

### C. Minor Human Trafficking Survivor: Domestic and Foreign National

This section is designed to assist multidisciplinary teams in considering the provision of services to minor human trafficking victims. Multidisciplinary Teams/Child Advocacy Centers are encouraged, at the local level, to develop procedures specific to their jurisdiction. The attached algorithm may assist MDTs in developing communication/collaboration plans between multidisciplinary partner agencies.

#### Definitions/Acronyms:

A/N/D – Abuse/Neglect/Dependency

CAC – Child Advocacy Center

CASA – Court Appointed Special Advocate

GAL – Guardian Ad Litem

HHS/ORR - Health and Human Services/Office of Refugee Resettlement

HT – Human Trafficking

JDC – Juvenile Detention Center

MDT – Multidisciplinary Team

NGO – Non-governmental Organization

PCSA – Public Children’s Services Agency

1. When a domestic or foreign national minor trafficking survivor is discovered and reported to any member of the multidisciplinary team/partner agency(MDT), the team member/partner agency immediately involve the County Public Children’s Services Agency (PCSA), Law Enforcement and the local Human Trafficking Coalition representative.
2. When a foreign national minor trafficking survivor is discovered and reported, The HT Coalition representative will work with the PCSA to immediately contact the Child Protection Specialist at Health and Human Services/Office of Refugee Resettlement. HHS/ORR can issue interim assistance and/or an eligibility letter that would allow an unaccompanied child victim of trafficking to access services/benefits, including the Unaccompanied Refugee Minor Program. Additional information can be accessed through the following link:  
[http://www.acf.hhs.gov/trafficking/about/ATIP\\_Request\\_Assistance\\_Child\\_Victims\\_Trafficking.pdf](http://www.acf.hhs.gov/trafficking/about/ATIP_Request_Assistance_Child_Victims_Trafficking.pdf).
  - a. In states such as Ohio where the Unaccompanied Refugee Minor Program is not present, HHS/ORR will work with the PCSA as they are the only legal entity with the authority to take temporary custody of a minor.
3. Depending on the needs of the case, the PCSA and/or Law Enforcement will make contact with the county Juvenile Court. The Juvenile Court Judge or Magistrate will decide whether the minor is sent home, placed in the custody of the PCSA or placed in the local Juvenile Detention Center.
  - a. This guideline does not promote the incarceration of minor victims. It encourages communities to discuss the safest and least restrictive placement options for minors at the local community level.
4. If the child is placed in the custody of the PCSA, then the PCSA will determine the placement of the child.
5. The PCSA worker and/or Law Enforcement Officer will make arrangements for the minor to be evaluated at the Child Advocacy Center (CAC).
  - a. If the child needs acute medical care and/or evidence collection, the child may be seen in the Emergency Department.

- b. The multidisciplinary team of the CAC will coordinate forensic interviews, medical exams, and initial assessment of treatment needs and make necessary referrals for services.
6. The multidisciplinary team members of the CAC may facilitate a Team Meeting of key people involved with supporting the recovery of the survivor and investigating the crime. Participants may include the Case Manager, Children Services Worker, Law Enforcement, HHS/OOR representative, Victim's Advocates, residential program staff, treatment providers and others. The purpose is to promote effective communication and coordinate services.
7. If not yet involved, the PCSA may choose to enlist the support of a case manager from the local anti-trafficking coalition to provide trafficking specific services for the youth. The case manager, in conjunction with treatment providers and the multidisciplinary team, will coordinate the services the child needs, such as individual and group therapy, life skills training, GED or High School Diploma completion, vocational training, drug and alcohol treatment, educational services and medical services.

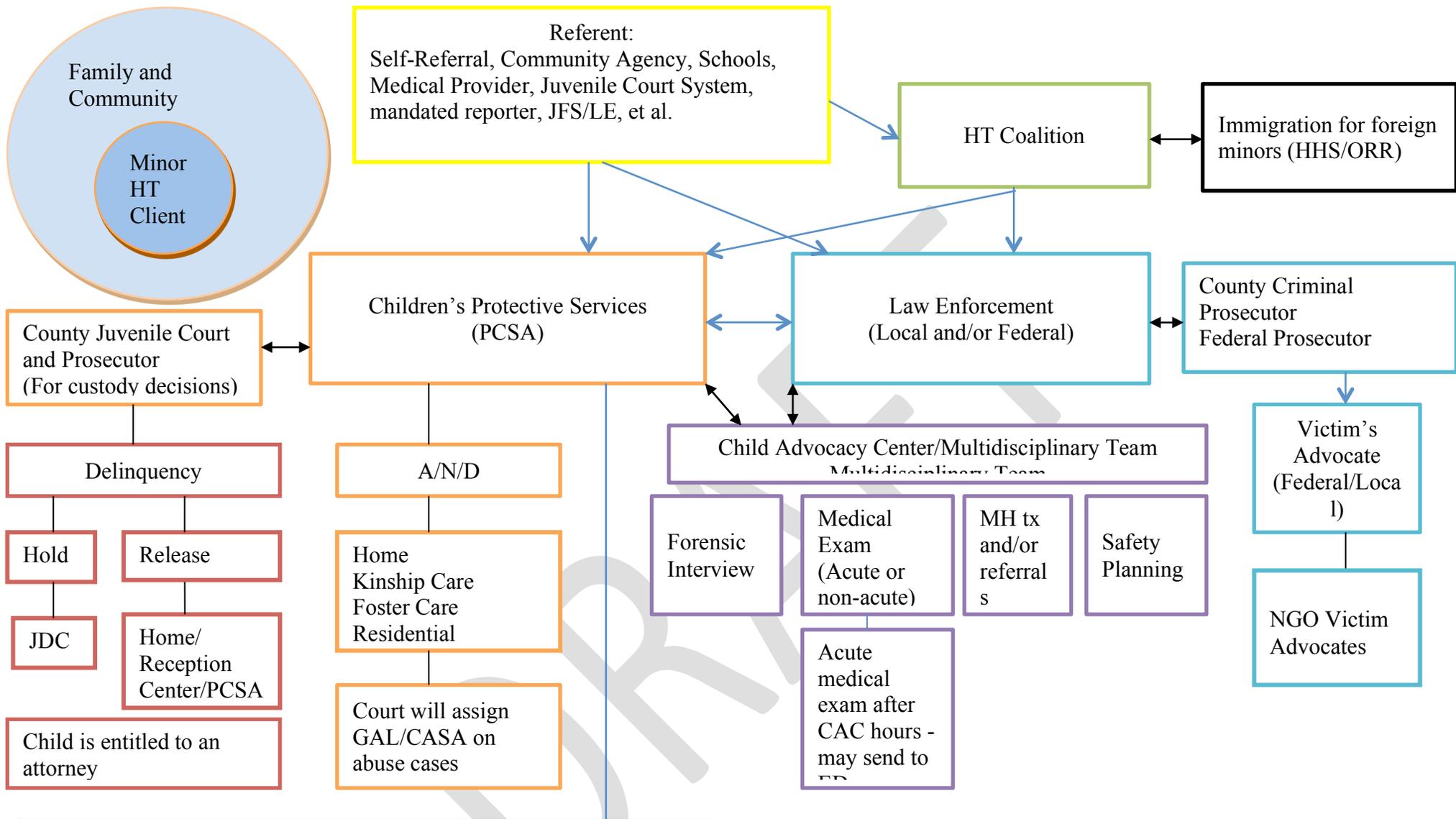
#### OHIO LEGISLATION

Safe Harbor Act (Fedora), [HB 262](#)- Passed in June, 2012, this act became effective immediately. Among many other provisions, this bill allows for the following provisions related to minor victims of human trafficking:

- Permits the Attorney General to prepare public awareness programs designed to educate potential victims of trafficking in persons and their families of the risks of becoming a victim of trafficking in persons.
- Requires the Division of Criminal Justice Services to create a poster that provides information regarding the National Human Trafficking Resources Center Hotline, prescribes the information that must be included on the poster, and lists the types of places at which the Division must encourage the display of the poster.
- Provides that nothing in the statute that lists persons who are ineligible for compensation from the Reparations Fund shall be construed to prohibit an award to a claimant whose claim is based on the claimant's being a victim of trafficking in persons if the claimant was less than 18 years of age when the criminally injurious conduct occurred.
- Authorizes a juvenile court to hold a delinquent child complaint in abeyance if the alleged delinquent child is charged with prostitution-related offenses or if the court has reason to believe that the child is a victim of trafficking in persons and the allegedly delinquent conduct is related to the victimization.
- Establishes procedures for holding a delinquent child complaint in abeyance, including a hearing, participation by the prosecutor, appointment of a guardian ad litem, recommendations from the guardian ad litem that are in the best interests of the child, and expungement of the record if the child satisfactorily completes court-ordered diversion actions.
- Within the offense of importuning, prohibits another from soliciting another, not the spouse of the offender, to engage in sexual conduct with the offender, when the offender is 18 years of age or older and four or more years older than the other person, the other person is 16 or 17 years of age and a victim of trafficking in persons, and the offender knows or has reckless disregard of the age of the other person.
- Creates a procedure through which a person may have the record of a conviction or delinquent-child adjudication expunged if the conviction or adjudication was for a prostitution-related

offense or act and the person's participation in that offense or act was a result of the person's having been a victim of human trafficking.

DRAFT



- Implement Longer Term Family/Individualized Service plan which could include:
- Educational Services
  - Housing Services – long term placement needs
  - Drug/ETOH treatment
  - Evidence based trauma mental health treatment
  - Primary Medical Care
  - Treatment Facilities
  - NGO Victim Advocates