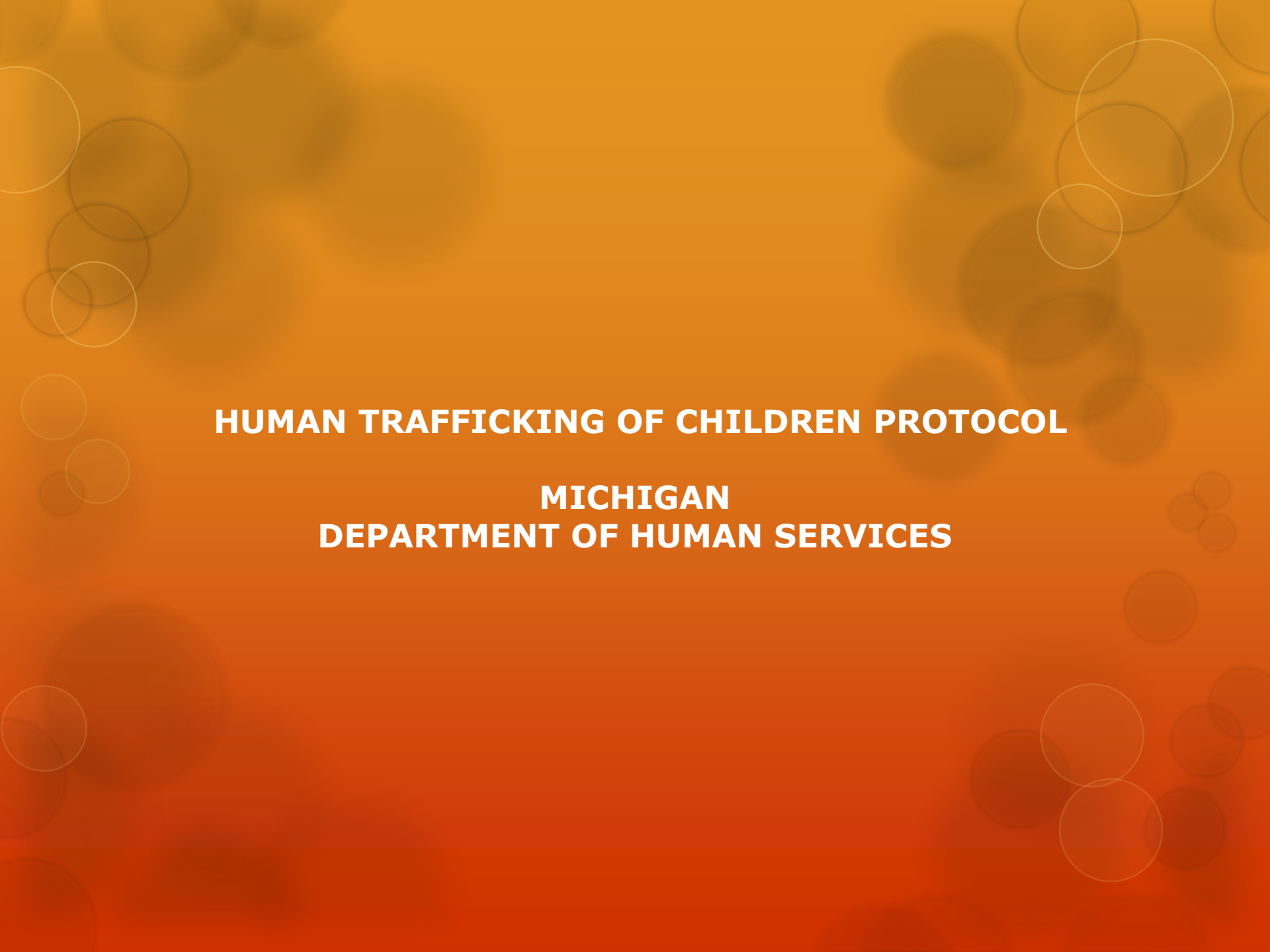


The background is a solid orange color with a gradient that is lighter at the top and darker at the bottom. Scattered across the background are numerous white circles of varying sizes, some of which are overlapping. The text is centered in the upper half of the image.

HUMAN TRAFFICKING OF CHILDREN PROTOCOL

**MICHIGAN
DEPARTMENT OF HUMAN SERVICES**

Definition:

Human trafficking is a form of modern-day slavery in which people profit from the control and exploitation of others. Victims of human trafficking include children involved in the sex trade, adults over the age of 18 who are forced, coerced or deceived into commercial sex acts, and children and adults compelled into different forms of labor or services against their will and who often receive little or no compensation.

Human trafficking is one of the fastest growing crimes in the world, and it is the world's second largest criminal enterprise after drugs. UNICEF reports that as many as 2.8 million children run away each year in the United States. Within 48 hours of hitting the streets, one-third of these children could be recruited into the underground world of prostitution and pornography.

Victims of child trafficking are therefore a unique population requiring a highly specialized and coordinated response by child welfare professionals, including Children's Protective Services (CPS), foster care workers, law enforcement officers, schools, attorneys, and the courts.

The protocol focuses on the needs of victims, with the overriding intention of protecting the interests of children and maintaining their safety in the community. The protocol has the following goals:

1. Provide a coordinated investigative team approach while minimizing trauma to the victim.
2. Provide protection and the delivery of specialized services to the child victim and appropriate family members.
3. Provide cross-professional training to promote a better understanding of the unique nature and challenges of cases involving child sex trafficking and labor trafficking.
4. Provide alternatives for handling the case after the child has been identified as the victim of human trafficking.

For purposes of this protocol, “child” or “minor” is someone who is under 18 years old.

II. Definition of Child Sex Trafficking

If a minor has been recruited, enticed, harbored, transported, obtained, exploited, or maintained to engage in commercial sexual activity, a sexually explicit performance, or the production of pornography, then the minor is a victim of sex trafficking. MCL 750.462g. Traffickers often use force, threats, violence, false promises, manipulation, lies, or other physical and psychological methods to control the victim. Unlike adult victims, however, any sexually exploited child under 18 is considered a victim of sex trafficking, even if there is no force, fraud or coercion. Victims can be foreign nationals, U.S. citizens, males, females, family members, intimate partners, acquaintances, or strangers. Only one characteristic is generally consistent in the profile of trafficking victims. Traffickers often exploit victims by preying on their hopes to improve their lives or the lives of their families. Sometimes, traffickers kidnap victims and use physical force, violence or psychological stress to control them and force them into sexual exploitation. A vulnerability that the trafficker can exploit is the common thread among nearly all trafficking victims.

III. Definition of Labor Trafficking

Labor trafficking is the exploitation of a person for labor or services through force, fraud or coercion. Michigan law prohibits forced labor, labor or services that are coerced by causing or threatening to cause physical harm to another person, by physically restraining or threatening to physically restrain another person, and by abusing or threatening to abuse the law or legal process. It is also illegal to knowingly recruit, entice, harbor, transport, provide, or obtain a person for forced labor or services. MCL 750.462. Labor trafficking can include domestic servitude, forced labor in restaurants or salons, or forced agricultural labor.

Challenges to Identification

It is often difficult to determine whether a minor is a victim of labor or sex trafficking. The widespread lack of awareness and understanding of human trafficking means that victims are often not recognized by the people who encounter them and are treated as criminals rather than as victims of crimes.

Certain populations are especially vulnerable to trafficking. These include undocumented immigrants, runaway and homeless youth, victims of abuse and neglect, refugees fleeing social or political conflict or oppression, and impoverished groups and individuals. Even when intervention initially separates victims from traffickers, it is common for traffickers to attempt to find their victims and regain control of them. The following factors may hinder determinations that minors are being trafficked:

- The victims may not identify themselves as victims.
- The victims may exhibit extreme distrust of and animosity toward authority figures.
- Victims may form a trauma-bond with their traffickers or pimps.
- Victims and perpetrators are often skilled at concealing their situations.
- The victims may use false identification documents or may not be in control of personal identification documents.
- Victims who are foreign nationals may fear deportation.
- Victims may fear harm or retribution because of debt-bondage.
- There is a general lack of understanding of trafficking.

First responders should be aware that it can be difficult to distinguish traffickers from victims because some victims “collaborate” to survive. When this happens, it further diminishes the minor’s willingness to cooperate with CPS and law enforcement and may result in the victim protecting the trafficker.

Sub-Culture

- Items purchased by traffickers that could establish a link between traffickers and victims, such as clothing provided by the trafficker that could demonstrate the minor is being actively prostituted.
- Cell phone usages or purchases link a victim to a trafficker. Chirps and walkie-talkies are popular in some enclaves.
- Gang signals.
- Language and terminology used by the minors' sub-culture.
- Information about locations which minors used as housing or as locations for commercial sexual exploitation.
- Names and nicknames of people with whom minors are familiar.
- Tattoos which are sometimes used to establish control or ownership over victims, particularly tattoos around the neck and wrist.
- Addresses or building descriptions, street locations, and other information associated with trafficking.

Living Conditions

- The minors work where they live.
- The minors' personal freedom or movement is restricted.
- The minors' addresses change frequently.
- The minors cannot identify their home addresses.
- The minors possess hotel keys.
- The minors frequently run away from home.
- The minors live with other *unrelated* youths, and the heads of the minors' households are *unrelated* adults.
- The minors receive gifts or clothing from unrelated youths or adults.
- The minors lack of personal space or share living space with multiple people.
- The minors return to an unsafe living situation despite intervention.

School Experiences

- The minors have significant, especially unexplained, gaps in school attendance.
- The minors display severe exhaustion during the school day.
- The minors do not participate in or show interest in after-school activities.
- The minors are not enrolled in school.

Adults in the Minor's Life

- The minors have much older boyfriends or girlfriends, "friends," adults in the role of friend, or male or female authority figures.
- The minors do not live with their parent(s) or know the whereabouts of their parent(s).
- The minors receive money from unrelated adults in the minors' lives.

Medical/Physical Condition

- The minors have been treated frequently for symptoms of physical abuse.
- The minors lack an adequate medical history.
- The minors are malnourished.
- The minors show signs of physical and/or sexual abuse, including physical restraint, confinement, or injuries from actual torture.
- The minors have infections from unsanitary tattooing.
- The minors have dental injuries, including broken or missing teeth, and mouth and gum disease.
- The minors have bed bug bites.
- The minors have infections or mutilations caused by inappropriate but nominally medical treatment.
- The minors have contracted sexually transmitted diseases.
- The minors have reproductive problems caused by unsafe abortions.
- The minors have physical injuries related to sexual activity, such as pelvic pain and urinary tract infections.
- The minors have substance abuse problems.

Financial/Employment Coercion

- The minors have to work but do not indicate where they work.
- The minors have little or no access to earnings and no bank account.
- The minors have an unusually large amount of money on their persons.
- The minors are indebted to adults.
- The minors report working in a strip club, night club, bar, or massage parlor.
- The minors work excessively long or unusual hours.
- The minors are not allowed breaks or suffer under unusual restrictions at work.
- The minors were recruited through false promises concerning the nature and conditions of their work.
- The minors are not in control of their own identification documents.

Psychological Indicators

- Minors who are obviously troubled do not self-identify as victims of any abuses or problems.
- The minors tell inconsistent stories or stories lacking in significant details.
- The minor gives deceptive responses to questions.
- The minor avoids eye contact with responders.
- The minors have symptoms of post-traumatic stress, including anxiety, depression, addictions, panic attacks, phobias, paranoia or hyper-vigilance, or apathy.
- The minors have developmental delays, enuresis, or fecal incontinence.
- The minors experience cultural shock from finding themselves in strange countries or communities.
- The minors are not allowed or able to speak for themselves, especially when a third party insists on being present or translating

Environmental Indicators

- Large amounts of cash and condoms are present where minors are found.
- The minors' environments contain sparsely furnished rooms with no, or few, personal possessions.
- Sex advertisements are found in the minors' living spaces.
- The minors' living spaces contain multiple televisions and pornographic movies.
- The minors' living spaces contain timers, which may be used to time sexual services.
- The minors' living spaces contain tinted windows, buzz-in entrances, video cameras, or other external security devices.
- There is unusual security within the minors' living spaces, such as barred or locked windows, locked doors, covert video security, or guards.

Indicators of Labor Trafficking

Poor Mental Health or Abnormal Behavior

- The minor is fearful, anxious, depressed, submissive, or paranoid.
- The minor exhibits unusually fearful or anxious behavior when discussions mention law enforcement.
- The minors avoid eye contact.

Poor Physical Health

- The minors lack health care.
- The minors appear malnourished.
- The minors show signs of physical and/or sexual abuse, including physical restraint, confinement, or injuries from actual torture.

Indicators of Labor Trafficking

Lack of Control

- The minors have few or no personal possessions.
- The minors are not in control of their own money or have no financial records or bank accounts.
- The minors are not in control of their own identification documents, whether passports or other documents.
- The minors are not allowed or able to speak for themselves, especially when a third party insists on being present and translating.
- The minors claim to be just visiting and are unable to clarify where they are staying or provide an address.
- The minors lack knowledge of their whereabouts and/or do not know what city they are in.
- The minors have lost their sense of time.
- The minors have numerous inconsistencies in their stories.

Addressing the Victim's Medical and Mental Health Needs

In instances involving sex trafficking, investigators must follow CPS policy on medical examinations for sexual abuse allegations, including obtaining a specialized examination within 72 hours of contact with the child. PSM 713-4, p. 2. The medical examination should be completed by a medical practitioner who specializes in medical examinations of child sexual abuse or a sexual assault nurse examiner. If a medical practitioner who specializes in sexual abuse medical examinations is not immediately available, the child may need to be examined in the nearest emergency department. It should be noted that examinations in the emergency department are discouraged and attempts should be made to find a specialized medical practitioner to perform the examination. If a parent or legal guardian refuses or is unavailable to consent to the examination, the investigators should seek a court order by filing a petition with the court for medical authorization.

Appropriate Placement and Treatment

The needs of survivors of trafficking are typically very complex and often require a multidisciplinary approach to address severe trauma, medical needs, immigration and other legal issues, safety concerns, shelter and other basic daily needs, and financial hardship. All child victims of human trafficking must be placed within a safe environment and receive specialized treatment and services. These may include responding to a child's emotional and behavioral instability (addressing trauma through intensive group and individual therapy), family therapy, and low staff-to-resident supervision ratios. The medical problems of the child must be assessed and treated as needed. The physical and mental stability of the child must be continuously assessed throughout the child's placement and treatment.

Conclusion

A victim of human trafficking has not chosen or consented to be enslaved. Children are especially vulnerable to human trafficking. This protocol seeks to provide guidance to those who encounter this type of victim. Child trafficking demands a specialized and coordinated response by child welfare professionals to ensure the safety of the victim, to pursue appropriate child protection proceedings, and to initiate criminal proceedings against traffickers. Although the availability of specialized resources varies throughout the state, this protocol is intended to assist county child welfare professionals to develop their local resources and to coordinate their response to these cases. Child safety must guide all efforts: child victims must be protected, physically and psychologically, from their traffickers and provided with placements and services specifically designed to address the trauma they have endured.