HUMAN TRAFFICKING RESPONSES IN CALIFORNIA:

A Focus on the Commercial Sexual Exploitation of Children

Takeaways from Regional Information Summits Convened October 2015 - April 2016 and Updates on the 2017-2018 Work of the Human Exploitation and Trafficking Institute

H.E.A.T. Institute

Funding Provided by the James Irvine Foundation
Dear Valued Partner,

The following report is a synopsis of the collaborative discussions convened in 2015-16 between various stakeholders, survivors, agencies, organizations and advocates who actively engaged in regional hearings to assess current actions to prevent, intervene, and support recovery from human trafficking in California. The photos of the proceedings and participant quotes contained in this report do not depict all participants; however, they are intended to illustrate the diverse views presented.

From October 2015 through April 2016, I chaired a 21-person Blue Ribbon Commission, which, in conjunction with the Human Exploitation And Trafficking (H.E.A.T.) Institute that I created, heard first-hand strategies utilized by educators, faith communities, health care professionals, child welfare workers and contract providers, law enforcement (including probation and peace officers, public defenders, judges, and prosecutorial teams), cyber technologists, victim support/sexual assault counselors.

In the process of hearing the effects on victims, exploiters, and buyers we discovered weaknesses in policies and programs. We also heard hopes and concerns about reforming California’s foster care services in accordance with federal and state Continuum of Care standards and the unintended consequence of reducing supports to youth in the care and protection of child welfare and juvenile justice systems, if implementation does not address the complexities of changing over to new standards.

Our hearings engaged over 1,200 participants from eight regions of whom 500 presented testimonies. Participants gathered in communities from Redding down to San Diego. Although testimonies varied in perspective, each shared a common commitment to ending human trafficking.

Although California’s efforts are still relatively young and the road ahead is filled with great opportunity, ending the Commercial Sexual Exploitation of Children rose to the top of the priority list. The following report highlights the main takeaways, which most frequently centered on the sex trafficking of children. This indicates to us that at this time, we have less collective experience to share about other forms of trafficking.

The work of the H.E.A.T. Institute has continued since the regional hearings. An update of our current activities, as well as an overview of advances made in California’s legal system since 2015, is presented in the Epilogue section of this report.

In closing, thank you to the James Irvine Foundation for their financial support and to each of the leaders who diligently served on the Blue Ribbon Commission. I thank every participant and collaborative partner who, in the very act of showing up, speaking up, and giving assistance contributes to strengthening our state’s response to human trafficking.

Nancy E. O’Malley, District Attorney of Alameda County
and Founder of the Human Exploitation And Trafficking Institute
The Blue Ribbon Commission of the Human Exploitation And Trafficking Institute

State Executives: Kamala Harris, former State Attorney General, Chief Justice Tani Cantil-Sakauye of the Supreme Court of California, Tom Torlakson, State Superintendent of Public Schools, and Diana S. Dooley, Secretary of the California Health and Human Services Agency


Nancy E. O’Malley, District Attorney Alameda County
Chairperson of the Blue Ribbon Commission

Mark Ghilarducci, Director
California Office of Emergency Services

Will Lightbourne, Director
California Department of Social Services

Jay Varney, Sheriff and Coroner
Madera County
Chairperson of the Law Enforcement Human Trafficking Protocols Workgroup (2017 and 2018)

Cindy Chavez, County Supervisor
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ACKNOWLEDGEMENTS
“The work of this Commission [and] the H.E.A.T. Institute is really to get educated [and share] about what’s happening in all parts of our state... We can’t just build a really good response to human trafficking; we have to work towards preventing it in the first place... We want to hear about the good things, but we also know there are a lot of people who are falling through the cracks . . Let’s hear from the community about the good things they’re doing [and] about the challenges they have, and [let’s] hear from the voices that aren’t being heard right now.” - Nancy E. O’Malley, District Attorney, Alameda County and Founder of H.E.A.T. Institute and Chairperson of the Blue Ribbon Commission (San Diego 10.29.15)

An Overview of the Sexual Exploitation of Minors in California

The sexual exploitation of minors is a failure of human rights, public health, and criminal justice in the lives of vulnerable young people. Children as young as twelve are being bought and sold by traffickers, gangs, pimps, “boyfriends,” and even a child’s own family. Historically, these children were considered criminal offenders and sent to juvenile hall. Recent reforms in the law and the growing social awareness that these young people are in fact victims have led to sweeping policy changes in our law enforcement and social welfare systems. Now, there is a greater need for exploited children to be not only free from criminalization, but also to be fully embraced by communities and agencies that have the knowledge, skills, and resources to positively impact the child’s overall wellbeing. This requires the cooperation and collaboration of all actors and advocates. The seven H.E.A.T. Summits across the state in 2015-2016 gave stakeholders from every part of the human trafficking issue an opportunity to address the subject of what is still needed to be done to end these abhorrent practices. While there was an abundance of knowledge and information sharing that led to fruitful discussions and connections, this report captures only the highlights and should be broadly considered as a guide, scratching the surface of the complexities in the advocacy for child victims of trafficking.
Clarification of the Terms

Human Trafficking

Trafficking human beings is the illegal trade of humans for their labor through threats, force, or deception. It is a modern-day form of slavery. The California Legislature 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.”

Sexual Exploitation of Minors (SEM) and Commercial Sexual Exploitation of Children (CSEC)

The sexual exploitation of minors (SEM) involves the manipulation and abuse of young people under the age of 18 for their sex labor, including sex acts, stripping, child pornography, and forced early marriage, among other crimes. SEM also covers situations where a minor provides a sexual service in exchange for drugs, food, shelter, protection, other basics of life, and/or money. The commercial sexual exploitation of children (CSEC) involves the sexual exploitation of minors for profit. A child’s perceived consent to the transaction does not change the crime or alter the child’s legal status as a victim. Federal and California laws do not recognize consent from a child.

“There [can be] two mindsets [cultivated by the exploiter] ... for the younger females, they all want to get to that status of being that top female for that pimp, and it’s referred to as the Bottom Bitch. They all want to please dad. So these young girls are constantly calling their pimps dad. But the older [ones], they’ve been in the game long enough now to know that there is no life in this. Their life is the way it’s going to be, and they constantly tell me, well what else am I going to do? Where else can I work to earn this kind of money? I have this criminal record so there is nothing else for me to do.” - Sgt. Andre Benson, Fresno Police Department (Fresno 2.25.16)

Victims

Victims come from every socioeconomic background, race, geographical location, and culture. They can have any gender or sexual identity. There are some factors more common than others in many CSEC victims’ personal histories, including prior involvement with foster care, juvenile arrest, and homelessness. Many victims also experience poverty, substance abuse, mental illness, past childhood abuse including interfamilial exploitation, and labor trafficking.

Survivors

We frequently refer to young people and adults who have been able to leave their situations of sexual exploitation as “survivors.” Survivor is a useful term to describe a person who has experienced sexual exploitation but is no longer a victim. Survivors have an enormous amount to teach us about what factors lead to victimization and what supports someone needs to leave “the life.”

1 See https://oag.ca.gov/human-trafficking/what-is
**Victim-centered (approach, response, treatment, policy)**

The “victim-centered” standard is important for assessing and ensuring that CSEC are treated as victims and not criminals, particularly in the criminal justice system. The Department of Justice describes its victim-centered approach as aiming “to minimize re-traumatization associated with the criminal justice process by providing the support of victim advocates and service providers, empowering survivors as engaged participants in the process, and enabling survivors an opportunity and a role in seeing their traffickers brought to justice.”

**Trauma-informed (approach, response, treatment, policy)**

For victims of sexual exploitation, a “trauma-informed” response means understanding the degree to which a victim’s mental and medical health and his or her level of preparedness to be self-sufficient may be encumbered by his/her trauma. A trauma-informed approach recognizes the symptoms of CSEC trauma and incorporates that understanding into responses, treatment, and policies that address CSEC.

**Exploiters**

A 2016 groundbreaking study, Measuring the Nature and Extent of Gang Involvement in Sex Trafficking in San Diego, describes three types of sex trafficking facilitators: 1) organized crime networks and gangs, 2) traditional facilitators such as pimps, and 3) protector/business partners where there is a pseudo-contractual relationship between the exploiter/trafficker and the exploited. It is not unusual to have victims recruited to become co-conspirators and victimize others or for some victims to turn to victimizing others as their opportunities for legitimate sources of income shrink. In these scenarios, the exploited become the exploiters. Exploiters may also be family members, friends, and professionals in positions of authority over victims. Ongoing control over victims may occur through restricting the victims’ freedom, forced pregnancy, drug addiction,

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repeated beatings, rape, and/or violence committed by a more senior victim who manages and disciplines the others. Far from the stereotype that certain ethnic or racial groups make up the majority of exploiters, research shows that the ethnicity of exploiters is evenly spread in the United States.

**Buyers**

The majority of buyers are men of all ages, and their residency status, income, education and employment levels, ethnicity, and family composition vary. Many buyers choose to buy outside their city of residence to hide their activity. Additionally, the internet is ideal for buying sex without disclosing one’s identity, and for that reason, it is one of the fastest growing marketplaces for sex. This instant access to sex markets has also contributed to desensitizing men to the health risks to themselves or their primary partners and to the social and financial risks they are taking that could lead to their arrest, divorce, and/or termination of employment.

“Who’s buying sex? Everyone: migrant farm workers, school teachers, pastors and elders, and upstanding members of churches. law enforcement officers, blue collar workers, business executives, professional ball players, homeless people, unemployed drug addicts, employed drug addicts, lawyers, judges, and district attorneys, to name a few.” - Doug Bennett, former buyer & founder of Magdalene Hope of Kern County (Fresno 2.25.16)

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**Cornerstone of Learning:**

I. Need Stronger Trauma-Informed Multidisciplinary Responses

*Integrate Health Care and Mental Health Services for CSEC*

The considerable injury caused by entrapment, coercion, and involuntary sexual activity to a victim of sex trafficking is difficult to quantify. Sadly, one consistent indicator of the dangerous toll of sex trafficking on minors is the very high likelihood that the victims will wind up in an

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4 The urban/slang titles for this prostitute manager who works under a pimp to train and discipline newer victims include "bottom," "bottom girl," and "bottom woman," among other similar terms. The term is widely used by traffickers and is sometimes used by law enforcement.
emergency room or other type of health clinic. CSEC and other victims of sex trafficking suffer from medical complications due to sexually transmitted infections and diseases, injuries, malnutrition, wanted and unwanted pregnancy, substance abuse and mental illness.

CSEC is a public health issue, but the lack of a public health framework for CSEC makes it more difficult to engage health-care providers in looking for solutions for treating CSEC. The challenges doctors and health-care providers have trying to serve this population include the difficulty of piecing together full and accurate patient medical histories, problems with being able to follow up with patients, and adequate funding for patient services. Most challenging of all is identifying and implementing an appropriate therapeutic response when CSEC patients exhibit immediate and long-term complex trauma.

“...I tried to apply my usual trauma training and therapy to the girls that were coming in [Santa Rita Juvenile Hall Maximum Security Facility]... when I tried to apply my typical treatment, it did not work...here I was supposed to be the expert in our county and realizing, like wow, there is something else going on.”
- Lisa Conn, M.F.T. Santa Barbara County Mental Health Supervisor for Juvenile Justice (Fresno 2.25. 16)

Enhance Law Enforcement’s Role in Ending CSEC

Law enforcement’s role in ending CSEC in California has evolved significantly over the last three decades in response to changing policies and laws. With the changes has come a cultural shift within law enforcement that now sees its role as protector of young people caught in the net of sexual exploitation in line with its traditional role towards many other groups of neglected and abused children. While California’s laws and policies no longer support the incarceration of CSEC victims, law enforcement, prosecutors, and courts are still evolving in how they respond to sexually exploited minors. In some jurisdictions, law enforcement officers are applying a thoughtful and collaborative approach to rescuing CSEC in crisis by working closely with child welfare and child advocates to bring services and supports to these youth. Similarly, many prosecutors are now deeply engaged in looking for solutions to CSEC victimization rather than, as in the past, prosecuting them for prostitution.

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5 Eighty-seven percent of the 107 traffickers in a recent study reported that they had had contact with a health-care provider while they were being trafficked. More than half of the victims interviewed reported regularly interacting with some type of clinical facility such as urgent care, women’s health, or Planned Parenthood. Lederer, Laura J. and Wetzel, Christopher A. “The Health Consequences of Sex Trafficking and Their Implications for Identifying Victims in Healthcare Facilities,” Annals of Health Law, Winter 2014.
Enhance the Circles of Support around Youth/Young Victims of Sexual Exploitation

CSEC victims and their families benefit from strong, authentic circles of support. To help victims overcome their complex emotional trauma and personal difficulties, services must cover a range of requirements and disciplines that run the gamut from housing to mental health. Interruptions, changes, and cut-offs to services that are frequently experienced by those in the child welfare system can have a detrimental impact on the clients, and this is especially true for victims of sexual exploitation who risk being further traumatized and alienated from healthy relationships with caregivers. For many victims, the fragmentation of California’s social service infrastructure prevents them from truly experiencing feeling safe and cared for once their victimization has been discovered.

Circles of support are specific collaborations between agencies and service providers that create safety nets of support for victims. But ‘circles of support’ is also a best practice approach that both addresses finding the right services for victims and making changes to society to end the victimization. Circles of support begin with a continuum of care framework that fosters uninterrupted services and continuity of service providers.
Multidisciplinary teams (MDTs) managed circles of support by coordinating their efforts across regions to meet the individual needs of each victim and keeping their efforts victim-centered and trauma-informed. And circles of support are about wraparound support from childhood through transitional age that follow the victim from his or her first crisis moment, through stabilization, and on to reintegration, higher education, job training, and life-long success. Circles of support are stronger when survivors of CSEC lend their expertise to the design of recovery programs. Among the most important contributors to circles of support has been local non-governmental organizations and private, concerned individuals.

*Provide Holistic Support for Victims of CSEC through Child Welfare*

Policy and legislative shifts over the last five years have clarified that commercially sexually exploited children are victims, eligible for services and programs based on their trauma, victimhood, and at-risk status. These shifts have led to a range of child welfare services being made available to CSEC who are in the foster care system. As the service changes are put into effect, CSEC advocates and policymakers need to review the substantial new data and outcomes that child welfare is documenting as a result of the legislation and use the information to continue to advance CSEC reform. Among the challenges with the new laws and policies are the following: 1) the sudden uptick in the number of identified CSEC who now need to be served; 2) finding adequate housing and shelter options that can provide the appropriate services for CSEC while changes in standards that meeting licensing requirements cause reductions in out-of-home...
placements options; 3) the coordination and adequate participation including sharing client information without violating Health Insurance Portability and Accountability Act data privacy provisions by all members of the counties’ multidisciplinary CSEC teams so that services are neither duplicated nor dropped; 4) the ongoing challenge of staff shortages in the public direct service and non-profit sectors coupled with expanded responsibilities; and 5) the depth and breadth of training needed to prepare social workers, resource families, and others who will be working directly with CSEC.

**Enable Schools to Educate and Act to Prevent CSEC**

Over and over again, the Blue Ribbon Commissioners heard from CSEC survivors that California schools need to be better equipped to prevent and address the commercial sexual exploitation of its students. For this reason, schools can be on the frontlines of identifying and preventing child sexual exploitation. The longer CSEC goes undetected, the injury to the victim increases. Fortunately, with the right training and supports, faculty and staff may be able to identify when a victim of an ongoing and terrible crime is enrolled in their school. And they may be able to save that child from further harm.
II. Need Sufficient Resources in Housing and Housing-Based Resources Prevention

- Approximately 300,000 youth in grades K-12 experience at least one day of homelessness each year in California based on the latest CDE report.
- 12,000 – 13,000 homeless youth ages 12-24 are homeless at any given time in California.
- 28% of homeless youth in the nation live in California.
- California is second worst in the country in sheltering homeless youth - 76.3% of our homeless youth are unsheltered.

Consequences of Homelessness

- Engagement in survival sex
- Victimization, including Commercial Sexual Exploitation of Children (CSEC)
- Alcohol and drug abuse
- Mental health problems – PTSD, Depression, Anxiety, etc.
- Physical health problems – TB, Hepatitis, STDs, HIV/AIDS, etc.
- School failure/dropout

Source: Presentation by Paul Curtis, Executive Director of California Coalition for Youth (Sacramento, March 24, 2016)
Attacking the root causes that contribute to youth homelessness requires a two-pronged approach: 1) Mitigating Adverse Childhood Events that have been also been documented as risk factors for CSEC; and 2) Funding and mandating state and counties to invest resources to produce emergency and transitional shelter to reduce youth homelessness.

“Approximately 1/3 of CA’s counties has direct services for homeless youth; funded primarily through federal and local funds. Funded emergency shelter beds for homeless youth in CA decreased from 587 beds in 1990 to 555 beds in 2010, while CA’s population of homeless youth has increased dramatically. State funding for homeless youth is directed through the Homeless Youth and Exploitation Program (HYEP). The program receives $1.1 million and funds 4 individual programs in the state. Funding for this program has not changed since its creation in 1988.”
- Paul Curtis, Executive Director of California Coalition for Youth (Sacramento, March 24, 2016)

**Sustain a Continuum of Housing Options that Support CSEC**

A critical barrier confounding most of California’s public safety and child welfare efforts to effectively prevent and interrupt the holds that exploiters have on many CSEC victims is the absence of housing with trauma-informed services that is available 24 hours, seven days a week.

When a secured and protective home is not available, locking a child in a detention or mental health facility to keep him/her safe has never been considered an optimal alternative. Clearly new ways of thinking about financing, authorizing and staffing the build-out of housing alternatives (which includes housing the victim and his/her children) from the point of identification and throughout the stages of recovery is a must. All the best laid efforts are faltering without this essential building block.

The following takeaways illuminate specific insights shared that relates to different sectors as participants delved into what is needed to prevent, intervene and support a victim through recovery.

**Prevention**

“There was a good takeaway today about refocusing on the beginnings... on preventing and how we are strengthening young people when we first encounter them instead of trying to help fix them after they’ve been re-traumatized and re-traumatized and re-victimized and re-victimized.”
- Dr. Stacey Katz, Executive Director of WestCoast Children’s Clinic and Blue Ribbon Commissioner (Anaheim 1.13.16)

There are numerous ways in which public agencies and private organizations including faith-based groups can work together to stop human trafficking before it happens and/or protect at-risk individuals from becoming victims. The testimony at the H.E.A.T. summits highlighted various approaches to prevention, most notably on the part of law enforcement and schools.

**Takeaway #1: Focus on disrupting buyers and holding them accountable. California needs tougher mandated penalties to create a stronger deterrence for buyers of sex, especially buyers**
of sex with minors. In addition, greater investment is needed in deterrence and disruption tactics that stop buyers from purchasing sex and in data collection that reveals best practices.

Penalties for buying sex need to reduce demand and, as a result, reduce sex trafficking and CSEC. Additionally, communities are trying different strategies to reduce demand. Some of these strategies involve law enforcement while others are implemented by non-governmental organizations, faith-based groups, survivors, and other concerned individuals. However, this work lacks coordination and data to document its impact.

Demand Abolition⁶, cited an opinion study at the H.E.A.T. Summits where buyers reported that 1) serving jail time and 2) paying stiffer penalties would be the strongest deterrents to persuade them not to buy commercial sex.⁷

California has state laws that permit law enforcement and district attorney offices to implement “demand reduction tactics,” as long as they do not violate the state constitution or the civil liberties of buyers. Demand reduction tactics are activities designed to deter a buyer through arrest, punishment, education, restraining orders, and shaming.

The state has declined to amend the constitution to allow for stronger penalties against buyers unless the buying of children is involved. Some demand reduction tactics law enforcement agencies use include the following: police officers posing as prostitutes, “john schools” where buyers learn about health risks and the law, mandated community service, seizure of the buyer’s car, suspension of the buyer’s driver’s license, Stay Out of Areas with Prostitution orders, surveillance cameras, and citizen patrol information. Having better data that disaggregates sex buying crimes will help policymakers target laws toward placing more responsibility and consequences on the exploiters and buyers.

⁶ See www.demandabolition.com
Takeaway #2: Expand supports that make children feel loved. The incontrovertible importance of love in the development of a child is at the crux of what is needed to prevent, intervene, and stop the sexual exploitation of minors.

“I had a judge at the Eastside Juvenile Hall Board that was my judge for years. Having someone that was stable in my life that knew me and knew what I needed and the services that I needed worked. I needed a therapist. I needed trauma-based therapy. I need all kind of therapy. I needed mentoring services by [fellow] survivors. I thank God - that people are trying to help [survivors], but you will never [fully] understand what they’ve been through.” - Oree Freeman, Survivor Advocate and Leader (Anaheim 1.13.16)

Children require loving and supportive relationships to grow and thrive. The challenge for advocates is to nurture loving relationships with at-risk/CSEC children that build self-esteem and lead to making healthy choices that affirm self-worth.

When this durable love is not present for a child, she or he is susceptible to being influenced by anyone who appears to offer love and protection. These children are easily manipulated into situations of exploitation where they are further harmed. We heard testimony from dozens of experts about the loyalty and love that youth give to their exploiters because they have had little or none of either from principled adults in their lives. While it is not really possible to legislate the quality of relationships in families and professional settings, the testimony at the Summits was unequivocal about the power of love to protect and heal and the extreme damage that its absence can do to the mental health and productivity of young people.
**Takeaway #3: Mandate and sustain CSEC education in schools. Preventing CSEC needs to begin through education before kids become victims.**

Preventing the commercial sexual exploitation of minors must include programs and curricula in K-12 aimed at deterring a child from ever becoming a CSEC victim in the first place. The education programs must also reach out to teens who are already victims to help them better understand their situation and to seek support.

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**PROTECT: Education Engagement Model**

- **Step One**
  PROTECT to engage California stakeholders in education engagement model.

- **Step Two**
  PROTECT to educate county safety service providers and align with their protocols where established.

- **Step Three**
  Safety SPs to educate education delivery team (Teachers, Admin, Nurse, and Counselors) who will deliver to 5, 7, 9, 11 grades.

- **Step Four**
  Student engaged with program.

Overview of PROTECT middle and high school curriculum developed and presented by Love Never Fails, 3 Strands Global Foundation, and Frederick Douglass Family Initiatives (Redding 4.7.16)

We have the opportunity to stop the crime before it ever happens by empowering young people with information about what is sexual exploitation and what tactics exploiters and buyers use to groom vulnerable children for commercial sex. Middle and high schools need to embrace their role in developing young minds and healthy bodies to include preventing the sexual victimization of their students.

**Takeaway #4: Mandate CSEC curriculum to include lessons for boys and young men.**

Much sexual health education content in schools that focuses on preventing the commercial sexual exploitation of children is not tailored to male audiences or to lessons about not participating in the exploitation of females as a business enterprise.

The lessons that empower young people to not fall victim to exploiters need to also address the culture, economic circumstances,

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"A 14 year old boy, who I could see ... was uncomfortable, ... [his] teacher came back to me during the break with tears running down his face, ... hugged the life out of me and said, “I need to tell you what the student said, ‘please go tell (Tiffany) she saved my life’... he was being groomed online by a 35 year old man for the last year... He didn’t realize he was being exploited.”

- Tiffany La Voile, 3 Strands Global and Vanessa Russell of Love Never Fails and the PROTECT Project (Redding 4.7.16)"
and misinformation that may lead a young man to become an exploiter. Experts who testified at the H.E.A.T. summits pointed out that in some communities boys are growing up unaware of the dangers and legal consequences of buying and exploiting others. Education works best if it starts early and targets all sides of the problem.

**Takeaway #5A: Support coordination between home, school and community mental health.**

Schools are trying to coordinate with local advocates and providers to bring mental health resources and strategies to their students and CSEC.

At the H.E.A.T. Summits, numerous school officials and student advocates testified about the need for strong partnerships between schools and local organizations that specialize in the mental health of teens. In particular, CSEC advocates shared their experiences working in local coalitions that are bringing a range of empowerment, resiliency, and mental health information and services to schools.

Multidisciplinary networks have intermittently worked with schools to share curricula, outreach and rescue tactics, legal guidance, emotional support, and funding sources. These efforts by advocates for school-linked services have led to enhanced initiatives for youth development that include CSEC.

“...When I talked to parents, we talk about shame-based behavior and how to recognize it. Because if a girl starts changing, you think she’s pregnant or on drugs. You may not realize that maybe she’s been in a bad sexual encounter or she’s forgot there is a naked photo [of her] out there.” - Opal Singleton, author of Seduced: The Grooming of America’s Teenagers and trainer with Riverside County Anti Human Trafficking Task Force(Anaheim 1.13.16)

**Takeaway #5B: CSEC awareness and education can begin at home, but parents need information about the signs and symptoms of being trafficked and how to respond.**

California schools have a central role in bringing information about CSEC to parents, and they need resources and appropriate curricula to do this.
Parents want to know how to recognize and prevent child sex trafficking and what to do if they suspect it is occurring. There is a large, untapped opportunity to make parents partners in ending CSEC if the investment is made in teaching them how. During the Summits examples of free community events opened to the public to help spread awareness around CSEC were noted in communities throughout California. Next steps could include the following: 1) evaluating the effectiveness of the existing community outreach and engagement efforts; 2) researching strategies to scale successful practices; and 3) increasing investments in strategies found to be effective.

Takeaway #6: Survival sex, where homeless youth turn to providing sex in order to survive, is another form of sexual exploitation that needs attention and swift action from policymakers and service providers to prevent.

"Attending to the needs of non-system involved victims, whether it be homeless or older youth who have run away, or families outside of our various systems... We must look for opportunities to serve [in ways] that we don’t have to embed them in our systems ...[that are] struggling to meet the needs of [those] already mandated.”
- Tracy Schiro, Deputy Director of San Luis Obispo County Social Services Agency and Blue Ribbon Commissioner (Sacramento 3.24.16)

Homeless youth, who are frequently abused runaway and may turn to “survival sex” for subsistence. Survival sex is not a transaction for money, but sex in exchange for food, clothing or other vital necessities. Policies and programs that are created to end CSEC must consider strategies to reduce survival sex among minors and transitional age youth.

Often homeless youth have runaway because their home is a dangerous or abusive environment. They have managed to survive by fleeing, and for that reason it can be complicated to convince them to stay in a housing placement program. Within this group there are subsets that are particularly vulnerable, having dropped out of children’s services, or had dealings with the juvenile justice and mental health systems. These include LGBTQ substance abuse, and special needs populations.

CSEC advocates shared their ideas about how to hold residential providers and caregivers accountable for treating youth humanely and respectfully, and providing them with necessary support. Among the strategies they discussed were special training sessions for foster care parents, creating specialized homes for formerly homeless CSEC and paying those parents/guardians higher rates, and organizing cohorts of support among foster care parents of CSEC. In addition, the Commissioners heard testimony about the possibility of tying funding for residential settings to their meeting certain criteria for housing LGBTQ youth.
**Intervention**

“We have to be thoughtful, careful, and deliberate about what are the issues that these kids are struggling with and what are the solutions that are really going to mitigate [those] issues.”

Kenneth Berrick, Executive Director, Seneca Family of Agencies and Blue Ribbon Commissioner (San Diego 10.29.15)

Once the crime of human trafficking has been committed and the victims of human trafficking are harmed, advocates must develop appropriate strategies and responses that will get the victim out of harm’s way; this includes having the right resources, knowledge, and consciousness, which will assist service professionals and advocates in offering the most swift and beneficial support.

**Takeaway #1:** Enable California health-care services to see human trafficking as a public health issue and implement screening tools and response protocols when exploitation is suspected.

There are a number of signs that could indicate that a patient is being sexually exploited or is at-risk for being sexually exploited, but most health-care professionals do not know what to look for.

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**Health Care Providers Visited by HT Survivors, Percent of Total Reported Visits**

At the H.E.A.T. Summits, survivors testified that coercion and control by traffickers, language barriers, social and cultural alienation, and pervasive fear and shame prevented them from sharing their situations with health-care providers. Among the criticisms that came from both victims and providers was that some screening questioning took too long or was too detailed, and that providers needed training in how to assess the screening process and adapt it appropriately for the circumstances. The risk of not being flexible is that some victims may be reluctant to speak
in detail about their experiences and will simply choose not to disclose the information or will leave the health-care setting rather than be questioned.

“I recommend universal screening for all young people in the medical setting for their risk of exploitation or their intent of exploitation. ...Screening tool... streamlined into 2 questions can be easily folded d into the electronic medical record... in a safe and confidential space.” – Dr. Aisha Mays Medical Director of Roots Adolescent Clinic and HEAL Trafficking Volunteer (San Leandro 4.21.16)

**Takeaway #2: Train health-care personnel how to build trust, and treat CSEC patients in ways that help victims get connected to support and services.**

When health-care personnel are not prepared to respond to the unique crisis of CSEC, the victims’ trauma can be made worse at the very place they have come to for help. The result may be that they lie about their circumstances or runaway without getting the medical care they need.

Beyond the initial screening and interviews, medical professionals must modify their internal patient assessment and treatment processes to ensure CSEC and all trafficking victims receive the proper care. Training similar to rape-trauma training but more directly focused on CSEC will give medical professionals the tools and skills to serve these young patients. The goal should be that necessary but potentially traumatic processes for helping CSEC, such as administering a rape kit, will be conducted with compassion and understanding with every effort being made not to re-traumatize the victim.

**Takeaway #3: Make changes in health insurance plans: Restrictions and limits in Medi-Cal coverage are impeding some victims’ access to essential health services and state funded Victim Compensation only supplement some medical costs.**

Certain Medi-Cal policies that were put in place to protect children can wind up harming CSEC who may be victimized by the very adults who have control over their health-care access.

“Medi-Cal is the allowable, billable service that is medically modeled. For example, it is very tough to say getting tattoos removed helps her depression... You have to wait in line for ... those things that Medi-Cal typically would not cover.”

Lisa Conn, M.F.T. (2.25.16)

“...CALVCP, the victim compensation program did assist 75% of [my] medical bills. Medical bills [for all my injuries] were not fully [covered].”

John Doe Male Survivor (2.25.16)
To solve where Medi-Cal breaks down in helping CSEC and other trafficking victims, further inquiry and a plan of action are needed to address its limitations. This may relate to expanding certain kinds of treatments (including birth control and mental health), bridging continuity in medical provision when patients become incarcerated, revising the certification and contracting process of health vendors, permitting consent to receive services before payment is allowed, and addressing the issues that arise when Medi-Cal services are attached to group home placements and not to patients.

Takeaway #4: Mandate and provide more training to law enforcement. Mandated and funded law enforcement training covering sexual exploitation and human trafficking needs to include information about trauma-informed approaches to victims—especially victims who are minors.

In order for victims to welcome the assistance of law enforcement rather than fear it, first responder law enforcement officials need adequate training in how to establish trust with victims. Such training will save hundreds of hours of time and resources that get wasted when a youth mistrusts the system and refuses to comply. It will also help to engender a culture of compassion within law enforcement for these young, vulnerable victims.

Takeaway #5: Adopt statewide law enforcement protocols. Law enforcement needs uniform statewide protocols that ensure that victim-centered services are provided to victims of CSEC, so that sexually exploited youth are not sent to juvenile hall.

Many experts described the value of clear protocols for law enforcement to ensure that they are appropriately assisting victims by using the best language, bringing the right people together, and identifying the most appropriate services quickly for CSEC.

The protocols would establish the role of a victim’s advocate, prioritize victim safety, and provide a series of steps for law enforcement over the next 24 to 72 hours to support the victim. The development of protocols should be informed by the voices of victims, victim advocates, and members of CSEC multidisciplinary teams. The protocols, if properly and routinely implemented, will establish standards of care and service toward victims that will eventually become the customary norm.
Takeaway #6: More training and funding need to be made available to law enforcement who are trying to disrupt and capture exploiters using the internet and to rescue victims who are being trafficked and sexually exploited on the internet.

The internet poses an unprecedented challenge to law enforcement as an ever-expanding marketplace for illegal commercial transactions, which at the same time conceals the location and identity of exploiters who are sex trafficking children. Moreover, exploiters use social media sites to recruit vulnerable youth to participate in the sex trade. Law enforcement officials face many barriers in identifying the online exploiters and tracking down their location and the location of their victims in the real world.

“You need a team of people like we have in Fresno County from our Economic Opportunities Commission, [our child welfare agency] to the Marjorie Mason Center [and other longer term supports].... [You need] emergency beds and people that can react and provide triage to the victim while law enforcement investigates [using state of the art technology]. That has been our success. When we deal with agencies up and down in and out of the state that don’t have the training or the people, we lose them [victims].”--Sgt. Curt Chastain, Fresno Police Department and Human Trafficking Task Force (Fresno 2.25.16)

The newest class of internet crimes need an entirely new set of investigative and law enforcement skills and tools. “Walking the beat” now means combing through data, identifying patterns, using coding skills to hack into sophisticated internet networks, and posing as decoys in chatrooms and marketplaces that cater to buyers of sex and sexual predators.

Takeaway #7: Sustain community and law enforcement partnered task forces. Law enforcement participation and leadership in human trafficking task forces multiplies the effectiveness and efficiency of their investigations.

L to R: Cpt. Merrill Ladenheim, Sgt. Peter Hahn of the Los Angeles County Sheriff Department and Human Trafficking Task Force, and Det. Paula Meares, Los Angeles Police Dept. Internet Crimes Against Children Task Force (Los Angeles 11.20.15)
Multidisciplinary task forces, especially ones that include local, state and national agencies, give law enforcement broader expertise, boots on the ground across a wider region, and the connections and resources to cut through some of the red tape that normally hinders policing partnerships.

Law enforcement officials spoke about how, even with the limited funding, the task forces were very effective at fighting human trafficking in their regions. Participants on these task forces included representatives from such organizations as local police departments and sheriff offices, district attorney offices including prosecutors and investigators, Office of Homeland Security Investigations, the US Attorney General’s Office, the Office of the State Attorney, the Federal Bureau of Investigation, comprehensive victim support and advocacy programs, rape crisis programs, survivor led support groups, and child welfare agencies. Victim advocates were particularly constructive in the task forces’ efforts to address CSEC. Engaging staff from rape crisis centers, the task forces were able to capitalize on their experience with sexual assault victims to reach out to CSEC victims and help them find services and supports.

On the task forces, law enforcement primarily focuses on investigating and building the case against perpetrators of trafficking, and the direct service providers and advocates work on meeting the immediate and long-term needs of the victim-survivors. An additional benefit of the task force model is that once a victim’s needs are met, that victim may be amenable to cooperating with law enforcement in their investigation, helping law enforcement to accumulate evidence that can be used to prosecute their abuser.

**Takeaway #8: Train mandatory reporters in effective responses. Mandatory reporters need training and support to identify and report CSEC as victims of child abuse, without which there could be unintended, negative consequences to the reporting requirement.**

Those who are in positions where they are required by law to report suspected child abuse or neglect must report situations of suspected or confirmed sexual exploitation of minors. For this reason, mandatory reporters need training on how to identify CSEC, who to report CSEC to, and how to communicate with and prepare the victim for the aftermath once the report is made. They must also have knowledge regarding the services that will be provided to the victim following the reporting.

> “I was a victim of domestic servitude ... from the age of 12... And for me the education part is very big...in high school I did speak to my counselor when I started getting my seizures I spoke to my school psychologist and not one of them call CPS or anyone.” Survivor from Anaheim Hearing (1.13.16)

The trauma experienced by trafficking victims is sometimes intertwined with deep loyalty to their exploiters. Without a nuanced understanding of this pathology, service providers may unintentionally re-traumatize victims through the reporting process.

Equally important, service providers need to be confident that the victim will be protected once the report is made. If the response by social welfare or law enforcement is inconsistent or inadequate, as was reported by several who gave testimony at the Summits, this creates a huge disincentive for reporting.
The ethics around mandatory reporting must put the safety and health needs of the patient/client first by making sure that an aggressive pursuit and prosecution of the trafficker is never at the expense of the victim.

**Takeaway #9: Continue strengthening child welfare and juvenile justice services and protections of youth. Currently in the foster care system, sexually exploited children are not adequately protected from continuing exploitation, even while reforms are emerging.**

Many children who are placed in foster care because of neglect or abuse are made vulnerable to commercial sexual exploitation in the foster care system through more neglect and abuse from the system.

Among CSEC youth overall, the overwhelming majority have been involved in child welfare services. At the Summits, experts testified that in many situations

“Ideally mandating reporting would be an easy way to get this young person the service they need, but in reality that’s not what we see... Many providers across the country do not understand mandated reporting [and the best strategies to use to engage the victim when making the report].”

--Dr. Tonya Chaffee, Physician at UCSF General Hospital and HEAL Trafficking Volunteer (San Leandro 4.21.16)

the out-of-home caregivers are unable to stop the abuse from happening, even when they are aware of the activity and are deeply concerned about it. There are a number of contributing factors to the prevalence of sexual exploitation of minors and older youth in foster care—poor training of foster parents, inefficient group home policies, inadequate emotional support, inadequate staffing, and the need for stronger monitoring of abuse. The policies that give youth independence also leave them exposed and vulnerable, and foster children are uniquely vulnerable to exploitation because of their need for love and parental figures. Experts at the Summits called for partners from different agencies to join with probation, child welfare, behavioral health, and other organizations
to implement holistic responses to the sexual exploitation that takes place within the system, from the moment of a child’s rescue to her/his successful reentry into society. Moreover, experts expressed that there is a need for law enforcement and other agencies to conduct ongoing oversight in out of home placement settings to ensure that the new policies are being implemented and are demonstrating success.

**Takeaway #10: Evaluate the benefits and challenges of unlimited cell phone use.** Traffickers and buyers use of cell phones to facilitate the sale and purchase of services on a 24-hour basis. This has created an unprecedented challenge for parents, foster parents, service providers, and law enforcement to protect youth from sexual exploitation.

The issue of cell phone access for youth who are at-risk of sexual exploitation is extremely complicated. Cell phones ensure that a youth can reach out and be in contact with a parent, guardian, or trusted ally at any time, and particularly in times of need. At the same time, the cell phone is frequently the most powerful tool in the hands of exploiters to keep victims tethered to a dangerous and unhealthy situation.

What was clear from the testimony at the Summits was that there is no single response to the problem that can fit every situation. At the same time, legislating flexibility, especially when the rights, even the lives, of young people are at stake is also very difficult. The conversation about how to manage new technology challenges in the realm of CSEC will need to be thoughtful and ongoing, to determine what is in the best interest of young people at different junctures along their path out of victimization.

**Takeaway #11: Enable schools to have adequate personnel to respond and coordinate support. Schools need to have an appropriately trained and caring person on-site to help CSEC.**

When schools have caring adults on their campuses equipped with the knowledge to recognize human trafficking grooming tactics and have resources available to them to help victims, students are likely to self-disclose.

CSEC survivors and advocates told the Commissioners that had there been a teacher or counselor at their school who understood what they were going through and knew how to help, they would have asked for help. A safe school for CSEC needs to include staff members who are informed about the next steps to take when a CSEC victim shares her or his story.

“My recommendation is that when we’re thinking about approaches to addressing CSEC and survival sex work among LGBTQ youth of color that we’re mindful of the impacts [on these youth] that come up around racial justice. Over-incarceration of Black and Latino and indigenous communities is something that’s very real.” - Alan Gutierrez, Program Manager of LYRIC in San Francisco (4.21.16)

**Takeaway #12: To design effective policies and programs that address the roots of the sexual exploitation of minors, legislators and advocates need to approach the crisis with an equity lens.**

Exploitation including the sexual exploitation of minors happens across color, creed, and class, and regardless of race all its victims share an indelible trauma. However, preliminary data and
anecdotal evidence demonstrate that there are widely disproportionate numbers of victims who have been marginalized because of gender, race, ethnicity, economics, and other factors. For this reason, an equity-blind approach to solving the problem would mean ignoring critical data and insights for identifying and stopping many of the contributing factors.

As a first step, legislators need to understand that a victim’s experiences are all impacted by the opportunities attitudes, and prejudices afforded them because of their race, socioeconomic background, and their past involvement in the juvenile justice and child welfare systems. Health, housing and education programs that recognize and support racial and gender justice, will be better equipped to avoid missteps and missed opportunities for all victims of exploitation moving forward.
Recovery

“From my own experience growing up in California’s foster care system, many facilities were really breeding grounds... girls were recruited. We lacked ... the roots ...the parenting and the nurturing that would have secured us...the opportunity to heal from trauma that would have insulated us from the harms of exploitation. We lacked opportunities to participate in extracurricular activities to find our gifts and our talents... becoming a cheerleader or a debate team leader or an advocate...things like that help you formulate an identity ... that keep you safe.” Jennifer Rodriguez, Executive Director, Youth Law Center and Blue Ribbon Commissioner (San Diego 10.29.15)

After victims have been identified, advocates can continue to support them in their healing and keep them away from further exploitation by offering services tailored to their specific CSEC trauma needs. While removing the victim from harm is crucial, it is also critical that advocates invest in positive outcomes for their lives, even after they seemingly escape from exploitation.

Takeaway #1: Educate mental health and community practitioners in how to treat CSEC. There are very few CSEC-specific mental health protocols, services, or programs, even though mental health services are critical to the treatment and recovery of CSEC.

CSEC harms a child’s body but also the victim’s mind. Some of the long-term mental health problems CSEC survivors experience includes anxiety, depression, drug dependency, and PTSD.

More research is needed to guide the development of services and trained professionals to be able to adequately understand and address the complex traumas of CSEC, sex trafficking, and labor trafficking. As we convened the H.E.A.T. Summits across California, we found very few examples of specific mental health approaches for CSEC victims. This was despite the fact that numerous experts testified about the prevalence of mental disorders, emotional abuse, and extensive trauma suffered by CSEC victims.

Takeaway #2: Study the effects of CSEC on males and LGBTQ victims. To understand the prevalence of male CSEC victims, the collection and analysis of CSEC data needs to be disaggregated to include sexual identity, gender identity, as well as other critical demographics.

Boys, transgender, and LGBTQ youth are under-reported and under-served CSEC populations who pose separate challenges for mental health and housing service providers. Without the right data, boys, transgender and LGBTQ victims will be left out of the CSEC picture when evidence-based programs and policies are being developed.
“As a 19-year-old trans-female growing up and experiencing life as a gay boy, I have fallen victim to trafficking... having to do things and not even getting paid... I almost made myself a victim through systematic barriers where I wasn’t able to get certain, [things] like... housing.” -Recorded statement from anonymous survivor (San Leandro 4.21.16)

At the H.E.A.T. Summits, we heard from young men CSEC who had to contend with an outsider/other status even in medical and mental health programs set up specifically to respond to the special trauma needs of CSEC victims.

**Takeaway #3: Strengthen laws and use of trauma-informed protections to support victims.**

Prosecutors need stronger anti-trafficking laws and greater resources to ensure that victims will testify against their traffickers.

Having the capacity to provide victim-centered services for prosecution witnesses would increase the availability of witnesses, which in turn would increase the likelihood of successful prosecutions.

Witnesses who were victimized were subject to psychological manipulation by their abusers, and even when they are free, they can find it difficult to testify. Some of these victims are trauma bonded to their exploiter, they may fear having to relive their traumatic experiences when they are questioned in court, and/or they may resent the way they are treated by insensitive law enforcement.
enforcement, leading them to refuse to testify. Prosecutors need training for judges, court officers, and themselves to understand the life-stories of victims. They need systems and protocols, access to services and support, and more legal options to support the comfort level of witnesses. One successful tactic has been the implementation of vertical prosecutions where victims work with a single, dedicated prosecutor who handles the case from charging to resolution.

Another difficulty confronting prosecutors is the sophistication of the exploiter in hiding his/her involvement in the crime. Often, exploiters use the victims to conduct many of their crimes. Prosecutors need to deftly thread the needle of presenting the victims as victims, but also prosecutors should be able to explain the exploiter’s role in causing the victim’s role in the commission of the crimes that are being prosecuted. Lastly, more needs to be done to strengthen evidence collection laws, support district attorney offices’ efforts to develop the expertise to address these crimes, make evidence collection and victim engagement less traumatizing and stressful, strengthen regional cooperation between prosecutorial teams, and implement human trafficking vertical prosecutions to increase the number of successful prosecutions in California.

**Takeaway #4: California needs more specialty courts that are designed to support sexually exploited minors (SEMs) and minors at-risk of sexual exploitation who are in the juvenile dependency or juvenile justice systems.**

In SEM specialty courts, the complexity of a youth’s experiences are reflected in the legal and service approaches that the court uses to address the youth’s motivations for committing a crime and to respond to the service needs of the youth. However, California has only a handful of such courts throughout the State.

These courts typically operate in collaboration with prosecutors and public defenders, law enforcement, and social services. Typically these courts have dedicated judges, prosecutors, and public defenders that have in-depth knowledge of the background of each SEM that appears in court. The purpose is to consider and respond to the conditions in the offender’s life that are leading him or her toward criminal activity. With the emphasis on communication and problem-
solving rather than winning or losing a case, the judge, lawyers, and offender have the opportunity to create a workable plan that can lead the young person away from the risky behavior and/or dangerous living conditions and set him or her on a path to recovery. In several of the jurisdictions that have created SEM specialty courts, there have been marked increases in high school graduation rates, reduced chronic absenteeism, and less recidivism into human trafficking conditions, among other metrics.

**Takeaway #5: Engage survivors. Survivors of CSEC should have a decision-making role in CSEC service planning, education, and recovery.**

Survivors have enormous insight into how to reach out to victims and what types of services and programs they need most. Moreover, survivor leaders serve as powerful role-models for young victims trying to imagine what a healthy, productive life might look like for them.

“[Dignity Health] saw it as an advantage to include ... survivors not only in our basic education but hopefully in a program where we can hire survivors to come in and educate staff and even respond to victims... Implementation of the program begins with establishing a multi-disciplinary task force; establishing internal protocols; identifying local, regional and national resources that can support victims; providing basic education to all staff; providing extended education to key staff, especially social workers and clinicians; and establishing structure for ongoing meetings to discuss cases, protocols, education needs, and ongoing awareness.” - Holly Austin Gibbs, Director of Dignity Health’s Human Trafficking Response Program and survivor of child sex trafficking (Sacramento 3.24.16)

“... I was excited to see the California Board of Governor’s fee waiver is now available for sex trafficking victims. I’d like to see at the federal level with FAFSA. ... I see small policies that [continue to create] big barriers [for victims]... I was told to sign papers that I would testify against my trafficker in a civil suit before I could receive services. Even after this I did not qualify [for services], and I’m not alone in this. ... I’d also like to see an increase in ... understanding ... and training in assessment tools of the warning signs in trafficked kids who act in instead of act out. On the opposite end of those kids who run away, have substance abuse problems are the kids who are withdrawn, too scared to act up, and focus [their] anger inward on themselves ... cutting, eating disorders, etc. These kids need the interventions just as much ...” - Diana Cisneros, Survivor Leader

Diana Cisneros, survivor leader and advocate with the Kern Coalition Against Human Trafficking (Fresno 2.25.16)
Investing in the leadership capacity of CSEC survivors has several benefits. They will have more to give back to society if they are given responsibility and tasked with decision-making. They will mentor and inspire victims looking for pathways to a better life. And they will help policymakers develop more targeted plans for ending the sexual exploitation of minors once and for all.

**Takeaway #6: Remove barriers to post-secondary education and career building opportunities.**

There needs to be a dramatic increase in education and job-training programs for transitional age CSEC, SEM victims and victims of other forms of human trafficking.

California needs grant opportunities, small loans, fellowships, internships, and specialized certificate study programs that are directed at building the capacity of survivors to be leaders so that they can specifically help other victims and to enable their intelligence, tenacity, and resiliency to benefit everyone.

There are a number of barriers to higher and/or continuing education for survivors of sexual exploitation that limit their ability to transform their lives. Education and job training are indispensable to helping CSEC overcome their environment, but accessing either can be very difficult.

Poverty, low self-esteem, too few job opportunities, and lack of role-models are among the factors that trap victims of sexual exploitation in vulnerable emotional, social, and economic situations. In order to permanently disrupt the vulnerability of victims, they need education and employment assistance that builds their self-esteem and confidence. The current level of education and job training support statewide is very far from sufficient to support this unique population.

**Takeaway #7: Utilize cross and sustain cross-sector approaches to close gaps of insufficient housing.**

There are not enough out-of-home foster care options—resource families or group homes—to adequately support the emergency and longer term needs of CSEC. To meet the growing demand for out-of-home options for CSEC that extends beyond their childhood, there needs to be formal, cross-sector, working partnerships among housing providers, service providers, government agencies, and CSEC advocates at local and state levels.

Of the thousands of CSEC served by child welfare each year, many require out-of-home care because of parental neglect, abuse, or exploitation. At the H.E.A.T. Summits, many of the experts tasked with serving CSEC described the difficulty they have in finding and providing appropriate out-of-home care. Collaborative partnerships—composed of social service agencies, non-profit and for profit housing developers, researchers, architects, finance experts, and CSEC advocates—could pool resources and ideas to develop specialized prototype housing options.
Not only are there too few choices of out-of-home options, but there are altogether simply too few places to house and care for CSEC. Complicating the issue of creating enough housing opportunities is that there is almost no reliable data to-date on the number of CSEC in the state or in each county, the number in foster care, the number still unserved, the number of available foster care host family-settings willing to support CSEC, or the number and type of alternative housing and shelters that can serve CSEC. So to meet the demand, some CSEC are being placed out of county, which can be very disruptive to the child and his/her family trying to repair ties and reunite. Housing and services designed specifically for child victims of commercial sexual exploitation are still in their infancy, requiring some investment in studying best practices from other housing-challenged populations. There is a need for experimentation and creativity in matching the needs of CSEC with a variety of housing placement prototypes that take into consideration designs for safety and service needs and a realistic alignment of costs with available subsidies.

**Takeaway #8: Prioritize assistance to victims that are not system-involved.** Victims of sexual exploitation who are not in the child welfare system need help accessing the entitlements and supports to which they need to live productively and heal. Additionally, older youth and transitional age CSEC (16 to 24 years) face unique challenges because of their developmental needs for independence. Foster care or resource families and short term residential placement programs can’t be the answer for all in addition to the many hurdles to receive child welfare services and benefits.
Homeless CSEC who are not in or known to the foster care system and victims who might be able to live at home if their families were able to access services need the support of system navigators to identify and apply for the entitlements for which they are eligible. The delays and denials of services can lead to homelessness and CSEC recidivism, especially for the older CSEC age group.

Entitlement programs guarantee benefits to specific segments of the population through child welfare, social services, health care, probation, and school programs and agencies. To get entitlements and supports, youth must be system-involved in one or more of these. Homeless youth, runaways, and child victims of trafficking living at home may be missing entitlements if they are not actively participating in child welfare programs.

It is a common experience for service providers working with the older victims of sex trafficking that some are very reluctant to stay in contact with them. In addition, some CSEC may be experiencing intimidation by their trafficker or feel that they are simply not believed, which may keep them from successfully using child welfare supports to diminish their dependence on traffickers. Therefore, welfare agencies may need to consider ways to effectively serve this CSEC population in a way that makes them more comfortable and willing to accept services.

Takeaway #9: Provide tailored education services during critical periods to support re-engagement and recovery. Students who have experienced severe trauma, such as CSEC or other forms of human trafficking, need a higher level of scrutiny applied to their education placement and education plan to ensure that their school placement is safe, appropriate, and academically beneficial.

While re-enrolling victims of CSEC in school so that they receive an education is paramount, not all CSEC victims are ready to return to the same education placement or school district that they were in before their trauma.
Kids who experience severe trauma, such as CSEC, can struggle and sometimes fail at school because inadequate attention is given to ensuring that their school placement and education plan is appropriate. More research and debate is needed to determine what the standards should be for educational placement for severely traumatized children and which agencies and education departments should be responsible for ensuring that school placements and education plans for CSEC are safe and appropriate and provide academic benefit.

**Takeaway #10: Enable more participation by community groups including faith communities. California benefits enormously from community and faith-based groups, non-profits, and charities that bring services to victims and organize activities to end the sexual exploitation of minors.**

The new legal framework in California that requires that child victims of sexual exploitation receive services rather than punishment comes after decades of activism by a wide range of individual advocates and organizations. Their numerous contributions deserve recognition and support.

Moving forward, legislators and state agencies can develop creative strategies for supporting the community-based projects that complement government programs. For instance, could there be opportunities to promote survivor entrepreneurs through funding provided by the U.S. Small Business Administration and/or the California Department of Business Development and Commerce? Are there paths to partnership between faith-based programs that support foster families and state agencies? What state or county funding is available to support media campaigns on television, radio, billboards and the internet about the sexual exploitation of minors? The possibilities are many when the will of policy-makers matches that of the communities they serve.
The aforementioned takeaways offer substantive next steps for each segment in the anti-human trafficking advocacy community. While the approaches to prevention, intervention, and recovery are distinct, they often overlap with each other, ensuring that both the punishments for perpetrators of exploitation and the welfare of the exploited are sustained by the appropriate agencies involved. Acting on these takeaways is the epilogue to the capacity building efforts of the H.E.A.T. Institute. We hope that as you consider the H.E.A.T. Institute’s work since the Regional Information Summits, you will find motivation for your ongoing efforts.
The woefully inadequate supply of affordable and properly suited housing and shelter alternatives to prevent victimization and support youth and adults in their recovery from human trafficking has not changed from being the number statewide challenge in this issue. Secondly, as new standards for facilities as required by Federal Continuum of Care Reform policies unfold, as of October 1, 2018, the California Division of Community Care Licensing has already licensed Short Term Residential Programs (STRP) with capacity to provide 648 beds with comprehensive high standards services to specifically support CSEC among California’s system involved which includes foster care youth. This represents approximately 3.8% of California’s current licensed STRP capacity, which now stands at 2,507 spaces. Issues such as NIMBYism (i.e. Not In My Back Yard sentiments) require additional education and partnership, among others, if the State’s basic infrastructure is to improve at the levels needed.

Notwithstanding dilemmas of inadequate housing to physically stabilize victims, since the Regional Information Summits, the H.E.A.T. Institute and Blue Ribbon Commissioners have taken on and completed numerous initiatives focused on the Prevention, Intervention and Recovery from the gruesome crime of human trafficking. The following section highlights some of these efforts.

**Prevention**

**Multidisciplinary Teams and Policy Advisory Councils**

Alameda County now has a multidisciplinary policy advisory council focused on all forms of human trafficking, including Labor Trafficking, one of the more difficult forms of trafficking to prosecute. Inspired by the high performing human trafficking policy advisory councils that operate in the counties of Los Angeles, Riverside, San Diego, and San Francisco, AC United Against Human Trafficking has been launched. This multi-sectoral body comprised of 50 public agencies and non-profit advocacy, legal, direct services and training organizations operates nine sub-committees in community outreach, health care, housing, justice, labor trafficking, prevention education, systems-change, technical assistance/training, and technology under a co-chairperson model.

**Intervention**

**Protocols and Training for Health-Care Services in Alameda County**

Inspired by Dignity Health’s advancements in human trafficking responses which dates back to 2014 and astonished by the widespread lack of knowledge about human trafficking in health care systems across California, the H.E.A.T. Institute is working to close this gap. Much opportunity to
engage the health field is now fueled by the new ICD-10 Codes issued by the Center for Disease Control, which are revised codes established under the International Statistical Classification of Diseases and Related Health Problems that medical professional now have to identify and monitor diagnosed suspected and confirmed cases of human trafficking. These codes go into effect October 1, 2018 at the option of the clinic, hospital or physician practice.

In 2017, the H.E.A.T. Institute partnered with HEAL Trafficking to support a cohort of hospitals and clinics in Alameda County to assess cases and develop internal protocols to identify and respond to human trafficking spread elsewhere in California.

We believe this kind of infrastructure support coupled with the use of ICD 10 codes will prove effective in mobilizing health care services in the fight against human trafficking. HEAL Trafficking (www.healtrafficking.org), a national volunteer organization of physicians, researchers, and academicians, developed Protocol Toolkit for Developing a Response to Victims of Human Trafficking in Health Care Settings. Making the tool kit as well as technical assistance from HEAL Trafficking volunteer physicians available to four local hospitals in the city of Oakland has seeded a culture shift in the hospitals systems of the participating sites.

Nurses, social workers, physicians and other professionals from the UCSF Benioff Children’s Hospital of Oakland, and the Emergency Departments of Kaiser Permanente Medical Center, Highland General Hospital, and Alta Bates Sutter and Summit Medical Center, the H.E.A.T. Institute and volunteers from HEAL Trafficking headed up by Dr. and President of the Board of Directors Susie Baldwin have formed a working group under the leadership of Blue Ribbon Commissioner Harrison Alter. Dr. Alter is the founding Executive Director of the Andrew Levitt Center for Social Emergency Medicine and Associate Chair for Research in the Department of Emergency Medicine at Highland General Hospital. This working group and survivors are educating and equipping medical and administrative staff in the four hospitals on various aspects of human trafficking.
Each hospital is receiving the tools and resources needed to scale up the culture shift now emerging as protocols are being implemented. At the end of the project in December 2018, each of the hospitals will have emergency department protocols and Alameda County will have regional protocols for health providers to respond to adult and child cases of human trafficking.

**Trauma-Informed Law Enforcement Training Materials**

California Human Trafficking Protocols for Law Enforcement have been developed and now await approval by the California Police and Officers Standards Training Commission. Under the leadership of Madera County Sheriff and Blue Ribbon Commissioner Sheriff Jay Varney, a working group of over sixty victim service providers, survivors, public agencies, and law enforcement personnel from across California convened and produced trauma-informed tools and procedures.

This process would lead to the creation of trauma-informed protocols that cover the gamut of understanding the nuances of investigating off-shore exploitation networks to knowing how to respond to a victim within any particular stage in the behavioral change process, and much more. The issues of sex, CSEC and labor trafficking are fully covered. The protocols call for joint training sessions with law enforcement, victim advocates and child welfare workers to assist law enforcement’s effective partnership with community service providers, and it recommends trust building with victims, thorough investigation of the crime, and single points of coordination within regions. The statewide protocols have been adapted for Alameda County and reflect input from over fifty local stakeholders including survivors, law enforcement, child welfare, probation, community based service providers.

**Recovery**

**Mental Health Tools to Support CSEC**

After hearing about the dearth of mental health services that understand and respond effectively to victims suffering from the complex trauma expressed by CSEC, the H.E.A.T. Institute examined the multitude of therapies and approaches used by psychotherapists treating different forms of trauma. More importantly, the H.E.A.T. Institute looked for a competent team to support development of a practice guide to assist California mental health providers in their treatment of CSEC. The WestCoast Children’s Counseling Center (WCCC) in Oakland, which is led by Blue Ribbon Commissioner Stacey Katz, Ph.D., is one of a few mental health practices in the country that has developed a unique and effective approach to assist CSEC patients. We are proud of
the efforts of WCCC researchers and clinicians, Dr. Julian Ford, Professor in the Department of Psychiatry at the University of Connecticut School of Medicine and Director of the National Child Traumatic Stress Network Center for Trauma Recovery and Juvenile Justice and researchers from the National Center for Youth Law have now produced a practice guide “Psychotherapy for Commercially Sexually Exploited Children: A Guide for Community-Based Behavioral Health Practitioners and Agencies,” which is being released nationally.

Expanding California’s Certified Human Trafficking Victim Advocates

Under California law, certified Rape Crisis Counselors, Domestic Violence Counselors and Human Trafficking Counselors as well as mental health therapists and other professions have protection from disclosing privileged client communications that are not subject to discovery by the criminal justice system. (Evidence Code Sections 1035 et seq.; 1037 et seq.; and 1038 et seq.). The California Office of Emergency Services convenes statutorily created Advisory Boards who have the task of creating and approving 40 plus hours Certification Courses for counselors who can assert privileged communication when supporting victims of Sexual Assault and Domestic Violence in the state of California. The California Sexual Assault Advisory Committee is the body with such authority. Certification of a stand-alone training component equal to Sexual Assault and Domestic Violence Counselors is required. Existing 40-hours courses have been modified to only include limited hours regarding human trafficking, depending on the center providing the training. Counselors must know the diversity of what contributes to and constitutes human trafficking, the different recruitment tactics used and the complex trauma created. They must also know the different laws and complicated streams that a victim must navigate to ensure their rights and access to justice.

While there are a growing number of survivor support groups including former survivors who give counsel to human trafficking victims, the communications between victim and counselor does not have a protection of privilege. These two dilemmas require more than a working group to set the training standards for state adoption and certification. Solving the problem that enables more survivor support groups to access this training and expanding the kinds of organizations who can do the training and certify the student to have protection of privileged communication is also needed. In 2019, a cohort of leaders will serve on a working group organized by the H.E.A.T. Institute that is under the direction of the California Sexual Assault Advisory Committee. The leaders will establish the training standards while positing a feasible policy remedy to help increase the supply of certifying organizations and the trained counselors who will be able to assert privileged communication.

Supporting Transitional Age Youth Victims

The California Office of Emergency Services, which has secured Federal resources, and the California Department of Social Services have paired up with the H.E.A.T. Institute to fund and learn from two regional pilots in California focused on improving outcomes of transitional age youth victims, particularly those who are not immediately known to the child welfare or juvenile justice system. The project also includes a three-day training for up to ten multidisciplinary county teams, and an evaluation of the two pilot sites to encourage statewide learning promising practices. An advisory group for the project has already been assembled. The project rolls out
2019 and extends throughout 2020, and possibly longer depending on funding.

Concurrent with the H.E.A.T. Institute’s effort, California’s legislative climate has continued to advance the state’s legal system among others with stronger policies and practices to fight and educate against human trafficking. The following captures the upward journey in California’s climb to prevent, intervene and support recovery of CSEC victims.

**Advancements in California’s Evolving Legal System to Eradicate CSEC**

Prior to the start of the Regional Information Summits, in 2015 objective measurements assessing the extent to which California’s legal system through legislation effectively addresses CSEC rated the state a “D,” and it was not until the 2017 state report card that California’s grade improved to a “C,” which implies significant room for improvement. Eradicating child sex trafficking has to be a top priority.

The state’s current infrastructure is undergirded by critical pieces of legislation that align state law with the federal Trafficking Victims Protection Act and the Preventing Sex Trafficking and Strengthening Families Act. California’s definition of human trafficking is the same as the Federal definition and we have now have stiffer penalties against violators and greater protections for victims including CSEC (Prop 35 in 2012). Recognition of CSEC as child abuse and the responsibility of the child welfare system in leading solutions with other systems without having to find parents at fault and take children into custody (SB 855 in 2014). Requirement that child welfare and juvenile probation systems develop and implement protocols for CSEC and youth who runaway or go missing from foster care (SB 794 in 2014). CSEC Prohibit criminally charging minors with prostitution and affirming their status as victims (SB 1322 in 2016), and mandating California schools to include instruction on sex abuse and human trafficking (AB 1227 in 2017).

While our laws have improved and provide a framework for solid action, California still falls short in the resources needed to support all victims well. Guided by a victim-centered and trauma-informed approach, the H.E.A.T. Institute has attempted to place a spotlight on the state’s infrastructure, which, if thoroughly assessed, gives a proper perspective on the issue of human trafficking, its victims, its perpetrators, and the work that is still left to be done.

For a deeper dive into the regional summit process and the detailed observations and candid discussions recorded, please visit the H.E.A.T. Institute website at: _________________.

**Conclusion**

The H.E.A.T. Institute stands in awe of the hard working individuals and steadfast organizations showing up daily to combat the different forms of human trafficking found in California. This report is compiled with the full intention that respects and supports California’s collective efforts.

While it is important to examine the extent to which state laws and our practices address the issue of child sex trafficking, we must also expand our examination into labor trafficking of children and adults and the sex trafficking of adults. A great deal of work is needed to support such an investigation and assessment of responses statewide, and we call on your support to make that happen.

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8 https://sharedhope.org/what-we-do/bring-justice/reportcards/2017-reportcards/
Acknowledgements

It is evident that California’s institutions and government agencies are coming into awareness of the pandemic of the commercial sexual exploitation of children. It is also evident that across America, advocates and leaders are looking to states like California to create a positive, productive path with the end goal of stopping human trafficking. The H.E.A.T Institute is grateful to work with so many dedicated professionals who have shared their insights and advice, as well as time and resources.

Organizing the HEAT Institute Regional Information Summits was an enormously complex task. Our aim was to bring a wide range of perspectives together, with individuals from all sides of the issue speaking frankly about their progress and challenges in fighting to end the sexual exploitation of minors.

We acknowledge the Blue Ribbon Commissioners for their tenacity in participating in all seven summits, listening to the testimony from hundreds of individuals, reviewing hundreds of pages of submitted testimony and documents, and engaging in the Summits’ very intensive retreat process. The work of the Commissioners and the ongoing efforts of the H.E.A.T. Institute would not be possible without the strategic leadership and hard work of Coordinator Carla Dartis and Consultant Yvonne Carrasco.

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Genice Jacobs of Abolitionist Mom’s research and authorship of the sexual education health report (SB 1165) featured on the HEAT Institute website and her partnership with educating State of Education stakeholders on the importance of anti-human trafficking education in schools throughout provides a basis for statewide change in California.

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L to R: Blue Ribbon Commissioners Special Assistant Jill Habig of the California Department of Justice, San Diego County District Attorney Bonnie Dumanis, Alameda County District Attorney Nancy O’Malley, Deputy Director of San Luis Obispo County Social Services Agency Tracy Schiro, Santa Cruz County Chief of Probation Fernando Giraldo, and Sheriff and Coroner of Madera County Jay Varney (Inaugural Summit Hearing San Diego 10/29/15)