

# **Wisconsin Department of Children and Families Plan for the Preventing Sex Trafficking and Strengthening Families Act**

## **Consultations with Stakeholders and Development of Policies and Procedures**

### Background

Sex trafficking of children and youth is a growing concern nationally and in Wisconsin. Precise data on the scope of sex trafficking of minors in Wisconsin is not available. However, based on the experience of law enforcement personnel and service providers, sex trafficking of minors is occurring throughout Wisconsin, including in rural areas.

For most trafficking victims, the experience of trafficking both follows from and contributes to a history of trauma. In addition to trauma and sexual abuse, children and youth who are sex trafficked typically experience coercion, physical violence and drug addiction, both at the hands of their traffickers and those who purchase sex. Victims may also experience pregnancies, and often acquire sexually transmitted infections causing additional health issues for the victim and safety risks for the children born to the victims. Health consequences also include post-traumatic stress disorder, anxiety, depression, sleep disturbances, eating disorders, chronic pain, and other physical and emotional manifestations of significant and extended trauma. Trafficking victims also generally have significant mental health needs.

A number of factors heighten the risk that a young person will become a sex trafficking victim. Key risk factors are:

- Current or past involvement in the child welfare or juvenile justice system;
- Current or past experience of child abuse, neglect and maltreatment;
- Being homeless, runaway or “disconnected” (i.e., not in school or work);
- Having a lesbian, gay, bisexual, or transgender (LGBT) sexual orientation; and
- Being subject to stigma and/or discrimination.

It is essential to note that often community and family member reaction to a youth’s LGBT orientation is more of a risk factor than the youth’s orientation itself. Reactions may include isolation and negative feedback from family and friends which are the key reasons why youth are vulnerable to exploitation.

To address the distinct and significant needs of trafficking victims, specialized services are needed that are trauma-informed, culturally appropriate, individualized and developmentally appropriate, address physical and mental health needs, provide social/emotional supports, and support preparation for and entry into the workforce.

## Federal Legislation

The federal Preventing Sex Trafficking and Strengthening Families Act, Public Law (P.L.) 113-183, was signed into law in September 2014. The Act includes the following provisions related to sex trafficking of minors:

- By September 29, 2015 states must:
  - Demonstrate extensive consultation with agencies that have experience with youth.
  - Develop policies and procedures that identify, document and determine services for children who are victims or at risk of:
    - Any child or youth in care or supervision of the Title IV-E (i.e., child welfare) agency
    - Any youth at risk of becoming a sex trafficking victim or who is a sex trafficking victim
    - Youth not in foster care but who are receiving services under the Chafee Independent Living Program
  - Determine if a child has been a sex trafficking victim when missing from out-of-home care and report this information to HHS.
  
- By September 29, 2016 states must:
  - Demonstrate they are implementing the policies developed
  - Report to law enforcement in no later than 24 hours children or youth that have been identified as sex trafficking victims.

The federal definition of sex trafficking, as established in the federal Trafficking Victims Protection Act of 2000, is: the recruitment, harboring, transportation, provision, or obtaining of a person for the purpose of a commercial sex act.

## Stakeholder Consultations

Consistent with the new federal law, over the period February through June 2015, the Wisconsin Department of Children and Families (DCF) consulted with a wide range of agencies and individuals involved with sex trafficking victims through information-gathering meetings and listening sessions. Participants in these sessions included representatives from: county child welfare and human service agencies, tribal child welfare agencies, runaway and homeless youth shelters, foster parents, foster youth, residential out-of-home care providers, mental health providers, law enforcement, health professionals, advocacy groups, trafficking survivors, faith-based organizations, judges, attorneys and legal professionals, and state agencies including the Departments of Justice, Public Instruction, Health Services, and Corrections. A list of the consultations is included as an attachment.

The following key themes emerged from the DCF consultations with stakeholders:

- A continuum of service and placement options is needed for sex trafficking victims, including residential and non-residential community-based services.
- Non-residential, community-based services are an important part of the service continuum because they provide support to victims seeking assistance who are not involved in the child welfare or juvenile justice systems as well as to victims who have been served by and exited these systems.
- Wisconsin has very limited capacity in both residential and community-based services for sex trafficked children and youth.
- Specialized community-based services for youth trafficking victims, such as street outreach, counseling, and peer support groups, exist on a limited basis in some parts of the state and are entirely lacking in other parts of the state. It is particularly difficult for rural counties to build service capacity, due to the highly specialized nature of the services needed and the relatively smaller volume of cases.
- Where services are available, the services are fragmented and often difficult for victims to access due to the lack of structured, consistent and effective coordination and communication across systems and organizations that are involved with sex trafficking victims. The lack of coordination hampers the ability to provide comprehensive, timely, and effective services to trafficking victims. In addition, current services may lack cultural competency, which diminishes their effectiveness.
- Because victims may be identified in a number of ways, e.g., through law enforcement, the child welfare system, a medical professional, a teacher, etc., there are multiple points through which victims enter the service system.
- Many sex trafficked youth, when coming into contact with a formal system, e.g., law enforcement or child welfare, do not view themselves as victims in need of services and consequently run from service settings to return to the life and individuals, including the trafficker, that are familiar to them. For this reason, it is important to have immediate placement options and first responders that can provide a safe, trusting environment for youth victims to reduce the likelihood that the youth will run or be lured back to the trafficker.
- Given the coercive, manipulative, and abusive relationships victims have experienced, it takes considerable skill and time for a case manager or service provider to establish a trusting relationship and engage effectively with a sex trafficking victim.
- A number of organizations and individuals throughout the state have a high level of interest, energy, and commitment to helping sex trafficking victims. A number of communities have local cross-systems Human Trafficking Task Forces; however, coverage and access to services is not consistent across the state.
- A considerable amount of locally-driven public awareness activity about trafficking is underway in many communities in the state; the lead organizations and public awareness activities/strategies differ across communities and reflect each community's local "culture" and characteristics. However, due to the local nature of these activities, there is a lack of a consistent definition and understanding of sex trafficking, or a common message or materials across the state. In addition, in some areas of the state no public awareness activities are underway.

- There is a need for more intentional engagement of schools as a mechanism to identify youth at risk and increase youth awareness about the risk of trafficking.
- No comprehensive resource directory has been compiled of available services for sex trafficked victims throughout the state. In addition, no review mechanism is in place to assess and identify whether agencies offering services to sex trafficking victims have the expertise to meet the specialized needs of sex trafficking victims.
- No accurate, comprehensive data collection system is in place that identifies the extent, types, locations, and characteristics of victims and traffickers in the state. Accurate and comprehensive data will help inform the development of policies, practices, and services to assist trafficking victims as well as measure the effectiveness of particular services and programs.
- Some Wisconsin agencies, for example in the child welfare or health services systems, are utilizing a screening tool to identify sex trafficking victims. However, no common, validated screening tool or protocol is being used across the state or across systems to identify victims and those at risk of being victims.
- Because traffickers often transport victims to other states, there is a need for coordination with other states, particularly neighboring states.

### Practices in Other States

In addition to the stakeholder consultations, over the past four months, DCF gathered information on practices in other states to serve sex trafficked victims through research on state practices, discussions with officials in other states, and national conferences. Key themes from experiences in other states are:

- Sex trafficking of minors involves complex and multi-faceted issues that affect multiple systems. Consequently, responding effectively to sex trafficking of minors requires a comprehensive, cross-system strategy that addresses the following key issue areas: (a) identification and assessment of victims; (b) coordination and collaboration across systems (law enforcement, child welfare, court, juvenile justice, health, etc.); (c) development of trauma-informed, culturally competent victim-centered placements and services; (d) training for professionals in all systems involved with sex trafficking victims; (e) data collection; (f) prevention and public awareness efforts to prevent at-risk children and youth from becoming trafficking victims; and (g) apprehending and prosecuting traffickers and buyers. A number of states, including CT, NJ, and FL have developed a comprehensive, coordinated and robust response to sex trafficking of minors and can serve as potential models for Wisconsin.
- Some states, such as MN, are utilizing a regional hub model to deliver community-based services as a cost-effective and coordinated way to provide information about and access to services for victims, particularly in rural areas. The hub serves as the entity that coordinates services among providers in the region, links victims to services, and provides information about services.
- Pursuing an inclusive collaborative approach that engages a broad range of public and private stakeholders is critical for the development of an effective response system.
- It is effective and valuable to use survivors in the response/service system for victims to draw on survivors' knowledge, experience, and skill in building trusting relationships with victims; for example by hiring survivors to be mentors, advocates and/or peer supports for victims.

- It is beneficial to utilize a common core of training materials across systems (e.g., law enforcement, child welfare, courts, health system) to promote common understanding, shared language, and collaboration. Specialized training applicable to each profession can supplement the core training.
- It is valuable to have a common set of public education/outreach materials for use across the state to build widespread awareness and shared understanding.
- States have developed and are utilizing a range of placement options, ranging from specialized residential facilities to family-based foster care, for sex trafficking victims. A number of states developed credentialing criteria and processes that are required for licensed facilities interested in serving sex trafficked victims to verify that facility staff have the appropriate training and skills to provide the specialized services needed by this population.

### Proposed Plan

Based on input from stakeholders, experiences in other states, and consultations with other state agencies, the following plan is proposed to address the issue of sex trafficking of minors in Wisconsin:

#### **1) Establish a State-level, Cross-system Human Trafficking Task Force**

As noted above, Wisconsin currently has a fragmented and uneven response and service system for child and youth sex trafficking victims. The establishment of a state-level, cross-system human trafficking task force, co-chaired by heads of the Department of Children and Families (DCF) and the Department of Justice (DOJ) and composed of senior leaders from public and private organizations involved with sex trafficking victims, will enable Wisconsin to develop, implement, and sustain a coordinated and comprehensive response to sex trafficking of minors and other forms of human trafficking in the state. The state-level Human Trafficking Task Force will not replace or duplicate the work of currently operational local and regional human trafficking workgroups and task forces. Rather, the state-level Task Force will support and enhance the work of local work groups and communities by providing materials, establishing consistent protocols for use throughout the state, and supporting the growth of service capacity.

#### **2) Establish a DCF Anti-Human Trafficking Coordinator**

Within its existing staff resources, DCF will reallocate and designate a position to be the Department's Anti-Human Trafficking coordinator. The position will serve as the lead staff person for the state-level Human Trafficking Task Force, will coordinate and oversee the Department's human trafficking efforts, will serve as the liaison with external stakeholders, and will help pursue external grant funding opportunities to support the growth of sex trafficking services and supports in the state.

#### **3) Establish Cross-system, Functional Workgroups**

Cross-systems workgroups under the purview of the Task Force will be established for specific issue areas and will be composed of representatives from public and private agencies with experience and expertise in the issue area. Survivors and family members of victims will be included in the workgroups to ensure that approaches developed by the workgroups are victim-centered. The Task Force will oversee the work of the workgroups and ensure alignment and linkages, as appropriate,

across workgroups. At the outset, workgroups will be established in the following functional areas with additional workgroups added or workgroup modifications over time, as needed:

- Training
- Identification and Screening of Victims
- Prevention and Public Awareness
- Placement and Services
- Data Collection

As noted above, a considerable amount of material and information has been developed by other states and national organizations, such as the National Human Trafficking Resource Center and the federal Administration for Children and Families (ACF). Each workgroup will review and analyze these materials in the development of policies, procedures, and/or materials in its issue area.

#### Proposed State-level, Cross-system Outcomes

Through the Task Force, DCF Coordinator and workgroup structure described above, the state will seek to achieve the following outcomes:

##### **A common core of training material to be used throughout the state**

Through the Training Workgroup, a common core of training material will be developed and disseminated for use by professionals in all systems involved with sex trafficking victims, including law enforcement, health professionals, child welfare workers, juvenile justice workers, foster parents and other out-of-home care providers, judges, legal professionals, mental health providers, service providers, and teachers. The core training would be supplemented with specialized training applicable to each profession. The training will highlight the importance of being culturally competent and utilizing trauma-informed approaches.

##### **A validated, uniform screening tool for use throughout the state**

Through the Identification and Screening Workgroup, a validated screening tool will be identified for use by child and youth serving agencies throughout the state, including child welfare agencies, juvenile justice agencies, runaway and homeless shelters, and others.

##### **Public awareness materials and tools with a consistent message**

Through the Prevention and Public Awareness Workgroup, public awareness materials will be developed and disseminated to local communities for use in local public awareness activities in a range of settings, including schools, thereby achieving statewide public education coverage and a shared statewide message.

##### **Expanded residential placement and service capacity**

Through the Placement and Services workgroup, strategies will be identified and implemented to expand residential placement capacity by building on existing successful residential models, and developing other types of safe, trauma-sensitive residential service capacity for sex trafficked victims, including emergency placement options.

### **Expanded community-based services using a regional hub approach**

Non-residential, community-based services provide support to victims seeking assistance who were never involved in, or who have exited, a court-ordered system, such as the child welfare or juvenile justice system. A regional hub approach is a cost-effective way of achieving coordinated and accessible services in all parts of the state, including rural areas. Through the Placement and Services workgroup, strategies will be identified and implemented to expand non-residential community-based services within a regional hub structure.

### **Development of competencies for service providers**

Through the Placement and Services workgroup, the competencies needed for service providers to serve sex trafficked minors in a trauma-informed, victim-centered, and culturally competent manner will be identified.

### **Data Collection System**

Through the Data Collection workgroup, mechanisms will be identified to collect and link data regarding sex trafficking victims across systems through modifications of existing information systems and/or development of new systems and procedures. Accurate and comprehensive data will help inform the development of policies and programs as well as measure the effectiveness of particular services and programs.

Through the approach proposed above Wisconsin will be able to create a robust, comprehensive and coordinated response and service system that is trauma-informed culturally competent and victim-centered for children and youth who are victims or at risk of becoming victims of sex trafficking.

## **Attachment: Preventing Sex Trafficking and Strengthening Families Act**

### **Wisconsin DCF Meetings/Consultations with Stakeholders**

	<b><u>Meeting Date(s)</u></b>
Milwaukee Child Welfare Partnership Council	January 30, 2015
Out of Home Care Committee	February 5 and March 12, 2015
Comprehensive Approaches to Youth that have been Sexually Exploited (CAYSE)	February 11 and April 8, 2015
Lad Lake Residential Treatment Program Staff	February 16, 2015
Foster Youth Advisory Council	February 21, 2015
Wisconsin Women's Council	March 4, 2015
Foster Parent Advisory Council	March 11, 2015
Wisconsin County Human Services Association Child Youth and Family Policy Advisory Committee	March 13, 2015
Indian Child Welfare Directors (ICW)	March 18, 2015
Wisconsin Judicial Committee on Child Welfare	March 19, 2015
DCF Listening Session for Stakeholders involved with Sex Trafficking	March 23, 2015
Secretary's Advisory Council on Child Welfare	March 25, 2015
Wisconsin Crime Victim Council	March 27, 2015
Focus Group with Prior Victims	April 8, 2015
Focus Group with Current Victims	April 16, 2015
Wisconsin Anti-Human Trafficking Consortium	April 17, 2015
WI Association of Homeless and Runaway Youth	May 8, 2015
Wisconsin Commission on Children, Families and the Courts	May 21, 2015
United Migrant Opportunity Services	May 22, 2015
Wisconsin Coalition Against Sexual Assault	June 5, 2015