



ADMINISTRATION FOR
CHILDREN & FAMILIES
Office on Trafficking in Persons

Responding to Foreign National Minor Victims of Trafficking

U.S. DEPARTMENT OF HEALTH AND HUMAN SERVICES

OFFICE ON TRAFFICKING IN PERSONS

LAUREN DEVINE, CHILD PROTECTION SPECIALIST

CHANELLE ROLLINS, CHILD PROTECTION SPECIALIST

Training Overview

I : Office on Trafficking in Persons (OTIP)

II : Human Trafficking

III : Screening and Identification

IV : Reporting Process

V : Benefits and Services

VI : Case Trends

Learning Objectives

By the end of this training, participants will be able to:

- **Understand** the role of OTIP in relation to foreign national minor victims of trafficking.
- **Recognize** human trafficking and **how to identify** potential minor victims.
- **Identify** when and how to report a case to OTIP.
- **Describe** Interim Assistance and Eligibility Letters and how they benefit a minor victim of trafficking.

I : Office on Trafficking in Persons (OTIP)

RESPONDING TO FOREIGN NATIONAL MINOR VICTIMS OF TRAFFICKING



Office on Trafficking in Persons (OTIP)

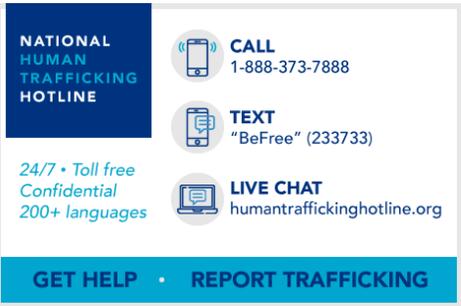
Responsibilities

- Develop anti-trafficking strategies
- Support policies and programs to prevent human trafficking
- Build health and human service capacity to respond to human trafficking
- Increase victim identification and access to services
- Strengthen health and well-being outcomes for survivors of human trafficking

Office on Trafficking in Persons (OTIP)

Programs

- Victim Assistance
- Training and Technical Assistance
- Public Awareness and Outreach
- Data Collection and Research



**NATIONAL
HUMAN
TRAFFICKING
HOTLINE**

24/7 • Toll free
Confidential
200+ languages

CALL
1-888-373-7888

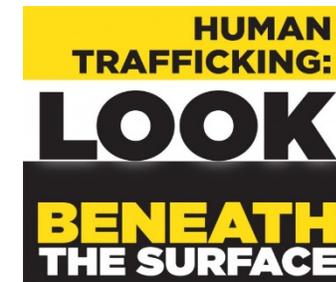
TEXT
"BeFree" (233733)

LIVE CHAT
humantraffickinghotline.org

GET HELP • REPORT TRAFFICKING



**NATIONAL HUMAN TRAFFICKING
TRAINING AND TECHNICAL
ASSISTANCE CENTER**



II : Human Trafficking

RESPONDING TO FOREIGN NATIONAL MINOR VICTIMS OF TRAFFICKING



What is Human Trafficking?

Human trafficking is a **public health concern** that impacts individuals, families, and communities across generations.

- **Labor Trafficking**

Forced labor. Individuals are compelled to work or provide services through the use of force, fraud, or coercion.

- **Sex Trafficking**

Commercial sex. Individuals are compelled to engage in commercial sex through the use of force, fraud, or coercion. When a person under 18 years old is compelled to perform a commercial sex act, it is a crime regardless of whether there is any force, fraud, or coercion.

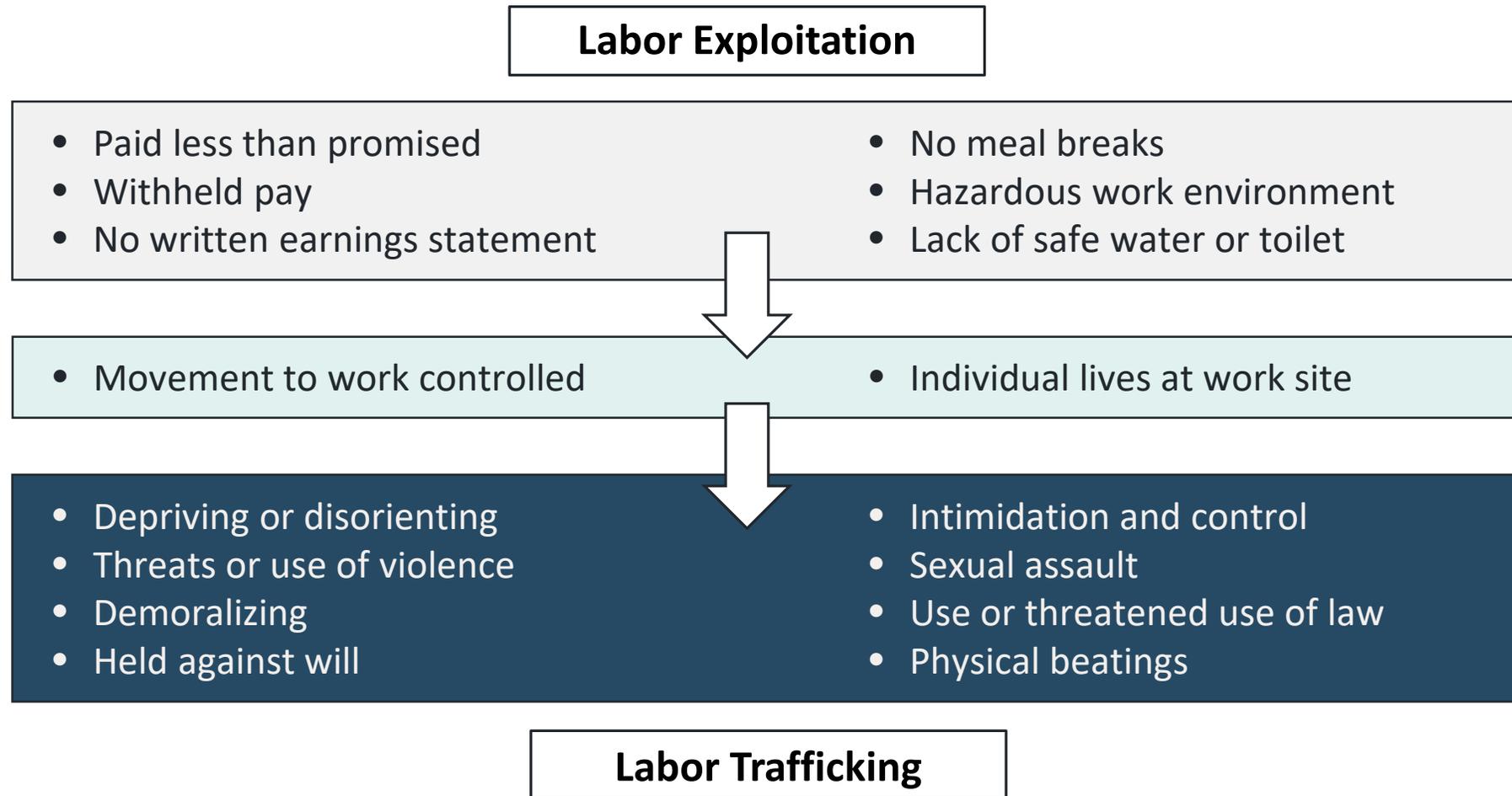
Trafficking vs. Smuggling

Trafficking	Smuggling
<ul style="list-style-type: none">▪ Trafficking is a crime against a person.	<ul style="list-style-type: none">▪ Smuggling is a crime against a country.
<ul style="list-style-type: none">▪ Victims either do not consent to their situations or, if they initially consent, the situation shifts and they are made to engage in forced labor or commercial sex.	<ul style="list-style-type: none">▪ The transaction is typically mutual and ends upon arrival at predetermined destination.
<ul style="list-style-type: none">▪ Exploitation of victims to generate illicit profits for the traffickers.	<ul style="list-style-type: none">▪ Business arrangement between smuggler and person entering the country.
<ul style="list-style-type: none">▪ Trafficking does need to involve physical movement of a person (but must involve a person being subjected to forced labor or commercial sex).	<ul style="list-style-type: none">▪ Smuggling always involves transnational physical movement.
<p>An individual being smuggled is at greater risk of experiencing trafficking.</p>	

Trafficking vs. Ransom

Trafficking	Ransom
<ul style="list-style-type: none">▪ Trafficking involves forced labor or commercial sex.	<ul style="list-style-type: none">▪ Ransom involves an individual being held against their will for the purpose of an organization or perpetrator receiving money.
<ul style="list-style-type: none">▪ Trafficking does not need to involve a person being held against their will.	<ul style="list-style-type: none">▪ Ransom typically involves the person being held against their will.
<ul style="list-style-type: none">▪ Includes forced labor or commercial sex to pay off debt or money owed to an individual or organization.	<ul style="list-style-type: none">▪ Ransom is paid directly to an individual or organization holding a person.
<p>When a ransom payment for a child is met through a commercial sex act or the child is forced to work while held for ransom, then the child has likely experienced human trafficking.</p>	

Labor Trafficking vs. Labor Exploitation



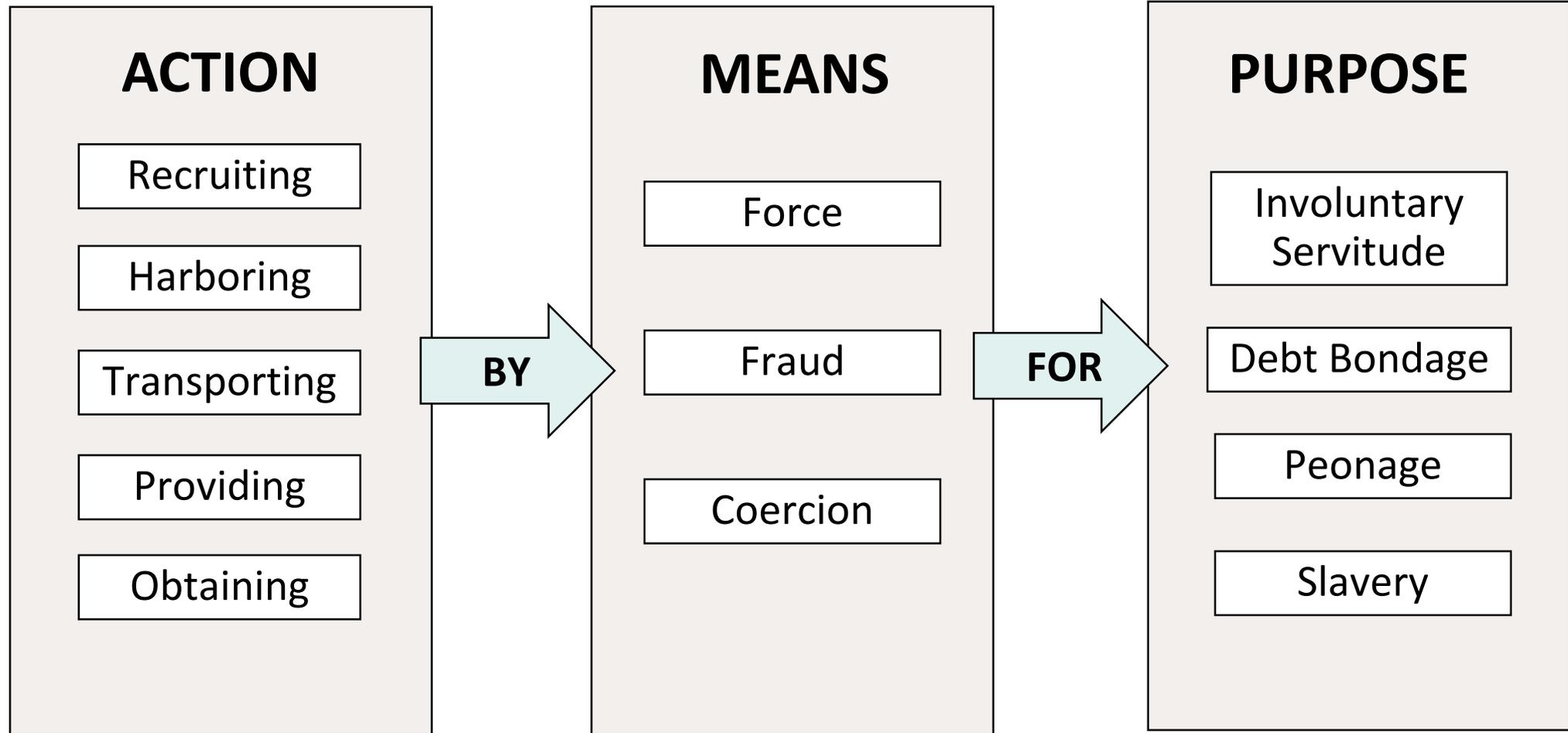
The recruiting, harboring, transporting, providing, or obtaining of a child for labor or services through the use of force, fraud, or coercion for the purpose of subjection to involuntary servitude, peonage, debt bondage, or slavery.



Labor Trafficking



AMP Model : Labor Trafficking

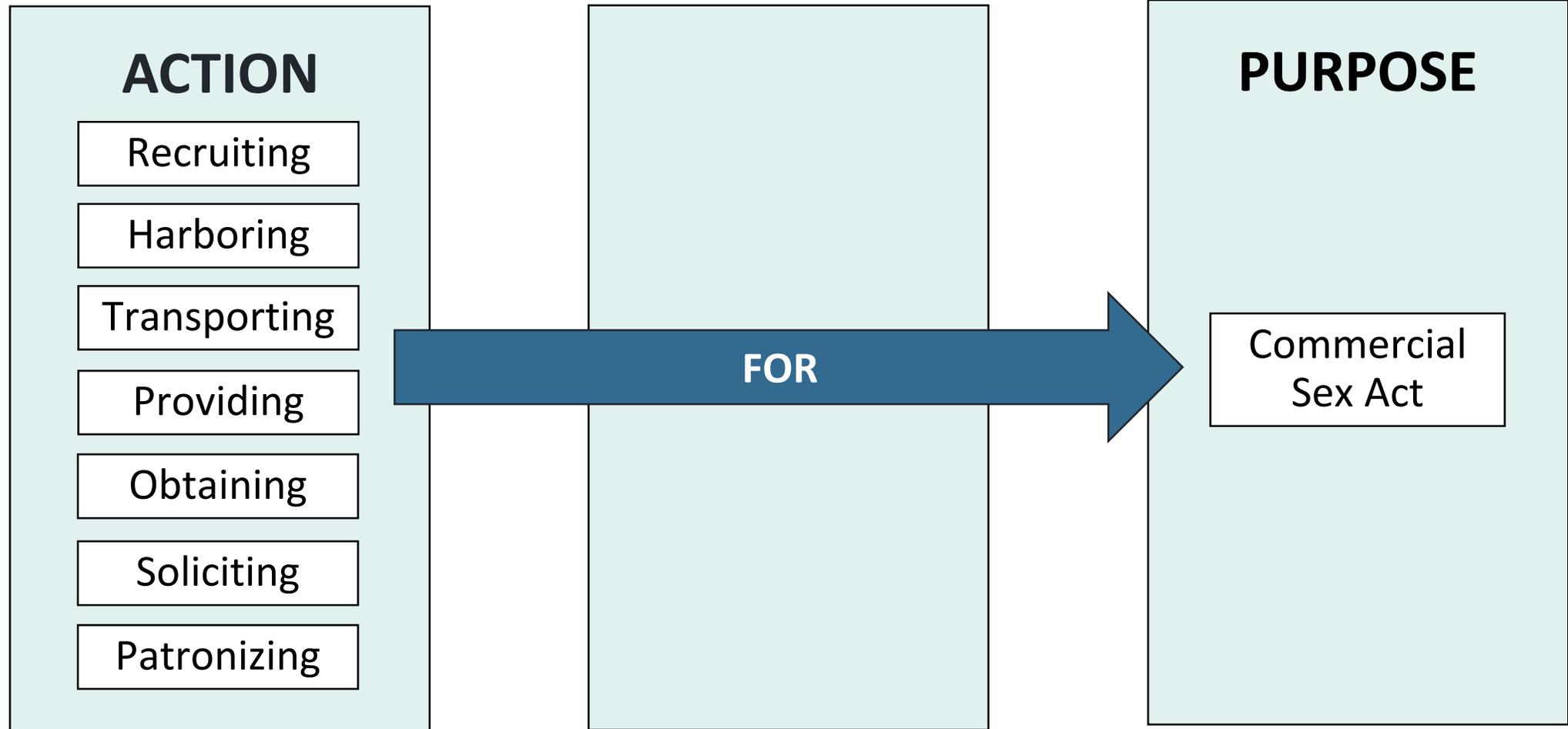


Sex Trafficking of Minors



The recruiting, harboring, transporting, providing, obtaining, soliciting, or patronizing of a child for the purpose of engaging in a commercial sex act.

AMP Model : Sex Trafficking of Minors



Sex Trafficking of Minors

The “**something of value**” can include money, food, shelter, gifts, transportation, etc.

Offers of something of value for **videos or images of a minor** must include knowledge that the minor would be **depicted or made to engage in a sexual act** in the images or videos to be considered sex trafficking.

Sexual Act as defined in federal law, 18 U.S.C. § 2246.

Even if the sex act or exchange never occur, **solicitation for a commercial sex act alone may be considered sex trafficking of a minor.**

Action

Sex & Labor Trafficking

- **Recruitment of a child**
Did the minor have a vulnerability that was then used against them for the purpose of exploitation? Did the child fit a specific profile? Were there grooming behaviors?
- **Harboring of a child**
Was the child taken away from others (family, friends) or isolated? Was the child confined to a specific location? Were the child's movements or communications monitored?
- **Transporting of a child**
Was the child moved from one location to another for the purpose of being forced to work? Was the child provided with travel arrangements?
- **Provision of a child**
Was the child given to another individual? Was the child given to a third-party employer?
- **Obtaining of a child**
Was the child forcibly taken by an individual?
- **Soliciting of a child***
Was the child offered or promised money or something of value in exchange for a sex act?
- **Patronizing of a child***
Was any person offered or given money or something of value in relation to the child engaging in a sex act?

**Soliciting and patronizing are only for cases of sex trafficking.*

Means

Labor Trafficking

- **Force**
Physical. Sexual assaults, beatings, physical confinement, isolation.
- **Coercion**
Psychological. Threats of serious harm or psychological manipulation, climate of fear, threatening the life and safety of a person or their family and friends, withholding legal documents, increasing or compounding debt that is impossible to pay off, witnessing harm to others, abuse or threatened abuse of the legal system.
- **Fraud**
Deception. False promises about work and living conditions, use of fraudulent travel documents, fraudulent employment offers, withholding wages, changes in agreement or nature of relationship.

Children induced into commercial sex are victims of trafficking regardless of force, fraud, or coercion.

Purpose

Sex & Labor Trafficking

- **Involuntary Servitude**

Forced labor. Any scheme, plan, or pattern intended to cause a person to believe that, if the person did not enter into or continue in such condition, that person or another person would suffer serious harm or physical restraint; or the abuse or threatened abuse of the legal process. This can also include “involuntary sexual servitude”.

- **Debt Bondage**

Labor associated with a debt that increases or never decreases. The status or condition of a debtor arising from a pledge by the debtor of his or her personal services or of those of a person under his or her control as a security for debt, if the value of those services as reasonably assessed is not applied toward the liquidation of the debt or the length and nature of those services are not respectively limited and defined.

- **Peonage**

Labor with threat of harm that is connected to a debt. A status or condition of involuntary servitude based on real or alleged indebtedness.

- **Slavery**

Owned for the purpose of performing labor or services. The child was forced to perform labor or services with no pay or exchange of any goods and full purpose of day to day life becomes for the purpose of the labor or service. This can also include “sexual slavery”.

- **Commercial Sex Act**

Sexual act in exchange for something of value. Any sex act on account of anything of value given to or received by any person.



Test your Knowledge (1)

A child is brought into the United States by a coyote. Once in the United States, the coyote demands more money from the child's family and holds the child in a warehouse for three weeks until the child's family sends additional money. While held, the child is told that if she attempts to leave, she will be killed.

A. Are there sex trafficking concerns, labor trafficking concerns, or no trafficking concerns?

B. What is the Action, the Means, and the Purpose?

C. If you cannot identify an Action, a Means, or a Purpose, what more questions would you ask?

Test your Knowledge (2)

While crossing the border, the child's guide tells the child that she has to have sex with him in order to pay off her parents' smuggling debt. The child agrees because she does not want to work when she gets to the United States to pay off the debt. The guide engages in sexual acts with her and tells her that her debt is now paid.

A. Are there sex trafficking concerns, labor trafficking concerns, or no trafficking concerns?

B. What is the Action, the Means, and the Purpose?

C. If you cannot identify an Action, a Means, or a Purpose, what more questions would you ask?

Test your Knowledge (3)

While waiting to cross the border, a 17-year-old boy is told by a stranger that he must carry drugs with him when he crosses into the United States. The stranger threatens to kill the boy if he does not carry the drugs. The child is apprehended after crossing the border and is found with drugs.

A. Are there sex trafficking concerns, labor trafficking concerns, or no trafficking concerns?

B. What is the Action, the Means, and the Purpose?

C. If you cannot identify an Action, a Means, or a Purpose, what more questions would you ask?

Test your Knowledge (4)

A child and her mother arrange the child's journey to the United States. The child's mother puts up their land as collateral for the cost of her journey. The child is planning to work in the United States once she turns 18 years old and does not currently have a job set up for her. If the debt is not paid in three years her family will lose their land in Guatemala.

A. Are there sex trafficking concerns, labor trafficking concerns, or no trafficking concerns?

B. What is the Action, the Means, and the Purpose?

C. If you cannot identify an Action, a Means, or a Purpose, what more questions would you ask?

III : Screening and Identification

RESPONDING TO FOREIGN NATIONAL MINOR VICTIMS OF TRAFFICKING



Risk Factors among Foreign National Minors

- History of abuse and neglect
- Victims of domestic violence
- Racial and ethnic minorities
- Individuals with disabilities
- Low socioeconomic status
- Runaway and homeless youth
- Communities exposed to intergenerational trauma
- Lesbian, gay, bisexual, transgender, and questioning (LGBTQ) individuals
- Exposure to community violence



Common Red Flags

Physical	Behavioral	Social and Environmental
<ul style="list-style-type: none"> ▪ Sexually transmitted infections ▪ High number of sexual partners ▪ Multiple pregnancies or abortions ▪ Dental issues ▪ Bruising and burns ▪ Signs of self-harm ▪ Weight loss or malnourishment ▪ Suicide attempts ▪ Physical abuse ▪ Sexual abuse 	<ul style="list-style-type: none"> ▪ Confusing or contradicting stories ▪ Inability to concentrate ▪ Protects person who exploited them ▪ Minimizes abuse ▪ Guilt and shame about experiences ▪ Suicidal ideations ▪ Extreme timidity ▪ Aggressive, antagonistic, or defensive ▪ Heightened stress response ▪ Posttraumatic stress disorder ▪ Withdrawn or depressed 	<ul style="list-style-type: none"> ▪ Not able to speak for oneself or share information ▪ Evidence of being controlled ▪ Reports that they lived at their worksite ▪ Reports that they were multiple people in cramped living space ▪ Absent from school ▪ Failing grades ▪ Sudden increase in substance use ▪ Age-inappropriate romantic partner ▪ Frequently running away

Factors that Impact Screening and Identification

- Minor lacks awareness of victimization.
- Minor has complex trauma.
- Screener is busy and rushing the interview with the minor.
- Minor has been coached by the trafficker.
- Screener asks direct questions, asks for details, and does not try to understand the full situation or elicit a full narrative from the minor.
- Minor fears that trafficker will cause harm to them, their family, or their loved ones.
- Screener lacks knowledge about human trafficking.
- Language or cultural barriers between minor and screener.
- Minor fears deportation or law enforcement.
- Minor thinks exploitation is normal.
- Minor distrusts screeners and authorities.
- Minor feels shame or guilt.
- Screener does not conduct the interview in a trauma-informed manner.

Trauma-Informed and Victim Centered Screening

- Use TED Questions.
- Ask open-ended, non-leading questions.
- Assess impact of child's environmental factors and possible vulnerabilities with disclosure.
- Consider effects of trauma on the child's responses, consider cognitive abilities, and consider mental health.
- Build felt safety and trust.
- Seek to allow the minor to share a narrative rather than asking for specific details and trying to get every detail of the situation.

TED Questions

T – Tell me about.

E – Explain.

D – Describe.

IV : Reporting Process

RESPONDING TO FOREIGN NATIONAL MINOR VICTIMS OF TRAFFICKING



Federal Reporting Requirements

- **24 Hour Reporting Requirements**

“Not later than 24 hours after a federal, state, or local official discovers that a person who is under 18 years of age may be a victim of a severe form of trafficking in persons, the official shall notify HHS to facilitate the provision of interim assistance.” *(Trafficking Victims Protection Act of 2000, as amended)*

- **Reporting Requirements for Mandated Reporters**

Human trafficking is now included in the definition of child abuse. Therefore, mandated reporters are now required to follow their state and local child welfare reporting requirements and report trafficking accordingly. *(Justice for Victims of Trafficking Act of 2015)*



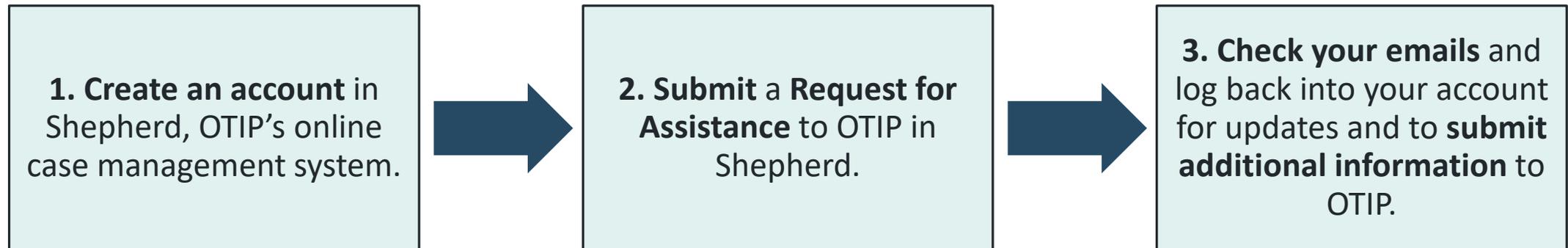
Requirements to Report and Request Assistance

There are concerns of **possible forced labor** or **commercial sex** at **any point** in the minor's life.

The minor a **non-U.S. citizen** and **non-lawful permanent resident**.

The minor is currently **under the age of 18** and is currently located in the United States.

Steps to Request Assistance



Determination Types

Initial Determination

- **Interim Assistance Letter**
Request for Assistance indicates possible concerns of trafficking. Letter provides 90 to 120 days of benefits before a Denial or Eligibility Letter is issued.

Final Determinations

- **Denial of Assistance**
Request for Assistance did not indicate any possible concerns of trafficking. Internal denial response in Shepherd explaining why there was not enough information to provide Interim Assistance or Eligibility.
- **Denial of Eligibility Letter**
Request for Assistance and additional information and consultation during Interim Assistance period do not indicate clear trafficking concerns. Letter issued to the minor after the period of Interim Assistance explaining that the minor is no longer eligible for assistance as a victim of trafficking.
- **Eligibility Letter**
Request for Assistance indicates clear trafficking concerns OR information gathered during period of Interim Assistance indicates clear trafficking concerns. Letter issued to the minor immediately or following the period of Interim Assistance that provides the minor the ability to apply for benefits and services to the same extent as a refugee. This letter does not expire.

V : Benefits and Services

RESPONDING TO FOREIGN NATIONAL MINOR VICTIMS OF TRAFFICKING



Benefits

Monetary Assistance	Nutrition	Medical Services	Education	Employment	Housing	Multiple Needs Assistance
Refugee Cash and Medical Assistance (CMA/RCA)	Supplemental Nutritional Assistance Program (SNAP)	Children's Health Insurance Program (CHIP)	Title IV Federal Student Financial Aid	Job Corps	Public Housing Program	Refugee Social Services and Targeted Assistance
Supplemental Security Income (SSI)		Medicaid			Tenant-Based Vouchers	Unaccompanied Refugees Minor Program
Temporary Assistance for Needy Families (TANF)		Office of Refugee Resettlement (ORR) Medical Screenings				Voluntary Agency Matching Grant Program
		Refugee Medical Assistance (RMA)				

Case Management Services

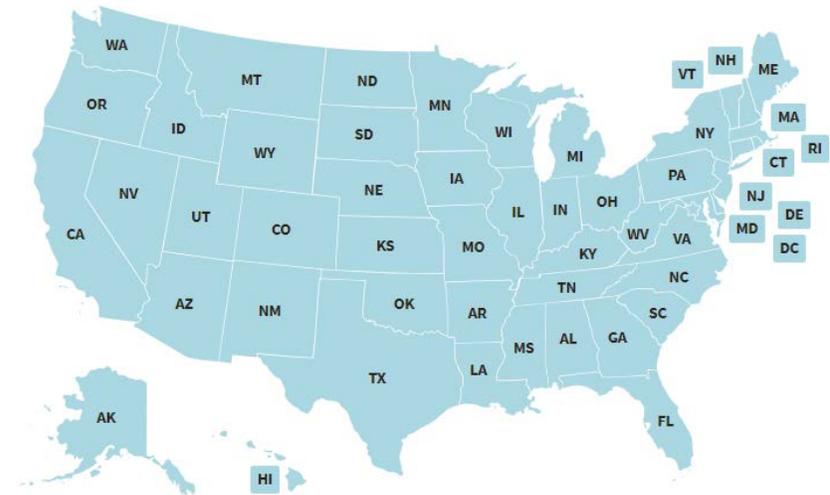
Trafficking Victims Assistance Program (TVAP)

Trafficking-specific, comprehensive case management services and some out-of-pocket expenses for foreign national minors who have experienced human trafficking.

U.S. Committee for Refugees and Immigrants

1-800-307-4712

TraffickingVictims@uscridc.org



Steps to Apply for Benefits and Services

1. Respond to TVAP to connect the minor to case management services in their local area.



2. Go to the local Social Security Administration office and apply for a non-work Social Security number.



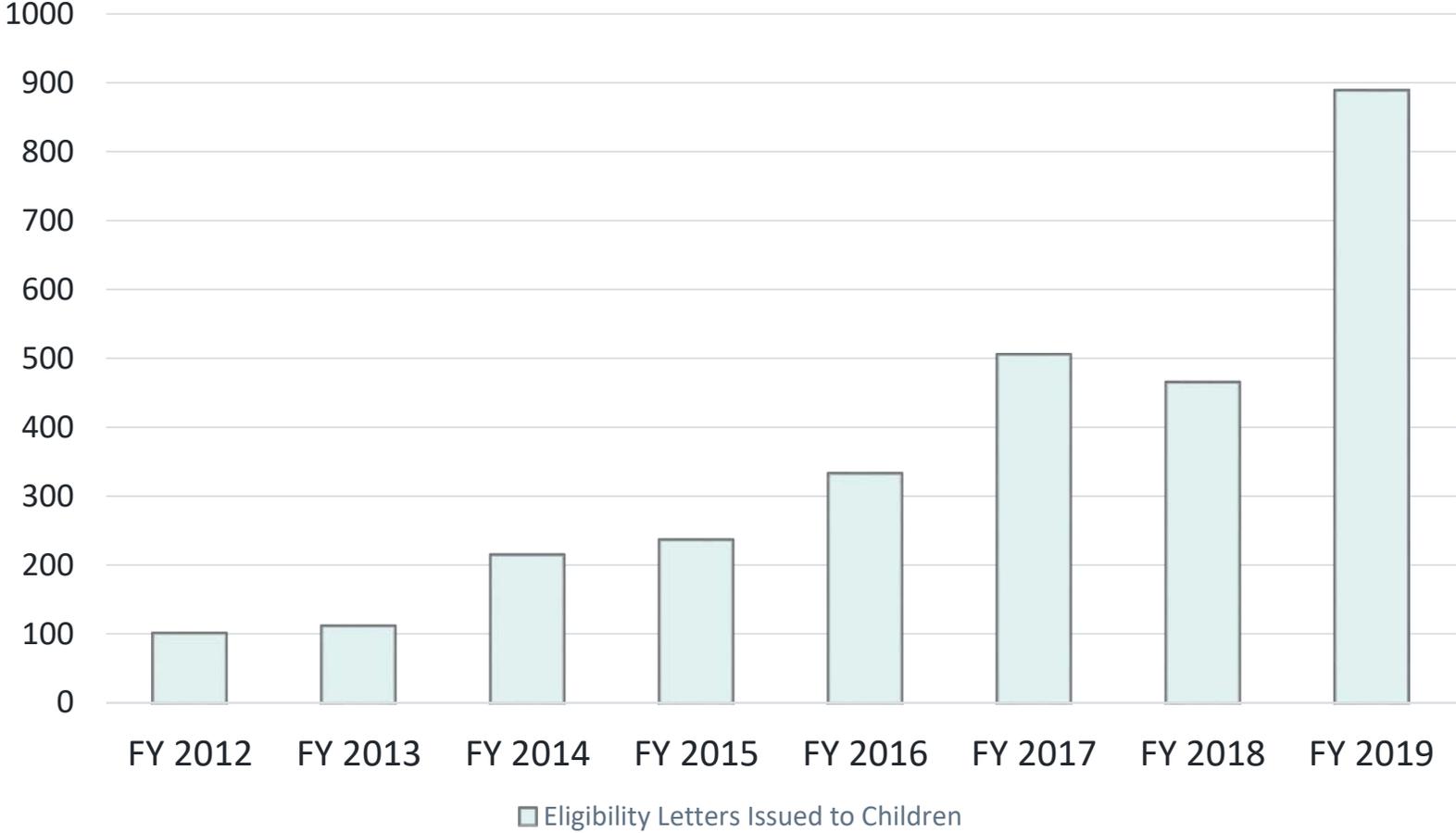
3. Go to a local benefit-issuing agency and apply for benefits and services.

VI : Case Trends

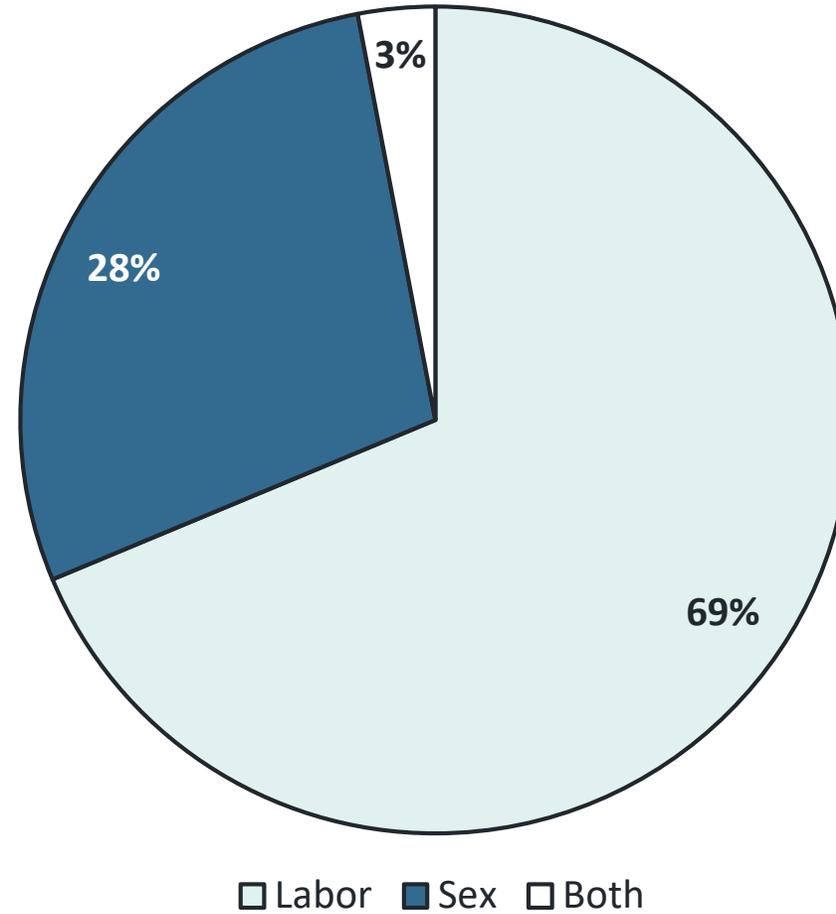
RESPONDING TO FOREIGN NATIONAL MINOR VICTIMS OF TRAFFICKING



Eligibility Letters Issued



Type of Trafficking



Contact

Lauren Devine, Child Trafficking Prevention & Protection Coordinator
Chanelle Rollins, Child Protection Specialist

Email: ChildTrafficking@acf.hhs.gov

Case Staffings: 202-205-4582

Shepherd: <https://shepherd.otip.acf.hhs.gov/>

OTIP Website: acf.hhs.gov/otip

