

Sex Trafficking Identification, Documentation, and Response Desk Aid

Sex Trafficking Definition Used:

“Sex trafficking” is defined as “the recruitment, harboring, transportation, provision, or obtaining of a person for the purpose of a commercial sex act” and “severe forms of trafficking in persons” is defined as: “sex trafficking in which the 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.” This means that any child under age 18 who is induced to perform a commercial sex act is considered a sex trafficking victim, regardless of whether force, fraud or coercion is present. A commercial sex act is one where something of value — money, food, clothing, drugs, shelter, protection, or other consideration — is provided in exchange for a sex act. Commercial sex may include a child being prostituted, child pornography, exotic dancing, private sex parties, and other sexual exploitation.

Sex Trafficking Screening, Identification, Documentation, and Response Protocol

For all children, regardless of age, in the care, custody or supervision of a local department of social services (LDSS) or the New York State Office of Children and Family Services (OCFS), including children in foster care, child protective and preventive open cases, receiving Chafee services, or on runaway status from foster care up until the age of 21, the following protocol applies:

1. **Quick Screening:** *The Rapid Indicator Tool to Identify Children Who May Be Sex Trafficking Victims or At Risk of Being a Sex Trafficking Victim* must be used for a quick screening to determine if the child is at risk and needs a more comprehensive screening.
 - a. **For cases that are open foster care or child preventive services cases:** the quick screening tool must be completed by the due date of the initial Family Assessment and Service Plan (FASP).
 - b. **For cases that are open child protective cases (including FAR cases):** the quick screening must be completed prior to the investigative or FAR case being closed, whether the case is completed and closed without services or transferred to receive foster care, child protective, or preventive services.
 - c. **For cases that have already completed the initial FASP when this policy is issued:** the screening will need to be completed by the next comprehensive FASP due date.

Note: The screening can and should be completed prior to the due dates in cases where there is concern that the child is a sex trafficking victim.

2. **Results of Quick Screening:**
 - a. If the quick screening finds that the child **does not** have any indicators that give cause to believe he or she is a victim or at risk of being a sex trafficking victim, no further screening is needed at this time.
 - i. If after this screening, a worker learns new information that leads him or her to believe that the child is a victim or at risk, a new screening should be completed at that time.
 - b. If the quick screening finds that the child is either **a victim or at risk** of being a sex trafficking victim, a more comprehensive screening must take place (see step three).

- c. The results of the quick screening are documented in CONNECTIONS on the “sex trafficking screening” screen.
 3. **Comprehensive Screening:** If the quick screening found that the child is a victim or at risk of being a sex trafficking victim, a comprehensive screening must be done within 30 days.
 - a. The *Child Sex Trafficking Indicators Tool* is provided for this purpose and is designed to assist the worker in determining if the child is a sex trafficking victim, or has no indicators, medium or high level indicators of being a trafficking victim, or at risk of being a victim.
 - i. **It is recommended that the worker reach out to the Safe Harbour project’s LDSS lead in his or her county, if the county is participating in the project, for assistance with the comprehensive screening.**
 - For NYC, please contact child.trafficking@acs.nyc.gov.
 - ii. For non-Safe Harbour project counties, it is recommended that the worker reach out to the human trafficking liaison designated in his or her county or another staff person who is specially trained on sex trafficking or CSEC or follow local protocols.
 - iii. Workers can also reach out to their OCFS regional office county lead to obtain assistance from OCFS.
4. **Results of Comprehensive Screening:**
 - a. If the comprehensive screening finds that the child is a **sex trafficking victim**, a law enforcement referral must be made (see step five).
 - i. It must be documented in the CONNECTIONS “sex trafficking screening” screen that the child is a victim; and
 - ii. If the child is in foster care, the documentation must indicate whether the victimization occurred prior to or while the child was in foster care.
 - b. If the comprehensive screening finds that the child either has **no sex trafficking indicators, a medium or high level of indicators**, the case should continue to be monitored, for as long as it is open, based on the indicator level, and services should be put in place to address any indicators present. This result is also documented in CONNECTIONS.
5. **Child Identified as a Sex Trafficking Victim:** When a child is identified as a victim of sex trafficking, the worker must report this to law enforcement **immediately** and **no later than 24 hours** after identification of the child as a victim. The process to do so is as follows:
 - a. The worker completes the *Law Enforcement Report of a Child Sex Trafficking Victim* form provided with this policy and follows the instructions on the form.

When faxing the *Law Enforcement Report of a Child Sex Trafficking Victim* form, please do NOT include any miscellaneous information or the results of the screening tool(s). This will result in the report needing to be retracted, amended and/or re-submitted.

Note: If a child is in immediate danger or at risk of harm, the worker should immediately call 9-1-1.

- b. The worker **must** document in the “sex trafficking screening” screen in CONNECTIONS that this report to law enforcement has occurred.

- i. It is recommended that the worker also document the police report number for reference and any actions that occur as a result of the report, if applicable.
- c. If **9-1-1** is called and/or law enforcement is already involved in the case prior to identification as a sex trafficking victim through this protocol, the law enforcement form does not need to be completed but the law enforcement involvement must still be documented in CONNECTIONS.

Note: Though LDSSs and VAs are required to report when a child is identified to law enforcement as a sex trafficking victim, the child is not required to cooperate with a law enforcement investigation, if one occurs as a result of this report.

- 6. **Victim Services:** Whenever a child is identified as a sex trafficking victim, or at risk of being a sex trafficking victim, the worker is **required** to determine appropriate services for the child. Any referrals for services should be documented in CONNECTIONS similarly to any other services provided.
 - a. The worker should work with the Safe Harbour project lead for project counties, or the human trafficking liaison at his or her agency to determine what services exist in the area.
 - i. Some counties have multi-disciplinary teams, such as task forces, coalitions, or work groups that may be a resource to identify local services.
 - ii. In some cases, the case may qualify to be referred to the local Child Advocacy Center (CAC) and this referral is recommended when possible.
- 7. **Ongoing Screenings:** Child sex trafficking screenings **must** be ongoing throughout the life of a case, and should occur multiple times as more information about the child and his or her experiences is learned. In addition, sex trafficking screening is required when a child returns from being on runaway status or missing from foster care. This requirement is being addressed in a separate policy. For this reason, LDSSs and VAs will need to determine whether new child trafficking indicators have been identified at each FASP due date for all ongoing foster care, child protective, and child preventive services cases.
 - a. For the ongoing screening, the worker must review the previous child sex trafficking tools used to see if any information needs to be updated and make any changes needed.
 - i. Information may need to be updated based on new information being disclosed by the youth or a new incident occurring with the child, such as the child running away or going missing (consult the policy, *Protocols and Procedures for Locating and Responding to Children Missing from Care*, which will be available in September 2015, for more information on what is required when a child runs away or is missing).
 - b. If there are changes to the level of indicators, the worker must document this change in CONNECTIONS and use this information to adjust the child's case plan.
 - c. If through this ongoing screening, it is determined that the child meets the definition of a **sex trafficking victim**, the worker must follow steps number four through six in this protocol.

For questions regarding child trafficking, please contact:

The Office of Children and Family Services' child trafficking mailbox at:
humantrafficking@ocfs.ny.gov

For NYC-specific child trafficking questions contact: child.trafficking@acs.nyc.gov.

Other Resources:

If there is reason to suspect that the child's parent/guardian is involved in the trafficking, mandated reporters must call the New York Statewide Central Register of Child Abuse and Maltreatment (SCR) at **1-800-342-3720**.

For additional information on human trafficking in general, including support or referrals, the worker can call the National Human Trafficking Resource Center (NHTRC) at **1-888-373-7888** or text "HELP" or INFO" to **BeFree (233733)** for free and confidential assistance.