

THE BUSH SCHOOL OF
GOVERNMENT AND PUBLIC SERVICE

Light in the Darkness

2018-2019 CAPSTONE TEAM

**"SLAVERY DID NOT END WITH
ABOLITION IN THE 19TH CENTURY.
INSTEAD, IT CHANGED ITS FORMS
AND CONTINUES TO HARM PEOPLE IN
EVERY COUNTRY IN THE WORLD."**

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Advisor: Dr. David McIntyre

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The Bush School of Government and Public Service, Texas A&M University

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About the Project

This project was produced by the Bush School of Government and Public Service Capstone program. The project team created a research report, a counseling handout, and a website for the Human Trafficking and Transnational/Organization Crime Section (HTTOC) within the Texas Attorney General’s Office. The project involved eight second-year Masters students and occurred during one academic year.

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Executive Summary

“Can mapping the resources available to Texas Domestic Minor Sex Trafficking victims provide significant assistance in their recovery?” This is the question asked by the 2018-2019 Capstone group as a response to being tasked with helping in the efforts against human trafficking. Through our research efforts, we determined that mapping available resources is beneficial to victims of Domestic Minor Sex Trafficking (DMST), as it allows for communities to identify gaps in specialized training, communication between service providers and other community members, and available services. Once such gaps are identified, communities can then take appropriate actions to adjust accordingly and be prepared to serve future victims in a more effective manner. Adjustments should include increasing specialized trainings available to various community members and organizations, enhancing communication among service providers and law enforcement, and filling the gaps in necessary but currently unavailable services.

We recommend these adjustments based on the qualitative data collected by this Capstone team. We conclude with transitional thoughts for the Capstone group that will follow ours with the goal of continuing and expanding upon the project.

Key Terms

Defendant – An individual who is charged with having done something illegal.

DMST – Domestic Minor Sex Trafficking is the sex trafficking of children under the age of 18 in the United States.

Grand Jury – A jury of a group of citizens who explore and determine if criminal charges should occur from an event.

Grooming – A predatory tactic that involves befriending an individual to lower their inhibitions being subjecting them to abuse.

Human Trafficking – Using fraud, force, or coercion for sexual exploitation, forced labor, or organ harvesting.

Indictment – A formal accusation that someone has committed a crime.

Intimidation – The act of making someone fearful or uncomfortable.

Prosecutor – The lawyer who tries to prove that a defendant is guilty of a crime.

SANE Nurse – Sexual Assault Nurse Examiner; a registered nurse who received special training to conduct exams of sexual assault victims.

Stakeholder – An individual or group that has an interest in an organization, policy, concept, or event.

Testify – To make a statement under oath based on personal knowledge as an example of evidence.

Transnational crime – Crimes that cross-national borders.

Trauma-informed care – A treatment approach that considers every aspect of human well-being; physical, social, behavioral, mental, security, trustworthiness, choice, collaboration, and empowerment.

Witness – A person who sees an event, such as a crime or accident occur.

Introduction

The Problem

“Slavery did not end with abolition in the 19th century. Instead, it changed its forms and continues to harm people in every country in the world” (Anti-Slavery International 2019).

In Linda Smith’s book, *Renting Lacy*, the former Congresswoman describes the issue of human trafficking as a bleak, lightless experience for the victims (Smith & Coloma 2013). Clearly, the subject of human trafficking is dark, and our team strove to shed as much light as possible on the issue. In order to provide useful information on the subject, our Capstone asked the question “Can mapping the resources available to Texas DMST victims provide significant assistance in their recovery?” This leads to a natural secondary question, “How can mapping the resources available to Texas DMST victims significantly assist those providing the resources?” Through our research efforts, we determined that mapping available resources is beneficial to victims of Domestic Minor Sex Trafficking (DMST), as it allows for communities to identify gaps in specialized training, communication between service providers and other community members, and available services. Once such gaps are identified, communities can then take appropriate actions to adjust accordingly and be prepared to serve future victims in a more effective manner. Adjustments should include increasing specialized trainings available to various community members and organizations, enhancing communication among service providers and law enforcement, and filling the gaps in necessary but currently unavailable services.

The nature of our project led us to develop a qualitative methodology in pursuit of the recommendations mentioned above. As we “muddled along” to produce a deliverable product, we found that the constant retooling of the product actually forced us to explore the issue in a variety of ways. In essence, human trafficking was not a subject that we could directly research; rather, it is an under-explored topic that required us to research our way through the darkness.

Literature Deficiencies

We found that many agencies have written about human trafficking resources, but only from the perspective of what that individual agency can do for the victim. The obvious deficiency is that no one has compiled documents about the resources systematically. Thus, we have no evidence that can help prove or disprove the idea that mapping *all* of the resources from an area can lead to an improvement.

Audience

This paper is specifically intended for use by all citizens of Texas, though the implications are relevant to Western society as a whole. The deliverable product is for specific use by the Office of the Texas Attorney General, hereafter referenced as OAG. We created the deliverable product in such a way that the OAG can distribute it as a template on the county-level for customized use.

The paper also serves as a transition document between teams. Our Capstone team will be succeeded by another group in the next academic year who will be tasked with expanding on our results. For this reason, we are including details that provide context for further development in their future research efforts.

Purpose of Study

The purpose of our study was to answer the question, “Can mapping the resources available to Texas DMST victims provide significant assistance in their recovery?” The intention is to holistically fill a gap in the existing literature with information regarding resources that help a victim in recovery or those helping such a victim. This will also expand the capacity of local governments and organizations to create documents for victims within their own jurisdictions by adapting our product. The final product will improve practices in the OAG and local jurisdictions throughout the state. If agencies are able to more effectively communicate with victims about resources available, both the victim and the employees can focus on other tasks, such as prevention and prosecution.

Literature Review

This project develops a model to map the resources available to sex trafficking victims in Texas and describes how victim-oriented graphics can assist victims on their path toward recovery. We focused our actual research and deliverable on resources within the Brazos Valley. This literature review found information that had a general application to our product creation by assisting us in emphasizing useful methods of information dissemination for individuals who review this work can properly utilize our product. In preparation, the literature review sought to outline the victim resources available from professionals and organizations. The review highlighted important points about communication with victims and those who help victims of sex trafficking. These lessons were applied to the guide produced by this team. We learned through the literature scan that a lot of information is available, but is not tailored or organized to meet specific needs of victims. This knowledge was used to build a model for a more comprehensive and collective resource.

Resources Supporting Research

Properly deployed resources are critical to successful support of sex trafficking victims. Identifying those resources requires research with multiple agencies and professions. The results will help locate gaps in victim services.

After reviewing current resources, we found that medical professionals, law enforcement agencies, and nonprofit organizations are engaging in conversations to increase awareness and eradicate human trafficking. Information disseminated online can educate the public about trafficking and its victims, and promote understanding of resources provided by the community. The United States Department of Homeland Security's website provides such information in the form of stories about victims and the agents who helped in the fight against human trafficking. For example, in Grand Prairie, Texas a victim was identified by a U.S. Immigration and Customs Enforcement's Homeland Security Investigations special agent. Through collective investigative work, a trafficker was seized and arrested for endangering the life of a young girl (ICE 2019). We found that this and similar efforts support the fight against sex trafficking by providing information

about investigations and awareness efforts. However, there is no consolidated source of such information.

Notably, the American Academy of Pediatrics published an article in 2018 that discussed ways to “...identify, screen, treat, and advocate for child victims of sex trafficking...” (Nierengarten 2018). This article described useful tools and resources to be utilized by pediatricians when encountering children who may be at risk of sex trafficking. Dr. Condurache, a pediatrician, identified red flags to look for, such as bruises, black eyes, branding, tattoos, and poor hygiene; psychological indicators that may be present in a victim, such as being overly submissive, hypervigilant, or paranoid; and certain abnormal behaviors of children, such as being socially withdrawn or have an overly sexualized demeanor (Nierengarten 2018). She also outlined the role of assisting with rehabilitation. As a pediatrician, it is important to establish a trusting relationship with a victim. It is also important to bring in other service providers, such as social workers and psychiatrists, to assist in a medical and psychological evaluation of the victim and advise them on how to best proceed. The author explained that her clinic has interacted with at least 80 victims of trafficking and has been able to provide medical and psychiatric needs for those children based on training they received (Nierengarten 2018). As medical professionals, pediatricians have the resources to help protect and support victims of sex trafficking through collaborative efforts with other entities, dissemination of knowledge, and establishing trust with a victim.

In 2012, the book *Sex Trafficking: A Clinical Guide for Nurses* by Mary Chesnay was published to provide a “...clinical guide to assessing and treating victims of sex trafficking, encompassing best practices and strategies for overcoming the severe barriers that this group presents...” (Chesnay 2012). Chesnay’s clinical guide discusses strategies for diagnosing injuries, diseases, and psychological trauma as well as administering personalized treatment options to victims. (Chesnay 2012). This clinical guide is beneficial for medical professionals who are working with trafficked victims. While this book is useful for nurses and individuals working within the medical field, it admits there are “...no best practices for treating sex trafficking victims in the sense that research is sparse and clinical research almost nonexistent...” (Chesnay 2012, 8).

The research dedicated to trafficking and the treatment of trafficked victims is limited in scope, and within sex trafficking, little clinical or evidence-based research is being done on the subject. The research and data that is available is “derived from randomized clinical trials” and therefore it is important to note that professionals experience challenges when attempting to

determine the best practices for treating sex trafficked victims (Chesnay 2012, 8). However, Chesnay and her colleagues were able to produce a research project to study the types of injuries victims sustain while in the sex trade. Their methods of research involved reviewing public statements by victims in order to identify the important signs of trafficking (Chesnay 2012).

Resources Supporting Presentation

Our capstone was tasked with creating a deliverable for the Human Trafficking and Transnational/Organization Crime Section (HTTOC) within the OAG. Our deliverable will aid in explaining the legal process victims of trafficking will likely endure. The challenge was to create a product that was visually appealing, simple to understand, and effective at providing information to a victim of sex trafficking. In order to understand how to present this information, we reviewed the existing literature to determine how to best communicate with our audience.

Communication theory has proven to be useful in disseminating information as in the example of disease prevention. We expected this theory would prove useful in our project as well. For example, the article *Communicating the Threat of Emerging Infections to the Public* applied communication theory “...to disease prevention messages [to] increase the effectiveness of the messages and improve public health...” (Freimuth, Linnan, and Potter 2000, 337). The authors identify four elements critical in communication theory: “audience, message, source, and channel” (Freimuth, Linnan, and Potter 2000). These four elements create a strong message that conveys accurate information to their intended audience. The article discusses how popular entertainment is useful in conveying messages. The authors suggest “...the audience learns new habits and behavior by seeing them on the screen or the stage and adapting them to their own situation...” (Freimuth, Linnan, and Potter 2000).

In response to the age of information in which people are seeking knowledge in a multitude of ways, Badrul Khan (2007) has developed a framework for flexible learning. The book *Flexible Learning in an Information Society* explains how individuals are changing the ways in which they want to learn and process information. Standard lectures and training sessions are not as successful because people want more flexibility in their learning structures. The author defines flexible learning “...as an innovative approach for delivering well-designed, learner-centered, and interactive learning environments to anyone...” (Khan 2007, 1). Individuals have grown to anticipate “...on-demand, anytime/anywhere high-quality learning environments with good

support services...” (Khan 2007, 1). It is helpful to be mindful of this structure when developing informational products for the public. Creating multiple outlets of identical information can serve as a useful tool for varied learners, which is what this research team was able to accomplish.

Currently, publications provide clinical information about the types of injuries to look for, and suggest ways to interact with a victim of trafficking. Yet, a comprehensive, victim-centered guide following victim identification does not exist. This report provides information about the legal pathway for victims of sex trafficking so that they can understand what their future may look like within the next 1 – 2 years. Recovering from a traumatic event is challenging, and it is crucial that victims understand what they may endure so that they are not blindsided or misinformed about the journey they will take in their recovery process. The report will review the ways in which this project team modified and created multiple iterations of a victim resource guide that can be easily disseminated to counties and victims across the state of Texas.

Methodology

The development of the research project and final product followed an unexpected path over one academic year. It was influenced by substantial discoveries and chronological events. This description of the methodology will outline the process in a chronological manner subdivided into specific topics.

Scholars have long noted the “...complexity of the subject [of human trafficking]...”; they have bemoaned “its multidimensional form and the inherent characteristics of the quantitative investigatory instruments and their [limited] capacity to ‘measure’ and comprehend the evolution of the phenomenon” (Savona and Stefanizzi 2007, 3). During our work on this project, we came to understand that human trafficking is a multifaceted problem that requires a multifaceted approach.

A Project with a Multifaceted Purpose

The first phase of this capstone project was spent establishing an understanding of both the client’s practical expectations and the Bush School’s academic expectations. After reviewing the expectations of our stakeholders, the team decided to treat the client’s requested product and the Bush School’s research product as two separate yet complementary projects. The research prepared and discussed within this final report represents a fusion of these two requirements.

The client, a prosecutor within the OAG specializing in human trafficking cases, emphasized the need for a physical product to assist with training and education efforts in counties across Texas. The client was less concerned about the product being academically rigorous and more concerned about its practical utility and accessibility. The Bush School expected all Capstone teams to create an academically-rigorous research report that included findings, conclusions, and recommendations based on a specific research question. Thus, the product and research report supplemented each other but had slightly different perspectives. The initial research question was continuously tailored to maintain academic legitimacy while accomplishing the client’s practical goals.

Research Question Development and Adjustment

The research question went through multiple iterations affected by findings in academic literature, informational materials, research discussions with community experts, and the client's directions. Listed below are the various iterations and brief summaries of the logic driving each subsequent change. The multiple iterations demonstrate the complexity of the issue our team researched. Each iteration emphasizes a particular direction that may be useful for future research considerations and is included for that reason. Ultimately, our team developed a victim-centered research question.

Fall 2018

The Capstone was originally designed to explain the complexity of DMST in the state of Texas. The issue is multifaceted, with very few consistent responses among communities. Each case of domestic minor sex trafficking has specific elements unique to the individuals and location involved. The methods by which a minor is lured into trafficking, the number and kinds of individuals involved, the reactions among community members, and even the amount of time a minor is exploited all differ between various cases (Malloch and Rigby 2016; National Center for Missing & Exploited Children 2019). This led us to develop our initial question:

1. *“How do we clarify the complexity of Texas Domestic Minor Sex Trafficking (DMST) to promote education in order to reduce the incidence?”*

However, consistent and repetitive themes recur from case to case. The majority of traffickers groom their victims through isolation and intimidation, specifically seeking to cultivate a deep distrust of law enforcement officers or others who might otherwise assist the victim (Barnett et al. 2017; Smith and Coloma 2013; Love et al. 2018). The team's overarching goal from the beginning of the project was to explain such complexities to diverse audiences in an understandable manner to promote and assist community action against such exploitation. Consequently, after additional research we adapted the question as follows:

2. *“How does clarifying the complexity of Texas DMST promote education in order to reduce the incidence?”*

Based on mid-semester direction from the client to create a product to assist in community understanding of trafficking, the question of “how to clarify” turned out not to be the most relevant. The client provided additional guidance that shifted our focus to whether such efforts could produce the desired effect of reducing the incidence of trafficking within communities. We developed the following:

3. *“How does mapping Texas DMST allow the promotion of education intended to reduce the incidence?”*

Our research continued. In order to better facilitate a single, unified understanding of our goal as a research team, the term ‘mapping’ was introduced into the research question. Our goal shifted away from merely explaining the issues to visually demonstrating the issue. Many individuals respond better to and recall more clearly information that is presented in a visual manner (Joffe 2008). As we continued our research, each team member was instructed to consider options for visual representations of our findings. This prompted us to modify our question again:

4. *“Can education through mapping Texas DMST reduce the incidence?”*

Ultimately, our team realized that it would be problematic to evaluate a reduction in incidence with the lack of quantitative data surrounding this issue. In order to base our efforts in academically-supported methods, we shifted away from the idea of incidence reduction and instead sought to evaluate if mapping was an effective educational tool. Research efforts now shifted to understanding if creating a visual map of the issue would be as useful as our team had assumed up to this point in time.

Spring 2019

After receiving feedback from our client that the first prototype of the product did not align with her goals, our team made major adjustments and shifted our focus. Our team originally set out to educate entire community populations with the product. The client explained that our focus needed to be narrowed and victim-centered. We were instructed to generate a product that would help a victim navigate both the criminal justice process surrounding a trafficking case and the resources available to assist in the recovery process at the same time. This was a shift from the community-centered approach we had first settled on as a team and led to the following research question:

5. A) *“Can mapping the resources available to Texas DMST victims provide significant assistance in their recovery?”*

With this shift in focus, our team altered the research to be victim-centered as well. In addition to producing a product for the victim, our team realized that if done properly, the same product could be useful to the community at large as a supplemental source for victim service providers. Therefore, we added a secondary question seeking to explore how such a product could be useful in this manner:

5. B) *“How can mapping the resources available to Texas DMST victims significantly assist those providing the resources?”*

Product Development

The development of the product for the client went through two main iterations. During the fall semester, the focus was to create a community-centered product. Our goal was to provide various community members with as much information about the issue of DMST as possible. Discovering that this product did not align with our client’s goals, our team spent the spring semester focused on creating a product intended specifically for use by victims. The product will be supplemental to their recovery process as they proceed through the justice system with the assistance of a prosecutor.

Iteration 1: Community Playbook

The community playbook idea was based on the U.S. Federal Emergency Management Agency's (FEMA) Distance Learning Program, a type of independent study course (FEMA 2019). These publicly accessible training modules are meant to educate participants regarding hazards and disasters. The collection of courses covers many different elements of emergency preparedness. Together, these courses are presented within a larger educational structure, with the single, unified goal of increasing and improving emergency preparedness. The training modules are straight-forward, simple, and easy to facilitate. Individuals without previous experience and knowledge are able to study the material.

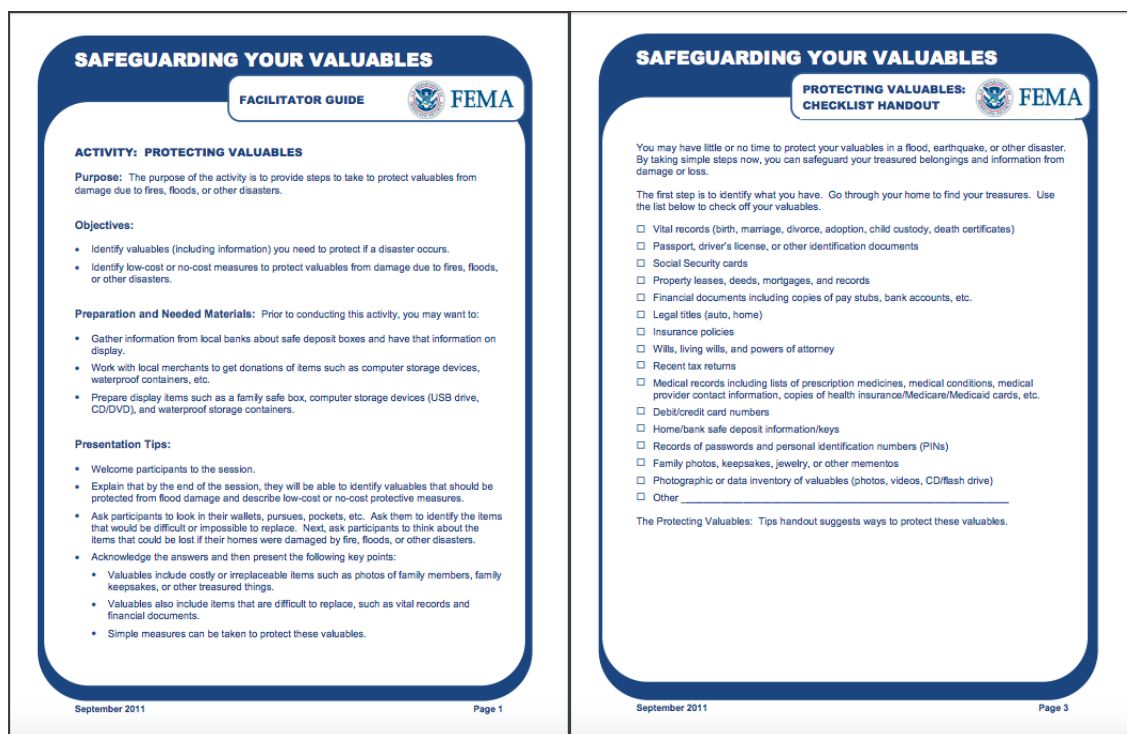


Figure 1: Example from FEMA's Coursework

This framework was our model during the first semester as our team focused on an easily-distributed, community-centered product. With the goal of training and preparing the entire

community to fight against DMST, we developed a model that emphasized a ‘zone defense’ strategy. The basic community unit was divided into ‘zones’ based on potential interactions with victims. For the purpose of our project, we began with zones for law enforcement personnel, medical/healthcare professionals, and educational professionals (Farrell and Bright 2015; Hornor and Sherfield 2018; Kaplan et al. 2013; Macias-Konstantopoulos 2017; Schwarz et al. 2016). Additional training materials were included, such as courses on federal and state laws surrounding trafficking, definitions of legal jargon, and descriptions of common tactics used by traffickers (see Appendix A).

Once zones were established, team members were assigned to each zone and went into the Brazos County community to engage in research discussions with experts. Expert discussions provided information that was then converted into data points to identify gaps in knowledge and policies for DMST cases. Training packets were developed for each zone based on the gaps discovered. Each packet was then compiled into a single playbook (see *Figure 2* for an example training and Appendix A for the entire drafted playbook).

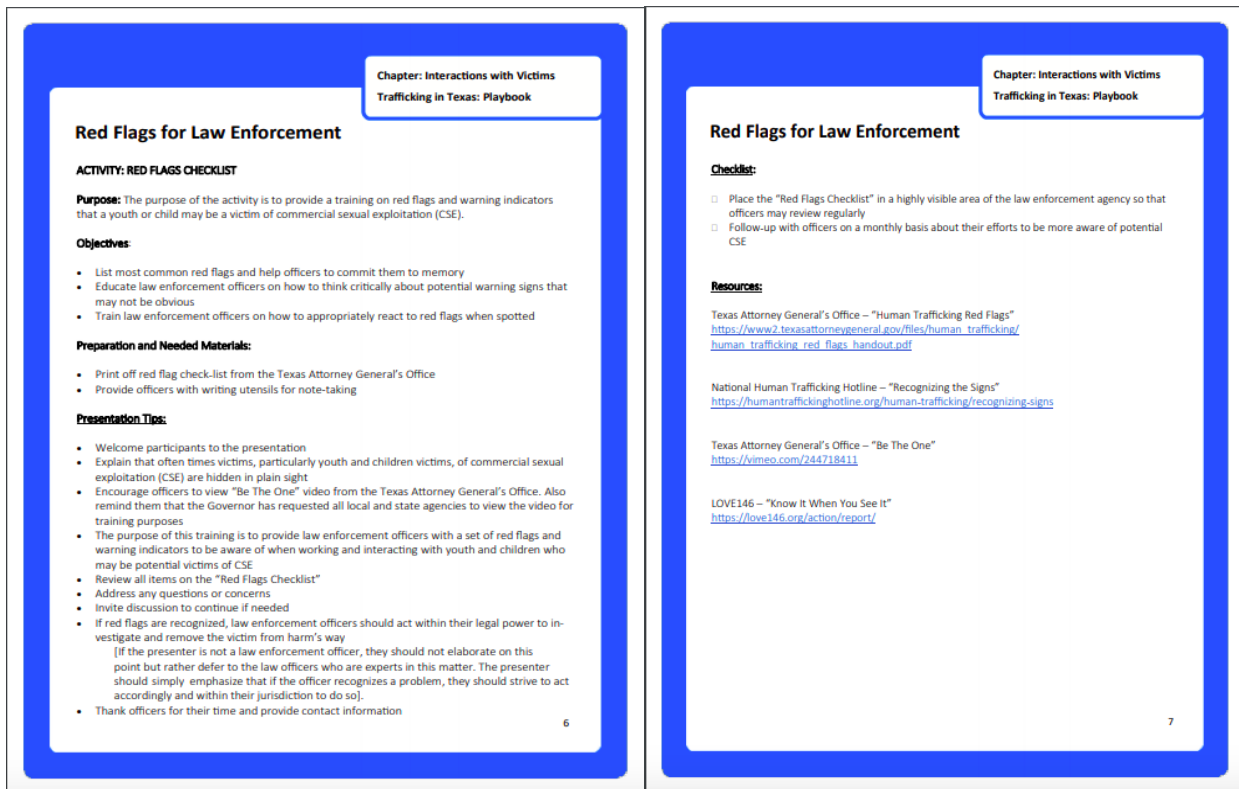


Figure 2: Example from Community Playbook Prototype

The prototype of the playbook was presented to the client for review and feedback. Our client indicated that the product was too similar to the educational materials already being used by the OAG. She emphasized that the product needed to be victim-centered. The desired product would help a victim through both the criminal justice system and recovery process. In the spring semester, the product was completely overhauled, but the data collected from research discussions remained vital to the development of the victim-centered product.

Spring 2019

Iteration 2: Victim's Guide

Based on the feedback from our client, the team adjusted the product design to be victim-centered and emphasized the criminal justice system and the recovery process. This need had been previously identified by scholars (Corbett 2018; Love et al 2018).

Ultimately, the product was a single-page, front-and-back handout to be given to a victim during their meeting with prosecutors or other legal aids. On one side of the handout is a breakdown of the criminal justice system in a simple graphic. On the opposite side is a simplified list of the most prominent and useful resources available to the victim in their particular area (see *Appendix B* for full handout). A supplemental website with more in-depth information and descriptions is also available, with a URL address included on the handout.

As we tailored the entire product to the victim, we constantly and deliberately tested the framework of the product against the needs of trafficking victims. Every time we considered adding or omitting content from the product, we questioned how that element would affect the victim's experience. Any element that was determined to be useless to the victim was removed from the product. If it was determined that a victim might have questions or concerns that were not addressed, the product was adjusted accordingly by adding relevant information.

I. The Criminal Justice Process

Attempting to condense the criminal justice system into a single graphic from the point of view of a victim proved to be challenging. The criminal justice system has many underlying

nuances and a victim’s experience may differ based on their case and the evidence available. The team determined that the system needed to be visually demonstrated to be more easily understood. The first attempt involved using a linear progression, or a timeline, that included a victim’s interactions with various actors including but not limited to law enforcement, medical professionals, and legal entities (see *Figure 3*). Throughout the timeline, ‘tips’ would be incorporated to help the victim begin thinking about how to maximize the available resources during the most appropriate times throughout the process.

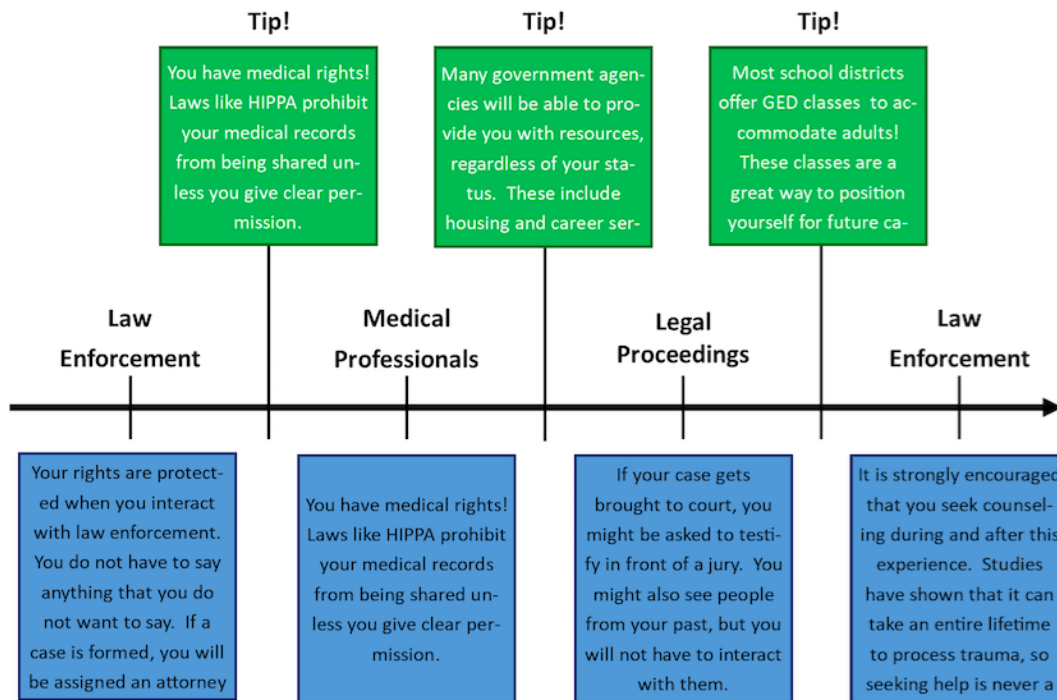


Figure 3: Draft of Victim Timeline

(information in the graphic was not checked for accuracy during initial drafting, this is a visualization draft only)

Our client determined this might be too confusing to be useful to a victim. She asked us to focus solely on the criminal justice system. As a team, we attended a demonstration of the legal training our client presents to victim service providers. This presentation with the client helped us to better understand what topics she wanted explained and how she wanted them to be explained. Following this training, our next design focused on the trial process. We incorporated a design that is reminiscent of a gameboard, playing on the idea that there is a systematic process or a pathway

that one follows. The design also visually demonstrated how the pieces fit and work together (see *Figure 4*).

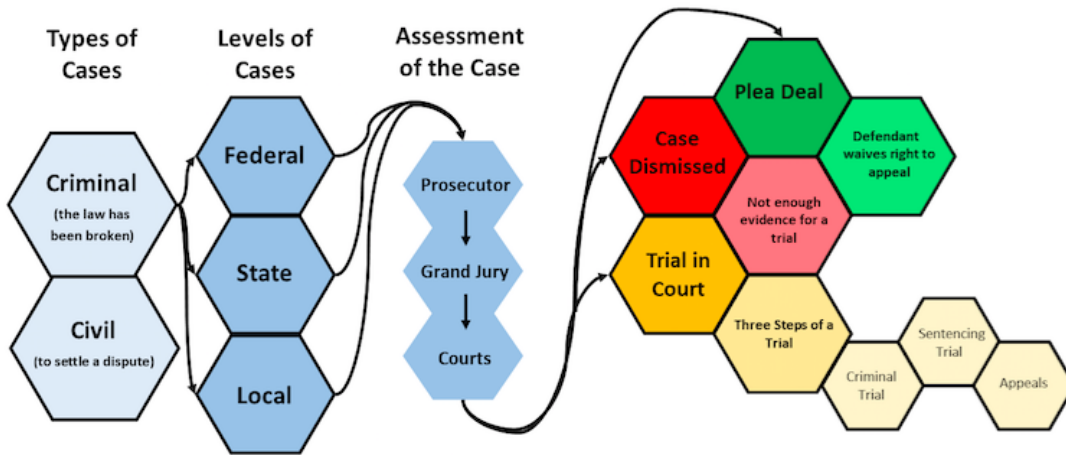


Figure 4: First Draft of Legal Pathway Graphic

As a team, we made further adjustments to focus on the areas that were determined to be most important (see *Figure 5*). We removed the network of arrows, and instead connected the various hexagons to one another to create a streamlined visual. The criminal case piece was enlarged to demonstrate that the majority of trafficking cases are criminal rather than civil (U.S. Department of Justice 2018; Nam 2007). Even local trafficking cases are tried according to state penal codes,

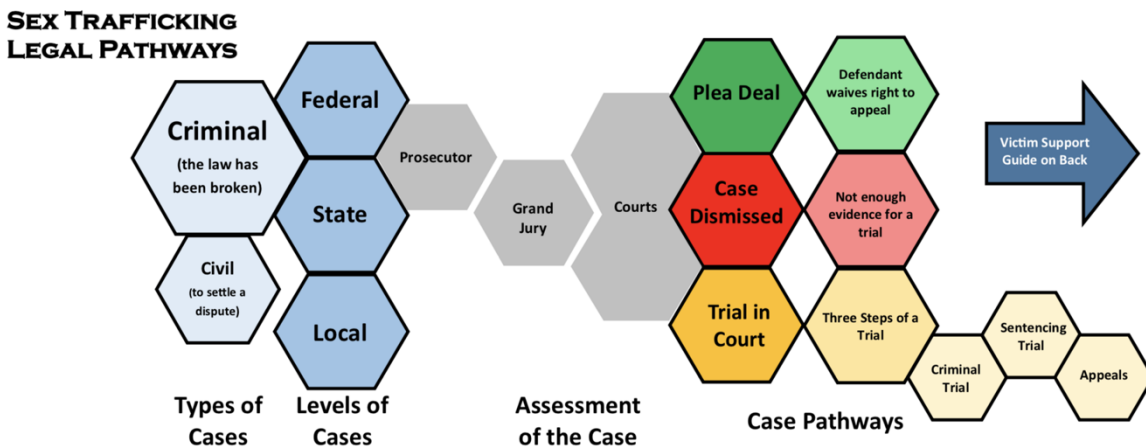


Figure 5: Second Draft of Legal Pathway Graphic

thus, the criminal case piece was inserted between the federal and state level pieces to indicate that criminal code would be utilized during prosecution efforts (Kappelhoff 2008; National Conference of State Legislatures 2019).

After presenting *Figure 5* to the client, it was determined that the graphic satisfied her goals of visually representing the legal pathway for a trafficking victim. Following her recommendation, the levels of cases were removed and replaced with law enforcement procedures (see *Figure 6*). She explained that while interesting, the case levels are unnecessary knowledge to a victim during the legal process. For the graphic, the victim would need to know how law enforcement efforts tie into the legal system in order to understand why cooperation with law enforcement officers may be necessary.

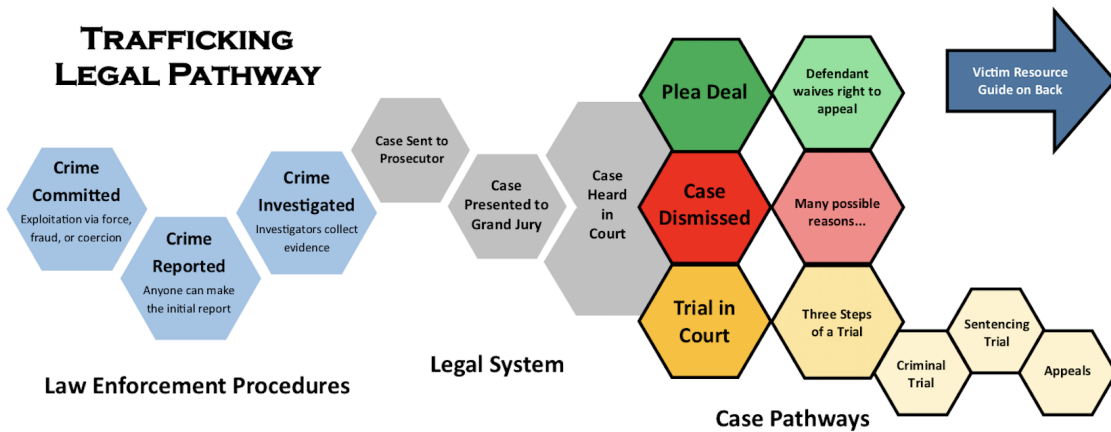


Figure 6: Final Legal Pathway Graphic

II. The Recovery Process

In order to assist with the recovery process, we realized that victims must be aware of the resources available to them. We discovered during our discussions with professionals and experts that there was a lack of comprehensive knowledge about these resources. Hope Rising, a local long-term care facility, has a publicly accessible guide of resources, yet, few government entities, nonprofit organizations, or individual professionals were aware of this guide when questioned during our discussions. We also discovered that a more comprehensive regional resource guide had been created by another nonprofit entity but had not been widely distributed. With the consent of this nonprofit organization, that chose to remain anonymous, we verified and expanded upon their list of resources for victims of sexual assault. Through this process, we concluded that the resources available to victims of sexual assault are the same resources available to trafficking

victims. Few resources are exclusively for trafficking victims; therefore, the expansion of this resource guide was foundational to creating a guide specific to trafficking victims.

To satisfy our client’s request, we designed a trafficking victim resource guide, similar to a directory, that lists available resources in Brazos County, Texas. Ideally, other counties can develop similar resource guides that conform to the framework we created. Our Trafficking Victim Resource Guide for Brazos County tallied 171 resources. Through the categorization of the various resources, our team originally identified 17 primary categories and 2 sub-categories.

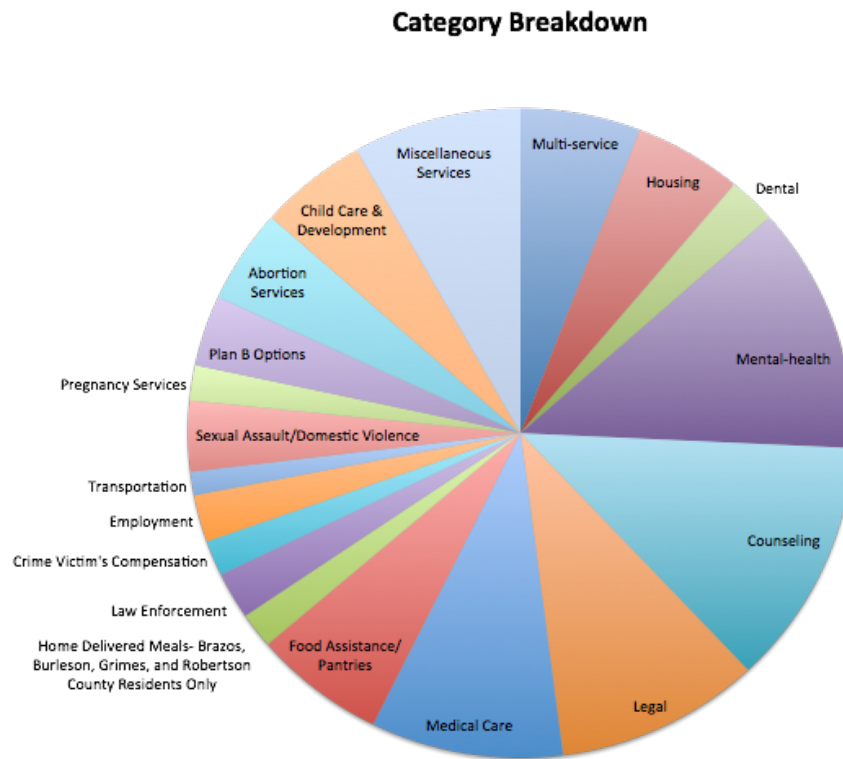


Figure 7: Originally Categorical Breakdown of Resources in Brazos County

After this breakdown, the team further narrowed the focus and decided upon a larger, more encompassing set of categories. Only county services were included. ‘Miscellaneous services,’ ‘multiple service providers,’ and any services outside of Brazos County were removed. ‘Abortion services’ were also removed from the breakdown because these services are not currently offered in Brazos County. In the end, we were left with 132 resources broken into 5 primary categories

and 17 subcategories. The primary categories are housing, healthcare, legal services, and employment opportunities.

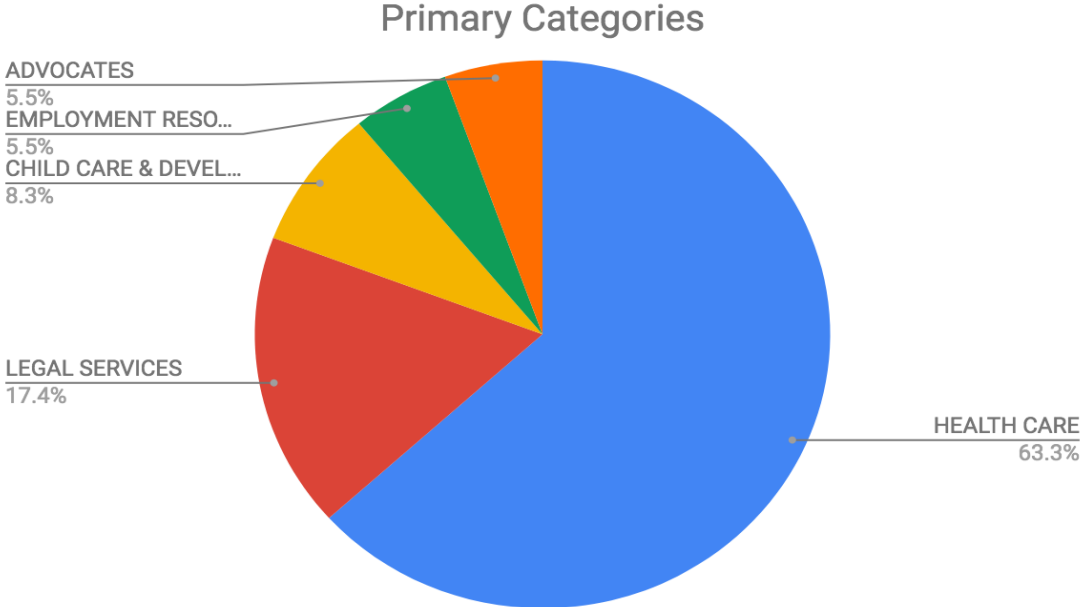


Figure 8: Simplification of Categorical Breakdown of Resources for Brazos County

The primary categories may be broken down into 17 subcategories for more specific needs, as follows:

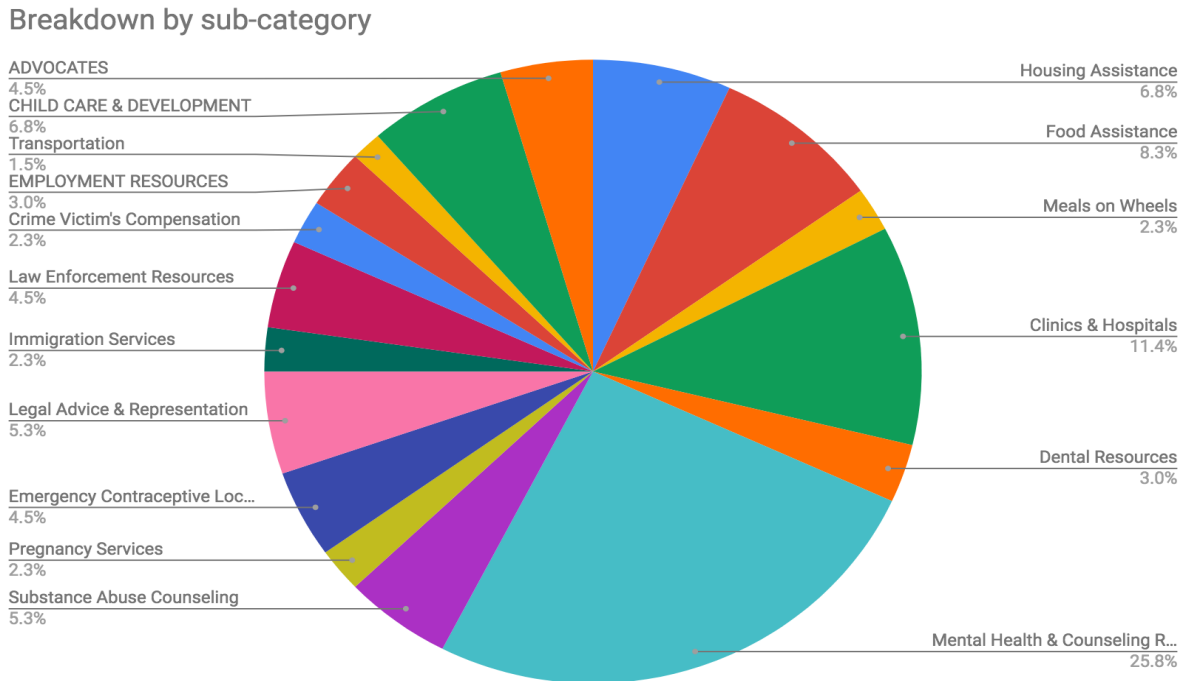


Figure 9: Expanded View of All Resource Categories in Brazos County

The trafficking victim resource guide was continuously screened for mistakes, ensuring that the information was as accurate and up-to-date as possible. Criteria was created to include each resource into the resource guide: the resources had to be currently operational, provide services within the designated county, and be recognized by at least one other trustworthy organization in the area, such as Hope Rising. The entire directory will be made available through the supplemental website that can be accessed by victims and service providers. The link to this supplemental website will be included on the single-page handout that the client wants to be made available to victims during meetings with prosecutors and legal aids.

For the handout framework, the team justified the categorization and order by utilizing Maslow’s Hierarchy of Needs (see *Figure 10*). The resources listed first on the guide correspond to the first two, foundational levels of the pyramid in *Figure 10*, “physiological needs” and “safety needs,” and include organizations or service providers that cover food, shelter, and medical care.

The next group of resources includes counseling and legal assistance, which pairs with “belongingness and love needs”. Such resources will assist the victim in establishing beneficial relationships not only with professional service providers but also with members of the community. Furthermore, these resources can teach victims about healthy coping mechanisms and how to proceed through the legal system. Finally, employment opportunities will allow victims to gain a sense of independence and empowerment, helping them to fulfill the needs associated with “self-actualization”.

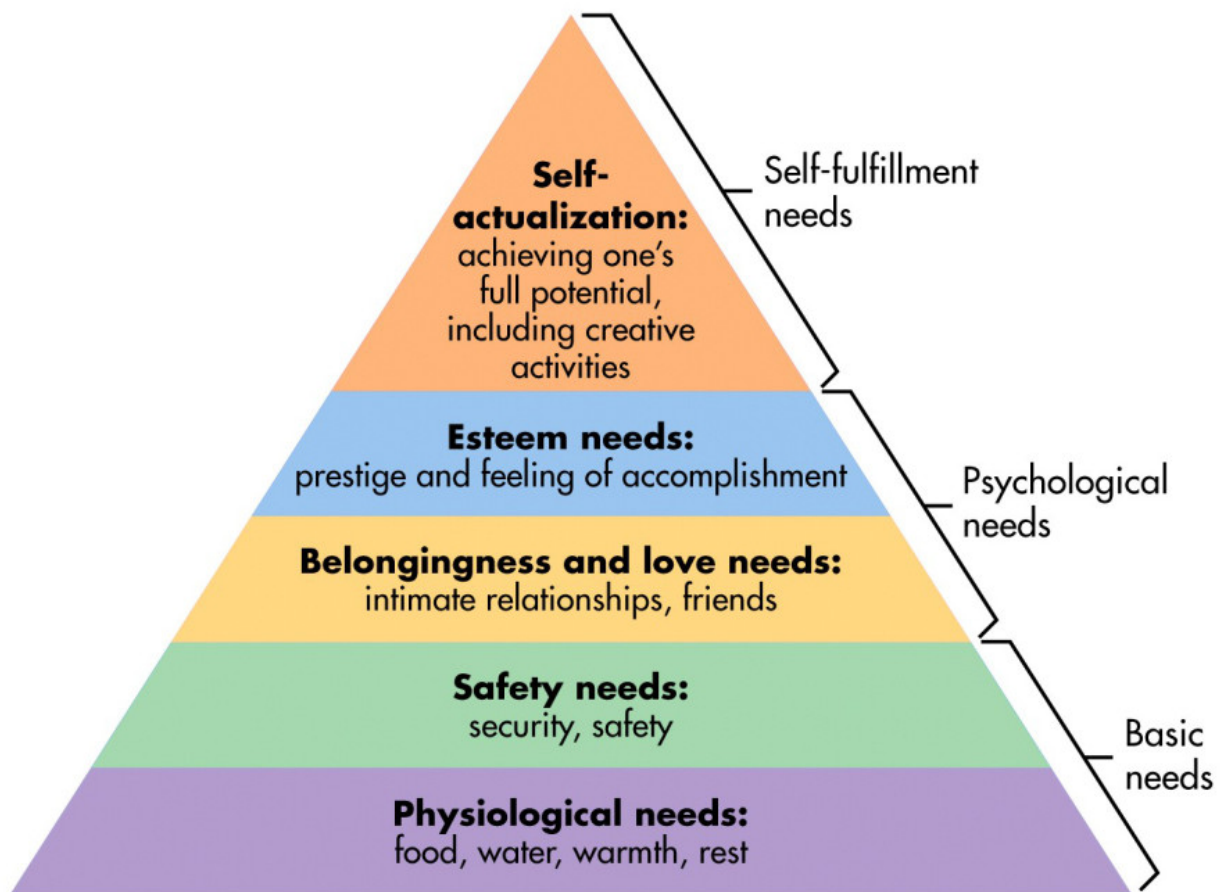


Figure 10: Maslow's Hierarchy of Needs (see McLeod 2018)

As described by McLeod (2018), “...the first four levels [of the pyramid] are often referred to as deficiency needs (D-needs), and the top level is known as growth or being needs (B-needs)”. In Maslow’s Hierarchy of Needs, needs are naturally satisfied at the bottom of the hierarchy before the needs at the top. With the recovery process for victims, the most basic needs of food, shelter, and medical attention must be addressed before any additional progress can be made. While other

resources outside of these categories are available, our team determined that they were not of immediate concern.

TRAFFICKING VICTIM RESOURCE GUIDE—BRAZOS COUNTY, TEXAS			
FOOD & SHELTER			
Restore Her - Still Creek	979-589-3206	Long-term housing, Education, Ages 14 & under	6055 Hearne Road, Bryan, TX
Twin City Mission Housing Services	979-822-7511	Rapid rehousing, Rental assistance, Case management	2505 S College Ave, Bryan, TX 77801
Brazos Valley Food Bank	979-822-2660	Food, Children food programs	800 Cypress Bend, Bryan, TX
Twin City Mission Community Cafe	979-822-1492	Rapid rehousing, education, clothing, Food	410 Randolph St., Bryan, TX
HEALTH CARE			
Baylor, Scott & White	979-207-0100	Forensic exams, Medical services	700 Scott and White Dr., College Station, TX
CHI Saint Josephs	979-776-3777	Medical services	2801 Franciscan Dr. Bryan, TX
Blinn College Dental Hygiene	979-775-5386	Dental care, Cancer screenings, X-rays	301 Post Office Street in Bryan, TX 77801
COUNSELING			
Associates for Applied Psychology	979-268-1111	Individual therapy , Psychological evaluations, Forensic evaluations	113 Rock Prarie Road, College Station, TX
Dr. Kim Arrendondo	979-574-8801	Psychological evaluations, Therapy	704B E. 29th St. Bryan, TX 77802
Texas A&M Counseling and Assessment Clinic	979-595-1770	Individual therapy	3370 Texas Ave, Bryan, TX
Narcotics Anonymous (NA) of the Brazos Valley	979-822-9094	Group meetings, Drug addiction counseling	Locations vary in Brazos County (Please see website)
LEGAL SERVICES			
AVOICE	888-343-4414	Free representation, Legal advice	6200 La Calma Dr # 110, Austin, TX 78752
Brazos County Attorney's Office - Family Violence Unit	979-775-7400	Protective order requests, Free representation to victims of family violence	300 E 26th St, Bryan, TX (located on 1st floor)
Lone Star Legal Aid	979-775-5050	Legal aid	1714 E 29th St, Bryan, TX 77802
Brazos Interfaith Immigration Network (BIIN)	979-393-8228	Immigration services, Citizenship classes, Education	107 Williamson Dr, Bryan, TX 77801
Catholic Charities of Central Texas	979-822-9340	Immigration services, Counseling services, Pregnancy services	1625 Rutherford Ln, Austin, TX 78754
EMPLOYMENT			
Department of Assistive & Rehabilitative Services Program	979-595-2880	Education, Local employment options, Financial assistance	1115 Welsh Ave, College Station, TX
Express Employment Professionals	979-776-4455	Local employment options	1863 Briarcrest Dr. Bryan, TX
Workforce Solutions Brazos County	800-386-7200	Apprenticeship training, Child care services, Financial assistance, Education	3991 E 29th St, Bryan, TX

For more information, please visit our website at www.brazoscountytx.gov

Figure 11: The Trafficking Victim Resource Guide on Backside of Handout

This carefully evaluated victim-centered framework is ready to be utilized and satisfies our client’s expectations. The development of the supplemental website will increase the impact and usefulness of this victim resource guide and provide the support to victim’s the OAG regularly works with.

Findings

The capstone team came to five major findings over the course of the project. The significance of these findings will be discussed below. The findings are:

1. Discrepancy in Terminology
2. Need for Specialized Training
3. Lack of Communication and Collaboration
4. Shortage of SANE Nurses
5. Confusion over Resources

1. Discrepancy in Terminology

Discussions with anonymous stakeholders suggested that the terminology regarding the subject of trafficking perplexes both victims and practitioners. We found that the language of the legal process is not widely understood among the general public. For example, stakeholders in the education, religious, and medical communities were not familiar with the language and concept of mandatory reporting. Texas is one of only four States that designate any person with information about trafficking as a mandatory reporter and denies clergy-repentant privilege in cases of child trafficking. This is explained in Texas Family Code Ann. § 5:261.101, “A person having cause to believe that a child's physical or mental health or welfare has been adversely affected by abuse or neglect by any person shall immediately make a report as provided by this subchapter.” (Texas Family Code § 5:261.101, 2019). Many practitioners who interacted with potential victims did not understand that this language applied to them. Furthermore, understanding the language of the legal process is important for the community as a whole as well as the victims. Both would benefit from understanding how the legal system, law enforcement, and medical professionals are linked by the language of the law. When stakeholders misunderstand the legal process, criminal cases can be jeopardized. Prosecutors and other legal representation seemed to be the only professionals who understood the terminology, leaving a large part of the population unable to fully understand or explain the implications of the terminology.

2. Need for Specialized Training

According to our research discussions with stakeholders, many of them recognized their own need for better specialized training, such as trauma-informed care (TIC). In particular, research indicates that human service staff, systems, and agencies had an inadequate background in TIC (Wolf et al. 2014). This includes medical professionals, law enforcement, religious institutions, child protective services, educational professionals, hospitality personnel, and many others who might come in contact with trafficking victims.

Additionally, most hospital training lacks professional education on sex trafficking. For example, specialized training at one local hospital consisted of only a yearly PowerPoint presentation covering basic issues, but lacking red flag warnings, statistical indicators, or resources available to victims (Respondent 4 2019). This last area is explained in Figure 11 below which demonstrates that less than half of the organizations we contacted met the need for specialized training, concerning the availability of victim-centered resources.



Figure 11: Stakeholders that provide training to link victims with resources.

3. Lack of Communication and Collaboration

We found a lack of useful communication and collaboration between service providers and those who may come in contact with victims. Insularity between community members blinded organizations to resources available for victims. A lack of communication between community members about those resources was common. A local nonprofit organization had compiled a useful list of victim resources, but many in the community were not aware of it. Certain school districts have not established communication plans on the subject (see Figure 12).

As established in finding 1, all citizens in Texas are mandatory reporters. In many cases the first citizen a victim encounters is a teacher or school counselor. Yet, 46.7% of education stakeholders do not have formal processes in place for these mandatory reporters to communicate with other professionals. Frequently, their only recourse is to call the police. In fact, sometimes there is not even an official protocol or established procedures for notifying the authorities about suspected sex trafficking.

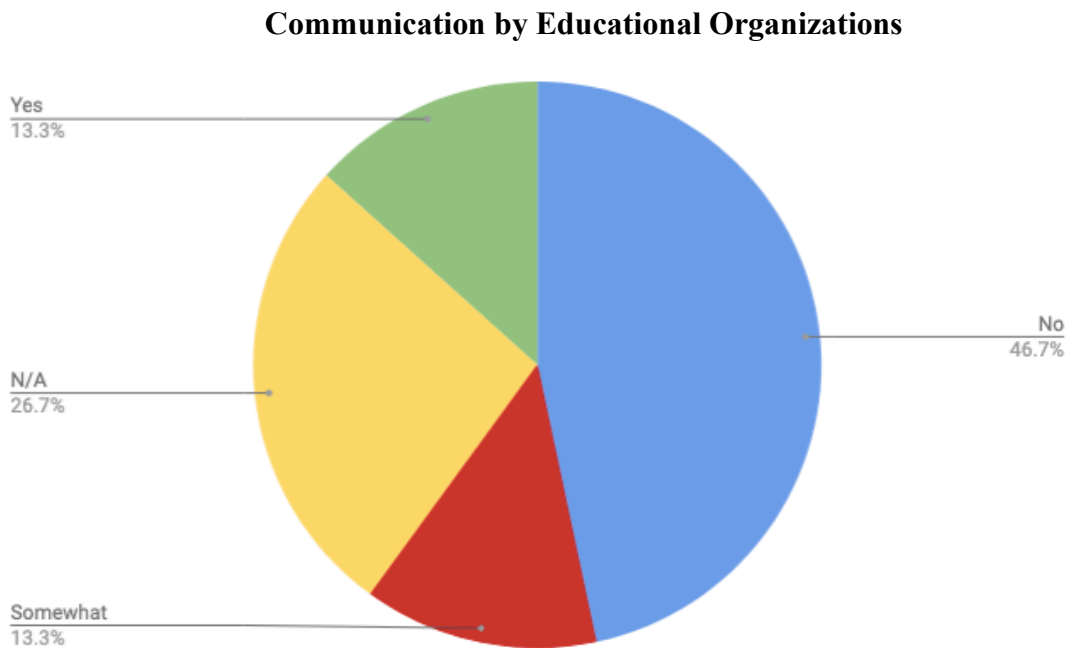


Figure 12: Existence of formal communication processes within the education community when sex trafficking is suspected.

4. Shortage of SANE Nurses

Sexual Assault Nurse Examiner (SANE) nurses are registered nurses (RN) who have practiced clinically for at least two years, completed special training requirements, and completed a formal SANE course and clinical education and preceptorship. This specialized education delves into the medical forensic care of patients that have experienced sexual assault and abuse. The two main certification types are CP-SANE (Pediatric) and CA-SANE (Adult). Options exist to be certified at either the state or federal level. SANE nurses are typically employed at a single hospital.

We found a significant shortage of SANE nurses statewide, caused in part by the financial and emotional strain required by this specialty (Respondent 3 2019). This lack of specialized training may lead to additional trauma by the victim. Frequently, non-SANE RN's will not examine an identified sexual assault victim who comes into the ER (Michelle Longar, RN, BSN. 2019). Instead the victim may be placed in a room while a non-SANE RN attempts to contact one of the few SANE nurses fully qualified to examine the patient. This may take hours because fewer than 20 certified SANE nurses are available in the Bryan College Station area and only 250 in Texas as a whole (Respondent 3 2019). Additionally, SANE nurses are not distributed throughout the state (Respondent 1 2019). There are not enough SANE nurses in rural parts of Texas to provide 24-hour care every day of the week (Houmes, Fagan, & Quintana 2003).

Even worse, the majority of SANE nurses are difficult to locate because there is no central list. We found multiple lists with incomplete listings (Respondent 1 2019). This situation creates problems for victims on multiple levels. Without a centralized list, a victim may experience long waiting periods to be examined by a SANE nurse. A victim may also have to move to another facility, such as a Children's Advocacy Center, Emergency Room, or Hospital, to meet with one of the few SANE nurses available. This needless additional trauma may hamper the recovery of sexual assault victims.

One additional concern is the vast amount of paperwork a SANE nurse has to complete after examining a victim. While proper procedures in gathering evidence from the examination are critical to future prosecutions, this extensive administrative task is conducted at the expense of the treatment SANE nurses could be providing to other patients.

Lastly, there are financial reasons for the lack of SANE qualified nurses. A SANE nurse must complete 40 hours of training on their own time, which can cost up to \$450 (Respondent 1 2019).

5. Confusion over Resources

There is confusion of resources available for victims among given service areas, such as housing and counseling. We found that services for victims of human trafficking differ in a variety of ways. These differences in provided services create inconsistencies in information and its distribution. In particular, housing services may differ according to whether there are stipulations about the age, gender, and type of victim housed as well as the length of stay.

Services for housing victims is often delineated by type of residence. For example, Hope Rising Ministries provides housing specifically for underage girls who are sex trafficking victims (Hope Rising Ministries 2019). Twin City Mission offers a limited number of beds for individuals who want to stay in a shelter as well as a rapid rehousing program for individuals who want to live independently (Twin City Mission 2019). There are about 194 shelters in the state of Texas, but these resources are not limited to trafficking victims (Shelter List 2019).

Another variation is the length of stay in housing: emergency short-term housing (1 - 3 months), mid-term housing (3 - 12 months), and long-term housing (over 12 months) (Watson 2019). The goal of emergency short-term housing is to get victims away from dangerous environments and into a safe space. Mid-term and long-term housing are intended to help victims reintegrate into society (e.g. recovering from trauma, acquiring skills). However, a longer duration of housing is more expensive and due to funding issues, long-term housing is rare (Reichert and Sylwestrzak 2013).

Counseling services also differ in a variety of ways. One of the differences is the number of individuals within a session. For example, Texas A&M Psychological Clinic offers individual therapy or group therapy (Psychological and Brain Sciences 2019). Counseling service providers may also specialize by an individual's age or type of experience. For example, Adrienne Shields is a licensed professional counselor who provides services for individuals aged 2-16 and helps those who have witnessed or experienced abuse and/or trauma (Shields 2019).

Few resources outside of nonprofit organizations are solely dedicated to sex trafficking victims. The resources that currently exist for sex trafficking victims are shared alongside victims of abuse and domestic violence. Currently, the community of Brazos County does not have a single way to confirm or verify what housing and counseling resources are available and/or needed for victims of human trafficking. The public does not have access to a regulated framework of available information and resources.

Recommendations

Research discussions with law enforcement officials, case managers, attorneys, and medical professionals revealed more resources should be committed to helping human trafficking victims recover. These discussions suggest inadequate and poorly advertised resources impede victims from recovery. In order to address barriers to recovery, our discussions with practitioners were used to formulate the following recommendations: increase training for professionals, enhance communications, and fill service gaps.

Increase Training for Professionals

Hospitals, law enforcement agencies, private and nonprofit organizations should invest in training their personnel to combat DMST. Based on our research, we recommend implementing training programs that focus on service and legal procedures, victim identification, and data entry and collection. Increased training can improve the quality of services delivered to trafficking victims and aid in their identification (Farrell et al. 2008). Training programs vary widely in terms of content and ultimate impact. Therefore, trainees would

...benefit from an agency or institution at the national level to provide consistency and standardization of human trafficking training content as well as to guide a process that would develop metrics for evaluation and the building of an evidence base (Powell et.al. 2017, 1).

As identified in the section titled “Need for Specialized Training,” we recognized training programs should focus on service and legal procedures, victim identification, and improved data entry and collection.

Service and Legal Procedures

Service and legal procedures should be properly understood by legal practitioners and care providers, in order to provide a consistent recovery process for the victim. Both groups should be trained in TIC, which is described as:

...a strengths-based framework that is grounded in an understanding of and responsiveness to the impact of trauma, that emphasizes physical, psychological, and emotional safety for

both providers and survivors, and that creates opportunities for survivors to rebuild a sense of control and empowerment (Hopper et al. 2010, 82).

Legal practitioners should be trained to facilitate a healthy recovery for victims during prosecution. TIC, however, can be at odds with legal procedures. Victims are often called upon to provide evidence in a timely manner and face their offender in open court. The legal process operates according to the understanding that the accused are innocent until proven guilty. This means that a victim's trafficker is perceived as innocent at the beginning of prosecution, which can negatively impact a victim. Therefore, law enforcement officials and attorneys should be trained in TIC to understand how this premise can influence a victim's experience.

Caseworkers often encourage victims to cooperate with law enforcement at their discretion, which can hinder efforts to prosecute offenders successfully (Respondent 5 2019). While certified case managers tend to be excellent providers of TIC, they may inadvertently risk a victim's long-term welfare by providing misinformation. Case managers should be informed that victim interactions with legal practitioners are not purely confidential because the court can subpoena documents at any time (Reamer 2005). As practitioners from legal and victim services understand the procedures of both sides, the recovery process for a victim will be more consistent.

Victim Identification

Workplaces where employees may interact with victims need to advertise human trafficking red-flag indicators. Policymakers, nonprofit professionals, or workplace administrators have the capacity to implement this recommendation. For example, based on research discussions with accredited SANE nurses, Emergency Room techs, and Emergency Room Physicians, opportunities to identify victims are frequently missed by healthcare providers (Respondent 1 and 5 2019). Hospitals and clinics could inexpensively inform staff about trafficking red flags by placing posters in break rooms or bathroom stalls.

Improved Data Entry and Collection

Law enforcement entities need to assure officers can identify victims of DMST. The gathering, reporting, and presentation of reliable data regarding the prevalence of trafficking are critical elements for convincing the public and practitioners that human trafficking is an urgent problem. Reliable data about the prevalence of alleged victims might help identify which localities

most desperately require victim services or additional policing. If law enforcement cannot distinguish human trafficking crimes from other crimes, such as sexual assault, data will be inaccurate. Issues concerning inconsistent or inadequate data collection may be resolved if law enforcement entities are trained more frequently to identify and report human trafficking crimes (Farrell, McDevitt, & Fahy 2010).

Enhance Communication

Entities that serve victims must establish a better communication framework. Victims should not experience lapses in service due to a lack of communication across professional entities. Communication should be victim-oriented and driven by the feedback of victims because “effective communication and teamwork is essential for the delivery of high quality, safe patient care” (Leonard et.al. 2004).

Communication can be enhanced by regularly hosting community events where stakeholders can share their information and resources with one another. Through such community efforts, a directory or victim resource guide can be continuously updated to include all available resources within a community. The purpose and application of the victim resource guide should be well communicated and understood. A better understanding by professionals of the resources available to help victims will lead to more streamlined communication about services for victims.

Fill Service Gaps

States, counties, and municipalities must have an understanding of the services available to victims so that service gaps can be identified and addressed (Goździak & Macdonnell 2007). Service gaps can be identified by compiling and categorizing available services into a locally oriented directory, which is a form of mapping (Vita and Fleming 2001). This directory should abide by a standardized framework for all localities, ideally at the county level. As identified by the directory created by our team, accredited SANE nurses and long-term service providers should be more abundant and accessible in communities across the state. This recommendation elaborates on the need and benefit of addressing service gaps in these areas. Nevertheless, smaller rural counties struggle with addressing service needs and may need to partner with neighboring counties to meet service demands.

Increase & Recruit SANE Nurses

The government should incentivize hospitals to recruit SANE nurses. Implementing and incentivizing specially trained nurses in the state of Texas would provide time-sensitive care and support to victims. It may also improve prosecution rates due to extensive and specialized evidence collection training as required by SANE certification standards. Additionally, increasing the number of SANE nurses statewide would allow for improved response time to victims. For example, a bill in Illinois requires all hospitals in the state to have a specially trained medical provider that would treat a victim within 90 minutes of them entering the hospital. The legislation passed in the Illinois House 49-0 and will require this by 2022 (HB 5245 2018). This piece of legislation allows for reduced trauma as a victim will not have to wait hours within a hospital room for a SANE professional in an understaffed hospital.

Another recommendation is to have charge nurses and obstetricians in emergency rooms to be SANE trained and certified. A charge nurse is an RN who is the supervisor in the ward of a hospital or care facility, and is responsible for managing day-to-day patient care and other nurses (Madison Burke RN BSN 2019). There is a charge nurse present on every shift, and therefore, a SANE certified nurse would always be present. We also recommend that SANE training should be implemented in the Master of Science in Forensic Nursing programs offered at Academic institutions. SANE nurses are critical for the victim's recovery and the prosecution of sexual assaults. Increasing the number of eligible nurses to perform an examination would benefit both victims and court proceedings.

Increase Capacity and Number of Long-Term Care Providers

Government or foundation backed grant funding for long-term care providers should increase. If organizations are better financed, their capacity to serve victims can improve along with the quality of care they provide. For instance, organizations that provide housing assistance may only have enough beds to host a limited number of victims, but with additional funding, they could increase that capacity. Training certifications and well-documented performance metrics are key for organizations to obtain funding for long-term care provision. Until more long-term care providers are established, short-term care providers will continuously handoff victims to other short-term care providers (Respondent 2 2019). Such a practice can impede recovery by not

offering the stability necessary to heal victims vulnerable to substance abuse, criminal involvement, and other costly and unhealthy activities.

Future Research

Looking Back

The HTTOC within OAG has decided to continue to partner with the Bush School of Government and Public Service to further efforts made by this capstone group. By partnering together again, the goal of the project is to expand upon the current frameworks. Expectations for future research include utilizing the current directory model and applying it to counties throughout Texas. This opportunity to study more populous areas could answer questions about the availability of human trafficking resources and if they are limited because of factors like population and infrastructure. Would larger counties, such as Bexar and Dallas, have more exclusive resources for human trafficking victims? Would larger cities have more SANE nurses to provide critical exams?

Additionally, other issues that we discovered in the course of our research project that deserve further research include:

1. What are the short and long-term health impacts that trafficking has on its victims?
2. Where are the shortcomings in the healthcare system when dealing with victims of trafficking?
3. Why are there shortages of SANE nurses in the state of Texas?
4. Why there is a breakdown between health services integrating with other forms of assistance such as social services and legal services?
5. How can research be utilized and disseminated to develop stronger relationships with community resources to better serve victims of trafficking?
6. Why does the system favor short-term assistance instead of long-term holistic care when dealing with victims of trafficking and sexual assault?
7. Does understanding and identifying the life-long health barriers victims may encounter provide a framework for holistic care to better serve victims of sex trafficking, labor trafficking, and sexual assault?

Another area of future research surrounds the shortage of SANE nurses throughout the state of Texas. SANE nurses provide sensitive post-assault care and support to victims of sexual assault and are specifically trained in recognizing signs and symptoms associated with sex

trafficking. Future research should study more in depth the prevalence of SANE nurses in Texas and the benefits they provide, which could help justify expanding the number of SANE nurses to serve victims of sexual assault and sex trafficking.

An important service for helping human trafficking victims is housing. Safe housing for sex trafficking victims varies from: housing human trafficking victims exclusively, housing sex trafficking victims alongside those affected by domestic violence, and organizations providing housing vouchers so that victims can live on their own. It is important to look at human trafficking victims' experience with housing and identify what is needed to help human trafficking victims not only survive but thrive.

The issue of human trafficking is not only an important research topic but a broad topic. The scope of our research was limited to DMST. Future research should focus on other areas of the problem such as transnational crime and its effect on human trafficking in Texas. Transnational crime is a grave issue because organizations are using criminal activities such as drug and sex trafficking to hurt innocent people inside and outside the United States. MS-13 operates in three countries, El Salvador, Guatemala, and Honduras and has 8,000 members in over 40 US states (Especial Proceso Digital 2015). Transnational crime is relevant to Texas because it borders Mexico and has many ports of entry. Major cities like Houston have human trafficking activity facilitated by gangs. In 2017, 22 alleged members of the gang Southwest Cholos Crew were arrested for using sex trafficking to force women to work in brothels in both Houston and Mexico (U.S. Department of Justice 2017a). Research analysis could provide information relating to the scope of the problem and communicate best practices that could help keep communities safe throughout the state.

Looking Forward

While the semantics of this project took many unexpected turns, the goal of shedding light upon the problem of human trafficking remained constant. Our research ultimately led us to the creation of a handout for the Texas Office of the Attorney General, comprised of a model of the legal pathway for victims and a directory of local resources.

Through this process, we found: discrepancies in terminology; a need for specialized training; a shortage of Sexual Assault Nurse Examiners, a lack of communication and collaboration; and a confusion over resources available to victims. Based on the qualitative data

collected, we made several recommendations on how to address the issue: increase training seminars for professionals, enhance communications, increase and recruit SANE nurses, fill services gaps by increasing and recruiting SANE nurses and by increasing the capacity and number of long-term care providers. With more time and resources, our team would have tested our product, along with our recommendations, to identify the most effective way to improve victim interactions.

Next year's capstone team will find that we were able to create a framework for "mapping" resources and processes related to a victim's journey towards healing. We suspect that their first task will be to test our framework by applying it to a diverse set of communities in order to refine the system. Once they are able to collect information about how the framework functions in sample communities, they can begin to answer questions about the viability of our product.

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Appendix A: Community Playbook (Draft)

Chapter: Introduction

Trafficking in Texas: Playbook

Glossary of Terms

Domestic Minor Sex Trafficking (DMST)

DMST is the recruitment, harboring, transportation, provision, obtaining, patronizing, or soliciting of a person for the purposes of a commercial sex act, in which the commercial sex act is induced by force, fraud, or coercion, or in which the person induced to person such an act has not attained 18 years of age.

Seasoning/Grooming

A combination of psychological manipulation, intimidation, gang rape, sodomy, beatings, deprivation of food or sleep, isolation from family, friends, and other sources of support, and threatening or holding hostage of a victim's children. Seasoning is designed to break down a victim's resistance and ensure that she will do anything she is told.

Trafficker

Anyone who receives money or something of value for the sexual exploitation of another person.

Buyer

A person paying another for sexual gratification, control, and/or domination. Without a buyer, there would not be a seller and there would not be a victim. The demand for commercial sexual services fuels the problem of DMST. Victims of DMST are forced to sell their bodies to meet this demand.

Victims

The trafficked individual, the families of the target and trafficked individuals, and the community as a whole; The individual who undergoes force, fraud, or coercion into being prostituted by the seller/trafficker; A victim can be anyone of any socioeconomic status, family situation, or background.

Facilitator

Any business or person allowing a trafficker to carry out his/her exploitations. These facilitators could be taxi drivers, hotel owners, business owners, or newspapers where girls are advertised and work in direct and indirect partnerships with pimps and enable the commercial sexual exploitation of children.

Glossary of Terms

Madam

An older woman who manages a brothel. The madam may have been prostituted in her earlier years; she may be a trafficker herself, perhaps a career criminal.

Survival Sex

A situation when an individual trades a sex act with an adult in exchange for basic needs such as shelter, food, water, etc.

Mandatory Reporting

Applies to people who have a reason to suspect the abuse or neglect of a child.

Exit Fee

The money a trafficker demands from a victim who wants to leave. Victims usually do not have the money and therefore have a difficult time, if ever, leaving freely.

Educating the Public

By increasing awareness of social issues, promoting certain behaviors, or targeting subpopulations, education can have an impact on a community regarding Texas DMST.

Prosecutor

A public official who institutes legal proceedings against someone.

Trauma Bond

A victim's emotional attachment to their abuser, created by intermittent acts of kindness or affection amid a mostly violent or abusive relationship.

Interactions with Law Enforcement With Victims

ACTIVITY: PERCEPTIONS OF VICTIMS

Purpose: The purpose of the activity is to provide presentation tips and steps to help law enforcement officers better recognize and more appropriately interact with potential victims of human trafficking, particularly youth and children.

Objectives:

- Identify inappropriate and incorrect stigmas and stereotypes associated with youth and children who typically interact with law enforcement
- Educate law enforcement officers on the expected behaviors of potential victims
- Train law enforcement officers on how to appropriately interact with potential victims

Preparation and Needed Materials:

- Consider collecting stories from an individual law enforcement agency on past interactions with children/youth victims of trafficking
- Ask officers to view “Be The One” video from the Office of the Texas Attorney General before the training (<https://vimeo.com/244718411>)

Presentation Tips:

- Welcome participants to the presentation
- Ask the participants to define a “stigma” or a “stereotype” in their own words
- Why would stigmas or stereotypes be potentially harmful to effective and efficient law enforcement practices?
- Explain that if a stigma or stereotype is incorrect, it can hinder an officer’s ability to properly recognize and interact with particular individuals
- For our purposes, we are focusing today on children and youth who may potentially be victims of commercial sexual exploitation (CSE), one specific form of human trafficking
- Ask participants to describe what they would expect a child/youth victim of CSE to look and act like
- Clarify that most often children/youth will not self-identify as victims
 - Why? Trauma-bonded to trafficker, believe they deserve how they are being treated, unaware that they need help, fearful of being punished by officers, etc.

Interactions with Law Enforcement

With Victims

Presentation Tips Continued:

- Victims may be aggressive, belligerent, and non-cooperative
- It may be easy for observers to assume such attitudes and reactions indicate that a victim is actually a perpetrator of some kind (bad behavior does NOT mean the person is bad)
- Officers must be aware that there is **no such thing as a “child prostitute”**; *a child or youth, by legal definition, cannot consent to or sell sexual services of any kind*
- There is a misconception that prostitution and sex trafficking are one and the same, explain
- Officers must avoid seeing children and youth as prostitutes due to the associated stigmas and misconceptions surrounding that term
- Children and youth involved in any kind of commercial sex trade are **victims** and must be seen as such by law enforcement officers
- Once a potential victim has been identified, officers should use a trauma-informed approach to interacting with them
- Understand that the child may not realize they need help or that they are being abused/exploited
- Child may be resistant to efforts of the officer; the child may seek to return to the trafficker because they are viewed as a protector and provider
- Officer must remain calm, patient, and as understanding as possible
- Officers must be prepared to change their perception of so-called “child prostitutes” and be prepared to assist in a patient and trauma-informed manner
- Follow-up training on trauma-informed approaches is highly encouraged
- Thank the officers for their time
- Invite agency to print off “Simple To-Do List for Changing Perceptions” and post it in the agency where it will be highly visible to all officers for constant review

Checklist:

- Evaluate current language used within the department to describe youth/children who interact with law enforcement and/or criminal justice system
- Follow-up with potential trauma-informed training options within your specific area and schedule a training for local law enforcement officers

Interactions with Law Enforcement With Victims

Simple To-Do List for Changing Perceptions

To Do	To NOT Do
<p><u>Use terms such as:</u></p> <ul style="list-style-type: none">• Prostituted child• Victim• Exploited youth	<p><u>Avoid terms such as:</u></p> <ul style="list-style-type: none">• Child prostitute• Whore• Delinquent
<p><u>Interact with the child/youth with:</u></p> <ul style="list-style-type: none">• Patience• Compassion• Trauma-informed techniques*	<p><u>Do not treat the child/youth with:</u></p> <ul style="list-style-type: none">• Aggression• Frustration• The same techniques you would use on a perpetrator

**trauma-informed techniques can be acquired through specialized, professional training. Please consult the provided sources for trauma-informed trainings available in your area.*

Additional Resources:

Texas Department of Family and Protective Services – “Trauma Informed Care Training”
[https://www.dfps.state.tx.us/Training/Trauma Informed Care/default.asp](https://www.dfps.state.tx.us/Training/Trauma%20Informed%20Care/default.asp)

Traffick 911 – “First Responder Training Overview”
<https://static1.squarespace.com/static/5501fe78e4b004aea0df799c/t/589cef3a6b8f5b337d6b3a54/1486679871677/Traffick911+First+Responder+Training+Overview+2017.pdf>

Red Flags for Law Enforcement

ACTIVITY: RED FLAGS CHECKLIST

Purpose: The purpose of the activity is to provide a training on red flags and warning indicators that a youth or child may be a victim of commercial sexual exploitation (CSE).

Objectives:

- List most common red flags and help officers to commit them to memory
- Educate law enforcement officers on how to think critically about potential warning signs that may not be obvious
- Train law enforcement officers on how to appropriately react to red flags when spotted

Preparation and Needed Materials:

- Print off red flag check-list from the Texas Attorney General's Office
- Provide officers with writing utensils for note-taking

Presentation Tips:

- Welcome participants to the presentation
- Explain that often times victims, particularly youth and children victims, of commercial sexual exploitation (CSE) are hidden in plain sight
- Encourage officers to view "Be The One" video from the Texas Attorney General's Office. Also remind them that the Governor has requested all local and state agencies to view the video for training purposes
- The purpose of this training is to provide law enforcement officers with a set of red flags and warning indicators to be aware of when working and interacting with youth and children who may be potential victims of CSE
- Review all items on the "Red Flags Checklist"
- Address any questions or concerns
- Invite discussion to continue if needed
- If red flags are recognized, law enforcement officers should act within their legal power to investigate and remove the victim from harm's way
[If the presenter is not a law enforcement officer, they should not elaborate on this point but rather defer to the law officers who are experts in this matter. The presenter should simply emphasize that if the officer recognizes a problem, they should strive to act accordingly and within their jurisdiction to do so].
- Thank officers for their time and provide contact information

Red Flags for Law Enforcement

Checklist:

- Place the “Red Flags Checklist” in a highly visible area of the law enforcement agency so that officers may review regularly
- Follow-up with officers on a monthly basis about their efforts to be more aware of potential CSE

Resources:

Texas Attorney General’s Office – “Human Trafficking Red Flags”
https://www2.texasattorneygeneral.gov/files/human_trafficking/human_trafficking_red_flags_handout.pdf

National Human Trafficking Hotline – “Recognizing the Signs”
<https://humantraffickinghotline.org/human-trafficking/recognizing-signs>

Texas Attorney General’s Office – “Be The One”
<https://vimeo.com/244718411>

LOVE146 – “Know It When You See It”
<https://love146.org/action/report/>

Victim's Communication with Trafficker

Grooming

- Traffickers use a deliberate process to identify and recruit their victims. It happens in three main phases: scouting, manipulating and trapping (Internet Safety 101, 2018).
- Traffickers manipulate children with “love and attention” who have experienced childhood abuse and neglect.
- Online safety for kids is important
 - In a survey conducted by Thorn, an international anti-human trafficking organization, it was found that 1 in 6 kids were trafficked under the age of 12, with the most frequent age of trafficked victims being 15 (Bouche, 2018).

Social Media and Online Platforms

- Social media and online platforms are an avenue by which traffickers exploit victims.
 - Some websites that have been accessed by victims are Facebook, Instagram, and Google (Bouche, 2018).
- Thorn conducted a survey of 260 DMST victims. Of those that were surveyed, 75% of victims from 2004 and later were advertised online (Bouche, 2018).
 - There is an increase in interest with online advertisements. If they were advertised online, 1 in 4 victims interacted with more than 10 buyers per day. In contrast, 1 in 7 victims interacted with more than 10 buyers per day if they were advertised on the street (Bouche, 2018).
- According to the Thorn survey, 55% of victims met their trafficker via text, website, or app from 2015 and onward (Bouche, 2018).
- Regardless of whether the trafficker met the victim online or in person, 85% of victims had traffickers spend time with them to build up a relationship (Bouche, 2018).
- For traffickers that used technology, 63% communicated online and 25% communicated by phone (Bouche, 2018).
- The younger the victim, the more direct the communication was between the buyer and the trafficker (Bouche, 2018).

Victim's Communication with Trafficker

Recommendations

- Prevention programs must be aimed directly at children and youth.
- Tech companies must leverage the skill, resources, and voice to help combat DMST.
- Many of the victims did not see a helpline number. Tech companies and online platforms should encourage placement of helpline support in social media applications (Bouche 2018).
- Organizations, agencies, and companies must review how new technology can be used by traffickers, victims, and buyers (Bouche, 2018).

Activities

"Being Smart about Smartphones and Social Media"

- **Purpose:**
 - A guideline to encourage parents to talk with their kids about online safety regarding smartphones and social media.
- **Objectives**
 - Parents get a baseline for how active their kids are interacting with individuals on their phones and computer.
 - This is not for parents to hover over their kids but rather to ensure their kids have a balance.
 - How many social media accounts do they have?
 - Are the majority of children's interactions online, in person, or is there a balance?
 - Are conversations with parents mostly on the phone?
 - Do the children have the discipline to go a day without their phone and computer (aside from necessary contact)?
 - Parents create a space for the family to have discussions about the issue but also get into the habit of having at least one meal together without distractions (i.e. phones, tv).
 - Sharing a meal not only helps a family to connect but also helps to curb risky behavior by teens like drug and alcohol use (Delistraty, 2014).

Victim's Communication with Trafficker

Activities

"Think Before You Post: The Dangers of Social Media"

- **Purpose:**
 - A class designed around discussing about social media interactions.
- **Objectives**
 - Ensure kids do not divulge deeply personal information and sensitive photos of themselves to others online, especially not to strangers.
 - Ensure that kids are aware of the permeance of the internet.
 - Talk about bullying and social media.
 - Discuss that postings on social media may be a factor in some future job searches.

Sources

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Can You Recognize the Symptoms: Health Professionals

Activity: Can You Recognize The Symptoms?

Purpose: The purpose of the activity is to recognize the signs and symptoms associated with sex trafficking in a medical setting.

Objectives:

- Identify the red flags that can be overlooked in a medical setting
- Identify next steps to protect the victim from further abuse or trafficking

Victim Industry Categories:

- Street prostitutes
- Brother workers
- Internet prostitution,
- Exotic dancers
- Strippers
- Escorts
- Massage parlor workers
- Truck stop companions
- Pornographic workers
- Coerced employment positions.

Clinical Indication Toolkit

Red Flag Indicators

Rehearsed or scripted story, evidence of physical violence, tattoos or brandings, delay of seeking medical care, pattern of injury, stating age older than appearance, inability to produce identification, reluctance to answer questions, discrepancies between stated history and clinical presentation, excessive number of sexual partners, reoccurring STD/STI, frequent or forced abortions, multiple or frequent pregnancies, frequent change of address, accompanying individual answers for the patient, over familiarity with sexual terms and practices, symptoms of drug and alcohol use

Can You Recognize the Symptoms: Health Professionals

Clinical Indication Toolkit

Physical Injuries

Burns, tattoos, branding, marks of ownership, strangulation injuries, fractures, blunt force trauma, malnutrition, scarring from unattended wounds to include firearms or knives, dental and/or oral injuries to include bruising, chipped or broken teeth

Mental Trauma

Panic attacks, sleep disturbances, depression, suicidal ideations, anxiety, impaired social skills, overly vigilant/paranoid, withdrawn behavior

Sexual Trauma

Repeated sexually transmitted infections or diseases, inconsistent stories, forced abortions, abortion related complications, repeated unplanned pregnancies, rape consistent injuries, genital trauma

NOW YOU RECOGNIZE IT...WHAT NEXT?

Now that you have recognized one or more indicators you need to ensure that the victims primary health and safety needs are met. Two routes are possible: 1) patient does not want to report and 2) eligible for mandatory reporting or patient wishes to report.

Mandatory Reporting: Everyone in Texas is considered a mandatory reporter. However, medical professionals are only required to report suspected sex trafficking to the State's Medical Board. They also should provide the victim with the human trafficking hotline number.

Can You Recognize the Symptoms: Educational Professionals

Activity: Can You Recognize The Symptoms?

Purpose: The purpose of the activity is to recognize the signs and symptoms associated with sex trafficking in an educational institution/setting.

Objectives:

- Identify the red flags that may be overlooked in an educational institution/setting.
- Identify next steps to protect the victim from further abuse or trafficking

Victim Industry Categories:

- Street prostitutes
- Brother workers
- Internet prostitution,
- Exotic dancers
- Strippers
- Escorts
- Massage parlor workers
- Truck stop companions
- Pornographic workers
- Coerced employment positions.

Clinical Indication Toolkit

Red Flag Indicators:

Academic

- Unexplained absences from school, inability to attend school on a regular basis, frequent change of address or accurate information is not in the school system, unengaged in class, performs underneath appropriate grade level

Physical

- Appears malnourished, has visible scars and bruises, attempts to conceal the scars and bruises or tattoos, excessive number of sexual partners, recurrent sexually transmitted diseases, oral injuries, branding or marks of ownership in the form of either burns or tattoos, symptoms of drug and alcohol use

Can You Recognize the Symptoms: Educational Professionals

Clinical Indication Toolkit

Red Flag Indicators:

Emotional

- Fearful, depression, anxiety, overly paranoid or vigilant, clinging behavior, hyperarousal of anger or panic, avoids eye contact, resists being touched, sudden outbursts of anger, low self-esteem

Social

- Has a much older partner, lives in an unstable or abusive home, lack of control over personal schedule and personal documents, inability to produce identification, references made of travel to other cities, withdrawn behavior in social settings, overly familiar with sexual terms, little to no explanation or reluctant to answer about noticed issues, rehearsed or scripted story

NOW YOU RECOGNIZE IT...WHAT NEXT?

Now that you have recognized one or more indicators you need to ensure that the victims primary health and safety needs are met. Two routes are possible: 1) patient does not want to report and 2) eligible for mandatory reporting or patient wishes to report.

Mandatory Reporting: Everyone in Texas is considered a mandatory reporter.

By informing law enforcement and/or DFPS, they will initiate an investigation.

Making a report to DFPS gives you immunity from civil or criminal liability if the report is made in good faith. If you suspect child abuse or neglect but do not report it, you can be charged with either a misdemeanor or a felony.

School personnel should not address the situation personally with the student and/or family. However, if a student approaches a school personnel member about the abuse or trafficking, the student may be subject to interviewing by law enforcement.

The Texas Abuse Hotline, at 1-800-252-5400, is available 24 hours a day, 365 days a year. You will be asked to provide your name and contact information, as well as your concerns and any additional questions to determine the specific situation at hand.

Glossary of Legal Terms

LEGAL GLOSSARY TERMS

Force

Not defined by Texas penal code, but is speculated to involve physical restraint or use of violence to prompt an action.

Fraud

Not defined by the Texas penal code, generally involves lying to a victim to prompt an action.

Coercion

Issuing a threat to commit an offense, accuses another person of an offense, harm the reputation, or ridicule a person. *May also include destroying, concealing, confiscating, or withholding from the trafficked person, or threatening to destroy, conceal, confiscate, or withhold from the trafficked person, the trafficked person's actual or purported government records or identifying information or documents.*

Consecutive vs. Concurrent Sentencing

Concurrent sentences allow defendants to serve prison time for multiple offenses simultaneously, consecutive sentences require sentences to be served separately and fully.

Uncorroborated testimony

A written or spoken statement given to the court that is not proven by tangible evidence.

Intent

Prosecutors must prove beyond a reasonable doubt that a defendant had the intention, mens rea, or the determination to cause a victim to participate in forced labor or services

Texas Law 101

ACTIVITY: TEXAS CRIMINAL LAW FOR DOMESTIC MINOR SEX TRAFFICKING

Purpose: The purpose of this lesson is to clarify the Texas Penal Code's applicability to domestic minor sex trafficking (DMST) in the state of Texas.

Objectives:

- Define the elements in the Texas Penal Code that criminalizes DMST.
- Provide and test for a basic understanding of Texan legal measures against DMST.

Useful Resources:

- The Texas state Penal Code's chapter dedicated to Trafficking of Persons offenses, [Texas Penal Code 20A.02](#).
- [The Texas Attorney General's initiative on human trafficking](#) to learn about red flags, misconceptions, reporting tips, and other valuable information regarding human trafficking.
- Evaluations of state laws combating sex trafficking by [Shared Hope International](#).

Trafficking of Persons

This law pertains to adults and children who are forced, defrauded, or coerced into forced labor, services or sexual conduct. This offense includes greater penalties for trafficking crimes involving minors. A conviction can be reached without proving an offender had knowledge of a victim's age. Furthermore, a prosecutor does not need to prove force, fraud, or coercion were used to facilitate *trafficking involving a minor in order to secure a conviction. Convicted defendants are not eligible for probation or serving sentences concurrently under this 1st degree felony. If a victim under the age of 18 is by any means caused to engage in or become victim to the following offenses, the defendant(s) can be charged with trafficking of persons in the 1st degree:*

- Continuous Sexual Abuse of Young Child of Children
- Indecency with a Child
- Sexual Assault or Aggravated Sexual Assault
- Prostitution
- Promotion of Prostitution or Aggravated Promotion of Prostitution
- Compelling Prostitution
- Sexual Performance by a Child
- Possession or Promotion of Child Pornography

Texas Law 101

Key Legal Definitions and Elements of Trafficking of Persons Offenses in Texas:

Child

A child or minor is anyone under the age of 18.

Traffic

To transport, entice, recruit, harbor, provide, or obtain a person by any means.

Sexual Conduct

Includes sexual contact, actual or simulated sexual intercourse, deviate sexual intercourse, sexual bestiality, masturbation, sadomasochistic abuse, and lewd exhibition.

Force

Not defined by Texas penal code, but is speculated to involve physical restraint or use of violence to prompt an action.

Fraud

Not defined by the Texas penal code, generally involves lying to a victim to prompt an action.

Coercion

Issuing a threat to commit an offense, accuses another person of an offense, harm the reputation, or ridicule a person. May also include destroying, concealing, confiscating, or withholding from the trafficked person, or threatening to destroy, conceal, confiscate, or withhold from the trafficked person, the trafficked person's actual or purported government records or identifying information or documents.

Consecutive vs. Concurrent Sentencing

Concurrent sentences allow defendants to serve prison time for multiple offenses simultaneously, consecutive sentences require sentences to be served separately and fully.

Uncorroborated testimony

A written or spoken statement given to the court that is not proven by tangible evidence.

Intent

Prosecutors must prove beyond a reasonable doubt that a defendant had the intention, mens rea, or the determination to cause a victim to participate in forced labor or services

Texas Law 101

Assessment

1. Prosecutors must prove a defendant used force, fraud, or coercion to cause a child to engage in prostitution? **TRUE or FALSE**
2. Defendants are always eligible for probation. **TRUE or FALSE**
3. What does DMST mean?
4. Physical evidence is required to convict a defendant. **TRUE or FALSE**
5. Defendants may have their sentence reduced to a 2nd degree felony if they are unaware the victim is a minor. **TRUE or FALSE**
6. If someone is guilty of minor sex trafficking in addition to other related crimes such as sexual abuse, they must serve consecutive sentences for each offense. **TRUE or FALSE**
7. A defendant is guilty of minor sex trafficking if they cause a child to distribute or participate in pornography. **TRUE or FALSE**
8. Lying to a victim is a form of fraud. **TRUE or FALSE**
9. A defendant is still guilty for *trafficking of persons* if they unknowingly drive a child victim to a location where prostitution will occur. **TRUE or FALSE**
10. A defendant is **not** guilty for *trafficking of persons* if they cause a child to engage in or become victim to:
 - A) Sexual Assault
 - B) Compelling Prostitution
 - C) Indecency with a Child
 - D) Continuous Sexual Abuse of Young Child or Children
 - E) None of the Above

Texas Law 101

Assessment Answer Key:

1. FALSE, prosecutors charging a defendant with *trafficking of persons only need to prove the use of force, fraud, or coercion if a victim is an adult.*
2. FALSE, if the defendant victimized a minor they will be denied the privilege to serve probation or a concurrent sentence.
3. Domestic Minor Sex Trafficking
4. FALSE, physical evidence is not necessary. Defendants can be found guilty based on a convincing uncorroborated testimony. Nevertheless, physical evidence and a corroborated testimony should be sought and used whenever possible.
5. FALSE, it does not matter if the defendant knew their victim's age.
6. TRUE
7. TRUE
8. TRUE
9. FALSE, prosecutors must prove 'intent'. In this scenario it was not feasible to prove the driver knew he was transporting a victim to engage in or become victim to a prostitution.
10. Answer E, none of the above

Federal Law 101

ACTIVITY: THE UNITED STATES FEDERAL CODE & DOMESTIC MINOR SEX TRAFFICKING

Purpose: The purpose of the activity is to inform readers of the United States Federal Code

Terms to Know:

Obscenity

- The U.S. Supreme Court established the three-pronged Miller test. Any material that satisfies this three-pronged test may be found obscene. The test defines obscenity as follows:
 - Whether the average person, applying contemporary adult community standards, finds that the matter, taken as a whole, appeals to prurient interests (i.e., an erotic, lascivious, abnormal, unhealthy, degrading, shameful, or morbid interest in nudity, sex, or excretion).
 - Whether the average person, applying contemporary adult community standards, finds that the matter depicts or describes sexual conduct in a patently offensive way (i.e., ultimate sexual acts, normal or perverted, actual or simulated, masturbation, excretory functions, lewd exhibition of the genitals, or sado-masochistic sexual abuse).
 - Whether a reasonable person finds that the matter, taken as a whole, lacks serious literary, artistic, political, or scientific value.

Child Pornography

- Any visual depiction of sexually explicit conduct involving a minor (someone under 18 years of age). Visual depictions include photographs, videos, digital or computer generated images indistinguishable from an actual minor, and images created, adapted, or modified, but appear to depict an identifiable, actual minor. Undeveloped film, undeveloped videotape, and electronically stored data that can be converted into a visual image of child pornography are also deemed illegal visual depictions under federal law.
 - Notably, the legal definition of sexually explicit conduct does not require that an image depict a child engaging in sexual activity. A picture of a naked child may constitute illegal child pornography if it is sufficiently sexually suggestive.
 - Additionally, the age of consent for sexual activity in a given state is irrelevant; any depiction of a minor under 18 years of age engaging in sexually explicit conduct is illegal.

Commercial Sex Act

- Any sex act, on account of which anything of value is given to or received by any person

Child Sex Tour Operator

- Someone who profits by facilitating the travel of U.S. Citizens or legal permanent residents, knowing that they are traveling for the purpose of engaging in illegal sex with a minor.

Federal Law 101

Federal Laws

Prostitution of Children:

- 18 U.S.C § 1591: Sex trafficking of children or by force, fraud, or coercion
 - This statute makes it a federal offense to knowingly recruit, entice, harbor, transport, provide, obtain, or maintain a minor (defined as someone under 18 years of age) knowing or in reckless disregard of the fact that the victim is a minor and would be caused to engage in a commercial sex act. Commercial sex act is defined very broadly to include “any sex act, on account of which anything of value is given to or received by any person.” In other words, it is illegal both to offer and to obtain a child, and cause that child to engage in any kind of sexual activity in exchange for anything of value, whether it be money, goods, personal benefit, in-kind favors, or some other kind of benefit.
 - Section 1591 also makes it a crime for individuals to participate in a business venture that obtains minors and causes them to engage in commercial sex acts.
 - Section 1591 does not require proof that either the defendant or victim crossed state or international lines.
 - When the victim is a minor, Section 1591 does not require proof that the defendant used force, threats of force, fraud, or coercion, or any combination of those means, to cause the minor to engage in a commercial sex act.
 - Section 1591 applies equally to American children (U.S. citizens or residents) who are prostituted within the United States, as well as foreign nationals (persons not a U.S. citizen or resident) who are brought into the United States and are then caused to engage in prostitution. The law also criminalizes any person who conspires or attempts to commit this crime.
- 18 U.S.C § 2421: Transportation Generally
 - Makes it a crime to transport an individual or a minor across state lines for the purpose of prostitution or any other illegal sexual activity.
 - Unlike 18 U.S.C. § 1591, this statute does require proof that the victim crossed a state line.
- 18 U.S.C § 2422: Coercion and enticement
 - Makes it a crime to use the U.S. Mail or certain technology, such as the Internet or the telephone (whether mobile or a landline), to persuade, induce, entice, or coerce a minor to engage in prostitution or any other illegal sexual activity.
 - Under this statute, it is not necessary to prove that either the defendant or the victim crossed state lines.

Federal Law 101

Federal Laws

Prostitution of Children continued:

- 18 U.S.C § 2423: Transportation of minors
 - Makes it a crime to transport an individual or a minor across state lines for the purpose of prostitution or any other illegal sexual activity.
 - Unlike 18 U.S.C. § 1591, this statute does require proof that the victim crossed a state line.
- 18 U.S.C § 2425: Use of interstate facilities to transmit information about a minor
 - Makes it illegal for any person to use the mail, telephones, or the Internet, to knowingly transmit the name, address, telephone number, social security number, or email address of a child under the age of 16 with intent to entice, encourage, offer, or solicit any person to engage in criminal sexual activity.

Child Pornography:

- 18 U.S.C. § 2251: Sexual Exploitation of Children
 - Makes it illegal to persuade, induce, entice, or coerce a minor to engage in sexually explicit conduct for purposes of producing visual depictions of that conduct.
 - Any individual who attempts or conspires to commit a child pornography offense is also subject to prosecution under federal law.
 - Federal law prohibits the production, distribution, reception, and possession of an image of child pornography using or affecting any means or facility of interstate or foreign commerce.

Production of Child Pornography

- 18 U.S.C. § 2251A: Selling and Buying of Children
 - Specifically prohibits any parent, legal guardian or other person in custody or control of a minor under the age of 18, to buy, sell, or transfer custody of that minor for purposes of producing child pornography.
- 18 U.S.C. § 2252: Certain activities relating to material involving the sexual exploitation of minors
 - Federal law prohibits the production, distribution, reception, and possession of an image of child pornography using or affecting any means or facility of interstate or foreign commerce.

Federal Law 101

Child Pornography continued:

Production, Distribution, and Receipt of Child Pornography

- 18 U.S.C. § 2256: Definitions
- 18 U.S.C. § 2260: Production of sexually explicit depictions of a minor for importation into the United States
 - Prohibits any persons outside of the United States to knowingly produce, receive, transport, ship, or distribute child pornography with intent to import or transmit the visual depiction into the United States.

Child Sexual Abuse:

Except in limited circumstances, federal laws typically do not apply to child sexual abuse matters that takes place wholly inside a single state. These matters are therefore generally handled by state or local authorities and prosecuted under state laws. However, if the sexual abuse of a child occurred on federal lands, the offense may be prosecuted under federal law. Federal lands include areas such as military bases, Indian territories, and other government– owned lands or properties (See 18 U.S.C. §7).

- 18 U.S.C. § 2241: Aggravated sexual abuse
- 18 U.S.C. § 2242: Sexual abuse
- 18 U.S.C. § 2243: Sexual abuse of a minor or ward
- 18 U.S.C. § 2244: Abusive sexual contact

Obscenity:

The U.S. Supreme Court established the three-pronged Miller test that judges and juries use to determine whether matter is obscene in three major cases: Miller v. California, 413 U.S. 15, 24-25 (1973); Smith v. United States, 431 U.S. 291, 300-02, 309 (1977); and Pope v. Illinois, 481 U.S. 497, 500-01 (1987).

Any material that satisfies this three-pronged test may be found obscene. The standard of what is harmful to minors may differ from the standard applied to adults. Harmful materials for minors include any communication consisting of nudity, sex or excretion that (i) appeals to the prurient interest of minors, (ii) is patently offensive to prevailing standards in the adult community with respect to what is suitable material for minors, (iii) and lacks serious literary, artistic, political, or scientific value for minors.

Federal Law 101

Obscenity continued:

- 18 U.S.C. § 1460: Possession with intent to sell, and sale, of obscene matter on Federal property
- 18 U.S.C. § 1461: Mailing obscene or crime-inciting matter
- 18 U.S.C. § 1463: Mailing indecent matter on wrappers or envelopes
- 18 U.S.C. § 1462: Importation or transportation of obscene matters
- 18 U.S.C. § 1464: Broadcasting obscene language
- 18 U.S.C. § 1466: Engaging in the business of selling or transferring obscene matter
- 18 U.S.C. § 1465: Transportation of obscene matters for sale or distribution
- 18 U.S.C. § 1466A: Obscene visual representations of the sexual abuse of children
- 18 U.S.C. § 1467: Criminal forfeiture
- 18 U.S.C. § 1468: Distributing obscene material by cable or subscription television
- 18 U.S.C. § 1469: Presumptions
- 18 U.S.C. § 1470: Transfer of obscene material to minors
- 18 U.S.C. § 2252B: Misleading domain names on the Internet
- 18 U.S.C. § 2252C: Misleading words or digital images on the Internet

Sex Offender Registration:

- 18 U.S.C. § 2250: Failure to register
 - Makes it a federal offense for sex offenders required to register pursuant to the Sex Offender Registration and Notification Act (SORNA), to knowingly fail to register or update a registration as required. State convicted sex offenders may also be prosecuted under this statute if the sex offender knowingly fails to register or update a registration as required, and engages in interstate travel, foreign travel, or enters, leaves, or resides on an Indian reservation.

International

Extraterritorial Sexual Exploitation of Children:

Extraterritorial jurisdiction is the legal authority of the United States to prosecute criminal conduct that took place outside its borders.

- 18 U.S.C. § 2423(b): Travel with intent to engage in illicit sexual conduct
 - Makes it a crime for United States citizens or legal permanent residents to travel from the United States to a foreign country with the intent to engage in illegal sexual conduct with a child such as rape, molestation, or prostitution.

Federal Law 101

Extraterritorial Sexual Exploitation of Children continued:

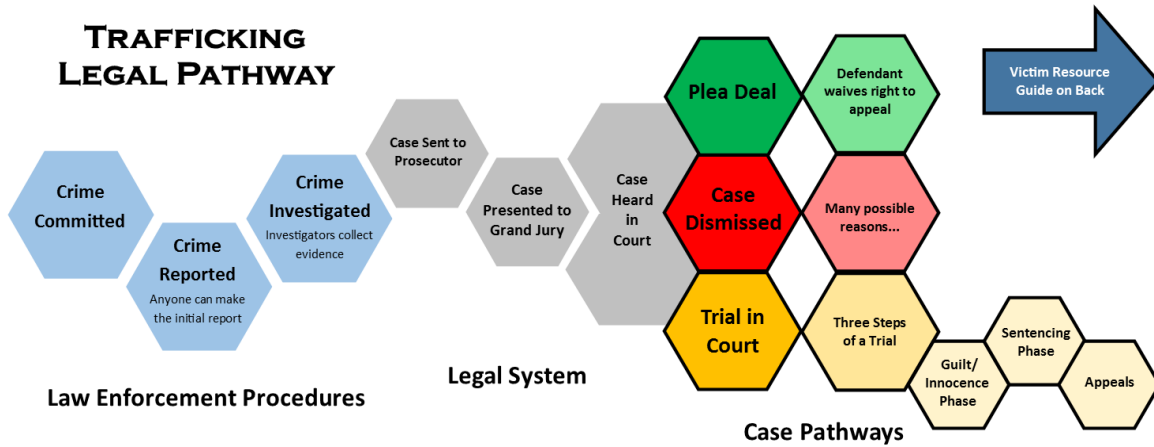
- 18 U.S.C. § 2423(c): Engaging in illicit sexual conduct in foreign places
 - Prohibits United States citizens or legal permanent residents from traveling from the United States to a foreign country, and while there, raping or sexually molesting a child or paying a child for sex.
 - Does not require proof that the defendant had formed his criminal intent at the time he began to travel.
- 18 U.S.C. § 2423(d): Ancillary Offenses
 - Makes it a crime to be what is known informally as being a “child sex tour operator.”
- 18 U.S.C. §§ 2251(c) and 2260(a): Production of Child Pornography outside the United States
 - Makes it a crime for anyone to produce child pornography in foreign countries if they import the child abuse images into the United States, or if they intend to do so.
- 18 U.S.C. § 1591: Sex Trafficking of children by force, fraud, or coercion
 - Section 1591 applies equally to American children (U.S. citizens or residents) who are prostituted within the United States, as well as foreign nationals (persons not a U.S. citizen or resident) who are brought into the United States and are then caused to engage in prostitution.
 - The law also criminalizes any person who conspires or attempts to commit this crime.
- 18 U.S.C. § 1596: Additional jurisdiction in certain trafficking offenses
 - Grants extraterritorial jurisdiction over 18 U.S.C. § 1591 (Sex trafficking of children or by force, fraud, or coercion).

International Parental Kidnapping:

It is important to distinguish between the prosecution of the parent who kidnapped a child and the return of that child to the United States. Extradition is the legal surrender of an alleged criminal to the jurisdiction of another country. Although the parent who removed the child from the United States is generally eligible for formal extradition because they are charged with a federal crime, the child is a victim of international parental kidnapping and often not eligible for formal extradition. In other words, federal prosecutors may investigate and prosecute the parent, but they typically have no control over the return of the child or custodial decisions affecting that child.

- 18 U.S.C. § 1204: International parental kidnapping
 - Makes it a federal crime for a parent to remove or attempt to remove a child from the United States, or retain a child outside the United States with intent to obstruct another parent's custodial rights. The child's return may be governed by the Hague Convention on the Civil Aspects of International Parental Child Abduction (1980).

Appendix B: Trafficking Victim Resource Guide



Frequently Asked Questions:	Myths:	Legal Terms:
<p><u>Do I have to testify?</u> Please ask your prosecutor this question, as the answer will depend on the details of your particular case.</p> <p><u>How long does this process take?</u> This process may take between 1 to 2 years. That is how long it typically takes for a felony case to go to trial.</p> <p><u>Why should I go through this process?</u> Because you are worth it!</p>	<p><u>I am alone in this process.</u> You are not in this alone. There are many resources available to you and many individuals fighting on your behalf. Victim service coordinators are available through local law enforcement and legal agencies to assist you throughout this process. The back of this handout provides more information about resources available within your particular area.</p> <p><u>The system doesn't care about someone like me.</u> You may have had previous negative experiences with law enforcement, child welfare, or the legal system that make you anxious about participating in the prosecution of your trafficker. While the legal system is not perfect, it is the most effective way to ensure your safety and protect others from being victimized. Talk to your prosecutor about your fears—you deserve justice, not judgment.</p>	<p><u>Defendant</u> - Someone who is accused of a crime.</p> <p><u>Grand Jury</u> - A group of 12 people who decide whether a crime probably occurred and should be assigned to a court.</p> <p><u>Indictment</u> - A formal accusation that someone has committed a crime.</p> <p><u>Prosecutor</u> - A state's attorney charged with seeking justice, who must prove the defendant committed the crime charged in the indictment.</p> <p><u>Testify</u> - To tell the truth in court.</p> <p><u>Witness</u> - A person who sees an event such as a crime or accident take place.</p>

Front side of handout

TRAFFICKING VICTIM RESOURCE GUIDE—BRAZOS COUNTY, TEXAS

FOOD & SHELTER			
Restore Her - Still Creek	979-589-3206	Long-term housing, Education, Ages 14 & under	6055 Hearne Road, Bryan, TX
Twin City Mission Housing Services	979-822-7511	Rapid rehousing, Rental assistance, Case management	2505 S College Ave, Bryan, TX 77801
Brazos Valley Food Bank	979-822-2660	Food, Children food programs	800 Cypress Bend, Bryan, TX
Twin City Mission Community Cafe	979-822-1492	Rapid rehousing, education, clothing, Food	410 Randolph St., Bryan, TX
HEALTH CARE			
Baylor, Scott & White	979-207-0100	Forensic exams, Medical services	700 Scott and White Dr., College Station, TX
CHI Saint Josephs	979-776-3777	Medical services	2801 Franciscan Dr. Bryan, TX
Blinn College Dental Hygiene	979-775-5386	Dental care, Cancer screenings, X-rays	301 Post Office Street in Bryan, TX 77801
COUNSELING			
Associates for Applied Psychology	979-268-1111	Individual therapy , Psychological evaluations, Forensic evaluations	113 Rock Prarie Road, College Station, TX
Dr. Kim Arrendondo	979-574-8801	Psychological evaluations, Therapy	704B E. 29th St. Bryan, TX 77802
Texas A&M Counseling and Assessment Clinic	979-595-1770	Individual therapy	3370 Texas Ave, Bryan, TX
Narcotics Anonymous (NA) of the Brazos Valley	979-822-9094	Group meetings, Drug addiction counseling	Locations vary in Brazos County (Please see website)
LEGAL SERVICES			
AVOICE	888-343-4414	Free representation, Legal advice	6200 La Calma Dr # 110, Austin, TX 78752
Brazos County Attorney's Office - Family Violence Unit	979-775-7400	Protective order requests, Free representation to victims of family violence	300 E 26th St, Bryan, TX (located on 1st floor)
Lone Star Legal Aid	979-775-5050	Legal aid	1714 E 29th St, Bryan, TX 77802
Brazos Interfaith Immigration Network (BIIN)	979-393-8228	Immigration services, Citizenship classes, Education	107 Williamson Dr, Bryan, TX 77801
Catholic Charities of Central Texas	979-822-9340	Immigration services, Counseling services, Pregnancy services	1625 Rutherford Ln, Austin, TX 78754
EMPLOYMENT			
Department of Assistive & Rehabilitative Services Program	979-595-2880	Education, Local employment options, Financial assistance	1115 Welsh Ave, College Station, TX
Express Employment Professionals	979-776-4455	Local employment options	1863 Briarcrest Dr. Bryan, TX
Workforce Solutions Brazos County	800-386-7200	Apprenticeship training, Child care services, Financial assistance, Education	3991 E 29th St, Bryan, TX

For more information, please visit our website at www.brazoscountytx.gov

Backside of handout

Appendix C: Future Research Bibliography

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