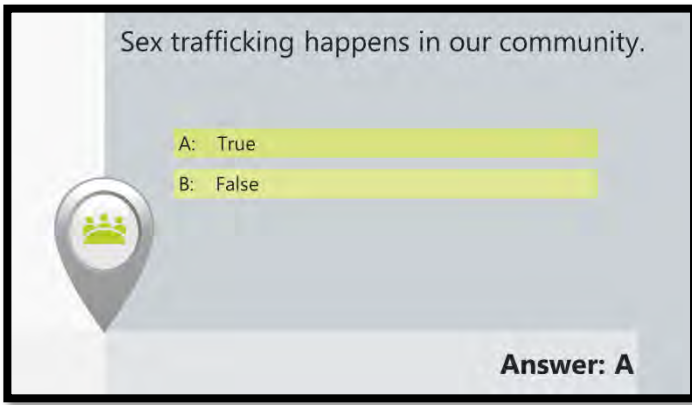
<b>Facilitate</b>	Do	Show slide #22.
	Say	<ul style="list-style-type: none"> <li>• One barrier to ending trafficking is not acknowledging that it happens in our community.</li> <li>• We will check our knowledge with a few true and false questions.</li> </ul>
<b>Slide Time</b>		30 seconds

*Slide 23:*



<b>Facilitate</b>	Do	Show slide #23.
	<b>Ask</b>	<b>By show of hands, how many of you believe our community includes people who are vulnerable to sex trafficking?</b>
	Do	Click mouse once to have answer appear.
	<b>Say</b>	<b>This statement is true.</b>
<b>Slide Time</b>		30 seconds

Slide 24:



<b>Facilitate</b>	Do	Show slide #24.
	<b>Ask</b>	<b>By show of hands, how many of you believe sex trafficking happens in our community?</b>
	Do	Click mouse once to have answer appear.
	Say	<a href="#">This statement is true.</a>
<b>Slide Time</b>		30 seconds

Slide 25:



<b>Facilitate:</b>	Say	<ul style="list-style-type: none"> <li>• Next, we are going to watch a survivor, Rebecca Bender, who is from Oregon.</li> <li>• This video includes descriptions of sexual exploitation, sexual assault, and domestic violence.</li> <li>• We encourage you to take a break if you need to.</li> </ul>
	Do	Make sure you have selected closed captioning on the video player.
<b>Slide Time</b>		4 minutes (includes video)
<b>Video Time</b>		3:59 minutes
<b>Link</b>		<a href="https://www.youtube.com/watch?v=jHcoEY6gJJ0">https://www.youtube.com/watch?v=jHcoEY6gJJ0</a>
<b>Acknowledgment:</b> Video shared with permission from Rebecca Bender, <a href="https://www.rebeccabender.org">https://www.rebeccabender.org</a> .		

Slide 26:



<b>Facilitate</b>	Do	Show slide #26.
	<b>Ask</b>	<b>What stood out or surprised you from this video?</b>
	Do	Invite 2-3 people to respond.
	Say	<ul style="list-style-type: none"> <li>• All the videos we have seen today featured survivor leaders who are sharing their experience to make an impact.</li> <li>• Rebecca is an author, educator, and founder of the Rebecca Bender Initiative, which supports survivors.</li> <li>• The most important thing to remember is that one person or one program alone will not end sex trafficking.</li> <li>• Everyone can play a part in ending sex trafficking.</li> </ul>
<b>Slide Time</b>		2:30 minutes

## Module 5: The Action

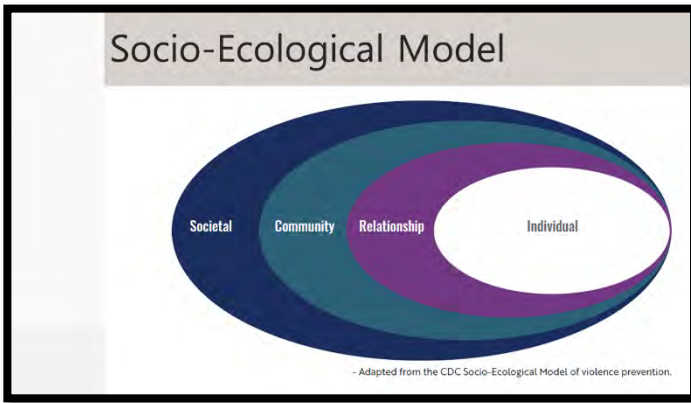
- Objective: To find ways for participants to address sex trafficking in their community.
- Materials: PowerPoint file, laptop, projector, screen, and slide clicker.
- Handouts: [Socio-Ecological Model](#)  
[Resource List](#)  
[Sample Training Evaluation](#)
- Time: 13 minutes
- Prepare:
- Use the [Sample Training Evaluation Form](#) to create an electronic evaluation for course.
  - Visit Oregon Department of Justice's [human trafficking page](#) to check for the most current information on Trafficking Intervention Tasks Forces.
- Customize
- Add local community resource information to the [Resource List](#).
  - Prepare an example of how participants can get involved at the community level (slide #28).
  - Add information about what the community is doing and how people can get involved on slide #32.
  - If a trafficking intervention task force is in place in the county, you should include it on slide #32.
  - Add your name and contact information on slide #33.
- Learn:
- [Socio-Ecological Model](#)

Slide 27:



<b>Facilitate:</b>	Do	Show slide #27.
	Say	<ul style="list-style-type: none"> <li>• By now, you know that our community has people who are at risk for trafficking.</li> <li>• You know trafficking happens in our community.</li> <li>• Each of us has a role in ending sex trafficking in our community.</li> </ul>
<b>Slide Time</b>		1 minute

Slide 28:



<b>Facilitate</b>	Do	<ul style="list-style-type: none"> <li>• Show slide #28.</li> <li>• Reference the <b>Socio-Ecological Model</b> handout.</li> </ul>
	Say	<ul style="list-style-type: none"> <li>• To brainstorm ideas of what we can do, we will use the socio-ecological model.</li> <li>• Take a moment to look at the handout.</li> <li>• This model has four levels (societal, community, relationship, individual).</li> <li>• There are actions that we can take at each one of the levels to create change in our community.</li> <li>• For example, on an individual level, you can share information you learned today with family, friends, or colleagues. At the community level, you can....</li> <li>• Take a minute to share other ideas you have for actions we can take on other levels of the model.</li> <li>• I encourage you to keep this handout.</li> <li>• I also want to challenge you to write down one thing you can do to make a difference.</li> </ul>
<b>Slide Time</b>		5 minutes



Slide 29:



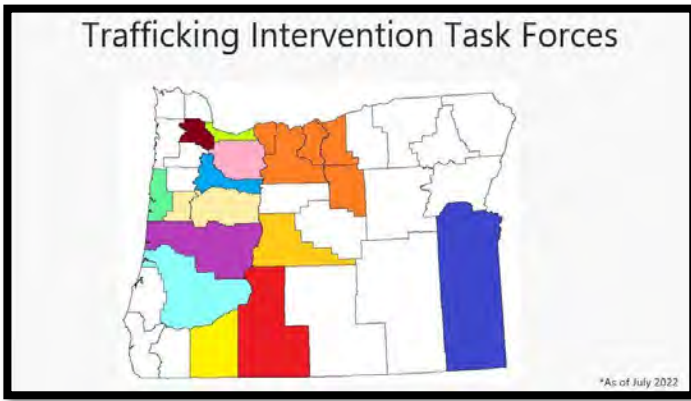
<b>Facilitate</b>	Do	Show slide #29
	Say	<ul style="list-style-type: none"> <li>• The State of Oregon recognizes that sex trafficking of minors is child abuse, and you should report it to the Oregon Child Abuse Hotline.</li> <li>• If you are a mandatory reporter, and you suspect that a minor is being trafficked, you must report that information to the Child Abuse Hotline.</li> </ul>
<b>Slide Time</b>		30 seconds

Slide 30:



<b>Facilitate</b>	Do	Show slide #30.
	Say	<ul style="list-style-type: none"> <li>• The Human Trafficking Hotline is a tollfree, nationwide phone number, text line, and live chat site where you can report trafficking.</li> <li>• The contact options are a resource for victims to get help and connect to local resources, wherever they are.</li> <li>• If you believe you may have information about a trafficking situation, use the online reporting form.</li> </ul>
<b>Slide Time</b>		1 minute

Slide 31:



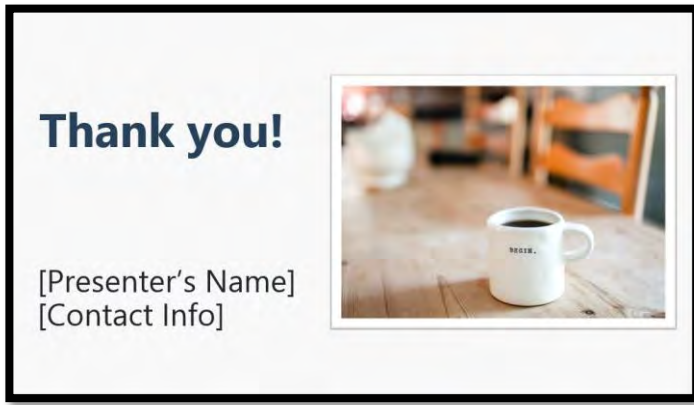
<b>Facilitate</b>	Do	Show slide #31.
	Say	<ul style="list-style-type: none"> <li>• The Oregon Department of Justice helps task forces across the state.</li> <li>• This map shows where tasks forces are currently working on their community's response.</li> <li>• The goal in Oregon is to have a "no wrong door approach" to addressing trafficking.</li> <li>• This approach means that people will recognize victims of trafficking and resources will be available to support victims of human trafficking, in every county, no matter what service or agency they reach out to for help.</li> </ul>
<b>Slide Time</b>		1 minute

*Slide 32:*



<b>Facilitate</b>	Do	<ul style="list-style-type: none"> <li>• Show slide #32.</li> <li>• Reference Resource List.</li> </ul>
	Say	<ul style="list-style-type: none"> <li>• This is what is happening in our community to address sex trafficking.</li> <li>• These are the ways you can get involved in our community to address sex trafficking.</li> <li>• Also, we have given you a list of local, state, and national resources to help you take the next step.</li> </ul>
<b>Slide Time</b>		1 minute

*Slide 33:*



<b>Facilitate</b>	Do	Show slide #33.
	Say	<ul style="list-style-type: none"> <li>• Thank you for taking time to learn about sex trafficking in our community.</li> <li>• It is important for us to know how we did today. Please take a few minutes to complete an evaluation.</li> </ul>
	Do	Share course evaluations.
	Say	<ul style="list-style-type: none"> <li>• I have listed my contact information here.</li> <li>• I will be here for a while and can answer questions that people might still have.</li> </ul>
<b>Slide Time</b>		3 minutes

# Instructor Notes for Online Delivery

## Module 1: Welcome and Introduction

**Objective:** To welcome participants, introduce the instructor(s), share logistical information, outline expectations, and share definitions of human trafficking, labor trafficking, and sex trafficking.

**Handouts:** None

**Time:** 8 minutes

**Prepare:**

- Create a poll in Zoom that captures the question on slide #9.
- Add name of instructor(s) on slide #1.

**Consider:**

- Who will produce your session?
- What support will be available for participants who become distressed during training?
- Should people ask questions as you go or hold until end?

**Customize:**

- What industries where labor trafficking occurs might be most relevant to the participants? Some of the industries where labor trafficking occurs include agriculture (Christmas tree farms, marijuana grows, nurseries); fishing; food (restaurants, canneries); door-to-door sales; and forced panhandling.
- What locations where sex trafficking occurs are most relevant to your community?

**Learn:**

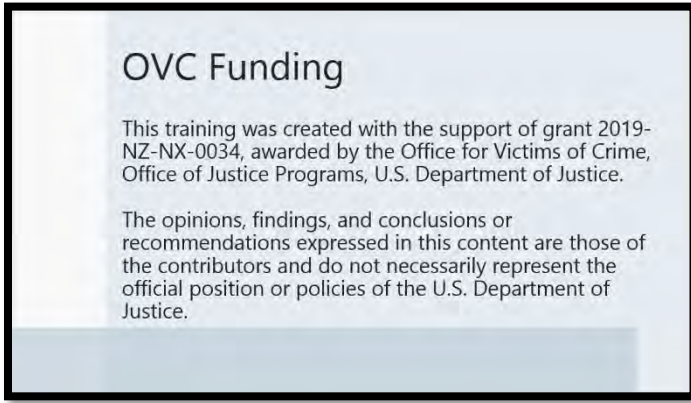
- [Delivering this Curriculum Online](#)
- [Trafficking Victim Protection Act](#)
- [OVCs' Faces of Human Trafficking series](#)

Slide 1:



<b>Facilitate</b>	Do	<ul style="list-style-type: none"> <li>• Make sure your role in Zoom is “host” or “cohost.”</li> <li>• Share your screen to display slide #1.</li> <li>• Share your video throughout the session.</li> </ul>
	Say	<ul style="list-style-type: none"> <li>• Welcome participants.</li> <li>• Thank the host.</li> <li>• Introduce the topic.</li> <li>• Introduce the instructor(s) (name, title, organization, trafficking task force and connection to the topic).</li> <li>• If you have a co-host, be sure to introduce them here.</li> </ul>
<b>Slide Time</b>		30 seconds

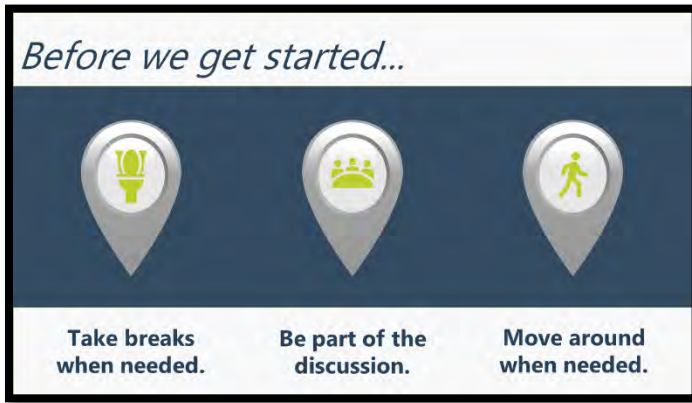
*Slide 2:*



<b>Facilitate</b>	Do	Show slide #2.
	Say	This training was created with OVC funding.
<b>Slide Time</b>		30 Seconds



Slide 3:



<b>Facilitate</b>	Do	Show slide #3.
	Say	<ul style="list-style-type: none"> <li>• This training will last 90-minutes.</li> <li>• We will take a five-minute break.</li> <li>• This training will be interactive.</li> <li>• Your participation is important. You can type in the chat box or unmute, whichever is most comfortable.</li> <li>• Have something to write on and with.</li> <li>• Stand up and move around as needed.</li> <li>• We hope you will share your video today.</li> <li>• Ask questions as we go / Hold questions until the end.</li> </ul>
<b>Slide Time</b>		1 minute

Slide 4:



<b>Facilitate</b>	Do	Show slide #4.
	Say	<ul style="list-style-type: none"> <li>• Today’s training may be particularly difficult for those who have experienced trauma.</li> <li>• The videos we will show you today have stories that include child sexual and physical abuse, domestic violence, sexual assault, pornography, and racism.</li> <li>• This icon of the heart over the hand will appear throughout the training before we share traumatic information.</li> <li>• Take care of yourself and step away, as needed.</li> <li>• Some of our training is not suitable for children.</li> <li>• If you have others in your space, use headphones to minimize their exposure to the materials.</li> </ul>
<b>Slide Time</b>		30 seconds

Slide 5:



<b>Facilitate</b>	Do	Show slide #5.
	Say	<ul style="list-style-type: none"> <li>• We will hear stories from survivors of sex trafficking.</li> <li>• We will learn more about the dynamics of sex trafficking.</li> <li>• We will talk about risk factors and vulnerabilities for sex trafficking.</li> </ul>
	<b>Ask</b>	<b>By show of hands, how many of you have taken a training on human trafficking or sex trafficking before?</b>
	Say	<p>I am hoping that by the time we leave here today, we will all have:</p> <ul style="list-style-type: none"> <li>• Greater empathy for survivors of sex trafficking.</li> <li>• Ownership of the issue in our community.</li> <li>• At least one step we can take to address it.</li> </ul>
<b>Slide Time</b>		1 minute

Slide 6:



<b>Facilitate</b>	Do	Show slide #6.
	Say	<ul style="list-style-type: none"> <li>• The Trafficking Victim Protection Act was authorized in 2000 and continues to be reauthorized.</li> <li>• Reauthorization happens every few years to adjust the law as we learn more about human trafficking.</li> <li>• Human trafficking is a public health concern.</li> <li>• It impacts individuals, families, and communities across generations.</li> <li>• It is a crime that involves exploiting a person for labor, services, or commercial sex, which we will break down next.</li> </ul>
<b>Slide Time</b>		30 seconds

Slide 7:



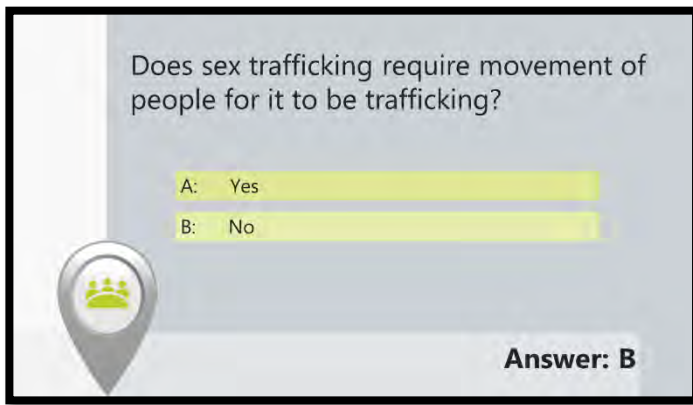
<b>Facilitate</b>	Do	Show slide #7.
	Say	<ul style="list-style-type: none"> <li>• Labor trafficking is the recruitment, harboring, transportation, provision, or obtaining of a person for labor or services, through the use of force, fraud, or coercion for the purpose of subjection to involuntary servitude, peonage, debt bondage, or slavery.</li> <li>• While we are not diving into labor trafficking in this training, it is important to know that it happens in Oregon.</li> <li>• It occurs in many different industries.</li> <li>• Some of the industries we might think about for our community are... (fill in for your community).</li> <li>• Some labor trafficking victims also experience sex trafficking.</li> <li>• For example, a trafficker may force a person to work in agriculture and to engage in sex acts with the owner and/or other workers.</li> </ul>
<b>Slide Time</b>		1 minute

Slide 8:



<b>Facilitate</b>	Do	Show slide #8.
	Say	<ul style="list-style-type: none"> <li>• A commercial sex act is inducted by force, fraud, or coercion, or in which the person induced to perform such act has not attained 18 years of age.</li> <li>• It is important to remember four things about sex trafficking.                             <ul style="list-style-type: none"> <li>○ People under the age of 18 are minors and cannot legally consent to sex. We should view any minor involved with commercial sex as a victim of trafficking.</li> <li>○ People over 18 can also be victims of sex trafficking. However, to prosecute their trafficker, it is necessary to prove force, fraud, or coercion. Providers may not need this type of proof for a victim to receive services.</li> <li>○ A victim can be trafficked out of their own home and within their own community, without ever having left the area. Trafficking does not require movement.</li> <li>○ A “commercial sex act” occurs when a person gives something of value in exchange for a sexual act. “Value” does not only mean money. It includes drugs, rent, food, higher status in a group, etc.</li> </ul> </li> </ul>
<b>Slide Time</b>		1 minute

Slide 9:



<b>Facilitate</b>	Do	Show slide #9.
	<b>Ask</b>	<b>Based on what we have just talked about, does sex trafficking require movement of people for it to be trafficking?</b>
	Do	<ul style="list-style-type: none"> <li>• Launch poll.</li> <li>• Close the poll.</li> <li>• Click mouse once to have answer appear on the slide.</li> <li>• If some people answered this question wrong, let the group know that this is a common misconception about trafficking.</li> </ul>
	Say	<ul style="list-style-type: none"> <li>• Sex trafficking can involve movement between various places; however, movement of people is not what makes it a crime.</li> <li>• Remember, a victim can be trafficked out of their own home and/or in their own community.</li> <li>• When we dispel this common myth, we are better able to recognize victims in our community.</li> </ul>
<b>Slide Time</b>		1 minute

Slide 10:



<b>Facilitate</b>	Do	Show slide #10.
	<b>Ask</b>	<b>Where does sex trafficking happen?</b>
	Do	<ul style="list-style-type: none"> <li>• Invite people to respond in the chat box.</li> <li>• Click mouse once to have list of locations appear.</li> </ul>
	Say	<ul style="list-style-type: none"> <li>• Not everyone in the sex industry is being trafficked, but sex trafficking could not flourish the way it does without the sex industry.</li> <li>• The internet makes all communities at risk for sex trafficking.</li> </ul>
<b>Slide Time</b>		1 minute





## Module 2: The Way it Happens

- Objective: To increase participants' understanding of the dynamics of sex trafficking by reviewing the tactics used by traffickers.
- Materials: PowerPoint file, laptop, projector, screen, speakers, slide clicker, sticky notes, charting paper, markers, tape, and timer.
- Handouts: None
- Time: 21 minutes
- Prepare:
- Watch the Life Story's *Entry into the Life* video and note the tactics the traffickers used.
  - This module has a video that includes audio. Make sure have shared your sound when sharing your screen. Check the volume level before class begins.
- Learn:
- [The Life Story](#)

Slide 11:



<b>Facilitate</b>	Do	Show slide #11.
	Say	<ul style="list-style-type: none"> <li>• Our presentation today includes videos from The Life Story.</li> <li>• The Life Story elevates the experiences and voices of those who have experienced sex trafficking.</li> <li>• This video looks more closely at what led up to the trafficking.</li> <li>• While you watch the video, listen to what the survivors say, paying close attention to what tactics the traffickers used.</li> <li>• When we have finished the video, we will discuss what you noticed.</li> <li>• This video includes descriptions of sexual assault, domestic violence, sexual exploitation, sex trafficking, and pornography.</li> <li>• We encourage you to take a break if you need to.</li> <li>• If you experience problems with seeing or hearing content, turn off all the other applications on your computer and stop sharing your video.</li> </ul>
<b>Slide Time</b>		1 minute

Slide 12:



<b>Facilitate</b>	Do	<ul style="list-style-type: none"> <li>• Show slide #12.</li> <li>• Share video using link on screen or below.</li> </ul>
<b>Slide Time</b>		8 minutes (includes video)
<b>Video Time</b>		7:27 minutes
<b>Link</b>		<a href="https://thelifestory.org/entry-into-the-life">https://thelifestory.org/entry-into-the-life</a>
<b>Acknowledgment:</b> The <i>Entry into the Life</i> video shared with permission from The Life Story, <a href="https://thelifestory.org/">https://thelifestory.org/</a> .		

Slide 13:



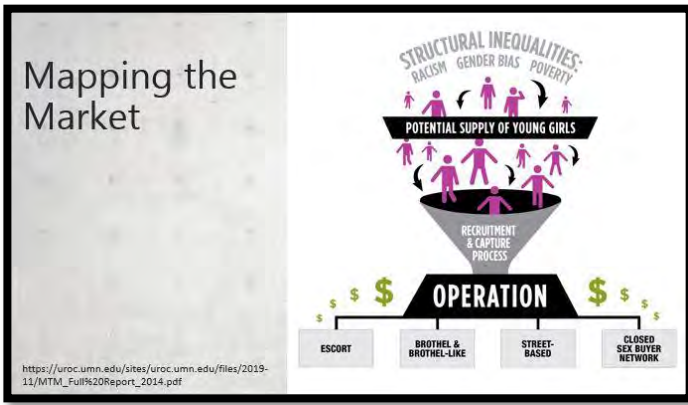
<b>Facilitate</b>	Do	Show slide #13.
	Say	<ul style="list-style-type: none"> <li>• We are going to talk about what we saw in the video.</li> <li>• First, I want to pause and acknowledge that the video is impactful.</li> <li>• It is hard to sit with it. But it is important to hear from people who have lived experience.</li> </ul>
	Do	Divide participants into breakout sessions (4-5 people).
	Say	<ul style="list-style-type: none"> <li>• For 5 minutes, discuss the victim's introduction to trafficking. Write down the tactics the trafficker used.</li> </ul>
	Do	<ul style="list-style-type: none"> <li>• Start breakout rooms. Close rooms after 5 minutes.</li> <li>• Welcome them back and ask them to list the tactics they discussed in the chat box.</li> <li>• Pause to allow people to type their responses.</li> <li>• Review the comments aloud, using names as often as possible.</li> <li>• Share any of the tactics you noted from watching the film that participants did not mention.</li> </ul>
<b>Slide Time</b>		10 minutes

Slide 14:



<b>Facilitate</b>	Do	Show slide #14.
	Say	<ul style="list-style-type: none"> <li>• To wrap up our discussion, traffickers target specific people based on their vulnerabilities.</li> <li>• Then they manipulate them to keep them under their control.</li> <li>• They commit acts of violence.</li> <li>• Traffickers use all these tactics to control the victim.</li> </ul>
<b>Slide Time</b>		1 minute

Slide 15:



<b>Facilitate</b>	Do	Show slide #15.
	Say	<ul style="list-style-type: none"> <li>• This infographic shows what trafficking looks like as a business model.</li> <li>• It highlights how structural inequalities such as racism, poverty, and gender bias create a potential supply of victims who are vulnerable to the manipulative tactics of traffickers.</li> <li>• This means trafficking has a disproportionate impact on people based on race, poverty, and gender bias. Traffickers use recruitment to pull victims into the industry of trafficking and turn them into a product.</li> <li>• The trafficker then sells them in different venues that feed the demand for sex.</li> <li>• One thing to point out is that this image is from a study that only focused on girls. The same is true for boys and everyone else. It is not exclusive to girls.</li> </ul>
<b>Slide Time</b>		1 minute

## Module 3: The Impact

- Objective:** To increase participants' understanding of the impact of sex trafficking and dispel myths about the sex industry.
- Materials:** PowerPoint file, laptop, projector, screen, speakers, slide clicker, and timer.
- Handout:** None
- Time:** 25 minutes
- Prepare:**
- Watch The Life Story's *Trauma and Addiction* video.
  - Note the ways that survivors coped with their trauma, as well as ways in which the survivors' stories in both videos might challenge what people have heard or think about the sex industry and sex trafficking.
  - This module has a video that includes audio. Make sure have shared your sound when sharing your screen. Check the volume level before class begins.
- Consider:**
- How does society portray the sex industry differently than what the survivors in the Life Story shared? Think about:
    - Consensual vs. Rape
    - Lucrative vs. Indebted
    - Glamorous vs. Damaging
- Learn**
- [The Life Story](#)
  - [Want to Do More?](#) (Polaris)



Slide 16:



<b>Facilitate</b>	Do	Show slide #16.
	Say	<ul style="list-style-type: none"> <li>• Now that we've discussed the dynamics of sex trafficking, we will look at the impact it has on survivors.</li> <li>• In this next video, survivors talk the trauma they experienced.</li> <li>• While you watch the video, pay attention to the ways they coped with their victimization.</li> <li>• When we've finished the video, we'll discuss what you noticed.</li> <li>• Again, as a reminder, this video includes descriptions of racism, sexual assault, sexual exploitation, substance abuse, eating disorders, sex trafficking, and pornography.</li> <li>• We encourage you to take a break if you need to.</li> </ul>
<b>Slide Time</b>		1 minute

Slide 17:



<b>Facilitate</b>	Do	<ul style="list-style-type: none"> <li>• Show slide #17.</li> <li>• Share video using link on screen or below.</li> </ul>
<b>Slide Time</b>		7 minutes (includes video)
<b>Video Time</b>		6:13 minutes
<b>Link</b>		<a href="https://thelifestory.org/trauma-and-addiction">https://thelifestory.org/trauma-and-addiction</a>
<b>Acknowledgment:</b> The <i>Trauma and Addiction</i> video shared with permission from The Life Story, <a href="https://thelifestory.org/">https://thelifestory.org/</a> .		

Slide 18:



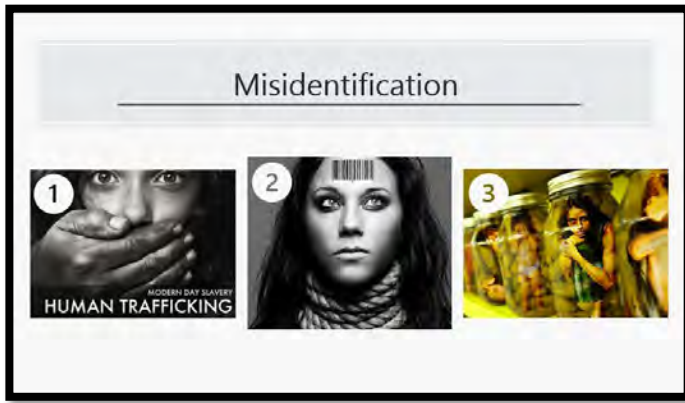
<b>Facilitate</b>	Do	Share your screen to display slide #18.
	Say	Let's talk about what we saw.
	Do	Complete the "Trauma and Addiction" exercise.
<b>Slide Time</b>		10 minutes
<b>Trauma and Addiction Exercise (7-min)</b>	Do	Create breakout rooms (4-5 people/room).
	Say	For 4 minutes, discuss: <ul style="list-style-type: none"> <li>• How the survivors coped with trauma.</li> <li>• How the videos have challenged or reinforced messages you have heard about sex trafficking.</li> </ul>
	Do	<ul style="list-style-type: none"> <li>• Type two discussion points from above into chat.</li> <li>• Start breakout rooms. Close them after 4 minutes.</li> </ul>
	Ask	<ul style="list-style-type: none"> <li>• <b>What stood out from your discussion?</b></li> <li>• <b>How do the stories from the videos compare to what you have heard about sex trafficking? (Chat/unmute)</b></li> </ul>

Slide 19:



<b>Facilitate</b>	Do	Show slide #19.
	Say	<ul style="list-style-type: none"> <li>• The messages portrayed about the sex industry is that it is fun, glamorous, and lucrative, but what we have been hearing from survivors is that the reality is much different.</li> <li>• Separating fact from fiction is essential to bringing awareness to this issue and helping people recognize that trafficking happens in our own community.</li> <li>• The media and social media share images that contribute to misinformation about trafficking.</li> </ul>
<b>Slide Time</b>		1 minute

Slide 20:



<b>Facilitate</b>	Do	Show slide #20.
	Say	<a href="#">The images used to portray sex trafficking also have an impact.</a>
	Ask	<ul style="list-style-type: none"> <li>• <b>How could these images contribute to misinformation about trafficking? What do they suggest?</b></li> <li>• <b>Does what they suggest match what you have learned?</b></li> <li>• <b>What is the problem with the images? (chat/unmute)</b></li> </ul>
	Do	<p>Debrief each image, as time allows. Examples of responses:</p> <ul style="list-style-type: none"> <li>• Image #1: trafficker controls who the victim speaks to and what they say.</li> <li>• Images #2 and #3: victimization will be easy to see; sensationalized image is not realistic.</li> <li>• Overall – these images only depict victims who appear to be white and female.</li> </ul>
<b>Slide Time</b>		5 minutes

Slide 21:



<b>Facilitate</b>	Do	Show slide #21.
	Say	<ul style="list-style-type: none"> <li>• There are 3 elements of demand:             <ol style="list-style-type: none"> <li>1. Businesses profit from the exploitation.</li> <li>2. Bystanders who do nothing and look the other way allow it to happen.</li> <li>3. Buyers, many of whom could be our neighbors, coworkers, prominent social figures, and loved ones create the demand for trafficking.</li> </ol> </li> <li>• Sex trafficking would not occur if there was no demand if there were no buyers.</li> <li>• We have included resources for demand reduction on the Resource Handout. They include the EPIK Project &amp; Demand Abolition.</li> </ul>
<b>Slide Time</b>		1 minute



## Module 4: The Location

- Objective: To encourage participants to see trafficking in their own community.
- Materials: PowerPoint file, laptop, projector, screen, speakers, and slide clicker.
- Handout: None
- Time: 8 minutes
- Prepare:
- This module includes polls. If you are delivering online, create a poll in Zoom that captures the questions on slides 23 and 24.
  - Review the [Rebecca Bender video](#).
- Learn:
- The [Rebecca Bender Initiative](#).

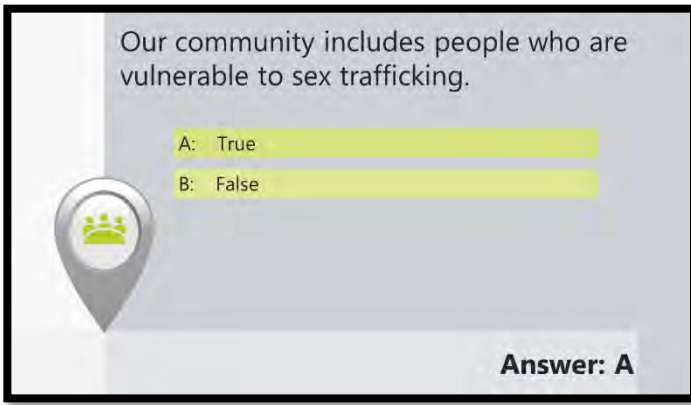


Slide 22:



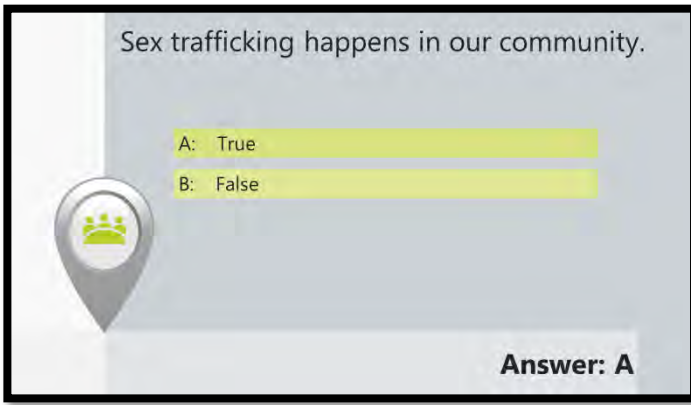
<b>Facilitate</b>	Do	Show slide #22.
	Say	<ul style="list-style-type: none"> <li>• One barrier to ending trafficking is not acknowledging that it happens in our community.</li> <li>• Let's test our knowledge with a few true and false questions.</li> </ul>
<b>Slide Time</b>		30 seconds

Slide 23:



<b>Facilitate</b>	Do	Show slide #24.
	Say	Let's take a poll.
	Ask	<b>What do you think? Our community includes people who are vulnerable to sex trafficking?</b>
	Do	<ul style="list-style-type: none"> <li>• Launch poll or use chat.</li> <li>• Close poll.</li> <li>• Click mouse once to have answer appear.</li> </ul>
	Say	This statement is true.
<b>Slide Time</b>		30 seconds

Slide 24:



<b>Facilitate</b>	Do	Show slide #24.
	<b>Ask</b>	<b>What do you think? Sex trafficking happens in our community?</b>
	Do	<ul style="list-style-type: none"> <li>• Launch the poll.</li> <li>• Close the poll.</li> <li>• Click mouse once to have answer appear.</li> </ul>
	Say	<a href="#">This statement is true.</a>
<b>Slide Time</b>		30 seconds

Slide 25:



<b>Facilitate:</b>	Do	Show slide 25.
	Say	<ul style="list-style-type: none"> <li>• Next, we are going to watch a survivor, Rebecca Bender, who is from Oregon.</li> <li>• This video includes descriptions of sexual exploitation, sexual assault, and domestic violence.</li> <li>• We encourage you to take a break if you need to.</li> </ul>
	Do	<ul style="list-style-type: none"> <li>• Open the browser and have the video ready to play.</li> <li>• Make sure you have selected closed captioning on the video player.</li> </ul>
<b>Slide Time</b>		4 minutes (includes video)
<b>Video Time</b>		3:59 minutes
<b>Link</b>		<a href="https://www.youtube.com/watch?v=jHcoEY6gJJ0">https://www.youtube.com/watch?v=jHcoEY6gJJ0</a>
<b>Acknowledgment:</b> Video shared with permission from Rebecca Bender, <a href="https://www.rebeccabender.org">https://www.rebeccabender.org</a> .		

Slide 26:



<b>Facilitate</b>	Do	Show slide #26.
	<b>Ask</b>	<b>What stood out or surprised you from this video? (unmute/chat)</b>
	Do	Invite 2-3 people to respond.
	Say	<ul style="list-style-type: none"> <li>• All the videos we have seen today featured survivor leaders who are sharing their experience to make an impact.</li> <li>• Rebecca is an author, educator, and founder of the Rebecca Bender Initiative, which supports survivors.</li> <li>• The most important thing to remember is that one person or one program alone will not end sex trafficking.</li> <li>• Everyone can play a part in ending sex trafficking.</li> </ul>
<b>Slide Time</b>		2:30 minutes

## Module 5: The Action

**Objective:** To find ways for participants to address sex trafficking in their community.

**Handouts:** [Socio-Ecological Model](#)  
[Resource List](#)  
[Sample Training Evaluation](#)

**Time:** 13 minutes

**Prepare:**

- Use the [Sample Training Evaluation Form](#) to create an electronic evaluation for course.
- Visit Oregon Department of Justice's [human trafficking page](#) to check for the most current information on Trafficking Intervention Tasks Forces in Oregon.

**Customize:**

- Add local community resource information to the [Resource List](#).
- Prepare an example of how participants can get involved at the community level (slide #28).
- Add information about what the community is doing and how people can get involved on slide #32.
- If a trafficking intervention task force is in place in the county, you should include on slide #32.
- Add your name and contact information on slide #33.

**Learn:**

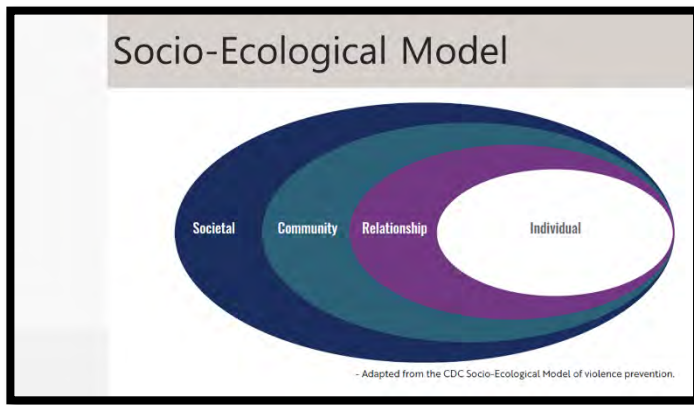
- [Socio-Ecological Model](#)

Slide 27:



<b>Facilitate:</b>	Do	Show slide #27.
	Say	<ul style="list-style-type: none"> <li>• By now, you know that our community has people who are at risk for trafficking.</li> <li>• You know trafficking happens in our community.</li> <li>• Each of us has a role in ending sex trafficking in our community.</li> </ul>
<b>Slide Time</b>		1 minute

Slide 28:



<b>Facilitate</b>	Do	<ul style="list-style-type: none"> <li>• Show slide #28.</li> <li>• Share link in chat: <a href="https://justice.oregon.gov/crime-victims/pdf/ovcttac_socio_ecological_model_and_human_trafficking_508c_10_20_20.pdf">https://justice.oregon.gov/crime-victims/pdf/ovcttac_socio_ecological_model_and_human_trafficking_508c_10_20_20.pdf</a></li> </ul>
	Say	<ul style="list-style-type: none"> <li>• To brainstorm ideas of what we can do, we will use the socio-ecological model.</li> <li>• We shared a link to a handout with the model in the chat; take a second to open the document.</li> <li>• This model has four levels (societal, community, relationship, individual).</li> <li>• There are actions that we can take at each one of the levels to create change in our community.</li> <li>• For example, on an individual level, you can share information you learned today with family, friends, or colleagues. At the community level, you can....</li> <li>• Take a minute to share other ideas you have for actions we can take on other levels of the model.</li> <li>• I encourage you to save this handout.</li> <li>• I also want to challenge you to write down one thing you can do to make a difference.</li> </ul>
<b>Slide Time</b>	5 minutes	



Slide 29:



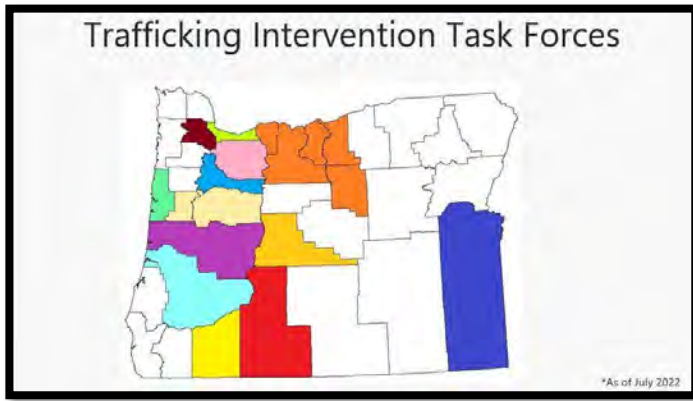
<b>Facilitate</b>	Do	Show slide #29.
	Say	<ul style="list-style-type: none"> <li>• The State of Oregon recognizes that sex trafficking of minors is child abuse, and you should report it to the Oregon Child Abuse Hotline.</li> <li>• If you are a mandatory reporter, and you suspect that a minor is being trafficked, you must report that information to the Child Abuse Hotline.</li> </ul>
<b>Slide Time</b>		30 seconds

Slide 30:



<b>Facilitate</b>	Do	Show slide #30.
	Say	<ul style="list-style-type: none"> <li>• The Human Trafficking Hotline is a tollfree, nationwide phone number, text line, and live chat site where you can report trafficking.</li> <li>• The contact options are a resource for victims to get help and connect to local resources, wherever they are.</li> <li>• If you believe you may have information about a trafficking situation, use the online reporting form.</li> </ul>
<b>Slide Time</b>		1 minute

Slide 31:



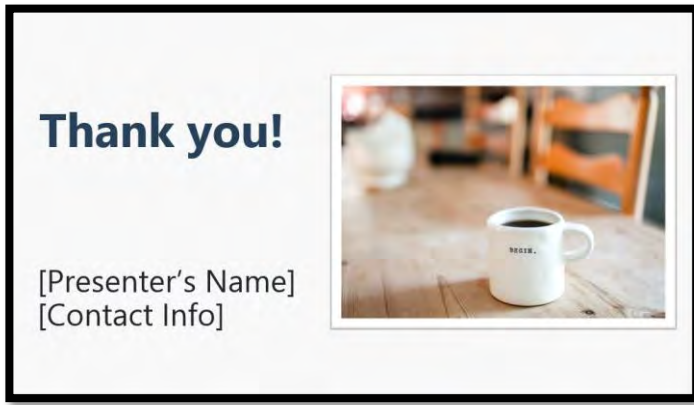
<b>Facilitate</b>	Do	Show slide #31.
	Say	<ul style="list-style-type: none"> <li>• The Oregon Department of Justice helps task forces across the state.</li> <li>• This map shows where tasks forces are currently working on their community's response.</li> <li>• The goal in Oregon is to have a "no wrong door approach" to addressing trafficking.</li> <li>• This approach means that people will recognize victims of trafficking and resources will be available to support victims of human trafficking, in every county, no matter what service or agency they reach out to for help.</li> </ul>
<b>Slide Time</b>		1 minute

*Slide 32:*



<b>Facilitate</b>	Do	<ul style="list-style-type: none"> <li>• Show slide #32.</li> <li>• Share <a href="#">Resource List</a> in chat.</li> </ul>
	Say	<ul style="list-style-type: none"> <li>• This is what is happening in our community to address sex trafficking.</li> <li>• These are the ways you can get involved in our community to address sex trafficking.</li> <li>• Also, we have given you a list of local, state, and national resources to help you take the next step.</li> </ul>
<b>Slide Time</b>		1 minute

*Slide 33:*



<b>Facilitate</b>	Do	Show slide #33.
	Say	<ul style="list-style-type: none"> <li>• Thank you for taking time to learn about sex trafficking in our community.</li> <li>• It is important for us to know how we did today. Please take a few minutes to complete an evaluation.</li> </ul>
	Do	Add link to training evaluation in chat.
	Say	<ul style="list-style-type: none"> <li>• I have listed my contact information here.</li> <li>• I will be here for a while and can answer questions that people might still have.</li> </ul>
<b>Slide Time</b>		3 minutes

# Appendices



## Appendix A: Materials Needed

For in-person delivery of this presentation, you will need the following items.

- PowerPoint file titled, "UAST September 2022"
- Computer
- Screen or Display
- Projector
- Speakers
- Optional slide advancer
- Handouts for the participants
- Sticky notes
- Chart/Easel paper
- Tape
- Markers
- Timer or Clock





## Appendix B: Delivering this Curriculum Online

### **Understanding and Addressing Sex Trafficking in Our Community Curriculum**

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#### **Five Tips for Online Facilitation**

##### **#1 Use a producer.**

A producer is a person who supports the instructor during online training. Their help allows the instructor to focus on facilitating rather than addressing technical issues and needs.

A producer can:

- Help participants troubleshoot issues with technology.
- Prepare and launch polls and breakout sessions.
- Integrate and switch screens to display content, as needed.
- Monitor the chat box, calling attention to comments and questions that the instructor may have missed.
- Addressing questions in the chat box (as able).
- Dropping handout files into the chat box for participants.
- Mute participants when background noise is distracting.

Note: If you are not using a producer, your role in Zoom should be “host.” This enables you to launch polls and create/launch breakout sessions. If you are using a producer, your role in Zoom should be “co-host.” Your producer should be the “host.”

##### **#2 Connect with participants.**

Turn on your camera and share your video. This helps to create connection between the instructor and participants. Allow participants to choose whether their camera is on or off.

Use people’s names as often as possible. Take a moment at the beginning to ask people to make sure the name displayed for them is correct. Encourage them to include their pronouns as part of their displayed name.

### **#3 Engage participants.**

Best practice tells us we should engage with participants every 3-4 minutes during virtual training. Ways to engage with participants include:

- Pose questions to the group by using reactions (emojis), polls, the chat box, and inviting people to come off mute to share.
- Use breakout rooms to get people talking to each other. The ideal size for a breakout room is two people. Err on the side of giving less time than you think they will need to complete what you have asked them to do.
- Give 5-minute brain breaks every 55-minutes.
- Use mixed media.
- Encourage multiple ways for people to engage, including verbally (coming off mute) and by typing into the chat box.
- Mentimeter, Poll Everywhere, Mural, Miro, Kahoot, Sli.do, and Factile are free applications for engaging participants.

### **#4 Anticipate technical difficulties.**

Login to the presentation at least twenty minutes early to make sure you can open files, cue up videos, and open websites.

Keep trouble-shooting tips handy for yourself and for participants. For example, if you are experiencing problems with your connection, close all unneeded applications on your computer, stop sharing their video, and disconnect from a VPN if you are on one. Beforehand, check your internet speed online at <https://www.speedtest.net/>. Not sure what the results mean? Search online for "What is fast internet speed?" or "internet speed classifications" to interpret and find out ways to improve your results.

Have the telephone number to connect to the audio of the training available, along with your cellphone or landline telephone. Share your files with the host or producer so that they can share them if you end up having problems with your connection. Always have an email and cellphone number of the person the host and the producer.

## **#5 Practice, practice, practice.**

Volunteer to be the producer for someone else when they are instructing online. Host meetings using the platform where you will teach. The more you use the platform, the more confident you will feel.

Whenever possible, rehearse your presentation on the platform where training will occur. Check how the videos play. Look at the platform to find the tools you will use. Practice using the engagement tools (like polls and breakout sessions). This rehearsal is particularly important if you will deliver the training on someone else's platform. If you have a producer, be sure to include them in the rehearsal.

Explore the platform's support pages that are available online.

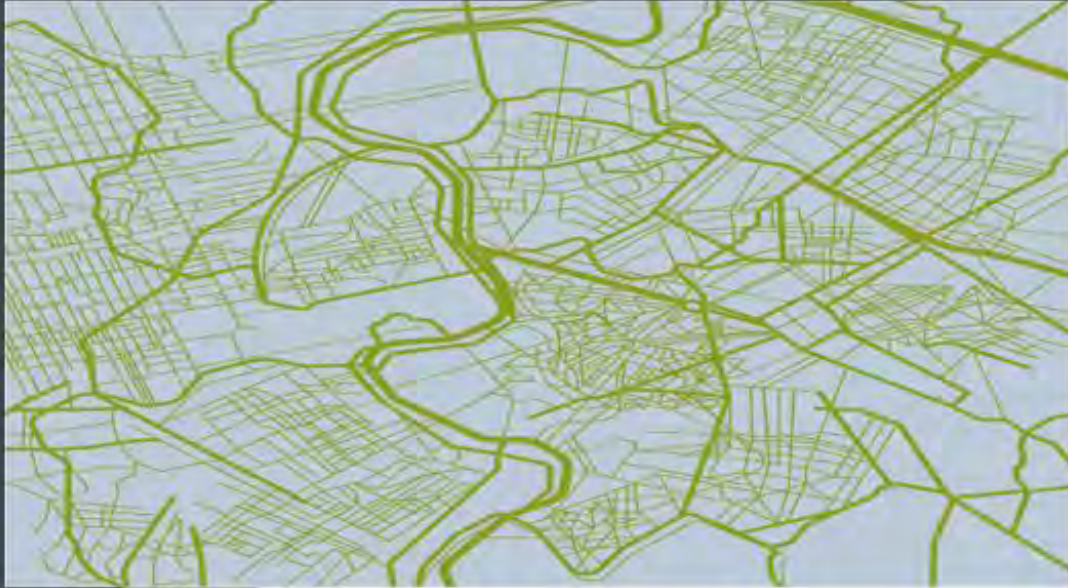
### **Helpful Links for Zoom**

Visit the [Zoom Learning Center](#) and learn more about:

- Getting started guide for new users
- Polling for meetings
- Sharing your screen
- File sharing
- Enabling breakout rooms
- Improving quality of video
- Meeting registration and polling reports



## Appendix C: Sample Training Flyer



# Understanding and Addressing Sex Trafficking

Listen to stories from survivors that highlight the risks, vulnerabilities, and impact of sex trafficking.

[Date]

[Time]

[Location]

Register

For more information or if you require an accommodation to participate, please contact [insert name, email, and phone number for point of contact].



## Appendix D: Producer’s Guide

### UAST Production Guide

NUMBER	Action	Time
<p><b>9</b> <b>(AFTER ST DEFINITION)</b></p>	<p><b>Poll</b></p>	
<p><b>13</b> <b>(AFTER VIDEO)</b></p>	<p><b>Breakout rooms</b></p> <ul style="list-style-type: none"> <li>• 4-5 people</li> </ul> <p><b>For Chat:</b> Discuss the victim’s introduction to trafficking and tactics the trafficker used.</p> <p><b>Broadcast:</b> 1 minute remaining – who will be the reporter for the group?</p>	<p>5 mins</p>
<p><b>18</b></p>	<p><b>New breakout rooms</b></p> <ul style="list-style-type: none"> <li>• 4-5 people</li> </ul> <p><b>For Chat:</b> How the survivors coped with the trauma and how the videos have challenged or reinforced messages you have heard about sex trafficking.</p> <p><b>Broadcast:</b> 1 minute remaining – who will be the reporter for the group?</p>	<p>4 mins</p>
<p><b>23</b></p>	<p><b>Poll</b></p>	
<p><b>24</b></p>	<p><b>Poll</b></p>	
<p><b>28</b></p>	<p><b>For Chat:</b> Share Socio-ecological model handout (<a href="#">link</a> or pdf)</p>	
<p><b>32</b></p>	<p><b>For Chat:</b> Share Resource List handout</p>	
<p><b>33</b></p>	<p><b>For Chat:</b> If you are using an evaluation, share the link.</p>	





## Handouts



## Handout 1: Resource List

## RESOURCE LIST

**One action I commit to taking to address human trafficking is:**

### Community Resources

[Trafficking Task Force] [website]	[At Risk Youth Program] [website]
[DV/SA Program] [website]	[Child Abuse Center] [website]
[Mental Health Program] [ website]	[Additional Program] [website]

### Statewide Resources

Oregon T.R.I.P. <a href="http://www.doj.state.or.us/htresources">www.doj.state.or.us/htresources</a>	Oregon Child Abuse Reporting Hotline 1-855-503-SAFE (7233)
---------------------------------------------------------------------------------------------------------	---------------------------------------------------------------

### National Resources

Demand Abolition	<a href="https://www.demandabolition.org/">https://www.demandabolition.org/</a>
EPIK	<a href="http://www.epikproject.org">http://www.epikproject.org</a>
Freedom Network	<a href="https://freedomnetworkusa.org/">https://freedomnetworkusa.org/</a>
OVC Faces of Human Trafficking	<a href="https://ovc.ojp.gov/program/human-trafficking/faces-of-human-trafficking">https://ovc.ojp.gov/program/human-trafficking/faces-of-human-trafficking</a>
Polaris Project	<a href="https://polarisproject.org/">https://polarisproject.org/</a>
Rebecca Bender Initiative	<a href="https://www.rebeccabender.org/">https://www.rebeccabender.org/</a>
The Life Story	<a href="https://thelifestory.org/">https://thelifestory.org/</a>
National Human Trafficking Hotline	1-888-373-7888
Text "BeFree" 233733	Live Chat <a href="https://HumanTraffickingHotline.org">HumanTraffickingHotline.org</a>



## Handout 2: Sample Training Evaluation Form

### Training Evaluation

[Name of Training] [Date of Training]

1. Did the training meet your expectations? Yes/No  
If no, in what ways did the training fall short?
  
2. Please rate the following areas on a scale of 1 to 5, with 1 = unacceptable and 5 = outstanding.
  - a. The quality of the instruction
  - b. The quality of activities and interactions
  - c. The quality of the learning environment
  
3. Please indicate your agreement with the following statements on a scale of 1 to 5, with 1= strongly disagree and 5 = strongly agree.  
As a result of this course, I...
  - a. Have more empathy for victims and survivors of sex trafficking.
  - b. Am more aware that sex trafficking occurs in my community.
  - c. Know one thing I can do to address sex trafficking.
  - d. Commit to taking one step to address sex trafficking.
  
4. What, if anything, would you change about this training to improve it?
  
5. Please share one action step that you plan to take in the week to address human trafficking in your community.



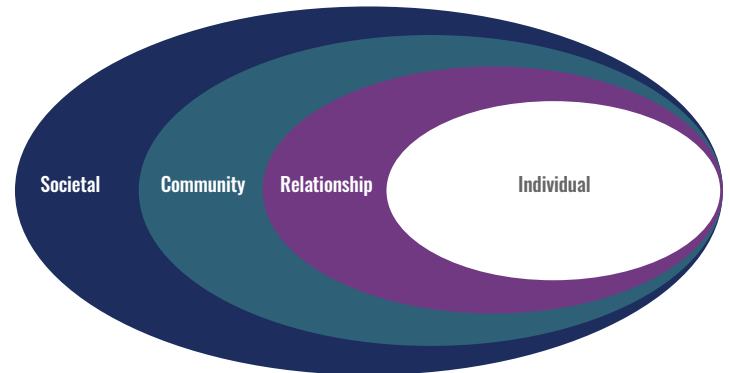
## Handout 3: Socio-Ecological Model





## SOCIO-ECOLOGICAL MODEL FOR VIOLENCE PREVENTION

The [Centers for Disease Control and Prevention \(CDC\)](#) socio-ecological model for violence prevention demonstrates how risk factors influence vulnerability to violence, and how protective factors may reduce risk of victimization. The CDC uses overlapping rings within the model to demonstrate that each level is deeply connected. The complex interplay of the levels within the socio-ecological model demonstrate how risk factors may increase vulnerabilities of victimization while also providing protective factors that may prevent victimization. This model is helpful to better understand the multi-faceted impacts on victims and survivors of human trafficking and how service delivery should encompass this multi-functional approach to identifying and responding to human trafficking.



- Adapted from the CDC Socio-Ecological Model of violence prevention.

### Individual

#### Examples of Individual Risk Factors

- Age, including minors and older adults.
- Lack of education (no high school diploma or higher education).
- Low income.
- Substance use.
- Disability.
- Experiencing or witnessing physical or psychological abuse.
- Exposure to other forms of trauma.

#### Examples of Individual Protective Factors

- Education stability.
- Steady income.
- Mental health supports.

### Relationship

#### Examples of Relationship Risk Factors

- Aggressive or violent peer behavior, such as bullying.
- Isolation or lack of social supports.
- Lack of support from family.
- Intimate partner violence.
- Lack of financial stability.

#### Examples of Relationship Protective Factors

- Peer support.
- Appropriate intervention for bullying.
- Family mental health resources.
- Parent and family social supports and educational programs.

### Community

#### Examples of Community Risk Factors

- Poverty.
- Lack of resources to build social supports and healthy relationships.
- Lack of intervention against violence, including intimate partner violence.

#### Examples of Community Protective Factors

- Access to resources that address and reduce poverty.
- Access to education.
- Education on substance use.
- Availability of mental health and social support resources.
- Supportive services and resources for individuals with disabilities.

### Societal

#### Examples of Societal Risk Factors

- Societal factors that influence exploitation of persons through sex and labor.
- Discrimination and income inequity.
- Laws and policies that limit access to health care, education, mental health resources, and economic stability.

#### Examples of Societal Protective Factors

- Education and awareness trainings that address social characteristics that condone violence against persons.
- Laws, policies, and funding that increase access to social services.

# Cómo comprender y abordar el tráfico sexual en nuestra comunidad *(Understanding and Addressing Sex Trafficking in Our Community)*

*Presentado por:*

[ingrese el nombre del instructor]



# Financiamiento por parte de la Oficina de las Víctimas de Delitos (OVC, por su sigla en inglés)

La presente capacitación se creó con el apoyo de la subvención 2019-NZ-NX-0034, otorgada por la Oficina de las Víctimas de Delitos a través de la Oficina de Programas de Justicia del Departamento de Justicia de EE. UU.

Las opiniones, hallazgos y conclusiones o recomendaciones que se expresan en el presente contenido pertenecen a los contribuidores y no representan necesariamente la postura oficial o las políticas del Departamento de Justicia de EE. UU.

# *Antes de empezar...*



**Tomen un descanso  
cuando lo necesiten.**



**Participen en la  
conversación.**



**Párense y caminen  
cuando lo necesiten.**



La presentación incluye relatos sobre experiencias traumáticas.

Éstas abarcan la violencia doméstica, el maltrato infantil y la agresión sexual.

Les recomendamos se tomen descansos cuando los necesiten.

# La problemática



# La trata de personas es...

*Una cuestión de salud pública.*

*Afecta a personas, familias y comunidades de diversas generaciones.*

*Un delito que consiste en explotar a la persona, obligándola a trabajar, prestar servicios o prostituirse (sexo comercial).*

Ley de  
Protección de  
las Víctimas de  
la Trata de  
Personas  
(*Trafficking  
Victim Protection  
Act*)



# Trata para explotación laboral



La captación, el albergue, el transporte, la oferta o la obtención de una persona para la prestación de trabajos o servicios, mediante el uso de la fuerza, el fraude o la coacción, con la finalidad de someterla a la servidumbre involuntaria, servidumbre por deudas o la esclavitud.

# Tráfico sexual



Un acto sexual para fines comerciales es aquel que se induce por la fuerza, el fraude o la coacción, o en el cual la persona inducida a participar en dicho acto no ha cumplido los 18 años de edad.

¿Para que el tráfico sexual se considere tráfico es necesario que se movilicen a las personas?

A: Sí

B: No



**Respuesta: B**

# ¿Dónde ocurre el tráfico sexual?

Club de striptease

Hoteles

Pornografía

Paradas de camiones

Redes sociales

Sitios web

Apps de mensajería

Fiestas privadas

Salones de masajes

Servicios de acompañantes



# Cómo sucede





*The Life Story*  
*(Historia de la vida),*  
*Entry Into The Life*  
*(Inicio en la vida)*



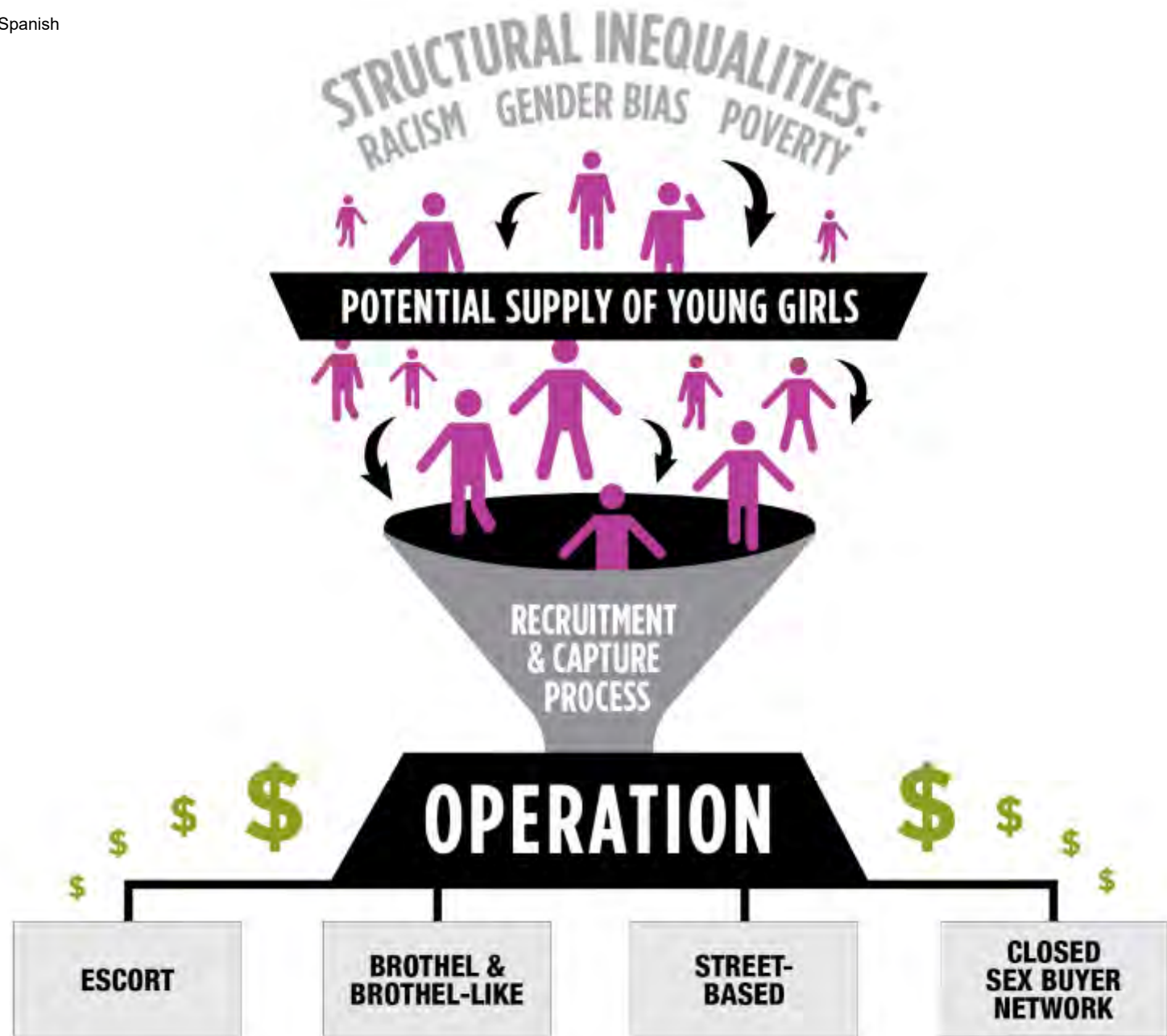
¿Qué aspectos  
**les llamaron la atención?**

# Tácticas de los traficantes





# Mapeo del mercado



# El impacto





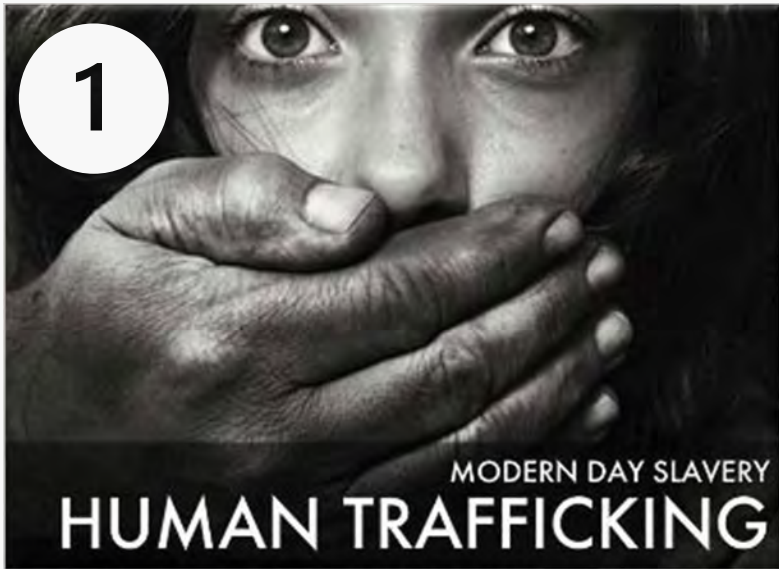
*The Life Story*  
*(Historia de la vida),*  
*Trauma and Addiction*  
*(Trauma y adicción)*



¿Qué aspectos  
**les llamaron la atención?**



# Identificación equivocada



**Demanda**



**Rentabilidad**

ESPECTADOR

COMPRADOR

# Ubicación





# Nuestra comunidad incluye a personas que son vulnerables al tráfico sexual.

A: Verdadero

B: Falso



**Respuesta: A**

# El tráfico sexual sucede en nuestra comunidad.

A: Verdadero

B: Falso



**Respuesta: A**



*Historia de Rebecca Bender –  
sobreviviente de la trata de  
personas*

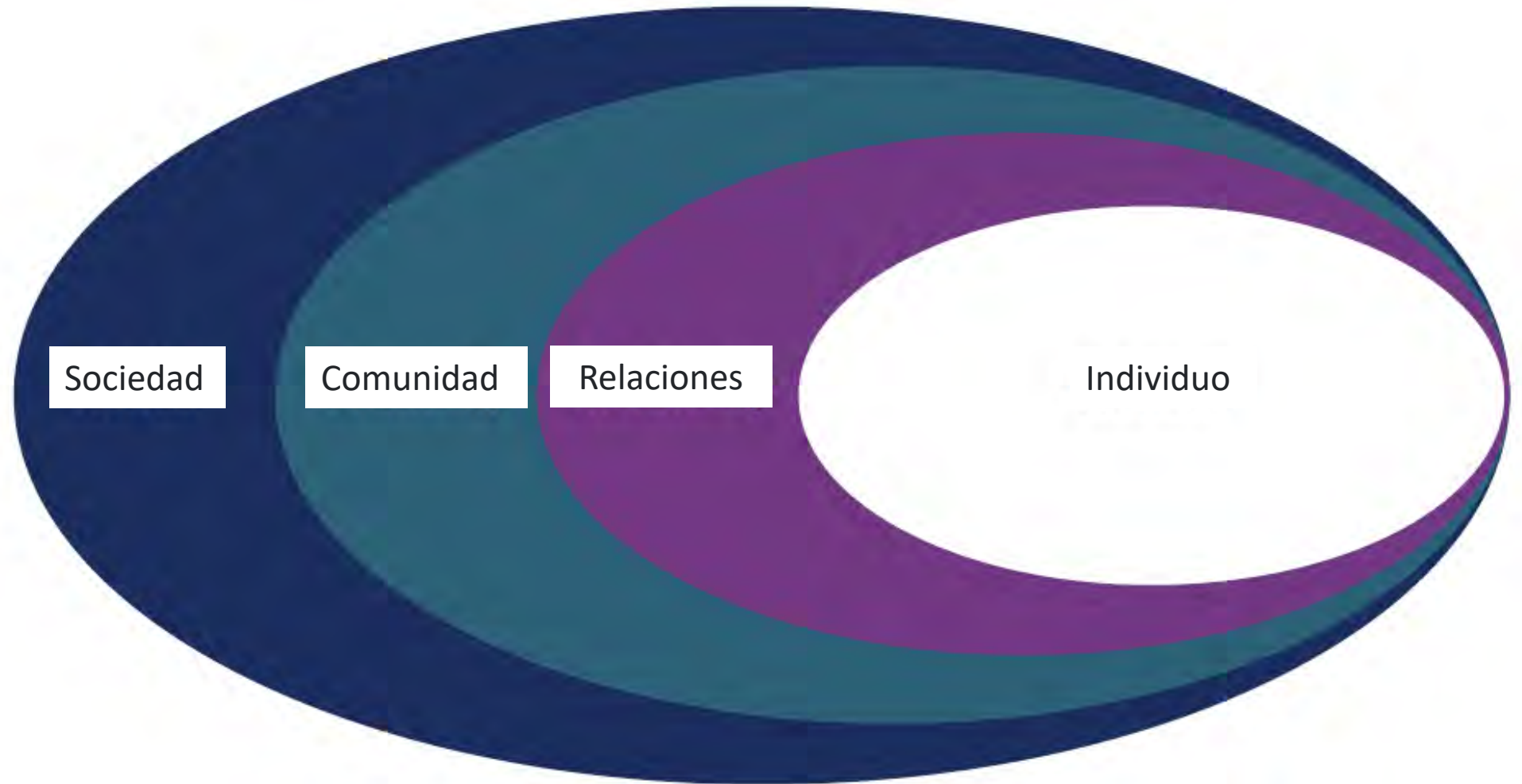


¿Qué aspectos  
**les llamaron la atención?**

# La acción



# Modelo socio-ecológico



- Adapted from the CDC Socio-Ecological Model of violence prevention.

Denuncie el maltrato infantil.  
1-855-503-SAFE (7233)  
Velemos por la seguridad de los  
niños de Oregon



# LÍNEA NACIONAL CONTRA LA TRATA DE PERSONAS



**CALL**

1-888-373-7888



**TEXT**

"BeFree" (233733)



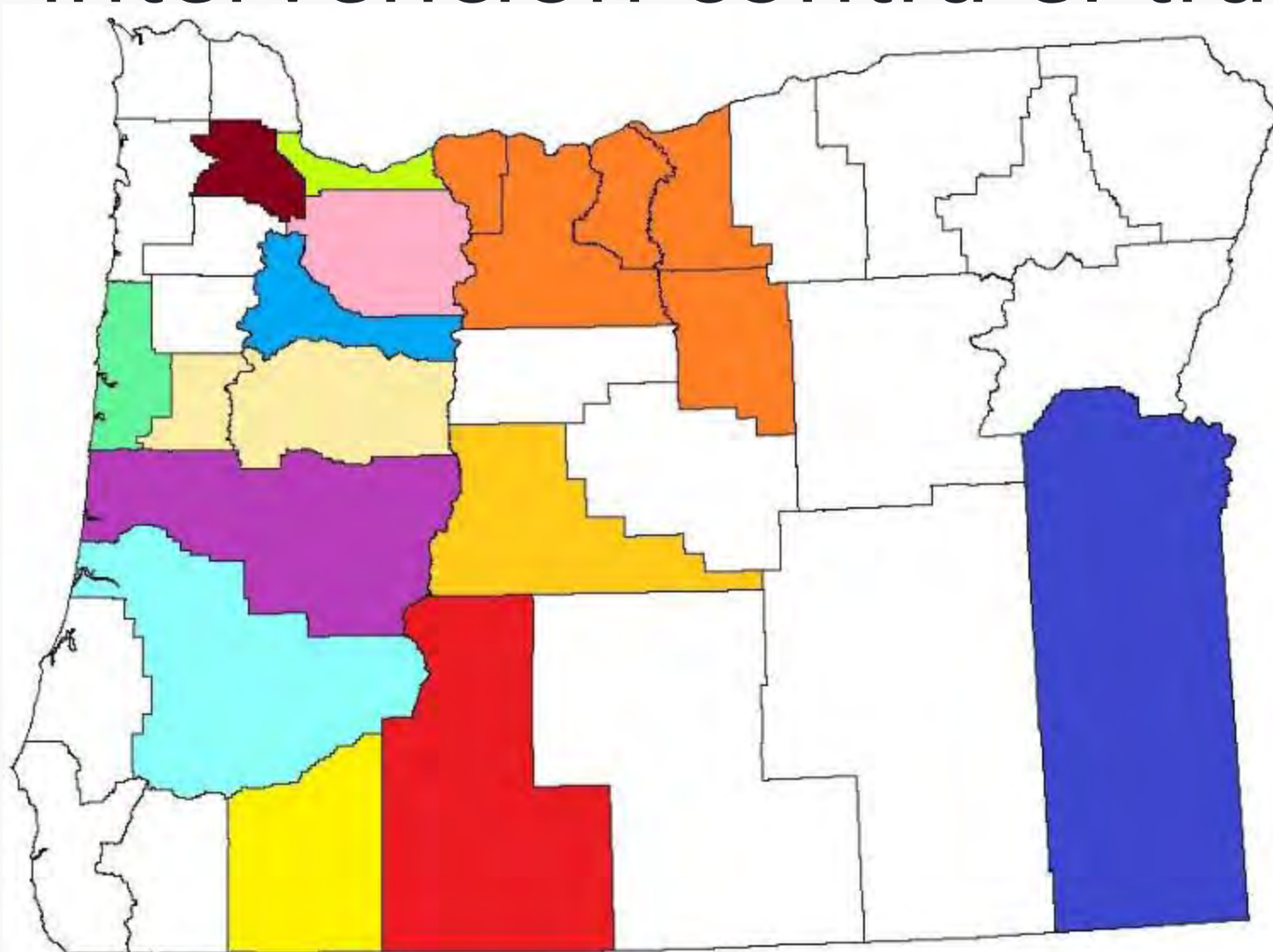
**LIVE CHAT**

HumanTraffickingHotline.org

- ✓ Get help.
- ✓ Report a tip.
- ✓ Find services.
- ✓ Learn about your options.



# Grupos especiales de intervención contra el tráfico



# Nuestra comunidad

# ¡Gracias!

[Nombre del  
presentador]  
[Datos de contacto]



septiembre de 2022

# Cómo comprender y abordar el tráfico sexual

## Guía para presentadores



La presente capacitación se creó con el apoyo de la subvención 2019-NZ-NX-0034, otorgada por la Oficina de las Víctimas de Delitos a través de la Oficina de Programas de Justicia del Departamento de Justicia de EE. UU. Las opiniones, hallazgos y conclusiones o recomendaciones que se expresan en el presente contenido pertenecen a los contribuidores y no representan necesariamente la postura oficial o las políticas del Departamento de Justicia de EE. UU.

El presente programa de capacitación fue creado por Oregon T.R.I.P. (Programa de Intervención y Respuesta en contra del Tráfico), parte de la División de Servicios para Sobrevivientes y Víctimas del Delito (CVSSD, por su sigla en inglés) del Departamento de Justicia de Oregon.

Para obtener mayor información sobre la capacitación, comuníquese con:

Amanda Swanson, Coordinadora de Intervención en la Trata de Personas

[Amanda.Swanson@doj.state.or.us](mailto:Amanda.Swanson@doj.state.or.us)

Letetia Wilson, Especialista de Intervención en la Trata de Personas

[Letetia.Wilson@doj.state.or.us](mailto:Letetia.Wilson@doj.state.or.us)

Caroline Olfert, Coordinadora de Políticas para Capacitación y Plan de Estudios

[Caroline.Olfert@doj.state.or.us](mailto:Caroline.Olfert@doj.state.or.us)

[www.doj.state.or.us/htresources](http://www.doj.state.or.us/htresources)



Queremos agradecer, en especial, a Emily Hall, Camerron Resener y Robin Miller por su asesoría en el plan de estudios. A los diversos sobrevivientes que dieron a conocer sus propias experiencias a través del proyecto The Life Story (Historia de la vida) y a Rebecca Bender: tus relatos nos inspiraron a hacer más y a hacerlo mejor. Gracias.





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## Contexto

Al igual que en la mayoría de los estados, la manera en que Oregon aborda la trata de personas sigue evolucionando.

Los grupos especiales comunitarios apoyan y fomentan una respuesta multidisciplinaria y de colaboración entre las fuerzas del orden, la fiscalía, los proveedores de servicios para las víctimas y un equipo diverso de prestadores de servicios, entre ellos servicios para culturas determinadas y naciones tribales. Si bien los grupos especiales actúan de forma independiente e incluyen expertos locales, todos ellos emplean el enfoque de “acceso fluido” o “no wrong door” con las víctimas que reciben servicios en Oregon.

Hemos diseñado el presente plan de estudios para apoyar a los grupos especiales y a sus socios en su labor de abordar el tráfico sexual en sus comunidades.

### Acerca del plan de estudios

Con la ayuda de relatos, diseñamos el plan de estudios para ayudar al público:

- a desarrollar empatía hacia las víctimas y los sobrevivientes del tráfico sexual,
- aumentar la conciencia de que sucede en sus propias comunidades y
- determinar medidas que pueden emplear para abordar esta problemática.

El uso de la narración como método de instrucción fue una decisión estratégica. Una narración eficaz permite que los oyentes se imaginen dentro del relato. Este desarrollo de la empatía, junto con un entendimiento más a fondo del tráfico sexual, influye en el oyente y crea una oportunidad para que cambie su actitud y lo motive a actuar.<sup>1</sup>

El plan de estudios incluye tres videos de sobrevivientes que relatan sus propias experiencias. Dos de los videos provienen de [The Life Story](#), proyecto que “busca elevar las experiencias y las voces de las personas que han vivido el tráfico sexual y brindarles las soluciones que necesitan”.

En el último video vemos a una sobreviviente líder de Oregon, Rebecca Bender, quien relata su historia y sirve como ejemplo de cómo una sola persona puede ayudar a poner fin al tráfico sexual.

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<sup>1</sup> *¿Por qué la narración es tan eficaz para aprender?* Harvard Business Publishing, 2017

Los instructores deben emplear más sus habilidades como facilitadores que como presentadores. La diferencia entre “presentar” y “facilitar”, según lo describieron muchos, es la misma que entre “ponente” y “guía”<sup>2</sup>. Los instructores emplean sus habilidades como facilitadores para guiar las conversaciones sobre los relatos. Los miembros del público son educandos activos y no pasivos. Su participación en la discusión del tema en la clase los prepara para conversarlo con otras personas después de la clase.

Los instructores ideales para este plan de estudios, además de contar con habilidades como facilitadores, son personas que trabajan en áreas que se cruzan con el tráfico sexual. Es imprescindible gozar de un entendimiento excelente de los aspectos complejos del tráfico sexual para poder responder a los comentarios y a las preguntas que reflejen mitos e información errónea comunes, así como a afirmaciones que culpen a las víctimas por su victimización. Por tal razón, todos los instructores deberán haber asistido, como mínimo, a un curso introductorio sobre la trata de personas, tal como el que ofrece Polaris Project ([www.polarisproject.org/training](http://www.polarisproject.org/training)).

## Adaptación del plan de estudios

Se diseñó el plan de estudios de manera que pueda ser adaptado por el instructor en base a las consideraciones siguientes:

- Público
- Comunidad
- Método de presentación
- Horario disponible

### *Público:*

El plan de estudios está diseñado para públicos diversos, entre ellos el público general, proveedores de servicios y gente que pueda conocer a víctimas del tráfico sexual a través de sus empleos. Recomendamos que los públicos no superen las 50 personas (40 personas si se imparte en línea). Cada vez que se presente el plan de estudios, recomendamos tomar en cuenta al público y hallar oportunidades para vincular la

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<sup>2</sup> “*Sage on the Stage to Guide on the Side*”, Allison King, 1993

conexión de éste al tráfico sexual al momento de considerar las medidas que podrían adoptar seguidamente en el Módulo 5.

### *Comunidad:*

Es importante vincular este tema con la comunidad en la que se imparte la capacitación. Eso incluye observar características (ubicación, industrias, personas) de la comunidad que puedan atraer a traficantes cuando se presente el **Módulo 4**. Asimismo, es importante proporcionar información sobre los recursos locales en el **Módulo 5** y destacar programas o iniciativas en la comunidad propia que los participantes podrían apoyar.

### *Método de presentación:*

El programa de estudios puede presentarse en persona o en línea. Hemos incluido sugerencias para **presentar el contenido en línea**.

### *Tiempo:*

Recomendamos que el plan de estudios se presente según lo diseñamos —en bloques de 90 minutos— sobre todo cuando se capacite a personas que puedan conocer a víctimas y sobrevivientes de la trata a través de sus empleos. Sin embargo, reconocemos que esto quizá no sea siempre posible. Para tales casos hemos creado una versión de 60 minutos de la capacitación. Por otro lado, la versión de 45 minutos del plan de estudios podría bastar para educar lo suficiente a clubes sociales, centros de culto, empresarios y/o grupos filantrópicos. Se suministrarán paquetes de diapositivas más cortos con notas de diapositivas modificadas a pedido.

## Evaluación de la capacitación

### *¿Por qué?*

Cuando los participantes evalúan la capacitación recibida, ofrecen opiniones importantes que nos permiten saber si hemos logrado nuestras metas. Las evaluaciones de la capacitación señalan aspectos que podemos mejorar y dan a conocer a las personas interesadas y a las entidades financiadoras el valor y el impacto de la capacitación. Asimismo, las evaluaciones nos permiten preguntar a los participantes que consideren lo que tienen pensado hacer gracias a la capacitación recibida, lo cual los impulsa a crear un plan y aplicar lo que han aprendido.

### ¿Cómo?

La tasa de respuesta será mayor si se anima a los participantes a completar la evaluación antes de retirarse de la capacitación. Incluya tiempo en el programa de capacitación general para que los participantes completen la evaluación.

Contemple la posibilidad de utilizar software para recolectar las respuestas de los participantes mientras éstos siguen en la capacitación. [Poll Everywhere](#), [Survey Monkey](#) y [Mentimeter](#) cuentan con versiones gratuitas para este fin. Si imparte la capacitación en persona y prefiere no utilizar un formato electrónico, entregue a las personas una copia impresa de la evaluación y coléctelas antes de que se retiren.

### ¿Qué?

Recomendamos se incluyan preguntas que vayan más allá de que si les gustó la capacitación. Pregunte qué información nueva aprendieron y si están dispuestos a aplicar lo aprendido. Encontrará una [evaluación de muestra de la capacitación](#) en la sección de separatas.

### Programa de la capacitación

El programa de la capacitación, que se muestra a continuación, indica el tiempo aproximado que se asigna a cada uno de los módulos. En vista de que la capacitación es sumamente interactiva y que se basa en la conversación, puede resultar difícil saber el tiempo exacto. Si bien el programa muestra un total de 75 minutos, sabemos que demora más. Recomendamos agendar entre 90 minutos y dos horas para la capacitación para permitir la interactividad y la participación del público.

La capacitación incluye videos con relatos traumáticos. Recomendamos enfáticamente se ofrezcan a los participantes un descanso de 5 a 10 minutos a los 45 minutos de haberse iniciado la presentación.

#### *Versión de 90 minutos*

<b>Módulo</b>	<b>Tiempo</b>	<b>Módulo</b>	<b>Tiempo</b>
Bienvenida y presentaciones personales	8	Ubicación	8
Cómo sucede	21	La acción	13
El impacto	25	<b>TIEMPO TOTAL</b>	<b>75</b>

*Versión de 60 minutos*

<b>Módulo</b>	<b>Tiempo</b>	<b>Módulo</b>	<b>Tiempo</b>
Bienvenida y presentaciones personales	6	Ubicación	7
Cómo sucede	20	La acción	8
El impacto	19	<b>TIEMPO TOTAL</b>	<b>60</b>

*Versión de 45 minutos*

<b>Módulo</b>	<b>Tiempo</b>	<b>Módulo</b>	<b>Tiempo</b>
Bienvenida y presentaciones personales	6	Ubicación	7
Cómo sucede	20	La acción	8
		<b>TIEMPO TOTAL</b>	<b>41</b>





# Notas del instructor para la presentación en persona

## Módulo 1: Bienvenida y presentación personal

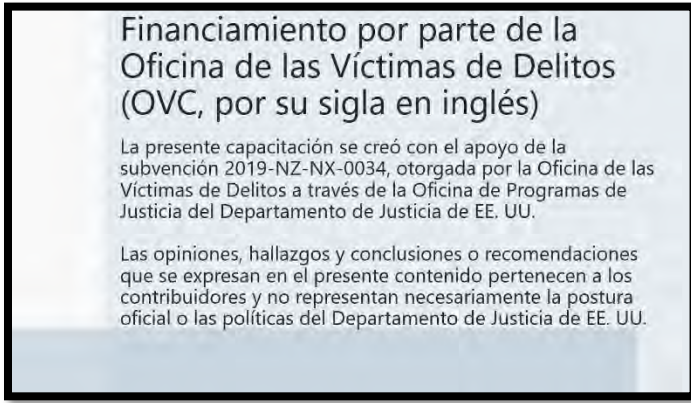
- Objetivo:** Dar la bienvenida a los participantes, presentar al instructor o a los instructores, dar a conocer la información de logística, explicar las expectativas y repasar las definiciones de la trata de personas, la trata para explotación laboral y el tráfico sexual.
- Separatas:** Ninguna
- Tiempo:** 8 minutos
- Prepare:**
- Añada el nombre del instructor o de los instructores a la diapositiva #1.
- Contemple:**
- ¿Qué apoyos tendrán a su disposición los participantes que se aflijan?
  - ¿Deberán hacer preguntas las personas durante o después de la presentación?
  - ¿Sería quizá provechoso que los participantes respondan a las preguntas de la diapositiva #9 de manera anónima? De ser así, contemple la posibilidad de utilizar una herramienta de participación como Mentimeter para captar las respuestas.
- Adapte:**
- Entre las industrias en las que se da la trata para explotación laboral, ¿cuáles podrían ser las más relevantes para los participantes? Entre las industrias en las que se da la trata para explotación laboral se hallan: agricultura (granjas de árboles, cultivos de marihuana, viveros); pesca; alimentos (restaurantes, enlatadoras); ventas a domicilio y mendicidad forzada.
  - Entre los lugares en los que se da el tráfico sexual, ¿cuáles son los más relevantes para su comunidad?
- Aprenda:**
- [Ley de Protección de las Víctimas de la Trata de Personas \(Trafficking Victim Protection Act\)](#)
  - [Serie Faces of Human Trafficking \(Rostros de la trata de personas\) de la Oficina de las Víctimas de Delitos \(OVC\)](#)

*Diapositiva 1:*



<b>Facilite</b>	Haga	<ul style="list-style-type: none"> <li>• Muestre la diapositiva #1.</li> <li>• Reparta las separatas de todos los módulos</li> </ul>
	Diga	<ul style="list-style-type: none"> <li>• Participantes, les damos la bienvenida.</li> <li>• Agradezca al anfitrión.</li> <li>• Presente el tema.</li> <li>• Presente al instructor o a los instructores (nombre, cargo, organización, grupo especial en contra del tráfico y conexión al tema).</li> </ul>
<b>Tiempo de la diapositiva</b>		30 segundos

*Diapositiva 2:*



<b>Facilite</b>	Haga	Muestre la diapositiva #2.
	Diga	Esta capacitación fue creada con fondos de la Oficina de las Víctimas de Delitos.
<b>Tiempo de la diapositiva</b>		30 segundos

*Diapositiva 3:*



<b>Facilite</b>	Haga	Muestre la diapositiva #3.
	Diga	<ul style="list-style-type: none"> <li>• La capacitación durará 90 minutos.</li> <li>• Haremos una pausa de cinco minutos.</li> <li>• Los baños están ubicados...</li> <li>• Las salidas de emergencias están ubicadas...</li> <li>• La capacitación será interactiva.</li> <li>• Su participación es importante.</li> <li>• Asegúrense de tener papel y algo con qué escribir.</li> <li>• Párense y caminen cuando lo necesiten.</li> <li>• Hagan preguntas conforme avanzamos / Guárdense sus preguntas hasta el final.</li> </ul>
<b>Tiempo de la diapositiva</b>		1 minuto

*Diapositiva 4:*



<b>Facilite</b>	Haga	Muestre la diapositiva #4.
	Diga	<ul style="list-style-type: none"> <li>• La capacitación de hoy podría ser particularmente difícil para las personas que han sufrido traumas.</li> <li>• Los videos que les mostraremos hoy contienen relatos que incluyen maltrato y abuso infantil, violencia doméstica, agresión sexual, pornografía y racismo.</li> <li>• Este icono del corazón sobre la mano aparecerá durante la capacitación justo antes de que mostremos información traumática.</li> <li>• Les pedimos cuiden de sí mismos y se retiren si es necesario.</li> </ul>
<b>Tiempo de la diapositiva</b>		30 segundos

Diapositiva 5.



<b>Facilite</b>	Haga	Muestre la diapositiva #5.
	Diga	<ul style="list-style-type: none"> <li>• Escucharemos relatos directamente de sobrevivientes del tráfico sexual.</li> <li>• Aprenderemos más sobre la dinámica del tráfico sexual.</li> <li>• Hablaremos sobre los factores de riesgo y las vulnerabilidades que se relacionan con el tráfico sexual.</li> </ul>
	<b>Pregunte</b>	<b>Levanten la mano si ya han tomado una capacitación sobre la trata de personas o el tráfico sexual.</b>
	Diga	<p>Espero que para cuando terminemos el día de hoy:</p> <ul style="list-style-type: none"> <li>• Tendremos una mayor empatía hacia los sobrevivientes del tráfico sexual.</li> <li>• Tendremos un mejor entendimiento de la problemática en nuestra comunidad.</li> <li>• Determinaremos por lo menos un paso que podemos dar para abordar el problema.</li> </ul>
<b>Tiempo de la diapositiva</b>		1 minuto

*Diapositiva 6.*



<b>Facilite</b>	Haga	Muestre la diapositiva #6.
	Diga	<ul style="list-style-type: none"> <li>• La Ley de Protección de las Víctimas de la Trata de Personas fue autorizada en 2000 y se la sigue reautorizando.</li> <li>• La reautorización ocurre cada cierto número de años para modificar la ley conforme aprendemos más acerca de la trata de personas.</li> <li>• La trata de personas es una cuestión de salud pública.</li> <li>• Afecta a personas, familias y comunidades de diversas generaciones.</li> <li>• Es un delito que consiste en explotar a la persona, obligándola a trabajar, prestar servicios o prostituirse, lo cual analizaremos a continuación.</li> </ul>
<b>Tiempo de la diapositiva</b>		30 segundos

Diapositiva 7.



<b>Facilite</b>	Haga	Muestre la diapositiva #7.
	Diga	<ul style="list-style-type: none"> <li>• La trata para explotación laboral es la captación, el albergue, el transporte, la oferta y la obtención de una persona, mediante el uso de la fuerza, el fraude o coacción, con la finalidad de someterla a la servidumbre involuntaria, servidumbre por deudas o la esclavitud.</li> <li>• Si bien no ahondaremos en la trata para explotación laboral en la presente capacitación, es importante saber que es algo que sucede en Oregon.</li> <li>• Sucede en varias industrias.</li> <li>• Algunas de las industrias que se nos ocurren en nuestra comunidad son... (ingrese las industrias de su comunidad).</li> <li>• Algunas de las víctimas de la trata para explotación laboral también son víctimas del tráfico sexual.</li> <li>• Por ejemplo, se podría obligar a una persona a trabajar en la agricultura y obligársele también a realizar actos sexuales con el patrón y/u otros trabajadores.</li> </ul>
<b>Tiempo de la diapositiva</b>		1 minuto

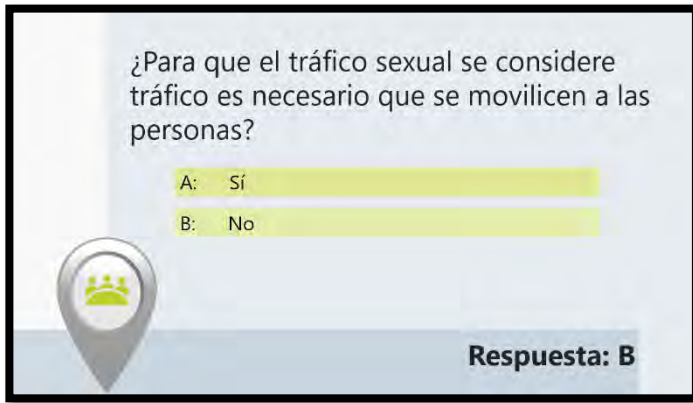


Diapositiva 8.



<b>Facilite</b>	Haga	Muestre la diapositiva #8.
	Diga	<ul style="list-style-type: none"> <li>• Un acto sexual para fines comerciales es aquel que se induce por la fuerza, el fraude o la coacción, o en el que la persona inducida a participar en dicho acto no ha cumplido los 18 años de edad.</li> <li>• Es importante recordar cuatro aspectos respecto del tráfico sexual.             <ul style="list-style-type: none"> <li>○ Las personas de menos de 18 años son menores de edad y no tienen la facultad legal para consentir al sexo. Todo menor involucrado en el sexo con fines comerciales debe considerarse una víctima del tráfico.</li> <li>○ Las personas mayores de 18 años pueden ser también víctimas del tráfico sexual. Sin embargo, para poder procesar al traficante, es necesario demostrar que éste empleó la fuerza, el fraude o la coacción. Es posible que los proveedores no necesiten tal tipo de prueba para que la víctima reciba servicios.</li> <li>○ Se puede traficar a la víctima desde su propia vivienda o comunidad, sin necesariamente retirarla de la zona. El tráfico no requiere movilizarse.</li> <li>○ Un “acto sexual para fines comerciales” ocurre cuando una persona entrega algo de valor a cambio de un acto de índole sexual. “Valor” no sólo se refiere a dinero. Incluye drogas, alquiler, alimentos, un estatus mayor en un grupo, etc.</li> </ul> </li> </ul>
<b>Tiempo de la diapositiva</b>		1 minuto

*Diapositiva 9:*



<b>Facilite</b>	Haga	Muestre la diapositiva #9.
	<b>Pregunte</b>	<b>¿Para que el tráfico sexual se considere tráfico es necesario que se movilice a las personas?</b>
	Diga	En base a lo que acabamos de explicar, levanten la mano si consideran que la respuesta es "sí".
	Haga	<ul style="list-style-type: none"> <li>• Haga clic una vez con el ratón para que la respuesta aparezca.</li> <li>• Si alguien respondió incorrectamente, informe al grupo que esto suele ser una idea errónea respecto del tráfico.</li> </ul>
	Diga	<ul style="list-style-type: none"> <li>• El tráfico sexual puede suponer la movilización entre varios lugares; sin embargo, no es la movilización de las personas lo que constituye el delito.</li> <li>• Recuerden que la víctima puede ser traficada en su propia vivienda y/o comunidad.</li> <li>• Cuando invalidamos este mito común, podemos reconocer mejor a las víctimas de nuestra comunidad.</li> </ul>
<b>Tiempo de la diapositiva</b>		1 minuto

*Diapositiva 10:*



<b>Facilite</b>	Haga	Muestre la diapositiva #10.
	<b>Pregunte</b>	<b>¿Dónde sucede el tráfico sexual?</b>
	Haga	<ul style="list-style-type: none"> <li>• Invite a las personas a responder.</li> <li>• Haga clic una vez con el ratón para que aparezcan los lugares.</li> </ul>
	Diga	<ul style="list-style-type: none"> <li>• No todas las personas en la industria del sexo son víctimas de la trata, pero el tráfico sexual no prosperaría como lo hace sin la industria del sexo.</li> <li>• El internet expone a todas las comunidades al tráfico sexual.</li> </ul>
<b>Tiempo de la diapositiva</b>		1 minuto



## Módulo 2: Cómo sucede

- Objetivo:** Incrementar el entendimiento de los participantes respecto del tráfico sexual analizando las tácticas que emplean los traficantes.
- Materiales:** Archivo en PowerPoint, laptop, proyector, pantalla, parlantes, control remoto para las diapositivas, notas adhesivas, papel gráfico, marcadores, cinta adhesiva y temporizador.
- Separatas:** Ninguna
- Tiempo:** 21 minutos
- Prepare:**
- Miren el video de *Inicio en la vida* de The Life Story y presten atención a las tácticas que emplearon los traficantes.
  - El presente módulo contiene un video con audio. Cerciórese de tener parlantes consigo y de haber checado el nivel del volumen antes de que empiece la clase.
- Aprenda:**
- [The Life Story \(Historia de la vida\)](#)

Diapositiva 11:



<b>Facilite</b>	Haga	Muestre la diapositiva #11.
	Diga	<ul style="list-style-type: none"> <li>• La presentación de hoy incluye videos del proyecto The Life Story.</li> <li>• The Life Story alza las experiencias y las voces de las personas que han vivido el tráfico sexual en carne propia.</li> <li>• Este video mira más detenidamente a los sucesos que llevaron al tráfico.</li> <li>• Mientras miran el video, escuchen las palabras de los sobrevivientes y presten atención a las tácticas que emplearon los traficantes.</li> <li>• Cuando acabemos de ver el video, discutiremos lo que observaron.</li> <li>• Este video incluye descripciones de agresión sexual, violencia doméstica, explotación sexual, tráfico sexual y pornografía.</li> <li>• Les pedimos se tomen un descanso si lo necesitan.</li> </ul>
<b>Tiempo de la diapositiva</b>		1 minuto

*Diapositiva 12:*



<b>Facilite</b>	Haga	<ul style="list-style-type: none"> <li>• Muestre la diapositiva #12.</li> <li>• Comparta el video empleando el enlace que aparece en la pantalla o a continuación.</li> </ul>
<b>Tiempo de la diapositiva</b>	8 minutos (incluye el video)	
<b>Duración del video</b>	7:27 minutos	
<b>Enlace</b>	<a href="https://thelifestory.org/entry-into-the-life">https://thelifestory.org/entry-into-the-life</a>	
<b>Reconocimiento:</b> El video de <i>Inicio en la vida</i> se comparte con el permiso de The Life Story, <a href="https://thelifestory.org/">https://thelifestory.org/</a> .		

Diapositiva 13:



<b>Facilite</b>	Haga	Muestre la diapositiva #13.
	Diga	<ul style="list-style-type: none"> <li>• Vamos a conversar sobre lo que vimos en el video.</li> <li>• Primero, quiero hacer una pausa y reconocer que el video es muy fuerte.</li> <li>• Mirarlo es difícil. Pero es importante que conozcamos los hechos de la boca de las personas que han pasado por esa experiencia.</li> </ul>
<b>Tiempo de la diapositiva</b>		10 minutos
<b>Ejercicio de "Ingreso en la vida"</b>	Haga	<ul style="list-style-type: none"> <li>• Divida a los participantes en grupos pequeños (4 o 5 personas).</li> <li>• Entregue a cada grupo un bloc de notas adhesivas.</li> </ul>
	Diga	<ul style="list-style-type: none"> <li>• Durante 5 minutos, conversen sobre el ingreso de la víctima en el tráfico.</li> <li>• Escriban las tácticas que empleó el traficante, 1 por nota.</li> <li>• Decidan quién será el portavoz del grupo.</li> </ul>
	Haga	<ul style="list-style-type: none"> <li>• Escriba "Tácticas" en el papel gráfico y use la cinta adhesiva para pegarlo en la pared.</li> <li>• Invite a los portavoces a llevar las notas adhesivas al frente de la sala.</li> <li>• Pida a cada portavoz que dé a conocer las tácticas que observó su grupo y adhiera las notas de cada uno al papel de "tácticas".</li> <li>• Indique las tácticas que usted observó en el video que no hayan sido mencionadas por los participantes.</li> </ul>

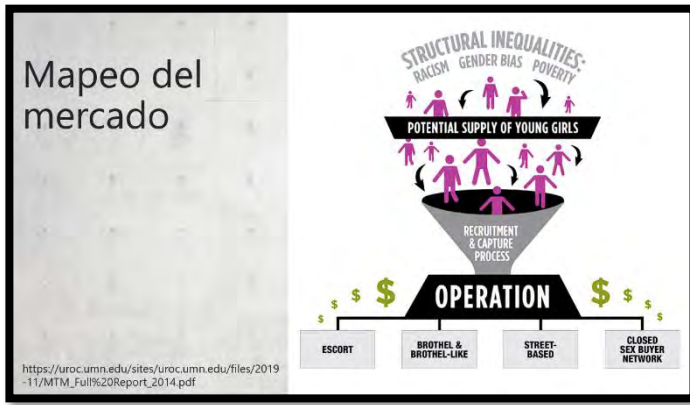


*Diapositiva 14.*



<b>Facilite</b>	Haga	Muestre la diapositiva #14.
	Diga	<ul style="list-style-type: none"> <li>• Para concluir la discusión, los traficantes eligen como blanco a personas determinadas en base a sus vulnerabilidades.</li> <li>• Luego las manipulan para mantenerlas bajo su control.</li> <li>• Cometan actos de violencia.</li> <li>• Los traficantes emplean todas estas tácticas para controlar a la víctima.</li> </ul>
<b>Tiempo de la diapositiva</b>		1 minuto

Diapositiva 15:



<b>Facilite</b>	Haga	Muestre la diapositiva #15.
	Diga	<ul style="list-style-type: none"> <li>• Este infográfico ilustra el tráfico a manera de modelo comercial.</li> <li>• Destaca cómo las desigualdades estructurales como el racismo, la pobreza y los prejuicios de género crean, potencialmente, un suministro de víctimas que son susceptibles a las tácticas manipuladoras de los traficantes.</li> <li>• Eso significa que el tráfico tiene un efecto desproporcionado en las personas en base a la raza, la pobreza y los prejuicios de género. Los traficantes emplean la captación para atraer a sus víctimas a la industria del tráfico y convertirlas en producto.</li> <li>• Seguidamente el traficante las vende en diferentes lugares que satisfacen la demanda de sexo.</li> <li>• Algo que debo señalar es que esta imagen proviene de un estudio que solo se centra en niñas. El caso es el mismo para los niños varones y todos lo demás. Esto no corresponde exclusivamente a las niñas.</li> </ul>
<b>Tiempo de la diapositiva</b>		1 minuto

## Módulo 3: El impacto

- Objetivo:** Incrementar el entendimiento de los participantes respecto del tráfico sexual e invalidar los mitos relacionados con la industria del sexo.
- Materiales:** Archivo en PowerPoint, laptop, proyector, pantalla, parlantes, control remoto para las diapositivas y temporizador.
- Separata:** Ninguna
- Tiempo:** 25 minutos
- Prepare:**
- Miren el video de *Trauma y adicción* de The Life Story.
  - Presten atención a las maneras en que los sobrevivientes sobrellevaron el trauma vivido, así como a la manera en que ambos videos podrían poner en tela de juicio lo que la gente ha oído o lo que opine acerca de la industria del sexo y del tráfico sexual.
  - El presente módulo contiene un video con audio. Cerciórese de tener parlantes consigo y de haber checado el nivel del volumen antes de que empiece la clase.
- Contemple:**
- ¿En qué difiere la manera en que la sociedad pinta la industria del sexo de lo que relataron los sobrevivientes de The Life Story?  
Consideren:
    - Consentimiento versus violación
    - Lucrativo versus endeudado
    - Glamoroso versus perjudicial
- Aprenda:**
- [The Life Story \(Historia de la vida\)](#)
  - [¿Quieren hacer más al respecto?](#) (Polaris)

Diapositiva 16:



<b>Facilite</b>	Haga	Muestre la diapositiva #16.
	Diga	<ul style="list-style-type: none"> <li>• Ahora que ya hemos tratado la dinámica del tráfico sexual, veremos el impacto que tiene éste en los sobrevivientes.</li> <li>• En el video a continuación, los sobrevivientes hablan sobre el trauma por el cual atravesaron.</li> <li>• Mientras miran el video, presten atención a las maneras en que sobrellevaron su victimización.</li> <li>• Cuando acabemos de ver el video, discutiremos lo que observaron.</li> <li>• Les recuerdo nuevamente que el video incluye descripciones de racismo, agresión sexual, explotación sexual, abuso de sustancias, trastornos alimentarios, tráfico sexual y pornografía.</li> <li>• Les pedimos se tomen un descanso si lo necesitan.</li> </ul>
<b>Tiempo de la diapositiva</b>		1 minuto

*Diapositiva 17:*



<b>Facilite</b>	Haga	<ul style="list-style-type: none"> <li>• Muestre la diapositiva #17.</li> <li>• Comparta el video empleando el enlace que aparece en la pantalla o a continuación.</li> </ul>
<b>Tiempo de la diapositiva</b>		7 minutos (incluye el video)
<b>Duración del video</b>		6:13 minutos
<b>Enlace</b>		<a href="https://thelifestory.org/trauma-and-addiction">https://thelifestory.org/trauma-and-addiction</a>
<p><b>Reconocimiento:</b> El video de <i>Trauma y adicción</i> se comparte con el permiso de The Life Story, <a href="https://thelifestory.org/">https://thelifestory.org/</a>.</p>		

Diapositiva 18:



<b>Facilite</b>	Haga	<ul style="list-style-type: none"> <li>• Muestre la diapositiva #18.</li> <li>• Pause antes de hablar.</li> </ul>
	Diga	<ul style="list-style-type: none"> <li>• Acabamos de escuchar relatos difíciles sobre cómo los sobrevivientes sobrellevaron las experiencias vividas.</li> <li>• Recuerden que pueden tomarse un descanso cuando lo necesiten.</li> <li>• Hablemos sobre lo que vimos.</li> </ul>
	Haga	Completen el ejercicio de "Trauma y adicción".
<b>Tiempo de la diapositiva</b>		10 minutos
<b>Ejercicio de Trauma y adicción (7 minutos)</b>	Haga	Pida a los participantes que trabajen en grupos de 4 o 5 personas.
	Diga	<p>Durante 4 minutos, conversen lo siguiente:</p> <ul style="list-style-type: none"> <li>• Las maneras en que los sobrevivientes sobrellevaron el trauma.</li> <li>• La manera en que los videos pusieron en tela de juicio o reforzaron los mensajes que hayan oído acerca del tráfico sexual.</li> </ul>
	Pida	<ul style="list-style-type: none"> <li>• <b>¿Qué aspectos de la conversación les llamaron la atención?</b></li> <li>• <b>¿Cómo se comparan los relatos de los videos con lo que ustedes han oído sobre el tráfico sexual?</b></li> </ul>

*Diapositiva 19:*



<b>Facilite</b>	Haga	Muestre la diapositiva #19.
	Diga	<ul style="list-style-type: none"> <li>• La industria del sexo suele pintarse como algo divertido, glamoroso y lucrativo, pero por lo que hemos escuchado directamente de sobrevivientes es que la realidad es muy distinta.</li> <li>• Es imprescindible discernir la realidad de la ficción para crear conciencia respecto de este problema y ayudar a las personas a reconocer que el tráfico se da en nuestra propia comunidad.</li> <li>• Los medios de comunicación y las redes sociales muestran imágenes que contribuyen a información errónea respecto del tráfico.</li> </ul>
<b>Tiempo de la diapositiva</b>		1 minuto

Diapositiva 20:



<b>Facilite</b>	Haga	Muestre la diapositiva #20.
	Diga	Las imágenes que se emplean para ilustrar el tráfico sexual tienen también efectos.
	Pregunte	<ul style="list-style-type: none"> <li>• <b>¿De qué manera contribuyen estas imágenes a información errónea respecto del tráfico? ¿Qué sugieren?</b></li> <li>• <b>¿Lo que sugieren corresponde con lo que aprendieron?</b></li> <li>• <b>¿Qué problema hay con las imágenes?</b></li> </ul>
	Haga	<p>Analicen las imágenes según lo permita el tiempo. Ejemplos de respuestas:</p> <ul style="list-style-type: none"> <li>• Imagen #1: el traficante controla con quiénes habla la víctima y lo que ésta dice.</li> <li>• Imágenes #2 y #3: se observará la victimización fácilmente; la imagen sensacionalista carece de realismo.</li> <li>• En general, las imágenes muestran solamente a víctimas de sexo femenino y de raza blanca.</li> </ul>
<b>Tiempo de la diapositiva</b>		5 minutos



Diapositiva 21:



<b>Facilite</b>	Haga	Muestre la diapositiva #21.
	Diga	<ul style="list-style-type: none"> <li>• La demanda consta de 3 elementos:                             <ol style="list-style-type: none"> <li>1. Utilidades de la explotación.</li> <li>2. Los espectadores que no hacen nada y que hacen la vista gorda permiten que suceda.</li> <li>3. Los compradores, muchos de los cuales podrían ser nuestros vecinos, compañeros de trabajo, personajes prominentes y seres queridos, crean la demanda de trata.</li> </ol> </li> <li>• El tráfico sexual no tendría cabida si no hubiese demanda, si no hubiese compradores.</li> <li>• En la separata de recursos (Resource Handout) hemos incluido recursos sobre cómo disminuir la demanda. Se incluyen el Proyecto EPIK y la organización Demand Abolition.</li> </ul>
<b>Tiempo de la diapositiva</b>		1 minuto
<b>Notas</b>		Si alguien lo pregunta, entre los ejemplos de los negocios que se benefician de o que suplen la demanda se cuentan los clubs de striptease, las tiendas eróticas, los cafés con baristas en bikini y los hoteles que permiten que la explotación sexual tenga lugar en su propiedad.





## Módulo 4: Ubicación

Objetivo: Ayudar a los participantes a ver el tráfico en sus propias comunidades.

Materiales: Archivo en PowerPoint, laptop, proyector, pantalla, parlantes y control remoto para las diapositivas.

Separata: Ninguna

Tiempo: 8 minutos

Prepare: 

- Analicen el [video de Rebecca Bender](#).

Aprenda: 

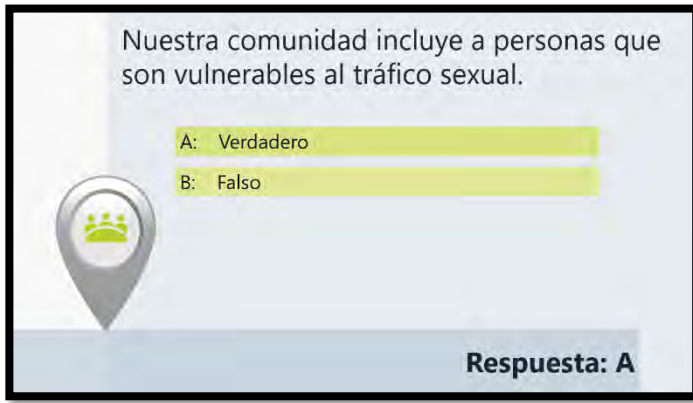
- La [Iniciativa Rebecca Bende](#).

*Diapositiva 22:*



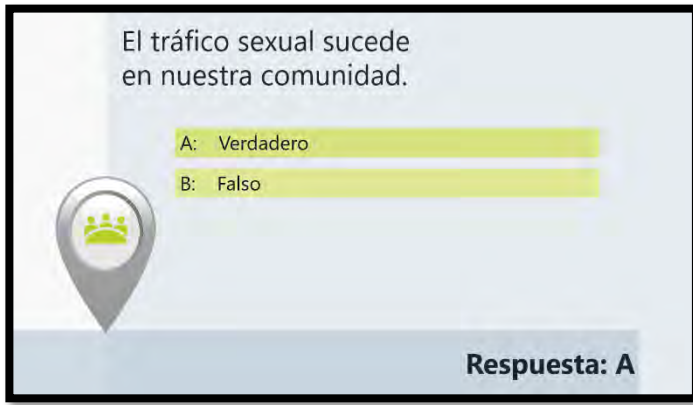
<b>Facilite</b>	Haga	Muestre la diapositiva #22.
	Diga	<ul style="list-style-type: none"> <li>• Uno de los obstáculos que impide poner fin al tráfico es no reconocer que sucede en nuestra comunidad.</li> <li>• Pondremos nuestros conocimientos a prueba respondiendo "verdadero" o "falso" a unas cuantas preguntas.</li> </ul>
<b>Tiempo de la diapositiva</b>		30 segundos

*Diapositiva 23:*



<b>Facilite</b>	Haga	Muestre la diapositiva #23.
	<b>Pregunte</b>	<b>Levanten la mano si consideran que en nuestra comunidad hay personas que son vulnerables al tráfico sexual.</b>
	Haga	Haga clic una vez con el ratón para que la respuesta aparezca.
	Diga	La afirmación es verdadera.
<b>Tiempo de la diapositiva</b>		30 segundos

*Diapositiva 24:*



<b>Facilite</b>	Haga	Muestre la diapositiva #24.
	<b>Pregunte</b>	<b>Levanten la mano si consideran que el tráfico sexual sucede en nuestra comunidad.</b>
	Haga	Haga clic una vez con el ratón para que la respuesta aparezca.
	Diga	La afirmación es verdadera.
<b>Tiempo de la diapositiva</b>		30 segundos

*Diapositiva 25:*



<b>Facilite:</b>	Diga	<ul style="list-style-type: none"> <li>• Veremos a continuación a la sobreviviente Rebecca Bender de Oregon.</li> <li>• El video incluye descripciones de explotación sexual, agresión sexual y violencia doméstica.</li> <li>• Les pedimos se tomen un descanso si lo necesitan.</li> </ul>
	Haga	Cerciórese de haber seleccionado subtítulos en el reproductor de video.
<b>Tiempo de la diapositiva</b>		4 minutos (incluye el video)
<b>Duración del video</b>		3:59 minutos
<b>Enlace</b>		<a href="https://www.youtube.com/watch?v=jHcoEY6gJJ0">https://www.youtube.com/watch?v=jHcoEY6gJJ0</a>
<b>Reconocimiento:</b> El video se comparte con el permiso de Rebecca Bender, <a href="https://www.rebeccabender.org">https://www.rebeccabender.org</a> .		



*Diapositiva 26:*



<b>Facilite</b>	Haga	Muestre la diapositiva #26.
	<b>Pregunte</b>	<b>¿Qué aspectos les llamaron la atención o les sorprendieron?</b>
	Haga	Invite a 2 o 3 personas a responder.
	Diga	<ul style="list-style-type: none"> <li>• Todos los videos que miramos hoy muestran a sobrevivientes líderes que comparten experiencias propias con la finalidad de causar impacto.</li> <li>• Rebeca es autora, educadora y fundadora de la Iniciativa Rebecca Bender, la cual brinda apoyo a sobrevivientes.</li> <li>• Lo más importante que debemos recordar es que una persona o un programa por sí solos no pueden poner fin al tráfico sexual.</li> <li>• Todos podemos cooperar, de alguna manera, para poner fin al tráfico sexual.</li> </ul>
<b>Tiempo de la diapositiva</b>		2:30 minutos

## Módulo 5: La acción

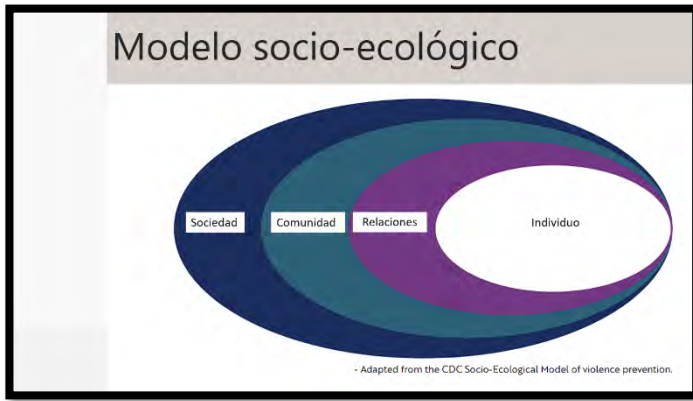
- Objetivo: Hallar maneras en las que los participantes aborden el tráfico sexual en sus comunidades.
- Materiales: Archivo en PowerPoint, laptop, proyector, pantalla, parlantes y control remoto para las diapositivas.
- Separatas: [Modelo socio-ecológico](#)  
[Lista de recursos](#)  
[Evaluación de muestra de la capacitación](#)
- Tiempo: 13 minutos
- Prepare:
- Emplee la [evaluación de muestra de la capacitación](#) para crear una evaluación electrónica para el curso.
  - Visite la [página de trata de personas](#) del Departamento de Justicia de Oregon para obtener la información más reciente sobre las fuerzas especiales de intervención en la trata.
- Adapte
- Añada información de los recursos locales de la comunidad a la [Lista de recursos](#).
  - Prepare un ejemplo de cómo los participantes pueden hacer algo a nivel de comunidad (diapositiva #28).
  - En la diapositiva #32, añada información sobre lo que está haciendo la comunidad y cómo la gente puede participar.
  - Si el condado cuenta con un grupo especial de intervención de la trata, inclúyalo en la diapositiva #32.
  - Añada su nombre y datos de contacto a la diapositiva #33.
- Aprenda:
- [Modelo socio-ecológico](#)

*Diapositiva 27:*



<b>Facilite:</b>	Haga	Muestre la diapositiva #27.
	Diga	<ul style="list-style-type: none"> <li>• Ahora ya saben que en nuestra comunidad hay personas que corren el riesgo de ser traficadas/tratadas.</li> <li>• Saben que el tráfico sucede en nuestra comunidad.</li> <li>• Cada uno de nosotros podemos hacer algo para poner fin al tráfico sexual en nuestra comunidad.</li> </ul>
<b>Tiempo de la diapositiva</b>		1 minuto

Diapositiva 28.



<b>Facilite</b>	Haga	<ul style="list-style-type: none"> <li>• Muestre la diapositiva #28.</li> <li>• Refiérase a la separata del <b>Modelo socio-ecológico</b>.</li> </ul>
	Diga	<ul style="list-style-type: none"> <li>• Para idear maneras de lo que podemos hacer, emplearemos el modelo socio-ecológico.</li> <li>• Tómense un momento para analizar la separata.</li> <li>• El modelo consta de cuatro niveles (sociedad, comunidad, relaciones, individuo.)</li> <li>• Hay medidas que podemos tomar en cada uno de los niveles para crear cambios en nuestra comunidad.</li> <li>• Por ejemplo, a nivel de individuo, ustedes pueden compartir lo que han aprendido hoy con sus familiares, amigos o colegas. A nivel de comunidad, uno puede...</li> <li>• Tómense un minuto para aportar otras ideas de medidas que pueden aplicarse en los demás niveles del modelo.</li> <li>• Les recomiendo guarden esta separata.</li> <li>• También me gustaría retarlos a escribir algo que puedan hacer para marcar una diferencia.</li> </ul>
<b>Tiempo de la diapositiva</b>		5 minutos

*Diapositiva 29:*



<b>Facilite</b>	Haga	Muestre la diapositiva #29.
	Diga	<ul style="list-style-type: none"> <li>• El Estado de Oregon reconoce que el tráfico sexual de menores constituye maltrato infantil y debe denunciarse a través de la Línea Directa de Abuso Infantil de Oregon.</li> <li>• Si es usted denunciante bajo mandato y sospecha que se está traficando a un menor, tiene que denunciarlo a través de la Línea Directa de Abuso Infantil.</li> </ul>
<b>Tiempo de la diapositiva</b>		30 segundos

Diapositiva 30:



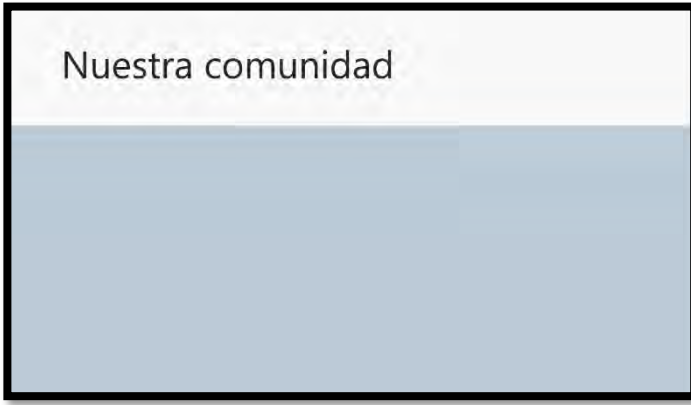
<b>Facilite</b>	Haga	Muestre la diapositiva #30.
	Diga	<ul style="list-style-type: none"> <li>• La Línea Nacional Contra la Trata de Personas ofrece un número de teléfono, servicio de texto y un sitio de chat en vivo de forma gratuita en todo el país a través de los cuales se puede denunciar la trata/el tráfico.</li> <li>• Las opciones de contacto son un recurso para que las víctimas puedan obtener ayuda y conectarse a recursos locales, independientemente de su ubicación.</li> <li>• Si usted cree tener información sobre un caso de tráfico, emplee el formulario de denuncia en línea.</li> </ul>
<b>Tiempo de la diapositiva</b>		1 minuto

Diapositiva 31:



<b>Facilite</b>	Haga	Muestre la diapositiva #31.
	Diga	<ul style="list-style-type: none"> <li>• El Departamento de Justicia de Oregon ayuda a los grupos especiales en todo el estado.</li> <li>• Este mapa indica la labor actual que desempeñan grupos especiales en sus comunidades como respuesta a la problemática.</li> <li>• Oregon tiene por meta abordar el tráfico/la trata empleando un enfoque de acceso fluido conocido en inglés como “no wrong door”.</li> <li>• Dicho enfoque significa que las personas reconocerán a víctimas del tráfico/la trata y éstas tendrán a su disposición los recursos necesarios, en cada uno de los condados, independientemente del servicio o de la agencia gubernamental a la que acudan en busca de ayuda.</li> </ul>
<b>Tiempo de la diapositiva</b>		1 minuto

*Diapositiva 32:*



<b>Facilite</b>	Haga	<ul style="list-style-type: none"> <li>• Muestre la diapositiva #32.</li> <li>• Lista de recursos de referencia.</li> </ul>
	Diga	<ul style="list-style-type: none"> <li>• Esto es lo que se está haciendo en nuestra comunidad para abordar el tráfico sexual.</li> <li>• Hay maneras en que uno puede ayudar en la comunidad para abordar el tráfico sexual.</li> <li>• Asimismo, les hemos facilitado una lista de recursos a nivel local, estatal y nacional para ayudarles a dar el siguiente paso.</li> </ul>
<b>Tiempo de la diapositiva</b>		1 minuto



*Diapositiva 33:*



<b>Facilite</b>	Haga	Muestre la diapositiva #33.
	Diga	<ul style="list-style-type: none"> <li>• Les damos las gracias por tomarse el tiempo para informarse sobre el tráfico sexual en nuestra comunidad.</li> <li>• Para nosotros es importante saber su opinión sobre nuestro desempeño del día de hoy. Les agradecemos se tomen unos cuantos minutos para llenar la evaluación.</li> </ul>
	Haga	Reparta las evaluaciones de curso.
	Diga	<ul style="list-style-type: none"> <li>• He indicado aquí mis datos de contacto.</li> <li>• Permaneceré aquí un buen tiempo y contestaré cualquier pregunta que puedan tener.</li> </ul>
<b>Tiempo de la diapositiva</b>		3 minutos

## Notas del instructor para la presentación en línea

### Módulo 1: Bienvenida y presentación personal

- Objetivo:** Dar la bienvenida a los participantes, presentar al instructor o a los instructores, dar a conocer la información de logística, explicar las expectativas y dar a conocer las definiciones de la trata de personas, la trata para explotación laboral y el tráfico sexual.
- Separatas:** Ninguna
- Tiempo:** 8 minutos
- Prepare:**
- Cree una encuesta en Zoom que capte la pregunta de la diapositiva #9.
  - Añada el nombre del instructor o de los instructores a la diapositiva #1.
- Contemple:**
- ¿Quién producirá la sesión?
  - ¿Qué apoyos tendrán a su disposición los participantes que se aflijan?
  - ¿Deberán hacer preguntas las personas durante o después de la presentación?
- Adapte:**
- Entre las industrias en las que se da la trata para explotación laboral, ¿cuáles podrían ser las más relevantes para los participantes? Entre las industrias en las que se da la trata para explotación laboral se hallan: agricultura (granjas de árboles de navidad, cultivos de marihuana, viveros); pesca; alimentos (restaurantes, enlatadoras); ventas a domicilio y mendicidad forzada.
  - Entre los lugares en los que se da el tráfico sexual, ¿cuáles son los más relevantes para su comunidad?
- Aprenda:**
- [Presentación del plan de estudios en línea](#)

- [\*\*Ley de Protección de las Víctimas de la Trata de Personas \(Trafficking Victim Protection Act\)\*\*](#)
- [\*\*Serie Faces of Human Trafficking \(Rostros de la trata de personas\) de la Oficina de las Víctimas de Delitos \(OVC, por su sigla en inglés\)\*\*](#)

*Diapositiva 1:*



<b>Facilite</b>	Haga	<ul style="list-style-type: none"> <li>• Cerciórese de que su papel en Zoom sea el de "anfitrión" o de "segundo anfitrión".</li> <li>• Comparta su pantalla para mostrar la diapositiva #1.</li> <li>• Comparta su video durante toda la sesión.</li> </ul>
	Diga	<ul style="list-style-type: none"> <li>• Participantes, les damos la bienvenida.</li> <li>• Agradezca al anfitrión.</li> <li>• Presente el tema.</li> <li>• Presente al instructor o a los instructores (nombre, cargo, organización, grupo especial en contra del tráfico y conexión al tema).</li> <li>• Si hay un segundo anfitrión, no se olvide de presentarlo ahora.</li> </ul>
<b>Tiempo de la diapositiva</b>		30 segundos

*Diapositiva 2:*



<b>Facilite</b>	Haga	Muestre la diapositiva #2.
	Diga	Esta capacitación fue creada con fondos de la Oficina de las Víctimas de Delitos.
<b>Tiempo de la diapositiva</b>		30 segundos

*Diapositiva 3:*



<b>Facilite</b>	Haga	Muestre la diapositiva #3.
	Diga	<ul style="list-style-type: none"> <li>• La capacitación durará 90 minutos.</li> <li>• Haremos una pausa de cinco minutos.</li> <li>• La capacitación será interactiva.</li> <li>• Su participación es importante. Pueden escribir en el recuadro de chat o activar sus micrófonos, lo que les resulte más cómodo.</li> <li>• Asegúrense de tener papel y algo con qué escribir.</li> <li>• Párense y caminen cuando lo necesiten.</li> <li>• Esperemos que compartan su video el día de hoy.</li> <li>• Hagan preguntas conforme avanzamos / Guárdense sus preguntas hasta el final.</li> </ul>
<b>Tiempo de la diapositiva</b>		1 minuto

*Diapositiva 4:*



<b>Facilite</b>	Haga	Muestre la diapositiva #4.
	Diga	<ul style="list-style-type: none"> <li>• La capacitación de hoy podría ser particularmente difícil para las personas que han sufrido traumas.</li> <li>• Los videos que les mostraremos hoy contienen relatos que incluyen maltrato y abuso infantil, violencia doméstica, agresión sexual, pornografía y racismo.</li> <li>• Este icono del corazón sobre la mano aparecerá durante la capacitación justo antes de que mostremos información traumática.</li> <li>• Les pedimos cuiden de sí mismos y se retiren si es necesario.</li> <li>• Ciertos segmentos de la capacitación no son aptos para menores.</li> <li>• Si hay alguien más cerca de usted, utilice audífonos para reducir al mínimo la exposición de esta persona a los materiales.</li> </ul>
<b>Tiempo de la diapositiva</b>		30 segundos

Diapositiva 5.



<b>Facilite</b>	Haga	Muestre la diapositiva #5.
	Diga	<ul style="list-style-type: none"> <li>• Escucharemos relatos directamente de sobrevivientes del tráfico sexual.</li> <li>• Aprenderemos más sobre la dinámica del tráfico sexual.</li> <li>• Hablaremos sobre los factores de riesgo y las vulnerabilidades que se relacionan con el tráfico sexual.</li> </ul>
	<b>Pregunte</b>	<b>Levanten la mano si ya han tomado una capacitación sobre la trata de personas o el tráfico sexual.</b>
	Diga	<p>Espero que para cuando terminemos el día de hoy:</p> <ul style="list-style-type: none"> <li>• Tendremos una mayor empatía hacia los sobrevivientes del tráfico sexual.</li> <li>• Tendremos un mejor entendimiento de la problemática en nuestra comunidad.</li> <li>• Determinaremos por lo menos un paso que podemos dar para abordar el problema.</li> </ul>
<b>Tiempo de la diapositiva</b>		1 minuto



*Diapositiva 6.*



<b>Facilite</b>	Haga	Muestre la diapositiva #6.
	Diga	<ul style="list-style-type: none"> <li>• La Ley de Protección de las Víctimas de la Trata de Personas fue autorizada en 2000 y se la sigue reautorizando.</li> <li>• La reautorización ocurre cada cierto número de años para modificar la ley conforme aprendemos más acerca de la trata de personas.</li> <li>• La trata de personas es una cuestión de salud pública.</li> <li>• Afecta a personas, familias y comunidades de diversas generaciones.</li> <li>• Es un delito que consiste en explotar a la persona, obligándola a trabajar, prestar servicios o prostituirse, lo cual analizaremos a continuación.</li> </ul>
<b>Tiempo de la diapositiva</b>		30 segundos

Diapositiva 7.



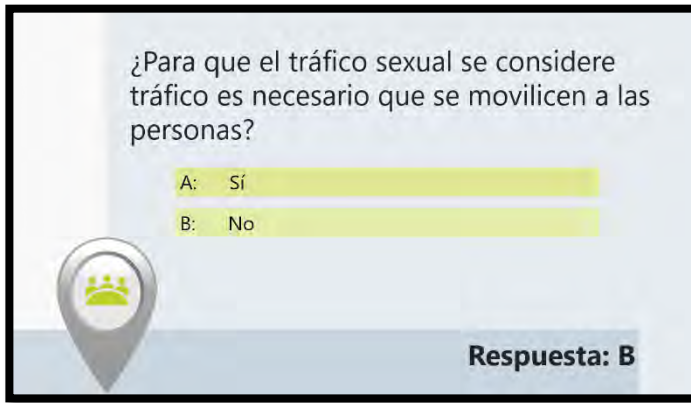
<b>Facilite</b>	Haga	Muestre la diapositiva #7.
	Diga	<ul style="list-style-type: none"> <li>• La trata para explotación laboral es la captación, el albergue, el transporte, la oferta y la obtención de una persona, mediante el uso de la fuerza, el fraude o coacción, con la finalidad de someterla a la servidumbre involuntaria, servidumbre por deudas o la esclavitud.</li> <li>• Si bien no ahondaremos en la trata para explotación laboral en la presente capacitación, es importante saber que es algo que sucede en Oregon.</li> <li>• Sucede en varias industrias.</li> <li>• Algunas de las industrias que se nos ocurren en nuestra comunidad son... (ingrese las industrias de su comunidad).</li> <li>• Algunas de las víctimas de la trata para explotación laboral también son víctimas del tráfico sexual.</li> <li>• Por ejemplo, un traficante podría obligar a una persona a trabajar en la agricultura y a realizar actos sexuales con el patrón y/u otros trabajadores.</li> </ul>
<b>Tiempo de la diapositiva</b>		1 minuto

Diapositiva 8.



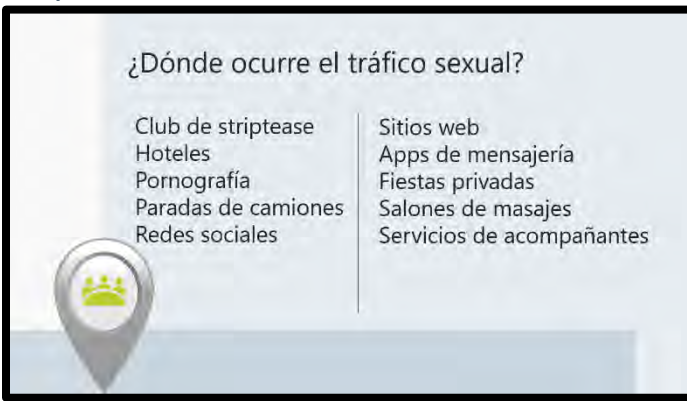
<b>Facilite</b>	Haga	Muestre la diapositiva #8.
	Diga	<ul style="list-style-type: none"> <li>• Un acto sexual para fines comerciales es aquel que se induce por la fuerza, el fraude o la coacción, o en el que la persona inducida a participar en dicho acto no ha cumplido los 18 años de edad.</li> <li>• Es importante recordar cuatro aspectos respecto del tráfico sexual.             <ul style="list-style-type: none"> <li>○ Las personas de menos de 18 años son menores de edad y no tienen la facultad legal para consentir al sexo. Todo menor involucrado en el sexo con fines comerciales debe considerarse una víctima del tráfico.</li> <li>○ Las personas mayores de 18 años pueden ser también víctimas del tráfico sexual. Sin embargo, para poder procesar al traficante es necesario probar que éste empleó la fuerza, el fraude o la coacción. Es posible que los proveedores no necesiten tal tipo de prueba para que la víctima reciba servicios.</li> <li>○ Se puede traficar a la víctima desde su propia vivienda o comunidad, sin necesariamente retirarla de la zona. El tráfico no requiere moverse.</li> <li>○ Un “acto sexual para fines comerciales” ocurre cuando una persona entrega algo de valor a cambio de un acto de índole sexual. “Valor” no sólo se refiere a dinero. Incluye drogas, alquiler, alimentos, un estatus mayor en un grupo, etc.</li> </ul> </li> </ul>
<b>Tiempo de la diapositiva</b>		1 minuto

*Diapositiva 9:*



<b>Facilite</b>	Haga	Muestre la diapositiva #9.
	<b>Pregunte</b>	<b>En base de lo que acabamos de explicar, ¿para que el tráfico sexual se considere tráfico es necesario que se movilice a las personas?</b>
	Haga	<ul style="list-style-type: none"> <li>• Lance la encuesta.</li> <li>• Cierre la encuesta.</li> <li>• Haga clic una vez con el ratón para que la respuesta aparezca en la diapositiva.</li> <li>• Si alguien respondió incorrectamente, informe al grupo que esto suele ser una idea errónea respecto del tráfico.</li> </ul>
	Diga	<ul style="list-style-type: none"> <li>• El tráfico sexual puede suponer la movilización entre varios lugares; sin embargo, no es la movilización de las personas lo que constituye el delito.</li> <li>• Recuerden que la víctima puede ser traficada en su propia vivienda y/o comunidad.</li> <li>• Cuando invalidamos este mito común, podemos reconocer mejor a las víctimas de nuestra comunidad.</li> </ul>
<b>Tiempo de la diapositiva</b>		1 minuto

Diapositiva 10:



<b>Facilite</b>	Haga	Muestre la diapositiva #10.
	<b>Pregunte</b>	<b>¿Dónde sucede el tráfico sexual?</b>
	Haga	<ul style="list-style-type: none"> <li>• Invite a las personas a responder en el recuadro de chat.</li> <li>• Haga clic una vez con el ratón para que aparezcan los lugares.</li> </ul>
	Diga	<ul style="list-style-type: none"> <li>• No todas las personas en la industria del sexo son víctimas de la trata, pero el tráfico sexual no prosperaría como lo hace sin la industria del sexo.</li> <li>• El internet expone a todas las comunidades al tráfico sexual.</li> </ul>
<b>Tiempo de la diapositiva</b>		1 minuto

## Módulo 2: Cómo sucede

- Objetivo:** Incrementar el entendimiento de los participantes respecto del tráfico sexual analizando las tácticas que emplean los traficantes.
- Materiales:** Archivo en PowerPoint, laptop, proyector, pantalla, parlantes, control remoto para las diapositivas, notas adhesivas, papel gráfico, marcadores, cinta adhesiva y temporizador.
- Separatas:** Ninguna
- Tiempo:** 21 minutos
- Prepare:**
- Miren el video de *Inicio en la vida* de The Life Story y presten atención a las tácticas que emplearon los traficantes.
  - El presente módulo contiene un video con audio. Cuando comparta su pantalla, cerciórese de que el sonido esté encendido. Revise el nivel del volumen antes de que empiece la clase.
- Aprenda:**
- [The Life Story \(Historia de la vida\)](#)

*Diapositiva 11:*



<b>Facilite</b>	Haga	Muestre la diapositiva #11.
	Diga	<ul style="list-style-type: none"> <li>• La presentación de hoy incluye videos del proyecto The Life Story.</li> <li>• The Life Story alza las experiencias y las voces de las personas que han vivido el tráfico sexual en carne propia.</li> <li>• Este video mira más detenidamente a los sucesos que llevaron al tráfico.</li> <li>• Mientras miran el video, escuchen las palabras de los sobrevivientes y presten atención a las tácticas que emplearon los traficantes.</li> <li>• Cuando acabemos de ver el video, discutiremos lo que observaron.</li> <li>• Este video incluye descripciones de agresión sexual, violencia doméstica, explotación sexual, tráfico sexual y pornografía.</li> <li>• Les pedimos se tomen un descanso si lo necesitan.</li> <li>• Si tienen problemas para ver u oír el contenido, apague las demás aplicaciones en sus computadoras y deje de compartir el video.</li> </ul>
<b>Tiempo de la diapositiva</b>		1 minuto

*Diapositiva 12:*



<b>Facilite</b>	Haga	<ul style="list-style-type: none"> <li>• Muestre la diapositiva #12.</li> <li>• Comparta el video empleando el enlace que aparece en la pantalla o a continuación.</li> </ul>
<b>Tiempo de la diapositiva</b>		8 minutos (incluye el video)
<b>Duración del video</b>		7:27 minutos
<b>Enlace</b>		<a href="https://thelifestory.org/entry-into-the-life">https://thelifestory.org/entry-into-the-life</a>
<b>Reconocimiento:</b> El video de <i>Inicio en la vida</i> se comparte con el permiso de The Life Story, <a href="https://thelifestory.org/">https://thelifestory.org/</a> .		



Diapositiva 13:



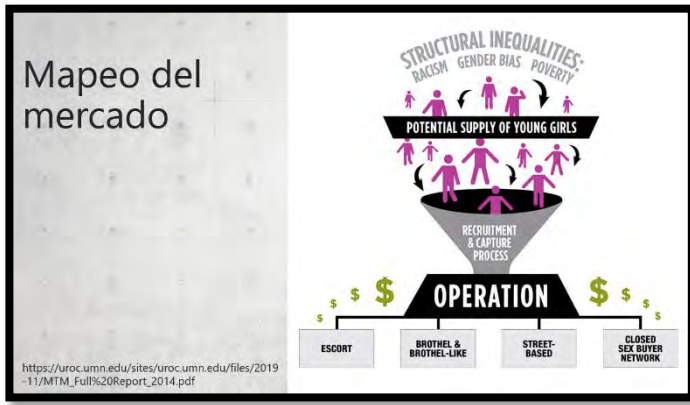
<b>Facilite</b>	Haga	Muestre la diapositiva #13.
	Diga	<ul style="list-style-type: none"> <li>• Vamos a conversar sobre lo que vimos en el video.</li> <li>• Primero, quiero hacer una pausa y reconocer que el video es muy fuerte.</li> <li>• Mirarlo es difícil. Pero es importante que conozcamos los hechos de la boca de las personas que han pasado por esa experiencia.</li> </ul>
	Haga	Divida a los participantes en subgrupos (4 o 5 personas).
	Diga	<ul style="list-style-type: none"> <li>• Durante 5 minutos, conversen cómo la víctima ingresó al tráfico. Escriban las tácticas que empleó el traficante.</li> </ul>
	Haga	<ul style="list-style-type: none"> <li>• Inicie las salas para subgrupos. Cierre las salas al cabo de 5 minutos.</li> <li>• Cuando acaben, pídale al grupo entero que enumere las tácticas que discutieron en el recuadro de chat.</li> <li>• Pause para que las personas puedan escribir sus repuestas.</li> <li>• Repase los comentarios en voz alta y emplee los nombres con la mayor frecuencia posible.</li> <li>• Indique las tácticas que usted observó en el video que no hayan sido mencionadas por los participantes.</li> </ul>
<b>Tiempo de la diapositiva</b>		10 minutos

*Diapositiva 14.*



<b>Facilite</b>	Haga	Muestre la diapositiva #14.
	Diga	<ul style="list-style-type: none"> <li>• Para concluir la discusión, los traficantes eligen como blanco a personas determinadas en base a sus vulnerabilidades.</li> <li>• Luego las manipulan para mantenerlas bajo su control.</li> <li>• Cometan actos de violencia.</li> <li>• Los traficantes emplean todas estas tácticas para controlar a la víctima.</li> </ul>
<b>Tiempo de la diapositiva</b>		1 minuto

Diapositiva 15:



<p><b>Facilite</b></p>	<p>Haga</p> <p>Diga</p>	<p>Muestre la diapositiva #15.</p> <ul style="list-style-type: none"> <li>• Este infográfico ilustra el tráfico a manera de modelo comercial.</li> <li>• Destaca cómo las desigualdades estructurales como el racismo, la pobreza y los prejuicios de género crean, potencialmente, un suministro de víctimas que son susceptibles a las tácticas manipuladoras de los traficantes.</li> <li>• Eso significa que el tráfico tiene un efecto desproporcionado en las personas en base a la raza, la pobreza y los prejuicios de género. Los traficantes emplean la captación para atraer a sus víctimas a la industria del tráfico y convertirlas en producto.</li> <li>• Seguidamente el traficante las vende en diferentes lugares que satisfacen la demanda de sexo.</li> <li>• Algo que debo señalar es que esta imagen proviene de un estudio que solo se centra en niñas. El caso es el mismo para los niños varones y todos lo demás. Esto no corresponde exclusivamente a las niñas.</li> </ul>
<p><b>Tiempo de la diapositiva</b></p>		<p>1 minuto</p>

## Módulo 3: El impacto

- Objetivo:** Incrementar el entendimiento de los participantes respecto del tráfico sexual e invalidar los mitos relacionados con la industria del sexo.
- Materiales:** Archivo en PowerPoint, laptop, proyector, pantalla, parlantes, control remoto para las diapositivas y temporizador.
- Separata:** Ninguna
- Tiempo:** 25 minutos
- Prepare:**
- Miren el video de *Trauma y adicción* de The Life Story.
  - Presten atención a las maneras en que los sobrevivientes sobrellevaron el trauma vivido, así como a la manera en que ambos videos podrían poner en tela de juicio lo que la gente ha oído o lo que opine acerca de la industria del sexo y del tráfico sexual.
  - El presente módulo contiene un video con audio. Cuando comparta su pantalla, cerciórese de que el sonido esté encendido. Revise el nivel del volumen antes de que empiece la clase.
- Contemple:**
- ¿En qué difiere la manera en que la sociedad pinta la industria del sexo de lo que relataron los sobrevivientes de The Life Story?  
Consideren:
    - Consentimiento versus violación
    - Lucrativo versus endeudado
    - Glamoroso versus perjudicial
- Aprendan**
- [The Life Story \(Historia de la vida\)](#)
  - [¿Quieren hacer más?](#) (Polaris)

*Diapositiva 16:*



<b>Facilite</b>	Haga	Muestre la diapositiva #16.
	Diga	<ul style="list-style-type: none"> <li>• Ahora que ya hemos tratado la dinámica del tráfico sexual, veremos el impacto que tiene éste en los sobrevivientes.</li> <li>• En el video a continuación, los sobrevivientes hablan sobre el trauma por el cual atravesaron.</li> <li>• Mientras miran el video, presten atención a las maneras en que sobrellevaron su victimización.</li> <li>• Cuando acabemos de ver el video, discutiremos lo que observaron.</li> <li>• Les recuerdo nuevamente que el video incluye descripciones de racismo, agresión sexual, explotación sexual, abuso de sustancias, trastornos alimentarios, tráfico sexual y pornografía.</li> <li>• Les pedimos se tomen un descanso si lo necesitan.</li> </ul>
<b>Tiempo de la diapositiva</b>		1 minuto

*Diapositiva 17:*



<b>Facilite</b>	Haga	<ul style="list-style-type: none"> <li>• Muestre la diapositiva #17.</li> <li>• Comparta el video empleando el enlace que aparece en la pantalla o a continuación.</li> </ul>
<b>Tiempo de la diapositiva</b>		7 minutos (incluye el video)
<b>Duración del video</b>		6:13 minutos
<b>Enlace</b>		<a href="https://thelifestory.org/trauma-and-addiction">https://thelifestory.org/trauma-and-addiction</a>
<b>Reconocimiento:</b> El video de <i>Trauma y adicción</i> se comparte con el permiso de The Life Story, <a href="https://thelifestory.org/">https://thelifestory.org/</a> .		

Diapositiva 18:



<b>Facilite</b>	Haga	Comparta su pantalla para mostrar la diapositiva #18.
	Diga	Hablemos sobre lo que vimos.
	Haga	Completen el ejercicio de "Trauma y adicción".
<b>Tiempo de la diapositiva</b>		10 minutos
<b>Ejercicio de Trauma y adicción (7 minutos)</b>	Haga	Cree salas para subgrupos (4 o 5 personas por sala)
	Diga	<p>Durante 4 minutos, conversen lo siguiente:</p> <ul style="list-style-type: none"> <li>Las maneras en que los sobrevivientes sobrellevaron el trauma.</li> <li>La manera en que los videos pusieron en tela de juicio o reforzaron los mensajes que hayan oído acerca del tráfico sexual.</li> </ul>
	Haga	<ul style="list-style-type: none"> <li>En el chat, escriba dos de los puntos de discusión que se hayan mencionado.</li> <li>Inicie las salas para subgrupos. Ciérrelas al cabo de 4 minutos.</li> </ul>
	<b>Pregunte</b>	<ul style="list-style-type: none"> <li><b>¿Qué aspectos de la conversación les llamaron la atención?</b></li> <li><b>¿Cómo se comparan los relatos de los videos con lo que ustedes han oído sobre el tráfico sexual? (Chateen/activen los micrófonos)</b></li> </ul>

*Diapositiva 19:*



<b>Facilite</b>	Haga	Muestre la diapositiva #19.
	Diga	<ul style="list-style-type: none"> <li>• La industria del sexo suele pintarse como algo divertido, glamoroso y lucrativo, pero por lo que hemos escuchado directamente de sobrevivientes es que la realidad es muy distinta.</li> <li>• Es imprescindible discernir la realidad de la ficción para crear conciencia respecto de este problema y ayudar a las personas a reconocer que el tráfico se da en nuestra propia comunidad.</li> <li>• Los medios de comunicación y las redes sociales muestran imágenes que contribuyen a información errónea respecto del tráfico.</li> </ul>
<b>Tiempo de la diapositiva</b>		1 minuto



Diapositiva 20:



<b>Facilite</b>	Haga	Muestre la diapositiva #20.
	Diga	Las imágenes que se emplean para ilustrar el tráfico sexual tienen también efectos.
	Pregunte	<ul style="list-style-type: none"> <li>• <b>¿De qué manera contribuyen estas imágenes a información errónea respecto del tráfico? ¿Qué sugieren?</b></li> <li>• <b>¿Lo que sugieren corresponde con lo que aprendieron?</b></li> <li>• <b>¿Qué problema hay con las imágenes? (chateen/activen los micrófonos)</b></li> </ul>
	Haga	<p>Analicen las imágenes según lo permita el tiempo. Ejemplos de respuestas:</p> <ul style="list-style-type: none"> <li>• Imagen #1: el traficante controla con quiénes habla la víctima y lo que ésta dice.</li> <li>• Imágenes #2 y #3: se observará la victimización fácilmente; la imagen sensacionalista carece de realismo.</li> <li>• En general, las imágenes muestran solamente a víctimas de sexo femenino y de raza blanca.</li> </ul>
<b>Tiempo de la diapositiva</b>		5 minutos

Diapositiva 21:



<b>Facilite</b>	Haga	Muestre la diapositiva #21.
	Diga	<ul style="list-style-type: none"> <li>• La demanda consta de 3 elementos:                             <ol style="list-style-type: none"> <li>1. Utilidades de la explotación.</li> <li>2. Los espectadores que no hacen nada y que hacen la vista gorda permiten que suceda.</li> <li>3. Los compradores, muchos de los cuales podrían ser nuestros vecinos, compañeros de trabajo, personajes prominentes y seres queridos, crean la demanda de trata.</li> </ol> </li> <li>• El tráfico sexual no tendría cabida si no hubiese demanda, si no hubiese compradores.</li> <li>• En la separata de recursos (Resource Handout) hemos incluido recursos sobre cómo disminuir la demanda. Se incluyen el Proyecto EPIK y la organización Demand Abolition.</li> </ul>
<b>Tiempo de la diapositiva</b>		1 minuto
<b>Notas</b>		Si alguien lo pregunta, entre los ejemplos de los negocios que se benefician de o que suplen la demanda se cuentan los clubs de striptease, las tiendas eróticas, los cafés con baristas en bikini y los hoteles que permiten que la explotación sexual tenga lugar en su propiedad.





## Módulo 4: Ubicación

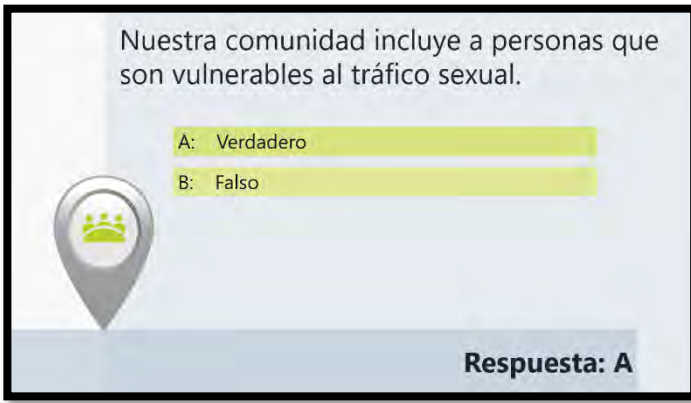
- Objetivo: Ayudar a los participantes a ver el tráfico en sus propias comunidades.
- Materiales: Archivo en PowerPoint, laptop, proyector, pantalla, parlantes y control remoto para las diapositivas.
- Separata: Ninguna
- Tiempo: 8 minutos
- Prepare:
- Este módulo incluye encuestas. Si está haciendo la presentación en línea, cree una encuesta en Zoom que capte las preguntas de las diapositivas 23 y 24.
  - Analicen el [video de Rebecca Bender](#).
- Aprenda:
- La [Iniciativa Rebecca Bender](#).

*Diapositiva 22:*



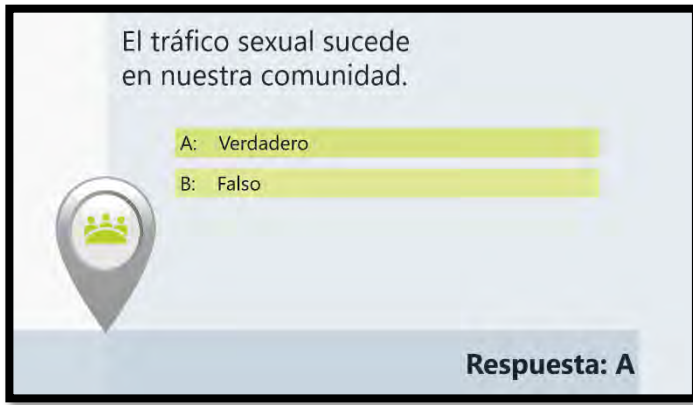
<b>Facilite</b>	Haga	Muestre la diapositiva #22.
	Diga	<ul style="list-style-type: none"> <li>• Uno de los obstáculos que impide poner fin al tráfico es no reconocer que sucede en nuestra comunidad.</li> <li>• Pongamos nuestros conocimientos a prueba respondiendo "verdadero" o "falso" a unas cuantas preguntas.</li> </ul>
<b>Tiempo de la diapositiva</b>		30 segundos

*Diapositiva 23:*



<b>Facilite</b>	Haga	Muestre la diapositiva #24.
	Diga	Hagamos una encuesta.
	<b>Pregunte</b>	<b>¿Qué creen ustedes? ¿Hay en nuestra comunidad personas que son vulnerables al tráfico sexual?</b>
	Haga	<ul style="list-style-type: none"> <li>• Lance la encuesta o utilice el chat.</li> <li>• Cierre la encuesta.</li> <li>• Haga clic una vez con el ratón para que la respuesta aparezca.</li> </ul>
	Diga	La afirmación es verdadera.
<b>Tiempo de la diapositiva</b>		30 segundos

*Diapositiva 24:*



<b>Facilite</b>	Haga	Muestre la diapositiva #24.
	<b>Pregunte</b>	<b>¿Qué creen ustedes? ¿Se da el tráfico sexual en nuestra comunidad?</b>
	Haga	<ul style="list-style-type: none"> <li>• Lance la encuesta.</li> <li>• Cierre la encuesta.</li> <li>• Haga clic una vez con el ratón para que la respuesta aparezca.</li> </ul>
	Diga	La afirmación es verdadera.
<b>Tiempo de la diapositiva</b>		30 segundos



Diapositiva 25:



<b>Facilite:</b>	Haga	Muestre la diapositiva 25.
	Diga	<ul style="list-style-type: none"> <li>• Veremos a continuación a la sobreviviente Rebecca Bender de Oregon.</li> <li>• El video incluye descripciones de explotación sexual, agresión sexual y violencia doméstica.</li> <li>• Les pedimos se tomen un descanso si lo necesitan.</li> </ul>
	Haga	<ul style="list-style-type: none"> <li>• Abra el navegador y tenga el video listo.</li> <li>• Cerciórese de haber seleccionado subtítulos en el reproductor de video.</li> </ul>
<b>Tiempo de la diapositiva</b>		4 minutos (incluye el video)
<b>Duración del video</b>		3:59 minutos
<b>Enlace</b>		<a href="https://www.youtube.com/watch?v=jHcoEY6gJJ0">https://www.youtube.com/watch?v=jHcoEY6gJJ0</a>
<b>Reconocimiento:</b> El video se comparte con el permiso de Rebecca Bender, <a href="https://www.rebeccabender.org">https://www.rebeccabender.org</a> .		

Diapositiva 26:



<b>Facilite</b>	Haga	Muestre la diapositiva #26.
	<b>Pregunte</b>	<b>¿Qué aspectos les llamaron la atención o les sorprendieron? (activen los micrófonos/chateen)</b>
	Haga	Invite a 2 o 3 personas a responder.
	Diga	<ul style="list-style-type: none"> <li>• Todos los videos que miramos hoy muestran a sobrevivientes líderes que comparten experiencias propias con la finalidad de causar impacto.</li> <li>• Rebeca es autora, educadora y fundadora de la Iniciativa Rebecca Bender, la cual brinda apoyo a sobrevivientes.</li> <li>• Lo más importante que debemos recordar es que una persona o un programa por sí solos no pueden poner fin al tráfico sexual.</li> <li>• Todos podemos cooperar, de alguna manera, para poner fin al tráfico sexual.</li> </ul>
<b>Tiempo de la diapositiva</b>		2:30 minutos

## Módulo 5: La acción

**Objetivo:** Hallar maneras en las que los participantes aborden el tráfico sexual en sus comunidades.

**Separatas:** [Modelo socio-ecológico](#)  
[Lista de recursos](#)  
[Evaluación de muestra de la capacitación](#)

**Tiempo:** 13 minutos

**Prepare:**

- Emplee la [evaluación de muestra de la capacitación](#) para crear una evaluación electrónica para el curso.
- Visite la [página de trata de personas](#) del Departamento de Justicia de Oregon [para](#) obtener la información más reciente sobre las fuerzas especiales de intervención en la trata.

**Adapte:**

- Añada información de los recursos locales de la comunidad a la [Lista de recursos](#).
- Prepare un ejemplo de cómo los participantes pueden hacer algo a nivel de comunidad (diapositiva #28).
- En la diapositiva #32, añada información sobre lo que está haciendo la comunidad y cómo la gente puede participar.
- Si el condado cuenta con un grupo especial de intervención de la trata, inclúyalo en la diapositiva #32.
- Añada su nombre y datos de contacto a la diapositiva #33.

**Aprenda:**

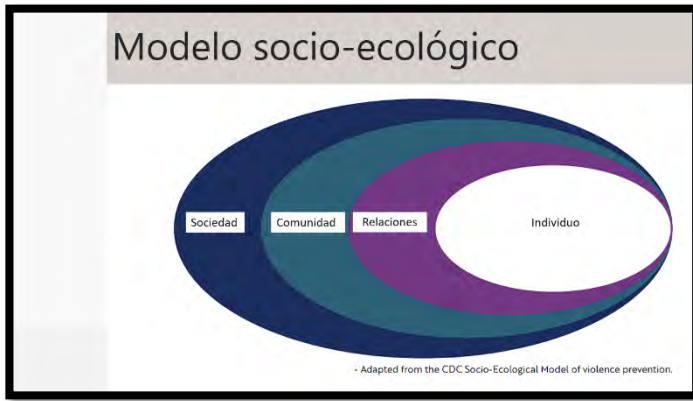
- [Modelo socio-ecológico](#)

*Diapositiva 27:*



<b>Facilite:</b>	Haga	Muestre la diapositiva #27.
	Diga	<ul style="list-style-type: none"> <li>• Ahora ya saben que en nuestra comunidad hay personas que corren el riesgo de ser traficadas/tratadas.</li> <li>• Saben que el tráfico sucede en nuestra comunidad.</li> <li>• Cada uno de nosotros podemos hacer algo para poner fin al tráfico sexual en nuestra comunidad.</li> </ul>
<b>Tiempo de la diapositiva</b>		1 minuto

Diapositiva 28.



<b>Facilite</b>	Haga	<ul style="list-style-type: none"> <li>• Muestre la diapositiva #28.</li> <li>• Añada este enlace en el chat: <a href="https://justice.oregon.gov/crime-victims/pdf/ovcttac_socio_ecological_model_and_human_trafficking_508c_10_20_20.pdf">https://justice.oregon.gov/crime-victims/pdf/ovcttac_socio_ecological_model_and_human_trafficking_508c_10_20_20.pdf</a></li> </ul>
	Diga	<ul style="list-style-type: none"> <li>• Para idear maneras de lo que podemos hacer, emplearemos el modelo socio-ecológico.</li> <li>• Añadimos en el chat el enlace para una separata con el modelo; tómense un segundo para abrir el documento.</li> <li>• El modelo consta de cuatro niveles (sociedad, comunidad, relaciones, individuo.)</li> <li>• Hay medidas que podemos tomar en cada uno de los niveles para crear cambios en nuestra comunidad.</li> <li>• Por ejemplo, a nivel de individuo, ustedes pueden compartir lo que han aprendido hoy con sus familiares, amigos o colegas. A nivel de comunidad, uno puede...</li> <li>• Tómense un minuto para aportar otras ideas de medidas que pueden aplicarse en los demás niveles del modelo.</li> <li>• Les recomiendo guarden esta separata.</li> <li>• También me gustaría retarlos a escribir algo que puedan hacer para marcar una diferencia.</li> </ul>
<b>Tiempo de la diapositiva</b>	5 minutos	

*Diapositiva 29:*



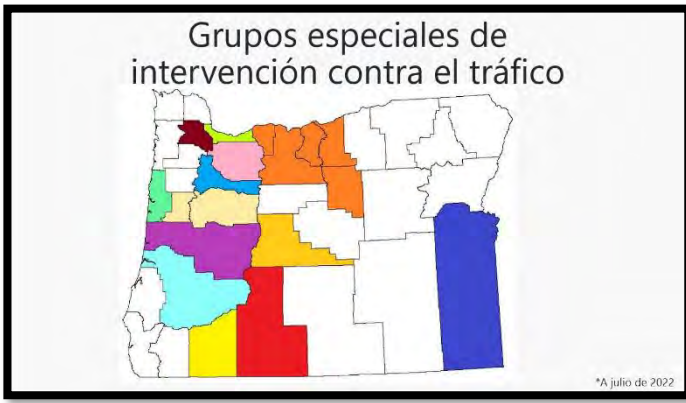
<b>Facilite</b>	Haga	Muestre la diapositiva #29.
	Diga	<ul style="list-style-type: none"> <li>• El Estado de Oregon reconoce que el tráfico sexual de menores constituye maltrato infantil y debe denunciarse a través de la Línea Directa de Abuso Infantil de Oregon.</li> <li>• Si es usted denunciante bajo mandato y sospecha que se está traficando a un menor, tiene que denunciarlo a través de la Línea Directa de Abuso Infantil.</li> </ul>
<b>Tiempo de la diapositiva</b>		30 segundos

Diapositiva 30:



<b>Facilite</b>	Haga	Muestre la diapositiva #30.
	Diga	<ul style="list-style-type: none"> <li>• La Línea Nacional Contra la Trata de Personas ofrece un número de teléfono, servicio de texto y un sitio de chat en vivo de forma gratuita en todo el país a través de los cuales se puede denunciar la trata/el tráfico.</li> <li>• Las opciones de contacto son un recurso para que las víctimas puedan obtener ayuda y conectarse a recursos locales, independientemente de su ubicación.</li> <li>• Si usted cree tener información sobre un caso de tráfico, emplee el formulario de denuncia en línea.</li> </ul>
<b>Tiempo de la diapositiva</b>		1 minuto

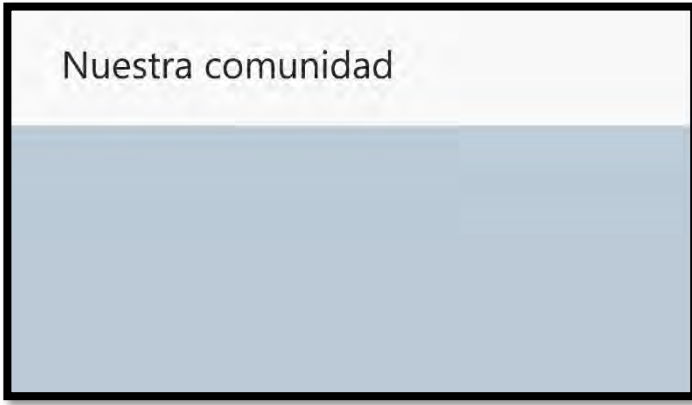
Diapositiva 31:



<b>Facilite</b>	Haga	Muestre la diapositiva #31.
	Diga	<ul style="list-style-type: none"> <li>• El Departamento de Justicia de Oregon ayuda a los grupos especiales en todo el estado.</li> <li>• Este mapa indica la labor actual que desempeñan grupos especiales en sus comunidades como respuesta a la problemática.</li> <li>• Oregon tiene por meta abordar el tráfico/la trata empleando un enfoque de acceso fluido conocido en inglés como “no wrong door”.</li> <li>• Dicho enfoque significa que las personas reconocerán a víctimas del tráfico/la trata y éstas tendrán a su disposición los recursos necesarios, en cada uno de los condados, independientemente del servicio o de la agencia gubernamental a la que acudan en busca de ayuda.</li> </ul>
<b>Tiempo de la diapositiva</b>		1 minuto



*Diapositiva 32:*



<b>Facilite</b>	Haga	<ul style="list-style-type: none"> <li>• Muestre la diapositiva #32.</li> <li>• Añada la <a href="#">Lista de recurso</a> en el chat.</li> </ul>
	Diga	<ul style="list-style-type: none"> <li>• Esto es lo que se está haciendo en nuestra comunidad para abordar el tráfico sexual.</li> <li>• Hay maneras en que uno puede ayudar en la comunidad para abordar el tráfico sexual.</li> <li>• Asimismo, les hemos facilitado una lista de recursos a nivel local, estatal y nacional para ayudarles a dar el siguiente paso.</li> </ul>
<b>Tiempo de la diapositiva</b>		1 minuto

*Diapositiva 33:*



<b>Facilite</b>	Haga	Muestre la diapositiva #33.
	Diga	<ul style="list-style-type: none"> <li>• Les damos las gracias por tomarse el tiempo para informarse sobre el tráfico sexual en nuestra comunidad.</li> <li>• Para nosotros es importante saber su opinión sobre nuestro desempeño del día de hoy. Les agradecemos se tomen unos cuantos minutos para llenar la evaluación.</li> </ul>
	Haga	Añada en el chat el enlace para la evaluación de la capacitación.
	Diga	<ul style="list-style-type: none"> <li>• He indicado aquí mis datos de contacto.</li> <li>• Permaneceré aquí un buen tiempo y contestaré cualquier pregunta que puedan tener.</li> </ul>
<b>Tiempo de la diapositiva</b>		3 minutos

## Anexos



## Anexo A: Materiales que necesitará

Para las presentaciones en persona, se necesitarán los artículos siguientes:

- Archivo en PowerPoint titulado "UAST September 2022"
- Computadora
- Pantalla o monitor
- Proyector
- Parlantes
- Control opcional para diapositivas
- Separatas para los participantes
- Notas adhesivas
- Papel gráfico/papel presentación
- Cinta adhesiva
- Marcadores
- Temporizador o reloj



## Anexo B: Presentación del plan de estudios en línea

### **Plan de estudios Cómo comprender y abordar el tráfico sexual en nuestra comunidad (Understanding and Addressing Sex Trafficking in Our Community)**

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#### **Cinco sugerencias para la facilitación en línea**

##### **#1 Emplee a un productor.**

El productor es una persona que presta apoyo al instructor durante la capacitación. Su ayuda permite que el instructor se concentre en facilitar sin tener que preocuparse de los problemas o aspectos técnicos.

El productor puede:

- Ayudar a los participantes a resolver problemas relativos a la tecnología empleada.
- Preparar y lanzar encuestas y sesiones para los subgrupos.
- Integrar pantallas y cambiar de pantalla para mostrar el contenido, según se necesite.
- Monitorear el recuadro de chat, señalando comentarios y preguntas que el instructor pueda haber no notado.
- Responder a preguntas en el recuadro de chat (según se pueda).
- Añadir archivos con separatas en el recuadro de chat para los participantes.
- Desactivar el micrófono de los participantes cuando el ruido de fondo distraiga.

Nota: Si usted no emplea a un productor, su papel en el Zoom deberá ser el de "anfitrión". Esto le permite lanzar encuestas y crear/lanzar sesiones para subgrupos. Si emplea a un productor, su papel en el Zoom deberá ser el de "segundo anfitrión". El productor deberá ser el "anfitrión".

##### **#2 Conecte con los participantes.**

Encienda su cámara y comparta su video. Esto ayuda a crear una conexión entre el instructor y los participantes. Deje que los participantes decidan si prefieren tener sus cámaras encendidas o apagadas.

Emplee los nombres de las personas con la mayor frecuencia posible. Tómese unos momentos al principio para pedirles a los participantes que confirmen que sus nombres están bien escritos. Anímelos a que incluyan sus pronombres como parte del nombre en pantalla.

### **#3 Fomente la participación de su público.**

Según las mejores prácticas, debemos interactuar con los participantes cada 3 o 4 minutos durante las capacitaciones virtuales. Entre las formas de interactuar con los participantes encontramos:

- Hacer preguntas al grupo empleando reacciones (emojis), encuestas y el recuadro de chat, así como invitando a las personas a activar sus micrófonos y expresarse.
- Emplee las salas para subgrupos para que las personas conversen. Dos es el número ideal de personas en una sala para subgrupos. Sea precavido y conceda menos tiempo de lo que considera necesitarán para que completen lo que les ha pedido que hagan.
- Cada 55 minutos, conceda un descanso de 5 minutos.
- Emplee una combinación de medios.
- Anime a las personas a participar en formas diversas, incluida la verbal (activando sus micrófonos) y escribiendo en el recuadro de chat.
- Mentimeter, Poll Everywhere, Mural, Miro, Kahoot, Sli.do y Factile son aplicaciones gratuitas que fomentan la participación del público.

### **#4 Adelántese a las dificultades técnicas.**

Conéctese a la presentación por lo menos 20 minutos antes para asegurarse de que puede abrir los archivos, alistar los videos y abrir los sitios web.

Tenga a la mano las sugerencias para resolver problemas, tanto para usted mismo como para los participantes. Por ejemplo, si tiene problemas con la conexión de su computadora, cierre todas las aplicaciones que no necesite, deje de compartir el video de los participantes y, si está conectado a una VPN (red privada virtual), desconéctese. Con anterioridad, revise la velocidad de su internet en línea en



<https://www.speedtest.net/>. ¿No está seguro de lo que significan los resultados? Busque “What is fast internet speed” (¿Qué velocidad de internet es buena?) o “internet speed classifications” (clasificación de las velocidades de internet) en línea para interpretar y hallar maneras de mejorar sus resultados.

Tenga disponible el número de teléfono para conectarse al audio de la capacitación, así como su celular y teléfono fijo. Comparta sus archivos con el anfitrión o productor para que éste pueda compartirlos con los participantes en caso de que usted tenga problemas de conexión. Tenga siempre la dirección de correo electrónico y el número de celular de la persona que hará de anfitrión y del productor.

### **#5 Practique, pratique y pratique más aún.**

Ofrézcase ser el productor para otra persona que imparta un curso en línea. Sea anfitrión de reuniones que empleen la misma plataforma que usted utilizará para enseñar. Cuanto más utilice la plataforma, más seguro se sentirá de utilizarla.

En cada oportunidad que tenga, practique la presentación en la plataforma en la que impartirá la capacitación. Revise la reproducción de los videos. Inspeccione la plataforma y ubique las herramientas que empleará. Practique con las herramientas de participación (tal como encuestas y sesiones para subgrupos). Esta práctica es especialmente importante si usted presentará la capacitación en la plataforma de otra persona. Si tiene un productor, asegúrese de incluirlo en la práctica.

Explore las páginas de soporte de la plataforma que estén disponibles en línea.

### **Enlaces útiles para Zoom.**

Visite el [Centro de Aprendizaje de Zoom](#) y aprenda más sobre los aspectos siguientes:

- Guía de inicio para nuevos usuarios
- Encuestas para reuniones
- Cómo compartir la pantalla

- Cómo compartir un archivo
- Cómo habilitar salas para grupos pequeños (subgrupos)
- Cómo mejorar la calidad de video
- Registro de reuniones e informes de votaciones (encuestas)



## Anexo C: Volante de muestra de la capacitación



### **Cómo comprender y abordar el tráfico sexual**

Escuche historias de sobrevivientes en las que se destacan los riesgos, las vulnerabilidades y los efectos del tráfico sexual.

[Fecha]

[Hora]

[Ubicación]

**Inscríbas**

Para obtener más información o si necesita alguna adaptación para participar, comuníquese con [ingrese el nombre, el correo electrónico y el número de teléfono de la persona a contactar]



## Anexo D: Guía del productor

### Guía de producción de UAST

NÚMERO	Acción	Tiempo
9 (DESPUÉS DE LA DEFINICIÓN DE TS)	<b>Encuesta</b>	
13 (DESPUÉS DEL VIDEO)	<p><b>Salas para subgrupos</b></p> <ul style="list-style-type: none"> <li>• 4 o 5 personas</li> </ul> <p><b>Para chat:</b> Conversen sobre el ingreso de la víctima en el tráfico y las tácticas que empleó el traficante.</p> <p><b>Transmisión</b> Queda 1 minuto; ¿quién será el portavoz del grupo?</p>	5 minutos
18	<p><b>Nuevas salas para subgrupos</b></p> <ul style="list-style-type: none"> <li>• 4 o 5 personas</li> </ul> <p><b>Para chat:</b> Las maneras en que los sobrevivientes sobrellevaron el trauma vivido y cómo los videos pusieron en tela de juicio o reforzaron los mensajes que han oído acerca del tráfico sexual.</p> <p><b>Transmisión</b> Queda 1 minuto; ¿quién será el portavoz del grupo?</p>	4 minutos
23	<b>Encuesta</b>	
24	<b>Encuesta</b>	
28	<b>Para chat:</b> Comparta la separata del modelo socio-ecológico ( <a href="#">enlace</a> o pdf)	
32	<b>Para chat:</b> Comparta la separata de la Lista de Recursos	
33	<b>Para chat:</b> Si va a utilizar una evaluación, comparta el enlace correspondiente.	

## Separatas





## Separata 1: Lista de recursos

### LISTA DE RECURSOS

## Una medida que pienso tomar para abordar la trata de personas:

### Recursos en la comunidad

[Grupo especial en contra del tráfico] [página web]	[Programa de menores en peligro] [página web]
[Programa contra la VD y la AS] [página web]	[Centro de Defensa del Menor] [página web]
[Programa de salud mental] [página web]	[Programa adicional] [página web]

### Recursos a nivel de estado

Oregon T.R.I.P. (Programa de Intervención y Respuesta en contra del Tráfico), <a href="http://www.doj.state.or.us/htresources">www.doj.state.or.us/htresources</a>	Línea Directa de Denuncias de Abuso Infantil de Oregon 1-855-503-SAFE (7233)
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### Recursos a nivel nacional

Demand Abolition	<a href="https://www.demandabolition.org/">https://www.demandabolition.org/</a>
EPIK	<a href="http://www.epikproject.org">http://www.epikproject.org</a>
Freedom Network	<a href="https://freedomnetworkusa.org/">https://freedomnetworkusa.org/</a>
Serie Faces of Human Trafficking (Rostros de la trata de personas) de la Oficina de las Víctimas de Delitos (OVC, por su sigla en inglés)	<a href="https://ovc.ojp.gov/program/human-trafficking/faces-of-human-trafficking">https://ovc.ojp.gov/program/human-trafficking/faces-of-human-trafficking</a>
Polaris Project	<a href="https://polarisproject.org/">https://polarisproject.org/</a>
Iniciative Rebecca Bender	<a href="https://www.rebeccabender.org/">https://www.rebeccabender.org/</a>
The Life Story (Historia de la vida)	<a href="https://thelifestory.org/">https://thelifestory.org/</a>
Línea nacional contra la trata de personas	1-888-373-7888
Comuníquese por texto: "BeFree" (233733)	Chat en vivo <a href="https://HumanTraffickingHotline.org/es">HumanTraffickingHotline.org/es</a>



## Separata 2: Evaluación de muestra de la capacitación

### **Evaluación de la capacitación**

[Name of Training] [Date of Training]

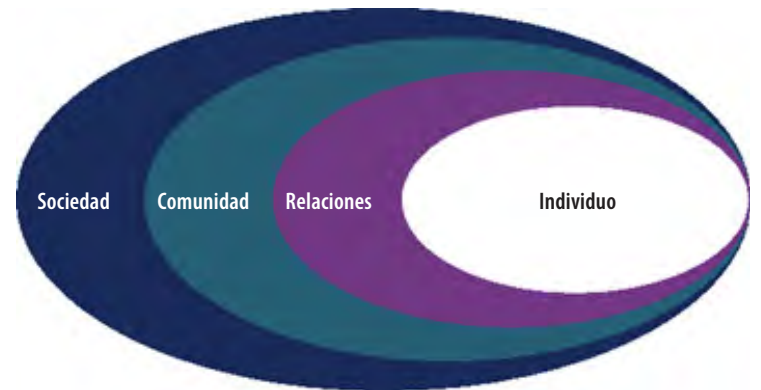
1. ¿Satisfizo la capacitación sus expectativas? Sí/No  
De no ser así, ¿cuáles fueron las deficiencias?
  
2. Califique los aspectos a continuación empleando una escala del 1 al 5; 1 = inaceptable y 5 = excelente.
  - a. La calidad de la instrucción
  - b. La calidad de las actividades e interacciones
  - c. La calidad del entorno de aprendizaje
  
3. Indique la medida en que está de acuerdo con las afirmaciones a continuación. Emplee la escala del 1 al 5; 1 = muy en desacuerdo y 5 = muy de acuerdo.  
Gracias al curso...
  - a. Tengo más empatía hacia las víctimas y hacia los sobrevivientes del tráfico sexual.
  - b. Soy más consciente de que el tráfico sexual se da en mi comunidad.
  - c. Sé de algo que puedo hacer para abordar el tráfico sexual.
  - d. Comprométase a tomar una medida para abordar el tráfico sexual.
  
4. ¿Hay algo que usted cambiaría en la capacitación para que sea mejor? Explique.
  
5. Indique una medida que usted tiene pensado tomar en los próximos siete días para abordar la trata de personas en su comunidad.



## Separata 3: Modelo socio-ecológico

## MODELO SOCIO-ECOLÓGICO PARA PREVENIR LA VIOLENCIA

El modelo socio-ecológico para prevenir la violencia elaborado por los Centros para el Control y la Prevención de Enfermedades (CDC, por sus siglas en inglés) muestra cómo ciertos factores de riesgo influyen en la vulnerabilidad a la violencia y cómo ciertos factores de protección podrían disminuir el riesgo de victimización. En el modelo, la CDC muestra figuras geométricas superpuestas para ilustrar que todos los niveles están muy conectados entre sí. La compleja interacción de los niveles del modelo socio-ecológico muestra cómo ciertos factores de riesgo podrían aumentar las vulnerabilidades a la victimización y ofrece, a la vez, factores de protección que podrían prevenir la victimización. El modelo nos ayuda a entender mejor los efectos multifacéticos en las víctimas y en los sobrevivientes de la trata de personas y cómo la prestación de servicios debería incluir este enfoque multifuncional para detectar la trata de personas y responder ante ella.



- Adaptación del Modelo socio-ecológico de prevención de la violencia elaborado por la CDC.

### Individuo

#### Ejemplos de factores de riesgo a nivel de individuo

- Edad, incluidos los menores de edad y adultos mayores.
- Falta de estudios (secundaria incompleta o carencia de estudios superiores).
- Ingresos bajos.
- Consumo de sustancias.
- Discapacidad.
- Objeto o espectador de la violencia física o psicológica.
- Exposición a otros tipos de trauma.

#### Ejemplos de factores de protección a nivel de individuo

- Estabilidad educacional.
- Ingresos constantes.
- Apoyos para la salud mental.

### Relaciones

#### Ejemplos de factores de riesgo a nivel de relaciones

- Comportamiento agresivo o violento por parte de compañeros, tal como bullying o acoso escolar.
- Aislamiento o falta de apoyos sociales.
- Falta de apoyo por parte de la familia.
- Violencia por parte de la pareja íntima.
- Falta de estabilidad económica.

#### Ejemplos de factores de protección a nivel de relaciones

- Apoyo por parte de compañeros.
- Intervención adecuada contra el bullying.
- Recursos de salud mental para las familias.
- Apoyos sociales y programas educativos para padres y familias.

### Comunidad

#### Ejemplos de factores de riesgo a nivel de comunidad

- Pobreza.
- Falta de recursos para crear apoyos sociales y forjar relaciones sanas.
- Falta de intervención contra la violencia, incluida la violencia entre parejas íntimas.

#### Ejemplos de factores de protección a nivel de comunidad

- Acceso a recursos que abordan y reducen la pobreza.
- Acceso a la educación.
- Educación sobre el consumo de sustancias.
- Disponibilidad de recursos de apoyo social y para la salud mental.
- Servicios y recursos de apoyo para personas discapacitadas.

### Sociedad

#### Ejemplos de factores de riesgo a nivel de sociedad

- Factores sociales que influyen en la explotación de personas a través del sexo y la servidumbre.
- Discriminación e inequidad de ingresos.
- Leyes y políticas que limitan el acceso a la atención médica, a la educación, a recursos para la salud mental y la estabilidad económica.

#### Ejemplos de factores de protección a nivel de sociedad

- Capacitaciones en educación y concientización que aborden las características sociales que permiten la violencia entre personas.
- Leyes, políticas y fondos que incrementen el acceso a servicios sociales.



## Sex Trafficking Train-the-Trainer Workshop Series

### Spring 2023 Course Description

#### Goal of the Sex Trafficking Train-the-Trainer:

After completing this series, you will have the tools, skills, and confidence needed to present the ***Understanding and Addressing Sex Trafficking in Our Community (UAST)*** curriculum.

#### Series Schedule:

<b>March 2, 2023</b> 10:00am – 12:00pm (Zoom)	Demonstration of <i>Understanding and Addressing Sex Trafficking (UAST) in Our Community</i>
<b>March 7, 2023</b> 10:00am – 12:00pm (Zoom)	Unpacking the UAST
<b>March 9, 2023</b> 10:00am – 12:00pm (Zoom)	Knowing Your Learner
<b>March 14, 2023</b> 10:00am – 12:00pm (Zoom)	When Media Goes Bad
<b>March 16, 2023</b> 10:00am – 12:00pm (Zoom)	Navigating Difficult Questions
April 3, 2023	Deadline for UAST presentation (Independent Work)
<b>April 4, 2023</b> 10:00am – 12:00pm (Zoom)	Next Steps to Delivering UAST in Your Community

#### Description:

This series introduces new, Oregon-specific introductory sex trafficking curriculum that builds awareness and gives community groups and service providers specific calls to action. The curriculum, titled ***Understanding and Addressing Sex Trafficking in our Community (UAST)*** includes stories from trafficking survivors through videos from [The Life Story](#) to highlight the

risks, vulnerabilities, and impact of sex trafficking. You will customize the curriculum based on your community's efforts, the audience requesting the training, and the delivery method (in-person versus virtual).

The ideal instructors for this curriculum are people who work in a field that intersects with sex trafficking. You will need to have attended, at a minimum, an introductory sex trafficking course to be an instructor for this curriculum.

During this train-the-trainer series, we will...

- Examine how (and why) we created the **UAST** curriculum
- Discuss considerations for delivering the training
- Prepare you to respond to and correct misinformation from audience members comments and questions while still promoting an environment that is conducive to learning
- Assess our audiences to improve how we market and deliver **UAST**.
- Deliver one module from **UAST**.

### Methodology:

The series consists of six instructor-led virtual sessions. You will also be doing classwork outside our sessions.

### Independent Work:

Independently or with a partner, select one module from the **UAST** curriculum to practice your facilitation skills. You select the audience and delivery method (in-person or online). We can help you with finding a partner and/or audience members, setting up a Zoom link for you to use, and/or giving technical support for using the tools available in Zoom when delivering the training online. You will find more instructions on our train-the-trainer website.

Estimated time to complete: 60-90 minutes.

Complete by **April 3, 2023**.

### Office Hours:

For support with the independent work, office hours are available after each session in March from 12:00-12:30 via Zoom. You will find more instructions on our train-the-trainer website.

This training was created with the support of grant 22-GG-01577-DTVF, awarded by the Office for Victims of Crime, Office of Justice Programs, U.S. Department of Justice. The opinions, findings, and conclusions or recommendations expressed in this content are those of the contributors and do not necessarily represent the official position or policies of the U.S. Department of Justice.





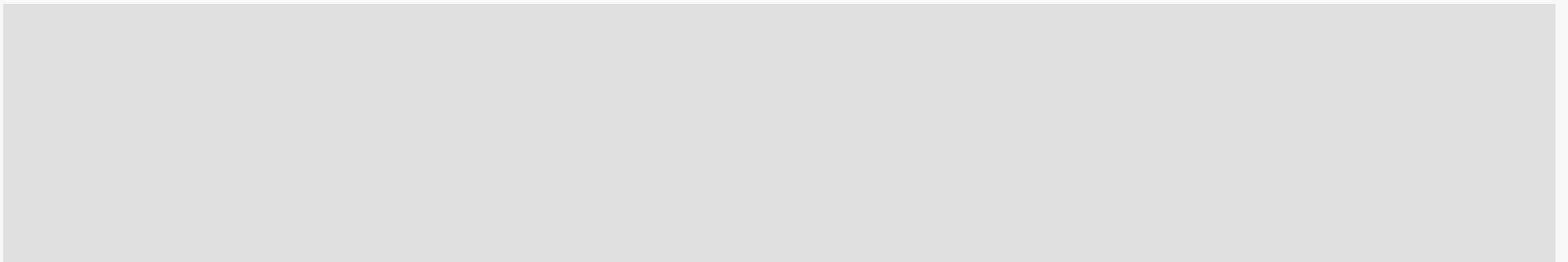
# Sex Trafficking Train-the- Trainer

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Session 1



# Introductions



An  
interactive  
space

Be ready to participate  
Group agreements  
Zoom tools

# Group Agreements

Participate

Speak my  
truth

Stay curious,  
stay learning

Make sure  
everyone can  
contribute

Only one  
person speaks  
at a time

Respect each  
other's  
opinions

Confidentiality

Use chat for  
instructional  
purposes

# Zoom Tools

Join the call with your computer.  
Further clicks mute/unmute.

Start or stop your camera  
from sending video.

The Participants panel has  
these tools to communicate  
with the facilitators.

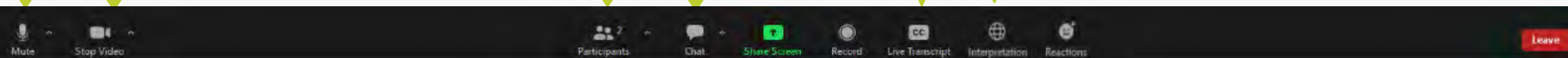
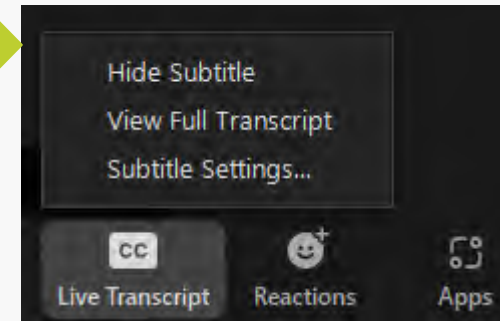
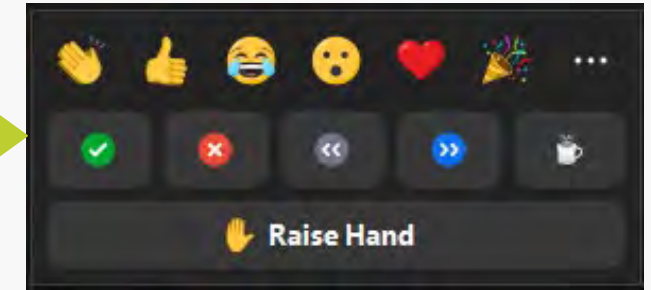
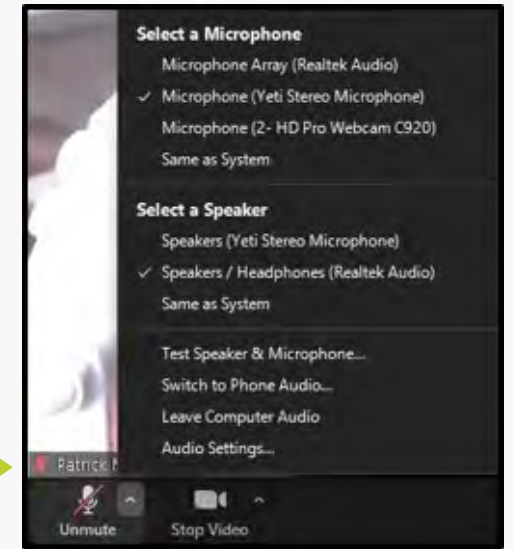
Show Chat.

Show Participants panel.

View or hide closed captions.

Interpreter Tool

Can't hear/be  
heard? Click on  
the arrow and  
verify that the  
right devices are  
selected.



An  
inclusive  
space

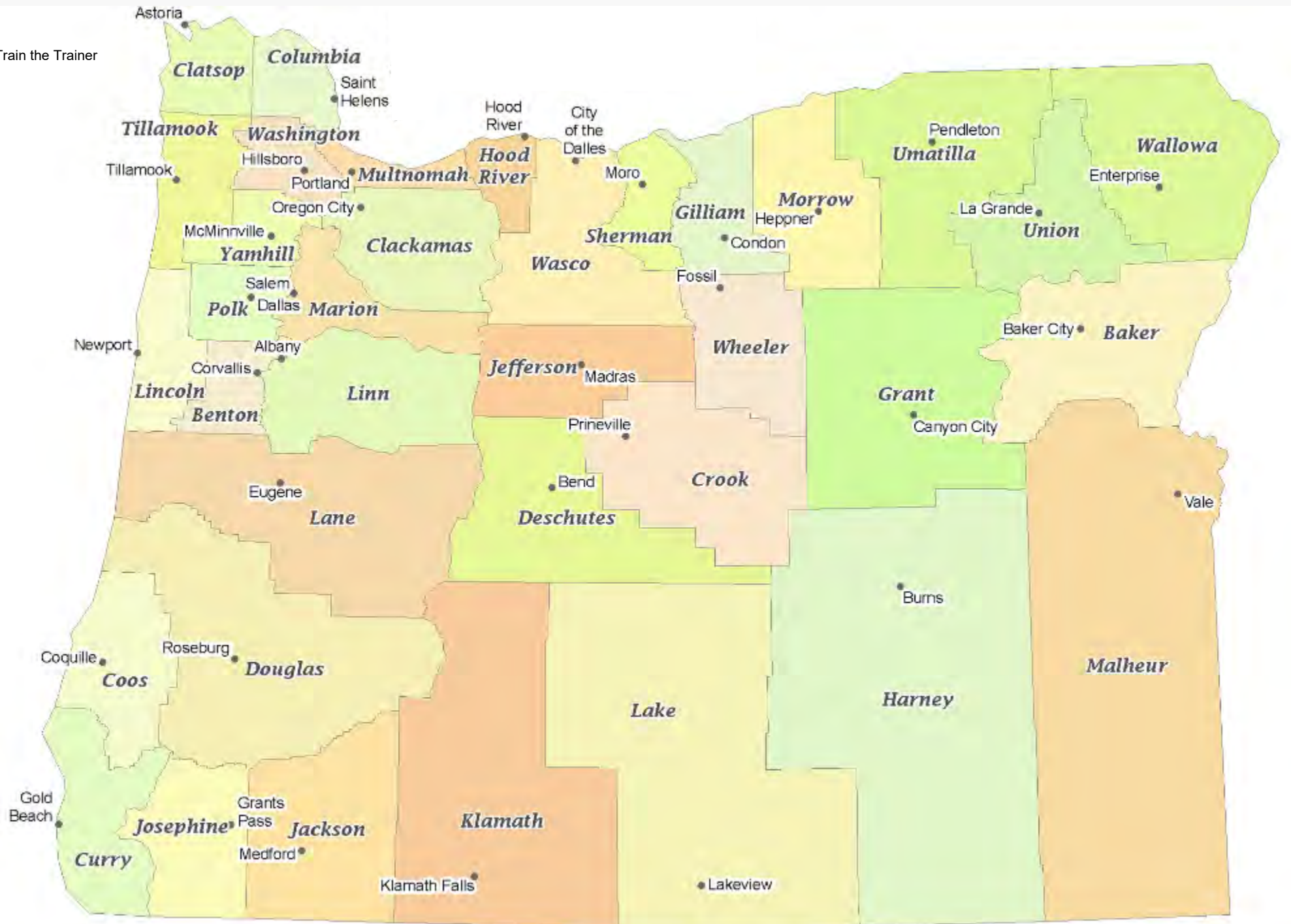
Welcome  
Meeting tools  
Communication tips

# Today



UAST Demonstration

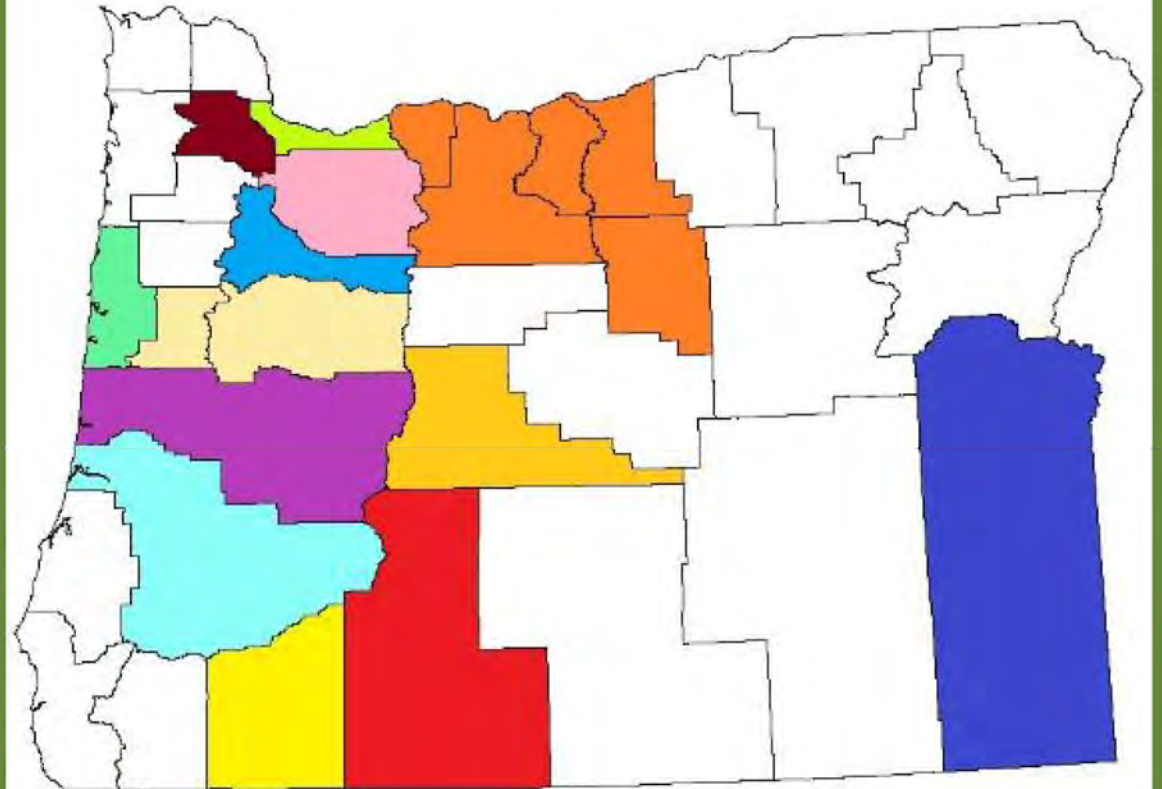
Where  
are you  
joining  
us  
from?







**T.R.I.P.**  
**TRAFFICKING RESPONSE  
& INTERVENTION PROGRAM**



# Introductions

Your name and  
what you do

Your connection  
to anti-  
trafficking work

One question  
you'd like  
answered in this  
workshop



## Polls Questions

- 1:** I've attended at least one training about sex trafficking.
- 2:** I've delivered training in person before (any topic).
- 3:** I've delivered training online before (any topic).
- 4:** I am currently delivering training on human trafficking.
- 5:** I have attended train-the-trainer workshops before.
- 6:** I expect to learn something new during this workshop.

# Understanding and Addressing Sex Trafficking in Our Community

*Presented by:*

Robin Miller and Amanda Swanson



# OVC Funding

This training was created with the support of grant 2019-NZ-NX-0034, awarded by the Office for Victims of Crime, Office of Justice Programs, U.S. Department of Justice.

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# *Before we get started...*



**Take breaks  
when needed.**



**Be part of the  
discussion.**



**Move around  
when needed.**



This presentation includes stories about traumatic experiences.

They include domestic violence, child abuse, and sexual assault.

We encourage you to take breaks as needed.

# The Issue





# Human Trafficking is...

*A public health concern.*

*Impacts individuals, families, and communities across generations.*

*A crime that involves exploiting a person for labor, services, or commercial sex.*



Trafficking  
Victim  
Protection  
Act

# Labor Trafficking



The recruitment, harboring, transportation, provision, or obtaining of a person for labor or services, through the use of force, fraud or coercion for the purpose of subjection to involuntary servitude, peonage, debt bondage, or slavery.

# Sex Trafficking



A commercial sex act is induced by force, fraud, or coercion, or in which the person induced to perform such act has not attained 18 years of age.



# Where does sex trafficking happen?

Strip Clubs  
Hotels  
Pornography  
Truck stops  
Social Media

Websites  
Messaging apps  
Private parties  
Massage Parlors  
Escort Services



# The Way it Happens





*The Life Story,  
Entry Into The Life*



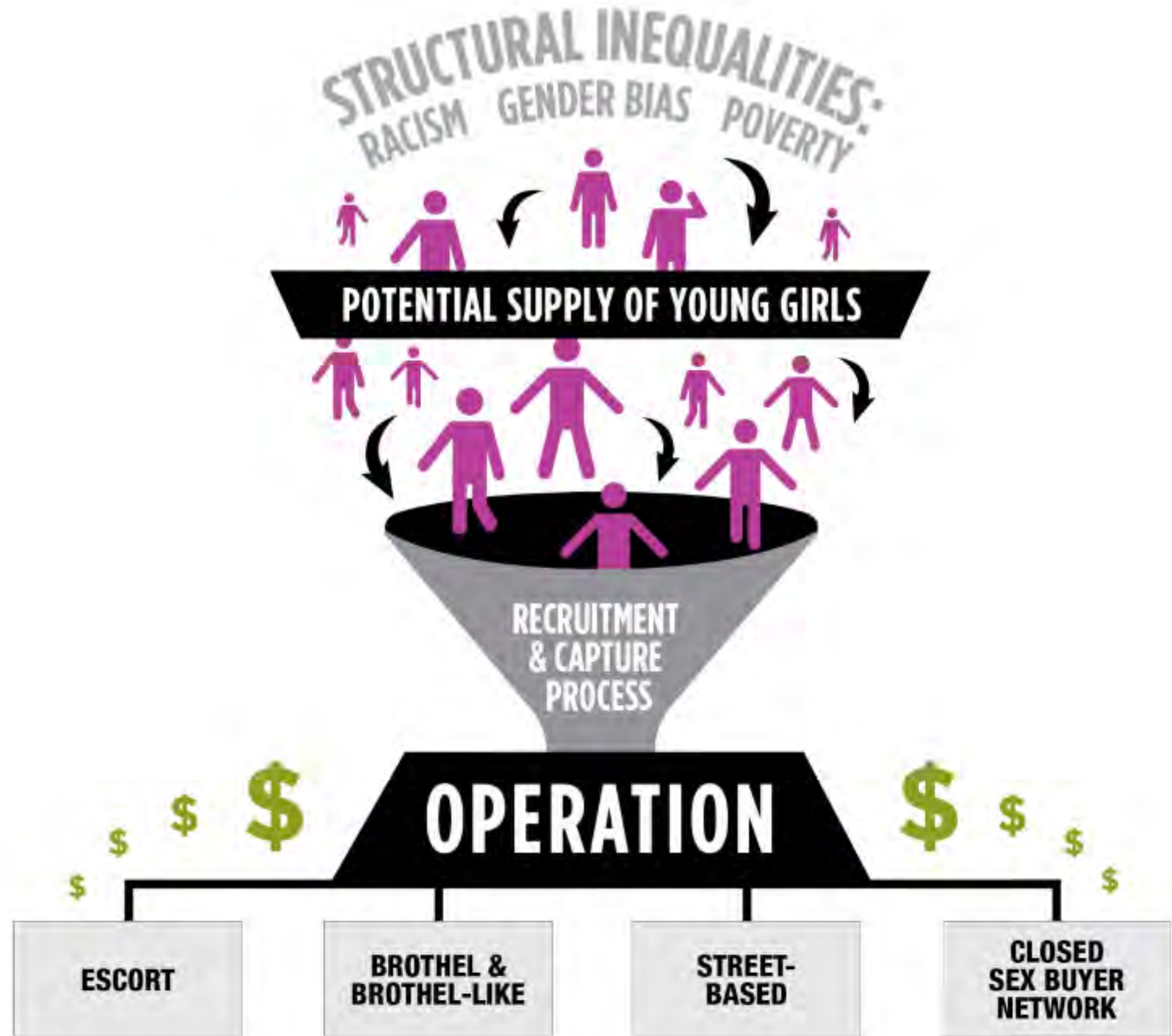
What **stood out** to you?



# Trafficker Tactics



# Mapping the Market





Break

# The Impact

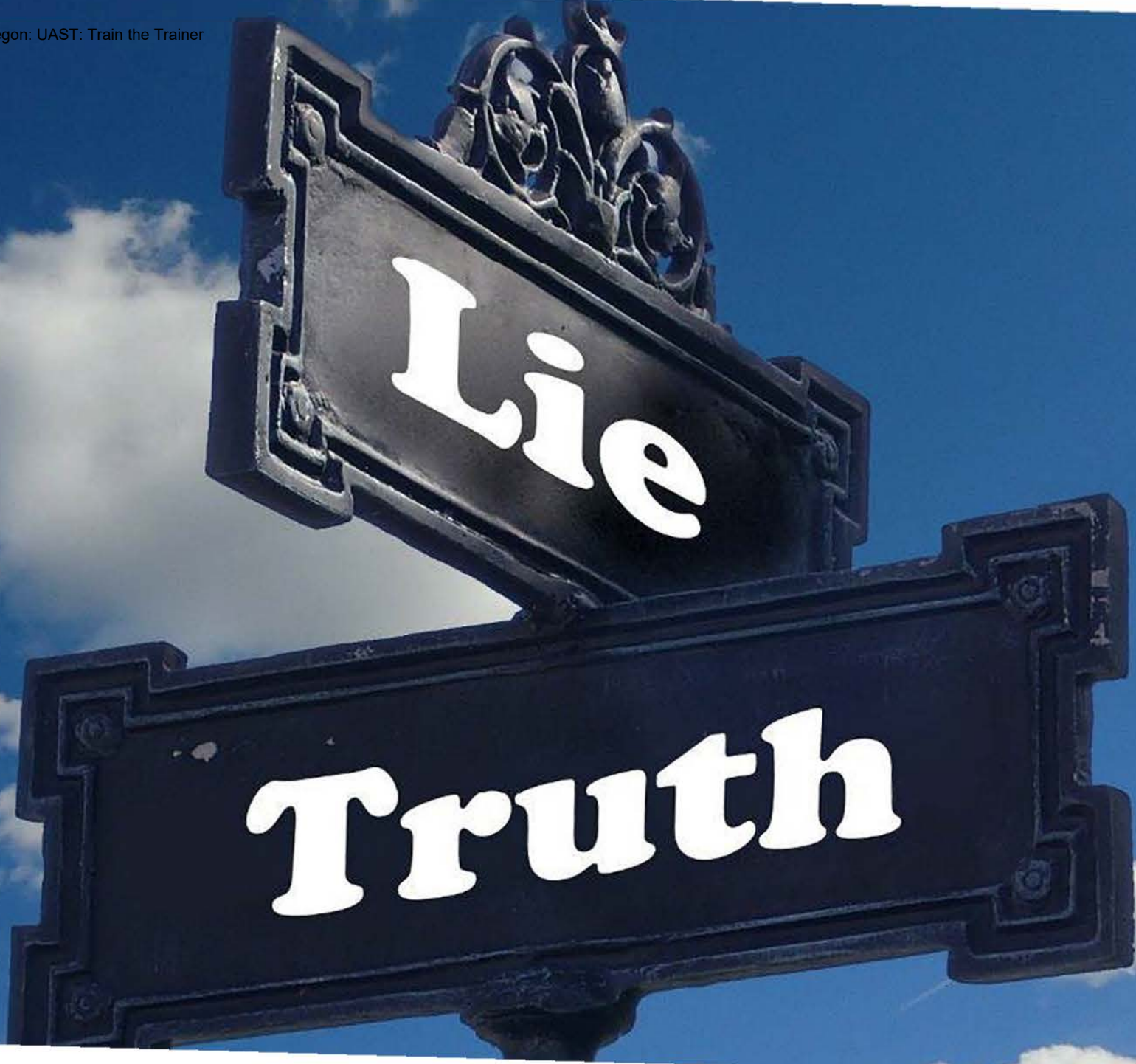




*The Life Story,  
Trauma and Addiction*

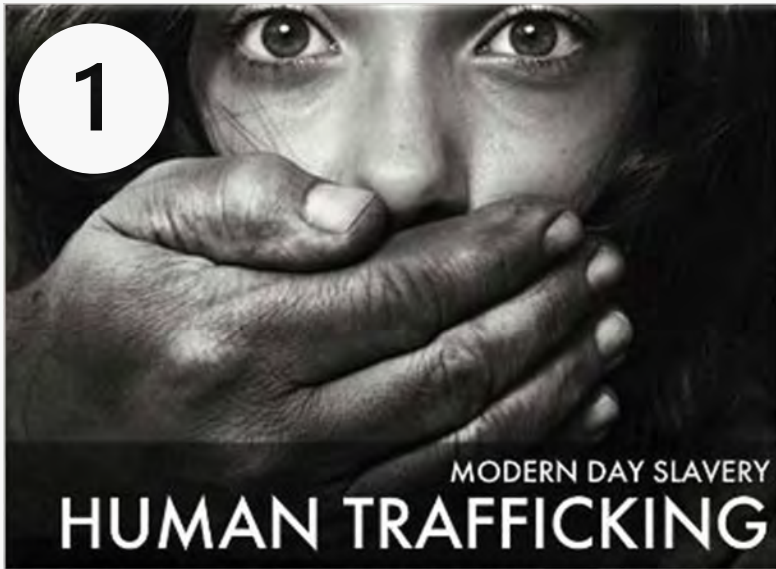


What **stood out** to you?



# Misidentification

---





Demand



# The Location









*Rebecca Bender's Story -  
Human Trafficking Survivor*

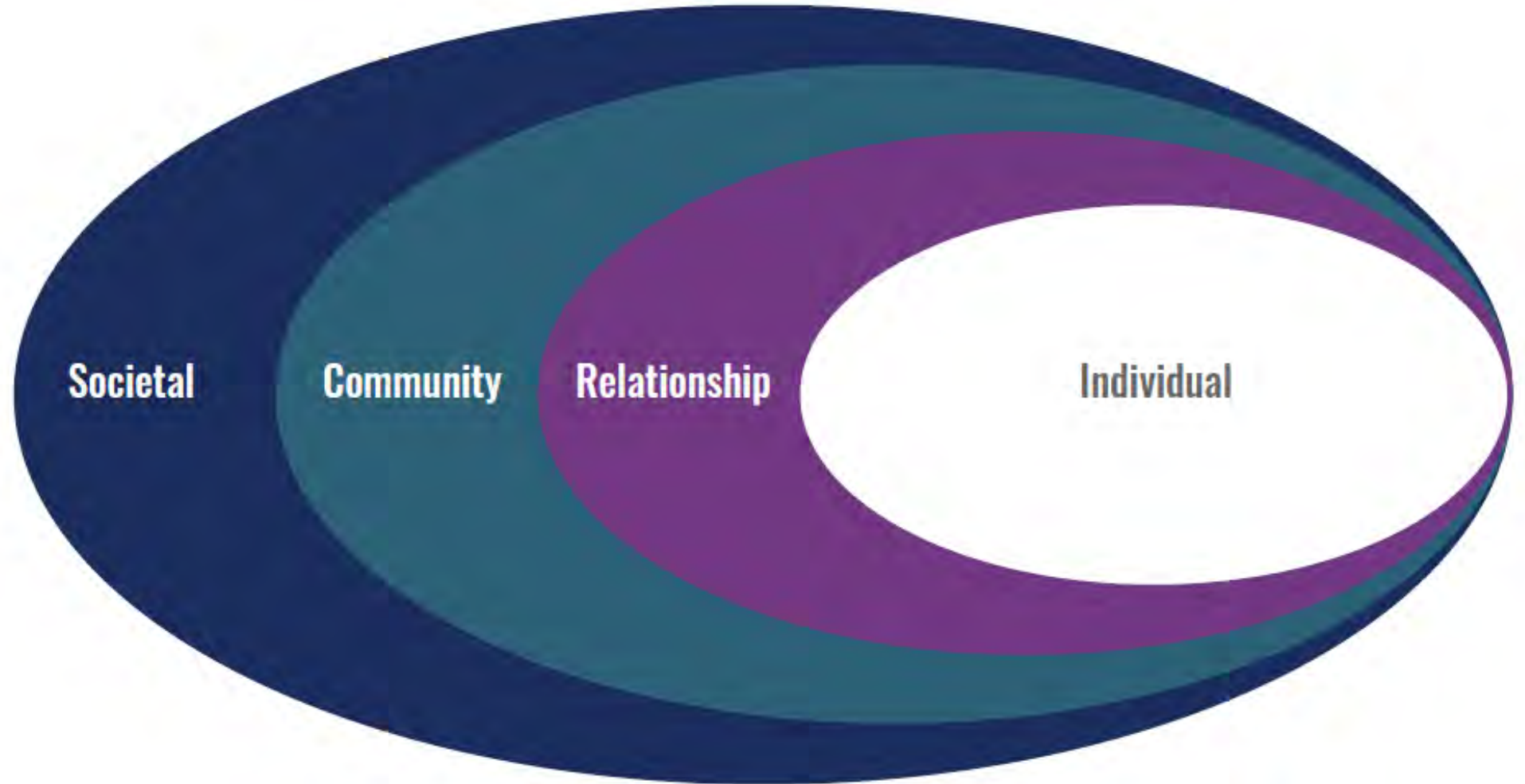


What **stood out** to you?

# The Action



# Socio-Ecological Model



- Adapted from the CDC Socio-Ecological Model of violence prevention.



Report child abuse  
1-855-503-SAFE (7233)  
Keep Oregon's children safe



# NATIONAL HUMAN TRAFFICKING HOTLINE



**CALL**

1-888-373-7888



**TEXT**

"BeFree" (233733)

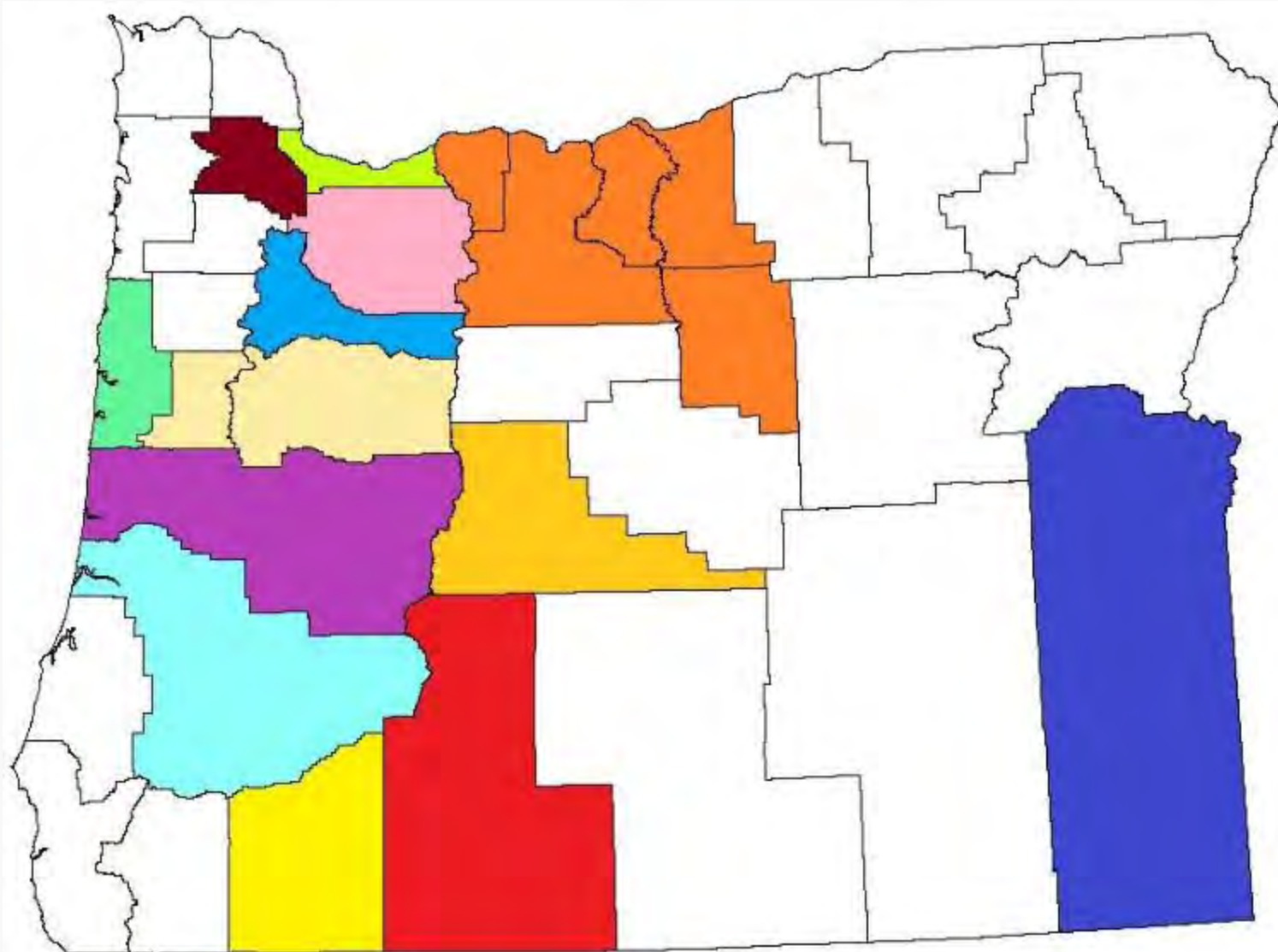


**LIVE CHAT**

HumanTraffickingHotline.org

- ✓ Get help.
- ✓ Report a tip.
- ✓ Find services.
- ✓ Learn about your options.

# Trafficking Intervention Task Forces



\*As of July 2022

# Our Community

*Oregon T.R.I.P.*

<https://www.doj.state.or.us/htresources>

*Oregon Child Abuse Reporting Hotline  
1-855-503-SAFE (7233)*

# Thank you!

Robin Miller

[rmiller@janusyouth.org](mailto:rmiller@janusyouth.org)

Amanda Swanson

[Amanda.swanson@doj.state.or.us](mailto:Amanda.swanson@doj.state.or.us)



# Polling Questions

1. Did the UAST curriculum meet your expectations? (Y/N)
2. If not, please explain where it fell short.
3. As a participant, what did you think of...
  - the quality of the instruction
  - the quality of the activities and interactions
  - the quality of the learning environment


Scale is unacceptable, improvement expected, successful, exceeds expectations, outstanding.



Questions

Drawing

Evaluation



# Sex Trafficking Train-the- Trainer

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Session 2





# Today



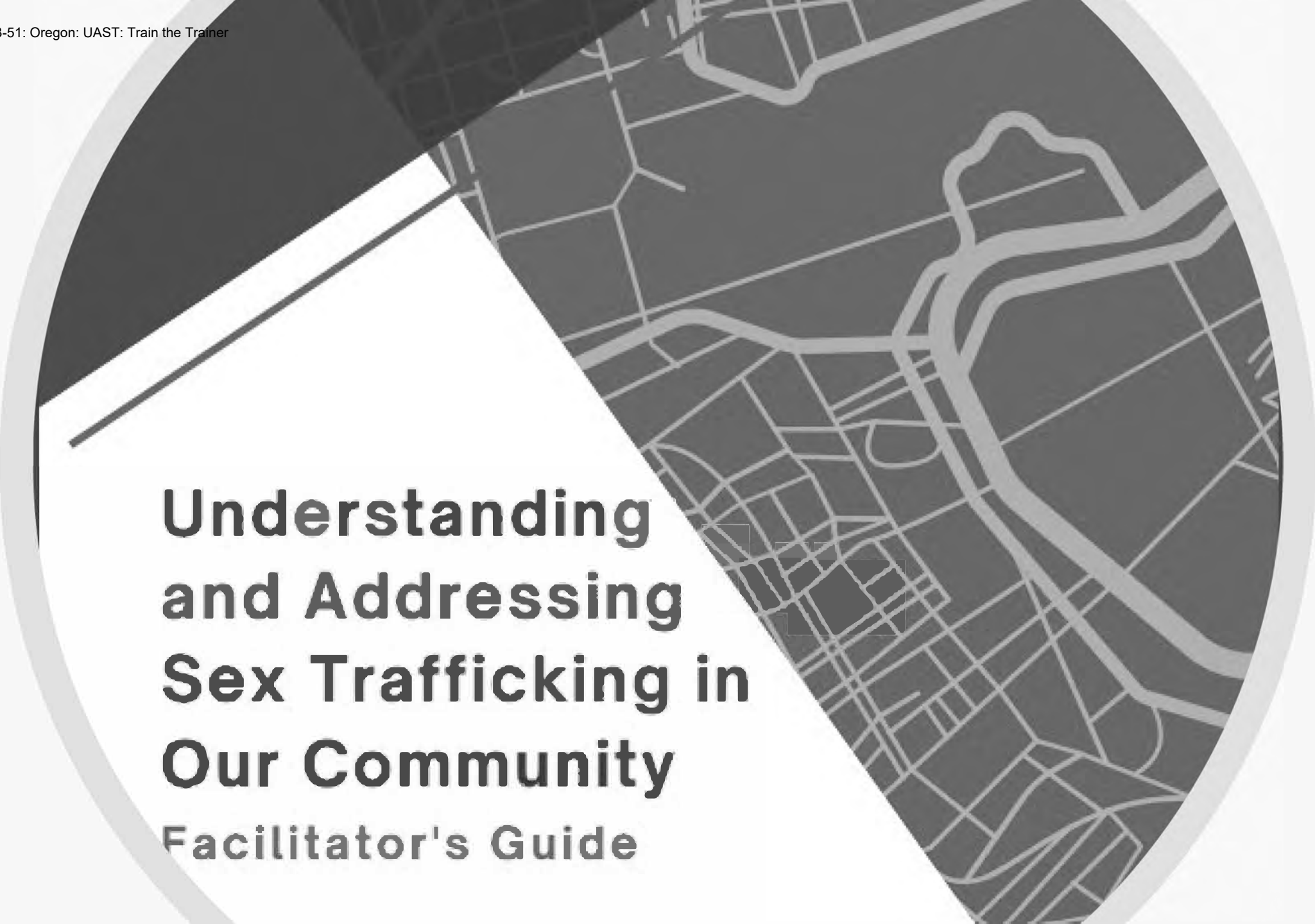
UAST Demo



Unpacking the UAST

# Name and Color





**Understanding  
and Addressing  
Sex Trafficking in  
Our Community**  
Facilitator's Guide



# Discuss

What is different about the UAST training?

Differences  
you might  
have  
noticed...

---

Role of Stories

---

Role of Instructor

---

Role of Participants

# Why stories?

---

A well told story can **stick with us for years**, even if we've only heard it once.

- Julie Dirksen, *Design for How People Learn*



# Why *these* stories?

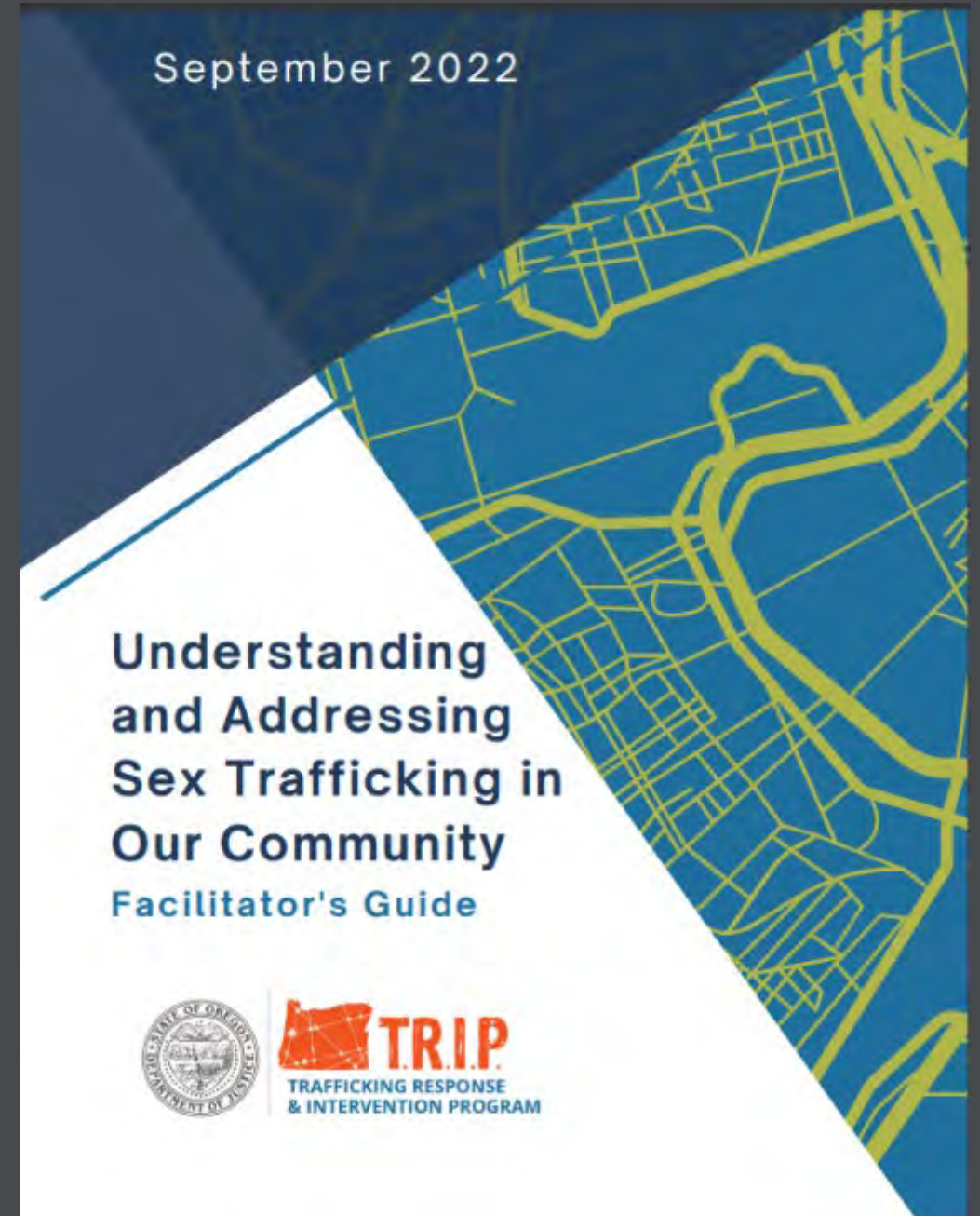
Real stories  
Survivor Voice  
Ethical

# Delivery Considerations





# Orientation to the Facilitator's Guide



# Prepare

## Module 2: The Way it Happens

**Objective:** To increase participants' understanding of the dynamics of sex trafficking by reviewing the tactics used by traffickers.

**Materials:** PowerPoint file, laptop, projector, screen, speakers, slide clicker, sticky notes, charting paper, markers, tape, and timer.

**Handouts:** None

**Time:** 21 minutes

- Prepare:**
- Watch the Life Story's Entry into the Life video and note the tactics the traffickers used.
  - This module has a video that includes audio. Make sure you will have speakers and you've checked the volume level before class begins.

- Learn:**
- The Life Story <https://thelifestory.org/about>

# **What two questions can help you customize Module #1?**

FACILITATOR'S GUIDE SCAVENGER HUNT

**What five things should  
you do to customize  
Module 5?**

FACILITATOR'S GUIDE SCAVENGER HUNT

Facilitate:  
Do, Ask,  
Say

<b>Facilitate</b>	Do	Show slide #24.
	Ask	<b>By show of hands, how many of you believe sex trafficking happens in our community?</b>
	Say	This statement is true.

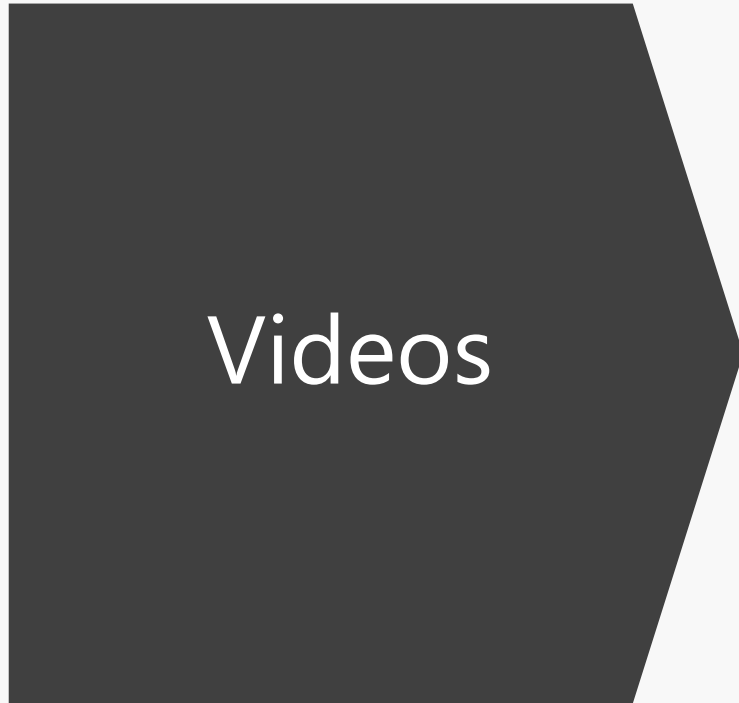


# Exercises

<b>Entry Into the Life Exercise</b>	Do	<ul style="list-style-type: none"> <li>• Divide participants into small groups (4-5 people).</li> <li>• Give each group a pad of sticky notes.</li> </ul>
	Say	<ul style="list-style-type: none"> <li>• For 5 minutes, discuss the victim's introduction to trafficking.</li> <li>• Write down the tactics the trafficker used, one per note.</li> <li>• Decide who will be your group's speaker.</li> </ul>
	Do	<ul style="list-style-type: none"> <li>• Write "Tactics" on charting paper and tape to a wall.</li> <li>• Invite speakers to bring sticky notes to the front of the room.</li> <li>• Ask each speaker to share the tactics their group noticed and attach their notes to the "tactics" paper.</li> <li>• Share any of the tactics you noted from watching the film that participants didn't mention.</li> </ul>

**Where is the list of helpful links for using Zoom?**

FACILITATOR'S GUIDE SCAVENGER HUNT



# Videos

<b>Facilitate</b>	Say	<ul style="list-style-type: none"> <li>This video includes descriptions of racism, sexual assault, sexual exploitation, substance abuse, eating disorders, sex trafficking, pornography, and racism.</li> <li>We encourage you to take a break if you need to.</li> </ul>
	Do	Minimize the PowerPoint and open the browser to play the video.
<b>Slide Time</b>		
		7 minutes (includes video)
<b>Video Time</b>		
		6:13 minutes
<b>Link</b>		
		<a href="https://thelifestory.org/trauma-and-addiction">https://thelifestory.org/trauma-and-addiction</a>
<b>Acknowledgment:</b> The <i>Trauma and Addiction</i> video shared with permission from The Life Story, <a href="https://thelifestory.org/">https://thelifestory.org/</a>		



**What materials are needed  
to deliver Module #2 in  
person?**

FACILITATOR'S GUIDE SCAVENGER HUNT

**Where is the sample  
training flyer?**

FACILITATOR'S GUIDE SCAVENGER HUNT



# Things to Consider

# Module 1: Slide 4



This presentation includes stories about traumatic experiences.

They include domestic violence, child abuse, and sexual assault.

We encourage you to take breaks as needed.



# Breakout Sessions



It's all  
about  
timing



# Action Steps Based on Audience

---





# **Where is the sample training evaluation form?**

FACILITATOR'S GUIDE SCAVENGER HUNT

**What are three examples of software you can use to collect evaluations?**

FACILITATOR'S GUIDE SCAVENGER HUNT

45

MINUTES

60

MINUTES

90

MINUTES

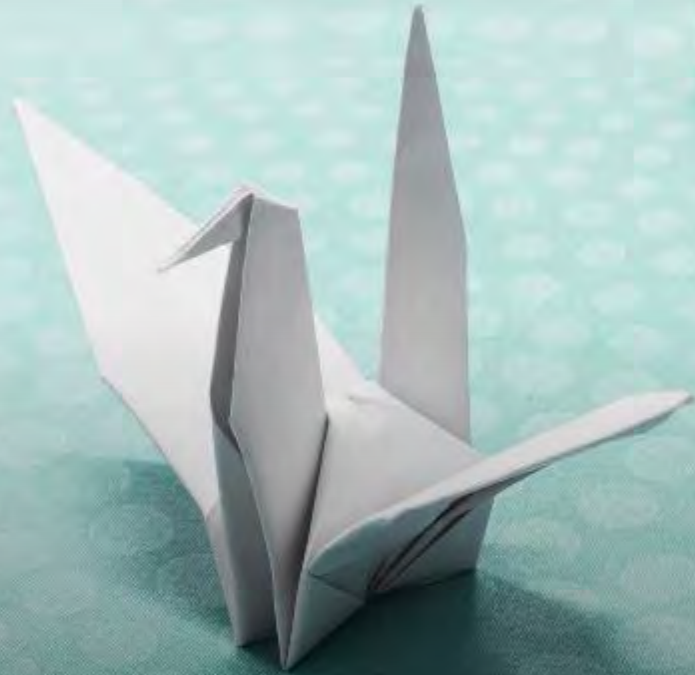


# Job Description: Virtual Training Producer



**Where can you find the  
producer's guide?**

FACILITATOR'S GUIDE SCAVENGER HUNT



Practice.



Break



# Independent Work

---



# Modules for Independent Work

Pick One

2 The Way it Happens 21 minutes

3 The Impact 25 minutes

4 The Location 8 minutes

5 The Action 13 minutes

Do I want to work with a  
partner?



# Discuss

## Independent Work

# Signing up for Workday Learning





# Course Resources

[Train-the-Trainer Website](#)

Poll Questions:

1. Did "Unpacking the UAST" meet your expectations? Yes/No
2. If no, where did the session fall short?
3. As a result of this session, I know...
  1. Why stories are an effective training tool.
  2. The importance of more than one instructor when delivering this training.
  3. How to use the facilitator's guide.

Strongly disagree, disagree, undecided/neutral, agree, strongly agree.




Questions

Drawing

Evaluation





# Sex Trafficking Train-the- Trainer

---

Session 3



# Why do we train?





# Barriers



# Discuss

Overcoming barriers



How do you  
stay  
encouraged?



# Know Their Why



# Motivations

---





# Challenges

---



# Influence and Information

---



# Experience

---





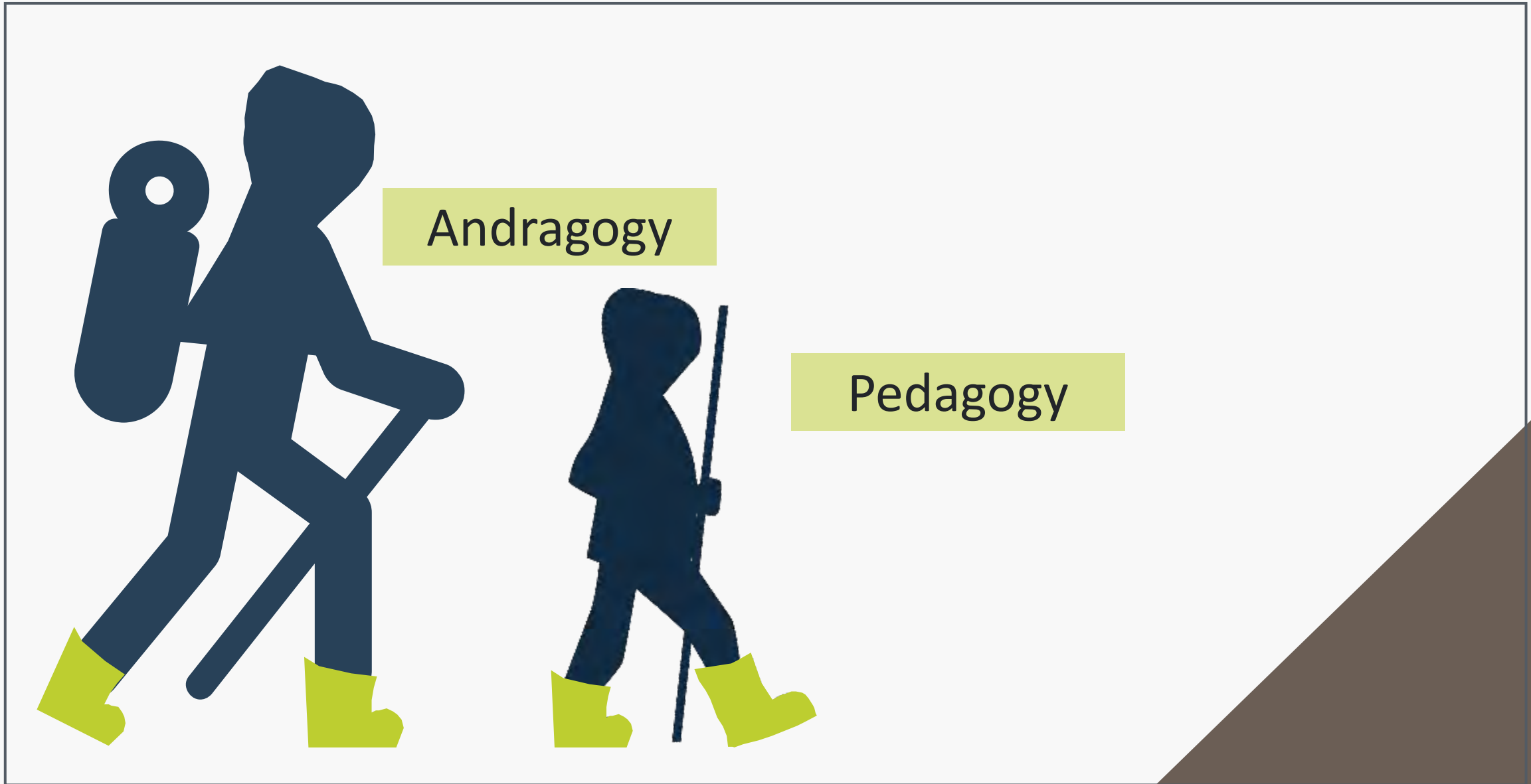
# Discuss

## The Hook



Break

What feeling word comes to mind when you think about teaching adults?



Andragogy

Pedagogy

# Adult Learning Theory





# Adult Learning Theory Assumptions

Self-Directed

Experience

Ready to Learn

Applicable

Internal Motivation



# Discuss

Teaching Adults

Adults need to  
know how they  
can use this  
information  
**now.**

Principles of Andragogy



Adults want to control **what**,  
**when**, and **how**  
they learn.

Principles of Andragogy



2

Adults gain more  
when they can pull  
**past experiences**  
into the learning  
process.

Principles of Andragogy



3

Adults need to  
**solve problems**  
and **use reasoning**  
when learning.

Principles of Andragogy



4

# Polling Questions

1. Did "Know Your Learner" meet your expectations? Yes/No

2. If no, where did the session fall short?

As a result of this session, I understand ....

3. The importance of knowing your learner.

4. The value of the "hook."

5. Strategies for teaching adults.

Strongly disagree, disagree, undecided/neutral, agree, strongly agree.



Break





Questions

Drawing

Evaluation



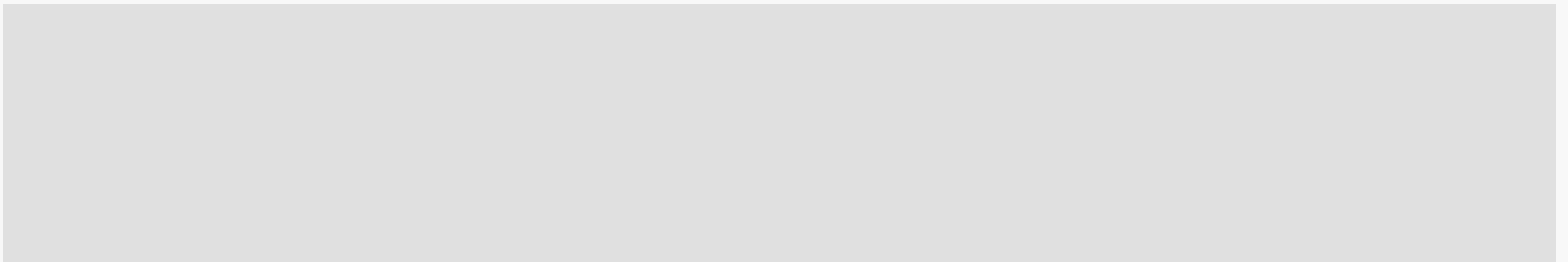
# When Media Goes Bad

---

Repairing the Harm  
of Misrepresentation



# Introductions



What field are you in and how long have you been there?

# My level of understanding...

# Today



IMPACT



EVALUATE



RESPOND



Why?

---

“ **Imagery...**

[can] be used as a **positive tool...**

but can also inflict “**secondary  
victimization**”

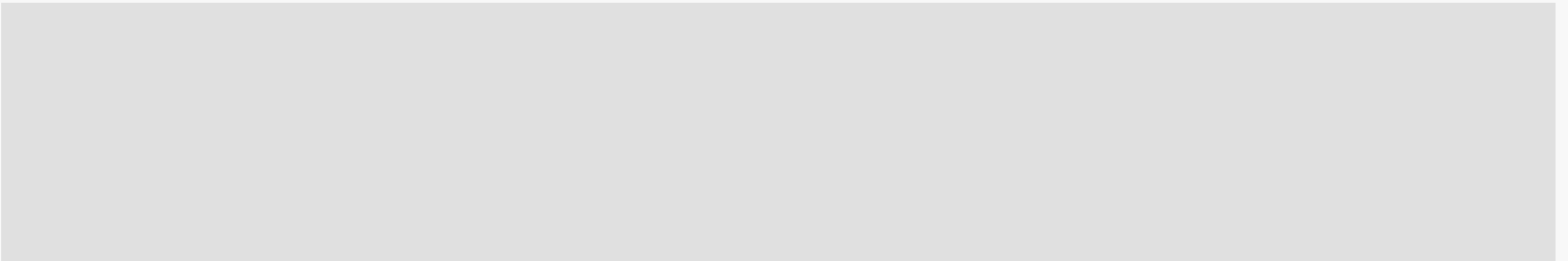
by re-enhancing and/or sensationalizing  
feelings of **violation, shame,  
disorientation, and loss of control.** ”

Guidance Note on Use of Victims' Images, 2016, page 5





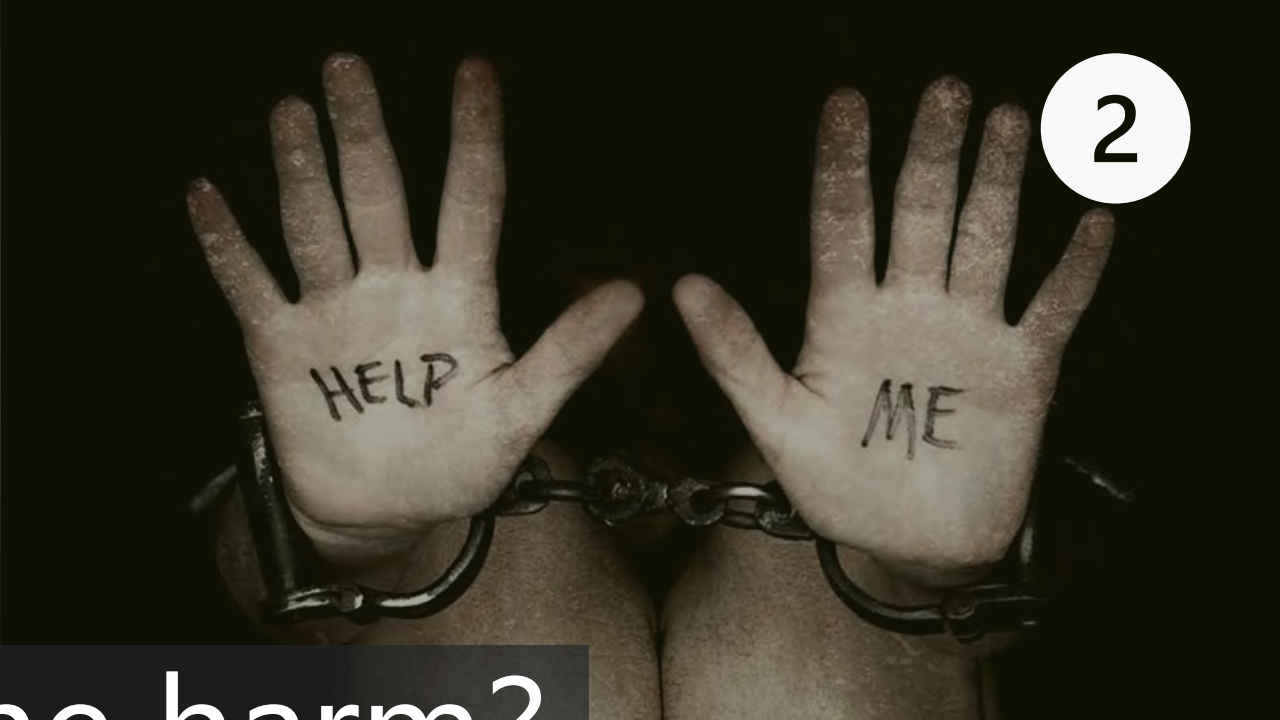
# Impact



1

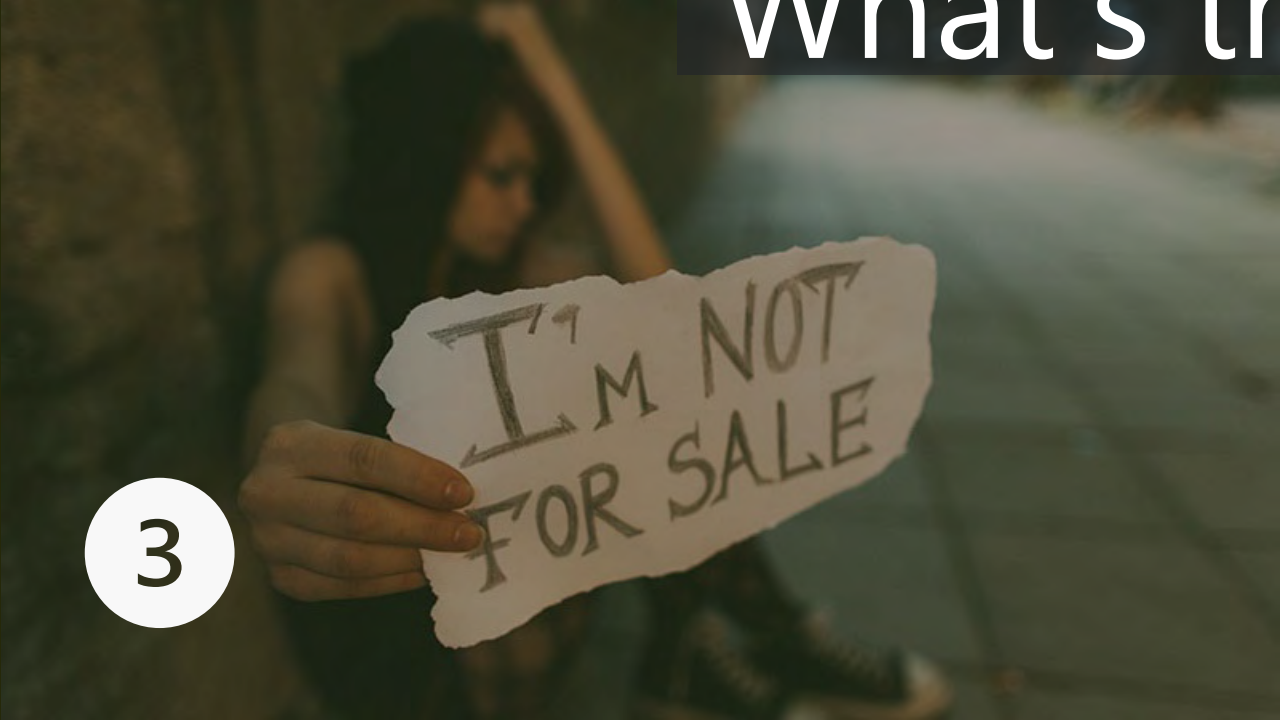


2



# What's the harm?

3



4

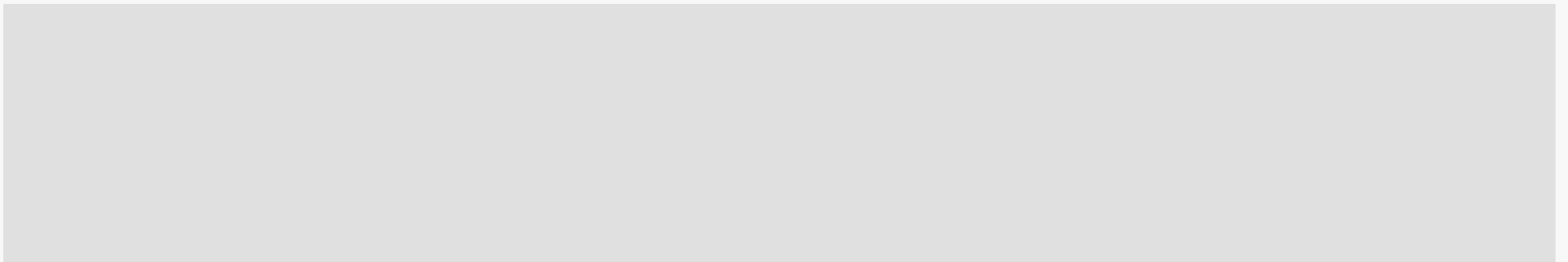




# Discuss

Consequences of  
Misrepresentation in  
Sex Trafficking

# Evaluate



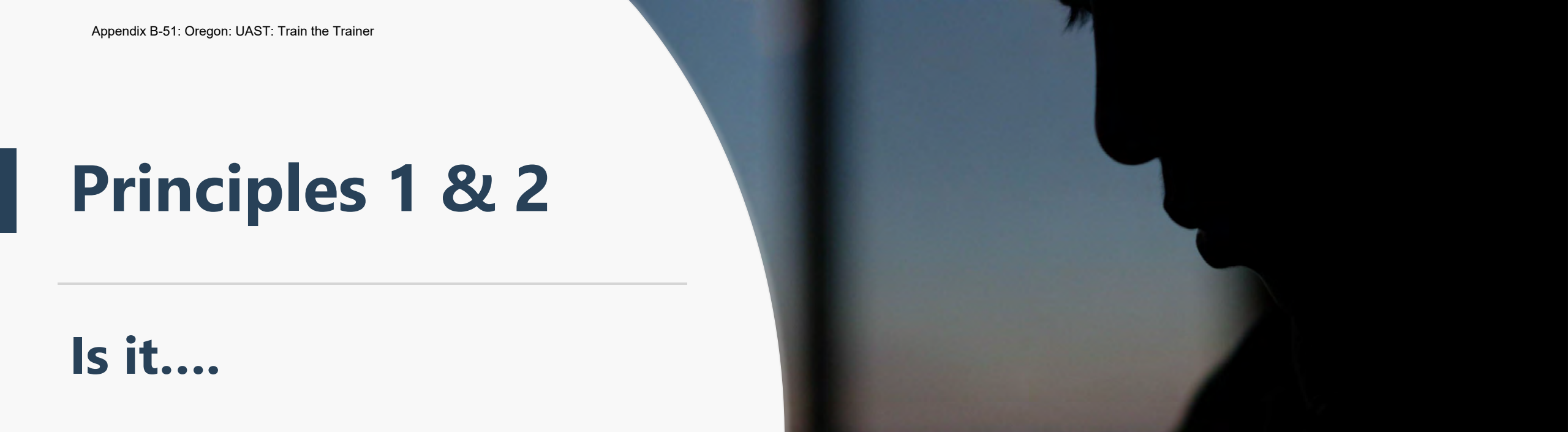
# Principles 1 & 2

---

Is it....

**Respectful** of the victim?

**Representative** of the issue?




**Guidance Note  
on Use of  
Victims' Images  
2016**

## Principles 3 & 4

---

Did **you**...

- respect the victim's **privacy** and **dignity**?
- obtain prior **consent**?
- provide a **clear** and **accurate** explanation?



Guidance Note  
on Use of  
Victims' Images  
2016

# Principle 1

Avoid	Stereotyping
	Sensationalizing the issue
	Unnecessary information
Work in	Equal partnership
Use	Caution with children

## Principle 2

Include

Diverse population, accurate representation

Avoid

Harm

Elevate

The voice behind the image

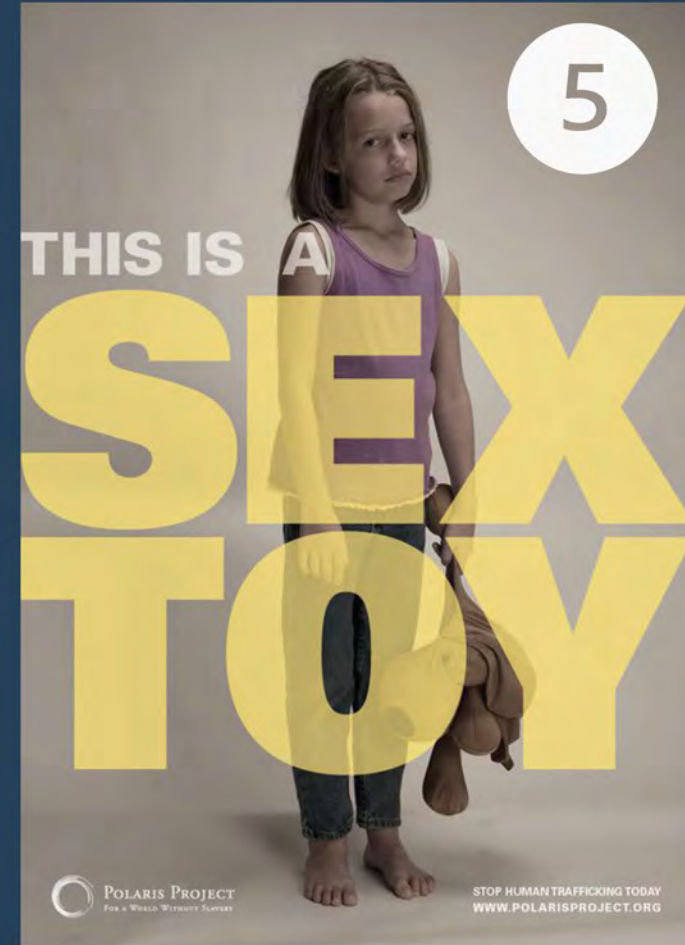
Limit

Use of images (purpose, length of time)





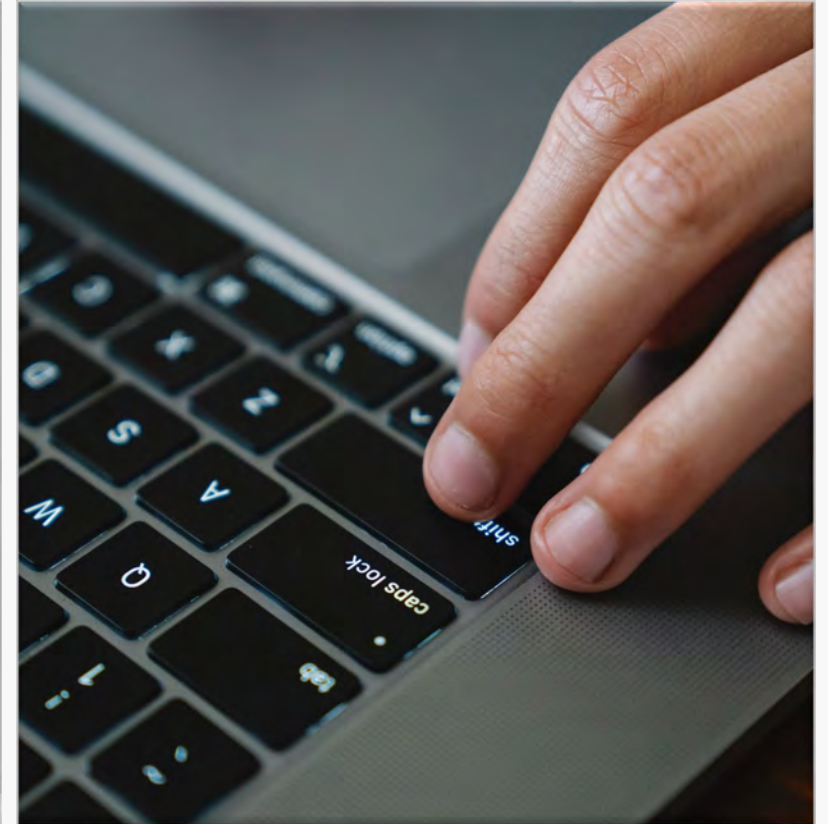
Break





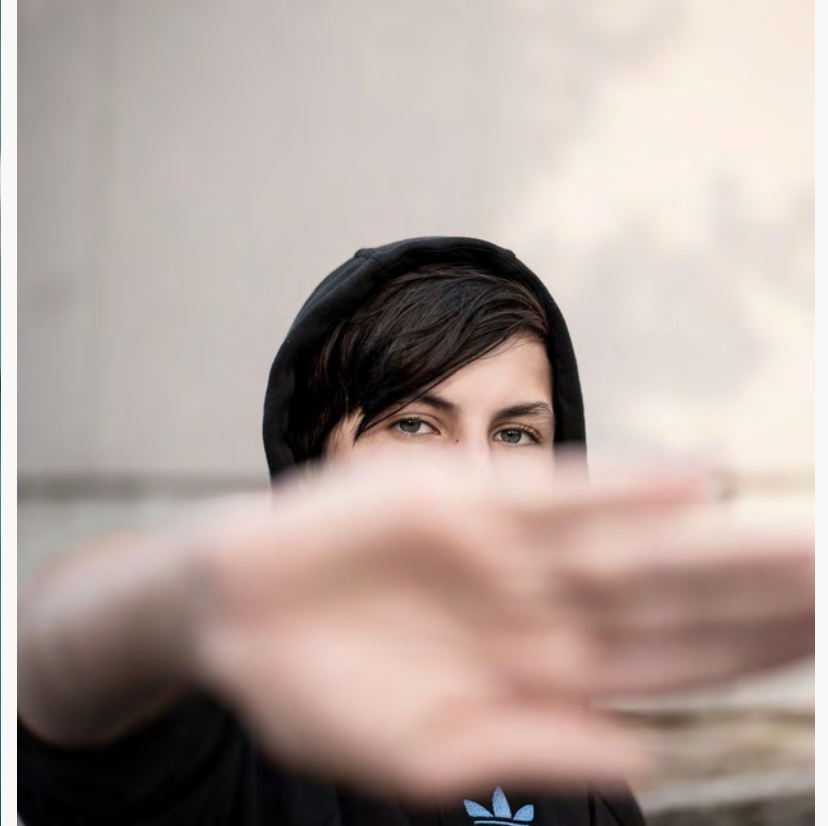
# Alternatives: Labor Trafficking

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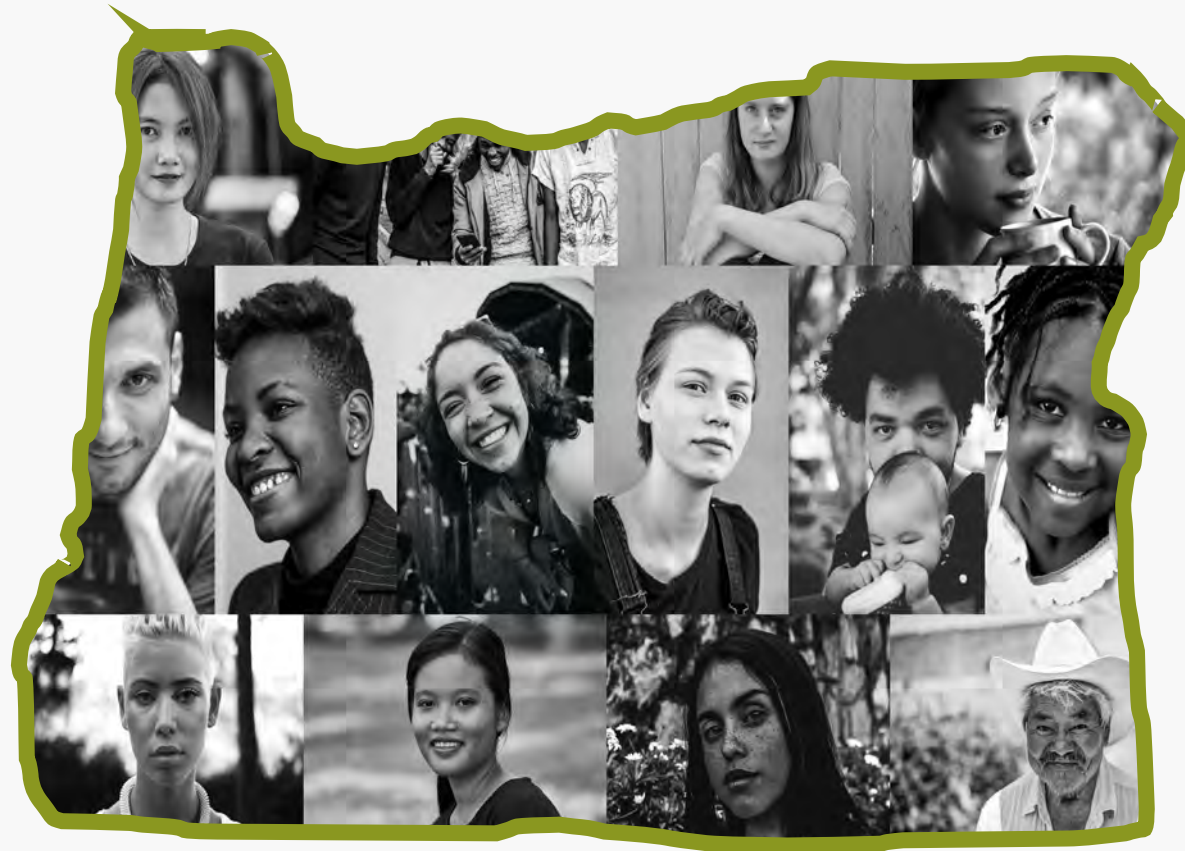
# Alternatives: Sex Trafficking

---



# Alternatives: People

---

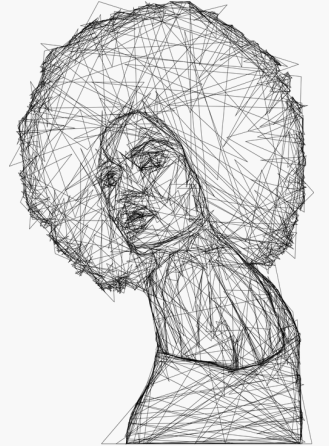


# Alternatives: Collage

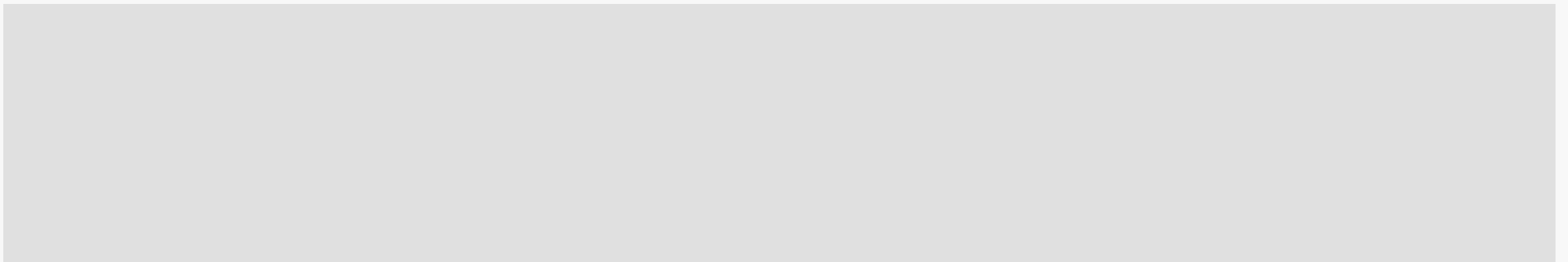
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# Alternatives: Art

---



# Respond

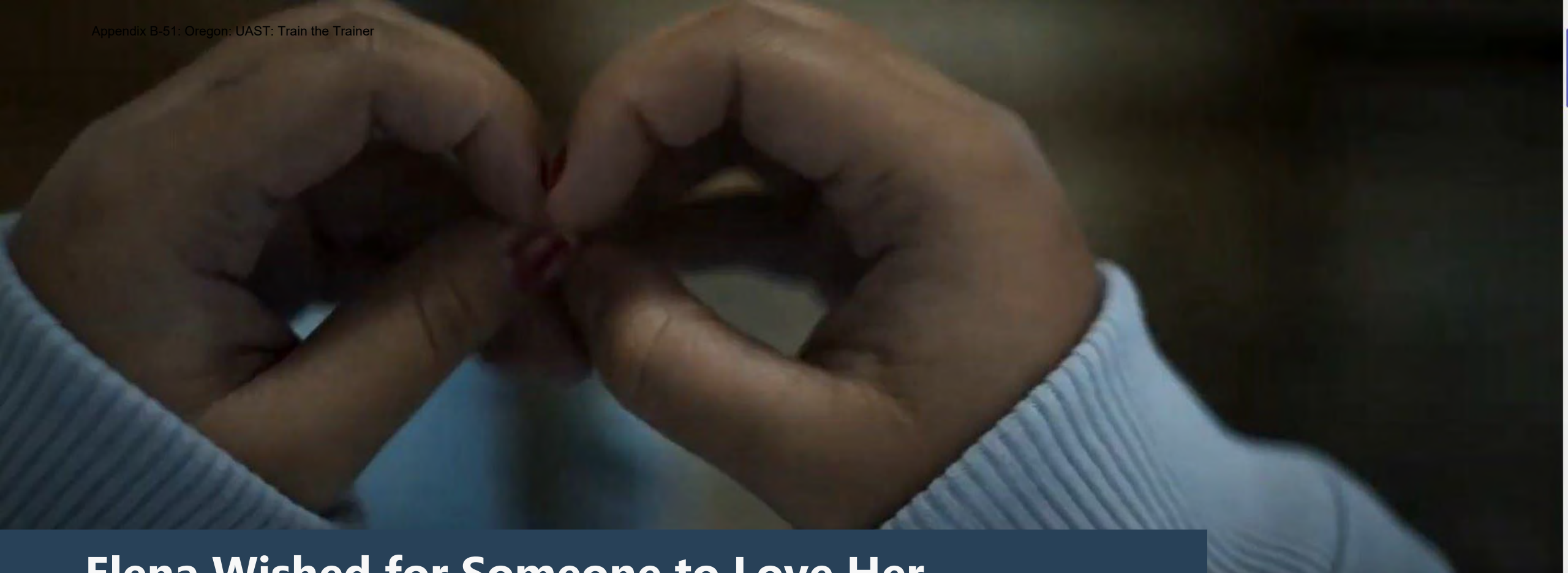






## Hidden in Plain Sight (Human Trafficking PSA)

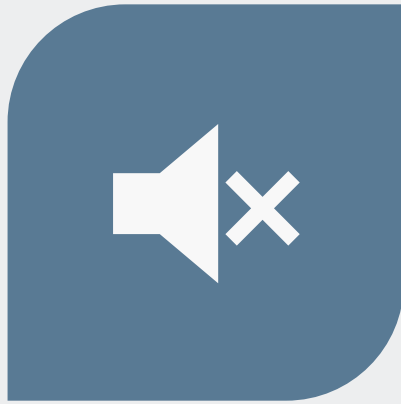
*Ramsaur Films, 2020*



## **Elena Wished for Someone to Love Her**

*This is Human Trafficking Campaign, Colorado Human Trafficking Council (2020)*

# Now what?



Don't respond.



Tell them how you **really** feel, unfiltered, unedited.



Respond to connect and correct.

# Tips for Delivery

---

Keep them engaged

---

Preserve

---

Educate

---

Provide resources and/or  
alternatives



# Small Group Discussion |



Brainstorm |

# Polling Questions

Did "When Media Goes Bad" meet your expectations? Yes/No

If no, where did the session fall short?

As a result of this session....

I can evaluate media to avoid reexploitation of survivors and misrepresenting trafficking.

I have strategies to challenge harmful media when I see it.



Break





Questions

Drawing

Evaluation



# Navigating Difficult Questions

---



# This session...



GOALS



STRATEGIES



RESPONSE

How comfortable do you feel addressing difficult questions about human trafficking?



Why?

# Tips for Delivery

---

Keep audience engaged

---

Preserve learning environment

---

Correct or inform

---

Provide alternatives



# Brainstorm

# Tips for Delivery

---

Keep them engaged

---

Preserve learning environment

---

Correct or inform

---

Provide alternatives



# Strategy



PREPARE



PAUSE



RESPOND

---

# Respond

---

Validate  
Educate  
Counter  
Redirect  
Follow-up



**“I don’t get it.  
Why don’t they  
just leave?”**



# Small Group Discussion |

**A: “Where were the parents? Why didn’t they help?”**

**B: “This would never happen to my child.”**

# Tips for Delivery

---

Keep them engaged

---

Preserve learning environment

---

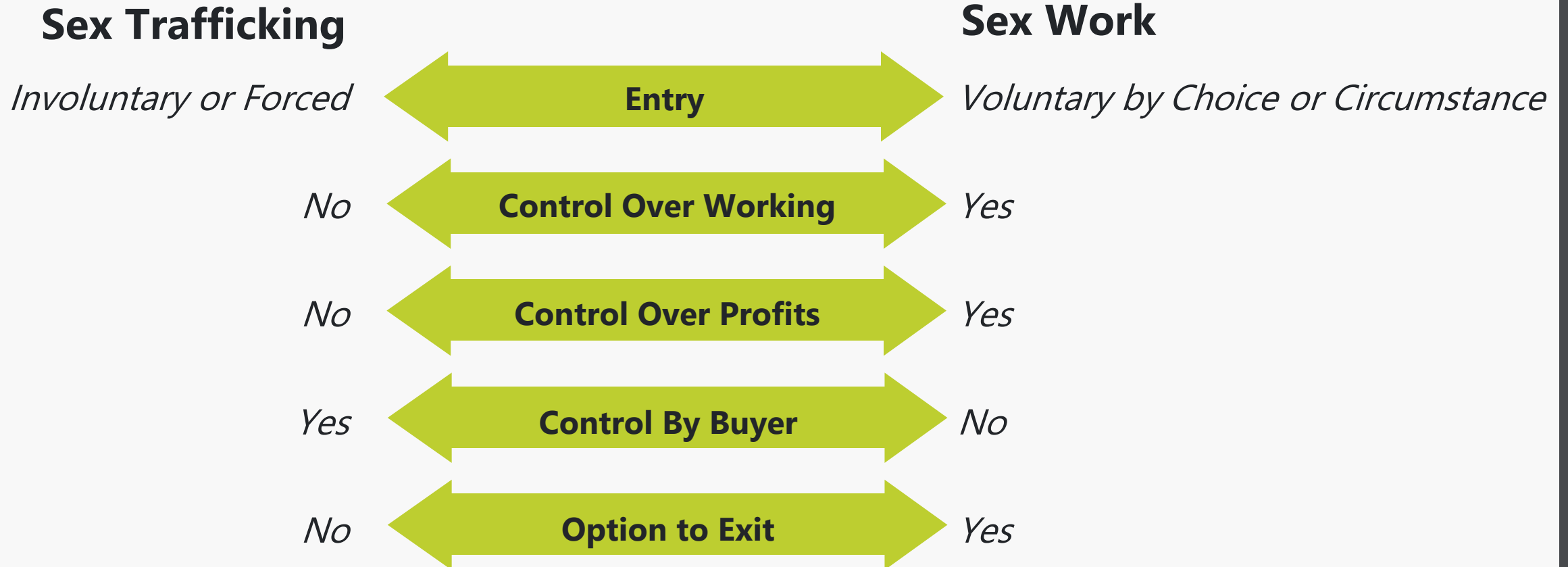
Correct or inform

---

Provide alternatives

**“Wouldn’t  
trafficking go  
away if we just  
legalized  
prostitution?”**

# Sex Trafficking vs. Sex Work





# Objective of Model

## Equality Model

Decriminalize people in prostitution while continuing to hold exploiters and sex buyers accountable.

## Full Decriminalization Model

Decriminalize the sex trade, including prostitution, patronizing prostitution (sex buying), brothel owners, and promoting prostitution (pimping).

Both groups agree that people bought and sold in the sex trade **must not** be prosecuted.

After all of this, how comfortable do you feel responding to comments and questions that come up in training that may be victim blaming, perpetuating myths, alienating, etc.?

# Tips for Delivery

---

Keep them engaged

---

Preserve learning environment

---

Correct or inform

---

Provide alternatives

# Polling Questions

Did "Navigating Difficult Questions" meet your expectations? Yes/No

If no, where did the session fall short?

As a result of this session....

I have strategies to respond to difficult questions and comments.

I feel more prepared to respond to difficult questions or comments.

Please rate the following for this session.

The quality of instruction.

The quality of activities and interactions.

The quality of the learning environment.

# Polling Questions

Agree or Disagree?


I am committed to using the UAST curriculum in my community.

I am confident I can deliver the UAST curriculum.

I believe that using the UAST curriculum in my community will help raise awareness about sex trafficking.

I believe that using the UAST curriculum will help audiences feel more empathy toward sex trafficking victims and survivors.

I believe that using the UAST curriculum will motivate audiences to take steps to address sex trafficking.



See you on April  
4<sup>th</sup>!

---



# Sex Trafficking Train the Trainer

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Session 6



# Polling Questions

1. Did you complete your independent work and deliver one of the modules from UAST?

Yes/No

2. On a scale of 1 to 5, how prepared did you feel to facilitate and make it interactive? (not at all prepared, slightly prepared, moderately prepared, very prepared, extremely prepared)





## Where We're Going Today...



Looking Back



Laying the Foundation



Looking Forward



# Looking Back



# Reflection Questions

What was the most challenging moment? Why?

Was my audience engaged? How do I know?

What barriers got in the way of finishing the assignment?

What did I need from T.R.I.P. to get the assignment done?



# Discuss

Debriefing  
Independent  
Work



---

## Did you...

---

Have folks who appeared distressed?

Get challenging questions or comments?

Run out of time?

Find issues with the facilitators guide?



# Audience Reaction



# Laying the Foundation

# Polling Questions

- Do you already have UAST trainings set up to deliver? (yes/no)
- Do you think the shelter staff is ready for this type of training? *Yes / No*
- Would you pitch the UAST training at this point? *Yes / No*



# Roleplay: Asking the Right Questions



Break



# Discuss

Cultivating  
Buy-In



Looking Forward

# Ways you can help...



**Complete series evaluation**

**Track the delivery of the UAST**

**Attend the TtT Graduate Hour**

**Watch for curriculum updates**



T.R.I.P. is  
here to help

# Polling Questions

1. Did the workshop meet your expectations? Yes/No
2. If not, please explain where the workshop fell short?
3. Please rate the quality of the instruction.
4. Please rate the quality of activities and interactions.
5. Please rate the quality of the learning environment.  
Outstanding, exceeds expectations, Successful, improvement expected, unacceptable.
6. As a result of this session, I am prepared to generate interest in my community for this curriculum.
7. As a result of this session, I am committed to using the curriculum in my community.
8. As a result of this session, I am confident I can deliver this curriculum.
9. What, if anything would you change about this workshop to improve it?
10. Thinking about the Train-the-Trainer workshop series, what skills, information or other resources were most useful to you?
11. What suggestions do you have for improving the Train-the-Trainer workshop series?



# Questions

# Evaluation



# Teaching Adults

## Instructions for Small Group Activity

### Adult Learning Theory Assumptions:

- **Self-Directed**  
Adults prefer more self-directed learning (rather than instructor-led).
- **Experience**  
Adults bring a lot of experience to the classroom from which they can draw knowledge and references.
- **Ready to Learn**  
Adults are ready to learn when there is a reason to learn it.
- **Applicable**  
Adults want learning to be applicable to their everyday lives.
- **Internal Motivation**  
Adults want to learn for their own reasons (not for external factors).

### Instructions:

In a small group, explore these three questions.

Which of these assumptions resonates most with you?

What is one thing you might change/do when teaching adults?

If you have experience teaching adults, what advice would you offer someone who is new?

Select someone from your group to share your response with the larger group.

# Interrupting Media that Misrepresents Human Trafficking

Instructions for Small Group Activity (When Media Goes Bad)

## Scenario:

A new nonprofit in your community joins your taskforce. The director is passionate, filled with ideas and trying to do the right thing. They are still building their understanding of trafficking.


They reach out to you by email to say they have found an awesome trafficking video that they have shared on their social media page. It is from Ramsaur Films and available on YouTube (<https://www.youtube.com/watch?v=Jqdu--2Y6Pc>). They think the task force should share it too.

They want to talk to you about it at the next task force meeting. They have been receptive to your suggestions in the past. You still remember what it felt like to be the new person and you recognize that your understanding of trafficking has evolved since you started.

You know this is going to come up the next time you see this person.

## Instructions:

In a small group, talk about how you might respond to this request. In your response, think about four goals:



Keep them engaged with the task force.

Preserve the relationship with the program and the director.

Educate them about why you do not recommend using the video.

Give resources and/or alternatives.

Select someone from your group to share your draft response with the larger group.

# Virtual Session Role Play Exercise

Trafficking coordinator (TC): Amanda

Service provider (SP): Caroline

## Demonstration A:

SP:

- This is Caroline from the local runaway and homeless youth shelter.
- Thanks for taking my call.
- Worked with a trafficking survivor last week. The survivor ended up running and we are not able to make contact.
- Looking for information on how to work with survivors of trafficking and what they can do in the future to have more success.

TC: OK so it sounds like you're looking for some training for your staff. **Who** would you like to have us train?

SP: Some administrative staff and our overnight staff. Maybe our case managers.

TC: So, it sounds like you're already serving trafficking survivors. What percent of your staff has had at least some introductory training on trafficking training?

SP: We used to have quite a few people, but we've had some turnover since this summer. I'd say maybe half.

TC: What type of **training have they received?**

SP: Some of our staff have attended online training.

TC: What would you like your shelter staff **to know and be able to do** because of the training we can offer?

SP: How to work with trafficking victims and keep them from running.

## Debrief A:

**PAUSE FOR AUDIENCE INVOLVEMENT: (led by Caroline)**

**Poll 1: Do you think the shelter staff is ready for this type of training? Y/N**

**Raise your hand if you think training alone going to address the issue of youth running from the shelter?**

**Chat/Unmute: What else might they need to do to address the issue of youth running from the shelter?**

**Poll 2: Would you pitch the UAST training at this point? Y/N**

**TC \*to audience: I'm going to suggest that they begin with UAST because I'm not confident in the training they've already received, and the training received is different between staff, and because I don't know how much empathy they have for survivors, and empathy is key to working with the survivors.**

**Demonstration B:**

**TC: Deliver the pitch for the UAST. What do you think? Would you be interested in setting this up?**

**SP: Respond to pitch and question.**

**Stop demonstration**

**Debrief B:**

**Audience engagement:**

**What did you think about Amanda's pitch? Could you see yourself doing something similar?**

**How did this feel to you?**

**Also – this was an abbreviated version – we didn't ask all the questions on the form because I saw a need for the basic training first – we can get at the other things after. Reference the form.**

# Guidance Note on Use of Victims' Images 2016

**FREEDOM  
COLLABORATIVE**  
TO END HUMAN TRAFFICKING. TOGETHER.

**LIBERTY ASIA**  
TO PREVENT  
HUMAN TRAFFICKING



 **BNP PARIBAS**  
The bank for a changing world

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# Preface

A face can tell a million stories and over the years humanitarian campaigns have relied on the use of imagery to raise awareness, raise funds and mobilise support. Over time a very strong link has developed between humanitarian assistance and imagery. In particular, the faces of victims are often used as part of victims' voice to communicate their stories or a means to reinforce a message. This "humanitarian narrative" has been and continues to be used to bridge the distance between the victim and the audience, allowing the stories to be heard and making the stories more accessible. Using victims' images and often, the misuse of such images, raise important ethical questions. Hence, one must evaluate closely whether such use is acceptable and that the victims' best interest should be the primary consideration and their autonomy and rights must be respected at all times.

The initiative to create this Guidance Note came about following a discussion among anti-trafficking stakeholders on Freedom Collaborative, a partnership project between Liberty Asia and Chab Dai. We would like to see this as an opportunity to reflect upon, discuss and provide a point of reference for organisations to develop strong practices to honour the rights of victims whilst also ensuring that their voices are heard. The voices and experiences of victims remain central to the counter-trafficking movement but must always be informed by key principles such as informed consent and respect for individual autonomy and rights.

This Guidance Note is a suggested statement of best practice and principles that can be used to guide organisations through some checks and balances that need to be observed when making the decision whether to use a vulnerable person's image or not. We hope that over time we will be able to add to this document through the collective experiences of partner organisations and the Freedom Collaborative community.

Liberty Asia would like to thank the Hong Kong and Singapore based legal team at BNP Paribas who have dedicated much time, thought and effort in supporting Liberty Asia to put this Guidance Note together.

Archana Sinha Kotecha  
Head of Legal  
Liberty Asia

For any questions or comments, please contact [legal@libertyasia.org](mailto:legal@libertyasia.org)





## A NOTE FROM OUR PARTNERS

We are delighted to contribute to Liberty Asia's work in providing organisations with reference materials on the rights of victims. The use of victim's images touches on a number of fundamental human rights and is clearly a very important topic both for any organisation which uses images in its activities and for victims themselves. We hope you find this manual useful in providing practical advice on how to ensure that the voice of victims is heard and their rights are respected.

BNP Paribas

There is no doubt that images are powerful and in most cases are more effective than many other tools when creating awareness on an issue like human trafficking. However, when dealing with victims of human trafficking it is extremely important to remember that protecting them while maintaining their integrity is key. There are many times we have failed in doing that even when our intentions are well intended when using images. This handbook is a guideline that will help us all avoid those grey areas while offering service to victims of trafficking.

Sophie Otiende  
Awareness Against Human Trafficking (HAART)

The use of victim imagery in media & communications have the ability to be used as a positive tool for advocacy, but can also be used to inflict "secondary victimization" upon victims, survivors or other vulnerable populations by re-enhancing and/or sensationalising their feelings of violation, shame, disorientation, and loss of control. Even with good intentions, NGOs and other advocates have further stigmatised these individuals in communications and especially in fundraising.

The purpose of this document is to ensure that as NGOs and advocates, we respect human dignity and the right to personal privacy when sharing images or media containing information on those whom we work with or endeavour to protect, especially children.

I believe that all individuals have the right to tell their own story and we need to always keep in mind that the stories and images belong to them - not to us.

I hope that these guidelines will help us be more intentional about protecting the dignity and rights of those who we work with.

Helen Sworn  
Chab Dai



#### DISCLAIMER

This Guidance Note offers best practice principles and Liberty Asia does not accept responsibility for the accuracy of foreign laws, or the accuracy of the translations. Users should at all times consult the full text of the relevant laws in the original language. This Guidance Note does not constitute legal advice under any circumstance.

# INTRODUCTION

This Guidance Note is provided by Liberty Asia to NGOs across the Asia region as a suggested statement of best practice and guidance in relation to obtaining and using images of victims of human trafficking, slavery and forced labour. In addition to the Guidance Note, Liberty Asia has also provided a suggested form of Consent Letter (Annex 1), and a Checklist of Key Issues (Annex 2) for use by NGOs to supplement and enhance the Guidance Note. This Guidance Note should be consulted by NGOs whenever they are obtaining images of people for use in their publications or other media.

This Guidance Note should be used by NGOs whenever obtaining or using images of victims of human trafficking or forced labour. Consent should always be obtained prior to the use of any image of a person in accordance with the guidance set out in this document.

The guidelines for the appropriate use of victims' images which are set out in this document have a solid foundation in law, both in international treaties and conventions and in the domestic laws of many countries in the Asian region. The relevant laws fall into three main categories:

1. Laws which seek to protect a person's right to privacy – these laws act to limit government and private action which interferes with a person's privacy or makes inappropriate use of a person's personal information, including images of them. The right to privacy is enshrined at an international level in the *Universal Declaration of Human Rights and the International Covenant on Civil and Political Rights* and is reflected in many laws in the region, such as Singapore's *Personal Data Protection Act 2012* and Hong Kong's *Personal Data (Privacy) Ordinance (Cap 486)*.
2. Laws which specifically seek to protect minors – these laws, such as the *Convention on the Rights of the Child*, seek to provide special protection for children, due to their particular vulnerability to exploitation as compared to adults.
3. Laws which set out criminal offences for the publishing of victims' images – these laws impose criminal liability for publishing the images of victims who are particularly vulnerable, such as victims of human trafficking (for example, section 56 of Thailand's *Anti-Trafficking in Persons Act 2008*). These laws are particularly relevant to victims in a court trial but often apply more widely. Breaching many of these laws can result in significant monetary fines or even imprisonment.

For further detail on these laws, please see **Annex 3**.

The following principles aim to reflect these legal concepts within the context of the use of a victim's image by NGOs in Asia in marketing or campaign materials.

# PRINCIPLE 1: THE CHOICE OF IMAGE AND TEXT SHOULD BE RESPECTFUL OF THE VICTIM

The choice of the image and the message conveyed with the image are important and should relate to the issue on which awareness is being raised. Media coverage, when too sensational or inaccurate, can have the effect of victimising further the person the NGO is trying to help, which could then impede their recovery process. This is an issue particularly for children, because their perception of themselves is more dependent on how their peers view them.

The image should only be taken and used if there is a valid reason associated with the activity involved and with the best intentions of the person in mind.

## 1.1 Avoid images that stereotype the victim or sensationalise the issue at stake

Sensationalist images can unintentionally create or reinforce stereotypes or negative prejudices, for example in relation to sex trafficking victims.

Stereotypical photographs may not accurately present the gender diversity of human trafficking. For example, forced labour in agriculture, textiles and construction is often represented as a male victim issue, and trafficking of sex workers is often represented as a female issue, whilst in many cases the victims are both men and women. Reinforcement of such stereotypes can give a very narrow or prejudiced view of the issue to the public and the government, which may then be reflected in government policies and legislation, and in the reaction of the public to these issues.

### + Guidance

- Images of people in vulnerable situations should focus primarily on the reasons for and the context of a situation, rather than on an individual's suffering.
- Consider the dignity of the person who has been captured in the image. Does the image reinforce the trauma? Where appropriate, try to show women in the powerful position they often occupy within families and communities.
- Be careful when framing a photograph. Consider the angle of the photograph. Try not to take images from above, which look down on a person or group. Try to avoid taking a close-up photograph, especially of someone who is injured, ill, or dying.

## 1.2 Avoid images that include excessive or unnecessary information

Laws in the region restrict excessive collecting of personal information. Avoid taking and using a photograph which includes excessive or unnecessary information about a person. Consider whether the photograph includes further details about the person and whether those details are necessary to be included.

For example taking a picture which includes a person's identifiable accommodation or showing the person's identity documents would be an excessive collection of information in most circumstances. The additional information could put the person at risk because their actual identity or location could become known.

### + Guidance

- When necessary, consider masking or cropping the content of the photograph to protect subjects.
- Although it is desirable to provide some information on the context of the photograph, the image should not reveal too many details about victims as it may endanger them.

## 1.3 Working with the victim in an equal partnership

Any text connected with the photograph should focus on promoting working together with people and communities, and showing the victims as capable of changing their lives. Article 1 of the *Universal Declaration of Human Rights* poses this principle clearly: "All human beings are born free and equal in dignity and rights. They are endowed with reason and conscience and should act towards one another in a spirit of brotherhood."

### + Guidance

Any text connected with the photograph and, where appropriate, the image itself should:

- Highlight the role of the NGO facilitating a project with the help of the people or community at stake.
- Encourage a call for action to address the cause of human trafficking or forced labour in a way that empowers both the victim and the person providing the assistance.
- Try to highlight the complexity of the situation and how people can work together to address the issue.

## 1.4 Additional guidance for children

When working with children, the highest standards must be adhered to in relation to human rights and child protection and the NGO must act in accordance with any relevant child protection policies. Article 3 of the Convention of the Rights of the Child states that “In all actions concerning children, whether undertaken by public or private social welfare institutions, courts of law, administrative authorities or legislative bodies, the best interests of the child shall be a primary consideration.” The United Nations Resolution on Guidelines on Justice in Matters involving Child Victims and Witnesses of Crime refers specifically to children’s right to privacy and states that measures should be taken to protect children from undue exposure to the public.

The best interests of each child are to be protected over any other consideration, including over advocacy for children’s issues and the promotion of children’s rights.



### + Guidance

- It is best if images focus on an activity and, where possible, feature groups of children rather than individuals so that no single child stands out.
- Only use images of children in suitable dress to avoid potential misuse by others.
- Be careful when revealing too many details about individual children as it may endanger them, although it is desirable to provide some information on the context of a photograph. Focusing on a group or family rather than individual children can provide more protection.
- Photographs and stories must not use real names of children or real locations when communicating sensitive information e.g. sexual abuse.

#### Tips for selecting images:

- Consider whether you would be comfortable or happy sharing the image if it contained a member of your family or yourself.



# PRINCIPLE 2: THE CHOICE OF IMAGE AND TEXT SHOULD BE REPRESENTATIVE OF THE ISSUE

The image and the accompanying text must reflect the issue, both in its immediate context and as part of a broader problem and the same image should not be used for an extended period of time. In any accompanying text, include precise and accurate information about the situation, and the background to the issue, the role of the NGO and any institutions involved. If appropriate, highlight the cause and effect of the situation to explain the complexity of the issue.

## 2.1 Diversity

To ensure that the full story is heard or seen, care should be taken to include as diverse a population as possible. It is not just women and children who are trafficked or used for sexual exploitation and it is not an issue which is unique to a specific country in Asia. Campaigns and messages should reflect the depth of the problem.

### + Guidance

- Think about the use of the image for the project in hand. If the campaign is to raise awareness for forced labour, use an image which depicts a diversity of subjects: men, women, young, old and from a variety of countries.
- Think whether people included in the image or affected by the issue being represented would feel that it is an accurate representation of the issue.
- Involve local staff where possible to obtain more information on the issue and ensure that the facts are correct. Soliciting the help of local staff can also facilitate better understanding of victim's culture and background, thus appropriate action can be taken.



## 2.2 Do no harm

You have an obligation to ensure the safety and well-being of victims and any person with whom you have any contact in gathering images and information. Remember that victims might still be at risk if the trafficker and/or his/her accomplices have not yet been apprehended.

### + Guidance

- If there is a risk of harm, retribution or distress to the victim, do not use their image.
- If there is a risk of harm, retribution or distress to the victim due to the use of their name, consider using a false name.
- Do not contact a person if you cannot be certain that you can ensure their safety or if you do not have enough information to make an informed determination on the level of risk.
- Where a false name is used, or no name is provided, it is important to explain why, for example by saying that it is to protect the identity and privacy of the individual.

## 2.3 The Voice Behind the Image

There is nothing more powerful than hearing of an event or a situation first hand; the people who have experience of human trafficking are those best placed to explain or depict what it means. This should be done without further exploiting a victim through the use of their image.

This ties in with obtaining consent and avoiding stereotyping - if an interview/campaign has the person telling the story, this can have a greater impact on the overall issue and how it is understood. An opportunity should be given to victims whose situation is being represented to communicate their stories themselves.

## 2.4 Do not retain images for longer than necessary

Laws in the region state that information about people should not be kept for longer than necessary for the purpose it was collected for. Additionally, when a person gives consent for use of their image, in most circumstances, there is a reasonable expectation from them that it won't be used in perpetuity and this expectation should be respected.

To meet these requirements, expiry dates should be assigned to images (for example two to three years) or, if the image was taken for a specific campaign, it should not be used after the end of the campaign. Where images are retained for future use, relevant names, dates, and other contextual information should be stored with them, as well as the signed consent for their usage.

When the image is no longer needed, where practicable, it should be deleted. Although this does not mean deleting archives of published campaign materials the image was used in, if such materials need to be retained for archive purposes.

If a person did not give their consent for the use of the image, there is no reason to retain the image. Consequently, the image should be erased from the NGO's image database. This is to avoid any future use on a misguided assumption that the image can be freely used.

### Tips for selecting images:

- Consider whether the image reflects the issue you want to raise awareness of.



# PRINCIPLE 3: RESPECT THE VICTIM'S PRIVACY AND DIGNITY

The right to privacy is enshrined in Article 12 of the Universal Declaration of Human Rights, and should be respected at all times. In some cultures, the trafficking of a victim may bring shame to the victim's family within its own cultural community and thus individuals and families may not want any of their extended family, neighbours or community to learn about it. Women in some cultures may be blamed if they are sexually assaulted and the act of reporting on children can place them or other children at risk of retribution or stigmatisation.

## + Guidance

- Exercise good judgment at all times and in all circumstances. This concept is enshrined in the Basic Principles of Human Rights Monitoring published by the United Nations.
- Be careful when revealing too many details about victims as it may endanger them, although it is desirable to provide some information on the context of a photograph.
- Details attached to images and included in stories must not allow the victim to be traced to his or her home or community. Distinctive buildings, street signs or landmarks should not be included in an image if they identify where the victim lives or works.



# PRINCIPLE 4: OBTAIN PRIOR CONSENT, BE TRANSPARENT AND ACCURATE

Only take and use photographs of a person if (a) it has been clearly explained what the image will be used for; and (b) the person has given their consent to use of the photograph.

These principles are reflected in laws in the region and are also about respecting people's interest to control how their images are used. Some people may not want their image to be made public especially if it is used in a manner which identifies them, expressly or implicitly, as trafficking victims – whether or not their name is included with the photograph.

## 4.1 Provide a Clear Explanation and Obtain Consent

Before taking a photograph of a person, always ask their consent and explain the proposed use of the image. If permission is not granted, the image should not be used.

Consent must be provided by the person on an “informed” basis. It is important for people to know the implications of consenting to the use of their image. This means that when seeking consent, it must be explained fully to the person what their image will be used for and for what purposes. Risks and benefits should also be communicated in order to provide a wholesome picture to the person. One must be mindful that the patronage of an individual by an organisation in a shelter (or otherwise) may make an individual feel obliged to give consent out of gratitude. The checks and balances put forward in this Guidance Note must be applied to such situations to ensure that consent is truly free and informed.

If the NGO wants to collect and use a person's name, consent must also be obtained. Record whether the person wishes to be named and always act accordingly. **A suggested form of consent letter is included as Annex 1 to this Guidance Note.**

## + Guidance

- As well as a verbal explanation, a written explanation of the intended use of the image should also be given. Consent should be obtained from the subject or their parent / guardian in writing. This practice gives the person a better opportunity to digest what they have been told and creates a record of their consent.
- Permission must be obtained in circumstances that the person or their parent/guardian are not coerced or feel obliged to give consent. Rewards should not be offered as an incentive to consent particularly where the consent could be compromising the child.
- The explanation and request for consent should be made in the person's language. A reliable translator should be used and they should be aware of the purpose for which the images will be used and the spirit of this Guidance Note.
- Always act in accordance with the original explanation and the person's consent. If consent is given to use the image, only use the image in accordance with the scope of the explanation provided to the person.
- Generally, when a person gives consent for use of their image or name, the expectation is that the consent was only for that organisation's use. The images or names should not be shared with other organisations for their own use, unless the person has consented to such sharing between organisations. However, the explanation on the risk that online images can be accessed and illegally shared and copied should be made to the person.
- The ability to revoke consent at a later date should be communicated to the person from the beginning and must be respected.

### Tips for clear explanations:

- The explanation of the use of the image should explain that the person's image or name might be seen locally and globally, and that the publication would identify the person as a victim of trafficking or at least be used in material relating to human trafficking.
- If possible, when obtaining consent show some examples of the kinds of uses that the image could be used for, and the sort of materials it might be published in. This will assist the person to further understand how their image will be used.

## 4.2 Use of model

Consider whether a model could be used for the photograph, rather than an actual victim. This would minimise the collection of excessive information and reduce the risks of using an image of a real victim. If a model is used, ensure the model is provided with the same respect and protections set out in this guidance, including notifying them what the image will be used for and obtaining their written consent. Depending on local advertising rules, it may be necessary to state in the published materials that the person is a model.

## 4.3 Accuracy

It is important to ensure images are used accurately. If consent is given for the use of the image, ensure the use of the image does not describe or imply facts about the person which are incorrect. For example, do not describe the person as a victim of sex-trafficking if in fact the person is a victim of forced labour.

## 4.4 Additional guidance

- The best interest and safety of the person must be placed over any other consideration, including advocacy and promotion of the NGO's cause. Even if the person has given their consent to use their image and/or name, it should be considered whether the use could result in a risk or suffer harm, retribution or loss to the person or their family.
- • If the person is the subject to an inquiry or court hearing which expects the identity of the victims to be kept anonymous, do not publish or disseminate information (pictures, written reports, or recordings) about the person which could reveal directly or indirectly their identity.
- This Guidance Note recognises that it is not always possible to seek consent of individuals in all circumstances, such as images of a large crowd of people. However, the principle of respecting people's interests should always be taken into account. Consideration should always be given to whether anyone in the photograph could be identified and as a result risk or suffer, harm, retribution, loss, or social ostracisation as a result of the photograph's publication.

# Annex 1

## Proposed Form of Consent Letter

*Note to NGO: insert details as specified in square brackets [], and consider whether the additional information in square brackets is necessary or not. Remove the square brackets before printing the letter.*

Dear Sir/Madam

We, [INSERT name of NGO], are an organisation [INSERT short description of the organisation and what it does].

We [have recently taken][would like to take] some photographs of you [and/ or the children of whom you are the parent, or guardian, and whose names are set out below]. We would like to ask for your permission to keep and use the photographs and the names of the persons in the photograph and any information you have provided us in this letter for the purposes described below.

Purposes of the photographs: If you sign this letter, these photographs [and names] may be used by us in any media, including in our printed publications, presentations, promotional materials, advertisements, internet website, social media or on television. These photographs [and the names of the people in these photographs] may be seen by people throughout the world. We may use these photographs for a period of up to [3] years.

We will not share the photographs or your name or information with any other organisation or person for their own use. We will always act in accordance with all applicable laws in the use of the photographs and information.

Your Consent: If you agree that we can keep and use the photographs is described above, please write your name and sign below. [If you want, you can write your contact details for us to keep them for information purposes and to contact you.]

**Please feel free to ask us any questions you may have before you decide whether or not to give us permission to use these photographs. You do not need to give us permission if, for any reason, you do not wish to. Not granting us permission will not negatively affect you, or our relationship with you, in any way.** If you have any questions or would like to contact us about the use of your image or name, you may contact us here: [INSERT NGO's contact details including a point of contact]

Thank you very much.

Yours faithfully,

Signed on behalf of [Name of NGO]

\_\_\_\_\_

Name:

*I agree to [name of NGO] keeping and using the photographs and the information that I have provided to you in the manner described above.*

\_\_\_\_\_

Name:

[Address: \_\_\_\_\_ Telephone: \_\_\_\_\_ Email: \_\_\_\_\_ ]

Name(s) of children of whom I am a parent/ guardian:

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_



# Annex 2

## Checklist of Key Guidelines

This checklist is a summary of the key guidelines set out in the *Liberty Asia – Guidance Note on Use of Victims’ Images*, which should be referred to for more comprehensive guidance and commentary:

- The best interest and safety of the person must be placed over any other consideration, including advocacy and promotion of the NGO’s cause.
- Do not use an image or name without consent from the victim or their parent/guardian. Clearly explain to the victim what the image will be used for so they can give informed consent.
- Consent must be obtained in circumstances that the person or their parent/guardian are not coerced or feel obliged to give consent. Where necessary, obtain a translation of the consent letter.
- Be cautious about using names. Consider whether it is necessary to include the name of the person in the image. If there is a risk of harm, retribution or distress to the victim, do not use their image. Consider using a false name if this is appropriate and protects the victim.
- Avoid images that stereotype the victim or sensationalise the issue at stake.
- Avoid images which contain excessive or unnecessary information about a person, such as information showing their identity or location.
- Take particular care when photographing children. The best interests of the child are to be protected over any other consideration. Only use images of children in suitable dress to avoid potential misuse by others. Do not use real names of children in images or accompanying text.
- When choosing what images to use, consider whether you would be comfortable or happy sharing the image if it contained a member of your family or yourself.
- Avoid using the same image for an extended period of time. Instead, ensure that the image reflects the current situation.
- Think whether people included in the image or affected by the issue being represented would feel that it is an accurate representation of the issue.

# Annex 3

## Legal Background

### 1. Introduction

This document is intended to detail the legal basis for the guidelines set out in the *Liberty Asia – Guidance Note on Use of Victims’ Images*. It highlights both international and domestic laws and regulations in respect of the use of victims’ images, which exist in order to preserve the safety, security and dignity of victims and their families with regards to photography and personal information. It is important for NGOs to be mindful that it is not only ethical considerations which should guide the use or distribution of such images, but there are real legal restrictions and even offences which apply.

### 2. Relevant legal principles

The international and domestic laws which regulate or restrict the use and/or distribution of victims’ images fall into three main categories:

- (a) laws which seek to protection a person’s right to privacy;
- (b) laws which specifically seek to protect minors; and
- (c) laws which set out other restrictions on the publishing of victims’ images.

#### 2.1. Right to privacy

2.1.1. The proposition that every person has a right to privacy is reflected in a range of international and domestic laws. These limit government and private action which might otherwise breach a person’s privacy.

2.1.2. International laws and treaties: The right to privacy is articulated in a number of international treaties, conventions, protocols and United Nations resolutions including the following:

- (a) Article 12 of the Universal Declaration of Human Rights:<sup>1</sup>  
*No one shall be subjected to arbitrary interference with his privacy, family, home or correspondence, nor to attacks upon his honour and reputation. Everyone has the right to the protection of the law against such interference or attacks.*
- (b) Article 17 of the International Covenant on Civil and Political Rights:<sup>2</sup>  
*1. No one shall be subjected to arbitrary or unlawful interference with his privacy, family, home or correspondence, nor to unlawful attacks on his honour and reputation.*  
*2. Everyone has the right to the protection of the law against such interference or attacks.*
- (c) Article 6 of the Palermo Protocol:<sup>3</sup>  
*Assistance to and protection of victims of trafficking in persons*

*1. In appropriate cases and to the extent possible under its domestic law, each State Party shall protect the privacy and identity of victims of trafficking in persons, including, inter alia, by making legal proceedings relating to such trafficking confidential.*

---

1 United Nations, Universal Declaration of Human Rights, <http://www.un.org/en/universal-declaration-human-rights/>.

2 United Nations, International Covenant on Civil and Political Rights, <http://www.ohchr.org/en/professionalinterest/pages/ccpr.aspx>.

3 United Nations, Protocol to Prevent, Suppress and Punish Trafficking in Persons Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime, <http://www.ohchr.org/EN/ProfessionalInterest/Pages/ProtocolTraffickingInPersons.aspx>.

- 2.1.3. Constitutional rights: The right to privacy is also reflected explicitly or by implication in the constitutions of many jurisdictions.<sup>4</sup> For example, Article 30 of the Hong Kong Basic Law provides that:

*The freedom and privacy of communication of Hong Kong residents shall be protected by law. No department or individual may, on any grounds, infringe upon the freedom and privacy of communication of residents except that the relevant authorities may inspect communication in accordance with legal procedures to meet the needs of public security or of investigation into criminal offences.*

- 2.1.4. Local laws and regulations: In addition to the right of privacy being provided for in the constitutional framework of many jurisdictions, they frequently have laws which address more specific privacy-related concerns. Personal data privacy laws, in particular, will often apply to the unauthorised production and publication of a person's image. These laws regulate the publication of personal information that conveys the identity of a person or allows their identity to be determined. In the Asia Pacific region, related statutes regulating privacy include Singapore's Personal Data Protection Act 2012, Malaysia's Personal Data Protection Act 2010 and China's Computer Processed Personal Information Protection Act 1995. These provide helpful guidance on how personal information should be gathered. For instance, Hong Kong's Personal Data (Privacy) Ordinance (Cap 486) provides that users of data shall collect personal data ("data" includes photographs) in a legal and fair manner, and that the use, purpose and collection of such information should be informed (in a practical manner) to the parties from whom data is collected.

Obtaining consent from the victim is particularly important, albeit that consent alone will not necessarily guarantee that you escape liability under these personal data privacy laws. The nature of the victim's consent and the circumstances in which it is given are very important. You need to explain clearly to the victim, and ensure that the victim fully understands the purpose of the NGO's proposed use and potential distribution of their image.

Failing to obtain informed consent from the victim in this way will comprise an offence under personal data privacy laws in many jurisdictions, such as:

- (a) under section 64 of Hong Kong's Personal Data (Privacy) Ordinance (Cap 486), which provides a maximum penalty of a fine of HKD\$1,000,000 and imprisonment for five years; and
- (b) under section 5 of Malaysia's Personal Data Protection Act 2010, which provides a maximum penalty of a fine of MYR300,000 and imprisonment for two years.

## 2.2. Protection of Minors

- 2.2.1. Due to the particular vulnerability of minors to exploitation as compared to adults, there is a range of specific laws and regulations at both an international and domestic level which seek to provide special protection to minors.

- 2.2.2. International laws and treaties: These include the following:

Article 16 of the Convention on the Rights of the Child:<sup>5</sup>

4 These include the Philippines, the Netherlands, India, the United States of America and Hungary: Constitutional Court Decision No. 15-AB of 13 April 1991. <[http://www.privacy.org/pi/countries/hungary/hungarian\\_id\\_decision\\_1991.html](http://www.privacy.org/pi/countries/hungary/hungarian_id_decision_1991.html)>.

5 United Nations, Convention on the Rights of the Child, <http://www.ohchr.org/en/professionalinterest/pages/crc.aspx>.

1. No child shall be subjected to arbitrary or unlawful interference with his or her privacy, family, or correspondence, nor to unlawful attacks on his or her honour and reputation.
2. The child has the right to the protection of the law against such interference or attacks.

- (a) The United Nations Economic and Social Council's Guidelines on Justice in Matters involving Child Victims and Witnesses of Crime:<sup>6</sup>

**X. The right to privacy**

26. Child victims and witnesses should have their privacy protected as a matter of primary importance.

27. Information relating to a child's involvement in the justice process should be protected. This can be achieved through maintaining confidentiality and restricting disclosure of information that may lead to identification of a child who is a victim or witness in the justice process.

28. Measures should be taken to protect children from undue exposure to the public by, for example, excluding the public and the media from the courtroom during the child's testimony, where permitted by national law.

2.2.3. Local laws and regulations: These include the following:

- (a) In Malaysia, children are protected under the Child Act 2001 and there are restrictions on reporting and publication of pictures of children as victims in a criminal case (section 15). An offender can be subject to a maximum penalty of a fine of MYR10,000 and imprisonment for five years.
- (b) Other countries also have child protection laws: For example, the Child Protection Act (2003) in Thailand; and the Law on Suppression of the Kidnapping, Trafficking, and Exploitation of Human Persons (1996) in Cambodia.

2.3. **Other restrictions on the publishing of victims' images**

2.3.1. Anti-human trafficking laws: Many domestic anti-human trafficking laws include specific restrictions or actual offences for the use of images of victims of human trafficking, such as:

- (a) section 58 of Malaysia's Anti-Trafficking in Persons and Anti-Smuggling of Migrants Act 2007, which prohibits the publishing of information or pictures of any trafficked person or smuggled migrant or which may lead to the identification of a trafficked person or smuggled migrant, with a maximum penalty of a fine of MYR150,000 and imprisonment for three years (the fine can be much higher for a body corporate);
- (b) article 49 of Cambodia's Law on Suppression of Human Trafficking and Sexual Exploitation 2008, which prohibits newspapers and other mass media from publishing or broadcasting or disseminating any information which can lead to public knowledge of the identities of the victims of human trafficking;
- (c) article 25(7) of Laos' Law on Development and Protection of Women 2004, which specifies that a female or child victim of trafficking has the right not to be photographed where this would affect their personal honour; and
- (d) section 56 of Thailand's Anti-Trafficking in Persons Act 2008, which prohibits the taking or distribution of a picture which may lead to the identification of a trafficked person, with a maximum penalty of a fine of THB60,000 or six months imprisonment.

---

6 United Nations Economic and Social Council, Guidelines on Justice in Matters involving Child Victims and Witnesses of Crime, <http://www.un.org/en/ecosoc/docs/2005/resolution%202005-20.pdf>.

- 2.3.2. Laws seeking to prevent obstruction of justice / contempt of court: Victim identification in the context of a court trial remains an important component of the transitional justice and accountability process, but it must proceed in a manner that does not provoke vigilante justice or harm the potential for future criminal prosecutions. Obstruction of justice is a broad concept that extends to effort to prevent the execution of lawful process or the administration of justice in either a criminal or civil matter.

The purpose of laws seeking to prevent the obstruction of justice is to protect the individuals who participate in such proceedings. Obstructive conduct may include publication of victim's images during court processes. In many jurisdictions there are laws to restrict publication of prejudicial material when a case is tried (e.g. Hong Kong – s.87A of the Magistrates Ordinance where it provides that “*no person shall publish in Hong Kong a written report, or broadcast in Hong Kong a report, of any committal proceedings in Hong Kong containing any matter other than that permitted by subsection (7)*”). That which can be reported pursuant to s.87A(7) is very limited – the identity of the Court, the name of the magistrate, the names, or addresses, occupations and ages of the parties and witnesses, the offence, or a summary thereof, the names of counsel and solicitors engaged, the decision of the magistrate to commit the accused for trial, the date and places to which committal proceedings are adjourned (if they are) and whether legal aid was granted to the accused. Publication in contravention of s.87A is an offence for which an offender is liable on conviction to a fine of HK\$10,000 and to imprisonment for six months.

# LIBERTY ASIA

[libertyasia.org](http://libertyasia.org)  
[contact@libertyasia.org](mailto:contact@libertyasia.org)

[facebook.com/libertyasiahk](https://facebook.com/libertyasiahk)  
[twitter.com/libertyasia](https://twitter.com/libertyasia)  
[justgiving.com/libertyasia](https://justgiving.com/libertyasia)

# Deliver the Curriculum

Independent Work | Human Trafficking Train-the-Trainer 2023 | Complete before 4/3/2023

---

**Overview:** Independently or with a partner, select one module of the *Understanding and Addressing Sex Trafficking* curriculum to use for practicing your facilitation skills.

#1

**Decide if you will work with a partner on this assignment.**

There will be time to coordinate with a partner at the workshop.

---

#2

**Decide who your audience will include.**

Audiences should include at least three people. The audience can be people from your organization, task force, community, or fellow Train-the-Trainer participants.

---

#3

**Pick your delivery method.**

Will you deliver it in-person? If so, where? Will you deliver it online? If so, which virtual meeting platform will you use?

---

#4

**Set the date when you will deliver the training.**

We recommend scheduling the presentation for one hour. Plan to complete the presentation **no later than April 3<sup>rd</sup>**.

---

#5

**Set the date for when you will run-through the training.**

If you're delivering online, your rehearsal should be done on the virtual meeting platform you plan to use. If you're delivering in person, try and meet in person to do your run-through. Run-through your section at least one time.

---

#6

**Pick one module of the curriculum to deliver.**

Consider who your audience is when choosing the section to deliver.

---

#7

**Decide who will cover what.**

Divide the module so that both people get a chance to be the instructor. Be sure to refer to the Facilitator's Guide and use the instructor's notes for the delivery method you select.

---

**#8**

**Prepare to present.**

Using the Facilitator’s Guide, review the Prepare notes for the slides you will be covering. Gather any materials or handouts listed on the first page of the module.

---

**#9**

**Decide how you’ll get feedback.**

How will you know what your audience thought of your presentation? Will you use the sample evaluation form that’s included in the Facilitator’s Guide? Will you ask people to share their feedback with you directly at the conclusion of your presentation?

---

**#10**

**Complete your run-through.**

Make sure you give yourself enough time to run-through each part of the section, including launching videos and explaining activities.

---

**#11**

**Complete your presentation.**

---

**#12**

**Reflect on the experience.**

Respond to the reflection questions listed below.

**Reflection Questions:**

1. What was my best moment and why?
2. What was my most challenging moment and why?
3. Was my audience engaged? How do I know?
4. Was there anything that didn’t go as expected when I delivered the module?
5. What new questions do I have about the curriculum or how to deliver it?
6. If I had the opportunity to deliver this session to the same group of people again, what would I do differently?

**For more in-depth self-evaluation, visit:**

[https://cdn.ymaws.com/www.aici.org/resource/resmgr/documents/Trainer\\_Self\\_Evaluation\\_For.docx](https://cdn.ymaws.com/www.aici.org/resource/resmgr/documents/Trainer_Self_Evaluation_For.docx)

---



# INDICATORS

Recognizing and Responding  
to Sex Trafficking

*Presented by:  
Amanda Swanson*

# OVC Funding

This training was created with the support of grant 22-GG-01577-DTVF, awarded by the Office for Victims of Crime, Office of Justice Programs, U.S. Department of Justice.

The opinions, findings, and conclusions or recommendations expressed in this content are those of the contributors and do not necessarily represent the official position or policies of the U.S. Department of Justice.

# Expectations



**Be present.**



**Participate.**



**Be receptive.**

# Recognizing



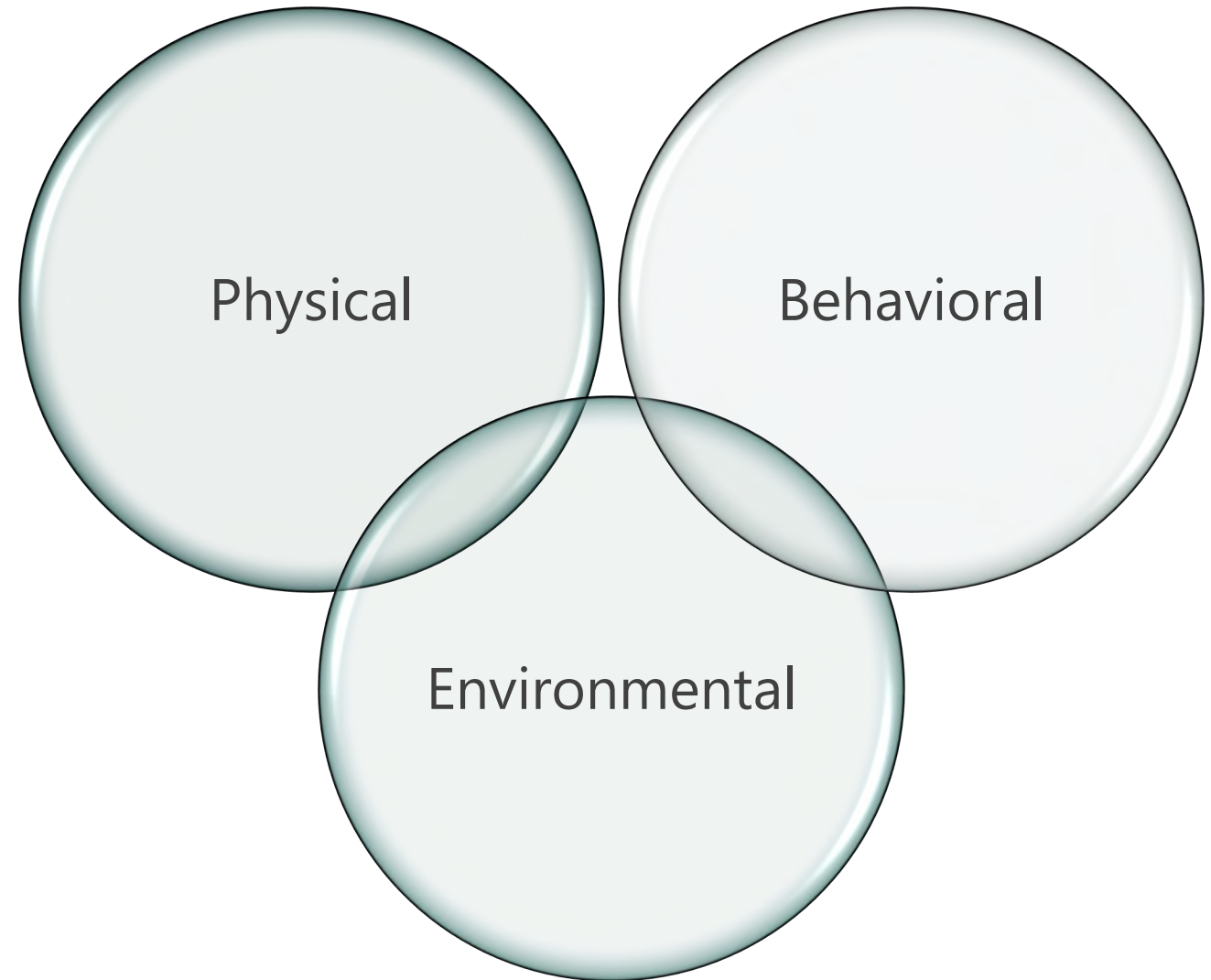
# Brainstorm

Disclosure is **not** the goal.

It is more important to identify and understand the individual's unique needs.

"Different Approaches to the Conversation: Universal Education and Screening Tools"

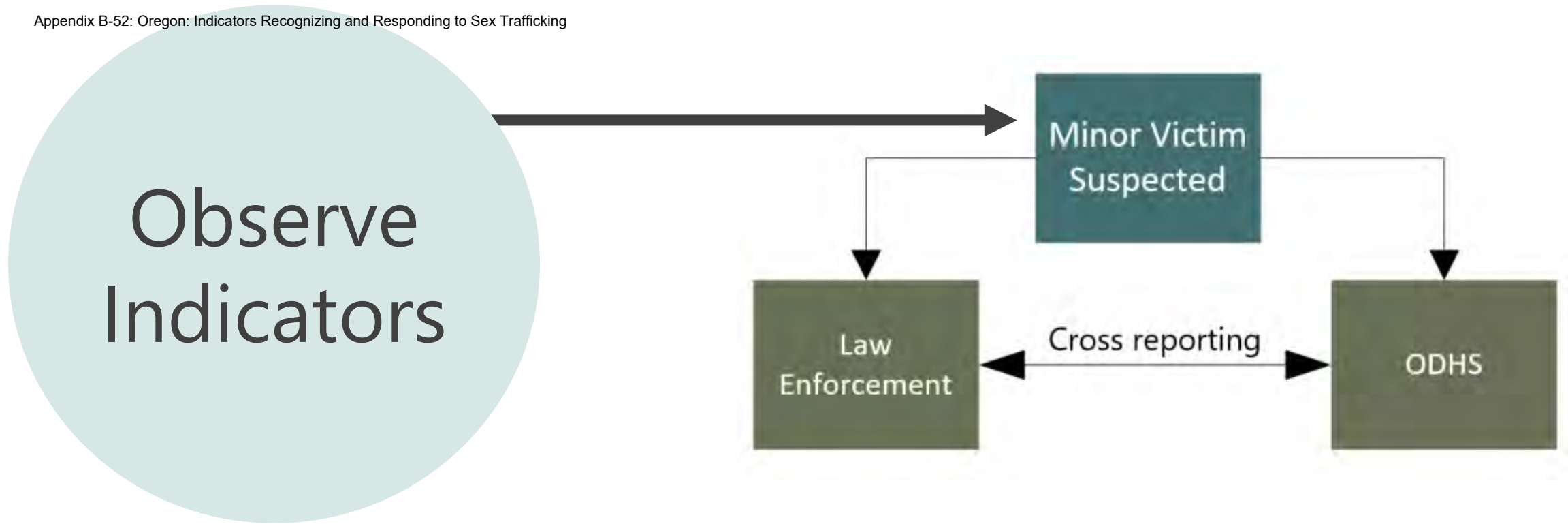
# Recognizing Sex Trafficking

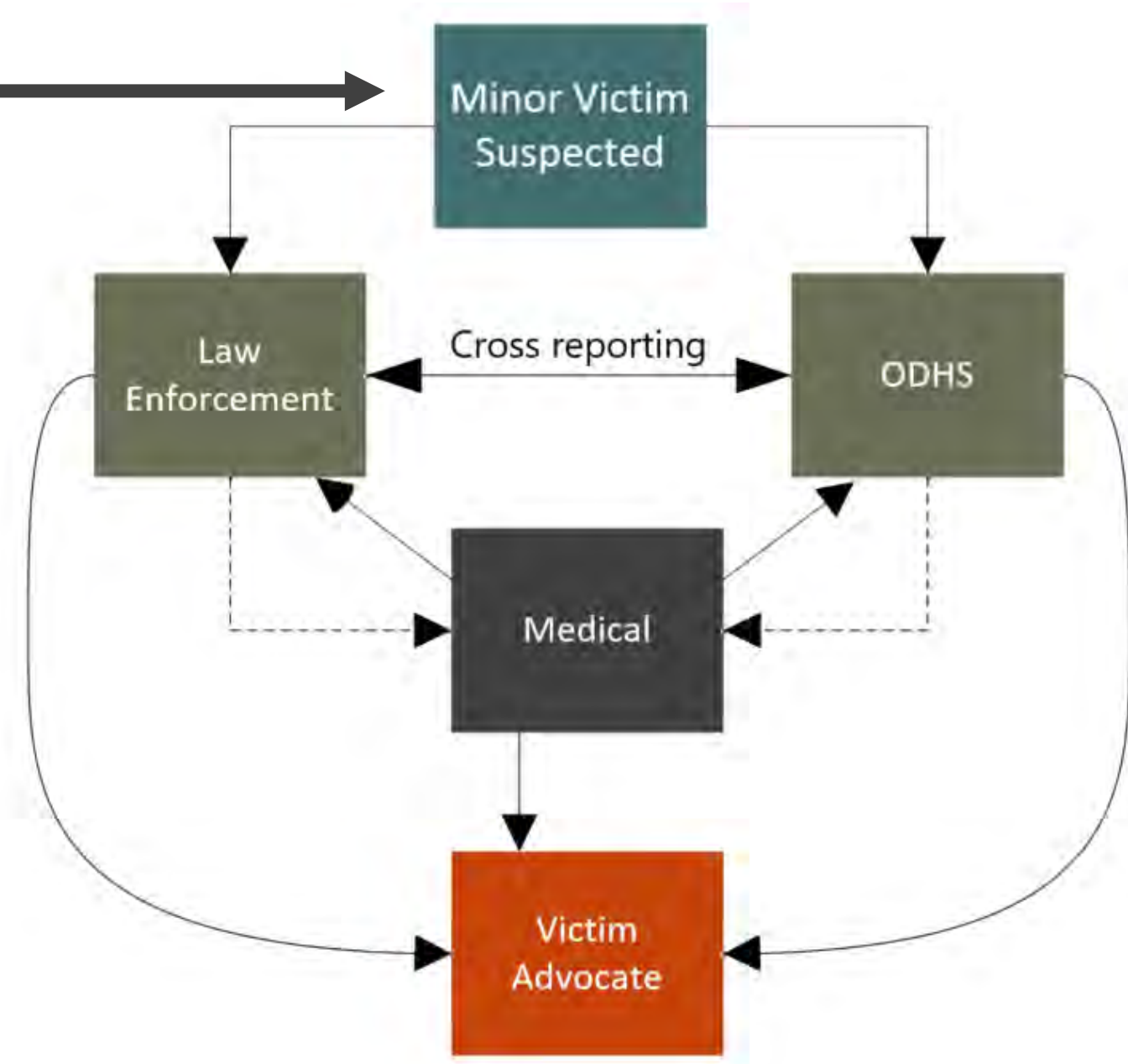
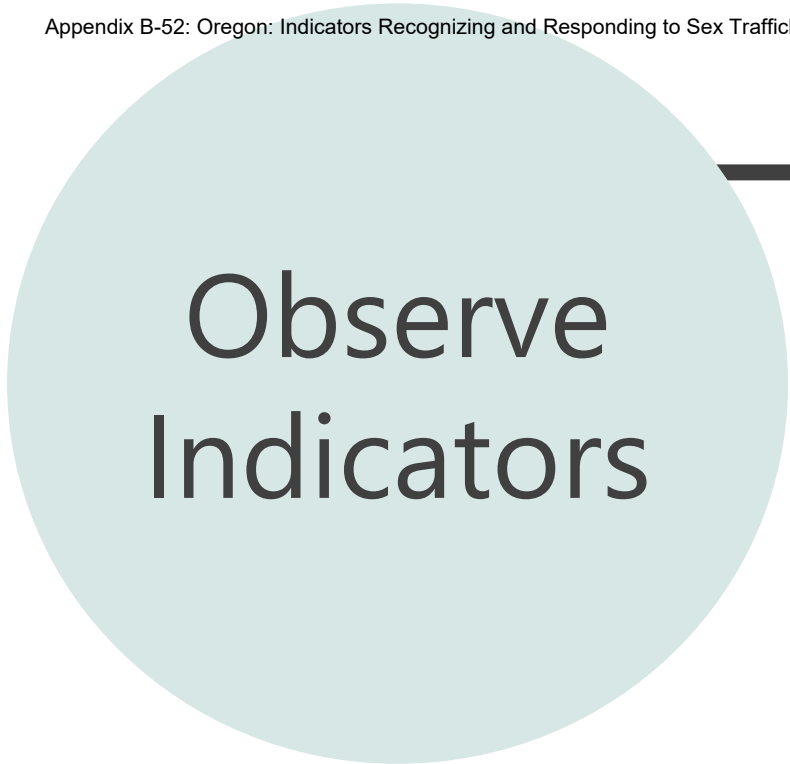


# Responding

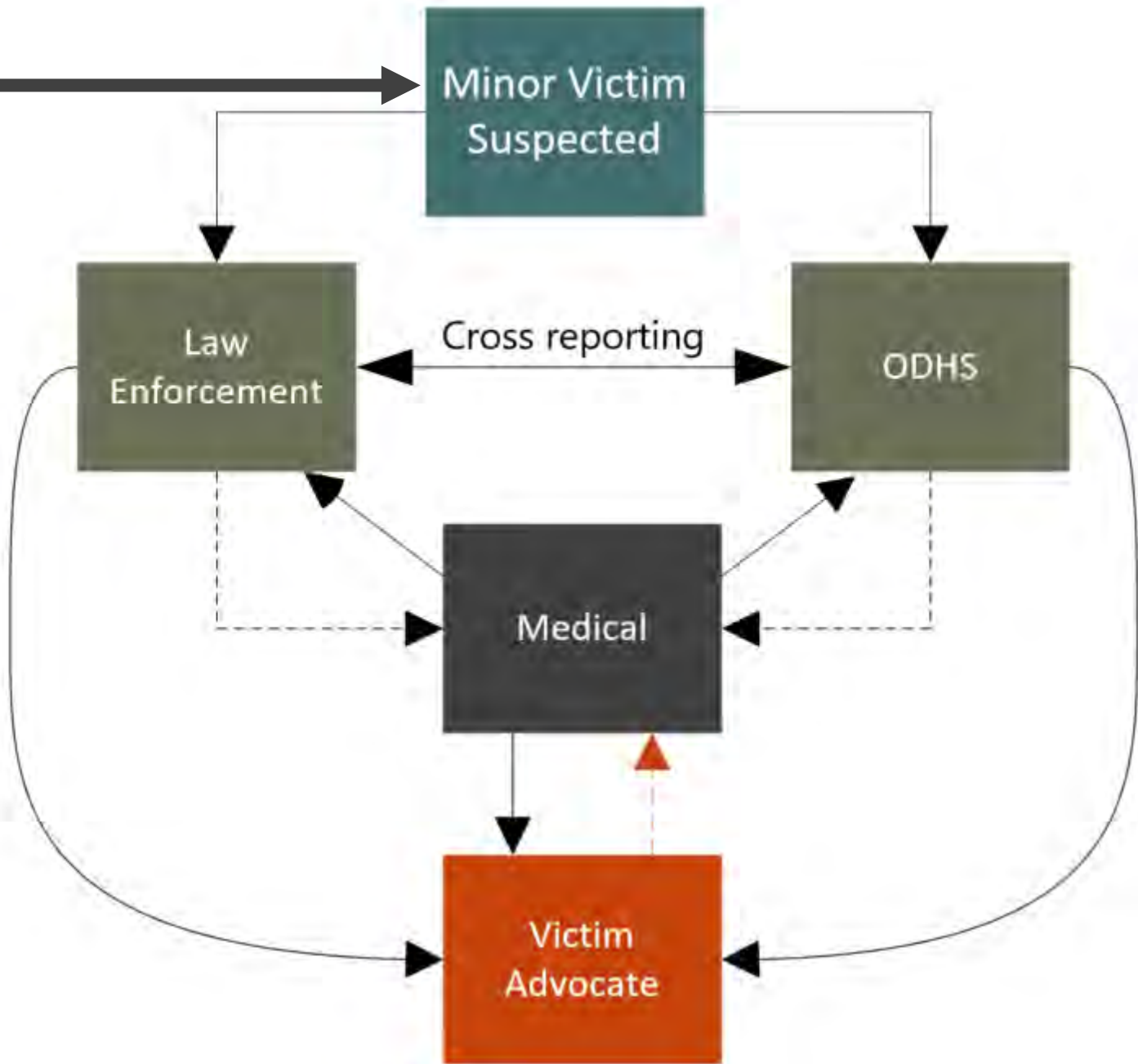









Observe  
Indicators



Solid lines: required  
Dotted lines: offered



# Observe Indicators

*[Add information about  
community's response plan]*



# Brainstorm

Do you have to confirm that trafficking has occurred in order to report it to ODHS or law enforcement?

A: Yes

B: No



**Answer: B**

# The Life Story



“A lot of times adults, especially when dealing with kids...take those moments to make that connection for granted.”

-Chief Chuck Lovell  
Portland Police Bureau

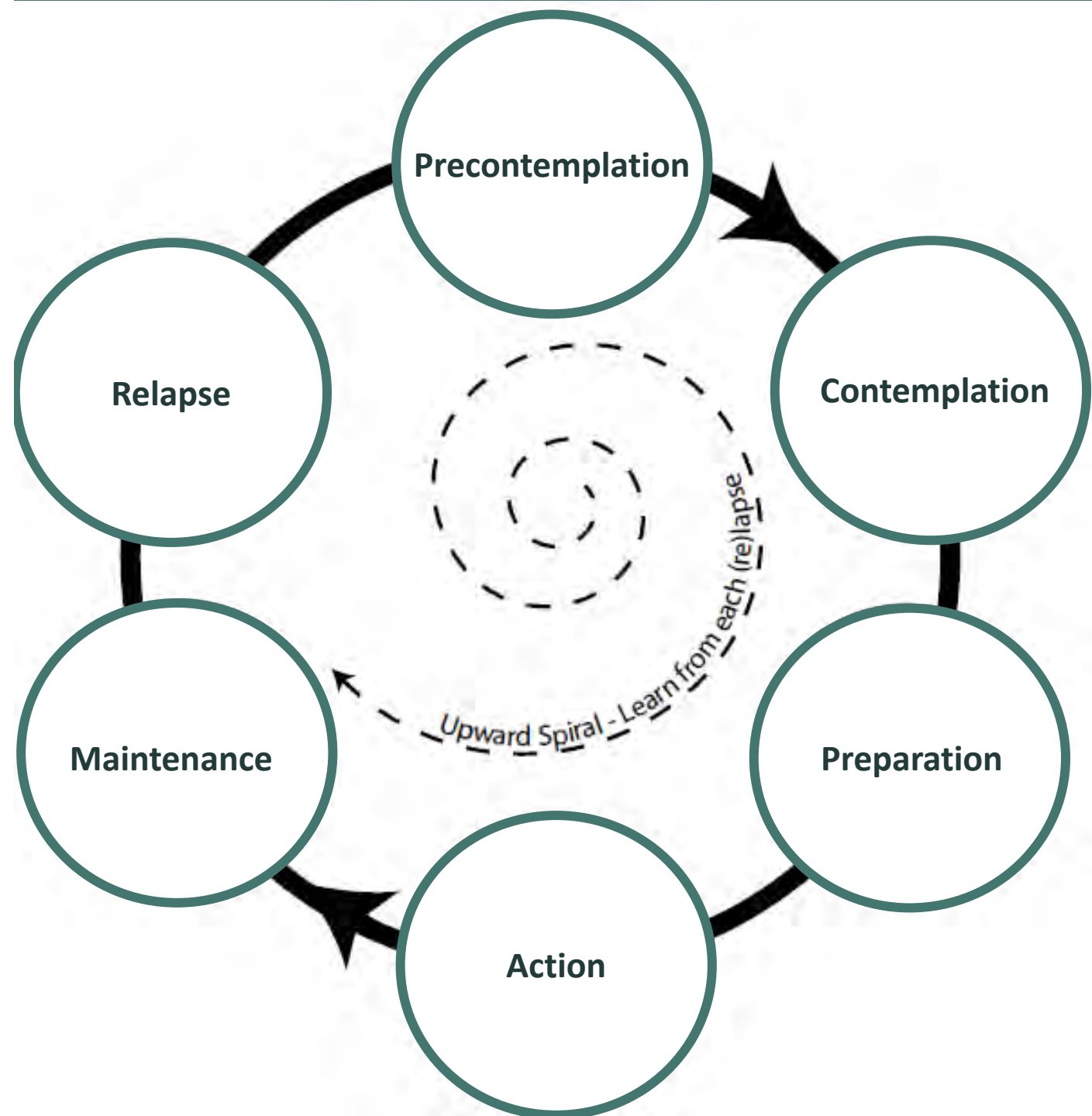
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# Responding

How do I maintain a connection?

Keep your door open.

# Stages of Change



# Does a victim need to be in the Action Stage to receive services?

A: Yes

B: No



**Answer: B**



# “No Wrong Door” Approach



Thank you!

---

[Presenter's Name]  
[Contact Info]

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This is a training program produced by the Oregon Trafficking Response Intervention Program (T.R.I.P.) within the Crime Victim and Survivors Services Division (CVSSD) of the Oregon Department of Justice.

For more information about the training, please contact:

Amanda Swanson, Human Trafficking Intervention Coordinator  
[Amanda.Swanson@doj.state.or.us](mailto:Amanda.Swanson@doj.state.or.us)

Letetia Wilson, Human Trafficking Intervention Specialist  
[Letetia.Wilson@doj.state.or.us](mailto:Letetia.Wilson@doj.state.or.us)

Caroline Olfert, Training and Curriculum Policy Coordinator  
[Caroline.Olfert@doj.state.or.us](mailto:Caroline.Olfert@doj.state.or.us)

[doj.state.or.us/TRIP](https://doj.state.or.us/TRIP)





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## About this Curriculum

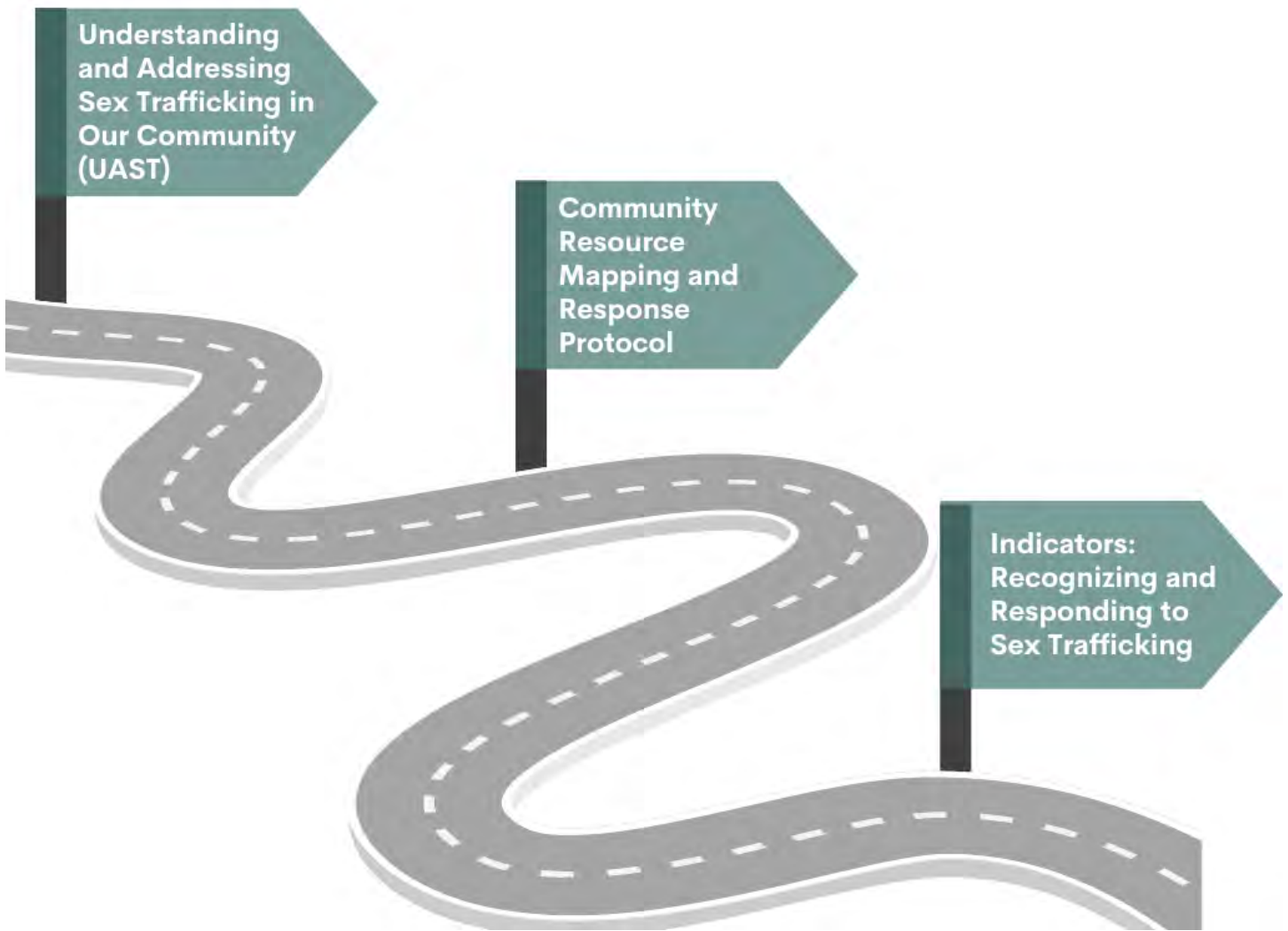
The goal of this curriculum is to improve participants' ability to recognize indicators of sex trafficking in minors and take initial steps to respond. This response includes reporting suspicions (when appropriate) and continuing to provide services, regardless of whether the survivor discloses trafficking.

## Background

Oregon T.R.I.P. supports community task forces and their partners in their efforts to address sex trafficking. One of the first steps begins with building broader support for these efforts. We developed the **Understanding and Addressing Sex Trafficking** curriculum in 2021 to help communities develop greater empathy, raise awareness, and motivate people to take action to address sex trafficking.

The second step involves **Community Resource Mapping** for groups to identify organizations that may be entry points and/or provide support to survivors. This process results in a community-specific response plan that any service provider may initiate when they suspect a minor is experiencing sex trafficking. This response plan incorporates a **Standard Sex Trafficking Response Protocol (STRP)**, tested in pilot sites across the state. The STRP is a set of actions to guide communities in a general response to any sex trafficking situation. The goal is to implement this protocol statewide.

The third step involves building a "no wrong door approach" by preparing service providers to recognize indicators and take initial steps to respond to sex trafficking in minors. Trained facilitators will deliver this curriculum, **Indicators: Recognizing and Responding to Sex Trafficking**, in communities that have developed their response protocol. We created the Recognizing Sex Trafficking list of indicators from tools used by the Oregon Department of Human Services, HEAL Trafficking, the Office for Victims of Crime, and Polaris.



*Visual depiction of Oregon's training strategy to address sex trafficking.*

## Pre-Requisite

This is not an introductory sex trafficking course. Participants should complete an introductory training, like **Understanding and Addressing Sex Trafficking in Our Community (UAST)**, prior to attending this course.

Also, the community should have a sex trafficking response protocol in place that clearly identifies the initial steps people should take when they suspect sex trafficking is occurring. If the community does not yet have a protocol in place, they should hold off on delivering this training until they create one.

## Customization of the Curriculum

We designed this curriculum to be customizable by the instructor based on the following considerations:

- Community Response Protocol
- Audience
- Delivery method

### *Community Response Protocol:*

We included space in the slide deck for you to incorporate the community's response protocol.

### *Audience:*

The intended audience for this training is service providers and people who may encounter victims of sex trafficking through their work. We recommend audiences of no more than 50 people (40 people if delivered online). We encourage you to consider your audience every time you deliver the curriculum and find opportunities to link their connection to sex trafficking when discussing both the indicators and the response.

### *Delivery Method:*

You may deliver this curriculum in person or online.

## Duration

This training is 60-minutes long. It is highly interactive, and discussion based. We recommend scheduling 60-90-minutes for this training to allow for interactivity and audience engagement.



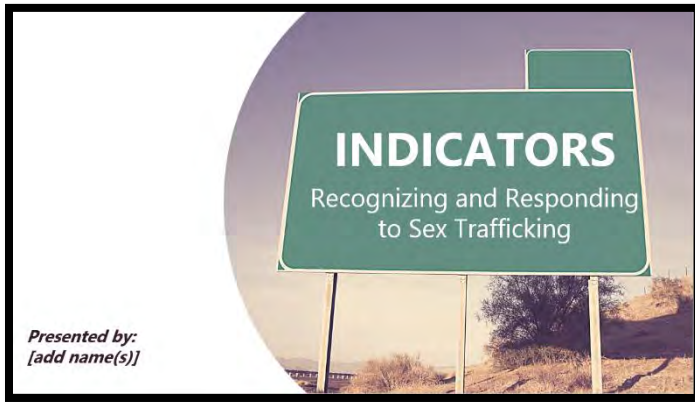
## Instructor Notes for In-Person Delivery

- Objectives:
- To list physical, behavioral, and environmental indicators of a minor who is experiencing sex trafficking.
  - To describe the actions to take when you suspect a minor is experiencing sex trafficking.
- Handouts:
- Recognizing Sex Trafficking
  - [ODHS Child Abuse Reporting Guidelines](#)
  - Community Response Protocol
- Time: 60 minutes
- Prepare:
- Bring your community's response protocol to the training.
  - Practice describing your response protocol in 2-3 minutes.
  - Make sure you include contact information for the agencies listed on page 2 of the protocol (law enforcement, child welfare, medical, advocate).
  - Update your community resource list from UAST.
- Consider:
- Should people ask questions as you go or hold until the end?
  - Where will participants say they might encounter someone who is experiencing sex trafficking?
  - Does your community have a response protocol in place?
  - What role do participants play in the response protocol?
  - Are participants already using a screening tool as part of their job?
- Customize:
- Add name of instructor(s) on slide #1.
  - Update slide #13 with your community's response protocol.
- Learn:
- Learn about other types of human trafficking screening tools, such as this one from SOAR: <https://humantraffickinghotline.org/human-trafficking/recognizing-signs>
  - Learn more about the [Stages of Change](#) model.



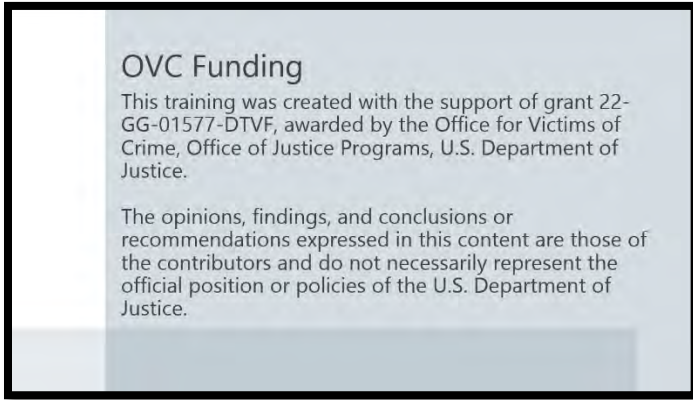


Slide 1:



<b>Facilitate</b>	Do	Show slide #1.
	Say	<ul style="list-style-type: none"> <li>• Welcome participants.</li> <li>• Thank the host.</li> <li>• Introduce the instructor(s) (name, title, organization, trafficking task force and connection to the topic).</li> <li>• Our training today expands on what we learned in Understanding and Addressing Sex Trafficking in Our Community, or UAST.</li> <li>• Remember that in that training, we learned from survivors' stories about the impact of sex trafficking.</li> <li>• In this training we are going to learn about how we recognize the signs of sex trafficking and how to respond to it.</li> </ul>
<b>Slide Time</b>		1 minute

*Slide 2:*



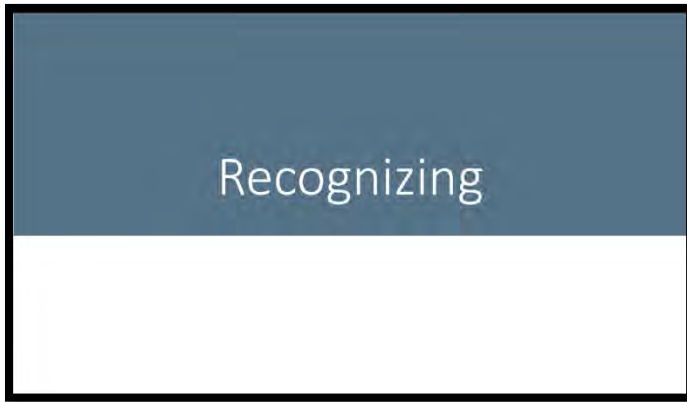
<b>Facilitate</b>	Do	Show slide #2.
	Say	This training was created with OVC funding.
<b>Slide Time</b>		
		30 Seconds

Slide 3:



<b>Facilitate</b>	Do	Show slide #3.
	Say	<ul style="list-style-type: none"> <li>• This training will last 60-minutes.</li> <li>• The bathrooms are located...</li> <li>• The emergency exits are located...</li> <li>• This training will be interactive.</li> <li>• Your participation is important.</li> <li>• We ask you to be present, participate in small and large group discussions, and be receptive to new ways of recognizing and responding to sex trafficking.</li> <li>• Ask questions as we go / Hold questions until the end.</li> </ul>
<b>Slide Time</b>		1 minute

Slide 4:



<b>Facilitate</b>	Do	Show slide #4.
	Say	Let's begin by talking about how you might recognize signs of sex trafficking.
	Ask	<b>Where might a victim of sex trafficking encounter services or the system? Feel free to share your responses.</b>
	Do	<ul style="list-style-type: none"> <li>• Invite folks to share their responses.</li> <li>• If participants are not talking much, use examples to start the conversation (see the next page). Choose most applicable examples.</li> </ul>
	Say	<ul style="list-style-type: none"> <li>• These are all places and times when you may engage with a youth.</li> <li>• This list shows us that there are more opportunities to recognize when a youth is experiencing sex trafficking.</li> <li>• It isn't always going to be when the youth is in crisis.</li> </ul>
<b>Slide Time</b>		4 minutes

Slide 4 (continued)

**Examples**

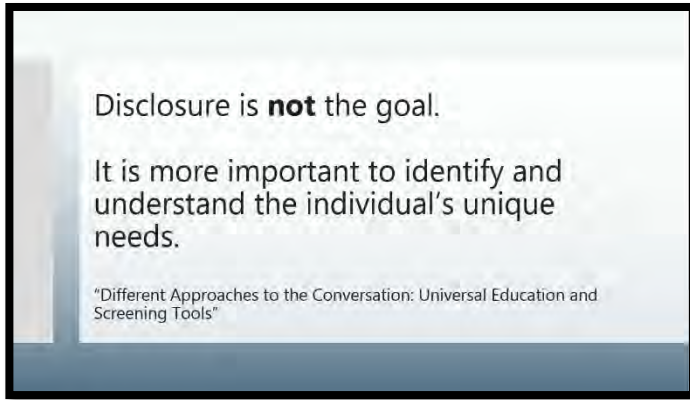
- A law enforcement officer pulls over a car and learns a passenger is a runaway.
- A person comes into a clinic for sexual health needs.
- A teacher has concerns about a student's behaviors.
- A staff member at a homeless youth shelter has concerns about a youth who talks about exchanging sex acts for a place to stay.
- An advocate supports a youth during a sexual assault exam at the hospital.
- A nurse in the emergency department is concerned about a patient who has unexplained injuries.
- A survivor meets with an advocate from a domestic violence program about their relationship.
- A youth comes to the church for a hot meal and to pick up a food box.
- A therapist talks to a parent who has concerns about their kid's behavior.
- A juvenile probation officer has concerns about a new youth on their caseload.
- A forensic interviewer meets with a youth who provides minimal information.

Slide 5:



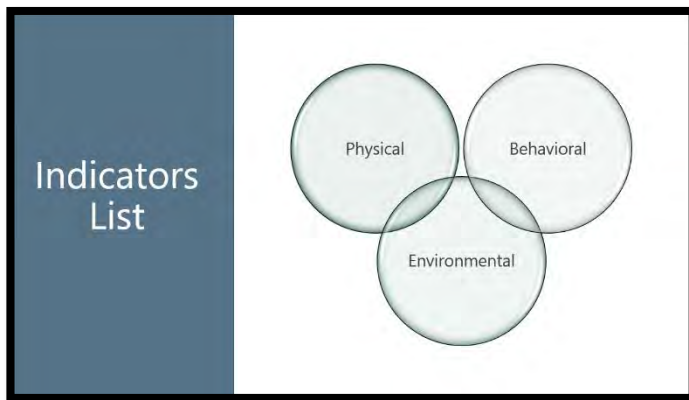
<b>Facilitate</b>	Do	Show slide #5.
	<b>Ask</b>	<b>Tell me why it's important to be able to recognize when a person is experiencing sex trafficking?</b>
	Do:	<ul style="list-style-type: none"> <li>• Invite people to callout their responses.</li> <li>• Provide time for folks to respond to this question.</li> <li>• If participants are not talking much, use examples to start the conversation (see below). Choose most applicable examples.</li> </ul>
	Say	We want to recognize when someone might be experiencing trafficking so that we can provide help and services without them needing to self-disclose.
<b>Slide Time</b>		3 minutes
<b>Examples</b>		<ul style="list-style-type: none"> <li>• To build relationships</li> <li>• To connect them to services</li> <li>• To decide if we need to make a child abuse report.</li> </ul>

Slide 6:



<b>Facilitate</b>	Do	Show slide #6.
	Say	<ul style="list-style-type: none"> <li>• Our goal is not self-disclosure. Often, people do not self-identify as "trafficking victims."</li> <li>• It is more important to address the needs of the youth.</li> <li>• A youth doesn't need to disclose sex trafficking for us to do something.</li> <li>• Instead, we want to recognize when someone might be experiencing trafficking – and to better understand what victims and survivors need.</li> </ul>
<b>Slide Time</b>		30 seconds

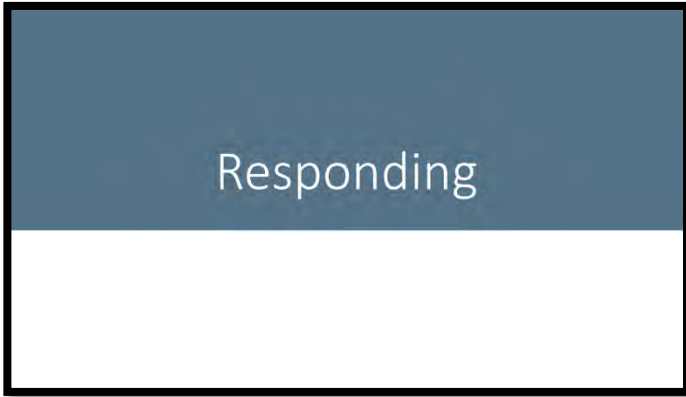
Slide 7:



<b>Facilitate</b>	Do	Show slide #7.
	Say:	<ul style="list-style-type: none"> <li>To help you recognize when someone is experiencing sex trafficking, the Oregon Department of Justice created a list of indicators.</li> <li>This handout helps anyone, regardless of where they work, recognize indicators.</li> <li>It includes things that we might observe in our first or second interaction with a youth.</li> <li>The list is not exhaustive. There are other lists and screening tools.</li> <li>This is not a list of questions to ask the youth.</li> </ul>
	Do:	<ul style="list-style-type: none"> <li>Distribute Recognizing Sex Trafficking handout.</li> <li>Give participants two minutes to review it.</li> </ul>
	Say	<ul style="list-style-type: none"> <li>I'm going to give you a couple minutes to look it over.</li> <li>Give me a sign when you're done looking at the list and are ready to move on.</li> </ul>
	<b>Ask</b>	<b>Do you have any questions about the list?</b>
	Say	<ul style="list-style-type: none"> <li>Remember, a single indicator may or may not mean that sex trafficking is occurring.</li> <li>You should report any reasonable suspicion of sex trafficking.</li> </ul>
	Do:	If people have questions about whether to report suspicions, defer them until slide 10, when child abuse reporting is covered.
<b>Slide Time</b>		7 minutes



Slide 8:



<b>Facilitate</b>	Do	Show slide #8.
	Say	So, let's talk about how to respond to sex trafficking.
<b>Slide Time</b>		30-seconds

Slide 9:



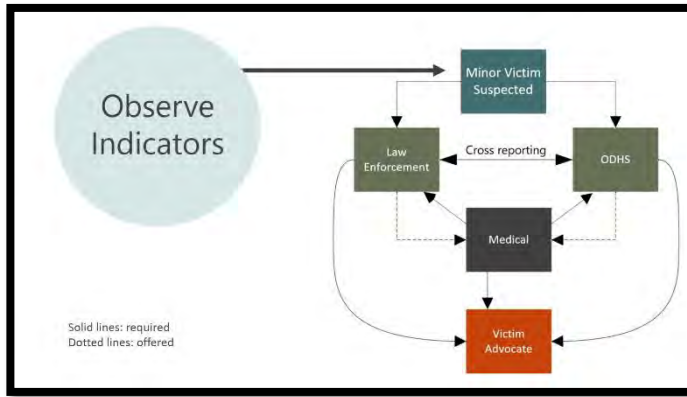
<b>Facilitate</b>	Do	Show slide #9.
	Say	You observe indicators, and you suspect that a youth is experiencing sex trafficking.
	<b>Ask</b>	<b>What do you do?</b>
	Do	Solicit responses from participants.
	Say	<ul style="list-style-type: none"> <li>• What you do next depends on your role and, if there is one, your community's response protocol.</li> <li>• For now, we're going to show you a model response to sex trafficking.</li> </ul>
<b>Slide Time</b>		2 minutes

Slide 10:



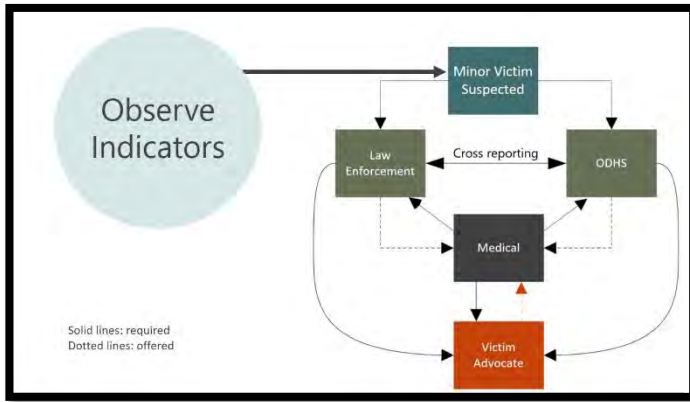
<b>Facilitate</b>	Do	Show slide #10.
	Say	<ul style="list-style-type: none"> <li>• In any profession, you start at “minor victim suspected.”</li> <li>• In Oregon, the sex trafficking of minors is considered a form of child abuse.</li> <li>• Based on Oregon law, if you’re a mandatory reporter, you must make a child abuse report to either law enforcement or ODHS.</li> <li>• It’s good practice to not assume that someone else has reported it.</li> <li>• You can make a report even if you are not a mandatory reporter.</li> <li>• This response does not require a disclosure from the suspected victim.</li> <li>• You do not need to confirm that trafficking is happening to make a report.</li> <li>• You’re noticing indicators and suspecting that a minor might be experiencing sex trafficking.</li> <li>• If you have questions about how to report child abuse, you can refer to the Child Abuse Reporting Guide.</li> </ul>
	Do	Distribute Child Abuse Reporting Guide <a href="https://sharedsystems.dhsoha.state.or.us/DHSForms/Served/de2807.pdf">https://sharedsystems.dhsoha.state.or.us/DHSForms/Served/de2807.pdf</a>
<b>Slide Time</b>		2 minutes

Slide 11:



<b>Facilitate</b>	Do	Show slide #11.
	Say	<ul style="list-style-type: none"> <li>• The model response includes offering medical services and victim advocacy for all suspected victims.</li> <li>• The key word here is “offering.” We have indicated this with the dotted line.</li> <li>• The victim has a choice whether to access services.</li> <li>• The victim is going to have needs beyond what’s in this picture.</li> <li>• These are the initial steps to take when you suspect sex trafficking.</li> </ul>
<b>Slide Time</b>		30 seconds

Slide 12:



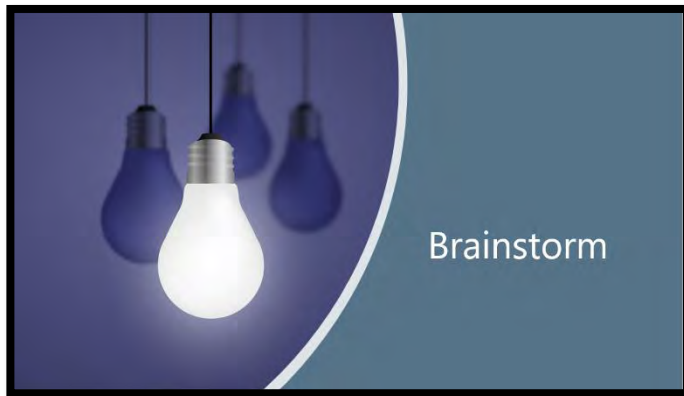
<b>Facilitate</b>	Do	Show slide #12.
	Say	<ul style="list-style-type: none"> <li>Any agency – including confidential advocates – can initiate this protocol.</li> <li>A confidential advocate is not a mandatory reporter.</li> <li>If they suspect sex trafficking, the protocol recommends offering medical services.</li> <li>If the victim wants to make a report or if they identify imminent danger, contact law enforcement.</li> <li>Again, the victim has a choice whether to access services.</li> </ul>
<b>Slide Time</b>		1 minute

Slide 13:



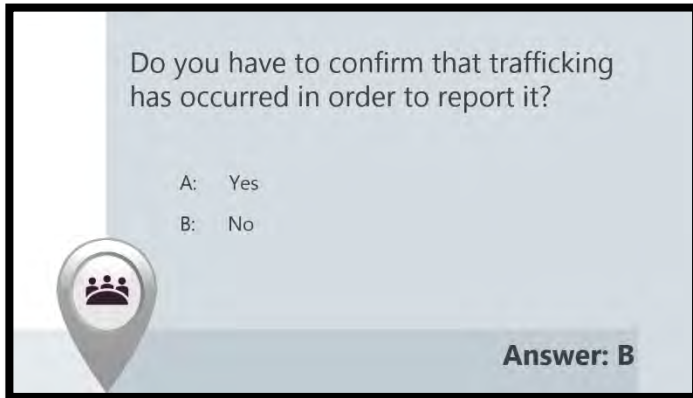
<b>Facilitate</b>	Do	Show slide #13.
	Say	Here is the response protocol for our community
	Do	<ul style="list-style-type: none"> <li>• Distribute the response flow chart for your community.</li> <li>• Explain your community's response protocol.</li> </ul>
	Say	On the back (or on page 2) you will see contact information for all the agencies.
	Ask	<b>Do you have any questions about this response protocol?</b>
<b>Slide Time</b>		3-4 minutes

Slide 14:



<b>Facilitate</b>	Do	Show slide #14.
	Say	<ul style="list-style-type: none"> <li>• The protocol includes reporting. We know that for some people, this is new information.</li> <li>• Let's talk about some reasons why people might not report sex trafficking of minors.</li> </ul>
	Do	Reporting Exercise
<b>Slide Time</b>		7 minutes
<b>Reporting Exercise</b>	Say	<ul style="list-style-type: none"> <li>• In a small group, brainstorm some of the reasons a person might not report suspected sex trafficking of minors.</li> <li>• Figure out who will be your group's speaker.</li> </ul>
	Do	<ul style="list-style-type: none"> <li>• Divide into small groups (4-5 people) to meet for 3 minutes.</li> <li>• Welcome group back.</li> </ul>
	<b>Ask</b>	<b>Would anyone like to share anything about their discussion?</b>
	Do	<p>Highlight these reasons if they do not bring them up:</p> <ul style="list-style-type: none"> <li>• They think they must confirm it before they report it</li> <li>• They do not know how to report (who to go to)</li> <li>• People are unaware that sex trafficking of a minor is child abuse</li> <li>• People do not know enough about sex trafficking to know when it is happening</li> </ul>
	Say	<ul style="list-style-type: none"> <li>• These are reasons for why people don't report.</li> <li>• Remember, if you're a mandatory reporter, you must report.</li> </ul>

Slide 15:



<b>Facilitate</b>	Do	Show slide #15.
	<b>Ask</b>	<b>What do you think? Do you have to confirm that trafficking has occurred in order to report it?</b>
	Do	<ul style="list-style-type: none"> <li>• Invite people to raise their hand for each answer if they think it is correct.</li> <li>• Click mouse once to have correct answer appear.</li> <li>• If some people answered this question wrong, let the group know that this is a common misconception about trafficking.</li> </ul>
	Say	<ul style="list-style-type: none"> <li>• The answer is "no."</li> <li>• You do not have to confirm that trafficking has occurred to report it.</li> </ul>
<b>Slide Time</b>		1 minute



Slide 16:



<b>Facilitate</b>	Do	<ul style="list-style-type: none"> <li>• Pull up video on desktop and cue it to 1:57.</li> <li>• Be sure to share audio.</li> <li>• Show slide #16.</li> </ul>
	Say	<ul style="list-style-type: none"> <li>• We are going to watch a video from the Life Story.</li> <li>• The Life Story elevates the experiences and voices of those who have experienced sex trafficking.</li> <li>• This video includes one of the victims, Bobette, talking about a teacher from school.</li> <li>• While you watch, pay attention to the description of what the teacher did or didn't do.</li> <li>• We will discuss after.</li> </ul>
	Do	Play "The Life Story: School" from 1:57-3:33
	<b>Ask</b>	<b>What did you notice in the video?</b>
	Do	Use examples to start conversation if needed (see next page).
	Say	<ul style="list-style-type: none"> <li>• We know the teacher noticed what we consider to be indicators of sex trafficking.</li> <li>• We don't know what he did with his suspicions.</li> <li>• We don't know if he reported them to anyone.</li> <li>• But we do know he made an impression on Bobette.</li> </ul>
<b>Slide Time</b>		5 minutes (includes video)
<b>Video Time</b>		90 seconds
<b>Link</b>		<a href="https://thelifestory.org/school">https://thelifestory.org/school</a>

Slide 16 (continued)

**Acknowledgment:** The *School* video shared with permission from The Life Story, <https://thelifestory.org/>.

**Examples**

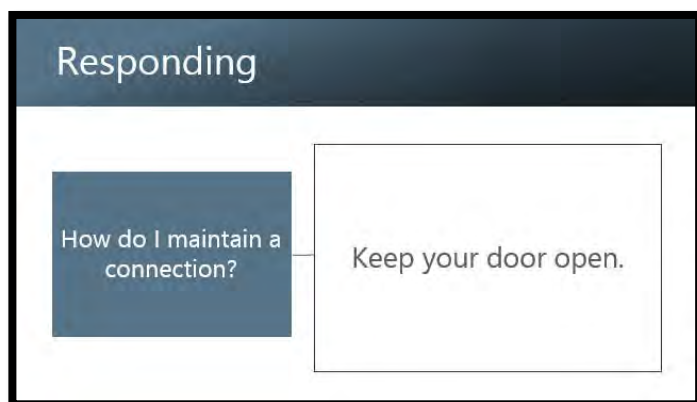
- The teacher noticed something about Bobette.
- The teacher voiced what he noticed about Bobette to her.
- The teacher asked questions of Bobette.
- Bobette still remembers this teacher (he made an impression).
- Teacher showed concern.
- Teacher saw something in her she didn't see in herself.
- It's important to let people know we see them, and we care about them.

Slide 17:



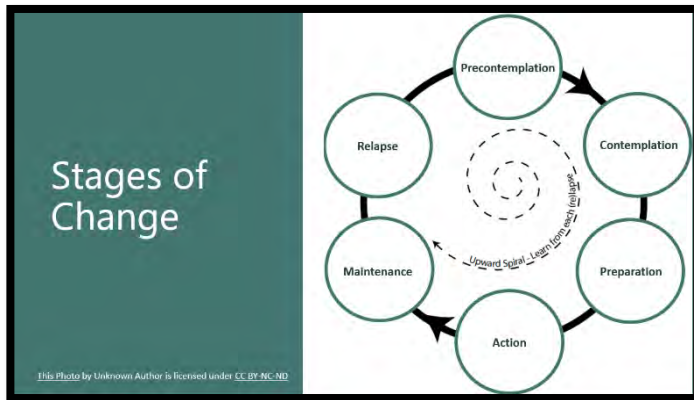
<b>Facilitate</b>	Do	Show slide #17.
	Say	One thing we hope you take away from the Life Story video is this quote.
	Do	Read quote aloud or pause to let them read.
	Say	<ul style="list-style-type: none"> <li>• Many times, victims who reach out for services are still experiencing trafficking.</li> <li>• Your connection with the victim is so important.</li> </ul>
<b>Slide Time</b>		30 seconds

Slide 18:



<b>Facilitate</b>	Do	Show slide #18.
	<b>Ask</b>	<b>How do you maintain a connection?</b>
	Say	<ul style="list-style-type: none"> <li>• We're going to meet in smaller groups to discuss what can we do to "keep our doors open" and maintain a connection with the victim, even if they are actively being trafficked.</li> <li>• You'll have four minutes to discuss.</li> </ul>
	Do	Complete the "Connect" exercise.
<b>Slide Time</b>		8 minutes
<b>Connect Exercise (7-min)</b>	Do	<ul style="list-style-type: none"> <li>• Create groups with 4-5 people.</li> <li>• Give groups 4 minutes to discuss.</li> <li>• Invite groups to share what they discussed for two minutes.</li> <li>• Highlight items from this list below if not mentioned.                             <ul style="list-style-type: none"> <li>○ Lower barriers to services and support for victims.</li> <li>○ Focus on what they need.</li> <li>○ Follow through with your commitments to connect them to other services.</li> <li>○ Support their autonomy for choice.</li> <li>○ Don't make promises you can't keep.</li> </ul> </li> </ul>
	Say	Remember, they don't need to self-identify – or not be experiencing sex trafficking – to maintain the connection.

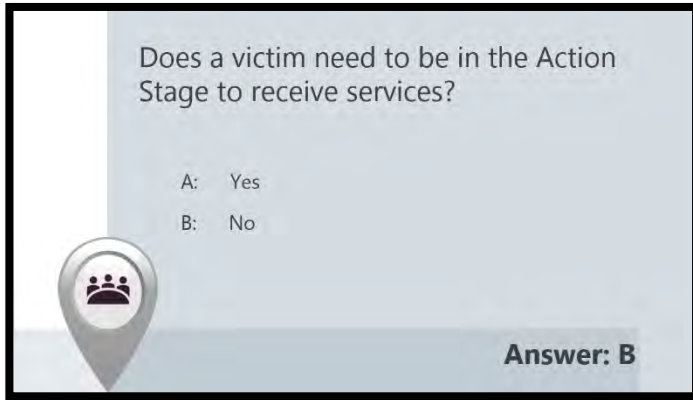
Slide 19:



<b>Facilitate</b>	Do	Show slide #19.
	Say	<ul style="list-style-type: none"> <li>We all have engaged in some type of change in our lives. It might have been changing jobs, leaving a relationship, moving to a different city, giving up a bad habit, or incorporating healthy habits.</li> <li>Think about a change you've made in the last five years.</li> </ul>
	Do	Pause for a few seconds
	<b>Ask</b>	<b>Would anyone be willing to share one word that comes to mind when you think about that change.</b>
	Do	<ul style="list-style-type: none"> <li>Allow time for folks to respond (15 seconds).</li> <li>Acknowledge responses.</li> </ul>
	Say	<ul style="list-style-type: none"> <li>Change is hard.</li> <li>Leaving a trafficking situation is not easy and involves a lot of change in the victim's life.</li> <li>The Stages of Change model is a great depiction of how people move through change.</li> </ul>
	<b>Ask</b>	<b>How many of you have heard about this model?</b>
	Do	Pause to get responses. Continued on the next page.

	Say	<ul style="list-style-type: none"> <li>• I’m going to provide a quick overview of the stages.</li> <li>• Change requires action, yet action isn’t the first step most of us take.</li> <li>• Looking at this model, we start in Precontemplation - when we have no idea that we need to make a change.</li> <li>• Next comes Contemplation when we realize we need to make a change.</li> <li>• Moving into preparation- we’ve taken steps to prepare to change.</li> <li>• Action is the fourth step – when we make the change.</li> <li>• From there, we move into the Maintenance stage. We’re sticking with the change and moving forward.</li> <li>• However, we relapse. We learn from it and move through the stages faster.</li> </ul>
	<b>Ask</b>	<b>Why is this model helpful when working with victims of sex trafficking?</b>
	Do	<ul style="list-style-type: none"> <li>• Allow folks to respond.</li> <li>• If they don’t respond, here are some examples:             <ul style="list-style-type: none"> <li>• It’s a reminder to us the stages that someone goes through before they’re ready to act.</li> <li>• It can help us be more empathetic to the victim we are working with.</li> <li>• It normalizes relapse.</li> </ul> </li> </ul>
	Say	Keeping this model in mind, we recommend having low barriers to services, so that victims can access them regardless of what stage they are in.
<b>Slide Time</b>		5 minutes

Slide 20:



<b>Facilitate</b>	Do	Show slide #20.
	<b>Ask</b>	<b>Does a victim need to be in the Action Stage to receive services?</b>
	Do	<ul style="list-style-type: none"> <li>• Invite people to raise their hand for each answer if they think it is correct.</li> <li>• Click mouse once to have answer appear.</li> </ul>
	Say	Services should be available to victims no matter what stage of change they're in.
<b>Slide Time</b>		30 seconds

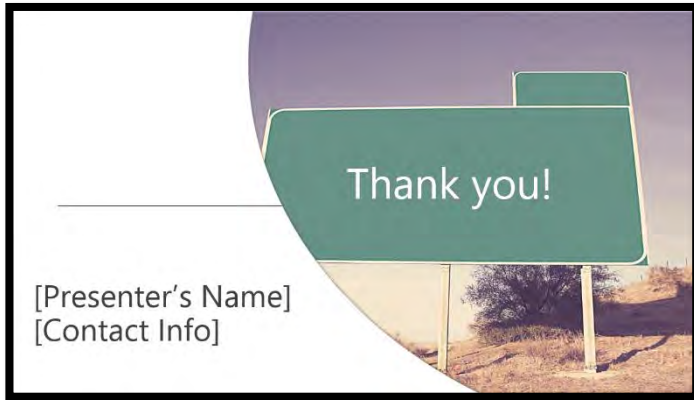
Slide 21:



<b>Facilitate</b>	Do	Show slide #21.
	Say	<ul style="list-style-type: none"> <li>• With trafficking, we know that victims and survivors interact with different parts of our systems at different times.</li> <li>• This training is helping us to recognize and respond in the same way to sex trafficking.</li> <li>• There’s no wrong door that a youth can go through in our community.</li> <li>• This is why the “no wrong door approach” is so important.</li> </ul>
<b>Slide Time</b>		30 seconds



Slide 22:



<b>Facilitate</b>	Do	Show slide #22.
	Say	<ul style="list-style-type: none"> <li>• Thank you for taking time to recognize and respond to sex trafficking in our community.</li> <li>• I've listed my contact information here.</li> <li>• It's important for us to know how we did today.</li> <li>• Please take a few minutes to complete an evaluation.</li> </ul>
	Do	Hand out or share link to course evaluation.
<b>Slide Time</b>		3 minutes

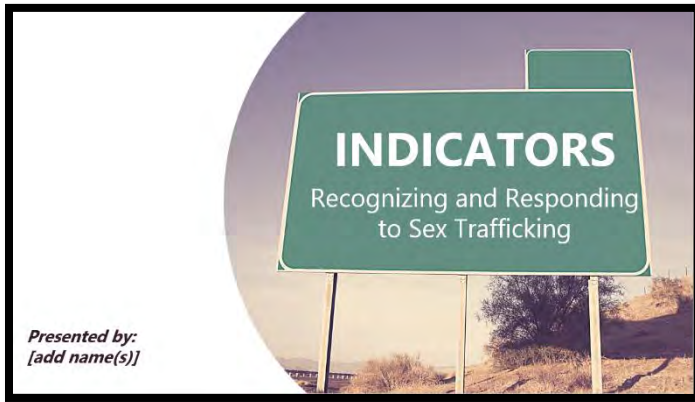


## Instructor Notes for Online Delivery

- Objective:
- To list physical, behavioral, and environmental indicators of a minor who is experiencing sex trafficking.
  - To describe the actions to take when you suspect a minor is experiencing sex trafficking.
- Handouts:
- Recognizing Sex Trafficking
  - [ODHS Child Abuse Reporting Guidelines](#)
  - Community Response Protocol
- Time: 60 minutes
- Prepare:
- Bring your community's response protocol to the training.
  - Practice describing your response protocol in 2-3 minutes.
  - Make sure you include contact information for the agencies listed on page 2 of the protocol (law enforcement, child welfare, medical, advocate).
  - Update your community resource list from UAST.
- Consider:
- Who will produce your session?
  - Should people ask questions as you go or hold until end?
  - Where will participants say they might encounter someone who is experiencing sex trafficking?
  - Does your community have a response protocol in place?
  - What role do participants play in the response protocol?
  - Are participants already using a screening tool as part of their job?
- Customize:
- Add name of instructor(s) on slide #1.
  - Update slide #13 with your community's response protocol.
- Learn:
- Learn about other types of human trafficking screening tools, such as this one from SOAR: <https://humantraffickinghotline.org/human-trafficking/recognizing-signs>
  - Learn more about the [Stages of Change](#) model.

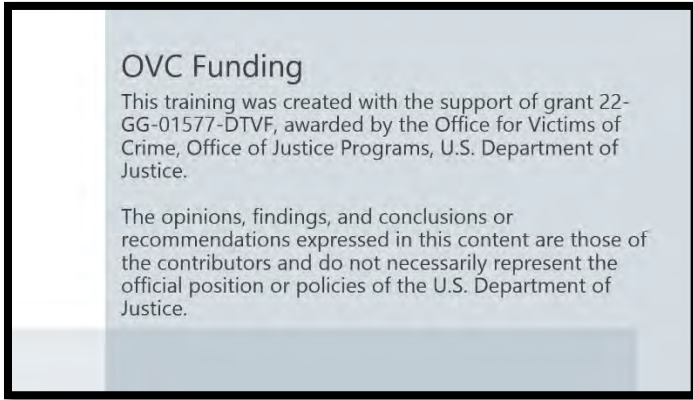


Slide 1:



<b>Facilitate</b>	Do	<ul style="list-style-type: none"> <li>• Make sure your role in Zoom is “host” or “cohost.”</li> <li>• Share your screen to display slide #1.</li> <li>• Share your video throughout the session.</li> </ul>
	Say	<ul style="list-style-type: none"> <li>• Welcome participants.</li> <li>• Thank the host.</li> <li>• Introduce the instructor(s) (name, title, organization, trafficking task force and connection to the topic).</li> <li>• Our training today expands on what we learned in Understanding and Addressing Sex Trafficking in Our Community, or UAST.</li> <li>• Remember that in that training, we learned from survivors’ stories about the impact of sex trafficking.</li> <li>• In this training we are going to learn about how we recognize the signs of sex trafficking and how to respond to it.</li> </ul>
<b>Slide Time</b>		1 minute

*Slide 2:*



<b>Facilitate</b>	Do	Show slide #2.
	Say	This training was created with OVC funding.
<b>Slide Time</b>		
		30 Seconds

Slide 3:



<b>Facilitate</b>	Do	Show slide #3.
	Say	<ul style="list-style-type: none"> <li>• This training will last 60-minutes.</li> <li>• This training will be interactive.</li> <li>• Your participation is important.</li> <li>• We ask you to be present, participate in small and large group discussions, and be receptive to new ways of recognizing and responding to sex trafficking.</li> <li>• We hope you will turn on your video today.</li> <li>• Ask questions as we go / Hold questions until the end.</li> </ul>
<b>Slide Time</b>		1 minute

Slide 4:



<b>Facilitate</b>	Do	Show slide #4.
	Say	Let's begin by talking about how you might recognize signs of sex trafficking.
	<b>Ask</b>	<b>Where might a victim of sex trafficking encounter services or the system? Feel free to share your responses.</b>
	Do	<ul style="list-style-type: none"> <li>• Invite folks to share their responses in the chat box.</li> <li>• If participants are not talking much, use examples to start the conversation (see next page). Choose most applicable examples.</li> </ul>
	Say	<ul style="list-style-type: none"> <li>• These are all places and times when you may engage with a youth.</li> <li>• This list shows us that there are more opportunities to recognize when a youth is experiencing sex trafficking.</li> <li>• It isn't always going to be when the youth is in crisis.</li> </ul>
<b>Slide Time</b>		4 minutes



Slide 4 (continued)

**Examples**

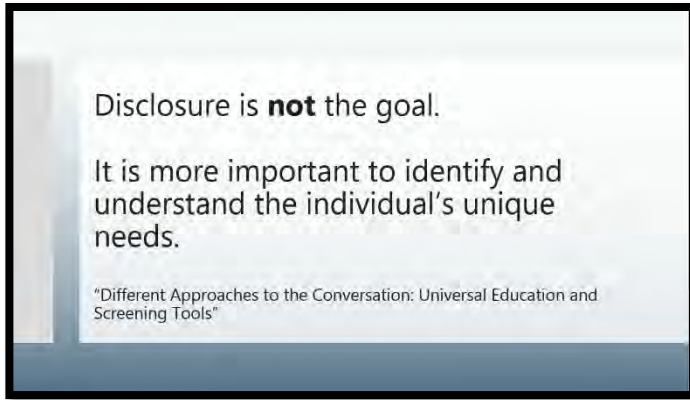
- A law enforcement officer pulls over a car and learns a passenger is a runaway.
- A person comes into a clinic for sexual health needs.
- A teacher has concerns about a student's behaviors.
- A staff member at a homeless youth shelter has concerns about a youth who talks about exchanging sex acts for a place to stay.
- An advocate supports a youth during a sexual assault exam at the hospital.
- A nurse in the emergency department is concerned about a patient who has unexplained injuries.
- A survivor meets with an advocate from a domestic violence program about their relationship.
- A youth comes to the church for a hot meal and to pick up a food box.
- A therapist talks to a parent who has concerns about their kid's behavior.
- A juvenile probation officer has concerns about a new youth on their caseload.
- A forensic interviewer meets with a youth who provides minimal information.

Slide 5:



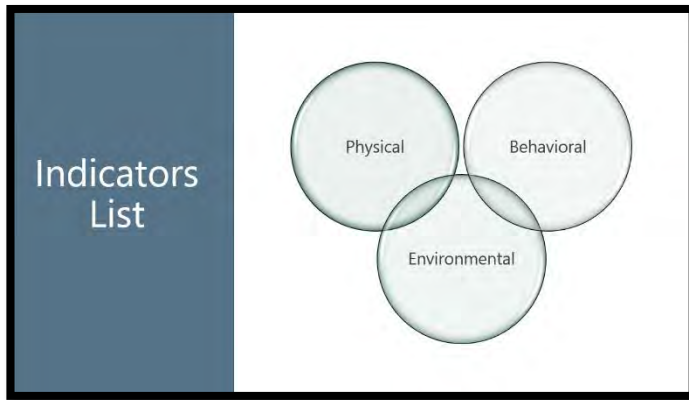
<b>Facilitate</b>	Do	Show slide #5.
	<b>Ask</b>	<b>Tell me why it's important to be able to recognize when a person is experiencing sex trafficking?</b>
	Do:	<ul style="list-style-type: none"> <li>• Invite people to unmute or type their responses in the chat.</li> <li>• Provide time for folks to respond to this question.</li> <li>• If participants are not talking much, use examples to start the conversation (see below). Choose most applicable examples.</li> </ul>
	Say	We want to recognize when someone might be experiencing trafficking so that we can provide help and services without them needing to self-disclose.
<b>Slide Time</b>		3 minutes
<b>Examples</b>		<ul style="list-style-type: none"> <li>• To build relationships</li> <li>• To connect them to services</li> <li>• To decide if we need to make a child abuse report.</li> </ul>

Slide 6:



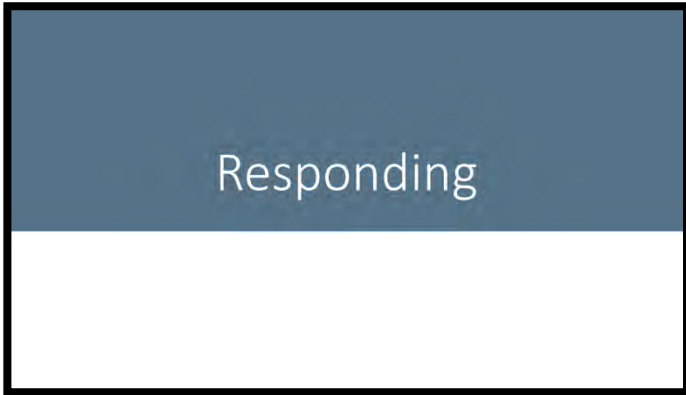
<b>Facilitate</b>	Do	Show slide #6.
	Say	<ul style="list-style-type: none"> <li>• Our goal is not self-disclosure. Often, people do not self-identify as "trafficking victims."</li> <li>• It is more important to address the needs of the youth.</li> <li>• A youth doesn't need to disclose sex trafficking for us to do something.</li> <li>• Instead, we want to recognize when someone might be experiencing trafficking – and to better understand what victims and survivors need.</li> </ul>
<b>Slide Time</b>		30 seconds

Slide 7:



<b>Facilitate</b>	Do	Show slide #7.
	Say:	<ul style="list-style-type: none"> <li>To help you recognize when someone is experiencing sex trafficking, the Oregon Department of Justice created a list of indicators.</li> <li>This handout helps anyone, regardless of where they work, recognize indicators.</li> <li>It includes things that we might observe in our first or second interaction with a youth.</li> <li>The list is not exhaustive. There are other lists and screening tools.</li> <li>This is not a list of questions to ask the youth.</li> </ul>
	Do:	<ul style="list-style-type: none"> <li>Add Recognizing Sex Trafficking handout in the chat.</li> <li>Provide participants two minutes to review it.</li> </ul>
	Say	<ul style="list-style-type: none"> <li>I'm going to give you a couple minutes to look it over.</li> <li>Give me a sign when you're done looking at the list and are ready to move on.</li> </ul>
	<b>Ask</b>	<b>Do you have any questions about the list?</b>
	Say	<ul style="list-style-type: none"> <li>Remember, a single indicator may or may not mean that sex trafficking is occurring.</li> <li>You should report any reasonable suspicion of sex trafficking.</li> </ul>
	Do:	<ul style="list-style-type: none"> <li>If people have questions about whether to report suspicions, defer them until slide 10, when child abuse reporting is covered.</li> </ul>
<b>Slide Time</b>		7 minutes

Slide 8:



<b>Facilitate</b>	Do	Show slide #8.
	Say	So, let's talk about how to respond to sex trafficking.
<b>Slide Time</b>		30-seconds

Slide 9:



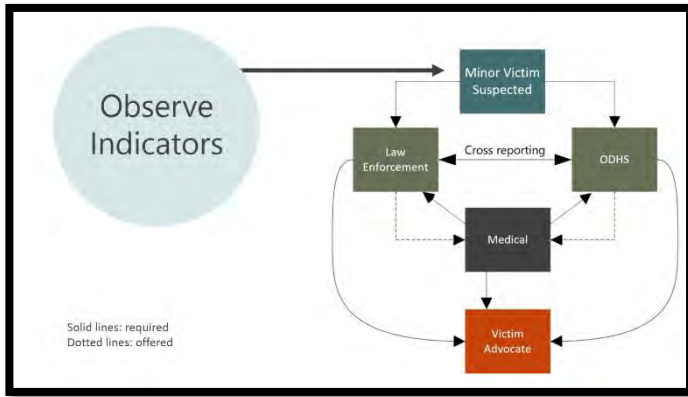
<b>Facilitate</b>	Do	Show slide #9.
	Say	You observe indicators, and you suspect that a youth is experiencing sex trafficking.
	<b>Ask</b>	<b>What do you do?</b>
	Do	Invite people to unmute or type their responses in the chat.
	Say	<ul style="list-style-type: none"> <li>• What you do next depends on your role and, if there is one, your community's response protocol.</li> <li>• For now, we're going to show you a model response to sex trafficking.</li> </ul>
<b>Slide Time</b>		2 minutes

Slide 10:



<b>Facilitate</b>	Do	Show slide #10.
	Say	<ul style="list-style-type: none"> <li>• In any profession, you start at “minor victim suspected.”</li> <li>• In Oregon, the sex trafficking of minors is considered a form of child abuse.</li> <li>• Based on Oregon law, if you’re a mandatory reporter, you must make a child abuse report to either law enforcement or ODHS.</li> <li>• It’s good practice to not assume that someone else has reported it.</li> <li>• You can make a report even if you are not a mandatory reporter.</li> <li>• This response does not require a disclosure from the suspected victim.</li> <li>• You do not need to confirm that trafficking is happening to make a report.</li> <li>• You’re noticing indicators and suspecting that a minor might be experiencing sex trafficking.</li> <li>• If you have questions about how to report child abuse, you can refer to the Child Abuse Reporting Guide.</li> </ul>
	Do	Add link to the Child Abuse Reporting Guide in the chat. <a href="https://sharedsystems.dhsoha.state.or.us/DHSForms/Served/de2807.pdf">https://sharedsystems.dhsoha.state.or.us/DHSForms/Served/de2807.pdf</a>
<b>Slide Time</b>		2 minutes

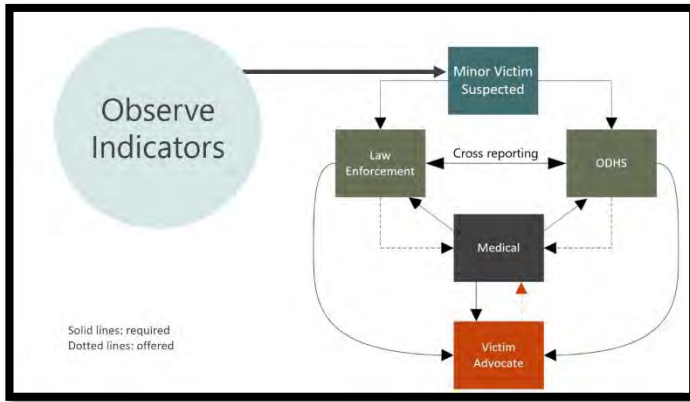
Slide 11:



<b>Facilitate</b>	Do	Show slide #11.
	Say	<ul style="list-style-type: none"> <li>• The model response includes offering medical services and victim advocacy for all suspected victims.</li> <li>• The key word here is “offering.” We have indicated this with the dotted line.</li> <li>• The victim has a choice whether to access services.</li> <li>• The victim is going to have needs beyond what’s in this picture.</li> <li>• These are the initial steps to take when you suspect sex trafficking.</li> </ul>
<b>Slide Time</b>		30 seconds



Slide 12:



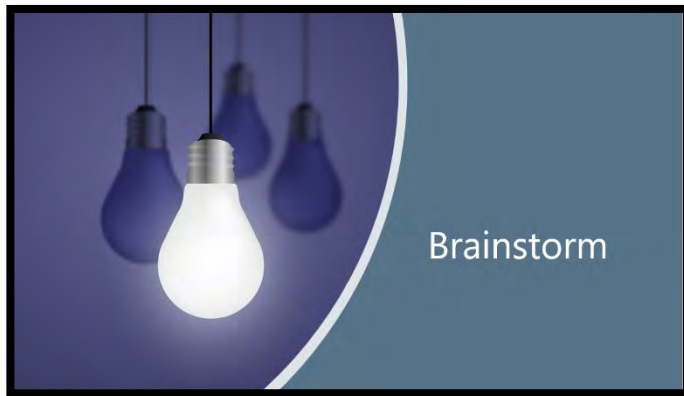
<b>Facilitate</b>	Do	Show slide #12.
	Say	<ul style="list-style-type: none"> <li>Any agency – including confidential advocates – can initiate this protocol.</li> <li>A confidential advocate is not a mandatory reporter.</li> <li>If they suspect sex trafficking, the protocol recommends offering medical services.</li> <li>If the victim wants to make a report or if they identify imminent danger, contact law enforcement.</li> <li>Again, the victim has a choice whether to access services.</li> </ul>
<b>Slide Time</b>		1 minute

Slide 13:



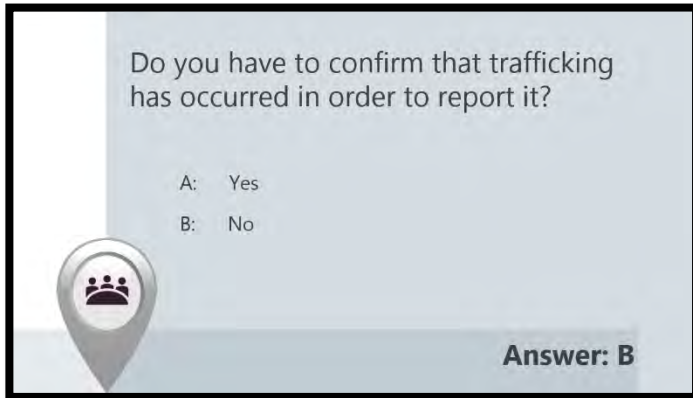
<b>Facilitate</b>	Do	Show slide #13.
	Say	Here is the response protocol for our community
	Do	<ul style="list-style-type: none"> <li>• Add the response flow chart for your community in the chat.</li> <li>• Explain your community's response protocol.</li> </ul>
	Say	On the back (or on page 2) you will see contact information for all the agencies.
	<b>Ask</b>	<b>Do you have any questions about this response protocol?</b>
<b>Slide Time</b>		3-4 minutes

Slide 14:



<b>Facilitate</b>	Do	Show slide #14.
	Say	<ul style="list-style-type: none"> <li>• The protocol includes reporting. We know that for some people, this is new information.</li> <li>• Let's talk about some reasons why people might not report sex trafficking of minors.</li> </ul>
	Do	Reporting Exercise
<b>Slide Time</b>		7 minutes
<b>Reporting Exercise</b>	Say	<ul style="list-style-type: none"> <li>• In a small group, brainstorm some of the reasons a person might not report suspected sex trafficking of minors.</li> <li>• Figure out who will be your group's speaker.</li> </ul>
	Do	<ul style="list-style-type: none"> <li>• Divide into breakout rooms (4-5 people) for 3 minutes.</li> <li>• Welcome group back.</li> </ul>
	<b>Ask</b>	<b>Would anyone like to share anything about their discussion?</b>
	Do	<p>Highlight these reasons if they do not bring them up:</p> <ul style="list-style-type: none"> <li>• They think they must confirm it before they report it</li> <li>• They do not know how to report (who to go to)</li> <li>• People are unaware that sex trafficking of a minor is child abuse</li> <li>• People do not know enough about sex trafficking to know when it is happening</li> </ul>
	Say	<ul style="list-style-type: none"> <li>• These are reasons for why people don't report.</li> <li>• Remember, if you're a mandatory reporter, you must report.</li> </ul>

Slide 15:



<b>Facilitate</b>	Do	Show slide #15.
	<b>Ask</b>	<b>What do you think? Do you have to confirm that trafficking has occurred to report it?</b>
	Do	<ul style="list-style-type: none"> <li>• Launch the Zoom poll.</li> <li>• If you do not have a producer, skip the poll, and have people respond in the chat box.</li> <li>• Show results.</li> <li>• Click mouse once to have correct answer appear.</li> <li>• If some people answered this question wrong, let the group know that this is a common misconception about trafficking.</li> </ul>
	Say	<ul style="list-style-type: none"> <li>• The answer is "no."</li> <li>• You do not have to confirm that trafficking has occurred to report it.</li> </ul>
<b>Slide Time</b>		1 minute

Slide 16:



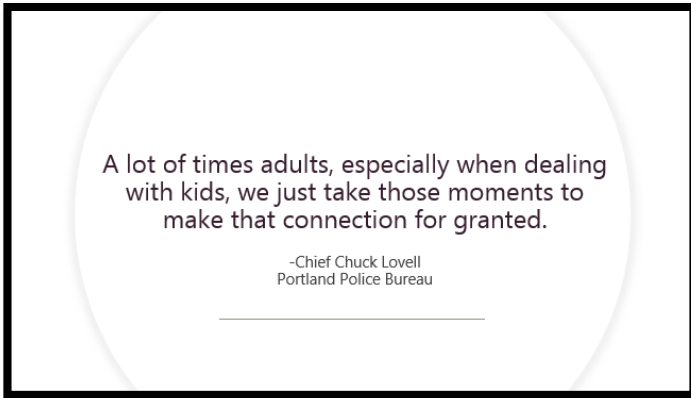
<b>Facilitate</b>	Do	<ul style="list-style-type: none"> <li>• Pull up video on desktop and cue it to 1:57.</li> <li>• Be sure to share audio.</li> <li>• Share browser window with video.</li> </ul>
	Say	<ul style="list-style-type: none"> <li>• We are going to watch a video from the Life Story.</li> <li>• The Life Story elevates the experiences and voices of those who have experienced sex trafficking.</li> <li>• This video includes one of the victims, Bobette, talking about a teacher from school.</li> <li>• While you watch, pay attention to the description of what the teacher did or didn't do.</li> <li>• We will discuss after.</li> </ul>
	Do	Play "The Life Story: School" from 1:57-3:33
	<b>Ask</b>	<b>What did you notice in the video?</b>
	Do	Use examples to start conversation if needed (see next page).
	Say	<ul style="list-style-type: none"> <li>• We know the teacher noticed what we consider to be indicators of sex trafficking.</li> <li>• We don't know what he did with his suspicions.</li> <li>• We don't know if he reported them to anyone.</li> <li>• But we do know he made an impression on Bobette.</li> </ul>
<b>Slide Time</b>		5 minutes (includes video)
<b>Video Time</b>		90 seconds
<b>Link</b>		<a href="https://thelifestory.org/school">https://thelifestory.org/school</a>
Slide 16 (continued)		

**Acknowledgment:** The *School* video shared with permission from The Life Story, <https://thelifestory.org/>.

**Examples**

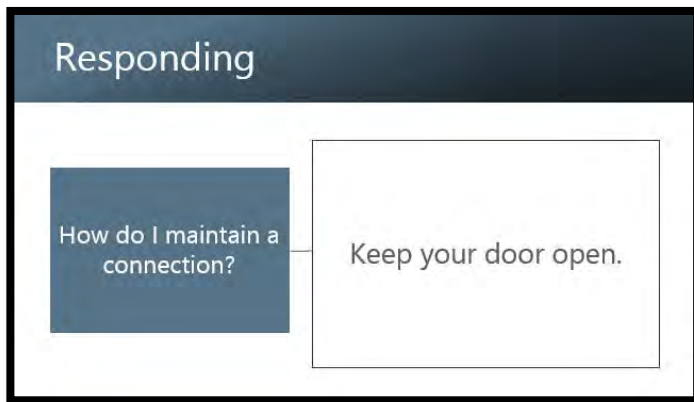
- The teacher noticed something about Bobette.
- The teacher voiced what he noticed about Bobette to her.
- The teacher asked questions of Bobette.
- Bobette still remembers this teacher (he made an impression).
- Teacher showed concern.
- Teacher saw something in her she didn't see in herself.
- It's important to let people know we see them, and we care about them.

*Slide 17:*



<b>Facilitate</b>	Do	Show slide #17.
	Say	One thing we hope you take away from the Life Story video is this quote.
	Do	Read quote aloud or pause to let them read.
	Say	<ul style="list-style-type: none"> <li>• Many times, victims who reach out for services are still experiencing trafficking.</li> <li>• Your connection with the victim is so important.</li> </ul>
<b>Slide Time</b>		30 seconds

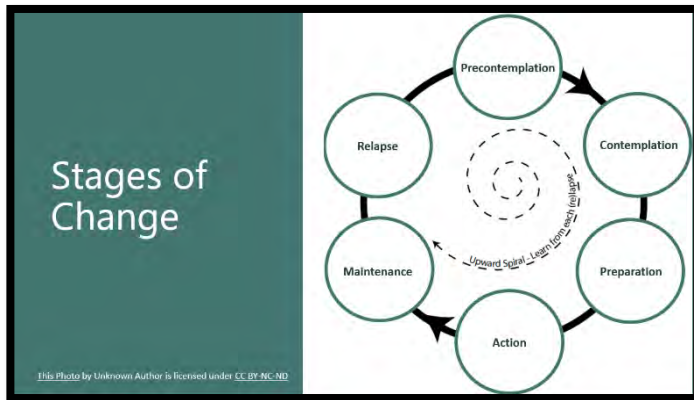
Slide 18:



<b>Facilitate</b>	Do	Show slide #18.
	<b>Ask</b>	<b>How do you maintain a connection?</b>
	Say	<ul style="list-style-type: none"> <li>• We're going to meet in smaller groups to discuss what can we do to "keep our doors open" and maintain a connection with the victim, even if they are actively being trafficked.</li> <li>• You'll have four minutes to discuss.</li> </ul>
	Do	Complete the "Connect" exercise.
<b>Slide Time</b>		8 minutes
<b>Connect Exercise (7-min)</b>	Do	<ul style="list-style-type: none"> <li>• Divide into breakout rooms (4-5 people) for 4 minutes.</li> <li>• Welcome group back.</li> <li>• Invite groups to share what they discussed for two minutes.</li> <li>• Highlight items from this list below if not mentioned.                             <ul style="list-style-type: none"> <li>○ Lower barriers to services and support for victims.</li> <li>○ Focus on what they need.</li> <li>○ Follow through with your commitments to connect them to other services.</li> <li>○ Support their autonomy for choice.</li> <li>○ Don't make promises you can't keep.</li> </ul> </li> </ul>
	Say	Remember, they don't need to self-identify – or not be experiencing sex trafficking – to maintain the connection.



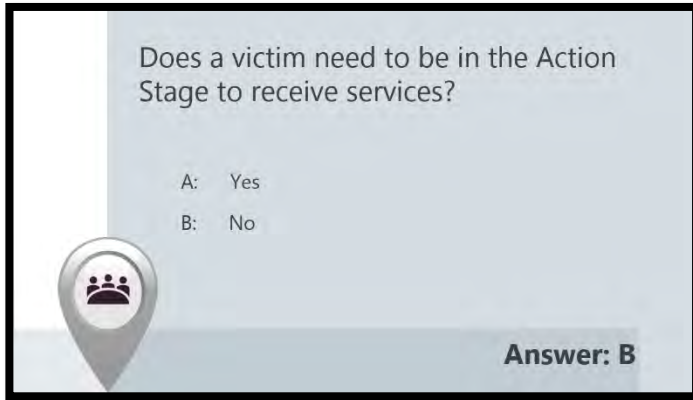
Slide 19:



<b>Facilitate</b>	Do	Show slide #19.
	Say	<ul style="list-style-type: none"> <li>We all have engaged in some type of change in our lives. It might have been changing jobs, leaving a relationship, moving to a different city, giving up a bad habit, or incorporating healthy habits.</li> <li>Think about a change you've made in the last five years.</li> </ul>
	Do	Pause for a few seconds
	<b>Ask</b>	<b>Would anyone be willing to share one word that comes to mind when you think about that change.</b>
	Do	<ul style="list-style-type: none"> <li>Allow time for folks to respond (15 seconds).</li> <li>Acknowledge responses.</li> </ul>
	Say	<ul style="list-style-type: none"> <li>Change is hard.</li> <li>Leaving a trafficking situation is not easy and involves a lot of change in the victim's life.</li> <li>The Stages of Change model is a great depiction of how people move through change.</li> </ul>
	<b>Ask</b>	<b>By show of hands, how many of you have heard about this model?</b>
	Do	Pause to get responses. Continued on the next page.

	Say	<ul style="list-style-type: none"> <li>• I’m going to provide a quick overview of the stages.</li> <li>• Change requires action, yet action isn’t the first step most of us take.</li> <li>• Looking at this model, we start in Precontemplation - when we have no idea that we need to make a change.</li> <li>• Next comes Contemplation when we realize we need to make a change.</li> <li>• Moving into preparation- we’ve taken steps to prepare to change.</li> <li>• Action is the fourth step – when we make the change.</li> <li>• From there, we move into the Maintenance stage. We’re sticking with the change and moving forward.</li> <li>• However, we relapse. We learn from it and move through the stages faster.</li> </ul>
	<b>Ask</b>	<b>Why is this model helpful when working with victims of sex trafficking?</b>
	Do	<ul style="list-style-type: none"> <li>• Allow folks to respond.</li> <li>• If they don’t respond, here are some examples:             <ul style="list-style-type: none"> <li>• It’s a reminder to us the stages that someone goes through before they’re ready to act.</li> <li>• It can help us be more empathetic to the victim we are working with.</li> <li>• It normalizes relapse.</li> </ul> </li> </ul>
	Say	Keeping this model in mind, we recommend having low barriers to services, so that victims can access them regardless of which stage they are in.
<b>Slide Time</b>		5 minutes

Slide 20:



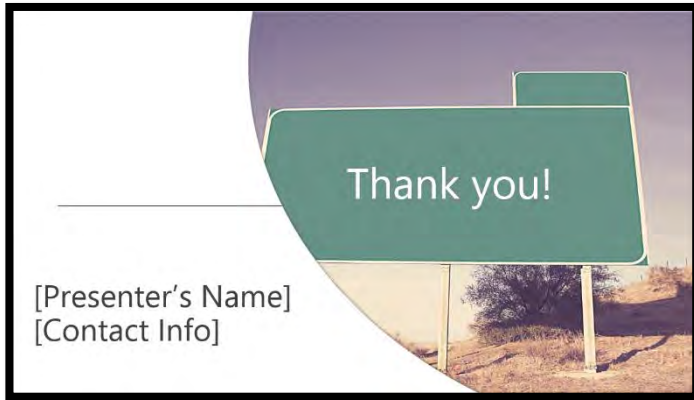
<b>Facilitate</b>	Do	Show slide #20.
	<b>Ask</b>	<b>Does a victim need to be in the Action Stage to receive services?</b>
	Do	<ul style="list-style-type: none"> <li>• Launch the Zoom poll.</li> <li>• If you do not have a producer, skip the poll, and have people respond in the chat box.</li> <li>• Show results.</li> <li>• Click mouse once to have answer appear.</li> </ul>
	Say	Services should be available to victims no matter what stage of change they're in.
<b>Slide Time</b>		30 seconds

Slide 21:



<b>Facilitate</b>	Do	Show slide #21.
	Say	<ul style="list-style-type: none"> <li>• With trafficking, we know that victims and survivors interact with different parts of our systems at different times.</li> <li>• This training is helping us to recognize and respond in the same way to sex trafficking.</li> <li>• There's no wrong door that a youth can go through in our community.</li> <li>• This is why the "no wrong door approach" is so important.</li> </ul>
<b>Slide Time</b>		30 seconds

Slide 22:



<b>Facilitate</b>	Do	Show slide #22.
	Say	<ul style="list-style-type: none"> <li>• Thank you for taking time to recognize and respond to sex trafficking in our community.</li> <li>• I've listed my contact information here.</li> <li>• It's important for us to know how we did today.</li> <li>• Please take a few minutes to complete an evaluation.</li> </ul>
	Do	Share link to course evaluation in chat.
<b>Slide Time</b>		3 minutes



## Appendices





## Appendix A: Materials Needed

For in-person delivery of this presentation, you will need the following items.

- PowerPoint file titled, "Indicators March 2023"
- Computer
- Screen or Display
- Projector
- Speakers
- Optional slide advancer
- Handouts for the participants
- Timer or Clock



Appendix B: Sample Training Flyer

# Indicators: Recognizing and Responding to Sex Trafficking

What if you suspect a youth is being trafficked? Learn more about how our community responds to the sex trafficking of minors.

[Date]  
[Time]  
[Location]

[Register](#)

For more information or if you require an accommodation to participate, please contact [insert name, email, and phone number for point of contact].



## Appendix C: Producer's Guide

## Indicators: Responding and Recognizing Sex Trafficking Production Guide

NUMBER	ACTION	TIME
7	<b>Chat:</b> Share Recognizing Sex Trafficking Handout (after speaker talks about the handout)	
10	<b>Chat:</b> Share Child Abuse Reporting Guide <a href="https://sharedsystems.dhsoha.state.or.us/DHSForms/Served/de2807.pdf">https://sharedsystems.dhsoha.state.or.us/DHSForms/Served/de2807.pdf</a>	
13	<b>Chat:</b> Share handout - Community's response protocol.	
14	<b>Breakout:</b> 4-5 people/room <b>Chat:</b> Why might someone not report suspected sex trafficking of minors?	3 mins
15	<b>Poll</b>	
18	<b>Breakout:</b> 4-5 people/room <b>Chat:</b> What can we do to "keep our doors open" and maintain a connection with a victim, even if they are actively being trafficked?	4 mins
20	<b>Poll</b>	
22	<b>Chat:</b> Share evaluation link	



## Handouts





## Handout 1: Recognizing Sex Trafficking

### Recognizing Sex Trafficking

This list focuses on indicators you might observe when interacting with youth. It does not include every indicator of sex trafficking. Most of these indicators are ones that you might see the first or second time you meet with a youth.

A single indicator may or may not mean that sex trafficking is occurring. **You should report any reasonable suspicion of sex trafficking.**

**Report suspected trafficking of a youth to the Oregon Child Abuse hotline:  
1 (855) 503-7233**

#### Physical Indicators

- Bruising and burns
- Communicable and noncommunicable disease (e.g., TB, Hepatitis)
- Dental issues, mouth injuries
- Frequent treatment for sexually transmitted infections and injuries
- Multiple pregnancies/terminations
- Physical and sexual abuse/sexual assault
- Substance use
- Tattoos
- Unexplained injuries or unaddressed medical issues

#### Environmental Indicators

- Accompanied by another person who answers for them
- Changes in school attendance and/or behavior (e.g., falling asleep in class)
- Experiencing homelessness
- Lacking access to weather-appropriate clothing
- Living in a car, motel, or homeless camp
- Living where they work
- Multi-system involvement
- Not living with relatives or foster parents
- Recruited for different work than currently doing
- Required to provide sexual services to co-workers and/or employers

#### Behavioral Indicators

- Being forced to commit crimes (e.g., theft, assault, fraud)
- Confusing or contradicting stories
- Exchanging sexual acts or performances for money, basic needs (e.g., shelter, food) or anything of value (e.g., drugs, transportation, alcohol)
- Fear of appointments taking longer than expected
- Frequently checking in with family member, friend, or significant other
- Inability to focus or concentrate
- Multiple occasions of running away from home/placement.
- Protecting the person who hurt them or minimizing abuse
- Providing limited information
- Unaware of location, age, and/or the date

This resource was created by Oregon Department of Justice Trafficking Response Intervention Program (T.R.I.P.) with the support of grant 22-GG-01577-DTVF, awarded by the Office for Victims of Crime, Office of Justice Programs, U.S. Department of Justice. The opinions, findings, and conclusions or recommendations expressed in this content are those of the contributors and do not necessarily reflect those of the U.S. Department of Justice.



## Handout 2: Sample Training Evaluation Form

### **Training Evaluation**

[Name of Training] [Date of Training]

1. Did the training meet your expectations? Yes/No  
If no, in what ways did the training fall short?
  
2. Please rate the following areas on a scale of 1 to 5, with 1 = unacceptable and 5 = outstanding.
  - a. The quality of the instruction
  - b. The quality of activities and interactions
  - c. The quality of the learning environment
  
3. Please indicate your agreement with the following statements on a scale of 1 to 5, with 1 = strongly disagree and 5 = strongly agree.  
As a result of this course, I can...
  - a. list physical, behavioral, and environmental indicators of a minor who is experiencing sex trafficking.
  - b. describe the actions to take when you suspect a minor is experiencing sex trafficking.
  
4. What, if anything, would you change about this training to improve it?



## Handout 3: Child Abuse Reporting Guide





## Indicators Train-the-Trainer Workshop Series

### Course Description

#### Goal of the Indicators Train-the-Trainer:

After completing this series, you will have the tools, skills, and confidence needed to present the ***Indicators: Recognizing and Responding to Sex Trafficking*** curriculum.

#### Series Schedule:

DATE & TIME	Demonstration of <b><i>Indicators: Recognizing and Responding to Sex Trafficking</i></b> and Unpacking the Curriculum
DATE & TIME	Unpacking the Response Protocol and Difficult Conversations
DATE & TIME	Explaining the Response Protocol (Hands-On)

#### Description:

The goal of this curriculum is to improve participants' ability to recognize indicators of sex trafficking in minors and take initial steps to respond. This response includes reporting suspicions (when appropriate) and continuing to provide services, regardless of whether the survivor discloses trafficking.

This is not an introductory sex trafficking course. Participants should complete an introductory training, like the ***Understanding and Addressing Sex Trafficking in Our Community (UAST)***, prior to attending ***Indicators: Recognizing and Responding to Sex Trafficking***.

You will customize the curriculum based on your community's response plan.

Instructors for this curriculum must complete the UAST train-the-trainer series prior to attending this course.

Also, the community should have a sex trafficking response protocol in place that clearly identifies the initial steps people should take when they suspect sex trafficking is occurring. If the community does not yet have a protocol in place, they should hold off on delivering this training until they create one.

During this train-the-trainer series, we will...

- Examine how (and why) we created the **Indicators** curriculum.
- Discuss considerations for delivering the training.
- Prepare you to respond to difficult questions and comments from audience members while still promoting an environment that is conducive to learning.
- Explain your community's response protocol.

### Methodology:

The series consists of three instructor-led virtual session. You will also be doing classwork outside our sessions.

### Independent Work:

As a requirement for delivering the training, a community should have a sex trafficking response protocol in place that clearly identifies the initial steps people should take when they suspect sex trafficking is occurring. You will determine if your community has a response plan, and if so, whether it is the standard response protocol. Additional instructions are provided in the **Pework Assignment** form. You will practice explaining your community's response protocol as part of the indicators curriculum in the session.

This training was created with the support of grant 2019-NZ-NX-0034, awarded by the Office for Victims of Crime, Office of Justice Programs, U.S. Department of Justice. The opinions, findings, and conclusions or recommendations expressed in this content are those of the contributors and do not necessarily represent the official position or policies of the U.S. Department of Justice.





# Indicators Train - the - Trainer

## Session 1

# Introductions

T. R. I. P.      W O R D L E

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Tell us your name, pronouns (optional) and a letter for Wordle.

1

2

3

## Session 1 – June 1<sup>st</sup>

Demonstration of Indicators: Recognizing and Responding to Sex Trafficking

Unpacking the Curriculum

Preparing for Session 3 Practice

1

2

3

## Session 2 – June 6<sup>th</sup>

Unpacking the Response Protocol

Difficult Questions

1

2

3

## Session 3 – June 8<sup>th</sup>

Practice Explaining Your Response Protocol

Debrief

Wrap Up

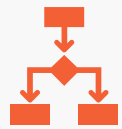
# Demonstration



**Come back in 10**



# Unpacking the Curriculum



When should you deliver?



Who's your audience?



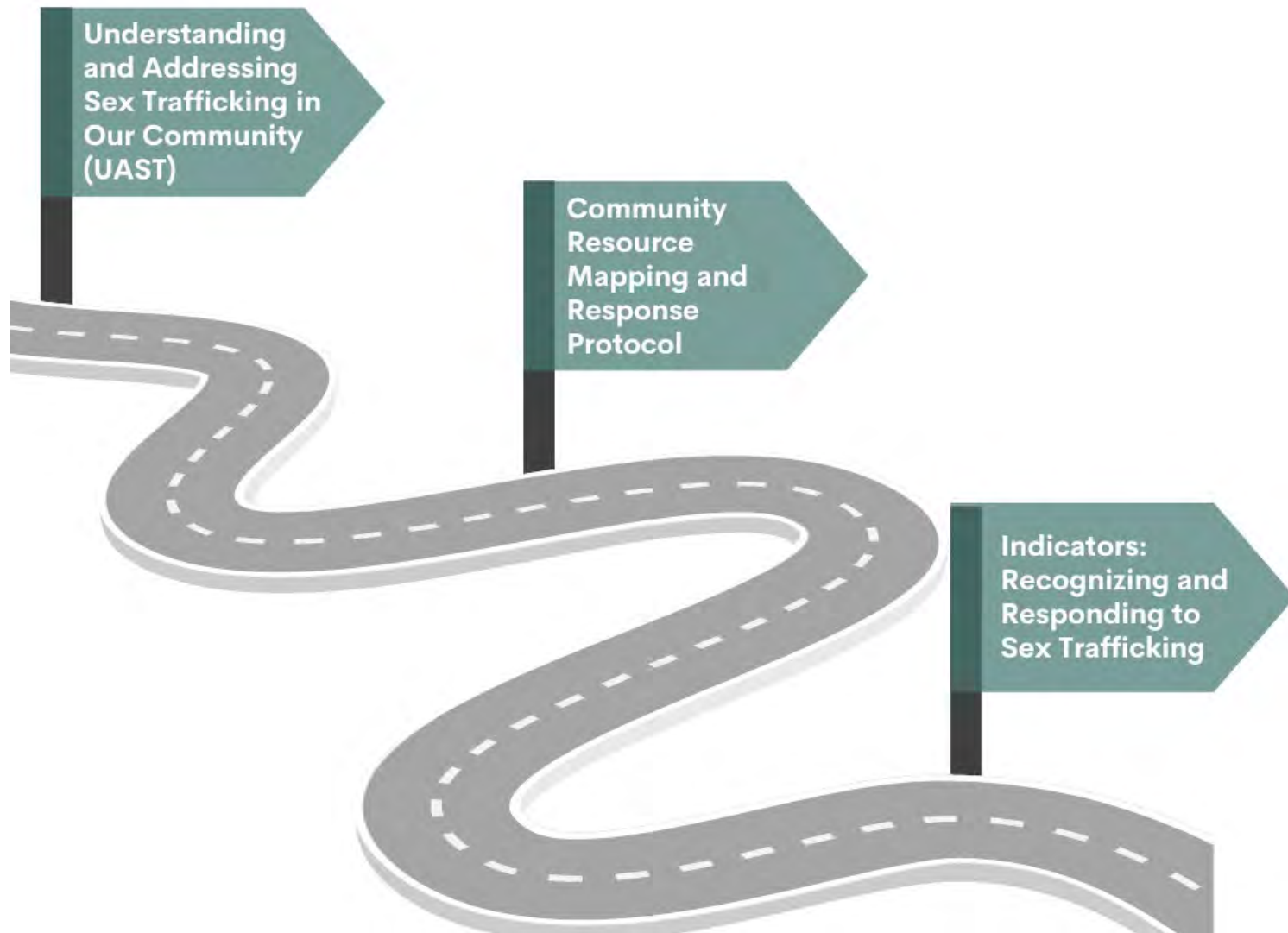
Indicators list vs. screening tools



Stages of Change

# When ?

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# Who?

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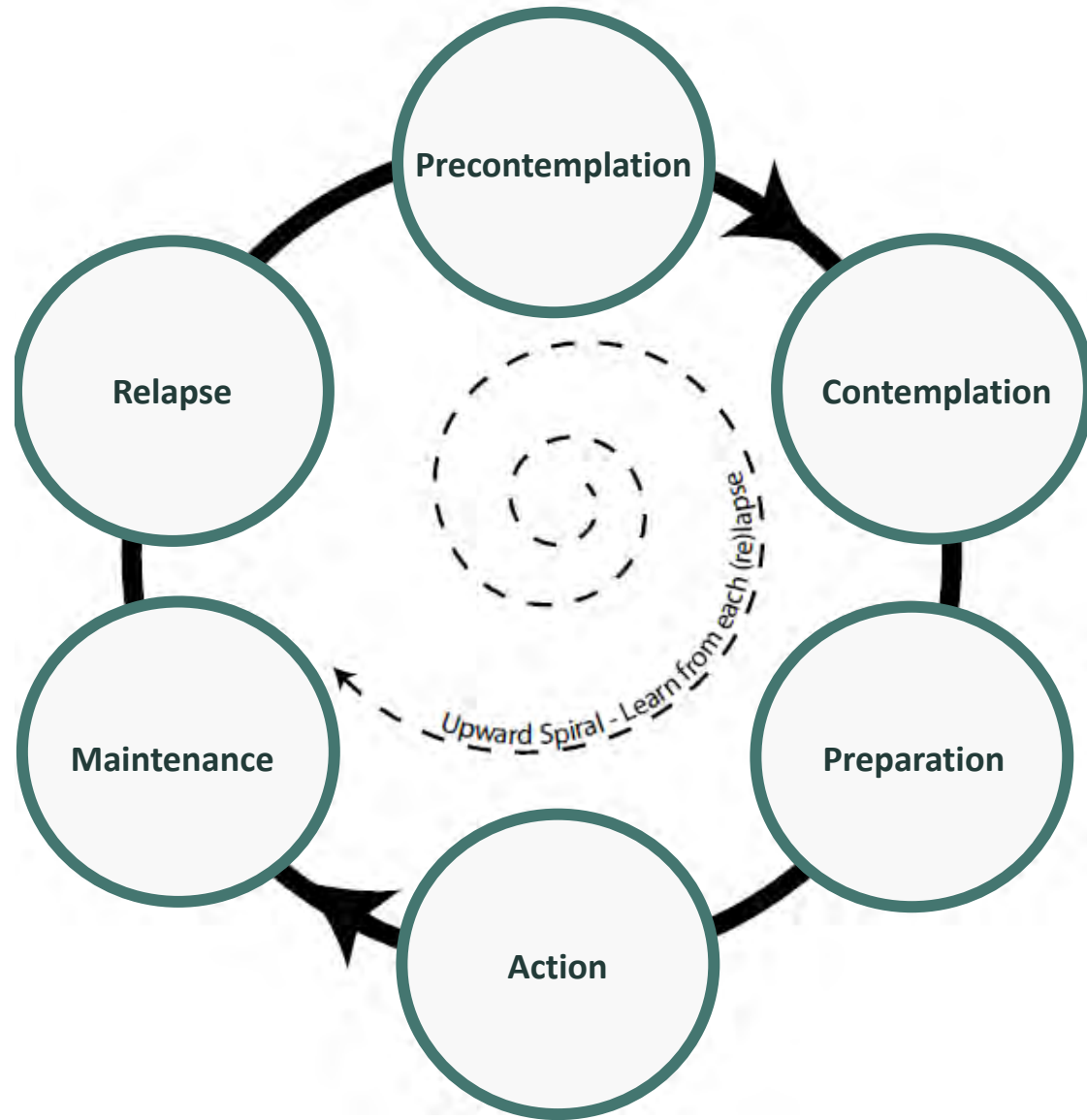


# Indicators List

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# Stages of Change



# Sneak Peak: Session 3

Practice explaining your community's response plan for 3-4 minutes.

Getting there:

- Complete prework.
- Update slide 13.
- Identify an audience.
- Create talking points.

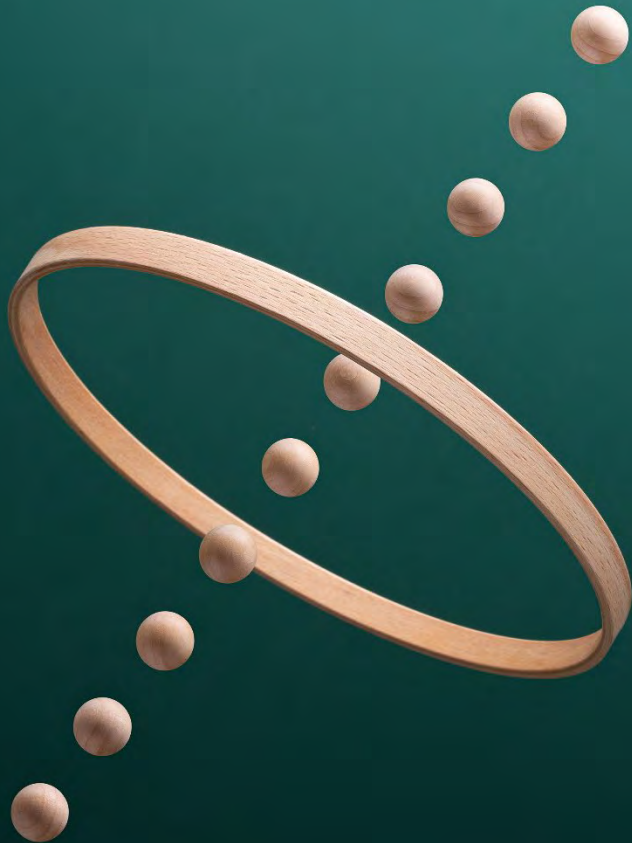


# Goals for Explaining Response Plan

A clear visual depiction of the response plan.

Explicit next steps for any audience member.

An explanation of page 2 of the protocol (i.e., the list of providers) in 3-4 minutes.



# Coming Up

---

Office hours:

Today 12:00 pm –  
12:30 pm

Next session:

June 6<sup>th</sup> 10:00 am –  
12:00 pm

Task:

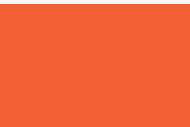
Complete your homework  
by 12:30 pm today.





# Indicators Train-the-Trainer

## Session 2



1

2

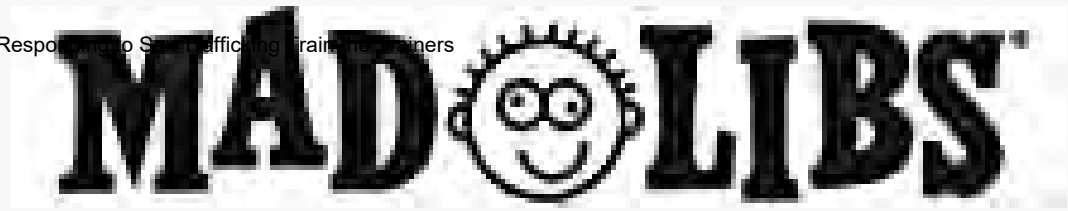
3

## Session 2 – June 6<sup>th</sup>

Unpacking the Response Protocol

Difficult Questions

**TRIP**



- Adjective:** describes something or somebody  
*short, messy, soft, lumpy*
- Adverb:** tells how something is done  
*quickly, carefully, slowly*
- Noun:** person, place, thing
- Verb:** an action word
- Superlative:** of the highest degree  
*shortest, messiest, softest, lumpiest*

# Unpacking the Response Protocol

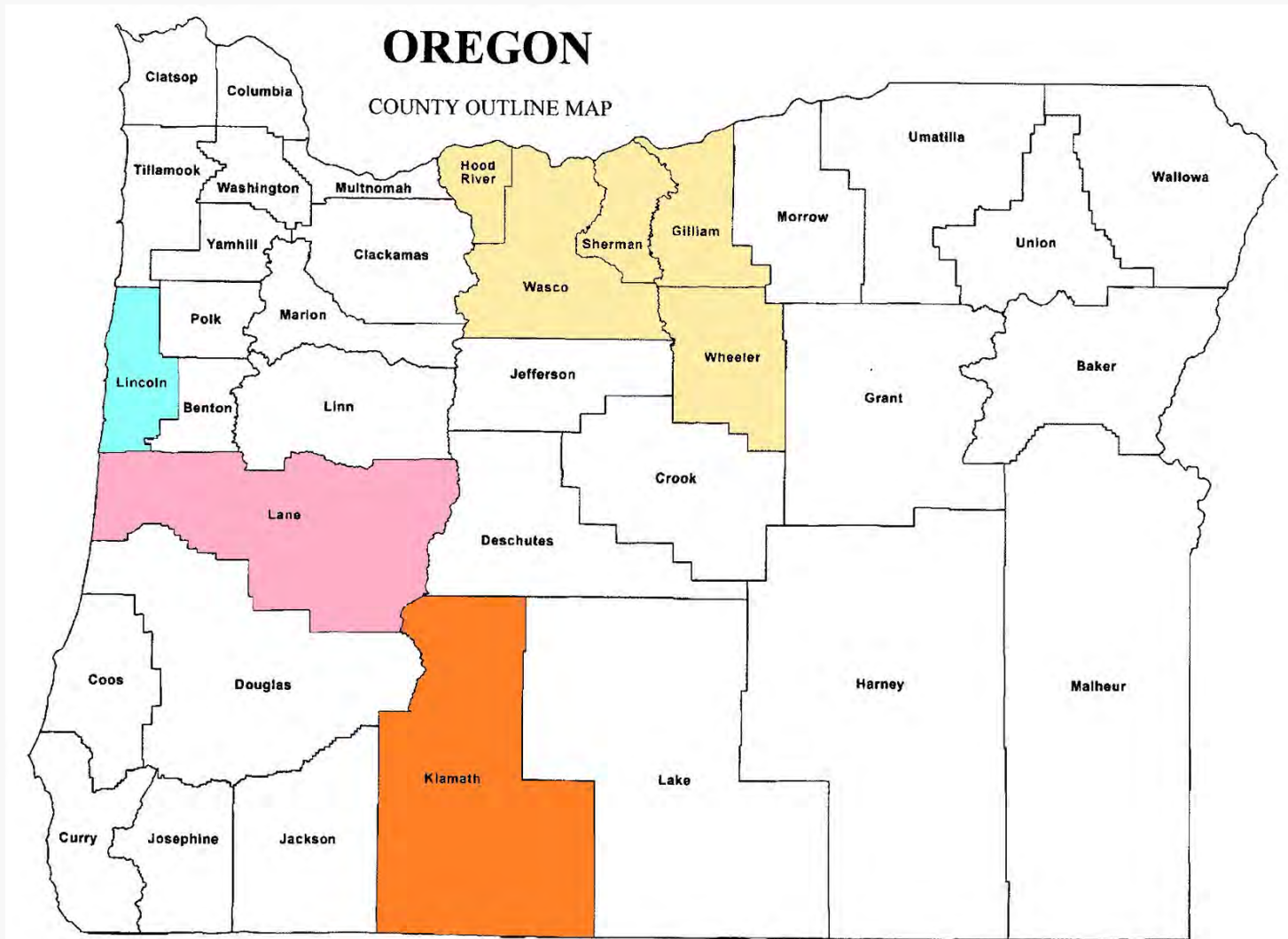


Why is the protocol  
im p o r t a n t ?



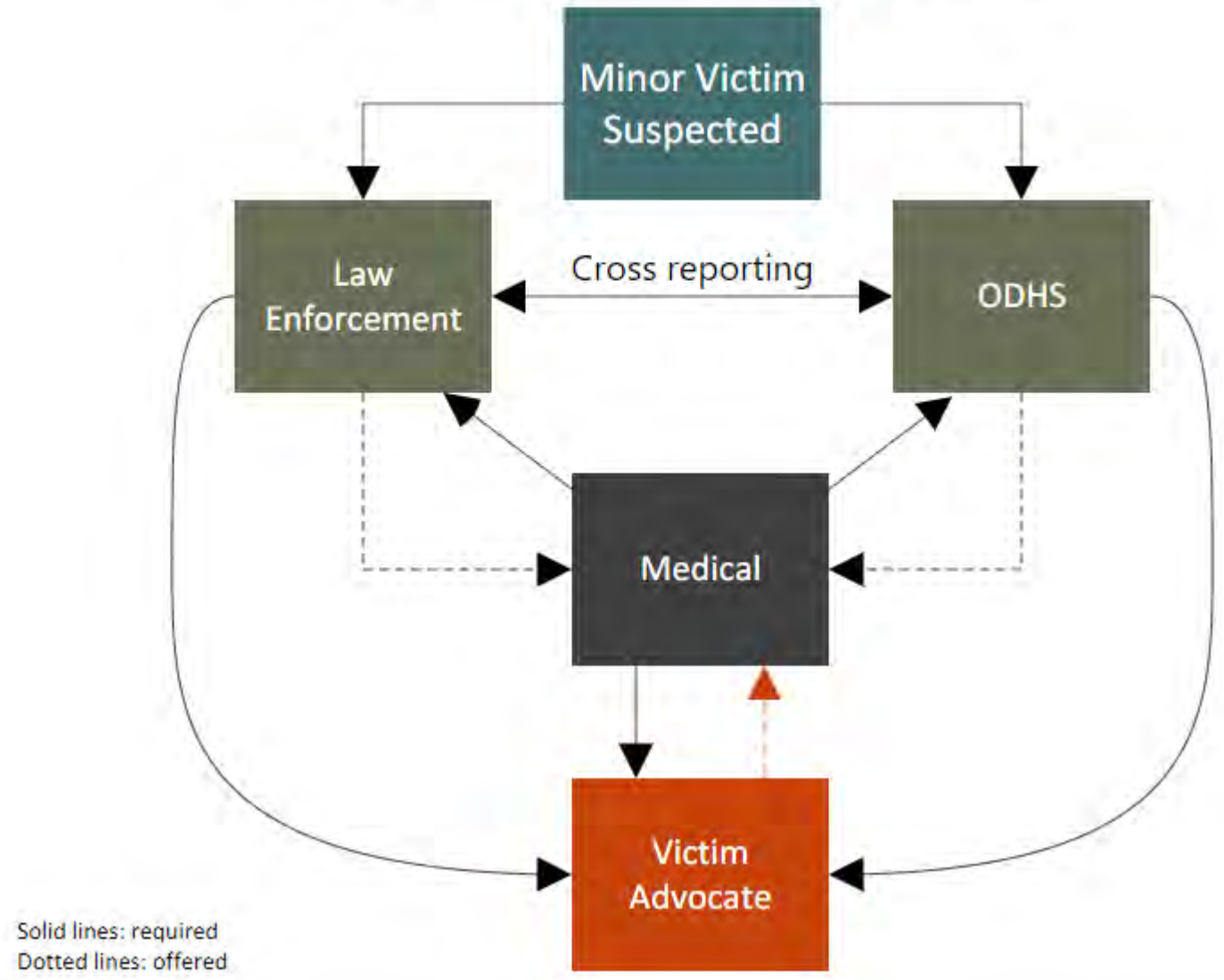
Standard Sex  
Tra fficking  
Response Protocol

# Standard SSTRP



# SSTRP Visuals

## Standard Sex Trafficking Response Protocol



# SSTRP Providers

24/7 Contact information for all agencies

Law Enforcement: [name, phone number]

Oregon Department of Human Services (ODHS)  
Oregon Child Abuse Hotline: (855) 503-7233

Medical: [name, phone number]

Victim Advocacy: [name, phone number]

# Did it work?

---







**Come back in 10**



# Difficult Conversations

“I’ve tried reporting it,  
but nothing ever  
happens.”

“How many indicators do I need in order to report it to child welfare or law enforcement?”



# Small Group Discussion

“I’m not a mandated reporter. My agency doesn’t typically report to law enforcement.”

“Some of the agencies  
on this response  
protocol are difficult to  
work with.”

# Strategy



Prepare



Pause



Respond



---

# Respond

---

Validate

Educate

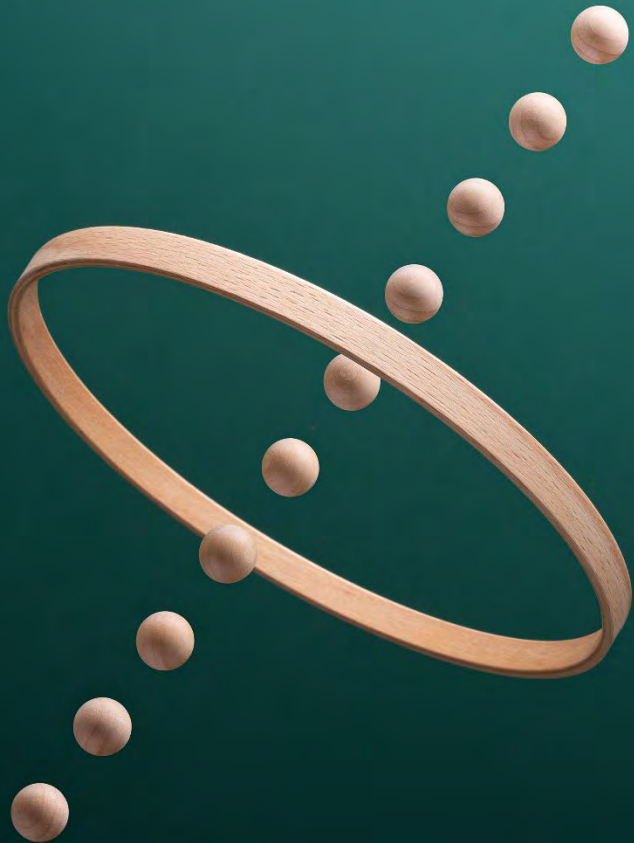
Follow-up



SUCCESS LOADING



Check In



# Coming Up

---

Next.  
session:  
June 8, 2023 10 a m –  
12:00 p m

Task:

Practice explaining your  
response protocol.



# Indicators Train - the - Trainer

## Session 3

# How ready are you to

Appendix B-53: OREGON: Indicators: Recognizing and Responding to Sex Trafficking Train the Trainers

# present and explain your response plan?



1

2

3

## Session 3 – June 8<sup>th</sup>

Practicing Explaining Your Response Protocol

Debrief

Wrap Up

# Response Plan Activity:

Instructions  
**12 minutes**



# Response Plan Activity: Speaker

(about 6 minutes total)

Say who is the intended audience.

Share a visual of the response protocol.

Explain the 2 pages of the protocol for 3-4 minutes.

Practice responding to a common question.



# Response Plan Activity: Observers

Watch the presentation.

Ask a question about their response plan.

Evaluate the presentation.

# Goals for Explaining Response Plan

A clear visual depiction of the response plan.

Explicit next steps for any audience member.

Explain the 2 pages of the protocol for 3-4 minutes.

# Response Plan Activity: Evaluation

(about 2 minutes)  
Does the slide depict the plan clearly?

If you were the target audience, would you know the first step to take if you suspected someone was being trafficked?

Did the presenter stay inside the 3–4-minute goal?

What is one thing the speaker did well, and one thing they may want to work on?

Appendix B-53: OREGON: Indicators: Recognizing and Responding to Sex Trafficking Train the Trainers

# Response Plan Activity: Feedback (about 4 minutes)



Connected to  
Goal



Tangible



Actionable



Specific



# Practice Round 1

Did you get to  
present?

Yes

No

How was the  
timing?

Too  
Short

Just Right

Too Long



**Come back in 10**

# Response Plan Activity:

## Round 2



Speak



Observe



6 minutes





# Practice Round 2

# Reflect on Your Experience

What is one  
thing that  
went well?

What is one  
thing you want  
to work on?

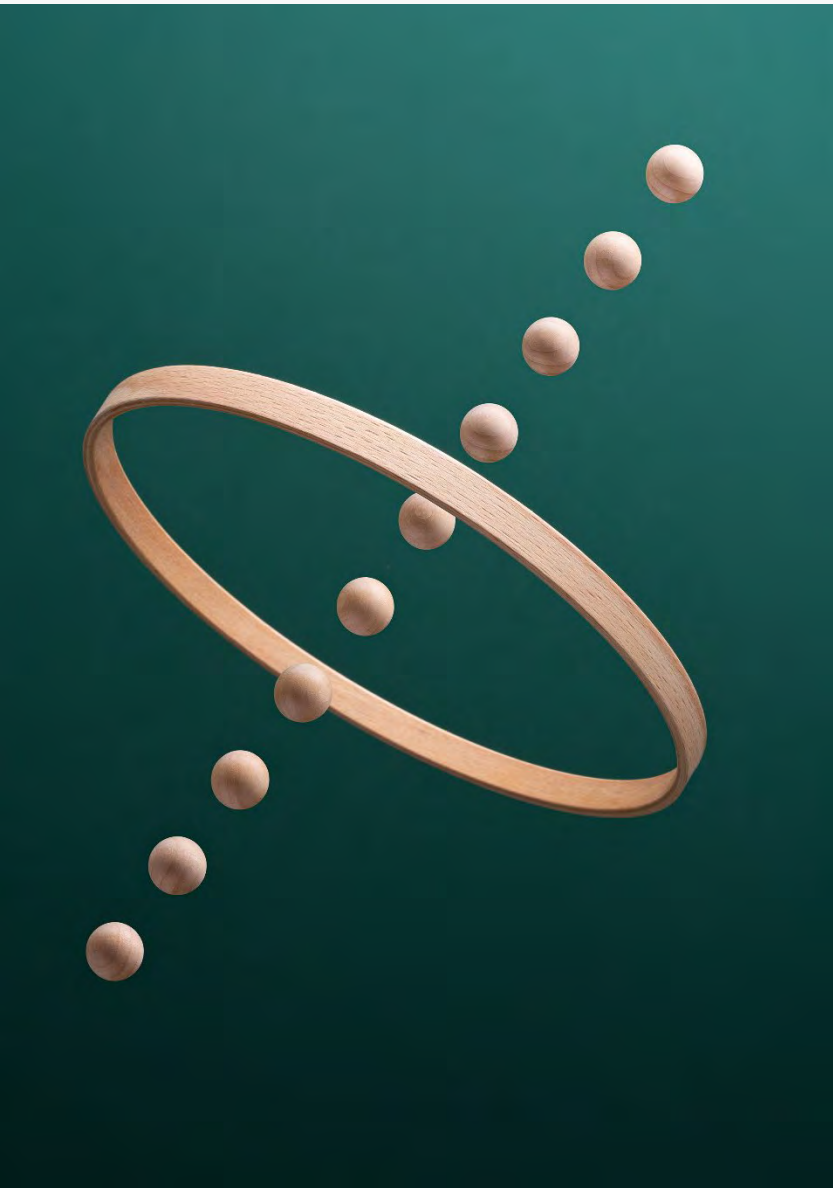
# How ready are you to

Appendix B-53: OREGON: Indicators: Recognizing and Responding to Sex Trafficking Train the Trainers

# present and explain your response plan?



# Questions?



# Wrapping Up

---

Next Graduate  
Hour:

Wednesday June 14

11:00am – 12:00pm

# Session Three Activity

## Round 1 Instructions

Step	Details
1	Meet for 36 minutes. Rotate speakers every 12 minutes. Keep track of time.
2	The speaker presents their protocol and responds to a question ( <i>about 6 minutes</i> ). <ul style="list-style-type: none"> <li>● Identify the intended audience.</li> <li>● Share a visual of the response protocol.</li> <li>● Explain the 2 pages of the protocol for 3-4 minutes.</li> <li>● Respond to a common question from an observer.</li> </ul>
3	The observers evaluate the speaker ( <i>about 2 minutes</i> ) and consider: <ul style="list-style-type: none"> <li>● Does the visual clearly depict the plan?</li> <li>● Do I know the first step to take if I suspect someone is being trafficked?</li> <li>● Did the speaker finish their explanation of the protocol within 3-4 minutes?</li> <li>● What is one thing the speaker did well and one thing they may want to work on?</li> </ul>
4	The observers provide feedback to the speaker ( <i>about 4 minutes</i> ). Remember that feedback should be: <ul style="list-style-type: none"> <li>● Connected to the goal of the presentation</li> <li>● Tangible</li> <li>● Actionable</li> <li>● Specific</li> </ul>
5	Repeat steps 2-4 so that each member of the group is the speaker one time.

## Round 2 Instructions (New Group)

Step	Details
1	Meet for 15 minutes. Rotate speakers every 5 minutes. Keep track of time.
2	Each speaker presents their protocol. <ul style="list-style-type: none"> <li>● Identify a different intended audience from Round 1.</li> <li>● Display a visual of the response protocol.</li> <li>● Explain the 2 pages of the protocol for 3-4 minutes.</li> </ul>
3	Repeat step 2 so that each member of the group is the speaker one time.

# Louisiana Indicator Tool for Child & Youth Labor Trafficking

## Supplementary User Guide

*Updated: April 2023*



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## Overview of the Tool

The purpose of this tool is to provide indicators to assist in the identification of children and youth who may have experienced labor trafficking. Labor trafficking is when a person is compelled, either through force, fraud, or coercion, to provide labor services. The tool was developed with input gathered from focus groups with subject-matter and lived experience experts. The tool assesses the presence of research-based indicators associated with labor trafficking and exploitation among children and youth. The result, or “conclusion,” of a completed screening helps screeners identify next steps for further monitoring, assessment, and/or reporting. A self-disclosure of trafficking or an outcry by the child or youth is *not* required to complete the tool or to make a referral for services. The tool was developed as a narrative assessment tool, rather than a questionnaire or interview tool. The indicators outlined in the tool are *not* to be asked directly to the child or youth. The tool’s indicators were chosen for use with children and youth up to age 24 years old; however it may have applicable indicators that are suitable for adults over the age of 24 years old. For the purpose of this tool, children are people under the age of 18 years of age, and youth are people between the ages of sixteen and twenty-four. For a list of definitions used in this guide, see Appendix A: Definitions. A paper copy of the tool can be found in Appendix B.

### Contributors

This tool was created in partnership between the Louisiana Governor’s Office of Human Trafficking Prevention, Louisiana Alliance of Children’s Advocacy Center, and the Louisiana Department of Children and Family Services. Special thanks to Dr. Dana Hunter and Mary Kate Andrepont of the Governor’s Office of Human Trafficking Prevention and to Christy Tate, Shannon Catanzaro, and Lauren Brocksmith of the Department and Children and Families Services for their role in developing this tool and supplemental guide. Additional thanks to Leanne McCallum Desselle for facilitating the working group and the following individuals for their participation in the working group: Kate Shipley, Steven Farber, Brianna Rock, Mary Yanik, Ariel Gutierrez, Stephanie Bratnick, and others who wish to remain anonymous. We are grateful to the experts at several agencies who reviewed the final product of this tool: U.S. Department of Justice Office for Victims of Crime (OVC), U.S. Department of Health and Human Services Office of Trafficking in Persons (OTIP), and RTI International.

### Background

Human trafficking is an under-identified crime in Louisiana. Screening tools have provided an effective means to identify potential victims of human trafficking for referral to victim services. In 2015, the Louisiana Department of Children and Family Services (DCFS) worked with partners across the state to establish a Child Sex Trafficking (CST) Indicator Tool that Child Protective Service (CPS) workers could use when they assessed youth who entered the child welfare system in Louisiana. This tool was designed specifically with the view of Louisiana state law on

child sex trafficking (Revised Statute 14:46.3). Following the implementation of this CST tool, the state saw an increase in the identification of child sex trafficking victims.

Despite the advances in identification of child sex trafficking in Louisiana, labor trafficking continues to be under-identified. In 2021, through the Louisiana Child and Youth Trafficking Collaborative project, the Office of Human Trafficking Prevention (OHTP), the Louisiana Alliance of Children's Advocacy Centers (LACAC), and DCFS began a working group to develop a tool that CPS workers and child-serving agencies in Louisiana could use to screen children and youth for labor trafficking. Specifically, DCFS requested the development of a child labor trafficking screening tool that could be complementary to the existing CST Indicator Tool and that CPS workers could use to quickly and simply screen children. To achieve this goal, this group invited an array of 1) subject-matter experts on labor trafficking and 2) populations impacted by labor exploitation to participate in a focus group. Over the series of four focus group meetings, the team reviewed more than twenty tools, reports, and other pieces of literature on topics such as, labor trafficking screening, indicators of human trafficking for children and youth, and other screening tools of children and youth. The team then worked collaboratively to develop this tool with indicators that adhere to state and federal law on labor trafficking and state-specific guidelines on service referral and reporting.

This tool has some limitations. It was intended for use by practitioners in Louisiana to efficiently screen children and youth for labor trafficking indicators. This tool's indicators were specifically chosen for use with children and youth; however it may have applicable indicators that are suitable for adults. For the purpose of this tool, children are people under the age of 18 years of age, and youth are people between the ages of sixteen and twenty-four. We use these words to differentiate because minors have special rights as a protected class, but in the process of our literature review we found that youth and young people up to 24 years old may have similar characteristics in terms of trafficking indicators. Louisiana's human trafficking law in Revised Statute 14:46.2 pertaining to labor trafficking does not differentiate by age, and therefore we chose to assign this tool for use for both children and youth.

Though this is a simple check-box tool that does not require prior training, the developers of this tool highly recommend that any people who intend to use this tool seek training on human trafficking identification and response prior to using it. For more information and training resources, please visit [www.humantrafficking.la.gov](http://www.humantrafficking.la.gov) or email [humantrafficking@la.gov](mailto:humantrafficking@la.gov).

*This content was produced in part by the Louisiana Child and Youth Trafficking Collaborative under 2021-63005, awarded by the Office for Victims of Crime, Office of Justice Programs, U.S. Department of Justice. The opinions, findings, and conclusions or recommendations expressed in this guide are those of the contributors and do not necessarily represent the official position or policies of the U.S. Department of Justice.*

## What is Labor Trafficking?

Louisiana Revised Statute 14:46.2 states “*it shall be unlawful for any person to knowingly recruit, harbor, transport, provide, solicit, receive, isolate, entice, obtain, or maintain the use of another person through fraud, force, or coercion to provide services or labor.*”<sup>1</sup> RS 14:46.2 defines labor and services as an activity having an economic value. **Human trafficking is when a person is compelled, either through force, fraud, or coercion, to provide sexual or labor services.** Human trafficking can happen to people of any age, gender, race, ethnicity, socio-economic status, and more. Specifically, labor trafficking can happen in any type of work whether it is legal or not. This includes the normal economy or the ‘gray economy’, also known as the underground or illicit economy (e.g., dealing with illicit substances).

Depending on the state, children typically are allowed to work legally when they’re between 14 and 16 years old. Child labor exploitation is when a child is working legally but is denied basic legal rights such as fair compensation. Child labor is when a minor under the legal working age is engaged in illegal work or work that’s harmful to his/her/their health, development, or education.<sup>2</sup> In Louisiana, the legal working age for children is age 14, though there are exceptions when the child’s parent or guardian is the owner of the business (see RS 23:162). Child labor trafficking can include components of child labor and labor exploitation, but is *only* considered labor trafficking when there are elements of force, fraud, or coercion. Learn more about employment of minors in Louisiana at the Louisiana Workforce Commission website, [www.laworks.net](http://www.laworks.net).

### Common Misconceptions About Trafficking

There are many common misconceptions about human trafficking. It is critical to know not only what trafficking is, but also what trafficking is not. A few misconceptions about labor trafficking are addressed below.

- Labor trafficking is not just unpaid labor or slavery.
- Traffickers do not only use physical restraint or force to keep victims in a trafficking situation.
- Labor trafficking can happen in both legal industries, such as hospitality, *and* in illicit industries, such as the drug trade.
- Anyone can be a victim; there is no “perfect victim.” Labor trafficking can happen to U.S. citizens, children, male-identifying individuals, and people with disabilities.
- Labor trafficking is not less harmful than sex trafficking and can result in a great deal of trauma experienced by the victim. A comprehensive service array that can meet the myriad needs of children and youth who have experienced labor trafficking is vital.

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<sup>1</sup> Louisiana Revised Statute 14:46.2. <http://www.legis.la.gov/Legis/Law.aspx?d=320889>

<sup>2</sup> Learn more about child labor laws and regulations from the Louisiana Workforce Commission’s “Employment of Minors Information Handbook”: [www.laworks.net/Downloads/FWFD/FEmploymentOfMinors.pdf&clen=135225&chunk=true](http://www.laworks.net/Downloads/FWFD/FEmploymentOfMinors.pdf&clen=135225&chunk=true)

This tool was created in partnership between the Louisiana Alliance of Children’s Advocacy Centers, the Louisiana Child and Youth Trafficking Collaborative, the Louisiana Governor’s Office of Human Trafficking Prevention, the Louisiana Dept. of Children and Family Services, and a working group of experts in Spring 2021, under 2021-63005, awarded by the Office for Victims of Crime, Office of Justice Programs, U.S. Department of Justice. The opinions, findings, and conclusions or recommendations expressed in this guide are those of the contributors and do not necessarily represent the official position or policies of the U.S. Department of Justice.

## How to Use this Tool

This tool was created for use by professionals in Louisiana who may encounter victims of human trafficking. This is particularly useful for child protective service workers, service providers, and law enforcement. This tool does not require prior knowledge or advanced training on labor trafficking, though training in labor trafficking is encouraged. Please follow the instructions outlined below for using the tool.

### *Instructions*

The screening uses indicators that meet the state of Louisiana's definition of labor trafficking, per the state and federal laws. Professionals utilizing this tool should adhere to the instructions for use outlined in this guide. *The tool is not intended to be a questionnaire; questions should not be asked directly to the child or youth. This tool is intended to be used as a narrative assessment.* Please check the boxes for any of the indicators that you note. You should weigh potential trafficking situations over the lifetime of the child or youth, including labor trafficking that happened previously in other states or countries or that was a one-time occurrence. Victims of labor trafficking are eligible for services regardless of when, where, or how long the trafficking situation occurred.

Information used to complete the tool does not have to be strictly reflective of a singular interaction with the child or youth. Rather, information used to complete the tool may include collateral information such as, background information shared by multi-disciplinary team partners or verifiable information from the child or youth's non-offending caregiver. It is important to recognize that victims often do not realize that they are victims, or they may be fearful to share information about their abuse. A disclosure by the child or youth of the indicators on this tool is *not* required to complete the tool. In interacting with potential victims, use a sensitive, trauma-informed and victim/survivor-centered approach, and avoid the implication of shame or blame on the child or youth.

The screening results categories are "not enough information," "concern," and "suspected." The tool does not include a result of "confirmed" trafficking; a determination that a child or youth is a confirmed victim of human trafficking requires an assessment and validation from a qualified professional (such as, law enforcement, U.S. Attorney, District Attorney, HHS, victim advocate, Care Coordinator, or other qualified professional.)

A screening result of "not enough information" does not mean that the child or youth has not experienced labor trafficking. It simply means that there is not currently enough information, based on the indicators listed, to determine whether they have experienced trafficking. **If there is an indication that the child or youth is currently, was ever, or is in the process of being forced to perform labor or services, you should flag the case for "concern" and follow the actions for additional assessment.**

## Methodology of Indicators

The Indicator Tool adapts the Ends-Means-Process (EMP) Model to guide the process of identifying the potential victim of labor trafficking in Louisiana. The EMP Model was created by the Coalition to Abolish Slavery and Trafficking (CAST) to help attorneys and legal providers identify human trafficking under the federal Trafficking Victims Protection Act in 22 USC § 7102.<sup>3</sup> The EMP model is similar to the Action-Means-Purpose Model (AMP) first publicized by Polaris.<sup>4</sup> The working group agreed to use a modified version of the EMP model, as members felt it better fit this tool's purpose of screening youth for trafficking indicators that reflect the legal definition. To view an EMP model worksheet, please see Appendix C.

Under the EMP Model, human trafficking is broken down into three components to meet the legislative definition of human trafficking: the Ends, Means, and Process. The "ends" category identifies if the child or youth was required or made to perform work or services. Next, the "means" category identifies the presence of force, fraud, and/or coercion by a perpetrator in compelling the child or youth to perform work or services. Finally, the "process" category identifies the specific actions, or recruitment tactics, the perpetrator took to compel the child or youth into the trafficking situation. If all three categories are completed, this suggests a trafficking experience has occurred that meets the legal definition.

### Ends

The ends of the crime refer to the specific type of victimization that the victim is experiencing. This may include domestic servitude, debt bondage, forced labor, involuntary servitude, or sex trafficking.

In other words, ask yourself: *"Were there services or work the individual was made to perform?"* or *"Did the child or youth engage in labor or services against their will, or were they forced to work to pay off debt?"*

**Debt bondage** is when a person is forced to work to pay off a debt. Oftentimes, the victim will have no control over their debt, or will not be able to pay off their debt no matter how much they work. This can also be known as bonded labor or debt slavery.

**Note.** Louisiana Law (RS 14:46.2(C)(2)) defines debt bondage as, "inducing an individual to provide...[I]abor or services in payment toward or satisfaction of a real or purported debt if either of the following occur:

- (i) The reasonable value of the labor or services provided is not applied toward the liquidation of the debt.
- (ii) The length of the labor or services is not limited and the nature of the labor or services is not defined."

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<sup>3</sup> Learn more about the Coalition to Abolish Slavery and Trafficking (CAST) at <https://www.castla.org/>

<sup>4</sup> For more information on the AMP model, visit <https://humantraffickinghotline.org/sites/default/files/AMP%20Model.pdf>

This tool was created in partnership between the Louisiana Alliance of Children's Advocacy Centers, the Louisiana Child and Youth Trafficking Collaborative, the Louisiana Governor's Office of Human Trafficking Prevention, the Louisiana Dept. of Children and Family Services, and a working group of experts in Spring 2021, under 2021-63005, awarded by the Office for Victims of Crime, Office of Justice Programs, U.S. Department of Justice. The opinions, findings, and conclusions or recommendations expressed in this guide are those of the contributors and do not necessarily represent the official position or policies of the U.S. Department of Justice.

**Domestic servitude** is when a person is compelled into a condition of work of servitude by a scheme, plan, or pattern of behavior that leads the person to believe that if they do not enter or stay in that work that they would experience harm. Harm includes physical restraint, abuse, or threat of abuse of the legal system.

**Forced labor** is when a person is compelled against their will to provide work or service through the use of force, fraud, or coercion.

**Involuntary servitude** is when a person is forced to work against their will.

*Note.* If you have not yet determined there was abuse (i.e., force, fraud, or coercion) present in the child or youth’s relationship with an employer (whether formal or informal), consider what the labor and services are that the child is engaging in, the nature of the child’s relationship with their employer (whether a parent, friend, manager, recruiter, etc.), and the conditions of the work being performed (wages, working hours, legality of work).

## *Means*

The means are the way that the trafficker<sup>5</sup> controls the victim. The three means of human trafficking are force, fraud, and coercion. Only one has to be present to meet the threshold of trafficking, although traffickers often use multiple means of control on their victims. Determining this component is a very important part of establishing the difference between labor trafficking and other crimes against children.

In other words, ask yourself: *“What did the perpetrator do to ensure that the child or youth provided labor or services?”* or *“What would the perpetrator do, or threaten to do, if the child or youth didn’t perform the labor or services?”*

## **Force**

Force is when a trafficker uses physical control or restraint over a victim. This includes: being physically held or restrained from leaving, physically harmed, forced to take drugs, alcohol, or other substances, or sexually harassed, abused or assaulted. This is a particularly common means of control in situations of forced criminality or forced criminal activity. Force may also include denial of medical care or disability support. In addition, sexual harassment or sexual violence can be used as means of control in labor trafficking situations. Experiences of sexual assault or sexual trauma can be forms of force or coercion for labor trafficking victims. Additionally, a person can experience forced labor in a sex trafficking situation. A person can experience both sex and labor trafficking at the same time.

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<sup>5</sup> For the purpose of this tool, the trafficker is the person who is the abuser. This can be an employer, abuser, “enforcer”, manager, parent, or other person causing harm.

## Fraud

Fraud is when the trafficker tricks, lies, or defrauds a victim. Examples include: The child or youth was given fraudulent work or identification documents, had a different job or was living in different conditions than they agreed to, or was promised opportunities that never happened (e.g., the chance to go to school, lawful immigration status, a high-paying job, fame, fortune, etc.).

## Coercion

Coercion is when a trafficker uses psychological, mental, or emotional control over a victim. This is one of the most common means of control that traffickers use to keep victims in an abusive situation. Examples include:

- Threats of legal action from authorities (police, immigration, CPS, etc.)
- Confiscation of important documents (IDs, birth certificate, passport, etc.)
- Isolation or confinement of child/youth from family, friends, or the public.
- Controlling food intake, communication, or other daily activities.
- Living or working under constant surveillance.
- Mental, emotional, or verbal abuse.
- Threats of violence, or witnessing harm to others.
- Retaliation for non-compliance or from an attempt to leave/quit.

**Note.** Louisiana Law in RS 14:46.2(C)(3) explicitly outlines the following as examples of force, fraud, and/or coercion but does not limit force, fraud, and coercion to these examples alone:

- Causing or threatening to cause serious bodily injury.
- Physically restraining, isolating, confining, or threatening to physically restrain, isolate, or confine another person.
- Abduction or threatened abduction of an individual.
- The use of a plan, pattern, or statement with intent to cause an individual to believe that failure to perform an act will result in the use of force against, abduction of, serious harm to, or physical restraint of an individual.
- The abuse or threatened abuse of law or legal process.
- The actual or threatened destruction, concealment, removal, withholding, confiscation, or possession of any actual or purported passport or other immigration document, or any other actual or purported government identification document, of another person.
- Controlling or threatening to control an individual's access to a controlled dangerous substance as set forth in R.S. 40:961 et seq.
- The use of an individual's physical or mental impairment, where such impairment has substantial adverse effects on the individual's cognitive or volitional functions.
- The use of debt bondage or civil or criminal fraud.
- Extortion as defined in R.S. 14:66.
- Exposing or threatening to expose any fact or information that would subject an individual to criminal or immigration proceedings.
- Causing or threatening to cause financial harm to an individual or using financial control over an individual.

## Process

The 'process' is the action(s), or methods, that the trafficker takes to compel the child or youth into a trafficking situation. This includes, but is not limited to, the recruitment, harboring, transporting/moving, obtaining, threatening, restraining, and/or enticing.

In other words, ask yourself: *"What were the intentional acts the perpetrator took to get the child or youth in the situation?"*

**Note.** The complete list of actions constituting this category under Louisiana state law as outlined in [RS 14:46.2](#) is: recruit, harbor, transport, provide, solicit, receive, isolate, entice, obtain, patronize, procure, purchase, hold, restrain, induce, threaten, subject, or maintain the use of another person. The actions must be taken with the use of force, fraud, or coercion for the purpose of obtaining labor and/or services.

## Screening Results and Actions

### **Not Enough Information**

**Result:** If there is **one checkbox in one of the categories** (Ends, Means, Process) or **no boxes checked**, there is not enough information to determine the child or youth is a potential victim of labor trafficking.

**Action:** You should continue to monitor the child or youth. Follow mandatory reporting guidelines if you suspect abuse or neglect to a child under 18 years of age by a parent or caretaker. If you suspect a crime has occurred or the child or youth is in immediate danger, report to law enforcement.

### **Level 1: Concern**

**Result:** If there is at least **one checkbox in at least two of the categories** (Ends, Means, Process), there is a low to moderate concern that the child or youth could potentially be a victim of labor trafficking.

**Action:** Immediately report to law enforcement if you suspect a crime has occurred or the child or youth is in immediate danger. If you suspect child abuse or neglect to a child under 18 years of age by a parent or caretaker, call the DCFS Child Abuse/Neglect Hotline at 855-452-5437. Refer to services for additional assessment by contacting the National Human Trafficking Hotline at 888-373-7888 or by referring to a local service provider with expertise in human trafficking. A list of Louisiana service providers by region can be found at [humantrafficking.la.gov/resources/](http://humantrafficking.la.gov/resources/).



*Note.* A result of “Concern” is not an indication that trafficking has not occurred but, rather, that there is not enough information to create a reasonable belief that the child is a suspected victim. Referring the child or youth for additional assessment and services with an appropriate service agency allows additional assessment to take place.

## **Level 2: Suspected**

*Result:* If there is **at least one checkbox in all three categories** (Ends, Means, Process), the child or youth meets the state definition of human trafficking and is considered “suspected” for labor trafficking. A trafficking event is considered “suspected” when specific information regarding the individual and the surrounding circumstances creates a reasonable belief that the individual is a victim of human trafficking.

*Action:* Immediately report to law enforcement. Additional considerations for reporting and referrals for services depend upon several factors.

### **If the suspected victim is a child (0-17 years old):**

If you suspect child abuse or neglect to a child under 18 years of age by a parent or caretaker, call the DCFS Child Abuse/Neglect Hotline at 855-452-5437. Refer the child to [Care Coordination](#) services by emailing [carecoordination@lacacs.org](mailto:carecoordination@lacacs.org) and attach a copy of the screening tool. A copy of a referral form for Care Coordination is found in Appendix D.

### ***If the child is a non-U.S. citizen or non-lawful permanent resident under the age of 18:***

Report to [HHS Office of Trafficking in Persons \(OTIP\)](#) within 24 hours of having credible information that a foreign national minor may be a victim of trafficking by submitting a Request for Assistance (RFA) through [Shepherd](#). To learn more about how to navigate [Shepherd](#), access the [Shepherd User Guide \(PDF\)](#). If you want to discuss the case with OTIP Child Protection Specialists before submitting the RFA, you can call 202-205-4582 during normal business hours (9am-5pm ET) or email at [ChildTrafficking@acf.hhs.gov](mailto:ChildTrafficking@acf.hhs.gov). Also consider referring the child/youth to an attorney to help assess qualifications for legal relief as a potential trafficking victim.

*Note.* The Trafficking Victims Protection Act of 2000 (TVPA), as amended, requires federal, state, and local officials to notify the U.S. Department of Health and Human Services through the Office on Trafficking in Persons (OTIP) within 24 hours of discovering that a foreign national minor may be a victim of trafficking.

*If the suspected victim is between the ages 18 and 24 years old:*

Provide the youth, or person aged 18 years or older, with the National Human Trafficking Hotline at 888-373-7888 and offer to make a referral to a local service provider with expertise in human trafficking. A list of Louisiana victim service providers by region can be found at [humantrafficking.la.gov/resources/](https://humantrafficking.la.gov/resources/).

*Note.* The process for responding to a person over the age of 18 who is a suspected victim of trafficking is different from responding to a minor. If a person is 18 or older, they are legally an adult. It is important to respect their confidentiality if they deny services at this time. However, if a victim who is 18 years old or older *has a disability*, the person is classified as a protected person and additional reporting to Adult Protective Services is required.

*If the suspected victim is an adult (18+) with a disability:*

Report Adult Abuse, Neglect or Exploitation to Adult Protective Services at 800-898-4910.

*Note.* The Adult Protective Services Reporting Law, Louisiana R.S. 14:403.2, requires all Louisianans to report abuse, neglect, exploitation, and extortion of adults with disabilities. For more information, visit <https://ldh.la.gov/index.cfm/faq/category/15>.

Please note, this tool does not include a result for a *confirmed* victim of human trafficking. A trafficking event is considered “confirmed” when evidence supports the conclusion that the individual is a victim of human trafficking, as defined in La. RS 14:46.2, La. RS 14:46.3, or the federal Trafficking Victims Protection Act (TVPA). The supporting evidence must be more than just an allegation or suspicion. While the tool does provide indicators to meet the state legal definition of trafficking, the tool is insufficient alone to weigh the totality of evidence or to replace the assessment of qualified professionals (such as, law enforcement, U.S. Attorney, District Attorney, HHS, victim advocate, Care Coordinator, or other qualified professional.) Prior to utilizing this tool, if you receive certification of the child or youth being a confirmed victim of trafficking, you do not need to complete the screening tool and should follow the steps outlined above for reporting and referrals.

## Additional Considerations

### *Other Possible Indicators*

The tool's indicators align with the legal definition of human trafficking. However, human trafficking is a highly complex crime. In determining the next steps for assessment and/or reporting, a professional may take into account other vulnerabilities not included in the tool. These additional indicators may indicate that a child or youth is at increased or higher risk for trafficking victimization:

#### **Child is engaged in a job/work that is high risk for child labor abuse:**

- Agriculture
- Construction
- Domestic work (nanny, housework, hotel)
- Panhandling, begging, or street performing
- Traveling jobs (sales crews, carnivals)
- Other: \_\_\_\_\_

#### **Child/youth is a member of an identity group that is high risk for labor exploitation:**

- Currently experiencing homelessness
- A victim of sex trafficking
- In the child welfare and/or foster care system
- Not a U.S. citizen
- Member of LGBTQIA2+ community<sup>6</sup>
- Experiencing other types of child abuse, such as: neglect, abandonment, substance use, sexual abuse, domestic abuse, emotional abuse, truancy, running.
- Engaged in criminalized behavior, such as: stealing cars, selling drugs, robbery, etc.
- Other: \_\_\_\_\_

### *Utilizing a Trauma-Informed, Victim/Survivor-Centered Approach*

Trauma-informed care is a critical component of engaging with potential victims of crime.<sup>7</sup> Trauma-informed approaches acknowledge that trauma impacts all aspects of a person's life, including physical, social, and emotional impacts. **Trauma-informed approaches seek to minimize re-traumatization during the initial engagement with a potential victim of crime and throughout the provision of services.** Safety of the victim, choice, and autonomy in services and service planning, and trust between victims and those working with them, are all

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<sup>6</sup> LGBTQIA2+ is an acronym that stands for Lesbian, Gay, Bisexual, Transgender, Queer/Questioning, Intersex, Asexual/Agender, and 2-spirit. This is an inclusive term that describes a range of sexual orientations and gender identities that qualify as gender minorities or sexual minorities.

<sup>7</sup> For the purpose of this tool, the term "victim" is used to describe the people who have experienced labor trafficking. This is due to the legal protections and rights that these people have as victims of crime. However, many people who have experienced this crime prefer terms such as "survivor."

*This tool was created in partnership between the Louisiana Alliance of Children's Advocacy Centers, the Louisiana Child and Youth Trafficking Collaborative, the Louisiana Governor's Office of Human Trafficking Prevention, the Louisiana Dept. of Children and Family Services, and a working group of experts in Spring 2021, under 2021-63005, awarded by the Office for Victims of Crime, Office of Justice Programs, U.S. Department of Justice. The opinions, findings, and conclusions or recommendations expressed in this guide are those of the contributors and do not necessarily represent the official position or policies of the U.S. Department of Justice.*

paramount to a trauma-informed approach. An example of a trauma-informed approach to conversations intended to identify potential victimization: meet the child or youth where they are at in terms of their understanding of their experience and be transparent about any mandates to report any abuse that they have disclosed. Taking steps to create a physical environment that feels safe for the child or youth, such as allowing them to choose where they sit and, to the extent possible, who is interviewing them, is also an aspect of a trauma-informed approach.

**Victim-centered or survivor-centered approaches prioritize the needs, safety, well-being, and wishes of the child or youth in all procedures and services.** Like trauma-informed approaches, victim-centered approaches seek to minimize re-traumatization and empower victims of crime as engaged participants in their service planning and provision. A victim-centered approach also includes a culturally and linguistically-appropriate approach that is aware and respectful of people's unique needs based on cultural background or identity and provides language-specific services for victims when needed. It is critical to follow your agency's internal policies when engaging with people whose English is not their first language, or that may have limited communication capacities. When engaging children and youth in conversations to identify potential trafficking, a victim-centered approach will prioritize the child/youth's feelings of safety and comfort and may require flexibility in interview locations, interview timing, and other accommodations based on needs and wants expressed by the child/youth.

It is important that those utilizing the tool remember that conversations regarding potential experiences of human trafficking can reveal that a child or youth is suffering from the effects of trauma and can trigger traumatic responses. Creating a safe and supportive environment by using both approaches is key to minimizing harm and ensuring traumatic responses can be immediately addressed in a healthy way. Furthermore, these approaches better facilitate a trusting relationship with the child or youth and enhance efforts to gather information and engage children and youth in services.

### *Client confidentiality*

Confidentiality is the act of protecting private information relating to a person who is being served. Ensure that all information relating to a survivor's case is strictly confidential and follows existing Louisiana laws and regulations for information sharing. When disclosure is necessary, follow information sharing guidelines and seek informed consent from either the victim if the person is an adult, or the non-offending caregiver of the victim if they are a child, before releasing information. There are exceptions to confidentiality, for example in cases of mandated reporting requirements.

## Resources for Victims

When you report a suspected trafficking or child abuse case to investigators, it is recommended that you concurrently refer the victim to services and support. For child victims of human trafficking in Louisiana, the child may be referred to their local Children's Advocacy Center for assistance, the Louisiana Child and Youth Trafficking Collaborative for care coordination, or another local human trafficking response team.

Additionally, there are several avenues to assist you in the service referral process:

- Refer child victims to your regional Children's Advocacy Center. A list of Children's Advocacy Centers in Louisiana can be found at <http://www.lacacs.org/>. Learn more about the local and regional resources available for child victims of trafficking at [www.lacacs.org/lcytc](http://www.lacacs.org/lcytc).
- Visit <https://humantrafficking.la.gov/resources/> to find services and resources in your region.
- Call the 24/7/365 National Human Trafficking Hotline at 1-888-3737-888 or text them at 233733 with the words "HELP" or "INFO", or visit their website at <https://www.humantraffickinghotline.org/>

## Contact Information

For information regarding the development of the tool or this supplementary guide, you can reach out to the following individuals:

- Christy Tate, Louisiana Department of Children and Family Services  
[Christy.Tate.DCFS@LA.GOV](mailto:Christy.Tate.DCFS@LA.GOV)
- Linsey Courville, Strategic Projects Manager, Louisiana Alliance of Children's Advocacy Centers, [linsey@lacacs.org](mailto:linsey@lacacs.org)
- Dr. Dana Hunter or Mary Kate Andrepont of The Office of Human Trafficking Prevention at [humantrafficking@la.gov](mailto:humantrafficking@la.gov).

## Appendix

- A. Definitions in this Guide
- B. Louisiana Labor Trafficking Identification Tool (paper copy)
- C. CAST's End-Means-Process Model Worksheet
- D. Care Coordination Referral Form

## Definitions

*The following is a list of the definitions used throughout this guide and in the identification tool.*

**Adult:** A person eighteen years old or older.

**Child:** A person under the age of eighteen years of age. Children are a legislatively protected class of people who have special rules and regulations that must be followed if they are suspected of being a victim of crime or abuse.

**Coercion:** A form of control that a trafficker may use over a victim through psychological, mental, or emotional control over a victim.

**Debt bondage:** When a person is forced to work to pay off a debt. Often, the victim will have no control over their debt, or is unlikely to pay off the compounding debt no matter how much they work. This can also be known as bonded labor or debt slavery.

**Domestic servitude:** When a person is compelled into a condition of work of servitude by a scheme, plan, or pattern of behavior that leads the person to believe that if they do not enter or stay in that work that they would experience harm. Harm includes physical restraint, abuse, or threat of abuse of the legal system.

**Force:** A form of control that a trafficker may use over a victim that involves physical control, physical harm, or restraint.

**Forced labor:** When a person is compelled against their will to provide work or service through the use of force, fraud, or coercion.

**Fraud:** A form of control that a trafficker may use over a victim through tricks, lies, or defrauding.

**Human trafficking:** when a person is compelled, either through force, fraud, or coercion, to provide sex or labor services.

**Involuntary servitude:** When a person is forced to work against their will.

**Labor trafficking:** when a person is compelled, either through force, fraud, or coercion, to provide labor or services. Labor trafficking can happen in the regular economy, or in underground/ gray economy such as under-the-table work or criminal activity.

**Parent/ Caregiver:** "Caretaker" means "any person legally obligated to provide or secure adequate care for a child, including a parent, tutor, guardian, legal custodian, foster home parent, an employee of a public or private day care center, an operator or employee of a registered family child day care home, or other person providing a residence for the child" as

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defined in Children's Code Article 603(3). This can also be a person who maintains an interpersonal dating or engagement relationship with the parent or caretaker, or a person living in the same residence with the parent or caretaker as a spouse whether married or not.

**Screening tool:** A tool designed to screen a person for a specific experience or criteria. For the purpose of this tool, the screening uses indicators that meet the state of Louisiana's definition of labor trafficking, per Louisiana Revised Statute 14:46.2.

**Survivor:** A person who has experienced a crime and has survived that experience. Many people who have experienced trafficking prefer to use this word to describe themselves. Some people who have experienced human trafficking also prefer to describe themselves as a victim/survivor or survivor leader. Since the tool is designed for use by investigators and practitioners to identify potential victims of crime, we will use the term victim. However, when working with potential victims, we recognize the importance of using terms that the individual prefers when describing their experience.

**Trafficker:** The person who is committing forced, fraud, or coercion against a victim for the purposes of commercial sex or labor acts. To the victim, the perpetrator/trafficker may be an employer, abuser, enforcer, boyfriend/girlfriend/partner, parent, or manager. It is important to honor the words that each victim uses to describe their experience of human trafficking.

**Trauma-informed:** An approach that acknowledges that trauma impacts all aspects of a person's life. Trauma-informed services are those that realize that trauma impacts all aspects of a person's life, and the services seek to minimize re-traumatization through the provision of services. The focus should always be to do no harm.

**Victim:** A legal term for a person who has experienced a crime and has rights within the criminal-legal system.

**Victim/survivor-centered:** An approach that centers victim/survivors at the heart of all activities intended to support their healing from the crime they experienced. Victim-centered or survivor-centered services are those that prioritize the needs and well-being of the client in all services.

**Youth:** A person between the ages of sixteen and twenty-four years old; also known as transitional-aged youth or young adult. While there are differing accepted age ranges for what constitutes a "youth," for the purpose of this tool, we accept the definition of youth as defined by the federal government's Interagency Working Group on Youth Programs, which includes the U.S. Department of Justice.





## Louisiana Indicator Tool for Child & Youth Labor Trafficking

Child's Name: \_\_\_\_\_ Case Number: \_\_\_\_\_

**Instructions:** The purpose of this tool is to provide indicators to assist in the identification of children and youth who may be victims of labor trafficking. The result of a completed screening identifies next steps for further monitoring, assessment, and/or reporting. This tool is to be used as a narrative assessment, NOT a questionnaire. The indicators outlined in the tool should not be asked directly to the child or youth. To determine if a child or youth may be a victim of labor trafficking, please check the boxes for any indicators that you note and follow the actions for reporting and referrals on page 2.

The screening results are “not enough information,” “concern,” and “suspected.” The tool does not include a result of “confirmed” trafficking; a determination that a child or youth is a confirmed victim of human trafficking requires an assessment and validation from a qualified professional. A screening result of “not enough information” does not necessarily mean that the child or youth has not experienced labor trafficking. If there is an indication that the child or youth is currently, was ever, or is in the process of being forced to perform labor or services, you should flag the case for “concern” and follow the actions for additional assessment. *For the complete instructions, please refer to the Supplementary User Guide.*

<p><b>ENDS</b></p> <p><i>The ‘ends’ of the crime refer to the specific type of victimization that the child or youth experiences.</i></p> <p>Did the child or youth engage in labor or services against their will, or were they forced to work to pay off debt?</p>	<p><b>Forced Labor</b></p> <p><input type="checkbox"/> The child/youth is making low to no wages for their work.</p> <p><input type="checkbox"/> The child/youth is working long working hours with few or no days off.</p> <p><input type="checkbox"/> The child/youth is working or living in dangerous conditions.</p> <p><input type="checkbox"/> The child/youth is being pressured or tricked to do work they do not want to do.</p> <p><input type="checkbox"/> The child/youth cannot walk away, stop working, or is unable to quit.</p> <p><input type="checkbox"/> The child/youth is working against their will.</p> <p><input type="checkbox"/> Other: _____</p> <p><b>Debt Bondage</b></p> <p><input type="checkbox"/> The child/youth is required to pay off a real or alleged debt to their employer/abuser.</p> <p><input type="checkbox"/> The child/youth’s debt is increasing over time, regardless of how much they work.</p> <p><input type="checkbox"/> The child/youth is uncertain about how much debt they have or have paid off.</p> <p><input type="checkbox"/> The child/youth works in exchange for food, rent, clothing, transportation, etc.</p> <p><input type="checkbox"/> Other: _____</p>
<p><b>MEANS</b></p> <p><i>The ‘means’ refers to the methods of force, fraud, and coercion a perpetrator uses to keep the child or youth in a trafficking situation.</i></p> <p>What did the perpetrator do (or threaten to do) to ensure that the child or youth provided labor or services?</p>	<p><b>Coercion (psychological, mental, or emotional control)</b></p> <p><input type="checkbox"/> The child/youth is threatened with legal action from authorities (police, immigration, CPS, etc.)</p> <p><input type="checkbox"/> Important documents (IDs, birth certificate, passport, etc.) were taken away from the child/youth.</p> <p><input type="checkbox"/> The child/youth is isolated or confined from family, friends, or the public.</p> <p><input type="checkbox"/> The child/youth’s food intake, communication, or other daily activities are controlled.</p> <p><input type="checkbox"/> The child/youth lives or works under constant surveillance.</p> <p><input type="checkbox"/> The child/youth is mentally, emotionally, or verbally abused.</p> <p><input type="checkbox"/> The child/youth is threatened with violence, or witnesses harm to others.</p> <p><input type="checkbox"/> The child/youth faces retaliation for non-compliance or if they try to quit.</p> <p><input type="checkbox"/> Other: _____</p> <p><b>Fraud (tricked, lied to, or defrauded)</b></p> <p><input type="checkbox"/> The child/youth was given fraudulent identification documents.</p> <p><input type="checkbox"/> The child/youth has a different job or is living in different conditions than they agreed to.</p> <p><input type="checkbox"/> The child/youth was promised opportunities that never happened (the chance to go to school, lawful immigration status, a high-paying job, fame, fortune, etc).</p> <p><input type="checkbox"/> Other: _____</p> <p><b>Force (physical control or restraint)</b></p> <p><input type="checkbox"/> The child/youth is physically harmed.</p> <p><input type="checkbox"/> The child/youth is forced to take drugs, alcohol, or other substances.</p> <p><input type="checkbox"/> The child/youth is sexually harassed, abused or assaulted.</p> <p><input type="checkbox"/> The child/youth is physically restrained or confined from leaving.</p> <p><input type="checkbox"/> The child/youth is denied medical care or has a developmental or intellectual disability.</p> <p><input type="checkbox"/> Other: _____</p>



**PROCESS**

The 'process' refers to the actions the perpetrator takes to compel the child or youth into a trafficking situation.

What were the intentional acts the perpetrator took to get the child or youth in the situation?

- The employer/abuser hired the child/youth or obtained them from a third party (or a recruiter).
- The employer/abuser provided transportation to the child/youth.
- The employer/abuser provided housing to the child/youth.
- The employer/abuser employed or benefitted from the child/youth's labor.
- The employer/abuser recruited the child/youth to work.
- The employer/abuser is harboring the child by controlling their movements or restricting access to others (for example, not attending school or other activities in order to work).
- The employer/abuser physically held, restrained, or isolated the child/youth.
- Other: \_\_\_\_\_

**SCREENING RESULTS AND ACTIONS:**

- NOT ENOUGH INFORMATION [Score equals "0"]:** If there is one checkbox in one of the categories or no boxes checked, there is not enough information to determine the child or youth is a potential victim of labor trafficking.

*Action to be taken: Continue to monitor the child or youth. Follow mandatory reporting guidelines if you suspect abuse or neglect to a child under 18 years of age by a parent or caretaker. If you suspect a crime has occurred or the child or youth is in immediate danger, report to law enforcement.*

- Level 1: CONCERN [Score equals "1"]:** If there is at least one checkbox in at least two of the categories, there is concern that the child or youth could potentially be a victim of labor trafficking.

*Action to be taken: Immediately report to law enforcement if you suspect a crime has occurred or the child or youth is in immediate danger. If you suspect child abuse or neglect to a child under 18 years of age by a parent or caretaker, call the [DCFS Child Abuse/Neglect Hotline at 855-452-5437](tel:855-452-5437). Refer to services for additional assessment by contacting the [National Human Trafficking Hotline at 888-373-7888](tel:888-373-7888) or by referring to [a local service provider](#) with expertise in human trafficking.*

- Level 2: SUSPECTED [Score equals "2"]:** If there is at least one checkbox in all three categories (Ends, Means, and Process), the child or youth meets the state definition of human trafficking and is considered "suspected" for labor trafficking.

*Action to be taken: Immediately report to law enforcement. If you suspect child abuse or neglect to a child under 18 years of age by a parent or caretaker, call the [DCFS Child Abuse/Neglect Hotline at 855-452-5437](tel:855-452-5437). Refer the child to Care Coordination by emailing [carecoordination@lacacs.org](mailto:carecoordination@lacacs.org) and attach a copy of the screening tool.*

*If the child is a non-U.S. citizen or non-lawful permanent resident, report to [HHS Office of Trafficking in Persons \(OTIP\)](#) by submitting a Request for Assistance (RFA) through [Shepherd](#). (Contact the OTIP Child Protection Specialists by phone at 202-205-4582 or email at [ChildTrafficking@acf.hhs.gov](mailto:ChildTrafficking@acf.hhs.gov).) Also consider referring the child or youth to an attorney to help assess qualifications for legal relief as a potential trafficking victim.*

*If the suspected victim is a youth, or aged 18 years or older, provide the individual with the [National Human Trafficking Hotline at 888-373-7888](tel:888-373-7888) and offer to make a referral to [a local service provider](#) with expertise in human trafficking. If the suspected victim is an adult with a disability, report also to Adult Protective Services at 800-898-4910.*

*For questions regarding this tool, please contact the Governor's Office of Human Trafficking Prevention at [humantrafficking@la.gov](mailto:humantrafficking@la.gov).*

# Ends-Means-Process Model and Analysis

## ENDS

## MEANS

## PROCESS

(1) What are the services the victim was made to perform?

(3a) What did the perpetrator do to ensure that the victim provided the services in Question 1?

(3b) What would the perpetrator do (or threaten it do) if the victim didn't perform the services in Question 1?

(5) What were the intentional acts the perpetrator took to get the victim in the situation?

(2) The type of services the victim was made to perform fall under:

- Involuntary Servitude**
- Debt Bondage**
- Sex Trafficking**

(4) The mechanisms the perpetrator used to control the victim fall under the category:

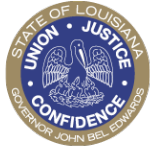
- Force**
- Fraud\***
- Coercion**

(6) The method the perpetrator used to get the victim in the situation was:

- Recruiting**
- Harboring**
- Transportation**
- Provision**
- Obtaining**

**(7) Summarize!**

The victim was \_\_\_\_\_ for the purpose of \_\_\_\_\_,  
(Action/Process) (End/Purpose)  
 specifically, \_\_\_\_\_ through the use of \_\_\_\_\_,  
(Type of Service) (Means)  
 such as \_\_\_\_\_.  
(Specific types of coercive actions taken by the Perpetrator)



## Louisiana Statewide Care Coordination Referral Form

Care Coordination is a best practice, multidisciplinary model in Louisiana to assess and respond to the needs of minor victims of trafficking. To refer a child to your regional care coordination team for an emergency investigative multi-disciplinary team (MDT) meeting, please complete the following form and send a completed copy to [carecoordination@lacacs.org](mailto:carecoordination@lacacs.org). In the subject line, include the parish of the child's location. The referral form will be routed to the Care Coordinator in the requested region, who will follow up within 72 hours.

Name of Referral Agency: \_\_\_\_\_ Date: \_\_\_\_\_

Name of Point of Contact: \_\_\_\_\_

Point of Contact Email: \_\_\_\_\_ Phone Number: \_\_\_\_\_

### **Victim Information:**

Child's Name: \_\_\_\_\_

DOB: \_\_\_\_\_ Age: \_\_\_\_\_ Gender: \_\_\_\_\_

Race/Ethnicity: \_\_\_\_\_ Primary Language: \_\_\_\_\_

Citizenship Status: *(Please Check)*      U.S. Citizen      Lawful Permanent Resident

Temporary Visitor      Undocumented Immigrant      Unknown

Where is the child currently located? \_\_\_\_\_

If unknown, what is the child's home parish or home location? \_\_\_\_\_

Is DCFS involved with the child? *(Please check the program(s) that apply.)*

Child Protective Services      Family Services      Foster Care      No

TIPS/Access ID: \_\_\_\_\_

Name of Case Worker: \_\_\_\_\_ Email: \_\_\_\_\_

Case worker Phone Number: \_\_\_\_\_

Caregiver's Name: \_\_\_\_\_ Relationship to Child: \_\_\_\_\_

Caregiver's Contact Number: \_\_\_\_\_

Address: \_\_\_\_\_



**Case Information:**

Type of Trafficking: *(Please indicate with a check mark.)*

Sex Trafficking    Labor Trafficking    Both Sex & Labor Trafficking

Victim Status for Trafficking:

Confirmed    Suspected    Unknown

Was a screening or assessment tool completed on the child? *(Please check)*    Yes    No

If so, what screening tool was used? \_\_\_\_\_

Results: \_\_\_\_\_ Date of Screening: \_\_\_\_\_

*\*Please attach a copy of the completed screening to this form.*

Has a report been made to DCFS: *(Please check)*    Yes    No    Intake #: \_\_\_\_\_

*\*If a report has not been made and the case involves alleged commercial sexual exploitation of a child, please make an immediate report to DCFS by calling 1-855-452-5437 and select option 4.*

Alleged/Main Perpetrator Name: \_\_\_\_\_

AP DOB: \_\_\_\_\_ Age: \_\_\_\_\_ Relationship to Child: \_\_\_\_\_

List any additional perpetrators: \_\_\_\_\_

Did the child disclose involvement in trafficking? *(Please Check)*    Yes    No    Unknown

To whom was the disclosure made? \_\_\_\_\_

Is the child missing or on runaway status? *(Please Check)*    Yes    No    Unknown

Date reported missing: \_\_\_\_\_ Last known location: \_\_\_\_\_

Is the child involved with Juvenile Justice? *(Please Check)*    Yes    No    Unknown

Is the child on probation or parole? *(Please Check)*    Yes    No    Unknown

PO Officer Name: \_\_\_\_\_

Number: \_\_\_\_\_ Email: \_\_\_\_\_



**Law Enforcement Investigation:**

What law enforcement agencies are involved in the case? *(Please circle or indicate the agency)*

LSP      Federal: \_\_\_\_\_      Local: \_\_\_\_\_      Tribal: \_\_\_\_\_

Law Enforcement Case Number: \_\_\_\_\_

Name of Lead Detective or Investigator Assigned: \_\_\_\_\_

Phone #: \_\_\_\_\_      E-mail: \_\_\_\_\_

**Forensic Interview:** *(Please indicate with a check mark.)*

Does the child need a forensic interview?      Yes      No      Unknown

Has the child previously received a forensic interview?      Yes      No      Unknown

CAC Location: \_\_\_\_\_      Approximate Date: \_\_\_\_\_

**Medical:** *(Please indicate with a check mark.)*

Has the client received emergency medical care in the last 30 days?      Yes      No      Unknown

If known, what was the child treated for: \_\_\_\_\_

Has a sexual assault exam or evidence collection kit been completed in the last 30 days?

Yes      No      If yes, date of exam: \_\_\_\_\_      Location: \_\_\_\_\_

Does the child have any physical, intellectual, or developmental disabilities?

Yes: \_\_\_\_\_      No      Unknown

**Optional: Notes or Concerns for Trafficking:**

*Please describe any other related case information, indicators of trafficking, or emergent needs of the child (such as, safety, medical care, basic needs, etc.)*

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# HUMAN TRAFFICKING SCREENING TOOL FOR YOUTH

This project is supported by Cooperative Agreement No. 2017-VT-BX-K013 awarded by the Office for Victims of Crime, Office of Justice Programs, U.S. Department of Justice. The opinions contained herein are those of the author(s) and do not necessarily represent the official position or policies of the U.S. Department of Justice. References to specific agencies, companies, products, or services should not be considered an endorsement by the author(s) or the U.S. Department of Justice. Rather, the references are illustrations to supplement discussion of the issues.

## Human Trafficking Screening Tool (HTST)

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The contents of this guide and screening tool are based on the Human Trafficking Screening Tool (HTST) utilized by Florida’s Department of Children and Families and Department of Juvenile Justice. The content of the HTST is informed by the Shared Hope International *Intervene Practitioner Guide and Intake Tool*, the research and reporting of the Vera Institute’s *Screening for Human Trafficking: Guidelines for Administering the Trafficking Victim Identification Tool (TVTT) (2014)*, the Covenant House *Human Trafficking Interview and Assessment Measure (2013)*, and research from the National Human Trafficking Resource Center.

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### HTST Screening Preparation

The screening should be conducted in a safe and non-threatening environment. Screeners should be well-prepared, comfortable working with victims of trauma, and recognize the need to ask questions in an appropriate manner that is sensitive to the needs of youth. The following guidelines should be followed when preparing to conduct a HTST screening:

- Read through the entire screening instrument and Administration Guide, so that you are familiar with the instrument and able to conduct the screening in a conversational style, allowing the youth to direct the flow of discussion.
- Conduct the screening in a private, quiet environment designed to make the youth feel both physically and emotionally comfortable and safe.
- Be prepared to provide the youth with basic needs such as an interpreter, tissues, drink, food, clothing, medical/therapeutic care, and/or access to services, as appropriate.
- If an interpreter is necessary, he/she should be trustworthy (unknown to the youth being interviewed) and able to use the same wording as the screening when asking questions and the same wording as the youth when answering questions. Use of an agency or certified interpreter is required, and interviewers need to offer such to the youth when possible.
- Do not interview a youth in front of a suspected trafficker or individual who is exhibiting controlling behavior over the youth. Do not allow this person to interpret for youth if he/she does not speak fluent English.
- Recognize that dressing in uniforms, suits, or other formal attire may make youth uncomfortable.
- Use strengths-based and trauma-informed care approaches during the screening, allowing youth to lead the direction of the conversation.
- The screening process may need to take place over multiple contact points if the screener decides that the youth needs more time. The screener may postpone the discussion to a later time when the youth is ready to discuss his/her experiences. When a youth displays acute signs of anxiety, the screener should consider contacting a trained mental health professional to complete a session with the youth.
- For the purpose of this tool, “youth” refers to someone ages 10 through 24.



## HTST Administration Guide

The screening instrument contains a number of techniques used to help screeners administer the tool properly. Screeners should be familiar with these techniques, which include the following:

- Instructions to screeners are provided in the HTST in italics throughout the instrument. These instructions guide screeners as to sub-questions that may need to be asked, sections that require information to be filled in, and questions that include prompts for further explanation.
- Introductory comments and questions to youth are in bold typeface. Introductory comments should be read to the youth. Screeners should use a conversational approach to secure answers to the HTST questions, being sensitive to the needs of youth who may be suffering from the effects of exposure to trauma.
- Avoid listing answer options unless the youth feels stuck. All questions should be open-ended rather than multiple choice.
- Screeners should use professional judgment in deciding whether to preface a question or a prompt with phrasing such as, “Please tell me more about that,” or “If you are comfortable, could you tell me about that?”
- Screeners should inform the youth that the purpose of the screening tool is not to punish youth, nor will the screener seek identifying information about potential perpetrators if the youth is not comfortable disclosing. Screeners should help youth understand the purpose of the screening tool is to provide the most helpful, supportive care possible for the youth.
- Screeners should follow state laws and agency guidelines regarding mandatory reporting. In general, screeners should advise youths that confidentiality will not apply if the youth describes a situation where someone is in immediate danger or at risk of being abused or hurting someone else.

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*Begin the screening by reading the following introductory comments to the youth:*

**This is an interview to better understand your current situation and experiences. I will be asking you questions about yourself. Try to be as honest as you can. Some questions may be sensitive and hard for you to answer. You do not have to answer anything you don't want to answer. You can take a break at any time, ask to finish at a later time, or stop the session. I want you to know you can trust me, and your safety is my priority. What we discuss is confidential, unless you describe a situation where someone has been hurt or may be hurt physically, sexually, or emotionally.<sup>1</sup> If there is something you want to tell me about but you're not comfortable using names, you can tell me as much as you want, and I will not pressure you about sharing anyone's identity. I want to have this conversation to understand your experiences and how I can best help you; this is not about getting you or anyone you care for in trouble. Before we get started, do you have any questions?**

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<sup>1</sup>To determine under what conditions confidentiality should be breached, screeners should adhere to mandated reporting requirements, as identified in Ohio Rev. Code § 2151.421.

## Section A – Background Information

1. Date Screened: \_\_ / \_\_ / \_\_\_\_\_
2. Screening Location: \_\_\_\_\_
3. Screener Name: \_\_\_\_\_
4. Mode of screening:
  - Interview Completed without need for interpreter
  - Interview completed with the assistance of an interpreter
  - Interpreter needed, but unavailable

## Section B – Demographic Information

5. Youth's name: \_\_\_\_\_
6. ID #: \_\_\_\_\_
7. Sex: \_\_\_\_\_
8. Race/ethnicity: \_\_\_\_\_
9. Preferred language: \_\_\_\_\_

## Section C – Youth Personal Background

10. When you're not in a facility, do you go to school?
  - No (*If no, skip to item 11*)
  - Yes (*If yes, proceed to 10a*)
  - Refused to answer

10a. Where do you go to school? \_\_\_\_\_

10b. When you're not in a facility, how many days do you attend school in a typical two-week period?

  - 0 days
  - 1-5 days
  - 6-10 days
  - N/a
11. When you're not in a facility, do you get on the Internet, Wi-Fi, or use phone or tablet apps?
  - No
  - Yes (*If yes, proceed to item 11a*)
  - Refused to answer

11a. What kind of sites or apps do you use?

  - Twitter
  - Instagram
  - Snapchat

- Online game chat
- Instant messaging
- Facebook
- Tinder
- Plenty of Fish
- Craigslist
- Backpage
- Other apps or sites \_\_\_\_\_
- Refused to answer

12. Have you ever agreed to meet someone you met online or through the Internet or through a phone app?

- No
- Yes (*Prompt by saying, "Tell me more about that."*)
- Refused to answer

➤ Evidence of unsafe online activity? Yes  No

13. So, do you currently have a boyfriend or girlfriend?

- No (*If no, skip to item 14*)
- Yes (*If yes, proceed to item 13a and 13b*)
- Refused to answer

13a. How old is he or she?

- Less than 10 yrs old
- 10 to 15 years old
- 16 to 17 years old
- 18 to 21 years old
- 22 years or older
- Refused to answer

13b. How did you meet?

- Through a friend
- At school
- Through a family member
- Online
- Public place
- Work
- Other \_\_\_\_\_
- Refused to answer

14. Do you have any tattoos?

- No (*If no, skip to item 15*)

- Yes (*If yes, proceed to items 14a-14c*)
- Refused to answer
- Staff observed tattoo (*if selected, proceed to items 14a-14c*)

14a. What is the tattoo? (*Screener may respond to this item based on youth response **and/or** based on observation of the tattoo. Check all that apply.*)

- Dollar/currency sign, money bags
- Star/hearts
- Male name
- Female name
- Nickname/street name
- Refused to answer
- Other \_\_\_\_\_

14b. What does your tattoo mean?

- Family connection
- Personal meaning \_\_\_\_\_
- Romantic partner's name
- Gang-related
- Suspected trafficker's name/initials
- Forced branding/ownership
- No meaning
- Don't know the meaning
- Refused to answer
- Other \_\_\_\_\_

14c. Who was with you when you got your tattoo?

- Family member
- Friend
- Romantic partner
- No one
- Suspected trafficker
- Gang member
- Refused to answer

15. Do you have any scars or brands that were made on purpose, not from accident or injury?  
(*Screener should respond based upon youth answer **and/or** observation of visible scars*)

- No (*If no, skip to item 16*)
- Yes (*If yes, proceed to item 15a*)
- Screener observes mark(s), but youth denies mark(s) were made intentionally
- Refused to answer

15a. Who was with you when you got your brand or when you received the scar?

- Family member
- Friend
- Romantic partner
- No one
- Suspected trafficker
- Gang member
- Refused to answer

➤ Evidence of Suspicious/Trafficking-Related Tattooing/Branding: Yes  No

## Section D – Living Conditions

**Next, I'd like to talk to you about where you live and the people you live with.**

16. Where were you living before you came here? What type of place were you living in?  
(*Screeners may prompt youth by listing examples from below*)

- House
- Apartment
- Group/foster home
- Car/van
- Shelter
- Rehabilitation facility
- Hotel/motel
- Part of a residence (garage, basement, shed)
- Couch-surfing
- Staying in an abandoned building
- Traveling/in-between residences
- Homeless
- Refused to answer
- Other \_\_\_\_\_

17. Who lived with you?

- Father
- Mother
- Both parents
- Guardian
- Step-parent
- Relative
- Friend
- Romantic partner
- No one
- Refused to answer
- Other \_\_\_\_\_

18. Do you pay for where you live?

- No (*If no, skip to item 19*)
- Yes (*If yes, proceed to item 18a*)

18a. How do you pay for where you live?

- Parents/relatives
- Friends
- Romantic partner
- Myself through employment/job
- Myself through selling drugs
- Myself through stealing
- Myself through engaging in sexual acts for money/material gain
- Panhandle/beg
- Refused to answer
- Other \_\_\_\_\_

19. Have you ever had any contacts or visits from Children’s Services? (*Note: Youth may use other terminology including CPS, JFS, HRS, CBC, DCF, DFS, and/or The State*)

- Yes
- No
- Refused to answer

➤ Evidence of unsafe living environment: Yes \_\_\_\_ No \_\_\_\_

## Section E – Work Information

**Now I’d like to ask you some questions about work situations. What I mean by “work” is anything you have done where you have received something of value (like money, food, clothing, a place to stay, drugs, or gifts) in exchange for your efforts. So your boss may have been a typical employer or may have been a family member, friend, boyfriend or girlfriend, or someone you lived with or had a relationship with.**

20. Did you have to support yourself before coming here?

- No (*If no, skip to item 27*)
- Yes (*If yes, proceed to item 21*)

21. How did/do you support yourself? (Check all that apply)

- Agricultural/farm work
- Housekeeping/janitorial work
- Door-to-door sales
- Restaurant work
- Construction
- Retail
- Nails/hair

- Massage
- Personal dancing, stripping, or similar
- Refused to answer
- Drug trafficking
- Other (fill in) \_\_\_\_\_

21b. What does your parent/guardian/caretaker think of how you support yourself?

- Approve
- Disapprove
- They're not aware
- They have no opinion
- Other \_\_\_\_\_
- Refused to answer

22. How much money did you make per hour?

- Less than \$8.15/hr
- More than \$8.15/hr but less than \$15/hr
- \$15-25/hr
- More than \$25/hr
- Does not know
- Refused to answer

23. How do you receive money?

- Paid in cash by clients
- Paid in cash by employer/boss
- Money deposited into bank account
- Paid with check
- Paid in-kind through food, a place to stay, clothing, or other non-monetary items/gifts
- Not paid
- Other \_\_\_\_\_
- Refused to answer

24. Has anyone promised you money that you haven't received?

- No
- Yes
- Refused to answer

25. Does your family owe anyone money that they need your help to repay?

- No
- Yes
- Refused to answer

*Screener may prompt for something else that is owed, like a favor, house, property, or land.*

➤ Evidence of Deceptive Payment Practices? Yes  No

26. Do you live and work at the same place?

- No
- Yes
- Refused to answer

27. Can you quit or could you have quit your job at any time without punishment from your boss or supervisor?

- No
- Yes
- Refused to answer

➤ Evidence of Forced Labor? Yes  No

28. When you think about the future, what do you want to do when you get older? (fill in)

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## **Section F – Leaving or Running Away from Home**

29. Have you ever run away, stayed away, or left your home without permission?

- No (If no, skip to item 30)
- Yes (If yes, proceed to item 29a)
- Refused to answer

29a. How many times have you run away or left without permission?

- 1 to 5 times
- 6 to 10 times
- 11 to 20 times
- More than 20 times
- Refused to answer

29b. How long were you gone the last time you left home?

- 1 to 6 days
- 1 to 4 weeks
- 2 to 3 months
- 4 months or longer
- Refused to answer



29c. Where did you go when you left? (*check all that apply*)

- Friend's place
- Relative's place/other biological parent's place
- Romantic partner's place
- Motel/hotel
- Street
- Out of Town
- Pro-social adult's place
- Anti-social adult's place
- Street gang
- Refused to answer

29d. When you were away, how did you support yourself? (*check all that apply*)

- Family/relatives cared for me
- Friends cared for me
- Romantic partner helped
- Worked (legal employment/jobs)
- Money through drugs
- Money/material gain/favors from prostitution, stripping, or similar activities
- Didn't stay away long enough to need support
- Stealing
- Government assistance
- Panhandling
- Borrowed money from friends
- Trafficker/pimp
- Refused to answer
- Other \_\_\_\_\_

➤ Evidence of Excessive Running Away: Yes \_\_\_\_ No \_\_\_\_

29e. While you were away, did you keep your money, or did someone keep it for you?

- I kept my money
- Someone kept my money for me
- Refused to answer

29f. Who were you with while you were away?

- No one
- Friends
- Romantic partner
- Trafficker/pimp
- Guardian

- Family/relatives
- Street gang
- Refused to answer

29g. Did that person(s) ever give you things like money, drugs, food, clothes, or other things you needed?

- No
- Yes
- Refused to answer

➤ Evidence of Questionable Financial Support While Away? Yes \_\_\_\_ No \_\_\_\_

29h. Did you leave town while you were away from home?

- No
- Yes
- Refused to answer

29i. While you were away, did anyone you were with not allow you to go back home?

- No
- Yes
- Refused to answer

29j. Why did you leave home? (*check all that apply*)

- Abuse/neglect happening at home
- Unsafe in the community (explain how) \_\_\_\_\_
- To spend more time with friends
- To spend more time with romantic partner
- Forced out of the home by the family or friend
- Conflict at home
- Seeking more independence
- Other \_\_\_\_\_
- Refused to answer

➤ Evidence of Coercion or Force to Stay on the Run: Yes  No \_\_\_\_

**Sometimes people find themselves in situations where they feel unsafe, threatened, controlled, or even tricked into doing something they didn't want to do. I am going to ask you a few questions about things that might have made you feel unsafe, threatened, controlled, or tricked into doing something you didn't want to do.**

29k. While you were away, did you experience anything that made you feel uncomfortable or unsafe?

- No
- Yes (If so, what?) \_\_\_\_\_
- Refused to answer

29l. Sometimes young people who are away from home can be taken advantage of and asked to do sexual activities in order to get something they need or want. These activities can include dancing, stripping, posing for photos, or sex of any kind. While you were away, did anyone ever ask you to do something like that?

- No
- Yes
- Refused to answer

➤ Evidence of Sexual Activities for Money, Support, or Gifts? Yes  No

30. In thinking about your past experiences, has anyone ever locked doors or windows or anything else to stop you from leaving when you wanted to? (*If yes, prompt with, "Tell me about that."*)

- No
- Yes
- Refused to answer

➤ Evidence of Inability to Leave? Yes  No

31. Has anyone ever forced you to get or use false identification, like a fake ID, green card, different name, different age, or something else?

- No
- Yes
- Refused to answer

➤ Evidence of Forced Identity Deception? Yes  No

32. Have you or someone else received something of value like money, a place to stay, food, clothes, gifts, favors, or drugs in exchange for you performing a sexual activity?

- No
- Yes
- Refused to answer

➤ Evidence of Compensation for Sexual Activity? Yes  No

33. Have you ever been involved in a gang?

- Yes (*if yes, proceed to 33a*)
- No (*if no, skip the remaining questions*)
- Refused to answer



## Post-Screening Assessment

Did you observe any nonverbal indicators of past victimization? If so, explain.

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Did you observe any indicators the youth's responses may have been false? If so, explain.

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In considering the totality of the assessment, please identify the youth as the following (check all that apply):

- Non-Victim**  
There is no evidence the youth was exploited for labor or commercial sex.
- Victim – Sex Trafficking**  
There is reason to believe the youth is a victim of commercial sexual exploitation.
- Victim – Labor Trafficking**  
There is reason to believe the youth is a victim of labor exploitation.
- Indicated – Sex Trafficking**  
There is suspicion the youth may be a victim of commercial sexual exploitation, but more information is needed.
- Indicated – Labor Trafficking**  
There is suspicion the youth may be a victim of labor exploitation, but more information is needed.

# OHIO DEPARTMENT OF YOUTH SERVICES HUMAN TRAFFICKING SCREENING TOOL TRAINING

Online training available now!

## WHAT IS THE OHIO DEPARTMENT OF YOUTH SERVICES HUMAN TRAFFICKING SCREENING TOOL?

The Ohio Department of Youth Services Human Trafficking Screening Tool (ODYS HTST) is a non-proprietary resource intended to aid professionals in screening for high-risk indicators of sex and labor trafficking in youth. The screening instrument is available to view and download upon the completion of this online training.



### TRAINING WILL ADDRESS:

- Legal definition of human trafficking
- Origins of the ODYS HTST
- Strategies for effective interviewing
- Section-by-section review of the screening instrument

### ACCESS THE TRAINING:

1. Visit the Ohio Department of Public Safety (DPS) Training Campus:  
<https://learning.dps.ohio.gov/PSTC/>
2. Create a free Training Campus account
3. Select "Office of Criminal Justice Services" when asked for DPS affiliation
4. Search for Course ID WBT799

With questions, contact SAHTC@info.dps.ohio.gov

## **Expectations from the Colorado Division of Criminal Justice (DCJ) Staff**

Consultants can expect:

1. Onboarding meetings to introduce consultants to the entire grant project and for each component of work to be accomplished.
2. Professional coaching from DCJ staff as requested.
3. Responsiveness from DCJ staff within **48 business hours** of communication.
4. The State of Colorado and agencies that are federally funded for their projects own the exclusive rights to any and all partial and completed Work Product (and its derivative works) created under the grant, though proper credit and acknowledgement is available.
5. Up to 3 hours of wellness hours paid at the maximum federal rate of \$81.25. With advanced approval from DCJ staff, these hours should invest in the consultants' health and well-being. Wellness hours must be directly related to the work on the project; consultants will need to provide justification.
6. Payment within 30 days of quarterly invoice submission to accounting. Due dates for consultants to submit their invoices are: April 15 (billing work from January-March), July 15 (billing April-June), October 15 (billing July-September), and January 15 (billing October-December). If any of these dates fall on a weekend, invoices will be due the following business day.

## **Commitment and Responsibilities of Consultants**

Consultants must be willing and able to:

1. Deliver on all the work and expectations outlined in the Scope of Work document (see attached)
2. Be responsive to communication requests from DCJ staff in a timely manner.
3. Attend regularly scheduled virtual meetings at agreed upon time.
4. Complete estimated:
  - a. 15 hours on content review for advanced service provider workshop
  - b. 17 hours guidance on toolkit and corresponding training curricula development
  - c. Up to 5 hours of individualized expertise to two participating multi-disciplinary teams on adaptation of MDT Toolkit materials (10 hours total)
  - d. 12 hours of attending MDT Working Group meetings to provide guidance on common challenges
5. Submit work products by agreed upon deadline. Proactive communication is expected if unable to meet a deadline.
6. Track hours worked on each activity and submit a payment invoice by the deadlines listed above.
7. Disclose any conflicts of interest.

*(Please see next page for signing)*



Please read carefully through the details listed in this document. Your participation in the program and your signature below acknowledge that you have read and understood the expectations of the Division of Criminal Justice and the responsibilities of being a consultant of the *Connecting Colorado: Building Effective Anti-Trafficking Systems* grant project.

Signature:

Date:

Printed Name:

Pronouns:

City:

State:

Phone:

Email:

Preferred communication method

Preferred communication method



## SURVIVOR LEADER ADVISORY BOARD EXPERT CONSULTANT POSTING

### Minimum Qualifications, Substitutions, Conditions of Contract Employment

This is a grant funded, time-limited contract position. It requires that you have:

- **lived experience** as a survivor of human trafficking as a child/youth in the United States
- **AND** four years of relevant professional experience, **OR** a **Bachelor's Degree** from an accredited institution in Human/Social Services, Social Work, Public Health, or a related field.

People with experience consulting or managing projects in the human trafficking field or a related field may be given preference. This contract will end September 30, 2024, but could be extended if approved by Department of Justice, Office for Victims of Crime.

### SUBSTITUTIONS

Additional appropriate experience can substitute for the degree requirement on a year-for-year basis.

**College Transcripts:** If you are using education to qualify, you must submit a legible copy of your official or unofficial college transcript(s) or a foreign credential evaluation report with your application. Transcripts must show your name, the name of the school, the coursework you finished, total credit hours, and, if applicable, that you earned a degree. Transcripts from colleges or universities outside of the United States must be assessed for U.S. equivalency by a company through the National Association of Credential Evaluation Services. If you don't provide a transcript or foreign credential evaluation report, your application may be rejected, and you will not be able to continue in the selection process.

### Preferred Qualifications

- Excellent written and verbal communication skills, including facilitation and conflict resolution.
- High work and personal ethics and integrity, including the ability to maintain confidentiality.
- Strong attention to technical detail and accuracy.
- Experience working with a wide variety of stakeholders in situations that may be politically sensitive.
- Experience in trauma-responsive care with minors and/or youth.
- Professional experience providing social services.
- Good working knowledge of the Child Welfare system.
- Ability to work as part of a team.
- Experience leading or working within a Multi-disciplinary Team (MDT) (does not need to be specific to human trafficking).
- Experience developing policies and protocols.
- Experience working with a government agency.
- Familiarity with research methods and data analysis.

**How to Apply:** Applicants should review the Scope of Work for this position and send their resume, responses to questions (see below), and a work portfolio sample to [catie.fowler@state.co.us](mailto:catie.fowler@state.co.us) with "Survivor Leader Advisory Board Consultancy" in the subject line by **October 24, 2022 at 11:59pm MST**.

We strongly encourage individuals from historically excluded communities to apply. Imposter syndrome can sometimes keep people from applying for a position. However, there is no such thing as a “perfect” candidate. We are looking for Survivor Leaders who want to make a positive impact through this consultancy. If you would be excited to perform the role outlined in the statement of work, please consider submitting your application.

\*\*work portfolio can include: developed training curricula, sample of edited work product containing original comments and changes, description of previous consultancy project including guidance/recommendations provided to client, or other writing sample.

In lieu of a cover letter, please respond to the questions below:

- 1) Why are you interested in this consultancy position?
- 2) How does this opportunity align with your career goals? How do you see it advancing your professional development skills?
- 3) What does survivor leadership mean to you?
- 4) What challenges do you anticipate facing in fulfilling the duties of this position outlined in the scope of work?
- 5) We are cognizant that work within the human trafficking field is triggering. Do you have a self-care plan? What are your expectations of us for support?

## SURVIVOR LEADER ADVISORY BOARD EXPERT CONSULTANT SCOPE OF WORK

### Background

In 2014, the Colorado Human Trafficking Council (CHTC) was legislative established by the Colorado General Assembly. When created, the CHTC was tasked with several mandates by the state legislature. One of these mandates was to make recommendations whether the general assembly should enact legislation concerning “standards, guidelines, or mandates regarding the appropriate assessment, placement, and treatment of child victims of commercial sexual exploitation.”

The Connecting Colorado: Building Effective Anti-Trafficking Systems is a three-year project that will build upon the work previously accomplished by the Council, existing promising practices, experience and expertise of Multi-disciplinary Teams (MDTs) into a statewide approach that aims to increase identification of human trafficking of children and youth (HTCY) and connect them to culturally appropriate and trauma-responsive services. This project has three phases: 1) development of work products with members of the MDT Working Group of the Council, 2) implementation of the project with current MDTs (i.e. beta testing), and 3) implementation with newly established MDTs (i.e. piloting). Broadly, the project includes the formation of a MDT Working Group, establishment of a Survivor Leaders Advisory Board<sup>1</sup>, a systematic inventory of strengths, gaps, and promising practices to inform a MDT toolkit, the creation, evaluation, and revision of the MDT toolkit, reliability and validity analysis of Colorado’s High Risk Victim Identification tool, a state-wide MDT summit, training and technical assistance to MDTs across the state, and support to two communities to establish a new child/youth focused MDT. Key partners include the Colorado State University’s Social Work Research Center who will act as the project’s Evaluation Team, and the Rocky Mountain Immigrant Advocacy Network, among other partners and stakeholders.

### Survivor Leader Advisory Board Roles

In accordance with the Council’s guiding principle that “combatting human trafficking requires a trauma-informed, collaborative, and coordinated team approach that must be influenced by survivor voices,” the Connecting Colorado team seeks to contract with up to five survivor expert consultants to inform the work of this project. This includes: a comprehensive review of the advanced service provider workshop created by the CHTC and provide recommendations for improvement, consultancy on the development of the MDT Toolkit and corresponding training curricula, and provide a set number of hours of individual consultation to each of the MDTs involved in the project.

#### *Projected Timeline*

<b>Activity by Phase</b>	<b>Phase I</b>	<b>Phase II</b>	<b>Phase III</b>
Refine the advanced service provider workshop			
Advise MDT Working Group on toolkit development & trainings			
Provide individual consultation to existing MDTs			
Provide individual consultation to new MDTs			

*Review the Advanced Service Provider Workshop and Provide Improvement Recommendations*  
 Launched in 2019, the *Meeting Human Trafficking Survivor’s Needs: An Advance Workshop for Service Providers* is a half-day interactive workshop designed to answer the question asked after identification

<sup>1</sup> Final name for the group will be developed once all members have been appointed.

of a victim, “now what?”, with problem-solving rooted in the Colorado context. This workshop will be refined with the survivor-expert consultants, reviewing materials for cultural appropriateness and including guidance on the referral process. The workshop will be implemented with MDTs involved in the project to serve as a shared foundation for coordination and to enhance their current work.

*Consult on the Development of the MDT Toolkit and Corresponding Training Curricula (statewide MDT approach, MDT toolkit, & High-Risk Identification tool)*

The MDT Working Group will collaborate to address specific issues that arise when addressing human trafficking of children and youth at the community level. They will work to develop the statewide MDT toolkit with policies and procedures that outline a consistent multi-disciplinary approach that seeks to ensure that all children and youth who have experienced human trafficking receive appropriate and well-planned responses. Survivor-expert consultants will provide their professional expertise at the beginning, midpoint, and final stages of development of the MDT Toolkit.

The MDT Working Group will develop relevant trainings on the statewide MDT approach, MDT toolkit, and identification tool critically assessed by the Colorado State University Evaluation Team. Survivor-expert consultants will work with Connecting Colorado staff to inform and review all training materials developed to correspond with the toolkit.

*Provide individual consultation to existing and new MDTs*

Once developed, the MDT toolkit and corresponding trainings will be distributed to established MDTs through a summit and materials will be integrated into their practice in their local communities. Survivor-expert consultants will provide a set number of hours of individual consultation to each MDT to support their adaptation of the materials. Through developmental evaluation, the materials will be adjusted for rollout to two additional communities that have expressed interest, commitment, and capacity to establish a human trafficking of child/youth focused MDT. Survivor-expert consultants will additionally provide a set number of hours of individual consultation to these new MDTs to support their adaptation of the materials.

*Wellness Hours*

In recognition that this type of consultancy work can be triggering for those with lived experience, Survivor Leaders will also be granted Wellness Hours. These hours are intended to be used for Survivor Leaders to invest in their physical and mental health, whether that means getting a massage, having an acupuncture session, meeting with a therapist, or other wellness-focused activities.

*Projected Cost*

<b>Professional Service Hours</b>				
<b>Project Role</b>	<b>Role Description</b>	<b>Hourly Rate</b>	<b>Est Hours</b>	<b>Est Cost</b>
Workshop Reviewer	Review advanced service provider workshop; provide feedback on adjustments	\$81.25	15	\$1,218.75
Toolkit and Training Curricula Development	Advise MDT Working Group on MDT Toolkit materials; Review and provide adjustments on corresponding training curricula	\$81.25	17	\$1,381.25

MDT Individualized Consultation for MDTs	In phase two provide up to 5 hours of individualized expertise on adaptation of MDT Toolkit materials to two participating MDTs;	\$81.25	Up to 10	\$812.50
Working Group Guidance	In phase two and three attend MDT Working Group meetings 4x/year to provide guidance on common challenges. Each meeting will be 1.5 hours long	\$81.25	12	\$975.00
Wellness Hours	Survivor Leaders may use up to three paid hours for wellness purposes	\$81.25	Up to 3	\$243.75
<b>Total Estimate Professional Service Fees Budget</b>			<b>57</b>	<b>\$4,631.25</b>

\*This position is based remotely. To be successful in this role, a computer, stable internet connection, and ability to engage in virtual conferencing (webcam & microphone) is required.



## Process for Safe Harbor Engagement with Subject Matter Experts

1. Assess current project to decide what expertise and skill sets are needed.

Completed on \_\_\_\_\_

Notes:

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2. Identify the desired role(s) for subject matter experts in the project.

Completed on \_\_\_\_\_

Notes:

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3. Determine the budget for compensation, based on fair market value, and how people with lived experience will be equitably and timely compensated.

Completed on \_\_\_\_\_

Notes:

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4. Draft a request for engagement to the subject matter expert. Include:

- a. Details of what the Safe Harbor team is asking them to do and in what timeframe;
- b. How and when they will be compensated;
- c. Include space for language regarding the need and availability of support for the individual during engagement (See steps six and seven for details to include after discussion with individual with lived experience).

Completed on \_\_\_\_\_

Notes:

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5. Review the Safe Harbor Subject Matter Expert Values for Engagement document to ensure the survivor scope of work is in alignment.

Yes

Notes:

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6. Reach out to identified subject matter expert(s) and have a conversation to discuss the following:

- a. Make the engagement request and begin negotiations with the individual
- b. Ask the individual if they can do what is being asked of them
- c. Be sure to address:
  - i. Needed supports and safety planning

- ii. Compensation
  - iii. Questions they have about the project and their expectations
  - iv. How they want to be identified
  - v. Any potential conflicts of interest
- d. Have a plan in the event that, after careful consideration, the Safe Harbor team decides not to engage a particular individual and how the team will communicate this to them in a timely manner
- e. Be flexible with subject matter expert(s) and understand that things can come up in their lives that preclude involvement. They have the right to withdraw from the project at any time. They can still be considered for future projects.

Completed on \_\_\_\_\_

Notes:

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7. The individual(s) should assess their ability to engage on the project.
- a. Safe Harbor staff will ask questions regarding self-care and their support network.
  - b. Safe Harbor staff will ask what expectations the person with lived experience has from MDH or DHS regarding support.
  - c. Assess any conflicts of interests the individual may have for this project (i.e. for DHS – does this person have any current involvement with child protection?)
  - d. Decision on which subject matter expert would fit the project and be ready to engage should be discussed by multiple Safe Harbor staff.

Completed on \_\_\_\_\_

Notes:

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8. Ensure compensation plan is in place and who is responsible for it.
- a. Consider the needs of the individual and prepare for accessibility needs.
  - b. Communicate to the individual how and when payment will be made.
  - c. Clarify any logistics associated with the contract, such as lodging, travel, per diem, etc.

Completed on \_\_\_\_\_

Notes:

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9. Project implementation should include check-ins with subject matter expert(s). Ensure the individual's input is sought after and incorporated in the project to the extent possible.

Completed on \_\_\_\_\_

Notes:

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10. After the project ends, complete the steps below for follow-up:
- a. Request feedback - create a subject matter expert evaluation based on our values for engagement document.
  - b. Ask individual if they would like feedback, if collected (e.g. evaluations from a training).
  - c. Do an overall evaluation of subject matter expert engagement on the project.
  - d. Review process with Safe Harbor partners.

Completed on \_\_\_\_\_

Notes:

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## Safe Harbor Values for Engaging Subject Matter Experts

1. Individuals with lived experience should have their voices sought after and included. Every story matters.
2. Individuals with lived experience are the owners of their story and they decide when and how they share it.
3. Individuals with lived experience should be given ample time to review documents and decide how they want to participate. (contracts, work groups, provide written or verbal feedback on projects, etc.)
4. Individuals with lived experience have a right to privacy and confidentiality and should be provided with sufficient detail to give informed consent about participation. Privacy and confidentiality are essential to the safety and emotional well-being of the individual.
5. There should be a diversity of voices from those with lived experience. Participation should be meaningful and include opportunities for leadership.
6. While Safe Harbor values the voices of minors who have experienced exploitation, no minor will be asked to publicly identify themselves as survivors of trafficking or exploitation on behalf of Safe Harbor sponsored activities. However, if a minor does disclose in a Safe Harbor setting, appropriate support and referrals should be provided. Further, if a minor is considering disclosure outside of a Safe Harbor setting they should be advised about the potential short- and long-term consequences of doing so.
7. Individuals with lived experience should be equitably compensated for their time and expertise in a timely manner. They should know ahead of time what the compensation is and when it will be received.
8. The contracting partner should be transparent about all aspects of the agreement with the individual with lived experience. This includes review of the contract before signing to ensure mutual understanding of all terms and allowing time for the individual to receive outside advice the contract.
9. Individuals with lived experience can expect to have Safe Harbor give them opportunities for feedback to Safe Harbor before, during (if applicable), and after the planned activity. Safe Harbor will provide support and response to feedback as appropriate.

10. Recognize that a person with lived experience comes to the table with professional expertise and should be treated as a professional colleague. They may not identify as a “survivor” or “victim.” Safe Harbor recognizes input from individuals with lived experience as professional work.
11. Safe Harbor will be proactive and intentional in not perpetrating or supporting exploitation of people with lived experience through its activities. Safe Harbor welcomes feedback if it has failed to meet this requirement and will work to address any problems.
12. Safe Harbor should recognize the value of professional development in whatever field people with lived experience are interested in and support opportunities for growth.

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## **Participation Feedback Form**

### ***Human Trafficking Survivor Advisory Panel***

The voices and knowledge of survivors are critical to driving the efforts of the anti-trafficking field. Your voice is particularly important as we learn how to effectively and respectfully engage survivors in project development and implementation. The purpose of the questions below is to learn how we can respond and support you in your involvement with the program.

Below you will find a set of questions asking about your experience and needs as they are related to participating in the advisory panel. The first set of questions relate to participating in the advisory panel meetings, followed by questions related to speaking engagements, and general questions.

- Answering the below questions and completing this form are not required to participate on the advisory panel. You may choose not to complete this form.
- You can answer whatever questions you would like, stop at any point, and comment in any manner.
- All information that you provide will be kept anonymous and used to inform future engagement opportunities for survivors.

#### ***Section I: Participation in Advisory Panel Meetings***

Please answer the questions below related to the advisory panel meetings.

1.) What have been the biggest successes that you've seen during your time participating on the advisory panel?

2.) What changes would you like to see addressed in the final year of the advisory panel?

3.) What could the grant team have done to make participating in the advisory panel easier or more fulfilling?

4.) What content would you like to see in the advisory panel meetings over the next year (e.g. networking, training, guest speakers, etc.)?

5.) Do you feel the stipend amount for participating in the advisory panel meetings is fair?

Yes       No

If **no**, please explain:

6.) Is the process of receiving your stipend for attending advisory panel meetings convenient?

Yes       No

If **no**, please explain:

**Section II: Presentation and Training Speakers**

Please answer the questions below related to your experience as a speaker during trainings.

7.) Have you participated in a presentation as a speaker for this program?

Yes (Please complete the questions in the box below)

No (Please skip the questions in the box below and move on to the next page)

7a.) Did you feel supported by the grant team in your role as a speaker?  Yes  No

If **no**, what things could the grant team have done to better support you in your role as a speaker/presenter?

7b.) Did you feel the stipend amount for participating as a speaker was fair?  Yes  No

If **no**, please explain:

7c.) Is the process of receiving your stipend for speaking convenient?  Yes  No

If **no**, please explain:

7d.) Did you feel the selection process for speakers was fair?  Yes  No

If **no**, please explain:

7e.) What challenges have you experienced working with training audiences?

(Please continue on to the questions on the next page)

**Section III: General Questions**

Please answer the questions below related to your overall experience with the program.

8.) What, if any, additional support or resources would you like from the grant team?

9.) Are there any other areas of professional development you would like more information on (if available)?

10.) Overall, do you feel like your participation and input have been valued by the grant team on this project?

Yes    No

If **no**, please explain:

11.) Are there any other thoughts or concerns you would like to share that were not previously covered by the questions above?

If you **do not want to remain anonymous** and would like to discuss your responses in further detail, please provide your contact information below. The State Anti-Trafficking Coordinator, Sophia Papadimos, will then follow up with you to have additional conversations. Please note, your feedback forms will not be shared with anyone other than Sophia Papadimos and Kristina Nicholson (Social Science Researcher).

Name: \_\_\_\_\_

Email: \_\_\_\_\_

Tear here 

Thank you for answering the questions and sharing your insight with us. Your information will be reviewed by the researcher at the Office of Criminal Justice Services and combined with the other response to help inform future activities of the advisory panel. If you have any questions about how this information will be used or the questions that were asked above, please contact Kristina Nicholson (researcher at OCJS) or Sophia Papadimos (State Anti-Human Trafficking Coordinator).

Kristina Nicholson (she/her/hers)  
Social Science Researcher  
Office of Criminal Justice Services  
Office Phone: 614-466-0346  
Email: [kcnicholson@dps.ohio.gov](mailto:kcnicholson@dps.ohio.gov)

Sophia Papadimos (she/her/hers)  
State Anti-Human Trafficking Coordinator  
Office Phone: 614-752-7817  
Email: [stpapadimos@dps.ohio.gov](mailto:stpapadimos@dps.ohio.gov)

# Engaging with Lived Experience Experts





# INTRODUCTION

A lived experience expert is someone who has experienced human trafficking. They bring valuable insight and perspective to our efforts to end human trafficking at all stages of a project. In this document, we refer to them as “experts.”

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## **Suggested Interview Questions**

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## **Engagement Agreement**

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## Process

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The following is a suggested process for working with experts. It supplements other processes for working with contractors, consultants, and vendors.

### Pre-Engagement

1. Brainstorm with your team about the project.
  - a. Determine your goals, objectives, and budget.
  - b. Define the expected time commitment, duration, and location.
  - c. Decide how will you compensate the expert. Refer to [Values](#) for more information. Learn more about your internal payment system to set expectations for compensation.
  - d. Determine any criteria that would make an expert eligible or ineligible.
  - e. Decide how you will communicate with the people who respond to your engagement announcement. Consider if you will respond to everyone who contacts you.
  - f. Decide what support you will offer the expert if the project results in emotional distress.
  - g. Decide what interview questions to ask candidates. For examples, see [Suggested Interview Questions](#).
  - h. Determine if your project includes materials that will be published or made public. If it will, then determine whether it will include the names of expert contributors. If it will, prepare a consent document ([see example](#)).
2. Create and distribute an engagement announcement that includes:
  - a. Project goals and objectives.
  - b. Eligibility criteria, including desired expertise.
  - c. Time commitment, duration, and compensation.
    - i. Monetary compensation is strongly recommended. If compensation is not available, be clear that their participation is voluntary.
    - ii. Include if you will reimburse expenses, such as mileage.

- d. Other relevant information to help an expert decide if the opportunity is a good fit.
3. As experts contact you, share information about the project and answer their questions. If they are interested in moving forward,
  - a. Collect their contact information and set a follow-up meeting.
  - b. Send them a list of questions that you will be asking in the follow-up meeting.
  - c. Send them your values for working with experts. For example, see [Values](#).
4. Conduct the follow-up meeting. The goals of this meeting include:
  - a. Answering the expert's questions.
  - b. Learning more about the expert through interview questions.
  - c. Discussing ways the project and the expert's experience, knowledge, and skills might be complementary.
  - d. Explaining compensation, including a realistic timeframe for payment.
  - e. Discussing any potential conflicts of interest. Review impact that the conflicts could have on participating in the project.
  - f. Gathering information for the [Contact Form](#).
  - g. Figuring out when to contact the expert to discuss next steps.
5. Decide if you want to move forward with the expert.
  - a. If you are not ready to move forward, contact the expert promptly to communicate this information. Ask them if they would like you to reach out to them for future projects.
  - b. If you are ready move forward, create an Engagement Agreement and send it to them for review. Give them sufficient time to review the agreement. Reference the [Engagement Agreement](#) for what to include.
6. Contact the expert to see if they are still interested and able to engage with the project. Review the agreement with them and answer their questions. Update the agreement, if needed.

*If the expert agrees to participate in the project, proceed with steps below.*

7. Forward the [Engagement Agreement](#) to the individuals who handle contracts and payments for your agency. Initiate a contract for the expert.
8. Save the [Engagement Agreement](#) and [Contact Form](#) for your records, ensuring you protect the information.

### During Engagement

9. Remember the expert may withdraw from the process at any time. Be flexible and understand that things come up in their lives that prevent involvement.
10. Contact the expert as outlined in the feedback and communication sections of the [Engagement Agreement](#).

### Concluding Engagement

11. At the end of the project, review the expert's experience and solicit feedback from them.

## Values

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The following are values and practices for working with experts.

### Inclusion

Practices:

- Input from experts is incredibly valuable to the anti-violence movement. Experts should have their voices sought after and included.
- Every story matters.
- Seek diverse experiences by considering race, ethnicity, religion, language, nationality, socioeconomic status, gender, age, sexual orientation, and/or ability. Avoid tokenizing one expert's experience as representing all experts.
- Include input from experts in various ways like projects, committee meetings, panel conversations, events, conferences, and document or policy review.

### Self-Determination

Practices:

- Experts own their story. They decide when, how, and with whom to share it.
- Experts have a right to privacy and confidentiality. It is essential to their safety and well-being.
- Provide experts with all necessary information to ensure they can give informed consent.
- Recognize the value of professional development in whatever field the expert is interested in. Identify, discuss, and support opportunities for growth.
- Experts may end their participation at any time.

## Trauma-Informed

### Practices:

- Give experts ample time to review documents and decide how they want to participate. Translate these documents as needed.
- Be transparent with all aspects of the agreement with the expert. This includes reviewing the agreement and contract to ensure mutual understanding of terms. It also includes allowing time for the individual to receive advice on the engagement agreement and contract before committing or signing documents.
- Provide opportunities for the expert to give and receive feedback before, during (if applicable), and after the planned activity.
- Be proactive and intentional to not perpetrate or support further exploitation of experts.
- Experts deserve a safe, trustworthy, and inclusive work environment. Because their experiences are rooted in trauma, it is important to take steps to avoid re-traumatization.

## Dignity

### Practices:

- Recognize that experts come to the table with professional expertise. Treat them as a professional colleague. Recognize input from experts as professional work.
- Compensating experts is important. Their input and insight are valuable, and we cannot gain it in any other way.
- Whether to share their lived experience is the expert's decision.
- Expert participation should be meaningful and include leadership opportunities.

## Equity and Equality

### Practices:

- Compensate experts equitably for their time and expertise.
- Compensate experts in a timely manner. Let them know ahead of time what the compensation is and when they will receive it.
- Compensation can vary.
  - Examples of compensation include a set rate per hour (\$50), fair market rate, federal rate per hour (\$81.25), or paying above and beyond based on the expertise provided.
  - If possible, consider compensating for travel, per diem, lodging, or providing a stipend.
  - Experts may contribute their time and expertise while on work time that their employer compensates.
  - Experts may volunteer their time and expertise without financial compensation. Some experts might select this option to gain experience to add to their resume.
- Create an engagement agreement with the expert, regardless of how or if you compensate them.

## Suggested Interview Questions

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Questions should not center on the expert's trauma. Examples of questions include:

- a. Tell us about who you are – what you enjoy doing, what you are most proud of, what would you like other people to know about you?
- b. Tell us about your strengths and some of the things you love.
- c. What aspects of the project are most appealing to you?
- d. What skills are you looking forward to developing or strengthening while working on this project?
- e. Are there aspects of this project where you think you will need some support? (such as accommodations and/or technology)
- f. This project requires giving and receiving constructive feedback. Tell us about a time when you had to give someone feedback to help improve something.
- g. Engaging in this project may include re-visiting your trafficking experience. We know this can be traumatic. Describe your support system.
- h. Your privacy is important to us. How would you like us to identify you in meetings or published notes / documents?



## Contact Form

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# Contact Information Form

**Name:**

**Phone:**

**Mailing Address:**

**Email:**

**Accommodations:** List any assistance and/or accommodations that the expert requests to complete their work (i.e., translation support, sign language or spoken language interpreters, extended time to complete tasks, large font documents, provision of written documents).

**Privacy:** Determine how the individual would like to be identified and note here for reference. Will their name be published or made public? If so, obtain a consent document ([see example](#)).

**Scheduling Needs:** Document any specific scheduling needs to consider for the individual.

## Engagement Agreement

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### Expert Engagement Agreement

To: [name of expert]  
From: [name of project lead]  
Date: [date]  
Re: [title of project]

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**Purpose:** The purpose of [insert title of project] is....

**Role:** You will....

**Time Commitment:** You will...

**Timeframe:** You will begin working on this project on [date] and conclude on [date]. You can end your participation in the project at any time.

**Compensation:** Compensation in the amount of ....

**Feedback:** We encourage reciprocal feedback. We will check in [insert frequency or date(s)] to review how the process is going and make any adjustments to workload.

**Communication:** As stated above, we will check in [select a timeframe] (or more often, if needed). We have discussed a plan for engaging with a support system.

**Decision Date:** We will review this letter and discuss next steps on [date].

## Evaluating Your OVC Improving Outcomes Project: Lessons Learned from *Innovate Colorado*

Contact: Courtney L. Everson, PhD | [Courtney.Everson@colostate.edu](mailto:Courtney.Everson@colostate.edu) | 970-491-7519

### Resource Guide

*This resource guide accompanies the evaluation roundtable of the same name, hosted by RTI on behalf of OVC Improving Outcomes grantees.*

- **General Evaluation Guidance:**
  - Western Michigan University, The Evaluation Center (user-friendly evaluation tools and checklists, guidance, and examples): <https://wmich.edu/evaluation>
  - University of Kansas Center for Community Health and Development, The Community Tool Box, Framework for Program Evaluation: A Gateway to Tools: <https://ctb.ku.edu/en/table-of-contents/evaluate/evaluation/framework-for-evaluation/main>
  - Centers for Disease Control and Prevention, Introduction to Program Evaluation for Public Health Programs: A Self-Study Guide: <https://www.cdc.gov/eval/guide/index.htm>
- **Developmental Evaluation:**
  - Patton, M.Q. (2006). *Evaluation for the way we work. The Nonprofit Quarterly*, 13(1), 28-33. Access at: <https://nonprofitquarterly.org/evaluation-for-the-way-we-work/>
  - Patton, M.Q. (2010). *Developmental evaluation. Applying complexity concepts to enhance innovation and use*. New York: Guilford Press. Access at: <https://www.amazon.com/Developmental-Evaluation-Applying-Complexity-Innovation/dp/1606238728>
- **Action Research:**
  - Office for Victims of Crime (OVC) Fact Sheet: Action Research -- <https://www.ovc.gov/pdf/txt/Action-Research-Fact-Sheet-508.pdf>
  - National Institute of Justice (NIJ) Action Research Model -- <https://nij.ojp.gov/media/image/19691>
- **Existing Assessment Tools used in *Innovate Colorado*:**
  - Administration for Children & Families (ACF) and National Human Trafficking Training and Technical Assistance Center (NHT). (2018). *Toolkit for building survivor-informed organizations*. Access at: [https://www.acf.hhs.gov/sites/default/files/otip/toolkit\\_for\\_building\\_survivor\\_informed\\_organizations.pdf](https://www.acf.hhs.gov/sites/default/files/otip/toolkit_for_building_survivor_informed_organizations.pdf)
  - Frey, B., Lohmeier, J., Lee, S., & Tollefson, N. (2006). Measuring collaboration among grant partners. *American Journal of Evaluation*, 27(3), 383-392. Access at: [https://www.researchgate.net/publication/228718720\\_Measuring\\_collaboration\\_among\\_grant\\_partners](https://www.researchgate.net/publication/228718720_Measuring_collaboration_among_grant_partners)
  - Marek, L., Brock, D-J., & Savla, J. (2015). Evaluating collaboration for effectiveness: Conceptualization and measurement. *American Journal of Evaluation*, 36(1): 67-85. Access at: [https://www.researchgate.net/publication/262685097\\_Evaluating\\_Collaboration\\_for\\_Effectiveness](https://www.researchgate.net/publication/262685097_Evaluating_Collaboration_for_Effectiveness)
- **Other Key Resources – People Power:**
  - Receive evaluation support, instrument review, and input from your RTI TTA providers. TTA providers can also coordinate peer-to-peer discussions on evaluation approaches and connect you with an expert consultant on your evaluation.
    - TTA Project Director: Kate Krieger ([kkrieger@rti.org](mailto:kkrieger@rti.org))
  - Your DOJ OVC Grant Liaison
  - Your OVC Improving Outcomes funding conditions, documentation, parameters
  - Each other! Other OVC Improving Outcomes grantees

**Funding Disclaimer:** This program is supported by grant number 2017- NZ-NX-K011, awarded by the Office for Victims of Crime, Office of Justice Programs, U.S. Department of Justice. The opinions, findings, and conclusions or recommendations expressed in this program are those of the contributors and do not necessarily represent the official position or policies of the U.S. Department of Justice.

## Office of Victims of Crime Grant Improving Outcomes for Children and Youth Victims of Human Trafficking October 2019-September 2022 DCF/CFC Focus Groups/Forums

A grant awarded to the Massachusetts Executive Office of Public Safety and Security, partnering with the Executive Office of Health and Human Services and the Department of Children and Families

### DCF/CFC Focus Groups/Forums Questions and Protocol

**Purpose:** to inform the training curriculum designed for staff within the Department of Children and Families (DCF) and Comprehensive Foster Care (CFC) staff to support foster families in meeting the needs of youth who have been impacted by/at risk for sexual exploitation. Focus group participants or one-on-one interviews will be conducted by sub-grantee Dr. Amy Farrell, Northeastern University.

The focus group participants include DCF and CFC staff who work directly with foster parents. Other separate focus group participants will include foster parents and youth.

#### **Introduction:**

1. interviewer introduces self
2. states preferred pronouns and asks how the participant identifies (this mirrors the importance of this practice with youth)
3. expresses gratitude for attendance and engagement
4. discusses privacy and norms of the (virtual) room

**Welcome** and explanation of the purpose (see above) of the focus group discussion.

1. One-hour focus group session with no required follow-up

Provide **standard definitions** of terms and acronyms that will be used, most being familiar:

1. CACs – Children’s Advocacy Centers
2. Cisgender - people whose gender identity and expression matches the biological sex they were assigned when they were born.
3. CFC - Comprehensive Foster Care
4. CSE – Commercially Sexually Exploited
5. CSEC – Commercial Sexual Exploitation of Children
6. DCF – Department of Children and Families
7. EOHHHS - Executive Office of Health and Human Services
8. EOPSS - Executive Office of Public Safety and Security
9. 51A – a report of child abuse or neglect
10. Human Trafficking (HT) – an umbrella term used at DCF to include CSEC and Labor
11. HT-SEC – a report of child abuse specific to Human Trafficking – Sexually Exploited Child
12. HT-Labor - a report of child abuse specific to Human Trafficking – Labor
13. MDTs – Multi Disciplinary Teams – there are CSEC MDTs in each of the 12 CACs across the state; developed to comply with the state law on Human Trafficking for those under the age of 18. Each CSEC MDT Coordinator reviews and responds to all reports (51As) of HT-SEC and HT-Labor

Explain **the focus of the grant:**

5. overall, the grant focuses on improving the quality of care, resources, and support provided to youth impacted by/at risk for sexual exploitation.
6. to deliver training and support to staff working with foster parents
7. to support foster parents directly through the hiring of 2 part time Parent Supporters

Address issues of **confidentiality** and how the information from the focus group will be used.

1. All questions are voluntary, staff are under no obligation to answer any question

2. Staff will be asked permission to record the focus group session for the purposes of notetaking. Staff will be asked if there are any concerns about recording.
3. No personally identifiable information from the conversation will be shared. Name, location or other information that may identify the person will not be used.
4. Any confidentiality concerns raised by focus group members concerning the remote platform will be addressed

**I. Introduction** questions to get started and build conversation:

*[Interviewer says: Today we are going to have conversation about **your experiences working with foster parents.**]*

**I. Introduction questions:**

1. How long have you been a staff member at DCF/CFC agency?
2. Tell me more about what motivated you to work at DCF/CFC agency?

**II. Questions related to experience with foster parents who are fostering youth who are impacted by/at risk of sexual exploitation.**

3. To begin, please share your understanding of human trafficking, particularly commercial sexual exploitation of children.

1. **Probe** for specific risk factors and red flags
2. **Probe** for experiences with cisgender boys and transgender boys and girls

4. What has been your experience supporting foster parents who foster young people who may have been impacted by/at risk of sexual exploitation?

**Probe** for specific risk factors and red flags for cisgender girls and transgender girls (i.e. tattoos, drug use, unexplained clothing/materials, older “friends,” running, truancy, hormone therapy (injections/pills))

**Probe** for experiences with boys who are cisgender and transgender (i.e. older “friends,” running, truancy, hypersexuality, opposition to authority, gang activity, lack of disclosure, violent behavior towards others, self-harm)

*Note that youth who are **trans-male** will experience both **cis-male** and **cis-female** behaviors, while **trans-female** youth mostly experience **cis-female** behaviors.*

5. This question gets more specific re: supports. Has there been a time where you were asked to support foster parents who are parenting youth who have been impacted by/at risk for CSEC?

If answered “**Yes**” then ask:

How were you able to respond?

**Probe** for specific responses:

1. What was done with this information?
2. What supports were offered to the youth?
3. What supports were offered to the foster parents?

6. Are you aware of any youth in your foster homes who have been impacted by/at risk of sexual exploitation?

If answered “**Yes**” then ask:

1. How is this information known or suspected?
2. What was done with this information?
3. What supports were offered to the youth?
4. What supports were offered to the foster parents?

7. Have you worked with foster parents whose [cisgender] boys or transgender youth have been impacted by/at risk of sexual exploitation?

1. If answered “**Yes**” then ask:

Please share your experience or examples of their behaviors that may have been different from youth who have not experienced similar victimization.

8. Have you participated in coordinated supports for young people with other agencies such as multidisciplinary teams (MDTs) through the CACs, law enforcement, and other service providers and caregivers?

If answered “Yes” then ask:

Please share some examples of participating in coordinated supports for young people with other agencies such as CSEC MDTs through the CACs, law enforcement, and other service providers and caregivers.

If answered “No” then educate staff on the purpose of the CSEC MDTs and the value of their participation.

### III. Training and Knowledge

*[Interviewer says: “As I’ve explained Massachusetts has specific protocols to respond to CSEC; file a 51A for suspected HT-SEC, immediate DA referral and an MDT response, informing DCF/CFC supervisor/manager about concern for CSEC.”*

9. How familiar are you with these protocols related to youth impacted by/at risk for CSEC?

1 being not familiar at all and 5 being very familiar and have used any protocols.

1. Where did you learn these protocols?
2. Can you describe and/or explain any protocols you have utilized in response to children impacted by/at risk for CSEC?

10. How familiar are you with **DCF policies** related to youth impacted/at risk for CSEC?

1 being not familiar at all and 5 being very familiar and have used any DCF policies.

For the interviewer – policy examples include:

1. **Protective Intake Policy**
2. **Missing Or Absent Policy**

**Follow up:** For those who answered 3 or higher, ask:

1. How did you learn about these policies?
2. Can you describe and/or explain these policies?

For those who could not answer this question, please mention the two examples:

3. **Protective Intake Policy** - mandated reporters must file a 51A if CSEC is a concern through red flags. Emphasize that there is no need to name a perpetrator with the allegation of HT.
4. **Missing Or Absent Policy** – when a youth is missing or absent, DCF has procedures for staff, placement resources, children’s families and contracted residential and foster care service programs to follow

11. How familiar are you with identifying the risk factors for CSEC?

1 being not familiar at all and 5 being very familiar and can identify more than 5 risk factors.

**Follow up:** For those who answered 3 or higher, ask:

5. How did you learn about these risk factors?
6. What risk factors can you name?

For those who could not answer this question or to summarize after question is answered, please mention the following risk factors from the National Center for Missing and Exploited Children (NCMEC):

1. Children who are chronically missing or who frequently run away (especially 3+ missing incidents)
2. Children who have experienced childhood sexual abuse, especially if the abuse was unreported or unaddressed, or resulted in the child being removed from the home
3. Children who have experienced prior sexual assault or rape
4. Children with significant substance abuse issues or who live with someone who has significant substance abuse issues
5. Children who identify as LGBTQ and have been kicked out or who have been stigmatized by their family

Other risk factors include:

1. Truancy
2. Additional/unexplained money, new hair style/cut, manicures, tattoos

3. New/older “boyfriend”/friends

12. From your experience working with foster parents, what type of support do you think they need in relation to youth who are impacted by/at risk for sexual exploitation?

13. What type of support do you need from DCF/your CFC agency to help you support your foster parents with the specific issue of CSEC?

14. Interviewer explains the .5 FTE Parent Supporter positions out of RYI and MLMC and then asks:  
How could these positions be helpful to you/your foster parents?

15. In the remaining time that we have, please share anything else that you believe would be helpful to inform upcoming CSEC Advanced Clinical training for staff working with foster parents. Are there specific questions you’d like answered during this training?

**Office of Victims of Crime Grant**  
**Improving Outcomes for Children and Youth Victims of Human Trafficking**  
**October 2019-September 2022**  
**Foster Parent Focus Groups/Forums**

A grant awarded to the Massachusetts Executive Office of Public Safety and Security, partnering with the Executive Office of Health and Human Services and the Department of Children and Families

**Foster Parent Focus Groups/Forums**  
**Questions and Protocol**

**Purpose:** to inform the training curriculum designed for staff within the Department of Children and Families (DCF) and Comprehensive Foster Care (CFC) staff to support foster families in meeting the needs of youth who have been impacted by/at risk for sexual exploitation. Focus group participants or one-on-one interviews will be conducted by sub-grantee Dr. Amy Farrell, Northeastern University.

The focus group participants include foster parents. Other separate focus group participants will include youth and DCF and CFC staff who work directly with foster parents.

***Introduction:***

- interviewer introduces self
- states preferred pronouns and asks how the participant identifies (this mirrors the importance of this practice with youth)
- expresses gratitude for attendance and engagement
- discusses privacy and norms of the (virtual) room

**Welcome** and explanation of the purpose (see above) of the focus group discussion.

- One-hour focus group session with no required follow-up.

Provide **standard definitions** of terms and acronyms that will be used, most being familiar:

- CACs – Children’s Advocacy Centers
- Cisgender - people whose gender identity and expression matches the biological sex they were assigned when they were born.
- CFC - Comprehensive Foster Care
- CSE – Commercially Sexually Exploited
- CSEC – Commercial Sexual Exploitation of Children
- DCF – Department of Children and Families
- EOHHS - Executive Office of Health and Human Services
- EOPSS - Executive Office of Public Safety and Security
- 51A – a report of child abuse or neglect
- Human Trafficking (HT) – an umbrella term used at DCF to include CSEC and Labor
- HT-SEC – a report of child abuse specific to Human Trafficking – Sexually Exploited Child
- HT-Labor - a report of child abuse specific to Human Trafficking – Labor



- MDTs – Multi Disciplinary Teams – there are CSEC MDTs in each of the 12 CACs across the state; developed to comply with the state law on Human Trafficking for those under the age of 18. Each CSEC MDT Coordinator reviews and responds to all reports (51As) of HT-SEC and HT-Labor

Explain **the focus of the grant**:

- overall, the grant focuses on improving the quality of care, resources, and support provided to youth impacted by/at risk for sexual exploitation.
- to deliver training and support to staff working with foster parents
- to support foster parents directly through the hiring of 2 part time Parent Supporters

Address issues of **confidentiality** and how the information from the focus group will be used.

- All questions are voluntary, staff are under no obligation to answer any question
- Staff will be asked permission to record the focus group session for the purposes of notetaking. Staff will be asked if there are any concerns about recording.
- No personally identifiable information from the conversation will be shared. Name, location or other information that may identify the person will not be used.
- Any confidentiality concerns raised by focus group members concerning the remote platform will be addressed

**I. Introduction** questions to get started and build conversation:

*[Interviewer says: Today we are going to have conversation about **your experience as a foster parent.**]*

**I. Introduction questions:**

1. How long have you been a foster parent?
2. Tell me more about what motivated you to become a foster parent?

**II. Questions related to experience with youth who are impacted by/at risk for sexual exploitation.**

*[Interviewer says: Today we are going to have a conversation about young people who have been impacted by/at risk for sexual exploitation. You may have fostered youth who have a history of running away or who may have friends who are victims of commercial sexual exploitation.]*

3. To begin, please share your understanding of sexual exploitation of children.
  - **Probe** for specific risk factors and red flags
  - **Probe** for experiences with cisgender boys and transgender youth
4. How many youth have you fostered whom you believe were impacted (victimized) by sexual exploitation? How many youth have you fostered whom you believe were at risk for sexual exploitation?

5. What has been your experience fostering young people who may have been impacted by/at risk for sexual exploitation?

**Probe** for specific risk factors and red flags for cisgender girls and transgender girls (i.e. tattoos, drug use, unexplained clothing/materials, older “friends,” running, truancy, hormone therapy (injections/pills))

**Probe** for experiences with cisgender boys and transgender boys (i.e. older “friends,” running, truancy, hypersexuality, opposition to authority, gang activity, lack of disclosure, violent behavior towards others, self-harm)

*Note that **trans-male** youth will experience both cis-male and cis-female behaviors, while **trans-female** youth mostly experience cis-female behaviors.*

6. In what ways were the experiences of these youth (identified in question #4) different from other youth you may have fostered who were not impacted by CSEC?

7. In what ways were the experiences of these youth (identified in question #4) similar to other youth you may have fostered who were not impacted by CSEC?

8. Have you fostered [cisgender] boys or transgender youth who were impacted by/at risk for sexual exploitation?

- If answered “**Yes**” then ask:

Please share your experience or examples of how their behaviors may have been different or similar to youth who have not experienced sexual exploitation.

9. Have you received supports and services for youth impacted by/at risk for sexual exploitation?

If answered “**Yes**” then ask:

Has the youth’s gender identity, gender expression, or sexual orientation impacted the support and services provided?

10. What would you have needed, or do you need to support these young people?

11. What support do you think young people need who have been impacted by/at risk for sexual exploitation?

12. How have those needs been met by you and others supporting these young people?

13. What safety concerns do you have for:

- Young people?
- Yourself?
- Your family?

*Follow up question:* Have these concerns been addressed? If these concerns have been addressed, how?

14. Who (what types of people) were supportive to you and your family during these experiences?
15. Did staff at DCF or from your CFC/IFC agency offer you information or supportive services to help guide you through these experiences?
16. Were you connected with other foster families that had faced similar experiences?  
If answered, “**No**”, then ask:  
Would you like to be connected with other foster families that had faced similar experiences?  
If answered yes, then ask: how would you like to be connected? Can you imagine meeting them over facetime? Email? What would be most helpful?
17. Have you participated in coordinated supports or with agencies involved in this work for young people, such as multidisciplinary teams through the CACs, law enforcement who are investigating these crimes, DCF and other service providers and caregivers?  
If answered “**No**” then ask:  
Please ask if it would be of interested or helpful to participate in coordinated supports or with agencies involved in this work for young people, such as multidisciplinary teams through the CACs, law enforcement who are investigating these crimes, DCF and other service providers and caregivers?  
If answered “**Yes**” then ask:  
Please share some example of participating in coordinated supports or with agencies involved in this work for young people, such as multidisciplinary teams through the CACs, law enforcement who are investigating these crimes, DCF and other service providers and caregivers?

### **III. Training and Knowledge**

*[Interviewer says: “Each county in Massachusetts has a specific protocol for when responding and working with at-risk, suspected, and identified CSEC youth...”]*

18. How familiar are you with protocols that exist in response to youth impacted by/at risk for sexual exploitation? *1 being not familiar at all and 5 being very familiar and have used at least 3 protocols.*

**Follow up:** For those who answered 3 or higher, ask:

- Where did you learn about these protocols?
- Can you describe and/or explain these protocols?

19. Prior to the experience of fostering young people who have been impacted by/at risk for sexual exploitation, is there information that you wish you would have known?

- If answered, “**No**”, then ask:
  - Is there more that you would like to learn about?
- If answered, “**Yes**”, then ask:
  - Please share what those are.

20. How would you like to receive information, support or training around supporting youth who have been impacted by/at risk for sexual exploitation?

- **Probe:**
  - via online vs. in person training
  - via individual vs groups

21. In the remaining time that we have, please share anything else that you would like us to know as we develop trainings and hire staff who will specifically support you as you care for youth who have been impacted by/at risk for sexual exploitation.

*[Interviewer shares the support services available after this interview session as well as the incentive for completing the interview, interviewee also provides information about the next steps of the project and offers for participants to review the training or provide feedback if they are interested]*

**Office of Victims of Crime Grant**  
**Improving Outcomes for Children and Youth Victims of Human Trafficking**  
**October 2019-September 2022**  
**Youth Focus Groups/Forums**

A grant awarded to the Massachusetts Executive Office of Public Safety and Security, partnering with the Executive Office of Health and Human Services and the Department of Children and Families

**Youth Interviews/Focus Groups**  
**Questions and Protocol**

**Purpose:** to inform the training curriculum designed for staff within the Department of Children and Families (DCF) and Comprehensive Foster Care (CFC) staff to support foster families in meeting the needs of commercially sexually exploited youth. Focus groups or one-on-one interviews will be conducted by Northeastern University with sub-grantees; My Life My Choice (MLMC) and Roxbury Youthworks, Inc. (RYI). Other focus groups will include foster parents and DCF and CFC staff who support foster parents.

This focus group interview is with *youth who are at risk of Commercial Sexual Exploitation of Children (CSEC)* and have lived experiences in foster care or congregate care.

**Introduction:**

- interviewer introduces self
- states preferred pronouns and asks how the participant identifies
- expresses gratitude for attendance and engagement
- discusses privacy and norms of the (virtual) room as well as presently available services (MLMC or RYI) for youth who need support during and/or after the interview session.

**Welcome** and explanation of the purpose (see above) of the focus group discussion.

- One-hour focus group session with no required follow-up

Provide **standard definitions** of terms and acronyms that will be used:

- Cisgender - people whose gender identity and expression matches the biological sex they were assigned when they were born.
- CFC - Comprehensive Foster Care
- CSE – Commercially Sexually Exploited
- CSEC – Commercial Sexual Exploitation of Children
- DCF – Department of Children and Families
- EOHHS - Executive Office of Health and Human Services
- EOPSS - Executive Office of Public Safety and Security
- 51A – a report of child abuse or neglect
- Human Trafficking (HT)– an umbrella term used at DCF to include CSEC and Labor
- HT-SEC – a report of child abuse specific to Human Trafficking – Sexually Exploited Child
- HT-Labor - a report of child abuse specific to Human Trafficking – Labor

- Explain **the focus of the grant**:
- to deliver training and support to staff working with foster parents
- to support foster parents directly through the hiring of 2 part time Parent Supporters
- overall, to benefit the quality of care, resources, and support provided to youth at risk or involved in CSEC.

Address issues of **confidentiality** and how the information from the focus group will be used.

- All questions are voluntary, youth is under no obligation to answer any question
- Youth can skip questions or end the interview at any time
- Youth will be provided with a gift card to compensate them for their time
- The youth will be asked permission to record the focus group session for the purposes of notetaking. The youth will be asked if there are any concerns about recording.
- No personally identifiable information from the conversation will be shared. Their name, location or other information that may identify who you are will not be used.
- Any confidentiality concerns raised by focus group members concerning the remote platform will be addressed

**I. Introduction** questions to get started and build conversation:

*[Interviewer says: Today we are going to have conversation about **your experiences with foster care.**]*

1. First of all, how were you introduced to MLMC or RYI - GIFT/BUILD?
2. How long have you been working with/engaged with MLMC or RYI - GIFT/BUILD?

**II. Questions related to experience:**

3. To begin, please share a little about how long you have been living in a foster home. If you are not currently living in a foster home, how much time have you spent living in a foster home? If no time has been spent in foster care, what type of place have you lived – group home (attend school in the community) or residential setting (where education is provided on site)
4. Did you ever talk with your foster parent about your sexual orientation or gender identity/expression?  
Whether the answer is “yes” or “no” inquire if the youth wants to share more about how the conversation went or why the youth chose not to share the information.

How can a foster parent communicate with youth that they are open for this discussion?

4b. Define the word affirm (offering emotional support or encouragement), then ask: if you were ready and able to talk to your foster parent about your gender identity/expression or sexual orientation, did you feel affirmed by the foster parent?

If answered, “Yes,” then ask:

- Please share more

If answered, “No”, then ask:

- Please share why you didn’t feel affirmed

5. Did your foster family discuss commercial sexual exploitation with you?

If answered, “Yes”, then ask:

- Please share how and what that conversation was like

6. If you were able to share your feelings and your past with the foster parents, how did they show that they respected your feelings and your past?

How can a foster parent communicate with youth that they are open for this discussion?

7. (Interviewer explains that many youths have a difficult time sharing their feelings or experiences (particularly about trauma) with others, this is not unusual.) Were you ready and able to share your feelings or wishes with your foster parent related to any trauma you have experienced?

How can a foster parent demonstrate to youth that they are open for this discussion?

8. What does a ‘support’ mean to you? (Interviewer - some would say friends or peers, some adults, DCF social workers, counselors, psychologists, teachers, youth group meetings, religious leaders, gender / identity affirming counselors are supports.) How do you define supports?

**Follow up:**

- What did these supports/people do/say that was helpful to you?
- What did these supports/people do/say that you saw as being not helpful or possibly harmful to you?

9. If you were able to share your feelings with a foster parent, did they try to relate to you or understand your feelings to try to support you? If so, how?

9b. If you were able to share some past trauma or stories about what happened to you when you might have felt unsafe with a foster parent, did they try to relate to you or understand your feelings to try to support you? If so, how?

What can a foster parent do or say that would demonstrate support?

10. If there were other children/youth in the foster home, was everyone treated in a way that met their individual needs?

If answered, “Yes”, then ask:

- Please share how.

If answered, “**No**”, then ask:

- Please share how.

11. Did you ever run away from your foster home?

If answered, “**Yes**”, then ask: Do you know what the foster parent is required to do when a child/youth goes missing? See \*Note at bottom of this questionnaire\*

**Follow up:** If you returned to the same foster home, what was it like when you returned?

**Probe:** Was your foster parent able to ask about what you were doing while away?

12. Did you ever return to foster care with things like new clothes, a phone, hair/nails done, with hormones or with changes to your physical body?

If answered, “**No**”, skip to next question 14:

If answered, “**Yes**”, then ask:

- Was this observation ever discussed in the foster home? If so, what was that conversation like?

13. Were you ever dropped off to the foster home by a friend, boyfriend, girlfriend, or partner? Was this observation ever discussed in the foster home? If so, what was that conversation like?

If answered, “**Yes**”, then ask:

- Please share how your foster family reacted

14. Have you ever engaged in a conversation about seduction tactics by older men or new friends wanting you to meet their “friends”?

If yes, with whom? Ever a foster parent? Describe that conversation

15. Did you ever find yourself engaging in violent behaviors, hurting yourself or someone else [cis- and trans-male youth]?

If answered, “**Yes**,” then ask:

- If a foster parent knows about this, what can they do to help?

16. Did you have other types of living arrangements in the past 5 years (e.g. biological parent home, congregate care facility, other)?

If answered, “**Yes**”, then ask:

- Please share what those were

17. In the remaining time that we have, please feel free to share your suggestions about our work to educate foster parents (or others) who can support you.

***Interviewer reminds youth of their support services through MLMC or RYI. Staff are available after this interview session and whenever the youth needs to reach out.***

\*Note

Information for interviewer:

Did you ever run away from your foster home?



If answered, “**Yes**”, then ask:

Do you know what the foster parent is required to do when a child/youth goes missing?

Become familiar with the DCF Missing Or Absent Policy found here:

<https://www.mass.gov/doc/children-who-are-missing-or-absent-policy/download>

*[Interviewer shares the support services available after this interview session as well as the incentive for completing the interview, interviewee also provides information about the next steps of the project and offers for participants to review the training or provide feedback if they are interested]*