**DCFS Child Protection Hotline Human Trafficking - Non-First Responders Protocol (Non FRP)**

**Commercially Sexually Exploited Children (CSEC), Exploiting a Child’s Labor, Involving Child in Criminal Behavior**

**Procedures**

1. Call is not initiated from identified First Responder’s Protocol Law Enforcement Agency

a. Gather case information including audit review questions; Probation status; document the address/staging area; name of perpetrator/pimp/employer; location of incident and summary of the allegations.

b. CPH CSW generates an Expedited form when law enforcement has a child in custody

c. Clerical faxes Expedited form to the region during business hours, ERCP after hours, weekends and Holidays, within 10-15 minutes of the call

d. The primary allegation is ‘Exploitation’. Select ‘General Neglect’ if the child resides in the home of the parent/Legal Guardian and/or if there are allegations against the placement. Assess for all other allegations

e. Select Special Project tab: S-CSEC for Commercial Sexual Exploitation, S-Exploiting a Child Labor for cases in which a child is trafficking in a legal industry, or S-Involving a Child in Criminal Behavior for any case in which a minor is induced to perform an illicit activity. You may select multiple special project tabs if concerns exist for one or more categories. E.g., a child who experiences commercial sexual exploitation may also be forced to babysit the trafficker’s children (Exploiting a Child’s Labor) and sell drugs on the trafficker’s behalf (Involving a Child in Criminal Behavior).

f. If there is identified or possible CSEC, Exploiting a Child’s Labor and/or Involving a Child in Criminal Behavior, identify and describe the red flags of each category on the Screener Alert of the Emergency Response (ER) document and on the Screener Narrative..

g. CSEC, Exploiting a Child’s Labor and/or Involving a Child in Criminal Behavior referrals shall be designated an Immediate Response to DCFS unless the child is reporting past history of commercial exploitation **and** no indication of imminent danger; child is not a

flight/runaway risk; child is incarcerated at Juvenile Hall **or** AWOL

2. DCFS is the Investigating Agency for all CSEC, Exploiting a Child’s Labor and/or Involving a Child in Criminal Behavior referrals

a. CPH CSW contacts Probation Intake Detention Control (IDC) at (323) 226-8506 to verify the youth’s Probation status, documenting the name of the individual who provided the information

* Youth with or without open services to LA County Probation

o DCFS responds via Expedited response form and Immediate Response referral when there is a child in Law Enforcement custody

o SCSW emails expedited response form within 10-15 minutes of the call

o SCSW emails EDL-DCFS\_CSEC when Probation is NOT involved

o SCSW emails EDL-DCFS\_CSEC and EDL- PROBChildTrafficking when Probation is involved (this includes youth incarcerated at Juvenile Hall)

3. Referral Assignment

a. Allegations occur while the child is residing with Parent/LG/Caregiver

- Assign to the regional office servicing the child’s open case. If no open case, assign according to the child’s home address (parent/LG/caregiver). Refer to Referral

Assignment Policy, 0050-504.05

- With Secondary assignment to MART- Review in box (document in Screener Alert)

b. Allegations occur while the child is in placement- No known allegations against placement - Assign to the regional office servicing the child’s open case (due to the child is in placement, referral name will be the name of the placement)

- With Secondary assignment to MART- Review in box (document in Screener Alert)

c. Allegations are against the child’s Placement (caregiver/placement staff)

- Assign to the regional office according to the child’s placement address if the allegations are against the placement caregiver/staff

- With Secondary assignment to MART- Review in box (document in Screener Alert) d. During regular business hours (Monday-Friday, 9am-5pm) – Assign to the regional office

o CSW completes Expedited form if the child is in Law Enforcement custody o Clerical faxes the Expedited form to the regional office and confirms receipt

o CPH SCSW assigns referral to regional office with Secondary assignment to MART- Review in box

o SCSW emails CSEC pre-alert notification to EDL-DCFS\_CSEC distribution group

e. After hours, weekends and holidays - assign Immediate Response to ERCP

o CSW completes Expedited form if the child is in Law Enforcement custody

o Clerical faxes the Expedited form to ERCP and confirms receipt

o SCSW emails CSEC pre-alert to: EDL-DCFS\_CSEC distribution group indicating referral was assigned to ERCP with Secondary assignment to MART- Review in box

4. Open CSEC cases, Exploiting a Child’s Labor and/or Involving Child in Criminal Behavior assigned to CSEC unit:

* During regular business hours (Monday- Friday, 9am-5pm) – Assign to MART
	+ CSW completes Expedited form when the child is in Law Enforcement custody
	+ SCSW emails the Expedited form to MART: EDL-DCFS\_CSEC distribution group and confirms receipt via email
	+ SCSW assigns referral to MART- Review in box
* After hours, weekends and holidays - Assign to ERCP
	+ CSW completes Expedited form if the child is in Law Enforcement custody
	+ Clerical faxes the Expedited form to ERCP and confirms receipt
	+ SCSW emails CSEC pre-alert: EDL-DCFS\_CSEC distribution group indicating referral was assigned to ERCP with Secondary assignment to MART- Review in box

5. If you have identified a foreign national minor (non-US citizen/legal permanent resident and currently under 18) or have concerns that they may have experienced forced labor or commercial sex at any point in their life, 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.

* SCSW at the hotline is responsible to send an email to the SIS Unit as a reminder to submit the RFA on a case that involves a foreign national minor and has been flagged as possible or confirmed CSEC, Exploiting a Child’s Labor and/or Involving Child in Criminal Behavior (See information below).
* The SIS Unit 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.

6. Youth open to LA County Probation under 602 status FR Placement or FM (Home of Parent/LG)

* No allegations against the Probation placement facility
	+ Generate a referral to DCFS with a response time (according to the child’s address)
	+ SCSW emails CSEC pre-alerts to DCFS and Probation distribution lists: EDL-

DCFS\_CSEC and EDL- PROBChildTrafficking

* + SCSW Emails Probation using MACRO/ERNTFY (select: Probation/CSEC)

6. SCSW pre-alert notification format:

On the subject line document: FRP or Non-FRP/name of youth/DOB

Please be advised that the Hotline has received a report regarding the human trafficking of a child or youth: regarding Commercial Sexual Exploitation, Exploiting a Child’s Labor and/or Involving Child in Criminal Behavior FRP or Non/FRP child:

Referral Name:

Child/DOB:

Referral #:

Response Time:

Mapped to:

DCFS History:

Reporting Party:

Narrative Summary:

**Out of County/ Out of State Youth**

▪ Cross report to the child’s County or State of jurisdiction (residence) and document current CPS status from that County/State. If there are open services, request a copy of the Warrant.

▪ Surrounding Counties – Best Practice for county of jurisdiction to respond to their CSEC youth when the youth is located in a surrounding county (Imperial, Inyo, Orange, Riverside, San Diego, Santa Barbara, San Bernardino, Ventura). Surrounding Counties shall work together in an effort to return the youth to their jurisdictional county. Document their response on the screener alert and narrative.

* + Escalate to management if the youth has open jurisdiction in a surrounding county and surrounding county declines to respond.
	+ If the Surrounding County accepts to service the referral, proceed with an Electronic Transfer. Verbal cross report if the Surrounding County declines an Electronic Transfer and generate an Evaluated Out referral (indicate that the Surrounding County declined an Electronic Transfer)
	+ Generate an Evaluated out referral regarding youth from out of state.

▪ DCFS will NOT respond to out of state and out of county commercially exploited youth when the youth is transported to Juvenile Hall.

* + Youth with an active Missing Person’s Report or Delinquency Warrant:
		- Instruct law enforcement to transport youth to Juvenile Hall
		- Cross report to correct jurisdiction and Evaluate Out referral
		- SCSW emails CSEC pre-alerts to DCFS and Probation distribution lists: EDL-DCFS\_CSEC and EDL- PROBChildTrafficking

▪ DCFS will respond to youth with NO Missing Person’s Report, Delinquency Warrant or when Probation (Juvenile Hall) refuses to accept:

o DCFS will respond to staging area

o SCSW emails CSEC pre-alerts to DCFS and Probation distribution lists: EDL-DCFS\_CSEC and EDL- PROBChildTrafficking

**\***In the event a client/caller is requesting the landline telephone number to:
MART/CSEC (213) 700-9921 and (323) 765-2075
ROU (213) 765-2685
Please do not provide callers with cell numbers of DCFS staff

**DEFINITION OF A VICTIM OF CSEC**

**300(b)(2):** Describes Commercially Sexually Exploited Child (CSEC) as a child who is sexually trafficked or who receives food or shelter in exchange for, or who is paid to perform, sexual acts and whose parent or guardian failed to, or was unable to, protect the child, is within the description of this subdivision.

The commercial aspect of the sexual exploitation is critical to separating the crime of trafficking from sexual assault, molestation, or rape. The term 'commercial sex act' is defined by the Federal Trafficking Victims Protection Act as the giving or receiving of anything of value (money, drugs, shelter, food, clothes, etc.) to any person in exchange for a sex act. Exchanging sexual acts to meet a basic need is sometimes referred to as “survivor sex".

**DEFINITION OF A YOUTH AT-RISK OF CSEC**

**CSEC At-Risk- SB 794:** Minimum of one of the following indicators: (A) Child/youth exhibits behaviors or otherwise indicates that they are being controlled or groomed by another person. (B) Child/youth spends time with people known to be involved in commercial sex; (C) Child/youth’s use of internet, cell phone, or social media involves social or sexual behavior that is atypical for their age; **OR** minimum of two of the following indicators D-H: (D) Child/youth has a history of running away, unstable housing, including multiple foster care placements, or periods of homelessness including couch surfing; (E) Child/youth has had prior involvement with law enforcement or the juvenile justice system; (F) Child/youth is frequently truant; (G) Child/youth’s relationships are concerning, placing them at risk or in danger of exploitation; (H) Child/youth has a history of substance abuse, specifically narcotics, opiates, crack/cocaine and/or methamphetamines.

**DEFINITION OF A VICTIM OF CHILD LABOR TRAFFICKING**

[**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. The term “Child Labor Trafficking” refers to minor victims of labor trafficking. The child or youth may be formally employed by another person and the alleged trafficker is benefiting, engaged in illegal activities for the alleged trafficker i.e. (theft, drug trafficking, identity theft), or providing informal services for the alleged trafficker i.e., babysitting, housework, health care or working “off the books.”

The Federal [**Trafficking Victims Protection Act (TVPA**)](https://www.govinfo.gov/content/pkg/BILLS-106hr3244enr/pdf/BILLS-106hr3244enr.pdf) and the Trafficking Victims Protection Reauthorization Act (TVPRA) of [2003](https://www.gpo.gov/fdsys/pkg/BILLS-108hr2620enr/pdf/BILLS-108hr2620enr.pdf), [2005](https://www.gpo.gov/fdsys/pkg/BILLS-109hr972enr/pdf/BILLS-109hr972enr.pdf), [2008](https://www.gpo.gov/fdsys/pkg/BILLS-110hr7311enr/pdf/BILLS-110hr7311enr.pdf), [2013](https://www.gpo.gov/fdsys/pkg/BILLS-113hr898ih/pdf/BILLS-113hr898ih.pdf), and [2017](https://www.govinfo.gov/content/pkg/BILLS-115s1862enr/pdf/BILLS-115s1862enr.pdf) defines labor trafficking as the recruitment, harboring, transportation, provisioning or obtaining of a person for labor or services, through the use of force, fraud or coercion, for the purpose of subjecting that person to involuntary servitude, peonage (where someone is held against their will to pay off a debt), debt bondage, or slavery. (*22 USC § 7102*).

There are two existing places where counties may document child labor trafficking within the Child Welfare Services/Case Management System (CWS/CMS).

The **Sub-Category ‘Exploiting Child’s Labor,’** should be utilized for any case that involves commercially exploitative work in **various legal industries**. This may include, but is not limited to: 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 and Manufacturing, Commercial Cleaning Crews, Carnivals, Retail, Non-Profits, Forestry/Logging, Hotels and Hospitality, Recreational Facilities, Sports/Athletics.

The **Sub-Category ‘Involving a Child in Criminal Behavior,’** should be utilized for any case in which a minor is induced to perform an illicit activity such as Drug or Arms Sales, Drug Cultivation, or Smuggling, Shoplifting/Theft, Fraud/Scams, Loitering for Sales, Peer Recruitment or Posting Others Online for CSEC, or Gang Activities.

**DEFINITION OF A YOUTH AT RISK OF CHILD LABOR TRAFFICKING**

There is not an agreed upon definition for a youth that is defined as “at risk” for child labor trafficking, however, the risk factors for child labor trafficking are similar to those for CSEC and the same 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 then are also at risk of experiencing child labor trafficking.

***\*If a case involves multiple sub-abuse categories of commercial exploitation i.e., a Youth at Risk of CSEC, CSEC, Exploiting a Child’s Labor and/or Involving a Child in Criminal Behavior, a worker will need to enter the information for each category. \****

**Facts about Commercial Sexual Exploitation and Labor Trafficking of Foster Youth**

* **Most children who experience sex and/or labor trafficking are coerced through psychological manipulation and control.** Some of these children are brutally beaten and raped, kidnapped off the streets, isolated, drugged, and starved until they become “willing” participants.
* Foster children are especially vulnerable to victimization: between 50 and 80 percent of commercially sexually exploited children (CSEC) are or were formally involved with the child welfare system. ∙ Child sexual abuse increases the risk of exploitation and is the most common characteristic of commercially sexually exploited children.
* Foster children in out of home placement may trigger patterns of running away, which increases their vulnerability to exploiters who target this population. Exploiters know where foster care group homes are, and they directly recruit children from these settings or they force foster children to recruit.
* LGBTQ children/youth are disproportionately represented in the child welfare system and often become homeless. While on the run or homeless, these vulnerable youth are targeted by exploiters. Close to half of gay or bisexual boys have been victims of sex and/or labor trafficking.
* Some youth feel the only way to support their families is to work, even when they do so illegally, making them susceptible to labor traffickers. These factors compound in situations where youth lack support networks or face additional barriers to employment, such as a criminal record.
* The National Human Trafficking Hotline reports the highest number of child labor trafficking cases involve peddling and begging, domestic work and traveling sales crews.
* Common settings where child sex and labor trafficking intersect are bars and clubs, illicit massage, health and beauty industries.
* Victims of sex and labor trafficking are often subjected to multiple forms of exploitation and may have a history of complex trauma. Labor and sex trafficking for instance, often co-occur or intersect when a child or youth is required to provide commercial sexual services and additional duties such as massage, housekeeping, or selling drugs.

**Hotline Commercially Exploited Child Tool**

*To be used as a guide only.*

**CSEC Red Flags:**

* Youth has a history of sexual exploitation and/or states they were sexually exploited
* Youth runs away or frequently leaves their residence or placement for extended periods of time (overnight, days)
* Youth is connected to people who are exploited or who buy or sell sex
* Youth is exchanging sex for money, or items e.g., drugs, alcohol, cell phone, jewelry, food, clothes, has nails/hair done, transportation, shelter/hotel for themselves or someone else, e.g., child, family, partner
* Youth receives or has access to unexplained money, credit cards, or items e.g., drugs, alcohol, food, clothes, cell phone, jewelry, has nails/hair, transportation, hotel keys, other gifts
* Youth has substance abuse issues that interfere with their functioning
* Youth has several cell phones or their cell phone number changes frequently
* Youth has tattoos, scarring or branding (being treated as someone’s property), on face, neck, or body, e.g., bar codes, crowns, roses, pimp’s name, references to money, $, loyalty.
* Youth uses language that suggests involvement in exploitation, e.g., “the life”, “trick”, “date”, “the game”, “track/blade”, “daddy”, “pimp”, “new boyfriend, “quota”, “and talks about being “taken care of”
* Youth has repeated or concerning testing or treatment for pregnancy, STDs (sexually transmitted Diseases or STIs (sexually transmitted infections)
* Youth meets with contacts they developed over the internet/dating sites/apps, including sex partners or boyfriends/girlfriends
* Youth has provocative images of themselves on social media or phone
* Youth is watched, filmed, or photographed in a sexually explicit manner
* Youth has unhealthy, inappropriate, or romantic relationships with an older, dominating “boyfriend”
* Youth frequents or spends time where exploitation is known to occur (sex work areas)
* Youth has highly irregular school attendance, including frequent or prolonged tardiness or absences
* Youth experiences periods of homelessness, e.g., living on the street or couch surfing
* Youth relies on emergency or temporary resources to meet basic needs, e.g., hygiene, shelter, food, and/or medical care
* Youth presents a significant change in appearance, e.g., dress, hygiene, and weight
* Youth is sleep deprived or sleep is inconsistent
* Youth engages in sexual activities that cause harm or place them at risk of victimization
* Youth shows signs of physical trauma/injuries
* Juvenile justice system involvement, e.g., truancy, curfew, fighting, etc.
* Gang affiliation

**Exploiting a Child’s Labor Red Flags:**

* Youth has someone else controlling their money or collects their earnings from work
* Youth cannot move freely, not allowed to come and go at will
* Youth is living with or accompanied by people who are not their parents or guardians or whom their relationship is unclear
* Youth has someone else who speaks for them
* Youth is not permitted to use phone or other communications, especially if restricted from contacting family
* Youth may have substance abuse issues that interfere with their functioning
* Youth has someone else that may control their transportation
* Youth is unsure of day, month, or year as developmentally appropriate
* Youth experiences frequent moves or uncertainty of address
* Youth describes unusual living/workspace (i.e., tinted windows, security cameras, barbed wire, sleeping/living at worksite)
* Youth wears the same clothes daily, or routinely wears clothes not in season
* Youth is not in control of personal identification
* Youth’s explanation of work situation does not make sense; seems scripted
* Youth seems afraid to answer questions
* Youth is fearful of employer (may be formal employer or “family member or boyfriend/girlfriend, etc.”)
* Youth describes long work hours; exhausted; hungry
* Youth is missing school or labeled a truant because has to “work”
* Youth owes a debt to employer (may be family member or informal employer)
* Youth shows other signs of abuse or neglect

**Involving a Child in Criminal Activities Red Flags:**

**\****Red Flags for ‘Involving a Child in Criminal Activities’ may include some of the red flags above for CSEC and ‘Exploiting a Child’s Labor’ with additional indicators noted below. Note that ‘Involving a Child in Criminal Activities’ often intersects with CSEC.*

* Youth is arrested for or has criminal history for crimes such as stealing or drug sales; and money goes to third party
* Youth is involved in gangs, drugs or criminal activity that does not seem developmentally appropriate
* Youth has been exploited in CSEC and other victims, the youth, or other sources of information indicate youth has recruited other youth, posted, monitored, or trained other CSEC youth for the trafficker