Child Protective Services and Risk Assessment: Human Trafficking Screening Tools

A Research-to-Practice Summary

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The juxtaposition of human trafficking as a major human rights concern and the unknown numbers of actual victims impacted has led to increases in awareness and prevention efforts, coordinated community responses, and increased data collection, both nationally and internationally (Schwarz, Unruh, Cronin, Evans-Simpson, Britton, & Ramaswamy, 2016). By definition, as outlined in the Trafficking Victims' Protection Act, human trafficking refers to the recruiting, harboring, moving, or obtaining a person by force, fraud, or coercion for the purposes of involuntary servitude, debt bondage, slavery or the sex trade (Trafficking Victims Protection Reauthorization Act, 2013). Individually the words outlined in the act are clear, but in reality, this profit-driven enterprise is extremely complex and often difficult to identify and convict (Reid, 2012).

When unpacking the complexities of human trafficking, understanding the number of victims impacted is challenging due to both inconsistencies in accurate identification of victims and of those at risk for being victims. A credible and supported answer regarding the number of victims which are impacted by human trafficking in the United States does not appear to be present in the research. Estimates range from as low as 1,400 to as high as 300,000 children being at risk of human trafficking victimization and/or being victims of human trafficking (Estes & Weiner, 2005; Finkelhor, Vaquerano, & Stranski, 2017; Shared Hope, 2015).

Others, such as Finkelhor et al. (2017) and the Urban Institute (2014), indicate that reliable numbers do not exist and therefore it is guess-work when trying to determine prevalence rates of human trafficking in the United States. Some of the confusion surrounding the number of trafficking victims can be attributed to (1) the lack of sound methodological foundation in research on victims, (2) inconsistencies in reporting, and (3) a lack of uniformity when identifying human trafficking victims (Finkelhor et al., 2017; Golke, 2011; Rand, 2010). Several entities have attempted to address these factors with the creation of human trafficking screening tools that either examine the possibility of future victimization or the extent of current victimization - a review of screening tools will be discussed later. This paper will explore the variations of

screening tools available for use by child protection agencies along with best practice suggestions to improve victim identification.

I. Closing the Gaps on Human Trafficking Identification and Research

Several factors may contribute to the gaps in identifying human trafficking victims. Naturally, proper identification is the precursor or prerequisite to reporting and research in the area. Unfortunately, victims may not realize that situations they have experienced are considered human trafficking, and they are also significantly less likely to disclose their experiences as compared to victims of child sexual abuse. This lack of understanding might be confounded by the victim's relationship with their exploiters, consumers, and other victims. Victims suffer from exposure to multiple traumas, which result in their subjective responses to trafficking as trauma reoccurs and may be adversely impacted by earlier childhood trauma. The victim's trauma responses may impair their ability to remember events and articulate their experiences (Greenbaum, Yun, & Todres, 2018). Additionally, such victims may be unwilling to engage with varying social service systems and law enforcement due to fear of reprisal and perceived lack of support and effective intervention in the past.

Caseworkers who are charged with identifying victims, may also lack a clear understanding of what human trafficking constitutes, or, their knowledge may vary on how to identify trafficking and to which agency to report information they do identify (Simich, Goyen, Powell, & Mallozzi, 2014). Combining both of these components – identifying victims and knowing how to report victimization – impacts our ability to accurately capture an authentic picture of human trafficking prevalence rates (Dank, Yahner, Yu, Vasquez-Noriega, Gelatt, & Pergamit, 2017). The Administration for Children & Families (2013) report, *Human Trafficking Briefing Series: Emerging Practices within Child Welfare Responses*, suggests that specialized advocates should be placed in child welfare centers to work directly with potential victims and to assist workers as questions/situations arise in their casework. They also suggest that child protective workers need to be trained on human trafficking topics such as rapport building and interview techniques, risk factors, trauma and trauma bonds, trauma-informed response, and the culture of human trafficking. This combination of specialized advocates and education may help caseworkers to better identify potential victims

I. Standardizing Human Trafficking Identification, Research and Prevention

Historically, identification of human trafficking victims was primarily done by law enforcement officers, but this was impacted by a prior culture of viewing these victims as participants in prostitution instead of as victims of human trafficking. As awareness of human trafficking has increased, it has become generally understood that victims have multiple levels of contact with medical providers, social service organizations, juvenile courts, schools, etc. (Crane & Moreno, 2011). Being able to identify and recognize the signs of human trafficking for those who encounter victims or those at risk for becoming victims is imperative at all levels. Thus, in order to do this, social service organizations, medical providers, schools, and court systems within the same communities must work through the still varying methods of victim identification and differing definitions of what constitutes human trafficking (Simich et al., 2014).

Consistency in proper identification of victims across systems is imperative. Based on the variations in research, the question becomes: Does it matter if we use one standard version of risk factors or not (Halter, 2010)? The literature is inconsistent and does not support one concise list of risk factors that contribute to victim identification or identification of those at risk for victimization, however there are a variety of studies that have examined elements of risk that can assist us in resolving this problem. The Polaris Project (2015) indicated that the top ten variables that contribute to increased risk of being a victim of trafficking include: poverty, homelessness, substance abuse, history of child abuse/neglect, being a runaway, involvement with the juvenile justice system, identifying as LGBTQ+, having a history of mental health concerns, having a history of domestic violence, and exposure to other types of trauma. While Greenbaum et al. (2018) suggest that risk factors should be examined across four different domains: individual factors, family/relationship factors, community factors, and societal factors. When comparing the two lists of risk factors it should be noted that items referenced on the Polaris Project list only address factors covered in the individual and family/relationship factors of the Greenbaum, Yun and Todres list. Thus suggesting that community and societal factors, for Polaris Project, do not contribute to potential risk for victimization.

Some of the risk factors suggested by Polaris Project are supported by several different pieces of literature. The Urban Institute (2014) and Estes and Weiner (2005) have indicated that youth with a history of running away are at an increased risk of becoming a victim of human trafficking, though the studies acknowledge that victims do come from a variety of backgrounds. Other studies indicate that a history of child abuse and/or neglect and elevated levels of family dysfunction can increase risk (Clayton, Krugman, & Simon, 2013; Kotrla, 2010). Kotrla (2010) also examined the connection between prior trauma and susceptibility to recruiting techniques. A link to prior sexual abuse has also been made in other studies (e.g., Lloyd, 2011; Wilson & Widom, 2010). Finally, Forge, Hartinger-Saunders, Wright, and Ruel (2016) indicate that youth who identify as LGBTQ+ are at higher risk of being human trafficking victims due to their increased rates of homelessness, child welfare involvement, and trauma experiences. Overall, there does not appear to be a clear picture of gender and associated risk in the literature (Roby & Vincent, 2017).

These factors may play a causal role in human trafficking victimization whether indirectly or directly (Varma, Gillespie, McCraken, & Greenbaum, 2015). Conversely, these same risk factors may have no bearing at all on a person's risk of becoming a victim of human trafficking. The ambiguity surrounding risk factors is based upon the fact that there are only a few validated screening tools that examine risk factors. A validated screening tool indicates the tool has undergone psychometric testing to determine its reliability and validity. A non-validated tool has not undergone any psychometric testing to demonstrate it is psychometrically sound.

Even validated screening tools, such as the VERA Institute's *Trafficking Victim Identification Tool* (2014), advise against sole reliance on answers to screening questions as it may not be reflective of lack of victimization but rather fear or forgetfulness due to trauma exposure. Thus, an important step in the standardization of human trafficking identification, research and prevention is the development of a wider variety of screening tools that may be tested for reliability and validity.

The resulting conclusion here appears to be not what risk factors are examined but rather that closely intermingled systems (i.e., medical, child welfare, law enforcement, juvenile court, etc.) use similar tools to assess current factors of victimization or assess

factors that might be predictive of future victimization. Additionally, each system should use a consistent tool across all cases for identification purposes. Without proper and consistent identification practices, victims may be misclassified as offenders, treated as an offender instead of a victim, or revictimized by the criminal justice system (Trafficking in Persons Report, 2013).

II. What We Know About Screening for Victimization

The idea of a screening tool to identify trafficking victims is supported by a number of sources but there is no generalized agreement on what that should look like. Currently, there are a variety of screening tools that vary in tool type (e.g., screening tool, risk assessment, interview, handbook, and fact sheet), victim nationality (e.g., foreign or domestic born), subpopulation (e.g., gang involvement, runaway/missing children, individuals with disabilities and LGBTQ, students, medical patients, and no subpopulation restrictions) and for use by a variety of professionals (e.g., child protective services workers, law enforcement, educators, medical professionals, foster parents, and general use by anyone) (Child Welfare Capacity Building Collaborative, 2016). With these variations, more than 30 screening tools are available for use.

The Administration for Children & Families: *Human Trafficking Briefing Series*: *Emerging Practices within Child Welfare Responses* (2013) discusses the practice of mandatory screening for at risk or high risk of human trafficking in each and every case of reported child abuse and neglect, as opposed to the practice of screening only when a case meets certain criteria. Mandatory screening in every case has become the standard practice for child protection agencies in the states of New York (15-OCFS-ADM-16) and Florida (CFOP 170-14). For example, Florida created a human trafficking screening tool and interview guide to assess victimization of both sex and labor trafficking. This screening tool requires caseworkers to administer interview style questions with potential victims and conduct a case review. The tool is lengthy with 52 questions that need to be addressed but it does provide for a detailed look at the current and historical information of the youth being supported. Due to its length, this tool may require multiple sessions to complete. Another important caveat is that there is no evidence mentioned in the documentation of this tool that it has been validated

or qualified as evidence-based, and then there is always the issue of the potential victim providing untruthful responses to the questions.

Another tool that could be used for mandatory screening is the *Building Child Welfare Response to Child Trafficking Handbook* by the Loyola University Chicago Center for the Human Rights of Children (2011). This handbook was designed for use by child protection agency staff when identifying potential or current victims of child sex and labor trafficking. It includes case management resources, legal information and human trafficking resources. The handbook contains a rapid screening tool and a comprehensive screening and safety tool. The rapid screening tool consists of 12 questions that look at the process, means, and purpose of activities. All questions can be answered in a yes or no format. The comprehensive screening and safety tool is comprised of three yes/no questions that look at the process, means, and end. Based on "yes" responses to all three questions one would then complete the safety tool. Or if two or less "yes" responses are given, the tool suggests consulting a supervisor. The rapid screening tool is short and can be completed quickly, and it can be used to identify victims of both child sex and labor trafficking. The handbook itself provides useful information that can assist in identifying cases. The downside to this handbook is the rapid screening tool is not a thorough screening method. In other words, it may be too rapid for efficacy in identifying victims or potential victims. Once again, in the documentation with this handbook, there is no indication that this tool is validated or evidence- based.

A third screening tool entitled *Washington State Model Protocol for Commercially Sexually Exploited Children* (Center for Children & Youth Justice, 2013) is exclusively used by child protection workers in the State of Washington. Unlike the previous tools discussed, this tool was originally created for intake officers in juvenile detention centers and modified for use by child protective service staff. This tool consists of seven yes/no questions and interviewer observations, and the authors indicate it is evidence-based, but not validated.

While each of these three tools are specifically used with child protective service agencies, they each have strengths and weaknesses that might preclude their use. Another tool which should be considered is the VERA Institute's *Trafficking Victim*

Identification Tool (2014). This tool has a 16-question short version and a longer version. This tool can be used with both foreign born and domestic born victims, as well as victims with disabilities and victims who identify as gender or sexual minorities. The Vera Institute (2014) indicates that this tool has been validated and is considered reliable in identifying victims of sex trafficking and labor trafficking. In the introduction for both the short version and the long version, the authors indicate that the tool should be given whether or not the client is believed to be a victim of trafficking. This suggestion is consistent with the advice of the Administration of Children and Families.

III. Concluding with Best Practices

Screening tools can be useful in identifying victims of trafficking; however, their effectiveness is based on disclosures made by the victim. Child protective service agencies should consider addressing some of the following issues in order to help improve screening tool results and victim identification outcomes (Administration for Children and Families, 2013; Child Welfare Capacity Building Collaborative, 2016). Child protective service agencies should evaluate where and when case workers administer screening tools, as administration of the tool should occur in locations that are culturally appropriate and adolescent-friendly. To accomplish this, interviews might be done in a variety of different settings (e.g., community, CAC locations, etc.) or at times that would typically be considered non-traditional (e.g. after hours or weekends). Additionally, staff should participate in a broad coalition that addresses anti-trafficking efforts in the same service area. This allows child protective workers to be involved in a multi-system response, to better understand services for victims, ways to improve survivor empowerment, and design of prevention strategies. Child protective agencies should assess if gaps exist between internal and external partnerships and explore ways to fill those gaps in order to reduce issues with service delivery and victim engagement. Finally, child protection agencies should engage in creating a centralized listing of victim's services that includes emergency and crisis response resources, placement options, community-based programming, and long-term supports for staff to access when working with victims.

Professionals must be able to accurately and consistently identify victims of human trafficking in order for victims to receive appropriate services and supports. Human

trafficking training that examines the culture of trafficking, plays an important part in improving appropriate identification. However, professionals also need to have tools for screening and assessing victims and at-risk victims. Agencies can use or adapt existing tools or create new screening and assessment tools. Formally incorporating policies and practices for the use of these tools should be considered across systems within a service area. (Child Welfare Information Gateway, 2017). Professionals, researchers, and policymakers have only recently begun concerted efforts to establish a level of uniformity in identifying victims of trafficking. It is time now for a collective effort to address these issues, and make a sizeable dent in determining the numbers, or estimated numbers of children who are targeted for trafficking and robbed of the childhood that they deserve.

References

Administration for Children & Families. (2013, May). *Human trafficking briefing series: Emerging practices within child welfare responses.* A report by the National Human Trafficking Resource Center. Retrieved from https://ncjtc-static.fvtc.edu/Resources/RS00002759.pdf

Center for Children & Youth. (2013). Washington state model protocol for commercially sexually exploited children. Seattle, WA: Author.

Child Welfare Information Gateway. (2017). *Human trafficking and child welfare: A guide for child welfare agencies.* Washington, DC: U.S. Department of Health and Human Services, Children's Bureau.

Child Welfare Capacity Building Collaborative. (2016). *Identifying minors and young people exploited through sex trafficking: A resource for child welfare agencies.* Washington, DC: Children's Bureau, Administration for Children and Families, U.S. Department of Health and Human Services.

Clayton, E. W., Krugman, R. D., & Simon, P. (Eds.). (2013). *Confronting commercial sexual exploitation and sex trafficking of minors in the United States.* Washington, DC: National Academies Press.

Crane, P. A., & Moreno, M. (2011). Human trafficking: What is the role of the health care provider? *Journal of Applied Research on Children: Informing Policy for Children at Risk, 2*(1), Article 7.

Estes, R. J., & Weiner, N. A. (2005). The commercial sexual exploitation of children in the United States. In S. W. Cooper, R. J. Estes, A. P. Giardino, N. D. Kellogg, & V. I. Vieth (Eds.), *Medical, legal & social science aspects of child sexual exploitation: A comprehensive review of child pornography, child prostitution, and Internet crimes against children* (pp. 95–128). St. Louis: GW Medical.

Finkelhor, D., Vaquerano, J., & Stranski, M. (2017). *Sex trafficking of minors: How many juveniles are involved in prostitution in the U.S.?* Durham, NH: University of New Hampshire, Crimes Against Children Research Center.

Forge, N., Hartinger-Saunders, R., Wright, E., & Ruel, E., (2016). Out of the system and onto the streets: LGBTQ-Identified youth experiencing homelessness with past child welfare system involvement. *Child Welfare*, *96*(2), 47-74.

Golke, M. (2011). The age of consent: How Minnesota's Safe Harbor for Sexually Exploited Youth Act of 2011 falls short of fully addressing domestic child sex trafficking. *Hamline Journal of Public Law and Policy*, *33*(1), 201–234.

Greenbaum, V., Yun, K., & Todres, J. (2018). Child trafficking: Issues for policy and practice. *The Journal of Law, Medicine & Ethics*, *46*, 159-163.

U.S. Department of State. (2013). Trafficking in Persons Report. Washington, DC.

Kotrla, K. (2010). Domestic minor sex trafficking in the United States. *Social Work*, *55*, 181– 187.

Lloyd, R. (2011). *Girls like us: Fighting for a world where girls are not for sale, an activist finds her calling and heals herself.* New York: HarperCollins.

Loyola University Chicago Center for the Human Rights of Children. (2011). *Building Child Welfare Response to Child Trafficking Handbook*. Chicago, IL: Author.

National Center for Missing and Exploited Children. (n.d.). Key facts. Retrieved from http://www.missingkids.com/KeyFacts

Polaris Project. (2015, Fall). Human trafficking issue brief: Safe harbor. Retrieved from https://polarisproject.org/ sites/default/files/2015%20Safe%20Harbor%20Issue% 20Brief.pdf

Rand, A. (2010). It can't happen in my backyard: The commercial exploitation of girls in the United States. *Child & Youth Services*, *31*(3–4), 138–156.

Reid, J. A. (2012). Exploratory review of route-specific, gendered, and age-graded dynamics of exploitation: Applying life course theory to victimization in sex trafficking in North America. *Aggression and Violent Behavior*, *17*, 257-271.

Roby, J., & Vincent, M. (2017). Federal and state responses to domestic minor sex trafficking: The evolution of policy. *Social Work*, *62*(3), 201-209.

Schwarz, C., Unruh, E., Cronin, K., Evans-Simpson, S., Britton, H., & Ramaswamy, M. (2016). Human trafficking identification and service provision in the medical and social service sectors. *Health and Human Rights Journal*, *18*(1), 181-191.

Shared Hope. (2015). Protected innocence challenge: State action, national change. http://sharedhope.org/what-we-do/bring-justice/reportcards/

Simich, L., Goyen, L., Powell, A., & Mallozzi, K. (2014). *Improving Human Trafficking Victim Identification—Validation and Dissemination of a Screening Tool.* New York: Vera Institute of Justice.

State of Florida Department of Children and Families. (2015). Human Trafficking Screening Tool and Foster Parent Training (April 10, 2015, Memorandum). Tallahassee, FL: Author.

Trafficking Victims Protection Reauthorization Act of 2013, Public Law 113-4, 127 Stat. 54, 113th Cong., 7 March 2013.

Urban Institute. (2014). *Estimating the size and structure of the underground commercial sex economy in eight major U.S. cities.* Washington, DC: Author.

U.S. Department of State. (2013). Trafficking in Persons Report. Washington, DC.

Vera Institute of Justice. (2014). Screening for human trafficking: Guidelines for administering the trafficking victim identification tool. New York, NY: Author.

Wilson, H. W., & Widom, C. S. (2010). The role of youth problem behaviors in the path from child abuse and neglect to prostitution: A prospective examination. *Journal of Research on Adolescence*, *20*, 210–236.