

**Testimony Supporting  
H.B. 5040: An Act Concerning the Department of Children  
and Families and the Protection of Children**

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Committee on Children  
February 18<sup>th</sup>, 2014

Senator Bartolomeo, Representative Urban, and Distinguished Members of the Children's Committee:

I am testifying on behalf of Connecticut Voices for Children, a research-based public education and advocacy organization that works statewide to promote the well-being of Connecticut's children, youth, and families.

**Connecticut Voices for Children strongly supports sections 3-5 of H.B. 5040**, which would authorize Department of Children and Families (DCF) to provide child welfare services to anyone under age 18 who is identified as, or believed to be, a victim of trafficking, provide training on trafficking to law enforcement officials (within available appropriations), reduce trauma for victims by using multi-disciplinary teams in investigating instances of trafficking, and expand the definition of an "uncared for" child to include trafficked children. The human trafficking of children is a critical concern, and state efforts to prevent and respond to human trafficking would be greatly aided by the changes suggested in this bill.

**Voices would urge the committee to consider amending the bill to provide training not only for law enforcement officials, but also to other first points of contact, such as hospital and sexual assault crisis hotline staff. Additionally, Voices recommends that a dedicated funding stream be established to support victims of trafficking and provide trainings.**

In this testimony we describe the problem of human trafficking, explain its scope nationally and in Connecticut, examine Connecticut's current laws on human trafficking, outline existing resources to aid victims and train first responders, and suggest areas for expansion based on models from other states.

**I. Human Trafficking of Children: The Exploitation of Minors**

Human trafficking is the recruitment, transportation, transfer, harboring or receipt of persons for the purposes of exploitation.<sup>2</sup> Exploitation can include coerced labor or sex.<sup>3</sup> Human trafficking

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<sup>2</sup> Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime, G.A. Res. 55/25 (15 November 2000).

<sup>3</sup> *Id.*

thus combines a *process* of recruiting, moving or obtaining a person with an *end* of involuntary servitude, debt bondage, or commercial sex acts.<sup>4</sup>

When we hear of human trafficking we often think of the problem as being an international one: it is perceived to be more prevalent in other countries and to necessitate forcing a person to cross an international border. In fact, trafficking is prevalent in the United States and can occur with no crossing of a state or international border.<sup>5</sup> In 2012 the Department of Justice identified 40,000 domestic human trafficking victims.<sup>6,7</sup>

Children are at great risk of being trafficked. One estimate is that fifty percent of trafficking victims are children.<sup>8</sup> It is also estimated that 100,000 children are in the sex trade in the United States each year.<sup>9,10</sup> Domestic human trafficking can take many forms. For example, a teen in foster care runs away with her supposed “boyfriend” who asks her to sleep with a few of his friends to pay rent.<sup>11</sup> Or, a youth is made to work long hours at a family member’s restaurant.<sup>12</sup> Or, a mother “rents” her children to a pedophile to support her drug addiction.<sup>13</sup> Youth who are particularly vulnerable to domestic minor sex trafficking include youth with histories of abuse, homeless or runaway youth, youth within the foster care system, especially congregate care, and LGBTQ youth.<sup>14</sup>

For example, Emily, a 15-year-old ninth grader, ran away from home and was found being advertised for sex in four states: Maine, New Hampshire, Massachusetts and Connecticut.<sup>15</sup> Police found her in a hotel in New Hampshire.<sup>16</sup> The Department of Justice estimates that 1.6 million youth run away in a year<sup>17</sup>, and many risk ending up in situations similar to Emily’s.

Connecticut is no different from any other state when it comes to the issue of human trafficking: the problem is a pervasive, if under-recognized one. The National Human Trafficking Resource Center (NHTRC) reports that since December 7, 2007 there have been 536 calls to the NHTRC hotline from Connecticut, of which 141 were tip and crisis calls.<sup>18</sup> 183 of these calls were received from

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<sup>4</sup> HUMAN TRAFFICKING: WHAT YOUTH WORKERS SHOULD KNOW ABOUT HUMAN TRAFFICKING, [www.Anysyb.net/Human%20TraffickingYouthBureauConference.pptx](http://www.Anysyb.net/Human%20TraffickingYouthBureauConference.pptx) (last visited Feb. 14, 2014).

<sup>5</sup> HUMAN TRAFFICKING, <http://www.ocfs.state.ny.us/main/humantraffic/> (last visited Feb. 14, 2014).

<sup>6</sup> U.S. DEP’T OF STATE, TRAFFICKING IN PERSONS REPORT (June 2013).

<sup>7</sup> This number is significantly smaller than the number of total estimated human trafficking victims, because the Department of Justice is unable to identify every instance of human trafficking. Many trafficking cases go unreported, are not investigated or are not confirmed by the Justice department. Estimates of total trafficking numbers acknowledge the fact that there is under-reporting.

<sup>8</sup> FACTSHEET: CHILD TRAFFICKING, <http://www.unicef.org/infobycountry/files/ipuglobaltrafficking.pdf> (last visited Feb. 14, 2014).

<sup>9</sup> HUMAN TRAFFICKING, <http://www.polarisproject.org/human-trafficking/overview> (last visited Feb. 14, 2014).

<sup>10</sup> See footnote 7 regarding under-reporting.

<sup>11</sup> HUMAN TRAFFICKING, <http://www.ocfs.state.ny.us/main/humantraffic/> (last visited Feb. 14, 2014).

<sup>12</sup> *Id.*

<sup>13</sup> *Id.*

<sup>14</sup> HUMAN TRAFFICKING, *supra* note 4.

<sup>15</sup> Nicholas Kristof, *When Emily Was Sold for Sex*, NEW YORK TIMES, Feb. 12, 2014, [http://www.nytimes.com/2014/02/13/opinion/kristof-when-emily-was-sold-for-sex.html?ref=nicholasdkristof&\\_r=0](http://www.nytimes.com/2014/02/13/opinion/kristof-when-emily-was-sold-for-sex.html?ref=nicholasdkristof&_r=0) (last visited Feb. 14, 2014).

<sup>16</sup> *Id.*

<sup>17</sup> Heather Hammer, David Finkelhor, and Andrea J. Sedlak, *Runaway/Thrownaway Children: National Estimates and Characteristics*, October 2002, <https://www.ncjrs.gov/pdffiles1/ojdp/196469.pdf> (last visited Feb. 14, 2014).

<sup>18</sup> STATE MAP, <http://www.polarisproject.org/state-map> (last visited Feb. 14, 2014). The data displayed in this report was generated based on limited criteria from calls received by the National Human Trafficking Resource Center

2012 to 2013, and 27 were identified as potential trafficking.<sup>19</sup> Callers identified Bridgeport, Bristol, Hartford, Meriden, Middletown, Naugatuck, New Canaan, Salem, Stamford, and West Haven as locations for potential trafficking.<sup>20</sup> Between 2008 and 2010 the State Department of Children and Families identified 120 child survivors.<sup>21</sup> Ninety-eight percent of the children who have been identified and confirmed as victims of domestic minor sex trafficking since 2008 have been involved with child welfare services in some manner.<sup>22</sup>

## II. Connecticut's Existing Laws on Human Trafficking

Connecticut defines human trafficking as:

... all acts involved in the recruitment, abduction, transport, harboring, transfer, sale or receipt of persons, within national or across international borders, through force, coercion, fraud or deception, to place persons in situations of slavery or slavery-like conditions, forced labor or services, such as forced prostitution or sexual services, domestic servitude, bonded sweatshop labor or other debt bondage.<sup>23</sup>

Connecticut is one of 18 states that have a safe harbor law which considers sexually exploited children to be the victims of trafficking and deserving of services rather than criminals deserving of penalties.<sup>24</sup> Connecticut prohibits the prosecution of minors under the age of 15 engaged in prostitution-related offenses, and with respect to 16- and 17-year-olds, Connecticut has adopted a rebuttable presumption that such minors were coerced into prostitution and thus lack the mens rea necessary to support a finding of criminal culpability.<sup>25</sup> If a youth is arrested for prostitution then the police must additionally report the incident to the Department of Children and Families.<sup>26</sup>

### H.B. 5040

H.B. 5040 has four distinct pieces: (1) authorizing DCF to provide child welfare services to trafficking victims, (2) providing training to law enforcement officials on human trafficking (3) using multi-disciplinary teams in investigation and (4) expanding the definition of "uncared for" youth.

Section 3(a) of House Bill 5040 provides that the Commissioner of Children and Families may (1) provide child welfare services for any minor child residing in the state who is identified by the Department of Children and Families as a victim of trafficking, and (2) provide appropriate services to a minor child who the Department of Children and Families reasonably believes may be a victim of trafficking.

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(NHTRC) hotline. This is not a comprehensive report on the scale or scope of human trafficking on a state or national level. These statistics may be subject to change.

<sup>19</sup> STATE OF CONNECTICUT GENERAL ASSEMBLY TRAFFICKING IN PERSONS COUNCIL, RECOMMENDATIONS TO THE CONNECTICUT GENERAL ASSEMBLY 3 (2014).

<sup>20</sup> *Id.*

<sup>21</sup> *Id.*

<sup>22</sup> STATE OF CONNECTICUT DEPARTMENT OF CHILDREN AND FAMILIES, PUBLIC HEARING TESTIMONY ON H.B. 6500 AN ACT PROHIBITING THE PUBLICATION OF ADVERTISEMENTS FOR COMMERCIAL SEXUAL ACTS THAT DEPICT A MINOR, (March 5, 2013).

<sup>23</sup> C.G.S. § 46a-170(g).

<sup>24</sup> POLARIS PROJECT, 2013 ANALYSIS OF STATE HUMAN TRAFFICKING LAWS: SAFE HARBOR – PROTECTING SEXUALLY EXPLOITED MINORS (August 2013).

<sup>25</sup> *Id.*; see also C.G.S. § 53a-82(c)

<sup>26</sup> C.G.S. § 46b-133(d)(2)

Section 3(b) further provides that the Commissioner of Children and Families may provide training to law enforcement officials regarding the trafficking of minor children. The training should include (1) awareness and compliance with the laws and protocols concerning trafficking of minors, (2) identification of, access to and provision of services for minor children, and (3) any other services that the department deems necessary to carry out the provisions of this section.

Section 4(a) provides that the Commissioner of Children and Families may establish multidisciplinary teams for the purpose of reviewing particular cases, including cases involving the trafficking of a minor child. Section 17a-106a of the Connecticut General Statutes first provided for multidisciplinary teams in child welfare cases. The purpose of such teams is to “advance and coordinate the prompt investigation of suspected cases of child abuse or neglect, to reduce the trauma of any child victim and to ensure the protection and treatment of the child.”<sup>27</sup> Each team consists of at least one representative from each of the following: the State’s Attorney of the Judicial District of the team, the Commissioner of Children and Families, the head of the local or state law enforcement agencies, a health care professional with substantial experience in the diagnosis and treatment of abused or neglected children, a member of a youth service bureau, a mental health professional with substantial experience in the treatment of abused or neglected children, and any other appropriate individual with expertise in the welfare of children that the members of the team deem necessary.<sup>28</sup> Multi-disciplinary teams increase coordination and efficiency and decrease the number of times that a victim must re-tell their story, reducing secondary trauma; their use in trafficking cases is significant because trafficking victims come in to the state system through multiple points of entry, and so the provision of services would be facilitated by coordinating across these various entities.

Section 5(8) repeals Section 46b-120 of the general statutes to include victims of trafficking in the definition of “uncared for” youth. “Uncared for” is a statutory category, in addition to “neglected” and “abused”, that triggers certain legal rights. For example, the Commissioner of Children and Families can file with the Superior Court to bring an “uncared for” child within the jurisdiction of the court.<sup>29</sup> Expanding the category to encompass victims of trafficking ensures that the Commissioner of Children and Families will be able to commence proceedings regarding the child.

### **III. Best Practices for Services and Training**

#### **Existing Resources**

In 2011 the Trafficking in Persons Council and other non-governmental organizations provided services to 20 victims of human trafficking and conducted 70 educational and public awareness trainings for 1,270 people in Connecticut.<sup>30</sup> 17 of the 20 victims identified were children.<sup>31</sup> The funds spent for direct services were \$1,875 and the funds spent for education were \$8,297.<sup>32</sup>

The Department of Children and Families conducted 35 trainings to over 500 individuals, including the Department of Children and Families, AMR Ambulance, Connecticut Police Chiefs Association,

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<sup>27</sup> C.G.S. § 17a-106a

<sup>28</sup> *Id.*

<sup>29</sup> C.G.S. § 46b-129

<sup>30</sup> TRAFFICKING IN PERSONS COUNCIL, 2011 ANNUAL REPORT (February 2012).

<sup>31</sup> *Id.*

<sup>32</sup> *Id.*

Connecticut Sexual Assault Crisis Services, Manchester Police Department, Newington Ambulance, Norwich Foster parent Support Group, Rockville High School, University of Connecticut Campus, Youth Continuum, adult and juvenile judges, public defenders, and prosecutors.<sup>33</sup> The Connecticut Department of Children and Families also trains foster care parents and caseworkers in care facilities on identifying warning signs of trafficking.<sup>34</sup>

The Office of Victim Services worked with non-governmental organizations to conduct community-based trainings. The agencies that OVS collaborated with were the Barnaba Institute, The Connecticut Women's Consortium, International Institute of Connecticut, and Women's and Family Center for Meriden.

## Recommendations for Expansion

### *Allocate Special Funding for Training and Direct Services*

In 2011 only \$8,297 was spent on training. If Department of Children and Families and Office of Victim Services are to train law enforcement officials this amount ought to be increased.

Additionally, less than \$2,000 was spent on direct victim services for trafficking victims. These funds went towards housing three adult victims of trafficking<sup>35</sup>, leading us to believe that the services for child victims of trafficking came out of Department of Children and Families extant budget. **There ought to be money specifically earmarked for the assistance of child victims of trafficking, and for training of relevant personnel.**

### Screening

#### *Maintain Mandatory Screening*

The fact that Connecticut Department of Children and Families screens every child who enters its system for commercial sexual exploitation has been held up as a model for other states.<sup>36</sup> **We applaud the practice of screening every child who enters DCF and suggest maintaining the system of regional Human Trafficking Liaisons as a best way to ensure proper implementation of H.B. 5040.**

#### *Expand Training and Screening Efforts to, and Coordinate with, Connecticut's Juvenile Justice System*

Florida's Victim Identification Pilot Project trains staff at the Department of Juvenile Justice Assessment Centers to identify victims using a tool that includes common indicators and tips on how to interview victims of sex trafficking.<sup>37</sup> When victims are identified, staff reports them to the Florida Abuse Hotline and an alert is entered to track the child and ensure they receive appropriate

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<sup>33</sup> *Id.*

<sup>34</sup> ADMINISTRATION FOR CHILDREN AND FAMILIES, HUMAN TRAFFICKING BRIEFING SERIES: EMERGING PRACTICES WITHIN CHILD WELFARE RESPONSES (May 2013).

<sup>35</sup> Trafficking in Persons Council, *supra* note 30

<sup>36</sup> ADMINISTRATION FOR CHILDREN AND FAMILIES, *supra* note 34

<sup>37</sup> *Id.*

services.<sup>38</sup> Since many cases of trafficking may emerge through arrests of youth, it is crucial that there be a mechanism to determine victimization and transfer cases over to social service organizations. Juvenile Justice System staff ought to be included in any trainings that are created under H.B. 5040.

*Expand Training and Screening Efforts to, and Coordinate with, Local Children's Hospitals and Local Rape Crisis and Sexual Assault Centers*

Another common point of entry is through hospitals and rape crisis hotlines. **Children seeking services ought to be screened by hospital and crisis hotline staff and if necessary referred to the proper agencies. To accomplish this goal training efforts ought to be expanded to hospital and crisis hotline staff.**

The Connecticut Department of Children and Families already works with the Connecticut Children's Medical Hospital<sup>39</sup>; this liaison could be leveraged for implementation of H.B. 5040 by ensuring that trained hospital staff is conducting screenings for trafficking. **Moreover, Connecticut ought to consider expanding its model of coordinating with Connecticut Children's Medical Hospital to other hospitals statewide.**

Multnomah County in Oregon coordinates responses to commercial sexual exploitation with the Sexual Assault Resource Center, a hotline staffed 24 hours a day by licensed clinicians.<sup>40</sup> **Similarly, in implementing resources for victims Connecticut ought to coordinate with sexual assault hotlines to ensure that callers are being screened and referred to services.**

**Training**

*Develop Training Programs Based on the Three P's Model*

In developing training for law enforcement officials, it is important that the program focus not only on prosecution but developing a holistic understanding of the problem of human trafficking. The paradigm that is advanced by the State Department is the 3 P's Model, which focuses on Prevention, Protection, and Prosecution.<sup>41</sup> For example, law enforcement officials must have knowledge of and work to advance prevention efforts, by coordinating and communicating with non-governmental organizations working on the issue of human trafficking. Law enforcement can advance prevention efforts by monitoring websites like Backpage where victims are often advertised, and by screening youth that come into contact with law enforcement for other reasons. Law enforcement has a role to play in protection efforts as well because they are often the first responders when a trafficking situation emerges. They can enhance the protection of victims by being trained in how best to respond to a trafficking victim, how to effectively and compassionately interview a trafficking victim, and how to ensure that the needs of a trafficking victim are given priority. Finally, law enforcement must be trained to fulfill their traditional role of prosecution, and work to keep pimps and johns accountable for the trafficking of people especially minors. **Law enforcement officers should be**

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<sup>38</sup> *Id.*

<sup>39</sup> *Id.*

<sup>40</sup> *Id.*

<sup>41</sup> UNITED STATES DEPARTMENT OF STATE OFFICE TO MONITOR AND COMBAT TRAFFICKING IN PERSONS, THE 3PS: PREVENTION, PROTECTION, PROSECUTION (June 2011).

trained in prevention, protection, and prosecution of human trafficking, and should be trained on how to operate within multi-disciplinary teams with other child welfare staff.

### *Training Should Focus on Identification and Response*

Several models for training of law enforcement officials exist. For example, the Rescue and Restore Campaign, run through the Office of Refugee Resettlement in the Administration for Children and Families, provides resources on such topics as tips for identifying the crime of human trafficking, screening questions to assess whether a person is a trafficking victim, understanding the mindset of a trafficking victim, and communicating with victims of human trafficking.<sup>42</sup> The Polaris Project provides resources for law enforcement, including human trafficking case examples and a comparison chart of primary sex trafficking networks in the U.S.<sup>43</sup> The Department of Homeland Security Blue Campaign provides a web-based human trafficking training for law enforcement that focuses on recognizing human trafficking encountered during routine duties, how to protect victims, and how to initiate human trafficking investigations.<sup>44</sup> Looking to these programs as models, **law enforcement training in Connecticut ought to focus both on identification of victims (how to screen victims and questions to ask) and on proper responses to human trafficking (how to initiate an investigation and how best to communicate with victims of trafficking).**

### Housing

#### *House Teen Trafficking Victims in Group Homes, not Domestic Violence Shelters*

Office of Victim Services has contracted with The Connecticut Coalition Against Domestic Violence (CCADV) to provide shelter and services, not to exceed seven days, basic needs such as clothing and prescriptions, and assistance with permanent living arrangements for victims of trafficking.<sup>45</sup>

There may be good justifications for housing older victims of sex trafficking in domestic violence shelters – the victimization they’ve experienced has strong parallels to the sort of abuse and control that many victims of domestic violence experience, and so similar resources can be utilized. But this does not answer the question of where to house teen survivors of sex trafficking. Research suggests it would be inappropriate to house teen survivors of sex trafficking in a domestic violence shelter where most of the people being served are much older. In New York City, Girls Educational & Mentoring Services, an organization that services sexually exploited children and women, offers a Transitional Independent Living program for youth ages 16 to 21 who cannot immediately reunite with their families.<sup>46</sup> This allows teen victims to recover and become empowered in a setting with peers of their same age group. Moreover, the Transitional Independent Living Program provides housing for up to 18 months, offering more continuity than housing a victim on an emergency basis for seven days at a domestic violence shelter and then searching for alternate housing. **Teen**

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<sup>42</sup> RESCUE AND RESTORE CAMPAIGN TOOL KITS, <http://www.acf.hhs.gov/programs/orr/resource/rescue-restore-campaign-tool-kits#law> (last visited Feb. 14, 2014).

<sup>43</sup> Tools for Service Providers and Law Enforcement, <http://www.polarisproject.org/resources/tools-for-service-providers-and-law-enforcement> (last visited Feb. 14, 2014).

<sup>44</sup> Human Trafficking Training Program, <http://www.fletc.gov/training/programs/human-trafficking-training-program> (last visited Feb. 14, 2014).

<sup>45</sup> TRAFFICKING IN PERSONS COUNCIL, ANNUAL REPORT (January 2009).

<sup>46</sup> TRANSITIONAL & SUPPORTIVE HOUSING, <http://www.gems-girls.org/what-we-do/our-services/intervention/transitional-supportive-housing> (last visited Feb. 14, 2014).

trafficking victims ought to be housed in group homes where they will be surrounded by others of their age group, rather than in domestic violence shelters.

In closing, we would like to reiterate Connecticut Voices for Children's strong support of Raised Bill 5040, with the suggestions identified above, and thank the Co-Chairs and distinguished members of this Committee for their time.