

# **STANDARD FOR IDENTIFYING, DOCUMENTING AND DETERMINING APPROPRIATE SERVICES FOR CHILD VICTIMS OF HUMAN TRAFFICKING**

## **PURPOSE**

The purpose of this standard is to provide direction and guidance to Child and Family Services (CFS) programs regarding reporting and responding requirements for incidents of human trafficking of children. This standard is intended to achieve statewide consistency in the development and application of CFS core services and will be implemented in the context of all-applicable laws, rules and policies. This standard will also provide a measurement for program accountability.

## **INTRODUCTION**

Children and youth in foster care are particularly vulnerable to child trafficking and runaway episodes. To better address the needs of this high-risk population, the Preventing Sex Trafficking and Strengthening Families Act of 2014 (P.L. 113-183) introduced provisions for child welfare agencies to identify and provide services to child trafficking victims and youth at risk of becoming victims.

State child welfare agencies are required to:

- Identify any child or youth over whom the agency has responsibility for placement, care or supervision and whom the agency has reasonable cause to believe is, or is at risk of being, a trafficking victim (including children for whom the agency has an open case but who have not been removed from the home)
- Report immediately, and in *no case later than 24 hours* after receiving information on children or youth who have been identified as being a trafficking victim, to law enforcement.
- Document and determine appropriate services for children and youth at risk of trafficking or children who have been identified as victims of trafficking.
- Include the annual number of children in foster care who are identified as sex trafficking victims, who were such victims before entering foster care; and who were such victims while in foster care in the Adoption and Foster Care Analysis and Reporting System (AFCARS).

**All services provided under this Standard are to be delivered in accordance with section 504 of the Rehabilitation Act of 1973 and Title II of the Americans with Disabilities Act of 1990.**

## TERMS

**Human Trafficking:** (1) sex trafficking in which a commercial sex act is induced by force, fraud or coercion, or in which the person induced to perform such act has not attained eighteen (18) years of age; or (2) the recruitment, harboring, transportation, or obtaining of a person for labor or services, through the use of force, fraud or coercion for the purpose of subjection to involuntary servitude, peonage, debt bondage, or slavery (I.C. 18-8602).

**Commercial Sex Act:** Any sex act on account of which anything of value is given to or received by any person.

**Child Victim of Human Trafficking:** A person who has not attained eighteen (18) years of age who has been involved in a commercial sex act and/or has been recruited, harbored, transported, or obtained for labor or services, through the use of force, fraud or coercion for the purpose of subjection to involuntary servitude, peonage, debt bondage, or slavery.

**Child Victim of Sex Trafficking:** A person who has not attained eighteen (18) years of age who has been involved in a commercial sex act.

**Child Victim of Other Forms of Severe Trafficking:** A person who has not attained eighteen (18) years of age who has been recruited, harbored, transported, or obtained for labor or services, through the use of force, fraud or coercion for the purpose of subjection to involuntary servitude, peonage, debt bondage, or slavery.

## CFS STAFF REQUIREMENTS

This standard provides information regarding CFS staff requirements, guidance, and direction on implementation. Below are the requirements for CFS staff for this standard:

- Social workers must coordinate with law enforcement, juvenile justice, and social service agencies to assess the safety of the child who is reported to be a child victim of trafficking and, if indicated, ensure the provision of appropriate services to the child.
- Social workers must assess every child who is the subject of a safety assessment for trafficking during the initial Comprehensive Safety Assessment
- Social worker must screen every child who is receiving services with CFS for trafficking on an ongoing basis.
- Social workers must screen every youth in foster care who has run away or been abducted after their return, for child trafficking (see *Standard for Responding to and Reporting on Runaway Youth*).
- Social workers must report all instances of child trafficking to LE within 24 hours of receiving information that the child is or could be a victim of trafficking.

- Social workers must follow documentation and reporting protocol for child victims of trafficking.

**IMPLEMENTING THE STANDARDI. Identifying a Child Victim of Human Trafficking**

Social workers are required to engage in initial and ongoing efforts to identify and as necessary, ensure the provision of appropriate services to the child. The following are times/triggers during which social workers must conduct screening for human trafficking;

**I. Intake/Priority Guidelines**

When a child is reported to be a victim of human trafficking CFS will respond and coordinate with law enforcement, juvenile justice, and social service agencies to assess the safety of the child and, if indicated, ensure the provision of appropriate services to the child. \*Please see the Standard for Intake/Screening and the Priority Response Guidelines.

- A referral is assigned a Priority 1 response when the alleged offender has immediate unrestricted access to the child.
- A referral is assigned a Priority 2 when a child is reported to be a victim of human trafficking and his or her current safety needs are being addressed; therefore, the child is not in immediate danger.

**II.**

**A. Initial Assessment**

CFS will respond and coordinate with law enforcement, juvenile justice, and social service agencies to assess the safety of youth who are victims of human trafficking, who have runaway, or who are missing and, if indicated, ensure the provision of appropriate services to the child. Interviewing children during initial or ongoing safety assessment or following an absence from foster care (missing or abducted) can help to identify victims of child abuse and/or neglect as well as human trafficking, gain insight into their victimization experiences, and understand their individual service needs. This is especially challenging as many child trafficking victims do not view themselves as a victim.

**B. Initial and On-Going Screening for Human Trafficking**

All children who are included in a Comprehensive Safety Assessment must be screened for human trafficking. All children who are being provided CFS services and/or included in a Reassessment of Safety must be screened for human trafficking on an on-going basis. All children who have experienced an absence from foster care (missing or abducted) must be screened for human trafficking upon their return. \*Please see the Standard for Comprehensive Safety, On-Going, and Re-Assessment and the Standard for Reporting and Responding to Runaway Youth.

Screening children for trafficking during formal and informal safety assessment helps to identify child trafficking victims, gain insight into their experiences, and understand their individual service needs. This is especially challenging as many victims of child trafficking do not view themselves as a victim. Screening for human trafficking is not a separate action from the formal safety assessment process or informal assessment of safety during monthly contacts with a child. Interview questions within the context of the 6 Domains should be tailored to identify instances of human trafficking when information provided indicates a child is at risk. For example, when a child responds to a question about body safety indicating they may have been sexually abused, follow-up questions regarding who, when, and how can provide additional clarification regarding the child's trafficking status. This may be completed by the assigned worker or during a forensic interview with a Child Advocacy Center. The following risk factors should be considered when screening children for human trafficking during initial and on-going formal and informal safety assessment:

- Early childhood sexual abuse
- Homelessness
- Running Away
- Inadequate supervision or care
- Inadequate food clothing, shelter
- Family/community history of exploitation
- Exposure to domestic violence in the home
- Placement in a group home
- Criminal charges/probation

### **III. Documentation**

CFS must document human trafficking screening and the outcome for every child who is included in a comprehensive safety assessment, reassessment of safety, and has returned from an absence from foster care due to run away or abduction. For children who are identified as human trafficking victims, CFS must document the date law enforcement was notified and how appropriate services were determined for the child. This information must be documented in the iCARE child trafficking screen located on the child's person profile and accessible through the Comprehensive Safety Assessment and the Re-Assessment of Safety.

### **IV. Determining Appropriate Services for Child Victims of Human Trafficking**

CFS social workers are not experts in child trafficking. It is imperative the social worker coordinate with community partners and organizations to address the needs of a child trafficking victim. The social worker must notify law enforcement within 24 hours of becoming aware the child was trafficked. Collaboration with local child advocacy centers, MDTs, juvenile justice, and experts in therapeutic interventions with trafficking victims is required and necessary to meet the needs of child trafficking victims.

## V. Resources for Human Trafficking

*Conducting Good Return Interviews with Young People Who Runaway* is an interview guide for a return interview that is an example of in-depth conversation with a young person who has run away.

[http://www.childrenssociety.org.uk/sites/default/files/tcs/runaway\\_return\\_interviews.pdf](http://www.childrenssociety.org.uk/sites/default/files/tcs/runaway_return_interviews.pdf)

*Screening for Human Trafficking* This manual is intended primarily for victim service agency staff and other social service providers. The screening questions can help agency staff to identify victims of human trafficking and help trafficking victims obtain the protection and services they need <http://www.vera.org/sites/default/files/resources/downloads/human-trafficking-identification-tool-and-user-guidelines.pdf>

**Any action taken not consistent with this standard must be pre-approved by the FACS Division Administrator or designee. The action, rationale and approval must be documented in the file.**