

PUBLIC-PRIVATE PARTNERSHIP

Advisory Council to End Human Trafficking



ANNUAL REPORT



Photo Credit: Official White House Photo by Tia Dufour



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“The Public-Private Partnership Advisory Council to End Human Trafficking continues to be a voice for the voiceless across our country, leading the way by developing best practices on human trafficking prevention and services for survivors. I applaud their tireless efforts to champion freedom and bring hope to survivors across the United States.”

– Advisor to the President Ivanka Trump

Acknowledgments

As members of the Public-Private Partnership Advisory Council to End Human Trafficking (the Council), we would like to thank the numerous federal agencies that have supported the work of the Council by dedicating time to meet with Council members and to respond to our questions in preparation of this report. In particular, we express our appreciation to the President's Interagency Task Force to Monitor and Combat Trafficking in Persons (PITF) and the Senior Policy Operating Group (SPOG). We are most grateful to the Department of State's Office to Monitor and Combat Trafficking in Persons (DOS/TIP Office) who was critical to completion of this report.

Additionally, we express our appreciation to the members of the United States Advisory Council on Human Trafficking (USAC) who, despite challenges posed to our Council by the global COVID-19 pandemic, took the time to meet with our Council to advise us and to ensure our report is survivor informed.

We express appreciation to the U.S. Congress for establishing this Council. In particular, we express appreciation to former Senator Orrin Hatch, Senator Charles Grassley, and Representative John Curtis for authoring the legislation to create this Council. We also express appreciation to the Congressional leaders who made recommendations to the President on appointments of various members to the Council, including House Speaker Nancy Pelosi, Senate President Pro Tempore Charles Grassley, Senate Democratic Leader Charles Schumer and House Republican Leader Kevin McCarthy.

Lastly, we would like to thank President Donald Trump and Advisor to the President Ivanka Trump for making the eradication of the scourge of human trafficking a top focus of this Administration. We are grateful for their support of this Council and the need for non-profit organizations to have a voice in the federal government's efforts to prioritize the fight against human trafficking in the United States and throughout the world.



Introduction from Council Co-Chairs

The Council is a bipartisan initiative to bring the voices of private front-line non-profit organizations and academia to the table and provide recommendations to improve the federal government's anti-trafficking policies. Leveraging the unique strengths of the private sector, this Council provides advice and recommendations to the PITF and has a mandate to collaborate with the USAC, comprised of survivors.

As private sector professionals dedicated to reducing the incidence and prevalence of human trafficking and to improve services provided to survivors, we have designed this report to 1) utilize the collective expertise and experiential knowledge held by our Council members, 2) utilize robust and relevant evidence on policy effectiveness and the prevalence and characteristics of the issue, and 3) make specific and actionable recommendations for policy action.

This report was produced as our nation faced the COVID-19 pandemic and the challenges unique to our prevention and survivor care assignment. The collective experience on both fronts, will be an introduction to the need for assessing the damage to the anti-human trafficking movement as we emerge from unprecedented challenges.

Given the makeup and goals of the Council, it is outside the scope of this report to conduct in-depth evidence-based review on 'what works' in anti-human trafficking policy and practice. At the same time, we recognize the importance of using evidence to both support and challenge the ideas and recommendations of Council members.

With this in mind, the report will make recommendations for policy based on 1) the expertise of the Council members and supported by 2) evidence in the form of primary data, published and peer-reviewed studies, and localized private sector experience. We are confident that our recommendations represent a significant and important part of the private sector's contribution to ending human trafficking in the United States and globally, and hope that by incorporating evidence from both our own histories, as well as outside resources, this report's recommendations will close the gaps that will support prevention and survivor care policy at the federal level that will enhance private partnerships.

To highlight the issues identified and recommendations developed by the Council, this report includes real stories from the perspective of human trafficking victims/survivors. Some of these survivor stories are disturbing and we wish to warn readers that these sections of the report could be particularly troubling or triggering for some readers. Also, to highlight the issues and recommendations put forward by the Council, this report also includes various grassroots examples taken largely from the work of our Council's members and the non-profit organizations they represent on the Council. Because of the compressed timeline and limited resources the Council had while compiling this report, the report only highlights the work of a select few non-profit organizations — we recognize there are hundreds of organizations around the world doing incredible work and we regret that this report is not able to highlight the incredible work these worthwhile organizations are doing in the fight against human trafficking.

Please note that obtaining consensus among Council members with diverse backgrounds, geographic locations, and areas of expertise was beyond the timeline and scope of this report. Council members recognize that addressing demand is one element of a comprehensive response; however, there is still much debate with respect to prioritizing demand and the criminalization or decriminalization of prostitution and how both can affect survivors as well as how these issues are connected to funding.

Tim Ballard and Dr. Sandra Morgan, Council Co-Chairs

COVID-19 and Human Trafficking

On December 31st 2019, the WHO China Country Office was informed of several pneumonia cases that had an unknown cause; it was later learned that these cases were caused by a novel coronavirus, a strain now known as COVID-19 (World Health Organization, 2020). In the months that followed, borders closed, policies shifted, and infection rates rose and fell. In the first six months that the virus was present in the U.S., more than 5,023,649 people were infected, 161,842 died, and a majority of states experienced varying degrees of a formal “lockdown” – entering the country, along with most of the world, into a prolonged state of crisis.¹

Amidst this crisis, some elements of human trafficking have become less apparent. With stay at home orders and closed businesses, it is difficult to identify people being trafficked. As is the case in most emergencies, human trafficking may even have increased or at a minimum, moved further “underground.”²

As schools have shifted from in-person classes to virtual platforms, children’s time online has increased for both learning and socializing purposes, making children more vulnerable to online predators.³ Alongside of children increasing their time online, those accessing child sexual abuse materials (CSAM), which often intersects with online forms of sex trafficking, have increased their presence as well. EuroPol has reported significant increases in the number of successfully blocked attempts to access websites used for peer-to-peer sharing and communicating on the subject.⁴ The National Center for Missing and Exploited Children (NCMEC) has made similar observations in the U.S., reporting that they have seen as much as a 126% increase in Cyber Tipline reports (acknowledging some increase due to factors such as viral material), while also observing “predators openly discussing the pandemic as an opportunity to entice unsupervised children into producing sexually explicit material”.⁵

Pornography viewing has increased significantly during the pandemic as people have found themselves in isolation and working from home online. Studies have shown viewing pornography has a direct link to purchasing a human for sex.⁶ A study published in 2017 showed increased stress levels, relationship strains, depression, boredom, and even the eroticization of fear have driven people to view pornography.⁷ These challenges have likely increased during the pandemic. On March 13, 2020, PornHub offered free premium memberships in Italy, France, and Spain. Site traffic increased by 57 percent, 38 percent, and 61 percent in each country respectively. On March 17, its worldwide traffic was up by 26.4 percent.⁸ If extended, the Council intends to go into more depth into this issue in a future report.

1 Cases in the U.S. (2020, August 10). Retrieved August 08, 2020, from <https://www.cdc.gov/coronavirus/2019-ncov/cases-updates/cases-in-us.html>

2 Clark, A. & Gurung, A. (2018). The perfect storm: the impact of disaster severity on internal human trafficking. *International Area Studies Review*, Vol. 21 (4) 302-322.

3 “Children at Increased Risk of Harm Online During Global COVID-19 Pandemic,” UNICEF last modified April 14, 2020, accessed September 15, 2020 from <https://www.unicef.org/press-releases/children-increased-risk-harm-online-during-global-covid-19-pandemic>.

4 Europol (2020, June 2019). Exploiting Isolation: Offenders And Victims Of Online Child Sexual Abuse During The COVID-19 Pandemic.

5 Ochab, E. (2020, May 12). The Hidden Victims Of Covid19: Human Trafficking And Modern Day Slavery. *Forbes*. Retrieved July 20, 2020, from <https://www.forbes.com/sites/ewelinaochab/2020/05/11/the-hidden-victims-of-covid19-human-trafficking-and-modern-day-slavery/>

6 Paul J. Wright and Ashley K. Randall, *Internet Pornography Exposure and Risky Sexual Behavior among Adult Males in the United States*, 28 COMPUTERS IN HUMAN BEHAVIOR (2012): 1410–1416; See also Rachel Durchslag and Samir Goswami, Deconstructing the Demand for Prostitution: Preliminary Insights from Interviews with Chicago Men Who Purchase Sex, (Chicago, IL: Chicago Alliance Against Sexual Exploitation, 2008; Farley et al., “Comparing Sex Buyers with Men Who Don’t Buy Sex: ‘You Can Have a Good Time with the Servitude’ vs. ‘You’re Supporting a System of Degradation.’” Paper presented at Psychologists for Social Responsibility Annual Meeting July 15, 2011, Boston, MA. San Francisco: Prostitution Research & Education (2011).

7 J.J. Lehmiller, *The Psychology of Human Sexuality* (Second Edition) (Oxford, UK: Wiley Blackwell, 2017)

8 Madeleine Kearns, “Big Porn Seeks to Capitalize on the Pandemic,” *National Review*, March 24, 2020. <https://www.nationalreview.com/2020/03/coronavirus-lockdowns-porn-companies-see-opportunity-in-isolation/>.

In addition to society's shift online, there have also been changes in social support services. To restrict people interacting with one another, some housing shelters have needed to reduce capacity or close. Yet, the need for housing has increased; Council member Bruce Deel shared the experience of his organization, City of Refuge, Inc.: "demand for our services is at an all-time high and we are at maximum capacity... we refer as often as possible to other great programs but many of them are without availability as well." This disruption in housing services, along with decreased access to health care, legal and other services, can increase one's vulnerabilities to trafficking or re-trafficking, as well as being infected by COVID-19.⁹ Furthermore, COVID-19 has reinforced systemic and deeply entrenched economic and societal inequalities that are among the root causes of human trafficking. Combined, all these elements create a compounded disaster in which those who are vulnerable to human trafficking are also more likely to experience the effects of a secondary disaster, in this case, COVID-19 and vice versa.¹⁰

According to Council member Jennifer Jensen, organizations like the Global Family Care Network have been able to continue operations but have faced challenges due to the increased pressures of COVID-19 related procedures, team member challenges, and quarantine guidelines. Because of the nature of the COVID-19 pandemic, the pressure of maintaining staff who are now burdened by lack of child-care assistance and facing health concerns, was echoed by many members of the Council.



"We must commit ourselves to the goal of freedom. What traffickers are doing is an affront to the dignity of every human life. But we can stop traffickers, protect victims and work to prevent this crime. We welcome the recommendations of the PPPAC to help improve the federal government's anti-trafficking policies on prevention and survivor care."

- John Cotton Richmond
U.S. Ambassador-at-Large to Monitor and Combat Trafficking in Persons

9 United Nations Office on Drugs and Crime (UNODC) (n.d). Impact Of The Covid-19 Pandemic On Trafficking In Persons. https://www.unodc.org/documents/Advocacy-Section/HTMSS_Thematic_Brief_on_COVID-19.pdf

10 World Health Organization (2020, 21 January). Novel Coronavirus (2019-nCoV) Situation Report - 1. https://www.who.int/docs/defaultsource/coronavirus/situation-reports/20200121-sitrep1-2019-ncov.pdf?sfvrsn=20a99c10_4

About The Council

Council Co-Chairs:



Tim Ballard (Utah)

Tim Ballard is the Founder of Operation Underground Railroad, a nonprofit that fights against child sex trafficking. He is also the CEO of The Nazarene Fund which seeks to save oppressed religious minorities in the Middle East. Ballard spent over a decade working as a Special Agent for the Department of Homeland Security where he was deployed as an undercover operative. He has worked every type of case imaginable in the fight to dismantle child trafficking rings. He has worked undercover in the United States and in multiple foreign countries to infiltrate child trafficking organizations.



Dr. Sandra Morgan (California)

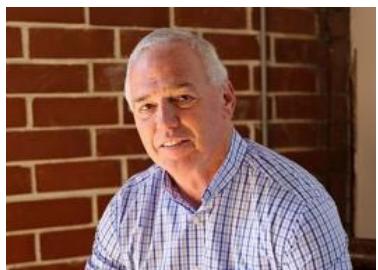
Dr. Sandra Morgan, an educator and nurse, is recognized globally for her expertise in combating human trafficking and working to end violence against women. Dr. Morgan's experience serving exploited women, men, and children includes direct care as a pediatric nurse, a volunteer with Doctors of the World (Athens, Greece) and as a past Administrator of the Orange County Human Trafficking Task Force (OCHTTF). She serves the Orange County CSEC (Commercial Sexual Exploitation of Children) Steering Committee partnering with Child Welfare and Juvenile Justice. She is the Director of Vanguard University's Global Center for Women and Justice.

Council Members:



Karen Cheeks-Lomax (New York)

Karen Cheeks-Lomax is CEO of My Sisters' Place and has led the agency since 2005. She served as Executive Director and General Counsel before becoming CEO. Karen has a long and rich history in providing legal services for battered women including her ten years as Director of General Litigation at Harlem Legal Services in New York City. She worked closely with the African American Task Force on Violence against Women which was co-founded by Harlem Legal Services. Prior to her work in Harlem, she served as an Assistant General Counsel with the Massachusetts Department of Social Services and was an Assistant Attorney General in the Torts Division for the Commonwealth of Massachusetts.



Bruce Deel (Georgia)

Bruce founded City of Refuge in 1997 with a desire to bring light, hope and transformation to one of Atlanta's most difficult neighborhoods. Now, 22 years later, City of Refuge provides housing, medical, dental and vision care, mental health services, childcare, vocational training and placement programs and a host of other services to those marginalized in Atlanta. The organization serves the homeless, victims of domestic violence and those who have survived sex trafficking and exploitation, along with those living in poverty in zip code 30314.

**Diana Mao (California)**

Diana is President of Nomi Network; and abolitionist whose mission is to completely eradicate human trafficking in her lifetime. A leader in the global movement to abolish slavery, she co-founded Nomi Network, a non-profit organization that provides workforce development, training, job opportunities, and career pathways for survivors and women at risk of human trafficking in Asia and the US, operating nine training centers. The organization works closely with international corporations to create jobs for survivors and access to ethical supply chains for consumers.

**Jennifer Jensen (California)**

Jennifer Jensen is the Founder and Executive Director of Global Family Care Network. She leads Global Family's network in nine countries with over 300 team members. Global Family's Daughter Project is a comprehensive and evidence-based effort towards the prevention, intervention, and restoration of young victims of human trafficking and exploitation. She has lived and worked in five countries, spending time in many others, to develop and launch locally imagined, asset based and sustainable efforts to protect children and preserve families in at risk communities around the world. Through her efforts, almost 200,000 children have been protected through community-based clubs and over

1500 cared for in trauma shelters, restoring the vast majority with their families. She has led the development of an education for prevention platform in the USA, PreSEHT.com, the creation of a girls' empowerment curriculum now translated into six languages, and oversees a model shelter for underage victims of commercial sexual exploitation in Kern County, California.

**Kevin Malone (Nevada)**

Kevin Malone is the President of the Board and Co-Founder with Geoff Rogers of the United States Institute Against Human Trafficking (USIAHT), a ministry dedicated and committed to ending the atrocity of sex trafficking of children in our own American cities, communities, and neighborhoods. They opened the first and only trafficked boy's safe home in America. Retired from Major League Baseball in 2001 after a 17-year career that included being General Manager of the Montreal Expos, Los Angeles Dodgers, and Assistant General Manager of the Baltimore Orioles, Kevin is ever the competitor who has always focused on winning through his leadership and team building skill.

**Esta Soler (California)**

Esta Soler is the President of Futures Without Violence and was a driving force behind passage of the Violence Against Women Act of 1994—the nation's first comprehensive federal response to the violence that plagues families and communities. Congress reauthorized and expanded the law in 2000, 2005, and 2013. Now, she is committed to passage of the International Violence Against Women Act to prevent gender-based violence on a global scale.



Kristin Weis (Oklahoma)

Since 2004, Kristin Weis and her husband Jason Weis have been pioneers in the fight against child sex trafficking and CSEC, along with their two children Joshua 18 years old and Hannah 16 years old. Kristin and Jason graduated Victory Bible College in 2008 with a certification in Children's Outreach Ministry. Following graduation, Kristin served as a National Director for a grassroots anti-trafficking organization until her position ended in January 2013, Kristin and Jason co-founded The Demand Project with the mission of eradicating child sex trafficking, online enticement and child abuse imagery, through prevention, prosecution, rescue and restoration. Kristin is the co-Founder and CEO for their non-profit and founded Mount Arukah, The Demand Project's residential campuses for underage girls 11-17 years of age. Kristin is a Private Investigator, State and Local Victim Crisis Advocate, Author of Awaken human trafficking training, VAST (Victim Advocate Support Team) and Traffick Stop, Co-developer of Journey to Freedom non-residential and residential programs, Empower Assembly for children and the Alternative2Prison Program.



Linda Smith (Washington)

Linda Smith is a leader in the global movement to end sex trafficking of women and children. She represented Washington State's Third Congressional District in the U.S. Congress from 1995-1999. She founded Shared Hope International to support shelter and service creation for sex trafficking survivors, provide training and deepen research for action and solutions. By partnering with local organizations, Shared Hope provides restorative care, shelter, education and job skills training through the Women's Investment Network (WIN). Linda founded the War Against Trafficking Alliance in 2001, engaging regional efforts to strengthen legislation and enforcement against sex trafficking around the world. Linda began a campaign to focus on demand as a primary effort to end sex trafficking by conducting field research, producing reports and documentaries to expose the realities and testifying before Congress in support of improved laws. After successful advocacy resulted in federal law changes targeting anti-demand efforts, Linda launched an initiative to annually assess and grade every state's laws as they relate to or impact domestic minor sex trafficking, resulting in state by state efforts across the nation to raise the grade.



Teresa Davison (Iowa)

Teresa fights against human trafficking as Iowa's first Anti-Human Trafficking Coordinator in a hospital, a board member of the Iowa Network Against Human Trafficking, and co-founder of Chains Interrupted, a non profit dedicated to fight human trafficking in Eastern Iowa and beyond. Teresa Davidson's passion to fight human trafficking began on a mission trip to Africa where she saw children being victimized by this crime. She has since led/served on mission trips to India, Nepal, Thailand, Burma the US and Guatemala to fight human trafficking. As a nurse practitioner, she has developed education, guidelines and protocols for health care professionals. Teresa has assisted hundreds of survivors within her own health care institution and community, and has trained health care professionals across the nation and world on research-based, best practices.

Statutory Duties of the Council

Pursuant to Pub. Law. 115-393, **the Council's duties are to:**

1. Meet at least annually, at the Council's discretion or at the request of the SPOG, to review federal policies and programs centered on:
 - a. Combating human trafficking, and
 - b. Providing services to survivors.
2. Serve, along with the United States Advisory Council on Human Trafficking, as a point of contact for federal agencies seeking input on policies and programs from human trafficking nonprofit groups and nongovernmental organizations.
3. Formulate assessments and recommendations to ensure that the policy and programming efforts of the Federal Government conform, to the extent practicable, to the best practices in the field of: a. human trafficking prevention, and b. rehabilitation and aftercare of human trafficking victims.
4. Meet with the Senior Policy Operating Group at least annually (but a minimum of 45 days before a meeting with the PITF) to formally present the Council's findings and recommendations.
5. Submit a report, not later than December 21, 2019 (one year after enactment of Public Law 115-393), in collaboration with the United States Advisory Council on Human Trafficking that contains the Council's findings on the extent to which federal policies and programs centered on combating human trafficking conform to best practices in the field of human trafficking prevention, and rehabilitation and aftercare of human trafficking victims.
6. Continue to submit an annual report that assesses the Council's findings on the extent to which federal policies and programs conform to identify best practices every year until the Council terminates.¹¹

¹¹ Public Law 115-393. 115th Congress. 132 Stat. 5265, <https://www.congress.gov/115/plaws/publ393/PLAW-115publ393.pdf>.

Methodology



Photo Credit: PPPAC

The statutorily mandated purpose of this report is to share the Council's findings and recommendations with regard to the Federal Government's compliance with best practices in the areas of "human trafficking prevention" and "rehabilitation and aftercare of human trafficking victims." In order to maximize the diverse experience and expertise of the Council members in assessing and evaluating the federal government's response to human trafficking, the Council decided to divide into two subcommittees: Prevention and Survivor Care. Each subcommittee was tasked with developing questions for the member agencies on their current responses to human trafficking and then evaluating those responses and developing recommendations for improving current approaches to better align with best practices.

Council members also considered several sources of information assessing agency policies and procedures that address human trafficking. Immediately following the Council's first in-person meeting and dividing into subcommittees, Council members started meeting with several federal agencies to begin collecting data for evaluating federal programs and policies. The pandemic required those in-person meetings to move to virtual platforms.

Lens for review:

- Best practices
- Identify gaps

Challenges and limitation:

- COVID-19
- With the legislation creating the Council enacted in late 2018, and the Presidential appointment processes completed by late 2019, the Council has had a short timeline-of less than one year-to meet and develop this report and recommendations.

The process:

Dividing into two subcommittees:

- Prevention
- Survivor Care

Sources of information for assessing agency policies and procedures:

- Written requests to agencies
- Agency meetings and webinars
- Freedom First Report¹²
- Federal Strategic Action Plan on Services for Victims of Human Trafficking in the United States 2013-2017
- U.S. Advisory Council on Human Trafficking Annual Reports (2016, 2017, 2018, and 2020)
- 2019 Report on U.S. Government Efforts to Combat Trafficking in Persons

The President's Interagency Task Force to Monitor and Combat Trafficking (PITF) AGENCY LIST:

Department of State (DOS)
Department of the Treasury (Treasury)
Department of Defense (DOD)
Department of Justice (DOJ)
Department of Interior (DOI)
Department of Agriculture (USDA)
Department of Commerce (DOC)
Department of Labor (DOL)
Department of Health and Human Services (HHS)
Department of Transportation (DOT)
Department of Education (ED)
Department of Homeland Security (DHS)
Domestic Policy Council (DPC)
National Security Council (NSC)
Office of Management and Budget (OMB)
Office of the United States Trade Representative (USTR)
Office of the Director of National Intelligence (ODNI)
Federal Bureau of Investigation (FBI)
U.S. Agency for International Development (USAID)
U.S. Equal Employment Opportunity Commission (EEOC)

12 “Freedom First in 2020,” U.S. Department of State, 2020, <https://www.state.gov/freedom-first-in-2020/>.

Council Subcommittees

Prevention Subcommittee

Co-Chairs:

- Jennifer Jensen
- Linda Smith

Members:

- Tim Ballard
- Karen Cheeks-Lomax
- Kevin Malone
- Sandra Morgan, PhD

Definitions

Human trafficking involves the use of force, fraud, or coercion to obtain some type of labor or commercial sex act.¹³ Human trafficking is considered a violent crime (physical and/or psychological violence) the prevention of which can be divided into three types:

- **Primary prevention** includes activities aimed at preventing trafficking before it starts—before the violence occurs. These activities address underlying risk factors, which include strategies to strengthen and foster healthy relationships, reduce risks within an individual’s environment, and increase buffers to violence.
- **Secondary prevention** provides an immediate response to trafficking as it occurs. It involves the provision of basic services, including emergency and medical care that address short-term needs.
- **Tertiary prevention** consists of long-term responses that occur in the aftermath of violence, such as rehabilitative services (e.g., long-term housing, residential care for children, job training, therapeutic counseling, and other supportive services) that seek to prevent revictimization.

The Social-Ecological Model is a public health framework that can be used to understand the complex interplay between individuals, relationships, communities, and societal factors that interact to contribute to individual risk of trafficking. A comprehensive and sustainable approach to prevention acting across these levels will better protect those at risk than a single or ‘flat’ intervention.¹⁴

The four levels of the Social-Ecological model are:

- **Individual:** biological and personal history factors that increase the likelihood of becoming a victim or perpetrator of violence. Individual factors include age, education, income, substance abuse, or history of behaving aggressively or experiencing abuse.
- **Relationship:** close relationships and how relationships increase the risk of becoming a victim or perpetrator of violence. Relationships include family, friends, intimate partners, and peers.

13 “What is Human Trafficking?”, Department of Homeland Security, 2020, <https://www.dhs.gov/blue-campaign/what-human-trafficking>.

14 Veto Violence, “Prevention Information,” Centers for Disease Control and Prevention, 2020, <https://vetoviolence.cdc.gov/violence-prevention-basics-social-ecological-model>.

- **Community:** settings in which social relationships take place and how the characteristics of those settings associated with becoming a victim or perpetrator of violence. Settings include schools, workplaces, and neighborhoods.
- **Societal:** factors that help create a climate in which violence is encouraged or inhibited. Societal factors include social and cultural norms and health, economic, educational, and social policies.

Social Determinants of Health

Social Determinants of Health (SDOH) are conditions (i.e., social, economic, and physical) in the environment in which people are born, live, learn, work, play, worship, and age that affect a wide range of health, functioning, and quality-of-life outcomes and risks. SDOH are part of communities and societies and affect the potential for violent outcomes such as human trafficking.

The “place-based” organizing framework developed by HHS called Healthy People 2020 includes five key areas of SDOH: economic stability, education, social and community context, health and health care, and neighborhood and built environment.¹⁵

Survivor Care Subcommittee

Co-Chairs:

- Kristin Weis
- Teresa Davidson

Members:

- Bruce Deel
- Diana Mao
- Esta Soler

Definitions:

Crucial within providing survivor care, is a trauma-informed approach, and practices that are survivor-centered, survivor-informed and culturally responsive.

- **Trauma:** “Experiences that can cause intense physical and psychological stress reactions.”¹⁶
- **Historical Trauma:** “Historical trauma is multigenerational trauma experienced by a specific cultural, racial or ethnic group. It is related to major events that oppressed a particular group of people because of their status as oppressed, such as slavery, the Holocaust, forced migration, and the violent colonization of Native Americans.”¹⁷

15 Healthy People, “Social Determinants of Health,” U.S. Department of Health and Human Services, 2020, <https://www.healthypeople.gov/2020/topics-objectives/topic/social-determinants-of-health>.

16 Substance Abuse and Mental Health Services Administration, *SAMHSA’s Concept of Trauma and Guidance for a Trauma-Informed Approach*, HHS Publication No. (SMA) 14-4884 (Rockville, MD: Substance Abuse and Mental Health Services Administration, 2014).

17 Administration for Children & Families, “Trauma,” Retrieved from <https://www.acf.hhs.gov/trauma-toolkit/trauma-concept>; See also, Nathaniel Vincent Mohatt, et. al., *Historical Trauma as Public Narrative: A Conceptual Review of How History Impacts Present-Day Health*, 106 Soc. Sci. Med. 128 (2014) available at <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC4001826/> (“Despite the multitude of terms, historical trauma can be understood as consisting of three primary elements: a ‘trauma’ or wounding; the trauma is shared by a group of people, rather than an individually experienced; the trauma spans multiple generations, such that contemporary members of the affected group may experience trauma-related symptoms without having been present for the past traumatizing event(s). It is distinct from intergenerational trauma in that intergenerational trauma refers to the specific experience of trauma across familial generations, but does not necessarily imply a shared group trauma. Similarly, a collective trauma may not have the generational or historical aspect, though over time may develop into historical trauma.”)

- **Trauma-Informed:** “A trauma-informed approach begins with understanding the physical, social, and emotional impact of trauma on the individual, as well as on the professionals who help them. This includes victim-centered practices. It incorporates three elements:
 1. Realizing the prevalence of trauma.
 2. Recognizing how trauma affects all individuals involved with the program, organization, or system, including its own workforce.
 3. Responding by putting this knowledge into practice.”¹⁸
- **Victim/Survivor-Centered:** “This approach is defined as the systematic focus on the needs and concerns of a victim to ensure the compassionate and sensitive delivery of services in a nonjudgmental manner.”¹⁹
- **Survivor-Informed:** “A survivor-informed practice includes meaningful input from a diverse community of survivors at all stages of a program or project, including development, implementation and evaluation.”²⁰
- **Culturally Responsive:** “Able to understand and consider the different cultural backgrounds of the people you teach, offer services to, etc.”²¹

The Trauma-Informed Care Model:

The Centers for Disease Control and Prevention Office of Public Health Preparedness and Response (OPHPR), in collaborations with the Substance Abuse and Mental Health Services Administration (SAMHSA) provides us with six guiding principles to a Trauma Informed Approach (see Figure 2).²²

6 GUIDING PRINCIPLES TO A TRAUMA-INFORMED APPROACH

The CDC's Office of Public Health Preparedness and Response (OPHPR), in collaboration with SAMHSA's National Center for Trauma-Informed Care (NCTIC), developed and led a new training for OPHPR employees about the role of trauma-informed care during public health emergencies. The training aimed to increase responder awareness of the impact that trauma can have in the communities where they work. Participants learned SAMHSA's six principles that guide a trauma-informed approach, including:



Adopting a trauma-informed approach is not accomplished through any single particular technique or checklist. It requires constant attention, caring awareness, sensitivity, and possibly a cultural change at an organizational level. On-going internal organizational assessment and quality improvement, as well as engagement with community stakeholders, will help to imbed this approach which can be augmented with organizational development and practice improvement. The training provided by OPHPR and NCTIC was the first step for CDC to view emergency preparedness and response through a trauma-informed lens.

18 Office for Victims of Crime, “Using a Trauma-Informed Approach,” Retrieved from <https://www.ovttac.gov/taskforceguide/eguide/4-supporting-victims/41-using-a-trauma-informed-approach/>

19 Office for Victims of Crime, “Victim-Centered Approach,” Retrieved from <https://www.ovttac.gov/taskforceguide/eguide/1-understanding-human-trafficking/13-victim-centered-approach/>

20 Trafficking Leadership Academy, “Survivor-Informed Practice: Definition, Best Practices, and Recommendations,” Retrieved from https://www.acf.hhs.gov/sites/default/files/otip/definition_and_recommendations.pdf.

21 Cambridge Dictionary, “Culturally Responsive,” Retrieved from <https://dictionary.cambridge.org/us/dictionary/english/culturally-responsive>

22 Substance Abuse and Mental Health Services Administration, SAMHSA's Concept of Trauma and Guidance for a Trauma-Informed Approach.

The 6 levels of the Trauma-Informed Care Model are:²³

1. **Safety:** Physical and psychological safety is deemed a high priority.
2. **Trustworthiness and Transparency:** Building and maintaining trust is imperative, and that starts with honesty and transparency.
3. **Peer Support:** Support from those who have similar lived experiences of trauma, and can understand in a way that others cannot, is important in a survivor's journey to recovery and healing.
4. **Collaboration and Mutuality:** Hierarchies of power are leveled and partnerships formed that empower everyone to play a role in the trauma-informed approach.
5. **Empowerment Voice and Choice:** Focusing on an individual's strengths and positive aspects of their experiences is critical in promoting resilience and providing a voice for survivors to play the primary role in their own recovery.
6. **Cultural, Historical and Gender Issues:** Recognition and respect of racial, ethnic, religious, gender and cultural differences as well as historical trauma are imperative in appropriately serving survivors of trauma.

²³ Substance Abuse and Mental Health Services Administration, SAMHSA's *Concept of Trauma and Guidance for a Trauma-Informed Approach*.



U.S. Advisory Council member Bella Hounakey delivers remarks at the White House Summit on Human Trafficking. Photo Credit: Official White House Photo by Andrea Hanks

“Trafficking has the complexity of creating invisibility because victims are often failed by: 1) society, 2) traffickers, and 3) system(s) after they are found. Therefore, efforts to combat human trafficking must also include rehabilitation and reintegration services specifically on reducing financial barriers that could cause a victim to return to their trafficker. We must find ways to support victims when we take on the journey to become productive members of society to reach our full potential. A pathway to self-sufficiency should not be an idea to which we only aspire.”

-Bella Hounakey
Abolitionist. Activist. Survivor

Prevention Subcommittee

Issue 1: Prevention education for at-risk individuals and families can prevent human trafficking.

Summary of Problem

Community responses to combat human trafficking, specifically focused on prevention of CSEC, are often not based on best practices in the field of juvenile risk prevention. Efforts across our national K-12 landscape are often inconsistent. Programs modeled after campaigns like the Drug Abuse Resistance Education (DARE) program that was based on warnings to children and youth were not found to have long term efficacy.²⁴ Many prevention programs are based on training parents; at risk children are more likely to have parents who are less involved in their lives or parents who are involved in their trafficking. The school-based prevention materials provided by the ED include, but are not limited to, health, internet safety (cyber-exploitation, bullying, sexting, etc.), social/community government, substance abuse (vaping, alcohol, and drugs), family violence, and dating violence. These issues all contain overlapping concerns and integrating human trafficking prevention into existing efforts would be a great help to schools as a primary source of prevention education delivery. Research shows best practice in prevention of risky behaviors is best attained through a local school supported peer-to-peer strength-based model.²⁵

Grassroot Experience

Dr. Sandra Morgan, Director of the Global Center for Women and Justice at Vanguard University and Council Co-Chair reports that in Orange County, California K-12 anti-human trafficking prevention efforts, there is inconsistent access to evidence based, quality prevention programming. This is especially notable when comparing socioeconomic status of school districts as it results in less funding for prevention training. Consequently, school administrators are unable to access evidence-based best practice resources.

Global Center for Women and Justice at Vanguard University

Prevention best practices include peer-to-peer, youth empowered programs, and asset-based prevention models that are key to developing stronger K-12 prevention in multiple areas of risk for our most vulnerable children and youth. Hart's Ladder provides an evidence-based participatory approach to empowering students.²⁶ Building assets in a child's life is the best way to prevent abuse, exploitation, and even addiction and delinquency. The Search Institute's 40 Developmental Assets offers one example for guidance for evidence-based prevention strategies. Research indicates students with low assets (<10) have increased rates of substance use, violence, and sexual activity; while, students with high assets (>30) have higher levels of health, leadership, and success in school and very low rates of illicit maladaptive behaviors.²⁷ Anti-trafficking education and prevention clubs for

24 Lynam, D. R., Milich, R., Zimmerman, R., Novak, S. P., Logan, T. K., Martin, C., Leukefeld, C., & Clayton, R. (2009). *Project DARE: No effects at 10-year follow-up*. In G. A. Marlatt & K. Witkiewitz (Eds.), *Addictive behaviors: New readings on etiology, prevention, and treatment* (p. 187–196). American Psychological Association. <https://doi.org/10.1037/11855-008>

25 American Horticultural Society, "Hart's Ladder of Participation Activity," Cornell University Cooperative Extension, Cornell Garden Based Learning, <https://cpb-us-e1.wpmucdn.com/blogs.cornell.edu/dist/f/575/files/2016/09/STSS.Harts-Ladder-of-Participation-19tvldl.pdf>; Search Institute, "The Developmental Assets Framework," Search Institute, 1997, <https://www.search-institute.org/our-research/development-assets/developmental-assets-framework/>.

26 American Horticultural Society, "Hart's Ladder of Participation Activity."

27 Search Institute, "The Developmental Assets Framework."

schools, incorporating developmental assets²⁸ and peer-to-peer youth empowered education²⁹ has been found to be one of the most effective prevention approaches. Youth clubs can be founded to build community and accountability between middle- and high-schools to educate youth about how to identify and safely respond to trafficking and exploitation and teach positive life lessons, including planning for the future and building healthy relationships. These clubs can be run in schools that opt to pilot a curriculum.

In our assessment of federal K-12 education prevention, ED was asked to identify existing curricular integrations or plans for such development; whether there are plans to develop training for school-based professionals; and if ED is working to partner with other agencies that target youth prevention where human trafficking is linked to substance abuse, violence, and other risk factors. The ED briefly responded,

“ED is unable to exceed the parameters of the law in responding to human trafficking and child labor exploitation in the nation’s education system. Under federal law, ED cannot mandate curriculum, but it has released a human trafficking tool kit to train stakeholders and practitioners on how to address trafficking in schools. In addition, ED has also released a series of webinars which share evidence-based strategies and cutting-edge methodologies for addressing trafficking on a school, local, and state level. A very conservative allowance of discretionary funding is assigned to ED without legislative mandate, and ED has voluntarily invested some of this critical resource to do Anti-Trafficking work that is within the confines of federal law.”³⁰

A review of stated resources as found on ED website includes a fact sheet last updated in 2013, DHS/Blue Campaign’s “Human Trafficking 101 for School Administrators”, and Staff 2-page pdf that cites NCMEC statistics of 300,000 US victims which is no longer used by NCMEC.³¹ ED partnered with HHS in 2017 to co-host the *Fighting Off the Wolves* event for awareness and prevention, promoting these resource links to external sites but not providing resources for prevention among school age children.³² They also created the 2014 Home Room Blog³³ for National Human Trafficking Prevention Month and the Integrating Human Trafficking with School Emergency Operations Plans (EOPS), *Human Trafficking in America’s Schools* in 2015, which served as a guide to human trafficking in American schools that is based on a model significant on-site school resource officer support.³⁴ The report also provides a link to Rescue and Restore toolkits which include materials for social services, law enforcement and health care providers, however, nothing for educators.

As noted, ED partners with other federal agencies to offer the above noted resources. Additionally, various PITF agencies have launched independent prevention efforts targeting children, including FBI, DHS, OJP, and DOD to name a few.

Resources specific to schools that promote current prevention best practice guidelines were also recommended by the USAC in its 2017 and 2020 reports.³⁵

28 Search Institute, “The Developmental Assets Framework.”

29 American Horticultural Society, “Hart’s Ladder of Participation Activity.”

30 ED, PITF agency consolidated response to PPPAC, July 2020

31 Office of Safe and Healthy Students, “Human Trafficking of Children in the United States,” U.S. Department of Education, 2013, Retrieved from <https://www2.ed.gov/about/offices/list/oese/osh/factsheet.html>; Blue Campaign, “Human Trafficking 101 for School Administrators and Staff,” U.S. Department of Homeland Security, U.S. Department of Education, Retrieved from [https://rems.ed.gov/\(X\(1\)S\(mway1wazig03ns0md1ias0yf\)\)/docs/Human%20Trafficking%20101%20for%20School%20Administrators%20and%20Staff.pdf](https://rems.ed.gov/(X(1)S(mway1wazig03ns0md1ias0yf))/docs/Human%20Trafficking%20101%20for%20School%20Administrators%20and%20Staff.pdf).

32 Jennifer Padgett, “Fighting Off the Wolves, ED and HHS Lost Landmark Human Trafficking Prevention Event,” U.S. Department of Education, 2017. <https://www.ed.gov/content/fighting-wolves-ed-and-hhs-host-landmark-human-trafficking-prevention-event>.

33 Birge, “Putting an End to Human Trafficking.” HomeRoom: The Official Blog of the U.S. Department of Education, 2014. <https://blog.ed.gov/2014/01/putting-an-end-to-human-trafficking/>.

34 Jeneé Littrell, *Human Trafficking in America’s Schools* (Washington, DC: Office of Safe and Healthy Students, 2015).

35 U.S. Advisory Council on Human Trafficking (USAC), *Annual Report 2017* (Washington, DC: U.S. Department of State, 2017), 13, Retrieved from <https://www.state.gov/united-states-advisory-council-on-human-trafficking-annual-report-2017/>; U.S. Advisory Council on Human Trafficking (USAC), *Annual Report 2020* (Washington, DC: U.S. Department of State, 2020), 15, Retrieved from <https://www.state.gov/united-states-advisory-council-on-human-trafficking-annual-report-2020/>.

Survivor Perspective

In addition to the USAC 2017 report, the USAC 2020 report focused on ED anti-trafficking programs. “We are grateful to ED and its six divisions the Council met with this year. . . . We urge ED to consider two-generation approaches when developing its anti-trafficking efforts (see pg. 26). We specifically hope to continue to coordinate with the Office of Safe and Supportive Schools to address prevention and services for LGBTQI, male, special needs, and indigenous young people who may be survivors or at risk of human trafficking as well as the Office of Migrant Education to increase awareness and support services relating to labor trafficking.”³⁶



36. USAC, *Annual Report 2020*, 15.

The Council recommends:

1. ED develops classroom ready human trafficking modules that are age-appropriate and integrate human trafficking prevention strategies in existing prevention materials that overlap risk factors (i.e. substance abuse, internet safety, dating violence). ED should prioritize funding to develop best practice school-based downloadable resources available at no cost to overcome the resource disparity across school districts. To be clear these resources would not be mandated, which is clearly outside legal parameters, but would be accessible.
2. ED develops and funds anti-trafficking education and prevention clubs for schools, incorporating developmental assets and peer-to-peer education.
3. The Senior Policy Operating Group should develop a Prevention Working Group to evaluate siloed agency educational materials for a more concerted best practice approach and fiscally responsible agenda to leverage limited funding/resources such as iGuardian and NetSmartz. This ad hoc working will promote interagency collaboration.³⁷
4. We stand with the USAC and the following recommendation from its 2019 report: DHS/Blue Campaign, DOJ/OVC, and HHS/OTIP enhance public awareness materials and incentives by increasing coordination with survivor leaders and marketing experts to better reach youth populations who may under-report trafficking.³⁸

37 HHS/OTIP, Briefing call with PPPAC, May 2020

38 U.S. Advisory Council on Human Trafficking (USAC), Annual Report 2019 (Washington, DC: U.S. Department of State, 2019), 19, Retrieved from <https://www.state.gov/united-states-advisory-council-on-human-trafficking-annual-report-2019/>

Issue 2: Develop, evaluate, fund, and assess prevention education to inform the DOS Trafficking in Persons Report tier rankings.

Summary of the Problem

The experiential knowledge of this Council and current evidence demonstrates that best practice approaches in prevention include trauma-informed education for at-risk individuals and communities, and technical training for individuals and industries who are most likely to identify and report human trafficking.³⁹ Incorporating a review of prevention efforts in the form of programs that educate children and mandated reporters on human trafficking into the DOS Trafficking in Persons (TIP) Report's country assessments is important as it would indicate whether governments are actively implementing prevention efforts that would reduce the prevalence and incidence of trafficking within their countries. This could be measured through conducting an assessment of national policies and programs that provide and/or mandate preventative interventions (including education for children and mandated reporters).

'At-risk' is a common phrase used by researchers and practitioners in the anti-human trafficking effort to describe when a person or community has a heightened vulnerability to exploitation compared to other similar individuals and communities. The phrase is often used as a broad categorization of target populations for which programs are implemented to prevent human trafficking. Someone may be more 'at-risk' in a particular geographic area if they display more of the risk factors that are prevalent in that specific area. For instance, a child may be more at-risk in South Asia if they come from a low-income, rural village in Western Nepal while a child in the United States may be more at-risk if they use social media in a manner that causes them to be more vulnerable than their peers.

Young children deserve to learn how to protect themselves from human trafficking and commercial sexual exploitation, and they need to know what to do if they suspect their peers have been affected. Equipping our children from a young age instills knowledge, creates awareness and equips youth with respect to this fight. Preventative education in schools and other community-based settings can target common risk factors for human trafficking and commercial sexual exploitation, including difficulty in forming trusting adult relationships, aggressive behavior, and normalization of the commercial sex industry.⁴⁰ Preventative education can increase knowledge of human trafficking and how to respond amongst youth.⁴¹

39 Charity Jensen et al., *Best Practices in Labor and Criminal Systems Enforcement and Coordination: A Review of Criminal, Civil, and Legal Policies and Interventions to More Effectively Combat Child Labor, Forced Labor, and Human Trafficking* (Washington, DC: Winrock International, 2020); Charity Jensen, Nicola Pocock, and Pauline Oosterhoff, *Human Trafficking in South Asia: Assessing the Effectiveness of Interventions* (London: Department for International Development, 2019); Karla Badillo-Urquiola et al., "Children's Perspectives on Human Sex Trafficking Prevention Education," *Group '20 Companion of the 2020 ACM International Conference on Supporting Group Work* (2020): 123-126; Rachel G. Salas and Kurt A. Didier, "California Adds Human Trafficking Prevention Training to its 7-12 Grade Curriculum: Should Other States Follow?," *The Clearing House* 93, no. 1 (December 2019): 12-18; Hanni Stoklosa et al., "Medical Education and Human Trafficking: Using Simulation," *Medical Education Online* 22, no. 1 (December 2017): 1412746; Rebecca M. Lutz, "Human Trafficking Education for Nurse Practitioners: Integration into Standard Curriculum," *Nurse Education Today* 61 (February 2018): 66-69.

40 Anne Kruger et al., "Sexualized and Dangerous Relationships: Listening to the Voices of Low-Income African American Girls Placed At Risk for Sexual Exploitation," *Western Journal of Emergency Medicine* 14, no. 4 (August 2013): 370-376.

41 Karla Badillo-Urquiola et al., "Children's Perspectives on Human Sex Trafficking Prevention Education," *Companion of the 2020 ACM International Conference on Supporting Group Work* (January 2020): 123-126.

Existing Solutions

Educational interventions targeted towards at-risk children represent and facilitate a number of best practice strategies to combat human trafficking. These include collaboration with local stakeholders (including schools and local organizations), and risk factor mitigation. Prevention education for youth, both programs provided for youth in school as well as in other community-based contexts for youth not in school, should not only educate children about what trafficking is, but it should also provide youth with information on how to identify, intervene (when and if appropriate) and report related incidents. Additionally, by integrating a number of lessons and activities that promote healthy child development, prevention education can also target and mitigate a number of risk factors that contribute to vulnerability to trafficking and exploitation. These include homelessness, low self-worth, drug and alcohol abuse, domestic violence, and young parenthood. Evidence also shows that by increasing awareness and knowledge of trafficking in a community, whether programs are provided in schools or in other contexts that target children who aren't going to school, prevention education can reduce the stigmas and barriers for survivors of trafficking who return home and look for alternative economically viable employment opportunities.⁴²

The criteria of a mandated reporter varies according to each country (and sometimes state/region). They often include educators and health care professionals. Potential reporters include any individual with regular contact with children, either through their work or otherwise. Suggested technical training recipients include law enforcement, educators, health care and mental health professionals, clergy, public assistance and social workers and employees of childcare institutions.

Training for mandated and potential reporters has been shown to result in increased knowledge of participants of the characteristics of trafficking and how to identify and report cases.⁴³ Training has also been shown to result in behavioral change amongst participants, who may take action in other ways in their jobs or otherwise to prevent and combat trafficking.

For instance, it is important that law enforcement are trained to effectively identify and interact with commercially sexually exploited youth in a trauma-informed manner.⁴⁴ When law enforcement are provided with resources to identify and protect victims, there is an increase in prosecuted traffickers, rescued victims, involvement of non-governmental organizations, incorporation of anti-trafficking curricula in education of law enforcement officials, and increase in positive media coverage that replace overly-sensationalized stories of trafficking.⁴⁵

Agency Responses

In its responses to our Council's questions, the State Department said that "Through the TIP Report, the Department of State assesses countries based on their governments' efforts to meet the 'minimum standards for the elimination of trafficking' found in section 108 of the TVPA."⁴⁶

42 Charity Jensen, "Toward evidence-based anti-human trafficking policy: a rapid review of CSE rehabilitation and evaluation of Indian legislation," *Journal of Evidence-Informed Social Work* 15, no. 6 (2018): 617-648.

43 Charity Jensen et al., *Best Practices in Labor and Criminal Systems Enforcement and Coordination: A Review of Criminal, Civil, and Legal Policies and Interventions to More Effectively Combat Child Labor, Forced Labor, and Human Trafficking* (Washington, DC: Winrock International, 2020)

44 Emily Salisbury, Jonathan Dabney, and Kelli Russell, "Diverting Victims of Commercial Sexual Exploitation From Juvenile Detention: Development of the InterCSECT Screening Tool," *Journal of Interpersonal Violence* 30, no. 7 (April 2015), 1247-76.

45 Richard Estes and Neil Alan Weiner, *The Commercial Sexual Exploitation of Minors in the U.S., Canada and Mexico* (Philadelphia, PA: University of Pennsylvania, 2001).

46 Amy Farrell et al., "Failing Victims? Challenges of the Police Response to Human Trafficking," Wiley Online Library (John Wiley & Sons, Ltd, July 31, 2019), <https://onlinelibrary.wiley.com/doi/full/10.1111/1745-9133.12456>; Amy Farrell. et. al., "Capturing Human Trafficking Victimization Through Crime Reporting," Office of Justice Programs' National Criminal Justice Reference Service (January 2019). Failing victims? Challenges of the police response to human trafficking. <https://www.ncjrs.gov/pdffiles1/nij/grants/252520.pdf>

Grassroot Experience

GFCN prevention education programs have resulted in a reduction in prevalence and incidence of human trafficking and child marriage in rural Nepal. Children (especially girls) in these areas face significant obstacles, placing many at risk of human trafficking. It is common for young girls to be kept home from school to care for younger siblings, work in agricultural fields, be given away in marriage at an early age or sent away for other labor opportunities. The result is that a high percentage of girls experience physical and sexual abuse and are at high risk of being trafficked. GFCN's prevention education programs delivered in schools, through community-based organizations and youth clubs, educate youth about how to identify trafficking and prevent it. These prevention education efforts have resulted in the reduction of trafficking and child marriage in Nuwakot, Nepal, a region of Nepal with a generational history of trafficking.

In addition to increasing knowledge, these programs have resulted in behavioral change amongst participants as well as the surrounding communities, and changes in mindsets with respect to a girl's value. There is an increase in understanding of the importance for girls to continue with their education and to be given similar opportunities as boys. Their prevention education aims to empower youth, becoming, by far, the most effective advocates, to take action against the issue of trafficking. A group of young girls in the Kathmandu Valley that recently completed a prevention education program have, in their community, advocated for child rights, petitioned against harassment at school, worked to keep their peers in attendance at school (as there is strong evidence that children who stay in school are at less risk of being trafficked), and subsequently taught students from other schools to form their own prevention efforts. They call themselves the Girls Choice Foundation, a fitting name for youth who choose to help protect one another.

Global Family Care Network (GFCN)



Photo Credit: Reuters

The Council recommends:

1. ED, HHS, DOS develop, evaluate, and fund evidence-based programs to educate at-risk youth and mandated reporters or other related professionals. Educational programs should be created and assessed according to the following criteria, which have been developed according to current best practices in prevention education: 1) Human trafficking basics (definitions; types of trafficking including labor trafficking, sex trafficking, and CSEC, prevalence of human trafficking; common tactics of recruiting and exploitation); 2) Identification (signs of exploitation including physical and behavioral signs; understanding when you or someone else may be trafficked); 3) Intervention (when to intervene; how to intervene; mandatory reporting; trauma-informed education); and 4) Prevention (practical approaches to prevention; understanding risk factors; building healthy relationships).
2. DOS incorporate the review of prevention education and training efforts undertaken in identifying and assessing national policies and programs that provide and/or mandate preventative interventions (including education for children and mandated reporters) in the annual TIP Report. By providing a more comprehensive understanding of what governments are doing to prevent human trafficking, DOS can highlight the importance of these interventions in reducing the incidence and prevalence of trafficking and other forms of exploitation.

Issue 3: Prevention Efforts Must Address Underlying Factors in Youth Homelessness and Provide Meaningful Support for Youth Shelters

Summary of the Problem

While anti-trafficking advocates continue to call for more and better data to capture the full scope and needs of trafficking survivors, existing studies point to several key populations who are most at risk for being trafficked.⁴⁷ By addressing the experiences that put youth at greater risk for being trafficked, we can reduce trafficking, prevent additional harm associated with trafficking victimization and help our most vulnerable children heal and succeed in all aspects of their lives.⁴⁸

Many trafficking victims are first trafficked as youth, and some are easily targeted because they run away or are thrown out of their homes.⁴⁹ LGBTQ youth are often at greater risk of being trafficked.⁵⁰ Research shows child sex trafficking victims are also often system-involved, leading to an additional set of vulnerabilities to trafficking that arise from their involvement in the child welfare system. “Sixteen-percent of the children who ran from the care of social services and were reported missing to [NCMEC] in 2019, were likely victims of child sex trafficking.”⁵¹

According to two of the largest studies to date that looked at sex and labor trafficking of youth, researchers found that 1 in 5 homeless youth were victims of trafficking.⁵² “LGBTQ individuals, who made up 19.2 percent of the homeless youth interviewed, were disproportionately more likely to become victims of sex trafficking, with 26.9 percent reporting that they had been trafficked for sex, accounting for 33.8 percent of all sex trafficking victims in the two studies.⁵³ The studies also found that 32.1 percent of all respondents had been trafficked for sex, engaged in “survival sex,” or engaged in the sex trade in some way — including 40.5 percent of female respondents, 25.3 percent of male respondents, and 56 percent of transgender youth respondents.”⁵⁴

“[A report by the Modern Slavery Research Project]...further notes that homeless youth have higher rates of primary risk factors for trafficking such as poverty, unemployment, and a history of sexual abuse or mental health issues, and that those aging out of the foster care system faced high rates of sex (18 percent) and labor (10 percent) trafficking.”⁵⁵

Related research from the Field Center study that looked at homeless youth in multiple cities across the United States found that 95 percent of youth who were sex trafficked reported a history of childhood maltreatment —

47 Rachel Swaner et al., “Youth Involvement in the Sex Trade: A National Study,” Center for Court Innovation, 2016. <https://www.ncjrs.gov/pdffiles1/ojjdp/grants/249952.pdf>.

48 University of Georgia, “Estimating the Prevalence of Trafficking Among Homeless and Runaway Youth Ages 14-25 in Metro Atlanta,” National Institute of Justice (January 2019). <https://www.ncjrs.gov/pdffiles1/nij/grants/255063.pdf>

49 Laura Murphy, “One in Five Homeless Youth is a Human Trafficking Victim, Studies Find,” Candid, 2017. <https://philanthropynewsdigest.org/news/one-in-five-homeless-youth-is-a-human-trafficking-victim-studies-find>.

50 Covenant House, “Human Trafficking,” Covenant House. <https://www.covenanthouse.org/homeless-issues/human-trafficking>.

51 See the Preventing Sex Trafficking and Strengthening Families Act, Pub. L. No. 113-183, 128 Stat. 1919 (2014), which amends part E (Foster Care and Adoption Assistance) of title IV of the Social Security Act to require a state’s plan for foster care and adoption assistance to demonstrate that the state agency identified, collected, reported data on, and determined appropriate services for children in foster care who have been, or are at risk of being, sexually trafficked or who have run away. See also the Justice for Victims of Trafficking Act, Pub. L. No. 114-22, 129 Stat. 227 (2015) (amends the Child Abuse Prevention and Treatment Act to define abused and neglected child to include child sex trafficking victims) and the Family First Prevention Services Act, Pub. L. No. 115-123, 132 Stat. 64 (2018) (expands Title IV-E funding to cover prevention services and exempts congregate care for children who have experienced sex trafficking or are at risk of being trafficked from two week limitation on congregate care).

52 Debra Schilling Wolfe et al., “Human Trafficking Prevalence and Child Welfare Risk Factors Among Homeless Youth: A Multi-City Study,” University of Pennsylvania, 2018, <https://www.covenanthouse.org/sites/default/files/inline-files/Field%20Center%20Full%20Report%20on%20Human%20Trafficking%20Prevalence.pdf>.

53 Covenant House, “Human Trafficking.”

54 Covenant House, “Human Trafficking.”

55 Covenant House, “Human Trafficking.”

including sexual (49 percent) and physical (33 percent) abuse — while 41 percent had been in out-of-home placement. When sex trafficking victims were asked what could have helped prevent their being trafficked, the most common response was having “supportive parents or family members.”⁵⁶

Child psychologist Bruce Perry agrees. He found that the single most important factor in resilience after trauma was relationship. Even just having one adult in a child’s life who understood that their behavior was a result of trauma or fear, and invested in them, could make all the difference in the world to that child’s life.⁵⁷ In order to prevent human trafficking and its sequelae, we must begin with identifying youth deemed to be at risk of trafficking due to high-risk behaviors or social determinants of health, and provide services to possibly prevent them from becoming victimized by traffickers.

Agency Responses

In response to our Council’s questions about reducing risk for trafficking, the DOJ stated, “While many U.S. government anti-trafficking efforts are focused on human trafficking prosecution and on protection and assistance to victims, the U.S. government also supports a wide range of social protection, labor, health care, educational, and other programs that mitigate risk factors associated with human trafficking and other forms of exploitation. Integrating an understanding of human trafficking into such programs is a promising practice that would further allow the U.S. government to address “upstream” risks of human trafficking, as suggested in this question.”⁵⁸ DOI/Bureau of Indian Affairs (BIA) stated, “Many children who have been trafficked came in contact with various investigators. These points of contact with the system are critical opportunities to identify risk factors and interrupt the risk factors that could lead to trafficking, such as housing, intergenerational trauma, substance abuse, food insecurity and educational barriers.” “The BIA OJS Victim Assistance Program (VAP) policy requires victim services personnel to actively participate on Multi-Disciplinary Teams [(MDT)] on the reservations they service. [MDT] specifically addresses crimes against children. When a child is identified as a possible victim (human trafficking, abuse, etc.) the team’s goal is to discuss the appropriate action needed and who is responsible for the action. The VAP personnel are active on this team to provide their expertise in the area of victim services.”⁵⁹

Grassroot Experience

A team in Polk County, Iowa developed a CSEC MDT whose purpose is to identify high-risk youth and provide services to prevent them from becoming victimized by human trafficking. The MDT consists of members of the local Department of Human Services, victim advocacy, US and County Attorney’s Office, local law enforcement, juvenile court services, public schools, forensic interview center, among others. The team utilizes a high-risk assessment tool (HRV tool) and meets monthly to vet high-risk individuals, discuss interventions and response options, and follow up on previous cases.

Survivor Perspective

“I could have been a statistic. Instead, my Department of Human Services worker saw me as more than a case. She saw that I was on the fast track for people to abuse me. I know now, this is called human trafficking. I am thankful for the people on this task force that took a chance on me and helped me not become a statistic.”

-Anonymous Survivor

56 Covenant House, “Human Trafficking.”

57 Perry, B., & Szalavitz, M. (2008). *The boy who was raised as a dog and other stories from a child psychiatrist’s notebook: What traumatised children can teach us about life, love, and healing*. New York, NY: Basic Books.

58 DOJ, PITF consolidated agency response to PPPAC, July 2020.

59 DOI, PITF consolidated agency response to PPPAC, July 2020.

The federal government currently funds programs to address runaway and homeless youth, domestic violence, sexual assault and child maltreatment. This Council would like to see those programs better utilized and aligned in a coordinated way that would help those children most at risk of being trafficked. The Council agrees with the USAC that “Two-generation approaches focus on creating opportunities for and addressing needs of both children and the adults in their lives together. The approach recognizes that families come in all different shapes and sizes and that families define themselves... [Two-generation] approaches focus equally and intentionally on services and opportunities for the child and the adults in their lives. They articulate and track outcomes for both children and adults simultaneously.”⁶⁰

Non-profit organizations working in our local communities have developed best practices when working with at-risk youth. Anti-trafficking efforts work best when:

- The focus is on rebuilding connections between parents and children (if possible to do so safely).
- LGBTQ youth are supported with culturally responsive services.
- The focus is on building partnerships between community health centers and anti-violence organizations.⁶¹
- Runaway and homeless youth programs receive more support, both resources and recognition, for their involvement in providing services to trafficking survivors by default.

The Council recommends:

1. DOJ/OVC develop training on responding to at-risk youth and include it in the Human Trafficking Task Force E-Guide resources.
2. DOJ/OVC track federal task force community mobilization efforts that identify the scope of local issues, stakeholders and include identifying existing assets that promote public-private partnerships.
3. We stand with the USAC and the following recommendation from its 2019 report: DOJ, HHS, DOS, USAID, and DOL provide incentives to potential grantees to offer services to underserved populations as well as seek additional appropriations for and prioritize existing funding to support underserved populations.⁶²

Recommendations to Congress:

1. Develop funding opportunities for task forces focused on identification of, case management, and services for youth who are at high risk for becoming a victim of human trafficking.

60 USAC, *Annual Report 2020*, 26-27.

61 Family & Youth Services Bureau, “Project Catalyst Leads to Successful Interventions for Survivors of Abuse,” U.S. Department of Health and Human Services, 2018, Retrieved from <https://www.acf.hhs.gov/fysb/news/project-catalyst-leads-to-successful-interventions-for-survivors-of-abuse>.

62 USAC, *Annual Report 2019*, 13.

Issue 4: Response to human trafficking occurring online requires increased specialized tools and training with dedicated funding for state and local jurisdictions with an emphasis on increasing the number of law enforcement solely focused on online CSEC.

Summary of the Problem

Prosecutions of human trafficking in the United States and worldwide have declined in the last five years. In 2015, the world saw 19,127 prosecutions compared to only 11,841 (1,024 which were labor trafficking cases) in 2019.⁶³ The number of prosecutions in the United States is also down, reporting less prosecutions in 2019 than it did in 2018.⁶⁴ Even as prosecutions have gone down, human trafficking still ranks among the fastest most lucrative growing criminal enterprise in the world.⁶⁵

These trends are troubling, especially as we consider how effective prosecutions can be in deterring criminal organizations and thus preventing further abuse. For decades, traffickers and child predators worked with impunity throughout the world. The reason was the lack of consequences for their criminal actions, as many countries had few to no laws against trafficking or lacked the manpower and resources and/or will to investigate and prosecute. Logically, when a criminal faces a real threat of spending twenty years to life in prison, they will think twice before going through with the crime. This keeps potential victims safer.

At the same time, pedophiles and traffickers have become savvier. They are learning how to hide their child exploitation material on small digital media devices, which makes it very difficult, if not impossible, for law enforcement to find. This material is often the only evidence that will lead law enforcement to victims of trafficking and exploitation. As many trafficking cases in the United States originate with the detection of child pornography, law enforcement should be better equipped to get through more cases. Even the most active jurisdictions, to include Internet Crimes Against Children (ICAC) Task Forces, cannot keep up with the demand placed upon them.

Children are especially at risk due to their specific vulnerabilities and the threat of traffickers exploiting them online. NCMEC “reported an 846% increase from 2010 to 2015 in reports of suspected child sex trafficking – an increase the organization has found to be ‘directly correlated to the increased use of the internet to sell children for sex.’”⁶⁶

63 U.S. Department of State, *Trafficking in Persons Report 2020* (Washington, DC: U.S. Department of State, 2020), 43, <https://www.state.gov/trafficking-in-persons-report-2020>.

64 U.S. Department of State, *Trafficking in Persons Report 2020*, 515; Noting the US numbers are based on federal prosecutions. Data collected from the DOJ-funded Enhanced Collaborative Model Task Forces suggests that state and local prosecutions may be on the rise, in lieu of federal prosecutions.

65 U.S. Department of Justice, U.S. Attorney for the Federal District of Rhode Island, 2016, <https://www.justice.gov/usao-ri/human-trafficking>; William Spindler, “Conference Puts Focus on Human Trafficking, Fastest Growing Criminal Industry,” UNHCR, 2010, <https://www.unhcr.org/en-us/news/latest/2010/10/4cb315c96/conference-puts-focus-human-trafficking-fastest-growing-criminal-industry.html>; Center for Homeland Defense and Security, “Human Trafficking Fact Sheet,” Department of Health and Human Services, 2004, <https://www.hslc.org/?abstract&did=23329>.

66 Rob Portman et al., “Backpage.com’s Knowing Facilitation of Online Sex Trafficking,” United States Senate Committee on Homeland Security and Governmental Affairs, 2017, 4 (citing testimony of Yiota G. Souras, Senior Vice President & General Counsel, National Center for Missing & Exploited Children).

Agency Responses

In response to questions asked by the Council to DOJ on federal law enforcement needing more resources to combat human trafficking online, DOJ responded by saying, “generally speaking, more resources enable a wider response to any problem. DOJ defers to the regular budget process managed by OMB to make any requests related to prioritization of federal resources. With regard to federal investments in new technology, in the past the FBI maintained the Innocence Lost Database/Web Archival Tool, which was accessible by law enforcement and NCMEC. However, given new developments that tool is no longer functional and the FBI utilizes other products developed by the private sector such as Thorn’s Spotlight.”⁶⁷ When asked about if DOJ has programs related to research and human trafficking statistics at the state level, DOJ responded with “FBI’s Uniform Crime Reporting (UCR) system maintains statistics on human trafficking arrests at the state and local levels. The statistics are incomplete because they are dependent on state and local reporting practices.”⁶⁸

Grassroot Experience

Operation Underground Railroad provides tools and resources to help law enforcement agencies get those who choose to prey on our children off our streets—including donating technology, mobile digital forensic labs, and digital detection K-9s trained to sniff out digital media devices that could contain child exploitation material. For example, O.U.R. is a strong supporter of Operation “Net Nanny,” a preventative-minded child protection initiative with a 95% conviction rate in hundreds of cases that have gone to trial in Washington State.

One of the hundreds of cases conducted during Operation “Net Nanny” was that of a well-resourced 24-year old Seattle man who was tried, convicted, and sentenced to nine years in prison on two counts of attempted first-degree rape of a child. Emails and text messages contained in his court record show this man arranging through online communication to meet “Hannah,” a police officer posing as a mother, to engage in sex acts with her two daughters, ages 6 and 11.

O.U.R. believes among the best tactics in the fight to bring child sex exploiters, propagators, and abusers to justice is supporting and helping arm law enforcement with better technology and expertise. Within the United States, this involves public/private partnerships that help support the nation’s law enforcement officers and prosecutors at the federal, state, and local levels in their important work by providing technology, software, expertise, and training where taxpayer budgets fall short. To date, the O.U.R. team, composed of top former federal, state, and local law enforcement professionals experienced in child exploitation, trafficking, and digital world policing, has assisted in the rescue of more than 4,000 victims globally since its first international operation in 2014.

~Operation Underground Railroad

67 DOJ, PITF agency consolidated response to PPPAC, July 2020.

68 DOJ, PITF agency consolidated response to PPPAC, July 2020.

Survivor Perspective

When “Liliana” (name changed) was only twelve years old, she was contacted online by a 36-year-old pedophile who attempted to get her to send him a photo with her clothing removed and to meet her for sex. Fortunately for Liliana, her mother interceded and promptly contacted law enforcement. O.U.R. Founder and Council Co-Chair Tim Ballard, then working as a federal agent, was assigned this case. With the permission of Liliana’s parents, Tim assumed Liliana’s online identity. He continued the dialog with this child predator who was eventually arrested when he came to meet who he believed as a twelve-year-old girl for sex—after he had taken affirmative steps to indicate that he was prepared and fully intending to engage in sex with a twelve-year-old girl. Liliana was very fortunate that her mother intervened in time to protect her child from this predator. Sadly, so many other children are not as lucky. This story is a reminder that law enforcement should be proactive and creative in utilizing all the online tools and training at their disposal to protect children online by seeking to intercept child predators and pedophiles before they are able to harm more children.

Existing Solutions

There are various programs and efforts to maximize law enforcement agencies' limited resources to combat human trafficking online. One example is the ICAC Task Force Program, a national network of 61 coordinated task forces representing over 4,500 federal, state, and local law enforcement and prosecutorial agencies, which allow agencies to be continually engaged in proactive and reactive investigations and prosecutions of persons involved in child abuse and exploitation involving the internet.⁶⁹ Another example is the use of mobile digital forensic labs, which allow for law enforcement to expedite search warrants and immediately conduct field digital forensic analyses of seized phones and computers. The use of these mobile labs allow for quicker arrests and prosecutions and avoid the often months-long delays in prosecutions as detectives wait for a crowded lab to finish a digital forensic analysis. In addition, some law enforcement agencies have partnered with the tech sector to develop tools to more effectively and efficiently combat human trafficking online by addressing abuses of online platforms, supporting identification of human trafficking victims, developing prompt responses and better preserving evidence for investigations and prosecutions.

⁶⁹ Office of Juvenile Justice and Delinquency Prevention, Office of Justice Programs, Department of Justice, “Internet Crimes Against Children Task Force Programs.” <https://www.icactaskforce.org/>

The Council recommends:

1. DOJ ensures training for every jurisdiction in the U.S. for undercover online detectives and dark net (peer-to-peer network) investigations—similar to ICAC Task Force training.
2. DOJ and DHS invest in mobile labs to allow law enforcement to expedite search warrants and immediately conduct field digital forensic analyses of seized phones and computers.
3. DHS and FBI fund K-9 digital detection units to more effectively and efficiently find child exploitation material on digital media devices.
4. Federal criminal enforcement agencies encourage collaboration with the tech industry to support efforts to root out weaknesses and abuses of online platforms and support identification of victims, develop prompt responses and preserve evidence for investigation and prosecution.
5. DOJ pursues enforcement of the Allow States and Victims to Fight Online Sex Trafficking Act of 2017.⁷⁰
6. DOJ develop guidance and training for victim advocates and prosecutors in securing the removal of images of CSAM and trafficking exploitation from the internet.



Photo Credit: PPPAC

70 Public Law 115-164. 115th Congress. 132 Stat. 1253, <https://www.congress.gov/115/plaws/publ164/PLAW-115publ164.pdf>

Issue 5: Investigating and prosecuting purchasers of commercial sex who drive the demand for sex trafficking victims must be prioritized in order to curb human trafficking.

Summary of the Problem

Buyers of commercial sex fuel the market that drives sex trafficking and yet remains the least enforced aspect of federal anti-trafficking laws.⁷¹ Furthermore, the buyers' position of power and control, particularly over minor victims, tends to be minimized when law enforcement consider who to charge and what charges to bring.⁷² Treating the buyer's role as minimal or peripheral makes it more difficult to see the exploited person as a victim of a serious offense. Recent efforts to broadly decriminalize the illegal sex industry are dangerous to the anti-trafficking work and in conflict with longstanding federal policy that guide establishing and funding best practices. When countries have legalized or broadly decriminalized sex buying, the increase in demand has resulted in an increase in sex trafficking,⁷³ thereby increasing the potential for serious harm to all exploited persons in the commercial sex industry. Indeed, violence is inherent in both prostitution and trafficking. In studies of women and girls being prostituted in nine countries 78% were victims of rape, 53% were victims of sexual torture, and 49% were kidnapped and transported across state lines.⁷⁴ Sex trafficking is identified by the U.S. Centers for Disease Control and Prevention (CDC) as a public health problem⁷⁵ and as contributing to public health emergencies.⁷⁶ Child sex trafficking victims suffer especially serious health consequences.⁷⁷ Restrictions on federal funding to only organizations pledging to not support or promote prostitution contained in President Bush's PEPFAR and Congress's Global AIDS Act announced in 2003 were also added to the Trafficking Victims Protection Act as reauthorized that same year.⁷⁸ Although the U.S. Supreme Court ruled in 2013 that the anti-prostitution pledge restricts the First Amendment rights of American grant recipients, it remains a requirement for foreign organizations receiving U.S. grants and aid.⁷⁹ Not all PITF agencies are including a focus on demand deterrence in external policies or ensuring that all grant recipients are in alignment and compliance with anti-demand policies.

71 Kyleigh Feehs and Alyssa Currier, *Federal Human Trafficking Report* (Fairfax, VA: Human Trafficking Institute, 2020) https://www.traffickinginstitute.org/wp-content/uploads/2020/05/2019-Federal-Human-Trafficking-Report_Low-Res.pdf. Shared Hope Int'l, *Demand: A Comparative Examination of Sex Tourism and Trafficking in Jamaica, Japan, the Netherlands, and the United States* (2007). Available at <https://sharedhope.org/wp-content/uploads/2012/09/DEMAND.pdf>. See generally VICTOR MALAREK, THE JOHNS: SEX FOR SALE AND THE MEN WHO BUY IT (2009) (discussing the reality that men drive the demand for the market of women as a commodity—especially low income, uneducated, and young women in desperation).

72 Shared Hope International, *Demanding Justice* (Vancouver, WA: Shared Hope International, 2014) https://sharedhope.org/wp-content/uploads/2014/08/Demanding_Justice_Report_2014.pdf.

73 Seo-Young Cho, Axel Dreher, and Eric Neumayer, "Does Legalized Prostitution Increase Human Trafficking?" *World Development* 41, no. 67 (January 2013): 67-82.

74 Melissa Farley et al., "Prostitution and Trafficking in Nine Countries: An Update on Violence and Posttraumatic Stress Disorder," *Journal of Trauma Practice* 2, no. 3-4 (October 2008): 33-74; see also studies in Janice Raymond, "Legitimizing Prostitution as Sex Work: UN Labour Organization (ILO) Calls for Recognition of the Sex Industry," <https://sisyphe.org/spip.php?article689>; Jessica Ashley, *The Commercial Sexual Exploitation of Children and Youth in Illinois* (Chicago, IL: Illinois Criminal Justice Information Authority, 2008), <http://www.icjia.state.il.us/publications/the-commercial-sexual-exploitation-of-children-and-youth-in-illinois>; Mimi Silbert and Ayala Pines, "Occupational Hazards of Street Prostitutes," *Criminal Justice & Behavior* 8, no. 4 (December 1981): 395-399.

75 Centers for Disease Control and Prevention, "Sex Trafficking," Last updated 2020, Retrieved from <https://www.cdc.gov/violenceprevention/sexualviolence/trafficking.html>.

76 In 2003, President Bush announced the President's Emergency Plan for AIDS Relief (PEPFAR) and Congress subsequently passed it as the "United States Leadership against HIV/AIDS, Tuberculosis, and Malaria Act (Global AIDS Act)." Pub. L. No. 108-25, 117 Stat. 711 (May 27, 2003). The act identifies prostitution and sex trafficking as contributing to the spread of HIV.

77 Laura J. Lederer, et al., The Health Consequences of Sex Trafficking and Their Implications for Identifying Victims in Health care Facilities, 23 Annals Health L. 61, 62 (Winter 2014); see also U.S. Dept. of St., Trafficking in Persons Report 31 (June 2013) ("Sex trafficking has devastating consequences for minors").

78 Trafficking Victims Protection Reauthorization Act of 2003, Pub. L. No. 108-193, 117 Stat. 2875 (Dec. 19, 2003).

79 The U.S. Supreme Court decision in *Agency for International Development v. Alliance for Open Society International, Inc.*, No. 19-177, slip op. 2 (June 29, 2020), clarified that "foreign organizations operating abroad do not possess rights under the U.S. Constitution."

Existing Solutions

The dehumanizing nature of prostitution has been recognized at the highest level since 2002 when National Security Presidential Directive 22: Combating Trafficking in Persons stated, “Our policy is based on an abolitionist approach to trafficking in persons, and our efforts must involve a comprehensive attack on such trafficking, which is a modern day form of slavery. In this regard, the United States government opposes prostitution and any related activities, including pimping, pandering, or maintaining brothels as contributing to the phenomenon of trafficking in persons. These activities are inherently harmful and dehumanizing. The United States Government position is that these activities should not be regulated as a legitimate form of work for any human being.”⁸⁰

Agency Responses

DOS states, “It is the position of the U.S. government that the procurement of commercial sex can fuel the demand for sex trafficking.”⁸¹ DOS civil service employees are prohibited from procuring commercial sex while traveling pursuant to U.S. Government travel orders, even if legal in that country and federal government contractor and subcontractor employees are prohibited from purchasing commercial sex during the performance period of their contract, both domestically and overseas. Employees, contractor, and subcontractor employees may be subject to disciplinary action for such conduct, up to and including separation or termination of employment.⁸²

DOS includes in its annual TIP Report tier rankings and narratives in the 2020 TIP Report that reflect an assessment of several indicia of serious and sustained efforts, including governmental efforts to reduce the demand for commercial sex acts and international sex tourism.⁸³ Also, in response to a Sense of Congress provision in the Frederick Douglass Trafficking Victims Prevention & Protection Reauthorization Act of 2018, the SPOG established an Ad Hoc Working Group in May 2020 to examine the role of demand reduction in preventing human trafficking.⁸⁴ DOD describes its combating trafficking in persons program as “primarily a demand reduction program”⁸⁵ and cites to an early adoption and enforcement of a new offense under Uniform Code of Military Justice Article 134 prohibiting patronizing a prostitute (i.e., prohibiting the purchase of sex). Federal agencies should ensure that policies and programs to counter human trafficking include an equal priority on enforcing anti-demand laws and policies internally and externally.

Survivor Perspective

“During my fifteen years as a civilian in law enforcement, I have witnessed our most vulnerable citizens continue to be purchased like produce at the market, as I was when trafficked. Vulnerable must not equal disposable. It is our responsibility to protect women and children and other vulnerable populations, from becoming prey to buyers with disposable income. We must not permit disposable income to classify as a subset of our population as disposable humans.”

- Rev. Dr. Marian Hatcher, Survivor Leader Ambassador at Large, United Nations, U.S. Representative for SPACE International JUST Response Council Member

⁸⁰ The White House, “National Security Presidential Directive/NSPD-22,” 2002, <https://ctip.defense.gov/Portals/12/Documents/NSPD-22.pdf>.

⁸¹ DOS, PITF agency consolidated response to PPPAC, July 2020.

⁸² DOS, PITF agency consolidated response to PPPAC, July 2020. See 3 FAM 4138, 4139.14, 4300 includes in the definition of “notoriously disgraceful conduct” the frequenting of prostitutes, engaging in public or promiscuous sexual relations, spousal abuse, neglect or abuse of children, manufacturing or distributing pornography...”

⁸³ DOS, PITF agency consolidated response to PPPAC, July 2020.

⁸⁴ DOS, PITF agency consolidated response to PPPAC, July 2020.

⁸⁵ DOS, PITF agency consolidated response to PPPAC, July 2020.

DOJ actively prosecutes buyers under the federal laws.⁸⁶ However, in working with local and state law enforcement buyers arrested during enforcement investigations are typically left to the local or state for arrest and prosecution. In these cases, buyers rarely are prosecuted to the full extent of the law.⁸⁷

Additionally, federal criminal prosecution of websites that host commercial sex advertisements (e.g., Backpage, CityXGuide) represents an important demand reduction effort because such websites provide access points for buyers of commercial sex.⁸⁸

Grassroot Experience

Over the past decade, the King County Prosecutor's Office (WA) working with the Washington State Task Force Against the Trafficking of Persons and Organization for Prostitution Survivors (OPS) has shifted the paradigm for addressing human trafficking by focusing its efforts on the buyers who drive the demand for sex trafficking victims. Since the enactment of substantial penalties for buyers of sex with minors in 2007, the past dozen years have shown a crucial shift that aligns anti-trafficking enforcement with the goals of the laws that address sex trafficking—treating commercially sexually exploited minors as victims and bringing Washington's substantial penalties to bear on those who buy sex with children. "Largely driven by King County's efforts to increase enforcement of demand laws, the state has seen an overall shift in prosecutions from criminalizing minor victims to prosecuting the buyers of sex acts with minors. While charges against minor victims on prostitution charges peaked at over 50 prosecutions in 2009 and very few buyers of sex with minors were being prosecuted, King County reversed this trend and by 2013, only one minor victim had been charged with prostitution and over 40 buyers were prosecuted for buying sex with minors."⁸⁹ Most importantly, this past year, Washington took the important step of removing criminal liability for minors for prostitution - making it clear in both law and practice that commercially sexually exploited children are victims of trafficking in need of a protective, not punitive, response.⁹⁰

The Council recommends:

1. Federal agencies should ensure that policies and programs to counter human trafficking include an equal priority on enforcing anti-demand laws, programs and policies internally and externally and do not support or promote prostitution, in accordance with National Security Presidential Directive 22: Combatting Trafficking in Persons.
1. DOJ, DHS and the FBI should require broad based training for federal law enforcement and prosecutors on strategies for using the federal sex trafficking law to investigate and prosecute individuals who drive demand by buying sex with trafficking victims and strengthen the legal response to demand by ensuring serious penalties for those who exploit children and youth.
2. DOJ should ensure demand is a priority during enforcement operations focused on identifying child sex trafficking perpetrators by collaborating with state and local law enforcement to ensure suspected buyer cases are screened for conduct that violates the federal sex trafficking law.

86 See e.g., Feehs & Currier, 2019 Federal Human Trafficking Report, Human Trafficking Institute (2020), available at https://www.traffickinginstitute.org/wp-content/uploads/2020/05/2019-Federal-Human-Trafficking-Report_Low-Res.pdf.

87 Shared Hope International, Demanding Justice (Vancouver, WA: Shared Hope International, 2014) https://sharedhope.org/wpcontent/uploads/2014/08/Demanding_Justice_Report_2014.pdf.

88 DOJ, PITF agency consolidated response to PPPAC, July 2020.

89. Shared Hope International, *Demanding Justice*. (2014), available at:

https://sharedhope.org/wp-content/uploads/2014/08/Demanding_Justice_Report_2014.pdf

90. Wash. Rev. Code. Ann. §9A.88.030, as amended by House Bill 1775 (2019-2020 Legislative Session) (states, "A person age eighteen or older is guilty of prostitution if such person engages or agrees or offers to engage in sexual conduct with another person in return for a fee.")

Survivor Care Subcommittee

Issue 6: Research, reporting and data collection must be instituted and improved to develop more efficient mechanisms to collect and share strategies, statistics, and best practice intervention programs across agencies.

Summary of the Problem:

The U.S. government's response to trafficking can sometimes seem fragmented across federal agencies, despite groundbreaking legislation and a genuine commitment from multiple federal agencies and lawmakers to address the problem.⁹¹ One of the main causes of this mismatch between need and resources is a lack of consistent real-time data on who is trafficked, what is driving increases (or decreases), and how programs are meeting or not meeting the needs of survivors. Much of our data is general with very wide-ranging estimates, and where we do have specifics, it's often around those who have been identified by law enforcement, sought services, or shown up in runaway and homeless youth shelters. There is not a good count across all systems that includes domestic and international victims/survivors. Also, while labor trafficking often may include sexual exploitation, we need to disaggregate victims/perpetrators of labor and sex trafficking.⁹²

Similarly, we also lack good data on what interventions are most effective for which group of survivors. Individual programs may have an evaluation of their particular program, but we still don't have a complete picture of the problem, where services are needed, and which services are most effective for whom.

Trafficking, by its very nature, is always going to be hard to measure, but the huge variances in our estimations makes it difficult to secure adequate funding to treat victims and to know whether the services we do provide are working. Different federal agencies meet the health, justice, education, workforce training, housing and immigration needs of survivors, and child and adult survivors also may be served by different agencies. A whole of government approach is required and should begin with a fuller understanding of what works to prevent trafficking for whom and what survivors need from our responses.

Existing Solutions

The DOJ/Bureau of Justice Statistics (BJS) tracks some data about the nature of trafficking victims though largely from criminal justice proceedings.⁹³ More recently the HHS has begun the process of developing a data collection platform and recently launched Shepherd, an online case management system for HHS Certification and Eligibility. Future iterations of the platform will include modules for performance reporting and stakeholder engagement. The private sector has also sought to collect more comprehensive data, with Polaris Project running one of, if not the largest private systems for collecting data within North America, though even that comes from calls to the National Human Trafficking Hotline, which is funded by HHS.⁹⁴ In the last 5 years, there have also been increasing investments by DOJ/OVC to partner more closely with states to capture the data.⁹⁵

91 NCSL, "Human Trafficking Overview," July 2020, Retrieved from <https://www.ncsl.org/research/civil-and-criminal-justice/human-trafficking.aspx>; GAO, "Human Trafficking: Actions Taken to Implement Related Statutory Provisions", Last updated 2016, Retrieved from <https://www.gao.gov/assets/680/677520.pdf>.

92 Jesse Bruner, "Getting to Good Human Trafficking Data," Last updated 2018, Retrieved from https://humanrights.stanford.edu/sites/g/files/sbiybj5951/f/publications/good_ht_data_policy_report_final.pdf

93 Bureau of Justice Statistics, Characteristics of Suspected Human Trafficking Incidents, 2008-2010, <https://www.bjs.gov/index.cfm?ty=pb&detail&iid=2372>; <https://www.bjs.gov/index.cfm?ty=pbse&sid=67>

94 Polaris Project, "Data & Research," Retrieved from <https://polarisproject.org/data-and-research/>.

95 National Conference of State Legislatures, "Human Trafficking Enactment Database," Retrieved from <https://www.ncsl.org/research/civil-and-criminal-justice/human-trafficking-enactment-database.aspx>.

Survivor Perspective

In one of the best collections of data from survivors, scholar Heather Evans interviewed survivors about what worked and didn't work to help them heal. Her research captured the varying and long term needs of trafficking survivors as well as the gaps in empirical data about what works best for whom.⁹⁶ Several quotes capture the need for additional data and application of the information shared by survivors by service providers.

"Holly Austin Smith (2014) describes her experience after being identified as a trafficking victim. First she discusses being interviewed by law enforcement.

...I was a child. I was being interrogated in an unfriendly environment, by myself, with two unfamiliar male detectives, and one of them spoke to me like I was an adult. I'm often asked what would have helped here...a female detective? A different room? A victim advocate? And my answer is yes! All of the above! ... I felt like nobody was concerned with me or what I needed or wanted. And the fact is, what I needed was serious mental health treatment. I was so angry, I was so desperately disconnected that it wasn't just an emotional pain, but a physical pain, a physical presence. These officers were questioning a child in crisis."⁹⁷

Evans also included recommendations from survivors specifically for service providers, though acknowledged that there remains limited data on the long-term success of services to help survivors heal. Specifically: "The majority of participants expressed the need for additional resources. They recommended additional services in general that are educated on human trafficking and the impact of trauma. Repetitive themes included access to housing, health care, employment and education. Additional recommendations included offering short-term disability for victims immediately after exiting as well as a continuum of services, so that individuals can utilize resources without entering a shelter/residential."⁹⁸

Given the need for additional data on both the scope of trafficking and the most effective services for survivors, the Council offers the following recommendations.

⁹⁶ Heather Evans, "From the Voices of Domestic Sex Trafficking Survivors: Experiences of Complex Trauma & Posttraumatic Growth," Unpublished Dissertation (Philadelphia, PA: University of Pennsylvania, 2019).

⁹⁷ Holly A. Smith, *Walking Prey: How America's Youth are Vulnerable to Sex Slavery* (New York: Palgrave Macmillan, 2014), 46.

⁹⁸ Heather Evans, "From the Voices of Domestic Sex Trafficking Survivors," 208.

The Council recommends:

1. DOJ Office of Justice Programs (OJP) should fund research that identifies evidence-based approaches to preventing trafficking and providing services to sex and labor trafficking survivors that recognizes differences among survivors. This would include research identifying what percentage of survivors are being trafficked into the United States from other countries versus those trafficked domestically, and in particular attention should be paid to Native American women, LGTBQ and foster youth, who are at increased risk for being trafficked.
2. All PITF agencies seek to increase data collection efforts within their authority to gather more detailed information about underserved populations to better inform agencies' resource allocations and service offerings to trafficking victims/survivors.
3. PITF agencies support increased survivor leadership opportunities and victim/survivor advocates to provide technical assistance, capacity building, and other support to federal initiatives, grantees and programs.
4. All agencies serving survivors should be required to undergo training on trauma and document how well survivors feel like they were supported by the program.

Recommendations to Congress:

1. Direct more resources toward the services survivors identify as most needed, unbiased health, mental health and trauma services, housing, employment services that understand trafficking survivors' experiences, education and economic supports that lead to economic self-sufficiency for the long term.
2. Authorize DOL to develop higher standards for supply chain reporting, including requiring all legally registered entities in target industries (agriculture, clothing, construction) to produce reports on their commitment to prevent human trafficking within their practice and develop a special task force to audit and investigate entities in question, and develop a federal task force to investigate whether adequate measures within these industries are implemented.



Photo Credit: PPPAC

Issue 7: Preventing the criminalization of trafficking victims and ensuring access to quality legal services are critical to the long-term needs of survivors.

Summary of the Problem

Human trafficking pervades every jurisdiction in the United States, and there is a lack of specialized services for victims and survivors in the court system. Court-appointed lawyers in every jurisdiction help defendants who cannot afford their own lawyer; however, these lawyers work with 100-125 defendants charged with petty theft to murder.⁹⁹ Human trafficking survivors need specialized legal care—a lawyer who will deep dive into their cases, a lawyer who knows the intersection between the victim-offender-victim cycle, a lawyer who knows federal and state trafficking laws and the specific rights of human trafficking victims. To date, there are few alternative program models specifically designed to help human trafficking victims caught in the victim-offender-intersectionality.¹⁰⁰ There are alternatives to prison available for women or people with drug addiction; however, without addressing the whole of the trauma boiling over in a trafficking victim, these programs are going to fall short.¹⁰¹ Further, there is no Constitutional right to an attorney for any other type of legal situation like family and civil law. Legal aid organizations are limited by funding and complicated qualifications. There is movement to provide specific legal services in big cities; but again, rural America does not have access to these kinds of resources.¹⁰²

Investment in efforts to ensure access to quality legal services for trafficking survivors, including those charged with crimes, will support prosecutions and investigations while helping to break the cycle of exploitation and prevent future harm.¹⁰³ While federal agencies report that victim services funding can be used for legal services, the many small jurisdictions around the country are not accessing the funds and survivors are denied the legal services they need to restore their lives.¹⁰⁴ Alternatively, the funds are not accessible to a victim that has engaged in criminal conduct. That is where alternative to prison programs need to find their footing, especially in rural communities with little to no resources.

As demonstrated in the case studies that follow, the harms of criminalizing trafficking victims have a particularly egregious impact on child victims, especially when children are charged with a prostitution-related offense, effectively charging them with an offense for their own victimization. Part of the challenge in shifting responses to child sex trafficking victims is that they often do not fit the mold of an “ideal victim,” and they often do not seek help or identify as victims, and may be uncooperative with services.¹⁰⁵ But as brain science demonstrates,¹⁰⁶ this behavior is a product of trauma and a red flag that this is a child in need of support and protection, not criminalization. Studies have shown that child trafficking victims often have histories of abuse and child welfare involvement, resulting in high adverse childhood experiences (ACE) scores that make them particularly susceptible to exploitation and

99 State of Oklahoma, Oklahoma Indigent Defense System, Organization Executive Program, 2020, Retrieved from <https://www.ok.gov/OIDS/Organization/index.html#Executive%20Program>.

100 Shared Hope International, *Responding to Sex Trafficking Victim Offender Intersectionality: A Guide for Criminal Justice Stakeholders*. (Vancouver, WA: Shared Hope International, 2020), https://sharedhope.org/wp-content/uploads/2020/01/SH_Responding-to-Sex-Trafficking-Victim-Offender-Intersectionality2020_FINAL.pdf.

101 Family & Children's Services, "Women in Recovery," Family & Children's Services, 2018, <https://www.fcsok.org/services/women-in-recovery/>.

102 Amara Legal Center, 2020, <https://www.amaralegal.org/>; Human Trafficking Legal Center, <https://www.htlegalcenter.org/>.

103 Shared Hope International, *Responding to Sex Trafficking Victim Offender Intersectionality: A Guide for Criminal Justice Stakeholders*, (Vancouver, WA: Shared Hope International, 2020), https://sharedhope.org/wp-content/uploads/2020/01/SH_Responding-to-Sex-Trafficking-Victim-Offender-Intersectionality2020_FINAL.pdf.

104 DOJ, PITF agency consolidated response to PPPAC, July 2020.

105 Shared Hope International, Non-criminalization of Juvenile Sex Trafficking Victims: JuST Response Policy Paper (Vancouver, WA: Shared Hope International, 2016), available at: https://sharedhope.org/wp-content/uploads/2014/04/JUSTRESPONSE-POLICY_PAPER-NON-CRIMINALIZATION-OF-JUVENILE-SEX-TRAFFICKING-VICTIMS.pdf.

106 See e.g., Johnson, Sara B., et al., "Adolescent Maturity and the Brain: The Promise and Pitfalls of Neuroscience Research in Adolescent Health Policy," *J Adolesc Health*. 2009 Sep; 45(3): 216–221; Mizrahi, R. (2018). *What Were You Thinking?: Brain Development in Young Adults*. Worcester, MA: University of Massachusetts Medical School, Department of Psychiatry, Systems and Psychosocial Advances Research Center.

control by a trafficker.¹⁰⁷ Their trafficking victimization further compounds their childhood trauma and impacts their perception of choice. The resulting “survival” conduct may include criminal activity that the child victim sees as necessary to avoid further exploitation or abuse, or in some cases, to protect their lives.¹⁰⁸ In other words, a trafficked child may have no meaningful ability to choose *not* to engage in criminal conduct.¹⁰⁹

Survivor Perspective

Sex trafficking in rural Oklahoma - The court wanted to help Lucy (name changed to protect her privacy). Her trafficker was a well-connected woman in a small rural town, who used drugs as a form of control over this 14 year old runaway. Lucy developed a dependency on meth and was charged as a juvenile offender. The court wanted to help her and offered drug court, since her substance use disorder was identified as one of her primary issues leading to her involvement in the juvenile justice system. She was not, however, identified as a trafficking victim, nor was she offered specialized services to address the trauma of her trafficking experience. Once referred to drug court, Lucy was mandated by the court to engage in services and comply with other requirements set by the court. She eventually graduated from the drug court program and she stayed sober for some time, but when her grandpa died, she returned to using substances. Now, as an adult, Lucy faced prison time for a nonviolent felony related to meth use. Sadly, this is the trajectory for so many child sex trafficking victims who face blame, stigma and criminalization as a result of their trafficking victimization. If there had been specialized services designed to address her unique needs as a child sex trafficking victim and had she been provided a continuum of care that recognized that trafficking survivors face a long road to healing that cannot be solved with mandated services, she could have developed the tools and protective factors she needed to break the cycle of exploitation.

Sex trafficking in the city - Destiny (name changed to protect her privacy) faced a whole different set of issues in a major US city - she was one of many in a huge trafficking ring busted at a massage parlor. Charged with racketeering, Destiny was passed over as a victim. She was groomed to become a trafficker from a young age - recruited by her “boyfriend” to work at the front desk of at his massage parlor. He beat and raped her regularly into submission - until she had two children. She admits she recruited workers, but she also knows that to leave meant losing her children and possibly death. Why didn’t she just go to the police? She had serviced too many “police” customers to believe they would help, and her traffickers had repeatedly made her fear the police reaction. When the authorities busted the massage parlor, her fears became reality - instead of being seen as a victim, the prosecutors disregarded Destiny’s abuse, believing her to be guilty.

Labor trafficking in the City - Selma (name changed to protect her privacy) worked in a food truck from dawn till dusk. When DHS finally busted the case, they found that she had been working without pay because the labor traffickers held her young child for ransom. Now freed from her trafficking situation, Selma faced addiction and a language barrier which kept her vulnerable to revictimization. Her child had never been to school and when offered help, she resisted. Selma and her young child were overlooked as low paid workers, instead of as exploited victims of labor trafficking.

107 Shared Hope International and Casey Family Programs, *Traffic Stop* (Vancouver, WA: Shared Hope International, 2013), Retrieved from <http://spopy1bvira2mldnj1hd926e-wpengine.netdna-ssl.com/wp-content/uploads/2014/08/Traffic-Stop-FINAL.pdf>.

108 E.g., Brown-Long, Free Cyntoia: My Search for Redemption in the American Prison System, Retrieved from <https://www.simonandschuster.com/books/Free-Cyntoia/Cyntoia-Brown-Long/9781982141110> (autobiography of child sex trafficking victim who spent 15 years in prison for shooting her buyer in self-defense).

109 Shared Hope International, *Responding to Sex Trafficking Victim Offender Intersectionality: A Guide for Criminal Justice Stakeholders*, (Vancouver, WA: Shared Hope International, 2020), Retrieved from https://sharedhope.org/wp-content/uploads/2020/01/SH_Responding-to-Sex-Trafficking-Victim-Offender-Intersectionality2020_FINAL.pdf; Shared Hope International, *Seeking Justice*. (Vancouver, WA: Shared Hope International, 2018), https://sharedhope.org/wp-content/uploads/2018/07/ANALYSIS-OF-STATUTORY-APPROACHES_ver4.pdf.

Grassroot Experience

Oklahoma leads the world in the incarceration of women - with most of those incarcerated for nonviolent felonies.¹¹⁰ Working in Eastern Oklahoma, TDP programs provide quality legal care and alternative to prison programs for survivors. TDP's "Access to Attorneys Program" trains and hires local attorneys across the state to ensure victims/survivors have outstanding legal care. TDP's "Alternative2Prison Journey Program" is a victim-centered, community-driven, trauma-informed approach to restoring lives for both juveniles and adults. This method assigns each survivor a Journey Team consisting of a legal advocate, mentor, case manager, and therapist. The Journey Team works with the court system to ensure that both the court terms and conditions are met while the victim is also receiving specialized services to address the underlying causes created by the trauma endured by victims/survivors of human trafficking.

The Demand Project

Agency Responses

A central tenet of the victim-centered approach embraced by the federal agencies is that victims of trafficking should not be held criminally responsible for their involvement in unlawful activities that are a direct result of their victimization.¹¹¹ Yet, at the local level, they frequently are arrested and prosecuted. With no alternatives and no legal assistance, these survivors cycle through the courts and jails and few alternatives are made available to them to escape the life of exploitation. DOJ notes its perspective that the decriminalization of children engaging in commercial sexual activity does not, per se, incentivize pimps to exploit children. Rather, it is the lack of any effective intervention with such children (or, for that matter, adult human trafficking victims) that maintains traffickers' sense of impunity.

In 2020, the DOJ/National Institute of Justice (NIJ) issued a solicitation to better understand how law enforcement practice with regard to preventing and responding to the sex trafficking of children has evolved since passage of the TVPA of 2000. In particular, DOJ/NIJ was interested in understanding how widely law enforcement agencies have adopted practices that are based on the perspective that the child is a victim as opposed to a delinquent, and the challenges that agencies have faced in adopting such practices. Funding decisions have not yet been finalized for this solicitation, but it is expected that results will be available in three to four years.

The Council recommends:

1. DOJ/OVC to provide funding for NGOs who advocate alternatives to incarceration (and where appropriate, criminalization) with collaborative efforts to assist state agencies with designing and implementing alternatives to charging, convicting and incarcerating human trafficking survivors for offenses committed as a result of their trafficking victimization.
2. DOJ, DHS, and HHS to collaborate with State Attorney General offices who regulate service providers to provide uniform broad-based training and support for those service providers.
3. DOJ, DHS and the FBI require broad based training for federal law enforcement and prosecutors on trauma-informed approaches to identifying and responding to sex trafficking survivors that prevent criminalization of trafficking survivors for conduct related to their trafficking victimization.

110. Oklahoma Commission on the Status of Women, https://www.ok.gov/ocsw/Issues/Oklahoma_Women_Incarcerated/index.html

111 DOS and DOJ, PITF agency consolidated response to PPPAC, July 2020.



4. HHS/Administration for Children and Families (ACF) develop best practice protocols to create protective aftercare solutions for children who are found to be commercially sexually exploited. Protocols would provide standards for law enforcement officials, child welfare services, and/NGOs for serving children who are victims of commercial sexual exploitation. The purpose of such child protection protocols would be to prevent children from being potentially returned directly back into the hands of their traffickers and instead, provide the opportunity for recovery in a safe, vetted, and approved aftercare program.

Recommendations to Congress:

1. Provide quality legal care and services for victims and survivors in all areas of law, including criminal defense, family law, immigration, and civil lawsuits against traffickers with a focus for funding local organizations that specialize in providing quality legal care as a victim service.
2. Grant funding to pay legal services for victims that address the impact of criminalization, such as vacatur and post-conviction relief.
3. Expand the types of crimes and fees that are included in the Crime Victims Fund to allow for more collections that could be used to support victims' services.

Issue 8: Efforts to address long-term survivor needs must include remedies for financial harms and restoration.

Summary of the Problem

Many survivors of human trafficking report their traffickers exploited them financially, as well as physically, sexually, emotionally and spiritually. The lack of basic necessities such as a bank account, employment, housing, etc. can be a large cause of re-exploitation. Confronting debt can be retraumatizing to a survivor of human trafficking by having to prove who they are or prove they were trafficked. “Coercive Debt” a situation in which a victim was coerced into opening a credit card or loan, is difficult to prove and often overlooked by advocacy agencies. Additionally, it retraumatizes survivors each time they must make a payment on the debt; as a reminder of the human trafficking experience and feeling of exploitation.¹¹²

Existing Solutions

The Survivor Inclusion Initiative within the Liechtenstein Initiative works to assist survivors who have been exploited financially during their human trafficking experience.¹¹³ This initiative, as well as some community banks and organizations are working to assist survivors to obtain bank accounts, debit cards, credit cards and employment. However, the survivor’s credit history remains scarred and a debt moratorium prolongs the problem. Some grants (including from DOJ/ OVC) are available to assist survivors with financial resources and while appreciated, the funds are limited and the rules of the grant prohibit the monies from being used to pay for certain things, including the recommendations within this issue.

Agency Responses

The Department of Treasury has been “leading efforts to support a risk-based approach to the use of responsible digital identity solutions that can help survivors of human trafficking obtain access to the financial system.”¹¹⁴ DOL/Employment and Training Administration (ETA) has a network of almost 2400 American Job Centers which provides training and employment for vulnerable populations, including at-risk or disconnected youth¹¹⁵. DOJ “concurs that debt is a concern for some human trafficking survivors and would support exploration of mechanisms that could reverse the negative effects of bad credit history that resulted from traffickers’ exploitation and financial abuse of survivors.”¹¹⁶

Survivor Perspective

In Iowa, Chains Interrupted has worked with a survivor named “Debbie” (name changed for security purposes). Freed from her trafficker, Debbie’s credit was destroyed and she had more than \$25,000 of debt. Her trafficker had forced her to obtain a loan, then partially paid it off by exploiting her. He coerced her into obtaining credit cards by threatening her family, then made illegal purchases on them. Debbie’s sole desire is to help other girls and women in trafficking situations, but without good credit she is unable to obtain a bank account, employment, housing, a car or even a cell phone. A local advocacy agency hired her and assisted her with housing, but the pay is low, and this significant debt and poor credit is causing her great difficulty moving forward with her life. Debbie has stated multiple times that it would be far easier for her to pay this debt off by selling her body, than working for the advocacy agency.

¹¹² A Blueprint for Mobilizing Finance Against Slavery and Trafficking 2019, prepared by the Liechtenstein Initiative (United Nations University, 2019); Terri Lutrell, “Human Trafficking: Closer to Home than you Think,” Banking Journal, January 6, 2020. <https://bankingjournal.aba.com/2020/01/human-trafficking-closer-to-home-than-you-think/>

¹¹³ Liechtenstein Initiative, “Finance Against Slavery and Trafficking,” Retrieved <https://www.fastinitiative.org/>

¹¹⁴ Treasury, PITF agency consolidated response to PPPAC, July 2020.

¹¹⁵ Treasury, PITF agency consolidated response to PPPAC, July 2020.

¹¹⁶ DOJ, PITF agency consolidated response to PPPAC, July 2020.

Grassroot Experience

Chains Interrupted, like many advocacy organizations, works to support survivors of human trafficking with their financial-recovery. This currently includes financial assistance for basic needs, helping survivors work with banks and credit organizations to set up payment plans, reduce payments when possible, boost credit scores, and budget for the future. This assistance is often not enough, and the overwhelming financial barriers some survivors face can create a vulnerability for further exploitation.

Chains Interrupted

The Council recommends:

1. DOJ increases training for prosecutors and victim advocates on requesting, substantiating, and pursuing restitution orders on behalf of trafficking survivors.
2. We stand with the USAC and the following recommendation from its 2016 report: DOL eliminates age requirements and background checks for all employment assistance programs.¹¹⁷

Recommendations to Congress:

1. Authorize the DOJ/OVC to include assisting with debt relief as a service in the list of those eligible for coverage by Victims of Crime Assistance (VOCA) funds”



¹¹⁷ U.S. Advisory Council on Human Trafficking (USAC), *Annual Report 2016* (Washington, DC: U.S. Department of State, 2016), 20. <https://www.state.gov/united-states-advisory-council-on-human-trafficking-annual-report-2016/>

Issue 9: Survivors of human trafficking face barriers to obtaining legal status and accessing the formal labor market.

Summary of the Problem

The journey for survivors of human trafficking is a long and difficult one, especially from surviving to thriving. Both foreign and domestic victims face major barriers to work at every stage of the employment journey and are caught in a vicious cycle of being in constant survival mode. Human trafficking survivors who live in large cities where the cost of living is high, may not be able to pay for public transportation to get to work on most days.¹¹⁸ Survivors who are concerned about their immigration status, are particularly vulnerable because they may take exploitative jobs to survive. They are at risk of being re-victimized.

Victims of human trafficking need employment in order to rebuild their lives. However, there are major systemic barriers that prohibit them from reaching this goal. It is in the best interest of the state to empower victims to secure and retain a job. According to a 2017 study conducted by the University of Texas at Austin School of Social Work, there are at least 79,000 youth victims of sex trafficking in Texas.¹¹⁹ An estimated \$6.5 billion is spent in lifetime costs providing care to victims and survivors of youth sex trafficking in Texas, including costs related to law enforcement, prosecution, and social services.¹²⁰ There are approximately 2 million homeless youth in the United States.¹²¹ Financial instability and limited economic opportunities push youth to make poor decisions for survival such as theft or in some cases prostitution. 28% of youth on the streets trade sex for basic needs such as food or shelter.¹²²

For victims, a lack of lawful or permanent immigration status and/or inability to obtain work authorization may hinder their ability to secure income. Survivors who are waiting for approval of T nonimmigrant status (T-visa) are unable to lawfully work and may need to do what they can to survive because they face homelessness and possible deportation, putting them at risk of re-victimization. After a T-visa application is filed with DHS/U.S. Citizenship and Immigration Services (USCIS), it can take 18 to 27.5 months to adjudicate the application and, if the victim is eligible for T nonimmigrant status, approve the status for a victim.¹²³ Unlike those filing for asylum, T-visa applicants are not issued work authorization while they are waiting for their application to be processed. Another challenge for victims is the multiple processes required to demonstrate their eligibility for a T-visa per statute and regulation. Victims must prove to DHS/USCIS that they are indeed victims of a severe form of human trafficking in persons as defined in federal law and have complied with any reasonable requests for assistance from law enforcement in the investigation of their trafficking (or qualify for an exception due to age or trauma), among other eligibility criteria. In addition to their own statements about their experiences, they may submit a Form I-914, Supplement B, Declaration of Law Enforcement Officer for Victim of Trafficking in Persons to demonstrate that they are a victim of a severe form of trafficking in persons. To obtain this document, survivors may need to complete an interview, which could be retraumatizing, with the law enforcement agency, which has discretion over whether it will open an investigation of the case.

118 Nomi Network, Victims Focus Group, September 2019.

119 The University of Texas and Austin, Steve Hicks School of Social Work, "More Than 300,000 Estimated Victims of Human Trafficking in Texas," Retrieved from <https://socialwork.utexas.edu/featured/more-than-300000-estimated-victims-of-human-trafficking-in-texas/>

120 The University of Texas and Austin, Steve Hicks School of Social Work, "More Than 300,000 Estimated Victims of Human Trafficking in Texas," Retrieved from <https://socialwork.utexas.edu/featured/more-than-300000-estimated-victims-of-human-trafficking-in-texas/>

121 Covenant House, "The Issues," Retrieved from <https://www.covenanthouse.org/homeless-teen-issues/statistics>

122 Jody M. Greene, Susan T. Ennett, and Christopher L. Ringwalt, "Prevalence and Correlates of Survival Sex Among Runaway and Homeless Youth," *American Journal of Public Health* 89, no. 9 (September 1999): 1406-1409.

123 U.S. Citizenship and Immigration Services, "Victims of Human Trafficking: T Nonimmigrant Status." <https://www.uscis.gov/humanitarian/victims-of-human-trafficking-and-other-crimes/victims-of-human-trafficking-t-nonimmigrant-status>

Another challenge to the law enforcement interview process is the fact that there may be distrust from both sides. Law enforcement agencies sometimes fail to understand trafficking victims and may treat them as criminals before identifying them as victims. On top of language barriers, most survivors experience varying levels of post-traumatic stress disorder (PTSD) and/or other systemic abuses (e.g. criminalization) that may lead to distrust of law enforcement. Yet survivors must overcome all of this during the interview process with law enforcement. In reality, this is not an easy process for victims to endure and can hold up their ability to obtain T nonimmigrant status and work authorization.

Survivor Perspective

“Sometimes, I have to find a job that pays only cash. I was working as a bartender and eventually was asked for my social security card in which I didn’t have it and they fired me,” - A survivor of human trafficking in New York City.

A survivor of human trafficking in New York City.

Grassroot Experience

Sanctuary for Families, a New York City based non-profit organization shares that in some cases, law enforcement agencies say they “do not have sufficient evidence” or “lack the resources” to open an investigation, even when survivors have shared facts that meet the legal definition of a victim of a severe form of trafficking. In such cases, the law enforcement agencies do not issue continued presence (“CP”) nor the I-914 Supplement B to support survivors’ application. Consequently, those identified trafficking survivors must await the long adjudication period before DHS/USCIS determines whether they have met the T-visa eligibility criteria, and grant immigration status and work authorization. DHS/USCIS also does not automatically grant the T-visa even when an I-914 Supplement B is included in the application. These are some examples of unwarranted bottlenecks in the T-visa process.

The organization “Sanctuary for Families” had a client who was picked up in a raid, was in detention, and was identified as a trafficking victim. Yet, law enforcement continued to detain her while also meeting with her to obtain details about her trafficking victimization. She was treated like a criminal. She was ultimately released from detention after significant advocacy by counsel on her behalf.

~Sanctuary for Families

Survivor Barriers to Employment

Based on surveys, focus groups, and interviews with survivors

Job Readiness	Finding Open Positions	Application Process	Interviewing	Onboarding & Training	Job Retention
Mental health and healing from trauma take time	Difficulty finding jobs that match limited qualifications	Preparing a resume and addressing gaps in employment	Lack of trauma-informed interviewers	A lot of pressure to do the job perfectly	Lack of mental health support
Low self esteem and confidence	Difficulty finding jobs that pay in cash	Navigating the application process	Stigmatization and judgment for being a survivor	Hard to learn many new things in a short amount of time	Fear, nervous breakdowns, and triggers in the workplace
Lack of education or credentials needed	Difficulty finding jobs that pay enough to cover childcare	Questions that ask about criminal background	Difficulty addressing gaps in employment	Language barriers	Not paid enough to cover living expenses
Schooling and certification take time and money	Immigration status limits options	Language barriers	Nervousness and overthinking questions	Difficulty affording proper work attire	Lack of affordable, reliable childcare options
Financial trade-off between low-wage job and gov't benefits			Difficulty negotiating salary, not knowing what is fair or how to advocate for oneself		Lack of upward mobility options Transportation challenges

Existing Solutions

Victims who are able to secure CP do have work authorization. According to DHS/ICE, “law enforcement agencies are urged to make an expeditious initial determination of CP eligibility and to complete the application as early as practicable upon encountering a victim.” They even suggest that “best practice for law enforcement is to bring the paperwork to an interview; if the individual appears to be a victim and law enforcement plans to take additional actions, CP should be requested.” However, securing CP has been complicated and difficult. Only federal agencies can sponsor CP for survivors. The process should be initiated upon identification of a trafficking victim who may be a potential witness. CP may be requested by any federal, state, or local law enforcement agency with authority to investigate or prosecute human trafficking. Submissions by state and local requesting agencies must be sponsored by a federal agency and routed through designated point of contacts of the federal sponsoring agency to DHS/Homeland Security Investigations (HSI). Some federal agencies wait until they can speak to the person if they do not feel their statement is fully credible. Victims living with PTSD may have issues trusting law enforcement and it is traumatic when they are being questioned repeatedly to assess whether their story is credible. Federal agencies can deny applications that are deemed “questionable.” According to practitioners only federal agents are requesting continued presence because many state law enforcement agencies do not have a good system for requesting CP.

That is not always the case and some agents can still treat victims harshly. In 2019, only 173 individuals were granted CP.¹²⁴ Raid data is not easily accessible as they are conducted by local, state, and federal law enforcement.

Federal agencies have utilized these tools while state local agencies have not utilized CP as a tool for investigation and supporting victims.

¹²⁴ Department of Homeland Security, *Annual Report on Immigration Applications and Petitions Made by Victims of Abuse – Fiscal Year 2019* (Washington DC: Department of Homeland Security, 2020).

Agency Responses

It is unclear how many people start the process of applying for T-visas. However, according to DHS/USCIS, in Fiscal Year 2019 1,242 applications for T-visas were received, 500 approved, and 2,358 were pending.¹²⁵ These are the number of applications awaiting a decision as of the end of the reporting period.¹²⁶ Congress sets the cap at 5,000 T-visas issued per year. This cap has never been reached in the United States.¹²⁷

The Council recommends:

1. DHS/USCIS reduce the number of pending T-visa cases by adding additional resources like staffing, training for complicated cases and to understand the impact of trauma on survivors, and continue to fund the Vermont Service Center, where T and U-Visas are adjudicated.
2. DHS consider funding non-profit organizations to provide training.
3. DHS/USCIS provide work permit exemption for foreign national victims immediately upon identification as a victim of human trafficking.
4. DHS/ICE trains federal, state, and local law enforcement agencies on when the minimum criteria for CP is met by reporting trafficking victims and encourages them to initiate the protocol as soon as possible in the process. DHS encourages local state agencies to partner with their federal counterparts to apply for continued presence for victims.

¹²⁵ Department of Homeland Security, “Number of Form I-914, Application for T Nonimmigrant Status by Fiscal Year, Quarter, and Case Status, Fiscal Years 2008-2020,” Retrieved from https://www.uscis.gov/sites/default/files/document/data/I914t_visastatistics_fy2020_qtr2.pdf

¹²⁶ See INA 214(o)(2); 8 U.S.C. §1184(o)(2)

¹²⁷ Department of Homeland Security, U and T Visa Law Enforcement Resources Guide (Washington DC: Department of Homeland Security, 2011).

Issue 10: Male sex trafficking victims face unique obstacles to identification as trafficking victims and in accessing a trauma-informed response.

Summary of the Problem

There are significant gaps in the understanding of, identification of, and treatment for male trafficking victims. Studies indicate a large percentage of children exploited in the U.S. sex industry are boys.¹²⁸ Many of these boys are identified as victims of abuse but are not identified as victims of sex trafficking. Adding to misidentification or non-identification, boys often struggle with feelings of shame which keep them from seeking help.¹²⁹ Research cites to cultural stigma around homosexuality, confusion about sexual identity, and cultural views of masculinity as reasons that boys do not self-report.”¹³⁰ Lack of self-reporting compounds the challenges in identifying male sex trafficking victims, creating systemic barriers to accessing needed services that address the trauma resulting from trafficking exploitation.

Grassroot Experience

Through a USIAHT program, over 180 organizations and regions have been declared TraffickingFree Zones by means of a public proclamation, training, and human resource policy change. The human resource policy verbiage prohibits sex buying or sex trafficking related activities within the region/organization which has been proclaimed a TraffickingFree Zone. Incorporated into the technology program is a social media ad campaign directed at online sex buyers with up to 99 percent accuracy. More than 2.3 million ad impressions have reached online sex buyers with an average monthly reach of 55,000. Through this campaign, over 17,000 online sex buyers have visited the “get help” section of usiaht.org in which porn, sex, and sex buying rehabilitation programs are made available.

U.S. Institute Against Human Trafficking

128 Rachel Swaner et al., “Youth Involvement in the Sex Trade: A National Study,” Center for Court Innovation, 2016 (36% of children in the U.S. sex industry are boys), <https://www.ncjrs.gov/pdffiles1/ojjdp/grants/249952.pdf>; Curtis, R., Terry, K., Dank, M., Dombrowski, K., & Khan, B. 2008. The Commercial Sexual Exploitation of Children in New York City, Volume One, The CSEC Population in New York City: Size, Characteristics, and Needs. New York: Center for Court Innovation and John Jay College of Criminal Justice p. 115 (as high as 50% of the commercially sexually exploited children in the U.S. are boys); Estes, R. J. & Weiner N. A. (2001).The Commercial Sexual Exploitation of Children In the U.S., Canada and Mexico. PA: University of Pennsylvania School of Social Work, Center for the Study of Youth Policy (a large percentage of CSEC is boys); Williams Adams, Colleen Owens, and Kevonne Small, “Effects of Federal Legislation on the Commercial Sexual Exploitation of Children,” *Juvenile Justice Bulletin*. <https://www.ncjrs.gov/pdffiles1/ojjdp/228631.pdf>.

129 ECPAT USA, And Boys Too (2013)(Brooklyn, NY: ECPAT USA), pg. 11, available at https://static1.squarespace.com/static/594970e91b631b3571be12e2/t/5977b2dacd0f688b2b89e6f0/1501016795183/ECPAT-USA_AndBoysToo.pdf.

130 Timothy A. Bastedo, The Commercial Sexual Exploitation of Male Minors in the United States: A Snapshot with Strategic Implications for Prevention Education (undated)(Love146), available at <https://love146.org/wp-content/uploads/2013/06/CSEMMFinalReport-1.pdf>

Survivor Perspective

Recently a 13-year-old boy was admitted into care at U.S. Institute Against Human Trafficking's safe house. He had been kicked out of his home by his parents because they disagreed with his sexual orientation. This youth was forced to find a way to survive on the street; he was sold to adult men to pay the cost for him to live in the motel. Finally, the mother of the youth asked where he was living and how he was able to purchase new clothes and shoes. At that point, he was finally able to tell his story. He was rescued and brought into USIAHT's safe house. Since his admission to the safe house he is adjusting to his new living situation. He is safe and learning to trust and learning how to be loved appropriately.

Agency Response

In its response to the Council's inquiry, DOJ shared that DOJ/OVCs anti-trafficking program has long focused on ensuring that all victims of trafficking are able to access tailored services, and grantees report on the number of male clients assisted. DOJ/OVC Technical and Training Assistance Center (TTAC) routinely supports its grantees in enhancing their responses to male victims of labor trafficking and sex trafficking. DOJ/NIJ's work to identify all victims of human trafficking includes efforts to identify male victims of both sex and labor trafficking.¹³¹

The Council recommends:

1. HHS/ACF work toward developing cross-identification strategies that support early identification of sex trafficked boys who are identified as victims of other forms of sexual abuse.
2. DOJ/NIJ encourages research that will help criminal justice stakeholders better understand, prevent and intervene in cases involving human trafficked males.
3. DOJ, DOS, and DHS lead data collection and create a digital information sharing platform on human trafficking of males and support multi-sector and interagency collaboration and training.



¹³¹ DOJ, PITF agency consolidated response to PPPAC, July 2020.

Issue 11. Trauma informed training and implementation for stakeholders along a continuum of care are essential in providing quality and effective survivor care.

Summary of the Problem

People who have been victimized by human trafficking have likely experienced trauma in most, if not every category of the Social-Ecological model. The effects of this trauma are complex, far-reaching and affect survivors' lives in every aspect. Incorporating trauma-informed care into all points on the continuum of a survivor's journey is crucial. DOJ/NIJ has funded studies that point to the need for trauma-informed care for survivors of human trafficking. The *Evaluation of Services for Domestic Minor Victims of Human Trafficking* final report provides recommendations for enhancing service delivery to trafficked young people, including a recommendation that services should be trauma-informed and developmentally appropriate.

A study in the Annals of Health Law (2014) showed that 87.8% of people who had been victimized by human trafficking saw a health care worker while a victim.¹³² In the fall of 2016, the Coalition to Abolish Slavery and Trafficking (CAST) surveyed sex and labor trafficking survivors within the National Survivor Network and CAST's case management program. 64% stated they had accessed health care services at least one time during their trafficking experience. Sadly, 96.7% indicated they were not asked questions about their trafficking situation, nor were they provided resources. Despite this, 64.3% reported they felt health care professionals were in a unique position to identify and assist those victimized by this heinous crime.¹³³ Hospitals and clinics could be safe havens for a way out of the life, resources, and referrals for restoration. Unfortunately, people who have been victimized by human trafficking often feel misunderstood and judged by medical personnel.¹³⁴ Training in trauma-informed care can change the organizational culture and behavior of staff.

Grassroot Experience

As the first hospital in Iowa and fifth in the United States to hire an Anti-Human Trafficking Coordinator, Mercy Medical Center Cedar Rapids (Mercy) is a place where victims of human trafficking can find safety, receive emergency advocacy and connections for long-term advocacy. Council member Teresa Davidson serves as the Anti-Human Trafficking Coordinator at Mercy and has been a resource for hundreds of victims over the past few years. As part of the hospital-wide Anti-Human Trafficking Protocol, Teresa implemented internal and external response teams to support safety plans and trauma-informed responses. The staff serving on these specialized teams are specifically trained in trauma-informed and survivor-centered care. They are trained on how trauma changes the wiring in the brain and thus, people's responses to certain stimuli. Asking the question "what happened TO you?" versus "what's wrong with you?" has made big differences to survivors, who now feel understood and free to express their needs. Implementing these teams has created a body of experts to deal with the potentially delicate and volatile situations that can arise within a trafficking situation. Mercy makes training on their program available to hospitals and clinics across the nation and around the world. Most recently, Haiti sent government officials to Cedar Rapids, Iowa to learn more about the Anti-Human Trafficking Program at Mercy. Of note, the vast majority of survivors referred to the program over the past two years have come from outside the hospital, showing how valuable this type of program can be within a community.

~Mercy Medical Center Cedar Rapids

132 Laura J. Lederer & Christopher A. Wetzel, "The Health Consequences of Sex Trafficking and their Implications for Identifying Victims in a Health care Facility," *Annals of Health Law* 23, 1 (2014): 61-91.

133 Coalition to Abolish Slavery & Trafficking, *Identification and Referral for Human Trafficking Survivors in Health Care Settings, Survey Report*, January 13, 2017.

134 Human Trafficking Response Program Shared Learnings Manual, prepared by Dignity Health (San Francisco, CA, 2019).

Existing Solutions

HHS is in the process of supporting the development of core competencies on human trafficking for health care and behavioral health providers. The Stop, Observe, Ask and Respond (SOAR) program offered through HHS offers a variety of tremendous training opportunities and materials for health care providers, including trauma-informed care and developing a trafficking response protocol for organizations.¹³⁵ Numerous other organizations and agencies offer this type of training including Dignity Health, Polaris, and the International Organization for Migration. During the writing period of this report (February 2020), the DOJ/OVC TTAC released *Understanding Human Trafficking*, a series of five interactive online modules that offer foundational learning on trauma-informed and victim-centered approaches to human trafficking.¹³⁶ Implementing trauma-informed care is essential in creating an environment in which people feel safe, understood and empowered, but hospitals find it difficult to train every staff member. If a victim is accompanied by someone exploiting them, it is imperative that the medical staff questioning the victim handles the delicate and potentially volatile situation with care. Creating a specialized team within the hospital (Internal Response Team) and in the community (External Response Team) is one potential way to deal with these issues. Members of these teams can be carefully selected to include staff naturally gifted in dealing with difficult and rapidly changing situations who can keep up to date on data, protocol changes, and resources; maintain relationships with community partners, and are trained on trauma-informed and survivor-centered care.

Victims of trafficking need a diverse array of services to help them stabilize, begin to heal and journey to a place of restoration. According to DOJ, trafficking victims require specialized recovery programs that offer “shelter, nutrition, and appropriate medical treatment, as well as psychological evaluation, counseling, alcohol and drug treatment programs, education programs and life skills training.”¹³⁷ The wide range of emergency services needed can include crisis intervention and counseling, emergency shelter and referrals, urgent medical care, and safety planning. This is followed by a need for social services including case management, housing, job training and education, court accompaniment, employment assistance, transportation, mental health treatment, therapy, substance abuse treatment, mentorship, health care, food, and clothing. Often they need law enforcement and legal services, representation and sometimes witness protection. While the DOJ/OVC has funded a direct service model that “prioritizes enhancing survivors’ access to a broad range of quality services” for over two decades, many service providers find it difficult to provide access to specialized services required by trafficking survivors that adequately meet their need for the entire length of time needed for stabilization.¹³⁸

Survivor Perspective

“During the time I was on the street, I went to hospitals, urgent care clinics, women’s health clinics, and private doctors. No one ever asked me anything anytime I ever went to a clinic...I was on birth control during the ten years I was on the streets-mostly Depo-Provera shots which I got at the Planned Parenthood and other neighborhood clinics. I also got the morning-after pill from them. I was young, so I had to have a waiver signed in order to get these - one of the doctors (a private doctor I think) signed this waiver when my uncle took me to see him.”

*Lauren, survivor*¹³⁹

135 Public Law 115-398. 115th Congress. 132 Stat. 5327, <https://www.congress.gov/bill/115th-congress/house-bill/767?s=2&r=2>.

136 U.S. Department of Justice, Office for Victims of Crimes Training and Technical Assistance Center, 2020, *Understanding Human Trafficking*. <https://www.ovcttac.gov/understandinghumantrafficking/>

137 “Children Missing from Care,” National Center for Missing & Exploited Children, <https://www.missingkids.org/theissues/cmfc>.

138 Heather Clawson and Nicole Dutch, *Addressing the Needs of Victims of Human Trafficking: Challenges, Barriers, and Promising Practices* (Washington, DC: U.S. Department of Health and Human Services, 2008).

139 Laura J. Lederer & Christopher A. Wetzel, “The Health Consequences of Sex Trafficking and their Implications for Identifying Victims in a Healthcare Facility,” *Annals of Health Law* 23, 1 (2014): 61-91.



Grassroot Experience

The City of Refuge in Atlanta, Georgia implements long-term trauma informed care throughout its comprehensive program. Because they are able to offer the wide range of services survivors need over the long-term, the organization achieves the following key outcomes for a majority of survivors who graduate their program, at least 12 months after discharge:

- *Are living independently in permanent housing*
- *Feel safe in their new environment*
- *Have access to reliable transportation*
- *Are employed and earning at least 250% of FPL*
- *Have visited the dentist for an annual cleaning*
- *Have visited the doctor for an annual physical*
- *Are continuing to be treated for long-term mental health needs*
- *Are emotionally stable (healthy enough)*
- *Are free of addictions*
- *Are reunified with family (living with or in good relationship)*
- *Have returned to long term program to volunteer or work as employed*

~The City of Refuge

The Council recommends:

1. HHS continues their initiative to create Core Competencies for Human Trafficking for the health care professional.
2. HHS considers adding Internal and External Response Team recommendations and training as options to the Core Competencies as well as the SOAR modules available for health care professionals.
3. DOI/USPP continues their work to identify funding and resources for a full-time Victim Assistance Program (VAP) Coordinator in FY 2021.¹⁴⁰
4. We stand with the USAC and the following recommendation from its 2016 report: all PITF agencies' public awareness and outreach be trauma-informed.¹⁴¹
5. We stand with the USAC and the following recommendation in its 2016 report: DOJ, HHS, DOS, USAID, and DOL provide comprehensive services for all survivors of human trafficking.¹⁴²
6. We stand with the USAC and the following recommendation on the two-generation approach from its 2020 report: Support health, medical, and mental health services that address the unique circumstances associated with trafficking, especially to families where one parent may be the trafficker.¹⁴³

Recommendations to Congress:

1. Provide robust funding for human trafficking survivors—including funding to enhance services already offered by direct service providers. We recommend Congress create grant programs to fill the gaps of services offered in each state (safety, stability or reintegration phases), and supplement programming with trauma informed care and trauma based relationship intervention training to increase the overall capacity to serve survivors.
2. To create funding streams through HHS and/or OVC to create specific anti-human trafficking programs within health care organizations.

¹⁴⁰ DOI, PITF agency consolidated response to PPPAC, July 2020.

¹⁴¹ USAC, *Annual Report 2016*, 17.

¹⁴² USAC, *Annual Report 2016*, 18.

¹⁴³ USAC, *Annual Report 2020*, 27.

Conclusions and Next Steps

This Council started this review with many more issues and recommendations than were able to be included in this report due to time and travel constraints. Unfortunately, this Council has been working under a very abbreviated timeline to develop this report. The legislation that created this Council was enacted in late 2018, and the Presidential appointment processes were completed in late 2019. This has given the Council roughly nine months to organize the Council and respective subcommittees, identify issues to address, meet with PITF agencies, develop recommendations, and prepare this final report. The Council is currently set to terminate on September 30, 2020. We strongly recommend that Congress allow this important work to continue by reauthorizing or extending the current authorization of the Council.

If reauthorized by Congress, the Council would be able to bring greater depth to these recommendations. One method could be conducting a survey of private sector anti-trafficking stakeholders that would enrich the recommendations contained herein. The Council, should it be reauthorized, will address gaps in this current report (such as labor trafficking, sustainable housing, pornography and other forms of online solicitation), the rapid changes occurring in the world of human trafficking due to the pandemic, and explore building wider grassroot organization access to collaboration in federal efforts, such as distributing training resources and best practice recommendations. For example, DOJ is currently chairing an interagency working group to formulate a National Strategy for Child Exploitation Prevention and Interdiction, in consultation with external stakeholders.¹⁴⁴ This Council could assist greatly toward that effort.

Many recommendations to bring federal government programming closer to best practices in the prevention and provision of survivor care require Congressional action. This Council encourages and applauds the many efforts currently underway in the U.S. Congress to address gaps and issues.

Finally, the members of this Council express our appreciation for the opportunity to serve and forge new paths for public-private partnerships. Should the opportunity to grow this initiative continue, we feel confident that it will add new threads to strengthen the safety net for the trafficked and those at risk of becoming a trafficking victim. While our initial report is largely focused nationally, the hope to study international efforts will create opportunity for new partnerships.



Photo Credit: PPPAC

¹⁴⁴ DOI, PITF agency consolidated response to PPPAC, July 2020.



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