



POLICY GOAL

State funding is appropriated to support child-serving agencies with providing specialized services and a continuum of care for sex trafficked children.

OVER THE PAST 10 YEARS, FEDERAL AND state lawmakers have made significant changes to laws addressing care and protection for child sex trafficking victims with much of the responsibility in identifying and serving this population directed towards child-serving agencies. At the federal level, the Preventing Sex Trafficking and Strengthening Families Act (2014) and the Justice for Victims of Trafficking Act (2015) established requirements for child welfare to identify and provide comprehensive services for sex trafficking and commercial sexual exploitation (CSE) victims and to coordinate with agencies, such as juvenile justice, in serving this population. As a result of these changes to federal law, all CSE victims are entitled to a specialized multidisciplinary response through child welfare regardless of whether they are currently under state supervision. At the state level, states have addressed care and protection for child sex trafficking victims in a variety of ways, such as enacting non-criminalization laws and/or mandating child-serving agencies to screen, identify, coordinate a multidisciplinary team response, and provide specialized services to survivors. However, such measures cannot be fully implemented without adequate funding.

Unfortunately, funding remains one of the greatest barriers to ensuring child sex trafficking victims receive the services and support necessary to promote healing. Screening and identification efforts, multidisciplinary responses, training of personnel, and provision of comprehensive, specialized services for sex trafficking and CSE victims all require funding to implement and sustain. In addition to these efforts being required within federal law as well as some states' laws, research has shown how vital a role child-serving agencies, including juvenile justice and child welfare, have in identifying

and ensuring provision of specialized care to all CSE children. Research has shown that many children who have been identified as victims of CSE have been involved with the juvenile justice system, either preceding the CSE or as a result of acts committed during the CSE victimization.¹ Studies have also shown that CSEC victims are highly likely to have had child welfare system involvement at some point,² and states have reported that between 41-98% of trafficking victims had prior child welfare involvement.³

There are a number of federal grant options and programs that offer funding that can be allocated to CSE children, including, but not limited to, the following: CAPTA funds, TVPA/JVTA funds, grants through the DOJ Specialized Services and Mentoring for Child and Youth Victims of Sex Trafficking and Sexual Exploitation program, and the Crime Victims Fund established by the Victims of Crime Act.⁴ While these funds are beneficial, they are not all specifically allocated for CSEC services and are in competition with other child welfare/crime victims services. As such, state legislatures should make appropriations to specifically support specialized CSEC services and a continuum of care for sex trafficked children through child-serving agencies. To adequately equip and sustain child-serving agencies' provision of specialized services, states should both expand available funding and establish recurring appropriations ensuring the amount can be adjusted, if necessary, to meet the need. This is necessary to ensure that child-serving agencies can provide the coordinated, holistic responses required to comprehensively address survivors' needs.

Furthermore, funding should be made available specifically for all CSE youth without limitation based on system involvement. State funding should also be robust

and flexible enough to address the myriad of needs of child sex trafficking survivors. Survivors of child sex trafficking often have complex needs that cannot be addressed by a single agency or service provider; instead, survivors need support from a number of service providers addressing various needs, including physical health, mental health, reproductive health, malnutrition, substance use, and self-destructive behaviors.⁵ It is vital that a full continuum of care, from specialized long-term residential options to a variety of community-based services (e.g. mental health, legal, etc.), is accessible to all child sex trafficking survivors.

Finally, states should also consider developing a method for ensuring adequacy and appropriate use of funds. States may consider establishing a statewide coordinator position utilizing someone with training or experience working with child sex trafficking survivors to ensure that they understand the level of need and funding required to meet the need. A coordinator may be responsible for vetting or ensuring quality/effectiveness of services for providers receiving CSEC-specialized funding as well as collecting data on expenditures, number of people served, types of services provided, and gaps in funding to inform future funding needs.

DRAFTING CONSIDERATIONS:

TO ACCOMPLISH THIS POLICY GOAL, STATE LAW SHOULD...

- ▶ Ensure funds are appropriated to support specialized CSEC services and a continuum of care for sex trafficked children through child serving agencies.

RELATED ISSUES:

- 3.1 State law provides child sex trafficking victims with access to specialized services through a non-punitive system.
- 3.5 State funding is appropriated to support specialized services and a continuum of care for sex trafficked children regardless of system involvement.

SUPPORTING RESOURCES:

- ▶ Protective Response Model
- ▶ Nat'l Colloquium: 2012 Final Report

1 Eraka P. Bath et al., *A Specialty Court for U.S. Youth Impacted by Commercial Sexual Exploitation*, 100 CHILD ABUSE & NEGLECT 1, 2 (2020).
2 See, e.g., Michael D. Pullmann et al., *Residential Instability, Running Away, and Juvenile Detention Characterizes Commercially Sexually Exploited Youth Involved in Washington State's Child Welfare System*, 102 CHILD ABUSE & NEGLECT 1, 2 (2020); Carlomagno C. Panlilio et al., *Assessing Risk of Commercial Sexual Exploitation Among Children Involved in the Child Welfare System*, 87 CHILD ABUSE & NEGLECT 88, 89 (2019).
3 Panlilio et al., *supra* note 2.
4 RICH WILLIAMS, NAT'L CONF. STATE LEGISLATURES, SAFE HARBOR: STATE EFFORTS TO COMBAT CHILD TRAFFICKING (2017).
5 U.S. DEP'T HEALTH & HUM. SERVICES, ADMIN. CHILD., YOUTH & FAMILIES, GUIDANCE TO STATES AND SERVICES ON ADDRESSING HUMAN TRAFFICKING OF CHILDREN AND YOUTH IN THE UNITED STATES 5-6 (n.d.).