

Child Welfare Pre-Service Training

Human Trafficking of Children

Participant Guide

March, 2011

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Learning Objectives

Module One

- Florida's statutory definition of child trafficking
- Identify the two major types of child trafficking.
- Describe potential child traffickers.

Module Two

- Identify potential child trafficking victims.
- Know what to do whenever you suspect child trafficking.

Human Trafficking of Children Indicator Tool

This tool is for Child Protective Investigators to assist them in understanding human trafficking and identifying children who are victims. It **does not** represent all instances of human trafficking or areas that may be explored to determine if human trafficking is present.

Florida and Federal law both define human trafficking. Trafficking of children is generally understood to be:

The recruitment, harboring, transportation, provision or obtaining of a child for labor or services through the use of force, fraud, or coercion. Under federal law, sex trafficking (such as prostitution, pornography, exotic dancing, etc.) **does not** require there be force, fraud, or coercion if the victim is under 18.

Trafficking victims may be smuggled into and within the U.S., arrive with a legitimate visa or be U.S. citizens.

Trafficking occurs in many different situations including domestic servitude, construction, landscaping, the sex industry, factories and sweatshops migrant farm work, service industries such as nursing homes, cleaning services, bars and restaurants and the food industry.

Possible indicators of human trafficking:

The child:

- Shows evidence of physical, mental, or sexual abuse
- Cannot or will not speak on own behalf and/or is non-English speaking
- Is not allowed to speak to you alone
- Is being controlled
- Does not have access to identity and/or travel documents
- Works unusually long hours and is unpaid or paid very little
- Will not cooperate, e.g., gives you wrong information about identity and living situation
- Is not in school or has significant gaps in schooling
- Lives at his/her workplace or with employer and/or lives with many people in a small area
- Has a heightened sense of fear and distrust of authority
- Has engaged in prostitution or commercial sex acts

Interview Considerations:

- Use an interpreter if the victim does not speak fluent English.
 - If you need an interpreter, contact an independent and trusted source for help in interpretation.
- Do not use children, adults, neighbors, or friends who are present at the scene to interpret.
- Make sure the interpreter is not allied with the trafficker.
- Make sure the interpreter understands trafficking.

Understand how to work with interpreters and that it can be a slow process that requires word for word interpretation (not summaries).

It is rare for child victims of human trafficking to identify themselves as being trafficked. More often than not, victims will present to the Department or Community Based Care providers due to another form of abuse, neglect, or abandonment.

- If you suspect a child is a victim of human trafficking, it is important that the child be gently interviewed and that the suspected trafficker(s) not be present, because during interviewing process, the trafficker(s) may try to intimidate the child or not allow the child to speak for themselves. Question him or her from an unbiased and non-judgmental point of view. Doing otherwise could discourage them from being truthful or seeking help from the Department or Community Based Care, law enforcement or other providers.
 - The child may be frightened of threats or retribution by the trafficker when the authorities get involved. The child may also fear being taken from familiar people or places.
 - The child could be embarrassed and ashamed by the work s/he was forced to do and the abuse s/he endured.

The child's cultural norms may make talking to you or about these experiences very difficult.

Know that it may take several interviews to establish trust and a long time to determine if a child has been trafficked.

Be sensitive to cultural and religious differences and seek help to understand them prior to the interview.

Be aware that the child's parent or caregiver may also be the child's trafficker and that the trafficker may lie and say s/he is the child's parent or caregiver.

Remember that every human trafficking case is different.

Do not ask about immigration at the beginning of the interview; this can be intimidating.

What to do if you suspect or discover that a child is trafficked:

Call 911 if there is **immediate danger** or a medical emergency.

You must **add Human Trafficking as a maltreatment** along with any other alleged maltreatments before closing the case. If there is not an open investigation, call the Florida Abuse Hotline and report human trafficking. (800-96-ABUSE or 800-962-2873)

If you suspect human trafficking, **contact law enforcement**. You may call the U.S. Department of Justice at 888-428-7581 or the following local anti-trafficking task force Points of Contact at the three United States Attorneys Offices in Florida to report the crime:

Northern District – 850-942-8439 ~ Middle District – 239-461-2225 ~ Southern District – 305-961-9001

If you **need more information** concerning human trafficking, contact the Department of Children and Families, Refugee Services: 850-488-3791. If law enforcement is not available, please contact the Anti-Trafficking in Person's Hotline at 202-401-4732.

QUESTIONS TO CONSIDER	INFORMATION TO BE ALERT TO
<p>Living Environment</p> <p>Asking where the child lives (bathes, eats and sleeps), as well as his or her family situation can reveal a great deal. Ask the child to show you where they sleep, eat, bathe, play, go to school, or work. In addition, the child's ability to leave the home and play, as well as visit friends will also indicate levels of control and possible trafficking.</p>	<p>The child's "home" environment likely will lack personal effects, or the child's "room" will be shabby, small and different from the rest of the house. His/her bed may be crammed in small spaces with other cots or sleeping pallets. No or few toys will be present.</p> <p>The yard may be fenced and access to phones denied.</p> <p>The child may be forced to live in the same place s/he works (such as behind a restaurant, in a motel with other workers, etc.)</p> <p>The child may not know where s/he is living because the traffickers might lie to the child about their whereabouts, move them around or may isolate them so they cannot establish relationships and get help.</p> <p>Traffickers severely restrict the child's movements and ability to contact anyone, play with other children and develop friendships or speak to anyone. Even if allowed to leave the home, the child is likely afraid to escape because of the trafficker's threats and control.</p>
<p>State of Mind</p> <p>Asking about threats to the child or child's family can be important, as is determining if the child has been hit, or otherwise harmed as punishment or as a way to deter the child from running away and complying with the trafficker's demands.</p>	<p>Traffickers may threaten to have the child deported or arrested if s/he tries to leave, call the police or disobey the rules.</p> <p>Traffickers often use violent retribution when a child disobeys. They may harm the child physically or mentally, e.g., by threatening to hurt them or their family members if they try to leave the trafficker. The child may be scared to leave because the trafficker has identification/immigration documents or the child knows s/he is not in the U.S. legally. The child may also have been told by parents to obey the trafficker, to work and to send money home.</p> <p>The trafficker may deny and minimize any information given by the child regarding harm or force. The trafficker may say that they have the child's or parents' consent to work or be in Florida.</p>

QUESTIONS TO CONSIDER	INFORMATION TO BE ALERT TO
<p>School and Work</p> <p>Asking questions about daily routines can help paint the picture – school, or in the alternative, work will help you to understand if the child is being trafficked. Asking about any money they owe the “boss” or if they get paid can also provide key information.</p> <p>Note: younger children may not understand issues like a debt or who their boss is – these areas may only be appropriate for older children.</p>	<p>Child victims of trafficking typically do not attend school. When they do go to school, they may appear underfed, may wear badly worn or dirty clothes, or may appear shy or frightened. They may also have a history of truancy or of acting out, be aggressive, depressed or have disciplinary referrals.</p> <p>Child victims often are forced to work to pay off their “debt” rather than attend school. Any money that the child earns is usually deducted from the debt that the traffickers say they owe. This debt often includes payment for travel expenses, clothing, food, and/or rent.</p> <p>The cost of these items is usually exaggerated by the trafficker. Investigators should note how many hours per day or week the child works, how or if they are compensated, and if they receive their earnings directly or via their employer or someone else.</p> <p>The trafficker may deny that the child is being forced to work, commit commercial sex acts or may claim that the child’s wages are being sent home to help his/her family.</p>
<p>Other considerations</p> <p>Where the child’s family lives, their birthplace, how they arrived in the U.S. and/or Florida are ways to find out if the child has been tricked, sold or is being trafficked.</p> <p>Asking about immigration status can be threatening and is not recommended to do at the beginning. A child may not know details about passports and other identification papers either.</p>	<p>Children are often transported across international and/or state borders as well as within a state.</p> <p>The child may be abducted but often is recruited with the promise of getting a job, going to school, reuniting with family or having basic needs met (such as shelter). Children come with the hope they can work to help their impoverished families. Parents may sell their children or unwillingly give them over to the care of a trafficker who promises to give the children an education, raise them and give them work. Once in the hands of the trafficker, children may be often forced or coerced into working or forced to work off a travel “debt”.</p> <p>Immigration and identification documents may be held by the child’s trafficker or employer to deter escape.</p> <p>Traffickers can be relatives, friends, or other individuals. They may also be from the same ethnic background.</p> <p>There is always a risk that any adults present may be traffickers or allied with them. The trafficker may pose as a relative or may actually be related to the child. During interviewing process, they may try to intimidate the child or speak for the child. If trafficking is suspected the child should be interviewed without the suspected trafficker.</p>

CF OPERATING PROCEDURE
NO. 175-14

STATE OF FLORIDA
DEPARTMENT OF
CHILDREN AND FAMILIES
TALLAHASSEE, May 1, 2009

Family Safety

INTAKES AND INVESTIGATIVE RESPONSE TO HUMAN TRAFFICKING OF CHILDREN

1. Purpose. This operating procedure describes the special requirements for Intakes and subsequent actions relating to human trafficking of children.

2. Scope. This operating procedure applies to Department and contracted provider staff involved in child welfare. The term "Department" includes the Florida Abuse Hotline; Child Protective Investigations with the Department and Sheriff's offices and Community Based Care staff with Lead Agencies with direct contracts to the Department and sub-contracts with Lead Agencies.

3. Authority.

a. §39.201, Florida Statutes (F.S.); §39.301, F.S.; §39.5075, F.S.; §409.9531 F.S.; §787.06, F.S.; §796.035, F.S.; and §796.045, F.S.

b. 18 U.S.C. §§ 1581, 1584, 1589-1595; and 22 U.S.C. § 7105.

c. Trafficking Victims Protection Act 2000, PL 106-386, 114 Stat. 1464 (Oct. 28, 2000).

d. Immigration and Nationality Act: §101(a)(15)(T).

e. Code of Federal Regulations: 8 CFR 214.11(a).

f. Rules: 65C-9.003, Florida Administrative Code (FAC); 65C-30.003, F.A.C.; 65C-30.007, F.A.C.; and 65C-28-30, F.A.C.

4. Definitions. For the purposes of this operating procedure, the following definitions will apply:

a. Commercial Sex Act. Any sex act where anything of value is given to or received by any person.

b. Commercial Sexual Exploitation of a Child. The use of any person under the age of 18 for sexual purposes in exchange for cash or in kind favors; it occurs between the child and a "customer," the pimp/trafficker or others who profit from the trade of children for these purposes.

c. Debt Bondage. When a person under control of another person promises to pay money owed with his or her labor or through the personal services of a child under his or her control as a security for debt.

d. Force, Fraud or Coercion.

(1) Force involves the use of rape, beatings and confinement to control victims.

Forceful violence is used especially during the early stages of victimization, known as the "seasoning process", which is used to break victims' resistance to make them easier to control.

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(2) Fraud often involves false offers that induce people into trafficking situations. For example, women and children will reply to advertisements promising jobs as waitresses, maids and dancers in other countries and are then trafficked for purposes of prostitution once they arrive at their destinations.

(3) Coercion involves threats of serious harm to, or physical restraint of, any person; any scheme, plan or pattern intended to cause a person to believe that failure to perform an act would result in serious harm to or physical restraint against any person; or the abuse or threatened abuse of the legal process.

e. Harboring. To receive or hold a person in a place without legal authority.

f. Immigrant Child. A person under the age of 18 who was born in a country outside of the United States.

g. Induced. To lead or move by persuasion.

h. Non-Governmental Organization Advocate/Agency. Local service agencies and case managers across the country which help victims of Human Trafficking get assistance such as housing, medical care, mental health services and referrals for pro bono legal help. These agencies and personnel are not to be confused with the Community-Based Care Lead Agencies or subcontracted providers used to manage Florida's dependency system.

i. Recruitment. The process of enlisting or convincing a person to join with another person for a stated purpose.

j. Refugee. A person outside of his or her country of nationality who is unable or unwilling to return because of persecution or a well-founded fear of persecution on account of race, religion, nationality, membership in a particular social group, or political opinion.

k. Repatriation. The act of returning to one's country of origin. In the case of trafficked children, this could also mean reunifying with that child's family.

l. Servitude. Slavery; the condition where a person is forced to perform labor or services, against his or her will, by another person.

m. Sex Trafficking. The recruitment, harboring, transportation, provision, or obtaining of a person for the purpose of a commercial sex act.

n. Slavery. The condition where a person is forced to perform labor or services, against his or her will, by another person.

o. T Visa. A visa created by the Trafficking Victims Protection Act of 2000 to protect women, children and men who are the victims of human trafficking. The T visa allows victims of severe forms of trafficking in persons to remain in the United States and assist federal authorities in the investigation and prosecution of human trafficking cases. T visas are issued by the Department of Justice.

p. Trafficked. The state of a person who is or has been a victim of human trafficking.

q. Trafficking or Human Trafficking.

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(1) Severe form of trafficking in persons (Federal) means:

(a) 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 is under 18; or,

(b) 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 subjecting that person to involuntary servitude, peonage (where someone is held against their will to pay off a debt), debt bondage, or slavery.

(2) Human trafficking (State) means the transporting, soliciting, recruiting, harboring, providing, or obtaining another person for transport. It is a crime for any person to knowingly engage, or attempt to engage, in human trafficking with the intent or knowledge that the trafficked person will be subjected to forced labor or services; or to benefit financially by receiving anything of value from participation in a venture that has subjected a person to forced labor or services.

5. Responsibilities.a. The Florida Abuse Hotline.

(1) For any intake of alleged human trafficking of a child:

(a) Response priority will be assigned based upon risk assessment.

(b) Enter all maltreatments that apply to the situation including Human Trafficking (for example, Physical Injury, Sexual Abuse, etc.).

(c) If the only information is a report alleging human trafficking, the maltreatment Human Trafficking must be entered.

(d) Obtain complete information on why the reporter suspects human trafficking.

(e) If the child/teen is being prostituted by someone or commercially sexually exploited, enter the Human Trafficking maltreatment.

(2) In a case where human trafficking is suspected, enter a special conditions intake of Caregiver Unavailable for any situation when a child/teen is arrested or seeks health care and will not provide any information about their parent(s) or who they live with.

b. Child Protective Investigations. In addition to the directives provided by Chapter 39, F.S. and Florida Administrative Code 65C-29, a child protective investigator will have the following responsibilities as related to Human Trafficking:

(1) If Human Trafficking is identified as a maltreatment by the Florida Abuse Hotline or the child protective investigator suspects trafficking at any time throughout the course of an investigation, the investigator must immediately contact the appropriate county sheriff or other law enforcement agency, including federal law enforcement authorities in the geographic area in which the alleged human trafficking has occurred or where the victim is present or residing. If the alleged trafficking occurred in a jurisdiction different from where the victim is present or residing, contact law enforcement in the jurisdiction where the victim is present or residing to inform law enforcement that the trafficking occurred elsewhere. If the law enforcement agency accepts the case for criminal investigation, the respective agencies will coordinate investigations as directed per s. 39.301(2)(c). If

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law enforcement does not accept the case for criminal investigation or proceeds with an independent investigation, the child protective investigator must document these decisions in the Florida Safe Families Network (FSFN). If Human Trafficking is discovered during the course of the investigation, the investigator will add Human Trafficking to the investigation as a maltreatment.

(2) As soon as the child protective investigator suspects human trafficking, a multidisciplinary staffing shall be held to include, but not be limited to, a representative from Children's Legal Services and the Office of Refugee Services Child Trafficking Coordinator or knowledgeable victim advocate.

(3) For information on identifying and responding to Human Trafficking, both the Hotline Job Aid and Human Trafficking Indicator Tool are available on Florida's Center for the Advancement of Child Welfare Practice website located at: <http://centerforchildwelfare.fmhi.usf.edu/kb/default.aspx>.

(4) Unique Circumstance: Parent/Caretaker Determination. Human traffickers will often pose as, or may be, the child's parent, relative, caregiver or legal custodian. The Department will not place a child who is suspected to be a victim of human trafficking with a parent, relative, caregiver or legal custodian until there is a determination that that person in question is not a trafficker or allied with the trafficker. The Department shall coordinate this determination with law enforcement.

c. Community Based Care Lead Agencies.

(1) If Human Trafficking is suspected, immediately contact the appropriate county sheriff or other law enforcement agency, including federal law enforcement authorities in the geographic area in which the alleged human trafficking has occurred or where the victim is present or residing. If the alleged trafficking occurred in a jurisdiction different from where the victim is present or residing, contact law enforcement in the jurisdiction where the victim is present or residing to inform law enforcement that the trafficking occurred elsewhere.

(2) Make a report to the Florida Abuse Hotline on any new or existing case where there is suspicion of Human Trafficking (i.e., further disclosure from victims or additional allegations surface).

(3) Retain primary case management responsibilities when Human Trafficking is called into the Florida Abuse Hotline on an existing case. If the human trafficking maltreatment is verified, a multidisciplinary staffing shall be held to include, but not limited to, representatives from Children's Legal Services, Child Protective Investigations, and the Office of Refugee Services child trafficking specialist or knowledgeable victim advocate. The Contracted Service Provider will take the lead in coordinating services for the trafficked child.

(4) For information on identifying and responding to Human Trafficking, both the Hotline Job Aid and Human Trafficking Indicator Tool are available on Florida's Center for the Advancement of Child Welfare Practice website located at: <http://centerforchildwelfare.fmhi.usf.edu/kb/default.aspx>.

(5) For immigrant children not determined to be victims of Human Trafficking, please follow s. 39.5075, F.S., on determining dependency and immigration status.

6. Unique Service Options for Child Victims of Human Trafficking.

a. Determination of Services. The determination of services and placement of a child who is a victim of trafficking is dependent on many factors which differ from situations where trafficking is not an issue.

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(1) Certification and Eligibility are terms used to describe a process that the Department of Health and Human Services, Office of Refugee Resettlement (HHS or ORR) uses to officially declare that a foreign national is a "victim of a severe form of trafficking." A child does not have to be "certified" but s/he does need to obtain an "eligibility" letter from HHS to receive a wide range of benefits. (Adults are "certified" and receive a "certification letter." Children are deemed "eligible" and receive an "eligibility letter.")

(2) The process to obtain an eligibility letter should be coordinated with a local non-governmental organization advocate and law enforcement. (Call the Federal Anti-Trafficking Resource Hotline 1-888-3737-888 for information about local anti-trafficking programs.)

(3) Federal law enforcement will require access to the victim and information from the Non-Governmental Organization Advocate before they will issue a statement that they believe the child is a victim of "a severe form of trafficking." A Child Protective Investigator cannot make this request on his or her own without law enforcement assistance.

(4) Once a law enforcement agency has issued a statement to ORR that a child is believed to be a victim of trafficking, ORR may issue a letter of eligibility. The victim or the victim's advocate may then present the letter to social service providers as proof of eligibility. Benefit issuing agencies must call ORR's toll-free trafficking victim verification hotline at 1-866- 401-5510 to verify the child's eligibility for benefits and inform HHS of the benefits applied for.

(5) It is very important to work with an advocacy organization that is familiar with BOTH the victim's rights regarding social services and his/her legal rights. Contact Refugee Services at 850-488-3791 for more information about victim rights and possible benefits.

b. Pre-Certification/Pre-Eligibility. Pre-certified/pre-eligible victims of human trafficking residing in the state of Florida who have filed or are in the process of filing an application for a T Visa or are in the process of seeking certification/eligibility as a victim of human trafficking from ORR may be eligible for existing state benefits and services to the same extent as a refugee for a temporary period while they wait for the federal processing or certification/eligibility to be completed. The benefits are comparable to Refugee Cash Assistance (RCA) or Temporary Aid for Needy Families (TANF); Refugee Medical Assistance (RMA); Food Stamps (FS); and Refugee Social Service programs. Contact Refugee Services at 850-488-3791 for the contact information of the benefits provider and for more details.

c. Eligibility (Children). Benefits to children who receive an eligibility letter may include: RCA or TANF; Social Security Income; Medicaid or RMA; Health Screening; FS; Match Grant; as well as entry into Refugee Social Services programs that may include adult education, legal services, employment assistance, youth and family services, and child care. Contact Refugee Services at 850-488-3791 for the contact information of local Refugee Social Services programs or for more details.

d. Unaccompanied Refugee Minor Program (URMP). The Unaccompanied Refugee Minor Program (URMP) is a federally funded foster care placement option for non-U.S. citizen immigrant child victims of human trafficking managed by Refugee Services. Children must receive an eligibility letter from ORR and be reclassified to unaccompanied refugee minor status by ORR prior to entering the URMP. A caseworker seeking URMP as a placement option should immediately contact Refugee Services at 850-488-3791 and ask for the child to be reclassified to unaccompanied refugee minor status. Reclassification, for purposes of entering the URMP, can only be initiated by the Director of Refugee Services. Caseworkers will be required to share information about the case/child with Refugee Services. Not all children will be placed in the URMP; if the child is safe and has bonded with a family in mainstream foster care, the Department may not interrupt that placement unless necessary.

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7. Other Service Options for Child Victims of Human Trafficking.

a. Repatriation/Reunification. Repatriation/Reunification is available for an immigrant child in whose best interests it is to return to his/her home country, and for whom there is not a risk of being re-trafficked.

b. Licensed Out of Home Care. Licensed Out of Home Care is available for children who are immigrants and non-immigrant US citizen children if they are victims of trafficking. These programs include foster care, group homes and other therapeutic settings. Placement in these programs will proceed only when the facility or placement agency is informed of the child's status as a victim of human trafficking. This is important as these children may be considered a high risk for being runaways.

BY THE DIRECTION OF THE SECRETARY:



DAVID L. FAIRBANKS
Assistant Secretary for
Programs

Child Maltreatment Index

Maltreatment – Specific Harm

Description of Maltreatment or Specific Harm

Description - For the purposes of consistency in assessing this maltreatment, the following terms shall be understood to mean:

Human Trafficking

The recruitment, harboring, transportation, provision or obtaining of a child for labor, services or sexual exploitation through the use of force, fraud, or coercion for the purpose of financial or personal gain (i.e., cash, favors, drugs or rent, etc.).

Guidelines:

Trafficking occurs in many different contexts including domestic servitude, construction, landscaping, factories and sweatshops, migrant farm work, begging, service industries such as nursing homes, cleaning services, bars and restaurants, and the sex industry. Indicators for human trafficking may involve multiple maltreatments such as physical abuse, sexual abuse, and neglect or special conditions such as Caregiver Unavailable. Most individuals will not use the phrase “human trafficking” when talking about the child’s circumstances. Law enforcement, however, is more likely to call the matter “human trafficking” or say that the child has been “trafficked”. Under federal law, whenever a child is induced to commit a commercial sex act (i.e., prostitution, pornography, or exotic dancing, etc.) that child is considered to be a victim of trafficking.

Supportive documentation must come from law enforcement, the Child Protection Team, the Office of Refugee Service’s Child Trafficking Coordinator, or a knowledgeable child trafficking victim advocate.

Factors to Consider:

It is essential for investigators to determine the alleged perpetrator’s legal relationship to the child and document the trafficker’s means to enforce victimization.

Child Maltreatment Index

Maltreatment – Specific Harm

Description of Maltreatment or Specific Harm

Custody Considerations:

The alleged perpetrator/trafficker may be unknown or may have a fictitious identity. Traffickers may pose as relatives and caregivers; relatives and caregivers may enslave and traffic their own children. Trafficked children may reside with or accompany other children and adults who are not trafficked. Traffickers may be part of organized crime or they may be smaller criminal enterprises; traffickers can also be “mom and pop” operations.

Adult responsible for child cannot produce documentation legitimizing their role as caregiver (birth certificate, visa, divorce papers, medical or school records of child, etc.).

Child cannot identify or describe specific familial connections (i.e., names of other relatives; how family members are related, etc.).

When adult caregiver alleges child placed in his or her custody through “family arrangement” child victim reports no on-going contact with biological parents.

Child cannot describe traditional familial interactions with caregiver in the past (i.e., birthday or holiday celebrations, etc).

Caregivers flee area if/when child is taken into custody.

Typical Means to Enforce Victimization:

Physical confinement.

Withholding of food.

Verbal mistreatment; threat to harm, abandon, or sell child.

Threats to hurt biological parent(s) and/or siblings.

Exposure to repeated violent or intimidating acts to other children.

Threats of deportation (to victim or child’s parents).

Drug/alcohol dependency (especially older children and teenagers).

Isolation: school-age children either do not attend school or attendance is extremely sporadic; frequent changes in school attended. Very limited/restricted access to phone or friends.

False Promises to victim - reunification with family, citizenship, education or eventual independence.



Protections for Child Victims of Human Trafficking* INFORMATION KIT

I. Awareness and Identification

A. Identification of a Trafficked Child or Situation

It is rare for child victims of human trafficking to identify themselves as being trafficked. More often than not, victims will present to the Department of Children and Families (DCF) or Community Based Care providers due to another form of abuse, neglect, or abandonment.

B. Indication that a Child May be a Victim of Human Trafficking

Please note that this list of indicators is not exhaustive.

The Child:

Shows evidence of physical, mental, or sexual abuse.

Is non-English speaking.

Cannot or will not speak on own behalf.

Is being controlled.

Does not have access to identity and/or travel documents.

Works unusually long hours and is unpaid or paid very little.

Will not cooperate, e.g., gives you wrong information about identity and living situation.

Is not in school or has significant gaps in schooling.

Lives at his/her workplace or with employer and/or lives with many people in a small area.

Has a heightened sense of fear and distrust of authority.

Has engaged in prostitution or commercial sex acts.

II. Appropriate Procedures

A. Best Practices That Should Be Used With a Child Victim of Human Trafficking

Use a qualified, non-biased interpreter if the victim does not speak fluent English.

It is important that the child be gently interviewed and that the suspected trafficker(s) not be present. The child should be questioned in an unbiased and non-judgmental manner. Doing otherwise could discourage them from seeking help or making a disclosure.

Do not ask about immigration status at the beginning of the interview; this can be intimidating.

Know that it may take several interviews to establish trust and a long time to determine if a child has been trafficked.

Be sensitive to cultural and religious differences.

Be aware that the child's parent or caregiver may be the child's trafficker or that the trafficker may lie and say s/he is the child's parent or caregiver.

B. Differentiation between Criminals and Child Victims of Trafficking

Traffickers solicit children to do illegal acts like prostitution, selling or transporting drugs, and committing other crimes. Even though these are illegal acts, the victim is not guilty of a crime because they are enslaved and their freedom of choice is restricted. The involvement of child victims in criminal activities does not undermine their status as both a child and a victim, or their related rights to special protection.

C. Protections of Potential Child Victims During Police Interviews

Prior to the interview with the trafficked child, the investigator should inquire whether prior interviews have already been conducted by any person or agency. Cases should be coordinated between the victim's advocate and the law enforcement agencies involved to ensure that victims of trafficking are not repeatedly interviewed. Also, a trusted and qualified interpreter should be used if the victim does not speak English. As much as possible, the interviewer and interpreter, should be of the same gender as the trafficked child, dressed in civilian clothes, trained in administering child-friendly/sensitive interview methods and knowledgeable about the issue of child trafficking.

D. Security Needs of Trafficked Children

A trafficked child can be snatched by his/her traffickers or lured to meet them, believing that the child is following her families' wishes, that the trafficker is her boyfriend, that the child is tied through debt bondage or that is under a voodoo spell which will cause harm to family and self, if the traffickers are not obeyed. Therefore, strict confidentiality is necessary to avoid the trafficker(s) from obtaining information on the child's whereabouts. Shelter staff, law enforcement agents and others who are working with the child must adhere to confidentiality and privilege laws and screen individuals to whom they provide information on the victim. All necessary measures need to be taken to protect the privacy and identity of child victims to ensure the safety and security of the victim and his or her family.

E. Benefits Available to Foreign-born Child Victims of Human Trafficking

To receive a wide range of benefits, a child needs to obtain an "eligibility" letter from the U. S. Department of Health and Human Services (HHS). The process to obtain an eligibility letter should be coordinated with a local non-governmental organization advocate and law enforcement. Once a law enforcement agency has issued a statement to HHS that a child is believed to be a victim of trafficking, HHS may issue a letter of eligibility. The victim or the victim's advocate may then present the letter to benefit issuing agencies.

Benefits to children who receive an eligibility letter may include: Refugee Cash Assistance or Temporary Assistance for Needy Families; Social Security Income; Medicaid or Refugee Medical Assistance; Health Screening; Food Stamps; Match Grant; as well as entry into Refugee Social Services programs that may include adult education, legal services, employment assistance, youth and family services, and child care.

Child victims of human trafficking have the option of entering (1) the Unaccompanied Refugee Minors Program or URMP, a federally funded foster care placement for non-U.S. citizen immigrant child victims of human trafficking, (2) licensed Out of Home Care (programs including foster care, group homes and other therapeutic settings) or (3) being repatriated and/or reunified with their families in their home country.

III. Florida and National Laws

A. Background and Statistics on the Crime of Human Trafficking in Florida

Prime Destination States: Florida, Texas, New York, and California.

The United States (U.S.) government estimates that 14,500-17,500 annually, 80% women and children.

Globally, accounts range from 600,000 to 4 million people trafficked worldwide each year.

There are 27 million people in slavery around the world.

Identified trafficking victims in Florida have included: women from Latin America and Eastern Europe, as well as U.S. teenage runaways, forced into prostitution; male and female immigrant farm laborers from Central America; Eastern European women exploited while working in hotels; U.S. citizen homeless men recruited for farm labor; and girls from Haiti, Honduras, and India held as house slaves.

Florida also continues to see high profile child trafficking cases. One reason for this is that it is a popular destination state for U.S. teenage runaways and also for foreign national minors fleeing poverty, sexual abuse, or violence in their homelands.

B. Information on Federal and Florida Human Trafficking Laws

Human trafficking is now criminalized and is punishable under both federal (Victims of Trafficking and Violence Protection Act of 2000 §103) and Florida law (787.06, F.S). Cases can be investigated at local, state and federal levels and prosecuted at the state or federal level.

C. Some Differences between Smuggling and Human Trafficking

Please note that smuggling may be part of a trafficking scheme and smuggling may turn into human trafficking.

Smuggling	Human Trafficking
Planned to come to the U.S.	May or may not have planned to come to the U.S.
Freedom of movement.	Restricted movement.
No continued relationship with smuggler/"coyote" after arriving in the destination country.	Unable to flee from the trafficker's control.
Smuggling is the unauthorized crossing of a border.	Labor or services obtained through force, fraud, or coercion (if a child is a victim of sex trafficking, force, fraud or coercion need not be proven).

D. Florida Child Trafficking Cases

Here are examples of two child trafficking cases in Florida.

The Osley-Greer Case: Sex Trafficking of U.S. Minors

Demond Osley met a 17-year-old girl in Detroit and convinced her to fly to South Florida with him. He promised her that he would be her boyfriend, that he would buy her jewelry, and that they would go to the Bahamas together. Upon their arrival in Florida, he ordered her to earn at least \$500 a day through street prostitution. When she

fell short of this amount, Osley beat her, stuck a gun in her mouth, and threatened to kill her. Osley then sold the girl to another “pimp” named Stacey Greer. Greer assumed control of the minor, forcing her to engage in prostitution and also took nude photos of the girl to post on the internet. In November 2006, she was arrested after propositioning an undercover officer. Upon her identification as a juvenile, prostitution charges against the girl were dropped. The U.S. Attorney’s Office in Miami secured convictions in federal court against both men for sex trafficking of a minor.

The Pompee Case: Forced Labor Exploitation of an Immigrant Minor

Rose, a native of Haiti, was six years old when her mother died of AIDS. She was placed in the care of the Pompee family in Port-au-Prince and worked in their home as a house servant and nanny. She was allowed almost no schooling. In 1995, the Pompees smuggled Rose, who was nine years old, into the United States. The Pompees purchased a \$400,000 home in Pembroke Pines where for the next four years, Rose was held as a domestic servant and forced to sleep on the floor. She was raped almost nightly by the Pompee’s adult son and beaten routinely. Though allowed to attend school, she was required to clean the house from the moment she returned from school. The Pompees did not allow her any personal possessions, and she was fed very little. Rose tried to escape but police returned her home. Then Rose responded by telephone to a televised ad for a modeling agency. During daily calls, Rose slowly revealed details of her exploitation, and finally disclosed that she was being raped. Employees of the agency called police and the school that Rose attended. The principal at the school confirmed that Rose was constantly late, never had school supplies, and frequently had no appetite. When rescued, Rose was twelve years old. She was malnourished, infected with gonorrhea and suffered from nightmares. Marie and Willy Pompee were charged with harboring an undocumented alien. Marie Pompee pleaded guilty to the harboring charge; however, Willie Pompee escaped to Haiti and is now a fugitive.

IV. Linkages

A. Trafficking Related Hotline Numbers and Websites

State and Local

Department of Children and Families, Refugee Services – 850-488-3791

Local law enforcement

- Local federal authorities
 - Northern District – 850-942-8439
 - Middle District – 239-461-2225
 - Southern District – 305-961-9001

Florida Immigrant Advocacy Center (FIAC), Lucha Project – 305-573-1106, www.fiacfla.org

Florida Freedom Partnership (FFP) – 866-443-0106, www.floridafreedom.org

Florida State University, Center for the Advancement of Human Rights – 850-644-4550, www.cahr.fsu.edu

National

US Department of Justice – Civil Rights Division, www.usdoj.gov/whatwedo/whatwedo_ctip.html 888-428-7581

US Department of Health and Human Services, www.acf.hhs.gov/trafficking ~ 888-3737-888

Lutheran Immigration and Refugee Services (LIRS), www.lirs.org

US Conference of Catholic Bishops (USCCB), www.usccb.org

*This Information Kit is part of a project sponsored by the Florida Immigrant Advocacy Center entitled “Protections for Child Victims of Human Trafficking.” It was created with the assistance of the Southeastern Network of Youth and Family Services, the International Rescue Committee, the Florida State University Center for the Advancement of Human Rights and Robin H. Thompson & Associates. It is funded by contract # LK867 from the U.S. Department of Health and Human Services, Office of Refugee Resettlement and administered by the Florida Department of Children and Families.

Department of Health and Human Services: www.acf.hhs.gov/trafficking.

FACT SHEET:

CHILD VICTIMS OF HUMAN TRAFFICKING

Human trafficking is a modern-day form of slavery. Victims are young children, teenagers, men and women. Victims of human trafficking are subjected to force, fraud, or coercion to compel them to engage in commercial sex or involuntary labor. What's more, any child who has engaged in commercial sex is a victim of human trafficking.

Approximately 600,000 to 800,000 victims are trafficked across international borders annually according to the U.S. government. **More than half of these victims worldwide are children**, according to the U.S. Department of State.

Child victims of trafficking:

- Considered persons under the age of 18
- Exploited for commercial sex, including prostitution, pornography and sex tourism
- Exploited for labor, including domestic servitude, migrant farming, landscaping and hotel or restaurant work
- Most frequently come from the Pacific Islands, the former Soviet Union, Latin America, Southeast Asia and Africa as well as developing countries.
- Can be trafficked by close family members

The reasons for coming to the U.S. vary, but often children succumb to exploitation under the guise of opportunity— children may believe they are coming to the United States to be united with family, to work in a legitimate job or to attend school. Additionally, children may be subject to psychological intimidation or threats of physical harm to self or family members.

For child victims of exploitation, the destructive effects can create a number of long-term health problems including:

Physical Symptoms	Mental Symptoms
<ul style="list-style-type: none"> • Sleeping and eating disorders • Sexually transmitted diseases, HIV/AIDS, pelvic pain, rectal trauma and urinary difficulties from working in the sex industry • Chronic back, hearing, cardiovascular or respiratory problems from endless days toiling in dangerous agriculture, sweatshop or construction conditions 	<ul style="list-style-type: none"> • Fear and anxiety • Depression, mood changes • Guilt and shame • Cultural shock from finding themselves in a strange country • Posttraumatic Stress Disorder • Traumatic Bonding with the Trafficker

Child victims of human trafficking face significant problems. Often physically and sexually abused, they have distinctive medical and psychological needs that must be addressed before advancing in the formative years of adulthood.

How to Recognize a Child Victim of Human Trafficking

Traffickers frequently confiscate their victims’ immigration and identification documents. Traffickers frequently instill in their victims a fear government officials— particularly law enforcement and immigration officers. These are two of the challenges in identifying victims of trafficking. But whether you are a law enforcement officer, health care professional or a social service provider, there are clues that can alert you to a victim:

- Child victims of labor trafficking are often hungry or malnourished to the extent that they may never reach their full height, may have poorly formed or rotting teeth, and later may experience reproductive problems.
- The psychological signs of torture are helplessness, shame and humiliation, shock, denial and disbelief, disorientation and confusion, and anxiety disorders including post traumatic stress disorder, phobias, panic attacks and depression.
- Environmental factors can also aid in identifying child victims of trafficking, including whether the child is living at the workplace or with the employer, living with multiple people in a cramped space, and attending school sporadically, not at all or has a significant gap of schooling in the U.S.
- Victims may experience Traumatic Bonding (Stockholm Syndrome) – a form of coercive control in which the perpetrator instills in the victim fear as well as gratitude for being allowed to live or for any other perceived favors, however small.
- Traffickers of children are sometimes family members or sometimes condition their victims to refer to them by familial titles (e.g., uncle, aunt, cousin).

Clawson, H.J., Dutch, N., Solomon, A., and Goldblatt, L. Human Trafficking Into and Within the United States: A Review of the Literature. U.S. Department of Health and Human Services. August 2009.

Rescue and Restore Campaign: Look Beneath the Surface. The Role of Social Service Providers in Identifying and Helping Victims of Human Trafficking. U.S. Department of Health and Human Services. <http://www.acf.hhs.gov/trafficking/>

Due to the Safety concerns (i.e. kidnapping, flight risk, retaliation) related to human trafficking, keep this contact information & physical addresses for both the program and victim confidential, as you would in the case of the location of a domestic violence shelter.

TRAFFICKING PROGRAMS IN FLORIDA		
Organization	Geographical Area Served	Point of Contact
Catholic Charities of Central Florida, Inc.	Orlando	Thomas Gillan Tom.gillan@cflcc.org 407-470-1971
Catholic Charities of Northwest Florida	Pensacola, Walton Beach, Panama City, Tallahassee	Mark Dufva dufvam@ptdiocese.org 805-435-3518
Catholic Charities of Venice	Lee County	Christine Nolan cnolan@ccslee.org 239-334-4007
Covenant House	Ft. Lauderdale, FL Orlando Florida	954-561-5559 Toll-free: 800-683-8338
Florida Coalition Against Human Trafficking	All of Florida	Ana Rodriguez Air787@earthlink.com 239-390-3350 239-947-2452
The Florida Freedom Partnership—International Rescue Committee	South Florida: Miami-Dade, Broward, Palm Beach, and Collier Counties	Suzy Cop Suzy.Cop@theirc.org 305-640-9881
Project Gold—Kristi House	Miami	Sandy Skelaney Sandys@kristihouse.org 305-547-6855 786-390-7322
Peaceful Paths Domestic Abuse Network, Inc.	Gainesville	Theresa Harrison theresah@peacefulpaths.org 352-377-5690
Network of Emergency Trafficking Services (NETS) Collaborative—Western Central Florida: World Relief Corporation	Western Central Florida: Pasco, Pinellas, Polk, Hillsborough, and Hernando Counties.	Dolly Warden, Tampa/Clearwater dwarden@wr.org Elaine Carson, Jacksonville FL ecarson@wr.org 904-448-0733 Ida Lopez, New Port Richey, FL llopez@wr.org 727-849-7900