

Addressing Child Sex Trafficking from a Child Welfare Perspective

SEPTEMBER 2014

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Acknowledgments

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For more information about this report, please contact:

Catherine Roller White
Casey Family Programs
2001 Eighth Avenue, Suite 2700
Seattle, WA 98121
206.282.7300
www.casey.org

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Executive Summary

Human trafficking, the “recruitment, harboring, transportation, provision, or obtaining 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”,¹ is being recognized increasingly as a social problem in the United States and worldwide. Trafficking of girls and boys for sex in the United States has been cited as a serious concern. But more accurate information about who is being trafficked, how that is occurring, what factors place these children at risk, and what protections might be most effective is needed.

Casey Family Programs is the nation's largest operating foundation focused on safely reducing the need for foster care and building Communities of Hope for children and families. Because of our work with many states and counties across the United States, we wanted to learn more about what child welfare leaders and their colleagues think must be improved to better prevent, assess, and respond to sex trafficking of children, including how sex trafficking of children affected their communities, and the intersection with child welfare. We wanted to learn about their knowledge of child sex trafficking and what their jurisdiction has done related to sex trafficking (including available services, placement options, staff capacity, service gaps, and knowledge gaps). The information will assist Casey Family Programs in better understanding the issues specific to the intersection of child welfare and sex trafficking, as we continue to serve and advocate for vulnerable children and families.

As such, this national survey was a modest attempt to gather child welfare leader insights into this problem and what they need to learn more about to combat it. This information will be used to help shape our ongoing work with states and counties.

Representatives from 45 jurisdictions completed the interview in March and April 2014. This included 29 states, 13 counties, New York City, Puerto Rico, and the District of Columbia.

In response to an open-ended question about the biggest challenges agencies face in providing services to child sex trafficking victims, participants mentioned:

- Lack of appropriate resources and services for victims (40%)
- Identifying trafficking victims (33%)
- Having safe placement options for trafficking victims (31%)
- Lack of funding (20%)
- Understanding the scope of the problem (18%)

In response to an open-ended question about what the child welfare system as a whole could do better to prevent and respond to child sex trafficking, participants suggested:

- Better collaboration between agencies and departments (36%)
- Better identification and assessment tools (27%)
- Addressing resource and service issues, such as staffing and funding (24%)
- Increasing public awareness (16%)

- Prevention strategies to decrease youth vulnerability (16%)

In response to a question about what local communities could do to better prevent and respond to child sex trafficking, participants suggested implementing community awareness campaigns and trainings (82%) and developing alternative programs and services (40%).

The vast majority of respondents in this study wanted to know more about best practices for prevention of sex trafficking of children, funding opportunities, and best practices for treatment of child victims of sex trafficking. They also wanted to learn more about victim experiences and needs regarding treatment or housing, prevention strategies to make children and youth less vulnerable, and placement options for victims. Child welfare agency leaders recognized that frequently child sex trafficking survivors have a history of violence and trauma that contributed to their vulnerability to sex trafficking.

While the survey provided a modest first step in learning about child welfare leaders' thoughts and needs regarding child sex trafficking, more accurate data about who is being trafficked, how that is occurring, what risk factors place these children at risk, and what protections might be most effective are still needed.

Introduction

Human trafficking is being recognized increasingly as a social problem worldwide and in the United States.² For example, from December 2007 through December 2012, the National Human Trafficking Resource Center (NHTRC) in the United States answered 65,557 calls, 1,735 online tip forms, and 5,251 emails — totalling more than 72,000 interactions. During the first five years of the hotline’s operation by the Polaris Project:

- The NHTRC experienced a 259% increase in calls between 2008 and 2012.
- In five years, the NHTRC received reports of 9,298 unique cases of human trafficking.
- The three most common forms of sex trafficking reported to the hotline involved pimp-controlled prostitution, commercial-front brothels, and escort services.
- 41% of sex trafficking cases referenced U.S. citizens as victims.
- Women were referenced as victims in 85% of sex trafficking cases.³

Trafficking of girls and boys for sex in the United States has been recognized as a serious concern:

“Children are particularly vulnerable to exploitation, and minors have been reported in nearly every form of sex and labor trafficking. Of the 9,298 potential human trafficking cases reported to the NHTRC, 2,668, or 29%, involved at least one child victim of human trafficking. Furthermore, **74% of child trafficking cases involved sex trafficking**, and the majority of those involved pimp-controlled prostitution. Child victims were also exploited in the pornography industry, escort services, commercial-front brothels, and residential brothels. Minors were found in traveling sales crews, peddling rings, domestic work, begging rings, and in the agriculture industry. The NHTRC also found that a significant portion of trafficked minors had interacted with the child welfare system in some capacity while in their trafficking situation.”

— National Human Trafficking Resource Center⁴

The phrase “sex trafficking of minors” in this report is based on the definition provided in the Federal Trafficking Victims Protection Act (TVPA) of 2000: “recruitment, harboring, transportation, provision, or obtaining 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”.⁵ In 2012, one out of every eight endangered runaways reported to the National Center for Missing and Exploited Children was likely a child sex trafficking victim. And of those children, 67% were in the care of child welfare when they went missing.⁶

Two especially vulnerable groups appear to be runaways and children placed in out-of-home care in shelter care, family foster care, group homes, residential treatment centers, and transition living group homes or apartments. The Human Rights Project for Girls cited the following data:⁷

- In 2012, Connecticut reported 88 child victims of sex trafficking. Eighty-six (98%) were child welfare involved, and most reported abuse while in foster care or residential placement.⁸
- In 2012, Los Angeles County, California reported that of the 72 commercially sexually exploited girls in their Succeed through Achievement and Resilience (STAR) Court Program, 56 (78%) were child-welfare involved.⁹
- In 2007, New York City identified 2,250 child victims of trafficking. Seventy-five percent of those experienced some contact with the child welfare system, mostly in the context of abuse and neglect proceedings.¹⁰
- In Alameda County, California, a one-year review of 149 local trafficking victims found that 82 (55%) were from group homes for youth in foster care, and 122 (82%) had previously run away from home multiple times.¹¹

Recently, a special commission on human trafficking in the state of Michigan underscored the seriousness of this problem:

“Human traffickers take advantage of technology to remain anonymous and keep their victims hidden in the shadows. Our daughters, friends, and neighbors are forced into prostitution, domestic servitude and other forced labor by traffickers who take advantage of them. The Commission on Michigan Human Trafficking has shined a light on these criminals and developed a comprehensive statewide plan to bring them to justice. We have outlined a victim-centered approach to end modern slavery in Michigan, and we look forward to putting our agenda into action.”

— Attorney General Bill Schuette¹²

The key findings from the Michigan commission echo those of many other state or national commissions¹³ as they highlighted the following pressing needs:

- There is a severe lack of quality Michigan-specific human trafficking data. Survey results and interview responses reveal that hundreds, perhaps even thousands, of victims are being trafficked within the state.
- Significant gaps exist within the state’s human trafficking victim servicing framework and substantial obstacles impede policymakers’ ability to address them, including a lack of funding and specialized resources.
- Many professionals fail to recognize indicators of human trafficking and additional training is needed to better assist them in recognizing the crime, reporting it to officials, and responding to victim needs.

- Many citizens are unaware that human trafficking happens in Michigan, meaning that more public awareness efforts are needed to educate residents about the crime and help them realize that it happens within local businesses, communities, and homes.
- Practitioners and trafficking experts recognize that there are significant gaps in Michigan's anti-trafficking laws. Michigan must strengthen its current anti-trafficking legislation and policies.¹⁴

Study purpose

Casey Family Programs is the nation's largest operating foundation focused on safely reducing the need for foster care and building Communities of Hope for children and families across America. . Founded in 1966, we work in all 50 states, the District of Columbia and Puerto Rico to influence long-lasting improvements to the safety and success of children, families and the communities where they live.

Because of our work with many states and counties across the United States, we wanted to learn more about what child welfare leaders and their colleagues think must be improved to better prevent, assess, and respond to sex trafficking of children. As such, this national survey is a modest attempt to gather child welfare leader insights into this problem and what they need to learn more about to combat it. This information will be used to help shape our ongoing work with states and counties.

Study Method and Participants

A structured set of interview questions was developed to assess jurisdiction leaders' knowledge of and response to the issue of child sex trafficking. Representatives from 45 jurisdictions completed the interview in March and April 2014. This included 29 states, 13 counties, New York City, Puerto Rico, and the District of Columbia. Respondents represented a variety of roles, including Commissioner, Deputy Commissioner, Deputy Administrator, Deputy Assistant Secretary, Director of Special Initiatives, Director of Investigations, Child Welfare Director, Human Trafficking Prevention Director, Sex Trafficking Coordinator, and Child Welfare Program Specialist.

Figure 1. Human Trafficking Survey Respondents

Most respondents (71%) said that their state child welfare law allowed CPS or another child welfare agency to screen in reports about child sex trafficking victims.¹⁵ A smaller percent (49%) said that their state child welfare law allowed screening in of reports about victims who are exploited by a non-familial offender, such as a trafficker or pimp.

Connecticut's Department of Children and Families (DCF) has taken an active approach to combatting child sex trafficking through mandatory training of all intake staff, DCF Careline workers (the Careline was formerly known as the DCF Hotline), and adolescent workers. Since 2005, with the launch of a one-day training focused primarily on international victims, the training has expanded to a three-day certification training. This training includes (1) education on the scope of the issue both domestically and locally in Connecticut, (2) discussion of the issues of demand and perpetrators, relevant laws, internet safety, social media, and pornography, and (3) addressing victims' acute trauma, use of the Stages of Change Model, motivational interviewing skills, working with young men, and available resources. This three-day training is available to all DCF staff and is also open to community providers. In addition, DCF has trained or presented to Emergency Medical Response staff, law enforcement, community providers, foster parents, and high school and college students.

Less than half of respondents (44%) said their agency has a policy to address child sex trafficking victims. Of the 20 jurisdictions that had a policy, most covered intake (90%), screening (85%), response (85%), and safety considerations (70%), while fewer covered placement (60%), treatment (60%), and training (40%).

Identification of trafficking victims

Open-ended responses about the identification and assessment tools used to identify victims indicate that a consistent tool or set of tools is not in use. One in five reported using a state-specific assessment tool, while other respondents report using the Child and Adolescent Needs and Strengths (CANS) instrument (11%), a general CPS assessment tool not specific to trafficking (9%), or relying on law enforcement to identify victims (9%). One in five respondents also reported that identification and assessment tools were currently being developed.

One-third of respondents (33%) reported that child trafficking victims were mostly identified as trafficking victims, while 20% reported that they were generally not identified as trafficking victims but received specialized services. A smaller percentage (13%) did not know how child trafficking victims were identified in their jurisdiction. Open-ended responses about other methods for identification of victims indicate that 20% identify victims as runaways, 13% identify victims as victims of abuse or trauma, and 7% identify victims as being engaged in illegal activities.

Jurisdictions varied greatly in their estimates of the number of annual newly-reported sex trafficking victims. Eight reported that they did not know the number of victims, while others reported numbers as small as three to as large as 4,000. Jurisdictions reported directly serving (through child welfare or elsewhere) a smaller number of victims annually, with most responses ranging from one to 100.

In 2012, the New York City's child welfare and juvenile justice agency, the Administration for Children's Services (ACS), released a comprehensive policy regarding assessment and safety planning for commercially sexually exploited children. The policy provides guidance to staff on how to identify, engage and support victims. In particular, it provides information on identifying risk factors, sample screening questions, and guidance on safety and service planning. In

addition, ACS has utilized the specialized law enforcement expertise of over 100 Investigative Consultants, led by a former Commanding Officer of the New York City Police Department's Special Victims Division. These retired law enforcement professionals assist ACS' child protection specialists with various investigative activities, such as locating at-risk children and families, interviewing subjects, fact gathering, and coordinating a response with law enforcement. A case involving suspected sexual exploitation triggers an alert to the Investigative Consultants, who utilize various databases, social media sites, and internet resources to assist workers in identifying and locating trafficked children.

Tracking the number of child sex trafficking victims that come to the attention of the child welfare agency annually was also inconsistent. One in three jurisdictions (33%) reported no tracking, 18% reported that they were in the midst of developing a tracking system, 16% reported tracking victims in their child welfare data system, and 16% reported informal tracking, such as through anecdotes or notes in files. A smaller percent of jurisdictions reported other tracking systems, such as in an outside organization (9%) or through hotline data (9%). One promising strategy is that Florida, Michigan, Ohio, and possibly some other states are including trafficking questions in their SACWIS systems.

Improving the ability of child welfare agencies to identify and track the progress of these child victims is not only dependent upon better assessment tools and databases, but raising public awareness to report as well, as demonstrated by New Mexico:

Efforts by New Mexico Attorney General Gary King provide a useful example of how effective and comprehensive public awareness campaigns can lead to real results for victims and justice for their traffickers. Attorney General King's Border Violence Division coordinates a statewide public information campaign to educate citizens on human trafficking. In 2011, this campaign featured billboards, radio interviews, newspaper articles, website publications, and television advertisements. Its most prominent feature was the display of bus advertisements. Human trafficking bus advertisements displayed pictures of men, women, and children next to the words, "Stop Slavery" and "We are not for sale." Additionally, the advertisements prominently displayed the NHTRC hotline. Following the campaign, 24 new human trafficking investigations were opened.¹⁶

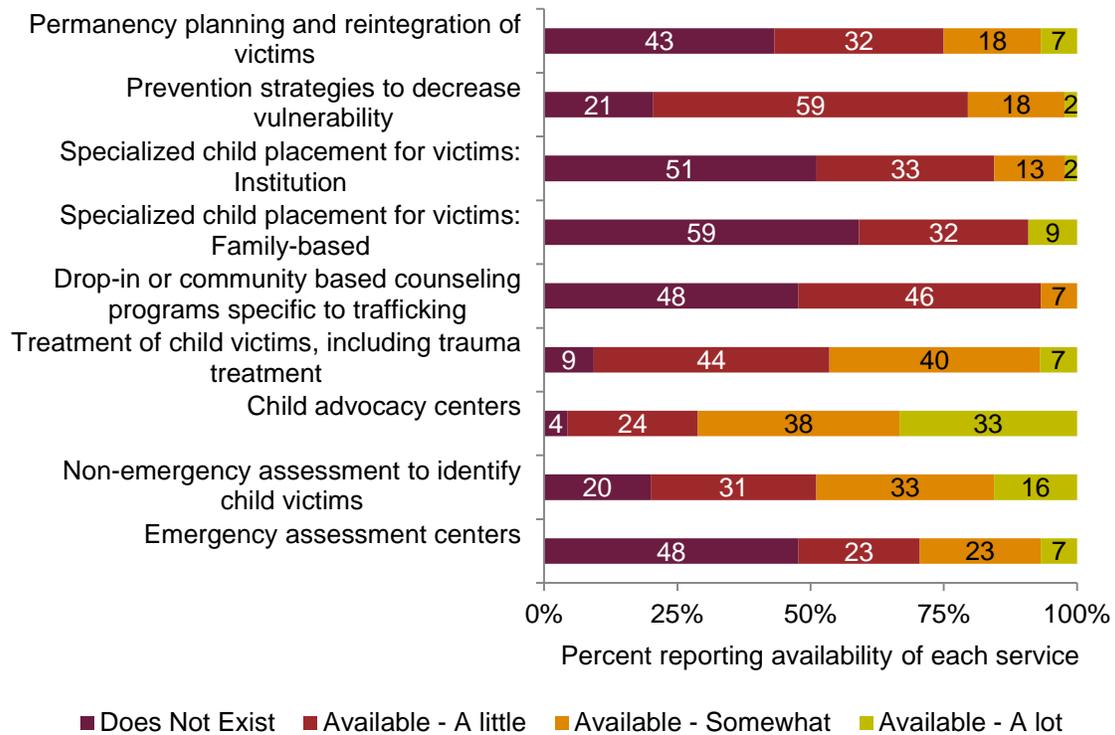
Services for child trafficking victims

The most widely available services (provided by child welfare agencies) for child sex trafficking victims were child advocacy centers (71% available somewhat or a lot), non-emergency assessment to identify child victims (49% available somewhat or a lot), and treatment of child victims, including trauma treatment (47% available somewhat or a lot). A small proportion of jurisdictions (9%) reported having specialized family-based placement for victims, and even fewer (7%) reported having drop-in or community-based counseling programs specific to trafficking.

Most jurisdictions (71%) did not report using specific strategies for international child sex victims, while 18% reported working with governmental agencies such as the FBI or state department and 13% reported working with an outside agency such as a faith-based organization or legal advocacy group.

"We do well with identification of victims, but what comes next?" – Survey participant

Figure 2. Availability of services for child sex trafficking victims



Since New York passed the nation’s first Safe Harbor Act in 2008, New York City has been expanding its continuum of services for victims and those at risk of commercial sexual exploitation. New York City services include specialized foster care and juvenile justice placements, a transitional living program for sexually exploited young people, and preventive services to keep high risk youth safely at home with their families. In 2013, recognizing the need for cross-systems collaboration, the city’s child welfare and juvenile justice agency, the Administration for Children’s Services (ACS), and the Department of Youth and Community Development (DYCD), which administers runaway and homeless youth services, implemented a plan with state funding to strengthen this continuum of services. In addition to the specialized placements and services, NYC is expanding its work with nationally recognized experts on sexually exploited youth, including Safe Horizon and Girls Education & Mentoring Services (GEMS). The City’s Safe Harbor plan includes locating counselors with child sex trafficking expertise at ACS’ foster care and juvenile justice placement facilities to work directly with young people. In addition, NYC engages at-risk youth in its summer youth employment program and provides specialized services for LGBTQ youth at-risk of sex trafficking.

Services for perpetrators (pimps) and clients (“Johns”)

Two jurisdictions (4%) said that they had services to treat perpetrators of child sex trafficking, while 13 (29%) said they had special prosecution approaches for perpetrators. In addition, one jurisdiction provided prevention services to potential Johns (clients) through the *Man Up* curriculum,¹⁷ two had a “John school,” and one had state legislation providing a “John school” but it had not yet been implemented.¹⁸

Prevention strategies

Participants were asked to respond to an open-ended question about prevention strategies being used to reduce the overall number of child sex trafficking victims. The strategies mentioned most frequently were public awareness and community outreach (44%) and training (31%). In particular, five jurisdictions reported using the “My Life, My Choice” curriculum.¹⁹

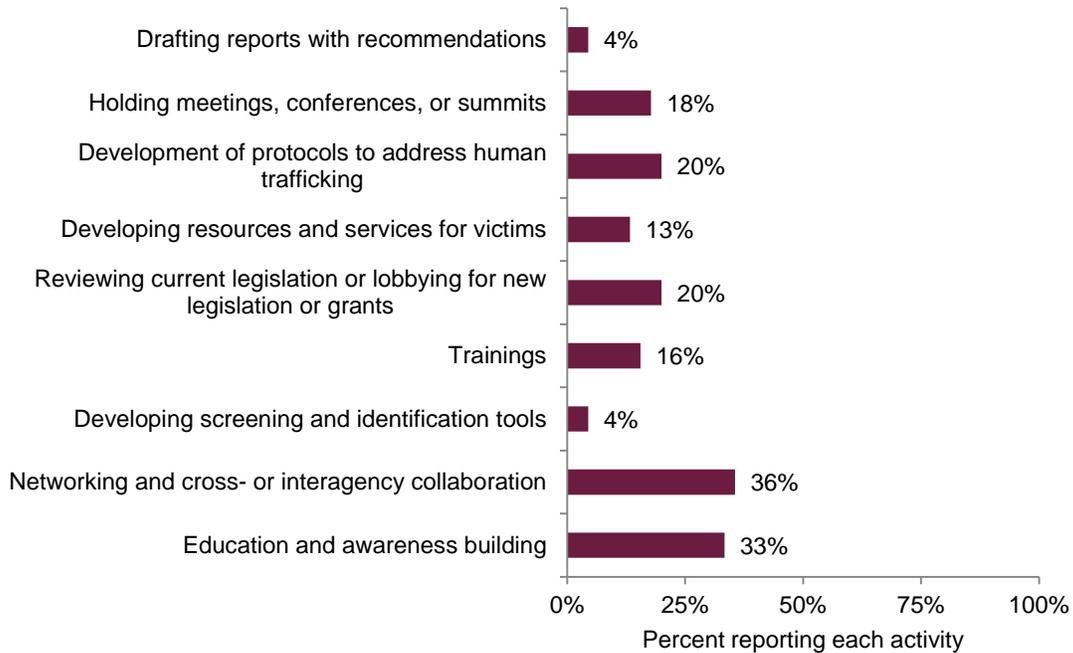
Partners and policy-making

The vast majority of respondents (91%) reported that they had a task force devoted to addressing child sex trafficking. Of those, 95% indicated that the task force included a representative from child welfare. According to open-ended responses, about half of task forces (54%) were convened by the state or local government (including governor, mayor, prosecutor, law enforcement, judiciary, or city council), 10% by the private sector, and 20% by collaboration between the government and private sector.

Combatting sex trafficking requires creative policies to address all actors that may be involved in facilitating the crime. In 2012, New York City passed the country’s first law that targets taxi and livery drivers for their involvement in sex trafficking.²⁰ The law imposes a \$10,000 fine on drivers who are convicted of a felony related to sex trafficking and drivers could also lose their professional license. Equally important, the law required the New York City Taxi and Limousine Commission (TLC) to prepare a program that raises awareness about the law, the problem of sex trafficking, and ways they can help victims. The TLC subsequently produced a nine-minute video to clarify the law that is now mandatory viewing for all drivers.²¹

Task force activities included cross- and inter-agency networking (36%), education/awareness building (33%), development of protocols to address human trafficking (20%), and reviewing current legislation or lobbying for new legislation or grants (20%).

Figure 3. Task Force activities



Ongoing policy activities (such as Safe Harbor Legislation) were reported as occurring at the following levels:

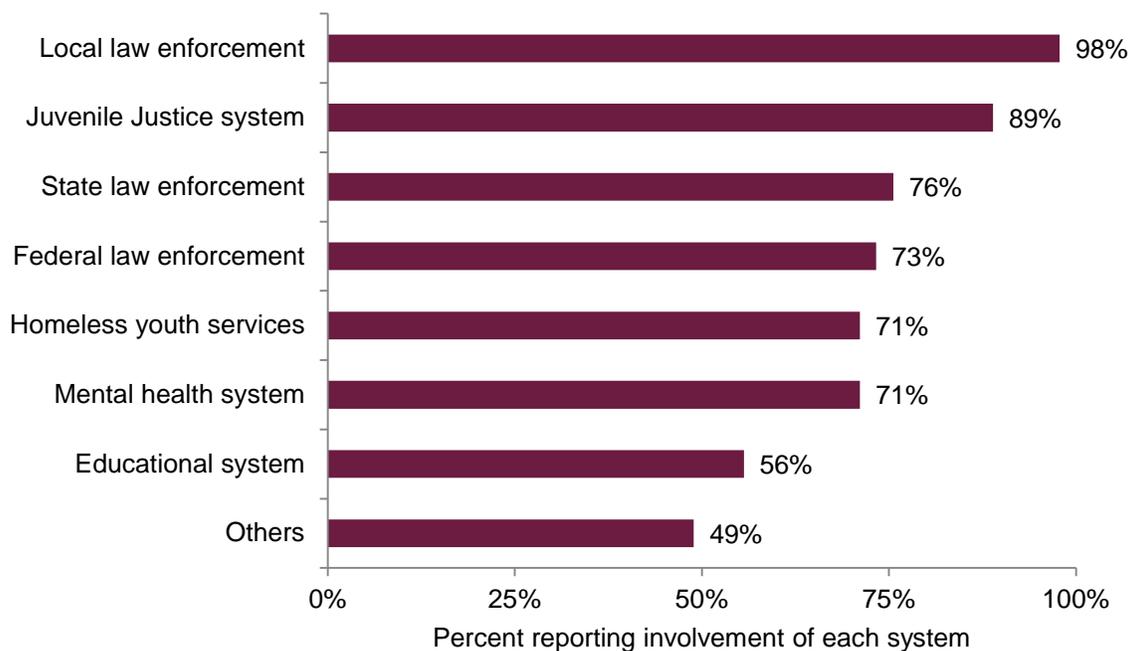
- 40% at the Governor or Attorney General level
- 62% at the county or state legislative level
- 40% at the agency administrative level

In addition, some jurisdictions reported that policy activities were occurring at other levels, such as the city council or through faith-based organizations. These often take the form of passing Safe Harbor laws to change attitudes so that trafficked children are considered victims, not offenders.²²

Girls who are bought and sold are the victims, not the perpetrators, of the crime of sex trafficking. Yet most jurisdictions treat victims of sex trafficking as offenders if they recognize them at all: girls are arrested on charges of prostitution or related offenses and detained in custody, often without access to support or treatment.²³

Respondents indicated that the systems most commonly involved in addressing sex trafficking in their jurisdictions were local law enforcement (98%), followed by the Juvenile Justice system (89%), state law enforcement (76%), and Federal law enforcement, such as the FBI (73%). According to open-ended responses, other involved systems include health care (20%), legal systems (20%), and non-profits and community partners, including Child Advocacy Centers (16%).

Figure 4. Systems involved in addressing sex trafficking of children



Ohio has developed multiple formalized relationships between law enforcement, child welfare, and victim service providers throughout the state. They are working to learn who victims and perpetrators are so they can better tailor services and address the gaps in the continuum of care. The gaps that they have noted so far include (1) ensuring that youth involved in the criminal justice system are able to access Safe Harbor hearings, (2) having appropriate shelter services for youth; and (3) training collaborating partners—such as case workers, mental health providers, and law enforcement—on trafficking.

Respondents were asked to answer an open-ended question about what policy changes would be most beneficial. The most commonly-noted changes were (1) improving collaboration among agencies and systems (27%); (2) developing clearer policies and procedures to help identify victims of trafficking so that they can more readily receive assistance (27%); and an increase in funding and resources (27%). Respondents were also interested in amnesty for victims so they avoid prosecution (16%), stricter penalties for perpetrators and advertising (9%), and greater alignment between state and federal laws (9%).

As reflected in the comments above, in certain states, human trafficking task forces or commissions have linked diverse systems and stakeholders to develop specific legislative and other proposals.²⁴ For example, the Michigan Commission on Human Trafficking made recommendations to change legislative policy in the following areas, with more details in Appendix A:

1. Pass a safe harbor law
2. Reduce demand by increasing penalties for “johns” who solicit sex from children

3. Remove gender-specific references and archaic language from the state's Prostitution Act
4. Extend the filing deadline, prohibit fraudulent transfers, prohibit “willfully blind” owners, and expand property coverage for trafficking under the Omnibus Forfeiture Act
5. Include human trafficking as a condition to support a nuisance complaint, including direct portion of funds from sale of forfeited property to trafficking victim, increasing the maximum penalty for violating nuisance abatement order, and insert gender-neutral language under the nuisance statute
6. Update the state human trafficking act to remove “involuntary servitude” and define “commercial sexual activity” language within the human trafficking act
7. Allow trafficking victims to vacate prostitution offenses
8. Make human trafficking a mandatory reportable offense by DHS
9. Extend the statute of limitations for human trafficking offenses to ten years
10. Seek a resolution from the Michigan legislature urging congress to amend the federal communications decency act to combat internet-based human trafficking
11. Enact a human trafficking awareness poster law

The Child Welfare Council in California produced a thorough report, which includes detailed suggestions for strategies to prevent human trafficking and recommendations for responding to human trafficking in California.²⁵ Some initiatives prioritized by the Child Welfare Council include:

1. Placement: Establish safe and secure emergency and transitional placements for CSEC victims.
2. Identification: Implement cross-system screening tools to systematically identify CSEC and children at risk of exploitation in order to inform and improve service delivery and placement decisions.²⁶
3. Training: Mandate training for all professionals working with youth in child-serving systems, including, but not limited to, the child welfare, juvenile justice, probation, mental health and education, to better identify CSEC and children at-risk, provide CSEC specialized services and supports, and use culturally competent and trauma-informed practices.
4. Data: Develop protocols and strategies to coordinate, collect and share data across systems to better understand the scope of the problem, the level of interaction with multiple systems, and CSEC specific needs. (p. 55)

The full report from California’s Child Welfare Council contains specific recommendations to combat sex trafficking in the areas of prevalence, identification, intervention, prevention, and legislation.

In 2013, The Institute of Medicine published a book that includes discussion of current and developing strategies to address sex trafficking of minors and a thorough description of recommendations for

addressing sex trafficking.²⁷ The authors call for comprehensive action in numerous groups, including Congress; state legislatures; the Administration for Children and Families; the National Institute of Mental Health; the National Institute of Child Health and Human Development; the National Institute of Justice; the Office of Safe and Healthy Schools; the Institute of Education Sciences; national, state, and local bar associations; academic and research institutions; foundation and nongovernmental organizations; and the commercial sector. These action steps are listed in Appendix B.

Knowledge and action needs

Respondents were asked to say what their jurisdiction needed to know and do more about related to sex trafficking of children. The need for more knowledge about human trafficking, and action was made evident by the high percentage of respondents endorsing certain items. For example, the vast majority of respondents wanted to know more about best practices for prevention of sex trafficking of children (93%), funding opportunities (93%), best practices for treatment of child victims of sex trafficking (87%). They also wanted to learn more about victim experiences and needs regarding treatment or housing (84%), prevention strategies to make children and youth less vulnerable (84%), and placement options for victims (82%).

Respondents indicated that more action was needed for child welfare in best practices for prevention of sex trafficking of children (87%), providing appropriate service options for victims (84%), and best practices for treatment of child victims of sex trafficking (82%).

“We are just at the beginning of identification and acknowledgment of the issue. We need to learn, learn, learn.”

– Survey participant

Challenges faced by agencies

In response to an open-ended question about the biggest challenges agencies face in providing services to child sex trafficking victims, participants mentioned:

- Lack of appropriate resources and services for victims (40%)
- Identifying trafficking victims (33%)
- Having safe placement options for trafficking victims (31%)
- Lack of funding (20%)
- Understanding the scope of the problem (18%)

Suggested child welfare system responses

In response to an open-ended question about what the *child welfare system as a whole* could do better to prevent and respond to child sex trafficking, participants suggested:

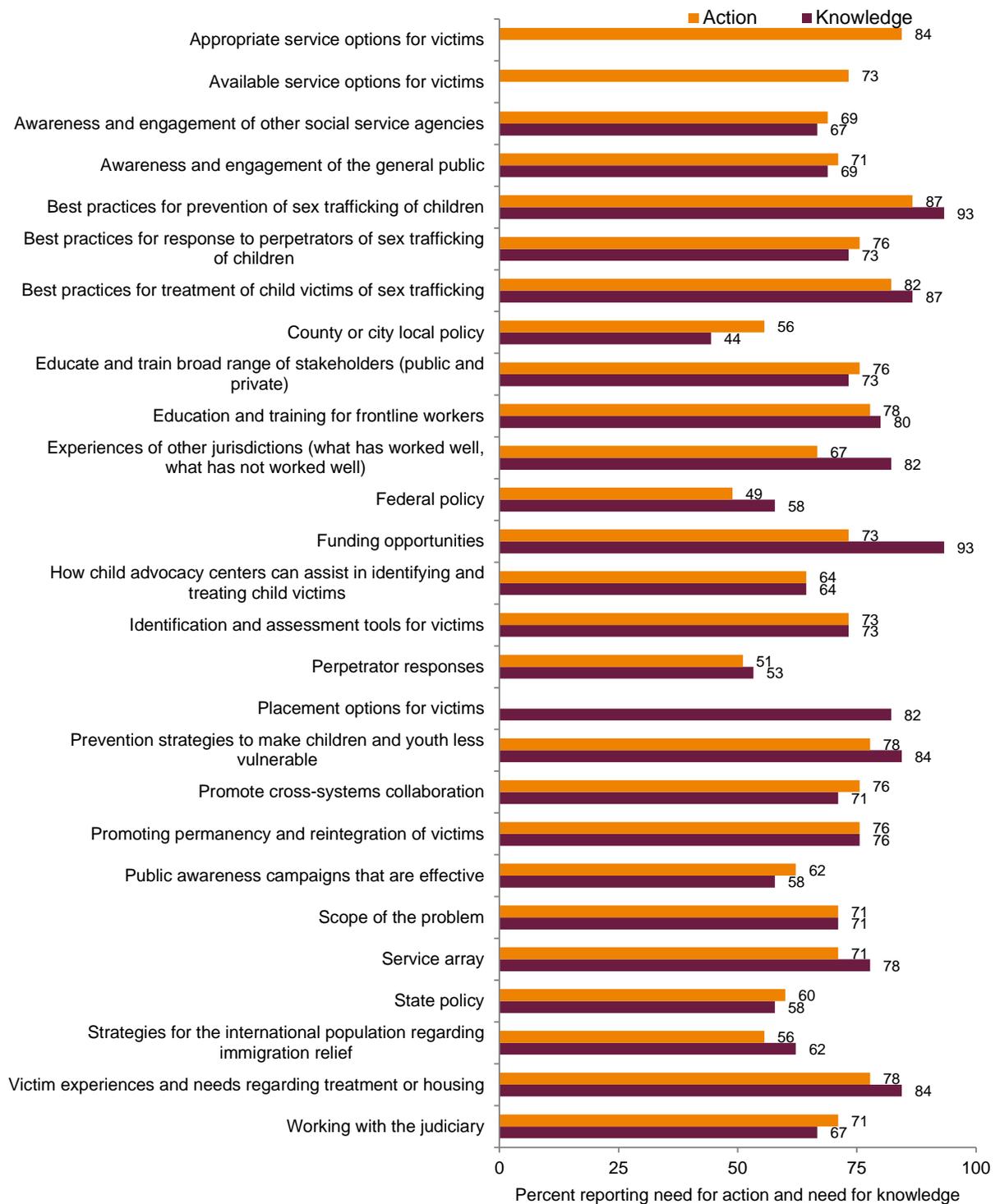
- Better collaboration between agencies and departments (36%)
- Better identification and assessment tools (27%)

- Addressing resource and service issues, such as staffing and funding (24%)
- Increasing public awareness (16%)
- Prevention strategies to decrease youth vulnerability (16%)

Suggested community responses

In response to a question about what local communities could do to better prevent and respond to child sex trafficking, participants suggested implementing community awareness campaigns and trainings (82%) and developing alternative programs and services (40%).

Figure 5. Knowledge and action needs regarding child sex trafficking



Successes

Open-ended responses to questions about the most successful approach to preventing and/or responding to child sex trafficking from the perspective of child welfare included forming a task force or commission to address the issue (29%), increasing collaboration between agencies to address the issue and assist victims (27%), and raising awareness of the issue (27%). Other successes included developing and passing legislation to protect victims and increase penalties for traffickers (13%), making sex trafficking a high priority (11%), and building trust with trafficking victims so they can be helped (11%).

Discussion

Practice

The vast majority of respondents in this study wanted to know more about best practices for prevention of sex trafficking of children, funding opportunities, and best practices for treatment of child victims of sex trafficking. They also wanted to learn more about victim experiences and needs regarding treatment or housing, prevention strategies to make children and youth less vulnerable, and placement options for victims. Child welfare agency leaders recognized that frequently child sex trafficking survivors have a history of violence and trauma that contributed to their vulnerability to sex trafficking.

Respondents indicated that *more action was needed* in best practices for prevention of sex trafficking of children, providing appropriate service options for victims, and best practices for treatment of child victims of sex trafficking. A report from Shared Hope International, ECPAT-USA, and the Protection Project declared that there is “a severe lack of shelter and services for domestic minor sex trafficking victims in the United States”;²⁸ and a 2012 review found that 39 programs provided beds for child victims of sex trafficking.²⁹ *While definitive “best practices” do not exist, innovative service groups are tailoring a range of evidence-based practices to help child and youth trafficking victims cope with their current situation, heal, and recover.* They recognize that these survivors should not be detained if at all possible (though sometimes it can be helpful to detain a survivor for a short period to begin the deprogramming process), that removing oneself from the immediate trafficking environment is but one key step on a much longer healing process, and that they can draw from a variety of clinical techniques from methods such as:

- Cognitive treatment for anxiety
- Eye Movement Desensitization and Reprocessing (Combines general clinical practice with brief imaginal exposure and cognitive restructuring. Rapid eye movement is induced during the imaginal exposure and cognitive restructuring phases.)
- Motivational Interviewing
- Stress Inoculation Training (Combines psycho-education with anxiety management techniques such as relaxation training, breathing retraining, and thought stopping.)
- Substance abuse treatment (For those youth who “self-medicate” through alcohol or use of illegal or non-prescribed drugs.)
- Trauma-focused cognitive behavioral treatment (TF-CBT)³⁰

In addition, agencies should provide ongoing assessment and support to caseworkers who may experience secondary trauma through their work with victims.

More comprehensive responses are needed to respond to both perpetrators (pimps) and clients (“Johns”). Only two jurisdictions reported having services available for perpetrators, and two others had a “John’s school” for clients. The problem of child sex trafficking is one of supply and demand; it will not be resolved without reducing demand.

With respect to prevention and services, child welfare agencies and other systems can draw upon the expertise from a number of organizations that have been actively working in this area, such as the Love146 international human rights organization, National Center for Missing & Exploited Children, National Human Trafficking Resource Center, Shared Hope International, and Safe Horizon. In addition, key reports have been produced over the past few years that offer a detailed description of the problem and some ideas about ways to intervene, including those from:

- ECPAT-USA³¹
- Georgetown Law School Center on Poverty and Inequality³²
- Institute of Medicine³³
- Loyola University Center for the Human Rights for Children³⁴
- Michigan Commission on Human Trafficking³⁵
- Shared Hope International³⁶
- University of Southern California, Annenberg Center on Communication Leadership and Policy³⁷
-

State and local policy

As of 2013, 18 states had Safe Harbor provisions in their state law.³⁸ Yet, three of the participating jurisdictions indicated that youth who are found to be victims of child sex trafficking are prosecuted.

Child welfare leaders at all levels need to be informed about current policy. We found different responses regarding state child welfare laws when interviewing people from the same state.

Shared Hope International’s “Protected Innocence Challenge” created a report card for each state based on its child sex trafficking legislation. The report cards include recommendations for improving the state’s response to trafficking.³⁹

National policy

Policymakers recognize that some policies are best designed and enacted at the local level. But national legislation may be needed. For example, some of the national legislation related to human trafficking under consideration by the U.S. House of Representatives at the time of the survey administration included bills to:

- Increase penalties for people convicted of sex trafficking crimes
- Award grants to develop, improve, and expand programs to deter sex trafficking
- Require states to pass legislation treating minors involved in sex trafficking as victims rather than criminals, discouraging prosecution and encouraging referral to child protective services

- Enable the federal government to prosecute web-based advertisers of child trafficking, who are currently shielded from prosecution because they are online
- Direct the Attorney General to implement and maintain a national strategy to combat human trafficking that includes, among other things, improved integration and coordination among agencies at all levels of government
- Provide special programs and services to youth in foster care to protect them from sex trafficking

Some components of the recently proposed legislation would require the states to do some of the very things that the survey respondents flagged as areas where they are challenged and in need of more information, training, tools, access to best practices and resources. For example, challenges faced by agencies included a lack of appropriate resources and services for victims (40%) and identifying trafficking victims (33%).

Additionally, some legislative components complement the needs identified by survey respondents, such as treating youth as victims and not as criminals, and imposing tougher penalties for perpetrators.

In 2013, the Department of Health and Human Services, the Department of Homeland Security, and the Department of Justice co-chaired a task force of 17 federal agencies, which developed a national plan for serving victims of human trafficking from 2013 through 2017.⁴⁰ The plan, to be implemented over five years, includes the following goals and objectives, as well as over 130 actions to improve services for victims:

1. Increase coordination and collaboration: Increase guidance, collaboration, and civic engagement at the national, state, tribal, and local levels
 - Coordinate effectively through dedicated commitment at all levels of government
 - Build stronger partnerships with key nongovernmental stakeholders
2. Increase awareness: Increase understanding of human trafficking among key governmental and community leaders and the general public
 - Enhance understanding of human trafficking
 - Improve and expand public awareness
 - Improve understanding of human trafficking through research
3. Expand access to services: Increase victim identification and expand the availability of services for victims throughout the United States
 - Build capacity to better identify and serve victims
 - Foster collaborations and partnerships to leverage resources
 - Improve access to victim services by removing barriers
4. Improve outcomes: Promote effective, culturally appropriate, trauma-informed services that improve the short- and long-term health, safety, and well-being outcomes of victims
 - Identify promising practices in responding to victims' needs

- Support survivors in attaining health and independence

The plan includes a timeline and specifies a responsible federal agency for each of the more than 130 actions.

Conclusions

Because of our work with many states and counties across the United States, Casey Family Programs wanted to learn more about what child welfare leaders and their colleagues think must be improved to better prevent, assess, and respond to human trafficking of children. As such, this national survey was a modest attempt to gather child welfare leader insights into this problem and what they want to learn more about to combat it. The information gathered provides much to think about, and it will be used to help shape our public policy and technical assistance efforts.

While the survey provided a modest first step in learning about child welfare leaders' thoughts and needs regarding child sex trafficking, more accurate data about who is being trafficked, how that is occurring, what risk factors place these children at risk, and what protections might be most effective are still needed.

Appendix A: Michigan Commission on Human Trafficking Legislative Policy Recommendations

1. Pass a Safe Harbor Law.
2. Police who encounter minors involved in prostitution sometimes view them as offenders rather than victims. They often feel constrained to arrest due to a lack of effective tools available to get the child off the streets and into a secure location. Other times, law enforcement personnel mistakenly view minors as willingly engaging in commercial sex.
3. Most human trafficking victim advocates believe that current anti-prostitution practices infringe on the rights of victims, create further emotional trauma, and exacerbate mistrust of authority figures. The first priority, they assert, should be delivery of necessary social services for stability, safety, and recovery that will help victims escape from traffickers and recover from lives of prostitution. States confronting this problem have tried to balance these considerations through “safe harbor” laws that shield victims from criminal prosecution for committing crimes (most often prostitution) they were forced by their traffickers to commit. This protection has most often been limited to minors.” (p. 45)
4. The Commission recommended that the legislation provide the following four items:” (1) a victim-centered approach for minors that favors service provision over criminal prosecution; (2) a mandatory referral to DHS any time law enforcement suspects a minor is engaging in commercial sex; (3) necessary services through DHS and the courts to assist the child and stop the cycle of re-victimization; and (4) a presumption that a minor found engaging in prostitution is a victim in need of services. This presumption should exist so long as the minor cooperates and substantially complies with court-ordered services” (p. 45)
5. Increase Penalties for “Johns” to Reduce Local Demand for Commercial Sex.
6. Under current Michigan law, “johns” face up to 93 days in jail and a fine of up to \$500 for soliciting a person for sex. These penalties are the same regardless of whether a “john” propositions a minor or an adult. Penalties increase only for repeat offenders: a one-year misdemeanor for second-time offenders and a two-year felony for third-time offenders. Potential fines also increase accordingly.
7. Update Michigan’s Prostitution Act
8. Update Michigan’s Prostitution Act. Michigan Compiled Law 750.448 et seq. criminalizes prostitution, the acceptance of money in exchange for sex acts. It also criminalizes solicitation, the propositioning of another individual to exchange sex for money.
9. Civil Forfeiture
10. Federal anti-trafficking efforts have historically focused on trafficking of foreign nationals into the United States, and federal funding tends to be directed to foreign national trafficking victims ⁴¹ States and NGOs have become the primary service providers for U.S. citizen and permanent resident trafficking victims. Considering victims’ physical, psychological, residential, and social needs, the costs can be considerable. One way to legislatively defray these costs is to frustrate traffickers’ ability to retain the

profits of their illicit operations. Civil forfeiture is a common tool used to hit criminals in their pocketbooks.

11. Nuisance Abatement

12. The state's nuisance law, if amended, may also provide a potential funding source for victims. A public nuisance exists when property is used or left in a condition that significantly interferes with the public's health and safety. Under state law, a nuisance per se exists when a building is used for a number of illegal activities, including prostitution, gambling, and narcotics trafficking.⁴² The Commission offers the following recommendations to further increase funding availability for Michigan based human trafficking victims:

- The Commission recommends that human trafficking be included as a condition that could support a nuisance complaint.
- A portion of the funds from the sale of any forfeited property be directed to victims of human trafficking, where the court has found trafficking to be the basis for the nuisance. The court should decide the extent to which a victim would be compensated for losses according to factors listed in the Crime Victim's Rights Act, including lost wages and adequate compensation for services rendered.
- Increase the maximum penalty a court can impose for violating a nuisance abatement order from \$1,000 to \$25,000.
- Expand the Filing Period, Allow Recovery of Litigation Costs, and Insert Gender-Neutral Language under the Nuisance Statute.

13. Amend the Human Trafficking Act

14. Address the inconsistencies within the Michigan Human Trafficking Act. Michigan has enacted two versions of the law. Both are still on the books, and the inconsistencies that exist between them have created confusion.

15. Vacate Conviction Records

16. "Victims of sex trafficking are often misidentified as criminals, arrested, prosecuted, and convicted of prostitution and other related crimes. As convicted offenders, they are saddled with criminal histories for crimes they were forced to commit. Convictions, particularly those that carry the stigma of a prostitution crime, can present considerable barriers to victims' reintegration into society because disclosure of criminal histories is often required for employment, obtainment of student loans, and housing applications. Recognizing this, a growing number of states now offer trafficking victims a legal mechanism to render such convictions null and void. This process is known as vacating or expunging convictions and sentences."⁴³ (p. 49)

17. Mandatory Reporting

18. All trafficking allegations should be reported and investigated. To address this concern, the Commission considered whether human trafficking should be added as a mandatory reportable offense by the Michigan Department of Human Services (DHS).

19. Extend the Statute of Limitations for Human Trafficking Offenses

20. Most crimes have a six-year statute of limitations, however, certain particularly serious crimes are considered so egregious that they justify a longer limitations period.
21. Amend the Federal Communications Decency Act
22. Recognizing the growing trend of conducting trafficking operations online, the Commission believes that action must be taken to address the problem of Internet-based human trafficking.
23. Pass Poster Laws
24. The Polaris Project's National Human Trafficking Resource Center (NHTRC) hotline has established a nationwide human trafficking hotline, providing victims, witnesses, and the public with a confidential way to report suspected trafficking. Created in 2007, the hotline now receives nearly 20,000 calls annually.⁴⁴ Its popularity is partially attributable to state legislation incentivizing or requiring the display of posters and other materials relating to the hotline at locations where victims and the public are likely to see them. Over the last five years, 18 states have enacted legislation requiring the posting of this resource in certain public areas.⁴⁵ In some cases, states prescribe a detailed but non-exhaustive list of required locations, while others leave such determinations to the discretion of designated state departments or agencies. When specific locations are required, they often include businesses requiring state licensure for the sale or consumption of alcoholic beverages, sexually-oriented businesses (i.e. strip clubs), airports, bus and railway stations, truck stops, emergency rooms, urgent care centers, job recruitment centers, roadside rest areas, post-secondary educational institutions, and businesses providing bodywork services (i.e. tattoo and massage parlors).
25. Most state poster laws have adopted the proposed legislative language of the Polaris Project, which operates the national hotline.⁴⁶ The proposed language informs the public that the toll-free hotline is "available 24 hours a day, 7 days a week," is "anonymous and confidential," is "accessible in 170 languages," and is "able to provide help, referral to services, training, and general information."⁴⁷ Of the 18 states requiring notice placement, six states provide a penalty for non-compliance with the poster statute. Generally, the first "penalty" is a warning. For subsequent violations, fines range from \$50 - \$500. Two states go so far as to issue \$1,000 and \$5,000 penalties for non-compliance resulting in two or more convictions."⁴⁸ (p. 51)

Appendix B: Recommendations and Implementation Strategies from the Institute of Medicine Report

Source: Institute of Medicine report, Box 11-1, pp. 386-393.

Recommendations

Recommendation 1: The Department of Justice, the Department of Health and Human Services, and the Department of Education, working with other partners, should increase awareness of commercial sexual exploitation and sex trafficking of minors by supporting the development, implementation, and evaluation of

- national, regional, state, and local evidence-informed training for professionals and other individuals who routinely interact with children and adolescents;
- national, regional, state, and local public awareness campaigns; and
- specific strategies for raising awareness among children and adolescents.

Recommendation 2: All national, state, local, tribal, and territorial jurisdictions should develop laws and policies that redirect young victims and survivors of commercial sexual exploitation and sex trafficking from arrest and prosecution as criminals or adjudication as delinquents to systems, agencies, and services that are equipped to meet their needs. Such laws should apply to all children and adolescents under age 18.

Recommendation 3: All national, state, local, tribal, and territorial jurisdictions should review, strengthen, and implement laws that hold exploiters, traffickers, and solicitors accountable for their role in commercial sexual exploitation and sex trafficking of minors. These laws should include a particular emphasis on deterring demand.

Recommendation 4: The Department of Justice, the Department of Health and Human Services, and the Department of Education should collaborate and partner with others to implement a national research agenda focused on

- advancing knowledge and understanding of commercial sexual exploitation and sex trafficking of minors in the United States;
- developing effective, child- and adolescent-centered, multisector interventions designed to prevent children and adolescents from becoming victims or exploiters and to assist those who have been exploited; and
- developing strategies and methodologies for evaluating the effectiveness of prevention and intervention laws, policies, and programs.

Recommendation 5: The Coordinating Council on Juvenile Justice and Delinquency Prevention, in collaboration and partnership with national, state, local, tribal, and territorial governmental and nongovernmental entities, should develop guidelines on and provide technical assistance to support multisector collaboration and information sharing.

Recommendation 6: The Office of Juvenile Justice and Delinquency Prevention should create and maintain a digital information-sharing platform to deliver reliable, real time information on how to prevent, identify, and respond to commercial sexual exploitation and sex trafficking of minors in the United States.

Summary of Key Implementation Strategies for the Committee's Recommendations

- **Source:** Institute of Medicine Report, Box 11-2, pp. 394-396.

Congress

- Authorize and appropriate funds for demonstration and pilot projects designed to cultivate sustainable multisector collaboration to prevent, identify, and respond to commercial sexual exploitation and sex trafficking of minors in the United States. Require demonstration and pilot projects to include work with particularly vulnerable populations, such as lesbian, gay, bisexual, and transgender (LGBT) children and adolescents; racial and ethnic minority populations (including Native Americans); homeless/runaway children and adolescents; rural children and adolescents; and multisystem-involved children and adolescents. (Recommendation 4)
- Require the implementation, enforcement, and evaluation of laws, policies, and practices designed to prevent, identify, and respond to commercial sexual exploitation and sex trafficking of minors in the United States through federal legislation. (Recommendations 2 and 3)
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State Legislatures

- Direct states to conduct needs assessments to inform appropriate planning, implementation, evaluation, and resource allocation for strategies designed to prevent, identify, and respond to commercial sexual exploitation and sex trafficking of minors in the United States. (Recommendation 4)
- Direct states to review and amend, as appropriate, state laws addressing commercial sexual exploitation and sex trafficking of minors in the United States to ensure that exploited and trafficked children and adolescents are treated as victims/survivors, not criminals, and to promote reduction of demand. (Recommendations 2 and 3)
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Administration for Children and Families

- Develop and disseminate an annual *Domestic Trafficking in Persons* report. Require states to submit reports annually on specific prevention, protection, prosecution, and partnership activities for inclusion in this report. (Recommendations 1 and 6)
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National Institute of Mental Health and National Institute of Child Health and Human Development

- Support research on the root causes and prevention of commercial sexual exploitation and sex trafficking of minors in the United States, including commercial sexual exploitation and sex trafficking of boys, risk and protective factors for *all* children and adolescents, short- and long-term intervention needs and strategies, and the delivery of services and support to difficult-to-reach populations. (Recommendation 4)

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National Institute of Justice

- Support research on laws, policies, and practices that reduce demand for commercial sexual exploitation and sex trafficking of minors in the United States and on the individuals who commit and benefit from these crimes. (Recommendation 4)

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Office of Safe and Healthy Schools and Institute of Education Sciences

- Provide technical assistance to school districts for conducting school needs assessments on the prevention and identification of and response to commercial sexual exploitation and sex trafficking of minors within the school district, at individual schools, and in the immediate community. Produce and disseminate needs assessment reports that serve as benchmarks against which future gains can be measured.
- Support research to evaluate implementation strategies for meeting needs identified in these school assessments. (Recommendation 4)

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National, State, and Local Bar Associations

- Examine and report on the impact of existing and emerging federal, state, and local laws addressing commercial sexual exploitation and sex trafficking of minors in the United States. Particular attention needs to be focused on new laws that redirect young victims and survivors of commercial sexual exploitation and sex trafficking from arrest and prosecution as criminals or adjudication as delinquents to systems, agencies, and services equipped to meet their needs. (Recommendations 2 and 3)
- Support laws, policies, and practices that reduce demand for commercial sexual exploitation and sex trafficking of minors in the United States, and punish the individuals who commit and benefit from these crimes. (Recommendation 4)
- Conduct reviews of laws, policies, and practices in consultation with other law-related professional organizations, including associations of prosecutors and law enforcement, and publish the results of these reviews every 3 years to support the development and refinement of laws and policies. (Recommendations 2 and 3)

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Academic and Research Institutions

- Establish formal relationships with victim and support service providers, especially nongovernmental organizations, to develop studies, to collect data, and to evaluate the effectiveness of prevention and intervention activities. (Recommendation 4)
- Provide guidance and technical assistance to the Office of Juvenile Justice and Delinquency Prevention on the delivery of reliable, real-time information about how to prevent, identify, and respond to commercial sexual exploitation and sex trafficking of minors in the United States. (Recommendation 5)

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Foundations and Nongovernmental Organizations

- Support and disseminate national, regional, state, and local public awareness campaigns, including specific strategies for raising awareness among children and adolescents. (Recommendation 1)
- Develop, support, and evaluate effective prevention and victim and support service strategies for underage victims and survivors of commercial sexual exploitation and sex trafficking. (Recommendation 4)
- Support the development and maintenance of a digital information-sharing platform that can deliver reliable, timely information about how to prevent, identify, and respond to commercial sexual exploitation and sex trafficking of minors in the United States. (Recommendation 5)

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Commercial Sector

- Provide technical expertise to the Office of Juvenile Justice and Delinquency Prevention on the development and maintenance of a digital information-sharing platform that can deliver reliable, real-time information about how to prevent, identify, and respond to commercial sexual exploitation and sex trafficking of minors in the United States. (Recommendation 5)
- Leverage core capacities (e.g., big data, new media) to create and disseminate national, regional, state, and local public awareness campaigns, including specific strategies for raising awareness among children and adolescents. (Recommendation 1)
- Leverage core capacities to support prevention, identification, and response efforts of law enforcement, social services, and other governmental and nongovernmental organizations working to address commercial sexual exploitation and sex trafficking of minors in the United States. (Recommendation 1)

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Reference Notes

- ¹ Victims of Trafficking and Violence Protection Act of 2000 (TVPA, P.L. 106-386)
- ² Michigan Commission on Human Trafficking. (2013). *2013 report on Human Trafficking*. Lansing, MI: Department of Attorney General, p.10. *Domestic Child Sex Trafficking* is a form of commercial sexual exploitation of children (CSEC) in the United States. As defined in the Trafficking Victims Protection Act, it is the “recruitment, harboring, transportation, provision, or obtaining of a person for the purpose of a commercial sex act” where the victim is a U.S. citizen or lawful permanent resident under the age of 18. Domestic Child Sex Trafficking is not limited to the selling of children through prostitution. See Human Rights Project For Girls. (Undated). *Child Welfare and Domestic Child Sex Trafficking*. Fact sheet presented at the national Conference on Child Abuse and Neglect, New Orleans, May 1-2, 2014.
- ³ The Polaris Project tracking report. Retrieved May 14, 2014 from <http://www.polarisproject.org/resources/hotline-statistics/human-trafficking-trends-in-the-united-states>
- ⁴ National Human Trafficking Resource Center. (2013). *Human Trafficking trends in the United States. National Human Trafficking Resource Center 2007-2012. Washington, D.C.: Polaris Project, p. 5.* Retrieved May 14, 2014 from https://na4.salesforce.com/sfc/p/300000006E4S/a/600000004TLG/f7PldVCtt4Irtx_iiKxiGsERUTm6PUfmNxj9ijA6Sg. See also Rock, M. & Seeger, J. (2011). The Barnabas Institute: Fighting human trafficking and building a presence. *Case Research Journal*, 31(2)1-18.
- ⁵ Victims of Trafficking and Violence Protection Act of 2000 (TVPA, P.L. 106-386)
- ⁶ Ryan, J. D. (2013). Testimony of John D. Ryan for the United States House of Representatives Committee on Ways and Means Subcommittee on Human Resources. Retrieved July 23, 2014 from <http://www.missingkids.com/Testimony/10-23-13>
- ⁷ The complete two page fact sheet can be found here: http://media.wix.com/ugd/807686_65c36196779a225fe0da811224ef9e4d.pdf
- ⁸ Connecticut Department of Children and Families “A Child Welfare Response to Domestic Minor Sex Trafficking” (2012). Available at http://www.ct.gov/dcf/lib/dcf/humantrafficking/pdf/response_to_domestic_minot_sex_trafficking.pdf
- ⁹ “Ending the Commercial Sexual Exploitation of Children: A Call for Multi System Collaboration in California.” California Child Welfare Council. Available at http://www.youthlaw.org/fileadmin/ncyl/youthlaw/publications/Ending-CSEC-A-Call-for-Multi-System_Collaboration-in-CA.pdf
- ¹⁰ Feldman, Cassi. “Report Finds 2000 of State’s Children are Sexually Exploited, Many in New York City” NEW YORK TIMES April 24, 2007. Available at http://www.nytimes.com/2007/04/24/nyregion/24child.html?_r=2&oref=slogin
- ¹¹ MISSEY Resources <http://www.misssey.org/csec.html>
- ¹² Michigan Commission on Human Trafficking. (2013). *2013 report on Human Trafficking*, Lansing, MI: Department of Attorney General, p. 5.
 - ¹³ See for example:
 - Farrell, A. McDevitt, J., Pfeffer, R. & Fahy, S. (2013). *Identifying Challenges to Improve the Investigation and Prosecution of State and Local Human Trafficking Cases*, p 40 <https://www.ncjrs.gov/pdffiles1/nij/grants/238795.pdf> (accessed October 21, 2013).

- U.S. Department of Health and Human Services, *HHS Fights to Stem Human Trafficking* <<http://www.hhs.gov/news/factsheet/humantrafficking.html>> (accessed October 21, 2013).
- Siskin, A. & Liana Sun-Wyler, L. (2013). *Trafficking in Persons: U.S. Policy and Issues or Congress*, Summary, p 15 <http://www.fas.org/sqp/crs/row/RL34317.pdf> (accessed October 21, 2013).

¹⁴ Michigan Commission on Human Trafficking. (2013). *2013 report on Human Trafficking*, Lansing, MI: Department of Attorney General, p.11. Note that Michigan developed a comprehensive protocol, available at http://www.michigan.gov/documents/dhs/HumanTraffickingProtocol_440356_7.pdf, to address human trafficking.

¹⁵ Note that there was disagreement within states regarding this question. In the states in which representatives from multiple counties were interviewed, about half answered that they did have a law and about half answered that they did not. For the purposes of this report, responses are not rolled up to the state level (for example, the ten separate interviews conducted in the State of California are reported upon separately).

¹⁶ The New Mexico Attorney General's Office offers additional information concerning its human trafficking cases in its Annual Reports. These reports can be viewed through the following link: http://www.nmag.gov/the_office/border-violence-division/human-trafficking (accessed October 21, 2013). Abstracted from Michigan Commission on Human Trafficking. (2013). *2013 Report on Human Trafficking*. Lansing, MI: Department of Attorney General, p.42.

¹⁷ See for example: <http://manupcampaign.org/>

¹⁸ A "John school" is a one-day or longer educational program for clients of prostitutes, who are informally known as 'Johns' in North America. For example, in September 2005, the National Institute of Justice awarded a grant to Abt Associates Inc. to evaluate the First Offender Prostitution Program (FOPP). The program is designed to reduce the demand for commercial sex in San Francisco by educating "customers" (or "johns") about the negative consequences of prostitution. The program is a partnership of the San Francisco District Attorney's office (SFDA), the San Francisco Police Department (SFPD), and a local nonprofit organization, Standing Against Global Exploitation (SAGE), with assistance from the San Francisco Department of Public Health and several non-governmental organizations. Men arrested for soliciting prostitutes in San Francisco are screened by the SFDA for program eligibility, and those who qualify are given the option of paying a fee and attending a one-day class (known generically as the "john school") or being prosecuted.

Fees partially support police operations resulting in the arrests of virtually all of the FOPP participants, and fully support processing participants and conducting the john school classes. A portion of the fee revenue also helps to support SAGE programs for women and girls involved in commercial sex. During its more than 12 years of operation as of the time of the final evaluation report (March, 1995 through January, 2008), 5,735 men had attended. See

http://www.abtassociates.com/reports/FOPP_Evaluation_FULL_REPORT.pdf

Also see http://www.youthlaw.org/fileadmin/ncyl/youthlaw/publications/Ending-CSEC-A-Call-for-Multi-System_Collaboration-in-CA.pdf ("[A] childhood burdened with abuse and neglect can result in CSEC."). See also Heather J. Clawson, Nicole Dutch, Amy Salomon & Lisa Goldblatt Grace, U.S. Department of Health and Human Services, Issue Brief: Human Trafficking Into and Within the United States: Review of the Literature 10 (2009), available at <http://aspe.hhs.gov/hsp/07/HumanTrafficking/LitRev/index.Pdf>

The research consistently confirms the correlation between running away and becoming exploited through prostitution." Human Rights Project for Girls, *supra* note 2, at 1 (citing a study that showed that 82% of

Alameda County, California, victims had previously run away from homes multiple times); Ill. Dep't of Human Servs., Human Trafficking Victim Dynamics, *available at* <http://www.dhs.state.il.us/page.aspx?item=49597> (listing "Risk and Vulnerability Factors to Becoming a Victim" as including "[c] hildren involved in the foster care system and child protective services[,] [c]hildren involved in the juvenile justice system[and] [i]ndividuals with past history physical, sexual, or emotional abuse or neglect."); Cheryl Hanna, *Somebody's Daughter: The Domestic Trafficking of Girls for the Commercial Sex Industry and the Power of Love*, 9 Wm. & Mary J. of Women & L. 1, 21 (2002) ("Those who run away from home, run away from group foster homes, juvenile or other institutions, are throwaways, or are homeless, are the most at risk of becoming commercially exploited.") (internal citation removed).

- ¹⁹ See <http://jri.org/services/behavioral-health-and-trauma-services/community-based-behavioral-health-services/my-life-my-choice>
- ²⁰ See <http://www.endslaveryandtrafficking.org/new-york-city-introduces-mandatory-anti-trafficking-training-taxi-drivers>; see also Text of Local Law 36 of 2012.
- ²¹ Video available here: http://www.nyc.gov/html/tlc/media/video/training_sex_trafficking.wmv
- ²² Quotation abstracted from: Epstein, E. & Edelman, p. (2013). *Blueprint: A multidisciplinary approach to the domestic sex trafficking of girls*, Washington, D.C.: Georgetown Law, Center on Poverty and Inequality, p.4.
- ²³ Epstein, E. & Edelman, p. (2013). *Blueprint: A multidisciplinary approach to the domestic sex trafficking of girls*, Washington, D.C.: Georgetown Law, Center on Poverty and Inequality, p.4. Reference for the material in the quote: See *FAQs: Human Trafficking Stats*, Trafficking Hope, <http://www.traffickinghope.org/faqsstats.php> (last visited July 14, 2013) ("In most cases the [sex-trafficking] victim is arrested as a prostitute."); Human Rights Project for Girls, *supra* note 2, at 2 ("Too often, children who fall victim to domestic child se trafficking move through our educational and child welfare systems unidentified – eventually landing in the juvenile justice system for "juvenile prostitution" or under innocuous offenses such as running away and other non-violent status offenses."); Shared Hope Int'l, *The National Report on Domestic Minor Sex Trafficking: America's Prostituted Children 20* (2009) "[M]any of the child victims are arrested and charged with the crime committed against them."; see also *id.* at 50–51 (finding that victims of child sex trafficking are systematically arrested and detained).
- ²⁴ Colorado, for example, recently passed House Bill 14-1273, which, among other provisions, makes child sex trafficking a sex offense and creates a statewide council to coordinate efforts against trafficking.
- ²⁵ Walker, K., California Child Welfare Council (2013). *Ending the commercial sexual exploitation of children: A call for multi-system collaboration in California*.
- ²⁶ For a sample screening tool used in Ohio, see <http://mha.ohio.gov/Portals/0/assets/Initiatives/HumanTrafficking/2013-human-trafficking-screening-tool.pdf>
- ²⁷ Institute of Medicine. (2013). *Confronting Commercial Sexual Exploitation and Sex Trafficking of Minors in the United States*. Washington, DC: Author. Retrieved May 16, 2014 from <http://www.iom.edu/Reports/2013/Confronting-Commercial-Sexual-Exploitation-and-Sex-Trafficking-of-Minors-in-the-United-States>
- ²⁸ ECPAT-USA, Shared Hope International, and the Protection Project (2013). *National Colloquium 2012 final report: An inventory and evaluation of the current shelter and services response to domestic minor sex trafficking*. Retrieved July 23, 2014 from <http://sharedhope.org/wp-content/uploads/2013/05/National-Colloquium-2012-Report-B.pdf>

- ²⁹ Polaris Project (2012). *Shelter beds for human trafficking survivors in the United States: Executive Summary*. Retrieved July 23, 2014 from <https://na4.salesforce.com/sfc/p/#300000006E4S9liF7eeqnpIT97HRFH4FvCSI5v4=>
- ³⁰ See for example:
- Clawson, H. J., Salomon, A., & Grace, L. G. (2008). *Treating the hidden wounds: Trauma treatment and mental health recovery for victims of human trafficking*. Washington, DC: Office of the Assistant Secretary for Planning and Evaluation, U.S. Department of Health and Human Services.
 - Williamson, E., Dutch, N., & Clawson, H. (2013). *Evidence-Based Mental Health Treatment for Victims of Human Trafficking*. Retrieved May 14, 2014 from: <http://aspe.hhs.gov/hsp/07/HumanTrafficking/MentalHealth/index.shtml>
 - ³¹ ECPAT-USA. (2013). *And boys too*. Brooklyn, NY: Author. Retrieved May 16, 2014 from <https://d1qkyo3pi1c9bx.cloudfront.net/00028B1B-B0DB-4FCD-A991-219527535DAB/1b1293ef-1524-4f2c-b148-91db11379d11.pdf>
- ³² Epstein, E. & Edelman, p. (2013). *Blueprint: A multidisciplinary approach to the domestic sex trafficking of girls*, Washington, D.C.: Georgetown Law, Center on Poverty and Inequality.
- ³³ Institute of Medicine. (2013). *Confronting Commercial Sexual Exploitation and Sex Trafficking of Minors in the United States*. Washington, DC: Author. Retrieved May 16, 2014 from <http://www.iom.edu/Reports/2013/Confronting-Commercial-Sexual-Exploitation-and-Sex-Trafficking-of-Minors-in-the-United-States>
- ³⁴ Walts, K.K., French, S., Moore, H., & Ashai, S. (2011). *Building child welfare response to child trafficking*. Loyola University Center for the Human Rights for Children. Note that this report includes a clear glossary of terms.
- ³⁵ Michigan Commission on Human Trafficking. (2013). *2013 report on Human Trafficking*, Lansing, MI: Department of Attorney General
- ³⁶ Shared Hope International. *Protected Innocence* website of state profiles and other data. Retrieved May 16, 2014 from <http://sharedhope.org/what-we-do/bring-justice/reportcards/2013-reportcards/>
- ³⁷ University of Southern California Annenberg Center on Communication Leadership & Policy. (2011). *Human Trafficking Online: The Role of Social Networking Sites and Online Classifieds*. Retrieved September 23, 2014 from: <http://technologyandtrafficking.usc.edu/report/>
- ³⁸ Polaris Project, *Safe Harbor – Protecting sexually exploited minors*. Retrieved June 17, 2014 from: <http://www.polarisproject.org/storage/2013-Analysis-Category-6-Safe-Harbor.pdf>
- ³⁹ See <http://sharedhope.org/what-we-do/bring-justice/reportcards/>
- ⁴⁰ Department of Justice, Department of Health and Human Services, and Department of Homeland Security (2014). *Coordination, collaboration, capacity: Federal strategic action plan on services for victims of human trafficking in the United States 2013-2017*. Retrieved July 23, 2014 from <http://www.ovc.gov/pubs/FederalHumanTraffickingStrategicPlan.pdf>
- ⁴¹ U.S. Department of Health and Human Services, *Human Trafficking Into and Within the United States: A Review of the Literature*, p. 3, <http://aspe.hhs.gov/hsp/07/humantrafficking/litrev/index.pdf>, (accessed October 21, 2013).
- ⁴² MCL 600.4702, et seq.
- ⁴³ Polaris Project, *Human Trafficking Legislative Issue Brief: Vacating Convictions*, p. 1 <http://www.polarisproject.org/storage/documents/vacating_convictions_issue_brief_september_2012.pdf> (accessed October 21, 2013).

- ⁴⁴ Polaris Project, *Hotline Statistics* <<http://www.polarisproject.org/resources/hotline-statistics>> (accessed October 21, 2013).
- ⁴⁵ Alabama (Ala Code 13A-6-170); Arkansas (Ark Code AnnACA 12-19-102); California (Cal Civ 52.6); Connecticut (Ct CTHB 5666 (2013)); Georgia (Ga HB 141 (2013)); Hawaii (Haw HB 1068 (2013)); Kansas (Kan HB 2034 (2013) Sec. 7); Louisiana (La Rev Stat AnnLRS 541.1); Maryland (Md Code Ann 15-207); Montana (Mont HB 488 (2013)); Nebraska (Neb Rev Stat 81-1430); Ohio (Ohio Rev Code Ann 5502.63); Pennsylvania (Pa HB 235 (2012)); Tennessee (Tenn Code Ann 39-13-313); Texas (Tex SUBJECT Code Ann 104.07); Vermont (Vt Stat Ann tit 13, 2661); Virginia (Va Code Ann 40.1-11.3; Va HB 2061 (2013)); and Washington (Wash Rev Code 47.38.080).
- ⁴⁶ Alabama, Arkansas, California, Georgia, Hawaii, Kansas, Louisiana, Montana, Ohio, Tennessee, and Vermont have adopted the Polaris language.
- ⁴⁷ Polaris Project, *Posting the National Human Trafficking Resource Center Hotline*, <http://www.polarisproject.org/what-we-do/policy-advocacy/assisting-victims/posting-the-national-human-trafficking-resource-center-hotline> (accessed September 23, 2014).
- ⁴⁸ California (Cal Civil Code 52.6); Georgia (Ga HB 141 (2013)).