



POLICY GOAL 6.1

State law should expressly authorize statewide training for child welfare agencies on identification and response to child sex trafficking.

CHILD WELFARE AGENCIES PLAY AN IMPORTANT ROLE IN IDENTIFYING EXPLOITATION, CARING

for victims, and preventing future harm. However, recognizing and addressing child sex trafficking and commercial sexual exploitation (CSE) victimization is a relatively new policy and practice area within child welfare, both federally and at the state level. In 2014, the Preventing Sex Trafficking and Strengthening Families Act was passed, which required states to develop policies and procedures to identify and determine services for children under state child welfare supervision that are victims of sex trafficking or at risk of victimization.¹ The following year, the Justice for Victims of Trafficking Act (the “JVTA”) expanded the federal definition of “child abuse and neglect” to include human trafficking and CSE.² The JVTA also required that states develop procedures for providing training on the sex trafficking and CSE to child protective services workers, including areas such as identification, assessment, provision of comprehensive services, and multidisciplinary service responses with other child-serving agencies and service providers.³ These changes to federal law direct primary responsibility to child welfare for identification and provision of a specialized service response to all trafficking and CSE victims regardless of whether they are currently under state supervision.

Unfortunately, state systems continue to misidentify or fail to identify victims of child sex trafficking and CSE, which creates a barrier to initiating a protective response. As such, statewide training on child sex trafficking is critical to equipping child welfare personnel with the tools needed to develop a strong and appropriate child welfare response to this population. In compliance with federal law, state law should, at a minimum, expressly authorize (ideally, mandate) the provision of statewide training on child sex trafficking identification and response for all child welfare employees. Codifying these training requirements in state law is important for many reasons. Mandating this effort through state law provides recognition and emphasis at the state-level of the important role that child welfare personnel have in identifying and serving sex trafficking and CSEC victims. Further, including a training mandate within state law allows states to highlight the importance of continued training efforts by mandating both initial and on-going training related to child sex trafficking and including fiscal support for implementation.

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 CSEC 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, engaging, and serving this population.⁴ State law may also provide more specific direction related to content than what is outlined in JVTA training requirements. Specifically, states may require that this training address definitions, recruitment tactics, common venues, vulnerabilities, trauma associated with victimization, and how to report suspected trafficking involving minors and adults. With the breadth of survivor-informed

training resources available, child welfare agencies could utilize existing resources to fulfill training requirements.

DRAFTING CONSIDERATIONS:

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

- ▶ Mandate ongoing, statewide training for child welfare agencies on identification and response to child sex trafficking and CSEC.
- ▶ Ensure CSEC training for child welfare includes a fiscal plan to ensure these efforts can be implemented on an on-going basis.

1 Preventing Sex Trafficking and Strengthening Families Act (PSTSFA) of 2014, Pub. L. No. 183, 128 Stat. 1919 (2014).

2 Justice for Victims of Trafficking Act (JVTA) of 2015, Pub. L. No: 114-22, 129 Stat 227 (2015).

3 *Id.*

4 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).