



POLICY GOAL

State funding is appropriated to support specialized services and a continuum of care for sex trafficked children regardless of system involvement.

OVER THE PAST 10 YEARS, STATE LEGISLATURES have made significant changes to state laws addressing care and protection for child sex trafficking victims; however, this has not always included adequate funding to support these advancements. There are a number of federal grant options and programs that offer funding that can be allocated to commercially sexually exploited children, including but not limited to: 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.¹ While beneficial, these funds are not all specifically allocated for CSEC services and are in competition with other child welfare/crime victims services. In 2017, the National Conference of State Legislatures found that only 25 states had set aside funding specifically for anti-human trafficking efforts, and not all of those states specifically allocate funds to service agencies or efforts.² As of 2017, only 6 states had funding specifically for anti-child trafficking initiatives.³ State initiatives to address child sex trafficking and CSEC cannot be fully implemented without adequate funding. Therefore, state legislatures should make appropriations to specifically support specialized CSEC services and a continuum of care through community-based services or non-governmental organizations. To enhance sustainability of specialized services, states should establish recurring appropriations while ensuring the amount can be adjusted, if necessary, to meet the need.

States must prioritize funding services specifically for CSEC and sex trafficking victims so that the coordinated, holistic responses required to comprehensively

address survivors' needs are funded regardless of whether the survivor is system involved. Service providers across the U.S. have identified funding as a barrier to providing additional and more holistic services.⁴ In addition to a general lack of funds, statutory restrictions for certain grant programs create gaps in who is eligible for services.⁵ For example, some funding is only available for services provided through the child welfare system, therefore leaving non-system involved children without services (or cause judges to shelter children into dependency/the child welfare system so that they can qualify for services).⁶ Funding must be made available specifically for all CSE children without limitation based on system involvement.

Furthermore, state funding should 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.⁷ 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 an equitable distribution of funds, both geographically and across different service types. States may consider establishing a statewide funding coordinator position to oversee equitable distribution of funds to appropriate partners. This person would need to have training or experience working with child sex trafficking

survivors to ensure that they understand the services and funding required. A coordinator may also 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 and distribution.

DRAFTING CONSIDERATIONS:

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

- ▶ Ensure funds are appropriated specifically to serve commercially sexually exploited (CSE) children.
- ▶ Ensure funds are appropriated to provide for a statewide service response for CSE youth.
- ▶ Ensure funds are appropriated to provide support for specialized CSEC services and a continuum of care through community-based services or non-governmental organizations.

RELATED ISSUES:

- 3.1 State law mandates a process for coordinating access to specialized services for child sex trafficking victims that does not require involvement in child-serving systems.

SUPPORTING RESOURCES:

- ▶ Protective Response Model
- ▶ Nat'l Colloquium: 2012 Final Report
- ▶ Bendtsen Diedhiou, Roberts, & Raino, Trauma, Coercion, and the Tools of Trafficking Exploitation: Examining the consequences for children and youth in the justice system

1 RICH WILLIAMS, NATIONAL CONFERENCE OF STATE LEGISLATURES, SAFE HARBOR: STATE EFFORTS TO COMBAT CHILD TRAFFICKING (2017).

2 *Id.*

3 *Id.*

4 See Brianna O'Steen, ACCESS AND BARRIERS TO SERVICES FOR DEPENDENT AND NON-DEPENDENT COMMERCIALY SEXUALLY EXPLOITED CHILDREN IN FLORIDA 41 (2016); KATLIN KNODEL TERNES, IMPROVING SERVICES FOR CHILD TRAFFICKING SURVIVORS: LESSONS LEARNED FROM PROVIDERS 47 (2016).

5 O'STEEN, *supra* note 4.

6 *Id.* at 29, 45.

7 U.S. DEP'T OF HEALTH & HUM. SERVICES (N.D.), GUIDANCE TO STATES AND SERVICES ON ADDRESSING HUMAN TRAFFICKING OF CHILDREN AND YOUTH IN THE UNITED STATES, ADMIN. CHILD., YOUTH & FAMILIES, <https://www.acf.hhs.gov/archive/cb/policy-guidance/guidance-states-and-services-addressing-human-trafficking-children-and> (last visited Oct. 3, 2022).