

Summary of National Colloquium Report Recommendations and Nexus to Federal Involvement | Carol Smolenski, ECPAT USA

The National Colloquium Report provides policy makers, government agencies, service providers, and law enforcement with an overview of current services and shelter delivery models. The recommendations from the report should be used as a framework for the creation and establishment of restorative shelter and services for victims.

As Vednita Carter, Executive Director of Breaking Free in Minneapolis, and a survivor of commercial sexual exploitation said: “It is not inaccurate to say that one role of the federal government is to prioritize issues, to make decisions on behalf of the nation, and to act broadly in creating better policies and affecting systems’ change.” She goes on to say “...the federal government cannot and should not shoulder this burden alone...”

Due to the nature of the crime of commercial sexual exploitation of children, we all know that multiple systems interact with child victims and

collaboration is critical among law enforcement, child welfare agencies, and other first responders. The report shows that of practitioners providing direct services reported they receive referrals from juvenile probation from child protective services, and law enforcement. And 84% can receive family or self-identified referrals. It also shows the growth we are seeing in the shelter and services field, and why continued research and support is so critical. Until this report, a common statement made was that there are less than 100 beds across the country dedicated to serving this population. [The shelter service providers that responded to our colloquium survey had the capacity to serve 226 minor victims and survivors and were actually serving 168. Furthermore they had the capacity to provide some form of community based services to over 1684 individuals and were actually providing services to 1063 at the time they answered the questionnaire.] These responses sound like there are plenty of services for every child in need. That is not the case because of the mismatch between where the children are and where the services are, the mismatch between needs of the youth and the kinds of services offered, and the lack of a coordinated referral process. The text of the report says so much about how many children were not able to receive assistance and protection, demonstrating the complexity of the problem. The Collegium report is a result of a day-long consultation last November.

In addition, three national surveys for providers, survivors, and advocates and funders were developed and distributed and over 100 expert individuals and organizations completed the surveys.

- Responses were collected from 51 organizations, 33 survivors and 18 national advocacy and funding experts.
- The report includes 26 specific recommendations in 5 categories:
 - Placement and services for identified youth,
 - Licensing and maintaining shelter and programs,
 - Identifying sustainable resources,
 - Programmatic/therapeutic responses, and
 - Safety and security recommendations.

(1) Placement and Services for Identified Youth

- Respondents agree that there is no uniform method of treatment that is applicable to every victim of child sex trafficking. Individual needs and desires of victims and survivors should dictate placements, and multiple options must be made available from congregate care and specialized foster care to community-based support and services.
- Services provided must be trauma informed, victim-centered.
- Two types of residential placements exist: Emergency Care and Long Term Care

- Training is Essential. First responders, law enforcement, social workers, therapists and others must be trained to identify and respond to DMST in a trauma-informed and victims-centered manner.

(2) Licensing and Maintaining Shelter Programs

- Licenses must be available for all types of care facilities and what we need are laws that mandate, establish, and financially support residential and community-based programs providing treatment across a continuum of care.
- Both licensing agencies and providers have to analyze the barriers that exist to obtaining the correct licensing, and work together to overcome there.

(3) Identifying Sustainable Resources

- Lack of adequate funding remains a significant challenge. Programs can be costly, with some facilities estimating that the cost per child in a residential facility ranges from \$24,000 to \$50,000, although it is important to note that not all young people are in need in the full array of services all the time.
- Respondents identified the following government funding sources. At the state and local levels: state child welfare agencies, county juvenile

probation, city runaway and homeless youth funding, state governor's offices. At the federal level: the office of Refugee Resettlement, Runaway and Homeless Youth Department, Office of Violence Against Women, Office of Victims of Crime, Office on Violence Against Women, and the Victims Crime Act provide resources.

- Challenges to government funding include jurisdictional issues, such as children that are found in one state but identified to be in the custody of another state.
- Per diem funding mechanisms are also challenging as child victims are likely to run away and receive care intermittently.
- Unfortunately government funding is essential to the survival of many programs. BUT Shelter and service providers must establish measurable indicators that are realistic and quantifiable to demonstrate good stewardships of investments.

(4) Programmatic/therapeutic responses

- Victims of child sex trafficking require individualized treatment plans as each case is unique.
- Trauma Informed, strength-based care is key. Trauma informed care includes understanding the history of abuse and the role violence has

played in the life of the youth. All staff and volunteer should understand the complex trauma associated with sex trafficking and provide programming nurturing the strengths of each individual client. Service providers must take care not to re-traumatize the youth or replicate the power hierarchy of the trafficking situation from which the survivor has been removed.

- Treatment plans should be designed to lead to self-sufficiency, identifying services that will allow the youth to heal while transitioning towards independence.
- 100% of practitioners indicated that therapy was critical component in provision of restorative programs.

(5) Safety and Security Recommendations.

- Providers must be able to respond to internal security risks – victims are often high flight risks, have the potential for self-harm, or can harm others through internal recruitment. Staff must be trained to recognize and de-escalate behavior.
- Law enforcement should be aware of programs operation and be available if emergency situation arises.

Federal Implications

We hope that the results of the Colloquium and that the recommendations in the report are used by policy makers and legislators as guidelines for where we have to move next as a country and in our government's response to ensure that every commercially sexually exploited child is identified and given the best chance possible at recovering and living a whole and enriched life. These young people have some horrific life histories of abuse, neglect and physical and emotional violence. Every young person in the United States deserves a chance. The recommendations in the report that resulted from this year-long consultation among experts should provide the basis for future federal law and policy for shelter and services for sexually exploited children.

Two bills have been introduced in Congress that align with many of the report recommendations.

- Child Sex Trafficking Data and Response Act of 2013¹ (Sponsored by Senators Kirk, Wyden, Portman and co-sponsored by Senators Blumenthal, Brown, and Cantwell.

¹ <http://www.kirk.senate.gov/pdfs/childsextraffickingbill.pdf>

- This legislation improves state and national data on the scope and prevalence of child sex trafficking and to bring reforms to the child welfare system to better identify and assist victims of child sex trafficking and commercial exploitation.
 - The bill encourages states to improve coordination between child welfare, juvenile justice, and social service agencies to address the unique needs of victims of child sex trafficking, including placements in stable housing, treatments for sexual trauma, and other measures to help them reach a full recovery.
- H.R. 1732: Strengthening the Child Welfare Response to Human Trafficking Act of 2013² (sponsored by Karen Bass D-CA)
 - Specific strategies to identify victims, manage cases, and improve services to meet the unique needs of foster youth who are also victims of trafficking or at risk.
 - Strategies should be comprehensive, multi-disciplinary, client-centered, strength-based, trauma-informed, and gender.

² <http://www.gpo.gov/fdsys/pkg/BILLS-113hr1732ih/pdf/BILLS-113hr1732ih.pdf>

Additional Federal Policy Considerations have to do with 1) ensuring minimum standards of care for sexually exploited youth; 2) ensuring there is a continuum of care that meets their myriad needs at different times; 3) ensuring collaboration and coordination among the many agencies; and 4) funding.

1) Ensuring minimum standards. Recognizing the unique needs of child victims of trafficking, we urge policy makers to prioritize the development of standards of care for trafficked youth so that federal investments can benefit programs that are strengths based and trauma informed.

2) Continuum of care involves integrating a system of care that guides and tracks survivors of commercial sexual exploitation through the varying needs they have over time, with varying levels of intensity. We urge policy makers to create a model for how this looks for minor victims of sex trafficking in the United States.

3) Collaboration is key to fighting and preventing domestic trafficking. No one agency can tackle this issue alone. Developing guidelines that increase communication between service providers and agencies will

benefit the restorative process. Again, this is a role that the federal government can play. The federal government is well situated to assist with the development of a unified response to trafficking. Many states have promising models, but we need to make sure that all trafficking stakeholders from first responders, to law enforcement to survivors are all receiving proper training and communicating.

- 4) Finally, funding. We must continue to provide and we must go on to expand funding for programs to be able to carry out their high quality treatment plans. There are ways to use existing dollars to improve the response. One example is specialized foster care, which allows the use of the existing foster care system in states to train existing foster families to be equipped to take on victims of domestic minor sex trafficking, which can be challenging cases. The foster care system already exists so specialized foster care does not call for deep wells of new resources. But, there is no turning away from the fact that sexually exploited children need help. They have been through so much, having been sold for sex from a very young age, often by people they loved and trusted.

The Department of Health and Human Services Administration for Children and Families also recognized some of these issues in the recently released “Strategic Action Plan on Services for Victims of Human Trafficking in the United States.” The Plan includes the objective to support survivors in attaining health and independence through high-quality services that are effective at meeting their needs. The Plan also seeks to increase coordination and collaboration at the national state, tribal, and local levels. But how this objective is met or how providing high quality care is carried out; how to effectuate this coordination and collaboration among agencies are the outstanding questions. We know that there are much good will and best intentions, but implementation of the plan is key.

Finally, I want to emphasize two things. One, the unique needs of boys as survivors of sex trafficking are just now starting to make their way onto the policy agenda. For many years, in our work we have tended to emphasize the needs of girls. But it is important that every service provider, every researcher, every policy maker is equipped to understand how the market for boys is different, and that boy exploitation looks different. And they should no longer be an afterthought as in “and boys too.”

Two, the U.S. government has ratified the Optional Protocol to the U.N. Convention on the Rights of the Child on the Sale of Children, Child Prostitution and Child Pornography. The UN committee, an international committee of experts recently reviewed the U.S. government's report about how it is implementing the Optional Protocol. The Committee "strongly urges the State party to increase the allocation and spending of resources to establish directly or through service providers, the specialized services required for children who have been trafficked, sold for sexual or economic exploitation or otherwise victims of the crimes under the Optional Protocol. These should include shelters for immediate relief and longer-term services, especially family reunification, if appropriate, or placement in family settings, and health and education, in order for them to recover physically, psychologically and emotionally and to reintegrate into society." When the U.S. ratified the Optional Protocol, it was essentially, on the international stage, agreeing to do exactly this. It is time we lived up to the high standard we set for ourselves when we speak to other countries, whether at the UN in New York, at the human rights mechanisms in Geneva or at other international fora.

We hope the report will be read and considered by all policy makers as it is the most current statement about where we are a country in providing help to these exploited youth. And it provides a wonderful roadmap for where we have to go from here.

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