
Human Trafficking and the Child Welfare System

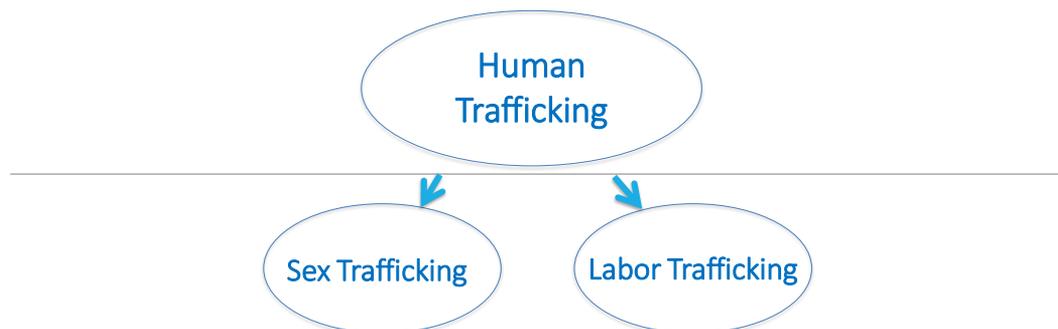


Breaking Down Myths

- Only immigrants or females are victims of human trafficking.
- Michigan is #2 in human trafficking.
- Runaways are approached by a trafficker within 48 hours of truanting.

Human Trafficking/Child Welfare Overlap

- 1 in 6 of the 18,500 runaways reported to the National Center for Missing & Exploited Children (NCMEC) in 2016 were likely sex trafficking survivors. 86% were in the care of social services or foster care when they went missing.
- Youth who run away from home, foster care placements, or residential facilities are among the highest at risk for sex trafficking. They tend to use survival sex to acquire food, shelter, clothing, and other necessary things.
- Homelessness, runaway, poverty, child abuse (sexual/physical), and neglect are the top five risk factors reported by trafficking survivors.
- The majority of human trafficking cases seen so far by MDHHS have had past involvement with the child welfare system. We can intervene!



Sex Trafficking: The recruitment, harboring, transportation, provision, obtaining, patronizing, or soliciting of a person for the purposes of a commercial sex act induced by force, fraud, or coercion, or in which the person performing the act is under age 18.

Labor Trafficking: The recruitment, harboring, transportation, or obtaining of a person for the purposes of labor services, involuntary servitude, debt bondage, or slavery induced by force, fraud, or coercion.

Child Welfare Responsibilities

- All child welfare staff must start to recognize signs of trafficking survivors and potential victims.
- CPS workers must make a paradigm shift in how they investigate cases with confirmed or potential victims.
- Foster care workers must observe youth for indicators that they may be a victim.
- Human Trafficking of Children Protocol – DHS-Pub-215.



Does the youth speak of suicidal ideation? Lost interest in his/her hobbies? Has he/she begun acting out sexually/behaviorally with no warning?

Trafficking victims often exhibit behaviors exhibited by abuse/neglect victims.

CPS Human Trafficking Maltreatments

WHEN PARENT, GUARDIAN, LEGAL CUSTODIAN, OR PERSON RESPONSIBLE IS A PERP/RESPONDENT.

Sex Abuse - Sex Trafficking.

Physical Abuse - Labor Trafficking.

WHEN THERE IS NO PERP/RESPONDENT.

Dependency - Sex Trafficking.

Dependency - Labor Trafficking.

Not all confirmed human trafficking investigations will result in the need to file a court petition. Dependency petitions should always occur in consultation with the local prosecutor.

CPS Investigative Response

ABUSE/NEGLECT INVESTIGATION

- Interview victim w/in 24 hours.
- Physical/sexual abuse exam.
- Interview perpetrator.
- Interview parents/caregivers/persons responsible.
- Establish the safety plan.
- Locate placement.
- File a petition for removal (if necessary).
- Coordinate with law enforcement (if necessary)

HUMAN TRAFFICKING INVESTIGATION

- Interview victim w/in 24 hours.
- Physical/sexual abuse exam.
- Interview perpetrator (if applicable).*
- Interview parents/caregivers/persons responsible.
- Establish the safety plan.
- Locate placement.
- File a petition for removal (if necessary).
- Coordinate with law enforcement.*

Role of CPS in Human Trafficking Investigations

CPS specific requirements for a Human Trafficking Investigation:

- Determine if the minor child is a survivor of human trafficking.
 - Determine whether the child's parent or legal guardian has abused or neglected the child and their ability to meet the child's needs and keep them safe.
 - Center investigation on the survivor and ensure ongoing safety from the trafficker.
 - Obtain a medical examination of the minor child within 72 hours.
 - Determine what protective intervention is needed, including service provision, family support, and/or court involvement.
 - Utilize screening tools provided by the department.
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Traditional Neglect Jurisdiction

- The Michigan Child Protection Law requires CPS to both safeguard and protect children who are abused and neglected and preserve family life. CPS workers are required to work with law enforcement, medical practitioners, and others who may have knowledge of a child's health and welfare.
 - CPS investigates harm or threatened harm to a child's health or welfare by a parent, guardian, or legal custodian, through non-accidental abuse and/or neglect.
 - CPS files a traditional neglect petition if they determine that the person responsible abused and/or neglected the child. Human trafficking allegations can be added to the petition to ensure services are court ordered.
 - Risk/safety assessments indicate the parent is unable or unwilling, despite services, to keep the child safe.
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Dependency Jurisdiction

The juvenile is dependent and in danger of substantial physical or psychological harm. May be found dependent when:

- Juvenile is homeless or not domiciled w/parent or other legally responsible person.
 - Juvenile has repeatedly run away from home and is beyond control of a parent or other legally responsible person.
 - Juvenile is alleged to have committed a commercial sexual activity or a delinquent act that is the result of force, fraud, coercion, or manipulation by a parent or other adult.
 - Juvenile's custodial parent or legally responsible person has died or has become permanently incapacitated and no appropriate parent is willing and able to provide care.
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Phoenix Therapeutic Court

- The first Human Trafficking Treatment Court in the State of Michigan.
 - Judge Baird presides over the program and court proceedings.
 - Youth ages 12-17 regardless of sexual orientation.
 - Trauma Screening & Comprehensive Sex Trafficking Assessment.
 - Youth may remain in home with their caretaker if deemed appropriate or a residential facility with a specific human trafficking program.
 - * Vista Maria, Wedgewood, etc.
 - 5 Phase System
 - Rewards/Sanctions
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MDHHS AWOLP Policy

Upon notification of a youth going AWOLP, the supervising agency must:

- Immediately notify local law enforcement and file a missing person's report.
 - Notify within 24 hours:
 - The court of jurisdiction.
 - Legal parents, if applicable.
 - Legal Guardian Ad Litem.
 - NCMEC.
 - Begin a diligent search for the missing youth within two business days.
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Additional Practice Information

- MDHHS Human Trafficking public website includes critical information, including the Human Trafficking of Children protocol and a resource listing of statewide service providers.
 - Training is being developed for child welfare workers, and is also available from program office.
 - Address identified mental health/substance use disorder treatment prior to a survivor being placed or returning home.
 - Local dialogue and collaboration between MDHHS, law enforcement, court, schools, hospitals, and other service providers improves outcomes in both response to human trafficking and developing services for survivors.
 - Many communities have human trafficking workgroups or a task force that can be contacted for information.
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Contact Information

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