#### Definitions

N.C.G.S Chapter 14 Article 10A Human Trafficking

A person commits the offense of human trafficking when that person (i) knowingly or in reckless disregard of the consequences of the action recruits, harbors, transports, provides, or obtains by any means another person with the intent that the other person be held in involuntary servitude or sexual servitude or (ii) willfully or in reckless disregard of the consequences of the action causes a minor to be held in involuntary servitude or sexual servitude.

- Involuntary Servitude The term includes the following:
  - The performance of labor, whether or not for compensation, or whether or not for the satisfaction of a debt; and
  - By deception, coercion, or intimidation using violence or the threat of violence or by any other means of coercion or intimidation.
- Sexual Servitude The term includes the following:
  - Any sexual activity as defined in G.S. 14-190.13 for which anything of value is directly or indirectly given, promised to, or received by any person, which conduct is induced or obtained by coercion or deception or which conduct is induced or obtained from a person under the age of 18 years; or
  - Any sexual activity as defined in G.S. 14-190.13 that is performed or provided by any person, which conduct is induced or obtained by coercion or deception or which conduct is induced or obtained from a person under the age of 18 years.

| Protocol – What you must do   | Guidance – How you should do it   |
|---|---|
| Human Trafficking   |   |
| A child who is sold, traded or exchanged for sex or labor is an abused<br>and neglected juvenile, regardless of the relationship between the<br>victim and the perpetrator.   | Perpetrators of trafficking may be family members or may pose as the child or youth's parent, sibling, aunt, uncle, or significant other and their relationship to the child may be unclear – even to the reporter.   |
| When a reporter indicates, or suspects trafficking may be occurring, or<br>the intake worker suspects trafficking may be occurring based on<br>information received from the reporter, the intake worker must<br>complete the Human Trafficking section of the Child Protective<br>Services Structured Intake Report Form (DSS-1402). | Often persons who exploit children and youth through sex or labor<br>trafficking make promises to children or to families that the child will<br>have improved circumstances, have access to education or a job if the<br>child moves from one place to another. Sometimes this involves<br>moving from another country into the United States. |
| <ul> <li>When the child's parent, guardian, custodian or caretaker has not been identified as the perpetrator, the intake worker must engage the reporter in obtaining information about the parent's:</li> <li>Protective capacity;</li> </ul>   | If a child has moved from another country to the United States without<br>a family member or is traveling with an adult to whom they are not<br>related or with whom the relationship is unclear, it is possible that the<br>child is being trafficked or is at risk of being trafficked. Intake workers  |

# Intake: Establishing Authority to Intervene

| <ul> <li>Willingness to take protective action; and</li> <li>Role in the trafficking.</li> </ul>   | should gather as much information as the reporter is able to provide concerning the child and the child's circumstances, including:  |
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| For additional information about human trafficking see Cross Function<br>Topic: Human Trafficking. | <ul> <li>Where they are traveling from;</li> <li>Where they are traveling from;</li> <li>Where they are traveling to;</li> <li>Who (if anyone) they are traveling with and their relationship to this person;</li> <li>The reason for coming to the United States, as provided by the child, the person with whom they are traveling or with whom they reside; and</li> <li>Any other information the reporter can provide regarding their concern that the child is being trafficked or is at risk of being trafficked.</li> <li>Children who have run away from home, or whose parent or caretaker is absent, may be trafficked or at risk of being trafficked. The intake worker should engage the reporter to obtain information about:</li> <li>Child's circumstances and access to basic needs;</li> <li>Who is providing for these needs – food, clothing, shelter, etc.;</li> <li>Whether the child is exchanging sex acts to meet these needs; and</li> <li>Names, aliases, physical description, and relationship to the child of anyone accompanying the child or youth who is suspected to be dependent or who has run away.</li> <li>When appropriate, the county child welfare worker may provide the reporter with information and resources for human trafficking victims before a screening decision is made. Appropriate information and resources to the reporter may include, but is not limited to:</li> <li>National Human Trafficking Hotline Number (1-888-373-7888);</li> <li>Contact information for statewide agencies serving survivors of human trafficking; and</li> <li>Contact information for statewide agencies serving survivors of human trafficking.</li> </ul> |
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## Intake: Establishing Authority to Intervene

| <b>Determine if Juvenile Involved</b><br>County child welfare agencies must screen out any reports that do not<br>involve a juvenile. See <u>definitions</u> .   |   |
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| Does the Report Meet Abuse, Neglect, &/or Dependency<br>Definitions?<br>County child welfare agencies only have the authority to intervene<br>when the allegations if true met the statutory definitions of abuse,<br>neglect, and or dependency. See <u>definitions</u> . | A child who is a victim of human trafficking is an abused and neglected<br>child, regardless of his or her relationship with the perpetrator. The<br>Caretaker Definition Decision Tool in human trafficking cases does not |
| Is the Alleged Perpetrator a Parent, Guardian, Custodian or<br>Caretaker?<br>Reports that do not involve the maltreatment of a child by a parent,<br>guardian, custodian or caretaker must be screened out, except for   | apply. Please see Cross Function Topic: Human Trafficking.<br>Caretaker has a legal definition that is separate from that of a parent,  |
| those alleging human trafficking.  | guardian or custodian.  |

| Protocol – What you must do   | Guidance – How you should do it |
|---|---------------------------------|
| Determination of Response Approach  |                                 |
| INVESTIGATIVE ASSESSMENT APPROACH<br>A response to reports of child abuse and selected reports of child<br>neglect and dependency that is a formal information gathering process<br>to determine whether a juvenile is abused, neglected, or dependent. |                                 |
| The Investigative Assessment response is required for reports that include allegations that a juvenile may be a victim of human trafficking or whose parent, guardian, custodian, or caretaker.   |                                 |

| Proto  | col – What you must do  | Guidance – How you should do it   |
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| REPO   | RTER NOTIFICATION   | REPORTER NOTIFICATION   |
| 1.<br>2.<br>3.<br>The no<br>a)<br>b)<br>c)<br>d) | CPS Intake reports, there must be documentation that:<br>Written notice was sent to the person making the report within 5<br>business days after receipt of the report; or<br>The person making the report waived their right to notice; or<br>The person making the report refused to provide identifying<br>information.<br>tice to the reporter must include:<br>A statement about whether the report was or was not accepted<br>for CPS Assessment based on statutory definitions, citing the<br>relevant statutes. Providing a brief description regarding the<br>type of CPS Assessment (Investigative or Family) is helpful for<br>reporters.<br>The date the report was made;<br>The identity of the alleged victim child; for instance, if the<br>reporter specifically identifies the name of a child use that<br>name; however, if the name is unknown use the descriptor<br>given by the reporter;<br>Information regarding the process by which the reporter may<br>obtain a review of the agency's decision not to accept the report<br>for CPS Assessment;<br>A statement about whether the report was referred to the<br>appropriate state or local law enforcement agency;<br>The identity of the county responsible for conducting the CPS<br>Assessment, if different than the county who received the | The requirement for written notification does not negate the child<br>welfare agency's ability to share the screening decision with the<br>reporter through other means, prior to receipt of the 7-day letter, so<br>long as the inquiry is an effort to provide protective services to the<br>family. Examples of such situations include: a hospital social worker<br>wanting to know the screening decision prior to child's discharge; or a<br>police officer who is waiting for a County child welfare worker to arrive<br>on the scene. |
| g)   | Intake;<br>Information and resources on human trafficking, if the report is<br>screened out;  | Appropriate information and resources to the reporter may include, but are not limited to:  |
| h)<br>i)   | A statement that encourages the reporter to contact the agency<br>in the event that more information or concerns regarding the<br>child or family surfaces; and<br>The name and contact information for the assigned County child   | <ul> <li>National Human Trafficking Hotline Number (1-888-373-7888);</li> <li>Contact information for local agencies serving survivors of human trafficking; and,</li> </ul>  |
|  | welfare worker, the supervisor, or other identified person.   | <ul> <li>Contact information for statewide agencies serving survivors of<br/>human trafficking.</li> </ul>  |

| Intake: Reporter Notification  |  |
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| If a reporter describes the exact, same allegations and incidents that<br>are currently being assessed, the county child welfare agency must still | See the list of Service Providers and Other Referrals in Human   |
| provide the notification, even if they may not have been the initial   | Trafficking Cases by County.   |
| reporter.  |  |
|  | There may be times when the agency should offer this information<br>when the case is screened in or prior to the screening decision being<br>made. |

## Intake: Maltreatment Screening Tools

#### Human Trafficking Screening Tool



### A. Human Trafficking Screening Tool Instructions

#### Is the child being held in involuntary servitude?

Involuntary servitude is a type of human trafficking called labor trafficking. It is defined as:

- The performance of labor, whether or not for compensation, or whether or not for the satisfaction of a debt; and
- By deception, coercion, or intimidation using violence or the threat of violence or by any other means of coercion or intimidation.

## Intake: Maltreatment Screening Tools

Labor trafficking sometimes occurs when individuals exchange children for acts of labor. This exchange may involve:

- An individual being directly or indirectly given, promised, or receiving anything of value in exchange for the child; or
- An individual using a child or child's acts of labor to satisfy a debt.

Labor trafficking may involve:

- Allowing, forcing or coercing the child to perform labor in various settings, such as agricultural work, hospitality work in hotels or restaurants, or domestic work; or
- A child working long hours for little or no pay; particularly in dangerous jobs or jobs which are illegal for children to perform.

#### Is the child being held in sexual servitude?

Sexual servitude is a type of human trafficking called sex trafficking. It is defined as:

- Any sexual activity as defined in G.S. 14-190.13 for which anything of value is directly or indirectly given, promised to, or received by any person, which conduct is induced or obtained by coercion or deception or which conduct is induced or obtained from a person under the age of 18 years; or
- Any sexual activity as defined in G.S. 14-190.13 that is performed or provided by any person, which conduct is induced or obtained by coercion or deception or which conduct is induced or obtained from a person under the age of 18 years.

Sex trafficking sometimes occurs when individuals exchange children for acts of sex. This exchange may involve:

- An individual being directly or indirectly given, promised, or receiving anything of value in exchange for the child; or
- An individual using a child or child's acts of sex to satisfy a debt.

Sex trafficking may involve:

- Allowing, forcing or coercing the child to engage in prostitution; or
- Allowing, forcing or coercing the child to engage in the production of child pornography.

If the allegations meet the statutory criteria for juvenile human trafficking, the referral must be accepted, regardless of the relationship between the perpetrator and the juvenile. Such reports must be accepted as abuse and neglect. Dependency may be present but if the report is screened in due to the human trafficking allegations, it must be screened in as abuse and neglect.

| Protocol – What you must do   | Guidance – How you should do it  |
|---|--|
| HUMAN TRAFFICKING<br>The requirements of a CPS Assessment are not altered when it<br>involves allegations of human trafficking. County child welfare workers<br>must assess the safety and risk of human trafficking victims within the<br>context of North Carolina child welfare policy and practice.<br>However, there are additional requirements for all child welfare cases<br>involving confirmed or suspected human trafficking of a child. See<br>Cross-Function Topic: Human Trafficking for additional protocol and<br>guidance. | <ul> <li>When conducting a CPS Assessment involving allegations of human trafficking, County child welfare workers should assess the circumstances with consideration to the known risk factors and indicators of human trafficking:</li> <li>Risk factors: <ul> <li>History of running away or getting kicked out of home;</li> <li>History of homelessness or housing instability;</li> <li>History of sexual abuse;</li> <li>History of sexual abuse;</li> <li>History of sexual abuse;</li> <li>History of sexual offense;</li> <li>History of delinquent or reckless behavior (involvement with law enforcement or juvenile justice);</li> <li>History of neglect or basic needs not having been met;</li> <li>History of depression/mood disorder;</li> <li>Exposure to domestic violence;</li> <li>Family instability;</li> <li>Excessive absences from school</li> <li>Identifies as lesbian, gay, bisexual, or transgender (LGBT);</li> <li>Has disabilities, especially intellectual disability;</li> <li>Immigration status;</li> <li>Poverty;</li> <li>Unemployment;</li> <li>Lack of transportation.</li> </ul> </li> <li>Indicators:</li> <li>Visible signs of abuse such as unexplained bruises, cuts, marks;</li> <li>Fear of person accompanying them;</li> <li>Wearing new clothes of any style or getting hair or nails done with no financial means to do this independently;</li> </ul> |

# CPS Assessments: Family & Investigative Assessments: Special Categories of CPS Assessments

| CPS Assessments: Family & investigative Assessments: Spec   |   |
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| The North Carolina Safety Assessment (DSS-5231) and assessment<br>tools are only completed with parents, guardians, custodians or<br>caretakers. These tools must not be completed with perpetrators who<br>are not a parent, guardian, custodian or caretaker. In cases where the<br>alleged perpetrator is not a caretaker, County child welfare worker must<br>assess the parent, guardian, custodian or caretaker's ability and/or<br>willingness to keep the child safe. | <ul> <li>Exhibit hyper-vigilance or paranoid behavior;</li> <li>A young person with a tattoo which he or she is reluctant to explain;</li> <li>Frequency or multiple sexually transmitted diseases, STI or pregnancies;</li> <li>Truancy or tardiness from school;</li> <li>Unaccounted for times, vagueness concerning whereabouts, and/or defensiveness in response to questions or concerns.</li> <li>The following risk factors, indicators and vulnerabilities should be considered for foreign nationals: <ul> <li>History of trauma, including civil unrest or prolonged community violence;</li> <li>Social isolation;</li> <li>Lack of legal status (documentation).</li> </ul> </li> <li>These lists may not be inclusive of all risk factors, indictors and vulnerabilities.</li> <li>The child's home of origin should also be assessed, and the County child welfare worker should consider and/or ask questions about:</li> <li>The child or youth's decision to leave home, if applicable</li> <li>Whether the parent/caretaker allowed access by the alleged perpetrator</li> <li>If there was active or passive participation in the trafficking by the parent/caretaker</li> <li>The ability of the parent/caretaker to care for the child</li> <li>The ability of the parent/caretaker to prevent the child or youth from running away</li> <li>The legal connection of any individual claiming to be a parent, relative, caregiver, or legal custodian to the child. In many cases traffickers will present themselves as a parent, relative, or legal custodian</li> <li>Additionally, the County child welfare worker should consider the possible connection collateral contacts have with the trafficking perpetrator.</li> </ul> |

## CPS Assessments: Family & Investigative Assessments: Special Categories of CPS Assessments

| County child welfare workers must collaborate with human trafficking victim organizations and advocates to address the unique safety issues for children who are victims of human trafficking. See list of <u>Service</u> <u>Providers and Other Referrals in Human Trafficking Cases by County.</u>  | <ul> <li>Access of the trafficker to the child</li> <li>Child or youth's lack of safe housing or a safe place to stay</li> <li>Safety issues in the home of the parent, guardian, custodian, or caretaker</li> <li>Risk of child or youth running away</li> </ul> |
|---|---|
| When making a case decision on an assessment of suspected human trafficking, the county child welfare worker must determine what role the parent played, if any. There must be a substantiation of both abuse and neglect for a child who is found to be a human trafficking victim. If the child is found to be a victim of sexual servitude under G.S. 14-43.13, sexual abuse must be one of the maltreatment types found. No perpetrator name is entered on the DSS-5104 in cases where the perpetrator is not the parent, guardian, custodian or caretaker. See <u>Chapter VIII: Protective Services, Section 1426 – Central Registry</u> . |   |

| Policy   | Legal Basis   |
|--|---|
| A child who is sold, traded or exchanged for sex or labor is an abused<br>and neglected juvenile, regardless of the relationship between the<br>victim and the perpetrator.<br>Child welfare agencies must identify, document in case records, and<br>determine appropriate services for children and youth who are believed<br>to be, or at risk of being, victims of human trafficking.<br>This includes children and youth for whom the agency has an open<br>CPS Assessment or an open CPS In-Home Services case, but who<br>have not been removed from the home, children who are involved with<br>Permanency Planning, and youth who are receiving LINKS services. | <ul> <li>Public Law 106-386 Victims of Trafficking and Violence Protection Act<br/>of 2000, Division A - Trafficking Victims' Protection Act of 2000 defines<br/>severe forms of trafficking in persons and commercial sex act, and<br/>outlines U.S. Government efforts to protect victims of trafficking.</li> <li>Public Law 113-183 – Preventing Sex Trafficking and Strengthening<br/>Families Act includes provisions to improve the identification and<br/>assistance for children who are victims or at risk of trafficking, system<br/>response for runaways from foster care, and normalcy for youth in<br/>foster care.</li> <li>Public Law 114-22 – Justice for Victims of Trafficking Act amended the<br/>definition of "child abuse" under the Victims of Child Abuse Act of 1990<br/>to include human trafficking and the production of child pornography,<br/>amended the Child Abuse Prevention and Treatment Act to require<br/>states to develop and implement protocol and procedures to identify<br/>and assess reports involving children known or suspected to be victims<br/>of human trafficking, and that a child is considered to be a victim of<br/>"child abuse and neglect" and of "sexual abuse" if the child is identified<br/>by a state of local agency as being a victim of sex trafficking or victim of<br/>severe forms of trafficking in persons.</li> <li>N.S.G.S. <u>\$7B-101</u> provides the definitions of an abused or neglected<br/>juvenile to determine a child welfare agency's authority to intervene.</li> <li>N.C.G.S. Chapter 14 Article 10A Human Trafficking defines what<br/>actions by an offender equate to criminal human trafficking.</li> </ul> |

## Definitions

Federal Law

The Trafficking Victims Protection Act (22 U.S.C. 7102) defines

"severe forms of trafficking in persons":

• Sex trafficking in which a commercial sex act is induced by force, fraud, or coercion or in which the person induced to perform such an act has not attained 18 years of age; or

• The recruitment, harboring, transportation, provision, or obtaining of a person for labor or services through the use of force, fraud, or coercion for the purpose of subjection to involuntary servitude, peonage, debt bondage, or slavery.

"commercial sex act" as any sex act on account of which anything of value is given to or received by any person.

State Law

### G.S. 14-43.11 Human Trafficking

A person commits the offense of human trafficking when that person (i) knowingly or in reckless disregard of the consequences of the action recruits, harbors, transports, provides, or obtains by any means another person with the intent that the other person be held in involuntary servitude or sexual servitude or (ii) willfully or in reckless disregard of the consequences of the action causes a minor to be held in **involuntary servitude or sexual servitude**.

### G.S. 14-43.10(a)(3) Involuntary Servitude – The term includes the following:

- The performance of labor, whether or not for compensation, or whether or not for the satisfaction of a debt; and
- By deception, coercion, or intimidation using violence or the threat of violence or by any other means of coercion or intimidation.

#### G.S. 14-43.10(a)(5) **Sexual Servitude** – The term includes the following:

- Any sexual activity as defined in G.S. 14-190.13 for which anything of value is directly or indirectly given, promised to, or received by any person, which conduct is induced or obtained by coercion or deception or which conduct is induced or obtained from a person under the age of 18 years; or
- Any sexual activity as defined in G.S. 14-190.13 that is performed or provided by any person, which conduct is induced or obtained by coercion or deception or which conduct is induced or obtained from a person under the age of 18 years.

#### G.S. 7B-101(1) Abused Juveniles.

Any juvenile less than 18 years of age (i) who is found to be a minor victim of human trafficking under G.S. 14-43.15 or (ii) whose parent, guardian, custodian, or caretaker

- (a.) Inflicts or allows to be inflicted upon the juvenile a serious physical injury by other than accidental means;
- (b.) Creates or allows to be created a substantial risk of serious physical injury to the juvenile by other than accidental means;
- (c.) Uses or allows to be used upon the juvenile cruel or grossly inappropriate procedures or cruel or grossly inappropriate devices to modify behavior;
- (d.) Commits, permits, or encourages the commission of a violation of the following laws by, with, or upon the juvenile; first degree rape, as provided in N.C.G.S. §14-27.2; rape of a child by an adult offender, as provided in N.C.G.S. §14-27.2; second degree rape as provided in N.C.G.S. §14-27.3; first degree sexual offense, as provided in N.C.G.S. §14-27.4; second degree rape as offender, as provided in N.C.G.S. §14-27.4; second degree sexual offense, as provided in N.C.G.S. §14-27.5; intercourse and sexual offenses with certain victims; consent no defense, as provided in N.C.G.S. §14-27.31 and N.C.G.S. §14-27.32; unlawful sale, surrender, or purchase of a minor, as provided in N.C.G.S. §14-43.14; crime against nature, as provided in N.C.G.S. §14-177; incest, as provided in N.C.G.S. §14-178 and N.C.G.S. §14-179; preparation of obscene photographs, slides or motion pictures of the juvenile, as provided in N.C.G.S. §14-190.5; employing or permitting the juvenile to assist in a violation of the obscenity laws as provided in N.C.G.S. §14-190.6; dissemination of obscene material to the juvenile as provided in N.C.G.S. §14-190.7 and N.C.G.S. §14-190.8;

displaying or disseminating material harmful to the juvenile as provided in N.C.G.S. §14-190.14 and N.C.G.S. §14-190.15; first and second degree sexual exploitation of the juvenile as provided in N.C.G.S. §14-190.16 and N.C.G.S. §14-190.17; promoting the prostitution of the juvenile as provided in N.C.G.S. §14-205.3(b); and taking indecent liberties with the juvenile, as provided in N.C.G.S. §14-202.1, regardless of the age of the parties; or

- (e.) Creates or allows to be created serious emotional damage to the juvenile. Serious emotional damage is evidenced by a juvenile's severe anxiety, depression, withdrawal, or aggressive behavior toward himself or others;
- (f.) Encourages, directs, or approves of delinquent acts involving moral turpitude committed by the juvenile; or
- (g.) Commits or allows to be committed an offense under N.C.G.S. §14-43.11 (human trafficking), N.C.G.S. §14-43.12 (involuntary servitude), or N.C.G.S. §14-43.13 (sexual servitude) against the child.

### G.S. 7B-101(15) Neglected Juvenile.

Any juvenile less than 18 years of age (i) who is found to be a minor victim of human trafficking under G.S. 14-43.15 or (ii) whose parent, guardian, custodian or caretaker does not provide proper care, supervision, or discipline, or who has been abandoned; or who is not provided necessary medical care; or who is not provided necessary remedial care; or who lives in an environment injurious to the juvenile's welfare; or who has been placed for care or adoption in violation of the law. In determining whether a juvenile is a neglected juvenile, it is relevant whether that juvenile lives in a home where another juvenile has died as a result of suspected abuse or neglect or lives in a home where another juvenile has been subjected to abuse by an adult who regularly lives in the home.

| Protocol – What you must do  | Guidance – How you should do it  |
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| Identifying a Victim of Human Trafficking<br>A child who is sold, traded or exchanged for sex or labor is an abused<br>and neglected juvenile. | There may be times, when it is not clear that a child is victim of human trafficking. County child welfare workers must be aware of the known risk factors and indicators of human trafficking.  |
|  | <ul> <li>Risk factors:</li> <li>History of running away or getting kicked out of home;</li> <li>History of homelessness or housing instability;</li> <li>History of sexual abuse;</li> <li>History of physical abuse;</li> <li>History of sexual offense;</li> <li>History of delinquent or reckless behavior (involvement with law enforcement or juvenile justice);</li> <li>History of neglect or basic needs not having been met;</li> <li>History of alcohol or substance use disorder;</li> <li>Current or past involvement in the child welfare system;</li> <li>History of depression/mood disorder;</li> <li>Exposure to domestic violence;</li> <li>Family instability;</li> </ul> |

|  | <ul> <li>Excessive absences from school</li> <li>Identifies as lesbian, gay, bisexual, or transgender (LGBT);</li> <li>Has disabilities, especially intellectual disability;</li> <li>Immigration status;</li> <li>Poverty;</li> <li>Unemployment;</li> <li>Lack of transportation.</li> </ul>   |
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|  | <ul> <li>Indicators:</li> <li>Visible signs of abuse such as unexplained bruises, cuts, marks;</li> <li>Fear of person accompanying them;</li> <li>Wearing new clothes of any style or getting hair or nails done with no financial means to do this independently;</li> <li>Exhibit hyper-vigilance or paranoid behavior;</li> <li>A young person with a tattoo which he or she is reluctant to explain;</li> <li>Frequency or multiple sexually transmitted diseases, STI or pregnancies;</li> <li>Truancy or tardiness from school;</li> <li>Unaccounted for times, vagueness concerning whereabouts, and/or defensiveness in response to questions or concerns.</li> </ul> |
|  | <ul> <li>The following risk factors, indicators and vulnerabilities should be considered for foreign nationals:</li> <li>History of trauma, including civil unrest or prolonged community violence;</li> <li>Social isolation;</li> <li>Lack of legal status (documentation).</li> <li>These lists may not be inclusive of all risk factors, indictors and vulnerabilities.</li> </ul>   |
| <ul> <li>Required Notifications and Verifications</li> <li>Within 24 hours of accepting a report with allegations involving human trafficking or when the County child welfare agency becomes aware that a child may have been trafficked, it must:</li> <li>Check the National Center for Missing and Exploited Children to see if the child or youth has been reported missing;</li> </ul> |  |

| CROSS FUNCTION TOPICS: Human Trafficking   |   |
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| Check the North Carolina Center for Missing Persons to see if the child or youth has been reported missing; and  |   |
| Check with the appropriate local law enforcement agency to see<br>if the child or youth has been reported missing/runaway.   |   |
| <ul> <li>Notify U.S. Department of Health and Human Services to<br/>facilitate the provision of interim assistance if the child is a<br/>foreign national. The County Child welfare worker must contact<br/>OTIP Child Protection Specialists at<br/><u>childtrafficking@acf.hhs.gov</u> or (202) 205-4582 and provide:</li> </ul> |   |
| <ul> <li>Child's name, age, location, and country of origin;</li> <li>Location of exploitation and suspected form of trafficking; and</li> </ul>   |   |
| <ul> <li>Worker's contact information or other preferred point of<br/>contact (such as a supervisor).</li> </ul>   |   |
| Safety Considerations<br>County child welfare workers must collaborate with human trafficking<br>victim organizations and advocates to address the unique<br>circumstances and safety issues for children who are victims of human<br>trafficking.   | <ul> <li>Immediate safety issues may include, but are not limited to: <ul> <li>Access of the trafficker to the child</li> <li>Child or youth's lack of safe housing or a safe place to stay</li> <li>Safety issues in the home of the parent, guardian, custodian, or caretaker</li> <li>Risk of child or youth running away</li> </ul> </li> <li>County child welfare workers should consider the unique needs for victims of human trafficking when making decisions about: <ul> <li>Placement</li> <li>Healthcare</li> <li>Visibility in the community</li> <li>Visitation with family members</li> <li>Releasing information</li> </ul> </li> </ul> |
| <b>Determining and Utilizing Appropriate Resources</b><br>When a County child welfare agency has an open CPS Assessment,<br>CPS In-Home Services case, or Permanency Planning case where<br>trafficking of the child is suspected or confirmed, the County child   | <ul> <li>Appropriate information and resources may include:</li> <li>National Human Trafficking Hotline Number (1-888-373-7888);</li> </ul>   |

| welfare worker must provide appropriate information and resources to<br>the family. Referrals to other agencies and resources are instrumental<br>in the identification and screening of victims and in the provision of on-<br>going services. These referrals must be made in accordance with the<br>needs of the child. | <ul> <li>Contact information for local agencies serving survivors of<br/>human trafficking; and</li> <li>Contact information for statewide agencies serving survivors of<br/>human trafficking</li> <li>See list of <u>Service Providers and Other Referrals in Human Trafficking</u><br/><u>Cases by County.</u></li> </ul>   |
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| Role of the Parent, Guardian, Custodian or Caretaker<br>In cases where the perpetrator of the human trafficking is not the<br>parent, guardian, custodian caretaker, the County child welfare worker<br>must assess and address the parent's ability and/or willingness to keep<br>the child safe.                         | <ul> <li>The County child welfare worker should consider and/or ask questions about:</li> <li>The child or youth's decision to leave home, if applicable</li> <li>Whether the parent/caretaker allowed access by the alleged perpetrator</li> <li>If there was active or passive participation in the trafficking by the parent/caretaker</li> <li>The ability of the parent/caretaker to care for the child</li> <li>The ability of the parent/caretaker to prevent the child or youth from running away</li> <li>The legal connection of any individual claiming to be a parent, relative, caregiver, or legal custodian to the child. In many cases traffickers will present themselves as a parent, relative, or legal custodian.</li> </ul> |