

Child Trafficking and Juvenile Justice

- ## Training Objectives
- One** Define human trafficking
 - Two** Describe venues, recruitment, and relationship dynamics for child trafficking
 - Three** Discuss intersections with juvenile and criminal justice
 - Four** Provide an overview of state and federal legislation
 - Five** Examine current efforts to address the needs of this victim population



Trafficking Victims Protection Act (TVPA)

Sex Trafficking	The recruitment, harboring, transportation, provision or obtaining of a person for a commercial sex act, in which a commercial sex act is induced by force, fraud, or coercion, or in which the person induced to perform such an act has not attained 18 years of age.
Labor Trafficking	The recruitment, harboring, transportation, provision or obtaining of a person for labor or services, through the use of force, fraud or coercion for the purpose of subjection to involuntary servitude, peonage, debt bondage, or slavery.

22 USC § 7102

The A-M-P Model

Action	Means	Purpose
Recruits Harbors Transports Provides Obtains, Or so attempts	Force Fraud Coercion	Commercial Sex Acts Labor or Services

Sex Trafficking of Minors

Force, Fraud, and Coercion are not required for minors induced into commercial sex acts.

Action	Purpose
Recruits Harbors Transports Provides Obtains, or so attempts	Commercial Sex Acts

Means

Force	Physical assault Sexual assault, rape Physical confinement or isolation
Fraud	Fraudulent employment offers False promises about work and living conditions Withholding wages
Coercion	Threats of harm, arrest, or deportation Debt bondage Withholding legal documents Psychological manipulation

Purpose

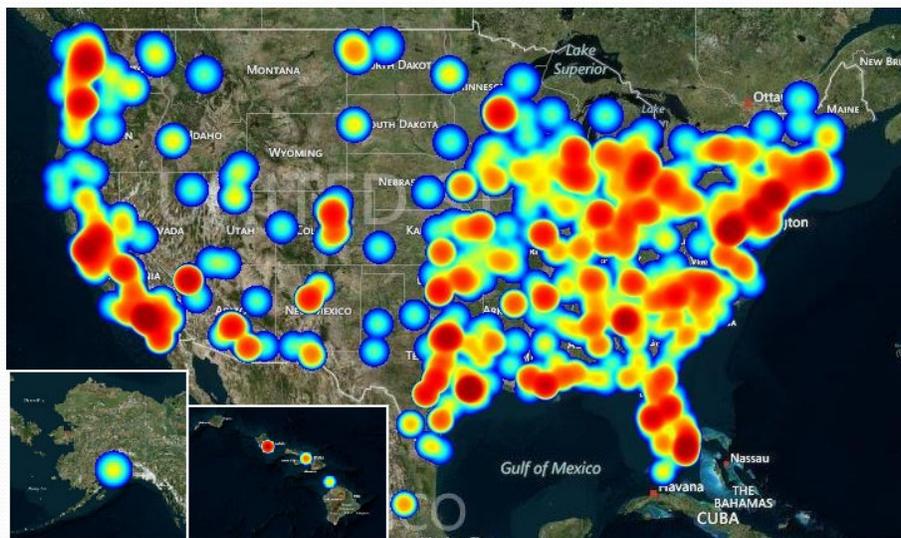
Commercial Sex Acts	
OR	
Labor or Services	

Top: Polaris

Bottom: Department of Health and Human Services

Child Trafficking in the U.S.

(12/2007 – 9/2014)



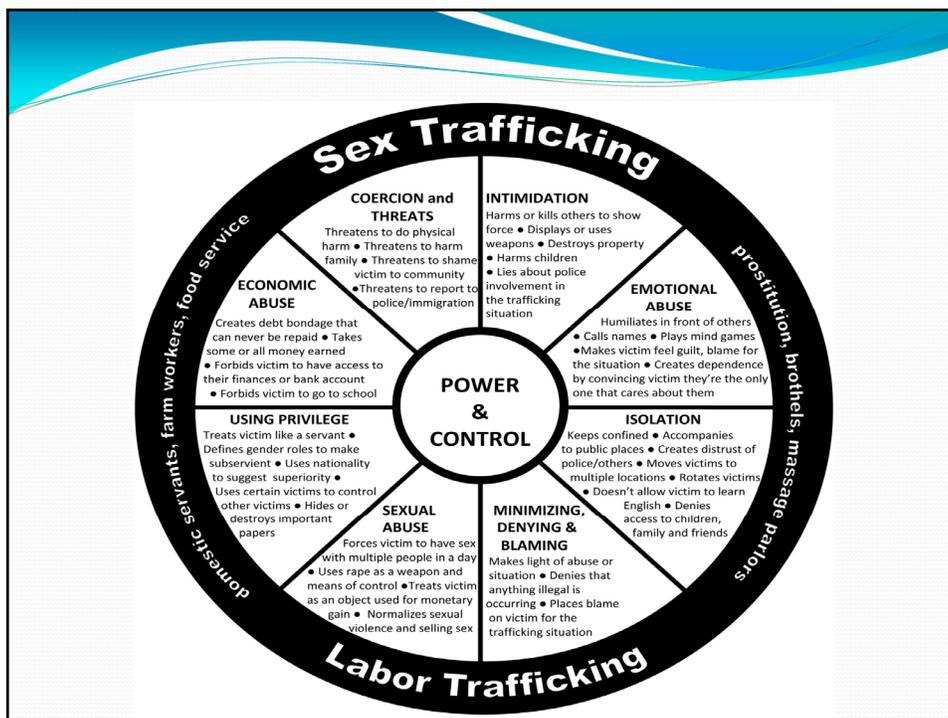
Child Sex Trafficking

FBI Innocence Lost:

- Over **3,600** child victims have been recovered
- Nearly **1,500** traffickers have been convicted
- They've seized over **\$3.1 million** in assets
- During Operation Cross Country VIII (July 2014), **168** child victims were recovered and over **281** traffickers were arrested across **106** cities.



US Federal Bureau of Investigations



Who Are The Traffickers?

Traffickers are people who **exploit others** for **profit**.



Polaris

- Pimps
- Gangs
- Criminal Networks
- Intimate Partners
- Family Members
- Businesses

Where Does Recruitment Occur?

- Bus stops
- Malls and social hang outs
- Parties, skip parties
- Schools
- Online and social media
- Neighborhood
- Girlfriends of gang members



Microsoft Free Images

Where Does Trafficking Occur?

Sex Trafficking

- Street Prostitution
- Commercial Front Brothels
- Private Residences
- Escort Services
- Online Exploitation
- Hotels & Motels
- Truck Stops
- Strip Clubs and Bars

Labor Trafficking

- Domestic Servitude
- Agriculture
- Traveling Sales Crew
- Factories
- Construction
- Service Industries
- Small Businesses
- Restaurants & Bars

Resources

NHTRC | NATIONAL HUMAN TRAFFICKING RESOURCE CENTER
1-888-373-7888

Confidential, 24/7, toll-free hotline.

 REPORT TRAFFICKING	 ACCESS TRAININGS	 INFORMATION & RESOURCES
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Text
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National Network for Youth (NN4Y) envisions a world where vulnerable youth have a safety net everywhere they turn —creating positive and strong communities one youth at a time.



Overview

- Definitions
- Intersection of Running Away, Homelessness, Juvenile Justice Involvement and Human Trafficking
- Criminal Justice Improvements to Decrease Demand Through Increased Arrests and Convictions of both Buyers and Sellers.
- Increasing the Expertise and Capacity of Runaway and Homeless Youth Programs to Prevent, Identify and Serve Victims.

Definition: Runaway Youth

A person under 18 years of age who absents himself or herself from home or place of legal residence without the permission of his or her family (Runaway and Homeless Youth Act of 2008, P.L. 110-378).

Definition: Homeless Youth

The definition of homeless youth varies by federal program. The preferred definition of “homeless youth” or “unaccompanied homeless youth” is an individual, 12 - 24 years of age, who is living on their own, without a parent or guardian, and is without a safe, stable living arrangement.

- For Runaway & Homeless Youth Act programs, youth ages 21 and younger are eligible.
- For the U.S. Department of Education, there is no age specified.

Intersection of Running Away, Homelessness, Juvenile Justice Involvement and Human Trafficking

- **Runaway & Homeless:** youth who run away or are kicked out from their home and do not receive crisis intervention services are less likely to return home, less likely to secure safe and stable housing and are more likely to become homeless, remain homeless, be targeted by traffickers and/or engage in illegal behavior to survive.
- **Foster care youth:** are likely to run away from foster care placements, especially when they are over the age of 12. Also, many youth become homeless after exiting the foster care system; including aging out at 18 or 21 and failed kinship care and adoption placements.

Intersection of Running Away, Homelessness, Juvenile Justice Involvement and Human Trafficking

- **Substance abuse and crime:** youth who are abused, homeless and/or experience other types of violence (such as sex trafficking and labor trafficking) are more likely to have mental health and substance abuse issues. Also, youth who are substance abusing and lack what they need to live will commit crimes to get what they need.
- **The juvenile justice system:** because homeless youth spend more time in public spaces, they are more likely to have contact with the juvenile justice system and be convicted for offenses such as truancy and running away.

Intersection of Running Away, Homelessness, Juvenile Justice Involvement and Human Trafficking

- **Sex trafficking and labor trafficking:** being in public spaces for extended periods of time and lacking the proper resources to support themselves, homeless youth are more likely to be preyed upon by adults and swept into the trafficking industry.

State Runaway Laws

- With the exception of 5 states that do not make any specifications in the statute, police officers can take a runaway into custody without a warrant.
- Some states release youth into the custody of their parent/guardian, a relative, foster care, or the court
- Runaways may be brought before the juvenile court

State Truancy Laws

- Most state laws require youth to attend school anywhere between the ages of 5 to 18 years old
- Generally, having a certain number of unexcused absences within a given month, semester, or year would constitute a youth as being truant
- Habitual truants may be subject to court orders, counseling, custody arrangements, community service, and/or an attendance review board
- Truancy is classified as a status offense in 6 states (Georgia, Idaho, Nebraska, South Carolina, Texas, and West Virginia)
- In some states, such as Virginia and Arizona, parents can also be held accountable for their children's truancy and may be fined or jailed.

U.S. History & Language of the Anti-Human Trafficking Movement

- Language and definitions have evolved over time.
- Different language is used in different settings:
 - Clinical
 - Public Awareness
 - Policy
- Impact of Language on Criminal v. Victim Response

Effective Responses to Runaway and Homeless Youth

- Decriminalization of status offenses, such as running away and truancy.
- State safe harbor laws to decriminalize sexually exploited minors and treat them as victims of crime in need of protection and services by
 - Granting immunity from prosecution or
 - Diverting minors from juvenile delinquency proceedings, and instead directing them to child welfare services.

Effective Responses to Runaway and Homeless Youth

- Community-based crisis intervention
 - Mentoring
 - Family strengthening
 - Substance abuse treatment
- Street-based outreach services and referrals
- Youth appropriate shelters and transitional housing

Runaway and Homeless Youth Act (RHYA) of 2008 (P.L. 110-378)

- History rooted in decriminalizing runaways.
- Administered by HHS, RHYA funds three key pillars of intervention to help homeless, exploited and trafficked youth:
 - Street Outreach
 - Crisis Housing and Services for Minors
 - Transitional Living Programs for 16 to 22 year olds

State Policy Resources

Runaway and Homeless Youth and the Law: Model State Statutes:

http://www.nn4youth.org/system/files/ABA_Runaway_eBook.authcheckdam.pdf.

Alone Without A Home: A State-By-State Review of Laws Affected Unaccompanied Youth (September 2012):

<http://tinyurl.com/Alone-Without-A-Home>

Moving Forward: What is Next?

- Criminalization of victims still occurs
- Laws and policies still need to catch up to current realities
- Investment in preventative services and programs remains extremely low
- Services for survivors of human trafficking remain far from meeting the need

The Role of the SAGs as Funders

SAGs can help by:

- Funding training to identify victims and spot warning signs
 - Staff and law enforcement should be equipped with information about the complex relationships that can exist between a victim and their trafficker.
- Partnering with other local entities that are working in this area.
- Supporting alternative programs that will keep children out of juvenile detention centers and provide much-needed services.

The Role of SAGs as Advisors

Encourage states to recognize children as victims.

- Encourage state and local policy makers to prohibit prosecution of children who are victims of sex trafficking.
- Remember that this is a problem that is not isolated to girls and to which there is no single solution.
- Encourage trauma-informed care.



Trafficking and the Juvenile Justice and Delinquency Prevention Act (JJDP)

The JJDP has four core requirements. The Act mandates that communities:

- Deinstitutionalize youth who have engaged in status offense behaviors;
- Remove children from adult jails and lockups;
- Provide sight and sound separation between adult inmates and youth;
- Address disproportionate minority contact within their systems.

DSO Requirement

- Trafficking victims may come to the court's attention for curfew violations, running away, and other status offense behaviors.
- Ensure that children receive the services they need, without being placed in secure confinement.



Adult Jail Removal & Sight and Sound Separation

- Young victims are often manipulated and abused by their exploiters.
- They may lie about their age in an attempt to protect their exploiter and avoid further violence.
- Adequate training is required to ensure children are identified as such and not placed in adult jails.



Addressing DMC

- African-American and Hispanic youth are both overrepresented in the juvenile justice system, and are more likely to be victims of trafficking and exploitation.
- When developing plans to address and combat trafficking, SAGs should be mindful of these racial and ethnic disparities.
- Staff should provide programming that is culturally and linguistically competent.

Thank You & Contact Us!

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