National Advisory Committee on the Sex Trafficking of Children and Youth in the United States

Best Practices and Recommendations for States

September 2020

COMMITTEE MEMBERS 2

The National Advisory Committee on the Sex Trafficking of Children and Youth in the United States (the Committee) advises the Attorney General and the Secretary of Health and Human Services (HHS) on the Nation's response to the sex trafficking of children and youth in the United States. The Committee consists of representative members whose diverse experience and background enable them to provide balanced points of view with regard to carrying out the duties of the Committee.

Katherine Chon, Director of the HHS Administration for Children and Families (ACF) Office on Trafficking in Persons (OTIP), is the Committee's Designated Federal Officer.

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Learn more about the Committee members: https://www.acf.hhs.gov/otip/partnerships/the-national-advisory-committee/nacmembers

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- U.S. Department of Justice:
  - Office of the Deputy Attorney General
  - Office of Justice Programs

Public Comment Submissions

Pursuant to the provisions of the Federal Advisory Committee Act and the Preventing Sex Trafficking and Strengthening Families Act of 2014 (P.L. 113–183), the Committee receives public comments to inform its work. Thank you to all who submitted comments that have informed this report.

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INTRODUCTION 7

The National Advisory Committee on the Sex Trafficking of Children and Youth in the United States (the Committee) was established in January 2017, as authorized by the Preventing Sex Trafficking and Strengthening Families Act of 2014 (P.L. 113–183). The Committee advises the Secretary of Health and Human Services (HHS) and the Attorney General on practical and general policies to improve the Nation's response to the sex trafficking of children and youth in the United States. As part of this work, the Committee developed recommendations for states to improve their efforts to combat the sex trafficking of children and youth. This report represents the collective work of this Committee and does not necessarily contain opinions of individual committee members or their organizations.

The Committee envisions a comprehensive response to human trafficking in which federal, state, tribal, and local efforts converge to identify and care for victims, hold perpetrators accountable, and eradicate the conditions that perpetuate human trafficking. As part of this vision, the Committee recognizes the importance of strengthening the Nation's response to human trafficking and understanding the intersection between all forms of human trafficking, including sex and labor trafficking of children and adults. However, in accordance with the Preventing Sex Trafficking and Strengthening Families Act (P.L. 113–183), this report and the Committee's mission focuses on the sex trafficking of children and youth.

The sex trafficking of children and youth is one of the most complex and least understood forms of child abuse. Individuals who cause or induce children and youth to engage in commercial sex take advantage of societal, community, relationship, and individual vulnerabilities for personal or monetary gain. Children and youth who have experienced trafficking often experience significant mental, physical, and sexual trauma due to their exploitation. A child's victimization can last for days or years, but the consequences can be severe and prolonged regardless of the duration of the trafficking experience.

No child is immune to the crime of sex trafficking. However, research shows that lesbian, gay, bisexual, transgender, queer (or questioning), Two-Spirit, and other (LGBTQ2S+) children and Black, Latinx, and Native American children are disproportionately victimized by this crime.[1] While research suggests that boys are under-identified among this victim population, the majority of studies to date have found girls

[1] Butler, C. N. (2015). The racial roots of human trafficking. *UCLA Law Review*, *62*, 1464–1514.
Curtis, R., Terry, K., Dank, M., Dombrowski, K., & Khan, B. (2008). *Commercial sexual exploitation of children in New York City, volume one: The CSEC population in New York City: Size, characteristics, and needs*. (Report No. 225083). National Criminal Justice Reference Service. Retrieved from https://www.ncjrs.gov/pdffiles1/nij/grants/225083.pdf
Fedina, L., Williamson, C., & Perdue, T. (2016). Risk factors for domestic child sex trafficking in the United States. *Journal of Interpersonal Violence*, *34*(13), 2653–2673. doi:10.1177/0886260516662306
Georgia State University. (2019). *Atlanta youth count 2018 community report: The prevalence of sex and labor trafficking among homeless youth in metro Atlanta*. Retrieved from https://atlantayouthcount.weebly.com/
Gibbs, D. A., Henninger, A. M., Tueller, S. J., & Kluckman, M. N. (2018). Human trafficking and the child welfare population in Florida. *Children and Youth Services Review*, *88*, 1-10. https://doi.org/10.1016/j.childyouth.2018.02.045
Koepplinger, S. (2008). Sex trafficking of American Indian women and girls in Minnesota. *University of St. Thomas Law Journal*, *6*(1), 129–137. Retrieved from https://ir.stthomas.edu/cgi/viewcontent.cgi?article=1179&context=ustlj
Martinez, O., & Kelle, G. (2013). Sex trafficking of LGBT individuals: A call for service provision, research, and action. *The International Law News*, *42*(4).
Swaner, R., Labriola, M., Rempel, M., Walker, A., & Spadafore, J. (2016). *Youth involvement in the sex trade: A national study*. Center for Court Innovation. Retrieved from https://www.courtinnovation.org/sites/default/files/documents/Youth%20Involvement%20in%20the%20Sex%20Trade_3.pdf

represent a significantly larger percentage of identified victims.[2] Additional research is needed to understand the impact of these demographic characteristics on the sex trafficking of children and youth. However, as states move forward in addressing this issue, they should seek to assess and mitigate systems, structures, and policies that may contribute to and sustain the disproportionate victimization of these populations.

As an issue that affects the health, safety, and well-being of individuals, families, communities, and societies, it is appropriate to consider human trafficking as a major public health problem.[3] The public health approach emphasizes the use of rigorous scientific research to develop an evidence base that drives the development of policies, procedures, and programs. It relies on continual surveillance of child and youth trafficking and determination of major vulnerability and resilience factors related to victimization. It strives to change the cultural beliefs and practices that increase the risk of trafficking and thwart exploitation through prevention and intervention.

One of the most important facets of the public health approach is its focus on multidisciplinary collaboration, which incorporates knowledge and experience from a variety of stakeholders. The four-step process employed in public health is a good model for a state's approach to combating the sex trafficking of children and youth: 1) define and monitor the problem; 2) identify risk and protective factors; 3) develop and test prevention strategies; and 4) ensure widespread adoption of programs that have been proven effective.[4]

In developing recommendations for states to improve their efforts to combat the sex trafficking of children and youth, the Committee recognizes that many states have taken significant steps to adopt a public health approach by viewing children and youth as victims and providing them with protection and support. A national effort is underway to create a social safety net that treats children and youth as victims, not perpetrators.

KEY PRINCIPLES AND TERMINOLOGY

The Committee recognizes the importance of terminology when addressing the sex trafficking of children and youth. In order to maintain consistency, the Committee uses the following terms throughout this report:

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[2] Curtis, R., Terry, K., Dank, M., Dombrowski, K., & Khan, B. (2008). *Commercial sexual exploitation of children in New York City, volume one: The CSEC population in New York City: Size, characteristics, and needs*. (Report No. 225083). National Criminal Justice Reference Service. Retrieved from https://www.ncjrs.gov/pdffiles1/nij/grants/225083.pdf
Institute of Medicine and National Research Council. (2013). *Confronting commercial sexual exploitation and sex trafficking of minors in the United States*. The National Academies Press. https://doi.org/10.17226/18358
Murphy, L. T. (2016). *Labor and sex trafficking among homeless youth: A ten-city study*. Loyola University New Orleans. Retrieved from https://oag.ca.gov/sites/all/files/agweb/pdfs/ht/murphy-labor-sex-trafficking-homeless-youth.pdf
Swaner, R., Labriola, M., Rempel, M., Walker, A., & Spadafore, J. (2016). *Youth involvement in the sex trade: A national study*. Center for Court Innovation. Retrieved from https://www.courtinnovation.org/sites/default/files/documents/Youth%20Involvement%20in%20the%20Sex%20Trade_3.pdf

[3] World Health Organization. (2002). *World report on violence and health*. Retrieved from https://www.who.int/violence_injury_prevention/violence/world_report/en/introduction.pdf

[4] Centers for Disease Control and Prevention. (2020). The public health approach to violence prevention. Retrieved from https://www.cdc.gov/violenceprevention/publichealthissue/publichealthapproach.html

- **Victim** — A person who has suffered direct physical, emotional, or pecuniary harm as a result of the commission of the crime of sex trafficking. The Committee recognizes that this term is imperfect and that not all people identify with this word. However, this is the term referenced in the Committee's original charter, and, within the criminal justice system, this term provides children and youth with certain rights under the law.
- **Child** — An individual who is not more than 18 years of age.[5]
- **Youth** — An individual between 18 and 24 years of age.

In addition, the following principles support a comprehensive response to the sex trafficking of children and youth. These principles should be incorporated into all efforts to identify and care for victims and hold offenders accountable. See Appendix D for definitions of these principles and terms.

- Child and youth-centered
- Collaborative
- Comprehensive response across federal, state, tribal, and local government and non-government sectors
- Culturally and linguistically appropriate services
- Evidence-based decision making
- Inclusive of child and youth voices
- Informed by evaluation
- Strengths-based practice
- Survivor-informed
- Trauma-informed
- Victim-centered approach

REPORT STRUCTURE

Recommendations to States: This report contains twelve sections with recommendations to address the sex trafficking of children and youth in the United States. Given the importance of cross-system understanding and collaboration in addressing the sex trafficking of children and youth, the Committee strongly encourages readers to review this report in its entirety, rather than reading only the section most pertinent to their discipline.[6]

The sections are:

1. Multidisciplinary Response
2. Screening and Identification
3. Child Welfare
4. Service Provision
5. Housing
6. Law Enforcement and Prosecution
7. Judiciary
8. Demand Reduction
9. Prevention
10. Legislation and Regulation
11. Research and Data
12. Funding and Sustainability

Within each section, the Committee developed two tiers of recommended best practices for states to follow:

[5] A state may elect to define "child" for the purposes of the Preventing Sex Trafficking and Strengthening Families Act as a person who has not reached the age of 24.

[6] Infographic on the essential roles of schools; victim services; businesses; judges, courts, and lawyers; and health care providers in preventing, identifying, and responding to commercial sexual exploitation and sex trafficking of minors: https://www.nap.edu/resource/18358/infographic.pdf

- **Tier I** provides initial steps for states that have not yet substantively addressed the sex trafficking of children and youth.
- **Tier II** provides examples of practices and policies for states already working to address the sex trafficking of children and youth.

State Self-Assessments: After reviewing this report, the Committee asks that each state identify a point of contact to collaborate with human trafficking task forces, child welfare agencies, law enforcement, prosecutors, courts, other government agencies, non-government organizations, and other relevant groups to evaluate their state's efforts to implement the Committee's recommendations and highlight innovative and successful work. It is expected that the point of contact will work closely with individuals and agencies across disciplines that work on issues that may intersect with the sex trafficking of children and youth to gather information as they complete the assessment.

For each recommendation, the point of contact should assess the extent to which their state has worked to address the sex trafficking of children and youth by choosing the recommendation tier that best describes their state's work (Tier I or Tier II, as appropriate).

In February 2020, the Committee issued the minimum six-month advance notification that it will be assessing each state's efforts to implement the Committee's recommendations. The Committee sought public comments on a proposed information collection in April 2020. States will be notified of due dates when the self-assessment survey is distributed.

Resources and Examples: Each section of this report contains resources and examples that states may consult as they work to improve their response to the sex trafficking of children and youth within their jurisdiction. The resources and examples provided in this report are not exhaustive, nor is their inclusion an endorsement.

Recommendations to the Federal Government: Some sections of this report include recommendations for how the federal government can support states in their efforts to combat the sex trafficking of children and youth. These recommendations will be provided to the appropriate federal entities that will respond to the Committee's recommendations.

SECTION 1: MULTIDISCIPLINARY RESPONSE 11

Combating the sex trafficking of children and youth requires a collaborative response to meet the complex needs of children and youth who have experienced sex trafficking while holding perpetrators accountable. To address the sex trafficking of children and youth effectively, victim and support service providers, health and mental health care providers, legislators, law enforcement, prosecutors, public defenders, educators, and the commercial sector must coordinate continually.[7] Therefore, states should develop a multidisciplinary system of care approach that relies on cross-system collaboration and incorporates youth voices.

An effective multidisciplinary system of care uses all available resources and facilitates coordination between service providers and partners while being community-based, family-driven (when safe), youth-guided, survivor-informed, and culturally and linguistically competent. An effective system will achieve outcomes at three levels, with an observable causality between outcomes at all three levels: 1) state, tribal, or territorial systems; 2) local systems; and 3) service delivery.

Based on the requirements outlined in federal legislation as well as their experience in the field, the National Advisory Committee has developed the following recommendations for state systems, including child welfare, regarding a multidisciplinary response to support children and youth who have experienced or are at risk of experiencing sex trafficking. Given their role in promoting the safety and well-being of children and youth, the Committee recommends that personnel in state systems, including child welfare, review this report in its entirety.

TRAINING

Children and youth who have experienced sex trafficking often encounter a variety of professionals during their exploitation. Evidence-informed training is essential to increase the likelihood that children and youth who have experienced or are at risk of experiencing sex trafficking are identified and receive effective responses and services from professionals who have a shared understanding of protocols and victim resources.[8]

States increasingly require training regarding human trafficking for certain professional licensures and entities.[9] Increased requirements for professionals typically involved in multidisciplinary teams (MDTs)[10] should include clear, trauma-informed response protocols that enable those working with children and youth who have experienced sex trafficking to go beyond the identification of trafficking concerns to

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[7] Institute of Medicine & National Research Council. (2013). *Confronting commercial sexual exploitation and sex trafficking of minors in the United States*. https://doi.org/10.17226/18358

[8] Minnesota Department of Public Safety. (2013). *No wrong door: A comprehensive approach to Safe Harbor for Minnesota's sexually exploited youth*. Retrieved from https://www.leg.state.mn.us/docs/2013/mandated/131002.pdf

[9] Examples include: New York Public Health Law Sec. 2805-Y and State of Florida Department of Children and Families CF Operating Procedure No. 170-14 and Administrative Code Rule 65C-43

[10] Arizona Human Trafficking Council. (2019). *Human trafficking: Prevention & intervention in Arizona*. Retrieved from https://goyff.az.gov/sites/default/files/2019_human_trafficking_prevention_and_intervention_in_arizona.pdf

connect survivors to needed services.[11] States should consider using remote and online training options to facilitate widespread dissemination.

Recommendation 1.1

Train members of sex trafficking-specific MDTs on the goals, principles, and protocols of MDT collaboration.[12] A shared understanding of protocols and recurring training is imperative to ensure that children and youth who experience sex trafficking receive needed services and a continuum of care.[13]

Tier I: Document that at least 25% of trafficking-specific MDTs train their members on the goals, principles, and protocols of MDT collaboration.

Tier II: Document that at least 75% of trafficking-specific MDTs train their members on the goals, principles, and protocols of MDT collaboration.

Recommendation 1.2

Ensure a consistent, shared foundational understanding about the multidisciplinary approach to addressing the sex trafficking of children and youth to help participants identify victims and connect them with resources with minimal technical barriers or miscommunications.[14]

Tier I: Document that at least 25% of MDTs that serve child and youth sex trafficking victims specifically train their members on responding to the sex trafficking of children and youth.

Tier II: Document that at least 75% of MDTs that serve child and youth sex trafficking victims specifically train their members on responding to the sex trafficking of children and youth.

Federal: Identify key components to be included in training on a multidisciplinary approach to addressing the sex trafficking of children and youth to ensure consistency countrywide.

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[11] Center for Children & Youth Justice, Project Respect. (2016). W*ashington state model protocol for commercially sexually exploited children*. Retrieved from https://ccyj.org/wp-content/uploads/2018/07/Revised-Protocol-Feb-2016-v2.pdf
Children's Advocacy Center of Suffolk County. (2012). *From 'the life' to my life: Sexually exploited children reclaiming their futures. Suffolk County Massachusetts' response to Commercial Sexual Exploitation of Children (CSEC)*. Retrieved from https://www.suffolkcac.org/uploads/pages/docs/From_the_Life_to_My_Life_Suffolk_Countys_Response_to_CSEC_Executive_Summary_2012.pdf

[12] The Centers for Disease Control and Prevention VetoViolence initiative provides case studies on how some states are successfully applying shared risk and protective factors in preventing various experiences of violence. The National Criminal Justice Training Center (NCJTC) offers training for many community professionals as well as MDT training in various states throughout the year.

[13] Center on Poverty and Inequality at Georgetown Law School. (2013). *Blueprint: A multidisciplinary approach to the domestic sex trafficking of girls*. Retrieved from https://www.law.georgetown.edu/poverty-inequality-center/wp-content/uploads/sites/14/2019/02/Blueprint.pdf

[14] Shared Hope International. (2015). *Eliminating the third party control barrier to identifying juvenile sex trafficking victims*. Retrieved from http://sharedhope.org/wp-content/uploads/2015/08/Policy-Paper_Eliminating-Third-Party-Control_Final1.pdf

Resources and Examples

The following non-exhaustive list of resources and examples can support the implementation of the recommendations described in this section:

- Arizona State University School of Social Work, Arizona State University Office of Sex Trafficking Intervention Research, and StreetLightUSA: What You Need to Know: A Training Tool for Child Protective Services
- Center for Children & Youth Justice, Project Respect: Washington State Model Protocol for Commercially Sexually Exploited Children
- Connecticut State Department of Children and Families: Human Anti-Trafficking Response Team (HART)
- International Association of Chiefs of Police, Bureau of Justice Assistance, and Office for Victims of Crime: Multidisciplinary Collaborative Model for Anti-Human Trafficking Task Forces: Development & Operations Roadmap
- Nevada Coalition to Prevent the Commercial Sexual Exploitation of Children: Model Coordinated Response Protocol & Toolkit to Address CSEC
- North Dakota Human Trafficking Task Force and MDTs
- Southeast Regional Human Trafficking Advisory Group, an Initiative of the Administration for Children and Families Region 4 Office: Guiding Principles for Agencies Serving Survivors of Human Trafficking (Guiding Principle 10: Collaboration)
- State of Florida Department of Children and Families: CF Operating Procedure No. 170-14 and Administrative Code Rule 65C-43

POLICIES AND PROCEDURES

States must develop policies and procedures that outline their multidisciplinary approach to ensure that all children and youth who have experienced sex trafficking receive appropriate, well-planned, and consistent responses. Policies and procedures should also allow for individual, organizational, and regional flexibility so that first responders and providers can meet the needs of each victim. In addition, policies should be supported by memoranda of understanding (MOUs) outlining shared principles, membership terms, roles and responsibilities for team members, and confidentiality policies.

Recommendation 1.3

> **Establish a multidisciplinary statewide response to the sex trafficking of children and youth that is supported by relevant policies and procedures.**
>
> **Tier I:** Establish a formal, written statewide multidisciplinary response to the sex trafficking of children and youth.
>
> **Tier II:** Document that at least one county is implementing a multidisciplinary response to the sex trafficking of children and youth or participates in a statewide or regional multidisciplinary response and that the state has an established plan for increasing participation in MDTs in the state.

Recommendation 1.4

> **Develop MOUs for MDTs that serve child and youth sex trafficking victims that outline shared principles, membership terms, roles and responsibilities for team members, and confidentiality policies.**
>
> **Tier I:** Document that at least 25% of MDTs that serve child and youth sex trafficking victims have created and implemented an MOU.
>
> **Tier II:** Document that at least 75% of MDTs that serve child and youth sex trafficking victims have created and implemented an MOU.

Resources and Examples

The following non-exhaustive list of resources and examples can support the implementation of the recommendations described in this section:

- Center for Children & Youth Justice, Project Respect: Washington State Model Protocol for Commercially Sexually Exploited Children
- Children's Advocacy Center of Suffolk County: SEEN MDT Response
- Georgia Cares
- Maryland: Safe Harbor Regional Navigator Grant Program
- Minnesota Department of Health: No Wrong Door and Safe Harbor
- Multnomah County, Oregon: Collaborative Crisis Response for Commercially Sexually Exploited Youth and Young Adults
- New York State Office of Children and Family Services: Responding to Commercial Sexually Exploited and Trafficked Youth: A Blueprint for systems of care in New York State
- Protocol for Serving Child Victims of Human Trafficking in Ohio
- Tennessee Anti-Slavery Alliance (TASA)

IMPLEMENTATION

To meet the complex needs of children and youth who have experienced sex trafficking and hold offenders accountable, it is critical that states have MDTs with comprehensive representation from a wide range of disciplines. Such representation should include, but not be limited to, representatives from child welfare, medical, and mental health care sectors; victim and social service agencies, including organizations that serve runaway homeless youth; survivor-led organizations; schools; state, federal, and tribal juvenile and criminal justice systems; and culturally specific groups.

In addition, states should have MDTs that review individual cases as well as MDTs that focus on the macro and systemic issues that may arise when addressing the sex trafficking of children and youth. As part of their efforts, states may want to consider establishing MDTs specific to sex trafficking to address complexities that differ from other types of child abuse and to meet the particular needs of children and youth who have experienced sex trafficking regardless of custody or involvement in the child welfare system.

Recommendation 1.5

Conduct a community mapping and needs assessment specific to responding to the sex trafficking of children and youth to assess gaps in representation on MDTs as well as service availability.

Tier I: Document that at least 25% of counties have conducted a community mapping and needs assessment specific to responding to the sex trafficking of children and youth.

Tier II: Document that at least 75% of counties have conducted a community mapping and needs assessment specific to responding to the sex trafficking of children and youth.

Recommendation 1.6

Ensure MDTs have the capacity to assess and respond effectively to cases involving children and youth who have experienced sex trafficking regardless of custody or involvement in the child welfare system.

Tier I: Document that at least 25% of MDTs have at least one team member with expertise on the topic of sex trafficking of children and youth.

Tier II: Document that at least 75% of MDTs have at least one team member with expertise on the topic of sex trafficking of children and youth.

Recommendation 1.7

Establish a sex trafficking-specific MDT or develop a modified MDT approach to address the complexity of sex trafficking cases.

Tier I: Document that at least 25% of MDTs have established or participate in a sex trafficking-specific MDT or have developed a modified MDT approach.

Tier II: Document that at least 75% of MDTs have established or participate in a sex trafficking-specific MDT or have developed a modified MDT approach.

Recommendation 1.8

Establish one or more MDTs to address the macro and systemic issues that may arise when addressing the sex trafficking of children and youth at the community level.

Tier I: Document that at least 25% of counties have a local MDT or participate in a statewide MDT that addresses macro and systemic issues that arise when addressing the sex trafficking of children and youth.

> **Tier II:** Document that at least 75% of counties have a local MDT or participate in a statewide MDT that addresses macro and systemic issues that arise when addressing the sex trafficking of children and youth.

Resources and Examples

The following non-exhaustive list of resources and examples can support the implementation of the recommendations described in this section:

- Alabama: Statewide Protocol development
- California: Memorandum of Understanding Template for the Commercially Sexually Exploited Children (CSEC) Program developed by the Child Welfare Council CSEC Action Team
- Children's Advocacy Center of Suffolk County: SEEN Coalition
- Connecticut: Human Anti-Trafficking Response Team (HART)
- Florida: Statewide Council on Human Trafficking and podcast on Florida's interagency collaboration to address human trafficking
- Futures Without Violence: IPV Health Partners
- Houston: Service Assistance Map
- Minnesota: Sex Trafficking Needs Assessment for the State of Minnesota
- Office of the Texas Governor: Child Sex Trafficking Team
- Oregon: DHS MDT Response Protocol
- South Carolina: Human Trafficking Task Force
- Virginia: Report on the Human Trafficking Services Needs Assessment Survey

States should build and strengthen the capacity of professionals — especially those working in runaway and homeless youth programs, juvenile and criminal justice systems, school systems, health care, and state and tribal child welfare systems — to identify children and youth who have experienced or are at risk of experiencing sex trafficking. The sex trafficking of children and youth remains difficult to recognize despite growing awareness. To improve the timeliness of intervention, child-serving professionals, including law enforcement, prosecutors, defense attorneys, and judges, must systematically look for indicators of trafficking among all children and youth, particularly those who may be marginalized. A universal education approach may help efforts to identify children and youth who have experienced sex trafficking.

Screening for sex trafficking is vital to identify children and youth who have experienced or are at risk of experiencing sex trafficking, and to ensure they can access the services they are entitled to receive. The screening process should be consistent and documented. Screening tools should be based on rigorous scientific evidence and undergo validation in relevant populations. When it is not possible to use a validated screening tool, it may be appropriate for an agency to adapt the screening tool to its needs and those of the populations it serves. In adapting a screening tool, agencies should take care to maintain fidelity to the original model and closely monitor how the adaptations affect its sensitivity and accuracy.

Screening tools to assess for sex trafficking concerns should also include specific questions to assess for labor trafficking concerns. Children and youth who are at risk of experiencing sex trafficking exhibit many of the same risk factors as children and youth who are at risk of experiencing labor trafficking. A child or youth may more readily disclose concerns related to labor trafficking than concerns related to sex trafficking given the sexual violence, trauma, and stigma endemic in sex trafficking. Additionally, some disclosures that initially seem to involve only sex trafficking may also involve labor trafficking, as children and youth may be forced to work while also being made to engage in commercial sex acts. Therefore, including screening questions that contain both sex and labor trafficking indicators will ensure proper identification.

Detailed information about the child's experience may not be necessary to achieve early detection during the initial screening process. Detailed questions may be more appropriate for the in-depth assessment that follows initial screening. Providers should work collaboratively to prevent situations in which multiple team members ask children and youth detailed questions about their exploitation. Further, screenings should not be used to "screen out" or inadvertently exclude a child or youth from receiving needed services.

Children and youth who are discriminated against due to race, ethnicity, gender identity, or sexual orientation are targeted and victimized through child sex trafficking at a disproportionate rate. Efforts to screen and identify children and youth who have experienced or are at risk of experiencing sex trafficking should recognize the impact of implicit or unconscious bias, racism, gender-based violence, sexism, and other forms of oppression have in trafficking. These factors also act as barriers to identification.

Based on the requirements outlined in federal legislation as well as their experience in the field, the National Advisory Committee has developed the following recommendations for state systems, including child welfare, regarding effective screening and identification for children and youth who have experienced or are at risk of experiencing sex trafficking. Given their role in

promoting the safety and well-being of children and youth, the Committee recommends that personnel in state systems, including child welfare, review this report in its entirety.

TRAINING

Children and youth often do not self-identify as trafficking victims and frequently do not disclose their abuse because of fear, shame, or loyalty to their abuser(s). They may have been taught to avoid law enforcement, service providers, and other mandated reporters due to fear they will be arrested, removed from their family, or deported.[15] It is not the responsibility of a child or youth to recognize that they are being victimized; it is the responsibility of child-serving professionals to identify the vulnerabilities, risk factors, and indicators.

States should include identification strategies tailored to professional roles and responsibilities as part of recurring, standardized training on a comprehensive response to the sex trafficking of children and youth. In order to build the capacity of professionals to identify potential victims effectively, training should include information about building rapport, strengths-based approaches, trauma reactions, de-escalation techniques and stress management, securing privacy and confidentiality, documentation, and mandated reporting.

Training should also emphasize the importance of detecting the indicators of trafficking despite the child or youth being unlikely to use the word "trafficking" to describe what they have experienced. Training to identify potential victims should also include lessons on the barriers to identification, such as implicit or unconscious bias, racism, sexism, and other forms of oppression. Further, states should devise a system for tracking and documenting professionals who have completed initial and ongoing required training and ensure that training levels are maintained in fields where there are high turnover rates. States should consider using remote and online training options to facilitate widespread dissemination.

Recommendation 2.1

Incorporate information on vulnerabilities, risk factors, and indicators into training regarding the sex trafficking of children and youth for all employees of public agencies that directly serve children and youth.

See additional training recommendations in the Service Provision section of this report.

Tier I: Document that training for employees of public agencies includes information on vulnerabilities, risk factors, and indicators of sex trafficking of children and youth and that at least 25% of employees have received the initial training.

Tier II: Document that at least 75% of employees have received the initial training.

Federal: Develop minimum standards for training administered by runaway homeless youth, Title IV-E funded, and unaccompanied children programs that pertains to the identification and

[15] Cole, J. & Sprang, G. (2015). Sex trafficking of minors in metropolitan, micropolitan, and rural communities. *Child Abuse & Neglect, 40*, 113–123. https://doi.org/10.1016/j.chiabu.2014.07.015

screening of children and youth who have experienced or are at risk of experiencing sex trafficking.

Recommendation 2.2

Incorporate information on vulnerabilities, risk factors, and indicators into training regarding the sex trafficking of children and youth for all law enforcement, prosecutors, defense attorneys, and judges.

See additional training recommendations in the Law Enforcement and Prosecution and Judiciary sections of this report.

Tier I: Document that training includes information on vulnerabilities, risk factors, and indicators of sex trafficking of children and youth.

Tier II: Document that at least 75% of employees have received the initial training.

Recommendation 2.3

Require advanced training for professionals who implement screening tools in all government-run organizations that serve children and youth, including juvenile and criminal justice agencies. Advanced training includes information about building rapport, strengths-based approaches, trauma reactions, de-escalation techniques and stress management, securing privacy and confidentiality, documentation, and mandated reporting.

Tier I: Establish policies that require advanced training for professionals who screen for sex trafficking victimization. Document that at least 25% of professionals have received advanced training.

Tier II: Document that at least 75% of professionals have received advanced training.

Resources and Examples

The following non-exhaustive list of resources and examples can support the implementation of the recommendations described in this section:

- Child Sex Trafficking: Awareness and Response (CSTAR)
- Futures Without Violence: Project Catalyst
- National Criminal Justice Training Center (NCJTC)
- Office for Victims of Crime Training and Technical Assistance Center (OVC TTAC)

POLICIES AND PROCEDURES

Prior to incorporating a screening tool into routine practice, clear trauma- and survivor-informed policies and procedures must be implemented. State agencies should have policies that outline administration of screening tools; adhere to federal, state, and tribal reporting requirements and

definitions; and determine response protocols across all systems of care when the screening tool suggests sex trafficking victimization.

Policies and procedures should ensure safety and confidentiality during the screening process, be responsive to the individual circumstances of each child or youth, and be used to identify indicators of possible victimization rather than "screen out" or inadvertently exclude a child or youth from receiving needed services. Whenever possible, policies and procedures should require the use of a validated screening tool and ongoing data collection and evaluation methods to ensure that screening tools remain effective, relevant, and evidence-informed. Proactive consultation with survivor leaders to vet and advise on screening tools is also highly recommended.

Recommendation 2.4

Implement policies and procedures that require universal screening for all children and youth receiving services through runaway homeless youth, Title IV-E funded, and unaccompanied minor programs.

Tier I: Establish policies that identify one or more validated screening tools to be used statewide.

Tier II: Document that at least 75% of children and youth age 13 and older have been screened using this tool.[16] Use the screening process to screen for labor trafficking as well, adding additional questions to the tool as needed.

Federal: As part of the funding process, review program policies to ensure they require universal human trafficking screening for all children and youth who receive services.

Recommendation 2.5

Ensure that policies and procedures of Title IV-E funded programs align with the amended definition of an abused and neglected child under the Justice for Victims of Trafficking Act (JVTA) and the Child Abuse Prevention and Treatment Act (CAPTA). The amended definition includes situations of sex trafficking where the perpetrator is not a parent or lawful caregiver.

Tier I: Document that at least 25% of programs have policies and procedures that align with the amended definition of an abused and neglected child under the JVTA and CAPTA.

Tier II: Document that at least 75% of programs have policies and procedures that align with the amended definition of an abused and neglected child under the JVTA and CAPTA.

Federal: The Committee recommends that the HHS Children's Bureau ensures child welfare policies and procedures in states receiving CAPTA funding include definitions that align with the amended definition of an abused and neglected child under the JVTA and CAPTA. Additionally,

[16] Some screening tools may be appropriate for use with children under 13 years of age. However, at the time of publication of this report, most validated screening tools that assess for the sex and labor trafficking of children and youth are intended for use with individuals age 13 and older. See Appendix C: Validated Screening and Assessment Tools for examples of validated screening tools.

the Committee recommends that the HHS Children's Bureau provide technical assistance to states who have not yet incorporated the amended definition into their state child abuse statutes.

Federal: In future versions of the Child Maltreatment Report by the HHS Children's Bureau, the Committee recommends expanding the special focus section on sex trafficking based on state submissions to include:

- States that accept reports of sex trafficking by adult non-caregiver offenders and include this as a maltreatment type, as required by the JVTA and CAPTA;
- States that limit the definition of non-caregiver to situations in which the perpetrators were members of the child's household;
- Expanded reporting beyond substantiated reports, including the number of children and youth suspected to be victims of sex trafficking by a caregiver or non-caregiver;
- The number of reports a state screened in and screened out that included allegations of sex trafficking by caregivers or non-caregivers.

Recommendation 2.6

Ensure that policies and procedures of Title IV-E funded programs require screening for the identification of children and youth who have experienced or are at risk of experiencing sex trafficking, in accordance with the Preventing Sex Trafficking and Strengthening Families Act (P.L. 113–183).

Tier I: Document that at least 25% of programs have policies and procedures that align with the Preventing Sex Trafficking and Strengthening Families Act.

Tier II: Document that at least 75% of programs have policies and procedures that align with the Preventing Sex Trafficking and Strengthening Families Act.

Federal: The Committee recommends that the HHS Children's Bureau provide technical assistance to help Title IV-E agencies identify children and youth who have experienced or are at risk of experiencing sex trafficking.

Recommendation 2.7

Ensure that policies and procedures of juvenile justice facilities require screening for the identification of children and youth who have experienced or are at risk of experiencing sex trafficking, in accordance with the Juvenile Justice Reform Act of 2018 (P.L. 115–385).

Tier I: Document that at least 25% of juvenile justice facilities have policies and procedures that align with the Juvenile Justice Reform Act of 2018.

Tier II: Document that at least 75% of juvenile justice facilities have policies and procedures that align with the Juvenile Justice Reform Act of 2018.

Resources and Examples

The following non-exhaustive list of resources and examples can support the implementation of the recommendations described in this section:

- Center for Children & Youth Justice, Project Respect: Washington State Model Protocol for Commercially Sexually Exploited Children
- Children's Bureau
  - Child Welfare Capacity Building Collaborative
  - Identifying Minors and Young People Exploited Through Sex Trafficking: A Resource for Child Welfare Agencies
  - Child Welfare Information Gateway
- Los Angeles County Law Enforcement and First Responder Protocol for Commercially Sexually Exploited Children
- New York State Office of Children and Family Services: Protocols and Procedures for Locating and Responding to Children and Youth Missing From Foster Care and Non-Foster Care
- Protocol for Serving Child Victims of Human Trafficking in Ohio
- Vera Institute of Justice: Screening for Human Trafficking: Guidelines for Administering the Trafficking Victim Identification Tool (TVIT)
- WestCoast Children's Clinic: Screening to Identify Commercially Sexually Exploited Children

IMPLEMENTATION

Screening and assessment for sex trafficking of children and youth should aim to identify risk, needs, and the most responsive services to ensure that all children and youth are provided with services appropriate to their experience and needs.

Screening should take place in a youth-friendly environment and be administered by trained professionals. Before the screening process begins, screeners should assess the child or youth for language access needs, cultural considerations, and developmental and mental health concerns that may require accommodation.[17] Children and youth should also be informed of their rights and the possible outcomes of the screening.

Screening methods used, length of time for screening, location of screening, and capturing the information from a screening should prioritize rapport and the health and well-being of the child or youth above other factors such as the convenience of the screener or other professionals. The process may include asking a variety of questions, asking only a few open-ended questions, or asking very few questions and instead relying heavily on conversation. In certain settings, a universal education approach may be appropriate prior to the formal screening process.

The screening process should also take into account the varying types and levels of trauma endured, the likelihood of polyvictimization, and trafficking victimization that occurred in the past, is actively occurring, or is inactive but at high risk to occur or reoccur. Identification should not determine whether a client receives services — risks should determine the need for resources and services, not disclosure.

[17] Hardy, V. L., Compton, K. D., & McPhatter, V. S. (2013). Domestic minor sex trafficking: Practice implications for mental health professionals. *Affilia: Journal of Women & Social Work, 28*(1), 8–18. https://doi.org/10.1177/0886109912475172

Children and youth should not be screened in the presence of an individual who may be involved with their trafficking or other forms of exploitation. They should also not be screened or interviewed by law enforcement without the presence of an advocate or an attorney representing their best interests.

Recommendation 2.8

> **Ensure that multidisciplinary teams (MDTs) have established MOUs that include response protocols for when a screening tool suggests sex trafficking victimization or the risk of sex trafficking victimization, and that these protocols stipulate that an in-depth assessment must be provided to determine service needs.**
>
> *See the Multidisciplinary Response section of this report for more information on MOUs and protocols for MDTs.*
>
> *See the Child Welfare and Service Provision sections of this report for more information on assessment and service provision.*
>
> **Tier I:** Document that at least 25% of MDTs have established MOUs with appropriate response protocols.
>
> **Tier II:** Document that at least 75% of MDTs have established MOUs with appropriate response protocols.

Resources and Examples

The following non-exhaustive list of resources and examples can support the implementation of the recommendations described in this section:

- Appendix C: Validated Screening and Assessment Tools
- Southeast Regional Human Trafficking Advisory Group, an Initiative of the Administration for Children and Families Region 4 Office: Guiding Principles for Agencies Serving Survivors of Human Trafficking (Guiding Principle 4: Screening)

State and tribal child welfare systems are responsible for promoting the well-being of children and youth by ensuring their safety and permanency and strengthening families.[18] The child welfare system is responsible for protecting and serving children and youth who have experienced sex trafficking as mandated by the Preventing Sex Trafficking and Strengthening Families Act (P.L. 113–183) and the Justice for Victims of Trafficking Act (JVTA) (P.L. 114–22). These laws require states to include sex trafficking, as defined by the Trafficking Victims Protection Act (TVPA) of 2000, as amended, in the definition of child abuse and neglect. Further, all state and tribal Title IV-E agencies must implement policies and procedures for identifying, documenting, and determining appropriate services for victims of trafficking.[19]

Based on the requirements outlined in federal legislation as well as their experience in the field, the National Advisory Committee has developed the following recommendations for state systems, including child welfare, regarding the role of the child welfare system in supporting children and youth who have experienced or are at risk of experiencing sex trafficking. Given their role in promoting the safety and well-being of children and youth, the Committee recommends that personnel in state systems, including child welfare, review this report in its entirety.

TRAINING

Child welfare professionals and those closely associated with the child welfare system (e.g., contracted providers) carry primary responsibility for meeting the needs of children and youth who have experienced sex trafficking. Therefore, it is imperative that these professionals receive introductory and advanced training on preventing, identifying, and responding to children and youth who have experienced or are at risk of experiencing sex trafficking.

In addition, the child welfare system should offer training to caregivers (including, but not limited to, biological parents, foster parents, kin, fictive kin, and adoptive parents) about the signs, risk factors, indicators, and interventions related to the sex trafficking of children and youth. States should consider using remote and online training options to facilitate widespread dissemination.

Recommendation 3.1

Require initial and ongoing training regarding sex trafficking for all child welfare professionals.

[18] U.S. Department of Health and Human Services, Children's Bureau, Child Welfare Information Gateway. (2013). *How the child welfare system works*. Retrieved from https://www.childwelfare.gov/pubPDFs/cpswork.pdf

[19] U.S. Department of Health and Human Services, Children's Bureau. (2019). *Report to Congress: The child welfare system response to sex trafficking of children*. Retrieved from https://www.acf.hhs.gov/sites/default/files/cb/report_congress_child_trafficking.pdf

U.S. Department of Health and Human Services, Children's Bureau. (2016). *Evaluation brief: Evaluating systems and organizational change in child welfare settings*. Retrieved from https://www.acf.hhs.gov/sites/default/files/cb/evaluating_systems_change_brief.pdf

U.S. Department of Health and Human Services, Children's Bureau. Program guidance: ACYF-CB-IM-14-03, ACYF-CB-IM-15-02, ACYF-CB-IM-15-05, ACYF-CB-PI-15-07, and ACYF-CB-PI-17-05.

Tier I: Establish minimum standards for introductory and advanced training to help all staff recognize signs of trafficking (including familial trafficking), risk factors for trafficking, and dynamics of trafficking; understand the impact of trauma and victim rights; and intervene once a child or youth is identified as a trafficking victim. Document that at least 25% of child welfare professionals (including supervisors and managers) have received training.

Tier II: Document that at least 75% of child welfare professionals (including supervisors and managers) have received training.

Federal: Establish guidance for minimum standards for training (including frequency and topics) for state and tribal child welfare professionals and those closely associated with the child welfare system (e.g., contracted providers) to ensure states comply with requirements in the Justice for Victims of Trafficking Act (JVTA) (i.e., all child protective service workers must receive training to identify, assess, and provide comprehensive services to children and youth who are known or suspected victims of sex trafficking). Ensure state plans under the Child Abuse Prevention and Treatment Act (CAPTA) include provisions and procedures for training child welfare workers to identify, assess, and provide comprehensive services to children and youth who have experienced sex trafficking.

Recommendation 3.2

Require initial and ongoing training regarding sex trafficking for all providers contracted by or credentialed through the child welfare system. Establish policies that require providers to complete initial and periodic training to recognize signs, risk factors, and dynamics of trafficking; understand the impact of trauma and victim rights; and provide trauma-informed care for children and youth who have experienced exploitation.

Tier I: Document that at least 25% of providers have received the initial training.

Tier II: Document that at least 75% of providers have received the initial training.

Recommendation 3.3

Require training regarding sex trafficking for all foster parents. Establish policies in the child welfare system that require all state licensed foster parents and foster homes to receive training regarding sex trafficking (including definitions, risk factors, potential indicators, available services, and victim rights).

Tier I: Document that at least 25% of all state licensed foster parents have received the initial training.

Tier II: Document that at least 25% of privately licensed foster parents have received the initial training.

Federal: Establish guidance for minimum standards for training in terms of frequency and content for foster parents providing specialized homes for children and youth who have

experienced sex trafficking. Direct grants to support the development and evaluation of specialized foster care placements for children and youth who have experienced sex trafficking.

Recommendation 3.4

Offer training regarding sex trafficking for caregivers who are not system-involved.

Tier I: Develop or identify a caregiver curriculum and make it available in 25% of counties.

Tier II: Develop or identify a caregiver curriculum and make it available in 75% of counties.

Resources and Examples

The following non-exhaustive list of resources and examples can support the implementation of the recommendations described in this section:

- Examples of state statutes requiring training regarding sex trafficking for child welfare workers, foster care workers, and other related providers:
  - California: Cal. Welf. & Inst. Code 16524.7(a)(3)(A), (B)
  - Florida: Fla. Stat. Ann. 409. 1754(3), (4) (Related memo)
  - Mississippi: Miss. Code Ann. 43-1-55 and Miss. Code Ann. 43-15-13(6)

POLICIES AND PROCEDURES

To ensure a systemic response that addresses sex trafficking of children and youth effectively, states must ensure that their statutes, policies, and procedures support the child welfare system in identifying, assessing, and providing services to known or suspected victims of sex trafficking.

Recommendation 3.5

Ensure that state statutes designate the child welfare system as the state system responsible for identifying, assessing, and providing services to known or suspected victims of sex trafficking.

Tier I: Ensure that child abuse definitions in state statutes include sex trafficking as defined by the Trafficking Victims Protection Act (TVPA) of 2000, as amended, which includes updates to the Child Abuse Prevention and Treatment Act (CAPTA).

Tier II: Ensure that child abuse definitions in state statutes include cases of sex trafficking in which the perpetrator is not a parent or lawful caregiver.

Federal: The Committee recommends that HHS issue a memo to clarify that states are required to update their statutory definition of child abuse to include all cases of sex trafficking, regardless of the involvement of a parent, caregiver, or third party, per the Justice for Victims of Trafficking Act (JVTA) and in compliance with the Child Abuse Prevention and Treatment Act (CAPTA).

Recommendation 3.6

Ensure that the policies and procedures of all child welfare and Title IV-E agencies include guidelines for identifying, assessing, and providing services to known or suspected victims of sex trafficking. Such policies and procedures should ensure known or suspected victims are able to receive services without requiring that they enter the care or custody of the child welfare system.

Tier I: Establish policies and procedures for identifying, assessing, and providing services to all known or suspected victims of sex trafficking, regardless of the involvement of a parent or caregiver.

Tier II: Offer services, directly or through referrals to outside agencies, to all children and youth identified as known or suspected victims of sex trafficking. Document provision of services or referrals in at least 75% of applicable cases.

Federal: The Committee recommends that HHS issue a memo to clarify that states must update policies and procedures regarding child welfare including procedures for identifying, investigating, and offering services to all known or suspected victims of sex trafficking. Ensure state plans under the Child Abuse Prevention and Treatment Act (CAPTA) include provisions and procedures for responding to reports of suspected sex trafficking. Ensure state plans under Title IV-E include policies and procedures for identifying, documenting, and determining appropriate services for any child or youth who has experienced or is at risk of experiencing sex trafficking and is in the placement, care, or supervision of a Title IV-E agency.

Recommendation 3.7

Establish definitions and universal screening procedures for children and youth ages 13 and older who come in contact with the child welfare system to identify those who may have experienced sex trafficking victimization.[20]

See the Screening and Identification section of this report for more information.

Tier I: Establish policies and procedures within the child welfare system to screen children and youth for sex trafficking.

Tier II: Systematically track and document children and youth who have been screened for sex trafficking. Document that at least 75% of children and youth have been screened.

Federal: The Committee recommends that HHS issue a memo to define and operationalize the screening of children and youth who have potentially experienced or are at risk of experiencing sex trafficking. Such guidance should caution states to define *suspected trafficking* broadly enough to include children and youth that demonstrate indicators of sex trafficking and *at risk*

[20] Some screening tools may be appropriate for use with children under 13 years of age. However, at the time of publication of this report, most validated screening tools that assess for the sex and labor trafficking of children and youth are intended for use with individuals age 13 and older. See Appendix C: Validated Screening and Assessment Tools for examples of validated screening tools.

broadly enough to expand access to targeted prevention programs and specialized services when appropriate to prevent future victimization of children and youth.

Recommendation 3.8

Require initial and ongoing assessments of children and youth who are suspected or confirmed victims of sex trafficking and in the care or custody of the child welfare system to identify their needs and determine the most appropriate, least restrictive placement option.

Tier I: Establish policies that require assessments to determine placement in the least restrictive housing options.

Tier II: Document that at least 75% of children and youth have been assessed and placed in the least restrictive housing options.

Recommendation 3.9

Require placement facilities used or funded by the child welfare system (including group homes) to have policies and procedures that address running away, peer recruiting, external safety threats, and other safety risks to residents.

Tier I: Review licensing requirements to ensure that placement facilities are required to have the relevant policies and procedures, and document that at least 25% of all licensed placement facilities have relevant policies and procedures.

Tier II: Document that at least 75% of all licensed placement facilities have relevant policies and procedures.

Recommendation 3.10

Report all missing or abducted children and youth to law enforcement and the National Center for Missing & Exploited Children (NCMEC).

Tier I: Establish policies and protocols in all Title IV-E agencies to report all missing or abducted children and youth in their care to law enforcement and NCMEC within 24 hours.

Tier II: Track and document all missing or abducted children and youth and associated reports to law enforcement and NCMEC. Document that reports were made within 24 hours in at least 75% of cases.

Federal: Ensure state plans under Title IV-E include requirements to report missing or abducted children and youth to law enforcement and NCMEC.

Recommendation 3.11

Develop policy guidance for reporting all cases of foreign national minor victims of sex trafficking to the HHS Office on Trafficking in Persons in accordance with the Trafficking Victims Protection Act (TVPA) of 2000, as amended.[21] Ensure that the guidance addresses immigration assistance and support for the victim.

Tier I: Establish policies in all Title IV-E agencies to report all cases of foreign national minor victims of sex trafficking to the HHS Office on Trafficking in Persons within 24 hours, regardless of whether they are accompanied.

Tier II: Systematically track and document all cases involving foreign national minor victims of sex trafficking and associated reports to the Office on Trafficking in Persons. Document that reports were made within 24 hours in at least 75% of cases.

Federal: The Committee recommends that HHS issue a memo specifying that the TVPA of 2000, as amended, requires states to implement policies and procedures for referring all cases involving foreign national minor victims of human trafficking (suspected or determined) to the HHS Office on Trafficking in Persons within 24 hours, regardless of whether the minor is accompanied. Ensure state plans under Title IV-E include requirements to report foreign national minor victims to the HHS Office on Trafficking in Persons per the TVPA of 2000, as amended, which requires federal, state, or local officials to notify HHS within 24 hours after discovering a foreign national child under the age of 18 who may be a victim of sex or labor trafficking to facilitate the provision of assistance (22 U.S.C. § 7105).

Recommendation 3.12

Increase the maximum age at which children and youth who have experienced sex trafficking can receive child welfare services as authorized by the Preventing Sex Trafficking and Strengthening Families Act (P.L. 113–183).

Tier I: Establish policies that increase the maximum age to 21 years.

Tier II: Establish policies that increase the maximum age to 24 years.

Recommendation 3.13

Ensure that policies and procedures related to interstate compacts (e.g., Interstate Compact on the Placement of Children; Interstate Commission for Juveniles) specifically address responding to cases of sex trafficking of children and youth.

Tier I: Establish policies and procedures for responding to cases of sex trafficking of children and youth in interstate compacts.

[21] The U.S. Department of Human Services published a fact sheet and program instruction on the child eligibility process that applies to federal, state, or local officials, including child welfare officials.

Tier II: Provide examples of effective responses to cases of sex trafficking of children and youth in interstate compacts.

Resources and Examples

The following non-exhaustive list of resources and examples can support the implementation of the recommendations described in this section:

- Kansas Interstate Commission for Juveniles: Key Concepts in Human Trafficking
- Minnesota Department of Health and Human Services: Bulletin #19-68-07: Response to labor trafficking and concerns of human trafficking of foreign national minors
- South Carolina's statutory definition of child abuse, Section S.C. Code Ann. §63-7-20(6)(vii)(b), includes all cases of sex trafficking, regardless of the involvement of a parent, caregiver, or third party.
    - Section S.C. Code Ann. §63-7-20(6)(vii)(b) provides that "child abuse or neglect" or "harm" includes a child who is "a victim of trafficking in persons as defined in Section 16-3-2010, including sex trafficking, regardless of whether the perpetrator is a parent, guardian, or other person responsible for the child's welfare." It also states that "identifying a child as a victim of trafficking in persons does not create a presumption that the parent, guardian, or other individual responsible for the child's welfare abused, neglected, or harmed the child."

IMPLEMENTATION

Systems must be established to guide child welfare workers in identifying, assessing, and providing comprehensive services to known or suspected victims of sex trafficking. Further, standardized responses are critical to ensure that all children and youth who come to the attention of the child welfare system are appropriately screened for sex trafficking and can access services and support.

Recommendation 3.14

Screen all reports to the state's child abuse and neglect hotline for indicators of sex trafficking using a validated screening tool.

Tier I: Document that a validated screening tool has been used to screen at least 25% of reports.

Tier II: Document that a validated screening tool has been used to screen at least 75% of reports.

Recommendation 3.15

Screen all children and youth who have been missing from care for potential sex trafficking victimization, in accordance with the Preventing Sex Trafficking and Strengthening Families Act (P.L. 113–183). Screening should occur each time the child or youth returns to care.

Tier I: Establish and implement policies and procedures for screening all children and youth who have been missing from care for potential sex trafficking victimization. Document that a validated screening tool has been used in at least 25% of cases.

Tier II: Document that a validated screening tool has been used in at least 75% of cases to screen children and youth who have been missing from care for potential sex trafficking victimization.

Federal: The Committee recommends that HHS issue a memo to clarify that state child welfare entities must assess all children and youth who have been missing from care for potential sex trafficking victimization. Ensure state plans under Title IV-E include protocols for determining the child or youth's experiences while absent from care, including whether the child or youth has experienced sex trafficking victimization.[22]

Recommendation 3.16

Conduct a comprehensive needs assessment of children and youth when initial screening indicates potential or clear signs of sex trafficking.

Tier I: Document that a comprehensive needs assessment has been conducted in at least 25% of cases in which there are potential or clear signs of sex trafficking.

Tier II: Document that a comprehensive needs assessment has been conducted in at least 75% of cases in which there are potential or clear signs of sex trafficking.

Recommendation 3.17

Offer trafficking-specific services to children and youth who demonstrate potential or clear signs of sex trafficking.

Tier I: In at least 25% of cases, offer specialized services (directly or through referrals to outside agencies) from providers trained to work with children and youth who have experienced sex trafficking.

Tier II: In at least 75% of cases, offer specialized services (directly or through referrals to outside agencies) from providers trained to work with children and youth who have experienced sex trafficking.

[22] An Information Memo (ACYF-CB-IM-14-03) by the U.S. Department of Health and Human Services Children's Bureau adds a new Title IV-E plan requirement at 471(a)(35) that requires Title IV-E agencies to develop and implement protocols to locate children missing from foster care; determine the factors that led to the child's absence from foster care and, to the extent possible, address those factors in subsequent placements; determine the child's experiences while absent from care, including whether the child is a victim of sex trafficking; and report related information as required by the Department of Health and Human Services.

Recommendation 3.18

Provide specialized foster care services to children and youth who demonstrate potential or clear signs of sex trafficking.

Tier I: Establish a specific category in the rate structure for specialized foster care placements for children and youth who have experienced sex trafficking.

Tier II: Document that at least 50% of children and youth who have experienced sex trafficking or are potential victims receive specialized foster care placements when needed.

Federal: The Committee recommends that HHS direct grants to support the development and evaluation of specialized foster care placements for children and youth who have experienced trafficking.

Recommendation 3.19

Ensure that child welfare professionals participate in all human trafficking task forces and interagency groups that address the sex trafficking of children and youth.

Tier I: Document participation in at least 50% of state and county task forces, multidisciplinary teams, and committees.

Tier II: Document participation in at least 75% of state and county task forces, multidisciplinary teams, and committees.

Resources and Examples

The following non-exhaustive list of resources and examples can support the implementation of the recommendations described in this section:

- Center for Children & Youth Justice, Project Respect: Washington State Model Protocol for Commercially Sexually Exploited Children
- Freedom Forward: Serving the Youth Who Have Endured the Most: Promising Practices in Foster Care
- New York State Office of Children and Family Services: Responding to Commercial Sexually Exploited and Trafficked Youth: A Blueprint for systems of care in New York State
- Wyoming Department of Family Services: Policy on Human and Sex Trafficking
- Examples of statutory child welfare reporting requirements:
    - Kentucky: Ky. Rev. Stat. § 620.029(2)(b) requires the Cabinet for Health and Family Services to: "By November 1 of each year . . . submit to the Legislative Research Commission a comprehensive report detailing the number of reports the Cabinet has received regarding child victims of human trafficking, the number of reports in which the Cabinet has investigated and determined that a child was a victim of human trafficking, and the number of cases in which services were provided."
    - Mississippi: Miss. Code Ann. § 97-3-54.1(4): "[The Department of Child Protective Services and/or the Statewide Human Trafficking Coordinator] shall provide an annual

report to the Speaker of the Mississippi House of Representatives, the Lieutenant Governor, the Chairpersons of the House and Senate Judiciary Committees that includes the number of reports received, the number of cases screened in or out, the number of cases in which care and services were provided as a result of the report, and the type of care and services that were provided."

SECTION 4: SERVICE PROVISION 34

Once identified, children and youth who have experienced sex trafficking require a wide range of emergency and long-term services tailored to meet their individual needs, including, but not limited to:

- Basic needs and transportation assistance
- Case management
- Child care and parenting support
- Crisis intervention
- Education and employment training and services
- Immigration and other legal services
- Medical and dental care
- Mental health assessment and treatment
- Shelter or housing
- Substance misuse treatment
- Translation and interpretation services
- Victim advocacy[23]

Services must address underlying vulnerabilities and risk factors that put children and youth at risk of exploitation, including, but not limited to: prior abuse, substance misuse by a caregiver, exposure to domestic violence, disrupted caregiver relationships, poverty, homelessness, racism, and familial or community rejection because of sexual orientation or gender identity.[24] Because many children and youth are first identified as having experienced sex trafficking during their teenage years, services should also provide youth with life skills training, mentoring, education support, and job training to assist with their successful transition into adulthood.

Based on the requirements outlined in federal legislation as well as their experience in the field, the National Advisory Committee has developed the following recommendations for state systems, including child welfare, regarding service provision for children and youth who have experienced or are at risk of experiencing sex trafficking. Given their role in promoting the safety and well-being of children and youth, the Committee recommends that personnel in state systems, including child welfare, review this report in its entirety.

TRAINING

Service providers across state systems and provider agencies must have the training needed to support children and youth who have experienced sex trafficking. Providers working with at-risk children and youth should be required to receive baseline and ongoing training on identifying and responding to known or suspected victims of sex trafficking. Training should include, but should not be limited to, the definition of human trafficking; risk factors, potential indicators, and dynamics of trafficking; and the neurobiology and impact of trauma, victim rights, and evidence-informed interventions. In addition to the following recommendations, states should consider including courses regarding sex trafficking in

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[23] Clawson, H. J., Dutch, N., Salomon, A., & Goldblatt Grace, L. (2009). *Study of HHS programs serving human trafficking victims*. Retrieved from https://aspe.hhs.gov/report/study-hhs-programs-serving-human-trafficking-victims

[24] U.S. Department of Health and Human Services, Administration for Children, Youth and Families. (2014). *Guidance to states and services on addressing human trafficking of children and youth in the United States*. Retrieved from https://www.acf.hhs.gov/sites/default/files/cb/acyf_human_trafficking_guidance.pdf

their training curricula. States should consider using remote and online training options to facilitate widespread dissemination.

Recommendation 4.1

Require initial and ongoing training regarding sex trafficking for all employees who provide direct services to children and youth and are employed by public agencies (including juvenile justice, child welfare, education, health, behavioral health, and all other public entities frequented by children and youth).

Tier I: Mandate, through policy or statute, that all employees of public agencies serving children and youth receive initial and ongoing training.

Tier II: Document that at least 75% of employees of public agencies serving children and youth have received the initial training.

Recommendation 4.2

Require initial and ongoing training regarding sex trafficking for providers contracted and credentialed by public agencies who work with at-risk children and youth, including providers in health care, behavioral health, rape crisis, runaway and homeless youth, refugee resettlement and immigration, and legal services.

Tier I: Establish policies that require initial and ongoing training for contracted and credentialed providers.

Tier II: Document that at least 75% of all contracted and credentialed providers have received the initial training.

Recommendation 4.3

Require that professionals working in fields that may intersect with sex trafficking (e.g., teachers, mental health providers, social workers, caseworkers, and nurses) receive initial and ongoing training regarding sex trafficking.

Tier I: Establish statutory requirements that professionals in such fields receive training.

Tier II: Ensure that licensing bodies have established minimum standards for training, including standards related to content and frequency.

Resources and Examples

The following non-exhaustive list of resources and examples can support the implementation of the recommendations described in this section:

- Alameda County: H.E.A.T. Institute Final Report

- Futures Without Violence: Project Catalyst
- HEAL Trafficking: Essential Components for a Health Professional Trafficking Training
- Example of a state statute that allows for law enforcement, victim service organizations, schools and parents, and other organizations, agencies, and groups to request and access training regarding human trafficking:
  - Colorado: Colo. Rev. Stat. § 24-33.5-523
- Example of a state statute that requires the development of training standards and curricula regarding human trafficking:
  - Colorado: Colo. Rev. Stat. § 18-3-505(4)(e)
- Examples of state statutes that require training regarding human trafficking for specific employees of public agencies and professionals working in related fields who may come into contact with children and youth:
  - Connecticut: Conn. Sec. 17a-106h
  - Texas: Texas. Sec. 402.035(d)

POLICIES AND PROCEDURES

Many of the service needs for children and youth who have experienced trafficking are met through local nonprofit agencies that operate under their own policies, practices, and procedures. To ensure that all children and youth who have experienced sex trafficking receive quality care, states should establish minimum standards of care specific to serving this population. States may implement these standards by incorporating them into grants and contracts with providers serving this population.

Recommendation 4.4

Establish standards of care for state-funded services provided to children and youth who exhibit potential or clear signs of sex trafficking.

Tier I: Establish standards of care for services provided to children and youth. Document that standards of care have been incorporated into at least 25% of state grants and contracts.

Tier II: Document that at least 75% of contracted and credentialed providers have included standards of care in their policies and procedures.

Recommendation 4.5

Establish privileged communication between children and youth who have experienced sex trafficking and those providing specialized services, including survivors providing peer-to-peer services.

Tier I: Statutorily guarantee privileged communication to providers trained to work with children and youth who have experienced sex trafficking.

Tier II: Not applicable

Resources and Examples

The following non-exhaustive list of resources and examples can support the implementation of the recommendations described in this section:

- Ohio Human Trafficking Commission: Standards for Service to Trafficked Persons
- Examples of state statutes that offer privileged communication between a victim of sex trafficking and human trafficking caseworkers:
  - Indiana: Ind. Code § 35-37-6
  - Massachusetts: Mass. Gen. Laws ch. 233, § 20M
  - Pennsylvania: 42 PA Cons Stat § 5945.3
- S.C. Code Ann. § 16-3-2020(H) requires that human trafficking specialized service providers be certified by the Attorney General through criteria established by the Human Trafficking Task Force. As a result, South Carolina's Human Trafficking Task Force has established a Victim Service Provider–Human Trafficking certification (VSP-HT) requiring providers to receive 15 hours of specialized training regarding working with victims of trafficking.

IMPLEMENTATION

Within each state, availability of services for children and youth who have experienced sex trafficking depends on several factors, including geographic location, age, gender, ability, immigration status, available funding, involvement in the child welfare or juvenile justice systems, and the degree to which services are coordinated across agencies. Because the complex and unique needs of children and youth who have experienced trafficking cannot be met by a single agency, states should develop collaborative systems that support the provision of services based on local needs and resources.

Recommendation 4.6

Conduct a statewide assessment of services available to children and youth who exhibit potential or clear signs of sex trafficking (including services for boys, LGBTQ2S+ individuals, indigenous populations, those with special needs or disabilities, those who are pregnant or parenting, and those experiencing both labor and sex trafficking).

Tier I: Conduct a statewide assessment.

Tier II: Document that gaps identified in the assessment have been addressed.

Federal: Prioritize capacity building and funding for programs that provide or would like to expand to provide services to boys, LGBTQ2S+ individuals, indigenous populations, those with special needs or disabilities, and those experiencing both labor and sex trafficking.

Recommendation 4.7

Establish county or regional responses to coordinate service provision to children and youth who exhibit clear or potential signs of sex trafficking. Responses should consider the child's culture and community, prioritizing access to culturally competent services whenever possible.

Tier I: Establish regional service responses in at least 25% of counties.

Tier II: Establish regional service responses in at least 75% of counties.

Resources and Examples

The following non-exhaustive list of resources and examples can support the implementation of the recommendations described in this section:

- Examples of states that have established regional service responses:
  - Minnesota: Regional Navigators
  - Texas: The Governor's Child Sex Trafficking Team
- Southeast Regional Human Trafficking Advisory Group, an Initiative of the Administration for Children and Families Region 4 Office: Guiding Principles for Agencies Serving Survivors of Human Trafficking

SECTION 5: HOUSING 39

Due to the range of presenting factors among children and youth who have experienced sex trafficking, housing needs vary greatly. This section addresses the housing needs of children and youth who are not involved with the child welfare system (i.e., not in care of the state). Housing is among the most immediate and critical needs for children and youth who have experienced sex trafficking, especially those who are experiencing homelessness. There is a wide variety of housing options available (e.g., emergency shelter, congregate and scattered site, transitional, and permanent supportive housing); therefore, states should promote placements of children and youth into the least restrictive settings possible and not employ lockdown facilities as the only viable housing option.

Currently, there are limited specialized housing options available to males who have experienced trafficking, culture-specific communities, LGBTQ2S+ individuals, and children and youth residing in rural areas. Even if a shelter or housing program accepts a child or youth from one of these populations, personnel may not have the expertise or training necessary to serve these populations, or the housing option may lack specific programming to meet the child or youth's presenting needs. Therefore, it is imperative to increase specialized housing options and train personnel in all publicly funded housing facilities to best serve these populations.

Based on the requirements outlined in federal legislation as well as their experience in the field, the National Advisory Committee has developed the following recommendations for state systems, including child welfare, regarding housing needs for children and youth who have experienced or are at risk of experiencing sex trafficking. Given their role in promoting the safety and well-being of children and youth, the Committee recommends that personnel in state systems, including child welfare, review this report in its entirety.

TRAINING

All housing providers must be trained in the dynamics of sex trafficking, the concepts of trauma-informed care, and the rights of children and youth. This includes staff of organizations that are expanding their services to include people who have experienced trafficking (e.g., domestic violence shelters). Facilitating an environment in which a child or youth who has experienced sex trafficking feels physically and psychologically safe is imperative to maximize their chances for healthy recovery and reintegration. It is especially crucial that staff in shelters and housing programs know how to maintain a secure and safe environment with minimal security personnel. Staff must also be equipped to meet challenges particular to children and youth who have experienced sex trafficking, such as running away, potential harm to themselves or others, and the potential for traffickers to maintain contact.[25] States should consider using remote and online training options to facilitate widespread dissemination.

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[25] ECPAT-USA, Shared Hope International, & the Protection Project at Johns Hopkins University School of Advanced International Studies. (2013). *National Colloquium 2012 final report: An inventory and evaluation of the current shelter and services response to domestic minor sex trafficking.* Retrieved from https://static1.squarespace.com/static/594970e91b631b3571be12e2/t/5977b10c1e5b6c85f3cc4e44/1501016335372/National-Colloquium-2012-Final-Report-An-Inventory-and-Evaluation-of-the-Current-Shelter-and-Services-Response-to-Domestic-Minor-Sex-Trafficking.pdf

Recommendation 5.1

Require initial and ongoing training for all staff of publicly funded housing programs on recognizing signs, risk factors, and dynamics of sex trafficking; understanding state statutes, the impact of trauma, and victims' rights; and how to intervene and provide services (including referral) for potential and confirmed victims of trafficking.

Tier I: Establish policies that require and set minimum standards for training. Document that at least 25% of staff have received the training.

Tier II: Document that at least 75% of staff have received the training.

Federal: Ensure that training regarding sex trafficking is required for all staff of shelters and housing programs that receive federal funding.

Resources and Examples

The following non-exhaustive list of resources and examples can support the implementation of the recommendations described in this section:

- Office for Victims of Crime: Training and Technical Assistance Resources
- Youth Collaboratory: Shining Light on the Commercial Sexual Exploitation of Children: A Toolkit to Build Understanding

POLICIES AND PROCEDURES

Flexible, clear, and deliberate state policies are needed to ensure that each local community develops and maintains long-, medium-, and short-term housing options for youth victims of human trafficking. Most states have policies and procedures that govern the development of shelters for children and youth, but they should be reviewed to consider the needs of those who have experienced sex trafficking. Shelters and services for people who have experienced sex trafficking are less prevalent for cisgender males or transgender children and youth than for cisgender females.[26] Often, a lack of housing options results in referrals of children and youth to facilities not appropriate for them, thereby undermining their success in recovery programs.

In addition, policies and regulations regarding staffing may differ between specialized housing and shelters for children and youth who have experienced sex trafficking and more traditional forms of housing and shelters.[27] For example, survivors of sex trafficking who have been involved with the

[26] ECPAT-USA, Shared Hope International, & the Protection Project at Johns Hopkins University School of Advanced International Studies. (2013). *National Colloquium 2012 final report: An inventory and evaluation of the current shelter and services response to domestic minor sex trafficking.* Retrieved from https://static1.squarespace.com/static/594970e91b631b3571be12e2/t/5977b10c1e5b6c85f3cc4e44/1501016335372/National-Colloquium-2012-Final-Report-An-Inventory-and-Evaluation-of-the-Current-Shelter-and-Services-Response-to-Domestic-Minor-Sex-Trafficking.pdf

[27] Office of Criminal Justice Services. (2017). *Sheltering minor victims of human trafficking in Ohio.* Retrieved from https://humantrafficking.ohio.gov/links/ShelteringMinorVictimsofHumanTraffickinginOhioJan2017.pdf

criminal justice or child welfare systems could be considered for staff positions in shelters and housing programs, where they can serve as role models and mentors for children and youth.

Overall, lack of affordable housing for families and youth can increase risk of child sexual exploitation. States should seek to address the underlying causes that make housing unaffordable for families and youth in order to prevent sex trafficking from occurring and address child sexual exploitation effectively.

Recommendation 5.2

Review and amend licensing requirements for all shelters and housing for children and youth to ensure that they are able to address substance misuse, mental and physical health, continued services if the child or youth runs away, and other needs of children and youth who have experienced sex trafficking.

See Resources and Examples at the end of this section for examples of licensing requirements.

Tier I: Review licensing requirements and document that at least 25% of all licensed shelters and housing for children and youth have relevant requirements.

Tier II: Document that at least 75% of all licensed shelters and housing for children and youth have relevant requirements.

Federal: Federal housing programs should allow for maximum flexibility in administration of programs at the local level. For example, in some cases, it is appropriate for the service provider, not the individual, to hold the lease as part of the program.

Recommendation 5.3

Require publicly funded housing programs to conduct initial and ongoing assessments of each resident's needs to determine the most appropriate, least restrictive housing option.

Tier I: Document that at least 25% of programs have policies and procedures for initial and ongoing assessments and endeavor to use the most appropriate, least restrictive housing option.

Tier II: Document that at least 75% of programs have policies and procedures for initial and ongoing assessments and endeavor to use the most appropriate, least restrictive housing option.

Recommendation 5.4

Establish policies and procedures within publicly funded housing programs that address the complex issues related to child and youth sex trafficking (e.g., running away, external safety threats, and other safety risks to residents).[28]

Tier I: Document that at least 25% of organizations that house children and youth who have experienced or are at risk of experiencing sex trafficking have the relevant policies.

Tier II: Document that at least 75% of organizations that house children and youth who have experienced or are at risk of experiencing sex trafficking have the relevant policies.

Recommendation 5.5

Establish policies and procedures that do not restrict children and youth who have experienced or are at risk of experiencing sex trafficking from accessing housing due to prior criminal justice involvement or substance misuse.

Tier I: Document that at least 25% of publicly funded housing programs do not have such restrictions.

Tier II: Document that at least 75% of publicly funded housing programs do not have such restrictions.

Federal: Ensure that federal housing programs do not restrict children and youth who have experienced or are at risk of experiencing sex trafficking from accessing housing due to prior criminal justice involvement or substance misuse.

Recommendation 5.6

Ensure that publicly funded housing programs have policies and procedures for fulfilling basic needs (e.g., clothing, food, toiletries) of residents, and recognize that needs may differ based on ethnicity, culture, gender, and other factors.

Tier I: Document that at least 50% of programs have relevant policies and procedures.

Tier II: Document that at least 75% of programs have relevant policies and procedures.

[28] The U.S. Department of Health and Human Services Children's Bureau and Family and Youth Services Bureau provide guidance on services for youth under age 18 who run away from foster care and come into contact with runaway and homeless youth programs (ACYF-CB/FYSB-IM-14-1). Additional federal resources for runaway and homeless youth programs responding to human trafficking are available at https://www.rhyttac.net/human-trafficking-for-rhy-serving-agencies-a-resource-guide.

Recommendation 5.7

Establish policies and procedures within publicly funded housing programs that prioritize funding for families of children and youth who have experienced sex trafficking and are in need of housing.

Tier I: Document that at least 25% of programs have relevant policies and procedures.

Tier II: Document that at least 75% of programs have relevant policies and procedures.

Resources and Examples

The following non-exhaustive list of resources and examples can support the implementation of the recommendations described in this section:

- ECPAT-USA, Shared Hope International, and the Protection Project at Johns Hopkins University School of Advanced International Studies: National Colloquium 2012 Final Report: An Inventory and Evaluation of the Current Shelter and Services Response to Domestic Minor Sex Trafficking
- Minnesota Department of Health: Safe Harbor
- Minnesota Department of Health, Wilder Foundation: Evaluation of Safe Harbor Implementation
- Ohio Human Trafficking Task Force and the Office of Criminal Justice Services: Sheltering Minor Victims of Human Trafficking in Ohio, January 2017

IMPLEMENTATION

Providing housing to children and youth who have experienced or are at risk of experiencing sex trafficking is vital and complex. It is imperative that housing programs ensure a developmentally appropriate and safe environment for children and youth, many of whom may have already run away or been forced to move from one housing situation to the next. Housing should be safe and secure, but also warm and welcoming. Housing and shelter programs should assess gap areas and develop programming that meets the unique needs of each child or youth who has experienced sex trafficking or is at high risk for exploitation.

Recommendation 5.8

Conduct a community mapping and needs assessment to determine the availability of housing for children and youth who have experienced sex trafficking, including system-involved youth who become legal adults, communities of color, tribal community members, LGBTQ2S+ communities, youth who are parenting, males, non-English speaking youth, and people with disabilities.

Tier I: Document that at least 25% of counties have conducted a community mapping and needs assessment.

Tier II: Document that at least 75% of counties have conducted a community mapping and needs assessment.

Recommendation 5.9

Using findings from the community mapping and needs assessment, develop a community-informed strategic plan for the prioritization, development, and placement of additional housing services.

Tier I: Develop a state-led, community-informed strategic plan.

Tier II: Not applicable

Recommendation 5.10

Using findings from the community mapping and needs assessment, ensure that housing services meet the needs of children and youth who have experienced sex trafficking, including system-involved youth who become legal adults, communities of color, tribal community members, LGBTQ2S+ communities, youth who are parenting, males, non-English speaking youth, and children and youth with disabilities.

Tier I: Document that housing programs meet at least 25% of the needs identified during the community mapping and needs assessment.

Tier II: Document that housing programs meet at least 75% of the needs identified during the community mapping and needs assessment.

Recommendation 5.11

Develop and maintain a list of all housing options with staff who are trained and able to support and house children and youth who have experienced sex trafficking. The list will include contact information and types of housing and populations served (e.g., males, LGBTQ2S+, youth ages 18–24, etc.).

Tier I: Develop a list of all state housing options.

Tier II: Identify a staff position to maintain a list of all state housing options.

Recommendation 5.12

Create a manual for housing providers on housing options that includes specific guidance on meeting the needs of children and youth who have experienced sex trafficking.

Tier I: Document that at least 25% of organizations that determine the process for housing development have created a manual for housing providers.

Tier II: Document that at least 75% of organizations that determine the process for housing development have created a manual for housing providers.

Recommendation 5.13

Ensure housing programs that work with children and youth who have experienced sex trafficking are survivor-informed.

Tier I: Document that at least 25% of housing programs have incorporated survivor input, as evidenced by survivors holding positions on staff, advisory boards, planning committees, or in other significant roles.

Tier II: Document that at least 75% of housing programs have incorporated survivor input, as evidenced by survivors holding positions on staff, advisory boards, planning committees, or in other significant roles.

Federal: Federal housing programs that fund shelters and housing should require that local housing organizations work with anti-trafficking organizations and/or survivors of trafficking throughout the process of housing development to ensure that the needs of survivors are considered.

Resources and Examples

The following non-exhaustive list of resources and examples can support the implementation of the recommendations described in this section:

- Arizona: Starfish Place
- Center for Victim Research: Housing Child Trafficking Victims: A Look at the National Landscape and webinar recording
- Child Welfare Information Gateway: Human Trafficking: Developing Housing Options
- Freedom Network Training Institute: Housing Project
- U.S. Department of Housing and Urban Development: Policy, Tools, and Research for Human Trafficking and Homelessness
- U.S. Department of Justice: Human Trafficking Task Force e-Guide: Safe Housing Options

SECTION 6: LAW ENFORCEMENT AND PROSECUTION 46

The response to the sex trafficking of children and youth by law enforcement and prosecution is complex. To achieve successful accountability and prosecution of offenders, agencies must embrace cooperation and coordination among multiple jurisdictions, including data and information sharing and non-traditional alliances.

The application of criminal statutes vary from state to state and within states, making offender accountability particularly challenging. In addition, inherent biases against children and youth engaging in commercial sex may be a barrier to victim identification and prosecution of offenders. Through proactive efforts, states are better positioned to identify victims while improving accountability of offenders.

Based on the requirements outlined in federal legislation as well as their experience in the field, the National Advisory Committee has developed the following recommendations for state systems, including child welfare, systems regarding the role of law enforcement and prosecution in supporting children and youth who have experienced or are at risk of experiencing sex trafficking. Given their role in promoting the safety and well-being of children and youth, the Committee recommends that personnel in state systems, including child welfare, review this report in its entirety.

TRAINING

Because of victims' reluctance to come forward to report or disclose their victimization, cases of sex trafficking need to be discovered by front-line personnel. Through robust cross-training, first responders will be better equipped to identify cases of sex trafficking while investigating other types of crimes such as domestic violence, child abuse and neglect, sexual abuse, and drug trafficking.

Training law enforcement, prosecutors, corrections staff, and other first responders to identify cases of sex trafficking and to interact with victims in a trauma-informed way will result in better corroborated investigations, which is essential to hold offenders accountable. Trainings may be conducted concurrently to include law enforcement, prosecutors, and corrections staff to encourage a stronger multidisciplinary team approach.

Training should include a discussion of the nuances of interviewing suspected victims of sex trafficking and the benefits of working with service providers to meet the immediate needs of children and youth who have experienced trafficking. A rigorous training program will lead to increased identification of victims and offenders, a more victim-centered approach, and improved accountability of offenders. States should consider using remote and online training options to facilitate widespread dissemination.

Recommendation 6.1

> **Require training regarding the sex trafficking of children and youth for all law enforcement and first responders that includes trauma-informed, victim-centered approaches, with an emphasis on treating children and youth who have experienced trafficking as victims rather than offenders.**

Tier I: Document that at least 25% of law enforcement agencies have developed training protocols for the initial law enforcement certification/academy process and for officers already certified or sworn (in-service).

Tier II: Document that at least 75% of law enforcement agencies have developed training protocols for the initial law enforcement certification/academy process and for officers already certified or sworn (in-service).

Recommendation 6.2

Require advanced training regarding best practices and trends in conducting investigations for law enforcement investigators who work on sex trafficking cases. Offer advanced training to law enforcement who work on other types of offenses, including status offenses, which are likely to intersect with sex trafficking cases (e.g., organized crime, child abuse, and domestic violence prosecutions).

Advanced training may include:

- *Barriers to identification*
- *Building a case without victims' cooperation*
- *Case studies*
- *Continued Presence and T or U visa certifications for qualifying foreign national victims*
- *Greater focus on interview and interrogation practices*
- *Identification and collection of digital and online media evidence*
- *Impact of trauma on the developing brain*
- *Intersection between labor trafficking and sex trafficking*
- *Participation in multidisciplinary teams*
- *Review and integration of response protocols for missing/runaway children and youth*
- *Technical assistance for law enforcement and prosecutors regarding collaborating on implementation of the Stop Enabling Sex Traffickers Act (SESTA) and Allow States and Victims to Fight Online Sex Trafficking Act (FOSTA) (P.L. 115–164) to hold websites accountable for knowingly facilitating the sex trafficking of children and youth*
- *Use of forensic interviews*
- *Use of technology to assist in the identification of victimization*

Tier I: Document that at least 25% of law enforcement agencies require advanced training for law enforcement investigators.

Tier II: Document that at least 75% of law enforcement agencies require advanced training for law enforcement investigators.

Recommendation 6.3

Require training for prosecutor's offices that includes information on criminal statutes, reporting requirements on behalf of minor victims of trafficking, indicators of sex trafficking, victim dynamics, forms of grooming and recruiting, buyers and demand, the connection between sex trafficking and child sexual abuse material, and local resources. Training should emphasize

treating children and youth who have experienced sex trafficking as victims rather than offenders.

Tier I: Document that at least 25% of federal, state, and local prosecutor's offices have implemented training protocols.

Tier II: Document that at least 75% of federal, state, and local prosecutor's offices have implemented training protocols.

Recommendation 6.4

Require advanced training regarding best practices and trends in conducting investigations and prosecutions for prosecutors who work on sex trafficking cases. Offer advanced training to prosecutors who work on other types of offenses that are likely to intersect with sex trafficking cases (e.g., organized crime, child abuse, and domestic violence prosecutions).

Advanced training may include:

- *Case studies*
- *Creative techniques for holding traffickers and buyers accountable, including high-frequency buyers*[29]
- *Prosecution of buyers seeking to engage in sex acts with children and youth*
- *Prosecution of sex trafficking cases without victims' cooperation*
- *Standards of care in service response*
- *Using courtroom protections during trials for witnesses who have experienced trafficking*
- *Victim restitution*

Tier I: Document that at least 25% of state and local prosecutor's offices require advanced training for prosecutors.

Tier II: Document that at least 75% of state and local prosecutor's offices require advanced training for prosecutors.

POLICIES AND PROCEDURES

A timely, pragmatic, and sensitive response to sex trafficking from law enforcement and prosecution improves a community's confidence in the legal process, increases reporting levels, and strengthens investigations, thereby facilitating a higher number of successful prosecutions.

Investigative guidelines for law enforcement and prosecutors responding to children or youth who have experienced sex trafficking must incorporate prevention and intervention techniques while targeting the exploiter and addressing the purchase of commercial sex. These guidelines should include relevant state statutes, victimology, identification and investigation processes, common investigative challenges, resources to support investigations, and other areas relevant to the specific needs of each state.

[29] Data has shown that a small percentage of buyers generate a substantial amount of demand for children and youth. Focusing on these high frequency buyers may have the most impact on reducing demand for children and youth.

In addition, because children and youth who are targeted by exploiters are often involved with multiple systems and professionals outside the criminal justice system, guidelines must address each system's role and its intersection with the investigation. Guidelines should seek to reduce harm and complications for the child or youth and promote active information sharing and collaboration among members of specialty units (e.g., drug trafficking, domestic violence, child abuse, computer crimes, sexual assault, Internet Crimes Against Children [ICAC], and the National Center for Missing & Exploited Children [NCMEC]) to further facilitate victim and offender identification and investigation.[30]

While some recommendations are specific to children and youth, the law enforcement response to sex trafficking should not be restricted to any age group. Law enforcement and prosecution units should share cross-investigatory responsibility when addressing sex trafficking cases. Additionally, investigative units created to address human trafficking should be responsible for both sex and labor trafficking investigations, as individuals who experience labor trafficking may also be exploited through commercial sex.

Recommendation 6.5

Develop and implement protocols for law enforcement that establish best practices for investigating the sex trafficking of children and youth and addressing their needs.

Considerations should include:

- *24/7 investigative response*
- *Children and youth who have possible criminal involvement*
- *Coordination with victim service providers and NGOs*
- *Cross-jurisdictional, multi-agency investigations and involvement*
- *Engaging and interviewing children and youth who are exhibiting signs of the trauma they have endured (e.g., hostility or responses that appear uncooperative), do not view themselves as victims, or have a trauma bond to their offender*
- *Introduction of evidence at the time of the interview*
- *Techniques for interviewing children and youth, including partnering with forensic interviewers or child advocacy/family justice centers and the potential need for multiple interviews or "conversations" to obtain a full account of what occurred*
- *Victim advocates/coordinators*

Tier I: Document that at least 25% of law enforcement agencies have implemented investigative protocols.

Tier II: Document that at least 75% of law enforcement agencies have implemented investigative protocols.

[30] National Center for Missing & Exploited Children (NCMEC). (2020). *The issues: Child sex trafficking*. National Center for Missing & Exploited Children. https://www.missingkids.org/theissues/trafficking#whatncmecisdoingaboutit
National Center for Missing & Exploited Children (NCMEC). (2020). *Get help now: Is your explicit content out there?* National Center for Missing & Exploited Children. http://www.missingkids.org/gethelpnow/isyourexplicitcontentoutthere
National Center for Missing & Exploited Children (NCMEC). (2020). *Get help now: Is a child being exploited online?* National Center for Missing & Exploited Children. http://www.missingkids.org/gethelpnow/cybertipline

Recommendation 6.6

Develop and implement protocols for prosecutors to enhance their ability to prosecute offenders while addressing the needs of children and youth who have experienced trafficking.

Considerations should include:

- *Clearly stated commitment to avoiding criminally charging children and youth who have experienced sex trafficking for crimes they committed during or as a result of their trafficking victimization*
- *Collaboration with juvenile justice, probation, other units in the court and criminal justice system, and child welfare; associated reporting requirements*
- *Continued Presence and T or U visa certifications for qualifying foreign national minor victims*
- *Fines, forfeiture, sex offender registry, and criminal restitution*
- *Specialty courts for traffickers and exploiters*
- *Steps to remove online child sexual abuse material*
- *Use of vacatur and expungement for children and youth who have experienced sex trafficking*

Tier I: Document that at least 25% of prosecutor's offices have implemented relevant protocols.

Tier II: Document that at least 75% of prosecutor's offices have implemented relevant protocols.

IMPLEMENTATION

Sex trafficking is market driven, meaning traffickers typically operate in more populated areas where there are more potential buyers. Children and youth who have experienced trafficking are often moved between cities, regions, and even states, resulting in multi-jurisdictional cases that often involve more than one investigative and prosecutorial agency. This dynamic necessitates the establishment of specialized investigative and prosecutorial units that have cross-jurisdictional authority.

It is important to designate specific law enforcement officers and prosecutors in each police agency and prosecutor's office who will work on sex trafficking cases. These officers and prosecutors should be familiar with set protocols to address sex trafficking cases and act as experts and points of contact for other criminal justice agencies working on these types of cases.

Investigations into the sex trafficking of children and youth commonly involve multiple agencies and require a collaborative response from individuals and agencies who may be unlikely partners in more traditional investigations. These nontraditional partnerships are integral to developing an effective, high-level response model to address sex trafficking. For example, school resource officers who have been trained effectively may be able to identify potential exploitation and provide information about potential perpetrators. Similarly, fire personnel and emergency medical technicians can be crucial partners in identifying victimization and medical personnel can facilitate a comprehensive response model. Law enforcement and prosecutors assigned to trafficking cases should be well versed in the

programs and resources available to children and youth who have experienced trafficking in their jurisdiction and be open to forming non-traditional partnerships.[31]

Timing is critical to successful prosecutions in cases of sex trafficking. Therefore, law enforcement and prosecutors assigned to sex trafficking cases must take an active role in the criminal investigations as early as possible and work closely with traditional and non-traditional partners to ensure a comprehensive investigation, thereby increasing the likelihood of a successful prosecution.[32]

Recommendation 6.7

Each law enforcement agency should have at least one specially trained officer assigned to human trafficking cases.

Tier I: Document that at least 25% of law enforcement agencies have at least one designated human trafficking officer.

Tier II: Document that at least 75% of law enforcement agencies have at least one designated human trafficking officer.

Recommendation 6.8

Each prosecutor's office should have at least one specially trained prosecutor assigned to human trafficking cases.

Tier I: Document that at least 25% of prosecutor's offices have at least one designated human trafficking prosecutor.

Tier II: Document that at least 75% of prosecutor's offices have at least one designated human trafficking prosecutor.

Recommendation 6.9

Law enforcement agencies should form non-traditional partnerships to facilitate the investigation of the sex trafficking of children and youth.

Tier I: Document that at least 25% of law enforcement agencies have formed at least one non-traditional partnership.

Tier II: Document that at least 75% of law enforcement agencies have formed at least one non-traditional partnership.

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[31] Examples include the National Center for Missing & Exploited Children (NCMEC) and other non-government organizations, federal agencies, confidential victim advocates, and treatment providers.

[32] Multnomah County District Attorney. (2020). Preventing human trafficking in Multnomah County. Retrieved from https://www.mcda.us/index.php/news/multnomah-county-district-attorneys-office-human-trafficking-team/

Recommendation 6.10

Develop and maintain a statewide directory of investigators, prosecutors, and human trafficking task forces that specialize in sex trafficking investigations and prosecutions or who have jurisdictional authority and can assist in cross-jurisdictional investigations.

Tier I: Develop a directory of investigators, prosecutors, and task forces.

Tier II: Identify a staff position responsible for maintaining the directory of investigators, prosecutors, and task forces.

Recommendation 6.11

Ensure law enforcement and prosecutors participate in human trafficking task forces and interagency groups that address the sex trafficking of children and youth.

Tier I: Document participation in at least 50% of state and county task forces, multidisciplinary teams, or committees.

Tier II: Document participation in at least 75% of state and county task forces, multidisciplinary teams, or committees.

The judiciary's position is unique because of its contact with many stakeholders and its authority in criminal, civil, tribal, juvenile, and family matters. Judges in state and tribal courts have the ability to convene multidisciplinary collaborations and work across jurisdictions to respond and deliver services to children and youth who have experienced sex trafficking and hold offenders accountable.

In addition, while children and youth are in juvenile and criminal justice secure facilities, they may disclose trafficking concerns or identify as high risk for experiencing trafficking in the future. Therefore, connecting children and youth who have experienced trafficking to services inside secure facilities prior to their release can aid in their transition to outside services and help reduce vulnerability to revictimization.

Based on the requirements outlined in federal legislation as well as their experience in the field, the National Advisory Committee has developed the following recommendations for state systems, including child welfare, regarding the role of the judiciary in supporting children and youth who have experienced or are at risk of experiencing sex trafficking. Given their role in promoting the safety and well-being of children and youth, the Committee recommends that personnel in state systems, including child welfare, review this report in its entirety.

TRAINING

All judicial personnel and courthouse employees must receive foundational training so that they are better able to identify and respond to cases involving children and youth who have experienced sex trafficking. Juvenile and family court judges in particular should be trained so that they are able to retain oversight and apply trauma-informed court practices to proceedings involving children and youth who have experienced or are at risk of experiencing sex trafficking.

Criminal court judges must also be trained to understand the dynamics and impact of the sex trafficking of children and youth, as well as victim–offender intersectionality,[33] which can occur when children and youth who are currently or were previously exploited engage in criminal activities because of their victimization. In addition, employees in juvenile and criminal justice facilities should be trained to identify victims of sex trafficking as well as potential trafficking being facilitated from within their facilities.

Training for judicial personnel should include information on the dynamics of trauma related to sex trafficking, associated risk factors, indicators, victim and exploiter identification, federal and state laws, and applicable victim services (e.g., housing, treatment, and other support services). Training should also include information on the connection between sex trafficking, labor trafficking, child welfare, juvenile justice, and domestic violence. It is important that training dispel common misconceptions

[33] Shared Hope International & Villanova Law Institute to Address Commercial Sexual Exploitation. (2020). *Responding to sex trafficking: Victim-offender intersectionality. A guide for criminal justice stakeholders*. Retrieved from https://spopy1bvira2mldnj1hd926e-wpengine.netdna-ssl.com/wp-content/uploads/2020/03/SH_Responding-to-Sex-Trafficking-Victim-Offender-Intersectionality.pdf

regarding the dynamics of victims, survivors, traffickers, and buyers.[34] In particular, judicial personnel should be trained to recognize symptoms of trauma and how to incorporate trauma-responsive engagement strategies in their decision-making. States should consider using remote and online training options to facilitate widespread dissemination.

Recommendation 7.1

Court administrative authorities should implement required basic training regarding the sex trafficking of children and youth for judicial personnel and court employees.

Tier I: Document that the court administrative authority has implemented required basic training, and that at least 25% of judicial personnel and court employees have received basic training.

Tier II: Document that at least 75% of judicial personnel and court employees have received basic training.

Recommendation 7.2

Juvenile justice agencies should implement required basic training regarding the sex trafficking of children and youth for all juvenile justice personnel.

Tier I: Document that juvenile justice agencies have implemented required basic training, and that at least 25% of juvenile justice employees have received basic training.

Tier II: Document that at least 75% of juvenile justice employees have received basic training.

Recommendation 7.3

Criminal justice systems should implement required basic training regarding the sex trafficking of children and youth for all corrections employees.

Tier I: Document that the Department of Corrections has implemented required basic training, and that at least 25% of correctional employees have received basic training.

Tier II: Document that at least 75% of correctional employees have received basic training.

Resources and Examples

The following non-exhaustive list of resources and examples can support the implementation of the recommendations described in this section:

[34] The Institute of Medicine & National Research Council. (2013). Myths and facts about commercial sexual exploitation and sex trafficking of minors in the United States. Retrieved from https://www.nap.edu/resource/18358/sextraffickingminors_mythsfacts.pdf

- Human Trafficking and the State Courts Collaborative: Training Materials
- National Council of Juvenile and Family Court Judges
  - National Judicial Institute on Domestic Child Sex Trafficking
  - What Should Judges Know About Federal, Tribal, and State Domestic Child Sex Trafficking Legislation?
  - Voices from the Bench: Judicial Perspectives on Handling Child Sex Trafficking Cases
- Youth Collaboratory: Shining Light on the Commercial Sexual Exploitation of Children: A Toolkit to Build Understanding

POLICIES AND PROCEDURES

Policies and procedures to address the sex trafficking of children and youth within the judiciary and juvenile justice systems uphold victims' rights and hold offenders accountable. Policies and procedures must balance the competing and often contradictory interests of prosecution and defense, while ensuring that the criminal justice process does not cause further trauma to crime victims and maintains their safety.

In particular, juvenile courts that serve children and youth who have experienced or are at risk of experiencing sex trafficking should establish policies and procedures to meet the complex needs and safety concerns that often lead children and youth to cycles of revictimization and recidivism. Some jurisdictions have established specialized courts or dockets to assess the needs of this population and connect them to appropriate services. In addition, juvenile detention facilities and community-based programs operated by the juvenile justice system must have policies and procedures in place to adequately care for and respond to this population.

Recommendation 7.4

Review state, tribal, and local family, juvenile, and criminal court rules to ensure they adequately address court dynamics related to the sex trafficking of children and youth (e.g., safety, confidentiality, etc.).

Tier I: Review family, juvenile, and criminal court rules.

Tier II: Amend family, juvenile, and criminal court rules as needed.

Recommendation 7.5

Ensure policies and procedures support victim participation and safety throughout the court process (e.g., closed-circuit cameras, victim advocates, etc.).

Tier I: Document that at least 25% of criminal courts have policies and procedures that support victim participation and safety.

Tier II: Document that at least 75% of criminal courts have policies and procedures that support victim participation and safety.

Recommendation 7.6

Review state, tribal, and local family, juvenile, and criminal court rules to ensure that they facilitate identification and adequate assessment of, as well as support service provision for, children and youth who have experienced trafficking. Consider establishing specialized courts or dockets for this population.

Tier I: Review family, juvenile, and criminal court rules.

Tier II: Amend family, juvenile, and criminal court rules as needed or establish specialized courts or dockets.

Recommendation 7.7

Review all licensing requirements for juvenile justice facilities and community-based programs to ensure they are able to address substance misuse, mental and physical health, and other needs of children and youth who have experienced trafficking. Amend requirements as needed.

Tier I: Review licensing requirements for juvenile justice facilities, including community-based programs.

Tier II: Amend licensing requirements as needed.

Recommendation 7.8

Require initial and ongoing assessments of children and youth in juvenile justice facilities, including community-based programs, to identify their needs and determine the most appropriate, least restrictive housing option.

Tier I: Document that at least 25% of facilities and programs run by the juvenile justice system have relevant policies and procedures for initial and ongoing assessments and have made documented efforts to use the most appropriate, least restrictive housing option.

Tier II: Document that at least 75% of facilities and programs run by the juvenile justice system have relevant policies and procedures for initial and ongoing assessments and have made documented efforts to use the most appropriate, least restrictive housing option.

Recommendation 7.9

Establish policies and procedures within juvenile justice facilities and community-based programs that address running away, peer recruiting, external safety threats, other safety risks, and safety planning for children and youth.

Tier I: Document that at least 25% of juvenile justice facilities and programs have relevant policies and procedures.

Tier II: Document that at least 75% of juvenile justice facilities and programs have relevant policies and procedures.

Recommendation 7.10

Judges should ensure local child welfare and juvenile justice policies include requesting a court hearing immediately when a child is missing from placement. Judges may consider some of the following actions, depending on their jurisdiction's laws, to encourage diligent efforts to locate a missing child:

- *Ensure law enforcement authorities immediately enter the child's name and identifying information into the FBI's National Crime Information Center's (NCIC's) Missing Person and Unidentified Person Files by providing documentation of such to the court.*
- *Judges can issue individual orders to social workers or juvenile justice workers or a standing order in their jurisdiction to report children missing from care to the National Center for Missing & Exploited Children (NCMEC) in compliance with the Preventing Sex Trafficking and Strengthening Families Act (P.L. 113–183).*
- *Order agencies to take updated photographs of a child who returns to care from a runaway episode, under conditions that promote the child's safety so as not to re-traumatize them.*
- *Require agencies to maintain current photos that are easily accessible in an electronic file.*
- *Report to law enforcement immediately if the child is missing from placement or runs away and provide documentation of the report to the court.*

Tier I: Document that at least 25% of child welfare and juvenile justice policies include requesting a court hearing immediately when a child is missing from placement.

Tier II: Document that at least 75% of child welfare and juvenile justice policies include requesting a court hearing immediately when a child is missing from placement.

Resources and Examples

The following non-exhaustive list of resources and examples can support the implementation of the recommendations described in this section:

- Davidson County: Human Trafficking Intervention Court
- Eleventh Judicial Circuit of Florida: G.R.A.C.E. Court (Growth Renewed through Acceptance, Change, and Empowerment)
- New York: Human Trafficking Intervention Courts
- Ohio: Changing Actions to Change Habits (CATCH) Specialized Docket and Human Trafficking Specialized Docket
- The Tribal Youth Training and Technical Assistance Center assists federally recognized tribes by providing consultations through email, telephone, and site visits as well as peer-to-peer dialogue and training, including teleconferences and web-based discussions.

IMPLEMENTATION

Courts and, in particular, judges play a critical role in the day-to-day implementation of justice and victims' rights. Judges control the courtroom and are the final arbitrators of decisions that will affect the lives of offenders and victims. While judges have an obligation to ensure that the criminal and juvenile justice systems remain balanced and impartial, they also are responsible for ensuring that victims are aware of and able to exercise their statutory rights.

Judges must ensure that the court process is conducted in a timely and trauma-informed manner. In cases of victim–offender intersectionality (when a child or youth engages in criminal activities as a result of their victimization), judges should consider the implications of this dynamic and assess the child's involvement in criminal activities from a victim-centered and trauma-informed perspective. After conviction, the criminal justice system continues to play a role in ensuring that victims receive proper notifications and information so that they can make important decisions regarding their safety.

Recommendation 7.11

Create protocols for criminal, juvenile, and family courts that address the sex trafficking of children and youth, including the safety and confidentiality of and service referrals for victims.

Tier I: Document that at least 25% of applicable courts have developed relevant protocols.

Tier II: Document that at least 75% of applicable courts have developed relevant protocols.

Recommendation 7.12

Consider the impact on and facilitate the input of crime victims with regard to plea agreements and sentencing.

Tier I: Document that at least 25% of criminal courts have procedures that give victims the opportunity to comment on plea agreements and sentencing.

Tier II: Document that at least 75% of criminal courts have procedures that give victims the opportunity to comment on plea agreements and sentencing.

Recommendation 7.13

Invite victim advocates to be present during criminal, juvenile, and family court cases or dockets involving the sex trafficking of children and youth.

Tier I: Document that at least 25% of applicable courts have invited a victim advocate who has received specialized training regarding human trafficking to be present during relevant cases or dockets.

Tier II: Document that at least 75% of applicable courts have invited a victim advocate who has received specialized training regarding human trafficking to be present during relevant cases or dockets.

Recommendation 7.14

Consider victim restitution in all cases of sex trafficking of children and youth.

Tier I: Document that at least 25% of convictions for the sex trafficking of children and youth have included victim restitution.

Tier II: Document that at least 75% of convictions for the sex trafficking of children and youth have included victim restitution.

Recommendation 7.15

Ensure that judicial personnel participate in all human trafficking task forces and interagency groups that address the sex trafficking of children and youth.

Tier I: Document participation in at least 50% of state and county task forces, multidisciplinary teams, and committees.

Tier II: Document participation in at least 75% of state and county task forces, multidisciplinary teams, and committees.

Resources and Examples

The following non-exhaustive list of resources and examples can support the implementation of the recommendations described in this section:

- American Bar Association: Judges' Journal: Human Trafficking
- Center for Court Innovation: Human Trafficking
- Cleveland Municipal Court: Human Trafficking Docket
- Human Trafficking and the State Courts Collaborative: Resources
- National Center for State Courts: Human Trafficking Resource Guide
- New York State Unified Court System: Human Trafficking Intervention Courts
- Shared Hope International: Responding to Sex Trafficking Victim–Offender Intersectionality: A Guide for Criminal Justice Stakeholders
- The Supreme Court of Ohio: Human Trafficking Bench Card
- Examples of state laws that mandate restitution for victims of sex trafficking: National Conference of State Legislatures: Human Trafficking State Laws

SECTION 8: DEMAND REDUCTION 60

For the purposes of this report, demand reduction refers to any effort to reduce the purchase of sex from a minor. As long as the demand to purchase sex with children and youth exists, traffickers will continue to view children and youth as commodities from which to profit. To address the sex trafficking of children and youth comprehensively, demand must be addressed through inclusion in states' response models.

The commercial sex trade is a robust industry driven by the same market forces that affect any other business. If the demand for sex with children and youth did not exist, the sex trafficking of children and youth would greatly diminish. High demand for commercial sex, whether or not it is specific to children and youth, puts pressure on the market to provide supply. As a result, traffickers target those most vulnerable. This puts children and youth at greatest risk of exploitation, because traffickers recognize that not only are they more vulnerable, but they are easier to manipulate and control.

As professionals develop strategic plans, protocols, and response models to reduce demand using a public health approach, it is important that interventions include social and educational efforts, as well as criminal justice-based solutions. The following key components should be considered:

- Addressing demand for children and youth in all stakeholder trainings
- Assessment and enforcement of existing criminal statutes and investigative and prosecutorial practices that address demand for children and youth
- Demand reduction efforts specific to the sex trafficking of children and youth
- Education and awareness regarding the demographics of sex buyers as compared to sex trafficking victims to understand the power and control dynamics of exploitation
- Identification, deterrence, arrest, and prosecution of buyers
- Prevention through public awareness and education about the harms of sex buying and the role of buyers as exploiters
- Technology-based interventions to address demand for children and youth on a wider scale

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Based on the requirements outlined in federal legislation as well as their experience in the field, the National Advisory Committee has developed the following recommendations for state systems, including child welfare, regarding demand reduction and its role in supporting children and youth who have experienced or are at risk of experiencing sex trafficking. Given their role in promoting the safety and well-being of children and youth, the Committee recommends that personnel in state systems, including child welfare, review this report in its entirety.

TRAINING

Training addressing demand reduction and human trafficking can help raise awareness that demand directly fuels the sex trafficking of children and youth. Training and public education based on current research can help counter messaging that normalizes purchasing sex with children and youth and bring attention to the significant impact of high-frequency buyers in encouraging this type of exploitation.

To discuss demand comprehensively, training should address the societal, community, relationship, and individual factors that facilitate demand and discuss how demand reduction efforts can be implemented at the public policy, community, organizational, interpersonal, and individual levels. In addition, training

should include information on current and potential demand reduction efforts taking place throughout the United States as well as buyer-focused investigative techniques. States should consider using remote and online training options to facilitate widespread dissemination.

Recommendation 8.1

Integrate information on the importance of holding buyers accountable into all mandated training, especially training for law enforcement, prosecutors, and judges.

See additional training recommendations in the Law Enforcement and Prosecution and Judiciary sections of this report.

Tier I: Document that at least 25% of training for law enforcement, prosecutors, and judges includes information on reducing demand.

Tier II: Document that at least 75% of training for law enforcement, prosecutors, and judges includes information on reducing demand.

Recommendation 8.2

Integrate demand reduction efforts into public awareness and prevention efforts regarding sex trafficking.

Tier I: Document that at least 25% of public awareness and prevention efforts include information on reducing demand.

Tier II: Document that at least 75% of public awareness and prevention efforts include information on reducing demand.

Resources and Examples

The following non-exhaustive list of resources and examples can support the implementation of the recommendations described in this section:

- Demand Abolition
- The Epik Project
- Men As Peacemakers: Don't Buy It Project
- National Center on Sexual Exploitation: Face the Demand: Challenging Beliefs, Buyers, and Businesses Fueling Sex Trafficking
- Reportjohn.org
- TraffickCam

POLICIES AND PROCEDURES

To address demand effectively, law enforcement and prosecutors must implement policies and procedures that support and prioritize reducing demand in conjunction with investigations of sex

traffickers over the arrest and adjudication of potential victims of sex trafficking. In addition, states should engage the public (e.g., local government agencies, military) and private sectors (e.g., private companies, foundations) to adopt policies that reduce demand.[35]

Recommendation 8.3

Establish policies within law enforcement agencies that support and prioritize reducing demand over arresting potential victims of sex trafficking, and support the use of demand reduction enforcement and prosecution to facilitate the identification and prosecution of buyers, traffickers, and exploiters, identify and locate potential victims, and promote community safety.

Tier I: Document that at least 25% of law enforcement agencies have implemented relevant policies.

Tier II: Document that at least 75% of law enforcement agencies have implemented relevant policies.

Recommendation 8.4

Establish policies within prosecutor's offices that prioritize the prosecution of buyers over the adjudication of potential victims of sex trafficking.

Tier I: Document that at least 25% of prosecutor's offices have implemented relevant policies.

Tier II: Document that at least 75% of prosecutor's offices have implemented relevant policies.

Resources and Examples

The following non-exhaustive list of resources and examples can support the implementation of the recommendations described in this section:

- Businesses Ending Slavery and Trafficking
- Children's Healthcare of Atlanta: Resources on Demand for Human Trafficking
- National Conference of State Legislatures: Human Trafficking State Laws – Addressing Demand for Commercial Sex
- University of Minnesota: Mapping the Market for Sex with Trafficked Minor Girls in Minneapolis: Structures, Functions, and Patterns

[35] The Justice for Victims of Trafficking Act of 2015 amended the federal definition of a severe form of sex trafficking by adding "patronizes or solicits" to acts involved in the crime. The Frederick Douglass Trafficking Victims Prevention and Protection Reauthorization Act of 2018 established a federal interagency working group to examine the role of demand reduction and for the U.S. Department of Justice to identify tactics and strategies used by state and local human trafficking task forces to reduce demand. Patronizing and pandering are also chargeable offenses for service members under Article 134 of the Uniform Code of Military Justice.

IMPLEMENTATION

Comprehensive response models to address sex trafficking must include efforts to reduce demand. Buyers of sex may be among all levels of society, including within the systems and political arenas charged to respond to this issue. Therefore, developing, implementing, and enforcing meaningful practices to address demand may face resistance. Raising awareness and a zero-tolerance policy demonstrated by high-level leadership toward those who engage in commercial sex acts with children and youth are the first steps toward implementation.

Proactive implementation of demand reduction efforts may disrupt demand at the point of sale. Examples of efforts to reduce demand at the point of sale include:

- Cyber patrols[36]
- Illicit massage industry initiatives[37]
- Internet and social media outreach[38]
- Street-level initiatives, including initiatives at major events that potentially increase demand

In addition, prosecution and diversionary programs may be used to hold buyers accountable and assert that states and communities will not tolerate or normalize the purchasing of sex with children and youth. Such programs focus on root causes of gender-based violence, educating offenders on the realities of sex trafficking, healthy relationships, treatment for sex offenders, and the legal and public health risks of purchasing sex.

Recommendation 8.5

> **Engage in law enforcement efforts that target demand, especially high-frequency buyers.**[39]
>
> **Tier I:** Document that at least 25% of law enforcement agencies have conducted an initiative to reduce demand.
>
> **Tier II:** Document that at least 75% of law enforcement agencies have conducted an initiative to reduce demand.

[36] Oregon Department of Justice. (2018). *Trafficking Intervention Advisory Committee meeting minutes*. Retrieved from https://www.doj.state.or.us/wp-content/uploads/2018/07/Trafficking_Intervention_AC_Minutes_03-16-2018.pdf

[37] Polaris. (2018). *Human trafficking in illicit massage businesses*. Retrieved from https://polarisproject.org/wp-content/uploads/2019/09/Human-Trafficking-in-Illicit-Massage-Businesses.pdf

Bouché, V. & Crotty, S. M. (2018). The red-light network: Exploring the locational strategies of illicit massage businesses in Houston, Texas. *Papers in Applied Geography 4*(2), 205–227. https://doi.org/10.1080/23754931.2018.1425633

[38] Rosenberg, T. (2019, April 9). A.I. joins the campaign against sex trafficking. *New York Times*. Retrieved from https://www.nytimes.com/2019/04/09/opinion/ai-joins-the-campaign-against-sex-trafficking.html

[39] The Villanova Law Institute to Address Commercial Sexual Exploitation. (2019, February 18). The 17th National Johns Suppression Initiative operation nets over 370 arrests. Retrieved from https://cseinstitute.org/the-17th-national-johns-suppression-initiative-operation-nets-over-370-arrests/

Resources and Examples

The following non-exhaustive list of resources and examples can support the implementation of the recommendations described in this section:

- childsafe.ai
- Demand Abolition: Who Buys Sex? Understanding and Disrupting Illicit Market Demand
- Exodus Cry: Preventing Sex Trafficking: Reducing Demand for Commercial Sex
- Seattle Against Slavery: Freedom Signal: Technology to Combat Online Sex Trafficking
- Shared Hope International: Demanding Justice Report 2014
- Shively, M., Kliorys, K., Wheeler, K., & Hunt, D. A National Overview of Prostitution and Sex Trafficking Demand Reduction Efforts, Final Report
- Street Grace: Gracie AI

Attention and resources must be allocated to effective prevention strategies to address the sex trafficking of children and youth. Research shows that children and youth at the highest risk of experiencing sex trafficking often have significant histories of prior exposure to Adverse Childhood Experiences (ACEs), including family and community violence.[40] A high correlation exists between children and youth involved in the child welfare and juvenile justice systems and sex trafficking victimization.[41]

Children and youth, especially those most at risk, must be equipped with the knowledge and skills to identify trafficking and the harm it causes, understand the misconceptions about commercial sex and discourage its glamorization, and navigate risky and exploitative situations effectively. Further, it is important to address vulnerability at all sociological levels as a prevention method, so that the child alone is not responsible for preventing their own exploitation.

The public health framework is essential in preventing the sex trafficking of children and youth. Understanding the levels of prevention (primary, secondary, and tertiary) is key to tailoring prevention efforts to each stage of victimization (i.e., pre-victimization, mid-victimization, post-victimization) and ensuring that appropriate resources and responses are allocated and developed for each level. While secondary prevention responds to trafficking victimization as it occurs and tertiary prevention targets the prevention of revictimization, this section will primarily focus on primary prevention — working to prevent human trafficking so that the sex trafficking of children and youth does not occur in the first place.[42]

Using the socioecological model of risk, states can address key factors that put children and youth at risk of experiencing sex trafficking. This includes attention to major social determinants of health, which can be addressed by social service providers at the individual and family levels and by the government at local and state levels. For example, professionals and government agencies can:

- Address homelessness
- Combat systemic bias and discrimination that leads to marginalization of groups due to race or ethnicity, gender identity, sexual orientation, disability, culture, or nationality
- Ensure that all children and youth have access to health care, regardless of income and immigration status
- Ensure that all workers, including low-income workers, have access to high-quality child care
- Increase individual and collective resilience by increasing family and community resources
- Reduce housing instability and homelessness
- Reduce poverty by ensuring that all workers earn a living wage

[40] Naramore, R., Bright, M. A., Epps, N., & Hardt, N. S. (2015). Youth arrested for trading sex have the highest rates of childhood adversity: A statewide study of juvenile offenders. *Sexual Abuse: A Journal of Research and Treatment, 29*(4), 396–410. https://doi.org/10.1177/1079063215603064

[41] U.S. Department of Health and Human Services, Administration for Children, Youth and Families. (2014). *Guidance to states and services on addressing human trafficking of children and youth in the United States*. Retrieved from https://www.acf.hhs.gov/sites/default/files/cb/acyf_human_trafficking_guidance.pdf

[42] U.S. Department of Health and Human Services, Office on Trafficking in Persons. (2019). *Information memorandum: Definitions and principles to inform human trafficking prevention*. Retrieved from https://www.acf.hhs.gov/sites/default/files/otip/im_definitions_and_principles_of_human_trafficking_prevention.pdf See the Screening and Identification and Service Provision sections of this report for additional recommendations targeting secondary and tertiary prevention.

Based on the requirements outlined in federal legislation as well as their experience in the field, the National Advisory Committee has developed the following recommendations for state systems, including child welfare, regarding prevention efforts to support children and youth who have experienced or are at risk of experiencing sex trafficking. Given their role in promoting the safety and well-being of children and youth, the Committee recommends that personnel in state systems, including child welfare, review this report in its entirety.

TRAINING

Primary prevention must incorporate training for all individuals who work with or provide services to children and youth, especially those who are most vulnerable. Other sections of this report address training recommendations for child welfare, juvenile justice, and other government and non-government providers who encounter children and youth who have experienced sex trafficking.

In addition, training to support prevention efforts, particularly primary prevention efforts, should heavily target educational and health care professionals who encounter children and youth *before* victimization. Such training should include baseline information on the public health approach and the three levels of prevention. Training should also incorporate information for parents and caregivers and help providers understand and address the systemic causes of exploitation with the ultimate goal of preventing harm from occurring.[43]

Prevention efforts must be multifaceted and target the root causes of trafficking and exploitation. Primary prevention efforts must focus on building protective factors, such as strengthening and creating healthy relationships, reducing risks within communal environments, and increasing buffers to violence.[44] Youth-centered prevention programming also includes youth leadership programming that provides opportunities to grow and learn in a supportive, non-judgmental space; develop knowledge and skills; build confidence and self-esteem; discover strength and resilience; and affect others positively.[45] States should consider using remote and online training options to facilitate widespread dissemination.

Effective training for professionals should address the following components:

- Building healthy relationships
- Connections between human trafficking and Adverse Childhood Experiences (ACEs)
- Internet safety and the role of technology and social media in recruitment and victimization
- Intersection of sex and labor trafficking victimization with other forms of violence
- Root factors, factors that increase risk, and corresponding protective factors that increase resilience of children and youth to sex trafficking at all levels of the socioecological model

[43] Center for Children & Youth Justice, Project Respect. (2016). W*ashington state model protocol for commercially sexually exploited children*. Retrieved from https://ccyj.org/wp-content/uploads/2018/07/Revised-Protocol-Feb-2016-v2.pdf
[44] U.S. Department of Health and Human Services, Office on Trafficking in Persons. (2019). *Information memorandum: Definitions and principles to inform human trafficking prevention*. Retrieved from https://www.acf.hhs.gov/sites/default/files/otip/im_definitions_and_principles_of_human_trafficking_prevention.pdf
[45] Lloyd, R. (2010). *From victim to survivor, from survivor to leader: The importance of leadership programming and opportunities for commercially sexually exploited and trafficked young women and girls*. Retrieved from https://issuu.com/gems/docs/from_victim_to_survivor__from_survivor_to_leader

Recommendation 9.1

Ensure that training for providers (including foster parents and runaway and homeless youth providers) who regularly engage with and could potentially intervene on behalf of children and youth includes information on the prevention of sex trafficking. Training should include information on systemic racism, cultural biases, and forms of discrimination, as they intersect with sex trafficking, as well as information and skill-building exercises on trauma-informed strategies for building resilience in children and youth.

See additional training recommendations in the Child Welfare and Service Provision sections of this report.

Tier I: Document that at least 25% of training curricula for those who regularly engage with and could potentially intervene on behalf of children and youth include strategies to prevent the sex trafficking of children and youth.

Tier II: Document that at least 75% of training curricula for those who regularly engage with and could potentially intervene on behalf of children and youth include strategies to prevent the sex trafficking of children and youth.

Recommendation 9.2

Ensure that providers in health centers funded through the Public Health Service Act Section 330 receive training and technical assistance to develop policies and procedures for employing a universal education approach to prevent and address the sex trafficking of children and youth.

Tier I: Document that at least 25% of Section 330 health centers have received training and technical assistance.

Tier II: Document that at least 75% of Section 330 health centers have received training and technical assistance.

Recommendation 9.3

Ensure that all school staff, including those working with students in early childhood, receive training regarding the sex trafficking of children and youth. Training should include information on systemic racism, cultural biases, and forms of discrimination, as they intersect with sex trafficking, as well as information and skill-building exercises regarding trauma-informed strategies for building resilience in children and youth.

Tier I: Document that at least 25% of school districts require training for staff.

Tier II: Document that at least 75% of school districts require training for staff.

Recommendation 9.4

> **Conduct awareness events to educate community members, including caregivers, about human trafficking, prevention, bystander response, and demand for children and youth. Training should include information on systemic racism, cultural biases, and forms of discrimination, as they intersect with sex trafficking, as well as information and skill-building exercises regarding trauma-informed strategies for building resilience in children and youth.**
>
> *See additional training recommendations in the Demand Reduction section of this report.*
>
> **Tier I:** Document that at least 25% of counties have conducted community awareness events.
>
> **Tier II:** Document that at least 75% of counties have conducted community awareness events.

Resources and Examples

The following non-exhaustive list of resources and examples can support the implementation of the recommendations described in this section:

- Center for Children & Youth Justice, Project Respect: Washington State Model Protocol for Commercially Sexually Exploited Children
- Family & Youth Services Bureau, Runaway and Homeless Youth Training & Technical Assistance Center: Studying the Impact of Social Media and the Internet on Human Trafficking
- Futures Without Violence: The National Health Network on Intimate Partner Violence and Human Trafficking
- Georgia Statewide Human Trafficking Task Force: Georgia's Child Sexual Abuse & Exploitation Prevention Technical Assistance Resource Guide
- National Center for Missing & Exploited Children: NetSmartz Online Safety Education Program
- National Criminal Justice Training Center: Sex Trafficking Awareness Curriculums
- Office of the Texas Governor Child Sex Trafficking Team and the Meadows Mental Health Policy Institute: Road Map for Texas Communities to Address Child Sex Trafficking
- Office on Trafficking in Persons: Information Memorandum: Definitions and Principles to Inform Human Trafficking Prevention
- Ramsey County Attorney's Office and the Sexual Violence Justice Institute at the Minnesota Coalition Against Sexual Assault: Safe Harbor Protocol Guidelines
- Richmond Justice Initiative: Prevention Project
- Shared Hope International: iCARE: Training Healthcare Providers to Recognize and Care for Domestic Minor Sex Trafficking Victims
- Washington Coalition of Sexual Assault Programs: Commercial Sexual Exploitation, Abuse and Trafficking of Children and Youth: A Prevention and Intervention Resource Guide for Educators, Parents and Community Members

POLICIES AND PROCEDURES

A state's capacity to prevent the sex trafficking of children and youth depends upon systemic policy change to implement prevention programming and raise awareness. In addition to prevention education

programs, schools, child welfare systems, and juvenile justice systems should have policies and procedures for minimizing the risk that a child or youth may experience sex trafficking.

Given the significant correlation between system involvement (e.g., involvement with child protective services or the juvenile justice system) and sex trafficking victimization, states should be proactive in developing policies that respond to the chronic and acute risk factors that are sometimes exacerbated by system involvement. In addition to addressing risks, states should require that schools, child welfare systems, and juvenile justice systems provide comprehensive prevention education regarding sex trafficking to all system-involved children and youth as well as children and youth who are at risk of experiencing sex trafficking.

Recommendation 9.5

Ensure that providers in health centers funded through the Public Health Service Act Section 330 have policies and procedures for employing a universal education approach to prevent and address the sex trafficking of children and youth.

Tier I: Document that at least 25% of Section 330 health centers have relevant policies and procedures.

Tier II: Document that at least 75% of Section 330 health centers have relevant policies and procedures.

Federal: Provide technical assistance to support Section 330 health centers in developing relevant policies and procedures.

Recommendation 9.6

Ensure that state and local child welfare and juvenile justice agencies have conducted a comprehensive review to identify major risk factors for children and youth who are system-involved as well as opportunities to address these factors. This should include addressing vulnerabilities for sex trafficking at all socioecological levels.

Tier I: Document that at least 25% of state and local child welfare and juvenile justice agencies have conducted a comprehensive review.

Tier II: Document that at least 75% of state and local child welfare and juvenile justice agencies have conducted a comprehensive review.

Federal: Provide technical assistance to support child welfare and juvenile justice agencies.

Recommendation 9.7

Using findings from the review, implement a strategic plan to guide the development and implementation of policies, procedures, partnerships, and programs that reduce the risk of experiencing sex trafficking for system-involved children and youth.

Tier I: Document that at least 25% of child welfare and juvenile justice agencies have implemented strategies to reduce risk.

Tier II: Document that at least 75% of child welfare and juvenile justice agencies have implemented strategies to reduce risk.

Federal: Provide technical assistance to support child welfare and juvenile justice agencies to address major vulnerability factors such as housing instability, family violence, substance misuse, and poverty.

Recommendation 9.8

Establish policies and procedures that require middle and high schools to provide all students with basic information on sex trafficking. Require schools to provide research-based prevention education for students who are at risk of experiencing sex trafficking.

See the Child Welfare section of this report for recommendations regarding the definition of at-risk youth.

Tier I: Document that at least 25% of school districts have relevant policies and procedures.

Tier II: Document that at least 75% of school districts have relevant policies and procedures.

Federal: The Committee recommends that HHS provide guidance on minimum standards for prevention education on sex trafficking and identify examples of curricula for children and youth that meet such standards.

Recommendation 9.9

Establish policies and procedures requiring that all children and youth in the care of child welfare systems receive research-based prevention education on sex trafficking.

Tier I: Document that child welfare systems have relevant policies and procedures.

Tier II: Not applicable

Federal: The Committee recommends that HHS provide guidance on minimum standards for prevention education on sex trafficking and identify examples of curricula for children and youth that meet such standards. Further, the Committee recommends that federal agencies allow funding to be allocated to the provision and evaluation of prevention services.

Recommendation 9.10

Establish policies and procedures requiring that all children and youth in the care of juvenile justice systems receive research-based prevention education on sex trafficking.

Tier I: Document that juvenile justice systems have relevant policies and procedures.

Tier II: Not applicable

Federal: The Committee recommends that HHS provide guidance on minimum standards for prevention education on sex trafficking and identify examples of curricula for children and youth that meet such standards. Further, the Committee recommends that federal agencies allow funding to be allocated to the provision and evaluation of prevention services.

Recommendation 9.11

Require all state-funded organizations serving system-involved children and youth to have policies and procedures for responding to disclosures of human trafficking and other forms of child abuse and neglect.

Tier I: Document that at least 25% of organizations have policies and procedures for responding to disclosures.

Tier II: Document that at least 75% of organizations have policies and procedures for responding to disclosures.

Resources and Examples

The following non-exhaustive list of resources and examples can support the implementation of the recommendations described in this section:

- National Coalition to Prevent Child Sexual Abuse and Exploitation: Six Pillars for Prevention
- Ohio Human Trafficking Task Force: Human Trafficking Prevention Plan
- Prevention Institute: The Spectrum of Prevention

IMPLEMENTATION

Schools are uniquely positioned to ensure that all children and youth are aware of sex trafficking and that those at risk receive comprehensive prevention education. Similarly, given the significant correlation between system involvement and sex trafficking exploitation, child welfare and juvenile justice agencies must also ensure that children and youth involved in their systems receive prevention education.

Prevention education on sex trafficking can be incorporated into existing prevention education programs and curricula or provided through standalone programs and curricula. Either way, it is imperative that the programs and curricula are supported by the best available evidence base. In addition, programs and curricula should require regular review and evaluation to ensure they remain updated and effective.

Research has shown that simply providing information to children and youth is not effective; therefore, prevention education efforts must incorporate skills-building, including the skills needed to build healthy

relationships and respect for human rights, so that children and youth are able to respond to potentially dangerous and exploitative situations. In addition, given the significant role technology can play in the grooming, recruitment, and exploitation of children and youth, prevention efforts should include information on internet safety.

Information on available resources should also be provided to all children and youth who receive prevention education, and programs should include strategies to increase help-seeking behaviors. Such information may include local and national resources such as national hotline numbers (e.g., human trafficking, domestic violence, suicide, crisis, substance misuse, mental health, LGBTQ2S+, and runaway hotlines).

Recommendation 9.12

Provide all students in middle and high schools with information on sex trafficking and building healthy relationships (e.g., through assemblies, health class, or other prevention curricula).

Tier I: Document that at least 25% of middle and high schools have provided information on sex trafficking to students.

Tier II: Document that at least 75% of middle and high schools have provided information on sex trafficking to students.

Federal: Issue guidance for social media platforms to set default privacy settings to the highest level for minors.

Recommendation 9.13

Provide research-based prevention education on sex trafficking to all students in middle and high school who are at risk of experiencing sex trafficking.

Tier I: Document that at least 25% of schools have provided prevention education on sex trafficking to students who are at risk.

Tier II: Document that at least 75% of schools have provided prevention education on sex trafficking to students who are at risk.

Recommendation 9.14

Ensure that all children and youth in the care of child welfare systems receive research-based prevention education on sex trafficking that is appropriate to their stage of development.

Tier I: Document that at least 25% of children and youth have received prevention education.

Tier II: Document that at least 75% of children and youth have received prevention education.

Recommendation 9.15

Ensure that all children and youth in the care of juvenile justice systems receive research-based prevention education on sex trafficking.

Tier I: Document that at least 25% of children and youth have received prevention education.

Tier II: Document that at least 75% of children and youth have received prevention education.

Recommendation 9.16

Ensure that violence prevention programs supported by state offices specifically address the sex trafficking of children and youth.

Tier I: Document that at least 25% of violence prevention programs specifically address the sex trafficking of children and youth.

Tier II: Document that at least 75% of violence prevention programs specifically address the sex trafficking of children and youth.

Resources and Examples

The following non-exhaustive list of resources and examples can support the implementation of the recommendations described in this section:

- Centers for Disease Control and Prevention: Dating Matters: Strategies to Promote Healthy Teen Relationships
- Futures Without Violence: Coaching Boys Into Men (CBIM)
- iEmpathize: See How Your State Rates on Exploitation Prevention in 2018
- Minnesota: Becoming a "No Wrong Door" Community
- National Institute of Justice: Safe Dates

States have the opportunity to use legislation to show their commitment to addressing and preventing the sex trafficking of children and youth. Policies and procedures should be used to hold traffickers accountable while improving and enhancing protective measures for those who are victimized and vulnerable.

Legislative changes that are comprehensive and developed with broad input from stakeholders are more likely to be implemented successfully.[46] Therefore, it is important that state executives, state agency administrators, and state legislators have access to government and non-government reports and research and that they engage regularly with local subject matter experts and leaders, prioritizing survivor expertise to understand victimization trends, effectiveness of programs, and policies needed to address gaps and strengthen human trafficking laws.

When preparing to advance legislative and regulatory changes, states should carefully consider the timeline to implement new legislation and regulations, including adequate preparation time for training, process changes, and budgeting. Input from stakeholders can help ensure legislative deadlines are feasible without placing an unnecessary burden on implementing entities.

As states work to advance legislation and address the sex trafficking of children and youth, state executives, state agency administrators, legislators, subject matter experts, and leaders in the field should be aware that for victims over the age of 18, federal law distinguishes between sex trafficking (22 U.S.C. § 7102(12)) and severe forms of sex trafficking (22 U.S.C. § 7102(11)(A)), with most funding resources tied to addressing severe forms of sex trafficking. This distinction does not exist in most state statutes; therefore, it is important that all stakeholders understand this distinction and include accurate terminology and definitions in their training and public awareness materials. States may want to consider making services and protections available to all victims of sex trafficking, as defined under federal law, and not just victims of severe forms of sex trafficking.

Every state has adopted laws that criminalize the sex trafficking of children and youth.[47] However, it is important to recognize that some trafficking cases are prosecuted under other state statutes.[48] Pleading cases out to lesser charges can effectively hold offenders accountable while protecting victims from having to testify in court.[49] However, other statutes often result in lesser penalties.[50] As states look at

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[46] Shared Hope International. (2015). *JuST Response state system mapping report: A review of current statutes, systems, and services responses to juvenile sex trafficking*. Retrieved from https://sharedhope.org/wp-content/uploads/2015/09/JuST-Response-Mapping-Report-Final-web.pdf

[47] National Conference of State Legislatures. (2020). Human Trafficking State Laws. https://www.ncsl.org/research/civil-and-criminal-justice/human-trafficking-laws.aspx

[48] See, e.g., Marcelo, P. (2019, May 26). State prosecutors struggle with human trafficking cases. Associated Press News. https://apnews.com/a27f0cb72b4a48ca96f9b8249480d579, which states that a substantial amount of human trafficking defendants were convicted of "lesser but related crimes, such as prostitution."

[49] See, e.g., Scaramucci, J. M. (2020, June 25). Reducing the need for victim testimony in human trafficking cases. Notes from the Field. https://nij.ojp.gov/topics/articles/reducing-need-victim-testimony-human-trafficking-cases, which describes the investigation and trial as potentially "re-traumatizing" for the victim. See also Clawson, H. J., Dutch, N., Lopez, S., & Tiapula, S. (2008). Prosecuting human trafficking cases: Lessons learned and promising practices. U.S. Department of Justice. https://www.ncjrs.gov/pdffiles1/nij/grants/223972.pdf, which lists additional challenges to prosecution, such as a lack of cooperation or availability from the victims.

[50] See, e.g., Witherspoon, T. (2019, September 23). Plea deal may free defendant in sex trafficking case. Waco Tribune-Herald. https://wacotrib.com/news/local/crime-and-courts/plea-deal-may-free-defendant-in-sex-trafficking-case/article_b559d716-cf11-5f25-b04a-bfa799b1c820.html, in which a defendant charged with sex trafficking pleaded guilty to unlawful restraint and was sentenced to only two years in prison, while the dismissed trafficking charge may have resulted in up to twenty years in prison.

addressing child and youth sex trafficking all stakeholders should be aware and consider the impact of related laws on protections for children and youth.[51]

Based on the requirements outlined in federal legislation as well as their experience in the field, the National Advisory Committee has developed the following recommendations for state systems, including child welfare, regarding effective legislation and regulation to support children and youth who have experienced or are at risk of experiencing sex trafficking. Given their role in promoting the safety and well-being of children and youth, the Committee recommends that personnel in state systems, including child welfare, review this report in its entirety.

Recommendation 10.1

Remove criminal liability for victims under the age of 18.

Tier I: Remove criminal liability for prostitution for children and youth who are victims of sex trafficking and provide access to an alternative, coordinated, non-criminal, service-based response.

Tier II: Remove criminal liability for other offenses committed by children and youth as a result of their human trafficking victimization and provide access to an alternative, coordinated, non-criminal, service-based response.

Extend non-criminalization of prostitution and ancillary offenses for youth under the age of 24 in accordance with the foster care age coverage option within the Justice for Victims of Trafficking Act (JVTA).

Recommendation 10.2

Address the sex trafficking of children and youth by addressing demand.

Demand can be addressed through the following legislative activities:

- *Confirm that the sex trafficking statute applies when an offender communicates with a law enforcement officer posing as a child.*
- *Enable sex buyers who promote the exchange of sex for money or anything of value among other potential buyers to be charged with a felony offense.*
- *Ensure that purchasing sex with a child or youth is a felony.*
- *Prohibit buyers of sex acts with children and youth from using a mistake of age defense.*
- *Require individuals convicted of purchasing sex with a child or youth to register as sex offenders.*

Tier I: Document that at least three of the above legislative activities have been enacted.

[51] See e.g., U.S. Department of Justice. (2014 June 18). Model state provisions on pimping, pandering, and prostitution. Office of Legal Policy. https://www.justice.gov/olp/model-state-provisions-pimping-pandering-and-prostitution, which explains that model provisions for pimping, pandering, and prostitution statutes are intended to supplement trafficking statutes.

Tier II: Document that all of the above legislative activities have been enacted.

Recommendation 10.3

Hold online communication platforms accountable for knowingly assisting, facilitating, or supporting the sex trafficking of children and youth.

Tier I: Assess state laws, including cyber safety laws, to determine ability to hold offending websites and social media platforms accountable.

Tier II: Make changes to state laws as needed.

Recommendation 10.4

Protect victims as they proceed through the criminal justice process.

Trauma-informed victim-witness testimony and protections include, but are not limited to:

- *Making closed-circuit testimony an option for trafficking victims*
- *Making recorded depositions an option for trafficking victims*
- *Permitting hearsay exception for eligible statements by trafficking victims*
- *Providing protections to victims by prohibiting cross-examination by alleged perpetrators (pro per/pro se)*

Tier I: Document that at least three of the above legal protections have been enacted.

Tier II: Document that all of the above legal protections have been enacted.

Recommendation 10.5

Ensure that state statutes designate the child welfare system as the state system responsible for identifying, assessing, and providing services to known or suspected victims of child sex trafficking.

Tier I: Ensure that child abuse definitions in state statutes include sex trafficking as defined by the Trafficking Victims Protection Act (TVPA) of 2000, as amended, which includes updates to the Child Abuse Prevention and Treatment Act (CAPTA).

Tier II: Ensure that child abuse definitions in state statutes include cases of sex trafficking in which the perpetrator is not a parent or lawful caregiver.

Resources and Examples

The following non-exhaustive list of resources and examples can support the implementation of the recommendations described in this section:

- Arizona State University School of Social Work: Youth Experiences Survey (YES)

- Child Welfare Information Gateway: Issue Briefs
- Covenant House; the Field Center for Children's Policy, Practice & Research; and the Loyola University Modern Slavery Research Project: Labor and Sex Trafficking Among Homeless Youth
- Human Trafficking Institute: 2017 and 2018 Federal Human Trafficking Report
- Minnesota Department of Health: Safe Harbor Evaluation Report
- Polaris: State Report Cards: Grading Criminal Record Relief Laws for Survivors of Human Trafficking
- Preventing Sex Trafficking and Strengthening Families Act – training and reporting requirements
- Rights4Girls: Survivor Protection: Reducing the Risk of Trauma to Child Sex Trafficking Victims
- RTI International: Human Trafficking and the Child Welfare Population in Florida
- Shared Hope International:
    - JuST Response Council Policy Paper
    - Issue Briefs, Section 5: Protective Provisions for Child Victims
        - Component 5.1 (Commercial sexual exploitation of children as sex trafficking)
        - Component 5.5 (Child sex trafficking as a form of abuse and neglect)
        - Component 5.6 (Non-familial child sex trafficking cases)
        - Component 5.9 (Post-adjudication/conviction)
        - Component 5.10 (Victim restitution and civil remedies)
    - Stop the InJuSTice Campaign
    - Seeking Justice: Legal approaches to eliminate criminal liability for child sex trafficking victims
    - Policy Brief: Vacatur of Delinquency Adjudications Arising From Trafficking Victimization and Expungement of Related Records
    - State Report Cards
    - JuST Response Council Protective Response Model
- Urban Institute: Estimating the Size and Structure of the Underground Commercial Sex Economy in Eight Major US Cities

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Rigorous data collection and evaluation related to state and federal efforts to combat the sex trafficking of children and youth should be used to inform training, prevention, service provision, and criminal justice responses to the issue. Comprehensive, aggregated data collection and storage in statewide databases enables states to identify trafficking trends and make decisions about prevention and intervention programs. Broad dissemination of research findings through publication in peer-reviewed literature can help build a much-needed evidence base to inform future programs, policies, and practices.[52]

Children and youth who have experienced sex trafficking interact with and are served by a multitude of public and nonprofit agencies. Data sharing across these agencies ensures that these children and youth have access to effective services, that service providers are held accountable to quality standards, and that services meet the needs of all children and youth who are exploited. Further, formal evaluation of staff training, staff behavior, victim services, and prevention efforts is critical to ensure optimal care of children and youth who have experienced or are at risk of experiencing sex trafficking. Such evaluation should include input from these children and youth as well as their caregivers (when safe).

Data collecting strategies must protect the confidentiality of those providing input, including informed consent of participants, protocols for limited scope releases of information, sharing only the level of information needed for the purpose of the release, and sharing only aggregated data unless or until individual data is needed. Children and youth should be included in evaluation efforts, but should have complete autonomy in deciding whether or not to participate in the evaluation process and should be compensated fairly for their time and expertise.

Data collection also ensures that law enforcement and prosecutors can proactively investigate and prosecute cases of sex trafficking of children and youth while engaging in effective efforts to reduce demand and prevent victimization. Data must be collected from investigation through adjudication, including charges, plea bargains, and conviction information, to bring greater understanding to trends in the sex trafficking of children and youth.

Finally, effective data informs legislation and regulation. To track the effectiveness of policy, it is imperative to analyze data before and after the implementation of policy. As states successfully develop and implement policies that support the collection and evaluation of data related to the sex trafficking of children and youth, other states can learn from those successes and adopt similar policies and legislation within their jurisdictions.

Based on the requirements outlined in federal legislation as well as their experience in the field, the National Advisory Committee has developed the following recommendations for state systems, including child welfare, regarding the role of research and data in supporting children and youth who have experienced or are at risk of experiencing sex trafficking. Given their role in promoting the safety and well-being of children and youth, the Committee recommends that personnel in state systems, including child welfare, review this report in its entirety.

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[52] Institute of Medicine & National Research Council. (2013). *Confronting commercial sexual exploitation and sex trafficking of minors in the United States*. https://doi.org/10.17226/18358

TRAINING

Training state stakeholders is essential in implementing legislative advancements and best practices for responding to the sex trafficking of children and youth. To be effective, training must be informed by accurate, validated research and evidence-based models. Many gaps remain in the field of human trafficking research, and existing research and evidence-based models may not be readily available to those in the field. Therefore, researchers need training to understand the implications and nuances related to the sex trafficking of children and youth so they can help inform data collection efforts and use available data to build a knowledge base that will contribute to the field of effective models. States should consider using remote and online training options to facilitate widespread dissemination.

Recommendation 11.1

Train researchers who interact with children and youth who have experienced or are at risk of experiencing sex trafficking about the dynamics of sex trafficking and trauma-informed approaches.

Tier I: Document the identification or creation and active marketing of a training curriculum for clinical researchers.

Tier II: Document that state officials have met with all Institutional Review Boards at the major academic institutions within the state to advocate for mandatory training for researchers conducting studies on the sex trafficking of children and youth.

Federal: Develop minimum standards for training regarding conducting trauma-informed research on human trafficking.

POLICIES AND PROCEDURES

For research to be based on accurate data, accurate definitions of trafficking must be used consistently by entities collecting data and those involved in synthesizing and analyzing the data. Reporting research findings and disseminating research to the field must exhibit the same consistency. Establishing policies that require sensitivity to and consistency with survivors' lived experiences ensures that research will not harm those it intends to help.

With these protections in place, data collection can occur through mandatory human trafficking reports by state agencies to the legislature or government office responsible for synthesizing and disseminating data collected from state agencies. In addition, accurate data collection should be used to develop policies consistent with current research and to measure the progress of publicly funded programs toward programmatic goals.

Recommendation 11.2

Ensure states are using standardized definitions and terminology when collecting and reporting data.

Tier I: Institute policies and protocols at state agencies that require the use of standardized definitions and terminology in the collection and reporting of data on the sex trafficking of children and youth.

Tier II: Require that state-funded programs and research comply with standardized definitions and terminology.

Recommendation 11.3

Develop and implement data sharing agreements to track cases of sex trafficking of children and youth, including information related to victim identification and service provision, across all state agencies. Such agreements should include standardized identifiers and definitions and established protocols regarding information sharing, protect the confidentiality of children and youth, and be limited in scope.

Tier I: Document that a data sharing agreement has been implemented in at least two child-serving systems (including criminal justice).

Tier II: Document that a data sharing agreement has been implemented in at least four child-serving systems (including criminal justice).

Federal: Issue guidance that defines key metrics (e.g., demographics, system involvement, service provision) that state agencies should include in data sharing agreements to ensure that youth are able to access services and coordinated care across multiple systems.

Recommendation 11.4

Develop and implement data sharing agreements between all public agencies and publicly funded private agencies that provide services to children and youth who have experienced sex trafficking. Such agreements should include standardized identifiers and definitions and established protocols regarding information sharing, protect the confidentiality of children and youth, and be limited in scope.

Tier I: Document that at least 25% of counties, regions, or states have implemented an interagency data sharing agreement between relevant agencies that includes common data codes and definitions.

Tier II: Document that at least 75% of counties, regions, or states have implemented an interagency data sharing agreement between relevant agencies that includes common data codes and definitions.

Recommendation 11.5

Require state agencies, including child welfare, juvenile justice, law enforcement, and prosecutor's offices, to collect and report aggregate data about the sex trafficking of children and

youth and their agency's response to the state legislature or governor's office for public dissemination.

Tier I: Document that state agencies have established policies and procedures for collecting and reporting aggregate data to the state legislature or governor's office.

Tier II: Document that all state agencies have established policies and procedures for collecting and reporting aggregate data to the state legislature or governor's office.

Recommendation 11.6

Require health centers funded through the Public Health Service Act Section 330 to collect and report uniform data set measures.

Tier I: Document that at least 25% of health centers have policies and procedures for collecting and reporting aggregate data on the sex trafficking of children and youth and their agency's response.

Tier II: Document that at least 75% of health centers have policies and procedures for collecting and reporting aggregate data on the sex trafficking of children and youth and their agency's response.

Federal: The Committee recommends that the Health Resources and Services Administration (HRSA) and the Bureau of Primary Health Care (BPHC) review proposed uniform dataset measures on human trafficking and develop a strategy to help Section 330 health centers increase engagement on this issue.

Resources and Examples

The following non-exhaustive list of resources and examples can support the implementation of the recommendations described in this section:

- Centers for Disease Control and Prevention: Exchange Sex Among High School Students — Washington, DC, 2017 This study provides an example of **incorrect** use of terminology that is **not** consistent with victimization and the experiences of survivors. The study uses the term "exchange sex" to describe the sex trafficking of minors in the District of Columbia.
- Futures Without Violence: The National Health Network on Intimate Partner Violence and Human Trafficking
- Shared Hope International:
  - JuST Response Council Policy Paper
  - Issue Briefs, Section 5: Protective Provisions for the Child Victims, Component 5.1

IMPLEMENTATION

Several states have enacted laws requiring agencies to report on their implementation of state and federal laws regarding the identification of and response to children and youth who have experienced

sex trafficking. Yearly analysis and reporting of this data in every state will help track progress and identify gaps and needs nationally. Regular evaluation of reporting mechanisms and results will help ensure accuracy in the data collection process. States should ensure data sharing agreements exist, especially among state agencies and tribal land, to facilitate proper use of data, maintain effective data sharing protocols, and protect the privacy of children and youth who have experienced trafficking. Further, data sharing agreements should include standardized definitions and data points that are collected consistently across all systems.

Recommendation 11.7

Evaluate training curricula regarding human trafficking to assess effectiveness and inform future revisions.

Tier I: Document that evaluations (e.g., pre-post tests) of one training curriculum have been collected and analyzed.

Tier II: Document that evaluations (e.g., pre-post tests) of two training curricula have been collected and analyzed.

Federal: Establish and/or fund a national database for evidence-based or evidence-informed training.

Recommendation 11.8

Devise a system for tracking all public awareness and prevention education programming and report data to the state legislature or governor's office for public dissemination.

Tier I: Develop a data collection system.

Tier II: Document data collection for at least 75% of counties and that data has been shared with the state legislature or governor's office.

Recommendation 11.9

Collect aggregate data about the number of children and youth who are screened, assessed, and provided services (including housing) related to sex trafficking. Report data to the state legislature or governor's office for public dissemination.

Tier I: Develop a data collection system.

Tier II: Document data collection for at least 75% of counties and that data has been shared with the state legislature or governor's office.

Federal: The Committee recommends that HHS issue a memo to specify data collection requirements for states to report in the Adoption and Foster Care Analysis and Reporting System (AFCARS) and the National Child Abuse and Neglect Data System (NCANDS).

Additionally, the Committee recommends that HHS issue data collection and evaluation recommendations for states seeking to evaluate data beyond federal data collection requirements.

Recommendation 11.10

Establish a system for monitoring and evaluating services and housing provided to known or suspected victims of sex trafficking.

Tier I: Document that at least 25% of relevant public agencies and publicly funded private agencies have a system for monitoring and evaluating services and housing provided to known or suspected victims of sex trafficking.

Tier II: Document that at least 75% of relevant public agencies and publicly funded private agencies have a system for monitoring and evaluating services and housing provided to known or suspected victims of sex trafficking.

Federal: Provide funding for research and evaluation of programs providing specialized services and housing to known or suspected victims of sex trafficking.

Recommendation 11.11

Collect data on the number of investigations, arrests, and prosecutions related to the sex trafficking of children and youth. Report data to the state legislature or governor's office for public dissemination.

Tier I: Develop a data collection system within the judicial branch.

Tier II: Document data collection for at least 75% of counties and that data has been shared with the state legislature or governor's office.

Recommendation 11.12

Develop a statewide system for gathering and disseminating data from agency reports on the implementation of state and federal laws that require the identification of and response to children and youth who have experienced sex trafficking.

Tier I: Publish an annual report on the effectiveness of state legislation and regulations.

Tier II: Using results from the annual report, determine the need for additional legislative amendments.

Resources and Examples

The following non-exhaustive list of resources and examples can support the implementation of the recommendations described in this section:

- Arizona State University School of Social Work: 2014 Las Vegas Sex Trafficking Case Study
- Center for Children & Youth Justice, Project Respect: Washington State Model Protocol for Commercially Sexually Exploited Children
- Child Welfare Council CSEC Action Team: Memorandum of Understanding Template for State and Federal Commercially Sexually Exploited Children (CSEC) Requirements
- Children's Advocacy Center of Suffolk County: SEEN Coalition
- Connecticut State Department of Children and Families: Human Anti-Trafficking Response Team (HART)
- Covenant House; the Field Center for Children's Policy, Practice & Research; and the Loyola University Modern Slavery Research Project: Labor and Sex Trafficking Among Homeless Youth
- Florida: Statewide Council on Human Trafficking
- Louisiana Human Trafficking Prevention Commission and Advisory Board Annual Report
- Louisiana's Governor's Office: State of Louisiana Child Sex Trafficking Project Report (Regional Community Response to Human Trafficking Symposiums)
- Office of the Texas Governor Child Sex Trafficking Team: Support Healing
- RTI International: Human Trafficking and the Child Welfare Population in Florida
- South Carolina Human Trafficking Task Force
- UC Berkeley School of Social Welfare: Child Welfare In-Service Training Evaluation
- Examples of states with statutorily required reporting of child sex trafficking:
    - Kentucky: Ky. Rev. Stat. § 620.029(2)(b) requires the Cabinet for Health and Family Services to: "By November 1 of each year . . . submit to the Legislative Research Commission a comprehensive report detailing the number of reports the Cabinet has received regarding child victims of human trafficking, the number of reports in which the Cabinet has investigated and determined that a child was a victim of human trafficking, and the number of cases in which services were provided."
    - Mississippi: HB 571 (2019) requires: "[The Department of Child Protective Services and/or the Statewide Human Trafficking Coordinator] shall provide an annual report to the Speaker of the Mississippi House of Representatives, the Lieutenant Governor, the Chairpersons of the House and Senate Judiciary Committees that includes the number of reports received, the number of cases screened in or out, the number of cases in which care and services were provided as a result of the report, and the type of care and services that were provided."

SECTION 12: FUNDING AND SUSTAINABILITY 85

The need for funding is significant in all disciplines and across all systems of care. As each dollar directly impacts services delivered and the continued ability to respond to the needs of children and youth who have experienced sex trafficking, developing innovative funding sources and partnerships will significantly enhance the success of state endeavors.

Due to the complex nature of their victimization, children and youth who experience sex trafficking often require many resources and services to address the immediate and long-term effects. Therefore, service providers, including those providing housing, must be able to obtain and maintain sustainable funding to meet victims' needs and provide the long-term support and services they require. In addition, criminal justice agencies must have adequate resources and investment in technology and personnel.

State and local agencies rely on funding allocated to them through the budgetary process associated with their particular government. Similarly, nonprofits and service providers often depend on federal and state grants to support their work. As funding becomes more restricted for state and local agencies, the process to access it becomes increasingly competitive. Therefore, states should identify additional funding streams.

The federal government provides funding to support states' efforts to address the sex trafficking of children and youth and meet their complex needs. However, federal funding streams alone cannot meet the needs of all communities. Therefore, some states have also designated funding to support law enforcement operations and investigations, support prosecution efforts, and assist victims of human trafficking. States should keep in mind these additional funding sources and grant opportunities, as they are constantly evolving.

Based on the requirements outlined in federal legislation as well as their experience in the field, the National Advisory Committee has developed the following recommendations for state systems, including child welfare, regarding funding to support children and youth who have experienced or are at risk of experiencing sex trafficking. Given their role in promoting the safety and well-being of children and youth, the Committee recommends that personnel in state systems, including child welfare, review this report in its entirety.

Recommendation 12.1

Pursue federal funding opportunities designed to help states address the sex trafficking of children and youth.

Tier I: Within a 12-month period, document that state agencies have pursued at least one federal funding opportunity.

Tier II: Within a 12-month period, document that state agencies have pursued at least three federal funding opportunities.

Recommendation 12.2

Use state block grants to address the sex trafficking of children and youth.

Tier I: Review block grants (e.g., VOCA, SSBG, CSBG, CDGB, PHHS) to identify where the state has discretion to amend or expand access to resources for victims of sex trafficking and amend as needed.

Tier II: Within a 12-month period, document that at least one block grant has been used to provide resources to victims of child and youth sex trafficking.

Recommendation 12.3

Develop policies and procedures that enable use of Title IV-E prevention services funds, authorized under the Family First Prevention Services Act (P.L. 115–123), to provide prevention education and meet the needs of children and youth who have experienced sex trafficking.

Tier I: Develop relevant policies and procedures.

Tier II: Document the use of Title IV-E prevention services funds in providing prevention education and meeting needs of children and youth who have experienced sex trafficking.

Federal: Issue a memo that clarifies that evidence-informed curricula on human trafficking can be included in the registry for the Family First Prevention Services Act.

Recommendation 12.4

Establish dedicated state funding for services for children and youth who have experienced sex trafficking.

Tier I: Establish a competitive bid process to award funding to programs providing specialized services to children and youth who have experienced sex trafficking.

Tier II: Establish dedicated funding, appropriated annually, to support programs providing specialized services to children and youth who have experienced sex trafficking and use federal funding where applicable (e.g., Medicaid's Early and Periodic Screening, Diagnosis, and Treatment [EPSDT] program).

Recommendation 12.5

Use data to demonstrate the need for ongoing funding.

Tier I: Pass statutes requiring state agencies to submit data (e.g., arrest, prosecution, referrals to child welfare) related to the sex trafficking of children and youth.

Tier II: Document that state legislatures use submitted data to assess and allocate funding to address the sex trafficking of children and youth.

Recommendation 12.6

Ensure asset forfeiture, fees, and fines can be collected from crimes associated with the sex trafficking of children and youth.

Tier I: Assess current asset forfeiture statutes, including assessing a victim's ease of navigating the process and ability to access funds. Create or amend statutes as needed.

Tier II: Based on a random sample of case records, document that at least 75% of applicable cases show evidence of efforts to collect asset forfeiture, fees, or fines.

Recommendation 12.7

After victim restitution has been provided, use remaining asset forfeitures, fees, and fines collected from crimes associated with the sex trafficking of children and youth to support victim services.

Tier I: Based on a random sample of case records, document that at least 25% of applicable cases show evidence of efforts to use remaining funds to support victim services.

Tier II: Based on a random sample of case records, document that at least 75% of applicable cases show evidence of efforts to use remaining funds to support victim services.

Recommendation 12.8

Develop public–private partnerships to support efforts to address the sex trafficking of children and youth.

Tier I: Within a 12-month period, document that at least two public–private partnerships have supported efforts to address the sex trafficking of children and youth.

Tier II: Within a 12-month period, document that at least five public–private partnerships have supported efforts to address the sex trafficking of children and youth.

Resources and Examples

The following non-exhaustive list of resources and examples can support the implementation of the recommendations described in this section:

- Federal Funding Resources
  - Department of Health and Human Services, Administration for Children and Families: Grants and Funding
  - Department of Housing and Urban Development: Continuum of Care (CoC) Program
  - Department of Justice
    - Bureau of Justice Assistance
    - National Institute of Justice

        - Office of Juvenile Justice and Delinquency Prevention
        - Office on Violence Against Women
        - Office for Victims of Crime
    - Grants.gov
- Florida Safe Harbor Act
- Kentucky Human Trafficking Victims Rights Act
- Office of the Texas Governor: Grant Funding to Prevent and Combat Human Trafficking and Care for Victims
- Training and technical assistance centers and professional development scholarships:
    - National Human Trafficking Training and Technical Assistance Center (NHTTAC)
    - Office for Victims of Crime Training and Technical Assistance Center (OVC TTAC)
    - Child Welfare Information Gateway
- In Connecticut, each state's attorney and police chief are required to report the number of trafficking-related arrests and prosecutions to the Trafficking in Persons Council on an annual basis (Public Act No. 17-129).
- Examples of state statutes that establish funding that can be used to support services administered by child welfare:
    - Arizona: Ariz. Rev. Stat. § 41-114
    - Louisiana: LA Rev Stat § 15: 539.2
    - Iowa: § 915.95
- Examples of state statutes that establish funding for services for victims of sex trafficking:
    - California: Welfare & Institutions Code § 16524.6 - 16524.11 and Pen. Code § 13837
    - Texas: Texas Sec. 531.383
    - Illinois: 30 ILCS 105/5.865
- Example of a state statute that allows minor victims of a sex trafficking to receive victim compensation after a time limitation requirement has passed:
    - Connecticut: Conn. Gen. Stat. Sec. 54-211(a)
- Example of a state statute that provides compensation to victims of sex trafficking:
    - Georgia: O.C.G.A. § 17-15-7 (a)(1)(D)

APPENDIX A: RESPONSIBILITIES OF THE COMMITTEE 89

The National Advisory Committee on the Sex Trafficking of Children and Youth in the United States (the Committee) was established in January 2017, as authorized by the Preventing Sex Trafficking and Strengthening Families Act (P.L. 113–183). The Committee advises the Secretary of Health and Human Services and the Attorney General on practical and general policies to improve the Nation's response to the sex trafficking of children and youth in the United States.

Duties of the Committee also include:

- Advising on practical and general policies concerning the cooperation of:
  - Federal, state, local, and tribal governments
  - Child welfare agencies
  - Social service providers
  - Physical health and mental health providers
  - Service providers
  - Federal, state, and local law enforcement
  - Juvenile detention centers
  - State or local courts that conduct or supervise proceedings relating to child welfare or social services for children, youth, and families
  - Runaway and homeless youth programs
  - Schools
  - Gaming and entertainment industry
  - Businesses and organizations that provide services to youth

- Advising on the development and implementation of:
  - Successful interventions with children and youth who are exposed to conditions that make them vulnerable to, or victims of, sex trafficking
  - Recommendations for administrative or legislative changes so that programs, properties, or other resources owned, operated, or funded by the federal government may be used to provide safe housing for children and youth who have experienced sex trafficking and support entities that provide such housing or assistance

- Advising on best practices and recommendations for states regarding:
  - Sample training materials, protocols, and screening tools to prepare individuals who administer social services to identify and serve children and youth who have experienced or are at risk of experiencing sex trafficking
  - Multidisciplinary strategies to identify victims, manage cases, and improve services for children and youth who have experienced or are at risk of experiencing sex trafficking
  - Sample protocols and recommendations for effective, cross-system collaboration
  - Criteria and guidelines for establishing safe residential placements for foster children and youth who have experienced sex trafficking as well as those identified by law enforcement
  - Training guidelines for caregivers of children and youth that are being cared for outside of the child's home

- Cross-system collaboration protocols and recommendations, including:
  - Strategies to identify victimization of children and youth
  - Strategies to collect, document, and share data across systems and agencies

- Strategies to help agencies better understand the type of sex trafficking involved, the scope of the problem, and the needs of the population to be served
- Strategies to address the demand for sex with children and youth
- Strategies to increase prosecutions of buyers
- Information on the degree of victim interaction with multiple systems

The Committee will coordinate with the National Governors Association, the Secretary of Health and Human Services, and the Attorney General to ensure that State Governors and child welfare providers are notified on a quarterly basis regarding best practices and recommendations. The Committee will notify states six months in advance that the Committee will be evaluating the extent to which states adopt the Committee's recommendations.

The Committee meets at least twice a year at the call of the Secretary of Health and Human Services. The HHS Administration for Children and Families supports the Committee and maintains Committee records at https://www.acf.hhs.gov/otip/partnerships/the-national-advisory-committee.

APPENDIX B: FEDERAL FUNDING FOR HOUSING AND SHELTER 91

U.S. Department of Housing and Urban Development

- Continuum of Care (CoC) Program grants
- Emergency Solutions Grants Program
- Housing Choice Voucher Program
- Public Housing Program
- Youth Homelessness Demonstration Program grants

U.S. Department of Health and Human Services

- Administration for Children and Families
  - John H. Chaffee Foster Care Independence Program
  - Title IV-E Foster Care Program
- Family and Youth Services Bureau
  - Basic Center Program
  - Maternity and Group Homes for Pregnant and Parenting Youth
  - Street Outreach Program
  - Transitional Living Program
- Office of Refugee Resettlement
  - Unaccompanied Refugee Minors Program
- Office on Trafficking in Persons
  - Victim assistance grants

U.S. Department of Justice

- Office for Victims of Crime
  - Housing Assistance for Victims of Human Trafficking
  - Human Trafficking Programs
- Office on Violence Against Women
- Grants and cooperative agreements

Tool Identifier	In-Depth	Short/ Rapid	Demographic	Environment	Available Online
Commercial Sexual Exploitation-Identification Tool (CSE-IT)		X	Ages 10+; sex trafficking only	Multiple settings, including child welfare and juvenile justice systems, schools, homeless youth shelters, health care and mental health settings	X
Human Trafficking Interview and Assessment Measure (HTIAM-14)		X	Homeless youth; sex trafficking and labor trafficking	Service provider setting	X
Human Trafficking Screening Tool (HTST/HTST-SF)	X	X	Ages 18–24; sex trafficking only	Runaway and homeless youth system settings	X
Quick Youth Indicators for Trafficking (QYIT)		X	Homeless youth; sex trafficking and labor trafficking	Service provider setting	X
Short Screen for Child Sex Trafficking		X	Ages 12–18; sex trafficking only	Health care setting	X
Vera Institute's Trafficking Victim Identification Tool (TVIT)	X	X	Ages 13+; sex trafficking and labor trafficking	Not specified	X

Victimization	
Abuse or Threatened Abuse of Law or Legal Process	The use or threatened use of a law or legal process, whether administrative, civil, or criminal, in any manner or for any purpose for which the law was not designed, in order to exert pressure on another person to cause that person to take some action or refrain from taking some action (18 U.S.C. § 1589(c)(1)).
Adverse Childhood Experiences (ACEs)	Potentially traumatic events that occur in childhood (0–17 years) such as experiencing violence or abuse; witnessing violence in the home or community; or having a family member attempt or die by suicide. Also included are aspects of the child's environment that can undermine their sense of safety, stability, and bonding such as growing up in a household with substance misuse, mental health problems, or instability due to parental separation or household members being in jail or prison.[53]
Child Abuse	Physical or sexual abuse or neglect of a child, including human trafficking and the production of child pornography (34 U.S.C. § 20302(4)).[54]
Commercial Sex Act	Any sex act, on account of which anything of value is given to or received by any person (18 U.S.C. § 1591(e)(3)).
Coercion	(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 law or the legal process (18 U.S.C. § 1591(e)(2)).
Debt Bondage	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(7)). Debt bondage includes a pledge of services by the debtor or someone under the debtor's control to pay down known or unknown charges (e.g., fees for transportation, boarding, food, and other incidentals; interest; fines for missing quotas; and charges for "bad behavior"). The length and nature of those services are not respectively limited and defined, where an individual is trapped in a cycle of debt that he or she can never pay down.[55]

[53] Centers for Disease Control and Prevention. (2020). Preventing adverse childhood experiences. Retrieved from https://www.cdc.gov/violenceprevention/childabuseandneglect/aces/fastfact.html

[54] States may also define child abuse and neglect in criminal statutes. These definitions provide the grounds for the arrest and prosecution of the offenders. For more information on the criminal aspects of child abuse and neglect: National District Attorneys Association. (2020). Child abuse. Retrieved from https://ndaa.org/programs/child-abuse/

[55] U.S. Department of Health and Human Services, Office on Trafficking in Persons. (2017). *Fact sheet: Human trafficking*. Retrieved from https://www.acf.hhs.gov/sites/default/files/otip/fact_sheet_human_trafficking_fy18.pdf

Involuntary Servitude	A condition of servitude induced by means of: (A) any scheme, plan, or pattern intended to cause a person to believe that, if the person did not enter into or continue in such condition, that person or another person would suffer serious harm or physical restraint; or (B) the abuse or threatened abuse of the legal process (22 U.S.C. § 7102(8)).
Peonage	A status or condition of involuntary servitude based upon real or alleged indebtedness (8 CFR § 214.11).
Serious Harm	Any harm, whether physical or nonphysical, including psychological, financial, or reputational harm, that is sufficiently serious, under all the surrounding circumstances, to compel a reasonable person of the same background and in the same circumstances to perform or to continue performing labor or services in order to avoid incurring that harm (18 U.S.C. § 1589(c)(2)).
Severe Form of Trafficking in Persons	(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, debt bondage, or slavery (22 U.S.C. § 7102(11)).
Sex Trafficking	The recruitment, harboring, transportation, provision, obtaining, patronizing, or soliciting of a person for the purpose of a commercial sex act (22 U.S.C. § 7102(12)). Additionally, a child shall be considered a victim of "child abuse and neglect" and of "sexual abuse" if the child is identified, by a State or local agency employee of the State or locality involved, as being a victim of sex trafficking or a victim of severe forms of trafficking in persons (42 U.S.C. § 5106g(b)(1)).
Sexual Abuse	Includes (A) the employment, use, persuasion, inducement, enticement, or coercion of any child to engage in, or assist any other person to engage in, any sexually explicit conduct or simulation of such conduct for the purpose of producing a visual depiction of such conduct; or (B) the rape, and in cases of caretaker or inter-familial relationships, statutory rape, molestation, prostitution, or other form of sexual exploitation of children, or incest with children (42 U.S C. § 5106g(a)(4)).
Slavery	The status or condition of a person over whom any or all of the powers attaching to the right of ownership are exercised (Article 1(1) of the 1926 Slavery Convention). The Bellagio-Harvard Guidelines on the Legal Parameters of Slavery expand on this legal definition of slavery, including defining "the powers attaching to the right of ownership" as "constituting control over a person in such a way as to significantly deprive that person of his or her individual liberty, with the intent of exploitation through the use, management, profit, transfer or disposal of that

	person." The guidelines further describe the distinction between slavery and forced labor and between slavery and "institutions and practices similar to slavery."
Trauma	Results from an event, series of events, or set of circumstances experienced by an individual as physically or emotionally harmful or life-threatening with lasting adverse effects on the individual's functioning and mental, physical, social, emotional, or spiritual well-being.[56]

Demographics	
Caregiver	Anyone who provides care for another person in need, such as a child, an aging parent, a husband or wife, a relative, friend, or neighbor. A caregiver also may be a paid professional who provides care in the home or at a place that is not the person's home.[57]
Child	An individual who is not more than 18 years of age (42 U.S.C. § 3030s(a)(1)). A State may elect to define that term for purposes of application of the Preventing Sex Trafficking and Strengthening Families Act as a person who has not attained the age of 24 (42 U.S.C. § 5106g(b)(2)).
Comprehensive response across federal, state, tribal, and local government and non-government sectors	A response that addresses a problem effectively by including all relevant entities in federal state, tribal, and local governments and non-government sectors.
Local	A county, city, town, township, parish, village, or other general purpose political subdivision of a State (34 U.S.C. § 30502(3)).
Minor	Any person under the age of eighteen years (18 U.S.C. § 2256(1)).
Native American	Of, or relating to, a tribe, people, or culture that is indigenous to the United States (25 U.S.C. § 3001(9)), inclusive of American Indians, Alaska Natives, and Native Hawaiians.

[56] U.S. Department of Health and Human Services, Substance Abuse and Mental Health Services Administration & Health Resources and Services Administration. (n.d.). Trauma. Retrieved from https://www.integration.samhsa.gov/clinical-practice/trauma

[57] U.S. Department of Health and Human Services, Office on Women's Health. (2019). Caregiver stress. Retrieved from https://www.womenshealth.gov/a-z-topics/caregiver-stress

Nonoffending Family Member	A member of the family of a victim of child abuse other than a member who has been convicted or accused of committing an act of child abuse (34 U.S.C. § 20302(6)).
State	A State of the United States, the District of Columbia, the Commonwealth of Puerto Rico, the Virgin Islands, American Samoa, Guam, and the Commonwealth of the Northern Mariana Islands (34 U.S.C. § 12552).
Survivor	A person who has survived an ordeal or trauma; includes both direct and indirect victims of crime. The term *survivor* emphasizes the strength and courage needed to survive a traumatic event.[58]
Tribal Government	(A) The governing body of an Indian tribe; or (B) a tribe, band, pueblo, nation, or other organized group or community of Indians, including any Alaska Native village or regional or village corporation, that is recognized as eligible for the special programs and services provided by the United States to Indians because of their status as Indians (34 U.S.C. § 12291(a)(36)).
Unaccompanied Child/Minor	The term "unaccompanied alien child" means a child who—(A) has no lawful immigration status in the United States; (B) has not attained 18 years of age; and (C) with respect to whom—(i) there is no parent or legal guardian in the United States; or (ii) no parent or legal guardian in the United States is available to provide care and physical custody (6 U.S.C. § 279(g)(2)).
Victim	A person that has suffered direct physical, emotional, or pecuniary harm as a result of the commission of a crime (34 U.S.C. § 20141(e)(2)).
Youth	For the purposes of this report, a youth is an individual between 18 and 24 years of age.

Victim Response and Service	
Case Management	The process of prioritizing, managing, supporting, and providing the services set forth in a victim/survivor service plan; this often includes assisting crime victims in coordinating tasks and following up with many different systems (e.g., criminal justice, civil legal systems, social services) to meet victim/survivor goals.[59]
Child and Youth-Centered	Any approach or philosophy of care that positions the child or youth at the center of the care (while acknowledging the importance of parents or caregivers and family). In addition, the approach or philosophy is linked to a consideration of childhood and the developing child; an acknowledgement of children as agents;

[58] U.S. Department of Justice, Office for Victims of Crime. (n.d.). Glossary. Retrieved from https://www.ovc.gov/model-standards/glossary.html

[59] U.S. Department of Justice, Office for Victims of Crime. (n.d.). Glossary. Retrieved from https://www.ovc.gov/model-standards/glossary.html

	and the promotion of opportunities for children to be engaged actively within their care. Furthermore, child and youth-centered care situates children, youth, and their interests at the center of thinking and service provision practice and involves the inclusion of children and young people as participants in their care and decision-making.[60]
Collaborative	Partnership between agencies and individuals committed to working together and contributing resources to obtain a common goal.[61]
Community Mapping	Maps that contain detailed information about social, economic, and political trends. Maps that can be constructed using Geographic Information Systems. [62]
Culturally and Linguistically Appropriate Services (CLAS)	Services that are respectful of and responsive to each person's health needs and preferences, taking into account cultural health beliefs and practices, preferred languages, health literacy levels, and communication needs.[63]
Demand Reduction	For the purposes of this report, demand reduction refers to any effort to reduce the purchase of sex from a minor.
Housing	Includes manufactured housing and manufactured housing lots, permanent housing for disabled homeless persons, transitional housing, single-room occupancy housing, and group homes. Housing also includes elder cottage housing opportunity units that are small, free-standing, barrier-free, energy-efficient, removable, and designed to be installed adjacent to existing single-family dwellings. Housing does not include emergency shelters (including shelters for disaster victims) or facilities such as nursing homes, convalescent homes, hospitals, residential treatment facilities, correctional facilities, halfway houses, housing for students, or dormitories (including farmworker dormitories) (24 CFR § 92.2).
Inclusive of Child and Youth Voices	The child's voice (or youth's voice) is a phrase used to describe the real involvement of children and youth. It means more than seeking their views, which could just mean the child saying what they want, rather than being really

[60] Ford, K., Campbell, S., Carter, B., & Earwaker, L. (2018). The concept of child-centered care in healthcare: A scoping review protocol. *JBI Database of Systematic Reviews and Implementation Reports*, *16*(4), 845–851. https://doi.org/10.11124/JBISRIR-2017-003464

[61] U.S. Department of Justice, Office for Victims of Crime. (n.d.). Glossary. Retrieved from https://www.ovc.gov/model-standards/glossary.html

[62] University of Kansas, Community Tool Box. (2020). Chapter 3. Assessing community needs and resources, Section 16. Geographic information systems: Tools for community mapping. Retrieved from https://ctb.ku.edu/en/table-of-contents/assessment/assessing-community-needs-and-resources/geographic-information-systems/main

[63] U.S. Department of Health and Human Services, Office of Minority Health. (n.d.). What is CLAS? Retrieved from https://www.thinkculturalhealth.hhs.gov/clas/what-is-clas

	involved in what happens. Children and youth should have the opportunity to describe things from their point of view. They should be continually involved, and have information fed back to them in a way that they can understand. There should always be evidence that their "voice" has influenced the decisions that professionals have made. The child or youth needs to be seen as an active partner who can usefully add to what is being set up for them.[64]
Long-Term Therapeutic Family Treatment Center	A State licensed or certified program that enables parents and their children to live together in a safe environment for a period of not less than 6 months and provides, on-site or by referral, substance abuse treatment services, children's early intervention services, family counseling, legal services, medical care, mental health services, nursery and preschool, parenting skills training, pediatric care, prenatal care, sexual abuse therapy, relapse prevention, transportation, and job or vocational training or classes leading to a secondary school diploma or a certificate of general equivalence (42 U.S.C. § 1320a–9(a)(8)(B)).
Minimal Facts Interview	The process of gathering only as much information as needed to report so that an investigation can begin.[65]
Multidisciplinary Response to Child Abuse	A response to child abuse that is based on mutually agreed upon procedures among the community agencies and professionals involved in the intervention, prevention, prosecution, and investigation systems that best meets the needs of child victims and their nonoffending family members (34 U.S.C. § 20302(5)). For purposes of this report, "multidisciplinary response" refers specifically to the context of child and youth sex trafficking.
Multidisciplinary Team (MDT)	A group of people comprised of representatives from three or more disciplines who work collaboratively, bound by a common purpose, and characterized by shared decision-making, partnership, interdependency, balanced power, and protocol development.[66]
Person-Centered Approach	Promotes the safety and well-being of individuals and minimizes potential re-traumatization associated with criminal justice and other intervening processes. For the anti-trafficking response system, this can include providing support through victim advocates and service providers, empowering survivors as engaged participants, and providing survivors an opportunity to play a role in seeing their traffickers brought to justice. The person-centered approach plays a critical role in supporting a victim's rights, dignity, autonomy, and self-determination, while simultaneously advancing the government's and society's interest in prosecuting traffickers and protecting and assisting victims.

[64] Islands Safeguarding Children Partnership. (n.d.). Child's voice. Retrieved from http://iscp.gg/article/118088/Childs-Voice
[65] Penn State Office of Human Resources. (n.d.). Reporting child abuse: Minimal facts interview. Retrieved from http://creativegroup.psu.edu/client/pcar_nophp-final/module3/3.6.3.html
[66] U.S. Department of Justice. (n.d.) Introduction to multidisciplinary teams. Retrieved from https://www.justice.gov/elderjustice/1-introduction-multidisciplinary-teams

Standards of Care	Standards of care are generally defined as the degree of watchfulness, attention, caution, prudence, and skill that a similarly qualified provider in a given community would exercise. If a provider's actions do not meet this standard of care, then their acts fail to meet the duty of care and may be deemed as negligent.[67]
Strengths-Based Practice	Policies, practice methods, and strategies that identify and draw upon the strengths of children, families, and communities. Strengths-based practice involves a shift from a deficit approach, which emphasizes problems and pathology, to a positive partnership with the family.[68]
Survivor-Informed	A program, policy, intervention, or product that is designed, implemented, and evaluated with intentional leadership and input from victims/survivors to ensure that the program or product accurately represents the needs, interests, and perceptions of the target victim population.[69]
Sustainability Plan	A tool that considers a full range of necessary resources and outlines specific strategies and action items toward long-term viability.[70]
System-Involved Youth	System-involved youth are involved in the child welfare or juvenile justice system. Systems-involved youth refer to youth who are involved in both systems, also known as cross-over, joint cases, dual-system served, or multi-system involved youth.[71]
Trauma-Informed Care (TIC)	Approaches delivered with an understanding of the vulnerabilities and experiences of trauma survivors, including the prevalence and physical, social, and emotional impact of trauma. A trauma-informed approach recognizes signs of trauma in staff, clients, and others and responds by integrating knowledge about trauma into policies, procedures, practices, and settings. Trauma-informed approaches place priority on restoring the survivor's feelings of safety, choice, and control. Programs, services, agencies, and communities can be trauma-informed.[72]

[67] American Psychiatric Association. (2020). The standard of care and state-based regulations in telepsychiatry. Retrieved from https://www.psychiatry.org/psychiatrists/practice/telepsychiatry/toolkit/standard-of-care-and-state-based-regulations

[68] U.S. Department of Health and Human Services, Children's Bureau, Child Welfare Information Gateway. (2008). An individualized, strengths-based approach in public child welfare driven systems of care. Retrieved from https://www.childwelfare.gov/pubs/acloserlook/strengthsbased/strengthsbased1/

[69] U.S. Department of Justice, Office for Victims of Crime. (n.d.). Glossary. Retrieved from https://www.ovc.gov/model-standards/glossary.html

[70] U.S. Department of Health and Human Services, Office on Trafficking in Persons, National Human Trafficking Training and Technical Assistance Center. (2018). *Grant management toolkit: Building sustainable anti-trafficking programs*. Retrieved from https://www.acf.hhs.gov/sites/default/files/otip/final_grant_management_toolkit_building_sustainable_anti.pdf

[71] U.S. Department of Health and Human Services, Children's Bureau, Child Welfare Information Gateway. (n.d.). Youth involved with juvenile justice and child welfare. Retrieved from https://www.childwelfare.gov/topics/systemwide/youth/collaboration/dualsystem/

[72] U.S. Department of Justice, Office for Victims of Crime. (n.d.). Glossary. Retrieved from https://www.ovc.gov/model-standards/glossary.html

Universal Education Approach	Universal interventions target the general population and are not directed at a specific risk group. Universal education measures address an entire population (national, local, community, school, or neighborhood) with messages and programs aimed at preventing human trafficking or the factors that could increase an individual's risk of experiencing trafficking. The mission of the universal education approach is to provide all individuals with the information and skills necessary to prevent the problem. The entire population is considered at risk and able to benefit from universal education programs.[73]
Victim-Centered Approach	Placing the crime victim's priorities, needs, and interests at the center of the work with the victim; providing nonjudgmental assistance, with an emphasis on client self-determination, where appropriate, and assisting victims in making informed choices; ensuring that restoring victims' feelings of safety and security are a priority and safeguarding against policies and practices that may inadvertently re-traumatize victims; ensuring that victims' rights, voices, and perspectives are incorporated when developing and implementing system- and community-based efforts that impact crime victims.[74]
Victimology	The study of the victims of crime and the psychological effects on them as a result of their experience.

Prevention	
Assessment	A process to evaluate or measure; the process of using interviews and case information to establish the victim's needs. In victim services, "assessment" does not refer to clinical assessment (e.g., diagnosing clinical disorders) unless the victim assistance provider is a licensed mental health provider.[75]
Primary Prevention	Stopping violence before it occurs, including strategies like healthy relationships and environments that reduce risks and increase buffers.[76]
Public Health Approach to Violence Prevention	The focus of public health is on the health, safety and well-being of entire populations and can be applied to violence and other health problems that affect populations. The approach contains a four-step process rooted in the scientific

[73] Delaware Health and Social Services. (n.d.) *Prevention definitions and strategies: Institute of Medicine (IOM) classification system*. Retrieved from https://dhss.delaware.gov/dhss/dsamh/files/pds.pdf
[74] U.S. Department of Justice, Office for Victims of Crime. (n.d.). Glossary. Retrieved from https://www.ovc.gov/model-standards/glossary.html
[75] U.S. Department of Justice, Office for Victims of Crime. (n.d.). Glossary. Retrieved from https://www.ovc.gov/model-standards/glossary.html
[76] Centers for Disease Control and Prevention. (2010). The levels of prevention. Retrieved from https://vetoviolence.cdc.gov/levels-prevention

	method: 1) define the problem; 2) identify risk and protective factors; 3) develop and test prevention strategies; and 4) assure widespread adoption.[77]
Screening	The process used by practitioners to identify trafficking experiences among patients, clients, etc.[78]
Secondary Prevention	Immediate responses to violence, including services like emergency and medical care that address short-term consequences.[79]
Social Determinants of Health	Conditions in the places where people live, learn, work, and play that affect a wide range of health risks and outcomes.[80]
Socioecological Model	A four-level model to understand violence and the effect of potential prevention strategies that includes individual, relationship, community, and societal levels.[81]
Tertiary Prevention	Long-term responses to violence, including approaches in the aftermath of violence that address trauma and rehabilitation of victims and perpetrators.[82]
Two-Generation Approach	Focuses on creating opportunities for and addressing needs of children and the adults in their lives. The approach recognizes that every family's composition is different and that families define themselves.[83]

Research and Data	
Best Available Research Evidence	Enables researchers, practitioners, and policy-makers to determine whether a prevention program, practice, or policy is achieving the intended outcomes. The more rigorous a study's research design (e.g., randomized control trials, quasi-experimental designs), the more compelling the research evidence.[84]

[77] Centers for Disease Control and Prevention. (2020). The public health approach to violence prevention. Retrieved from https://www.cdc.gov/violenceprevention/publichealthissue/publichealthapproach.html
[78] Urban Institute. (2017). *Pretesting a human trafficking screening tool in the child welfare and runaway and homeless youth systems*. Retrieved from https://www.urban.org/sites/default/files/publication/93596/pretesting_tool_0.pdf
[79] Centers for Disease Control and Prevention. (2010). The levels of prevention. Retrieved from https://vetoviolence.cdc.gov/levels-prevention
[80] Centers for Disease Control and Prevention. (2018). Social determinants of health: Know what affects health. Retrieved from https://www.cdc.gov/socialdeterminants/index.htm
[81] Centers for Disease Control and Prevention. (2020). The social-ecological model: A framework for prevention. Retrieved from https://www.cdc.gov/violenceprevention/publichealthissue/social-ecologicalmodel.html
[82] Centers for Disease Control and Prevention. (2010). The levels of prevention. Retrieved from https://vetoviolence.cdc.gov/levels-prevention
[83] Ascend at the Aspen Institute. (n.d.) What is 2gen? Retrieved from https://ascend.aspeninstitute.org/two-generation/what-is-2gen/
[84] Puddy, R. W. & Wilkins, N. (2011). *Understanding evidence part 1: Best available research evidence. A guide to the continuum of evidence of effectiveness*. Retrieved from https://www.cdc.gov/violenceprevention/pdf/understanding_evidence-a.pdf

Contextual Evidence	Based on factors that address whether a strategy is useful, feasible to implement, and accepted by a particular community.[85]
Evaluation	The systematic assessment of the processes and outcomes of a program with the intent of furthering its development and improvement; a collaborative process in which evaluators work closely with program staff to craft and implement an evaluation design that is responsive to the needs of the program. Evaluation of program staff performance should also occur regularly, with clear expectations and objective feedback on performance provided to staff.[86]
Evidence-Based Decision Making	Occurs when the best available research evidence is combined with the experiential evidence of field-based expertise and contextual evidence.[87]
Evidence-Based Practice	The objective, balanced, and responsible use of current research and the best available data to guide policy and practice decisions, such that outcomes for consumers are improved. Used originally in the health care and social science fields, evidence-based practice focuses on approaches demonstrated to be effective through empirical research rather than through anecdote or professional experience alone.[88]
Experiential Evidence	Based on professional insight, understanding, skill, and expertise that is accumulated over time and is often referred to as intuitive or tacit knowledge.[89]
Gap Analysis	The process of developing an understanding of inadequate plans or procedures, staffing, equipment and supplies, skills and expertise, and/or services.[90]
Needs Assessment	The development and refinement of well-established approaches to understanding the needs of a local population.[91]
Practice-Based Evidence	Documented and measured data that is based on real-world practice.[92]

[85] Puddy, R. W. & Wilkins, N. (2011). *Understanding evidence part 1: Best available research evidence. A guide to the continuum of evidence of effectiveness*. Retrieved from https://www.cdc.gov/violenceprevention/pdf/understanding_evidence-a.pdf
[86] U.S. Department of Justice, Office for Victims of Crime. (n.d.). Glossary. Retrieved from https://www.ovc.gov/model-standards/glossary.html
[87] Puddy, R. W. & Wilkins, N. (2011). *Understanding evidence part 1: Best available research evidence. A guide to the continuum of evidence of effectiveness*. Retrieved from https://www.cdc.gov/violenceprevention/pdf/understanding_evidence-a.pdf
[88] U.S. Department of Justice, National Institute of Corrections. (2009). Evidence-based practices (EBP). Retrieved from https://nicic.gov/evidence-based-practices-ebp
[89] Puddy, R. W. & Wilkins, N. (2011). *Understanding evidence part 1: Best available research evidence. A guide to the continuum of evidence of effectiveness*. Retrieved from https://www.cdc.gov/violenceprevention/pdf/understanding_evidence-a.pdf
[90] U.S. Department of Health and Human Services, Office of the Assistant Secretary for Preparedness and Response. (2019). Healthcare coalition resource and gap analysis tool. Retrieved from https://asprtracie.hhs.gov/technical-resources/resource/4526/health-care-coalition-resource-and-gap-analysis-tool
[91] Wright, J., Williams, R., & Wilkinson, J. R. (1998). Development and importance of health needs assessment. *BMJ*, *316*(7140), 1310–1313. https://doi.org/10.1136%2Fbmj.316.7140.1310
[92] Swisher, A. K. (2010). Practice-based evidence. *Cardiopulmonary Physical Therapy Journal*, *21*(2), 4. Retrieved from https://www.ncbi.nlm.nih.gov/pmc/articles/PMC2879420/

Validation	The scientific process to support or corroborate on a sound or authoritative basis.

Recommendations	
Tier I	Tier I shall provide States that have not yet substantively addressed the sex trafficking of children and youth with an idea of where to begin and what steps to take (42 U.S.C. § 1314b(d)(3)(A)).
Tier II	Tier II shall provide States that are already working to address the sex trafficking of children and youth with examples of policies that are already being used effectively by other States to address sex trafficking (42 U.S.C. § 1314b(d)(3)(A)).