Human Trafficking: the Connection with the Child Welfare System

JusticeMatters
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Libby Magee Cole, Esq.
Christy Hamilton Malott, Esq.
Charissa Gray, MSW, MPH

JusticeMatters (JM) provides preventive and restorative legal services that prevent and help survivors of human trafficking and other traumas rebuild their lives, amplifying our clients' voices through advocacy, training, and leadership.

www.justicemattersnc.org

Intersections

“Children in out-of-home care are at a particularly high risk of being trafficked... A 2013 report by the HHS Administration on Children, Youth and Families (ACYF) cited a number of alarming statistics, including several studies showing that 50 to more than 90 percent of children who were victims of child sex trafficking had been involved with child welfare services.”
Human Trafficking

“Human trafficking, also known as trafficking in persons or modern day slavery, is a crime that involves the exploitation of a person for the purpose of compelled labor or a commercial sex act.”

Human Trafficking

Under Federal and North Carolina law:

- Minors involved in commercial sexual activity;
- Adults induced into commercial sexual activity through force, fraud, or coercion; and
- Children and adults induced to provide labor or services through force, fraud, or coercion;

...are victims of human trafficking.

§ 14-43.11. Human trafficking.

(a) A person commits the offense of human trafficking when that person

(i) knowingly or in reckless disregard of the consequences of the action recruits, entices, harbors, transports, provides, or obtains by any means another person with the intent that the other person be held in involuntary servitude or sexual servitude;

(ii) willfully or in reckless disregard of the consequences of the action causes a minor to be held in involuntary servitude or sexual servitude.

(b) A person who violates this section is guilty of a Class F felony if the victim of the offense is an adult...a Class C felony if the victim of the offense is a minor.

(c) Mistake of age is not a defense to prosecution under this section.

(d) Consent of a minor is not a defense to prosecution under this section.

§ 14-43.10(a)(3). Involuntary servitude.

The term includes the following:

a. The performance of labor, whether or not for compensation, or whether or not for the satisfaction of a debt; and

b. By deception, coercion, or intimidation using violence or the threat of violence or by any other means of coercion or intimidation.

§ 14-43.10(a)(5). Sexual servitude.

The term includes the following:

a. Any sexual activity as defined in G.S. 14-190.13 for which anything of value is directly or indirectly given, promised to, or received by any person, which conduct is induced or obtained by coercion or deception or which conduct is induced or obtained from a person under the age of 18 years.

b. Any sexual activity as defined in G.S. 14-190.13 that is performed or provided by any person, which conduct is induced or obtained by coercion or deception or which conduct is induced or obtained from a person under the age of 18 years.
**Definition: Means of Coercion**

§ 14-43.10(a)(1). Coercion.

The term includes all of the following:

a. Causing or threatening to cause bodily harm to any person, physically restraining or confining any person, or threatening to physically restrain or confine any person.

b. Exposing or threatening to expose any fact or information that if revealed would tend to subject a person to criminal or immigration proceedings, hatred, contempt, or ridicule.

c. Destroying, concealing, removing, confiscating, or possessing any actual or purported passport or other immigration document, or any other actual or purported government identification document, of any person.

d. Providing a controlled substance, as defined by G.S. 90-87, to a person.


**Definition: Means of Deception**

§ 14-43.10(a)(2). Deception.

The term includes all of the following:

a. Creating or confirming another’s impression of an existing fact or past event that is false and which the accused knows or believes to be false.

b. Maintaining the status or condition of a person arising from a pledge by that person of his or her personal services as security for a debt, if the value of those services as reasonably assessed is not applied toward the liquidation of the debt or the length and nature of those services are not respectively limited and defined, or preventing a person from acquiring information pertinent to the disposition of such debt.

c. Promising benefits or the performance of services that the accused does not intend to deliver or perform or knows will not be delivered or performed.


**Safe Harbor Highlights**

Session Law 2013-368 “Safe Harbor Law”

- Clarified that **minors are immune from prosecution for prostitution**
- Changed definition of “**abused juvenile**” to add those whose parents, guardians, custodians, or caretakers commit or allow to be committed an offense of human trafficking or involuntary servitude or sexual servitude against the child.
- Clarified that **mistake of age is not a defense** to human trafficking.
- Other provisions not focused on minors, including mandatory restitution.

Immunity for Minors

§ 14-204(c). Immunity From Prosecution for Minors

Notwithstanding any other provision of this section, if it is determined, after a reasonable detention for investigative purposes, that a person suspected of or charged with a violation of this section is a minor, that person shall be immune from prosecution under this section and instead shall be taken into temporary protective custody as an undisciplined juvenile pursuant to Article 19 of Chapter 7B of the General Statutes. Pursuant to the provisions of G.S. 7B-301, a law enforcement officer who takes a minor into custody under this section shall immediately report an allegation of a violation of G.S. 14-43.11 and G.S. 14-43.13 to the director of the department of social services in the county where the minor resides or is found, as appropriate, which shall commence an initial investigation into child abuse or child neglect within 24 hours pursuant to G.S. 7B-301 and G.S. 7B-302.

N.C. Gen. Stat. § 14-204(c) (2013)

Myths & Misconceptions

1. Human trafficking involves transporting the victim across a border.
2. Must not be a victim, because:
   • Says he/she’s not a victim
   • Is attending school, shopping, or otherwise "free"
   • Is not low-income
   • Is not from another county
   • Appears to be consenting
3. Must not be a trafficker, because:
   • Minimal to no criminal history
   • A parent or significant other to the victim
   • A woman

Scope of Human Trafficking

Crosses all geographic lines...

• Global: over 20 million victims estimated.
• National: hundreds of thousands of U.S. citizens believed to be trafficked within the U.S.
• North Carolina: believed to have one of the top ten highest rates of human trafficking in the U.S.

& crosses all demographic lines.
Why?

Profit for perpetrators

+ Vulnerability

of victim-survivors

Human Trafficking Reports

Human Trafficking Reports in NC: 2016

Stats reflect tips received 1/1/2015 – 12/31/15, National Human Trafficking Resource Center

Stats based on calls received by the National Human Trafficking Resource Center, https://humantraffickinghotline.org/state/north-carolina

Human Trafficking Reports in NC: 2016

Calls from NC: 5,988
Cases Reported: 182
Victim-Survivors Identified: 736
Human Trafficking Reports in NC: 2017

Calls from NC: 984

Cases Reported: 258

Victim-Survivors Identified: 1,203

Stats based on calls received by the National Human Trafficking Resource Center, https://humantraffickinghotline.org/state/north‐carolina

Human Trafficking Reports in NC: 2017

Calls from NC: 984

Cases Reported: 258

Victim-Survivors Identified: 1,203

Stats based on calls received by the National Human Trafficking Resource Center, https://humantraffickinghotline.org/state/north‐carolina

The Typology of Modern Slavery: Defining Sex and Labor Trafficking in the United States, The Polaris Project

Intersections: Criminal Law

Survivor as:
Victim-Witness  ➔ assistance, restitution
Defendant ➔ criminal defense
Convicted of Crime ➔ expungion, vacatur

“Survivors in the juvenile justice system may be misidentified and treated as criminals charged with prostitution, murder, or petty theft when, in actuality, they are being controlled by a trafficker.”

Signs that a minor may be a victim of human trafficking: History of sexual, emotional, or other physical abuse; signs of severe physical or emotional distress; evidence of being drugged, drugged, or drunk; or current status as a runaway; temporary appearance of expensive gifts, clothing, or jewelry; or other unexplained possessions; possession of an older boyfriend or girlfriend; drug addiction; withdrawal or lack of interest in previous activities; gang membership.

Intersections: Civil Law

- Tort: personal injury lawsuits
- Employment: wage and hour, discrimination, etc.
- Protective orders
- Family issues
  - A/N/D
  - Juvenile Delinquency
  - Family Court: divorce, legal custody, guardianship, name change petitions, TPR, adoption

“Children and youth involved with the child welfare system due to abuse or neglect and then placed in foster care or group homes—as well as youth who are involved with the justice system, are homeless, or have run away—are at high risk of being trafficked.”


Intersections: Immigration Law

- T Nonimmigrant Status
- U Nonimmigrant Status
- VAWA Self-Petition
- Asylum
- Special Immigrant Juvenile Status (SIJS)
- Deferred Action for Childhood Arrivals (DACA)

T Visa

<table>
<thead>
<tr>
<th>Purpose</th>
<th>Requirements</th>
</tr>
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<tbody>
<tr>
<td>Provides relief for persons who have been subject to sex and/or labor trafficking</td>
<td>Victim of sex or labor trafficking;</td>
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<tr>
<td>Aids law enforcement in their investigation and prosecution of crime</td>
<td>Physically present in the U.S.;</td>
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<tr>
<td>Encourages victims to come forward</td>
<td>Comply with reasonable requests from law enforcement in investigating and prosecuting the crimes; and</td>
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<td></td>
<td>Extreme hardship if removed from the United States.</td>
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</table>
### Special Immigrant Juvenile Status (SIJS)

<table>
<thead>
<tr>
<th>Purpose</th>
<th>Requirements</th>
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</thead>
<tbody>
<tr>
<td>• Provides relief for undocumented minors who have survived abuse, neglect, or abandonment by one or both parents.</td>
<td>• Under 21; • Unmarried; • Declared dependent by juvenile court because of abuse, neglect, or abandonment; and • Not in child’s best interest to return to his or her home country.</td>
</tr>
</tbody>
</table>

### Impact of Immigration Relief

- **Legal Benefits**
  - Legal status in the United States
  - Employment authorization
  - Ability to petition for family members
  - Ability to apply for a Green Card (LPR)
- **Public Benefits**
  - Access to services
- **Social Benefits**
  - Positive impact on society

### Free/Reduced-Cost Legal Services: SIJS

[Map of North Carolina with service areas highlighted]

- Pisgah Legal Services
- Legal Services of the Southern Piedmont (LSSP)
- U.S. Committee for Refugees and Immigrants (USCRI)
- JusticeMatters, Inc.
Combatting Human Trafficking in NC

North Carolina
Human Trafficking Commission
• First created in SL 2012-142.
• Current structure established by SL 2013-368, which provided for permanent existence.
• Housed within NC DOJ, which provides administrative support.
• Twelve appointed members.
• Charged with leading anti-human trafficking efforts in North Carolina.


Key Statewide Resources & Initiatives in NC*

Victim Services
NC Governor's Crime Commission Victim Services Committee Funding Priority 2016, 2017, 2018
Children's Advocacy Centers of NC

Justice System
NC Administrative Office of the Courts Human Trafficking & The State Courts Initiative
NC Conference of District Attorneys Child Trafficking Resource Prosecutor

Training
2016 NC Certified Law Enforcement Training
2017-2018 NC Human Trafficking Commission Regional Multidisciplinary Trainings

* This list is not exhaustive.

Regional Response Efforts in NC*

Regional Response
County-Based Coalitions and Task Forces
Rapid Response Teams

Project NO REST Pilot Sites
• Funded by US DHHS Children's Bureau, NC Governor's Crime Commission
• Five-year project to address trafficking of youth through age 25 in North Carolina
• Primary focus: child welfare-involved youth
• Project Director: Dr. Dean Duncan (www.projectnorest.org)

* This list is not exhaustive.

Task forces are the strongest predictor of prosecution of human trafficking suspects and offenses.
Bouché, Farrell, and Wittmer, Identifying Effective Counter-Trafficking Programs and Practices in the U.S. at 17.
Human Trafficking & the State Courts

Key Legislation in NC*

Session Law 2013-368
“Safe Harbor” for minors.

Session Law 2015-279
Sex trafficking awareness and prevention in schools. (UNC-SSW School-Based Education and Response)

Session Law 2017-151
Mandatory hotline posting law.

“Requiring the NHTRC number to be posted in public places is the most important provision for increasing the number of human trafficking arrests.”

Key National Legislation Impacting NC

Preventing Sex Trafficking and Strengthening Families Act 2014 (P.L. 113-183) requires title IV-E agencies to:
• Develop policies and procedures to identify, document, and determine appropriate services for children under the placement, care, or supervision of a child welfare agency and who are – or are at risk of becoming – sex trafficking victims;
• Implement protocols to locate children missing from foster care and, among other things, determine whether the child is a sex trafficking victim; and
• Report to US DHHS in 2017 and annually thereafter, the total number of children and youth who are victims of sex trafficking.

* This list is not exhaustive.
Key National Legislation Impacting NC

Justice for Victims of Trafficking Act (JVTA) 2015 (P.L. 114-22)
- Requires States to assure and describe in their State plans for the Child Abuse Prevention and Treatment Act that they have provisions and procedures
  - to identify and assess all reports involving known or suspected child sex trafficking victims, and provide comprehensive services to children who are sex trafficking victims, including efforts to coordinate with law enforcement, juvenile justice, and social service agencies;
- Requires States to collect and report, to the maximum extent practicable, the number of children who are victims of sex trafficking as part of the National Child Abuse and Neglect Data System;
- Requires States to consider any child who is identified by a State as a victim of sex trafficking or severe forms of trafficking as a victim of “child abuse and neglect” and “sexual abuse”, and provides for a State option to apply the trafficking portion of the definition to a person who has not attained age 24;


Serving Survivors of Human Trafficking: Identification, Trauma, and Cultural Humility

Identifying Survivors

“Red flags” that may indicate a human trafficking victim

Physical Health
- Appearance: unusual for age, height, and weight
- Physical abnormalities
- Signs of forced labor
- Evidence of recent medical or dental treatment
- Burn scars
- Bruises

Behavioral Health
- Unusual for age: acting younger, older, or more than age
- Unusual emotions: happy, sad,或者 anger
- Unusual behaviors: sexual behaviors, activity unusual for age
- Unusual interactions: with others, especially at school
- Unusual appearance: clothes, style, or manner
- Unusual responses: to normal questions or situations

Social Factors
- Unusual for age: living situation, family, or friends
- Unusual for age: activities or interests
- Unusual for age: school performance
- Unusual for age: use of technology
- Unusual for age: travel patterns
- Unusual for age: financial independence
- Unusual for age: control over resources

Legal Factors
- Unusual for age: legal status
- Unusual for age: occupations
- Unusual for age: financial status
- Unusual for age: travel patterns
- Unusual for age: family structure
- Unusual for age: social status
- Unusual for age: access to resources
- Unusual for age: level of education

Psychological Factors
- Unusual for age: mental health
- Unusual for age: stress
- Unusual for age: anxiety
- Unusual for age: depression
- Unusual for age: trauma
- Unusual for age: PTSD
- Unusual for age: substance use
- Unusual for age: substance abuse
Identifying Child Survivors

Domestic Minor Sex Trafficking Power & Control Wheel

Indicia of Vulnerability

The growing awareness of human trafficking in the United States and abroad requires government and human services agencies to examine old problems and develop new strategies for addressing them. Many activities and practices in the residential living environment, physical distance from family and community, emotional experiences, and sustained vulnerability, children involved with child welfare are at risk for being targeted by trafficking due to their increased vulnerability. Children and youth involved with the child welfare system, and those involved with the juvenile justice system, are at risk for being targeted by trafficking due to their increased vulnerability. Children and youth involved with the child welfare system, and those involved with the juvenile justice system, are at risk for being targeted by trafficking due to their increased vulnerability. Children and youth involved with the child welfare system, and those involved with the juvenile justice system, are at risk for being targeted by trafficking due to their increased vulnerability.

Risk Factor: Child Welfare System Involvement


The growing awareness of human trafficking in the United States and abroad requires government and human services agencies to examine old problems and develop new strategies for addressing them. Many activities and practices in the residential living environment, physical distance from family and community, emotional experiences, and sustained vulnerability, children involved with child welfare are at risk for being targeted by trafficking due to their increased vulnerability. Children and youth involved with the child welfare system, and those involved with the juvenile justice system, are at risk for being targeted by trafficking due to their increased vulnerability. Children and youth involved with the child welfare system, and those involved with the juvenile justice system, are at risk for being targeted by trafficking due to their increased vulnerability. Children and youth involved with the child welfare system, and those involved with the juvenile justice system, are at risk for being targeted by trafficking due to their increased vulnerability.

Intersections

“A background of abuse and trauma—coupled with the impermanence of foster care or congregate care—can make children in out-of-home care especially vulnerable. A number of research and newspaper articles have pointed to the fact that traffickers target children in foster care because of their increased vulnerability. Traffickers exploit the fact that children in foster care—or those who have run away from care—may not be having their familial, emotional, or basic needs met. The traffickers promise to meet those needs—at times employing psychological manipulation and financial incentives to woo them—and then use violence, drugs, or physical control to retain and exploit them.”
There is an intersection of child sexual abuse and human trafficking. Research indicates that the majority of sexually exploited children and adult sex workers have a prior history of child sexual abuse (Lalor & McElvaney, 2010). The National Institute of Justice found that people who were sexually abused as children were 28 times more likely than their non-abused peers to be arrested for prostitution (Widom, 1995). Some studies indicate that individuals engaged in survival sex work, a significant risk factor for trafficking, have an almost universal likelihood of having been sexually abused as children (Lalor & McElvaney, 2010). It is important to note that survival sex work is trafficking when minors are involved, and specific demographics are at higher risk than others. High rates of homeless and runaway youth are survivors of child sexual abuse and are at substantially increased risk for trafficking (Research Triangle Institute; Child Trends; Pacific Institute for Research and Evaluation, 2002). While 3-5% of the population is estimated to identify as lesbian, gay, bisexual and/or transgender, approximately 30% of homeless youth identified as lesbian, gay, or bisexual (identified as at least one of the following: gay, lesbian, bisexual, transgender, queer; non-heterosexual) had run away due to physical and/or sexual abuse (University of Nebraska-Lincoln, 2014), placing them at substantially increased risk. The risk for homeless and runaway youth to be trafficked is exacerbated by the limited resources available to serve them. Despite the paucity of research available, there are indications that traffickers are also likely to have a history of adverse childhood experiences. Interviews with a sample of ex-traffickers indicate extremely high rates of childhood physical abuse (88%) and sexual abuse (76%). A full 24% had been placed in foster care, while 48% report having run away due to physical and/or sexual abuse (Raphael, 2010).

### Risk Factor: Childhood Sexual Abuse

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<thead>
<tr>
<th>County</th>
<th>Number of Children Released</th>
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<td>Alamance</td>
<td>62</td>
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<tr>
<td>Anson</td>
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<tr>
<td>Ashe</td>
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<tr>
<td>Aycock</td>
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<td>Beaufort</td>
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<td>Bladen</td>
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<tr>
<td>Bowman</td>
<td>33</td>
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<tr>
<td>Brunswick</td>
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<td>Chatham</td>
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<tr>
<td>Cleveland</td>
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<tr>
<td>Catawba</td>
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<tr>
<td>Cumberland</td>
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<tr>
<td>Davie</td>
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<td>Durham</td>
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<td>Wilson</td>
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<tr>
<td>Yancey</td>
<td>10</td>
</tr>
<tr>
<td>Total</td>
<td>1,282</td>
</tr>
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</table>

### Risk Factor: Immigration Status

- **Unaccompanied Children Released to NC Sponsors FY 2017 (Oct 2016 – Sept 2017)**
  - **Total:** 1,282
  - **Office of Refugee Resettlement, Administration for Children and Families, U.S. Department of Health & Human Services**

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*Recommendations for the Prevention of Child Sexual Abuse in North Carolina*

NC Coalition for the Prevention of Child Sexual Abuse, February 2015
Submitted by the NC Human Trafficking Commission to the NC General Assembly pursuant to S.L. 2014-199.
Victim-Centered Services

"The victim centered approach seeks to minimize retraumatization associated with the criminal justice process by providing the support of victim advocates and service providers, empowering survivors as engaged participants in the process, and providing survivors an opportunity to play a role in seeing their traffickers brought to justices.

In this manner, the victim centered approach plays a critical role in supporting a victim’s rights, dignity, autonomy, and self determination, while simultaneously advancing the government’s and society’s interest in prosecuting traffickers to condemn and deter this reprehensible crime."

Trauma-Informed Approach

"A trauma informed approach includes an understanding of the physical, social, and emotional impact of trauma on the individual, as well as on the professionals who help them.

A program, organization, or system that is trauma informed realizes the widespread impact of trauma and understands potential paths for healing; recognizes the signs and symptoms of trauma in staff, clients, and others involved with the system; and responds by fully integrating knowledge about trauma into policies, procedures, practices, and settings."

Trauma

"Trauma results from an event, series of events, or set of circumstances that is experienced by an individual as physically or emotionally harmful or threatening and that has lasting adverse effects on the individual’s functioning and physical, social, emotional, or spiritual well-being."

- SAMHSA
I’m going to use two videos in my portion. I feel like videos do more for this audience than I can do by telling a story or dictating a vignette. These will serve as case examples.

Stefani Baca-Atlas, 4/5/2017
TIC is “a strengths-based service delivery approach that is grounded in an understanding of and responsiveness to the impact of trauma, that emphasizes physical, psychological, and emotional safety for both providers and survivors, and that creates opportunities for survivors to rebuild a sense of control and empowerment.”


**Definition of TIC**

1. Acknowledge trauma's impact on the individual
2. Prioritize recovery
3. Promote empowerment
4. Maximize choice and control
5. Encourage collaboration
6. Take steps to promote an environment of safety, respect, and acceptance
7. Accentuate individual’s strengths
8. Reduce re-traumatization
9. Practice cultural humility
10. Seek consumer feedback

Elliott D.E., Bjelajac P., Fallot R.D., Markoff L.S., and Reed B.G. Trauma-informed or trauma-denied: Principles and implementation of trauma-informed services for women. Journal of Community Psychology. 2005;33:461-477

**Principles of Trauma-Informed Care**

Cultural humility is one construct for understanding and developing a process-oriented approach to competency. Hook, Davis, Owen, Worthington and Utsey (2013) conceptualize cultural humility as the ‘ability to maintain an interpersonal stance that is other-oriented (or open to the other) in relation to aspects of cultural identity that are most important to the [person]’ (p. 2).”

TIC Tips for Agency Attorneys

Practical Applications

• Identify potential victims of human trafficking
• Respond when victims are identified
• Draft informed court orders
• Know SIJS requirements and pitfalls
• Collaborate with other attorneys
• Collaborate with law enforcement (when appropriate)
• View “reasonable efforts” requirements through the HT lens
• Use trauma-informed strategies to obtain helpful testimony
• Look for the strengths of the survivor

Identify potential victims of human trafficking

Why?
  – Affects “reasonable efforts”
  – May provide access to resources
  – Should affect case strategy

What to look for in the A/N/D setting?
  – Self-identification
  – Significant power differential
  – General signs of trauma
    • Negative or flat affect, concerning physical appearance, unhealthy behaviors, poor performance in school/work, etc.
Respond when victims are identified

Determine the Attorney role and the Agency’s role in the following:
- Forensic interviews
- Victim’s therapy
- With law enforcement
- In direct or cross-examination
- In drafting court orders

Draft informed court orders

- Make sure court orders are accurate! Language in A/N/D orders can affect immigration options.
- Learn the SIJS requirements and make sure orders contain all necessary FOEs and COLs. Check with an immigration attorney when necessary.

Know SIJS Requirements

A state court in the United States must decide:
- To declare that you are a dependent of the court or to legally place you with a state agency, a private agency, or a private person and
- It is not in your best interests to return to your home country (or the country you last lived in) and
- You cannot be reunited with a parent because of ANY of the following:
  - Abuse
  - Abandonment
  - Neglect
  - Similar reason under state law
  - https://www.uscis.gov/green-card/special-immigrant-juveniles/eligibility-si-status/eligibility-status-si
Know SIJS Pitfalls

- Entering the Order as a Consent Order
- Insufficient facts
- Insufficient conclusions
- Including mental health issues of the child that may be seen as threatening or concerning (such as suicidal ideations) without explaining the plan for treatment
- Child is married

Collaborate with other attorneys

- Immigration Attorneys
- Assistant District Attorneys
- Defense Attorney or Juvenile’s Attorney
- Guardian ad Litem Attorney Advocate
- Family Law Attorneys

Collaborate with law enforcement (when appropriate)

- Remember that Agency Attorneys and Law Enforcement Officers have different goals and different evidentiary standards
- Jurisdiction over the case may vary
  – local Sheriff’s Department, city Police Department, FBI, SBI
- Recognize that a victim’s experience with law enforcement may affect how helpful the victim is in your case
**View “reasonable efforts” requirements through the human trafficking/trauma lens**

- Remember the basic foundation:
  - cultural humility (if relevant) and trauma-informed
- Don’t ask the court to order things that would clearly re-traumatize HT victims; find alternative options
- Find therapists who understand human trafficking
- Don’t expect HT victims to behave the way you think a “good parent” should
  - behaviors that seem unusual or absurd to you may have a clear explanation connected to the trauma experienced
- seek guidance from a trained specialist when preparing your case if possible
- Understand the reasons that victims may lie and adjust accordingly
  - Ex. obtain birth certificates for each case rather than trusting a parent’s statements

**Use trauma-informed strategies to obtain helpful testimony (before trial)**

**Address the Court and Parties:**
- Request use of the AOC equipment to allow for testimony outside of the court room when possible
- Ask to close the courtroom
- Be sure interpreters speak the proper dialect
- Respect and appropriately address any relevant cultural issues
- Arrange for manipulatives when possible

**Use trauma-informed strategies to obtain helpful testimony (before trial)**

- Prepare yourself to work with the witness:
  - Seek the input of victim’s therapist ahead of time when possible
  - Identify potential trauma triggers and address them ahead of time when possible
  - Learn your role within the witness’ safety plan for addressing triggers that do occur and follow it
  - Consult with colleagues for guidance
  - Schedule a time to meet with the witness and follow through consistently
Use trauma-informed strategies to obtain helpful testimony
(before trial)

- Prepare the witness:
  - Tell the types of questions you plan to ask
  - Provide very specific guidance on what to wear and what not to wear with examples
  - Show the courtroom ahead of time when possible
  - Describe the people and parties who will be present in court
  - Describe the proper way to address a judge and what to expect from the specific judge hearing the case
  - Encourage the witness to have a support person (possibly therapist) present in the courtroom

Use trauma-informed strategies to obtain helpful testimony
(during trial)

- Know your role within the witness’ safety plan for addressing triggers that do occur and follow it
- Use a calm voice
- Be patient
- Follow the witness’ lead in developing the testimony when possible
- Use varying strategies to obtain the answers to difficult questions

Use trauma-informed strategies to obtain helpful testimony
(during trial)

- Verbally acknowledge the difficulty the witness may have with testifying or answering a specific question
- Ensure the availability of tissues and water on the witness stand
- Allow for, request, and encourage breaks when possible
- Check in with the witness during breaks
- Pay attention to the body language of the witness and others
- Be aware that people show different signs of distress – smiles and laughter can indicate fear and concern
Use trauma-informed strategies to obtain helpful testimony (after trial)

- Request “gag orders”
- Encourage a therapy appointment immediately after court to allow for debriefing
- Make yourself available to talk with the witness after testifying when appropriate
- Set aside time to evaluate what worked and what didn’t work professionally
- Debrief with colleagues
- Engage in a stress-relieving activity
- Watch for signs of secondary trauma

Find the Strengths of the Survivor

- Treat survivors with respect
- Allow survivors to maintain dignity
- Seize each interaction as an opportunity to grow personally and professionally

We Need YOU on the Team!
Collective Response

- Human Rights
- Public Safety
- Public Health

→ multi-disciplinary, multi-sector collaboration

Individual Response

Connect to statewide efforts:
- Join NC Human Trafficking Commission listserv: [HTC@ncdoj.gov](mailto:HTC@ncdoj.gov)
- Attend NC Human Trafficking Commission meetings
- Join Project NO REST: [www.projectnoREST.org](http://www.projectnoREST.org)

Connect to regional efforts:
- Join a regional response team, coalition, or task force.

Utilize the NHTRC hotline **1-888-373-7888**

Individual Response, cont.

Obtain further education & training:

![SAVE THE DATE](image)
"There can be no keener revelation of a society's soul than the way in which it treats its children." - Nelson Mandela, former President of South Africa
Resources

The American Bar Association Center on Children and the Law
Polyvictimization and Trauma-Informed Advocacy
The project addresses the unmet need for trauma-informed legal advocacy and judicial decision-making for polyvictimized children. We create tools to incorporate trauma knowledge into daily legal practice.

The National Child Traumatic Stress Network (NCTSN)
Working with Unaccompanied and Immigrant Minors
Border and immigrant youth experience various types of traumatic events, not only during their journeys but also once they have arrived at their destination, that are related to war or persecution, abuse, trafficking, and violence. These may affect their mental and physical health. If you are working with youth who have found their way to the States without the presence of a caregiver these resources could be beneficial for you.
http://www.nctsn.org/content/working-unaccompanied-and-immigrant-minors

NC Project NO REST: www.projectnorest.web.unc.edu
Human Trafficking and the State Courts Collaborative: www.htcourts.org/
USDHHS Office on Trafficking in Persons (OTIP): https://www.acf.hhs.gov/otip
USDHS Blue Campaign: http://www.dhs.gov/blue-campaign

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