

City of New York
Administration for Children's Services

**Subject: Assessment and Safety Planning with Commercially Sexually Exploited
(Sex Trafficked) Children**

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Division Of Child Protection

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IMPLEMENTATION
RESPONSIBILITY:

DATE: June 11, 2012

**Children's Services Division of Child
Protection (DCP) Staff**

Background

Human trafficking is the recruiting, abducting, facilitating, transferring, harboring or transporting of a person by use of force, coercion or deception. Human trafficking may involve labor trafficking and/or sex trafficking. Traffickers may be family, friends, strangers, acquaintances or peers of minor victims. Commercial sexual exploitation of children (CSEC) is a form of human trafficking that involves sexual abuse and exploitation of children for monetary gain. Traffickers of children prey on, isolate, threaten, physically hurt, degrade and occasionally reward sex trafficked children to make them submissive to being trafficked.

Sex traffickers may use the internet and social media to prey on, recruit and then exploit victims by posting sexually explicit pictures of the victim to advertise their services. Youths are particularly vulnerable to the inducement and coercion of traffickers and may not perceive that they are being sex trafficked. Traffickers may seduce youth to make them feel that they are in a dating relationship and to establish a strong psychological hold on the youths. The trauma bond that youth may have with a trafficker makes it difficult for the youth to leave the trafficker even after they realize they are being trafficked. This presents a significant challenge to child protection, law enforcement and community organizations in identifying and assisting these young victims.

Purpose

This policy will provide guidance on identifying, engaging, supporting and safety planning with children who are victims of sex trafficking. The policy will also guide the child protection team on working with the parents or caretakers (when applicable) and finding targeted services to help children recover from sex trafficking.

Scope

This policy applies to all staff in the Division of Child Protection (DCP) including Children's Center Pre-placement Services (PPS) and Office of Placement Assistant (OPA) staff that are involved in the assessment and safety planning for children.

Policy

Division of Child Protection staff is required to screen youth that come to their attention to determine if the youth is being trafficked. When a youth discloses or staff learns that a youth is being trafficked, DCP staff is to determine if the family is an appropriate source of care and support for the youth. DCP staff is to work with the family (when appropriate), as well as with law enforcement and supportive services to implement effective safety interventions, including trauma focused services, that will assure the physical and emotional safety of the trafficked youth.

Procedure

Defining Commercially Sexually Exploited (Sex Trafficked) Children

Sex trafficked children are children under 18 years of age who have engaged in, agreed to or offered to engage in a sexual act in return for money, traded sex for food, clothing or a place to stay or been filmed or photographed. Children are considered sex trafficked as long as they engage in commercial sex, regardless of the presence of a pimp or controller. *Sex trafficking does not require that the child is moved from one location to another.* Traffickers may be family, friends or acquaintances, may be young, carry business cards and describe themselves as money managers and entrepreneurs.¹ The definition of sex trafficked children does not include children who are sexually abused by parents, guardians or others that interact with the children at home unless such abuse is linked to exploitation for monetary gain.

Staff shall consider sex trafficked children as vulnerable victims who are being preyed on, controlled and abused and who, therefore, need support and advocacy. These children are often estranged from their families or others whose care and support is critical in helping them recover from the trauma of being trafficked. Effective intervention requires that DCP staff identify when a child is being trafficked, assess the child through a trauma focused lens, and work with the child, family (when applicable) and community supports to ensure the child's physical and emotional safety.

When working with trafficked youth, DCP staff may be required to perform one or more of the following functions:

- Assessing and arranging for the child's immediate needs (food, clothing and shelter).
- Assessing and arranging for the child's mental health and medical needs.
- Coordinating services.
- Safety Planning.
- Advocacy.
- Referring the child to immigration or legal services as necessary.

Risk Factors for Sex Trafficked Children

During safety and risk assessments, DCP staff is to assess whether a youth is a victim of sex trafficking. If staff identifies that a youth is being trafficked, the staff should discuss this with the youth privately. Discussions in the presence of the suspected trafficker may alienate or place the youth in physical danger if the trafficker suspects that the youth has disclosed. When assessing if a youth is being trafficked, staff shall consider the following factors that increase the risk of youth being trafficked:

- Age – Youth and adolescents.
- Prior child welfare involvement:² including foster care.
- Family problems including physical/sex abuse, substance abuse and/or domestic violence.
- Childhood trauma and low self esteem.
- Truancy, learning disabilities and/or educational neglect issues.
- Child drug abuse.
- LGBTQ Youth estranged from their family.
- Gang affiliation.
- Youth with an excessive need for attention.
- Unaddressed basic needs.
- Absence of caring adults.
- Homelessness.

Age – Youth and Adolescents

In the process of seeking emotional and sexual connection with their own age group or young adults, adolescents are more likely to engage in risky behaviors that increase their vulnerability to being preyed on by traffickers. When assessing if a youth is being trafficked, DCP staff shall therefore:

¹ 2006 study of CSEC in New York State.

² 2006 study of CSEC in New York State indicates that 85% of CSEC victims had prior child welfare involvement with 75% experiencing foster care placement and 45% receiving previous PPRS.

- Determine whether there is a good relationship and communication between the youth and the parent/caretaker.
- Discuss with the youth and caretaker any behavior pattern that may place the youth at increased risk of being trafficked, including if the youth leaves home for excessive periods of time and the parent's knowledge of the youth's whereabouts when the youth leaves home.
- Find out about the people that the youth has regular contact with and/or consider significant influences in his/her life.
- Inquire about the internet sites the youth frequents and the people he/she meets on the sites.
- When appropriate, educate the youth and parent /caretaker about the risks and indicators for sex trafficking.

Prior Child Welfare Involvement

Many sex trafficked children were involved with the child welfare system through placements or preventive services³. Parental neglect including physical and sexual abuse places children at increased risk of being recruited for sex trafficking. Youth that are frequently AWOL from placement or who are frequent run-away from home after discharge from placement are at increased risk of being sex trafficked. Traffickers may also prey on foster homes to recruit youth that are in foster care. When assessing if a youth is being sex trafficked, DCP staff shall consider the effect of prior trauma on the child by:

- Reviewing the prior history to determine if there are risk factors for sex trafficking.
- When such risk factors exist, assess whether effective trauma reduction services were provided for the youth and if there is a need for additional services.
- Assess whether the prior child welfare history has increased the child's vulnerability being trafficked.
- Consider the prior history and current indicators when determining if the child is being sex trafficked.

Lack of Basic Needs including Homelessness

Homelessness deprives youth of the ability to meet the basic needs and increases their vulnerability to being trafficked. Runaways and homeless youth may engage in survival sex to meet their basic needs or maintain a drug habit. These youth may be involved with a pimp whom they are afraid of, they may believe that he is meeting their basic needs, and they may also be infatuated with the pimp. In some cases, these youth may experience a range of feelings including loyalty for the pimp. Estrangement from their family increases the youth's dependence on their pimp for basic needs.

When assessing a youth's vulnerability to being trafficked, the DCP staff shall:

- Determine the extent to which the youth's basic needs are being met by the parent/caretaker.
- If basic needs are not being met, determine how the youth is meeting the basic needs and whether this increases the child's vulnerability to being trafficked.
- Determine how knowledgeable the parent / caretaker is about the youth's activities away from home and on the internet.
- Determine the parent/caretaker's protective capacity (insight into the physical and emotional needs of the youth along with the ability and willingness to meet the youth's needs).

Assessing the Home Environment

If a home is observed to be a frequent gathering place for youth or there are frequent and different youth visitors to the home, the CPS shall broaden their assessment to rule out if the youth in the home is being sex trafficked. Staff shall:

- Obtain the names of the children and the relationship between the adults and the children.
- Determine how well the children know each other.
- Determine how frequently the children visit the home, how long they stay there, where they go when they leave.
- Obtain the whereabouts and contact numbers for their parents or caretakers.
- Determine if school aged children are attending school.
- Determine the specific roles that the adults in the home are playing in the lives of the children.

³ 2006 study of CSEC in New York State indicates that 85% of CSEC victims had prior child welfare involvement with 75% experiencing foster care placement and 45% receiving previous PPRS.

- Be alert to language used by the children such as “bottom girl” (the head girl), “out of pocket” (to look or talk to another pimp) or “Track” (where the girls work), which may indicate that children are being trafficked.
- Observe for signs of similar tattoos or branding on the children.
- Determine how free the children are to come and go from the residence.

Truancy and Learning Disabilities

Traffickers may target school aged children and focus on children that are truant, learning disabled or failing. Such children may have low self esteem and increased vulnerability to the inducement of the trafficker. Chronic absences from school resulting in multiple reports of educational neglect may be an indicator that a youth is being trafficked or at increased risk of being trafficked. When assessing youth with educational problems the CPS shall:

- Explore what activities the youth engages in when not in school and whether there is a pattern to these activities that may suggest that the youth is being trafficked.
- Determine if the youth has a learning disability and the effect of school performance on the youth’s self esteem.
- Determine what actions the school and parent/caretaker have taken to increase the youth’s performance.
- When youth present with unexplained, frequent or multiple injuries, engage the youth and determine the source of the injuries. Such injuries may be the result of the youth being assaulted by their trafficker (“pimp”).
- Include the Investigative Consultant if there are indicators of sex trafficking and/or injuries suspected inflicted by the trafficker.

There may not be single conclusive indicator that the youth is being trafficked. The CPS should therefore look for patterns in the information obtained to determine if a youth is a victim of trafficking.

Parental Neglect (Physical/Sexual/Substance Use and/or Domestic Violence)

Children who have been the subject of parental neglect including physical and/or sexual abuse, substance use and domestic violence are at increased risk of being trafficked. Severe parental abuse and neglect may result in a youth engaging in trauma response addiction and then become involved in sex trafficking to support their addiction. When assessing youth, particularly youth with a history of severe and/or chronic neglect, the CPS shall:

- Involve the Clinical Consultants for a trauma focused assessment of youth with severe and/or chronic neglect history.
- Assess for youth substance use.
- Involve the collocated CASAC in the assessment⁴ if there are indicators of substance use.
- Determine if there are other indicators along with the substance use that may inform if the youth is being sex trafficked.

Lack of Emotional and Economic Support

Youth residing at home may seek emotional support through gang affiliation or with strangers when such support from family members is lacking. Economic hardship, absence of a father figure and a weak emotional bond with their mother/caretaker increase the youth’s vulnerability to being trafficked by adults who present as parent figures or as big brother/sister. When assessing a youth’s vulnerability to being sex trafficked, the CPS shall therefore:

- Assess the strength of the emotional bond between the youth and their caregiver(s).
- Ask the youth to identify individuals with whom they have a strong emotional bond.
- Assess the youth’s dependence on non-family members for financial and emotional support.
- Ask the youth to identify individuals whom the youth considers most reliable in assisting them.
- Ask the youth to identify individuals whom the youth can get money and/or advice from if they need it?

Working with Sexually Trafficked Lesbian, Gay, Bisexual, Transgender, Questioning (LGBTQ) Youth

⁴ CASAC Co-location Policy requires the CPS to refer the family for a CASAC evaluation if the child or family presents with substance abuse concerns including substance use history in the family.

The CPS should always use LGBTQ competent practice when working with youth who may identify as LGBTQ. LGBTQ youth are at increased risk of being rejected by their family and therefore becoming homeless. This increases the likelihood of youth being trafficked because of difficulty or inability to meet their basic needs. LGBTQ who are being sex trafficked may be unwilling to disclose that they are LGBTQ or victims of sex trafficking. The DCP staff shall:

- Guided by the LGBTQ policy⁵ when interviewing and assessing an LGBTQ youth.
- Engage the youth to allow the youth the opportunity to voluntarily disclose their sexual orientation should they choose to.
- Determine the extent to which the physical and emotional needs of the youth are being met.
- Assess whether the youth's orientation is increasing the youth's risk of being trafficked.
- Focus safety and service planning on the youth's physical and emotional needs.

Red Flags for Victims of Sex Trafficking

The red flags below should alert the CPS that a youth may be a sex trafficking victim or is at increased risk of being trafficked. A broad assessment involving the Clinical and Investigative Consultant is therefore needed to determine if the youth is being trafficked.

- Language (street slang): Use of street slang such as "bottom girl" (the head girl), "out of pocket" (to look or talk to another pimp) or "Track" (where the girls work).
- Branding or Tattoos.
- Unexplained source of money.
- Running away from home for significant periods of time.
- Unwilling to disclose whereabouts.
- Provocative dressing well beyond the youth's age; dresses and acts to pass as an adult.
- Spending significant time with an older and/or controlling and abusive adult or teen.
- Not knowing the community or unable to identify their location.
- Restricted communication and/or anxious, fearful, depressed, submissive, tense and nervous behavior.
- Unexplained injuries or signs of physical abuse.

Engaging Sex Trafficked Youth

Trafficked youth may present as difficult to engage for multiple reasons. DCP staff should consider that sex trafficked youth who present as aggressive, dismissive or challenging may be displaying self protective behaviors that have protected the youth physically and emotionally. Youth may also display Stockholm Syndrome⁶ that results in the defense of, and/or minimizing and justifying the acts of the trafficker. Youth may not want to disclose they are being trafficked because of a fear of being stigmatized, fear of law enforcement, fear of family reaction, or that they do not consider themselves victims or think anyone will believe them. Whenever possible, staff shall interview the youth alone and away from the presence of suspected trafficker. Engagement of sex trafficked youth requires staff to:

- Consider the youth a victim of sex trafficking who requires assurance and support.
- Assure the youth that the staff is there to help the youth.
- Start where the youth is to try and understand what is driving the behavior.
- Be patient and understanding.
- Understand the physical and emotional trauma that the youth may have experienced prior to being trafficked and while being trafficked.
- Normalize the youth's posturing when the behavior does not present a risk to the youth, staff or others.
- If the youth asks staff to maintain confidentiality, the staff should explain under what circumstances staff is required to disclose to others (when not disclosing will place the youth or others in danger).
- Never make a promise not to disclose without knowing what information the youth will reveal.

Screening Questions for Sex Trafficked Youth⁷

⁵ LGBTQ Policy issued November 2011.

⁶ Captive identifies with his/her captor for physical and emotional survival.

⁷ Trafficking screening questions from the US Dept. of Health and Human Services.

The following screening questions will help DCP staff assess if a child is being trafficked. Staff is to use the screening questions as a guide and should reframe the questions as necessary.

- How much choice do you have in coming and going?
- How afraid are you that you will be harmed if you try to leave?
- Describe if you have been physically harmed in any way when you try to leave.
- Describe what your working and living conditions are like.
- Tell me about the hours that you work.
- Tell me about your sleeping and eating conditions.
- Have you ever been deprived of food, water, sleep or medical care?
- How much freedom do you have to eat, sleep or go to the bathroom when you want to?
- Are there locks on your doors and windows so you cannot get out?
- How afraid are you that someone may hurt your family?
- Has your identification or documentation been taken from you?
- Is anyone forcing you to do anything that you do not want to do?

Safety Planning with Sex Trafficked Youth

Sex trafficked children experience significant physical and emotional trauma that may result in Post Traumatic Stress Disorder, self mutilation, rage, depression, substance abuse and codependency. Youth that do not feel physically and emotionally safe or whose basic needs are not being met are unlikely to follow through with a safety plan. Safety planning should prioritize the physical and emotional safety of the youth. Youth that have been trafficked for a long time may need three or four attempts before being able to successfully break away from the trafficker. Planning with the youth empowers and builds the self efficacy of youth and increases the likelihood of the plan succeeding. Safety planning by the CPS shall therefore:

- Maintain an awareness of the youth's vulnerability.
- Consider whether the parent or guardian is involved in the youth's trafficking.
- Fully include the youth and plan with the youth, not for the youth.
- Make allowance for failed efforts by the youth by discussing various options if one should fail.
- Consider and allow for the possibility that the youth may fail in all or part of the safety plan by providing different and various options that will keep the youth safe.
- Ask the youth to identify family members that can help support the safety and service plan and include these family members in the planning.
- Consider whether the involvement of law enforcement will increase the likelihood of the plan succeeding. Law enforcement may be effective in breaking the connection between youth and exploiter through arrest and prosecution of the exploiter.
- Consider whether a supportive role by law enforcement (when applicable) and targeted, concrete and effective services will increase the likelihood of the plan succeeding.⁸

Safety Plans should prioritize physical and emotional safety including:

- Immediate assistance (housing, food, medical, safety and security).
- Mental health assistance (counseling).
- Income assistance.
- Legal status (certification, immigration).

Service Plans

⁸ Resource information for Sex Trafficking Victims is available on the ACS intranet – NYC Office of Criminal Justice Coordinator – Human Trafficking Resource Directory.

Sex trafficking victims consider peer based counseling and working with counselors with similar experience as most effective in helping return to a normal life. They consider traditional therapy, medication and preventive services ineffective. When possible, DCP staff shall:

- Refer victims to agencies that are able to offer peer based counseling or that have counselors that can understand and relate to the victim's experience.
- Link the youth to agencies that can offer comprehensive trauma recovery services and referrals for employment.
- Refer children that are non-citizens and are being placed to the ACS Immigrant Services Coordinator for Special Immigrant Juvenile Services (SIJS)⁹.
- Determine whether the youth requires placement as a neglected, abused or destitute child.

Victims of human trafficking in the U.S. who are non-citizens may be eligible to receive special visas and to receive benefits and services through the Trafficking Victims Protection Act (TVPA) to the same extent as refugees.

Family Mapping

Family mapping will help the CPS to understand family relationship and interactions, determine if family members are involved in trafficking the youth, and identify family members and resources to support the safety and service planning. Family mapping may also help the staff determine if family members are involved in the trafficking of the youth. Family mapping should include:

- Both nuclear and extended family members that can connect emotionally with the youth.
- Extended family members that live outside the geographic area of the nuclear family¹⁰ that can serve as resources for trafficked youth who require a safe place that is unknown to the trafficker.
- Help the family find resources that can increase the emotional and physical safety of the youth and reduce any Stockholm Syndrome effect.

Arrangements for the youth to reside with extended family members should be planned by the parents/caretakers- not the CPS, unless the decision by the CPS team is to remove the child.

Engaging and Planning with the Non-Offending Parent/Caretaker

Successful engagement of a non-offending parent is essential during safety planning for trafficked children. The non-offending parent can provide the emotional and physical safety that will help a trafficked child recover. The CPS must assess if a parent/caretaker is involved in the trafficking of a child before engaging the parent/caretaker in safety and service planning. To successfully engage the parent/caretaker, the CPS should:

- Be aware and acknowledge that the trafficking disclosure can be traumatic and present as a family crisis for both the parent/caretaker and the child.
- Reassure the parent/caretaker that the CPS is concerned about the safety of the child, welfare of the family and will work with the family to find resources for the child.
- Build rapport with the parent/caretaker by normalizing the parent/caretaker's emotional reactions upon learning that his/her child is being trafficked.
- Help the parent/caretaker work through emotions that may include disbelief, anger, hostility, blame, detachment, disgust, anger or ambivalence.

Coordination with Investigative Consultants

The CPS is required to promptly consult with the Investigative Consultant when there are indicators that a child is being trafficked. Investigative Consultants will assist the CPS with:

- Identifying trafficking red flags.
- Conducting domestic violence and criminal background checks.

⁹ CPS should contact ACS Immigrant Services Coordinator (mark.lewis@dfa.state.ny.us) for youth trafficking victims that are non- citizens and are entering foster care.

¹⁰ Extended family members can be an important resource for youth that are trafficked within the area that the youth live.

- Identifying and accessing people that can provide additional information.
- Locating children and other family members.
- Assisting with interviewing the victim and assessing the information obtained.
- Identifying and contacting the appropriate law enforcement agency as well as coordinating between the CPS team and law enforcement during safety planning for the trafficked youth.
- Notifying the Investigative Consultant Supervisor and checking the confirmed Sex Abuse box in the Investigative Consultation System if it is believed that the child is a victim of sex trafficking.

If the Investigative Consultant and CPS team assesses that the youth is at risk and the CPS is unable to access the youth, the CPS should promptly refer the case to FCLS to determine whether court intervention is required.

Coordination with CASAC, Mental Health and Domestic Violence Consultants

Trafficked youth may have co-occurring trauma and substance use that preexisted the trafficking or as a direct result of the experience of being trafficked. The CPS shall therefore:

- Involve the Clinical Consultants (CASAC, Mental Health) when substance use and mental health concerns arise during the assessment of a trafficked youth.
- Include the Domestic Violence Consultant in the assessment and safety planning if the youth is a victim of physical violence by the trafficker.
- The Domestic Violence and Mental Health Consultants will assist the CPS with the assessment and safety planning for youth that may return to the trafficker in spite of the danger that this presents for the youth.

Children’s Center Pre-placement Services (PPS) and Office of Placement Assistance (OPA) Staff

Youth entering pre-placement services may be sex trafficking victims that have not yet disclosed. Children’s Center staff is therefore required to complete sex trafficking screenings of youth consistent with the guidelines detailed in this policy. If the staff identifies a youth as sex trafficked, staff shall alert the ECS Investigative Consultants to enable them to participate as necessary in the safety and service planning. Staff must also alert the borough office staff that has case management responsibilities. Child Evaluation Specialist (CES) staff at the Children’s Center must work closely with identified sex trafficked youth that are not immediately placed to provide required trauma focused support. When necessary, staff should also implement measures to prevent sex trafficked youth from recruiting other youth that are at the Children’s Center. To increase the youth’s physical and emotional safety during placement, OPA staff shall explore and when available, select placement options that limit the trafficker’s access to the youth.

Supervision

The CPS is to promptly alert the unit supervisor when a trafficked child is identified. The supervisor is required to:

- Provide timely and effective guidance that promotes a multidisciplinary assessment and safety planning.
- Monitor and support a safety focused assessment and safety/service planning.
- Alert the ACS Anti-Trafficking Liaison¹¹ about the trafficked youth and the ACS Immigrant Services Unit¹² if the youth that are being placed presents with immigration issues or meets the criteria for Special Immigrant Juvenile Status.
- Alert the Child Protective Manager within 48 hours of the youth being identified as trafficked.

The Child Protective Manager shall:

- Assist the CPS team as necessary in identifying and involving key stakeholders in multidisciplinary safety and service planning for the youth.
- Monitor and support the CPS team in assuring that the youth receives appropriate trauma focused services.
- Support the CPS team in assuring that Family Team Conferences are effectively used to plan for the safety and well being of the youth.

¹¹ Criminal Justice Coordinator Peter Alexander peter.alexander@dfa.state.ny.us, also serves as the ACS Anti – Trafficking Liaison.

¹² Mark Lewis (mark.lewis@dfa.state.ny.us) is the ACS Immigrant Services Coordinator.