

# Ending the Commercial Sexual Exploitation of Children:

## A Call for Multi-System Collaboration in California



California Child  
Welfare Council

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\*Photographs that appear in this report were produced independently of the report and its content, and bear no relationship to cases or incidents discussed therein. The Photographs are being used for illustrative purposes only, and any person depicted in the photographs is a model. Specifically these photographs do not depict youth who are at risk or those who have been commercially sexually exploited.



# MESSAGE FROM THE CO-CHAIRS OF THE CHILD WELFARE COUNCIL

The Child Welfare Council (the “Council”) was created by the California Legislature to serve as an advisory body to improve the collaboration and processes of the multiple agencies, programs and courts that serve children and youth in California’s child welfare and foster care systems. The Council is charged with monitoring and reporting on the responsiveness of its member agencies, programs and courts to the needs of children in their joint care. In its six-year history, the Council has examined and made recommendations on many challenging issues related to improving services for families and children. This report addresses the extremely tough problem of commercial sexual exploitation of children, many of whose victims have experience with the child welfare system.

The thought of children being sold for sex on a nightly basis is deeply disturbing, but all too real. Internationally, human trafficking is a \$32 billion dollar per year industry, currently involving over 100,000 children in the United States, according to estimates by the Federal Bureau of Investigation. The San Francisco, Los Angeles and San Diego metropolitan areas are all rated as areas of “high intensity child prostitution” in the country. While the Council’s database does not collect information regarding commercial sexual exploitation of children who are in the child welfare system, studies have estimated that anywhere from fifty to eighty percent of victims of commercial sexual exploitation (“CSE”) are or were formerly involved with child welfare.

CSE children are also the most likely to become clients of the agencies and courts who are represented on the Council. Law enforcement, probation, education, mental health, medical care and public health systems as well as nonprofit organizations currently serve these victims, but unfortunately, all too often in ways that are not coordinated nor philosophically aligned. Clearly, this problem is one that the Council was designed to address.

We commend the members of the CSEC Work Group for their thorough research and thoughtful analysis of what we must do—as citizens of California, as public servants, as community members and as parents—to address this horrific problem. These recommendations recognize that intervention and prevention measures must be undertaken simultaneously in order to both provide children who have been victimized with a caring family and services to heal from trauma, and prevent exploitation of others.

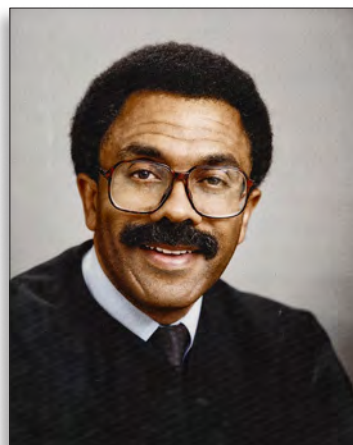
We hope this report generates further discussions leading to more understanding of the dynamics of this complex problem and new ways that the many partners on the Child Welfare Council can take effective action to protect our children from being sold on the streets, and ensure they have safe, nurturing families, giving them opportunities to thrive.



DIANA S. DOOLEY, Co-Chair  
Secretary  
California Health and Human  
Services Agency



VANCE RAYE, Co-Chair  
Administrative Presiding Justice  
Third District Court of Appeals  
Sacramento, California



# COMMERCIALLY SEXUALLY EXPLOITED CHILDREN WORK GROUP REPRESENTATIVES

The Child Welfare Council's Commercially Sexually Exploited Children Work Group was established under the auspices of the Council's Child Development and Successful Youth Transitions Committee. In addition to participation by youth survivors and foster parents, the Work Group is comprised of public and private agency representatives from social services, mental health, probation, law enforcement, courts and child advocacy groups. We want to acknowledge and thank the representatives of the following agencies and organizations for sharing their expertise to and experiences in pursuit of solutions:

- Administrative Office of the Courts
- Alameda County H.E.A.T. Watch  
Human Exploitation and Trafficking
- Alameda County Social Services Agency
- Asian Health Services
- Asian Pacific Islander Legal Outreach
- Aviva Children and Family Services
- Banteay Srei
- California Alliance of Child and Family  
Services
- California Assembly
- California Community Colleges
- California Department of Education
- California Department of Social Services
- California Foster Care Ombudsman
- California Homeless Youth Project
- California Senate
- California Senate Office of Research
- California Youth Connection
- Casey Family Programs
- Children's Law Center of California
- Children's Law Center of Sacramento
- CAST – Coalition to Abolish Slavery and  
Trafficking
- Foster and Kinship Care Education
- Grossmont Unified High School District
- JPG Consultants
- Los Angeles County Probation Department
- MISSEY - Motivating, Inspiring, Serving  
and Supporting Sexually Exploited Youth
- National Center for Youth Law
- National Council on Crime and  
Delinquency
- Sacramento City Unified School District
- SAGE – Standing Against Global  
Exploitation
- Seneca Family of Agencies
- Superior Court of California, Los Angeles
- Superior Court of California, Sacramento
- Superior Court of California, Santa Clara
- WestCoast Children's Clinic
- Young Minds Advocacy Project

# ACKNOWLEDGEMENTS

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The report was sponsored by the **National Center for Youth Law** and the **Pillsbury Winthrop Shaw Pittman LLP Foundation**. **Thomas V. Loran III**, a partner at Pillsbury, facilitated funding to Kate throughout her Fellowship and provided invaluable support and encouragement.

We are grateful to the following members of the Leadership Team who worked with Kate to oversee the process of organizing the report and getting widespread involvement in reviewing the contents: **Judge Stacy Boulware Eurie**, Presiding Juvenile Court Judge, Superior Court of California, Sacramento County; **Nola Brantley**, Executive Director of MISSEY (Motivating, Inspiring, Serving and Supporting Sexually Exploited Youth); **Sylvia Pizzini**, Assistant Secretary of the California Department of Health and Human Services, and **Patrick Gardner**, President of Young Minds Advocacy Project.

The following individuals who served on a subcommittee to develop and refine the recommendations presented in the report are recognized for their ability to envision what we can do right now to effectively respond to the commercial sexual exploitation of children: **Paniz Bagheri**, SAGE – Standing Against Global Exploitation; **Ellyn Bell**, SAGE – Standing Against Global Exploitation; **Stacey Bell**, and **youth** representatives, Sacramento City Unified School District; **Diana Boyer**, County Welfare Directors Association of California; **Cailey Bronny**, Sacramento City Unified School District; **Kimberly Chang, M.D.**, Asian Health Services; **Angela Chung**, CAST - Coalition to Abolish Slavery and Trafficking; **Kevin Gaines**, California Department of Social Services; **Hannah Haley**, WestCoast Children’s Center; **Leslie Heimov**, Children’s Law Center of California; **Stacey Katz**, WestCoast Children’s Center; **Jodie Langs**, WestCoast Children’s Center; **Barbara Loza-Muriera**, Alameda County Social Services Agency; **Ann Mizoguchi**, California Department of Social Services; **Casey Powers**, California Department of Social Services; **Commissioner Catherine Pratt**, Superior Court of California, Los Angeles; **Fiza Quraishi**, National Center for Youth Law; and **Wesley Sheffield**, Young Minds Advocacy Project.

Thanks to all of those involved in the production of the report. The primary editors were **Patrick Gardner**, **Fiza Quraishi**, and **Wesley Sheffield**. **Maia Sciupac** of the Alameda County District Attorney’s Office assisted with the graphic displays. **Sylvia Pizzini** provided tireless support to Work Group members.



# EXECUTIVE SUMMARY

Within the United States, California has emerged as a magnet for commercial sexual exploitation (“CSE”) of children (“CSEC”). The FBI has determined that three of the nation’s thirteen High Intensity Child Prostitution areas are located in California: the San Francisco, Los Angeles, and San Diego metropolitan areas. Child sex trafficking, child pornography, and child sex tourism are all forms of CSEC. Frequently, victims are exploited through more than one form of abuse, and they cycle through the stages of exploitation many times before they are able to leave their exploitative relationships. To address this problem, California must develop a comprehensive and collaborative response to ensure CSE victims are identified and receive the services they need to overcome trauma and live healthy, productive lives.

The children who fall prey to exploiters are frequently those with prior involvement with the child welfare system, such as through child abuse report investigations and placement in foster care. Other victims should have received Child Welfare services and protections but never gained access to the system, and are instead treated like criminals and funneled into the juvenile justice system.

Chapter One portrays the horrors children experience through commercial sexual exploitation. Chapter Two of this report discusses the prevalence of CSEC and defines the scope of the problem. Chapter Three focuses on the need for child-serving systems to identify CSEC and children at risk of CSE. Chapter Four outlines models and approaches for addressing the needs of CSEC. Chapter Five identifies strategies for preventing CSE, including reducing demand for commercial sex. Chapter Six describes the response by the international community, and also explores the federal and state governments’ responses to combatting CSE. Finally, Chapter Seven provides recommendations for a collaborative and comprehensive response to CSE in California.

There are many difficulties and barriers to identifying victims of commercial sexual exploitation. Paramount is inadequate education and awareness among agencies, organizations, and providers who come into contact with CSEC. Additionally, many CSEC are not able to see themselves as victims; and either rationalize or actively deny that they are being exploited. The concealed nature of this crime also acts as a barrier to identifying and rescuing CSEC.

Exploring ways to overcome these barriers with education strategies and cross-system screening protocols may reduce the number of children who become victims of CSE. It also may give CSEC access to services and supports they need to escape a life of violence and

trauma. Screening tools, checklists, and strategies for engaging youth can also help ensure that greater numbers of CSEC and children who are risk of victimization will be identified.

CSEC present with extensive and variable needs. Because this is an emerging field, researchers and practitioners have yet to agree on the most appropriate method for providing services and supporting youth's positive growth and development. Consequently, there is no consensus on a single approach that comprehensively addresses the needs of all CSEC. Generally, service providers, researchers, and advocates have identified six components of services and strategies that should be included in any integrated strategy to serve CSEC:

- Safety planning for both clients and the staff serving them;
- Collaboration across the multiple systems and agencies;
- Trust and relationship building to foster consistency;
- Culturally competent and appropriate service provision;
- Trauma-informed programming; and
- CSEC survivor involvement in the development and implementation of programming.

Additionally, continuity of care and the provision of long-term services and supports are essential in addressing the needs of CSEC and their families or caregivers. CSE victims often relapse to exploitation many times before they permanently leave their exploiters, and interventions must take this cycle into account.

Prevention efforts also play a key role in eradicating CSE. From a victim-centered perspective, a preventive approach begins with identifying youth who are at-risk for exploitation and providing services and supports before victimization occurs. Another prevention approach targets purchasers, to reduce consumer demand for commercial sex. Organizations throughout the country have begun to explore prevention practices to end CSE of children. Many of these efforts have been developed in only the past decade, making it impossible to fully evaluate their efficacy. Prevention strategies that have emerged include:

- Curricula and other school-based approaches to educate youth regarding healthy relationships, sexual health, Internet safety, and CSE; and
- Campaigns to end consumer demand by targeting purchasers.

As human trafficking, in general, has become a more recognized and visible problem throughout the world, political leaders and legislators have responded with new laws, initiatives, and conventions to define crimes, enhance awareness, provide services, criminalize exploiters,

and track progress. The United States passed its first comprehensive human trafficking bill in 2000, the Trafficking Victims Protection Act (TVPA). More recently, legislative efforts have centered on addressing CSE of U.S.-born children, and harsher punishment of perpetrators. California, however, still lags behind the efforts of other states in the U.S. that have established policies and practices to prevent domestic minor sex trafficking, decriminalize prostitution for minors, rescue and restore victims through enhanced identification, and provide specialized placement and trauma-informed services.

California is at a crossroads. CSE of children is an epidemic spreading at an exponential rate across the state. To combat its growth, this report makes recommendations in each of the five areas discussed above. Successfully implementing these recommendations requires a comprehensive and collaborative approach. It is therefore proposed that a **CSEC Action Committee** be created to plan, develop, and oversee action steps needed to improve California's response to the growing number of children being sold for sex each night.

The CSEC Workgroup recommends that a CSEC Action Committee be co-convened by the Secretary of the California Health and Human Services Agency and a community-based advocacy organization representative—preferably one with experience working with CSEC. A CSEC Action Committee should be charged with facilitating a collaborative and comprehensive process for prioritizing, sequencing, and overseeing implementation of the recommendations adopted by the Council. Committee membership should include leaders representing state and local government agencies, CSEC service providers, youth advocates, court representatives, and CSEC survivors.<sup>1</sup>

The Workgroup prioritized several critical initiatives for the proposed CSEC Action Committee. These include:

**PLACEMENT:**

- Establish safe and secure emergency and transitional placements for CSEC victims.

**IDENTIFICATION:**

- Implement cross-system screening tools to systematically identify CSEC and children at risk of exploitation in order to inform and improve service delivery and placement decisions.

**TRAINING:**

- Mandate training for all professionals working with youth in child-serving systems, including, but not limited to, the child welfare, juvenile justice, probation, mental health and education, to better identify CSEC and children at-risk, provide CSEC specialized services and supports, and use culturally competent and trauma-informed practices.

**DATA:**

- Develop protocols and strategies to coordinate, collect and share data across systems to better understand the scope of the problem, the level of interaction with multiple systems, and CSEC specific needs.

The CSEC Workgroup also believes that the urgent needs of California's CSEC justify dedicated funding to support the CSEC Action Committee in carrying out its duties to implement the Council's recommendations. Given the scope of responsibilities, it is recommended that the CSEC Action Committee seek supplemental funding from federal agencies and philanthropic foundations whose missions include improving services to CSE victims. Particular emphasis should be paid to understanding how proposed changes in approach or emphasis on meeting children's needs could be facilitated by allowing funding to "follow the child." Care should also be taken to ensure that the true costs of education and training are built into cost analyses and funding allocations.

Because many CSEC are involved with child protective services and foster care, the child welfare system is uniquely positioned to implement prevention and early intervention services. Building on existing research, lessons learned from other states, emerging and promising practices, and survivor input, California has the opportunity to dramatically improve outcomes for its CSEC as well as reduce the number of children who fall victim to exploiters in the future. Using the energy and expertise of its member agencies, the Council, and the new CSEC Action Committee must address the challenges presented in this report and act with urgency. Delay means more days of unimaginable suffering for thousands of children in California.

# INTRODUCTION

Every day of the year, thousands of America's children are coerced into performing sex for hire. Some of these children are brutally beaten and raped into submission. Others are literally stolen off the streets, then isolated, drugged, and starved until they become "willing" participants. Some children are alternately wooed and punished, eventually forming trauma bonds with their exploiters, similar to cases of domestic or intimate partner violence. Still others are living on the streets with no way to survive, except by exchanging sex for food, clothing and shelter. The people who sexually exploit children have built increasingly sophisticated criminal enterprises around the sale of vulnerable young boys and girls. This is a multi-billion dollar commercial industry that preys on children as young as ten, and it is happening to tens of thousands of American children in or near our own neighborhoods.

Fear pervades the lives of CSEC.

These children are placed in dangerous and sometimes life-threatening situations on a daily basis. "I was scared, but at the same time I couldn't just sit there, I had to fight you know I couldn't just sit there because I could probably be dead or something . . . What am I putting myself through . . . Girls are getting killed and stuff, getting found in the dumpsters. I always think like, what if that was me, or something?"<sup>2</sup> Escape often seems impossible. What is worse, our collective response is often as cold and harsh as the streets: CSEC children are told they are criminals, placed in detention facilities, or labeled as prostitutes. Many do not have families to return to, and there are very few safe places or specialized services designed to address their needs.

Youth in the child welfare system are particularly vulnerable to CSEC. Abuse and neglect, unstable placements, and lack of positive relationships create vulnerabilities that exploiters target. "One recovered youth told me that, 'being in foster care was the *perfect* training for commercial

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sexual exploitation. I was used to being moved without warning, without any say, not knowing where I was going or whether I was allowed to pack my clothes. After years in foster care, I didn't think anyone would want to take care of me unless they were paid. So, when my pimp expected me to make money to support 'the family', it made sense to me."<sup>3</sup>

Jennifer is one of thousands of children caught in the vicious criminal industry of sexual exploitation. Shortly after her tenth birthday, Child Protective Services removed Jenny from her home due to her mother's physical abuse and excessive use of alcohol and marijuana. Over the next two years, Jenny was placed in four different foster homes, placed with a relative, and returned to her mother twice. The frequent moves and continuing problems with her mother poisoned Jenny's relationships with her foster families: she ran away ten times during those two years. By age twelve, Jenny was living off-and-on at her mother's home and on the streets.

Jenny was first arrested for making criminal threats and assault at age 12. Shortly after her arrest, Jenny described herself as "addicted to the streets" and told a probation officer, "Put me in a locked facility. That is the only place I will stay." A psychological evaluation recommended that Jenny be placed at a facility that "provides intensive psychiatric services to children who have been identified as severely emotionally disturbed."<sup>4</sup> Because she was too young for the local treatment facility, child welfare authorities placed Jenny in a group home, from which she ran away within a few short weeks.

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*“One recovered youth told me that, ‘being in foster care was the perfect training for commercial sexual exploitation. I was used to being moved without warning, without any say, not knowing where I was going or whether I was allowed to pack my clothes. After years in foster care, I didn’t think anyone would want to take care of me unless they were paid. So, when my pimp expected me to make money to support ‘the family’, it made sense to me.’”*

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Several months later, police found Jenny. She reported that a man had kidnapped her, but would not disclose the identity of her kidnapper. Jenny was detained for several months before she ultimately returned to her mother. When she returned home at age thirteen, the cycle started again. She ran away again, but her exploiter quickly found her. This time when police found her, she told them the identity of her kidnapper and that he had chained her in an apartment and forced her to perform sex for hire. Her exploiter was a known “second striker,” meaning he had already been convicted of two “serious” or “violent” felonies. He presented a great risk to Jenny. With few other options, the police arrested Jenny for prostitution.

Jenny spent the next year in a locked treatment facility where she reportedly made “tremendous improvements.” She excelled in school, receiving mostly A’s in her classes. She participated in individual counseling and began family counseling sessions with her mother.



Jenny was transferred to a less-restrictive, six-bed group home, where she continued “to excel academically.” She repeatedly indicated that she wanted to go home to live with her mother, which despite the challenges, was the only real family Jenny had. For her fifteenth birthday, Jenny went home to visit her mother and refused to return to the group home. Her

mother was still abusing alcohol and was barely able to take care of herself, let alone Jenny. Alone with her mother, Jenny no longer had structure or access to services. Her exploiter returned. Within a month, her mother reported that Jenny had run away from home. Like many other CSEC who lack community-based, specialized services and a safe place to live, she had returned to life on the street. Now 15, Jenny was recently arrested in Las Vegas on solicitation charges.

Stories like Jenny’s demonstrate how a childhood burdened with abuse and neglect can result in CSE. Many youth in the child welfare system have experienced trauma and abuse starting at an early age. Children with backgrounds similar to Jenny’s frequently run away from chaos, drugs or violence in their homes. While they are on the run, exploiters lure them with a promise of a better life. That “better life” inevitably careens into dangerous and violent abuse on a daily basis. Jennifer’s story underscores the connection between the child welfare system and CSEC.

Jennifer’s story also highlights the dearth of specialized placements and services to either help youth and their families prevent exploitation before it happens or intervene after it does. The child welfare, juvenile justice, health, and education systems rarely recognize these young people as victims of CSE, much less provide them with appropriate services. “Without specialized placements and other essential protective services and resources our hands are tied—we are learning to identify victims but have nowhere to turn when they ask for help. It is a crisis.”<sup>25</sup> Unless a comprehensive and collaborative response integrating prevention and intervention strategies is developed and implemented, vulnerable children in California will continue to be exploited.

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# PREVALENCE OF COMMERCIALY SEXUALLY EXPLOITED CHILDREN

Human trafficking, which includes CSE, is a \$32 billion per year worldwide industry.<sup>6</sup> After drug trafficking and counterfeiting, it is the world's most profitable criminal activity.<sup>7</sup> Although previously believed to be an international problem, current statistics show that human trafficking is increasingly a domestic issue. The Federal Bureau of Investigations (FBI) estimates that 100,000 children are sold for sex each year within the United States,<sup>8</sup> and as many as 300,000 children are at risk of becoming victims of CSE in the United States.<sup>9</sup> In the past two years, California's nine human trafficking task forces identified 1,277 victims, seventy-two percent of whom were from the United States.<sup>10</sup>

CSE usually starts during early adolescence. For boys, the average age is between eleven and thirteen, and, for girls, between twelve and fourteen.<sup>11</sup> Studies indicate that extensive childhood sexual abuse often precedes CSE.<sup>12</sup>

*"We've all been molested. Over and over, and raped. We were all molested and sexually abused as children, don't you know that? We ran to get away ... We were thrown out, thrown away. We've*

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*"We've all been molested. Over and over, and raped. We were all molested and sexually abused as children, don't you know that? We ran to get away... We were thrown out, thrown away. We've been on the street since we were twelve, thirteen, fourteen."*

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been on the street since we were twelve, thirteen, fourteen."<sup>13</sup> A study of survivors of prostitution in Portland found high rates of abuse—eighty-five percent experienced incest, ninety percent had been physically abused, and ninety-eight percent reported emotional abuse.<sup>14</sup>

Over the past decade, the National Center for Missing and Exploited Children (NCMEC), the Department of Justice (DOJ), the FBI, Congress, and countless community-based organizations (CBOs) have recognized and exposed human trafficking as a major problem within the United States that affects both domestic and foreign-born youth and adults. And yet, despite ongoing national, state, and local efforts, CSE is a growing industry.

This report focuses on CSE of U.S.-born children (or CSEC) within the United States, also referred to as domestic minor sex trafficking. CSEC is defined as the sexual abuse of a minor "entirely, or at least primarily, for financial or other economic reasons. The economic exchanges

involved may be either *monetary* or *non-monetary* (i.e., for food, shelter, drugs, etc.).<sup>15</sup>

Within the United States, California has emerged as a magnet for CSE of children.<sup>16</sup> Three of the nation's thirteen High Intensity Child Prostitution areas as identified by the FBI are located in California: the San Francisco; Los Angeles; and San Diego metropolitan areas.<sup>17</sup> Each of these areas has complex highway systems, high population densities, and major international airports—all factors that contribute to the ease with which children can be moved, hidden, and exploited.

The children who fall prey to exploiters frequently have prior involvement with the child welfare system, including contact through child protective service investigations or placement in

# Sexually Exploited Minors

## in Los Angeles County

A review of 72 cases in the Succeeding through Achievement & Resilience (STAR) court<sup>1</sup>



56  
girls

had prior contact with the  
Department of Children and  
Family Services



42  
girls

were or are formally  
supervised by the  
dependency court



4  
girls

had voluntary family  
maintenance



5  
girls

had several child abuse  
referrals, although no  
services were provided

1. E-MAIL FROM CATHERINE PRATT, COMMISSIONER, LOS ANGELES COUNTY SUPERIOR COURT, TO AUTHOR (JAN. 16, 2013, 17:03 PST) (ON FILE WITH THE AUTHOR).

foster care. A study of Los Angeles County’s Succeeding Through Achievement and Resilience (STAR) Court, a specialty juvenile court working with exploited youth, revealed a strong link between CSE and the local child welfare agency. Among the seventy-two girls involved with the court, fifty-six have had prior contact with the Department of Children and Family Services.<sup>18</sup> Within this group, forty-two were or are formally supervised by the dependency court,<sup>19</sup> four had voluntary family maintenance,<sup>20</sup> and five had several unsubstantiated child abuse referrals.<sup>21</sup> In Oakland, two organizations that serve CSEC in Oakland found that of the 200 youth they served, fifty-three percent reported having lived in a foster care group home.<sup>22</sup> Outside of California, other jurisdictions are recognizing similar associations—one study found that at least eighty-five percent of all CSEC in New York had a child welfare background, and seventy-five percent of those residing in New York City had spent time in the foster care system.<sup>23</sup> These figures reflect the vulnerabilities of children within the child welfare system: neglected and abused youth are leading targets for exploiters and pimps.<sup>24</sup>

## **Forms of Child Sexual Exploitation**

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Child sex trafficking, child pornography, and child sex tourism are all forms of CSEC. Other forms of sexual abuse, including enticement of children for sexual acts and statutory rape, often lead to CSE. Frequently, victims are exploited through more than one form of abuse. For example, the child sexual exploiter might use the Internet to lure a young person into a situation where he creates pornographic images, and then uses those images to advertise the child for sexual services.

### **Sex Trafficking of Children**

Sex trafficking<sup>25</sup> of minors or children is defined as the “recruitment, harboring, transportation, provision, or obtaining of a person for the purpose of a commercial sex act ... in which the person induced to perform such act has not attained 18 years of age.”<sup>26</sup> The commercial aspect distinguishes sex trafficking from other sexual crimes like assault, rape, or child sexual abuse. Examples of commercial sex trafficking include inducing a child under eighteen to dance at a strip club, perform sex acts for a fee, or act in a pornographic video for profit. It is estimated that no fewer than 100,000 American children are commercially trafficked each year.<sup>27</sup> It is believed that CSE is on the rise because gangs have recognized the high payout and low risk associated with exploiting children as compared to selling weapons or drugs.<sup>28</sup> It is estimated that an exploiter may earn as much as \$650,000 in a year by exploiting as few as four children.<sup>29</sup>

Tragically, exploited children are often charged with prostitution or prostitution-related

offenses despite being victims of statutory rape and child abuse.<sup>30</sup> Some states have enacted “Safe Harbor Laws,” which decriminalize prostitution for minors,<sup>31</sup> but have not provided funding for comprehensive victim services. As a result, CSEC residing in Safe Harbor states may still face negative stereotypes, have few shelter or placement alternatives, and be unable to access services that meet their specific health, mental health, legal, and social services needs.<sup>32</sup>

### **Child Pornography**

Child pornography is “the possession, trade, advertising, and production of images that depict the sexual abuse of children.”<sup>33</sup> The supply of child pornography is growing: The United Nations Children’s Fund (UNICEF) identified 480,000 child pornography websites in 2004, nearly double the 2001 figure.<sup>34</sup> Statistics also show

that the number of pornographic images of children has dramatically increased, that the children depicted in the images are younger, and that the sexual contact and abuse recorded has become more violent.<sup>35</sup> Some

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*It is estimated that a trafficker or pimp may earn as much as \$650,000 in a year by exploiting as few as four children.*

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researchers point to the growing market for child pornography as a driving force behind the sexual abuse of children, and have found a connection between possession of child pornography and engagement in child sexual abuse.<sup>36</sup> Exploiters commonly use sexually graphic images to induce children into other forms of CSE.<sup>37</sup> Additionally, because images can be easily preserved and re-published, their damage to victims may be reproduced and magnified over time with devastating impacts.

### **Child Sex Tourism**

Sex tourism involves the CSE of a child by an individual “travelling to a domestic or international location with the purpose of purchasing sex.”<sup>38</sup> Child sex tourists do not necessarily have to travel outside the United States and may not be travelling for the sole purpose of having sex with a child.<sup>39</sup> For example, a sports fan traveling to attend the National Championships who solicits sex from a child during his stay would be engaging in child sex tourism, even though the primary purpose of his visit was to attend the sporting event. Child sex tourists, are often “situational” child abusers, and do not habitually engage in the abuse that a typical child abuser does.<sup>40</sup> Those that do travel to foreign countries with the intent of engaging in sexual activity with a child are

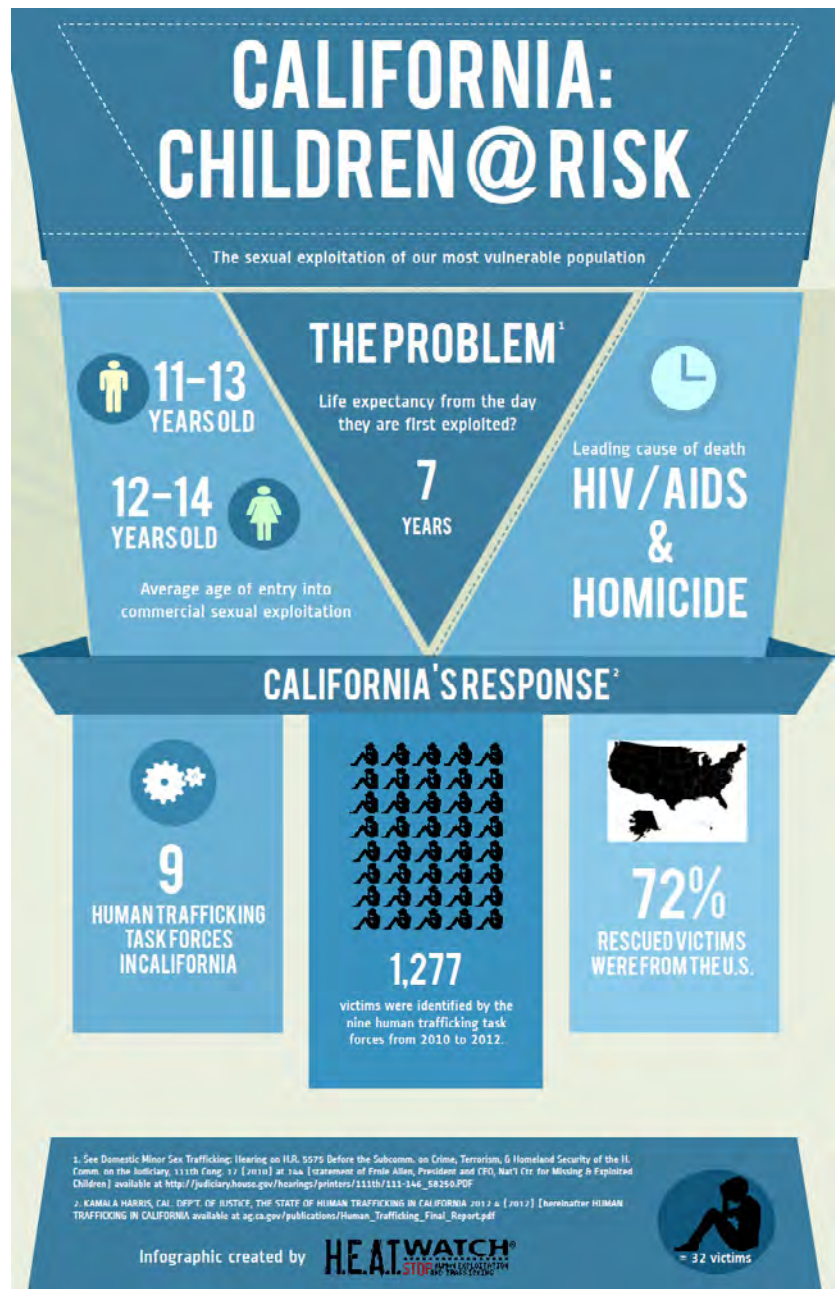
now subject to prosecution in the U.S.<sup>41</sup> Unfortunately, as with other forms of CSE, child sex tourists and their facilitators have found ways of concealing the trade.<sup>42</sup>

## The Cycle of Commercial Sexual Exploitation

Pimps and exploiters have been sexually exploiting boys and girls for profit for decades. Exploiters recruit children in a variety of ways, and once recruited, exploiters employ coercive tactics to control their victims.<sup>43</sup> Both the exploitation and the coercion cause victims enormous physical and psychological harm.<sup>44</sup> This process is often repeated throughout a child's exploitation.

### Recruitment

Exploiters typically employ one of two methods to recruit a victim—either by supplying what seems like love and affection or by applying brute force. Exploiters of the former type are often referred to as “romeo pimps.”<sup>45</sup> They shower victims with attention, affection, favors and gifts with the intention of becoming the youth's boyfriend or girlfriend.<sup>46</sup> In time, the “romance” deteriorates and the gifts diminish. Money gets tight, and the exploiter asks the child to do him a favor: “Well, you know, since you'll be staying with me, we need more food. We need to find a way to get some money.”<sup>47</sup> This “favor” usually involves selling sex. Soon, one favor turns into another. The youth now “works” for her exploiter and “will remain loyal and hopeful that someday



the loving relationship will return.”<sup>48</sup> It never does.

Other exploiters are ruthless and violent from the start. They seek out vulnerable children at schools, homeless shelters, malls, bus depots, and foster care group homes.<sup>49</sup>

Some literally kidnap children off the street—“all I heard was, ‘Man, go get that girl!’ And one of them came out and dragged me by my hair, and he pulled me into car...after [I] was kidnapped, at least six men gang-raped [me]. [I] was then driven to Sacramento, where [my] thirty-two

year-old pimp put [me] out on the street as a prostitute.”<sup>50</sup> Targeted youths often experience brutal violence at the hands of their exploiters before they are sold on the streets. After the beatings and rapes, the exploiters compel the children to sell themselves to multiple strangers every night, and to turn over the proceeds to their tormentors.

### Asserting & Maintaining Control Over Victims

It is not always understood why children stay with their exploiters rather than flee at the first chance of escape. However, the answer is simple enough: their exploiters wield immense power and control over them. “Pimps and customers use methods of coercion and control like those of other batterers: economic exploitation, social isolation, verbal abuse, threats, physical violence, sexual assault, captivity, minimization, and denial of their use of physical violence and abuse.”<sup>51</sup> As with the recruitment process, exploiters have developed sophisticated techniques to keep young children compliant and willing to work in dangerous and violent situations. Employed against a young girl or boy who feels alone, violence, manipulation, and isolation are horribly effective tactics.<sup>52</sup>

Evidence suggests that exploiters use violence to ensure maximum profitability. For example,

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*Some literally kidnap children off the street—“all I heard was, ‘Man, go get that girl!’ And one of them came out and **dragged me by my hair**, and he pulled me into car... after [I] was kidnapped, at least six men gang-raped [me]. [I] was then driven to Sacramento, where [my] thirty-two year-old pimp put [me] out on the street as a prostitute.”*

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if a girl brings \$800 back after a night's work, but her quota is \$1,000, the exploiter will beat her and send her back out on the street until she gets the full amount. Children are "hit, kicked, punched, struck with objects, burned, [and] cut with knives."<sup>53</sup> Others have been murdered.<sup>54</sup> Accordingly, the average life expectancy of an exploited child is a shockingly short time: seven years. Homicide and HIV/AIDS account for a majority of the deaths.<sup>55</sup> Even if a CSE victim does

not experience extreme forms of violence firsthand, it makes threats against a victim or her family entirely plausible and extremely effective from the exploiter's perspective.<sup>56</sup>

Thus, manipulation, violence, and fear of violence keep a child in his exploiter's grasp. One survivor expert likens the tactics exploiters use to cult recruitment tactics.<sup>57</sup> The exploiters gain control over the child's entire life—her economic, physical, social, and sexual well-being all turn on her level of compliance with her exploiter's demands.<sup>58</sup> Their reach is so pervasive that frequently youth do not even recognize their exploitation because of the hyper-dependent bond they form with their exploiters.<sup>59</sup>

Exploiters employ isolation tactics to cut youth off from their systems of support and facilitate their control.<sup>60</sup> CSEC often feel they have no other person to turn to outside of the "family" the exploiter has created. CSEC are taught to fear law enforcement and social service agencies.<sup>61</sup> Exploiters convince them that their parents will disown them if they try to return home. They also move CSEC frequently among cities to avoid police detection and to keep them disoriented and unfamiliar with their surroundings.<sup>62</sup>

CSEC frequently feel the push and pull that is omnipresent in domestic and intimate partner violence relationships. Although they may be able to conceptualize that the violence and power imbalance is wrong, CSEC rationalize their own exploiters' behavior, and sometimes are

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*“Pimps and customers use methods of coercion and control like those of other batterers: economic exploitation, social isolation, verbal abuse, threats, physical violence, sexual assault, captivity, minimization and denial of their use of physical violence and abuse.”*

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brainwashed to think they are at fault. When they gather the courage to leave, they are often coerced into staying. It takes an adult domestic violence survivor an average of seven attempts before she leaves her abuser for good.<sup>63</sup>

For an exploited child, the process may involve twenty relapses before she is able to permanently free herself of her exploiter.<sup>64</sup>

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*The average life expectancy of an exploited child is seven years: homicide and HIV/AIDS account for a majority of the deaths.*

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### **Harms Caused by Exploitation**

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The recruitment, the coercion and control, the stress, and the sexual acts that CSEC endure cause them enormous harm.<sup>65</sup> Researchers have likened CSE to the experiences of “hostages, prisoners of war, or concentration camp inmates.”<sup>66</sup> The harms can cause both short-term problems and long-lasting effects.<sup>67</sup> Exploitation negatively impacts a youth’s physical and mental health and education.<sup>68</sup>

CSE survivors often suffer chronic health problems. A study of CSEC found that sixty-eight percent suffered from Post-Traumatic Stress Disorder and had increased risk for both suicide and depression.<sup>69</sup> Exploitation “results in serious, often life-long, even life threatening, consequences for the physical, psychological and social health and development of the child.”<sup>70</sup> Sexually transmitted diseases and infections are the most common medical consequences of exploitation.<sup>71</sup> In a study of sexually exploited adolescents and women in Europe, over sixty percent reported experiencing sexual health problems.<sup>72</sup> Other studies demonstrate that close to one-third of the victims studied experienced sleep deprivation, and many abused drugs and alcohol.<sup>73</sup> The most prevalent long-term health consequences of sexual exploitation included headaches, fatigue, dizzy spells, back pain, stomach or abdominal pain, and difficulty remembering.<sup>74</sup>

CSEC often skip school to sleep during the day because they are forced to “work” at night, delaying their progression through school.<sup>75</sup> If other students know they are CSEC victims, they avoid school because they are targeted and ridiculed.<sup>76</sup> This isolates CSEC and further narrows the alternatives to life with their exploiter.

There is still much that we do not understand about CSE of children in the U.S. Until recently, many viewed CSE as an international problem. Studies now demonstrate CSE plagues the United States and its children. It takes many forms, all destructive to society and the children affected.



Despite growing recognition of the problem, there is limited systemic information regarding the incidence of exploitation, the needs of exploited children, or the response by child-serving and other systems.

One aspect that has been captured and documented over the past decade is the violence associated with CSE.<sup>77</sup> Studies demonstrate that CSE victims commonly have a history of suffering physical and emotional abuse, leading to their contact with the child welfare system.<sup>78</sup> Because many CSE victims are brought into the child welfare system because of such damage, it can be a critical point for identifying youth who have been exploited and who are at risk of becoming exploited. The child welfare system could develop strategies to identify these children, implement prevention and intervention strategies to stem the flow of these youth into the juvenile justice system, and provide services and supports in the community to help youth avoid or escape exploitation.

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# IDENTIFICATION

Identifying children who are victims of CSE, or at risk of becoming victims is the essential first step in an effective strategy to minimize the trauma and abuse endured by victims. Identification, however, is a significant challenge because many factors contribute to the relative invisibility of exploited children. These factors include:

- a general lack of public awareness,
- the inability of exploited children to view themselves as victims,
- the great care taken by exploiters to keep their crimes hidden, and
- the dearth of evidence-based screening or assessment tools.

Despite these challenges, progress is being made towards understanding the characteristics, backgrounds, and behaviors associated with children involved in and at risk for exploitation.

## **Risk Factors For Exploitation**

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Researchers and providers who work closely with victims of exploitation have identified the most common “risk factors” that increase a child’s vulnerability to CSE.<sup>79</sup> The most important factor identified is age: research shows that vulnerability increases as age decreases.<sup>80</sup> Exploiters target younger children because they are easiest to manipulate and deceive.<sup>81</sup> A history of emotional, physical, or sexual abuse is another key factor contributing to a child’s vulnerability to exploitation.<sup>82</sup> Among CSE girls, child sexual abuse is the most common characteristic.<sup>83</sup> Youth who experience sexual abuse are “twenty-eight times more likely to be arrested for prostitution at some point in their lives than children who [did] not.”<sup>84</sup> Parental alcohol and substance abuse is also a risk factor.<sup>85</sup> Some parents, desperate to feed their addictions, may literally “sell” their children to fulfill their own drug habits.<sup>86</sup> Children with school-related problems, such as truancy and learning disabilities, may also be vulnerable to recruitment.<sup>87</sup> Children who run away from home, foster placements, or treatment facilities are common targets for CSE.<sup>88</sup> Once on the streets, these youth are frequently approached within as few as 48 hours by exploiters.<sup>89</sup> Another major risk factor common among CSEC is a history of child welfare agency involvement—including child protective service (CPS) investigations or foster care placement.<sup>90</sup> System involvement may increase the risk of exploitation—placing a young girl in a group home near an area known for prostitution, for example, may increase the likelihood that she is recruited by exploiters. Exploiters may actively seek out group homes and shelters to recruit vulnerable children.<sup>91</sup> “Our program works with sexually exploited minors, many of whom are in foster care. Exploiters know where foster care group homes are and they

directly recruit girls from these settings—they prey on the kids they know are the most vulnerable. Exploiters also use coercion and threats to force these young girls to recruit other youth living in the group home.<sup>92</sup> Other risk factors associated with CSE include a history of exploitation in the community or the family; exposure to domestic violence; and lack of supervision, care, and basic necessities like food, clothing, and shelter.<sup>93</sup>

The similarities among the risk factors associated with CSE and with child abuse and neglect explain, in part, why many children who have been involved with child welfare are also victims of sexual exploitation.<sup>94</sup> Unfortunately, even though these children are known to the child welfare system, their exploitation may go unnoticed until they are arrested by law enforcement for prostitution, typically years after they were first exploited.<sup>95</sup> One way to address this challenge is to implement screening that systematically identifies children who are at risk of exploitation or who have been exploited when they first become involved with child protective services.<sup>96</sup> Identifying children early provides an opportunity for prevention and intervention and may help to avoid the cycle of abuse and violence altogether. It is also important to provide training on how to engage youth once they have been identified.<sup>97</sup> Screening and assessing children entering the juvenile justice system is also a critical priority.

## Characteristics of Commercially Sexually Exploited Children

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It is critical to educate and train individuals in agencies and organizations that come in contact with children and adolescents to recognize the warning signs of exploitation and become familiar with common characteristics of CSEC.<sup>98</sup> Although data on this population are limited and sometimes inconsistent, important commonalities among trafficked children exist.

CSEC typically come from minority populations, have experienced poverty, and have faced significant familial and school disruptions.<sup>99</sup> African American youth make up a disproportionate number of CSE youth in California.<sup>100</sup> African American girls are arrested at a higher rate than white girls, and their age of entry into prostitution appears to be younger.<sup>101</sup>

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*Youth who experience sexual abuse are “**twenty-eight times more likely to be arrested for prostitution at some point in their lives than children who [did] not.**”*

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The warning signs associated with CSE may be divided into three categories: personal; educational; and legal.<sup>102</sup> The personal characteristics associated with exploitation may include: inappropriate dress, lack of personal hygiene, an older male or female friend, having large amounts of money, chronic running away, signs of violence and/or psychological trauma, homelessness, substance abuse, multiple sexually transmitted diseases/infections, and tattoos.<sup>103</sup> Other personal warning signs are familial: homes with little supervision, a history of child welfare system involvement, abuse of alcohol and drugs, domestic violence, and in some cases intra-familial exploitation.<sup>104</sup>

Educational warning signs include being behind in grade level, chronically truant or absent, developmentally delayed, tired and lethargic, in special education programs, or having behavioral problems.<sup>105</sup> The legal red flags commonly associated with CSEC include contact with the juvenile justice system, frequent status offenses such as running away, truancy, curfew violations, and possession of alcohol or drugs; arrests in areas known for prostitution; use of fake identification, or possessing an exotic dance permit (required in some states to perform at adult entertainment establishments).<sup>106</sup>

## Gender & Sexual Orientation

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Research demonstrates that the number of boys and girls involved in CSE is likely similar.<sup>107</sup> However, far fewer boys and young men are identified as either CSEC or at-risk of victimization.<sup>108</sup> One reason for the difference in the rate of identification may be that very few organizations provide services to victimized boys and young men.<sup>109</sup> As a result, little is known about CSE boys except that many are runaways or homeless.<sup>110</sup> Exploited boys are less likely than girls to have a pimp or other adult exploiter.<sup>111</sup> Instead, peer introduction is a more common gateway into CSE.<sup>112</sup>

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*“Our program works with sexually exploited minors, many of whom are in foster care. **Exploiters know where foster care group homes are and they directly recruit girls from these settings—they prey on the kids they know are the most vulnerable. Exploiters also use coercion and threats to force these young girls to recruit other youth living in the group home.**”*

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Reflecting this gender distinction, exploited boys often view themselves as “hustlers” rather than prostitutes, and consequently may be criminalized because they do not fit the “victim” mold.<sup>113</sup>

Young people who identify as lesbian, gay, bisexual, transgender and/or questioning (LGBTQ) also frequently become victims of CSE. Youth who are LGBTQ “are at an increased risk for becoming sexually exploited due to their over-representation in the homeless youth population (twenty to forty percent of homeless youth in California identify as LGBTQ).”<sup>114</sup> LGBTQ youths’ vulnerability can be attributed to a variety of factors such as history of running away, physical and sexual abuse, rejection by parents and child welfare placements. Many youth who are LGBTQ have been kicked out of their homes, often for reasons related to their sexual orientation or gender identity.<sup>115</sup>

Because LGBTQ youth are disproportionately homeless,<sup>116</sup> it is especially challenging to identify and engage them in intervention services. Very few LGBTQ youth shelters exist, and it is common for these children to exchange sex for money or basic necessities like food, shelter, and clothing, a practice known as “survival sex.”<sup>117</sup> One study estimates that more than one in four homeless LGBTQ children, and nearly half of gay or bisexual boys, have been victims of CSE.<sup>118</sup> Collecting additional data on homeless youth, who are frequently boys, young men, and LGBTQ youth, may provide more insight into how to identify and protect these youths.

## **Challenges to Identification**

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There are many obstacles to identifying victims of CSE. Paramount is the inadequate education and awareness among relevant agencies, organizations, and providers.<sup>119</sup> Additionally, many child victims of CSE are unable to see themselves as victims, and some actively deny or rationalize their exploitation.<sup>120</sup> The concealed nature of this crime also acts as a barrier to identifying and eventually rescuing children who are victims of CSE.<sup>121</sup> Because of the isolation tactics described in the previous section, exploited youth are difficult to track. Use of false names and ages also hampers tracking. In one reported example, “a thirteen-year-old was arrested five times in different cities before police at last identified her as a juvenile.”<sup>122</sup>

### **Education & Awareness**

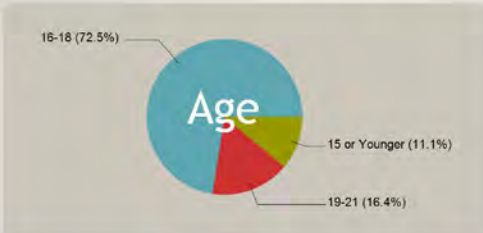
A lack of education and awareness about CSE makes it more likely that people who come into contact with victims will miss the warning signs of CSE and fail to identify its victims.<sup>123</sup> Moreover, this failure may mean CSE victims are *misidentified* as delinquents or criminals. This compounds CSEC’s trauma—victims not only do not qualify for services they desperately need, they become



# Sexually Exploited Minors Identified in Alameda County

A review of 267 cases from January 2011 to December 2012<sup>1</sup>

## AGE & GENDER



**99%** were girls

## RACE & ETHNICITY



## WHERE THEY CAME FROM

40 Cities  
15 Counties  
3 States



United States

64% were from Alameda County



## SYSTEM INVOLVEMENT



**10%** had no system involvement

300 System

**41%** Foster Care Youth

VS

602 System

**67%** Juvenile Probation

## TOP REFERRAL CITIES IN THE BAY AREA

**32%** Oakland



**7%** Hayward

**11%** Contra Costa

**4%** San Francisco

## RISK FACTORS

**84%** Runaways

Truancy History

**57%**

Prior Victimization

**38%**

**40%** Substance Abuse History

**30%** Mental Health Challenges

## CURRENT SAFETY STATUS

The Alameda County District Attorney's Office has tried

**48%** of all human trafficking cases in California<sup>2</sup>



**twenty nine percent** were in custody, in placement or currently stable

1. All data below was collected over a two year time period through Alameda County's Safety Net program, a weekly case review of at-risk or involved sexually exploited minors. For more information, contact info@heat-watch.org

2. KAMALA HARRIS, CAL. DEPT. OF JUSTICE, THE STATE OF HUMAN TRAFFICKING IN CALIFORNIA 2012 4 (2012) [hereinafter HUMAN TRAFFICKING IN CALIFORNIA available at [ag.ca.gov/publications/Human\\_Trafficking\\_Final\\_Report.pdf](http://ag.ca.gov/publications/Human_Trafficking_Final_Report.pdf)]

infographic created by **HEAT WATCH**  
www.heat-watch.org

conditioned to distrust law enforcement, they are stigmatized by society, and they acquire criminal records that will follow them for the rest of their lives.<sup>124</sup> Training first responders, such as law enforcement, child welfare workers, teachers, nurses, medical personnel, as well as the general public to correctly identify CSEC may reduce the number of children who are criminalized as well as increase their ability to access services and treatment.<sup>125</sup>

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*Exploiters target an age group that is “too young to recognize they are being manipulated and too old to see themselves as helpless children, they come to endure, if not accept, their own exploitation because, rightly or wrongly, they do not see a better alternative.”*

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Educating first responders and the general population is challenging because many people view CSE victims unsympathetically, believing that the victims have freely made a choice to sell themselves, that they are intrinsically immoral, or criminals, or that they are simply “bad” beyond “saving.”<sup>126</sup> These beliefs can further marginalize victims and, in turn, increase their vulnerability to exploiters.<sup>127</sup> Because this crime is hidden, it is essential to train first responders to seize the available opportunities to identify and serve CSEC rather than to stigmatize and give up on them.<sup>128</sup>

Education and awareness efforts are increasing. The most effective and comprehensive efforts seek to confront the stereotypes and negative connotations associated with prostitution; address the normalization of commercial sex that is prevalent in our culture; focus on boys, young men, and members of the LGBTQ community; and ensure a victim-centered approach.<sup>129</sup>

### **Trauma Bonding & Not Viewing Themselves as Victims**

Identifying victims of CSE is made more difficult because many child victims do not view themselves as such.<sup>130</sup> Exploiters target an age group that is “too young to recognize they are being manipulated and too old to see themselves as helpless children, they come to endure, if not accept, their own exploitation because, rightly or wrongly, they do not see a better alternative.”<sup>131</sup> A recent study on CSEC found that “fewer than half recognize their pimp or exploiter is not operating in their best interest.”<sup>132</sup>

This may be due in part to a bond that victims can form with their exploiters, a bond that has been compared to what occurs in the context of domestic violence, where the victim has “a certain dysfunctional attachment that occurs in the presence of danger, shame, or exploitation.”<sup>133</sup>

This attachment is a psychological response to the “powerful mix of loving care alternated with violence, threats, and dehumanizing behavior” that is termed either Stockholm Syndrome or trauma bonding.<sup>134</sup>

Exploiters eventually control their victims by withholding attention, withdrawing necessities, and threatening and physically assaulting them, all in an effort to procure the children’s complicity in their abuse.<sup>136</sup>

Such powerful manipulation normalizes isolation and also leads to distrust of others who are not participants, such as parents, law enforcement, and community service providers.<sup>137</sup> Victims are often moved from city to city on a circuit by their exploiters to keep victims “disoriented and less likely to know where to seek help.”<sup>138</sup> Victims often feel they are unable to leave because they fear for their own safety and the safety of their families, and often have feelings of shame associated with prostitution.<sup>139</sup>

### **Concealed Nature of the Exploitation**

Identifying minor victims of sex trafficking is complicated by the concealed nature of the crime. Exploiters and “customers” seek to keep the exploitation and its victims hidden from view to





avoid law enforcement involvement, maintain control and isolation, and also to impede the possibility of rescue.<sup>140</sup> The exploiters use motels, adult nightclubs, and sex parties as venues for exploitation—locations where questions about age are less likely to surface.<sup>141</sup> Exploiters may also use online advertisements through websites such as BACKPAGE and REDBOOK to market the sexual services of minors to avoid detection and identification.<sup>142</sup>

The Internet has become the latest challenge to identifying and rescuing victims of child sex trafficking; and as criminals become more sophisticated in their use of the web, their victims become less visible and harder to rescue.<sup>143</sup> The National Association of Attorneys General and other community groups have launched an effort to eliminate the adult services section of BACKPAGE to combat one aspect of this new challenge.<sup>144</sup> Washington State recently enacted a law that requires advertisers on online sites to provide documentation that escorts are eighteen or older in an effort to protect underage children from sexual exploitation.<sup>145</sup>

Understanding the factors that often contribute to CSE of children and the characteristics most common among victims and survivors is an important first step to developing effective prevention and intervention strategies. Ensuring that training includes factors specifically related to boys, homeless youth, and youth who are LGBTQ will reduce the disparity in identification of these populations. Using screening tools, checklists, and strategies for engaging youth will ensure that more exploited youth and youth who are risk of victimization will be identified.

### **STOCKHOLM SYNDROME**

Sometimes referred to as trauma bonding, Stockholm syndrome describes the emotional bond a victim (whether adult or child) feels towards an abuser. It describes the victim's coping behavior to increase his or her own safety and decrease pain during victimization. When exposed to constant threat, seeming acts of kindness on the part of the abuser create an emotional bond whereby the victim may see the abuser as a protector and begin to sympathize with and care for the abuser. Though this is an adaptive psychological phenomenon to situations of extreme physical danger and even terror, this phenomenon makes protecting exploited children particularly difficult as they make accommodations to the ongoing abuse and resist others' attempts to free them from the abuse. Younger children are particularly vulnerable.<sup>135</sup>

# INTERVENTION

CSEC present with extensive and variable needs. Because this is an emerging field, researchers and practitioners have yet to agree on the most appropriate approach to providing services and supports to CSEC. Although interventions and strategies have been developed, few have been tested for their efficacy. Consequently, there is no consensus on a single approach that comprehensively addresses the needs of all CSEC.

This section first outlines several intervention models that have been developed to address the needs of CSEC. Next, it describes a number of jurisdictions that have implemented programs that provide services and supports to CSEC and their families. This section closes by highlighting promising intervention services and strategies.

## **Models for Addressing Commercially Sexually Exploited Children’s Needs**

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There are a number of models that have been developed to address the harms that arise as a result of commercial sexual exploitation. The next section will examine the *Stages Of Change*, *Harm Reduction*, and the *Public Health Models*. These models take into account the complexity of the needs of the youth and their families, and add a level of flexibility to accommodate the youth’s ability to engage. “The hold that pimps and street culture have over prostituted youth is too powerful to be displaced by traditional social services or brief interventions. There is no curriculum that can provide an abused and frightened fourteen-year-old girl with the cognitive ability and refusal skills to outthink a twenty-six-year-old offering love, money, and to take care of her.”<sup>146</sup>

### **Stages of Change Model**

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The Stages of Change Model (SCM) was designed to help physicians and clinicians facilitate change in patients and clients with addictions.<sup>147</sup> SCM has since been more widely applied to address “problem behaviors.”<sup>148</sup>

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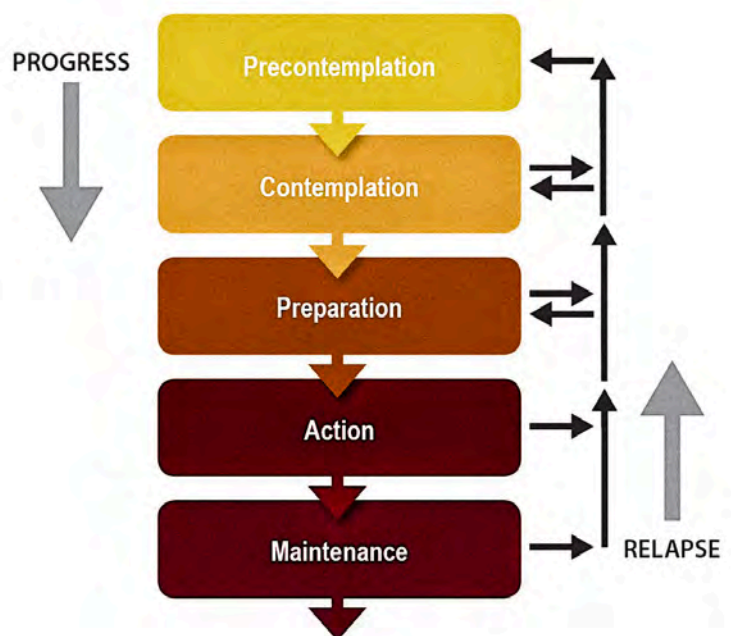
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Whereas other models focus on patient failure and non-compliance, SCM accounts for “patient readiness to make change, appreciating barriers to change and helping patients anticipate relapse.”<sup>149</sup> The SCM is divided into five stages: precontemplation; contemplation; preparation; action; and maintenance and relapse prevention.<sup>150</sup>

Precontemplation is marked by an individual’s disinterest or unwillingness to change his behavior. The Contemplation stage is when individuals assess the barriers and benefits of changing. An individual in the Preparation stage is at the point where she plans to alter her behavior by making small changes to test how a complete modification might feel. The Action stage occurs when the individual changes a behavior by taking specific remedial steps. Maintenance and Relapse Prevention, one of the most important stages, requires incorporation of the new behavior into the individual’s daily life. Often individuals relapse to earlier stages before they firmly establish a new behavior.<sup>151</sup> See Appendix B for a diagram of the stages of change.<sup>152</sup>

The SCM is useful for CSEC because it incorporates the stages of exploitation. For example, a young girl who has just been recruited and is in the honeymoon phase with her exploiter would be at the precontemplation stage. An older youth who has been beaten one too many times, and has made some contacts with service providers in the community who can protect her from her exploiter, may be at the contemplation or preparation stage. One way to guide individuals through these stages of change is through motivational interviewing, a collaborative process designed to strengthen motivation for change through engagement, empowerment, therapeutic relationship building, and determination of individual goals.<sup>153</sup>

Girls Educational and Mentoring Services (GEMS), a survivor-led empowerment organization for exploited girls and young women in New York, adapted the SCM to address the behaviors associated with CSE.<sup>154</sup> GEMS’s adaptation of the SCM includes information on how a child might typically present at each stage. It provides goals for counselors, stage-by-stage, and



© <http://batonrougecounseling.net/stages-change/>

statements of encouragement that counselors may employ. For more information on GEMS's adaptation of the SCM, see *Appendix B*.<sup>155</sup>

### **Harm Reduction Model**

Many youth attempting to escape the sex trade relapse and return to the street and their exploiters. Because relapse is common and the dangers and health risks of the street and exploitation are great, the Harm Reduction Model (HRM) has been used to help individuals involved in sex work.

The HRM was originally designed for individuals who use psychoactive drugs and are unable to stop.<sup>156</sup> The model focuses on (1) the prevention of harms associated with a particular behavior rather than prevention of that behavior and (2) the individuals who continue to engage in the problematic behavior despite the harms.<sup>157</sup> Since its creation, the model has been applied to address the harms caused by problematic behaviors other than drug use.<sup>158</sup> In the context of CSE, the HRM accepts that youth will continue to be exploited, that youth may be unable or unwilling to leave the exploitative relationship, and that any positive change in behavior is useful.<sup>159</sup> By focusing on the risks and harms associated with exploitation, and the needs of each individual, “harm reduction services are designed to meet people’s needs where they currently are in their lives.”<sup>160</sup>

A HRM for CSEC should educate the children about the common myths regarding safe sex and protection.<sup>161</sup> The model should “build on [sexually exploited children’s] own strategies, value their distinctive differences, not conflict with their culture and tradition, and increase their options for self-determination, autonomy, and control.<sup>162</sup> The harms associated with exploitation can be lessened by empowerment or self-assertion.<sup>163</sup> “Preventative measures should be integrated in order to reduce potential harm associated with diseases, infections, and pregnancies.<sup>164</sup> If any harm does occur, CSEC must have access to adequate medical and mental health care, which may include mobile delivery of services.<sup>165</sup>

Some of the most compelling voices raised in support of the Harm Reduction Model are CSE victims themselves. Exploited girls advocating for implementation of HRM argue that it “would allow them to care for each other safely and empower them to make safe choices.”<sup>166</sup> The goal of the HRM is to create a supportive environment, reduce harm in order to improve the youth’s quality of life, which will eventually lead to empowerment.<sup>167</sup>

### **The Public Health Model**

CSE of children results from a combination of factors including, but not limited to: individuals who buy, sell and are sold for sex; societal views of prostitution; hypersexualization of youth portrayed

in the media; and community factors.<sup>168</sup> Some researchers argue that a public health model (PHM) best addresses these factors by exploring the societal causes of the problem and developing intervention strategies for the victims, perpetrators, families, and communities.<sup>169</sup> Proponents of the PHM argue the law enforcement-centric approach of the past decade has made little progress toward the goal of eliminating human trafficking, and that the PHM may be more effective.<sup>170</sup>

**THE PHM EMPHASIZES FOUR AREAS TO ADDRESS IN ORDER TO SUCCESSFULLY MANAGE A SOCIAL PROBLEM:**

1. utilizing evidenced-based research to develop law, policy, and programming;
2. preventing the identified harm from occurring;
3. addressing behaviors and societal views that increase the harm; and
4. engaging key stakeholders who can contribute to addressing the health issue.

The PHM generally identifies a problem and addresses it by exploring the problem's root causes.<sup>171</sup> Once potential causes of the problem are identified, the public health approach aims to prevent the causes from occurring by reshaping public views.<sup>172</sup> Thus, changing societal views of CSE will prompt changes in social behavior.<sup>173</sup>

The PHM focuses on prevention and the identification of risk factors, which “can help identify vulnerability and facilitate earlier interventions that reach at-risk individuals before traffickers do.”<sup>174</sup> By developing evidence-based strategies, maintaining a prevention focus, addressing public views or behaviors that cause or aggravate human trafficking, and engaging key stakeholders to address these issues, some researchers believe we will get closer to the goal of preventing human trafficking.<sup>175</sup>

## **Programs to Support and Serve Commercially Sexually Exploited Children**

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The next section describes several jurisdictions that have developed policies and practices to address the needs of CSEC. The strategies are categorized by the lead agencies and systems that employ them, including the child welfare system, the healthcare system, the education system, the judicial system, the law enforcement and probation systems, and one multi-agency statewide approach.

### **Child Welfare System**

Studies show that over half, and sometimes as many as eighty-five percent, of the victims of CSE have a history with the child welfare system.<sup>176</sup> Many advocates believe the child welfare system offers a vitally important opportunity to intervene and prevent commercial sexual exploitation. Additionally, the child welfare system's focus on addressing abuse, neglect, and more recently,

trauma, seems especially relevant to efforts to meet the needs of victims of trafficking. Several jurisdictions across the country have expanded the definition of child abuse and neglect to include CSE in order to address the needs of these youth in the child welfare system. These jurisdictions have used aspects of each of the approaches discussed above, the Public Health Model (PHM), Stages of Change Model (SCM), and the Harm Reduction Model (HRM), to improve the services they provide, and the manner in which they apply them.

### ***Connecticut***

Connecticut's child welfare agency is one of the forerunners of the movement towards prevention and early intervention. The Connecticut Department of Children and Families (CDCF) now screens every child who enters its system for CSE, and has developed practice guidelines for dealing with victims of CSE.<sup>177</sup> CDCF has trained abuse hotline staff to accept reports of CSE<sup>178</sup> and is tracking this population in its child welfare data system. CDCF has established protocols to coordinate care for youth suspected of being victims of CSE.<sup>179</sup>

Once a child is identified as (or is suspected of being) a CSE victim, he or she receives an assessment, care plan, and referral, as appropriate. The health care assessment includes physical, sexual, and substance abuse, and a screen for additional issues common among CSE victims.<sup>180</sup> An emergency room protocol has also been established in order to expedite examinations and reporting for suspected victims. Many of the assessment procedures are initiated within the first seventy-two hours after identification—a window one day shorter than the response required for other CDCF clients.<sup>181</sup>

CDCF's approach is comprehensive. Services include development of short and long-term care plans and placement with trained providers. CDCF also administers assessments for placement and mental health and provides additional support services such as community services for mentoring, safety planning, personal development for job and life skills, and programs for family and significant others.<sup>182</sup> These assessments are administered by a member of the Human Trafficking Clinical Team, comprised of licensed clinicians to better address victims' needs from a trauma-informed perspective.<sup>183</sup> In its safety plans, CDCF incorporates elements

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*Studies show that over half, and sometimes as many as eighty-five percent, of the victims of CSE have a history with the child welfare system.*

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of the harm reduction model to lessen the adverse impacts on youth who relapse. The Human Trafficking Liaison in each region monitors potential CSE cases for ninety days to “track the mandatory forensic, mental health, medical and general DCF issues” for each youth.<sup>184</sup>

To improve sensitivity to the needs of human trafficking victims, CDCF has trained foster parents and caseworkers in care facilities and other therapeutic settings on warning signs of trafficking, its dangers and risks, and ways of facilitating engagement with the youth.<sup>185</sup> Unfortunately, there is still a shortage of appropriate placements for youth who are victims of CSE. To fill that void, CDCF has established two emergency beds for girls and young women who are victims of trafficking and in need of immediate placement.<sup>186</sup> CDCF is also in the process of establishing licensed placements that are tailored to the needs of victims of CSE.<sup>187</sup>

Promoting awareness of CSE has garnered additional support, resources, and partnerships to provide services for victims of trafficking in Connecticut’s child welfare system. CDCF has worked with community providers to train judges, court staff, nurses, doctors, law enforcement, and teachers. The department is educating its own staff using a three-day certification program to raise awareness, increase understanding about the perpetrators, and implement trauma-informed practices using the Stages of Change Model.<sup>188</sup> Educating first responders and agencies about CSE facilitates identification and linking to service and support interventions. To further assist in the referral effort, Connecticut law requires police to report to CDCF when a child is detained on a prostitution or prostitution-related offense.<sup>189</sup> To increase access to services for youth, CDCF, along with its partners, are developing an online resource guide that will be available on CDCF’s website.<sup>190</sup>

CDCF uses aspects of each intervention model to better serve CSEC. It has integrated the Stages of Change model into its certification curriculum to better understand and treat the youths’ needs at various points in their recovery. By providing safety planning, CDCF is incorporating elements of the Harm Reduction Model to minimize further harm that may occur if a youth relapses to the street. Through data collection and information gathered from the health



assessments, CDCF has what it needs to develop prevention strategies, in accordance with key principles of the Public Health Model.

### ***Alameda County, California***

Alameda County's Department of Children and Families Services (ACDCFS) works with community providers and partners to identify victims of CSE and address their needs. ACDCFS operates the Alameda County Assessment Center (ACAC), a facility where most children are taken when they are first removed from their homes due to abuse or neglect.<sup>191</sup> A Screening, Stabilization, and Transition (STAT) clinician from WestCoast Children's Clinic administers a mental health assessment to every child who comes to the ACAC. The mental health assessment provides the STAT clinician with key information to determine the kind of support and interventions needed to assist in placement decisions and ultimately, stabilizing the youth.<sup>192</sup> Additionally, a public health nurse conducts a medical screen for each child.<sup>193</sup>

In addition to the mental health and medical assessments, ACDCFS developed a strategy to better engage suspected victims of CSE by housing advocates from a local organization dedicated to serving CSEC, Motivating Inspiring Supporting and Serving Sexually Exploited Youth (MISSEY), in the ACAC.<sup>194</sup> MISSEY advocates are on site each day to talk with any child who comes into the center. They provide internal referrals to MISSEY and link youth to other providers. MISSEY advocates also train placement staff at the Assessment Center as well as foster parents and group home workers.<sup>195</sup> MISSEY advocates who engage with exploited children at the ACAC frequently follow up with caregivers and child welfare workers for up to 120 days after placement.<sup>196</sup>

### **Healthcare System**

Medical professionals come in contact with CSEC when treating them for sexually transmitted diseases or infections, drug overdoses, pregnancies, or physical harm from beatings by their exploiters.<sup>197</sup> A small number of medical professionals across the U.S. have begun to explore the benefits of using the Public Health Model to address the growing problem of CSEC.

### ***Asian Health Services***

Asian Health Services (AHS), a community health center in Oakland, California, is identifying CSE youth and linking them with services and supports to help keep them out of the juvenile justice system.<sup>198</sup> Doctors at AHS identified an apparent risk pattern among some youth who came repeatedly to the clinic to be tested for sexually transmitted diseases and infections.<sup>199</sup> In response, AHS partnered with Banteay Srei, a local community based organization that works with young Southeast Asian woman at risk for exploitation, to develop a protocol for identifying and engaging



CSEC through trauma-informed practices.<sup>200</sup> Additionally, AHS adopted more sensitive language for this population that uses terms such as *victim* or *survivor* rather than *prostitute*; *exploiter* as opposed to *pimp*; and *sexual offender* instead of *John*. AHS also has staff trained on CSE issues and uses the community health center as a site for early intervention and prevention.<sup>201</sup>

AHS approaches trafficking through a public health lens and screens every youth who comes to its Teen Clinic for exploitation risk factors. If a medical professional suspects that a youth is a victim of exploitation, she will make a child protective services report as required by California's mandated reporter guidelines, treat the child's medical, mental health, and social issues, and work to build rapport with the child to ensure follow-up visits.<sup>202</sup> AHS continues to advocate for better identification tools, culturally competent services embedded in the community where the youth resides, and the "creation of a comprehensive, multidisciplinary public health model to provide support for CSEC throughout the cycle of violence and exploitation."<sup>203</sup>

### **Education System**

Because virtually all children are involved in the education system, some agencies and CBOs have focused on the school setting as a useful place to identify children who are being subjected to CSE or are at-risk of CSE. School staff members also have access to the youth's family or guardian, which allows the engagement of family or relatives.<sup>204</sup>

#### ***San Diego, California***

Grossmont Union High School District in San Diego County serves a diverse population of about 25,000 students who live in both urban and rural areas of the county.<sup>205</sup> Grossmont recognized that a growing number of its students were falling victim to CSE. In response, the district's Director of Guidance and Wellness developed an information sharing agreement with identified stakeholders, including the school district, probation, law enforcement agencies, child welfare, and a non-profit service provider, to better understand the youth they were serving and risk factors associated with CSE.<sup>206</sup>

After gaining a better sense of the exploited youths' backgrounds in their district, the stakeholders developed school staff training. The training incorporates the risk factors uncovered through the district's information sharing agreement. Eventually they developed a protocol for teachers and administrators to identify youth who may be victims of sexual exploitation.<sup>207</sup> The protocol provides a step-by-step approach when 1) there is suspected recruitment or actual exploitation by a student, 2) a suspected victim of CSE has been identified, and 3) a confirmed victim of CSE is identified.<sup>208</sup> The school officials refer CSE victims to a local program, which consists of at least twelve weeks of counseling, recreational activity, case management, and art therapy.<sup>209</sup> Grossmont is currently

working with school districts across San Diego to expand the use of its protocol.<sup>210</sup>

### ***Sacramento, California***

Sacramento City Unified School District has begun to explore using the school setting as a forum to identify and work with youth who are either at-risk and or are victims.<sup>211</sup> Its Sexually Exploited Children & Teens Community Collaborative (SECT) has led extensive training efforts for after-school providers, on site social workers, and counselors.<sup>212</sup> SECT developed a postcard and distributes it to individuals it trains, outlining CSE risk factors, red flags and key school district contacts that connect CSE-identified youth to community service providers that are specially trained to work with this population.<sup>213</sup>

Additionally, stakeholders in Sacramento have recognized the importance of youth involvement in CSE programs. Recently, a group of students, including survivors and their allies, developed a youth-led initiative called “Students Together Reducing Exploitation and Trafficking” (STREAT). The survivors and allies have led awareness activities, developed after school clubs, and are currently ramping up efforts to provide trainings.<sup>214</sup>

### **Judicial System**

Many victims of CSE have experience with the judicial system, typically through the juvenile justice or child welfare systems. A number of jurisdictions have developed innovative judicial strategies to identify and intervene when youth have been exploited or are at-risk of exploitation. Others have explored ways of diverting youth away from the juvenile court process and into programs and supports in the community. California has several specialized courts that are devoted to providing consistency and support to CSEC who have been charged with prostitution or a prostitution-related offense as well as youth who may be at-risk.

### ***Los Angeles County, California***

Los Angeles County developed the Succeeding Through Achievement and Resilience (STAR) Court, a specialty court for CSE youth. The STAR Court is housed in a juvenile delinquency court in Watts, the neighborhood in L.A. with the highest rates of prostitution and prostitution-related arrests.<sup>215</sup> The STAR Court is developing new and effective approaches to meeting the needs of CSE youth. The Court’s goals include re-enrollment in school, participation in counseling to address multi-layered trauma, and safe transition back to the family or community.<sup>216</sup>

The STAR Court team is comprised of a commissioner, a district attorney, public defender, panel attorney, probation officers, and advocates from Saving Innocence and the Coalition to Abolish Slavery and Trafficking (CAST-LA). Two dedicated probation officers have a caseload of

twenty-five youth each.<sup>217</sup> The STAR Court meets weekly the day before cases are heard to discuss progress and strategies for each case, thereby minimizing disputes and avoiding the adversarial process of more typical delinquency proceedings.<sup>218</sup>

### **Statewide approach**

Georgia was the first state to develop a statewide approach to addressing the needs of CSEC.<sup>219</sup> The Governor’s Office for Children and Families (GOCF), has led the statewide initiative over the past four years “through infrastructure development, convening a quarterly task force, and providing resources and services to victims of CSEC.”<sup>220</sup> The system developed by the GOCF now tracks CSEC entering the juvenile justice and child welfare systems, provides assessments, links to treatment and aftercare services, and has been increasing capacity outside of Atlanta for providing services.<sup>221</sup>

#### **THE GOCF CSEC TASK FORCE HAS IDENTIFIED SEVEN GOALS:**

1. keeping children safe,
2. identifying youth at-risk for CSE,
3. restoring well-being, connections, and supports for victimized and at-risk youth,
4. empowering victims to recover and thrive,
5. ensuring that at-risk youth and victims are ready for work and college,
6. increasing the awareness and knowledge of adults regarding CSE, and
7. reducing the demand for sex with children by focusing on sellers and buyers.<sup>222</sup>

The Task Force has devoted a workgroup to each goal, with the intention of implementing permanent programs in each area.<sup>223</sup>

The Task Force collaborated with the Georgia Care Connection (GCC) office, to provide a “single point of entry to coordinate services for victims of CSEC.”<sup>224</sup> GCC provides services for girls ages eleven to seventeen through a multi-disciplinary team of agencies and providers.<sup>225</sup> In collaboration with the multi-disciplinary team, GCC develops a comprehensive care plan that often includes placement at a safe home.<sup>226</sup> GCC and the Task Force have been collecting data on the youth it serves to ensure continued program improvement and identification of service gaps. From June 2010 to June 2011, the GCC received 141 referrals, administered comprehensive screening to 104 youth, and found that over fifty percent had previous or current child welfare involvement.<sup>227</sup> Eighteen of the 112 youth GCC served successfully completed a six- to nine-month treatment program at a safe home.<sup>228</sup>

## **Law Enforcement and Probation Systems**

Law enforcement and probation have been the primary systems addressing the needs of CSE victims.<sup>229</sup> Through prostitution sting operations, law enforcement may be the first agency to interact with a CSE victim.<sup>230</sup> As described below, several jurisdictions have integrated innovative services and supports into law enforcement and probation systems to address the needs of CSEC.

Some advocates argue that placement in juvenile hall helps CSEC by offering increased protection, access to a structured environment, reduced intimidation by exploiters and pimps, and cooperation in the criminal prosecution of exploiters.<sup>231</sup> Others find the juvenile justice system paternalistic and argue that it strips young women of “opportunities for individual growth and empowerment that can come out of their experiences of sexual exploitation.”<sup>232</sup>

### ***Los Angeles County, California***

Los Angeles County is one example of a multi-faceted approach to a law enforcement-based CSE intervention strategy. Los Angeles County’s Probation Department provides a “comprehensive multi-disciplinary program for sexually trafficked females in the Juvenile Justice System.”<sup>233</sup> Its grant-funded program dedicates five full-time Probation Department staff to work with CSEC and coordinate efforts among the different agency partners.<sup>234</sup> The Probation Department is also committed to training staff and community members. As of 2012, the department had taught approximately 1,600 people about CSE and trained them to identify possible CSE victims.<sup>235</sup> Additionally, the Department has reached out to neighborhood action councils in the communities with the highest incidence of prostitution arrests to train parents and community members on the warning signs of CSE.<sup>236</sup> The Probation Department has also added the “My Life My Choice” curriculum to the training required for all wraparound<sup>237</sup> service providers in L.A. County.<sup>238</sup> This nationally recognized and tested ten-week curriculum is designed to educate youth about CSE, address sexual health issues, touch on substance abuse, improve self-confidence, and train youth on accessing resources.<sup>239</sup>

The L.A. County Probation Department also developed a systematic response called the “First 48 Response” for girls who are identified as victims of CSE either through disclosure, previous arrest history related to prostitution, or the nature of the arresting charge.<sup>240</sup> They provide identified youth with an enhanced mental health and medical assessment, a meeting with an advocate trained to work with CSEC, and a basic placement survey within the first forty-eight hours.<sup>241</sup>

L.A. County Probation has a detention workshop program for all girls housed in juvenile

hall. The workshop meets once a week for five weeks,<sup>242</sup> with a different focus each week—(1) a survivor story; (2) law enforcement’s role as a resource in the community; (3) short and long-term medical consequences of CSE; (4) psychological harm caused by CSE and ways of dealing with the complex trauma; and (5) services provided by CBOs in the community.<sup>243</sup> The detention workshop has been implemented in one of the three juvenile halls in L.A. County, and since its start, thirty-seven girls have self-identified as a victim of CSE during their participation in the program.<sup>244</sup> Additionally, the Department believes the program has curbed peer recruitment in the hall.<sup>245</sup> The workshop is intended to slow re-victimization, and is also used as a means of education and prevention.<sup>246</sup>

### ***Multnomah County, Oregon***

Another innovative law enforcement intervention has been developed in Multnomah County, Oregon. Law enforcement in Multnomah has chosen not to arrest minors for prostitution or prostitution-related offenses. Instead, police work closely with the local rape crisis center, Sexual Assault Resource Center (SARC), to provide first responder services, which include immediate intervention and confidential advocacy.<sup>247</sup> Licensed clinicians from SARC are available twenty-four hours a day to do an initial assessment of any child who is suspected to be a victim of CSE. SARC takes referrals from victims, families, law enforcement, the Department of Human Services, and other community providers, and provides case management, culturally specific and survivor informed interventions, working with law enforcement to devise realistic safety plans.<sup>248</sup> SARC has worked with 267 CSE cases in the past year, and now has five full-time staff that responds exclusively to CSE cases.<sup>249</sup> This allows CSE victims to avoid involvement with the juvenile justice system, and instead become engaged with services and supports in the community.

The strategies in both Los Angeles and Multnomah County require collaboration among multiple systems, extensive training in CSE and its trauma, and placement options in the community. These strategies have identified the needs of the victims and have attempted to provide responses that de-emphasize punishment. For example, only six of the seventy-one female CSE victims supervised by L.A. County probation are in locked placements, with the remainder ordered to placements in the community.<sup>250</sup> While in detention, youth were provided harm reduction strategies, and they have been able to use those strategies in their placements in the community. For additional programs and interventions, see *Appendix C*.

## Promising Practices & Continuum of Care

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Many of the strategies used to address the needs of CSEC that are outlined above use aspects of the public health, harm reduction, and stages of change models. Because this is still a relatively new field, none of these models has been fully tested for its efficacy with respect to CSE. Researchers, however, have agreed on a number of promising practices,<sup>251</sup> and both researchers and providers collectively stress the importance of providing a continuum of care to CSE victims.<sup>252</sup>

### **THE SIX COMPONENTS OF PROMISING SERVICES AND STRATEGIES IDENTIFIED BY PROVIDERS WHO SERVE CSE VICTIMS ARE:**

1. Safety planning for both the clients and the staff serving them;
2. Collaboration across the multiple systems and agencies;
3. Trust and relationship building to foster consistency;
4. Culturally competent and appropriate service provision;
5. Trauma-informed programming;
6. Survivor involvement in the development and implementation of programming<sup>253</sup>

Programs and services outlined above demonstrate the use of some of these components. For example, Connecticut integrates trauma-informed practices and safety planning into its training and service provision. STREAT in Sacramento gives survivors voices and leadership positions in its advocacy efforts. Los Angeles' STAR Court fosters trust and relationships by staffing the court with the same attorneys, court officers, and probation staff each week. In Multnomah County, law enforcement creates a collaborative model to serving CSE youth by providing counseling services through the local sexual assault response provider.

As noted above, there is also consensus that CSE youth must be provided with a continuum of care to ensure youth access the services they need throughout their recovery and eventual reintegration. The continuum of care can be divided into three phases: (1) crisis intervention and assessment, (2) comprehensive assessment and case management, and (3) social reintegration.<sup>254</sup> The goal "is to help the victim progress along the continuum that begins at crisis or the need for emergency assistance and moves to a position of safety (all within phase 1). With ongoing assessment and intervention to address existing and emerging needs, the victim can move to stability in phase 2. Finally, victims (now often referred to as survivors) can integrate into their environment and begin to thrive."<sup>255</sup>

In order to provide a continuum of care, youth must first be identified—some agencies use motivational interviewing, multi-disciplinary teams, systematic screening and assessment, cross-systems protocols, and centralized databases.<sup>256</sup> Outreach, education and training also facilitate the identification of victims.<sup>257</sup> Once identified, intensive case management can help focus the victim, coordinate the different agencies serving the victim, and monitor progress.<sup>258</sup> Victims of commercial sexual exploitation require comprehensive services to maintain stability and eventually reintegrate back into the community, including housing, legal and medical assistance, mental health and substance abuse treatment, and social services.<sup>259</sup>

Stable housing and specialized placement options for CSEC is critical to providing an effective continuum of care, however, few exist. Many existing placement options do not take into account the different stages of exploitation youth experience, which may impact a youth's placement stability.<sup>260</sup> Several options to increase stability and ensure a continuum of care include extending the amount of time youth can stay in emergency and transitional housing programs and implementing “No reject, no eject” policies to ensure that when youth runaway or relapse they have a safe place to which to return.<sup>261</sup> Understanding the stages of change youth experience as they attempt to exit street life, the harms associated with exploitation, and the promising practices available provides an opportunity to create a comprehensive strategy to address the needs of commercially sexually exploited children's needs in California.



# PREVENTION

Much of the work combatting CSE focuses on the needs of youth after they have been exploited. This includes stemming the progression of exploitation in its earliest stages and recovering from or managing the long-term consequences of exploitation.<sup>262</sup> However, prevention efforts are also critical. From a victim-centered perspective, a preventive approach begins with identifying youth who are at-risk for exploitation and provides services and supports before victimization occurs. Another aspect of prevention targets purchasers, by implementing strategies to reduce consumer demand for illicit sexual services.

Organizations throughout the country have begun to explore practices to prevent CSE. Many of these programs have been developed in the past decade, which limits our knowledge about their efficacy.<sup>263</sup> The sections below detail the strategies that have emerged throughout the country to prevent CSE, including curricula and other school-based approaches, campaigns to end consumer demand by targeting purchasers, and technology-based prevention strategies.

## **Curricula & School-Based Approaches**

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Evidence shows that the average age of entry into the commercial sex trade is as young as twelve. Organizations are responding to this information by engaging youth at younger ages through school-based approaches.<sup>264</sup> Most curricula and school-based programs involve several key components, including education and awareness, training for adults, survivor input and referral opportunities to CSE-specialized programming.<sup>265</sup> Some of these strategies target specific populations and geographic areas where youth may be more vulnerable to exploitation, while others are provided to all students without regard to risk factors.

### **“My Life My Choice” (MLMC)**

The MLMC curriculum is a nationally recognized and tested ten-week curriculum designed to educate girls and young women about CSE, reproductive health, substance abuse, self-confidence, and access to community resources.<sup>266</sup> Developed in 2002, it is considered one of the most promising models for programs directed at reducing the likelihood that youth will enter into the commercial sex industry.<sup>267</sup>

MLMC’s comprehensive prevention curriculum is designed to help young women avoid recruitment by helping them feel whole and strong.<sup>268</sup> It has been used in numerous settings, including group homes, juvenile justice facilities, schools, probation offices, child protective service agencies, faith-based organizations, and community-based settings.<sup>269</sup> Communities in



Connecticut, California, Minnesota, Illinois, Georgia, New York and Kansas are using the MLMC curriculum.<sup>270</sup> Although it focuses on prevention, the MLMC curriculum also helps identify victims and includes some intervention services.

Several other curricula and school-based prevention programs have been developed in Atlanta, Sacramento, and Seattle. Atlanta's Project P.R.E.V.E.N.T. (Promoting Respect, Enhancing Value, Establishing New Trust), was designed to strengthen skills, help youth identify support networks, and provide youth with positive opportunities in the community,<sup>271</sup> and implemented in small groups in high-risk Atlanta neighborhoods.<sup>272</sup> In Sacramento, CSE survivors developed a group to raise awareness around sexual exploitation and provide preventive information to middle school-aged youth.<sup>273</sup> In Seattle, the "Powerful Voices Powerful Choices" program targets female and female-identified youth between ten and seventeen years of age to promote positive relationship skills and reduce vulnerability to intimate partner violence and commercial sexual exploitation. For more information on these programs, see Appendix D.

## **Campaigns to End Demand**

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In addition to providing services to youth who are CSE victims or at-risk of CSE, efforts are underway to focus on consumers of commercial sex, i.e., those who represent the demand side of CSE. Research has shown that "targeting demand can be much more useful than arresting ... the women themselves or the pimps trafficking sex."<sup>274</sup> New efforts to eliminate demand for commercial sex focus, in large part, on males because the majority of the consumers and exploiters are men.<sup>275</sup> Some efforts, focused primarily on the purchasers of sex, have been shown to deter future purchases through diversion programs and shaming practices. More recently, programs have been developed for young men and boys to discourage them from becoming either purchasers or exploiters.

### **Diversion Programs**

One effort to end demand and prevent further solicitations for sex is the First Offender Prostitution Program (FOPP), also known as "Johns School," created by San Francisco's Standing Against Global Exploitation (SAGE) in 1995.<sup>276</sup> FOPP began as a partnership between the San Francisco District Attorney's Office, the San Francisco Police Department, and SAGE. It was designed to "educate men who are arrested for seeking the services of women in prostitution."<sup>277</sup> First offenders are screened by the District Attorney's office for eligibility. If an individual is eligible and chooses to participate in the diversion program, the individual pays a fee and attends

an eight-hour comprehensive educational seminar.<sup>278</sup> The curriculum “offers intensive education from law enforcement, legal, health, survivor, and community perspectives about the damage this ‘victimless’ crime inflicts on the community.”<sup>279</sup> FOPP is a restorative justice program that uses the revenue generated from fees to support survivor programming and empower victims.<sup>280</sup>

Since 1995, nearly 6,000 men have attended FOPP in San Francisco.<sup>281</sup> A study evaluating the program’s effectiveness demonstrated that the Johns School significantly reduced the rates of recidivism, showing evidence of an over forty percent decrease in re-offense among participants.<sup>282</sup> FOPP has also raised over \$1 million in revenue for each of the three partners.<sup>283</sup> Fees paid by offenders cover the costs of the program and classes. As of 2012, fifty-one jurisdictions are operating similar “Johns” schools in an effort to reduce demand for commercial sex and to educate men about CSE.<sup>284</sup>

### **Shaming Practices**

Another demand deterrent is the practice of “shaming” individuals who solicit commercial sex by publicizing the identities of people arrested for these crimes through news outlets, law enforcement websites, and billboards, as well as other forms of media.<sup>285</sup> Shaming is being used in 484 different

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*“targeting demand can be much more useful than arresting . . . the women themselves or the pimps trafficking sex.”*

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cities and counties throughout the country.<sup>286</sup> “Reverse sting” operations, in which a purchaser is arrested for soliciting an undercover officer posing as a prostitute, are used in nearly sixty percent of the communities that practice shaming.<sup>287</sup> Jurisdictions have found the cost of shaming to be quite low—it may involve simply preparing a press release to be disseminated by local news and city websites.<sup>288</sup> However, some advocates oppose shaming. Arguments against the practice include concerns about possible due process violations as names of alleged “Johns” are publicized following arrest rather than after an adjudication or conviction.<sup>289</sup> Others point out the collateral damage to the innocent spouses, children, and other family members of those who are shamed.<sup>290</sup>

### **Curricula for Young Men & Boys**

Two jurisdictions have attempted to deter exploitation and the purchase of commercial sex by developing and implementing educational programs for young men and boys. In Connecticut, the Department of Children and Families partnered with the Connecticut Juvenile Training School to create “Man UP: A Youth Series to Transform the Male Perspective of Women and Its Impact on

Sexual Exploitation.”<sup>291</sup> The program includes ten one-hour sessions challenging “the boys to end the demand that perpetuates the sexual exploitation of women and children by defining and reshaping what manhood means to them.”<sup>292</sup> Although the Man UP program was only recently implemented as a pilot project in May of 2012, it has demonstrated promising results.<sup>293</sup> Currently the Man UP program is provided at the Training School only, but the Department is developing a “facilitator’s curriculum guide” to provide the program to a wider audience in additional locations.<sup>294</sup>

The Chicago Alliance Against Sexual Exploitation (CAASE) has developed an interactive curriculum for high school boys called “Empowering Young Men to End Sexual Exploitation.”<sup>295</sup> Since the curriculum was first implemented in 2010, over one thousand students have completed the course.<sup>296</sup> The curriculum educates “young men about the harms of prostitution and enlist[s] them as allies in the movement to end violence against women and girls.”<sup>297</sup> The curriculum consists of four 45-minute sessions discussing healthy relationships, gender-based violence, social norms of masculinity portrayed by peers and the media, and CSE.<sup>298</sup> Young men completing the curriculum have reported changes in their thinking about commercial sex and a willingness to share what they have learned with other men.<sup>299</sup>

## **Technology-Based Prevention**

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As digital technology has rapidly evolved and expanded, so too have the opportunities to sexually exploit children for commercial gain.<sup>300</sup> Traffickers and exploiters commonly use mobile phones to “recruit, advertise, organize, and communicate ... effectively streamlining their activities and expanding their criminal networks.”<sup>301</sup> While highly integrated mobile phones, social networking, and the Internet are all used to exploit youth, these technologies can also be used to prevent exploitation.<sup>302</sup>

Many advocates blame websites like BACKPAGE and CRAIGSLIST for the burgeoning sex trafficking economy. However, “ending human trafficking is more complicated than shutting down one website. The entire ecosystem—from the recruitment to the grooming and the selling, almost all done via the Internet—must be addressed.”<sup>303</sup> Several recent initiatives have supported research in this area, and have developed online deterrence programs.<sup>304</sup>

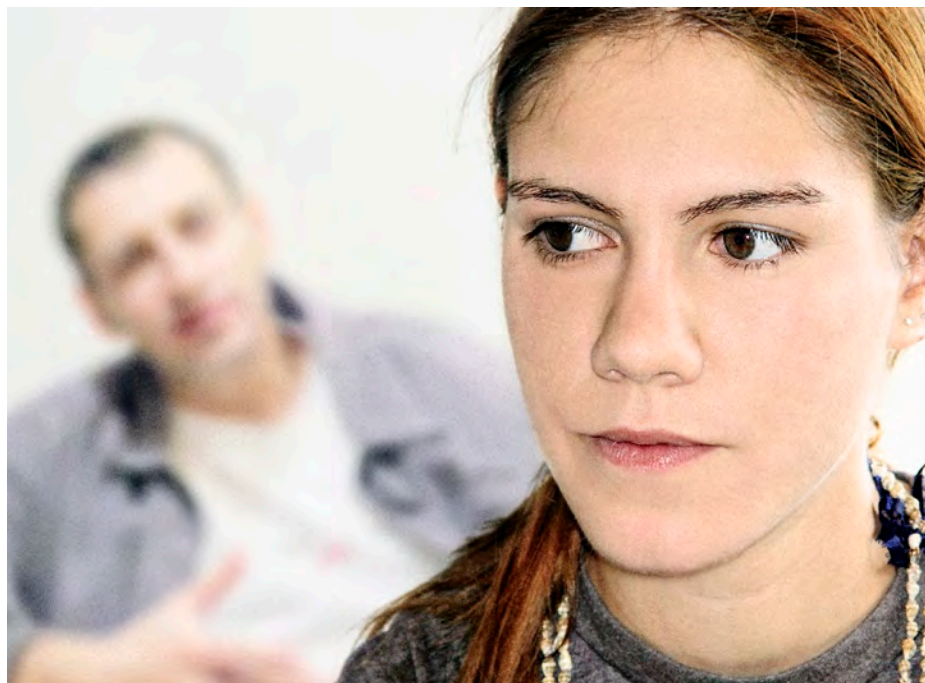
In coordination with State Department’s Office to Monitor and Combat Trafficking in Persons, the University of Southern California’s Annenberg Center on Communication Leadership & Policy (CCLP) launched the CCLP Technology & Trafficking Initiative in June 2010. It has since released a report identifying areas where both the public and private sector can improve data collection and tracking of sex trafficking. Additionally, CCLP has developed software to detect the

sex trafficking of minors online.<sup>305</sup>

The federal government has provided funding to a number of agencies and organizations to educate youth, parents, and teachers about Internet safety, the proliferation of child pornography, privacy concerns, and safety in online relationships.<sup>306</sup> The government has also funded programs that evaluate and rate the effectiveness of schools and libraries in shielding youth from harmful Internet content.<sup>307</sup> These workshops and guides provide information to combat exploiters and increase safety and awareness.

Businesses and foundations have come together to fight this problem in recent years. For example, the Demi and Ashton (DNA) Foundation established a Technology Task Force to bring together top technology companies to address this issue, leading to the creation of several programs to prevent online sexual exploitation of children.<sup>308</sup> One includes triggering a preventive message whenever an individual conducts an online search for child pornography.<sup>309</sup> Microsoft also recently awarded grants to teams to “research how ‘johns’ search for victims online; how technology has changed the recruiting, buying, and selling process in trafficking; and the clandestine language used in web advertising to facilitate child sex trafficking.”<sup>310</sup>

Prevention efforts are wide-ranging and can target youth who are at-risk, consumers and potential consumers of commercial sex, and the technology used to facilitate exploitation. Effective efforts focused on potential victims of exploitation include education and awareness components around healthy relationships, sexual health, Internet safety, and commercial sexual exploitation.<sup>311</sup> Providing tools to recognize exploitation and building self-confidence may thwart exploiters’ recruitment efforts. Targeting sites of increased vulnerability, such as group homes, detention facilities, schools in areas known for prostitution, and other high-risk neighborhoods is one strategy to lessen victimization. Efforts to reduce demand and creation of public and private partnerships focused on using technology to track and monitor exploitation strategies are also critical strategies to combat CSE of children.



# LEGISLATION

As human trafficking has become a more recognized and visible problem throughout the world, political leaders and legislators have responded with new laws, initiatives and conventions to define human trafficking, enhance awareness, provide supports and services, criminalize traffickers, and track progress. The United States passed its first comprehensive human trafficking bill in 2000, the Victims of Trafficking and Violence Protection Act, since renamed the Trafficking Victims Protection Act (TVPA).<sup>312</sup> More recently, legislative efforts have centered on the commercial sexual exploitation of U.S.-born children, and harsher punishment of exploiters. This section examines the international community's attention to this issue, federal initiatives, and state legislative efforts.

## International Law

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The international community's first concerted action on this issue came in 1996 at the First World Congress Against Commercial Sexual Exploitation of Children in Stockholm, Sweden.<sup>313</sup> The convening culminated in an agenda to protect children from commercial sexual exploitation, which was signed by 160 countries including the United States.<sup>314</sup> Since then, other international efforts have addressed the issue of sex trafficking and exploitation of children, including the International Labour Organization Worst Forms of Child Labour Convention (ILO Convention); United Nations Optional Protocol to the Convention on the Rights of the Child on the Sale of Children, Child Prostitution, and Child Pornography (CRC Protocol); and the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, Supplementing the United Nations Convention Against Transnational Organized Crime (TIP Protocol).

The ILO Convention, ratified by the United States in 1999, defines the “worst forms of child labour” as including “the use, procuring or offering of a child for prostitution, for the production of pornography, or for pornographic performances.”<sup>315</sup> The ILO Convention, like the CRC Protocol, focuses on the rights and needs of children, and requires participating nations to take measures to prevent child labor, provide services and assistance to remove youth from the exploitative situations and reintegrate them into society, ensure access to education, identify those at risk, and “take account of the special situation of girls.”<sup>316</sup>

In 2002 the United States ratified the CRC Protocol, which criminalizes “offering, delivering, or accepting, by whatever means, a child for the purposes of sexual exploitation.”<sup>317</sup> The CRC Protocol mandates that signatories to the protocol prosecute exploiters and purchasers, protect

youth throughout the prosecution, provide services to youth as a means of prevention and intervention, and compensate victims.<sup>318</sup>

Last, the TIP Protocol, ratified by the United States in 2005, requires governments to criminalize trafficking in persons and protect victims. Unlike the two previous international agreements, the TIP Protocol does not explicitly require services for victims.<sup>319</sup> However, because it requires heightened protection of women and children to prevent re-victimization, some argue that the TIP Protocol requires participating nations to provide services “to keep them from returning to a highly vulnerable position.”<sup>320</sup>

## Federal Legislation

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In addition to joining international efforts to combat CSEC, the U.S. has devoted considerable resources to address human trafficking. The Obama Administration has recommitted the nation to the fight against human trafficking and has organized an Interagency Task Force, chaired by the Secretary of State, to Monitor and Combat Human Trafficking. In September 2012, President Obama announced new initiatives to fight trafficking that include training federal and state law enforcement to better identify trafficking, providing victim assistance, and developing partnerships with the business and technology communities.<sup>321</sup>

Over the past decade, Congress has passed several important laws aimed at eradicating this problem within our borders. The seminal piece of federal legislation is the Trafficking Victims’ Protection Act (TVPA) of 2000, which has since been reauthorized three times, and is currently awaiting reauthorization.<sup>322</sup> The TVPA has long focused on the three Ps—prevention, protection, and prosecution. More recently, a fourth P—partnership, was added.<sup>323</sup>

At its core, the TVPA makes trafficking in persons a federal crime regardless of whether persons trafficked are U.S. citizens or foreign nationals.<sup>324</sup> Under the law, human trafficking has three elements: *process*, *means* and *end*.<sup>325</sup> For a situation to constitute trafficking in persons under the TVPA, all three elements must be found.<sup>326</sup>

While many states continue to prosecute minors for prostitution and prostitution-related offenses,<sup>327</sup> under the current version of the TVPA, all minors who engage in commercial sex acts are victims of trafficking.<sup>328</sup> What is more, the TVPA treats sex trafficking as a severe form of human trafficking, carrying increased penalties for perpetrators.<sup>329</sup> The TVPA now also provides that the trafficking of a minor does not require proof of force, fraud or coercion of the minor.<sup>330</sup>

And, the minor’s consent to exploitation is not a defense.<sup>331</sup>

The TVPA provides protections, penalties, and strategies to combat trafficking. It authorizes education and public awareness programs in order to prevent human trafficking.<sup>332</sup> To protect victims of trafficking, the law makes federally funded social services available to victims.<sup>333</sup> The law protects victims of trafficking who are foreign nationals by creating T-visas, a program that provides temporary residency and the opportunity to eventually gain permanent residency.<sup>334</sup>

The TVPA’s scope has expanded with each subsequent reauthorization. The 2003 reauthorization mandated educational campaigns on sex tourism, created a civil cause of action for victims to recover actual and punitive damages from traffickers, and required an annual report to analyze domestic and international government responses to human trafficking.<sup>335</sup> The law was reauthorized again in 2005 to provide additional resources, increase victims assistance programs, expand reporting requirements, and acknowledge the needs of victims of CSE born in the U.S.<sup>336</sup> The last reauthorization, in 2008, strengthened criminal sanctions and removed the requirement that sex trafficking victims under 18 must show “force, fraud, or coercion” to be protected under the Act.<sup>337</sup>

The Prosecutorial Remedies and Other Tools to end the Exploitation of Children Today (PROTECT) Act passed in 2003.<sup>338</sup> The PROTECT Act increased criminal penalties for repeat

## ELEMENTS OF HUMAN TRAFFICKING

### 1 PROCESS

Recruiting  
OR  
Harboring  
OR  
Moving  
OR  
Obtaining  
*a person*

### 2 MEANS

*by*  
Force  
OR  
Fraud  
OR  
Coercion

### 3 END

*For the purposes of*  
Involuntary Servitude  
OR  
Debt Bondage  
OR  
Slavery  
OR  
Sex Trade

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child abuse offenders, strengthens laws against sex tourists, and strengthened prohibitions on forms of virtual child pornography and other obscene materials that depict children.<sup>339</sup> It also increased support for the National Center for Missing and Exploited Children (NCMEC) to improve investigations and created a cyber tip line to report child pornography, online enticement of children for sexual acts, and child prostitution.<sup>340</sup>

California Representative Karen Bass introduced the Strengthening the Child Welfare Response to Human Trafficking Act of 2011 (SCWRHT) in the House of Representatives in 2011.<sup>341</sup> The SCWRHT Act died in committee in 2012, however Representative Bass plans to reintroduce the legislation in early 2013.<sup>342</sup> The SCWRHT would give the Secretary of Health and Human Services (HHS) authority to set guidelines and training for state child welfare agencies and court employees in order to identify child victims of CSE and children at risk of becoming victims.<sup>343</sup> The Secretary of HHS would be charged with making recommendations to prevent human trafficking to state child welfare agencies so that “specialized, long-term residential facilities or safe havens serving children who are human trafficking victims can quali[f]y as childcare institutions under [Title IV-E] of the Social Security Act.”<sup>344</sup> The SCWRHT would also provide services to trafficking victims under the age of twenty-one.<sup>345</sup>

## **State Legislation**

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The important gains made at the federal level to fight CSE of children have been slow to percolate down to the states. Moreover, the majority of state legislation over the past decade has focused on prosecution and punishment of perpetrators rather than victim protection and support services.<sup>346</sup> Some critics argue that an excessive focus on prosecution, rather than protection, will result in heightened distrust of law enforcement, decrease witness cooperation in prosecutions, and entrench the lack of services outside of the juvenile justice system for victims of CSE.<sup>347</sup> But, more recently, protection efforts may be gaining momentum.

For the purpose of analysis, state anti-trafficking legislation may be divided into two broad categories: 1) laws focused on the prosecution of the exploiters and purchasers and 2) laws focused on protecting and providing services to victims of CSE.<sup>348</sup> The latter category may be further separated into decriminalization, diversion, and a combination of both.<sup>349</sup> Several states have also passed laws establishing statutory duties and obligations owed by their child welfare agencies to CSE victims.



## Decriminalization

Decriminalization laws prohibit prosecution of minors for prostitution. They also eliminate the legal contradiction between statutory rape and child prostitution laws.<sup>350</sup> Prosecuting minors for prostitution contradicts the premise of statutory rape laws, which set an age under which a minor is legally incapable of consenting to sex with an adult.<sup>351</sup>

Tennessee and Connecticut have passed legislation to decriminalize prostitution for youth under a certain age. In Connecticut, the law specifically forbids the prosecution of any youth under sixteen for prostitution.<sup>352</sup> Connecticut's law presumes that any sixteen or seventeen year old charged with prostitution has been coerced by another person to commit the offense.<sup>353</sup> Tennessee's law similarly protects persons under age eighteen from prosecution for prostitution in both juvenile and adult court.<sup>354</sup> Although immune from prosecution, there are, as yet, few services and supports in place for these exploited youth.<sup>355</sup>

## Diversion

Diversion laws can take one of two approaches: pre- or post-adjudication. In the former case, youth who are arrested and charged with prostitution are diverted from delinquency proceedings; and in the latter, following delinquency proceedings, youth are diverted to a specialized service program.<sup>356</sup> In either case, as a condition of diversion, youth are usually required to receive treatment or specialized services.<sup>357</sup> Participation in diversion programs is typically at the discretion of a judge, prosecutor, or both.<sup>358</sup>

New York was the first state to pass a Safe Harbor law, aimed at protecting and providing services to youth under 18 who have been victims of CSE.<sup>359</sup> New York's Safe Harbor Act amended the Family Court Act to create a presumption that a minor arrested for prostitution is a victim of a severe form of trafficking as defined by the federal TVPA, and to provide new victim protections.<sup>360</sup>

New York's Safe Harbor Act mandates that sex trafficking victims shall be treated as Persons In Need of Supervision (PINS), i.e., status offenders rather than delinquents.<sup>361</sup> Once certified as a PINS, a child may not be detained, and instead may receive services through the Department of Social Services.<sup>362</sup> However, a request for PINS certification may be denied if a child does not meet the federal definition of a victim of a severe form of trafficking, has been previously tried for prostitution, has previously been certified as a PINS, or has been uncooperative or unwilling to accept specialized services.<sup>363</sup> In those circumstances, the court may proceed with delinquency proceedings.<sup>364</sup> And, New York's Safe Harbor Law did not include funding, which resulted in a lack

of resources to create the specialized services mandated by the legislation.<sup>365</sup>

Washington passed a similar law, the Sex Crimes Involving Minors Act. In Washington, youth under eighteen arrested for prostitution or prostitution loitering are presumed to meet the criteria for certification as victims of a severe form of trafficking, under the federal definition.<sup>366</sup> Diversion is mandatory for the first prostitution-related offense, even if the youth has a criminal history.<sup>367</sup> The prosecutor has the discretion to divert a youth charged with a prostitution-related offense more than once, as long as the county in which the offense occurred has a comprehensive program that provides housing, case management, mental health and substance abuse services, training for education and employment, and referrals.<sup>368</sup> The Department of Social and Health Services must connect diverted CSE youth to services for sexually assaulted youth if funding allows.<sup>369</sup>

### **Decriminalization & Diversion**

Both Illinois and Minnesota have adopted approaches that decriminalize and provide specialized services to victims. Illinois's Safe Harbor Law, passed in 2010, prohibits the prosecution of anyone under 18 for prostitution offenses, and requires placement in temporary protective custody.<sup>370</sup> Law enforcement personnel may take youth into temporary custody if there is a reasonable belief that the youth is a victim of sex trafficking.<sup>371</sup> Following placement in temporary protective custody, law enforcement must notify the Department of Children and Family Services.<sup>372</sup> Temporary protective custody, under Illinois law, includes placement in secure facilities, but not jail or other juvenile detention settings.<sup>373</sup> The law also creates a rebuttable presumption that anyone arrested for prostitution qualifies as "abused" under the Illinois Abused and Neglected Child Reporting Act.<sup>374</sup> Thus, trafficked youth may receive child protective services through the Department of Children and Family Services.<sup>375</sup>

In August of 2014, Minnesota will abolish prostitution and prostitution-related charges for youth under sixteen.<sup>376</sup> Similarly, juvenile petty offenses will no longer include "being hired, offering to be hired, or agreeing to be hired by another individual to engage in sexual penetration or sexual conduct."<sup>377</sup> This legislation will prevent children under age sixteen from being prosecuted for prostitution or loitering for the purpose of prostitution. Additionally, sixteen and seventeen year old youth will be eligible for diversion either through pretrial diversion or by petition as a child in need of protection or services.<sup>378</sup> A youth who is "alleged to have engaged in prostitution" will qualify for diversion if the following criteria are met:

1. No previous adjudication for engaging in prostitution;
2. No previous participation or completion of a prostitution diversion program;
3. No placement on probation for engaging in prostitution to avoid adjudication;
4. Not found to be a “child in need of protection or services” for engaging in prostitution;
5. Agrees to complete the diversion program.<sup>379</sup>

If the youth successfully completes diversion, the court must dismiss the charge against them.<sup>380</sup>

In preparation for decriminalization, and to ensure Minnesota is prepared to serve youth that will no longer be shuttled to the juvenile justice system, a Safe Harbor Committee (SHC) was formed to implement the law.<sup>381</sup> As required by the new law, the SHC, led by the Department of Public Safety, developed the “No Wrong Door” approach “to ensure that victims of juvenile sexual exploitation are identified, receive effective victim-centered and trauma-informed services, and are housed safely.”<sup>382</sup> The SHC estimates the cost of full implementation will total \$13 million, with over \$8 million of the budget to be used for housing programs, including emergency shelter, transitional living, supportive housing and foster families.<sup>383</sup> Identified CSE victims will be referred to “regional navigators” in the Department of Health to complete safety and needs assessments for all identified CSEC to provide shelter, health and mental health care, and any other needed services.<sup>384</sup>

### Child Welfare Related Legislation

Connecticut, Florida, Illinois and Oregon have passed legislation to provide services and supports for CSEC through the state’s child welfare agency. These states have included sexual exploitation or sex trafficking as a reportable form of maltreatment under the mandated reporting guidelines.<sup>385</sup>

Treating CSEC as victims of a form of child abuse enables state child welfare agencies to provide support services to this uniquely vulnerable population.<sup>386</sup> Connecticut also passed a law to trigger automatic referral to the Department of Children and Families hotline when law enforcement identifies a youth who may be a victim of CSE.<sup>387</sup> To

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*Minnesota developed the “No Wrong Door” approach “to ensure that victims of juvenile sexual exploitation are identified, receive effective victim-centered and trauma-informed services, and are housed safely.”*

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better streamline services and response for CSE children, several non-profit legal organizations in Florida created training materials for the Florida Department of Children and Families (FDCF) to help child welfare workers better identify CSE victims.<sup>388</sup>

## California Legislation

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California legislators have strengthened efforts to combat human trafficking, especially of minors, during the past decade. Following the passage of the TVPA in 2000, several bills have passed that increase penalties for traffickers, protect victims of trafficking, and direct funds towards services for victims. Despite key legislative achievements, however, California has received a failing grade on its efforts to protect victims of human trafficking.<sup>389</sup>

One of the early legislative efforts was the California Trafficking Victims Protection Act, Assembly Bill 22, which took effect in January of 2006. AB 22 made human trafficking a felony, provided victim assistance, created a civil cause of action allowing victims to recover damages from their trafficker, required the Attorney General to prioritize this issue; and established a statewide taskforce to research and report on the problem within the state.<sup>390</sup> The Attorney General's office has released two AB 22 reports. The most recent report, "The State of Human Trafficking in California 2012," details progress made since the 2007 report, and provides recommendations on identifying the scope of the problem, holding traffickers accountable, providing a victim-centered approach, and educating the public as a means of prevention.<sup>391</sup> The Attorney General's leadership has been integral to bringing awareness to this issue, highlighting the lack of housing, specialized services, screening and identification mechanisms, and uniform data collection across systems for CSEC.<sup>392</sup>

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*Treating CSEC as victims of a form of child abuse enables state child welfare agencies to provide support services to this uniquely vulnerable population.*

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Other legislation includes the Human Trafficking Collaboration and Training Act, which created guidelines for law enforcement responses to human trafficking.<sup>393</sup> A more recent bill required property and proceeds acquired through criminal profiteering activity, which includes human trafficking, to be deposited in the Victim Witness Assistance Fund, and used for CSE counseling centers and prevention programs.<sup>394</sup> Another bill allows taxpayers to contribute any amount in

excess of their tax liability to the Child Victims of Human Trafficking Fund.<sup>395</sup> Additional laws have increased the criminal penalties and fines associated with human trafficking.<sup>396</sup>

Recently, California voters passed the California Against Slavery and

Exploitation (CASE) Act, or Proposition 35, by an overwhelming majority.<sup>397</sup> The CASE Act increased criminal penalties for CSE, as well as strengthening existing laws against online sexual predators.<sup>398</sup> To protect victims, the CASE Act bars the defenses of consent by the minor and mistake of fact as to the age of the victim in criminal prosecutions of exploiters.<sup>399</sup> It also amended the evidence code to disallow evidence of sexual history and past victimization to attack the credibility or character of a victim in both civil and criminal proceedings.<sup>400</sup> Some advocates and agencies believe that the CASE Act decriminalizes child prostitution, but others do not.<sup>401</sup>

Despite these efforts, California is viewed as lagging behind other states. A 2012 evaluation of the State's CSEC programming and practices conducted by Shared Hope International, an international organization devoted to the eradication of sex trafficking, gave California a grade of "F."<sup>402</sup> According to Shared Hope International's Protected Innocence Challenge (PIC), "California law provides very limited options for prosecuting demand, and victims of child sex trafficking or commercial sexual exploitation of children (CSEC) offenses are provided with little protection under the law as victims."<sup>403</sup> However, the passage of the CASE Act has addressed several of the shortcomings identified by the PIC.

States throughout the nation have passed a number of laws to prevent the commercial sexual exploitation of children. Many of these laws, however, have placed greater emphasis on prosecution and sentencing perpetrators than on services and supports for victims. More recently, a number of states have passed victim-centered legislation. While promising, it is too soon to tell how successful these laws have been in addressing the needs of CSE children.<sup>404</sup>

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*“California law provides very limited options for prosecuting demand, and victims of child sex trafficking...are provided with little protection under the law as victims.”*

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# RECOMMENDATIONS

## Global Recommendations

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Public systems face unique challenges in formulating an effective response to child sex trafficking. A comprehensive and coordinated approach is needed. Therefore, the overarching recommendation of the CSEC Work Group is to convene a multi-system oversight and implementation body. This group, referred to as the **CSEC Action Committee**, would be charged with advancing recommendations listed below in order to improve California’s response to commercial sexual exploitation of children.

The CSEC Action Committee should be co-convened by the Secretary of the California Health and Human Services Agency and a community-based advocacy organization representative—preferably one who has experience with exploited children. The CSEC Action Committee membership would be charged with facilitating a collaborative and comprehensive process for prioritizing, sequencing and overseeing implementation of the recommendations adopted by the Child Welfare Council. Committee membership should include leaders of state and local government agencies, CSEC service providers, youth advocates, court representatives, and CSEC survivors.<sup>405</sup>

The CSEC Work Group also believes that the urgent needs of California’s CSEC justifies dedicated funding to support the CSEC Action Committee in carrying out its work.<sup>406</sup> Given the scope of responsibilities, it is recommended that the CSEC Action Committee seek supplemental funding from federal agencies and philanthropic foundations whose missions include improving services to CSE victims.

Because many of the Work Group’s recommendations emphasize the need to treat CSEC as victims rather than criminals, funding needs should be assessed early on. Particular attention should be paid to the possibility of making changes in approach that would allow funding to “follow the child.” Care should also be taken to ensure that the true costs of education and training are built into cost analyses and funding allocations.



The recommendations set forth below—categorized and presented by topic—were largely consensus driven, although not every Workgroup member endorsed every proposal. The Work Group also prioritized several critical initiatives. These include:

**PLACEMENT:**

- Establish safe and secure emergency and transitional placements for CSEC victims.

**IDENTIFICATION:**

- Implement cross-system screening tools to systematically identify CSEC and children at risk of exploitation in order to inform and improve service delivery and placement decisions.

**TRAINING:**

- Mandate training for all professionals working with youth in child-serving systems, including, but not limited to, the child welfare, juvenile justice, probation, mental health and education, to better identify CSEC and children at-risk, provide CSEC specialized services and supports, and use culturally competent and trauma-informed practices.

**DATA:**

- Develop protocols and strategies to coordinate, collect and share data across systems to better understand the scope of the problem, the level of interaction with multiple systems, and CSEC specific needs.

## PREVALENCE

<b>NEEDS</b>	<p>Integrating data from the many systems that serve CSEC victims (e.g., child welfare, probation, health care, mental health, education, and juvenile and criminal justice) is essential to understanding the breadth of the problem and its complexities. Accurate and complete data is also needed to create effective systems and supports to better protect the children who are known to the systems, as well as identify others that may be eligible for services.</p> <p>Current data collection efforts do not permit an accurate assessment of the disturbingly high rate at which children are commercially sexually exploited in the United States. The number of CSEC in California is not systematically tracked or collected. For example, the child welfare system does not collect data on CSEC or the services they receive, and currently has no mechanism to identify youth who may be exploited or are at-risk. Organizations and agencies that do collect data have no formal mechanisms to share the information or coordinate with partners. Further, these agencies and organizations do not use the same data points or definitions, which prevents meaningful analysis of aggregate data across systems.</p> <p>Data integration across large information systems presents many challenges, including confidentiality issues, technological capacity and lack of resources needed to link computer systems. California state agencies are beginning to explore data linkages, but face substantial difficulties.</p>
<b>RECOMMENDATIONS</b>	<p>The CSEC Action Committee will develop ways to coordinate data collection and create data sharing agreements to better understand the extent to which individual clients interact with systems and agencies. This would provide the prevalence data required to enhance the integration of cross-system services and supports to CSEC. It would also inform the recommendations in forthcoming sections of this section that call for collaborative, community-based approach to serving CSEC victims.</p>
	<p>The California Department of Social Services should implement an internal “train the trainers” series. It should provide guidance to counties on screening in and investigating incidences of commercial sexual exploitation by parents and guardians, and the criteria for determining whether the parents are able to keep the child safe in cases of commercial sexual exploitation by third parties.</p>
	<p>The California Department of Social Services should establish a mechanism within CWS/CMS for capturing information on the number of child abuse reports that include allegations of CSEC or suspected CSE. It should also establish a mechanism within CWS/CMS that tracks whether or not services were provided to the child under the Emergency Response, Family Maintenance, Family Reunification or Permanency Placement program components of the Child Welfare System.</p>
	<p>The California Department of Social Services should establish a mechanism for capturing information about youth already in the system to ensure that all youth who are CSE, not just those entering the system, are identified as such. For example, any youth who has been absent from placement could be screened for CSE.</p>



## IDENTIFICATION

NEEDS	<p>Depending on the circumstances surrounding a child’s exploitation, she may end up in one or more different systems, including child welfare, juvenile or criminal justice, mental health, health care, education. No single agency is responsible for identifying CSEC and providing appropriate referrals. Nor do the various systems have adequate tools or training to consistently and systematically identify CSEC or those at-risk. Further, each system has its own mandates and accountability requirements, and although some screening and assessment tools exist to identify CSEC, they are not tailored to the different circumstances under which a youth enters the particular system. Additionally, there is no cross system response or service protocols to ensure CSEC receive specialized supports once they have been identified.</p> <p>Without training, tools and protocols for screening, many exploited children go in and out of systems without being identified as CSEC or provided specialized services for CSE. If child-serving systems adopt practices to systematically screen for and identify children who have either been commercially sexually exploited or are at-risk of becoming victims, more children can be protected from CSE and others helped to escape it more quickly.</p>
RECOMMENDATIONS	<p>To initiate cross-system identification of CSEC victims and children at risk of becoming victims, the CSEC Action Committee will:</p> <ul style="list-style-type: none"> <li style="background-color: #d9e1f2; padding: 5px;">➤ Identify and test screening and assessment tools that can be used by the systems and agencies CSEC may encounter to systematically identify children who have been exploited and those at-risk of exploitation.</li> <li style="padding: 5px;">Coordinate the development of mandatory training on CSEC for child welfare workers, probation officers, district attorneys, public defenders, county counsel, judges, dependency attorneys, first responders, health care providers, mental health clinicians, teachers and school administrators, and foster parents. This training should include “warning signs” of CSEC victimization, strategies to engage youth and avoid re-traumatization, and services available to meet the youth’s identified needs.</li> <li style="background-color: #d9e1f2; padding: 5px;">➤ Develop a plan and timeline for statewide implementation of the recommended cross-system screening and assessment tools, including a protocol that describes the criteria for mandated reporting of CSEC victims to the child welfare system. It will ensure that the information collected through the screening and assessment tools is captured in a centralized database to monitor trends and identify possible strategies for prevention.</li> </ul>

## INTERVENTION

<b>NEEDS</b>	<p>Once identified by an agency or organization, CSEC often experience disparate treatment that varies depending on the system they come in contact with, the county they live in, and the level of coordination among the agencies and organizations serving youth in that county. Some counties in California have access to culturally competent and CSEC-specialized providers, while others do not. Many counties, instead of developing institutional knowledge and expertise, rely on community-based organizations to provide supports and services to CSEC in an ad hoc manner. At the state level, California lacks system protocols and guidance specifically designed to serve and intervene when a youth has been exploited.</p> <p>Intervention efforts are guided by several overarching goals, which include safety and shelter, care by a nurturing adult, treatment and services to address physical and emotional trauma resulting from exploitation, and changes in behavior. The systems that encounter CSEC, such as child welfare and juvenile justice, were developed independently and have different legal mandates and philosophies. These lead to differences in how they address CSEC's behavioral dynamics, such as relapsing to life on the streets, denial of their victim status, running away and substance abuse. Further, systems range in their level of involvement from short-term, urgent care to case management and long-term services that address the trauma and violence the child experienced.</p> <p>Lack of community-based placements and caring adults who are trained and willing to work with CSEC represent another fundamental challenge. CSEC survivors who have successfully left their exploitative relationship often point to the emotional connections and trusting relationships they built with caring adults as significant factors in their recovery. In contrast, CSEC survivors identify significant difficulties with living in group homes. For example, in those placements, no one caregiver looks out for their well-being. CSEC may also pose risks to the other children in the home. Group home placement can even exacerbate CSEC victimization, because pimps use such facilities as recruiting grounds. Without added supports for youth and caregivers, such as increased care rates, crisis and respite care, and “no reject no eject” policies, group home placement will often be unsuccessful.</p>
<b>RECOMMENDATIONS</b>	<p>To begin promoting more effective interventions, the CSEC Action Committee will:</p> <ul style="list-style-type: none"> <li>➤ Develop guidance and protocols to better integrate the systems that serve CSEC youth and to coordinate case management and services provided to the youth and their families or caregivers, based on the analyses discussed above.</li> <li>➤ Ensure policies, procedures, guidelines and training materials for those working with CSEC include specific direction on understanding and respecting the culture, gender, and sexual orientation of victims;</li> <li>➤ Conduct an analysis of laws and practices in other states and jurisdictions that have developed cross-system, collaborative protocols and policies to respond to CSEC, including their potential outcomes and unintended consequences;</li> <li>➤ Develop recommendations, a plan, and a timeline to implement mandatory CSEC training for caregivers that serve youth in out-of-home care. The plan will include funding considerations and will emphasize that training is necessary for all caregivers, given that youth in out-of-home placement are at increased risk for CSE;</li> <li>➤ Conduct an analysis of the adequacy of current child welfare statutes and county resources to place youth in temporary protective custody when the youth is in need of immediate safe and secure shelter. This will include information about other jurisdictions’ statutory and programmatic approaches to protective custody.</li> <li>➤ Develop interventions for CSEC victims based on the promising practices identified in the Legislation section below.</li> <li>➤ Ensure that physicians and mental health clinicians are informed about the long-term health and mental health effects of trauma and that they know what to ask patients about their experiences to avoid re-traumatization and to guide appropriate treatment.</li> <li>➤ Develop practices that ensure continuity of care and relationship building. For example, if a youth moves, the therapeutic relationship with the youth’s counselor should be maintained to avoid the pain and trauma that a youth experiences when she has to re-live her exploitation while engaging with a new therapist.</li> </ul>

## INTERVENTION

**RECOMMENDATIONS (CONTINUED)**

The California Department of Social Services should collaborate with the California Department of Health Care Services, County Welfare Directors Association, County Probation Officers of California, providers, youth advocates and caregivers:

- To create a CSEC subspecialty within Wraparound programs that will ensure caregivers have the knowledge and resources needed to care for CSEC victims.
- To develop group home placement policies that focus on the safety and well-being of CSEC, recruitment of caregivers, prevention of further victimization, and plan for aftercare and transitional services prior to discharge.

The California Department of Social Services should develop funding strategies to support services and placements for CSEC through its existing Congregate Care Reform Work Group effort and engage other state agencies, including the Department of Health Care Services, Department of Justice and Department of Education, to coordinate funding streams, with the goal of supporting caregivers and delivering needed services to youth.

The California Department of Social Services and County Welfare Directors Association should explore “no eject no reject” policies to keep placement available for CSEC victims so that they may return to the same caregiver after an absence from placement.

The Administrative Office of the Courts should explore opportunities, like specialized courts, to better support CSEC victims.

The Administrative Office of the Courts should develop protocols for CSEC youth to determine placement and jurisdiction according to the best interest and needs of the child.

- This would address situations where the county of residence is not the same county where exploitation occurred, and would require collaboration among the counties to determine which county would best serve the child’s needs.
- The California Blue Ribbon Commission and the California Child Welfare Council, with the assistance of the CSEC Action Committee, should identify what courts need to better support CSEC victims.

## PREVENTION

<b>NEEDS</b>	<p>While it is well known that a history of abuse and neglect increases the risk that a child will be commercially sexually exploited, there are no specific policies or standard social work practice guidelines for child welfare social workers to identify or prevent CSE. Not every child who has been abused or neglected is reported to child welfare services or agencies. Children who are reported may not ultimately receive services if the allegations are deemed unsubstantiated and the protections of the juvenile dependency courts are not initiated. Even if universal CSEC screening tools are in place and a youth is identified at-risk, CSEC specialized prevention services may not be available in the community.</p> <p>Without comprehensive education, training and guidance regarding CSEC, child welfare placement workers, group home staff, and caregivers may not be aware of the dynamics of specific group homes or the stage of exploitation a particular youth is experiencing at the time of treatment. For example, placing a twelve-year-old girl in a group home with older girls who are currently being exploited places the younger girl at extreme risk.</p> <p>Many youth remain unaware of the commercial sex industry and exploiter recruitment tactics. In addition, the limited prevention efforts now in place primarily focus on older, adolescent girls. These programs should be expanded to include younger children, boys, homeless youth, and youth who identify as LGBTQ, so that all youth learn strategies to keep themselves safe and avoid exploitation.</p>
<b>RECOMMENDATIONS</b>	<p>As a means of expanding CSEC prevention measures now in place, the CSEC Action Committee will:</p> <ul style="list-style-type: none"> <li>➤ Oversee the development and distribution of youth-friendly materials to youth who come in contact with the child welfare and other systems to informing them about the dynamics of CSE and what they can do to avoid recruitment.</li> <li>➤ Oversee the development and distribution of informational materials for parents and other caregivers regarding CSEC, including training on how to prevent youth in their care from becoming CSEC victims and what steps to take if they suspect a youth is being exploited.</li> <li>➤ Work with the California Department of Social Services, County Welfare Directors Association of California, California Department of Education, California Police Chiefs Association, and the County Probation Officers of California to identify communities that have high need for prevention services and prioritize implementation of services to meet the need in these areas.</li> <li>➤ Identify existing funding sources available to counties and school districts to implement prevention efforts across multiple settings.</li> </ul> <p>The California Department of Social Services, County Welfare Directors Association of California, the Department of Health Care Services, California Mental Health Directors Association, service providers, and mental health advocates should develop procedures for universal screening of all children reported as suspected victims of abuse and neglect as part of the standard intake processes to determine if children are CSEC victims or at risk of becoming CSEC victims.</p> <p>The California Department of Social Services, County Welfare Directors Association of California, California Mental Health Services Division, California Mental Health Directors Association and mental health advocates should examine the “My Life, My Choice” prevention curriculum for possible implementation to a broader population including younger children, boys, and youth who identify as LGBTQ, while targeting all out-of-home placements.</p> <p>The California Social Work Education Center should develop mandatory training on CSEC prevention for child welfare social workers, including specific strategies for working with youth and their families who may be or are in danger of becoming CSEC.</p> <ul style="list-style-type: none"> <li>➤ As part of the Continuum of Care Work Group efforts, the California Department of Social Services and County Welfare Directors Association should establish guidelines on appropriate placement strategies for CSEC and youth who are at risk for exploitation.</li> <li>➤ To enhance knowledge and remain current on trends and new developments, staff from the California Department of Social Services, County Welfare Directors Association, California Division of Mental Health, and California Mental Health Directors Association should participate in national, state, and local conferences and training on CSEC.</li> <li>➤ To demonstrate leadership, disseminate best practices and aid in the prevention of CSEC, California Department of Social Services should co-sponsor existing CSEC conferences and periodically convene statewide interdisciplinary CSEC conferences to raise awareness and disseminate information on best practices.</li> </ul>

## LEGISLATION

NEEDS	<p>There are policies in place to address the crime of sex trafficking through prosecution of perpetrators, but California is largely silent on the provision of victim-centered services and strategies to prevent children from becoming CSE victims. Currently the State does not have comprehensive public policies specifically designed to serve CSEC or children at risk of becoming victims. Despite being victims, most CSEC in California access services through the juvenile justice system. Some counties are beginning to develop more specialized services for CSEC through the child welfare system, but no uniform process exists to identify CSEC, provide safe placements and services, and collaborate across systems to ensure safety and stability.</p> <p>Current child welfare statutes create a system that responds to allegations of parental or guardian abuse and neglect. The system initiates court action and provides protections aimed at the child’s safety and well-being, which can include services to parents or alternative permanent families or placements. However, the current system does not easily lend itself to providing the protections needed by CSEC.</p> <p>The rights of CSEC victims who are called to testify in criminal court against their perpetrators are rarely asserted. The failure to advocate for established rights and legal protections could expose these children to the emotional trauma of re-experiencing their victimization. It can also potentially put them in grave danger of being targeted as “snitches.”</p>
RECOMMENDATIONS	<p>In order to improve California’s public policies and highlight the urgent need for CSEC prevention, intervention and services, the CSEC Action Committee will:</p> <ul style="list-style-type: none"> <li>➤ Study other states’ laws designed to serve CSEC victims or children at risk of becoming victims (including Safe Harbor and diversion laws), and make recommendations regarding steps California can take to strengthen its policies in this area.</li> <li>➤ Conduct an analysis of the adequacy of current legal codes pertaining to child abuse reporting. Suggest modifications to clarify under what conditions CSE falls within child abuse definitions and reporting requirements, and when involvement by the child welfare system is required. Analyze impact of proposed modifications on child welfare workers’ caseloads.</li> <li>➤ Conduct an analysis of juvenile court jurisdiction pertaining to CSEC to assess the adequacy of current available jurisdictional statutes, and use this research to determine the best way to provide holistic, trauma-informed, comprehensive services to CSEC victims.</li> <li>➤ Develop a comprehensive CSEC State Plan, which may involve legislative action, to incorporate recommendations and a timeline for implementation.</li> <li>➤ Explore policies and practices for other victims, such as protections for domestic violence victims, protocols for assisting rape victims, and child sexual assault victim-witness forensic interview techniques, that could be adapted to protect CSEC victims who are witnesses in criminal proceedings from further emotional trauma and retaliation from perpetrators, in consultation with the Attorney General and California District Attorneys Association.</li> <li>➤ Determine steps to take to decriminalize CSEC based on their status as crime victims, in consultation with the Attorney General and California District Attorneys Association.</li> <li>➤ Analyze California victims’ rights laws and how they pertain to CSEC. Based on the analysis, explore options for asserting any enumerated rights.</li> <li>➤ Explore options for funding and direct and timely access to victims services such as Victim of Crime and Victim Witness funds, in addition to child welfare services.</li> </ul>

# CONCLUSION

Most commercially sexually exploited children have a history of abuse, neglect, and trauma prior to being victimized by traffickers. Because of this history, many have been involved with the child welfare system. Indeed, the disorganization in family life that social workers try to repair can be the same vulnerabilities pimps seek to exploit. Nevertheless, many child-serving agency workers are not trained to recognize threats to a child's welfare for what they often are: risk factors for commercial sexual exploitation. Typically, it is not until a youth is arrested for prostitution that someone discovers the child has been exploited. Often, years of exploitation and interaction with countless agencies and first responders go by before a child is identified as a victim of exploitation. Many slip through the cracks altogether.

The California Child Welfare Council was created to improve collaboration between the many agencies that serve children who are involved in the foster care system. Commercially sexually exploited children encounter multiple systems, but are rarely able to access services, specialized placements, or the assistance they need to escape their violent situations. The information contained within this report provides a framework and opportunity to address a problem affecting thousands of children in the state of California. The CSEC Workgroup urges immediate action by the Council to slow the growth of this problem, and ultimately to prevent youth from being forced into violent and abusive situations on our streets.

If the recommendations of this report are followed, the newly constituted CSEC Action Committee will bring together key stakeholders. The Committee will develop and oversee the implementation of critical proposals that will lay the groundwork for a comprehensive and collaborative strategy to effectively address the needs of CSEC and their families or caregivers.

## THE CSEC ACTION COMMITTEE WILL FOCUS ON:

1. **Prevalence:** understanding the scope of the problem in California.
2. **Identification:** identifying CSEC and those at risk for victimization through education and screening tools.
3. **Intervention:** specialized services and supports for CSEC and their families or caregivers.
4. **Prevention:** reducing the number of vulnerable children that are exploited.
5. **Legislation:** exploring statutory changes to improve coordination and access to services for CSEC and children at-risk of exploitation.

In addition to the CSEC Action Committee’s broad focus outlined above, the CSEC Workgroup identified priority areas for immediate action. These include:

**PLACEMENT:**

- Establish safe and secure emergency and transitional placements for CSEC victims.

**IDENTIFICATION:**

- Implement cross-system screening tools to systematically identify CSEC and children at risk of exploitation in order to inform and improve service delivery and placement decisions.

**TRAINING:**

- Mandate training for all professionals working with youth in child-serving systems, including, but not limited to, the child welfare, juvenile justice, probation, mental health and education, to better identify CSEC and children at-risk, provide CSEC specialized services and supports, and use culturally competent and trauma-informed practices.

**DATA:**

- Develop protocols and strategies to coordinate, collect and share data across systems to better understand the scope of the problem, the level of interaction with multiple systems, and CSEC specific needs.

Because many CSEC are involved with child protective services and foster care, the child welfare system is uniquely positioned to implement prevention and early intervention services. Instead of providing “the perfect training for commercial sexual exploitation,”<sup>407</sup> the child welfare system, in collaboration with other partners, could develop innovative strategies for placement, preventive education, specialized services, and emergency and respite care.

Building on existing research, lessons learned from other states, emerging and promising practices, and survivor input, California has the opportunity to dramatically improve outcomes for commercially sexually exploited children and reduce the number of children who fall victim to exploiters in the future. Using the energy and expertise of its member agencies, the Child Welfare Council and the new CSEC Action Committee must address the challenges presented in this report and act with urgency. Delay means more days of unimaginable suffering for thousands of children in California.

## End Notes

1. A broad spectrum of government agencies should be encouraged to participate, including the California Department of Social Services, County Welfare Directors Association of California, California Department of Corrections and Rehabilitation/Division of Juvenile Justice, Chief Probation Officers of California, California Department of Health Care Services, County Mental Health Directors Association, and the California Department of Education.
2. Denise Kathen Tan, Samleng Reatrey (Voices of the Night): Memoirs of Young Cambodian American Women (May 14, 2007) (unpublished M.S.W. Culminating Project, San Francisco State University School of Social Work) (on file with author).
3. E-mail from Catherine Pratt, Comm'r, Los Angeles County Superior Court, to author (Jan. 11, 2013, 13:51 PST) (on file with author).
4. LOS ANGELES DEP'T OF CHILDREN AND FAMILY SERV., PROCEDURAL GUIDE 0600-515.11, INTERAGENCY PLACEMENT SCREENING COMMITTEE PRESENTATION GUIDE (Mar. 1, 2007), available at <http://www.lacdcfs.org/KatieA/policies/060051511V0307.pdf>.
5. Email from Leslie S. Heimov, Executive Director, Children's Law Center of California, to author (Jan. 16, 2013 10:41 PST) (on file with author).
6. Patrick Besler, *Forced Labour and Human Trafficking: Estimating the Profits* 18 (Int'l Labour Office, Working Paper No. 42, 2005), available at [http://www.ilo.org/wcmsp5/groups/public/@ed\\_norm/@declaration/documents/publication/wcms\\_081971.pdf](http://www.ilo.org/wcmsp5/groups/public/@ed_norm/@declaration/documents/publication/wcms_081971.pdf).
7. JEREMY HAKEN, *GLOBAL FINANCIAL INTEGRITY, TRANSNATIONAL CRIME IN THE DEVELOPING WORLD* (2011), available at [http://www.gfintegrity.org/storage/gfip/documents/reports/transcrime/gfi\\_transnational\\_crime\\_web.pdf](http://www.gfintegrity.org/storage/gfip/documents/reports/transcrime/gfi_transnational_crime_web.pdf).
8. U.S. DEP'T OF JUSTICE, *THE FEDERAL BUREAU OF INVESTIGATION'S EFFORTS TO COMBAT CRIMES AGAINST CHILDREN, AUDIT REPORT 09-08, Ch. 4* (2009) [hereinafter *FBI REPORT*], available at <http://www.justice.gov/oig/reports/FBI/a0908/final.pdf>.
9. RICHARD J. ESTES & NEIL ALAN WEINER, *UNIV. OF PA. SCH. OF SOCIAL WORK, The Commercial Sexual Exploitation of Children In the U.S., Canada and Mexico* 4 (rev. Feb. 20, 2002), available at [http://www.sp2.upenn.edu/restes/CSEC\\_Files/Complete\\_CSEC\\_020220.pdf](http://www.sp2.upenn.edu/restes/CSEC_Files/Complete_CSEC_020220.pdf).
10. CAL. DEP'T OF JUSTICE, *THE STATE OF HUMAN TRAFFICKING IN CALIFORNIA 4* (2012) [hereinafter *HUMAN TRAFFICKING IN CALIFORNIA 2012*], available at <http://oag.ca.gov/sites/all/files/pdfs/ht/human-trafficking-2012.pdf>.
11. See *Domestic Minor Sex Trafficking: Hearing Before the S. Comm. on Crime, Terrorism, & Homeland Sec. of the H. Comm. on the Judiciary, 111th Cong. 144* (2010) (statement of Ernie Allen, President and CEO of Nat'l Ctr. for Missing & Exploited Children), available at [http://judiciary.house.gov/hearings/printers/111th/111-146\\_58250.PDF](http://judiciary.house.gov/hearings/printers/111th/111-146_58250.PDF).
12. See Melissa Farley, *Sex for Sale: Prostitution, Trafficking, and Cultural Amnesia: What we must not know in order to keep the business of sexual exploitation running smoothly*, 18 *YALE J.L. & FEMINISM* 101, 105 (2006).
13. See NORTHWEST RESOURCE ASSOC., *SURVIVAL SEX IN KING COUNTY, REPORT SUBMITTED TO KING COUNTY WOMEN'S ADVISORY BOARD* 16 (1993); Farley, *supra* note 12, at 105.
14. See Farley, *supra* note 12, at 105.
15. ESTES & WEINER, *supra* note 9, at 10.
16. CAL. ALLIANCE TO COMBAT TRAFFICKING & SLAVERY TASK FORCE, *HUMAN TRAFFICKING IN CALIFORNIA: FINAL REPORT* 15 (2007), available at [http://ag.ca.gov/publications/Human\\_Trafficking\\_Final\\_Report.pdf](http://ag.ca.gov/publications/Human_Trafficking_Final_Report.pdf) [hereinafter 2007 California Report].
17. *FBI REPORT*, *supra* note 8, at 70.
18. E-mail from Catherine Pratt, Commissioner, Los Angeles County Superior Court, to author (Jan. 10, 2013, 17:03 PST) (on file with author).
19. DIANE F. REED & KATE KARPILOW, *CAL. CENTER FOR RESEARCH ON WOMEN & FAMILIES, Understanding the Child Welfare System in California* 15 (2002), available at <http://www.chhs.ca.gov/initiatives/CACChildWelfareCouncil/Documents/UnderstandingCWSystemInCA.pdf> ("Whenever the court removes a child from his/her home because of abuse or neglect, the court grants placement and responsibility for meeting the child's health and educational needs to the county child welfare agency").
20. *Id.* at 10-11 ("If the investigation finds that the parents do not pose an immediate and high risk of maltreating their child or there is inconclusive evidence to substantiate abuse...Family Maintenance Services can include counseling, parent training, substance abuse treatment, respite care, or other services that meet identified needs.").
21. E-mail from Catherine Pratt, Commissioner, Los Angeles County Superior Court, to author (Jan. 10, 2013, 17:03 PST) (on file with author).
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24. *Sex Trafficking of L.A. County foster youth targeted* [Google+ hangout], *L.A. Times* (Nov. 28, 2012, 12:05 PM), <http://latimesblogs.latimes.com/lanow/2012/11/la-county-foster-youths-prostitution-google-hangout.html>.
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27. LINDA A. SMITH ET AL., *SHARED HOPE INT'L, THE NATIONAL REPORT ON DOMESTIC MINOR SEX TRAFFICKING: AMERICA'S PROSTITUTED CHILDREN 4* (2009), available at [http://sharedhope.org/wp-content/uploads/2012/09/SHI\\_National\\_Report\\_on\\_DMST\\_2009.pdf](http://sharedhope.org/wp-content/uploads/2012/09/SHI_National_Report_on_DMST_2009.pdf).
28. *HUMAN TRAFFICKING IN CALIFORNIA 2012*, *supra* note 10, at 17-18.
29. Barbara Grady, *Youth Trafficking in Oakland: Big Business Despite Government, Police Efforts* (Series Part 1), *OAKLAND LOCAL*, May 5, 2010, <http://oaklandlocal.com/article/youth-trafficking-part-1>.
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31. See Darren Geist, *Finding Safe Harbor: Protection, Prosecution, and State Strategies to Address Prostituted Minors*, 4 *LEGIS. & POL'Y BRIEF* 67 (2012); SHARED HOPE INT'L, *THE PROTECTED INNOCENCE CHALLENGE 17* (2011), available at [http://sharedhope.org/wp-content/uploads/2012/10/PIC\\_ChallengeReport\\_2011.pdf](http://sharedhope.org/wp-content/uploads/2012/10/PIC_ChallengeReport_2011.pdf) (making minors immune from prosecution for prostitution, and instead treat the minor as a victim).
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33. U.S. DEP'T OF JUSTICE, *THE NATIONAL STRATEGY FOR CHILD EXPLOITATION PREVENTION AND INTERDICTION 8* (2010) [hereinafter *NATIONAL STRATEGY*], available at <http://www.justice.gov/psc/docs/natstrategyreport.pdf>.
34. *Id.* at 15.
35. *Id.* at 9; SHARED HOPE INT'L ET AL., *U.S. MID-TERM REVIEW ON THE COMMERCIAL SEXUAL EXPLOITATION OF CHILDREN IN AMERICA 17* (2006) [hereinafter *MID-TERM REVIEW*], available at [http://sharedhope.org/wp-content/uploads/PIC/US\\_MTR\\_of\\_CSEC.pdf](http://sharedhope.org/wp-content/uploads/PIC/US_MTR_of_CSEC.pdf).
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42. See *NATIONAL STRATEGY*, *supra* note 33, at 37.
43. Jill L. Goodman, *What We Know About Human Trafficking: Research and Resources*, in *LAWYER'S MANUAL ON HUMAN TRAFFICKING: PURSUING JUSTICE FOR VICTIMS* 8-11 (Jill L. Goodman & Dorchen A. Leidholdt eds., 2011), available at <http://www.nycourts.gov/ip/womeninthecourts/LMHT.pdf>.
44. *Id.* at 11-12.
45. *Trafficked Teen Girls Describe Life In 'The Game'*, *YOUTH RADIO, NATIONAL PUBLIC RADIO* (Dec. 6, 2010), <http://www.npr.org/2010/12/06/131757019/>



- youth-radio-trafficked-teen-girls-describe-life-in-the-game.
46. Goodman, *supra* note 43, at 9.
  47. YOUTH RADIO, *supra* note 45; see also LINDA A. SMITH ET AL., *supra* note 27, at 31.
  48. LINDA A. SMITH ET AL., *supra* note 27, at 31.
  49. Goodman, *supra* note 43, at 9.
  50. YOUTH RADIO, *supra* note 45.
  51. Farley, *supra* note 12, at 103.
  52. See Goodman, *supra* note 43, at 9-11.
  53. CATHY ZIMMERMAN ET AL., THE HEALTH RISKS AND CONSEQUENCES OF TRAFFICKING IN WOMEN AND ADOLESCENTS: FINDINGS FROM A EUROPEAN STUDY, 46 (2003), available at [http://genderviolence.lshtm.ac.uk/files/health\\_risks\\_\\_consequences\\_trafficking.pdf](http://genderviolence.lshtm.ac.uk/files/health_risks__consequences_trafficking.pdf).
  54. See Goodman, *supra* note 43, at 10.
  55. Bay Fang, *Young Lives for Sale: Why Kids are getting into the sex trade—and how the feds are fighting back*, U.S NEWS & WORLD REPORT, (Oct. 16, 2005), <http://www.usnews.com/usnews/news/articles/051024/24sextraffickers.htm>.
  56. See Goodman, *supra* note 43, at 10.
  57. See SMITH ET AL., *supra* note 27, at 37.
  58. See *Id.*
  59. See WESTCOAST CHILDREN'S CLINIC, RESEARCH TO ACTION: SEXUALLY EXPLOITED MINORS (SEM) NEEDS AND STRENGTHS 11 (2012), available at [http://fosteryouthalliance.org/wp-content/uploads/2012/07/WCC\\_SEM\\_Needs-and-Strengths\\_FINAL.pdf](http://fosteryouthalliance.org/wp-content/uploads/2012/07/WCC_SEM_Needs-and-Strengths_FINAL.pdf).
  60. Farley, *supra* note 12, at 103; Dorchen A. Leidholdt, *Interviewing and Assisting Trafficking Survivors*, in, LAWYER'S MANUAL ON HUMAN TRAFFICKING: PURSUING JUSTICE FOR VICTIMS 169, 173 (Jill L. Goodman & Dorchen A. Leidholdt eds., 2011), available at <http://www.nycourts.gov/ip/womeninthecourts/LMHT.pdf>.
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  62. PHYLLIS J. NEWTON ET AL., NORC UNIV. OF CHICAGO, FINDING VICTIMS OF HUMAN TRAFFICKING 43 (2008), available at <http://www.ncjrs.gov/pdffiles1/nij/grants/224393.pdf> (highlighting the "circuit principle" exploiters employ); YOUTH RADIO, *supra* note 45.
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  66. Goodman, *supra* note 43, at 12.
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  77. See Farley, *supra* note 12, at 105.
  78. See *id.* at 105-108; WESTCOAST CHILDREN'S CLINIC, *supra* note 59, at 3.
  79. E.g., SMITH ET AL., *supra* note 27, at 4; MISSEY INC., FRAMING THE ISSUE (2009) [hereinafter FRAMING THE ISSUE], available at [http://www.missey.org/documents/framing\\_the\\_issue.pdf](http://www.missey.org/documents/framing_the_issue.pdf). See also Appendix A.
  80. SMITH ET AL., *supra* note 27, at 31.
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  87. SHERMAN & GRACE, *supra* note 83, at 337; Michele Harway & Marsha Liss, *Dating Violence and Teen Prostitution: Adolescent Girls in the Justice System*, in BEYOND APPEARANCE: A NEW LOOK AT ADOLESCENT GIRLS 277 (N.G. Johnson et al. eds., 1999).
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  89. Chicago Alliance Against Sexual Exploitation, *Know the Facts: Commercial Sexual Exploitation of Children*, 13 CONNECTIONS 2 (Summer 2011), available at <http://www.wcsap.org/sites/wcsap.huang.radicaldesigns.org/files/uploads/documents/CommericalSexualExploitationofYouth2011.pdf>
  90. SMITH ET AL., *supra* note 27, at 35.
  91. *Id.* (finding that, "of the first 40 girls they worked with who were living in group home[s] within the foster care system, 38 had been approached by a pimp for recruitment").
  92. E-mail from Susan Drager, Program Director, Transition Age Youth Services, WestCoast Children's Clinic (Jan. 29, 2013 11:17 PST) (on file with author).
  93. FRAMING THE ISSUE, *supra* note 79.
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  96. See HEATHER J. CLAWSON & NICOLE DUTCH, U.S. DEP'T. OF HEALTH & HUMAN SERV., IDENTIFYING VICTIMS OF HUMAN TRAFFICKING: CHALLENGES AND PROMISING STRATEGIES FROM THE FIELD 6 (2008), available at <http://aspe.hhs.gov/hsp/07/humantrafficking/IdentVict/ib.pdf>.
  97. See *infra* Appendix A.
  98. See CENTER FOR THE HUMAN RIGHTS OF CHILDREN & INT'L ORG. FOR ADOLESCENTS, BUILDING CHILD WELFARE RESPONSE TO CHILD TRAFFICKING 13 (2011), available at <http://www.luc.edu/chrc/pdfs/BCWRHandbook2011.pdf>.
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  109. See CENTER FOR THE HUMAN RIGHTS OF CHILDREN & INT'L ORG. FOR ADOLESCENTS, *supra* note 97, at 33; MID-TERM REVIEW, *supra* note 35, at 10.

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112. Brett M. Figlewski & Lee W. Brannon, *Trafficking and the Commercial Sexual Exploitation of Young Men and Boys*, in *LAWYER'S MANUAL ON HUMAN TRAFFICKING: PURSUING JUSTICE FOR VICTIMS* 149, 155 (Jill L. Goodman & Dorchen A. Leidholdt eds., 2011) available at <http://www.nycourts.gov/ip/womeninthecourts/LMHT.pdf>; Moxley-Goldsmith, *supra* note 107.
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117. Shahera Hyatt et al., *Sexual Exploitation and Homeless Youth in California: What Lawmakers Need to Know 2* (2012) available at <http://cahomelessyouth.library.ca.gov/docs/pdf/SexualExploitedHomelessYouthIssueBrief.pdf>; Figlewski & Brannon, *supra* note 111, at 154; ESTES & WEINER, *supra* note 9, at 35 (explaining that “many youth involved in the exchange of sex for money or other considerations (e.g. food, shelter, drugs, etc.) do not perceive themselves as engaging in prostitution but rather as doing ‘what is necessary’ to ensure their survival”).
118. Figlewski & Brannon, *supra* note 111, at 155.
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121. HUMAN TRAFFICKING IN CALIFORNIA 2012, *supra* note 10, at 61.
122. JULIAN SHER, *SOMEBODY'S DAUGHTER: THE HIDDEN STORY OF AMERICA'S PROSTITUTED CHILDREN AND THE BATTLE TO SAVE THEM* 311 (2011).
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129. *Id.*; Moxley-Goldsmith, *supra* note 107; see also Barasch & Kryszko, *supra* note 125, at 89 (noting that by “tackling head-on the related stereotypes and stigma” the negative views of domestic violence victims were broken down).
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240. Powers, *supra* note 215, at 2.
241. Guymon & Cardenas, *supra* note 234 (noting that One placement provider, Crittenton, frequently meets with girls in detention that will be placed in their facility to develop a relationship in order to ease the transition from detention into placement).
242. *Id.*
243. *Id.*
244. Guymon, *supra* note 217.
245. Hania Cardenas, Dir. of Placement Cmty. Transition Servs., Los Angeles County Probation Department, Presentation at the National Human Exploitation and Trafficking (H.E.A.T.) Watch Conference (June 14, 2012).
246. Guymon & Cardenas, *supra* note 234.
247. MULTNOMAH CNTY. DEP’T. OF CMTY. JUSTICE, COMMERCIAL SEXUAL EXPLOITATION OF CHILDREN (CSEC) RESOURCE GUIDE FOR IMMEDIATE INTERVENTION, available at [http://web.multco.us/sites/default/files/dcj-juvenile/documents/csec\\_resource\\_guide081111.doc](http://web.multco.us/sites/default/files/dcj-juvenile/documents/csec_resource_guide081111.doc); see also Esther Nelson, Program Manager of the Commercial Sexual Exploitation Unit, Sexual Assault Resource Center (SARC), Presentation at the National Human Exploitation and Trafficking (H.E.A.T.) Watch Conference (June 14, 2012).
248. MULTNOMAH CNTY. DEP’T. OF CMTY. JUSTICE, *supra* note 247; see also Nelson, *supra* note 247.
249. Nelson, *supra* note 247.
250. Michelle Guymon, of the Los Angeles County Probation Department, shared information at the January 22, 2013 L.A. County Sex Trafficking of Foster Youth Task Force Meeting about the decreased use of locked facilities for the CSEC probation currently supervises.
251. HEATHER J. CLAWSON ET AL., U.S. DEP’T. OF HEALTH & HUMAN SERV., HUMAN TRAFFICKING INTO AND WITHIN THE UNITED STATES: A REVIEW OF THE LITERATURE 20 – 21 (2007) available at <http://aspe.hhs.gov/hsp/07/humantrafficking/litrev/index.pdf> [hereinafter CLAWSON ET AL., A REVIEW OF THE LITERATURE].
252. *Id.*
253. *Id.* at 21 – 27.
254. *Id.* at 27.
255. *Id.* at 27.
256. *Id.* at 27 – 29; WESTCOAST CHILDREN’S CLINIC, *supra* note 59, at 16.
257. CLAWSON ET AL., A REVIEW OF THE LITERATURE, *supra* note 251, at 29 – 30.
258. *Id.* at 31.
259. *Id.* at 33 – 39.
260. *Id.* at 27; WESTCOAST CHILDREN’S CLINIC, *supra* note 59, at 17.
261. CLAWSON ET AL., A REVIEW OF THE LITERATURE, *supra* note 251, at 27.
262. MICHAEL SHIVELY ET AL., A NATIONAL OVERVIEW OF PROSTITUTION AND SEX TRAFFICKING DEMAND REDUCTION EFFORTS: FINAL REPORT, iv (June 2012), available at <https://www.ncjrs.gov/pdffiles1/nij/grants/238796.pdf> [hereinafter SHIVELY ET AL., FINAL REPORT].
263. Tamar R. Birkhead, *The “Youngest Profession”: Consent, Autonomy, and Prostituted Children*, 88 WASH. U. L. REV. 1055, 1106-08 (2011).
264. See Richard J. Estes & Neil Alan Weiner, *Commercial Sexual Exploitation of Children in the U.S, Canada and Mexico*, University of Pennsylvania (2001), available at [http://www.sp2.upenn.edu/restes/CSEC\\_Files/Complete\\_CSEC\\_020220.pdf](http://www.sp2.upenn.edu/restes/CSEC_Files/Complete_CSEC_020220.pdf).
265. See Birkhead, *supra* note 263, at 1107 – 08.
266. About the My Life My Choice Project, *supra* note 238.
267. See Birkhead, *supra* note 263, at 1106.
268. Telephone Interview with Lisa Goldblatt Grace, Program Dir., My Life My Choice (Jan. 19, 2012).
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270. The MLMC Curriculum, JUSTICE RESOURCE INSTITUTE, <http://jri.org/services/behavioral-health-and-trauma-services/community-based-behavioral-health-services/my-life-my-choice/services/mlmc-curriculum> (last visited Feb. 6, 2013).
271. See Loretta E. Gavin et al., *A Review of Positive Youth Development Programs That Promote Adolescent Sexual and Reproductive Health*, 46 *Journal of Adolescent Health* S76 (2010), available at <http://www.region8ip.com/Docs/GavinIAH.pdf>.
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273. E-mail from Stacey Bell, Dir. of Youth Development, Sacramento City Unified School District, to author (Dec. 7, 2012 08:59 PST) (on file with author).
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276. Telephone Interview with Mollie Ring, Chief of Programs, Standing Against Global Exploitation (SAGE), (Nov. 21, 2011).
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285. *Id.* at viii.
286. *Id.*
287. *Id.* at 48.
288. *Id.* at xiv.
289. *Id.* at 51.
290. *Id.*
291. CONN. DEP’T. OF CHILDREN & FAMILIES, *supra* note 178, at 6.
292. *Id.*
293. *Id.*
294. *Id.*
295. Prevention, CHICAGO ALLIANCE AGAINST SEXUAL EXPLOITATION (CAASE), <http://caase.org/prevention> (last visited Dec. 10, 2012).
296. *Id.*
297. *Id.*
298. CHICAGO ALLIANCE AGAINST SEXUAL EXPLOITATION (CAASE), EMPOWERING YOUNG MEN TO END SEXUAL EXPLOITATION: A FOUR SESSION CURRICULUM, available at [http://g.virbcdn.com/\\_f/files/70/FileItem-148531-Curriculumdescription.pdf](http://g.virbcdn.com/_f/files/70/FileItem-148531-Curriculumdescription.pdf).
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300. MARK LATONERO ET AL., THE RISE OF MOBILE AND THE DIFFUSION OF TECHNOLOGY-FACILITATED TRAFFICKING iv (2012), available at [https://technologyandtrafficking.usc.edu/files/2012/11/HumanTrafficking2012\\_Nov12.pdf](https://technologyandtrafficking.usc.edu/files/2012/11/HumanTrafficking2012_Nov12.pdf).
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303. Carol Marbin Miller & Diana Moskovitz, *Young prostitutes off the streets and online*, MIAMI HERALD, Sept. 1, 2012, available at [www.miamiherald.com/2012/07/28/v-fullstory/2980491/young-prostitutes-off-thestreets.html](http://www.miamiherald.com/2012/07/28/v-fullstory/2980491/young-prostitutes-off-thestreets.html).
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305. HUMAN TRAFFICKING IN CALIFORNIA 2012, *supra* note 10, at 65.
306. NATIONAL STRATEGY, *supra* note 33, at 112 – 16.
307. *Id.* at 117.
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310. *Shedding Light on the Role of Technology in Child Sex Trafficking*, MICROSOFT, July 18, 2012, <http://microsoft.com/en-us/news/features/2012/jul12/07-18childsextraffickingresearch.aspx> (last visited Dec. 11, 2012); HUMAN TRAFFICKING IN CALIFORNIA 2012, *supra* note 10, at 4.
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312. Trafficking Victims Protection Act of 2000, 22 U.S.C. §§ 7701-05 (2000).
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316. *Id.* at art. 7(2).
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321. HUMAN TRAFFICKING IN CALIFORNIA 2012, *supra* note 10, at 33 – 34.
322. 22 U.S.C. §§ 7701-05 (2000); Trafficking Victims Protection Reauthorization Act of 2003, Pub. L. No. 108-193, 117 Stat. 2875 (amending scattered sections of the United States Code); Trafficking Victims Protection Reauthorization Act of 2005, Pub. L. No. 109-164, 119 Stat. 3558 (amending scattered sections of the United States Code); Trafficking Victims Protection Reauthorization Act of 2008, 22 U.S.C. §§ 7101-7112 (Supp. 2009); The Trafficking Victims Protection Reauthorization Act, INT’L. JUSTICE MISSION, <http://www.ijm.org/justice-campaigns/tvpra> (last visited Jan. 28, 2013).
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326. *Id.*
327. Wendi J. Adelson, *Child Prostitute or Victim of Trafficking?*, 6 U. St. Thomas L.J. 96, 97 (2008).
328. See 22 U.S.C. §§ 7101-7112 (2009); See also Adelson, *supra* note 327.
329. 22 U.S.C. § 7102(8) (defining severe forms of trafficking in persons as “sex trafficking in which a commercial sex act is induced by force, fraud, or coercion, or in which the person induced to perform such act has not attained 18 years of age.”).
330. 18 U.S.C. § 1591(a)
331. 18 U.S.C. § 1591(a); Kate Brittle, *Child Abuse by Another Name: Why the Child Welfare System is the Best Mechanism in Place to Address the Problem of Juvenile Prostitution*, 36 Hofstra L. Rev. 1339, 1346 (2008).
332. Admin. For Children & Families, Dep’t. of Health & Human Servs., *Trafficking Victims Protection Act of 2000 Fact Sheet* available at [http://archive.acf.hhs.gov/trafficking/about/TVPA\\_2000.pdf](http://archive.acf.hhs.gov/trafficking/about/TVPA_2000.pdf)
333. U.S. DEP’T OF HEALTH AND HUMAN SERVICES, *FACT SHEET: VICTIM ASSISTANCE*, Aug. 7, 2012, <http://www.acf.hhs.gov/programs/orr/resource/fact-sheet-victim-assistance-english>.
334. *Id.*
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337. Wiberforce, *supra* note 324.
338. *Fact Sheet Protect Act*, U.S. DEP’T. OF JUSTICE, [http://www.justice.gov/opa/pr/2003/April/03\\_ag\\_266.htm](http://www.justice.gov/opa/pr/2003/April/03_ag_266.htm) (last visited Jan. 18, 2013).
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340. Protect Act of 2003 § 322-323 available at <http://www.gpo.gov/fdsys/pkg/BILLS-108s151enr/pdf/BILLS-108s151enr.pdf> (codified as amended in scattered sections of 18 U.S.C.)
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342. Telephone Interview with Jenny Wood, Director of Operations, office of Congressmember Karen Bass (CA-33), Stephanie Richards, Policy & Legal Services Director, Coalition to Abolish Slavery & Trafficking, & Marina Colby, Director of Public Policy & Government Relations, ECPAT-USA (Jan. 4, 2013).
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344. *Id.*
345. *Id.*
346. Sherman & Grace, *supra* note 83, at 340.
347. See *id.* at 332 – 33; Megan Annitto, *Consent, Coercion, and Compassion: Emerging Legal Responses to the Commercial Sexual Exploitation of Minors*, 30 Yale L. & Pol’y Rev. 1, 24-29 (2011).
348. Sherman & Grace, *supra* note 83, at 332.
349. See Geist, *supra* note 31, at 96.
350. See *id.* at 88.
351. Annitto, *supra* note 347, at 31.
352. See CONN. GEN. STAT. ANN. §53a-82(a) (2010)
353. See CONN. GEN. STAT. ANN. §53a-82(a) (2010)
354. See TENN. CODE § 39-13-513 at § 1.
355. See Geist, *supra* note 31, at 95.
356. See *id.* at 96.
357. *Id.* at 88 (highlighting the Las Vegas STOP (Stop Turning Out Child Prostitutes) and Brooklyn GRASP (Girls Re-Entry Assistance Support Project) diversion programs).
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359. See *id.* at 88.
360. N.Y. FAM. CT. ACT § 311.4(3); See 28 U.S.C. 1100.25 (2001); Geist, *supra* note 31, at 96; Annitto, *supra* note 347, at 49.
361. See N.Y. FAM. CT. ACT § 311.4(3) & §712(a); Annitto, *supra* note 347, at 49.
362. Annitto, *supra* note 347, at 49-50.
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364. See Geist, *supra* note 31, at 106.
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367. Wash. Rev. Code § 13.40.070 (7) (2008), available at <http://apps.leg.wa.gov/RCW/default.aspx?Cite=13.40.070>.
368. S.B. 6476 § 8(1), 61st Leg., Reg. Sess. (Wash. 2010).
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370. H.B. 6462, 96<sup>th</sup> Gen. Assemb., §15(d) (Ill. 2010)(enacted).
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381. DEP'T. OF PUBLIC SAFETY, OFFICE OF JUSTICE PROGRAMS, NO WRONG DOOR: A COMPREHENSIVE APPROACH TO SAFE HARBOR FOR MINNESOTA'S SEXUALLY EXPLOITED YOUTH 1 (2013), available at [http://dps.mn.gov/divisions/ojp/forms-documents/Documents/12012%20Safe%20Harbor%20Report%20\(FINAL\).pdf](http://dps.mn.gov/divisions/ojp/forms-documents/Documents/12012%20Safe%20Harbor%20Report%20(FINAL).pdf); Telephone Interview with Beth Holger Ambrose, Homeless Youth Services Coordinator, Minnesota Department of Human Services (Oct. 9, 2012).
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383. No WRONG DOOR, *supra* note 381, at 2, 20.
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398. Proposition 35 Fact Sheet, CASE ACT, <http://www.caseact.org/case/factsheet/> (last visited Mar. 20, 2012).
399. Melissa Hastie & Jamie Kuryllo, Californians Against Sexual Exploitation Act ("CASE ACT"), 11 C.A. Initiative Rev. 2 (2012), available at <http://www.mcgeorge.edu/Documents/Publications/californiaInitiativeReviewNov2012.pdf>; Proposition 35 (Californians Against Sexual Exploitation Act).
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401. Advocates at the L.A. County Sex Trafficking of Foster Youth Task Force Meeting voiced their disagreement over the implementation of the CASE Act (Prop 35) and whether it will decriminalize prostitution for minors.
402. SHARED HOPE INT'L, CALIFORNIA REPORT CARD, *supra* note 389.
403. SHARED HOPE INT'L, PROTECTED INNOCENCE CHALLENGE: STATE REPORT CARDS ON THE LEGAL FRAMEWORK OF PROTECTION FOR THE NATION'S CHILDREN 6 (2012) available at [http://sharedhope.org/wp-content/uploads/2012/09/ProtectedInnocenceChallenge\\_FINAL\\_2012\\_wcover\\_web.pdf](http://sharedhope.org/wp-content/uploads/2012/09/ProtectedInnocenceChallenge_FINAL_2012_wcover_web.pdf).
404. See Geist, *supra* note 31, at 122 – 23.
405. A broad spectrum of government agencies should be encouraged to participate, including the California Department of Social Services, County Welfare Directors Association of California, California Department of Corrections and Rehabilitation/Division of Juvenile Justice, Chief Probation Officers of California, California Department of Health Care Services, County Mental Health Directors Association, and the California Department of Education.
406. The CSEC workgroup has not addressed whether it should come from the legislature and/or the administration or from new sources and/or reallocated existing funds.
407. E-mail from Catherine Pratt, Commissioner, Los Angeles County Superior Court, to author (Jan. 11, 2013, 13:51 PST) (on file with author).

# GUIDELINES FOR IDENTIFYING AND INTERVIEWING COMMERCIALY SEXUALLY EXPLOITED CHILDREN

It can be incredibly difficult to identify and engage youth who have been exploited or who are at risk for exploitation. Often youth who have been exploited are trained to lie and deceive individuals outside of their exploiter's network. Service providers and researchers have developed guidelines for identifying potential victims of commercial sexual exploitation, and techniques to interview and engage these children. The following sets of guidelines are representative of emerging practice in this area and could serve as a starting point for developing comprehensive tools for use across systems and agencies serving throughout California.

## GUIDELINES FOR IDENTIFYING CHILDREN WHO MAY BE COMMERCIALY SEXUALLY EXPLOITED

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The Center for the Human Rights for Children, Loyola University of Chicago and International Organization for Adolescents created the following list of indicators to provide guidance to service providers on identifying potential cases of child sex trafficking:

- Shows evidence of mental, physical, or sexual abuse.
- Cannot or will not speak on own behalf.
- Is not allowed to speak to you alone; is being controlled by another person.
- Does not have access to identity or travel documents or documents appear fraudulent.
- Works long hours.
- Is paid very little or nothing for work or services performed.
- Has heightened sense of fear or distrust of authority.
- Has gaps in memory.
- Someone else was in control of migration to U.S. or movement into Illinois.
- Lives at workplace/with employer, or lives with many people in confined area.
- Is not in school or has significant gaps in schooling.
- Has engaged in prostitution or commercial sex acts.
- Mentions a pimp/boyfriend.

- Any child working where “pay” goes directly towards rent, debt, living expenses/necessities, fees for their journey.
- Exploitation on the internet, online ads.
- Threats of traffickers reporting child to police/immigration.
- Threats to child’s parents, grandparents, siblings, or own minor children.
- Methods of control that leave no visible, physical signs of abuse.
- Sleeping/living separately from the “family” (in garage or on the floor instead of bedroom).
- Is forced to sell drugs, jewelry, magazines on the street.
- Has excess amount of cash.
- Has hotel keys.
- Chronic runaway/homeless youth.
- Lying about age/false ID.
- Inconsistencies in story.
- Unable or unwilling to give local address or information about parents.
- Presence of older male or boyfriend who seems controlling.
- Injuries/signs of physical abuse or fear to make eye contact.
- Demeanor: fearful, anxious, depressed, submissive, tense, nervous.
- Is not enrolled in school.
- Does not consider self a victim.
- Loyalty, positive feelings toward trafficker.
- May try to protect trafficker from authorities.

The presence of one or more of these indicators does not definitively confirm a child is being victimized. Instead such determination requires an assessment of the totality of the circumstances, and must be conducted from a variety of angles and perspectives. <sup>1</sup>



## GUIDELINES FOR ENGAGING CHILDREN IN AN INTERVIEW TO LEARN THEIR STORY

Once a child has been identified as a possible victim of commercial sexual exploitation, it is important to obtain the child’s story in an objective, non-judgmental, and sensitive way. The federal Office of Juvenile Justice and Delinquency Prevention, in partnership with Girls Educational and Mentoring Services (GEMS), the Polaris Project, the Salvation Army and the Bilateral Safety Corridor Coalition, developed a Training Manual which includes the following advice from children regarding the “Dos and Don’ts” of appropriate engagement:

DO	DON'T
<ul style="list-style-type: none"> <li>▪ DO put into practice your knowledge of risk factors, pathways to CSEC, and techniques for victim identification when identifying and engaging with youth.</li> <li>▪ DO provide a safe place for engagement.</li> <li>▪ DO be nonjudgmental when listening to a sexually exploited child.</li> <li>▪ DO work to build trust with a sexually exploited child.</li> <li>▪ DO pay attention to your body posture. Face the child and make eye contact. Show interest, empathy, and understanding through verbalizations, nods, and facial expressions. Speak in a calm and even tone.</li> <li>▪ DO keep physical contact to a minimum. When there is physical contact, let a child know exactly what you are doing and remind the child that you are not there to hurt them.</li> <li>▪ DO be familiar with street language and slang that children and youth might use.</li> <li>▪ DO use language and terms that are appropriate and sensitive to a child’s experience as a victim.</li> <li>▪ DO recognize the various symptoms of trauma exhibited and coping mechanisms used by a CSEC victim that may not be those one typically associates with victims.</li> <li>▪ DO recognize the child as a victim and a survivor of severe child abuse.</li> <li>▪ DO help a child “slow down” and debrief if they seem overwhelmed or disconnected when telling their story. Limit the amount of information you ask them to disclose.</li> <li>▪ DO keep the child talking and make them feel comfortable.</li> <li>▪ DO take sexually exploited youth seriously.</li> <li>▪ DO meet a sexually exploited child where they are and on their terms, and try to meet the needs they present.</li> <li>▪ DO apply sensitivity and attention to a child’s cultural background.</li> <li>▪ DO continually process your own experiences, feelings, and judgments concerning the issues surrounding sexual exploitation.</li> <li>▪ DO improve a systemic response to CSEC by creating inter-agency relationships to comprehensively meet victims’ needs.</li> <li>▪ DO collaborate with local experts and survivors of sexual exploitation to engage with victims or to work for policy change.</li> </ul>	<ul style="list-style-type: none"> <li>▪ DON'T rely on stereotypes to identify or engage with sexually exploited children.</li> <li>▪ DON'T question or engage a sexually exploited child at a location where they feel threatened or unsafe.</li> <li>▪ DON'T react verbally or physically in a way that communicates disgust or disdain. Refrain from displaying a shocked face or talking about how “awful” the child’s experience was. This may shut the child down.</li> <li>▪ DON'T expect immediate gratitude for your efforts.</li> <li>▪ DON'T act or appear to be distracted, disinterested, or disapproving. Do not use intimidation tactics like interrogating the child or standing over the child.</li> <li>▪ DON'T use physical contact where it is not appropriate. Physical contact as a comforting response should be initiated by the child.</li> <li>▪ DON'T try to use street language and slang out of context when talking with children and youth.</li> <li>▪ DON'T expect youth to always phrase their experiences in language that is appropriate or to refer to themselves as victims.</li> <li>▪ DON'T use inappropriate language, derogatory terms, shame, or belittlement when discussing the child’s experiences.</li> <li>▪ DON'T use strategies that switch intermittently between treating the child as an offender, then as a victim.</li> <li>▪ DON'T treat the child as a perpetrator by prosecuting the child and not using statutory rape, sexual abuse, and trafficking laws to prosecute pimps, johns, traffickers, and recruiters.</li> <li>▪ DON'T expect or push every child to disclose all the details of their abuse. Sometimes heavy information will need to be gathered in stages.</li> <li>▪ DON'T dispute facts or comment on a child’s motivation. This is likely to stop the flow of information.</li> <li>▪ DON'T diminish the seriousness of their experiences or concerns.</li> <li>▪ DON'T expect a child to recognize their situation as exploitative or to present themselves as a victim in need of immediate intervention or rescuing.</li> <li>▪ DON'T draw conclusions based on stereotypes of a child’s culture, race, ethnicity, class, gender, or sexual orientation. Do not impose actions that are culturally inappropriate or insensitive.</li> <li>▪ DON'T ignore signs of vicarious re-traumatization or burnout fatigue.</li> <li>▪ DON'T assume sole responsibility for meeting the myriad and complex needs of a CSEC victim.</li> <li>▪ DON'T marginalize the experiences or voices of survivors in a community response to CSEC.</li> </ul>

## GUIDELINES FOR CONDUCTING THE INITIAL INTERVIEW

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The Center for the Human Rights for Children, Loyola University of Chicago and International Organization for Adolescents offer techniques for interviewing children as part of the identification and investigation process. The questions are designed to build trust between the interviewer and the child. The approach should include:

- Use of open-ended questions. Leading questions can confuse the child or potentially influence his or her answers.
- Recognition that a child may not identify himself a victim. Therefore, do not immediately identify the child as a “victim.”
- Sensitivity to asking too much too soon. Most victims will be reluctant to answer direct questions regarding the enforcement tactics the trafficker used or abuse they endured.
- Try to spread out the initial interview process over a number of sessions. <sup>3</sup>

## SAMPLE INTERVIEW QUESTIONS

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The Oregon Department of Human Services recently released a manual on Child Welfare Practice for Cases with Child Sexual Abuse, including a section on commercial sexual exploitation of children. This manual offers a comprehensive set of questions designed to learn about a victim’s immediate and ongoing safety. The manual suggests that interviews take place in a private, neutral, and comfortable setting and that emergency and basic needs be addressed first. The following suggested questions are offered as guidance for interviews:

### **Living situation** (from Shared Hope)

- “Where are you from? Is this where you live now?”
- “Do you currently live with your parents? If not, where do you live and with whom?”
- “What is your relationship like with your parents/guardians and siblings?”
- “Do you go to school? What subjects do you like/dislike?”
- “Are you involved in any activities at school? (Yes: Which? No: Do you wish you were?)”
- “Have you ever left home without parent/guardian knowledge?”
- “How many times have you run away? Where do you like to go when you run away?”
- “What were some of the ways you took care of yourself while you were away from home?”
- “Did you do any traveling while you were gone? Where did you go? Can you describe what you saw? Who did you go with? How did you get from one place to the next?”
- “While you were away from home, did anything keep you from going back? Did you experience anything that made you uncomfortable or scared?”

- “Do you feel safe now?”
- “Do you have a best friend? Who is that?”

#### **Arrest history** (from Shared Hope)

- “Have you ever been arrested? For what? What happened when you were arrested?”
- “Was there a person you could count on to help you through the experience? How did you know you could rely on them?”

#### **Dating status/ sex related**

- “Do you have a boyfriend or girlfriend? How did you meet? What do you two do for fun? Where do you go?”
- “Every couple has problems. What are some things about your relationship that you don’t like?”
- “What are some of the things that person does to show he or she cares for you?”
- “How old is he/she?”
- “Are you sexually active? Do you use contraception? What kind?”
- “How frequently do you have sex?”
- “Have you ever had a sexually transmitted disease? What type?”
- “Have you ever been pregnant? Have you ever had an abortion?”
- “Are any of your friends sexually active?”

#### **Visible tattoo**

- “What does your tattoo mean? When did you get it? Was someone there while you got it? Who?”

#### **Substance abuse related**

- “Do the people you hang out with use drugs? If yes, what types of drugs?”
- “Do members of your family use drugs? If yes, what types of drugs?”
- “Do you or have you used drugs? If yes, what type of drugs and when do you use them?”
- “How do you get and/or pay for these drugs?”

#### **Exploitation/ abuse-related**

- “Have you ever felt pressured or forced to have sex?”
- “Who has pressured you?”
- “What happens if you don’t have sex?”
- “What type sex acts do you have to do? Is there any ‘compensation?’”
- “What happens after you are forced to have sex?”
- “Have you ever told anyone? Who?”
- “When was the last time you had to ‘perform’ sex acts for someone?”
- “How often are you forced to have sex?”
- “Do you know anyone else who is forced to have sex? Friends involved?”

- “Have you ever had sex in exchange for money, food, somewhere to stay, or anything else?”
- “Are you fearful to stop? Why? What would happen?”
- “Are any of your siblings in the same situation?”

#### **Mental health status**

- “Do you currently have any thoughts about suicide?”
- “Have you ever tried to commit suicide?”
- “Would you ever kill yourself?”
- “Have any of your friends ever committed suicide or attempted suicide?”

### **INTERVIEWS WITH PARENTS**

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When information suggests that parents may be involved in the exploitation of their children or have responded in a non-protective way when they learn about their child’s exploitation, interviews should be conducted in coordination with law enforcement. When parents are not implicated, interviews should focus not only on the victimized youth, but also on general family functioning. It is also important to gather information from the parents about the threat of harm posed to their other children in the home.

Questions that can help elicit the information needed include these:

- Are you aware of your youth’s victimization? How did you become aware?
- What attempts have you made to try and protect your youth? Did you seek community resource assistance? Medical treatment? Therapy?
- What are the youth’s responsibilities in the home? Does he or she babysit siblings? How frequently?
- Does the youth spend time with siblings in the community? Go to the mall?
- Park? Participate in community activities?
- What have the non-CSEC children said about spending time with the youth? Are there certain people they spend time with? What do they do? Where do they go? Is it possible that the other children are exposed to the pimp?
- What are the rules for the children in the home when the adults are away? Are other children or youth allowed to come over? Is there a curfew? Are they allowed to leave if adults are not present?
- Are you concerned for your other children’s safety or concerned that they are also at risk for becoming sexually exploited?<sup>5</sup>

## WHAT YOUTH SAY WORKS

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Most importantly, we can turn to CSEC survivors for compelling information regarding what has and has not worked in their lives. The following is a list of interventions and interactions that youth had with various allies. The youth remember these people and experiences as being meaningful and effective when they were struggling with leaving the commercial sex industry. In answer to the question, “What kind of support helped you when you were in ‘the life’ and struggling to exit?” youth said:

- “I could talk to my counselor without nobody calling me names.”
- “I could tell them how I feel for the day, what my goals are and what I want to achieve, and they’ll help me achieve it.”
- “The cop told my judge that I needed somewhere to go to be away from him [my pimp] instead of getting locked up.”
- “When I was beat up in the hospital, the nurse gave me a hug for a really long time. It was the first time in a long time that someone had been kind to me.”
- “He [the judge] acted mad interested in my life. So now, even if I have a good court report I go anyway, just so he can see I ’m doing good.”
- “My counselor is like my second best friend. Without her, I don ’t think I ’d be doing what I ’m doing right now—going to school, getting ready to get a job, and trying to work it out with my family, which is not easy right now.”
- “He [my lawyer] helped me clear up my record from my charges. Now I can get into the housing program I want to live in with my daughter.”
- “A space [a youth program] where I can be myself. I don’t have to impress anybody. I don’t have to act different in front of nobody because it’s like they don ’t judge me on things that I do or things that I’ve done in the past.”
- “She [a cop] treated me like I was a real person. She even used to call me on weekends just to check on me and make sure I was doing good.”
- “They [the youth program] have showed me what my talents are. My favorite is poetry.”
- “I feel good that when I come in I could get a hug, something that I can get from my counselor that I can’t get from my own mother.”

### Appendix A Notes:

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1. CENTER FOR THE HUMAN RIGHTS FOR CHILDREN ET AL., BUILDING CHILD WELFARE RESPONSE TO CHILD TRAFFICKING HANDBOOK 39-40 (2011), available at <http://www.luc.edu/media/lucedu/chrc/pdfs/BCWRHandbook2011.pdf>.
2. RACHEL LLOYD & AMALLIA ORMAN, GIRLS EDUCATION AND MENTORING SERVICES (GEMS), TRAINING MANUAL ON THE COMMERCIAL SEXUAL EXPLOITATION OF CHILDREN (CSEC) HANDOUT 4.3 (2010).
3. CENTER FOR THE HUMAN RIGHTS FOR CHILDREN ET AL., *supra* note 1, at 44.
4. OREGON DEPT. OF HUMAN SERV., CHILD WELFARE PRACTICES FOR CASES WITH CHILD SEXUAL ABUSE 156-57 (2010), available at <http://www.oregon.gov/dhs/publications/child-welfare-practices-abuse.pdf>.
5. *Id.* at 157-58.

## STAGES OF CHANGE IN CSEC COUNSELING

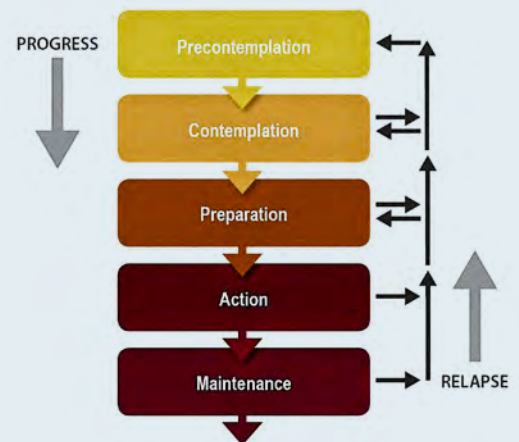
GEMS created the following handout based on the Stages of Change Model. The Stages of Change Model (SCM) was originally developed in the late 1970s and early 1980s by James Prochaska and Carlo DiClemente. Although the model was created in the context of working with addicts, it has been utilized in a variety of fields to help service providers understand and respond to the process of behavior change. “The idea behind the SCM is that behavior change does not happen in one step. Rather, people tend to progress through different stages on their way to successful change. Also, each of us progresses through the stages at our own rate... Each person must decide for himself or herself when a stage is completed and when it is time to move on to the next stage. Moreover, this decision must come from inside you—stable, long term change cannot be externally imposed” (Kern, 2008).

GEMS connected this theory to advocacy-based counseling methods used with child victims of commercial sexual exploitation (CSEC) and included the valuable addition of direct quotes from victims with whom they have worked, making this handout a useful advocacy tool. Building rapport with survivors of CSEC requires that advocates be conscious of where survivors are at and where they want to go. This tool can help advocates to identify what stage a survivor might be in, while also providing a valuable reminder that being nonjudgmental and patient is extremely important when working with this population.

### Developed by Girls Educational and Mentoring Services

#### Building rapport with survivors of CSEC requires that advocates be conscious of where survivors are at and where they want to go.

Girls Educational and Mentoring Services (GEMS) is an organization based in New York State whose mission “is to empower girls and young women, ages 12–24, who have experienced commercial sexual exploitation and domestic trafficking to exit the commercial sex industry and develop to their full potential. GEMS is committed to ending commercial sexual exploitation and domestic trafficking of children by changing individual lives, transforming public perception, and revolutionizing the systems and policies that impact sexually exploited youth” (from <http://www.gemsgirls.org>).



© <http://batonrougescounseling.net/stages-change/>

## STAGE OF CHANGE: PRE-CONTEMPLATION

- Denies being sexually exploited
- Discloses involvement in the life, but does not present it as a problem
- Is defensive
- Does not want your help, wants you to “stay out of their business”

### WHAT THIS LOOKS LIKE WITH CSEC VICTIMS

- Not ready to talk about abuse
- Will defend or protect abuser
- Does not want help or intervention
- *“I love my daddy. He takes care of me.”*
- *“I’m happy making money.”*
- *“I’m good with the way things are.”*
- *“I make money doing what other people give away for free.”*

### COUNSELOR’S GOALS

- Validate experience/lack of readiness
- Encourage re-evaluation of current behavior
- Encourage self-exploration, not action
- Explain and personalize risk
- Get legal identification documents
- Set up appointments for healthcare and mental health
- *“I can understand why you feel that way.”*
- *“Is there anything about your relationship with him that you don’t like?”*
- *“How do you feel when . . . ?”*
- *“I’m proud of you. You’re taking big steps right now. Be proud of yourself!”*

## STAGE OF CHANGE: CONTEMPLATION

- Acknowledges that being in the life is painful and probably not what they want for themselves
- Not yet ready to leave but processing the abuse and the effects of the abuse
- Ambivalent about actually leaving
- Open to self-reflection, weighing consequences, and talking about feelings

### WHAT THIS LOOKS LIKE WITH CSEC VICTIMS

- Often an external event, or “reality,” has confronted the pre-contemplative stage.
- Incidents can include violence, rape, assault, getting pregnant, diagnosis with an STD, new girls in the house, getting arrested, not getting bailed out
- Fear of the consequences of leaving: violence, retribution, threats to self and family, being homeless, having no money
- Thinking of leaving but feeling isolated from the “square” world
- *“I didn’t think it was going to turn out this way.”*
- *“I feel like I don’t deserve this.”*
- *“I don’t want this for my daughter.”*
- *“I’m afraid that if I try to leave he’ll just track me down and find me. There’s no point.”*
- *“This is what I’m good at. I’m not good at anything else.”*

## STAGE OF CHANGE: CONTEMPLATION [CONTINUED]

### COUNSELOR'S GOALS

- Listen!!!!
- Encourage client to list out the pros and cons
- Reflect change talk
- Affirm processing of problems
- Validate ability for client to make changes
- Identify and assist in problem solving/obstacles
- Help identify sources of support
- *“When are the times you feel really good? When are the times you feel really bad?” (make lists)*
- *“What do you feel is holding you back the most?”*
- *“I think you should be proud of yourself for . . .”*
- *“I’m proud of you. You’re taking big steps right now. Be proud of yourself!”*

## STAGE OF CHANGE: PREPARATION

- Has made a commitment to leave
- Has thought a lot about leaving, now begins to “test the waters”
- Exhibits signs of independence by taking small steps to be able to leave
- Researches and is open to resources available

### WHAT THIS LOOKS LIKE WITH CSEC VICTIMS

- Regularly attends events/groups/counseling at agency
- Stashes money
- Brings clothes or belongings to the agency
- Doesn’t answer cell phone every time exploiter calls
- Starts GED classes
- Thinking about a part-time job
- Exploring housing/shelter options
- *“I would really like to finish school.”*
- *“I still love home and want to be with him, just not with all the other stuff.”*
- *“I want to leave, I just want to save some money first.”*

### COUNSELOR'S GOALS

- Create a safety plan
- Case management: find housing, education, employment, regular therapy
- Encourage small initial steps
- Validate fear of change
- Introduce client to new experiences where he/she can gain new skills and increase self-esteem
- Affirm underlying skills for independence
- *“You should be really proud of yourself for doing \_\_\_\_\_, you are doing something healthy for yourself.”*
- *“It’s normal to be nervous about the changes you’re making.”*
- *“What kinds of things are you interested in? What are your dreams for the future?”*
- *“I’m proud of you. You’re taking big steps right now. Be proud of yourself!”*



## STAGE OF CHANGE: ACTION

- Leaving the life

### WHAT THIS LOOKS LIKE WITH CSEC VICTIMS

- There are often stages of exiting (may feel the need to rely on a few regular “johns” until financial situation is stable)
- Goes through intake at a youth shelter
- Placement at a residential treatment center
- Staying with relatives
- Starts part-time job
- Cuts off contact with pimps/johns
- Moves from area of exploitation
- *“It’s so hard and it’s taking so long to get everything together.”*
- *“I’m so glad I left. I hate him...but I miss him.”*
- *“I can see myself going to college and getting a good job.”*
- *“It’s so weird being in the ‘square’ world.”*
- *I feel different from everyone else.”*

### COUNSELOR’S GOALS

- Support & validate the effort it takes to leave
- Address safety concerns
- Focus on restructuring environment and social support
- Discuss self-care
- Create system with youth for short-term rewards he/she can give to him/herself
- Process feelings of anxiety and loss
- Reiterate long term benefits of change
- *“It’s going to take a while to get things in your life in order. Try to be patient and not do everything at once.”*
- *“It’s completely normal to love and hate your ex at the same time. Let’s talk about your feelings before you act on them.”*
- *“I’m proud of you. You’re taking big steps right now. Be proud of yourself!”*

## STAGE OF CHANGE: MAINTENANCE

- Remains out of CSEC
- Develops new skills for a new life
- Successfully avoids temptations and responding to triggers

### WHAT THIS LOOKS LIKE WITH CSEC VICTIMS

- May maintain job/school
- Living in stable environment
- Develops new relationships (intimate and social), often struggles with this
- Develops network of support
- Begins to address trauma of experiences
- *“I can’t believe I wasted so many years.”*
- *It’s like I never had a childhood.”*
- *“I could never go back to the track/club.”*
- *“I feel bad for other girls/boys who are still in it.”*
- *“Sometimes I’m bored and kinda miss the drama.”*
- *“It’s hard starting relationships because they only want one thing.”*

**STAGE OF CHANGE: CONTEMPLATION [CONTINUED]****COUNSELOR'S GOALS**

- Plan for follow-up support
- Reinforce internal rewards and self care
- Discuss coping with relapse
- Discuss triggers and temptations, creating coping strategies
- Continue to help look for opportunities to develop new skills and invest in supportive communities
- Recognize progress and validate strengths
- Be patient and realistic
- *“Can you tell me the times you most feel like going back? What do you miss the most?”*
- *“How can you find ‘excitement’ and ‘attention’ in other ways?”*
- *“What kinds of people are you attracted to? Why do you think that is?”*
- *“I’m proud of you. You’re taking big steps right now. Be proud of yourself!”*

**STAGE OF CHANGE: RELAPSE**

- Returns back to the life

**WHAT THIS LOOKS LIKE WITH CSEC VICTIMS**

- Runs away from program
- Re-establishes contact with exploiter (exploiter gets out of jail, runs into exploiter or someone from the life on the street, seeks exploiter out to reconnect)
- Returns to strip club or escort agency
- Begins to see “johns” regularly
- *“He really loves me.”*
- *“I’m always going to be like this. This is who I am.”*
- *“I’m so ashamed. I don’t want to come back.”*
- *“You don’t understand. I missed him and besides, it’s different now.”*
- *“It was too hard. I just couldn’t do it.”*

**COUNSELOR'S GOALS**

- Address feelings of failure
- Reassure that most people experience relapse
- Revisit subsequent stages of change (hopefully preparation or action, but sometimes contemplation)
- Evaluate the triggers that resulted in relapse
- Reassess motivation to leave again and barriers
- Plan stronger coping strategies
- *“It’s ok. It’s normal to struggle with making really big changes. You’re still welcome here.”*
- *“What did you feel like you needed that you weren’t getting?”*
- *“Perhaps we can talk about why it was so hard.”*
- *“Are things better this time? Why do you think that? What changed?”*
- *“I still support you and believe in you.”*

The Stages of Change model is viewed as a cycle, one that may be repeated, albeit not always in a linear fashion. After the “relapse” stage, the hope is that the victim you are working with will restart the cycle at the “contemplation” or “preparation” phase, and eventually will have the support and skills they need in order to stay in the “maintenance” phase. According to Kern (2008), “eventually, if you ‘maintain maintenance’ long enough, you will reach... the stage of ‘transcendence,’ a transcendence to a new life.”

\* Kern, M. (2008). *Stages of change model*. Retrieved from: <http://www.addictioninfo.org/articles/11/1/Stages-of-Change-Model/Page1.html>

## INTERVENTIONS: MODELS FOR ADDRESSING CHILDREN'S NEEDS

### Child Welfare

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#### *Florida*

Florida's Department of Children and Families (FDCF) recognized the growing child trafficking problem and was the first state to include human trafficking as a form of maltreatment under the child abuse reporting guidelines.<sup>1</sup> The FDCF Protections for Child Victims for Human Trafficking Working Group ("Working Group") trained abuse hotline staff on how to recognize potential human trafficking, and also included human trafficking as a new maltreatment code for the purposes of the FDCF Abuse Hotline.<sup>2</sup> This new procedure encourages hotline staff to attempt to identify potential instances of human trafficking, and also allows the child welfare system to initiate investigations based on allegations of human trafficking.<sup>3</sup>

Child protective investigators use protocols and indicators developed by the Working Group that are now codified in Florida's Administrative Code.<sup>4</sup> These protocols require investigators to hold a multidisciplinary team meeting including, but not limited to "a representative from Children's Legal Services and the Office of Refugee Services Child Trafficking Coordinator or knowledgeable victim advocate" as soon as the investigator suspects trafficking.<sup>5</sup> The protocol also mandates special placement precautions to ensure youth are not returned to a parent, relative or guardian who is complicit in the child's exploitation.<sup>6</sup>

The FDCF developed the Human Trafficking Indicator Tool, which highlights possible indicators of human trafficking and provides considerations for interview and investigating possible cases of trafficking or exploitation.<sup>7</sup> For example, if hotline worker suspects human trafficking, the FDCF staff can use the Human Trafficking Information Kit to reference best practices, protection and security needs, and resources and referrals. Florida's informational materials include services available for foreign-born victims of child trafficking.<sup>8</sup> FDCF has also been working in partnership with Kristi House, the Children's Advocacy Center for Miami-Dade County, to provide specialized services to youth.<sup>9</sup> Plans are currently underway to open a CSEC shelter to implement the State's new Safe Harbor legislation to decriminalize child prostitution.<sup>10</sup>

#### *Illinois*

The Illinois Department of Children and Family Services (IDCFS) has also established a coordinated response for victims of trafficking. In partnership with the Loyola Center for the Human Rights of Children and the International Organization for Adolescents (IOFA), IDCFS has developed an integrated

screening system for victims of child trafficking in the child welfare system.<sup>11</sup> Like Connecticut and Florida, Illinois amended its child abuse reporting policies to include allegations of human trafficking of children.<sup>12</sup> Human trafficking, both sexual and labor exploitation, is now included under mandated reporting guidelines.

Illinois' human trafficking policy instructs investigators and intake personnel on how to identify victims of human trafficking, on evidence necessary to support an allegation, and on procedures to follow in an investigation.<sup>13</sup> Also, law enforcement must make a report to IDCFS if a minor is charged with prostitution or sex work of any kind.<sup>14</sup> In addition to these policy changes, IDCFS now collects data on human trafficking reports and tracks trafficking indicators from seven different databases.<sup>15</sup> IDCFS has also developed a mechanism for coordinated referrals through its service network. In order to streamline access to services, IDCFS categorizes victims into pre-identified service pathways. For example, if an international trafficking victim is identified, her service pathway would include the Office of Refugee Resettlement, and not resources specific to a different type of victim.<sup>16</sup>

## Judicial System

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### *Alameda County, California*

The Alameda County Girls Court (ACGC) is a collaborative effort that combines multiple agencies and organizations to provide a consistent, thoughtful, and empowering court environment for girls who have been identified as CSEC, are at-risk for CSEC, or are at-risk for ongoing or escalating criminal activity.<sup>17</sup> Two female judges share the cases, but once a girl is assigned to a particular judge, she remains with that judge for the duration of her case to ensure continuity.<sup>18</sup> A public defender, district attorney, and probation officer are assigned to the ACGC, all of whom are women. Community providers such as MISSEY and WestCoast frequently attend hearings in the ACGC to present additional information about the girls' progress and needs, and are viewed by the court as valued and necessary partners in the judicial process. Additionally, the ACGC holds discussion roundtables twice a month with the collaborating agencies to review troubling trends, successes and failures, and ways to improve the services and supports it provides through the court. Advocates from WestCoast are encouraged by the time, attention, and effort exerted by the judges, attorneys, and agency representatives to work with the girls, provide consistency in their lives, and better understand the challenges they face.<sup>19</sup>

### *Los Angeles County, California*

The District Attorney in L.A. County is developing a diversion program to divert CSEC from the juvenile justice system and link them with supports and services under the authority of Senate Bill 1279.<sup>20</sup> The

District Attorney’s office formed a multi-disciplinary team comprised of probation, the public defender, child welfare, the courts, county counsel, and community providers to develop the diversion program, “First Step.” The multi-disciplinary team established eligibility criteria and the program conditions the youth must complete to succeed in the program.<sup>21</sup> One of the main requirements of the program is successful completion of the ten-week My Life My Choice curriculum taught by a clinician and a survivor.<sup>22</sup> Participation in the program ensures that the youth avoids adjudication in the delinquency system and obtains supports and services in the community. Additionally, no juvenile record is created.<sup>23</sup>

## Law Enforcement & Probation

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### *Alameda County, California*

Alameda County has also implemented strategies within the law enforcement and probation systems to provide supports to victims of human trafficking. Law enforcement partners with a local rape-crisis center, Bay Area Women Against Rape (BAWAR), to provide on-site counseling and support during prostitution sting operations.<sup>24</sup> Juvenile hall staff also bring BAWAR into the hall once a potential CSEC is identified. Typically, youth are identified as CSEC because they are picked up by local law enforcement for prostitution or prostitution-related offenses. A BAWAR advocate meets with the youth within forty-eight hours for a victim assessment to determine her safety and mental health needs.<sup>25</sup> The BAWAR advocate determines which of three agencies should monitor the case based on the youth’s needs. In addition to BAWAR, two other CBOs provide services to CSEC in Alameda County— Motivating, Inspiring, Supporting and Serving Sexually Exploited Youth (MISSEY) and WestCoast Children’s Clinic. MISSEY provides case management, a drop-in center, mentoring services, and resource specialists for transition age youth to girls who have been commercially sexually exploited.<sup>26</sup> WestCoast Children’s Clinic is a non-profit community mental health provider for low-income youth, many of whom are in the foster care system, and also has a program called C-Change devoted to providing case management and therapeutic services to CSEC.<sup>27</sup> Probation has partnered with BAWAR, MISSEY, and WestCoast Children’s Clinic to allow advocates to meet with and counsel girls while they are in juvenile hall. Additionally, an expert on gender-responsive services in the juvenile justice system leads a weekly girls group in juvenile hall to discuss healthy relationships, the challenges of living in the hall, the court process, and self-care.<sup>28</sup>

Another innovation in Alameda County—Safety Net—was born out of a need to share information and ensure the safety of victims of commercial sexual exploitation through a multi-disciplinary case review.<sup>29</sup> Safety Net is a weekly case review of girls and boys who have been exploited or are at-risk for exploitation. Safety Net is made up of a multi-disciplinary team, which includes the juvenile public

defender and district attorney, child welfare representatives, service provider groups such as MISSEY and WestCoast Children's Clinic, BAWAR, and probation and law enforcement. It was developed to discuss current safety status and safety needs of the child, and aftercare once children return from placement. To date, it has reviewed over 250 children.<sup>30</sup>

Additional initiatives in Alameda County include a focus on victim witnesses and transitioning youth into the community. Probation is currently developing protocols to better protect CSEC victims who are material witnesses in cases against their exploiters. The protocols include providing transportation, safety plans post-testimony, and relocation if necessary.<sup>31</sup> Upon release from the hall, girls are eligible to attend the Young Women's Saturday Program (YWSP), a twelve-week program that focuses on healthy families, friendships and relationships, academic and personal goal setting, personal development, coping mechanisms for past trauma, and other mental health and healthcare topics.<sup>32</sup> The YWSP holds quarterly appreciation ceremonies, and provides each girl who successfully completes the program a certificate of completion.<sup>33</sup> To date, the attendance rate for participants is seventy-two percent.<sup>34</sup>

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## CURRICULA & SCHOOL-BASED PREVENTION EFFORTS

### Project P.R.E.V.E.N.T.

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Another promising program is the Center for Research on School Safety, School Climate, and Classroom Management's Project P.R.E.V.E.N.T. (Promoting Respect, Enhancing Value, Establishing New Trust). Project P.R.E.V.E.N.T. is a curriculum designed to build competencies and skills around relationships and decision-making in order to reduce sexualization and violence, and to better manage emotions.<sup>1</sup> The Project P.R.E.V.E.N.T. curriculum was developed according to the Participatory Culture Specific Intervention Model (PCSIM),<sup>2</sup> which allows it to be modified according to the needs of the youth to whom it is administered.<sup>3</sup> This ensures that the unique needs of the cohort are taken into account by including feedback from youth and stakeholders throughout the curriculum planning and implementation process.<sup>4</sup> The curriculum addresses the need for community-based programs to prevent sexual exploitation.<sup>5</sup> The curriculum uses Positive Youth Development (PYD) principles to address the growing number of children who are commercially sexually exploited.<sup>6</sup> PYD is designed to “help youth strengthen relationships and skills, embed them in positive networks of supportive adults, and help them develop a more positive view of their future by providing academic, economic, and volunteer opportunities.”<sup>7</sup>

Project P.R.E.V.E.N.T. was implemented in two Atlanta schools located in high-risk neighborhoods. These neighborhoods had high juvenile and adult prostitution arrest rates, a large proportion of the population living below the poverty line, receiving public assistance, and many single-parent, female-headed households.<sup>8</sup> The curriculum was designed to empower African American girls, encourage the development of skills to recognize and avoid negative cultural messages, and support participants through dangerous situations in their communities.<sup>9</sup> The curriculum was administered to small groups in an after-school program setting to build skills around “trust building and friendships with girls, friendships with boys and dating, popular culture and media, physical and emotional safety, safety mapping, and aggression.”<sup>10</sup> The response from students has been excellent, and social workers in schools have indicated that students use some of the skills they learned from the curriculum long after the program finished—even referencing the curriculum by name.



## STREAT Team

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In California, STREAT Team (Students Together Reducing Exploitation And Trafficking) evolved out of a local youth detention and community group that was designed to be a bridge between sexual exploitation identification and formal therapeutic intervention.<sup>11</sup> It is comprised of both survivors and peer allies, and is led by a young adult AmeriCorps advisor.<sup>12</sup> Based on a social justice youth development model, STREAT Team serves to raise awareness among peers about issues related to exploitation. STREAT Team's primary focus is prevention among seventh, eighth, and ninth graders. The Team is currently working on increasing its online presence and developing an awareness video to be used in middle and high school classrooms as well as after school programs.<sup>13</sup>

The STREAT Team also provides advisory recommendations to Sacramento Sexually Exploited Children & Teens (SECT) Community Collaborative. SECT Community Collaborative brings together service providers “committed to reducing exploitation of trafficked youth and providing services for juveniles exiting prostitution in the Sacramento area.”<sup>14</sup>

## Powerful Voices Powerful Choices

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The Powerful Voices Powerful Choices (PVPC) program, funded by the Seattle Human Services Department, targets female and female-identified youth between ten and seventeen years-old to promote positive relationship skills to reduce vulnerability to intimate partner violence and commercial sexual exploitation.<sup>15</sup> PVPC collaborates with other community organizations to implement the program, and works in partnership with Seattle schools.<sup>16</sup> The PVPC program requires participation in thirty hours of group work.<sup>17</sup> It also created the Powerful Choices DV Youth Skills Building Program, which focuses on low-income, truant middle school aged girls who are at risk of running away or homelessness, and thus more vulnerable to exploitation.<sup>18</sup> The participants in The PVPC program increased the connection to their personal values and pride in their identity, increased skills to resist sexual exploitation, and increased ability to identify unhealthy relationships.<sup>19</sup>

## Tell Your Friends

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“Tell Your Friends” is a condensed curriculum designed for use in middle and high school classrooms, after-school programs, youth shelters and group homes.<sup>20</sup> It is a four session, multimedia, interactive prevention curriculum that “empowers and motivates students with the knowledge, communication skills, and community resources to keep themselves safe from exploitation and trafficking and to become peer educators who will “tell their friends,” families, and communities how to do the same.”<sup>21</sup> The curriculum discusses human trafficking, risk factors, positive relationships, and the connection between intimate partner violence and commercial sexual exploitation. Training and support is also available for teachers and staff to help facilitate the identification of at-risk and exploited youth.<sup>22</sup>

## Appendix D Notes

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