

PREVENTING AND ADDRESSING SEX TRAFFICKING OF YOUTH IN FOSTER CARE

HEARING BEFORE THE SUBCOMMITTEE ON HUMAN RESOURCES OF THE COMMITTEE ON WAYS AND MEANS U.S. HOUSE OF REPRESENTATIVES ONE HUNDRED THIRTEENTH CONGRESS FIRST SESSION

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CONTENTS

Advisory of October 23, 2013 announcing the hearing	Page 2
WITNESSES	
PANEL 1:	
The Honorable Erik Paulsen, U.S. Representative from the State of Minnesota, Testimony	6
The Honorable Louise Slaughter, U.S. Representative from the State of New York, Testimony	9
The Honorable Ted Poe, U.S. Representative from the State of Texas, Testimony	16
The Honorable Karen Bass, U.S. Representative from the State of California, Testimony	19
The Honorable Orrin G. Hatch, U.S. Senator from the State of Utah, Testimony	26
PANEL 2:	
Withelma “T” Ortiz Walker Pettigrew, Board Member, Human Rights Project for Girls, Testimony	30
John Ryan, CEO, National Center for Missing and Exploited Children, Testimony	38
The Honorable Bobbe J. Bridge, President, CEO and Founder, Center for Children and Youth Justice, Testimony	50
Melinda Giovengo, Ph.D., Executive Director, YouthCare, Testimony	61
Ashley Harris, Child Welfare Policy Associate, Texans Care For Children, Testimony	69
SUBMISSIONS FOR THE RECORD	
Foster Family Based Treatment Association	91

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WEDNESDAY, OCTOBER 23, 2013

U.S. HOUSE OF REPRESENTATIVES,
COMMITTEE ON WAYS AND MEANS,
SUBCOMMITTEE ON HUMAN RESOURCES,
Washington, DC.

The subcommittee met, pursuant to call, at 2:35 p.m., in room 1100, Longworth House Office Building, the Honorable Dave Reichert [Chairman of the Subcommittee] presiding.
[The advisory of the hearing follows:]

HEARING ADVISORY

Chairman Reichert Announces Hearing on Preventing and Addressing Sex Trafficking of Youth in Foster Care

1100 Longworth House Office Building at 2:00 PM
Washington, October 16, 2013

Congressman Dave Reichert (R-WA), Chairman of the Subcommittee on Human Resources of the Committee on Ways and Means, today announced that the Subcommittee will hold a hearing on ways to improve the child welfare system to prevent sex trafficking of youth in America's foster care system. **The hearing will take place at 2:00 pm on Wednesday, October 23, 2013, in Room 1100 of the Longworth House Office Building.**

In view of the limited time available to hear from witnesses, oral testimony at this hearing will be from invited witnesses only. Witnesses will include experts working to reduce the vulnerabilities of youth in foster care as well as representatives of organizations who serve victims of sex trafficking. However, any individual or organization not scheduled for an oral appearance may submit a written statement for consideration by the Committee and for inclusion in the printed record of the hearing.

BACKGROUND:

Since the early 1960s, the Federal Government has reimbursed States for part of the cost of providing foster care to children from needy families. In FY 2012, the Federal Government provided States *\$4.2 billion* to support monthly payments to foster parents, case management, staff training, and data collection. The goal of this funding is to ensure foster parents can support children from needy families when the child cannot safely remain at home.

While foster care often protects children from further abuse and neglect, children who stay in foster care for extended periods—especially those who leave foster care at age 18 without being placed in a permanent home—have troubling outcomes. For example, *research* shows that children who spend an extended duration in foster care are less likely to graduate from high school, attend college, be employed, or have enough income to support a family than other youth. They are also more likely to become teen parents, collect welfare, become homeless, be arrested, or use drugs.

In some cases, certain child welfare policies may unintentionally undermine the well-being of children placed in foster care. As the Subcommittee reviewed in a *hearing* in May 2013, some foster care rules have made it difficult for foster youth to participate in sports, sleep over at a friend's house, obtain a driver's license, get a part-time job, or engage in other age-appropriate activities. Although these policies are often well intentioned, they may inadvertently increase a young person's isolation and separation from family, friends, and the surrounding community, making them more vulnerable to victimization.

One of the most devastating examples of this vulnerability is when children in foster care become victims of sex trafficking. Reports suggest a majority of children involved in sex trafficking are either currently in foster care or have been involved with the child welfare system in the past. In 2010, officials in Los Angeles *reported* that 59 percent of juveniles arrested for prostitution were in the foster care system. Of children reported missing to the National Center for Missing and Exploited Children who are also likely sex trafficking victims, *60 percent* were in foster care or group homes when they ran away. *Research* cited by the U.S. Department of Health and Human Services shows the majority of sex trafficked youth experienced sexual abuse growing up, and victims of sexual abuse are 28 times more likely to be involved in prostitution than children who have not suffered such abuse. Even though a history of prior sexual abuse places many children in foster care at far greater

risk of sex trafficking, the child welfare system today does not make systematic efforts to identify and help those at high risk of being trafficked.

In announcing the hearing, Chairman Reichert stated, **“Even though foster care is meant to protect children who have been abused, research shows that most victims of child sex trafficking come straight from the foster care system. This is totally unacceptable. During my law enforcement career, I saw first-hand the terrible tragedies of young women involved in the sex trade. We can’t continue to allow kids in foster care to become victims of this terrible crime. We owe it to them to ensure our nation’s foster care system does all it can to protect them from predators so they can live safe, happy, and successful lives. For too many kids in foster care, we are not living up to that promise.”**

FOCUS OF THE HEARING:

This hearing will review how the child welfare system currently works to prevent the sex trafficking of youth in foster care, how the needs of sex trafficking victims are addressed, and how Federal laws and policies might be improved to better ensure the safety and well-being of youth at risk of abuse and neglect.

DETAILS FOR SUBMISSION OF WRITTEN COMMENTS:

Please Note: Any person(s) and/or organization(s) wishing to submit for the hearing record must follow the appropriate link on the hearing page of the Committee website and complete the informational forms. From the Committee homepage, <http://waysandmeans.house.gov>, select “Hearings.” Select the hearing for which you would like to submit, and click on the link entitled, “Please click here to submit a statement or letter for the record.” Once you have followed the online instructions, submit all requested information. Attach your submission as a Word document, in compliance with the formatting requirements listed below, **by November 6, 2013**. Finally, please note that due to the change in House mail policy, the U.S. Capitol Police will refuse sealed-package deliveries to all House Office Buildings. For questions, or if you encounter technical problems, please call (202) 225-1721 or (202) 225-3625.

FORMATTING REQUIREMENTS:

The Committee relies on electronic submissions for printing the official hearing record. As always, submissions will be included in the record according to the discretion of the Committee. The Committee will not alter the content of your submission, but we reserve the right to format it according to our guidelines. Any submission provided to the Committee by a witness, any supplementary materials submitted for the printed record, and any written comments in response to a request for written comments must conform to the guidelines listed below. Any submission or supplementary item not in compliance with these guidelines will not be printed, but will be maintained in the Committee files for review and use by the Committee.

1. All submissions and supplementary materials must be provided in Word format and **MUST NOT** exceed a total of 10 pages, including attachments. Witnesses and submitters are advised that the Committee relies on electronic submissions for printing the official hearing record.

2. Copies of whole documents submitted as exhibit material will not be accepted for printing. Instead, exhibit material should be referenced and quoted or paraphrased. All exhibit material not meeting these specifications will be maintained in the Committee files for review and use by the Committee.

3. All submissions must include a list of all clients, persons, and/or organizations on whose behalf the witness appears. A supplemental sheet must accompany each submission listing the name, company, address, telephone, and fax numbers of each witness.

The Committee seeks to make its facilities accessible to persons with disabilities. If you are in need of special accommodations, please call 202-225-1721 or 202-226-3411 TTD/TTY in advance of the event (four business days notice is requested). Questions with regard to special accommodation needs in general (including availability of Committee materials in alternative formats) may be directed to the Committee as noted above.

Note: All Committee advisories and news releases are available online at <http://www.waysandmeans.house.gov/>.

Chairman REICHERT. Welcome to today's hearing.

We will start with my opening statement. And the staff has prepared, sort of, some of what I have experienced in my life. They have about two pages of my experience as a sheriff and a detective working with people on the street. I think they were trying to put me in a box to shorten up my statement, so I am going to read from that, because if I don't read from it, I will probably get off into all kinds of different examples and stories and it could take us a while.

I think most people know that before being elected to Congress I spent 32 years working in law enforcement in King County. And I became a sheriff in 1997 and left in January of 2005 to come to Congress. I saw firsthand the tragedies that children face when they are not cared for by loving parents.

It was in the sheriff's office where I first witnessed the horrors of child sex trafficking, and it convinced me that we needed to do more to protect our youth at risk of abuse. And in late summer in 1982, I began a 20-year journey that would focus my attention on this issue like nothing else ever could.

On August 12th of 1982, I was called to investigate the death of a young woman whose body was found in the Green River just south of Seattle in suburban Kent, Washington. Of course, I didn't know then that that was the beginning of 20 years. I thought that I was investigating one murder. Three days later, I received a call about two more bodies being found in the river. And as I was investigating that crime scene, I found a third body on the banks of the river.

Finding these victims began our 2-decade hunt for a man who became known as the Green River Killer, who, once caught, confessed to killing more than 70 young women who had been involved in the sex trade. Of the 48 known victims of the Green River Killer, at least 17 were minors—children who had been abused or neglected, who had run away from home, who had been victimized and ultimately killed.

Ridgway pled guilty to 49 murders and, like he said, probably killed 70 to 80. The sad part about this story is the families who will never see their daughters again, lives lost, of course. People recognize that. But the community didn't see these children, driving from home to work, from work to home. They were invisible. So this issue is not just an abstract problem from a faraway place for me; it is personal.

As chairman, I focused on how we can improve the child welfare system and help children in foster care lead successful lives. One of the most devastating examples of the vulnerability of kids in foster care is when they become victims of sex trafficking. In 2010, officials in Los Angeles reported that 59 percent of juveniles arrested for prostitution were in foster care. Of children reported missing to the National Center for Missing and Exploited Children who were

also likely sex trafficking victims, 60 percent were in foster care or group homes when they ran away.

Research cited by the U.S. Department of Health and Human Services shows the majority of sex trafficked youth experience sexual abuse growing up. Victims of sexual abuse are 28 times more likely to be involved in prostitution than children who have not suffered such abuse.

I think everybody in this room recognizes, and I hope that people across America recognize, we cannot allow this to continue. We owe it to these children to ensure our Nation's foster care system does all it can to protect them so that they can live safe and happy and successful lives. For too many kids in foster care, we are not living up to that promise.

That is why the topic of today's hearing is so critical to me and why I know it is important to each of our witnesses today. And I look forward to hearing from each of the witnesses in both panels.

And now I yield to Mr. Doggett for his opening statement.

Mr. DOGGETT. Thank you so much, Mr. Chairman.

We are aware that nearly 150 years ago our Nation banned all forms of slavery through the passage of the 13th Amendment, but the protection of that promise has eluded too many children who are enslaved, effectively, by really cruel masters. While there is not any one piece of legislation that will stop sex trafficking of children, we can't allow complacency to stop us from doing everything in our power to put a stop to this.

Our first task in this subcommittee, given our jurisdiction, is to ensure the child welfare system doesn't become a pipeline to prostitution. The abuse and neglect that children suffer before coming into foster care already make them prime targets for those who prey on children. A sense of isolation that often comes when children are removed from their homes makes them even more vulnerable. And when children run away from home, the risk grows further still.

Without the protection of the foster care system, abused and neglected children would be even more at the mercy of predators and sex traffickers. But the system needs to become more cognizant of the problem and more forceful in developing strategies to stop it. I note one survey that was conducted by the Los Angeles Probation Department revealing that a majority of the juveniles arrested on prostitution were in the foster care system already, and that ought to set off an alarm for us.

Some policies that generally help foster children, such as better connecting them with relatives and helping them lead more normal lives, are important. This subcommittee has held hearings on these issues, and yesterday we passed bipartisan legislation to better promote the adoption of children in foster care.

I expect that we will hear about the need for increased housing options for the victims of trafficking, improved coordination and collaboration among all the various agencies and programs that come into contact with children, and that we need to ensure that children who are trafficked are not treated like criminals but the victims that they truly are.

In Texas, we have a number of champions who have worked on this. I look forward to hearing from Ashley Harris, who has come

up from Texas with Texans Care for Children and who has worked with State Senator Leticia Van de Putte, State Representative Senfronia Thompson, and other members of our legislature to deal with this problem at the State level.

I particularly look forward to hearing from all of our colleagues on their recommendations for what legislative initiatives we can take and how we can work collaboratively on a bipartisan basis to address this truly serious problem.

And I yield back.

Chairman REICHERT. Thank you, Mr. Doggett.

Without objection, each Member will have the opportunity to submit a written statement and have it included in the record.

I want to remind our witnesses, please, to limit their oral testimony to 5 minutes. However, without objection, all the written testimony will be made a part of the permanent record.

On our first panel this afternoon, we will be hearing from several of our own colleagues, as Mr. Doggett said. And it is sometimes unusual in a subcommittee hearing to have the interest of a number of Members, so it is really an honor to have the four of you here. And we will be hearing from Senator Hatch via a video presentation later on.

So the first panel today is the Honorable Eric Paulsen of Minnesota, who, by the way, was acting chairman of this subcommittee last year; Honorable Louise Slaughter of New York; Honorable Ted Poe of Texas; the Honorable Karen Bass of California; and, as I mentioned, Senator Hatch of Utah will present later.

Mr. Paulsen, you are recognized for 5 minutes.

STATEMENT OF THE HON. ERIK PAULSEN, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF MINNESOTA

Mr. PAULSEN. Well, thank you, Mr. Chairman and Ranking Member Doggett. I want to thank you for holding this hearing today and bringing light to an issue that is all too often ignored.

It is very easy and comfortable to think that sex trafficking happens only outside the United States, but the truth is that the exploitation of our children happens every day all across the country and even in our own backyards.

I recently visited Breaking Free, which is a Minnesota organization run by a survivor of trafficking whose mission is to educate and provide services to women and girls who have been the victims of abuse and commercial sexual exploitation. And while there, I had the opportunity to meet with victims and to hear their stories. Breaking Free has beds that are exclusively used for child trafficking victims. And I was shocked to learn, Mr. Chairman, that these beds are full almost every night and they are looking for additional capacity.

The Department of Justice reports that, between 2008 and 2010, 83 percent of sex trafficking victims found within the United States were U.S. citizens, and the average age of a girl's entry into prostitution or sex trafficking is 12 to 14 years old. That is the seventh grade.

Sadly, the foster care system is rife with opportunities for predators to exploit these young girls. Recently, the Chicago Tribune reported how group facilities are a breeding ground for the recruit-

ment of children into sex trafficking, saying, quote, “Because many girls in foster care feel starved for a sense of family, experts say it is not uncommon for pimps to target group homes and groom girls for prostitution by giving them attention and gifts. They often let the girls think they are dating, and they even used one foster child to recruit others.”

Youth who have been involved in the foster care system are also more likely to become runaways or to become homeless at an early age. Minneapolis Police Sergeant Grant Snyder, who works full-time fighting youth prostitution and trafficking, reports that there is a very strong connection between runaways and homeless youth and sex trafficking victims. He says all of their trafficking victims are a part of that population.

And youth who age out of the foster care system often have little or no income support, limited housing options, and are at a higher risk to end up out on the streets. Youth that live in residential or institutional facilities often become homeless upon discharge.

Sadly, the consequences for these children are dire. Girls who become victims of sex trafficking may face a range of both physical and mental maladies, including reproductive health issues, pain, weight loss, depression, PTSD, anxiety disorders, and suicidal thoughts.

When I talk to experts, over and over again they say there is a general lack of understanding of the problems, and, therefore, the victims aren’t getting the proper services and care they need.

Earlier this week, I actually met with the Ramsey County Attorney in Minnesota John Choi, and he said, “Just like domestic violence decades ago, child sex trafficking is not getting the attention that it needs. There is not a strong awareness of the youth trafficking problem. People don’t know that it is going on, and, therefore, they don’t know what to look for.” He went on to say that, “in order to prevent youths from becoming victims of sex trafficking, we need better information as to what is happening, where, and to whom. We need to identify trends, and then help fill in the gaps.”

That is why earlier this year I introduced bipartisan legislation, along with Representative Slaughter, to help provide reliable data, particularly as it relates to children in the child welfare system. It takes an important first step by requiring that each State’s foster care and adoption assistance plan contains a description of the specific measures taken to provide services to children who are the victims of sex trafficking.

It also requires children welfare agencies to immediately notify the proper authorities when children go missing, either from their homes or from childcare institutions. This information will all go to the FBI, where we can keep a comprehensive database.

And this bill will also classify that these victims, that they are just that, they are victims, not criminals, which they are sometimes labeled today. We need to make sure that the victims are able to come forward without the fear of prosecution and given the proper care and protection, they are not just thrown in jail.

This is an issue that people don’t always like to talk about. And while we read stories about it going on in foreign countries, the reality is it is happening right in our backyards. But by pooling our resources and gathering ideas and intelligence from as many

sources as we can, we can start to fight back and save the lives of these innocent youth. This legislation is a product of ideas from law enforcement and nonprofit organizations that understand the problem, and, also, they know very real what the practical ways are to combat it.

I sincerely appreciate the opportunity to testify, and I commend the committee for bringing attention to this very important topic.

Chairman REICHERT. Thank you, Mr. Paulsen.

[The prepared statement of Mr. Paulsen follows:]

Rep. Paulsen Testimony
Ways and Means Human Resources Subcommittee
October 23, 2013

Chairman Reichert, Ranking Member Doggett; I want to thank you for holding this hearing today and bringing light to an issue that is all too often ignored.

It's easy and comfortable to think that sex trafficking only happens outside of the U.S. But, the truth is the exploitation of our children happens every day all across this country, and even in our own backyards.

I recently visited Breaking Free, a Minnesota organization run by a survivor of trafficking, whose mission is to educate and provide services to women and girls who have been the victims of abuse and commercial sexual exploitation.

While there, I had the opportunity to meet with victims and hear their stories. I also learned that Breaking Free has beds that are exclusively used for child trafficking victims. I was shocked to learn these beds are full almost every night and they are looking for additional capacity.

The Department of Justice reports that between 2008-2010, 83% of sex trafficking victims found within the United States were U.S. citizens, and the average age of a girl's entry into prostitution/sex trafficking is 12 -14 years old.

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He went on to say that in order to prevent youths from becoming victims of sex trafficking, we need better information as to what is happening, where, and to whom. We need to identify trends and help fill in the gaps.

That is why earlier this year I introduced bipartisan legislation along with Rep. Slaughter to help provide reliable data, particularly as it relates to children in the child welfare system.

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It also requires child welfare agencies immediately notify the proper authorities when children go missing – either from their homes or childcare institutions.

This information will go to the FBI where we can keep a comprehensive database.

The bill also will classify these victims as just that – victims – not criminals, which they are sometimes labeled today – we need to make sure that victims are able to come forward without fear of prosecution and given the proper care and protection – not just thrown in jail.

This is an issue that people don't always like to talk about. And while we read stories about it going on in foreign countries, the reality is that it's happening in all of our backyards.

By pooling our resources and gathering ideas and intelligence from as many sources as we can – we can start to fight back and save the lives of these innocent youth.

My legislation is a product of ideas from law enforcement and non-profit organizations that understand the problem, and also know real, practical ways to combat it.

I sincerely appreciate the opportunity to testify – and commend the committee for bringing up this important topic.

Chairman REICHERT. I will just take a moment to point out for people who might be watching C-SPAN and those in the audience, this is one of those few moments where you see some true bipartisanship, so we have Democrats and Republicans here testifying today.

So it is an honor to have you, Ms. Slaughter. You are recognized for 5 minutes.

STATEMENT OF THE HON. LOUISE SLAUGHTER, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF NEW YORK

Ms. SLAUGHTER. Thank you very much, Mr. Chairman. And I am very pleased to be here, delighted to co-sponsor this with Mr. Paulsen—and Congressman Poe and I have worked on similar issues before—and, certainly, to be here with my colleague, Karen Bass. This is a most important issue to all of us, and I thank you for holding this hearing and giving me the opportunity to come to speak.

We have all said so many times and we believe with all our hearts that the children in this country are our most important resource. All of us who are parents and grandparents know the lengths that we would go to to protect our children from harm. And we wish that every child had the opportunity to grow up in a family that loved and protected them, but, unfortunately, that is not the case. As a result, as we are here today, 400,000 children are in the foster care system.

And there have been great improvements in recent years in terms of reducing the numbers of children in foster care and increasing the number of children who find permanent and loving homes. We should acknowledge and be proud of the advancements that have been made, particularly the focus on supporting youth as they age out of the system.

But the fact of the matter is that the majority of foster care parents are loving and supportive individuals who open their hearts and their homes. Foster care parents can rightfully be described as the better angels among us, and they deserve to be recognized for the incredible difference they make in the world every day. But far too many children in the foster care system don't have that benefit.

But even for those incredible champions, protecting young people in foster care from the threats of the outside world is a very big challenge. And statistics tell us that foster children are exceptionally vulnerable to those who seek to exploit children, as Congressman Paulsen has told us.

The National Center for Missing and Exploited Children tells us 60 percent of runaways who are victims of sex trafficking were at one time in the custody of social services or in foster care. In my home State of New York, 85 percent of the trafficking victims have prior child welfare involvement. To say that I am completely appalled and embarrassed by that number is an understatement. While State-specific numbers vary throughout the country, they all tell us that much more needs to be done.

And I am proud to be one of the co-sponsors of H.R. 2744, the Child Sex Trafficking Data and Response Act, sponsored by my colleague, Mr. Paulsen. And this bill, to go over it again—and I know you have heard it, but we can't hear it too much, because this is such an important bill, and it must be addressed if we are going to reduce the incidence of sex trafficking in the United States, which is growing at terrible rates.

First, it identifies and documents children within the welfare system who are victims of sex trafficking. Then it trains the child protective service workers to identify and provide the services needed to victims of sex trafficking; coordinates efforts with State law enforcement, juvenile justice, and social services; and reports the number of children known or suspected to be the victims of trafficking each year.

Now, all of these approaches are good and necessary, but the part of this bill that is of primary importance to me is that the Child Abuse Prevention and Treatment Act will be amended to require that child victims of sex trafficking will now be considered victims of abuses and neglect, making them eligible to receive services within the child welfare system. The idea that a young person rescued from a sex trafficking operation could be considered an offender within the juvenile justice system is shocking to me and to you, as well, I am sure.

These are victims in the strongest sense of the word, the children who have been preyed upon by those who would take advantage of the situation. That fear and the loneliness that comes from being in the foster care system, to use them to their own advantage and profit. Those children deserve help and a chance at healing and wholeness, not a criminal record.

I have worked for many years on issues of domestic violence and sexual assault in the military. In 1994, I drafted the original Violence Against Women Act with my good friend, Former Representative Patricia Schroeder, and in recent years fought to pass numerous protections into law that provide our servicemen and -women with the resources, support, and the agency to seek justice in cases of sexual assault and to successfully prevent cases of sexual assault before they occur.

In the process, I have watched women go from victims to survivors after receiving services that the agencies funded by the legislation on domestic violence have been able to offer. We have watched the incidence of domestic violence fall by 67 percent since the bill was passed. And I believe we will see the same kind of impact from addressing sex trafficking among our foster youth.

The same way millions of victims of domestic violence have been drawn out of the shadows and been given a chance to stand because of the Violence Against Women Act, I believe that this legislation we are talking about today and other ideas being considered before this committee are the path forward for these young people who deserve all the assistance that we can provide.

Thank you very much, Mr. Chairman, Mr. Doggett, Members of the Committee, for your time and your consideration today. Thank you.

Chairman REICHERT. Thank you, Ms. Slaughter, for all your hard work and concern on this issue and the team that you have with you at the witness table.

[The prepared statement of Ms. Slaughter follows:]

Rep. Louise M. Slaughter
Human Resources Subcommittee Testimony
October 23, 2013

Thank you, Chairman Reichert, and the Members of the Human Resources Subcommittee for giving me the opportunity today to testify on this incredibly important issue. We all know and have said many times that children are this country's most precious resources. All of us in this room who are parents know what lengths we would go to in order to protect our own children from harm.

We wish that every child had the opportunity to grow up in a family that loved and protected them, but unfortunately that is not the case. As a result, about 400,000 children are in the foster care system as we speak. There have been great improvements in recent years in terms of reducing the numbers of children in foster care, reducing the length of stay for a child in foster care and increasing the number of children who find permanent and loving homes. We should acknowledge and be proud of the advancements that have been made, particularly the focus on supporting youth as they age out of the system.

The fact of the matter is that a majority of foster care parents are loving and supportive individuals who open their hearts and their homes. These foster care parents could rightfully be described as the better angels among us- and deserve to be recognized for the incredible difference they make in the world every day.

Yet even for these incredible champions, protecting young people in foster care from the threats of the outside world is a big challenge. And statistics tell us that foster children are exceptionally vulnerable to those who seek to exploit children.

The National Center for Missing and Exploited Children tells us that 60% of runaways who are victims of sex trafficking were at one time in the custody of social services or in foster care. In my home state of New York, 85% of trafficking victims have prior child welfare involvement. While state-specific numbers vary throughout the country, they all tell us that something more needs to be done.

I am proud to be the original cosponsor of HR 2744, the Child Sex Trafficking Data and Response Act, sponsored by my colleague Erik Paulsen. This bill addresses a number of important issues that must be addressed if we are to reduce the incidences of sex trafficking in the United States.

Among other things, the legislation:

- Identifies and documents children within the child welfare system who are victims of sex trafficking;
- Trains child protective services workers to identify and provide services to victims of sex trafficking;
- Coordinates efforts with state law enforcement, juvenile justice and social services; and

- Reports the number of children known or suspected to be victims of trafficking each year.

All of these approaches are good and necessary, but the part of this bill that is of primary importance to me is that the Child Abuse Prevention and Treatment Act will be amended to require that child victims of sex trafficking will now be considered victims of abuse and neglect, making them eligible to receive services within the child welfare system.

The idea that a young person rescued from a sex trafficking operation could be considered an offender within the juvenile justice system was shocking to me. These are victims in the strongest sense of the word – children who have been preyed upon by those who would take advantage of their situation, the fear and loneliness that comes from being in the foster care system, to use them to their own advantage. They deserve help, a chance at healing and wholeness, not a criminal record.

I have worked for many years on issues of domestic violence and sexual assault in the military. In 1994, I drafted the original Violence Against Women Act with my good friend Pat Schroeder. And in recent years I've fought to pass numerous protections into law that have provided our servicemen and women with resources, support and the agency to seek justice in cases of sexual assault and successfully prevent cases of sexual assault before they occur.

In the process, I've watched women go from victims to survivors after receiving the services that the agencies funded by legislation have been able to offer. We've watched the incidence of domestic violence fall by 67% since 1994 when VAWA first passed. I believe we can see the same kind of impact from addressing sex trafficking among our foster youth.

The same way millions of victims of domestic violence have been drawn out of the shadows and been given a place to stand because of VAWA, I believe this legislation and other ideas being considered before this committee today are the path forward for these precious young people who deserve all of the assistance we can provide.

Thank you for your time and your consideration today.

Chairman REICHERT. Mr. Poe, who I call "Judge" and he calls me "Sheriff," he has done a lot of work in this area, and I am so pleased to have the Judge here.

Judge, you are recognized for 5 minutes.

**STATEMENT OF THE HON. TED POE, A REPRESENTATIVE IN
CONGRESS FROM THE STATE OF TEXAS**

Mr. POE. Thank you, Chairman Reichert, Ranking Member Doggett, for inviting me to testify on this important issue.

As you have mentioned, in my former life, I spent 22 years at the criminal courthouse in Houston and 8 years before that as a prosecutor. That is where I first heard about you, Sheriff. And the whole country appreciates your relentless work on the Green River murders even to this day.

Child abusers, sex predators are the worst criminals in our society. Too often, the justice system unfortunately ignores the victim of this crime.

When I first came to Congress, Congressman Jim Costa and I founded the Victims' Rights Caucus. The VRC is currently focused on combatting human trafficking. This topic is particularly of interest to me because my hometown of Houston, Texas, is unfortunately a hub of this despicable crime of human trafficking.

Many are not aware that modern-day slavery occurs right here in the United States, as Ranking Member Doggett has mentioned. The problem is very real, especially among vulnerable youth in the child welfare system.

This is Anna's story, which was given to me by Shared Hope International. After Anna's family passed away, she was placed in foster care at the age of 3. She was shuffled from home to home until the age of 12, when she was finally adopted by a family.

Anna began hanging out at the wrong place, a corner store, and her family, of course, did not know that she was there. She met a person who she thought she could trust. Little did she know the person she met at the corner store was not a friend at all. One day, she got into a fight with her parents and she called the one friend that she thought she had, who picked her up. She didn't know that this call would change her life forever.

This individual was actually a sex trafficker. He was violent. He beat Anna. He sold her body. The emotional, physical, and sexual abuse continued for a long time. He threatened to kill her family if she ever called the police. He also told her that if the police ever found her they would arrest her. And that is exactly what happened. She was arrested and charged with prostitution. She was treated as a criminal. But she was a victim of crime.

Anna became convinced her family didn't want her any longer, and she felt helpless and scared. This is a typical situation, unfortunately, for girls like this.

After 4 years of this abuse, she escaped and was reunited with her family. And through strength and resilient spirit and with the help of her mother, Anna vowed to make a difference one victim at a time. Now she runs a ministry for sex trafficking survivors and runs an outreach program for at-risk youth.

Unfortunately, Anna's story is not that unique in this country. The scars from the foster care system stayed with her and made her vulnerable to trafficking. Many foster youth have experienced neglect, physical, emotional, and even sexual abuse. These factors make the children more susceptible to trafficking.

And the child welfare system has many problems, and one major challenge is not only to put a roof over the child's head but to in-

still some values like self-worth into all of these children. We must remember that child sex predators, when they commit these crimes against our youth, are trying to steal the soul of the victim when they commit sexual assault.

I will soon introduce the Justice for Victims of Trafficking Act, along with Congresswoman Maloney from New York. The companion bill will be also offered in the Senate by Senators Cornyn and Wyden. This bill will create a grant program to help State and local governments develop and implement comprehensive victim-centered programs.

It creates a Domestic Trafficking Victims' Fund at the Treasury, financed through the fines on persons convicted of human trafficking and child exploitation, which can be used to fund support programs for victims. Criminals, Sheriff, will literally pay for the crime and the system that they have created. Included in this bill are a number of other provisions to ensure victims receive justice and traffickers and buyers are prosecuted.

Mr. Chairman, across this country we have 5,000 shelters for animals. I have gotten one of my three dalmatians from an animal shelter. I love those places. But in the whole country, according to Shared Hope International, there are only 226 beds for minor sex trafficking victims. We can do a lot better.

The Justice for Victims Act that I introduced—and I have already introduced the End Sex Trafficking Act. This bill will help combat human trafficking by targeting criminals who purchase sexual acts and ensuring they are prosecuted just like the trafficker. The bill goes after the so-called anonymous buyer of sex trafficking. It targets the demand to stop the sale of our children. The days of boys being boys in this country are over when it comes to exploitation of our children, and the long arm of the law needs to go after these consumers.

I commend you for holding this hearing today. And that is just the way it is.

Chairman REICHERT. Now you know why we call him "Judge."

Thank you, Mr. Poe.

[The prepared statement of Mr. Poe follows:]

Rep. Ted Poe (TX-02) Testimony
Preventing and Addressing Sex Trafficking of Youth in Foster Care
Subcommittee on Human Resources of the Committee on Ways and Means

Thank you Chairman Reichert and Ranking Member Doggett for inviting me today to testify on this important issue.

In my former life, I was a criminal court judge for 22 years and spent 8 years as a prosecutor. I saw the worst of the worst in the courthouse and saw that our justice system too often focused on the criminal and not the victim. When I came to Washington, I wanted to give victims a voice, so I cofounded the Congressional Victims' Rights Caucus (VRC) with Congressman Jim Costa (D-CA).

The VRC has helped pass important legislation for crime victims over the years. Now, we are focused on combating human trafficking. This topic is of particular interest to me because my hometown of Houston, Texas is unfortunately a hub for this despicable crime. Most people are not aware that modern day slavery occurs right here in the United States. Many people think this is a myth, not a fact and that it couldn't happen here. But the problem is very real, especially amongst vulnerable youth in the child welfare system.

Let me tell you the story of Anna, a survivor who was brave enough to tell her story, which I heard from Shared Hope International. After Anna's family passed away, she was placed in the foster care system at the age of three. She was shuffled from home to home until age 12 when she was finally adopted by a loving family. As a typical pre-teen, she did not like her family's rules. She hung out at the corner store where she could break the rules and eat junk food without her family knowing. There, she made a friend whom she thought she could trust. Little did she know that the "friend" she met at the corner store was not actually a friend at all.

One day, when she got into a fight with her parents, as teenagers do, she called her "friend" from the store, who promptly picked her up. Anna didn't know that this call would change her life forever. Her "friend" was actually a trafficker. He was violent. He beat her and sold her body. She feared running away or putting up a fight because he threatened her family's lives. So she stayed. And the emotional, physical and sexual abuse continued. Anna became convinced that her family no longer wanted her. She felt helpless and scared.

After almost four years of this unspeakable abuse, Anna eventually escaped and was reunited with her family. Through strength, a resilient spirit, and with the help of her mother, Anna vowed to make a difference one victim at a time. She now has a ministry for sex trafficking survivors and runs an outreach program for at-risk youth.

Unfortunately, Anna's story is not unique. The scars from the foster care system stayed with her and made her vulnerable to trafficking. Many foster youth have experienced neglect, physical, emotional, and/or sexual abuse. These factors make children more susceptible to trafficking. The child welfare system has tremendous challenges and one major challenge is to not only put a roof over a child's head, but to instill values – like self-worth – in each child. And, it must educate its staff and families to identify child trafficking victims.

I will soon introduce the Justice for Victims of Trafficking Act with Congresswoman Maloney. The companion will be offered by Senator Cornyn and Senator Wyden. This bill, amongst various other provisions, will create a grant program to help State and local governments develop and implement comprehensive victim-centered programs, including collaborative efforts with child welfare agencies. In addition, the bill creates a "Domestic Trafficking Victims' Fund" at the Treasury, financed through fines on persons convicted of human trafficking and child exploitation crimes, which the Attorney General can use to fund support programs for victims of human trafficking. Included in the bill are number of other provisions to ensure victims receive justice and traffickers and buyers are prosecuted to the fullest.

The Justice for Victims of Trafficking Act builds upon the End Sex Trafficking Act, which I introduced earlier this year. In Economics 101, we all learned that the key to a successful business is demand. The bill will help combat human trafficking by targeting the criminals who purchase sexual acts and ensuring they are prosecuted as human traffickers. The human trafficking "business" is no different. In order to eliminate it, we must target and penalize the buyers, the sick individuals who buy young women. They are criminals and they must be treated as such.

The engagement of the child welfare system is critical in curbing this crime and ensuring victims are identified and directed to restorative services. I commend you for holding this hearing today. It is important for Congress to examine and help our children in the child welfare and foster care system. With all of the challenges that they face, we must help ensure that they are not falsely led into a dangerous, vicious human trafficking ring. Unless we talk about this issue and fight against this crime, it will never end.

And that's just the way it is.

Chairman REICHERT. Ms. Bass has been passionate on this issue. She and I have had a number of discussions and have attended some events together and speaking out.

And really appreciate your presence here. You are recognized for 5 minutes, Ms. Bass.

**STATEMENT OF THE HON. KAREN BASS, A REPRESENTATIVE
IN CONGRESS FROM THE STATE OF CALIFORNIA**

Ms. BASS. Well, thank you. Thank you very much for holding this hearing, Chairman Reichert and Ranking Member Doggett, for providing me the opportunity to testify today, but also your leader-

ship today as well as yesterday on the bill that we passed on a bipartisan basis yesterday on the floor. As the co-chair of the Congressional Caucus on Foster Youth, I am very appreciative of your ongoing commitment to improving outcomes for foster youth and families.

As I have traveled throughout the country as part of the Foster Youth Caucus National Listening Tour, it has been devastating to hear the children involved in the child welfare system, particularly those that experience multiple placements, are especially susceptible to coercion and manipulation by traffickers.

In Los Angeles, there is a specialized collaborative courthouse. This court is designed to serve commercially exploited youth, and they report that 80 percent of the girls have been previously involved in the child welfare system. Increasingly, in the Los Angeles area and other large cities, gangs are engaging in commercial sexual exploitation, too, selling girls in addition to drugs and guns.

It is clear we need a comprehensive approach to prevent the victimization of our children. Child welfare and law enforcement must work together in a coordinated fashion to meet the needs of young survivors and prevent the exploitation of others.

Unfortunately, the child welfare system as a whole has not truly recognized trafficking as a crisis within the foster care population, and they haven't incorporated protocols and systems to address the problem.

I had an experience in Los Angeles where I was talking to a child welfare director and I asked him about the problem of sex trafficking in the area around the office. He told me it didn't exist. The day before, I had been with the FBI, and they said that the area right around that neighborhood was one of the most—one of the most trafficked areas. And so the child welfare agency wasn't even aware of it.

To address the gaps, I have introduced H.R. 1732, the Strengthening Child Welfare Response to Trafficking Act, along with my colleague and co-chair of the Congressional Caucus on Foster Youth, Representative Tom Marino.

Primarily, the bill would help establish local plans to combat trafficking, as well as ensuring national data collection in several important ways. The bill requires child welfare agencies to report missing, abducted, or trafficked youth to law enforcement within 72 hours for entry into the National Crime Information Center database. Oftentimes, these children are just viewed as runaways.

The bill amends the Child Abuse Protection and Treatment Act to ensure that States develop comprehensive multi-agency plans to identify and provide services to all victims of trafficking. This would be inclusive of foster youth as well as other youth who might be commercially exploited.

In addition to local planning and data collection, the bill directs the Department of Health and Human Services to submit a report to Congress that outlines the prevalence and trends of trafficking amongst child welfare youth, both State by State and nationwide; develops a proposal to collect annual data from State agencies; and proposes an ongoing method of supporting and monitoring efforts of local child welfare agencies to prevent trafficking and serve victims.

Finally, the Strengthening Child Welfare Response to Trafficking Act directs the Department of Health and Human Services to develop and publish guidelines to assist child welfare agencies in serving youth who are victims of trafficking and preventing the exploitation of youth at risk from becoming victims. Although HHS recently released guidance to child welfare agencies on this topic, there is room for additional resources and specific tools. As outlined in the bill, the guidelines would provide example training materials and screening tools, service delivery strategies, protocols for effective cross-system collaboration, best practices related to residential placement, recommendations for documentation and data collection.

Something else that needs to be addressed on a State level are girls who have been involved in the system, who have criminal records, and have turned their life around, and now they need to have those records expunged, because we understand, moving forward, these girls should have never been arrested for soliciting to begin with.

In conclusion, we cannot continue to fail our Nation's children. As Federal legislators, we have a tremendous opportunity to ensure that local plans to prevent exploitation are in place as well as collect the necessary national data to inform future Federal strategies. While many of the social services needed to properly serve trafficked youth may require a monetary investment, these first steps do not require additional Federal funding.

It has been encouraging to see momentum on this issue throughout the 3 years I have served in Congress, and I look forward to continuing working with my colleagues.

Thank you very much.

Chairman REICHERT. Thank you, Ms. Bass, for your testimony. [The prepared statement of Ms. Bass follows:]

Representative Karen Bass Testimony
“Preventing and Addressing Sex Trafficking of Youth in Foster Care”

October 23, 2013

Acknowledgements

Good afternoon. Thank you, Chairman Reichert and Ranking Member Doggett for providing me the opportunity to testify today.

As the Co-Chair of the Congressional Caucus on Foster Youth, I am very appreciative of your ongoing commitment to improving outcomes for foster youth and families.

Intersection Between of Foster Youth and Trafficking Victims

As I’ve traveled throughout the country as part of the Foster Youth Caucus National Listening Tour, it has been devastating to hear that children involved in the child welfare system — particularly those who experience multiple placements — are especially susceptible to coercion and manipulation by traffickers.

In my hometown of Los Angeles, the Probation Department reports that hundreds of youth have been identified as victims of domestic minor sex trafficking victims since 2010. Of these victims, a total 61% have been identified as foster youth. Furthermore, the Los Angeles STAR court, the specialized collaborative courthouse designed to serve commercially exploited youth, reports that 80% of these girls have been previously involved in the child welfare system. And reports from New York, Connecticut, and Florida have shown similar trends.

Additionally, recent headlines indicate that pimps are now targeting foster youth group homes as hubs to recruit vulnerable girls. And increasingly, gangs are engaging in commercial sexual exploitation too, selling girls in addition to drugs and guns.

Seeking a Solution

It is clear that we need a comprehensive approach to prevent the victimization of our children. Child welfare and law enforcement must work together in a coordinated fashion to meet the needs of young survivors and prevent the exploitation of others.

Unfortunately, the child welfare system as a whole has not truly recognized trafficking as a crisis within the foster care population nor incorporated protocols and systems to address the problem. Few child welfare employees have been adequately trained and prepared to identify or respond to child victims of trafficking. Fewer still have incorporated policies, protocols, and case management techniques to serve this population appropriately. Further, child welfare agencies are not documenting the prevalence of trafficking within the foster care population. Therefore, the scope of the challenge nationwide is unknown.

Legislation: Strengthening Child Welfare Response to Trafficking Act

To address these gaps, I have introduced H.R. 1732, the Strengthening Child Welfare Response to Trafficking Act, along with my colleague and Co-Chair of the Congressional Caucus on Foster Youth, Representative Tom Marino.

Primarily, our bill would help establish local plans to combat trafficking as well as and ensure nationwide data collection in three important ways:

- First, by amending Title IVE Foster Care and Adoption State plan requirements, child welfare agencies would identify and document each foster youth victim of trafficking as well as specify whether the child is a victim of sex or labor trafficking.
- Second, the bill requires child welfare agencies to report missing, abducted, or trafficked youth to law enforcement within 72 hours for entry into the National Crime Information Center database. This will encourage child welfare and law enforcement collaboration to prevent trafficking of vulnerable youth.
- Third, the bill amends the Child Abuse Protection and Treatment Act (CAPTA), to ensure that States develop comprehensive, multi-agency plans to identify and provide services to all victims of trafficking -- this would be inclusive foster youth as well as other youth who may be commercially exploited. These amendments would also require States to document the number of trafficking victims identified in the National Child Abuse and Neglect Data System (NCANDS).

In addition to local planning and data collection, the bill also directs the Department of Health and Human Services to submit a report to Congress that:

- Outlines the prevalence and trends of trafficking among child welfare youth, both state-by-state and nationwide;
- Develops a proposal to collect annual data from State agencies; and
- Proposes an ongoing method of supporting and monitoring efforts of local child welfare agencies to prevent trafficking and serve victims.

Finally, the Strengthening Child Welfare Response to Trafficking Act directs the Department of Health and Human Services (HHS) to develop and publish guidelines to assist child welfare agencies in serving youth who are victims of trafficking and prevent exploitation of youth at-risk of becoming victims. Although HHS recently released guidance to child welfare agencies on this topic, there is room for additional resources and specific tools. As outlined in the bill, the guidelines would provide:

- Example training materials and screening tools
- Service delivery strategies
- Protocols for effective, cross-system collaboration
- Best practices related to residential placements
- Recommendations for documentation and data collection

Conclusion

In conclusion, we cannot continue to fail our nation's children. As federal legislators, we have a tremendous opportunity to ensure that local plans to prevent exploitation are in place as well as collect the necessary national data to inform future federal strategies. While many of the social services needed to properly serve trafficked youth may require a monetary investment, these first steps do not require additional federal funding.

It has been encouraging to see great momentum on this issue throughout the three years that I have served in Congress. I look forward to working with my colleagues in a bipartisan fashion to move legislation that will prevent exploitation and protect our foster youth from trafficking. This hearing is a great step in the right direction. Thank you.

4

Chairman REICHERT. And I know that, as I said earlier, Senator Hatch wanted to be here today to testify. He is the author of legislation that also seeks to prevent trafficking of youth in foster care. So we asked him to testify. He couldn't be here, but he provided a video for us. So, next, we will watch Senator Hatch's testimony.

But before we begin the video, if our member panel wants to leave—I know everyone has a busy schedule. You are free to leave, or you can stay and listen to the Senator's testimony.

And any of the members on the panel here who have questions, we will just—we will meet you on the floor or we will send them to your office. Is that all right?

Ms. SLAUGHTER. Indeed.

Mr. POE. Yes.

Chairman REICHERT. Okay.

Ms. SLAUGHTER. Thank you.

Chairman REICHERT. Thank you for being here today.
Ms. SLAUGHTER. Pleasure.

**STATEMENT OF THE HON. ORRIN G. HATCH, A SENATOR FROM
THE STATE OF UTAH**

[Video begins.]

Senator HATCH. Chairman Reichert, Ranking Member Doggett, and Members of the Subcommittee on Human Resources, thank you for holding this important hearing on preventing and addressing sex trafficking of youth in foster care. I am pleased to have the opportunity to tell your committee about legislation that I have introduced in the Senate.

Mr. Chairman and Ranking Member, as you know, there is an epidemic of abuse taking place in America today. Recent reports estimate that hundreds of thousands of children and youth are at risk for domestic sex trafficking.

The risk of sex trafficking is compounded every year for up to 30,000 young people who are, quote, “emancipated,” unquote, from foster care. Too many of these emancipated youth turn 18, pack their few belongings in a trash bag, and are driven to homeless shelters, leaving them vulnerable and exposed to traffickers and other predators.

While in foster care, children and youth are also at increased risk for trafficking. In order to combat domestic sex trafficking and improve outcomes for children and youth in foster care, systemic changes need to be made in the current child welfare system.

The legislation I have introduced in the Senate, the Improving Outcomes for Youth At Risk for Sex Trafficking, otherwise known as IO Youth, addresses some of the endemic and widespread conditions in the child welfare and foster care systems that make children and youth particularly vulnerable to being sexually trafficked. I would like to describe the highlights of the legislation for the subcommittee.

Mr. Chairman, I am sure many Americans would be surprised to learn that most child welfare agencies will not serve trafficked children and youth who are not in the custody of the biological or foster family or living in a group home. Often, these children, who are not legally able to give consent for sex, are arrested for prostitution and referred to the juvenile justice system. And in many States, the courts and the juvenile justice system are ill-equipped to deal with the trauma these children and youth have endured.

My bill requires States to provide services to youth who may have been trafficked or are at the risk of being trafficked. It also redirects Social Services Block Grant funds to improve the current court system to better identify and address the needs of trafficked youth.

My bill includes a number of provisions to encourage, enhance, and support youth in foster care to allow them to participate in age-appropriate activities and social events. I hope these provisions will promote healthy development, increase opportunities for foster children to form meaningful connections, and reduce the risk of vulnerability to domestic sex trafficking and other negative outcomes.

Another major risk factor for vulnerability to domestic sex trafficking for older youth in the child welfare system is a continued reliance on congregate care facilities, sometimes referred to as group homes. These facilities are routinely targeted by traffickers and are often warehouses for youth who are rarely, if ever, allowed to engage in healthy social activities.

My legislation refocuses Federal priorities on connecting vulnerable youth with caring, permanent families and limits Federal reimbursement for very young children and, after a certain duration, for older youth. For those remaining in congregate care, those kind of facilities, the bill requires that youth have improved access to normal, age-appropriate activities.

Many youth in foster care report that they might not have gone into foster care in the first place had preventative services been available to their biological family, which could have kept them safely at home. IO Youth responds to the need for preventive services, such as mental health and substance abuse treatment for fragile families, by redirecting funds from the Social Services Block Grant to address this need as well as to enhance and improve child welfare systems.

Youth in foster care routinely report that they feel uninvolved, unaware, and disconnected to any planning around their care or future. They are not informed of their rights while in foster care. This can lead to a sense of disenfranchisement and a lack of connection to siblings, relatives, or other caring adults. In many cases, this lack of connection contributes to the void so often preyed on by traffickers.

My bill requires that State child welfare agencies provide ongoing family funding for older youth in foster care as well as greater participation of youth in planning for their future. We want to find those families for them. It also encourages States to find individuals willing to be involved on an ongoing basis with the youth in foster care.

Individuals who work with victims of domestic sex trafficking tell us that the single biggest challenge to successful intervention with these victims is a lack of accessible and affordable housing. For older youth who have been emancipated from foster care, not having a place to sleep is often a reason why they enter the sex trade. In order to improve housing options for these at-risk youth, my bill redirects funds from the Social Services Block Grant in order to provide housing to trafficked and other vulnerable youth.

Chairman Reichert and Ranking Member Doggett, thanks a lot. And thanks again for the opportunity to share highlights of my legislation. I look forward to working with you and other Members of the Subcommittee as we move forward to prevent and address domestic sex trafficking.

[Video ends.]

[The prepared statement of Senator Hatch follows:]

Senator Orrin G. Hatch
Testimony before the Subcommittee on Human Resources of the Committee on Ways and Means
“Preventing and Addressing Sex Trafficking of Youth in Foster Care”
October 23, 2013

Chairman Reichert, Ranking Member Doggett and Members of the Subcommittee on Human Resources, thank you for holding this important hearing on preventing and addressing sex trafficking of youth in foster care.

I am pleased to have the opportunity to tell your committee about legislation I have introduced in the Senate.

Mr. Chairman, as you know, there is an epidemic of abuse taking place in America today. Recent reports estimate that hundreds of thousands of children and youth are at risk for domestic sex trafficking.

The risk of sex trafficking is compounded every year for up to 30,000 young people who are “emancipated” from foster care. Too many of these emancipated youth turn 18, pack their few belongings in a trash bag, and are driven to homeless shelters, leaving them vulnerable and exposed to traffickers and other predators.

While in foster care, children and youth are also at increased risk for trafficking.

In July of this year, the FBI’s Innocence Lost Initiative, which combats domestic sex trafficking of minors, launched Operation Cross Country, a three-day effort to recover child victims of sex trafficking. All told, the operation recovered 105 children and arrested 152 traffickers.

Operation Cross Country also revealed a disturbing aspect of our nation’s child welfare and foster care systems. According to some reports, up to 60 percent of sexually exploited children are recruited out of the child welfare and foster care systems.

That being the case, in order to combat domestic sex trafficking and improve outcomes for children and youth in foster care, systemic changes need to be made in the current child welfare system.

The legislation I have introduced in the Senate, the Improving Outcomes for Youth At Risk for Sex Trafficking, otherwise known as I O Youth, addresses some of the endemic and widespread conditions in the child welfare and foster care systems that make children and youth particularly vulnerable to being sexually trafficked.

I’d like to describe the highlights of the legislation for the subcommittee,

Mr. Chairman, I’m sure many Americans would be surprised to learn that most child welfare agencies will not serve trafficked children and youth who are not in the custody of a biological or foster family or living in a group home. Often these children, who are not legally able to give consent for sex, are arrested for prostitution and referred to the juvenile justice system.

And, in many states, the courts and the juvenile justice system are ill-equipped to deal with the trauma these children and youth have endured.

My bill requires states provide services to youth who have been trafficked or are at risk of being trafficked. It also redirects Social Services Block Grant funds to improve the current court system to better identify and address the needs of trafficked youth.

Mr. Chairman, in May, your subcommittee held an important hearing, titled, Letting Kids Be Kids: Balancing Safety with Opportunity for Foster Youth. That hearing featured testimony describing how many youth in foster care are routinely denied the opportunity to participate in normal age-appropriate activities and social events such as: playing sports, participating in after-school activities, and enjoying a social life with friends.

As we learned from your hearing, this lack of contact and engagement in healthy and meaningful activities deprives young people of important social connections. Preventing youth from having normal experiences impairs their healthy development and contributes to isolation and loneliness, which, in turn, makes them vulnerable to negative outcomes like domestic sex trafficking, homelessness, drug abuse, poverty, and poor educational outcomes.

My bill includes a number of provisions to encourage, enhance, and support youth in foster care to allow them to participate in age-appropriate activities and social events. I hope these provisions will promote healthy development, increase opportunities for foster children to form meaningful connections, and reduce the risk of vulnerability to domestic sex trafficking and other negative outcomes.

Another major risk factor for vulnerability to domestic sex trafficking for older youth in the child welfare system is a continued reliance on congregate care facilities, sometimes referred to as group homes.

These facilities are routinely targeted by traffickers, and are often warehouses for youth who are rarely, if ever, allowed to engage in healthy social activities.

My legislation refocuses federal priorities on connecting vulnerable youth with caring, permanent families and limits federal reimbursement for very young children and, after a certain duration, for older youth.

For those remaining in congregate care facilities, the bill requires that youth have improved access to normal, age-appropriate activities.

Many youth in foster care report that they might not have gone into foster care in the first place had preventative services been available to their biological family which could have kept them safely at home.

I O Youth responds to the need for preventative services such as mental health and substance abuse treatment for fragile families by redirecting funds from the Social Services Block Grant to address this need as well to enhance and improve child welfare systems.

Youth in foster care routinely report that they feel uninvolved, unaware, and disconnected to any planning around their care or future. They are not informed of their rights while in foster care. This can lead to a sense of disenfranchisement and a lack of connection to siblings, relatives or other caring adults. In many cases this lack of connection contributes to the void so often preyed on by traffickers.

My bill requires that state child welfare agencies provide ongoing family finding for older youth in foster care as well as greater participation of youth in planning for their future. It also encourages states to find individuals willing to be involved on an ongoing basis with the youth in foster care.

Individuals who work with victims of domestic sex trafficking tell us that the single biggest challenge to successful intervention with these victims is a lack of accessible and affordable housing. For older youth who have been emancipated from foster care, not having a place to sleep is often a reason why they enter the sex trade.

In order to improve housing options for these at-risk youth, my bill redirects funds from the Social Services Block Grant in order to provide housing to trafficked and other vulnerable youth.

I am pleased to report that a number of organizations and advocacy groups already support I O Youth. I am particularly gratified that organizations that work directly with young people have come out so strongly in support of my legislation.

I have received letters of support from: Foster Club, Children's Home Society of America, the National Network for Youth, the National Center for Housing and Child Welfare, Covenant House International, Rights 4 Girls, the Children's Village, and the International Center for Missing and Exploited Children.

Chairman Reichert and Ranking Member Doggett, thank you again for the opportunity to share highlights of my legislation. I look forward to working with you and other members of the subcommittee as we move forward to prevent and address domestic sex trafficking.

Chairman REICHERT. Well, again, if any Members have questions for Senator Hatch or any of the other colleagues that have testified today, you are free to submit them in writing.

And now we will move on to our second panel, if they would please take their seats.

Well, welcome. Happy to see you all here today.

On our second panel this afternoon, we will be hearing from—and I am going to call her “T.” because she said I could do that, and as well as all the other Members. We can call her “T.” She goes by T. Ortiz Walker Pettigrew, and she is a board member, Human Rights Project for Girls.

Welcome.

Mr. John Ryan, CEO, National Center for Missing and Exploited Children.

Thank you for being here.

The Honorable Bobbe J. Bridge, President, CEO, and Founder, Center for Children and Youth Justice.

Thank you, Judge.

Ms. Melinda Giovengo, Ph.D., Executive Director, YouthCare.

Thank you.

And Ms. Ashley Harris, Child Welfare Policy Associate, Texans Care for Children.

Thank you all for being here.

T., you have 5 minutes or a little more if you want to.

**STATEMENT OF WITHELMA “T.” ORTIZ WALKER PETTIGREW,
BOARD MEMBER, HUMAN RIGHTS PROJECT FOR GIRLS**

Ms. PETTIGREW. Thank you so much, Mr. Chairman. I want to say thank you to you, the Members of the Committee, and the Human Rights Project for Girls for the invitation to be here today.

A little bit about myself: My name is Withelma TiOra Ortiz Walker Pettigrew, but, yes, you can call me “T.” I am now 24 years of age, and I am currently a student here in Washington, D.C., at Trinity Washington University.

Previous to being a student, I was a youth who grew up in foster care for pretty much the first 18 years of my life. Throughout that time, from the ages of 10 to 17, I was a victim of sexual exploitation and trafficking here, domestically, in the United States

throughout the States of California, Nevada, Oregon, and, of course, your State, Washington.

I am here to tell you why I and other youth in foster care are rendered more vulnerable to be sexually trafficked. So, first of all, we accept and normalize being used as an object for financial gain. We also experience various people who control and come in and out of our lives. We lack opportunities to gain meaningful relationships and positive attachments. And the traffickers, exploiters, and pimps—I use this term interchangeably in my testimony, as they all mean the same thing—have no fear of punishment due to the lack of attention when young people from this population go missing. In addition, the life instability makes it easier for exploiters to hide their involvement, which continues to perpetuate the foster youth population’s vulnerability.

So how do we accept and normalize being used as an object for financial gain? As we all know, there is money provided to caregivers by the agencies to provide and serve the youth. Often, this money is used by caregivers for their personal use or the use of their families or biological children. And, currently, from my knowledge, there is no system set up to guarantee that the money is actually being utilized for the child that is within the placement.

So, oftentimes, what happens is the foster parent will say something the sorts of, you know, “I don’t really care what you do. It is not my worry. As long as, you know, you don’t die, you know, I am going to continue to get my paycheck.” So this nothing-but-a-paycheck ideology really puts the youth in a compromising situation in regards to how they are supposed to feel.

And so what we began to do as the youth in care is normalize and accept that our purpose is of being a financial benefit of others. And so, because of this, it makes it harder for a youth and even for myself in my story to have seen the difference in bringing in finances into the foster home or of bringing money to an exploiter and their stable.

So foster care normalizes that other people are supposed to control our lives and circumstances. Multiple roles, such as public defenders and social workers, come in and fluctuate in and out of youths’ lives, most of whom are strangers to them. These are the people who dictate what happens in their lives—where they live, what school they go to, and what decisions will be made for them socially. Foster care creates an ever-changing environment of youth having to adapt to strangers making life decisions, and this is conducive to the parallel process of exploiters who seek to keep control of a youth’s life.

We also lack opportunities to gain meaningful relationships and positive attachments. How this plays out for others and for myself, opportunities to build these skills, such as problem-solving or for what it means to reconcile after an argument, are denied, and instead we are just moved to another placement. For myself, as unfortunate as it is to say, due to the over 14-plus placements I have endured, the most consistent relationship that I ever had while in care was that of my pimp and his family.

Like me and many other youth in care, we become accustomed to being isolated, much like the victims of domestic violence. By adapting to multiple moves from home to home, this allows us to

easily adapt to when traffickers move us multiple times from hotel to hotel, city to city, and/or State to State.

And these exploiters go without fear of punishment due to the lack of attention when young people from this population go missing. No one looks for us. I really want to make this clear: No one looks for us. No one keeps us on their radar. The system just makes no effort. There are no AMBER alerts, no posters when youths from the foster care system go missing. And, oftentimes, group homes will avoid reporting youth missing due to interrupting payment.

And, oftentimes, from the system, it is always assumed that we have willingly run away. Many times, that is not the case. Many times, we are kidnapped or other circumstances. This the exploiters use to their advantage. The life instability of foster care makes it easier for exploiters to hide their involvement, which continues to perpetuate our population's vulnerability.

I believe child welfare agencies should be working with local programs which support and provide resources to youth who have been sexually exploited to enhance their responses with working with these youth to transition into a healthier lifestyle. They also can learn ways to identify these youth. For myself in care, there was many times that I had many absences and people knew I was absent, but those were red flags that should have been paid attention to.

Child welfare agencies also need to figure out ways to make these children visible when they go missing. I am pretty sure that there are many people in society that would be willing to help, but they are not aware that these children are missing and that somebody cares about what has happened to them.

You should also be provided trauma-informed counsel and care at all times. This means that the agencies should be actively working to gain and maintain these resources to do so. And, in addition, I believe cell-phone hotlines or other ways to respond and interact with these youth when they reach out should be developed.

These youth also need to be actively involved in the decision-making process of their life and their circumstances. I feel that in California they have meetings called TDMs, which is team decision-making meetings. And New York also has something along the same processes called family team conferences. These are great examples of youth involvement, as they have the youth and their families come together—and this is families both biological and created—come together to make decisions about placement choices and things of that sort.

You should have a constant ally throughout their time in care, as it is a great resource that some agencies do work with mentorship programs. Oftentimes, the mentoring goes uncontinued if the youth is not in placement. So I believe that these youths should be provided a constant ally throughout their time in care, and this person should be available whether or not the youth is currently in placement. This also helps in regards to when the youth are on the streets or in the process of being exploited.

And, lastly, we need to ensure that these conversations are actually followed with Federal actions from the input received here today.

In addition to all that I have stated here, I also serve on the National Foster Care Youth and Alumni Policy Council, and we have also been actively working to provide recommendations to address this issue amongst this population.

So I want to say thank you again, Chairman, Members of the Committee, and the Human Rights Projects for Girls, and the audience, for taking the time to receive my contributions. Thank you to all who work on behalf of these children. You are all appreciated with all you do to end the vulnerability of all children.

Thank you.

Chairman REICHERT. Good job. Thank you for your testimony, T.

[The prepared statement of Ms. Pettigrew follows:]

United States House of Representatives

Committee on Ways and Means

Subcommittee on Human Resources

**Hearing on Protecting Vulnerable Children: Preventing Sex
Trafficking of Youth in Foster Care**

October 23, 2013

Witness: Withelma “T” Ortiz Walker Pettigrew

Human Rights Project for Girls

Foster Care Renders Youth within the System More Vulnerable to
Sexual Exploitation and Trafficking

Thank you Chairman and Members of the Committee for the invitation to be here today. Prior to being a college student, I spent for the most part, the first 18 years of my life in the foster care system. Seven of those years I was a child being sexually trafficked on the streets, internet, strip clubs, massage parlors and even in the back of express papers. Many children, like myself, come from various traumas previously to entering into foster care, and many times, are further exposed to trauma throughout their experience in the foster care system. Although there are many people who uplift the system for its successes, there are many elements within the experience of foster care that make youth more susceptible to being victimized. Youth within the system are more vulnerable to becoming sexually exploited because youth accept and normalize the experience of being used as an object of financial gain by people who are supposed to care for us, we experience various people who control our lives, and we lack the opportunity to gain meaningful relationships and attachments.

In addition, traffickers/pimps/exploiters have no fear of punishment because they rely on the lack of attention that occurs when these young people go missing. Also, these traffickers/pimps/exploiters, depend on the instability of these young people's lives to hide their involvement, which perpetuates the foster children and youth's vulnerability. Many children, myself included, who grow up in foster care express how it is common household knowledge that many caregivers take them in primarily for the paycheck in which they are provided for the purpose of caring for the child. From my own experience and that of others, the money that is given by the state is supposed to be utilized to provide for the child's basic needs-- however the money is often used for other things, specifically for special luxuries for the caretaker and their

biological children and families, unrelated to the financial support of the child it was intended for. These caregivers will make statements like “you’re not my child, I don’t care what’s going on with you, as long as you’re not dead, I’ll continue to get my paycheck.” This “nothing but a paycheck” theory objectifies the youth and the youth begin to normalize the perception that their presence is to be used for financial gain. This creates a mind frame for the youth that their purpose is to bring income into a household. In addition to the statements, the caregiver’s lack of action in times of need, imply to these youth that they are not concerned about what happens to them, as long as the paycheck keeps coming in. Nevertheless, this makes youth feel like an object and less like a person, and for me and many others, youth begin to normalize the behaviors and actions toward them by accepting that their purpose is for the financial benefit of others. Therefore, when youth are approached by traffickers/pimps/exploiters, they don’t see much difference between their purpose of bringing finances into their foster home and bringing money to traffickers/pimps/exploiters’ “stable.”

Traffickers/pimps/exploiters also rely on how so many of us have been sexual abused and molested while in foster care. Back in my day, if I were to report abuse in a placement, I was often moved before it was addressed, only to preserve the opportunity to keep that placement open due to the lack of placements available. Sometimes, specifically more so with private FFA’s (Foster Family Agencies) and sometimes County/State Child Welfare Departments, do not thoroughly investigate caregivers’ background or family household. I once lived in a home in which a younger child and myself were being inappropriately pursued by the foster father. After we reported it, it was found that the FFA wasn’t aware that the foster mother was married and wasn’t aware that the man lived in the home. Furthermore, myself and many others, are stigmatized for reporting abuse. Once a youth makes such a report, that information is transferred

within the disclosing of history to potential placements which makes it harder to place these children and harder for normal treatment within a home due to the fear of us making a “false claim” of sexual misconduct. Lastly, while I was in care, my social workers were aware that I was being exploited and did nothing about it. It is vital that foster children and youth be properly assessed and identified for sexual abuse/exploitation by child welfare agencies as there are many “red flags” that can be noticed if our agencies were supplied with the proper training.

It is also important to point out here the ways in which the foster care system, inadvertently, objectifies the presence of youth for monetary purposes, and it also normalizes the idea to youth that other people are supposed to control their lives and circumstances. The foster care system, in its entirety, serves in the role of the parent so it is never clear to the youth who exactly is in control, or supposed to be in control. Multiple social workers fluctuate in and out of youths’ lives, and they have limited interaction with the youth which leave the children feeling hopeless and without a sense of order. Due to the multiple roles and persons in the foster care system, children and youth become accustomed to others (most of whom are strangers to them) dictating what will happen in their lives at home, in school and socially. Where they live, who they see, and what opportunities are available to them are at the mercy of multiple decisions made by adults with whom they have little or no attachment to. Foster care creates an ever changing environment of youth having to adapt to strangers making their life decisions. This is conducive to the parallel process of traffickers/pimps/exploiters who seek to keep control of a youth's life.

Moreover the foster care system lacks and continues to eclipse opportunities for youth to gain meaningful relationships and attachments. Many foster children and youth switch placements so often that it doesn’t allow us to gain skills to acquire or sustain relationships and

attachments. For others and for myself, opportunities to build these skills such as problem-solving, or what it means to reconcile after an argument, are denied and instead we are just moved to another home. These placement moves take away the opportunity to explore what a healthy relationship is and how to work through problems in a constructive way.

Like me, any youth in foster care, becomes accustomed to adapting to multiple moves from home to home which allows us to easily then adapt to when traffickers/pimps/exploiters move us multiple times, from hotel to hotel, city to city, and/or state to state. For myself, as unfortunate as it is to say, the most consistent relationship I ever had in care was with my pimp and his family.

Ultimately, traffickers/ pimps/exploiters have no fear of punishment because they depend and rely on the lack of attention that occurs when these young people go missing from care. No one looks for us, or keeps us on their radar. The system just makes no effort. There are no amber alerts, no posters, when youth from the foster care system go missing.

Traffickers/pimps/exploiters are aware that when foster youth go missing, it is always assumed by the system that they have willingly run away.

There many opportunities to improve the foster care system so that girls like me, as well as boys, are less vulnerable to traffickers/pimps/exploiters. First, I believe child welfare agencies should be working with local programs which support and provide resources to youth who have been sexually exploited to enhance their responses with working with these youth to transition into a healthier lifestyle. Secondly, these youth should be provided trauma-informed counsel and care at all times, which means that the agencies should be actively working to gain and maintain the resources to do so. Working with these youth for the betterment of their well being also consists of changing protocols in child welfare agencies. These youth should be able to have

someone to call on at all times. The county agencies can set up a 24/7 cell phone hotline (in which the number would never be changed) to connect with a specialist or WOD (worker of the day) to respond and interact with these youth when they reach out. Lastly, child welfare agencies need to figure out how to make these children visible when they go missing. People will not be able to help these youth if they are not made visible. These youth also need to be actively involved in the decision making process of their life circumstances. Positive examples of youth involvement are proven. In California, TDM's (Team Decision Meetings) and in New York, FTC's (Family Team Conferences), are convenings in which many parties vital to the work of the agency, the young people and their families (biological and created) are brought together to make a plan that supports the youth's individual goals and meets the needs of the agencies. I also believe that these youth should be appointed with one person who will follow them throughout placement changes whether it be a CASA or mentor, these youth should have a constant ally throughout their time in care and this person should also be available whether or not a youth is currently in placement.

Finally, we need to ensure that these conversations are followed with Federal action from the input received here today. Personally, I feel there is so much more that can be done; these are just a few places to begin in the longer process of our Federal Government's partnership with nationwide child welfare systems in their effort to end the vulnerability of this population. I would like to thank the Human Rights Project for Girls, as well as the Chairman, and Members of the Committee for taking the time to hear my testimony. Thank you to all who work on behalf of these children. You are appreciated with all you do to end the vulnerability of all children.

Chairman REICHERT. And I let her go a little bit long because I think we all agree that is special testimony that we all need to hear. It doesn't mean that the other four witnesses don't have something important to say, but—so you will be held to the 5-minute rule, Mr. Ryan.

**STATEMENT OF JOHN D. RYAN, CHIEF EXECUTIVE OFFICER,
NATIONAL CENTER FOR MISSING AND EXPLOITED CHILDREN**

Mr. RYAN. Duly noted, Mr. Chairman.

Thank you, T., for sharing your powerful story with us. It is very compelling.

Mr. Chairman and Members of the Subcommittee, thank you for inviting me to speak about this problem of sex trafficking of our youth in foster care in the United States.

As you know, the National Center is a private nonprofit in operation since 1984. We were designated by Congress to serve as the Nation's clearinghouse on missing and exploited children's issues.

We have several programs to address child sex trafficking, including our CyberTipline, an online reporting mechanism for suspected child sexual exploitation, including child sex trafficking and child pornography; additionally, our Child Sex Trafficking Team, made up of dedicated analysts who support law enforcement's effort to arrest and prosecute those who sell our children for sex; and our Critical and Runaway Unit. These are specialized case management teams that handle cases of missing children who are also possible sex trafficking victims.

NCMEC partners with the FBI and the Justice Department in the Innocence Lost national initiative. Since 2003, NCMEC has served as a clearinghouse for information and provides analytical support to the 66 Innocence Lost task forces throughout the country. These task forces operate cross-country. This is a targeted, coordinated, 3-day sweep of child sex trafficking venues. These operations have rescued more than 2,700 children who have been trafficked and arrested more than 1,300 pimps. Several of these prosecutions have resulted in life sentences. This year, the youngest child recovered was 13 years of age.

When they hear the term "child sex trafficking," most Americans think that it only happens in other countries or that foreign children are brought here to be sold in large cities. In fact, we have learned that most of the victims of child sex trafficking are American kids who are trafficked in small towns and large urban areas. If people are not aware of it, they are not looking for it.

How prevalent is child sex trafficking? In 2012 alone, one out of eight endangered runaways reported to the National Center were likely child sex trafficking victims—one out of eight. This number has tripled since we started comparing missing children to trafficked children.

An often overlooked aspect of child sex trafficking is that it is also a problem of missing children. Many child sex trafficking victims are missing from their parents, legal guardians, or foster care placements. These are the most vulnerable of children. Traffickers know this. They actively target runaways and then lure them into the sex trade using psychological manipulation, illegal drugs, and violence.

Foster children are easy targets for pimps. These children are the most susceptible to the manipulation and false promises that traffickers use to secure their trust and dependency. Of the children reported missing to NCMEC in 2012 who were likely child sex trafficking victims, 67 percent were in the care of social services or foster care when they ran—67 percent.

Let me give you one example. The National Center received reports of a young girl who was 15. She had been reported missing 13 times before she was placed in foster care. Law enforcement got involved, and the pattern continued of her running away.

We found through our reports that this child had several tattoos, many of them pronounced. Tattoos are a sign of branding by these pimps. They market these products, these young girls, these victims.

We were able to develop leads through public records databases that this girl was being trafficked on an online classified service. We sent that information to law enforcement. They set up a sting operation, they made a call to arrange a date with this young girl, and they were able to rescue her.

This girl reported that for the last 2 years she had been victimized, on average, five times per night for that 2-year period.

The most important thing we can do is to change the conversation from a juvenile delinquency issue to child protection issue. These children cannot just walk away. They must be rescued and treated as victims.

All child welfare agencies must report missing foster children to law enforcement. The National Center, working with law enforcement, when we have this information we can interdict, we can help find this child before they are victimized. We have systems that are in place in some States, but it must be universal, consistent, and mandated.

Thank you for your interest, and we look forward to working with this committee and all the proposed legislation that has been proffered here today. Thank you.

Chairman REICHERT. Very good. Thank you, Mr. Ryan.

[The prepared statement of Mr. Ryan follows:]

41

TESTIMONY

of

JOHN D. RYAN

CHIEF EXECUTIVE OFFICER

THE NATIONAL CENTER FOR MISSING & EXPLOITED CHILDREN

for the

UNITED STATES HOUSE OF REPRESENTATIVES

COMMITTEE ON WAYS AND MEANS

SUBCOMMITTEE ON HUMAN RESOURCES

**“Protecting Vulnerable Children:
Preventing and Addressing Sex Trafficking of Youth in Foster Care”**

October 23, 2013

Mr. Chairman and distinguished members of the Subcommittee, I welcome the opportunity to appear before you to discuss the problem of sex trafficking of youth in foster care. We are grateful for the Subcommittee's concern for this particularly vulnerable segment of our youth population.

The scope of the problem of child sex trafficking is difficult to quantify with accuracy. The reluctance of victims to self-identify and the challenges in law enforcement investigations make it impossible to gauge the incidence of this type of crime. There have been studies estimating the number of children with characteristics that *may* put them *at risk* for commercial sexual exploitation, including being a runaway, being in foster care or affiliated with a gang.¹ No empirical studies exist that estimate the number of children currently being sold in the sex trafficking industry nationwide. However, 1 out of 8 of the endangered runaways reported to NCMEC in 2012 were likely sex trafficking victims. This number has tripled since we started comparing missing children to trafficked children.

The issue of child sex trafficking is complex. In the real world, children are being sold on the streets, in hotels and in casinos. In the online world, they are being advertised on a variety of websites. Their "pimps" can be perceived friends or boyfriends, or even family members or foster parents. It is a unique type of child victimization.

As you know, the National Center for Missing & Exploited Children ("NCMEC") is a private, not-for-profit corporation, designated by Congress and working in partnership with the U.S. Department of Justice. NCMEC is a public-private partnership, funded in part by Congress and in part by the private sector. For almost 30 years NCMEC has operated under Congressional authority to serve as the national resource center and clearinghouse on missing and exploited children. This statutory authorization (see 42 U.S.C. §5773) specifies 22 operational functions, including:

¹ Estes, Richard J. and Weiner, Neil Alan, *The Commercial Sexual Exploitation of Children In the U.S., Canada and Mexico, Executive Summary of the U.S. National Study*, University of Pennsylvania, 2001, pp. 11-12. Characteristics also included drug use, and child sexual abuse.

- operate a national 24-hour toll-free hotline, 1-800-THE-LOST® (1-800-843-5678), to intake reports of missing children and receive leads about ongoing cases;
- operate the CyberTipline, an online reporting mechanism that the public and electronic service providers may use to report Internet-related child sexual exploitation;
- provide technical assistance and training to individuals and law enforcement agencies in the prevention, investigation, prosecution, and treatment of cases involving missing and exploited children;
- track the incidence of attempted child abductions;
- providing forensic technical assistance to law enforcement;
- facilitate the deployment of the National Emergency Child Locator Center during periods of national disasters;
- work with law enforcement and the private sector to reduce the distribution of child pornography over the Internet;
- operate a child victim identification program to assist law enforcement in identifying victims of child pornography;
- develop and disseminate programs and information about Internet safety and the prevention of child abduction and sexual exploitation;
- provide technical assistance and training to law enforcement in identifying and locating non-compliant sex offenders;
- coordinate with child welfare agencies and law enforcement in the reporting of children missing from the foster care system;
- provide technical assistance to law enforcement in identifying, locating and recovering victims of child sex trafficking.

NCMEC has three decades of experience with missing child cases. When a child goes missing the first call should always be to law enforcement and the second call should be to our national toll-free hotline, 1-800-THE-LOST®(1-800-843-5678). Our hotline has handled more than 3.8 million calls. Case management teams within NCMEC's Missing Children Division provide technical assistance to law enforcement and provide support to the missing child's family.

Our Critical and Runaway Unit includes specialized case management teams to handle cases in which the missing child is also a possible child sex trafficking victim. They coordinate the creation and dissemination of posters to generate tips and leads, all of which are sent to the investigating law enforcement agency. NCMEC works closely with approximately 300 corporate photo partners who disseminate photos of missing children to millions of homes across the U.S. every day.

Our longest-running program to help prevent the sexual exploitation of children is the CyberTipline, the national clearinghouse for leads and tips regarding crimes against children on the Internet. It is operated in partnership with the Federal Bureau of Investigation ("FBI"), the Department of Homeland Security's Bureau of Immigration and Customs Enforcement ("ICE"), the U.S. Postal Inspection Service, the U.S. Secret Service, the Military Criminal Investigative Organizations, the Internet Crimes Against Children ("ICAC") Task Forces, the U.S. Department of Justice's Child Exploitation and Obscenity Section, and other state and local law enforcement. We receive reports in eight categories of crimes against children:

- possession, manufacture and distribution of child pornography;
- online enticement of children for sexual acts;
- child sex trafficking;
- sex tourism involving children;
- extra familial child sexual molestation;
- unsolicited obscene material sent to a child;
- misleading domain names; and
- misleading words or digital images on the Internet.

These reports are made by both the public and by Electronic Service Providers ("ESPs"), who are required by law to report apparent child pornography to law enforcement via the CyberTipline (18 U.S.C. §2258A). The leads are reviewed by NCMEC analysts, who examine and evaluate the content, add related information that would be useful to law enforcement; use publicly-available search tools to determine the geographic location of the apparent criminal conduct; and provide all information to the appropriate law enforcement agency for

investigation. These reports are triaged continuously to ensure that reports involving children in imminent danger get first priority.

The FBI, ICE and Postal Inspection Service have direct and immediate access to all CyberTipline reports, and each agency assigns agents and analysts to work at NCMEC headquarters. In the 15 years since the CyberTipline began, NCMEC has received and processed more than 2.1 million reports. ESPs have reported to the CyberTipline more than 12 million images/videos of sexually exploited children. The analysts in our Child Victim Identification Program (“CVIP”) have reviewed more than 98 million child pornography images and videos. CVIP assists prosecutors by connecting seized images with the case agent who can identify the child depicted as an actual child, and helps law enforcement to locate and rescue child victims who have not yet been identified. Last week alone, CVIP analysts reviewed more than 964,000 images/videos.

As the role of the Internet in child sex trafficking has increased, reports to the CyberTipline of children suspected of being sold for sex online have also increased. In 2012 alone the CyberTipline received over 800 reports a month from the public and ESPs regarding possible child sex trafficking. All the reports are referred to law enforcement for possible investigation, specifically the ICAC Task Forces² and FBI Innocence Lost Task Forces.

Ten years ago NCMEC began its partnership with the FBI and the U.S. Department of Justice, Child Exploitation and Obscenity Section, in the Innocence Lost National Initiative. Created in 2003, this initiative addresses the problem of child sex trafficking through the creation of local and regional task forces and working groups; targeted, coordinated sweeps known as Operation Cross Country; and ongoing support for trafficking investigations. These 66 dedicated task forces and working groups have rescued more than 2,700 child victims and arrested more than 1,300 pimps and their associates – the convictions of which have included several life sentences.

² The ICAC Task Force program is a national network of 61 coordinated Task Forces representing over 3,000 federal, state, local and tribal law enforcement and prosecutorial agencies. ICAC Task Forces were created to help Federal, State and local law enforcement agencies enhance their investigative responses to offenders who use the Internet, online communication systems, or computer technology to sexually exploit children. The program is funded by the United States Department of Justice, Office of Juvenile Justice and Delinquency Prevention.

NCMEC's role in the initiative is to be a clearinghouse for information obtained from the public and ESPs about children being exploited through sex trafficking; to provide analytical and technical assistance services to law enforcement investigating these cases; and to dedicate case management support for missing children victimized through sex trafficking.

NCMEC also supports the Innocence Lost National Initiative through its Child Sex Trafficking Team (CSTT). This team is a specialized group of analysts which handles all law enforcement requests related to child sex trafficking. The CSTT provides comprehensive analytical services to law enforcement investigations, and links cases of possible child sex trafficking victims to missing child cases known to NCMEC.

Our Child Sex Trafficking Team provides 24/7 analytical support and technical assistance during Operation Cross Country. Using public records databases and cross-referencing our Missing Children and CyberTipline databases, we provide information on potential child victims, and suspected pimps and their associates, to the Innocence Lost Task Forces through the FBI agents assigned to work at our headquarters.

During Operation Cross Country VII, in August of this year, CSTT analysts assisted officers in more than 230 federal, state and local law enforcement agencies, which led to the rescue of 105 children and the arrest of 150 pimps who are accused of exploiting them. Compared to last year's Operation, this was a 32% increase in the number of children recovered and a 43% increase in the number of pimps arrested. Many children rescued during the seven Operations conducted to date had been reported to NCMEC as missing children.

The youngest child rescued in this year's Operation was 13 years old.

When they hear the term "child trafficking," most Americans think that it only happens somewhere else, such as Southeast Asia or Central America. Even if they acknowledge that trafficking happens in the United States, they assume the victims are foreign children brought into this country in order to be sold for sex in large cities.

In fact, we have learned that most of the victims of child sex trafficking in our country are American kids – most of whom initially leave home voluntarily and who end up being trafficked on Main Street, USA. One police officer described it this way: “the only way not to find this problem in any community is simply not to look for it.”

An often-overlooked aspect of child sex trafficking is that it is also a problem of missing children. Many child sex trafficking victims are missing from their parents, legal guardians or foster care placements. Approximately 81% of the missing children reported to NCMEC are endangered runaways.³ These children represent the most vulnerable children in our country. Traffickers know this. They actively target runaways and then lure them into the sex trade using psychological manipulation, illegal drugs and violence. Any child may be vulnerable to someone who promises to meet their emotional or physical needs, but children with no permanent home are particularly vulnerable. Children in foster care are easy targets for pimps. These children are the most susceptible to the manipulation and false promises that traffickers use to secure their trust and dependency. These children have fractured safety nets and few alternatives.

Of the children reported missing to NCMEC in 2012 who are likely child sex trafficking victims, 67% were in the care of social services or foster care when they ran.

The exploitation of America’s children through sex trafficking is a complicated problem that involves numerous aspects of both the child welfare system and the criminal justice system. I am not here to condemn either system – they are both overwhelmed, under resourced and not designed to address this type of harm to children. However, our data demonstrates that traffickers are indeed targeting youth involved in child welfare. We must acknowledge our responsibility to protect these children from those who will use them and discard them. Both systems must adapt to this reality.

The most important thing we can do is to change the conversation from a juvenile delinquency issue to a child protection issue. These children lack the ability to just walk away from their

³ There is no mandate to report missing children to NCMEC, so the data that we have does not represent the full scope of the problem. The data only reflects what has been reported to us.

pimps. They must be recognized as victims who must be rescued and given appropriate services. Because of this, NCMEC is prioritizing efforts to urge all state child welfare agencies to report missing foster children to law enforcement and then to NCMEC.

Reporting children missing from care to local law enforcement is a critical step. However, as we learn more about traffickers' business model and the dynamics of pimp control, we've realized that this step alone is not enough. The constant movement of these victims, frequently between states, creates challenges for law enforcement investigating missing child cases.

Because NCMEC sits at the intersection of child welfare and criminal justice, children who are intaked into our system will be flagged for law enforcement during their trafficking investigations. The additional reporting of missing foster children to NCMEC creates a safety net for these children. It triggers the deployment of NCMEC's numerous resources in support of law enforcements' efforts to bring them home. Currently Florida and Illinois send reports of their missing foster children to NCMEC. Florida sends reports pursuant to state law and Illinois by agency regulation. Our formal partnership with Florida streamlines the process of their additional reporting to NCMEC. We look forward to other states following their lead.

In addition to reporting, there must be comprehensive, widely-available training for child welfare agencies on how to properly identify and respond to children who have been victimized through sex trafficking. Child welfare staff – including social workers, foster families and the staff at residential treatment facilities and group homes – must be able to recognize indicators of sex trafficking victimization and then implement trauma-informed policies and procedures designed for the needs of these victims.

A comprehensive child protection response must also include prevention education for all children within the child welfare system. Children are recruited in schools, shopping malls, bus stops, foster care/group homes and on social networking sites. Prevention education will empower foster youth with the tools to recognize common approaches and lures used by traffickers as well as the resources to resist them.

We are encouraged by Congressional action on this issue. Not only did this Congress pass the Trafficking Victims Protection Reauthorization Act, it is currently working on several bills to address critical aspects of this problem. Some of the bills with which we are familiar are:

Child Sex Trafficking Data and Response Act (H.R. 2744)

Child Welfare Response to Human Trafficking Act (H.R. 1732)

End Sex Trafficking Act (H.R. 2805)

Improving Outcomes for Youth At Risk for Sex Trafficking Act (S. 1518)

In closing, Mr. Chairman, the National Center sees the potential for real progress in addressing child sex trafficking in the U.S. We are grateful for this Subcommittee's focus on foster children as particularly vulnerable to this type of victimization. Thank you for your efforts to wake up America and respond more effectively to this epidemic of hidden victims.

Chairman REICHERT. I would like to take just a moment to introduce our next witness, who happens to be from Washington State and is an old friend of mine back in our criminal justice days together.

Justice Bridge is from my home State, as I said, and has more than 19 years of experience with child welfare and has been recognized as a leading advocate for foster care and juvenile justice reform.

Justice Bridge founded the Center for Children and Youth Justice in 2006 to reform Washington State's juvenile justice and child welfare systems. And, recently, I think January 2010, you were

given the Advocacy Spirit Award, national spirit award, by the—and you were a Defender of Rights and the Dignity for Our Youth Award in January of 2010.

So it is good to see you, and I am happy that you were able to be here. And I understand it coincides with a conference that will be held tomorrow.

**STATEMENT OF THE HON. BOBBE J. BRIDGE, PRESIDENT,
CHIEF EXECUTIVE OFFICER, AND FOUNDER, CENTER FOR
CHILDREN AND YOUTH JUSTICE**

Ms. BRIDGE. Thank you very much, Mr. Chairman Reichert, who I resist calling “Sheriff” as well, and Members of the Subcommittee.

Thank you for inviting my testimony today. It is an honor to participate in this discussion of the ways in which we can prevent, effectively intervene, and ultimately eradicate the commercial sexual exploitation of vulnerable children in our communities, especially those in the foster care system.

I am Bobbe Bridge, founding president and CEO of the Center for Children and Youth Justice. The center, informally known as CCYJ, is a private nonprofit established in 2006 to advance justice for and to enhance the lives of children and youth in the juvenile justice and child welfare systems through juvenile justice, child welfare, and related systems improvement.

As Chairman Reichert noted, prior to founding CCYJ, I was a trial judge in King County Superior Court for 10 years, during which time I presided over hundreds of child abuse and neglect and juvenile delinquency cases. Would that I had known the right questions to ask.

During my 8 years of service as an associate justice of the Washington State Supreme Court, I reviewed these same cases and also became involved in system change efforts in child welfare.

I learned valuable lessons. No one part of the system—no one system—can alone address the multiple and complex needs of abused and neglected children and youth. Fortunately, Washington State has a robust history of collaboration, both cross-discipline and cross-system, in child welfare.

Ms. BRIDGE. This history has led to a number of changes in practice in our child welfare system that have resulted in better outcomes for our children and youth in foster care.

But information that is coming to us now regarding the extent to which these children, who have been in foster care or are currently in foster care, are becoming victims of sex trafficking, or CSEC, as we call it, commercially sexually exploited children, presents a new reality which requires new approaches.

I would like to focus my brief time on describing a systematic approach that might prove valuable in your response to this reality.

A lot remains unknown about CSEC, but what we do know is that by bringing professionals from the various systems that interact with those who either are or who are at risk of becoming CSEC together with survivor and community voices in authentic, collaborative, and coordinated responses, we are more likely to create successful outcomes for these children.

The State of Washington is in the process of implementing such a collaborative model. Project Respect is the working title for the CCYJ-led project, which has resulted in the development of the Washington State CSEC Model Protocol.

The purpose of the project and of the protocol is to implement that State-wide coordinated response that is best-practice- and data-driven that will identify, engage, and better serve commercially sexually exploited children and youth in Washington State—children and youth who are victims, not criminals—and to hold their perpetrators accountable.

With a combination of public and private funding, last year we brought together over 200 people—survivors, system professionals, advocates, and community members across the State—to discuss the context of CSEC in their communities, the responses that were currently being used, the gaps in data and services, and to explore what the components of a model response protocol should include.

With the result of this effort, a draft protocol was prepared, vetted to a number of State-wide leaders, and finalized. This year, working together with our partner, YouthCare, five sites, some multicounty, have been trained on the protocol and on best practices in working with CSEC.

Also during this year, the Washington State Center for Court Research of the Administrative Office of the Courts is leading an effort to work with stakeholders and those pilot sites to develop a data collection plan involving law enforcement, courts, child welfare, and service providers.

The progress of the protocols and the policy implications of the work at the local sites will be being reviewed by the newly created Washington State CSEC Coordinating Committee established by the legislature in the 2013 legislative session and convened by the Washington Attorney General.

Lessons learned have led us to some promising systemic actions that could be undertaken by this subcommittee.

First, providing guidelines, direction, and resources for the cooperative and consistent collection of data on the prevalence of CSEC, their pathways to becoming trafficking victims, and to effective practices for prevention and intervention.

Providing guidance and incentives for collaboration and cooperation at both the State and local levels to develop model protocols for improving our response to CSEC. And critical here to success is the necessary participation of the State and regional child welfare agency at its highest level.

Providing direction and incentives to State child welfare agencies to focus on children missing from care and to recruit and train specialized foster homes to receive those who are found to be CSEC. Safe and stable housing should be made available to those for whom independent living is the best option.

Providing specific resources through the Court Improvement Act for judicial training and identification of CSEC and for advocates as a resource to the courts when a foster child is identified as CSEC.

Providing training to child welfare workers on the identification of CSEC, including the use of special assessment tools and case-work practices that reduce running from care.

Mandating changes in State child welfare laws so as to include a trafficked child in the definition of an abused child.

I thank you for this opportunity to be a part of finding solutions to the sex trafficking of youth in foster care. On behalf of CCYJ, I would submit that whatever efforts we undertake to address the proliferation of sex trafficking of our former and current foster youth should be research-based, collaborative, coordinated, data-driven, and sustainable.

These efforts should focus on identification and support of the victims and must recognize that this is a crime of mobility which requires a unified and consistent response, a response that does not merely move the incidents from one neighborhood, one county, one State, to another. And, hence, the beauty of this Federal leadership on these issues.

Thank you very much.

[The prepared statement of Ms. Bridge follows:]



Testimony by:

Justice Bobbe J. Bridge, ret.

**Founding President/CEO
Center for Children & Youth Justice**

Before the:

**United States House Committee on Ways and Means
Subcommittee on Human Resources**

For the hearing:

**Protecting Vulnerable Children:
Preventing & Addressing Sex Trafficking of Youth in Foster Care
October 23, 2013**

**Center for Children & Youth Justice
615 2nd Ave Ste 275
Seattle WA 98104**

Mr. Chairman Reichert, Ranking Member Doggett, and members of the subcommittee. Thank you for inviting my testimony today. It is an honor to participate in this discussion of the ways in which we can prevent, effectively intervene, and ultimately eradicate the commercial sexual exploitation of vulnerable children in our communities, especially those in our foster care system.

I am Bobbe Bridge, Founding President and CEO of the Center for Children & Youth Justice. The Center (informally known as "CCYJ") was established in 2006 in recognition that the State and its agencies had been too often and for too long failing "system kids" – children and youth involved in the juvenile justice and child welfare systems. CCYJ's mission is to advance justice for and to enhance the lives of children and youth through juvenile justice, child welfare and related systems reform. CCYJ is dedicated to meaningful, lasting change in Washington's child welfare and juvenile justice systems to ensure that the lives of children and youth who come to those systems are enriched rather than harmed as a result of their experience in care. CCYJ's vision is that, through research, policy change and best practices, more children and youth will be diverted from entering these systems in the first place. Those who do become involved in these systems will find that they work in coordination with each other, are staffed by highly-skilled practitioners who utilize evidence-based practices, and are informed by youth voices in an environment of fair and unbiased decision-making.

Prior to founding CCYJ, I was a trial judge in the King County Superior Court for ten years, during which time I presided over 100's of child abuse and neglect and juvenile delinquency cases. During my eight years of service as an Associate Justice of the Washington State Supreme Court, I reviewed these cases and also became involved in system change efforts in child welfare - first as the chair of the Committee for the Domestic Violence-Child Maltreatment Coordinated Response Project and later as co-chair of the Washington State Supreme Court Commission on Children in Foster Care. I continue to serve on the Commission with my co-chair, the Assistant Secretary of the Department of Social and Health Service for the Children's Administration, Washington's child welfare agency. The Commission was established in recognition that collaboration will assure that systemic improvements are sought, achieved, and sustained beyond the terms of office of individual members of the judiciary, agency directors, and elected officials. Its members include judges, legislators, the Superintendent of Public Instruction, the Attorney General and Director of the Office of Public Defense, the Director of the Office of Civil Legal Needs, the Directors of CASA and the Foster Parents Association of WA, the Chief Judge of the NW Intertribal Court System, a young person currently in foster care, an alumnus of foster care, and a parent veteran of the foster care system. Working together in concert, the Commission monitors and reports

on the extent to which child welfare programs and courts are responsive to the needs of the children in their joint care; makes recommendations for systemic improvements; and broadens public awareness of and support for meeting the needs of vulnerable children and families.

As you can see from this brief example of my own experience, Washington State has a robust history of collaboration, both cross-discipline and cross-system, in child welfare. That history has resulted in a number of changes in practice in our child welfare system that has resulted in better outcomes for our children and youth in foster care. Today, others will address the direct service challenges that are presented by the information that is coming to us regarding the extent to which children who are or have been in the foster care system are becoming victims of sex trafficking. Building on the Washington State experience, I would like to focus my time on describing systemic approaches that may prove valuable in our response to this reality and to address the subcommittee's request for suggestions as to the ways in which Federal laws, policies, and resources might be improved to better ensure the safety and well-being of youth who are victims of abuse through sex trafficking.

The Washington State Model Protocol for Commercially Sexually Exploited Children (CSEC)

Washington State was relatively early among state governments to recognize that trafficking in persons, whether domestically or internationally, was an issue of statewide significance. The Task Force Against Trafficking of Persons was created by the legislature in 2002, and in 2003 Washington became the first state in the nation to prohibit trafficking in persons. Over the decade that followed, a host of legislation was passed to address the prosecution of those who were perpetrators or facilitators of sex trafficking and to ensure a degree of "safe harbor" for those being trafficked. More recently, a growing public awareness has led to numerous community-based organizations and advocacy groups looking to prevent/intervene to rescue the child victims of these crimes. The term "child prostitute" has been all but removed from our lexicon. Instead, we refer to the children and youth who are the victims of sex trafficking as commercially sexually exploited youth ("CSEC").

Yet the more we learn, the less we know: about how to identify CSEC; about the numbers of youth who are vulnerable for being trafficked; about the various means of trafficking (gang activity, individual procurer, family involvement, internet); about the best and most effective practices to prevent children from being sexually exploited; about the best and most effective practices to intervene – to rescue- a

child who has been trafficked. But what we do know is that by bringing professionals from the various systems that interact with those who either are or who are at risk of becoming CSEC together with survivor and community voices, in authentic collaborative and coordinated responses, we are more likely to create successful outcomes for these children. The State of Washington is in the process of implementing such a collaborative model.

Project Respect

Project Respect is the working title for the CCYJ-led project which has resulted in the development of the Washington State Model Protocol. The purpose of the Project is to implement a statewide coordinated response to identify, engage and better serve commercially sexually exploited children and youth in Washington State. With funding from the State Interdisciplinary Task Force on Children and private philanthropy, the Project is now in its second year. During the first year, research was conducted on best practices nationally and interviews with key informants, including both professionals and survivors, were completed. Local summits were held at the county level in six different locations throughout the state to engage community leaders in discussing the context of CSEC in their community, the responses that were currently being used, the gaps in data and services, and exploration of what the components of a model response protocol should include. During this process significant consensus was evident as to both the controlling values that would guide the protocol and in the belief that, based upon experience, such a protocol would enhance the effectiveness of addressing and ultimately eradicating CSEC. Each summit included law enforcement, prosecuting and defense attorneys, judges, juvenile detention personnel, community service providers, advocates, educators, and child welfare workers and administrators. With the results of this effort, a draft protocol was prepared and vetted to a summit of statewide leadership. In all, over 200 people participated in the development of the Protocol.

This year, working together with our partner YouthCare, five sites (some multi-county) have been trained on the Protocol and on best practices in working with CSEC. They will begin establishing a baseline of current numbers of CSEC in their areas with the use of a CSEC identification tool that has been developed by Dr. Debra Boyer. Case files from child welfare, community service providers, and the courts will be reviewed to identify CSEC according to risk factors and warning signs, whether or not the youth has disclosed involvement in trafficking or prosecuted for prostitution. The numbers established will help these communities to determine whether the responses that they take to address CSEC actually make a difference, i.e., are they identifying more youth? Are the youth being served effectively?

Also during this year, the Washington State Center for Court Research of the Administrative Office of the Courts is leading an effort to work with stakeholders and the pilot sites to develop a data collection plan involving law enforcement, courts, child welfare, and service providers. The group is determining what CSEC data is being collected currently and by whom, and will address the very real need for a consistent set of definitions and collection activities for this population. Ultimately, we hope that the data collected would not only inform local practice but would be merged into a uniform database that would be the basis to assess prevalence, effectiveness of interventions and to identify resource gaps.

The CSEC Model Protocol

The mission of the CSEC Model Protocol is to foster collaboration and coordination among agencies and community to improve the capacity to identify CSEC and to provide safety and services for them and their families/caregivers, as appropriate, as they work to end their exploitation and to hold their exploiters accountable. Those in this effort will use best practices and will rely on data and evidence to drive system and policy improvement.

The core values of the Model Protocol are that:

1. Sexually exploited youth are victims of crime and should not be viewed or treated as criminals
2. Our response fosters regional coordination and relationship-building within and across systems, and is an intentional process for different systems to interact, network, and form regional alliances
3. We meet youth where they are with accessible services based on their individual needs
4. Individually and collectively our first, foremost and sustaining objective is victim safety
5. All children deserve a safe, warm, nurturing environment, independent of their behavior

The Model Protocol is a template, designed to be adapted to local circumstances. That said, the values and mission are universal. The Model Protocol proposes a governance structure which includes a multi-disciplinary team (MDT) for response to individual cases, a Task Force to support and encourage the collaborative effort and whose membership is committed to together providing comprehensive services, to evaluation of effectiveness of practices, collecting and reviewing data, conducting case reviews from the MDT's to discern trends, resource sharing, policy advocacy, public education and awareness, and

problem-solving. All of the Task Force commitments and duties are to be addressed in memoranda of understanding – public statements of commitment and guides for defining roles and responsibilities (and clarifying expectations), accountability and sustainability. Strong and passionate leadership is important but achieving the goal of eradicating CSEC in our communities will require an institutional, formal commitment to the goal.

The Protocol identifies best practices which are recommended but which may be adapted according to the needs of CSEC in the community. Training is set forth as a common and necessary element – training for all members of the MDT's and of the Task Force – training for all professional stakeholders. A CSEC assessment tool that was developed by Dr. Emily Salisbury of Portland State University is included. Practice tips are provided for local law enforcement, community-based advocates, agencies serving youth, child welfare workers, prosecutors, and defense attorneys. The Protocol recommends inclusion of families and caregivers in service planning, when appropriate. It suggests the designation of a detention alternative for law enforcement to use when encountering CSEC. Expressing the view heard from interviews with CSEC survivors, the Protocol recommends that an advocate be assigned to the CSEC by the MDT and that the advocate remains a constant source of support for the CSEC whatever the course of services or legal proceedings may run. Finally, the Protocol recommends that serves to the CSEC be culturally sensitive and appropriate.

The progress of the protocols and the policy implications of the work at the local sites will be reviewed by the newly created Washington State CSEC Coordinating Committee. Established by the legislature in the 2013 legislative session, the Committee is convened by Washington's Attorney General. Its membership includes leadership from all three branches of government, law enforcement, education, service providers, the local Task Force chairs, the Office of Public Defense, and the child welfare department (Children's Administration).

Opportunities for Federal Engagement in Assuring the Safety and Well-Being of CSEC From or In Foster Care

Lessons learned from the experience in Washington State – lessons learned from interventions with CSEC who have not been part of the child welfare system – combine to provide some insight into promising systemic actions that could be undertaken by this subcommittee. I list them here, not necessarily in order of priority.

1. Providing guidelines, direction, and resources for the cooperative and consistent collection of data on the prevalence of CSEC – their pathway to becoming a trafficking victim and to effective practices for prevention and intervention.
2. Providing guidance and incentives for collaboration and cooperation at both state and local levels to develop model protocols for improving response to CSEC. Critical here is the necessary participation of the state and regional child welfare agency at its highest level.
3. Providing direction and incentives to state child welfare agencies to focus on children missing from care and to recruit and train specialized foster homes to receive those who are found to be CSEC safe and stable housing should be made available to those for whom independent living is the best option.
4. Providing specific resources through the Court Improvement Act for judicial training in identification of CSEC and for advocates as a resource to the courts when a foster child is identified as CSEC.
5. Providing training to child welfare workers on identification of CSEC (including special assessment tools) and casework practices that reduce running from care, e.g., involving youth in their permanency or independent living plan, normalizing their foster care experience in developmentally appropriate ways, and ensuring that foster youth are developing relationships with caring adults that are sustainable over time (including on transition from care).
6. Mandating changes in state child welfare laws so as to include a trafficked child in the definition of abused child.

Conclusion

I thank you for this opportunity to be a part of finding solutions to the sex trafficking of youth in foster care. On behalf of CCYJ, I would submit that whatever efforts which we undertake to address the proliferation of sex trafficking of our foster and former foster youth should be research-based, collaborative, coordinated, data driven, and sustainable. These efforts should focus on identification and support of the victims and must recognize that this is a crime of mobility which requires a unified and consistent response – a response that does not merely move the incidence from one neighborhood, one county, one state, to another. Ultimately, of course, there must be a change in our culture, a culture which now implicitly tolerates this activity and which rarely imposes a negative consequence on its consumers.



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CASE STATEMENT

Project Respect

Helping Children Forced into Prostitution

Prostituted children - also known as commercially sexually exploited children and youth - have been present in Washington State for many years. The largest concentration of these young victims (mostly girls) is found in metropolitan Seattle (King County); Tacoma (Pierce County); and, Everett (Snohomish County). A 2008 Seattle Human Services Department report estimates that 300 - 500 children - **some as young as 11** - are being forced into prostitution in King County at any given time.

The majority of these young victims come from homes where they were physically or sexually abused or neglected. Vulnerable, alone and often homeless they are lured and manipulated into prostitution by pimps who promise them shelter and safety, love and acceptance, only to prey on their fragility and youth.

It's Time to Change That.



What is a Protocol?

A protocol is a coordinated agreement between agencies about their roles and responsibilities regarding a specific issue, in this case working with prostituted youth.

Why is a protocol important when discussing prostituted youth?

Because it's time that prostituted children are treated as victims, not criminals.

PROJECT RESPECT

Providing a Consistent and Human Response for Sexually Exploited Children.

Until now, no statewide standard has existed when prostituted youth are arrested or identified. Lacking a standard response, law enforcement, the courts and other "first responders" may unintentionally perpetuate the problem thereby offering little hope to these young victims.

In partnership with 150 stakeholders from across the state, the **Center for Children & Youth Justice (CCYJ)** is coordinating the effort to create a model protocol and to provide training and technical assistance that will help responders and providers know how to identify, engage and better serve prostituted youth.

For the first time in Washington State history, judges; prosecutors; defense attorneys; detention and probation personnel; CPS workers; schools; providers; and others are working together towards a solution that is compassionate and consistent.

Once completed, the protocol will be available to task forces in regions and communities throughout the state. Local jurisdictions will be able to create versions of the protocol to best meet their needs.



THE CENTER FOR CHILDREN & YOUTH JUSTICE (CCYJ)

One-of-a-kind in the State of Washington

Recognizing the missed opportunities to create better solutions for kids in the foster care and youth justice systems, retired Washington State Supreme Court Justice Bobbe Bridge founded the Center for Children & Youth Justice (CCYJ) in 2006. To date, there is no other organization in Washington State with the singular goal of reforming policies concerning foster care and youth justice. More importantly, our work is creating positive and lasting change for kids in areas like child abuse, truancy and the over-representation of minority youth in the justice system.



PROJECT RESPECT

Improving Youth Lives; Improving Local Communities.

Ultimately, Project Respect will decrease arrests for teen prostitution, reduce the number of youth who return to prostitution, and increase the prosecution of traffickers. It will not only improve the lives of victimized children and youth throughout Washington State, it can become a national model for easing the further traumatization of these young girls and boys. donors. Please contact us for further information.

For more information about Project Respect or CCYJ please contact:

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Chairman REICHERT. I would also like to introduce another friend from Washington State, Ms. Giovengo, who has over 27 years of experience developing and implementing reengagement programs for out-of-school and homeless youth. She is the executive director of YouthCare, which helps homeless youth and operates the only program in Washington State providing residential services for sexually exploited youth.

You are recognized for 5 minutes.

STATEMENT OF MELINDA GIOVENGO, PH.D., EXECUTIVE DIRECTOR, YOUTHCARE

Ms. GIOVENGO. Thank you. Good afternoon, Chairman Reichert and Members of the Subcommittee. I am grateful for the opportunity to address the subcommittee on this important topic. As

said, my name is Melinda Giovengo, and I am the director of YouthCare, located in Seattle, Washington.

Since 1974, YouthCare has been a leader in providing effective services to help Seattle's runaway and homeless youth get off the streets and prepared for life. We were founded to help eliminate the sexual exploitation of children in our community. Our agency's dynamic programming and collaboration serve as a model for working with runaway, homeless, and sexually exploited youth, both locally and nationwide.

Runaway homeless youth are at high risk for sexual exploitation. Recent studies, as have been cited here today, estimate that there is an exorbitant prevalence between these two populations prior to these young people entering our services.

To better serve the clients of YouthCare, we operate the Bridge Continuum of Services for Sexually Exploited Youth, consisting of: identification and outreach strategies; community-based advocates, which I like to call lifelines; emergency shelter programs; long-term housing; and, most important, education and employment training, which helps offer these young people an opportunity to find a way out of exploitation. These services are trauma-informed and are often victim—and victim-informed.

The city of Seattle estimates there are between 700 and 1,000 homeless youth on our streets every night. The Seattle area also has a significant problem with sexual exploitation and the trafficking of children. In 2008, a study in King County conducted by Dr. Debra Boyer identified 238 unduplicated minors involved in prostitution and determined the prevalence of sexually exploited youth in King County to be between 300 and 500 per year.

The long-term risks for youth in foster care are well-documented, but it is only in recent years that the prevalence of sex trafficking among youth in foster care has been widely recognized. Many of the runaway and homeless youth served at YouthCare are part of the foster care system or have aged out, and even more have histories of involvement with child welfare through CPS reports and investigations.

We see youth every day who are being trafficked and exploited and who are system-involved for whom the system has failed. It is the system's involvement, combined with their runaway and homeless status, which makes them uniquely vulnerable to pimps and traffickers.

Today, I will highlight five key issues and offer recommendations to address each of these.

Youth in foster care are disproportionately at risk for victimization through sex trafficking due to their prior abuse and lack of social and familial support and frequency of running away. YouthCare recommends that the child welfare agencies create a strategic plan for how to prevent trafficking among youth in care and identify and respond to youth who do become victims of sex trafficking.

Second, the youth in foster care are often victims of sex trafficking before social workers and foster parents or other providers are aware. YouthCare recommends that screening, intake, and ongoing service planning should include measures to screen for indicators of trafficking, such as childhood sexual abuse.

We further recommend that all child welfare staff and foster parents receive mandatory training on identifying and responding to sex trafficking and that specific resources be dedicated to meet the needs of victims and foster parents and social work staff.

And, finally, we recommend that social work and child welfare agencies participate in regional task forces or protocol development in efforts to respond to sex trafficking, while partnering with our runaway and homeless youth programs across this Nation to help lay the framework for a cross-country and very deep intervention strategy for these young people.

State-dependent youth who are missing from care cannot legally be housed in homeless youth programs receiving Runaway and Homeless Youth Act money or HUD funds. We recommend that RHY language and HUD language be amended to allow for the provision of services to State-dependent youth if other placements are deemed inappropriate.

The fourth is the scope and prevalence of sex trafficking in youth in foster care is not systematically tracked or quantified, and the lack of data is a significant barrier to the effective response. It is recommended that data strategies should be implemented to accurately quantify how many youth in the foster care system and in the runaway and homeless youth systems are being sex-trafficked.

And, finally, responses to sex trafficking at the State and local levels are varied and inconsistent. YouthCare recommends that policies be enacted whereby allegations of sex trafficking are automatically screened for investigation by child protective services and that the definition of abuse and neglect is expanded to reflect the abuse and harm caused by pimps, traffickers, buyers of commercial sex, and other custodial perpetrators accessing children through the commercial sex trade.

Youth in foster care are at significant risk for many damaging and impactful outcomes, not the least of which is the victimization through sex trafficking. Significant resources and strategies should be vetted and implemented in order to identify victims and increase the capacity of child welfare agencies to protect youth from these harmful and devastating experiences.

Thirty years ago, YouthCare ran a program helping 36 young women off the streets and out of the victimization of prostitution. I sit here 30 years later with the same recommendations I would have had then. I see and hear from many of these 36 young women that I knew. They call, they say, "Thank you." They have jobs, they have college degrees, they have families, they have lives. The young people I see now were not even born when they were in my care.

How many thousands of young lives have been lost in those 30 years? How many more before we recognize that these are not incorrigible, immoral delinquents that need to be dealt with but children who are victims of the most heinous forms of abuse in our communities and they need our help, support, care, and, dare I say, love to regain their lives? How many more and how long before those children become our children?

I would sincerely like to thank the subcommittee for its interest in hearing YouthCare's recommendations for improving the child welfare system's response to sex trafficking of youth in foster care.

In closing, we deeply appreciate the dedication of this subcommittee, and particularly of you, Chairman Reichert, to provide leadership and bipartisan commitment to combatting sex trafficking. We look forward to your continued efforts and collaboration and are honored to be a resource in any way necessary as you move forward on this important issue.

Chairman REICHERT. Thank you for your testimony.
[The prepared statement of Ms. Giovengo follows:]



Testimony of Melinda Giovengo, PhD

Executive Director, YouthCare

U.S. House Committee on Ways and Means, Subcommittee on Human Resources Hearing on
*Protecting Vulnerable Children: Preventing and Addressing Sex Trafficking
of Youth in Foster Care*

October 23, 2013

Good afternoon Chairman Reichert and Members of the Subcommittee. I am grateful for the opportunity to address the Subcommittee on this important topic. My name is Melinda Giovengo and I am the Executive Director of YouthCare located in Seattle, Washington.

Since 1974, YouthCare has been a leader in providing effective services to help Seattle's homeless youth get off the streets and prepare for life. These services include street outreach and basic needs, shelter and housing, and education and employment training. Our agency's dynamic programming and collaborations serve as a model for working with runaway, homeless, and sexually exploited youth both locally and nationwide. In 39 years of working with runaway and homeless youth, YouthCare has developed successful, research-informed strategies for assessing and overcoming the challenges these youth face.

Runaway and homeless youth are at high risk of sexual exploitation. A recent study found that approximately one in four youth (23%) had experienced sexual exploitation or trafficking prior to entering services¹. To better serve our clients, YouthCare operates the Bridge Continuum of Services for Sexually Exploited Youth, consisting of identification and outreach strategies, community-based advocates, education, employment training, emergency shelter, and long term housing. These services identify and stabilize young people in crisis, create opportunities for YouthCare staff to build rapport with clients and offer them long-term solutions to the devastating harm of sexual exploitation and trafficking.

¹ Bigelson, J. & Vuotto, S. "Homelessness, Survival Sex and Human Trafficking: As Experienced by the Youth of Covenant House in New York City" (2013).

Seattle, King County has one of the largest homeless youth populations in the U.S.; the City of Seattle estimates there are between 700 and 1,000 homeless youth on the streets every night. The Seattle area also has a significant problem with the sexual exploitation and trafficking of youth. A 2008 study in King County conducted by Dr. Debra Boyer identified 238 unduplicated minors involved in prostitution, and determined the prevalence of sexually exploited youth in King County to be estimated between 300 and 500 youth per year.²

The long-term risks for youth in foster care are well documented, but it is only in recent years that the prevalence of sex trafficking among youth in foster care has been widely recognized. Many of the runaway and homeless youth served at YouthCare are part of the foster care system, or have aged out, and even more have histories of involvement with Child Welfare through CPS reports and investigations. We see youth each day who are being trafficked and exploited who are “system involved” and for whom the system has failed. It is this system involvement, combined with their runaway or homeless status, which makes them uniquely vulnerable to pimps and traffickers. Today I will highlight five key issues and offer recommendations to address each of these areas.

Five Key Issues and Recommendations for Improving Identification and Responses to Sex Trafficking of Youth in Foster Care:

1. Youth in foster care are disproportionately at risk for victimization through sex trafficking due to prior abuse and a lack of social/familial support. Furthermore, sex trafficking constitutes violence and abuse of vulnerable youth.
2. Youth in foster care are often victims of sex trafficking long before social workers, foster parents or other providers are aware. There is a need for increased measures to identify youth in foster care who are victims of trafficking, including broad-based training for Child Welfare leadership, staff, foster care, and residential providers.
3. Youth who have run away, or are missing from care, are at significant risk for sex trafficking. There is a need for increased efforts to locate youth who are missing from the foster care system, individualized strategies to enhance placement stability, as well as

² Boyer, Debra, “Who Pays the Price: An Assessment of Youth Involvement in Prostitution in Seattle” (2008), Report commissioned for the City of Seattle, Human Services Department.

improved ability of federally-funded RHY programs to provide short- or long-term placement option to youth in foster care.

4. The scope and prevalence of sex trafficking of youth in foster care is not systematically tracked or quantified, and the lack of data is a significant barrier to an effective response.
5. Responses to sex trafficking at the state and local levels are varied and inconsistent. This inconsistency is due in part to differences in language and interpretation of the definitions of custodial abuse/neglect within state Child Welfare charters.

Issue #1 – Youth in foster care are disproportionately at risk for victimization through sex trafficking due to prior abuse and a lack of social/familial support, and frequency of running away.

There are numerous studies that document the frequency of childhood sexual and physical abuse in individuals that later become involved in prostitution.^{3 4 5} Studies indicate that between 55% and 90% of prostituted individuals report a history of child sexual and/or physical abuse. There is also substantial anecdotal evidence, and consensus among service providers who have worked with victims of trafficking, that childhood sexual abuse and parental absence or neglect are common occurrences in the early lives of these youth. It is also well documented that running away is an indicator of potential trafficking and exploitation, and that recruitment into prostitution and sex trafficking often occur while youth are missing from care. The harm and neglect that lead children in to foster care in the first place are compounded with the conditions of unstable placement and subsequent running away. This creates a pool of “perfect targets” for pimps and traffickers.

Recommendation - YouthCare recommends that Child Welfare Agencies create a strategic plan for how prevent trafficking among youth in care and identify and respond to youth who do become victims of sex trafficking.

³ Boyer, Debra and James, Jennifer. “Sex and Social Order: The Prostitute as Victim”, *Deviance and Victimology* (1983). D. MacNamara and A. Karmen, Eds., Sage Annual Review of Studies in Deviance Vol. 7, Beverly Hills, CA: Sage Publications.

⁴ Farley, M. & Barkan, H. “Prostitution, Violence and Posttraumatic Stress Disorder” (1998). *Women & Health* 27: 37-49.

⁵ Silbert, M.H. & Pines, A. M. (1983). Early Sexual Exploitation as an Influence in Prostitution. *Social Work* 28: 285-289.

Issue #2- Youth in foster care are often victims of sex trafficking long before social workers, foster parent or other providers are aware.

In recent years, many communities have begun training law enforcement, youth providers, and first responders to identify and respond to victims of trafficking and exploitation. Washington State has been recognized as a leader in such efforts. Under the leadership of the Center for Children and Youth Justice (CCYJ), located in Seattle, WA, YouthCare has been instrumental in developing a model statewide protocol to respond to youth experiencing sexual exploitation and trafficking. YouthCare has also provided substantial training and technical assistance across the state to implement the model protocol to create consistent, victim-centered responses throughout Washington. Child Welfare has been actively involved in this process in our state. This model protocol, and related training and technical assistance efforts, demonstrate the need and the possibilities for regional and statewide multi-systemic responses.

***Recommendation** - YouthCare recommends that screening, intake and on-going service planning should include measures to screen for indicators for trafficking (such as childhood sexual abuse). We further recommend that all Child Welfare staff and foster parents receive mandatory training on identifying and responding to sex trafficking and that specific resources to meet the needs of victims be made available to foster parents and social work staff. Finally, we recommend that Child Welfare agencies participate in regional task forces or protocol development efforts to respond to sex trafficking.*

Issue #3 – State-dependent youth who are missing from care cannot legally be housed in a homeless youth program receiving federal Runaway and Homeless Youth Act (RHYA) or HUD funds.

Youth who are “on the run” who also have a history of abuse and trauma and poor familial/social support are the single most vulnerable group to fall prey to sex trafficking. The potential for recruitment is very high once youth have run from care. Social workers need to provide targeted interventions to reduce the potential reasons for running as well as working to establish strong nurturing connections for their youth. Child Welfare agencies need to prioritize the work of locating young people who are missing from care and dedicate resources to that effort.

State-dependent youth cannot legally be housed in a homeless youth program receiving federal Runaway and Homeless Youth Act (RHYA) or HUD funds. Many of these housing programs are designed to meet the needs of youth with trauma, runaway histories, and/or sexual exploitation, but because of these funding barriers, they are inaccessible to youth still in state care. For example, several of YouthCare's transitional living programs have dedicated beds for youth who have experienced sexual exploitation, but we cannot use RHY or HUD funds to support youth in care in these beds.

Recommendation- *YouthCare recommends that increased efforts should be taken to track and locate youth who are missing from care through use of dedicated staff and collaborations with law enforcement and National Center for Missing and Exploited Children. It is recommend specific strategies to prevent and reduce running behaviors be implemented as well as debriefing all run away incidents once youth are located and creating individualized plans to minimize running behaviors. Finally, we recommend that the RHY language be amended to allow provision of services to state-dependent youth if in-home placement is deemed inappropriate.*

Issue #4- The scope and prevalence of sex trafficking of youth in foster care is not systematically tracked or quantified and the lack of data is a significant barrier to effective response.

In order to effectively address any problem, we must first understand its scope and boundaries. It is well recognized in efforts to address human trafficking that there is a significant lack of data. In order to create high quality and effective responses we must know how many youth are victims, what the nature of that victimization looks like and what the long-term, developmental and cognitive impacts of being victimized through sex trafficking are. There is a broad array of research needed to truly understand the scope and consequences of this issue. However, a good start would be simply to get an accurate representation of how many youth are being trafficked for sex and how many of those youth are in the foster care system.

Recommendation- *Data collection strategies should be implemented to accurately quantify how many youth in the foster care system are victims of sex trafficking.*

Issue #5 – Responses to sex trafficking at the state and local levels are varied and inconsistent.

Child abuse and neglect is typically defined as neglect or harm caused by a “parent, guardian or caregiver.” The result of this definition is that when non-custodial individuals (such as pimps, traffickers or buyers of sex) abuse children, it is often deemed outside the jurisdiction of Child Protective Services to investigate. In some cases the report may be referred to law enforcement for investigation instead. However, sex trafficking is inherently a form of child abuse and as such, Child Welfare should have a response in both their investigation and long-term care divisions.

Recommendation - *YouthCare recommends that policies be enacted whereby allegations of sex trafficking are automatically screened in for investigation by Child Protective Services and that the definition of abuse and neglect is expanded to reflect the abuse and harm caused by pimps, traffickers, buyers of commercial sex or other non-custodial perpetrators accessing children through the commercial sex trade.*

Youth in foster care are at significant risk for many damaging and impactful outcomes, not least of which is victimization through sex trafficking. Significant resources and strategies should be vetted and implemented in order to identify victims and increase the capacity of Child Welfare agencies to protect youth from these harmful and devastating experiences.

I would like to sincerely thank the Subcommittee for its interest in hearing YouthCare’s recommendations for improving the Child Welfare system’s response to sex trafficking of youth in foster care.

In closing, we deeply appreciate the dedication of this Subcommittee to provide leadership and a bipartisan commitment to combating sex trafficking. We look forward to your continued efforts and collaboration and are honored to be a resource in any way necessary as you move forward on this important issue.

Sincerely,

Melinda Giovengo, PhD

6

Chairman REICHERT. Ms. Harris, you are recognized.

**STATEMENT OF ASHLEY R. HARRIS, CHILD WELFARE POLICY
ASSOCIATE, TEXANS CARE FOR CHILDREN**

Ms. HARRIS. Good afternoon. My name is Ashley Harris, with Texans Care for Children. We are a State-wide, nonpartisan, non-profit advocacy organization dedicated exclusively to improving the lives of Texas children through policy change.

As a former caseworker for Child Protective Services in Texas for over 4 years, I truly appreciate the opportunity to provide a first-

hand account of how this horrible crime impacts foster kids and those guided to protect them.

I have to first acknowledge T.'s testimony because I think we can all agree who the real experts are, and those are our former foster youth and those currently in care.

So thank you for your testimony.

With my testimony, I hope to offer recommendations for the committee's consideration and opportunities for improvements. I have included additional items for the committee's consideration in written testimony; however, because of time, I will specifically highlight the role that training, lower caseloads, and case monitoring has on the identification and protection of our most vulnerable children: those removed from their home due to abuse and neglect and placed in foster care.

Since hearing the recent reports that a majority of likely child trafficking victims who are reported missing ran away from either foster care or a group home, I have been reflecting on my days as a former CPS caseworker and one of my former kids from my caseload. Stephanie was a bright, beautiful, and funny young adult. I worked with her for over 3 years and knew her as my "runner" due to her monthly habit of running away from every single placement.

Since birth, Stephanie's life and sense of self was defined by how others used and abused her body. As a teen, she acted as though running away from care, sometimes selling herself to others, was a way to exert control over her body and her life—a tragic and flawed way of thinking that was a direct consequence of all she had endured.

Each time Stephanie returned, I would pick her up. She seemed fine, and on we went to the next place. I never stopped to ask the questions that would have allowed me to truly understand her experience and the impact of being away from foster care, all alone, exploited, and broken, without a person or system to protect and support her.

With a caseload of over 30 teenagers or more at a time, well above the recommended caseload of 12 to 15 per caseworker, getting her shelter was more of a priority than ensuring her social and emotional wellbeing. Caseworkers are the people charged with protecting some of our most vulnerable children and should be provided a manageable caseload that ensures appropriate supervision, that does not leave children at risk for further abuse and neglect, and promotes a child's ability to thrive both in and out of the child welfare system.

I also regret that the training I received as a caseworker had not provided me the skills and support needed to understand the impact of trauma on healthy child development and identify behaviors and characteristics that increase the likelihood that children in foster care will be victims of exploitation and trafficking.

For many State child welfare agencies, training on these topics is not part of the initial basic skills development provided to newly hired caseworkers. Additionally, basic training on human trafficking, reporting laws, and information on appropriate resources should be provided to all professionals who are likely to come into contact with possible minor victims who may be on runaway.

Stephanie's story represents the experience of many homeless teens and those involved in foster care, living on the streets by themselves with no one to protect them and, frankly, no one really looking. When these children run away from State custody, the system must respond in an expedited manner and make best efforts to locate the child and address their safety and wellbeing. As their parents, the child welfare system has a responsibility to address the needs of foster children and ensure their supervision and security.

The susceptibility of children in foster care to human trafficking must take precedence in the strategic plans of State and local child welfare organizations. These children are all of our children. And as the Nation continues to look at ways to combat human trafficking, we must do a better job at identifying, protecting, and supporting vulnerable youth like Stephanie to prevent them from becoming another statistic, helping them thrive and become healthy, productive, and happy adults.

Thank you so much.

[The prepared statement of Ms. Harris follows:]



**Testimony of:
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Preventing and Addressing Sex Trafficking of Youth in Foster Care
October 23, 2013

Subcommittee on Human Resources of the Committee on Ways and Means

Members, I am Ashley R. Harris with Texans Care for Children, a statewide nonpartisan, nonprofit advocacy organization dedicated exclusively to improving the lives of Texas children through policy change. We look to our broad base of community-based experts—our partners and 220 members throughout the state who together represent thousands of Texas children—to inform our work and help us in developing our legislative agenda. We also co-convene various stakeholder groups that bring together a wide range of organizations, families, and advocates around our areas of focus, which are: early opportunities; infant, child and maternal health; children's mental health; child welfare; and juvenile justice.

As you examine the impact of sex trafficking of those involved currently in foster care, Texans Care for Children urges the Committee to include in its consideration the role that improved data collection and information-sharing between child serving agencies, and training has on the identification and protection of our most vulnerable children, those removed from their home due to abuse and neglect and placed in foster care.

Today, I will highlight some of these issues and offer some recommendations for the Committee's consideration.

Protecting Foster Youth from Sex Trafficking

Recent data released by the National Center for Missing and Exploited Children estimates 60 percent of child trafficking victims were either in foster care or a group home setting prior to being recovered from the sex trade.ⁱ This shocking statistic reflects the value we place on our most vulnerable children, those removed from their parents and subsequently placed in the child welfare system. Children removed from their families due to abuse or neglect, often young girls, run away from the state's official care and may become victims of child trafficking and sexual exploitation.ⁱⁱ Research shows that runaway children are at a high risk of falling victim to traffickers.ⁱⁱⁱ These vulnerable children enter a life on the streets seeking what all children need and deserve: protection, food, shelter and a sense of belonging. Our nation must do more for our most vulnerable children to ensure they are protected from traffickers and further abuse and neglect.

Across the nation, local and state governments are faced with the challenges of addressing this problem and finding ways to prevent and combat child trafficking. The state of Texas is a major hub for this abhorrent crime. In fact, Texas is only second to California in the number of calls that come into the National Human Trafficking Hotline.^{iv} At one point in recent years, 1 in 4 victims the FBI recovered from human traffickers came from Texas.

As each state continues to look at ways to combat human trafficking, we must also do a better job at identifying, protecting, and supporting children and youth in foster care. There is little coordination between systems and too few solutions for the children caught between each system and this leads to real challenges. Additionally, youth emerging from one of the most traumatic experiences imaginable sometimes can't get the services they need. A 2012 report from Texas' Human Trafficking Prevention Task Force mentioned a range of barriers to accessing services for child trafficking victims.^v Society can and must respond to our most

vulnerable children used as commodities in sex crimes, ensuring they just don't become another statistic, but can thrive as healthy and productive adults.

Texas' Efforts to address trafficking of youth

Texas has made many strides to combat human trafficking. Texas was one of the first states to acknowledge human trafficking as a distinct crime, and the Legislature has passed laws aimed at stopping it since 2003. Our state also has an established task force dedicated to preventing human trafficking.

More recently, the Texas Legislature enacted laws to support minor trafficking victims.

- HB 1272 by Representative Thompson strengthens the Texas Human Trafficking Prevention Taskforce by requiring local agencies to provide data, if requested by the taskforce, on issues related to human trafficking in their local jurisdictions. This bill guides the taskforce to work with the Department of Family and Protective Services (DFPS) in developing training and indicators that direct delivery staff can use to identify victims of human trafficking and youth in DFPS custody who may be at risk of human trafficking. The bill also requires a cross-systems plan for connecting identified victims to services.
- SB 1356 by Senator Van de Putte requires the Texas Juvenile Justice Department (TJJD) to provide trauma-informed care training to staff working in our juvenile justice systems, including training on human trafficking. Additionally, TJJD must evaluate best practices for identifying minor sex trafficking victims in juvenile justice settings and provide recommendations for best practices that may be used in facilities.

Recommendations

Determine efforts to promote social and emotional well-being of children in the custody of Child Protective Services (CPS), including efforts to secure placement stability and strengthen protective factors that will decrease likelihood of further sexual victimization.

The effects of childhood trauma can be devastating to a child's development and overall wellbeing. Often, children and youth who have experienced maltreatment lack the skills, capacity and characteristics that can help enable them to understand and navigate the world in a healthy and positive way and are at a high risk for continued maltreatment and further victimization. Those youth on runaway from foster care, are at an increased risk for sex trafficking.⁴⁰ State and local child welfare agencies should make efforts to place children in the most appropriate settings where they can thrive for a lifetime and connect them with services that will enable them to resolve their past trauma and be successful both in and out of the child welfare system.

Each state child welfare agency should track and monitor the number of children in their custody on runaway, including efforts to locate the child.

Research shows that runaway children are at a high risk of falling victim to traffickers.⁴¹ Some state child welfare agencies collect information regarding children on runaway status from foster care. While this data is helpful in knowing who the kids are, additional information should be analyzed to ensure best efforts are being made to locate the child and address their safety and well-being.

- In 2011, Texas passed HB 943 by Representative Dukes. The bill requires the Department of Family and Protective Services (DFPS) to make diligent efforts to locate the child and document these efforts in the child's case record. Most notably, DFPS is required to interview a child to determine why the child ran

away, where the child stayed, and if the child was harmed while missing from foster care. This mandate will help DFPS support a child's stay in foster care and decrease likelihood of future attempts to run away.

Cross systems training on victim identification and risk factors for human trafficking should be provided to medical professionals, juvenile justice staff, and the education community.

Often, foster youth and those on runaway come into contact with professionals outside of the child welfare system, including teachers, hospitals, law enforcement, and other local service providers. Given the likelihood of such contact, these professionals should have the tools needed to identify and assist victims, including basic training on human trafficking, reporting laws, and information on appropriate resources. These efforts will ensure children are more quickly identified and placed in a safe setting and matched with appropriate services and supports that will help them heal.

Develop training and indicators that direct delivery staff can use to identify victims of human trafficking and youth in foster care who may be at risk of becoming victims of sex trafficking.

Caseworkers are rarely provided the skills and supports needed to identify children on their caseloads as victims of human trafficking. For many state child welfare agencies, training on this topic is not a part of the initial basic skills development training provided to newly hired caseworkers, as required by federal standards and included as a topic for continued professional development. Given the vulnerable population of children being served in state child welfare systems and at risk for sexual exploitation, it is vital that direct delivery staff receive comprehensive training on human trafficking. Additionally, caseworkers should be equipped with user-friendly tools that allow them to effectively screen and assess children on their caseloads who may be at risk and/or victims of sex trafficking.

- Recently, Texas passed a bill that guides the Human Trafficking Prevention Taskforce to work with DFPS in developing training and indicators that direct delivery staff can use to identify victims of human trafficking and youth in Department of Family and Protective (DFPS) custody who may be at risk of human trafficking. As DFPS continues to develop the training and tools in collaboration with the taskforce and Health and Human Services Commission (HHSC), Texans Care for Children will closely monitor its implementation.

Improve the collection of human trafficking data on youth in foster care, including the number of foster youth entering the juvenile justice system as a result of sex trafficking.

We cannot effectively address and combat trafficking of these vulnerable youth without first having a strong understanding of the actual scope of the problem. Many child welfare agencies do not collect information related to child trafficking, including the state of Texas.

Additionally, many minor victims of sex trafficking enter the juvenile justice system as a result of being on runaway, including youth in foster care who have left care and may be victims of commercial sex trafficking. In Texas, minor trafficking victims are identified and served in the juvenile justice system. To ensure child serving agencies have a comprehensive picture of how this crime impacts youth in foster care and opportunities for improvements, data elements related to minor sex trafficking and foster care status should be gathered by the child protection and juvenile justice system.

Expand specialized services for sex-trafficking victims and those at risk of sexual exploitation

Without additional services to provide identified victims, child serving agencies are not capable of responding effectively to the individual needs of victims. Like other states, Texas is lacking comprehensive services for child trafficking victims and expansion of appropriate services should be secured. Additionally, the types of services available to child victims may vary and should reflect best practices.

As you consider the recommendations noted above, efforts to lower caseloads for direct delivery staff should be a priority and is a key strategy in securing any meaningful improvements. **In many states, caseloads exceed what national standards tell us are needed to ensure child safety.** In Texas, the average caseload for all caseworkers is well above the recommended average of 15.^{vii} Caseworkers are the people charged with protecting some of our most vulnerable children and should be provided a manageable caseload that ensures appropriate supervision and does not leave children at risk for further abuse and neglect.

Thank you for your time and commitment to our most vulnerable children and ensuring they are protected from traffickers and abuse and neglect. If you have any questions, please feel free to contact me at 512.473.2274.

Respectfully,
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ⁱ National Center for Missing and Exploited Children. Available from, <http://blog.missingkids.com/post/56795201973/the-national-center-for-missing-exploited>

ⁱⁱ University of Texas at Austin, Institute on Domestic Violence and Sexual Assault, Center for Social Work Research, School of Social Work. October 2009. *Understanding Human Trafficking: Development of Typologies of Traffickers*. Noel Busch-Armendariz, Maura B. Nsonwu, Laurie Cook Heffron, Jacqueline Garza, and Mayra Hernandez, p.19-25. Retrieved September 10, 2012, from <http://www.utexas.edu/csw/di/files/cswr/institutes/idvsa/publications/humantrafficking.pdf>.

ⁱⁱⁱ United States Department of Health and Human Services. Office of the Assistant Secretary for Planning and Evaluation. August 2009. *Human Trafficking Into and Within the United States: A Review of the Literature*. Heather J. Clawson and Lisa Goldblatt Grace, p. 5 and 10. Retrieved December 6, 2012, from <http://aspe.hhs.gov/hsp/07/humantrafficking/ltrev/#Other>.

^{iv} Polaris Project. Hotline Statistics. Retrieved November 13, 2012, from <http://www.polarisproject.org/resources/hotline-statistics>.

^v https://www.oag.state.tx.us/AG_Publications/pdfs/20121912_htr_fin_3.pdf

^{vi} United States Department of Health and Human Services. Office of the Assistant Secretary for Planning and Evaluation. August 2009. *Human Trafficking Into and Within the United States: A Review of the Literature*. Heather J. Clawson and Lisa Goldblatt Grace, p. 5 and 10. Retrieved December 6, 2012, from <http://aspe.hhs.gov/hsp/07/humantrafficking/ltrev/#Other>.

^{vii} Ibid.

^{viii} "Guidelines for Computing Caseload Standards," (CWLA: Together, Making Children and Families a National Priority, accessed), accessed February 6, 2012, <http://www.cwla.org/programs/standards/caseloadstandards.htm>.

Chairman REICHERT. Thank you all for your testimony.

I couldn't help but sort of think back to the days when I was on the street as a police officer, as a homicide detective, and as a detective working the Green River serial murder case. That was really central around young girls and young ladies who were victims on the street being taken advantage of. And, sadly, some lives were taken by a monster who was prowling the streets.

And what my memory brought me back to were some of the things that you all said, especially, Melinda, your comment about 30 years ago you had made the same recommendations. I see that so clearly. Thinking back, not much has changed—a little bit, some has changed, but not nearly enough. We have so much work to do.

And what I also appreciate about our first panel, too, was that they did bring some solutions. They are working on some legislation, I think, that can be helpful. But what I appreciate about this panel is, not only have you described the problem for the Members

here today from your perspective, but you have also provided input as to what you see as solutions, which is really tremendous help for us.

But I am really curious—and, first, my first question will go to T. We had a chance, as I said earlier, to meet a little bit before the hearing.

But, first of all, I know that every Member up here really recognizes the courage it takes to come and speak in front of Congress, first of all, but to tell your story. I know it is hard because I have trouble telling my own story, as you and I witnessed earlier. So thank you for being here, and thank you for having the courage to come and testify today.

So you have heard some of the ideas about what we could do to prevent kids in foster care from entering into a life of human trafficking. From your point of view, it would be very helpful to us to know, what do you think? What can we do as Members of Congress, what can the Federal Government do to help ensure that young kids get a good, permanent, loving home and stay off the streets and stay out of this world that we know is so destructive?

Ms. PETTIGREW. Thank you again, Chairman. I think something that is very important to me—first of all, I would like to say everything that was spoken at this panel I fully support as a survivor and as someone who has the perspective of living the reality.

One thing that I think that was really helpful, I know for my own story and for many other stories, is that we all escape in different ways, but I think it really comes down to comprehensive, trauma-informed, and gender-specific care and services. And that means, you know, for both girls, boys, transgender, LGBTQ. I think that what is so important is that we really have it where it is comprehensive. And what I mean by that is that it is not just professionals but as, you know, stated here, it is also victim-informed. I think that that is the best way that we can really start to find the gaps, the holes, in which youth are actually falling through.

For myself, you know, it started with, you know, the connection to a youth advocate who was very much trauma-informed and really actually knew about my story for years previous. And so it really takes a conglomerate of different people and officials who come together to really say, we are going to start standing up for these youth.

Does that answer your question, Chairman?

Chairman REICHERT. Yes, it does, very well.

Ms. PETTIGREW. Thank you.

Chairman REICHERT. And I think that we—of course, go ahead. You have something else—

Ms. PETTIGREW. Oh, I just had another thing that I wanted to say, is that, in addition, I think that we need to really look outside and think outside the box. Something that I find to be very helpful in addition to all of that are, you know, us thinking outside the box in the effect of—you know, I know, for myself, I had a juvenile defender who, you know, although I wouldn't be in placement, still maintained contact. I had, you know, cell phone, email, and no matter what, she would maintain contact with me.

Also, I think that we need to go back to the real terminology of things. As professionals and as people who want to make a dif-

ference, we need to understand that labeling is real in all terms. So even as, you know, well-intentioned our work is, using the terminology of “children prostitution” or “child prostitutes” becomes very offensive, and it really is—it makes it a hard time for young people to be able to overcome their victimization. These young people should never be referred to as “prostitutes” or “prostituted children” because they oftentimes aren’t even of legal age to consent to sex, so how can they be selling something that they don’t have the legal right to have?

And so, I think, us just taking that into account—you know, even as a survivor, I wouldn’t say that I am just a survivor, but I am a thriver and an overcomer. And just understanding that those labels are all integrated in the way that we see ourselves and we see our futures.

Chairman REICHERT. Thank you.

Ms. PETTIGREW. Thank you.

Chairman REICHERT. We are going to keep your phone number handy so we can give you a call and ask some questions later too. Is that all right?

Ms. PETTIGREW. No problem.

Chairman REICHERT. Okay.

Justice Bridge, what do you see as the courts’ role in helping to reduce the vulnerability of youth in foster care? How can courts work with child welfare agencies to ensure that these kids are kept safe from harm?

Ms. BRIDGE. Well, first, I am going to put T. on speed dial, as well.

But the courts definitely have a role. And we have been—on the child welfare side of things, unfortunately we get siloed, so I have to say on the one hand child welfare, on the other hand juvenile justice. But we know that these frequently are the same populations of kids and they certainly represent the same needs, the same trauma as their pathway to either juvenile justice or child welfare.

With that said, the courts have done a much better job of working with the agencies in order to ensure that our work is consistent, that we are governed by best practices, by actual data that exists, rather than by anecdote or by, worst of all, the comfort of the adults in the systems as opposed to the voices of the young people who are a part of those systems. So all of that, I think, is really important.

And one of the things that I think on this particular issue that is so critical for us to work together on is that identification is a key. We need to have the best science possible, including specific assessments, in order to be able to identify who these children are.

Many children in the State of Washington are not—on the juvenile justice side, don’t end up in the juvenile justice system by being labeled as prostitutes. They come, however, through a variety of mostly misdemeanor offenses and the like, drug possession perhaps being the most frequent felony arrest. But there are all kind of red flags. There is all kinds of good learning that we can and should know, and learning together to identify those kids.

Because the courts’ role, in that regard, becomes not criminalizing this person who is a victim, this child who is a victim, but

can intervene to more positively impact that child's life and make sure that they are referred to resources which can intervene, which can interrupt the process towards being even more deeply trafficked.

And one of the things that T. mentioned that just struck a chord with me was what we have learned in developing this State-wide CSEC protocol in the State of Washington is that in many, many instances—and this is true for foster kids as well as for children who are not in the foster care system—in the early days of their being trafficked, they are still connected. They are still connected primarily to their school. They may not even be connected to their families or their home, because they are on the run, but they go to school, they kind of—they show up. Maybe they go to one or two classes, but they do.

It is an incredible opportunity for educators or for the court, if they end up being directed to the court because of truancy. People have to start asking the right questions, and we need to know what those right questions are. And in order to ask the right questions, we need to be aware of what the warning signs are, like the missing school, like tattoos, like having income that is unexplained, cell phones that are maybe two or three of them at the same time—all of these kinds of issues.

We need to be smarter, and we need to get smarter together. That is how the courts can work with the social service agencies.

Chairman REICHERT. Thank you very much.

Mr. Doggett, you are recognized for your questioning.

Mr. DOGGETT. Thank you very much.

Ms. Harris, you talked about the caseload. And I saw several heads nodding back and forth amongst all of you as you discussed various issues. But just in terms of caseload, are there some national standards on what is appropriate for working here? And how does that compare to what we have in Texas?

Ms. HARRIS. The Child Welfare League of America recommends that caseworkers who are working with children in foster care have a caseload of 12 to 15 children at a time. And in Texas, you know, we are at nearly double that recommendation.

Mr. DOGGETT. And how do you find that in Washington State? With a comparable situation?

Ms. BRIDGE. The caseloads, I believe, have been reduced over the course of the past decade, let's say, but we are still, I believe, on average, 19 or 20.

And particularly when you are working with vulnerable populations—again, you have to ask before you know, when you have particularly vulnerable people on your caseload, and by that I mean children who have been on the run from foster care. If you have 19 or if you have 10 on your caseload, that is far too many.

Mr. DOGGETT. I know one aspect of our committee is the flow of Federal dollars to help out with child welfare. But I would just ask you, since you heard the testimony of our colleagues and we have heard yours, if there are specific things within the jurisdiction of this committee that you recommend we do, whether it is now or in follow-up written testimony, that you provide us your counsel.

And I think you have done some of that, Ms. Harris, in yours, and some of the other witnesses have, as well. But really looking

to see, isn't there a way now, immediately, that we can agree on some bipartisan legislation that might help a bit supplement what you all are doing at the State level. I know so much of this needs to be occurring at the State level.

Yes? Do you have a thought on that, Ms. Giovengo?

Ms. GIOVENGO. I do. I just would like to talk a little bit about what is already being done in another arena.

If we look at how we are treating young people who are foreign victims of trafficking through our Office of Refugee Resettlement, my organization alone just received a \$1.5 million grant—amen—to be able to serve 20 beds of young people a year. Now, these young people then have trauma-informed care, they have an education specialist, they have people working on their legal issues, they have really appropriate supervision and care. It is a wonderful system to take care of these minors who are here without papers or undocumented, have been trafficked across the border.

On the other side, the RHY program receives \$109 million for programs across the country. Runaway and homeless youth programs were designed and set up and appropriated originally to serve the needs of sexually exploited children in our communities.

Couldn't we be helping the 475 programs nationally to become the infrastructure to respond a lot easier than to set up yet another system, to be honest with you. Couldn't we work in parallel with child welfare to use the resources we have and expand them to at least have some equity in how we treat our foreign victims and our local victims.

Mr. DOGGETT. That is very helpful.

Judge, did you want to add something there?

Ms. BRIDGE. Yes. I think the exclamation point that I would like to make—and I was rushing through my remarks in order to make the appropriate timeframe. But what Dr. Giovengo was saying, what it really amounts to is mandating changes in State child welfare laws so as to include a trafficked child in the definition of an abused child.

And right now—and I believe that Representative Bass noted this, as well—the fact is that if it is a third party who is the perpetrator of abuse, then it doesn't fall within most State statutes. Federal Government can and should be the leader in this, because our State statutes—99 percent of our State statutes mimic what the Federal statute provides.

And these are our kids. How could this not be abuse? And the fact is, as someone mentioned—oh, I believe as you mentioned, that these are our children in the most fundamental way, because we have taken them from their homes, we have made a determination that those homes are not safe and not providing for their wellbeing and are not the best permanent place for them, and yet we then—when they run, we just don't look. It is shameful.

Mr. DOGGETT. Doctor, were you going to add a comment there?

Ms. GIOVENGO. Yeah. And I just think that, again, while we know resources are tight—you know, it is just always going to be that way—there are administrative things that we could do to make the systems work better for these young people.

As it stands now, a trafficked young person who is in child welfare cannot have access to a transitional living program funded by

HUD or by the runaway and homeless youth networks because they are under the jurisdiction, even though those jurisdictions haven't worked. So those kinds of things prevent young people from actually getting access to the care they need.

If you are a foster care young person who is aging out of foster care, instead of being able to go directly into a transitional living program perhaps funded by HUD, which we operate, with trauma-informed care, you are not eligible because you can't be in the same bed that is funded by HUD.

These things make no sense on the ground, for those of us that are doing the work. And it seems like we could make some small changes that would make huge differences in the lives of our young people.

Mr. DOGGETT. Well, these are very constructive recommendations. To the extent they are not already part of your written testimony, please do feel free to supplement so we can look for a way to respond quickly to your recommendations.

Thank you very much to all of you.

Chairman REICHERT. Thank you.

Mr. Young, you are recognized for 5 minutes.

Mr. YOUNG. Yeah, thank you, Mr. Chairman, Ranking Member.

What an excellent panel we have here. T., your testimony was inspiring. Your life story is riveting. We really appreciate you personalizing and humanizing this affront right now that all of you are doing good work to address. And I appreciate that.

Judge, I was particularly struck with your systematic approach to trying to address sexual trafficking in the State of Washington. And I think we need to do more hard analysis of data, and I know that you and your team of stakeholders in the State have been doing that. You have developed a protocol here. And I would like to dive a little bit deeper into that with you with several brief questions, if you will indulge me.

You were able to learn, as I understand it, about best practices or generally accepted practices in other States. How, if at all, did that inform development of Washington State's protocol? And how did you divine these best practices from other States?

Ms. BRIDGE. Well, would that it were divined. That might be easier.

The process for developing the protocol involved, as I said, over 200 people. What that meant was focused interviews, individual interviews, with survivors as well as folks in the communities on the ground, but also what we called mini-summits or small summits, which brought together law enforcement, folks from the courts, including judges, detention workers, juvenile probation counselors, school people, community activists, community advocates, social service providers, and our Department of Social and Health Services, our child welfare administrators, all trying to come together to, as I said briefly, share their experience on the ground but also sharing best practices from the perspectives of their various disciplines.

In addition, before we went out into the field, as it were, we also did independent research and were assisted in that by Dr. Debra Boyer, who is a nationally known expert on practices relating to CSEC, or commercially sexually exploited children. So we devel-

oped a set of recommendations that are included in that protocol—

Mr. YOUNG. Right.

Ms. BRIDGE.—about best practices.

Mr. YOUNG. Well, it sounds like you did a lot of field work, a lot of focus groups, so to speak. And that is oftentimes how this sort of information is gathered.

Perhaps I should follow up with Dr. Boyer or somebody else with respect to some of the homework that occurred, in terms of data analysis and so forth, going into those meetings. But I do wonder, as with so many other areas of public policy, whether there is something lacking, in terms of robust information related to this population.

Ms. BRIDGE. Without a doubt.

Mr. YOUNG. Okay.

And do you see opportunities for us to improve that nationally, or do you think, instead, these should be State-by-State databases, so to speak, of information collected from case files, as I know you are in the process of doing in Washington State, or other things?

Maybe you or Ms. Giovengo could speak to that.

Ms. BRIDGE. I will let Dr. Giovengo do a—but, certainly, the answer is yes. And when I mentioned at the very end about not just moving this issue or this population from one neighborhood to the next or one county to the next or one State to the next, it is where Federal leadership comes in.

We are trying to figure out what data is being collected. We know it is very little. There should be consistent definitions of what “sex trafficking” means, what “child sex trafficking” means. And that leadership needs to come from the Federal Government. And when the law enforcement, for example, or the courts are collecting data, you know, how are they collecting it so it all means the same thing? And that should be in a Federal database.

Mr. YOUNG. Justice—thank you.

One final point here. In consulting with Dr. Letourneau, who is the director of the Moore Center for the Prevention of Child Sexual Abuse at Johns Hopkins University, she indicated that she thinks much of the emphasis needs to be placed not just on treatment or punishment but also interventions to prevent the occurrence of sexual trafficking. And I think that sounds spot-on.

To the extent you have thoughts about investments, public investments, we need to be making that will not only save money but help protect persons in the longer run, I would be open to that testimony, either written after the fact or if you have an idea right now that you can quickly put forward, that would be great.

Ms. GIOVENGO. Well, just some quick thoughts.

What we have tried to do in Washington State, or at least in the Seattle area, is we have instituted National Safe Place, which is on our all of our metro buses around King County. And through a coalition of runaway and homeless youth providers, we respond to any young person in a King County library or in our community centers that looks in and looks like they need help.

So metro buses—we have over 3,000 sites right now. The bus driver says, “How you doing?” They say, “Not so good.” She says, “Do you need help?” He calls us. In 45 minutes, we meet that bus

in one of the largest counties in the Nation within 45 minutes and help recover that young person, who may have set foot out of their house just mad because of, you know, broccoli or a curfew and end up on a bus with someone looking to put them in the most horrific situation they could ever experience.

So the National Safe Place model is an interesting, easy, low-cost way to get your community involved. I think there are lots of early interventions with families who end up with shelter programs, to do some family reconciliation, not just let the kid go home, but to actually try to duct-tape that family together for a long time with some small interventions, versus letting them become systematized and part of our long-term services.

We deal mostly with young people that come in during adolescence, but there is a lot, I think, we could do with foster families in identifying and training them on the expertise of what it looks like when a child living with you is beginning to get into this or beginning to perform, quote/unquote, "survival sex" in our community.

So I think that there is a lot of training and, actually, not very expensive interventions that we could to really create a much thicker safety net for our young people.

Mr. YOUNG. Thank you, Doctor.

I yield back.

Chairman REICHERT. Mr. Renacci.

Mr. RENACCI. Thank you, Mr. Chairman. I want to thank you for holding this hearing on preventing and addressing sex trafficking of youth in foster care.

I am very interested, really, in working with the members of the previous panel in regards to—and any other Members from both sides of the aisle on how Federal laws and policies might be improved to better ensure the safety and wellbeing of youth at risk of abuse and neglect.

You know, in Ohio, on average, 12,000 children are living in foster care each month. Last year, more than 1,500 foster children aged out of care when they turned 18. When I hear these statistics, I am not only worried whether or not these individuals are prepared for life after foster care, but if the system was able to provide for them the sense of family and protection they deserve. Our jobs as Representatives is to ensure the foster system protects them and prepares them, really, for successes in life.

T., you are an inspiration, and I thank you for your dedication to really helping others in foster youth.

You mentioned in your testimony at least once, and I read it, about red flags that go unnoticed by child welfare agencies. Can you tell us some of the—what these red flags are?

Ms. PETTIGREW. I think some of them are very much mentioned within this panel.

Particularly, I want to say that specifically from the ages of 10 to 13 I was still in and out of the education system. So I think that definitely I want to go back to, you know, the absences. I think that if we take the time to integrate the education system in regards to identifying and in regards to educating them about this population, I think that that is very much important.

Because I know if you would have asked me at 13, you know, what was going on, I would have told you that, you know, this is my life because I didn't know anything separate. But through the education of others, just much like the education system, I seek to find a new me and a different me. And so I think that definitely the education system.

I definitely think that, yes, the cell phone thing is very important, very crucial. If a young child has, you know, two or three cell phones, you have to, like, really take at that in and say, what is that? You know, what does that look like?

Not even that, just the context of the language. Oftentimes, you see young people using different language for different things. And so there is, you know, certain terminology, like "green girl," or, you know, referring to one another as the "B" word and things like that. There are certain identifiers. Or saying, you know, "Oh, that is my wife-in-law." That actually means that is another girl that has been victimized by the same exploiter.

So really identifying not only the terminology being used, really the education and incorporating the education system in our hopes to make progress in identifying and helping these victims, but also, you know, just paying attention to changes of, you know, personality, withdrawing from people, being more isolated, things of that sort. So I think it is important.

Because one thing that I feel is really important for people to understand is that, if you were to ask me at 13, I wouldn't see nothing wrong because I was trained to perceive my life in this way. I didn't see it as anything wrong because no one educated me to say something is wrong.

Also, we need to understand that young people in the foster care system primarily aren't taught about healthy relationships. So we need to understand that that is a red flag. And if they are, you know, having relationships that aren't so healthy or, you know, are not clearly visible as far as what the relationship is, those are red flags.

And so, you know, I think the biggest thing that I have to say here is that it has taken a long time for me to get to the place that I am, to be able to speak the way I do and to use the semantics that I do. And if I was 13, you know, I didn't have the ability to speak in this way and I didn't have the opportunities. But all the talents and abilities that I hold, I mean, my story is just a conduit of many others. And so my hope is that we can make these changes so that other young people can come to the same table and show their talents and their abilities.

Mr. RENACCI. One other follow-up. You mention that the foster system hinders youths' decision-making.

Ms. PETTIGREW. Yes.

Mr. RENACCI. You know, what type of decisions should foster youth be more in control of?

Ms. PETTIGREW. I mean, even in regards to a young person going to sleep over at a friend's house, that is not the youth's decision nor is it the decision of the caregiver. Oftentimes, you have to get, you know, approval from the social worker or the judge in the case, things like that.

I also want to say that, in addition to that, foster youth should be more aware of their rights. Because oftentimes there are disruptions in the home due to a foster parent saying you don't have the right to call this person or you can't call that person, but, actually, it goes against maybe their State rights, that only a judge can make that decision.

So, in that regard, I feel that, you know—does that answer your question?

Mr. RENACCI. Yeah. Thank you so much.

Mr. Ryan, quickly, I know I am running out of time, but you mention in your testimony that only Illinois and Florida report missing children to your organization. Why aren't the other States doing this?

Mr. RYAN. Well, we are actually, Congressman, in discussion with a number of States, including Ohio, and we are getting great feedback. I think there is momentum now that we have proof of concept. We know that the reports we get from two States have led to the early location and finding of these children before they have been exploited.

So I think that is encouraging. The fear that may, you know, have been prevalent with some of the social welfare agencies—this is a partnership. We all have a role to play here.

And T. said it earlier in her comments; many times, nobody is even looking for these children. And you mentioned, at the age of 18 when they age out, that means nobody will ever have looked for them, and they are probably forever lost and will continue in whatever, you know, environment they have been in. So unless we can get the reports and law enforcement get the reports, the hope of stopping the cycle that they are bound in is almost hopeless.

But States are, you know, listening, but I think at the Federal level, if we want a uniform, consistent approach, that is the best model. And I know there is some proposed legislation to address that. That is what we support. Every child in every State should be afforded the same level of protection.

Mr. RENACCI. Thank you.

And I want to thank all the witnesses.

I yield back.

Chairman REICHERT. Thank you.

Before going to Mr. Reed, I ask unanimous consent to insert in the record an excellent article about today's hearing topic, titled, "Protect Foster Children from Sex Trafficking." It was written by Conna Craig, the president of the Policy Institute for Children, and includes a number of specific policy recommendations for us to consider.

If you haven't read that article today, you all might want to take a look at that USA Today article.

[The information follows: Article]

Protect foster children from sex trafficking: Column

Conna Craig 12:17 p.m. EDT October 23, 2013

These girls and boys must be better cared for and watched over.



(Photo: Dennis Drenner for USA TODAY in 2009)

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(<https://twitter.com/intent/tweet?url=http://usat.ly/1bfgMis&text=Protect%20foster%20ct>)

Recent sting operations revealed that more than half (<http://www.childrensrights.org/news-events/cr-blog/sex-trafficking-sting-shows-foster-children-are-especially-vulnerable/>) of the children being traded for sex come from foster care. The same children identified by our courts as most in need of protection from abuse and neglect are being bought and sold everywhere from truck stops and cheap motels to wealthy suburbs. They are being used, reused, and then discarded like trash.

When the U.S. House Subcommittee on Human Resources holds a hearing Wednesday

(<http://waysandmeans.house.gov/calendar/eventsingle.aspx?EventID=355668>) on what can be done to prevent

sex trafficking of youth in foster care it will be taking up an issue that is, tragically, more widespread -- and deeply entrenched -- than most anyone can imagine.

What makes it all the more appalling is that, in the vast majority of cases, no one even looks for these children when they go missing from the system.

"Research shows that most victims of child sex trafficking come straight from the foster care system. This is totally unacceptable," said Rep. Dave Reichert (<http://waysandmeans.house.gov/news/documentsingle.aspx?DocumentID=355663>), R-Wash. -- who called the hearing. "We owe it to them to ensure our nation's foster care system does all it can to protect them from predators so they can live safe, happy, and successful lives. For too many kids in foster care, we are not living up to that promise."

Reichert is absolutely correct. In order to keep the promise we, as a civilized society, have made to our most vulnerable children, we must mandate concrete, actionable steps. To begin with, let's look at what we know: state governments admitted they could not locate 4,973 foster children (<http://www.acf.hhs.gov/sites/default/files/cb/afcarsreport20.pdf>) at the end of fiscal year 2012. Almost unbelievably, this is one of the numbers ("Status=Runaway") that states provide to secure federal funding.

These are real numbers, representing real children. Is anyone looking for them?

The youth at the highest risk of being lured into sexual slavery fall into several groups. First, those who have run away from "substitute care"—an umbrella term that includes foster care, kinship care, group homes and institutions. Then there are youth who "age out" of care with nowhere to go. Finally, the most overlooked are children missing from care but not formally counted by the state as "abducted" or "runaway."

Children *missing from care* are defined as those whose whereabouts are unknown to their state-appointed caretakers yet their status is not reported to the authorities.

These include children who have been informally (and illegally) returned to a family of origin or "re-homed" with another family (while the foster parents continue to collect payments for a child no longer in their care); children whose overburdened social workers are instructed by supervisors to "check the box" rather than pay actual visits to check on youngsters' safety; and children who walk out of group homes. According to *The Oklahoman* (<http://newsok.com/missing-78-children-from-oklahoma-department-of-human-services-custody/article3871014>), youngsters in a foster care shelter were free to leave at any time and "if the child is above the age of 15, or sometimes if they are above the age of 13 and 'seem particularly mature,' the shelter staff will not follow the child nor will the police be called."

If the foster parents and social workers into whose care we are placing abused and neglected children are not keeping track of the children, then who is?

Every caregiver assigned by the state must be required to report every child who has run away or otherwise gone missing (think for a moment of the dangers of online predators alone) to law enforcement within 24 hours. Some foster parents are reluctant to report missing foster children for fear of being judged or even having their biological children taken from them. This is a practice issue that can be addressed in foster parent training and support.

In order for any federal law to stem the tide of foster girls and boys being lured into sexual slavery, several practices need to be implemented right away. Governors must enact executive orders requiring physical proof, such as fingerprints or photographs, of visitation by social workers every 30 days to

children in state-run care. State legislators should extend mandated reporter requirements to include the reporting of children who are missing for 24 hours or more. Every adult who works with children in substitute care must report children who are missing to law enforcement, just as they would their own children.

Wednesday's hearing provides the opportunity to take critical steps toward keeping our promises to at-risk youth, and very likely even saving lives.

Conna Craig is a children's advocate and president of the Policy Institute for Children.

In addition to its own editorials, USA TODAY publishes diverse opinions from outside writers, including our Board of Contributors (<http://www.usatoday.com/reporters/boc.html>). To read more columns like this, go to the opinion front page (<http://www.usatoday.com/opinion/>) or follow us on twitter @USATopinion (<https://twitter.com/USATOpinion>) or Facebook (<https://www.facebook.com/usatodayopinion>).

Chairman REICHERT. Mr. Reed, you are recognized.
Mr. REED. Well, thank you, Chairman.

And thank you to the panel for the testimony. And it is getting kind of lonely up here, but—so we are almost done.

But I appreciate this topic. Obviously, we are talking about something that crosses across party lines, unites us as a nation and as people to say that this type of abuse, this type of problem needs to be addressed and needs to be something that we stand united against. So I appreciate everything you guys are doing.

T., what I found very fascinating about your testimony—and I read your testimony. And I will read you a statement here that you provided in your written testimony. It says, “Lastly, while I was in care, my social workers were aware that I was being exploited and did nothing about it.”

I would like to know how that happens. What do you mean by that?

Ms. PETTIGREW. So, what I mean by that is, even as an emancipated youth, I would—when trying to get some of the documents of my upbringing, of course, when I went back to get some of my, what they call, files, it clearly was stated in the documents that, you know, she has trauma due to years of exploitation on the streets. And it is the fact that they were made aware, but at the time in my county there were not resources, there were not ways to help these youth.

I think that even though I am only 24 and we have made—we have made so many strides within, you know, these past couple of years since I have aged out. And so, I mean, you know, literally, we have to—I am sorry.

Mr. REED. That is okay. You are doing fine.

Ms. PETTIGREW. Literally, we just have to really pay attention and listen and stay focused to, really, the vulnerability of these youth.

Mr. REED. See, because that really concerns me, with the people that are in the system, that their sole mission—and I have met so many of them, and they are just outstanding people. They are people that have dedicated their lives to—not for the paycheck but for the mission. And when I hear something like that, that tells me that something in the system is failing.

And what I would like to do is hear maybe from the other panelists, too, T., is how that happens and how that is not discovered in the system. And how does a worker, whose mission and duty is to take care of a child in this situation, fails to do anything about it even though the record shows that they are aware of it? Can anyone explain to me where that—yeah, Ms. Harris.

Ms. HARRIS. Well, as a former CPS caseworker, I can speak to that.

I will admit that it may not—and I would say more often it is not as explicit as T.’s story, in the fact that it was in the case record. For me, reflecting on some of the young women that I worked with, I am thinking they were victims, and I just did not have the skills and the training to be able to identify that.

But when it is explicitly documented in case record, I think a lot of those records, given the high turnover rate that you have with CPS caseworkers, that information may not be shared with the new caseworker. They may not have that long history of understanding a child’s behaviors and being able to determine this is

something that a child does often, and how can we ensure that they are not revictimized. And so I think that has a lot to do with it.

And I think, to get at that point, it is additional training and a skill set that many caseworkers are not receiving when they are new at the job. I have to admit that many new caseworkers, especially in Texas, are young. They are right out of college. They have never had experience working with vulnerable children and families, and so they just don't automatically have the knowledge to be able to understand what this problem looks like and then how to respond to it appropriately.

And I think access to resources is another issue. I know in Texas there are limited resources specifically for victims of trafficking, and those resources are not available in all areas of Texas. And so that is a huge part.

But when it comes to those times when you know a child is being victimized, the system has to provide that caseworker the ability to respond appropriately and the skill set to actually be able to identify that.

Mr. REED. Yeah.

Ms. Giovengo, please.

Ms. GIOVENGO. I just would like to say I think that this happens way more than is acknowledged. And I think it is because no one really has jurisdiction over this issue inside of child welfare. So in very few States is it the purview of child welfare to be intervene in these particular cases.

I have been shocked day after day in the young people that come into our care at YouthCare with, when we call to report from our drop-in center that a young person is being trafficked, child welfare says, "Well, call the police." To me—and this is a 12-, 13-year-old.

So this is an issue of no one takes ownership over these young people; no one adopts them as, you know, their concern or their ongoing concern. And so these multidisciplinary teams that Justice Bridge is talking about may resolve some of that, in terms of we will all be accountable. But, also, we need to have—I mean, I think we need to have policy that says where does the jurisdiction lie.

And I would say that there is a lot of teeth to the notion that T. brings up—and I am always humbled to be with her—about teaching young people agency. You know, it is not rocket science, you know. Adolescents are not, you know, green monsters from the blue lagoon. You know, we know what makes young people feel self-confident and can stand up for themselves and maybe even do some reporting of their own things.

And these young people in foster care are not afforded the opportunities to learn to drive, you know. So you take a ride from somebody. You know, there is a vulnerability. Or you are not with your friends—you can't go on an overnight with your girlfriend. So you figure out a way to have an overnight.

You are just not afforded the normal developmental milestones and opportunities that you would be in a regular home. And I think that that is one of the biggest disservices we do to these young people out of fear of liability. And I think that that goes, again, with who is responsible for creating this person as a young

adult and fostering that kind of growth and development in them. And it all makes them vulnerable to the kind of care.

Mr. REED. Well, I appreciate that.

Chairman, I know I am out of time, but the judge would like to respond, if that is okay.

Chairman REICHERT. Well, we will let the judge talk.

Mr. REED. All right. We will let the judge talk, as the sheriff says.

Ms. BRIDGE. Well, for Ms. Harris, I want to say that there is somebody who is responsible at law ultimately for these cases, and it is the judge.

Mr. REED. The court.

Ms. BRIDGE. And that is a failure on the judicial system's part in huge magnitude, because—and that stems back, in part, to lack of training and the lack of ability, again, to ask the right questions, to be alert to the cases that are presented, and to, in fact, approach the caseworker, to summon the caseworker even into court and say, "We have this child on our caseload; where is she?"

Mr. REED. Well, I appreciate that input, Judge.

When I was a law guardian, when I started my practice of law, I dealt with caseworkers and child protective services, and there was a huge burnout factor. I mean, it is a tough job. And not to have that central person, that somehow it is not handed to caseworker, caseworker, caseworker, but a referral to a judge, I mean, these should be the cases that rise to the top, to say, hey, we have something very significant going on here and to take care of.

And T.—please, T.

Ms. PETTIGREW. I just have one more thing to say, is that—

Mr. REED. Yes.

Ms. PETTIGREW [continuing]. As it aligns and it does fall in the courts and with the judge, I think that one thing that we—just out of, like, lack of knowledge and out of just fear of protection, I think what happens all too often is that we have, you know, judges who are misinformed or not clearly educated, and their way of safety is to lock the young people up in detention. And I think that we need to be really clear when we say these young people get no rehabilitation, no trauma-informed services. They are basically locked like a dog in a kennel waiting for somebody to pick them up on the next try.

So I just really want to make that clear, that as we defer this issue towards the judges, that they need to be educated and informed of other resources, abilities, and ways and protocols to deal with these young people.

Mr. REED. Great input, T. Thank you very much.

And I thank the panel.

And I yield back, Chairman.

Chairman REICHERT. Thank you, Mr. Reed.

Well, thank all of you for being here, a little over 2 hours of your hearing. And I just want to say again how much I appreciate what you all are doing to help our young people across this country. And thank you for being here today to testify.

There were a number of things that really struck, I think, a lot of the Members here today. I know, for me, again, it always brings

me back to those days when I was working with those young people on the street.

And one of the things that T. said about healthy relationships and not really knowing what that healthy relationship was, you know, when you think about it, most people in this country don't understand what she just said, because they have a healthy relationship.

And when you say, T., I really didn't know what that was, I didn't know what love was, I didn't know what a family was, I didn't know what that was, people don't get it. I get it. I get it.

So, also, I wanted to mention that we have had a series of hearings. One of those hearings, a few months ago, was about children being children and allowing foster kids to participate in sports and get rides home with coaches and other parents and get a driver's license. And so that is a part of this whole effort.

As we move forward and have additional hearings and stay in touch with you, what we would like to do is provide some of the thoughts that we are having along the lines of what legislation might look like, forward those to you, get your input, so that we can make sure this is right. We want to get this right because it is about the future of this country, it is about saving lives, it is about saving the lives of our children.

So thank you all very much.

And I must say this last sentence for the record. If Members have additional questions for the witnesses, they will submit them to you in writing, and we would appreciate receiving your responses for the record within 2 weeks.

The committee stands adjourned.

[Whereupon, at 4:25 p.m., the subcommittee was adjourned.]

[Submissions for the Record follow:]

Foster Family Based Treatment Association



October 23, 2013

Dear Members of the House Ways and Means Committee:

On behalf of the national Foster Family-based Treatment Association, I respectfully submit these written comments for the official record of the hearing October 23, 2013 on Preventing and Addressing Sex Trafficking of Youth in Foster Care.

Treatment (or Therapeutic) Foster Care (TFC) is foster care for children and youth with special medical, psychological, emotional and social needs who can accept and respond to relationships within a family setting, but whose special needs require intensive therapeutic services. TFC is, therefore, distinguished from "traditional" foster care, "kinship" foster care, and "specialized" (homes contracted with Departments of Developmental Disabilities) foster care, where the fundamental need is a need for placement.

TFC is a medically necessary service for treatment and is Medicaid compensable. TFC is also the least restrictive, evidence-informed, and most cost efficient treatment option for these youth, whose only other options would be in-patient, group homes or the juvenile justice pipeline.

When Treatment Foster Care (TFC) is conducted according to the Program Standards of the Foster Family-based Treatment Association, TFC demonstrates specific outcomes for safety, permanency, and well being for this highly fragile population. TFC is delivered by licensed child-placing agencies whose staffs are trained in distinguishing mental health and trauma-induced sequelae, are accredited to provide evidence-informed treatment for these disabilities, and are held to defined measures of outcomes, research, and accountability.

In particular, treatment foster care is a system of care for youth who have experienced complex trauma. TFC homes provide intensive treatment from the agency clinicians as well as intensive training and supervision of TFC foster parents.

When victims of domestic minor sex trafficking (DMST) are identified, they may be best served through the level of care, preparation, and intervention of TFC in order to deal with their trauma and to begin a path of well being and recovery.

Experience of TFC providers across the states suggests that some of the biggest challenges for victims of DMST are:

1. State child welfare agencies not recognizing the prevalence of the issue (and therefore, the public does not know about this abuse; likewise, child welfare field workers lack needed awareness, training and support)
2. Even if a youth is identified, many state child welfare agencies are unable to enter data into SACWIS or other state databases accurately or in a timely manner,
3. Appropriate matching and referral to foster homes (e.g. TFC homes) does not occur.

4. Training guidelines for treating DMST survivors need to be established, both for foster care agencies and in the case of treatment foster care, for TFC foster parents.
5. Outcomes unique to this population should be developed according to the unique needs of this population. The typical treatment and placement outcomes measured for foster youth do not apply to this population, e.g. Running away and returning may not be a 'negative' for these youth. Outcomes need to go beyond current benchmarks for traditional foster youth.
6. Treatment must be trauma-informed.
7. A national, uniform definition of TFC would greatly enhance quality and 'credibility' for treating the DMST population.
8. Since homelessness is a frequent precursor to entering trafficking, more resources for displaced/homeless teens in local communities before they come to the attention of child welfare or law enforcement is paramount.

FFTA is interested in providing treatment foster care for this population. Note that TFC is a treatment, not just a placement. Youth typically have to meet some defined "medical necessity criteria" (e.g. mental health diagnosis, etc.) in order to have access. Each state determines their own 'medical necessity criteria', but there are close similarities among the states. FFTA is in the process of identifying FFTA agencies with experience treating trafficked youth. We have begun a specialized issues work group on trafficked youth and TFC and will gladly share findings and recommendations as they continue to be developed.

In summary, some of the key differences in treatment foster care vs. traditional foster care and out-patient wrap-around services include the training of TFC foster parents, placement in homes in the community (no more than 1 or 2 TFC youth per home), use of trauma informed and evidence informed interventions, and inclusion of bio-family/relatives if appropriate and possible. Youth live in communities in specially trained foster homes. In general, TFC foster parents have twice the training of traditional foster parents. They must keep a daily log of activities and "interventions," all of which are tied to the treatment plan by the youth's clinical therapist, who is a state licensed behavioral health professional. Foster parents and clinical staff must be available 24/7 if needed for crisis intervention and support.

Interventions, daily activities, outcomes, and foster parent logs should all reflect specialized training for DMST survivors.

Going forward, we welcome the opportunity to address the treatment needs of trafficked youth through treatment foster care. Reimbursement rates for this specific niche of care should be carefully examined. Specialized training costs must also be addressed.

Respectfully submitted,

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