



## POLICY GOAL

State law mandates ongoing, trafficking-specific training on victim-centered investigations for law enforcement.

**LAW ENFORCEMENT'S RESPONSE TO CHILD** sex trafficking has a tremendous impact on the well-being of the child victim and the trajectory of the case. Law enforcement are often the first to encounter a child sex trafficking victim, making it critically important that they have the knowledge, skills, and resources to deliver a safe and trauma-informed response. Law enforcement can facilitate strong prosecutions when equipped with the information and tools necessary for conducting a comprehensive, victim-centered trafficking investigation. As such, states should enact laws mandating trafficking-specific training for law enforcement.

Law enforcement may encounter sex trafficking victims through numerous avenues, including targeted raids or sting operations, self-reports or reports from concerned community members, referrals, traffic stops, or arrests involving people engaged in illegal commercial sex acts (e.g., prostitution) or trafficking.<sup>1</sup> Equipping officers with the training and protocols to identify and safely recover child sex trafficking victims is crucial to initiating a trauma-informed response that can facilitate effective engagement in the investigation. Trafficking-specific training is particularly imperative because of the victim-offender intersectionality that frequently occurs in trafficking cases, which necessitates alternative responses that take the impact of victimization into account when assessing criminal/delinquent activity.<sup>2</sup> As a result, state law should mandate the provision of training on child sex trafficking at both the academy and continued in-service training levels. Because there are many ways in which a law enforcement officer may encounter sex trafficking victims, state mandates on trafficking-specific training should apply to all law enforcement.

In addition to training officers to recognize child sex trafficking and initiate a safe, trauma-informed response to victims, state law should include a mandate that officers receive training on victim-centered investigations. A victim-centered investigation respects the dignity and strives to meet the needs and wishes of the victim.<sup>3</sup> This process starts with providing non-punitive responses and understanding the harm caused by arresting and prosecuting minors for crimes resulting from their victimization.<sup>4</sup> Mandating training on victim-centered investigations also recognizes the importance of empowerment and support throughout the criminal justice process and ensures protection of survivors' rights as crime victims.<sup>5</sup>

While some law enforcement agencies voluntarily require trafficking-specific training, codifying these training requirements in state law remains important. Mandating this effort through state law recognizes the complexity of sex trafficking investigations and the important role that law enforcement personnel have in identifying sex trafficking and CSE victims and initiating a trauma-informed response. Codifying training requirements also ensures that these efforts will continue as agency-level priorities as needs change.

Finally, to guide the implementation, states should consider including additional language on training requirements within the law. For example, state law should ensure that the training content is survivor-informed by a group of survivors with a diverse set of experiences. Survivors of CSE and sex trafficking can provide valuable first-hand knowledge related to traffickers, buyers, grooming and recruitment tactics, and victim vulnerabilities as well as successful methods for identifying

and engaging this population in the investigation process.<sup>6</sup> State law may also provide direction related to content, requiring that the training address victim-offender intersectionality and trauma-informed, victim-centered,

MDT responses. With the breadth of survivor-informed training resources available, law enforcement agencies could utilize existing resources to fulfill training requirements.

## DRAFTING CONSIDERATIONS:

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

- ▶ Mandate trafficking-specific training for law enforcement both in the academy and as ongoing, in-service training.
- ▶ Mandate training on victim-centered investigations for law enforcement.

## RELATED ISSUES:

- 2.5 State law prohibits the criminalization of minors under 18 for prostitution offenses and establishes a services-referral protocol as an alternative to arrest.
- 2.6 State law prohibits the criminalization of child sex trafficking victims for status offenses, and misdemeanor and non-violent felony offenses committed as a result of their trafficking victimization.
- 2.7 State law prohibits the criminalization of child sex trafficking victims for sex trafficking and commercial sexual exploitation offenses, including accomplice and co-conspirator liability, committed as a result of their trafficking victimization.
- 3.2 State law provides for a survivor-centered multi-disciplinary team response to child sex trafficking cases.
- 6.4 State law mandates trafficking-specific training on victim-centered investigations and prosecutions for prosecutors.

## SUPPORTING RESOURCES:

- ▶ Intervene

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1 OFFICE FOR VICTIMS OF CRIMES (n.d.) *Human Trafficking Task Force E-guide: Strengthening Collaborative Responses*, TRAINING & TECH. ASSISTANCE CTR., <https://www.ovcttac.gov/taskforceguide/eguide/> (last visited Oct. 3, 2022).

2 SHARED HOPE INT'L, *Responding to Sex Trafficking: Victim-Offender Intersectionality* (2020), [https://spopy1bvira2mldnj1hd926e-wpengine.netdna-ssl.com/wp-content/uploads/2020/04/SH\\_Responding-to-Sex-Trafficking-Victim-Offender-Intersectionality2020\\_FINAL\\_updatedApril2020.pdf](https://spopy1bvira2mldnj1hd926e-wpengine.netdna-ssl.com/wp-content/uploads/2020/04/SH_Responding-to-Sex-Trafficking-Victim-Offender-Intersectionality2020_FINAL_updatedApril2020.pdf).

3 OFFICE FOR VICTIMS OF CRIMES, *supra* note 1.

4 MUSTO, J., *Domestic Minor Sex Trafficking and the Detention-to-protection Pipeline*, DIALECTICAL ANTHROPOLOGY, 37, 257-276 (2013).

5 OFFICE FOR VICTIMS OF CRIMES, *supra* note 1.

6 MARISSA CASTELLANOS, M.S.W., GRETCHEN HUNT, J.D., BETHANY GILOT, M.S., AMY NACE-DeGONDA, B.A., MELODY WRAY, THE SOUTHEAST REGIONAL HUMAN TRAFFICKING ADVISORY GROUP, *GUIDING PRINCIPLES: FOR AGENCIES SERVING SURVIVORS OF HUMAN TRAFFICKING* (2018).