**Assessment of Exploitation**

0070-535.10 | Revision Date: XX/XX/21

Overview

This policy guide provides staff with an overview of how CSWs are to identify, assess, and document the exploitation of a child.

TABLE OF CONTENTS

[Policy](#bookmark=id.gjdgxs)

[Assessment of Alleged Exploitation](#bookmark=id.30j0zll)

Commercial Sexual Exploitation

Warning Signs Associated with Commercial Sexual Exploitation

Recommended Interviewing Techniques with Youth

Interviewing Questions for Parents

Collateral Contacts

Exploiting a Child’s Labor

[Determining Disposition](#bookmark=id.30j0zll)

[Youth At-Risk of Commercial Sexual Exploitation](#bookmark=id.30j0zll)

Meeting the Needs of CSEC

[Procedure](#bookmark=id.3znysh7)

[Assessing Alleged Commercial Sexual Exploitation](#bookmark=id.2et92p0)

[CSW Responsibilities](#bookmark=id.tyjcwt)

[Assessing Alleged Economic Exploitation](#bookmark=id.3dy6vkm)

[CSW Responsibilities](#bookmark=id.1t3h5sf)

[Assessing Child Exploitation Involving Illegal Activities](#bookmark=id.4d34og8)

[CSW Responsibilities](#bookmark=id.1ksv4uv)

[Assessing Alleged Exploitation Occurring in the Home](#bookmark=id.2s8eyo1)

[CSW Responsibilities](#bookmark=id.17dp8vu)

[Approvals](#bookmark=id.3rdcrjn)

[Helpful Links](#bookmark=id.26in1rg)

[Attachments](#bookmark=id.44sinio)

[Referenced Policy Guides](#bookmark=id.lnxbz9)

[Statutes](#bookmark=id.35nkun2)

Version Summary

This policy guide was updated from the 07/01/14 version, to include the documentation of commercial sexual exploitation of children (CSEC) during the investigation process and the commercial exploitation of a child’s labor or services (labor trafficking).

**POLICY**

**Commercial Exploitation of Children**

The commercial exploitation of children (CEC) includes 1) minor victims of sex trafficking known as Commercially Sexually Exploited Children (CSEC) and/or 2) minor victims of labor trafficking, when a child’s personal liberty is deprived or violated through force, fraud, or coercion with the intent to obtain forced labor or services.

Both CSEC and labor trafficking of a child are forms of child abuse that must be reported to the Child Protection Hotline, and under U.S. federal law, “severe forms of trafficking in persons” is defined as follows:

**Sex trafficking,** (also referred to as CSEC when it involves minors) is the recruitment, harboring, transportation, provision, obtaining, patronizing, or soliciting of a person for the purposes of a commercial sex act, in which the commercial sex act is induced by force, fraud, or coercion, or in which the person induced to perform such an act has not attained 18 years of age (*22 USC § 7102*).

**Labor trafficking** is the recruitment, harboring, transportation, provision, or obtaining of a person for labor or services, through the use of force, fraud, or coercion for the purposes of subjection to involuntary servitude, peonage, debt bondage, or slavery, (*22 USC § 7102* Labor or services may include formal employment in various industries, informal services such as babysitting and housekeeping, or can include illegal activities such as drug cultivation or drug sales.

The commercial aspect of both sex and/or labor trafficking is critical to separating the crime of trafficking from sexual assault, molestation, rape, labor violations, or any other form of abuse or neglect.

The intersection of Commercial Sexual Exploitation of Children (CSEC, also known as child sex trafficking) and child labor trafficking may intersect when a child or youth is required to provide commercial sexual services and conduct additional duties such as massage, housekeeping, selling drugs, or stealing. The National Human Trafficking Hotline has also identified common settings for the intersection of CSEC and labor trafficking in bars and clubs, illicit massage and health and beauty industries. While both forms of trafficking may co-occur, it is an important to note that any child under the age of 18 who is induced to perform a commercial sex act is considered a victim regardless of the presence of force, fraud, or coercion, while the latter must be proven in cases involving labor trafficking. These elements distinguish labor trafficking from legal or illegal child labor (if children are underage or working in prohibited settings) or labor exploitation (if children are not paid fairly or are working in unsafe conditions); based on the Fair Labor Standards Act (FLSA). Regardless of the type of trafficking, similar tactics are used by exploiters to control children and youth.

* Force involves physically restraining or harming a victim.
* Fraud deceives victims about aspects of their employment including job duties, work conditions, and payment.
* Coercion includes multiple ways a trafficker may control a victim and is detailed more fully below.

Coercion may include threats of serious psychological/physical harm to the victim or a loved one; real or threatened abuse of the legal system (i.e., threatening youth with deportation or prosecution by the police), or any plan or scheme that causes someone to continue working for their trafficker. California law specifically includes facilitating drug use or drug dependency as a means of coercion.

Victims and traffickers can be from any background, race, gender, sexual orientation,

and economic status. Traffickers prey on an individual’s vulnerabilities such as poverty, status as a runaway or homeless youth, criminal record, young age, disabilities, an unstable family environment, immigration status, chemical dependency and racial or ethnic marginalization. A child or youth may be the primary victim or secondary victim (in the case they are in the care of a parent or guardian who is being trafficked). The National Trafficking Hotline confirms that in many scenarios, traffickers are in a position to gain the victim’s trust — and often may present as family members, parents or other care givers; an intimate partner, may be a gang member or dealer/illicit substance provider, smuggler, landlord or employer/employment recruiter. Particularly, in cases of familial trafficking, or with intimate partners, children and youth who experience trafficking may demonstrate conflicting emotions of love and care for their trafficker while simultaneously experiencing extreme fear and abuse, which is known as a trauma bond.

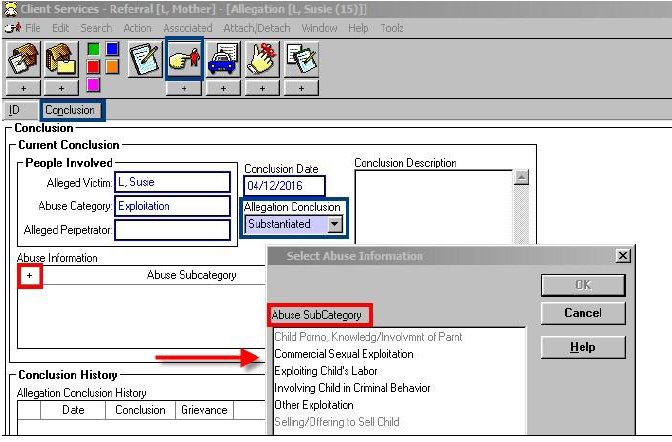
**Assessment of Alleged Exploitation**

Sex trafficking or Commercial Sexual Exploitation of Children (CSEC) and/or labor trafficking must be reported when either the parent or guardian is the exploiter or if the parent or guardian has failed to protect the child from a third-party exploiter, or in the case that a child has engaged in CSEC on their own accord.

There are 4 sub-abuse categories under the general Abuse Category of Exploitation which can assist in identifying children and youth who have experienced sex trafficking (CSE), labor trafficking (commercial exploitation for labor or services) and other forms of exploitation. In cases which involve two or more forms of exploitation, allegations should be entered separately.

* **Sex Trafficking,** Commercial Sexual Exploitation
* **Labor Trafficking** 1) Exploiting a Child’s Labor (for cases involving legal industries) 2) Involving a Child in Criminal Activity (for cases in which a minor is forced to engage in illicit work on behalf of their trafficker).
* and **Other Exploitation** \*for the purposes of this document we will not be addressing this fourth category.

Below is the screenshot on CWS/CMS that shows these abuse categories:



**Commercial Sexual Exploitation – Sex Trafficking**

WIC 300(b)(2) clarified “these children are known as commercially sexually exploited children,” and describes CSEC in two categories:

1. a child who engages in commercial sex for money or
2. a child who engages in commercial sex and receives food, shelter, or anything value in exchange for commercial sex,

Any minor who is engaged in commercial sexual activity, whether as a suspected victim, recruiter, or exploiter, must be reported as a victim of child abuse.

Examples of Commercial Sexual Exploitation (CSE):

* Street exploitation
* Exchanging sexual acts in home or hotel settings
* Arranging the exchange of sexual acts on the internet/social media
* Production of sexually explicit images or video content
* Exchanging sexual acts for goods or services (housing/food/protection)
* Advertising a minor for sexual purposes
* Encouraging/coercing/threatening/coaching a person to exchange sexual acts

CSEC does not only include what is commonly understood as “street prostitution,” but also any involvement of a minor in pornography, stripping, erotic/nude massages, escort services, phone sex lines, private parties, gang-based prostitution, interfamilial pimping, and various forms of exploitation via the internet or social media**.**

Exchanging sexual acts to meet a basic need is sometimes referred to as “survival sex”.

SB 794(2016) mandates that youth who return from a runaway (insert link to Runaway policy) episode should be assessed for CSE; if there is a reasonable suspicion that CSE occurred during the runaway episode, call the CPH to report child abuse. Every new and repeated incident of CSE must be reported to the CPH.

**Child Labor Trafficking**

In addition to Federal Law, [CA Penal Code Section 236.1](https://leginfo.legislature.ca.gov/faces/codes_displaySection.xhtml?lawCode=PEN&sectionNum=236.1.#:~:text=(a)%20A%20person%20who%20deprives,hundred%20thousand%20dollars%20(%24500%2C000).): describes a victim of labor trafficking as an individual whose personal liberty is deprived or violated through force, fraud, duress or coercion with the intent to obtain forced labor or services.

Labor or services (work) can include formal employment in various industries, informal services such as babysitting and housekeeping which would be categorized by the exploitation category (**Exploiting a Childs Labor**) or may involve forced illegal activities such as drug cultivation or drug sales (**Involving a Child in Criminal Activities**). Children and youth are at especially high risk for labor trafficking as they may lack the experience and knowledge to recognize abusive employment practices and suspicious job offers. Some youth feel the only way to support their families is to work, even if they can only do so illegally, making them susceptible to recruitment for fraudulent, illegal, or abusive work.

Bonded labor, or debt bondage is another widely used method of control. Victim’s labor is demanded as a means of repayment for a loan or service in which its terms and conditions have not been defined or in which the value of the victims’ services is not applied toward the liquidation of the debt. The value of their work is often greater than the original sum of money “borrowed” but many trafficking victims are controlled because they believe they must repay this debt.

Labor trafficking occurs in communities of all sizes and in a variety of industries and locations. For instance, urban counties may attract youth to work in sales or restaurant jobs, while rural areas may attract more agricultural workers.

Any minor who is being forced or coerced to perform a labor or service, should be reported as a victim of child abuse. When you become aware that a child is experiencing child labor trafficking, contact the child protection hotline, who will cross-report to law enforcement.  Any employee of DCFS who, within the scope of his/her employment, observes, suspects or receives a report of exploitation from a source other than the CPH, must immediately contact the CPH to [make a referral](http://../../../../../../../MariaFlareProject/ladfcs/Content/Child_abuse_and_neglect.htm).

As described in the prior sectionthere are two existing places to document child labor trafficking within the Child Welfare Services/Case Management System (CWS/CMS).

**Examples of “Exploiting at Child’s Labor” common settings (not limited to list):**

* Bars, Clubs, Cantinas
* Begging or Peddling
* Health Care & Beauty
* Domestic Work (child/elder care, housekeeping)
* Traveling Sales Crews
* Restaurants and Food Service
* Agriculture /Animal Husbandry
* Construction
* Arts & Entertainment
* Factories/Manufacturing
* Cleaning Crews
* Carnivals
* Retail
* Non-Profits
* Forestry/Logging
* Hotels and Hospitality
* Sports/Athletics
* Religious Organizations or Cults

**Examples of “Involving Child in Criminal Activities” common industries (not limited to list):**

|  |  |
| --- | --- |
| * Drug or Arms Sales * Drug Smuggling | * Shop Lifting or Theft (Auto/Property) |
| * Drug Cultivation * Fraud/Scams * Gang Activity | * Peer Recruitment * (CSEC i.e. Posting Others Online, Monitoring Others, Etc.) |
|  |  |

**Red Flags for Sex Trafficking (CSEC), Exploiting a Child’s Labor, and Involving A Child in Criminal Activity**

|  |  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- | --- |
| **Red Flags** | **Child Sex Trafficking (CSEC)** | **Exploiting a Child’s Labor** | **Involving a Child in Criminal Activity** |  | **Red Flags** | **Child Sex Trafficking (CSEC)** | **Exploiting a Child’s Labor** | **Involving a Child in Criminal Activity** |
| Spends time in area associated with commercial sexual exploitation | X |  |  |  | Explanation of work situation doesn’t make sense, seems scripted |  | X | X |
| Provocative, sexualized clothing | X |  |  |  | Describes long work hours; exhausted; hungry |  | X | X |
| Sexually explicit images/text posted on social media | X |  |  |  | Owes a debt to employer (may be a family member or informal employer) |  | X | X |
| Youth exchanging sex for food, shelter, drugs, clothing, basic needs (aka “survival sex”) | X |  |  |  | Can’t move freely, not allowed to come and go at will | X | X | X |
| Glamorizing pimping/the commercial sex industry | X |  |  |  | Living with or accompanied by people who are not their parents or guardians | X | X | X |
| Use the slang referencing exploitation (e.g. “the life”) | X |  |  |  | Someone else who speaks for them | X | X | X |
| Frequent or multiple Sexually Transmitted infections or Sexually Transmitted diseases | X |  |  |  | Unsure of day, month or year as developmentally appropriate | X | X | X |
| Possession of many condoms | X |  |  |  | Attachment/dependence on cell phones | X | X | X |
| Unplanned pregnancies | X |  |  |  | Frequent changing of social media accounts | X | X | X |
| Possessing multiple cell phones or unexplained sums of money | X |  | X |  | Not permitted to use phone or other communications, especially if restricted from contacting family | X | X | X |
| Tattoos or branding | X |  | X |  | Unexplained bruises or other physical trauma | X | X | X |
| Unexplained travel or non-consent travel | X |  | X |  | Chronic runaway behavior from home/placement | X | X | X |
| Ties to criminal street gangs, drugs or criminal activity, especially if it does not seem developmentally appropriate | X |  | X |  | Someone else that may control their transportation | X | X | X |
| History of, or currently has, substance use disorder | X |  | X |  | Romantic/inappropriate relationships with older adults | X | X | X |
| Arrested for or history of criminal activity for crimes such as staling or drug sales, and money goes to third party | X |  | X |  | Experiences frequent moves or uncertainty of address | X | X | X |
| Secrecy regarding intimate partners, friends, associates | X | X | X |  | Substance abuse issues that interfere with their functioning | X | X | X |
| Fearful of employer or exploiter or boyfriend | X | X | X |  | Seems afraid to answer questions | X | X | X |
| Shows other signs of abuse or neglect | X | X | X |  | Describes unusual living/work space | X | X | X |
| Wears the same clothes daily, or routinely wears clothes not in season | X | X | X |  | Has someone else controlling their money or collects their earnings | X | X | X |
| Not in control of personal identification | X | X | X |  |  |  |  |  |

# \*Red Flags Chart developed by [Preventing and Addressing Child Trafficking Project](https://cfpic.org/pact-2/the-child-welfare-response-to-labor-trafficking-in-california/), Child and Family Policy Institute of California (2021) and included indicators from the following sources: [Coalition to Abolish Slavery and Trafficking](https://www.castla.org/), [Minnesota Department of Human Services’ Identifying and Responding to Labor Trafficking](https://edocs.dhs.state.mn.us/lfserver/Public/DHS-7641O-ENG), [WestCoast Children’s Clinic Commercial Sexual Exploitation Tool (cse-it)](https://www.westcoastcc.org/cse-it/).

**Investigative Areas to Address**

* Is there a known or suspected 3rd party trafficker/exploiter?
* Where has the exploitation occurred?
* Is the suspected perpetrator a parent, relative, or non-relative?
* Has the youth presented with any mental health symptoms, gang affiliation or dangerous behavior?
* Does the child have any outstanding warrants? Warrants in other jurisdiction?
* Are they entered into NCIC and NCMEC?
* Does the child have any AKAs or monikers?
* Are the parent(s) identities and whereabouts known?
* Do the parents have knowledge of the exploitation?
* Was the youth observed with any unusual clothing items or visible tattoos?
* Has the child experience any other forms of maltreatment? (Sexual abuse, physical abuse, general neglect, emotional abuse, severe neglect)

**Note:** Commonly understood rules of consent do not always apply in this context. For example, if asked whether anyone forced a youth to engage in sexual activity or perform a labor/service for someone else’s profit (particularly if it was illegal), they may say no, because the youth felt like an active participant in the exchange or they had consented to their participation. Instead, it may be more informative to ask about the facts of the labor or service performed and make an independent assessment.

**Tattoos**

As part of the exploitation process for both CSEC and involving a child in criminal activities, exploiters may psychologically and physically demonstrate dominance to strengthen a trauma bond and signal their dominance over a child/youth to other exploiters through branding. Tattoos commonly associated with CSEC for instance are placed in highly visible areas of the body, including the face, neck, chest, hands, and thighs. These tattoos may include symbolic references to the commercial sex industry (i.e., roses; crowns; dollar signs, names, names crossed out) and may include the name or moniker of the exploiter

Exploitation is constantly evolving, and exploiters are regularly changing tactics to avoid detection so it is important that people receive regular training and seek out updated information.

**Social Media and the Internet**

CSEC are often recruited, advertised, and monitored by traffickers and buyers online and through social media. Obvious signs of CSE for instance can often be obtained from children’s social media posts and account usernames. These include but are not limited to: images of crowns; use of codes (304; “izm”); references to making money; provocative photos; personal advertisements; references to daddy and “the life;” images of firearms; and large sums of money. While families may not know the child/youth’s exact usernames, they are likely to know nicknames or monikers associated with the child/youth that can be used to search for online accounts. Web-based search engines and social media platforms can be searched with the child/youth’s name, nicknames, and phone numbers to identify additional accounts and evidence of exploitation.

Children and youth can also be recruited into labor trafficking through similar practices online. Recruiters can be gang members, marriage bureaus/adoption agencies, guest worker or study abroad programs, labor brokers, fake or legitimate employment agencies or fraudulent travel agents Ad placed on line can be for fraudulent job offers – for example a youth can be recruited through a Craigslist Ad and use all their money to purchase a flight to accept a job which was nothing like what was promised and included no payment. Youth should be asked if this ad is still online.

**Youth At-Risk of Commercial Sexual Exploitation**

At-Risk for Commercial Sexual Exploitation is defined as:

The youth displays at least one of the following indicators (A-C):

1. Child/youth exhibits behaviors or otherwise indicates that they are being controlled or groomed by another person
2. Child/youth spends time with people known to be involved in commercial sex
3. Child/youth’s use of internet, cell phone, or social media involves social or sexual behavior that is atypical for their age

or

The youth displays a minimum of two of the following indicators (D-H):

1. Child/youth has a history of running away, unstable housing, including multiple foster care placements, or periods of homelessness including couch surfing
2. Child/youth has had prior involvement with law enforcement or the juvenile justice system
3. Child/youth is frequently truant
4. Child/youth’s relationships are concerning, placing them at risk or in danger of exploitation
5. Child/youth has a history of substance abuse, specifically narcotics, opiates, crack/cocaine and amphetamines

Youth At-Risk of Child Labor Trafficking

While there is not an agreed upon definition for a youth that is defined as “at risk” for child labor trafficking, similar criteria listed in the above definition could be applied. Specific factors may include vulnerabilities such as poverty, homelessness, criminal record, young age, disabilities, and an unstable family environment, history of ACES, immigration status, chemical dependency and racial or ethnic marginalization. If a child or youth is at risk for CSEC they have increased risk of experiencing child labor trafficking.

**Special Considerations for Immigrant Children and Youth**

If you are working with a foreign national minor (non-US citizen/ legal permanent resident and currently under 18) and have concerns that they may have experienced CSEC or labor trafficking at any point in their life, be aware they are eligible for additional benefits and services under the Trafficking Victims Protection Act. Federal, state, and local officials are required to notify the Office on Trafficking in Persons within 24-hours of a suspected case to facilitate local assistance. The following steps must be completed to make a mandated report in compliance with 22 USC 7105. This should be done upon "suspicion," you should not wait until the case is confirmed, the worker should submit a Request for Assistance (RFA) through the [Shepherd Case Management System](https://www.acf.hhs.gov/otip/victim-assistance/shepherd)@ https://www.acf.hhs.gov/otip/victim-assistance/shepherd. If you want to discuss the case with the OTIP Child Protection Specialists before submitting the RFA (which is suggested), you can call them during normal business hours (9:00 am to 5:00 pm ET) at **202-205-4582 to make the initial report**. They will respond within one business day. You can also reach them at [ChildTrafficking@acf.hhs.gov](mailto:ChildTrafficking@acf.hhs.gov)

**Recommended Interviewing Techniques with** **Youth**

Ensuring that basic needs are met without having them be contingent on participation in an assessment is particularly important for youth that experience exploitation. Keep in mind that youth impacted by commercial exploitation often have their access to food, water, restrooms, and sleep restricted by their exploiters as part of the patterns of coercive control experienced.

Identifying exploiters is critical for preventing further victimization and recruitment. Asking youth and their families about the names, nicknames and monikers of youth’s associates, employers, and romantic partners may provide evidence to support the allegation of exploitation. Additionally, asking if any immediate or extended family members have ever been involved in the commercial sex industry, an exploitive work situation, or in forced criminal activities may provide information about the child’s initial point of contact. Determine if the exploiter has children of their own, as the children may also be victims of commercial exploitation and/or other forms of abuse/neglect. Any new allegations should be reported to the child protection hotline. This information should also be shared with Human Trafficking law enforcement partners.

Many traffickers exploit multiple minors and adults at the same time, so it is important to also ask if the youth has knowledge of other victims and if they know the address of where they might be located. In the CSE context, victims may specifically refer to other victims as their “girlfriends/wifeys/boyfriends**.”**

Refrain from judgmental or shaming statements during ongoing assessment and familiarize yourself with language about the commercial sex industry or whichever industry the child has been trafficked in.

(link to terms/lingo commonly associated with Commercial Sexual Exploitation).

* Begin with rapport building questions, such as “How are you?”, “Would you like something to drink?”
* Follow the youth’s lead and use of terminology in discussing their experiences. Don’t use clinical jargon, and refrain from using the term Commercially Sexual Exploited Child or Labor Trafficked Child, as youth may not identify with this term. Also, do not refer to the child as a “prostitute”, as they are victims of a severe form of child abuse, not “working” prostitutes that willingly choose to sell themselves for sex. Similarly, the child is not delinquent from school or is not a criminal if they have been forced or coerced to engage in illicit activities on behalf of their trafficker.
* Ask if there were any prior incidents, even if the youth denied any current exploitation. Youth who have experienced CSEC and/or labor trafficking often deny allegations during an initial interview, only to acknowledge at a later date that the incident did occur. For labor trafficked youth it is important to review their full “work” history” and ask questions about illegal “work” activities as well.
* Avoid labeling the youth a “CEC” or a victim and continually view the youth as a whole and not just their exploitation.
* Request the youth’s phone number, nicknames, and social media usernames, if they are willing, for the purposes of maintaining communication (have them show you their pages/accounts). Indicate to youth that you are doing this for the purposes of being a support if they are ever in need and to develop a relationship.
* Avoid using clinical terminology (i.e. rape; exploitation; domestic violence; sexual abuse), as youth may not associate their experiences with those concepts.
* Ask the youth about any past or current internal pain, injuries, untreated medical conditions, pregnancies, or medication needs. If appropriate, ask the family or caregiver as well.
* Make best efforts to interview known or suspected trafficking victims during the initial contact, as they are prone to runaway episodes.
* Ask if they are aware of any of youth or adults who may need help and their location.
* Assess thoroughly for past and current drug/alcohol consumption by the youth - exploiters often rely on substance use/dependency as a means of controlling victims.
* Assess thoroughly for any past and current contact with Law Enforcement and the Probation Department.
* Ask the youth if they have had contact with service providers or other professional or community services.
* Ask the youth about all tattoos, and have them describe their tattoos and ask how/where the tattoo was obtained (this information should be well-documented)
* Encourage the youth to describe their experience or relationship with their exploiter (remember to use the term that they use for their exploiter. For CSEC they may refer to them as “boyfriend” or “daddy,” or a domestic worker might refer to them as an “aunt, uncle, mom, dad or other family member.” Ask clarifying questions throughout.
* Begin to identify youth’s short and long-term goals, using their terminology.
* The use of open-ended questions helps to avoid “yes,” “no,” “I don’t know” responses:
* How are you feeling?
* Where have you been staying?
* How do you get clothing, food, etc.?
* Who do you spend time with?
* Where do you stay or sleep if you aren’t at home/placement?
* How is school going? How often do you go to school?
* When you are not in school during the week, what do you do?
* How do you support yourself?
* How do you get around (means of transportation)?
* Is there anyone who might be worried about your safety?
* What do your parents/siblings/relatives know?
* Are you afraid of anyone?
* Is anything worrying you or not going well?

**If the youth is not forthcoming, consider asking more specific questions:**

* Has anyone ever paid in order to have sex with you? Or, have you ever had a date or appointment with a John/client/trick?
* Have you ever worked or done anything illegal and someone else got all the money or most of the money?
* Have you ever worked in place that made you feel scared or unsafe?
* Have you ever been tricked or forced into doing any kind of work you didn’t want to do?
* Have you ever been with or worked for someone who didn’t let you contact your friends, family or the outside world, even when you weren’t working?
* Have you ever worked and someone else got to keep all or most of the money?
* Have you ever worked, or done other things, in a place that made you feel scared or unsafe?
* Have you ever been afraid to leave or quit a situation due to fears of violence or threats of harm to yourself or your family?
* Have you ever worked for someone who asked you to lie while speaking to others about the work you do?
* Has anyone given you drugs or gifts to have sex with you or to keep you working for them?
* Did you keep or have to share the money?
* Have you ever had to do things or perform work in order to stay somewhere?
* Have you had pictures taken that were advertised on the internet or social media? (e.g., Craigslist; Instagram; Snap Chat)
* Are you, your family, or any of your friends associated with a gang? Do you party/hang out with them? Do you need to do anything for them?

**Interviewing Questions for Caregivers**

Begin the conversation on Commercial Sexual Exploitation (CSE) and/or child labor trafficking with parents and caregivers in broad terms in order to ease into the questions. Share that CSE/sex trafficking and/or child labor trafficking, is unfortunately a problem in Los Angeles County and, that, in fact, L.A. County is deemed one of the areas in our nation with the highest levels of children and youth being exploited. Explain the definition of CSE and/or child labor trafficking and provide examples to the parent. Offer empathy and support, letting them know that parents who have children that are being exploited may experience a range of emotions – denial, anger, depression, hopelessness, shame, confusion, etc. Share with the parent(s) that there is support available to parents and youth impacted by trafficking to assist them. Explain that you would like to ask them some questions in order to assess whether or not their child may be a victim of exploitation. Let them know that answering the questions may be difficult, but to please try and provide as much information as possible to help with the assessment in order for their child to receive the support that is needed. Be mindful and respectful of familial customs and demonstrate cultural humility.

* Have you noticed clothing/jewelry/other material goods that you did not purchase for your child?
  + Do you have any concerns regarding your child’s attendance at school?
  + Has your child become more reclusive/secretive or defensive?
  + Has your child begun to post sexually explicit images or material on social media? Do you know if they have multiple social media accounts?
  + Does your child behave in a sexualized manner?
  + Is your child beginning to associate with older people or have unhealthy romantic or inappropriate relationship with an employer or someone they are working for?
  + Does your child have unexplained injuries?
  + Does your child run away?
  + Does your child come home at night?
  + Does your child have unexplained access to money, credit cards, alcohol, transportation, keys, gifts, drugs?
  + Does your child have multiple cell phones and/or does their number change frequently?
  + Does your child appear to be controlled by another person?
  + Does your child have a debt they believe they need to pay off to a formal or informal employer?
  + Does your child have a history of sexual abuse/physical abuse?
  + Has your child been treated for Sexually Transmitted Diseases/Infections?
  + Has your child been treated for any injuries or have other health concerns including but not limiting to, bruising, dental injuries/neglect, exposure to harmful chemicals, workplace concerns, or sexual injuries.).
  + Has there been any significant changes in your child’s dress, hygiene, weight?
  + Does your child have unusual attendance or is truant during school?
  + Do you know or suspect that your child is abusing substances?
  + Is your child involved or connected to any gangs?
  + Is there familial history of CSEC or trafficking in any other industries?

**Collateral Contacts**

Law Enforcement - Law enforcement partners from specialized Vice and Human Trafficking units are highly trained in identifying victims of exploitation and trafficking and should be consulted when trying to determine whether an incident occurred.

* Placement Providers
* School
* Medical Professional
* TSC staff
* Prior CSWs
* Service Providers that have served the youth/family
* CSEC Unit
* ROU Unit
* Immigration Unit

**Determining Disposition**

If investigative findings and collateral information indicate that an allegation of commercial exploitation likely occurred (prima facie), it can be substantiated, regardless of the following:

* The youth denied any involvement of a trafficker/exploiter/pimp/employer
* The youth denied that exploitation occurred
* The youth does not disclose identification or the name of perpetrator
* The parent or legal guardian made reasonable efforts to protect the child and/or prevent the exploitation
* The family does not require additional DCFS or dependency court intervention

**Meeting the Needs of Children and Youth Impacted by Commercial Exploitation**

To be effective, interventions and services must be trauma-informed, victim-centered, strengths-based, and culturally sensitive.

It is important to recognize that most children will not follow a linear path from initial identification to leaving their exploitative relationship or situation. Children who experience commercial exploitation will often cycle through the stages of exploitation many times before they are able to maintain a life outside of exploitation. Each child’s needs will differ depending on a variety of factors, including, but not limited to:

* + Prior abuse and/or neglect
  + Mode of exploitation
  + Stage of exploitation
* Stage of change (based on the Stages of Change Model, enter link)
* Developmental age
* Chronological age
* Learning differences or cognitive abilities
* Relationship with exploiter(s)
* Attachments and community support system
* Familial connections
* Pregnancy or parenting status
* Housing status
* Immigration status
* Alcohol/drug abuse or other types of addiction
* Sexual orientation, gender identity, and gender expression (SOGIE)7
* Socioeconomic status

A wide array of services and flexible and intensive case management services should be provided as needed, including:

* Emergency Crisis Response and Safety Planning
* Food, clothing, shelter
* CSEC Medical Clearance and CSEC Initial Medical Examination by Medical HUB provider
* Multi-Disciplinary Approach to assessment, planning, and intervention
* Advocacy and or Survivor Advocacy (enter link to FYI) CSEC Advocacy Services
* Safe means of transportation
* Dental care
* Tattoo removal
* Therapeutic support by a trauma-informed therapist and/or other mental health professional with understanding of CSEC and/or child labor trafficking
* Intensive mental health services
* Psychiatric Services
* Sexual and Reproductive Health Assessment and Counseling
* Substance abuse assessment, intervention and treatment
* Physical therapy
* Occupational therapy
* Transgender-related health care (e.g., hormone therapy)
* Screening/intervention for eating disorders
* Screening/intervention for self-harming behaviors
* CSEC and/or trauma-informed foster care placement providers that receive support in caring for the critical needs of the trafficked youth
* Transitional housing and services
* Vocational and Life Skills
* Victims of Crime
* Restoration Funds (add link to Restoration Funds forms)
* General education advocacy
* Special Education assessment and advocacy
* Empowerment events and activities

**Reference Tools:**

CSEC Tool Kit: Holistic Needs of CSEC (attach link)

ACL 16-85: Statewide policies and procedures to prevent child sex trafficking

ACIN - State Child Labor Trafficking

**PROCEDURE**

**Assessing Alleged Commercial Sexual Exploitation**

**CSW Responsibilities**

1. Determine if one or more of the following situations exists:

* The creation of pictures or written material depicting a minor engaged in obscene acts
* The sale or distribution of obscene materials involving a child
* A person who has the care, custody, and the control of any child uses that child in any manner to engage in any obscene, indecent or immoral sexual purposes, exhibition or practices. This includes:
* Employing a child to perform obscene acts
* Engaging a child in a live performance or as a model for the purpose of any pictorial depiction involving obscene sexual conduct
* Developing, reproducing, or exchanging any material in which a child is engaged in an act of obscene sexual conduct
* Assisting others to encourage/coerce a child to have sexual contact with another person, to engage in a live performance, or to model for a sexual depiction
* If any of the following indicators commonly associated with a commercially sexually exploited child are present:
* Youth spends time in areas associated with commercial sexual exploitation
* Provocative, sexualized clothing
* Sexually explicit images/text posted on social media
* Unexplained/ suspicious access to expensive clothing and goods, manicures, and hairstyling that the youth/youth’s family could not typically afford
* Possessing multiple cell phones or unexplained sums of money
* Tattoos or branding on face/neck/thighs/hands that suggest property (i.e., crowns, roses, “$”, “precious”, “beloved”, “Sir”, “Daddy’s girl”)
* Attachment/dependence on cell phones
* Frequent changing of social media accounts
* Unexplained bruises or other physical trauma
* Chronic runaway behavior from home/placement
* Unexplained absences from school
* Romantic/inappropriate relationships with older adults
* Secrecy regarding intimate partners, friends, associates
* Youth glamorizing pimping/the commercial sex industry
* Use of slang referencing exploitation (e.g., “the life”)
* Frequent or multiple Sexually Transmitted Infections
* Unplanned pregnancies

1. Call the Child Protection Hotline if you suspect that a child is a victim of Commercial Sexual Exploitation. All new and repeated incidents of CSE must be reported to the CPHL.
2. Immediately contact law enforcement if a child is being commercially sexually exploited. Law enforcement partners from specialized Vice and Human Trafficking units are highly trained in identifying victims of commercial sexual exploitation and should be consulted when trying to determine whether an incident of exploitation occurred.
3. Search social media and the internet for online accounts.

* Web-based search engines and social media platforms can be searched with the child/youth’s name, nicknames, and phone numbers to identify additional accounts and evidence of exploitation.

1. Refer youth as needed for CSEC Medical Examination per policy. (insert Medical Hub policy)
2. Refer youth and Non-Minor Dependents who are victims or at high-risk of CSE to CSEC Advocacy Services. (insert FYI)
3. Determine if the case should be transferred to DREAM Court. (insert FYI)
4. Determine if the youth should be assessed for transfer to the CSEC Unit. (place link to transfer policy here)

1. [Document](http://../../../../../e441276/AppData/Local/Microsoft/MariaFlareProject/ladfcs/Content/Contact_Requirements_and.htm) all contacts and observations.

[Back to Procedure](#bookmark=id.3znysh7)  

**Assessing Allegation of ‘Exploiting a Child’s Labor**

**CSW Responsibilities**

1. To assess if a family/caregiver or unaccompanied minor has experienced labor trafficking in legal or informal industries, determine if the child:

* Is required to contribute income to meet basic necessities of food and shelter when the parents’/caregivers income is insufficient or non-existent
* Accompanies a parent or caregiver to work due to lack of childcare and is allowed and/or forced to work
* Is employed in a family’s business where there are unreasonable expectations of the child’s participation in the business or the work environment is unsafe (machinery, chemicals, etc.)
* Is allowed and/or encouraged to beg for money, food, etc.
* Was illegally brought to this country for the sole purpose of employment
* A parent/or caregiver has sold or attempt to sell the child’s labor or service

1. Regarding a child who is working, determine:

* How the child’s education is affected by working
* Whether the conditions of employment are detrimental to the child’s health and safety
* The legality of the specific job as it applies to the child’s age, abilities, and certified training
* If a debt exists that the child or family feels they must repay
* If third party receives the money earned

3. Regarding a child who is working in the home or a domestic situation (performing duties such as cleaning, childcare/elder care, laundry), determine:

* Whether the assigned tasks are age-appropriate
* If the child is developmentally capable of performing the tasks
* If the tasks are equally divided among all the children in the household in accordance with each child’s age and developmental ability
* If suitable parental supervision is provided
* If the parent is the primary person who sustains the household
* Number of hours spent in working in the home each day
* If the household work interferes with school or age-appropriate outside activities

4. Contact law enforcement if the child is a victim of child labor trafficking ‘Exploiting a Child’s Labor’. Law enforcement partners from specialized Vice and Human Trafficking units are highly trained in identifying victims of commercial exploitation and should be consulted when trying to determine whether an incident of exploitation occurred.

1. Refer youth as needed for CSEC Medical Examination per policy. (insert Medical Hub policy)
2. Refer youth and Non-Minor Dependents who are victims or at high-risk of Child Labor Trafficking to Advocacy Services. (insert FYI)
3. Determine if the case should be transferred to DREAM Court. (insert FYI)
4. Determine if the youth should be assessed for transfer to the CSEC Unit. (place link to transfer policy here)

1. [Document](http://../../../../../e441276/AppData/Local/Microsoft/MariaFlareProject/ladfcs/Content/Contact_Requirements_and.htm) all contacts and observations.

[Back to Procedure](#bookmark=id.3znysh7) 

**Assessing Child Exploitation Involving a Child in Criminal Activities**

**CSW Responsibilities**

1. To assess if a child has been involved in criminal activities for profit (activities may include drug or arms sales or human/drug smuggling, drug cultivation, fraud/scams, shoplifting or theft, peer recruitment or posting other’s online for CSE, gang activity)consider whether the family/caregiver or third-party exploiter:

* Encourages the child, from a young age, to value gang membership
* Teaches the child gang signs, dress codes and affiliations and advocates membership
* Supports violent behavior and criminal activities of the child
* Receives monetary or non-monetary benefits as a result of the criminal activities of the child
* Allows the child access to or provides drugs/alcohol
* Encourages the child to use drugs/alcohol, including with the family and/or other children
* Allows the child to sell drugs (may be prescription drugs) or receive money from a drug dealer
* Uses the child to assist them in the production of drugs
* Steals or allow and/or encourage the child to steal and/or shoplift
* Trains or encourages the child to post other’s online for the purpose of commercial sexual exploitation

2. Contact law enforcement if the child or youth has been “Involved in Criminal Activities’ by a parent/caregiver or other third-party. Law enforcement partners from specialized Vice and Human Trafficking units are highly trained in identifying victims of commercial exploitation and should be consulted when trying to determine whether an incident of exploitation occurred.

3. Refer youth as needed for CSEC Medical Examination per policy. (insert Medical Hub policy)

4. Refer youth and Non-Minor Dependents who are victims or at high-risk of Child Labor Trafficking to Advocacy Services. (insert FYI)

5. Determine if the case should be transferred to DREAM Court. (insert FYI)

6. Determine if the youth should be assessed for transfer to the CSEC Unit. (place link to transfer policy here)

7. [Document](http://../../../../../e441276/AppData/Local/Microsoft/MariaFlareProject/ladfcs/Content/Contact_Requirements_and.htm) all contacts and observations.

[Back to Procedure](#bookmark=id.3znysh7)  

**APPROVALS**

None

**HELPFUL LINKS**

**Attachments**

Commercially Sexually Exploited Children, A Desk Guide for DCFS Child Welfare Workers

Cycle of Abuse

[Child Labor Trafficking, A Mini-Desk Guide for Child Welfare and Probation](https://cfpic.org/wp-content/uploads/2020/12/Child-Labor-Trafficking-Mini-Desk-Guide.pdf)

Recommended Interviewing Questions for Parents

Recommended Interviewing Techniques with Youth

Stages of Change

**Referenced Policy Guides**

[0050-501.10](http://../../../../../../../MariaFlareProject/ladfcs/Content/Child_abuse_and_neglect.htm), Child Abuse and Neglect Reporting Act (CANRA): Who Must Report

[0070-532.10](http://../../../../../../../MariaFlareProject/ladfcs/Content/Assessing_Allegations_of.htm), Assessing Allegations of Child Sexual Abuse

[0070-548.10](http://../../../../../../../MariaFlareProject/ladfcs/Content/Disposition_of_Allegatio.htm), Disposition of Allegations and Closure of Emergency Response Referrals

[0400-503.10](http://../../../../../../../MariaFlareProject/ladfcs/Content/Contact_Requirements_and.htm), Contact Requirements and Exceptions

**Statutes**

[Labor Code Sections 1285-1312](http://leginfo.legislature.ca.gov/faces/codes_displayText.xhtml?lawCode=LAB&division=2.&title=&part=4.&chapter=2.&article=2.) – Sets forth guidelines as it relates to work rules regarding children.

[Penal Code Section 11165.1 (c)](http://leginfo.legislature.ca.gov/faces/codes_displaySection.xhtml?lawCode=PEN&sectionNum=11165.1.) – Defines “sexual exploitation” as any conduct involving matter depicting a minor engaged in obscene acts or the encouraged/coerced prostitution, modeling, or other pictorial depiction of a child, involving obscene sexual conduct.

[Penal Code Section 236.1 (a)](https://leginfo.legislature.ca.gov/faces/codes_displaySection.xhtml?lawCode=PEN&sectionNum=236.1.#:~:text=(a)%20A%20person%20who%20deprives,hundred%20thousand%20dollars%20(%24500%2C000).) – Defines a victim of labor trafficking as an individual whose personal liberty is deprived or violated through force, fraud, duress, or coercion with the intent to obtain forced labor or services.

[Back to Helpful Links](#bookmark=id.26in1rg)