



pennsylvania
DEPARTMENT OF HUMAN SERVICES


CHILDREN, YOUTH & FAMILIES BULLETIN

ISSUE DATE:
September 30, 2019

EFFECTIVE DATE:
Immediately

NUMBER:
3130-19-04

SUBJECT:
Serving Child Victims of Human Trafficking in
Pennsylvania

BY:

Amy Grippi, Acting Deputy Secretary
Office of Children, Youth & Families

SCOPE

- Administrative Office of Pennsylvania Courts
- Adoption Agencies
- Chief Juvenile Probation Officers
- Child Advocacy Centers
- Child Residential and Day Treatment Facilities
- County Children and Youth Social Service Agencies
- County Children and Youth Solicitors
- Foster Care Agencies
- Guardians Ad Litem
- Juvenile Court Judges' Commission
- Juvenile Law Center
- Parent Advocates
- Pennsylvania Bar Association
- Pennsylvania Chapter of Children's Advocacy Centers and Multi-Disciplinary Teams
- Pennsylvania Coalition Against Domestic Violence
- Pennsylvania Coalition Against Rape
- Pennsylvania Commission on Crime and Delinquency
- Pennsylvania Court Appointed Special Advocates Association
- Private Attorneys
- Private Children and Youth Social Service Agencies
- State Youth Development Centers/Youth Forestry Camps

REFER COMMENTS AND QUESTIONS REGARDING THIS BULLETIN TO: the appropriate OCYF Regional Office

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PURPOSE

The purpose of this bulletin is to inform county and state officials; public and private children, youth and family service system agencies; children's advocacy programs; community-based domestic violence programs; rape crisis centers; and stakeholders of the requirements of PA Act 115 of 2016 (Act 115) and of PA Act 130 of 2018 (Act 130), and to clarify how they co-exist with statutory requirements at:

- Public Law 113-183, Preventing Sex Trafficking & Strengthening Families Act (P.L.113-183)
- PA Act 105 of 2014, Pennsylvania's Comprehensive Anti-Human Trafficking Law: 18 Pa. Cons. Stat. §§ 3001-3072 (Act 105)

BACKGROUND

The Federal Preventing Sex Trafficking & Strengthening Families Act, signed into law on September 29, 2014, amends Titles IV-B and IV-E of the Social Security Act with provisions to prevent, identify, and address severe forms of trafficking in persons, as defined in 22 U.S. Code Chapter 78, Section 103 of the Trafficking Victims Protection Act (TVPA), of children and youth known to the child welfare system.

The TVPA, passed in 2000, provided groundbreaking legislation in the fight against human trafficking by creating stronger sanctions for traffickers, restitution for victims, and funding for victim services. TVPA has been reauthorized and amended four times (2003, 2005, 2008, and 2013), illustrating Congress' commitment to ensure just and effective punishment of traffickers, and to protect their victims as well as to further strengthen public awareness about human trafficking and to enhance trauma-informed responses to victims.

The Preventing Sex Trafficking & Strengthening Families Act mandates efforts to protect children at risk of human trafficking including:

- County Children and Youth Agencies (CCYAs) must identify, document, and determine appropriate services for children who are victims, or are at risk of becoming victims, of sex or severe forms of trafficking, as defined under Section 103 of the TVPA, and are within the supervision of the state, including children that have not been removed from their own home.
- CCYAs must implement specific protocols for expeditiously locating any child missing from out-of-home care and determining the child's experience while absent, including screening for whether the child was a victim of sex or severe forms of trafficking.
- CCYAs must report to law enforcement immediately and in no case later than 24 hours, after receiving information on a child who was identified as being a victim of sex or severe forms of trafficking.

Effective September 29, 2017, states must also annually report the number of child victims of sex or severe forms of trafficking.

On May 29, 2015, P.L. 114-22, the Justice for Victims of Trafficking Act of 2015 (JVTA), was enacted, amending the Child Abuse Prevention and Treatment Act (CAPTA) by requiring that the state child protective services system has in effect and is enforcing laws requiring identification and assessment of known or suspected victims of sex or severe forms of trafficking. The JVTA also expands the federal definition of child abuse to include human trafficking. The JVTA underscored the importance of states having a workable and multidisciplinary plan to combat human trafficking. The 2015 federal law also amended the TVPA.

Pennsylvania Legislation

In response to the increasing concerns related to human trafficking and to comply and implement federal law, Pennsylvania has enacted four relevant laws which include:

- Act 105 of 2014, extensively revising the law on human trafficking;
- Act 94 of 2015, addressing the expectations of the CCYAs and law enforcement agencies related to sex trafficking and missing and abducted children;
- Act 115 of 2016, addressing changes to ensure compliance with CAPTA; and
- Act 130 of 2018, creating the Safe Harbor in Human Trafficking Law.

Act 105 of 2014

<https://www.legis.state.pa.us/cfdocs/billinfo/billinfo.cfm?year=2013&sind=0&body=S&type=B&bn=0075>

Act 105 of 2014, (Act 105), Pennsylvania's first comprehensive anti-trafficking law, gives law enforcement officials the tools to prosecute human traffickers and works to increase awareness and to develop, expand or strengthen programs for victims of human trafficking. This law also makes survivors of human trafficking eligible for protections such as vacatur (which encompasses record expungement), rehabilitation programming, and confidential case management.

Act 94 of 2015

<https://www.legis.state.pa.us/cfdocs/legis/li/uconsCheck.cfm?yr=2015&sessInd=0&act=94>

Pennsylvania's Act 105 addresses the prevention and prosecution of human trafficking as well as protection of victims while Act 94 states the expectations of CCYAs and law enforcement agencies related to Sex Trafficking and Missing and Abducted Children. Act 94 amended Title 23 relating to Domestic Relations by adding Chapter 57, Sex Trafficking and Missing and Abducted Children, setting forth specific duties for the CCYA involved with a child.

Act 115 of 2016

<https://www.legis.state.pa.us/cfdocs/billInfo/billInfo.cfm?sYear=2015&sInd=0&body=S&type=B&bn=1311>

On October 28, 2016, Governor Wolf signed Senate Bill 1311 into law as Act 115, amending Titles 23 (Domestic Relations) and 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes. This Act includes provisions to ensure that suspected or known child victims of human trafficking (CVHT) are properly identified, screened, and assessed, that all reports involving children who are suspected or known to be victims of sex trafficking are properly investigated, and that victims are provided with necessary treatment and services. It also requires that child protective services workers are provided with training to properly identify, screen, assess, and provide comprehensive services for children who are or at risk of being victims of severe forms of trafficking including both Commercial Sexual Exploitation and labor trafficking.

Act 130 of 2018

<https://www.legis.state.pa.us/cfdocs/billInfo/billInfo.cfm?sYear=2017&sInd=0&body=S&type=B&bn=554>

On October 24, 2018, Governor Wolf signed Senate Bill 554 into law as Act 130 of 2018, amending Titles 18 (Crimes and Offenses) and 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes. This Act makes provisions for concurrent jurisdiction repealing provisions and provides immunity from criminal prosecution for CVHT. It provides for special relief to restore victim's dignity and autonomy by establishing the Safe Harbor for Sexually Exploited Children Fund and imposing penalties on those convicted of crimes related to human trafficking. This Act also provides for the courts to consider dependency in lieu of delinquency for child victims of trafficking diverting sexually exploited children from the criminal/juvenile justice system to more appropriate human services. Provisions in this law now require that police officers be trained to identify and assist sexually exploited children.

DEFINITIONS

The following definitions were refined or added as a result of recent federal (F) and state (PA) legislation cited above.

Abducted Child (F): A child in children and youth services (CYS) custody whose whereabouts are unknown, and it is known or suspected that the child has been taken from his or her placement or other location by a person or persons either known or unknown to the child, in violation of a valid court order regarding the child's custody status.

Coercion (F): Threats or perceived threats of serious harm to or physical constraints against any person; a scheme intended to cause a person to believe that failure to perform will result in serious harm to or physical restraint against any person.

Commercial Sex Act (F): This term means any sex act, for which anything of value is given to or received by any person.

Commercial Sexual Exploitation of Children (CSEC) (F): This term refers to a range of crimes and activities involving the sexual abuse or exploitation of a child for the financial benefit of any person or in exchange for anything of value (including monetary and non-monetary benefits) given or received by any person. CSEC also includes situations where a child, whether at the direction of any other person, engages in sexual activity in exchange for anything of value, which includes non-monetary things such as food, shelter, drugs, or protection from any person. Examples of crimes and acts that constitute CSEC include:

- Child sex trafficking/the prostitution of children;
- Child sex tourism involving commercial sexual activity;
- The commercial production of child pornography; and
- The online transmission of live video of a child engaged in sexual activity in exchange for anything of value.

County Agency (PA): A county children and youth social service agency established under section 405 of the act of June 24, 1937 (P.L. 2017, No. 396), known as the County Institution District Law, and supervised by the department under Article IX of the act of June 13, 1967 (P.L. 31, No. 21), known as the Human Services Code.

CSEC Victim Identification (F): If the age of an individual has been verified to be under 18 and the individual is in any way involved in the commercial sex industry or has a record of prior arrest for prostitution (or related charges), then he or she is a CSEC victim.

Department (PA): The Department of Human Services of the Commonwealth.

Fraud (F): Knowingly misrepresenting the truth or concealing an actual fact for the purpose of inducing another person to act to her/his detriment. Examples of fraud include false promises for specific employment, being promised a certain amount of money that is never paid, working conditions that are not as promised, being told she/he would receive legitimate immigration papers or a green card to work but the documents are not obtained.

Fund (F): The Safe Harbor for Sexually Exploited Children Fund in the State Treasury and administered by the Department of Human Services. In Pennsylvania, this fund is The Safe Harbor for Sexually Exploited Children Fund.

Human Traffickers (F): Any person who commits a qualifying act and uses a qualifying means to engage an individual for purposes of labor, services, or commercial sex. Human traffickers are people who exploit others for profit and can be any demographic, individuals or groups, street gangs and organized crime, business or contractors. Traffickers are also sex buyers under state and federal law, which applies to pimps and suppliers as well as purchasers of sex.

Human Trafficking (F) (PA): Human Trafficking is defined at 18 Pa. C.S. § 3001, as any activity in violation of Section 3011 (relating to trafficking in individuals) either alone or in conjunction with an activity in violation of Section 3012 (relating to involuntary servitude). Trafficking in individuals is defined as a second degree felony offense if the person recruits, entices, solicits, harbors, transports, provides, obtains, or maintains an individual if the person knowingly or recklessly disregards that the individual will be subject to involuntary servitude or knowingly benefits financially or receives anything of value from any of these acts. A person commits a felony of the first degree if the person engages in any of these acts that result in a minor being subjected to sexual servitude.

Immigration and Customs Enforcement (ICE) (F): Enforces federal laws governing border control, customs, trade, and immigration to promote homeland security and public safety. ICE was created in 2003 through a merger of the investigative and interior enforcement elements of the former U.S. Customs Service and the Immigration and Naturalization Service.

Involuntary Servitude (F): A condition of servitude induced by means of any scheme, plan, or pattern intended to cause a person to believe that, if the person did not enter into or continue in such condition, then that person or another person would suffer serious harm or physical restraint or the abuse or threatened abuse of the legal process.

Labor Trafficking (F): The recruitment, harboring, transportation, provision, or obtaining of a person for labor or services through the use of force, fraud, or coercion for the purpose of subjection to involuntary servitude, peonage, debt bondage, or slavery (22 U.S.C § 7102).

Pimp (F): A person who controls and financially benefits from the commercial sexual exploitation of another person. The relationship can be abusive and possessive, with the pimp using techniques such as psychological intimidation, manipulation, starvation, rape and/or gang rape, beatings, confinement, threats of violence toward the victim's family, forced drug use, and the same from these acts to keep the sexually exploited person under control.

Sexually exploited child (PA): An individual under the age of 18 years if age who:

- (1) Is a victim of sexual servitude; or
- (2) Is a victim of an offense under 18 U.S.C. § 1591 relating to sex trafficking of children or by force, fraud, or coercion.

Severe Forms of Human Trafficking (F): This is a federally defined term and includes sex trafficking and labor trafficking obtained by force, fraud, or coercion, or sex trafficking in which the person induced to perform such acts has not attained 18 years of age (22 U.S.C. § 7102).

Sex Act (F) (PA): Any touching or exposure of the sexual or other intimate parts of any individual for the purpose of gratifying sexual desire in any individual (18 Pa. C.S. § 3001).

Sex Trafficking (F) (PA): The TVPA defines sex trafficking as the recruitment, harboring, transportation, provision, obtaining, patronizing, or soliciting of a person for the purpose of commercial sex. Under state and federal law, this includes any commercial sex act performed or provided by an individual that is induced or obtained by a combination of qualifying acts and means, or by a qualifying act alone if the victim is a minor (18 U.S.C § 1591; 18 Pa. C.S. § 3001, 3011(a), (b)).

DISCUSSION

Despite growing awareness about this crime, human trafficking continues to increase because of its covert nature, misconceptions about its prevalence and what types of individuals are vulnerable to become victims, and a lack of awareness about its indicators. Child sex and labor trafficking is a form of modern-day slavery that affects both U.S. citizens and foreign nationals brought into the U.S. for labor or commercial sex, through force, fraud, or coercion. Human Traffickers thrive by targeting the vulnerabilities of children and youth.

As understanding of the scope and impact of human trafficking evolves, recognition of the complex web of exploitation affecting individuals representing diverse demographics and backgrounds (e.g., income status, educational attainment, race, gender, and faith) and types of communities (e.g., rural, suburban, urban) increases, as does awareness of the impact on communities throughout Pennsylvania.

Given the pervasive nature of trafficking and the fact that no community is immune, Pennsylvania must ensure a multidimensional and interdisciplinary plan and approach to the identification, protection, and provision of comprehensive and coordinated services to victims. Tools to ensure that child victims are identified, protected, and provided with necessary services have been included in recent legislation. It is imperative that first responders, child welfare agencies, law enforcement officials, child serving professionals, and mandated reporters be properly trained and equipped with necessary skills and resources to identify and respond effectively to these victims.

This bulletin addresses human trafficking of children, which includes Commercial Sexual Exploitation and child victims of labor trafficking. These two modes of child victimization are somewhat integrated, yet each has its own distinct attributes. They share common risk factors, triggers for identification, and approaches for meeting the needs of victims as well as some treatment and service provisions.

Throughout this document, the terms CVHT and CSEC have been abbreviated as acronyms and are used for attributes and practices that apply to children who are victimized by either sex or labor trafficking.

The Federal and State statutes cited in this Bulletin offer guidance and frame new requirements for Pennsylvania and CCYAs. In addition to those requirements already noted, new mandates affecting the practice and policies at a state level include:

- Enabling the use of existing grant resources to train relevant staff on the effects of human trafficking on runaway and homeless youth victims and to develop statewide strategies to serve such youth as a result of amendments to the “Runaway and Homeless Youth Act”.
- Requiring identification and assessment of all reports involving children known or suspected to be victims of sex trafficking as defined in the TVPA, as a result of amendments to CAPTA.
- Training child protective services workers about identifying, assessing, and providing comprehensive services for children who are sex trafficking victims, including efforts to coordinate with law enforcement officials, juvenile justice officials and social service agencies such as runaway and homeless youth shelters, to better serve this population as a result of amendments to CAPTA.
- Considering a child identified as being a victim of sex or labor trafficking as defined in the TVPA as a victim of child abuse and neglect.
- Requiring the development of a statewide protocol to efficiently and effectively coordinate the provision of specialized services to CVHT

A brief overview of implications of these federal and state statutes for CCYAs includes:

- **Screening Potential Victims of CVHT** (*see Attachment A*)

CCYAs must now facilitate the CVHT Screen:

- As part of the Safety Assessment and Management Process;
- When a child who has been missing from home or out-of-home placement is located; and
- If concerns arise throughout the life of the case that human trafficking may be occurring.

The first step toward helping child victims of trafficking is to identify them. CCYAs must now ensure that screening is conducted for children and youth under their supervision, who are potential victims of human trafficking. This includes those for whom a general protective services assessment or child protective services investigation is being conducted, as well as those that have been accepted for services, whether as an in-home or placement case.

Best practice supports screening processes be incorporated into the ongoing assessment of safety for all children whether or not the child is believed to be a

victim of human trafficking. CCYAs will determine how to best integrate the screening process into their existing protocols and procedures and determine how these functions will be conducted and documented in the case record.

- **Assessment of Potential Victims of CVHT** (*see Attachment B*)

CCYAs must now arrange for a full assessment when indicators of trafficking are identified through administration of a screening process and an additional evaluation is warranted. The assessment can be facilitated by trained CCYA staff, contracted provider agency staff, or staff at a Child Advocacy Center (CAC). The assessment should be administered by assessors who are well trained, prepared, have experience working with trauma victims, and recognize the need to ask questions in a manner that is sensitive to the needs of the child.

- **Multi-Disciplinary Investigative Teams (MDITs)**

CCYAs will cooperate and coordinate investigations involving the abuse of a child that include possible human trafficking crimes against a child with law enforcement officials. Consistent with the CPSL and the Model Standards for Multi-Disciplinary Investigative Teams (MDITs), the district attorney is to convene the MDIT which must include those individuals and agencies responsible for investigating the abuse or for providing services to the child and, must include at a minimum, a health care provider, county caseworker, and law enforcement official. As part of the MDIT process, CCYAs now also have a clearly delineated listing of responsibilities to ensure the safety of the child victim and the steps to be taken for child victims who are not Pennsylvania residents.

The CPSL and references to the Model Standards for MDITS can be accessed at <https://www.legis.state.pa.us/CFDOCS/LEGIS/LI/consCheck.cfm?txtType=HTML&tl=23&div=00.&chpt=063.&CFID=246217912&CFTOKEN=44782272>

- **Addressing physical and mental health needs of child victims**

For CVHT, adherence to best practices for medical examinations for alleged sexual abuse, including a specialized examination within 72 hours of contact with the child to address any immediate medical needs, is critical. Whenever possible, and if part of the county protocol, the examination should be completed by a medical practitioner who specializes in child sexual abuse medical examinations such as a specially trained pediatrician, a Pediatric Sexual Assault Nurse Examiner, or a Sexual Assault Nurse Examiner. A comprehensive medical evaluation for victims includes addressing acute medical/surgical issues, evaluating possible chronic untreated conditions, documenting acute/remote injuries, testing and treating Sexually Transmitted Infections (STIs) and often, obtaining a sexual assault evidence kit.

Human trafficking victims often have serious and significant mental health needs and may have experienced complex trauma. Child victims of sex trafficking are

recognized as victims of rape and sexual assault. It is critical to increase understanding about the child victim's experiences so that they are protected rather than prosecuted as delinquents. In all cases, the CCYA should ensure that a victim receives a mental health examination as soon as possible.

- **Placement, Treatment and Services**

CCYAs must now make efforts to safely maintain CVHT in their own homes and communities and to engage parents whenever possible. CCYAs must access resources to support these families while ensuring the child victim's safety. A multi-disciplinary approach to service planning that includes the child as an active participant (as appropriate), is strongly recommended.

CCYAs must develop and provide, directly or through contracts, specialized programs and services to address victims' needs, including safe and stable housing, access to education, employment and life-skills training, comprehensive case management, physical and behavioral health care to include trauma therapy, treatment for drug and alcohol dependency, medical and dental care, access to personal care items and adequate clothing, and other needs identified.

- **Concurrent Jurisdiction**

The Attorney General and district attorneys are now able to initiate investigations and institute criminal proceedings in the same case without the concern of jurisdiction. This will require coordination and cooperation of the CCYA to support timely initiation of the investigation and to release information to law enforcement officials to aid in their investigation of severe forms of human trafficking.

- **Dependency Rather Than Delinquency Adjudication**

A child who commits a delinquent offense as a direct result of being a sexually exploited child or one directly related to having been subject to human trafficking will now be referred to the CCYA for consideration of a dependency finding rather than delinquency proceedings. If treatment and social services are unsuccessful as evidenced by the child's behavior while the dependency petition is pending, and the county agency believes that juvenile justice services are necessary and warranted, the county agency should refer the child's case to the juvenile probation department or district attorney's office for the initiation of delinquency proceedings.

- **Reporting Missing Children**

A missing child is defined as an individual under 21 years of age, known to the CCYA, and missing from the child's residence or abducted. It is now the responsibility of all CCYAs to report missing or abducted children to law enforcement officials and the National Center for Missing and Exploited Children

(NCMEC) as soon as practicable, but no later than 24 hours after receiving information about a missing or abducted child.

Children missing from out-of-home care must be reported immediately to law enforcement officials by the CCYA for entry into the National Crime Information Center (NCIC) database and reported to the NCMEC. Within 24 hours, but as soon as possible, the CCYA must also notify the court of jurisdiction, the parents (if appropriate), and the child's lawyer/guardian ad litem that the child is missing from out-of-home placement. Within 24 hours of notification the CCYA worker must update the DHS statewide database with the required information and ensure that the placement provider completes a Home and Community Services Information System (HCSIS) report.

CCYAs should consider to what extent they have policies and procedures addressing children and youth who run away and enter a shelter, and how those policies and procedures can be best shaped to ensure safety and well-being of the runaway child. When a youth runs away from out-of-home care and crosses a state line, the Interstate Compact for Juveniles [https://www.ogc.pa.gov/Extradition/Pages/Interstate-Compact-for-Juveniles-\(ICJ\).aspx](https://www.ogc.pa.gov/Extradition/Pages/Interstate-Compact-for-Juveniles-(ICJ).aspx) must be contacted.

Children under CCYA care and supervision who are missing from placement are particularly vulnerable to victimization, including human trafficking. When a child returns or is recovered, it is of utmost importance to screen for human trafficking victimization and conduct an assessment if indicated. When a child is located and recovered, the law enforcement organization that entered the child into NCIC and NCMEC must be immediately notified.

Additional details of the provisions of these federal and state statutes and recommendations to support responsive and specialized services to CVHT are provided in the "PRACTICE GUIDE TO SERVING CHILD VICTIMS OF HUMAN TRAFFICKING IN PENNSYLVANIA" (see *Attachment C*).

ATTACHMENTS

The attachments to the **Serving Child Victims of Human Trafficking in Pennsylvania** bulletin may be updated separately.

Attachment A: Child Victims of Human Trafficking (CVHT) Screening Tool

Attachment B: Child Victims of Human Trafficking (CVHT) Assessment Tool

Attachment C: PRACTICE GUIDE TO SERVING CHILD VICTIMS OF HUMAN TRAFFICKING IN PENNSYLVANIA

Attachment 1: How Victims Are Trafficked Handout

Attachment 2: Red Flags Handout

Attachment 3: Model Standards for Multi-Disciplinary Investigative Teams (MDITs)

Attachment 4: CVHT Screening Tool

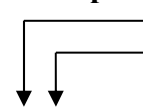
Attachment 5: CVHT Assessment Tool

CHILD VICTIMS OF HUMAN TRAFFICKING (CVHT) SCREENING TOOL

The CVHT Screening Tool is designed to help child welfare professionals to identify children who have been possible victims of sex and/or human trafficking. This tool can be used to screen up to four children living with the same parent(s) or guardian(s). An example of how to record the responses of more than one child is shown below.

Example

For child number one mark any 'Yes' for the indicators under the boxes with the number 1.
For child number two mark any 'Yes' for the indicators under the boxes with the number 2.

	<div style="display: flex; justify-content: space-between; padding: 0 10px;"> [1][2][3][4] </div> <table border="1" style="border-collapse: collapse; text-align: center;"> <tr> <td>☒</td><td></td><td></td><td></td> </tr> <tr> <td></td><td>☒</td><td></td><td></td> </tr> </table>	☒					☒		
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Step One

Read through the entire screening tool. Based on information reported, direct observation of the child and from other assessments already completed, mark each indicator with a 'Yes' or leave blank. An example is shown below.

Example

<div style="display: flex; justify-content: space-between; padding: 0 10px;"> [1][2][3][4] </div> <table border="1" style="border-collapse: collapse; text-align: center;"> <tr> <td></td><td></td><td></td><td></td> </tr> <tr> <td></td><td></td><td></td><td></td> </tr> <tr> <td></td><td>☒</td><td></td><td></td> </tr> <tr> <td></td><td></td><td></td><td>☒</td> </tr> </table>										☒						☒	<p>← Leave blank if the indicator is not present or has not been reported for a child.</p> <p>← Mark the box indicating 'Yes' if the indicator is present or has been reported for a child.</p>
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Step Two

Strengths-based, non-judgmental, and trauma-informed approaches should be used to engage the child in a conversation based on the child's developmental and intellectual ability to secure an answer to the indicators not already answered with a 'Yes' on the screening tool. Remember, a child may be reluctant to respond due to a lack of trust, fear of consequences related to disclosure, and/or not viewing themselves as a victim.

- ⊗ Do not read the items verbatim to the child.
- ⊗ Do not interview a child in front of a suspected trafficker or individual who is exhibiting controlling behavior over the child.
- ⊗ Do not allow the suspected trafficker to interpret for the child if he/she does not speak fluent English.

Step Three

- After talking with the child, if you have answered 'Yes' to a Tier One indicator, a more detailed CVHT Assessment is warranted.
- After talking with the child, if you have answered 'Yes' to two or more Tier Two indicators, you may refer the child for a CVHT assessment.
- The individual completing the screening tool has the ability to refer a child for a more detailed CVHT assessment regardless of the screening tool's findings.

CHILD VICTIMS OF HUMAN TRAFFICKING (CVHT) SCREENING TOOL

Tier One Indicators – If one or more Tier One indicators are present, a further assessment, using the CVHT Assessment Tool, is warranted.

[1][2][3][4]

- ☐☐☐☐ Current incident or history of sex and/or labor trafficking or acknowledgement of being trafficked
- ☐☐☐☐ Child is recovered from runaway episode in a hotel or known area of prostitution
- ☐☐☐☐ Report of sex and/or labor trafficking by parent/guardian, law enforcement, medical or service provider, teacher, child protective services and/or juvenile probation officer

Tier Two Indicators – If two or more Tier Two indicators are present, a further assessment, using the CVHT Assessment Tool, may be warranted.

[1][2][3][4]

- ☐☐☐☐ History of running away or getting kicked out 4 or more times in addition to a history of sexual abuse
(*Definition of running away or getting kicked out of home includes times the child did not voluntarily return within 24 hours. Include incidents not reported by or to law enforcement.*)
- ☐☐☐☐ History of running away from another county or state
- ☐☐☐☐ Current incident or history of inappropriate sexual behaviors
- ☐☐☐☐ Current incident or history of sexually transmitted diseases or pregnancies
- ☐☐☐☐ Child is not allowed or unable to speak for him/herself and may be extremely fearful
- ☐☐☐☐ Child has no personal items or possessions (including identity documents if foreign born—labor trafficking)
- ☐☐☐☐ Child appears to have material items that he or she cannot afford (e.g. cell phones, expensive clothing, tablets, etc.)
- ☐☐☐☐ Child shows signs of being groomed (i.e. hair done, nails done, new clothing, etc., that the child cannot afford or justify how it was paid for)
- ☐☐☐☐ Suspicious tattoos or other signs of branding (e.g. tattoos of the trafficker's names, dollar signs, diamonds, stars, etc.; may also have certain designs/logos on nails, jewelry, etc.)
- ☐☐☐☐ Child has no knowledge about the community he/she is located in
- ☐☐☐☐ Child associates and/or has relationships with age-inappropriate friends, boyfriends and/or girlfriends
- ☐☐☐☐ Child known to associate with confirmed or suspected child victim of human trafficking
- ☐☐☐☐ Child is not living with parent, guardian, relative or caretaker of record
- ☐☐☐☐ Child has inappropriate, sexually suggestive activity on social media websites and/or chat apps
- ☐☐☐☐ Child has a history of being arrested for loitering, curfew violations, disorderly conduct, simple possession of a controlled substance, criminal trespassing and false identification to law enforcement authorities
- ☐☐☐☐ Child has a history of truancy or absence from school
- ☐☐☐☐ Elevated drug and/or alcohol use

CHILD VICTIMS OF HUMAN TRAFFICKING (CVHT) SCREENING TOOL

*****The individual completing the screening tool has the ability to conduct a more detailed CVHT assessment regardless of the screening tool's findings*****

Name of Screener _____ Signature _____

Phone Number/Email _____

(The individual utilizing the screening tool has the ability to conduct a more detailed CVHT assessment regardless of the screening tools findings.)

1) Name of Child Number [1] _____ **Date of Birth** _____

Date of Screening _____

Total Number of Tier One Indicators _____

Total Number of Tier Two Indicators _____

No Indicators Were Present During the Screening _____

Date assessment was conducted _____ No further assessment is needed _____

Please explain why a further assessment is/is not warranted:

2) Name of Child Number [2] _____ **Date of Birth** _____

Date of Screening _____

Total Number of Tier One Indicators _____

Total Number of Tier Two Indicators _____

No Indicators Were Present During the Screening _____

Date assessment was conducted _____ No further assessment is needed _____

Please explain why a further assessment is/is not warranted:

CHILD VICTIMS OF HUMAN TRAFFICKING (CVHT) SCREENING TOOL

3) Name of Child Number [3] _____ **Date of Birth** _____**Date of Screening** _____

Total Number of Tier One Indicators _____

Total Number of Tier Two Indicators _____

No Indicators Were Present During the Screening _____

Date assessment was conducted _____ **No further assessment is needed** _____**Please explain why a further assessment is/is not warranted:**

4) Name of Child Number [4] _____ **Date of Birth** _____**Date of Screening** _____

Total Number of Tier One Indicators _____

Total Number of Tier Two Indicators _____

No Indicators Were Present During the Screening _____

Date assessment was conducted _____ **No further assessment is needed** _____**Please explain why a further assessment is/is not warranted:**

Name of Supervisor _____ **Signature** _____ **Date** _____**Supervisor Comments:** _____

CHILD VICTIMS OF HUMAN TRAFFICKING (CVHT) ASSESSMENT TOOL

Preparation for the Assessment

The assessment should be conducted in a safe and non-threatening environment. Assessors need to be well-prepared, should be comfortable working with victims of trauma, and must recognize the need to ask questions in an appropriate manner that is sensitive to the needs of child. The following guidelines should be followed when preparing to conduct a CVHT assessment:

- ➡ Read through the entire Assessment Tool and these instructions, so that you are familiar with the tool and able to conduct the assessment in a conversational style, allowing the child to direct the flow of discussion.
- ➡ Conduct the assessment in a private, quiet environment designed to make the child feel physically comfortable and safe.
- ➡ Be prepared to provide the child with basic needs, such as an interpreter, tissues, drink, food, clothing, medical or therapeutic care, and/or access to services, as appropriate.
- ➡ If an interpreter is necessary, he/she should be trustworthy (unknown to the child being interviewed) and able to use the same wording as the Assessor when asking questions and the same wording as the child when answering questions. The interpreter is required to be an agency or certified interpreter.
- ➡ Do not interview a child in front of a suspected trafficker or individual who is exhibiting controlling behavior over the child. Do not allow this person to interpret for the child if he/she does not speak fluent English.
- ➡ Recognize that dressing in uniforms, suits, or other formal attire may cause a child to fear that you are with immigration services or other enforcement agencies.
- ➡ Use strengths-based and trauma-informed care approaches during the assessment, allowing the child to lead the direction of the conversation.
- ➡ The assessment process may need to take place over multiple contact points if Assessor judges the child needs more time. The Assessor may postpone the discussion to a later time when the child is ready to discuss his/her experiences.

Instructions for the Assessment

- ➡ Instructions for the Assessor are provided in *italics* throughout the tool. These instructions guide Assessors to sub-questions that may need to be asked, sections that requires information to be filled in, and questions that include prompts for further explanation.
- ➡ The Assessor should use a conversational approach to secure answers to the other questions, being sensitive to the needs of child who may be suffering from the effects of exposure to trauma.
- ➡ The Assessor should use professional judgment in deciding whether to preface a question or a prompt with phrasing such as, "Please tell me more about that..." or "If you are comfortable, could you tell me about that?"

CHILD VICTIMS OF HUMAN TRAFFICKING (CVHT) ASSESSMENT TOOL

- ➡ Sections A, B, H, and I are preceded with the instruction – **(DO NOT READ TO OR ASK THE CHILD)** – these sections are intended to be completed by the Assessor and not asked of the child.
- ➡ Please use the lines provided within the Assessment Tool to record child's responses to open-ended questions or any additional information that has been disclosed to you that is specific to your determination of the child's involvement.
- ➡ At the end of selected questions, you will see this symbol ➡ which asks that Assessors code for the likelihood that the child's responses suggest any evidence of the problem targeted by the preceding item(s). An example is provided below:

➡ Evidence of Unsafe Living Environment: (Check one) Yes ___ No ___

Item-by-Item Guide for Administering the Tool

Section A is to be completed by the Assessor and not asked of the child.

Section A – Background Information **(DO NOT READ TO OR ASK THE CHILD)**

1. Date of Assessment: ___/___/___ (MM/DD/YYYY)
2. Location of the Assessment: _____
3. Assessor: _____
4. Contact phone number or Assessor: _____
5. Reason for the Assessment: *(Check all that apply)*

Tier One Indicators

- ☐ Current incident or history of previous sex and/or labor trafficking or acknowledgement of being trafficked
- ☐ Child is recovered from runaway episode in a hotel or known area of prostitution
- ☐ Report of sex and/or labor trafficking by parent/guardian, law enforcement, medical or service provider, teacher, child protective services and/or juvenile probation officer

Tier Two Indicators

- ☐ History of running away or getting kicked out 4+ times in addition to a history of sexual abuse
(Definition of running away or getting kicked out of home includes times the child did not voluntarily return within 24 hours. Include incidents not reported by or to law enforcement.)
- ☐ History of running away from another county or state
- ☐ Current incident or history of inappropriate sexual behaviors
- ☐ Current incident or history of sexually transmitted diseases or pregnancies
- ☐ Child is not allowed or unable to speak for him/herself and may be extremely fearful
- ☐ Child has no personal items or possessions (including identity documents if foreign born—labor trafficking)
- ☐ Child appears to have material items that he or she cannot afford (e.g. cell phones, expensive clothing, tablets, etc.)
- ☐ Child shows signs of being groomed (i.e. hair done, nails done, new clothing, etc. that the child cannot afford or justify how paid for)

CHILD VICTIMS OF HUMAN TRAFFICKING (CVHT) ASSESSMENT TOOL

- ☐ Suspicious tattoos or other signs of branding (e.g. tattoos of the trafficker's names, dollar signs, diamonds, stars, etc.; may also have certain designs/logos on nails, jewelry, etc.)
- ☐ Child has no knowledge about the community he/she is located in
- ☐ Child associates and/or has relationships with age-inappropriate friends, boyfriends and/or girlfriends
- ☐ Child known to associate with confirmed or suspected commercially sexually exploited child
- ☐ Child is not living with parent, guardian, relative or caretaker of record
- ☐ Child has inappropriate, sexually suggestive activity on social media websites and/or chat apps
- ☐ Child has a history of being arrested for loitering, curfew violations, disorderly conduct, simple possession of a controlled substance, criminal trespassing and false identification to law enforcement authorities
- ☐ Child has a history of truancy or absence from school
- ☐ Elevated drug and/or alcohol use
- ☐ Other

6. Mode of Assessment:

- ☐ Assessment with interpreter
- ☐ Assessment without interpreter
- ☐ Interpreter needed but unavailable (*If an interpreter is not available, the assessment should stop until an interpreter is available.*)

Section B – Demographic Information *(DO NOT READ TO OR ASK THE CHILD)*

Section B is to be completed by the Assessor and not asked of the child.

7. Child's Name: _____

8. Child ID # _____

9. Intake # _____

10. Case ID # _____

11. SSN (last four digits): _____

12. Sex: _____

13. Race/Ethnicity: _____

14. Preferred Language: _____

Begin the Assessment with introductory comments to the child similar to the following: This is a discussion to better understand your current situation and experiences. I will be talking with you and asking some questions about yourself. Try to be as honest as you can. Some questions may be sensitive and hard for you to answer. You do not have to answer anything you don't want to answer. You can take a break at any time, ask to finish at a later time, or stop the session. I want you to know that you can trust me and that your safety is my priority. Everything you say will be kept completely confidential, unless you describe a situation where you or someone else is in immediate danger or at risk of being abused or hurting someone else. Before we get started, do you have any questions?

CHILD VICTIMS OF HUMAN TRAFFICKING (CVHT) ASSESSMENT TOOL

Section C – Child Personal Background

15. What is the child's date of birth? ____/____/____(MM/DD/YYYY)

15a. (If child does not know date): What is the age of the child? _____

16. What country was the child born in? _____

17. What city does the child live in? _____

17a. (DO NOT ASK THE CHILD) Was the child arrested outside the city in which he/she resides?

- ☐ No
- ☐ Yes

18. Does the child go to school?

- ☐ No (If 'no,' skip to Item 19)
- ☐ Yes (If 'yes,' proceed to Item 18a below)
- ☐ Refused to answer

18a. Where does the child attend school? (Fill in. If school entered, ask item 17b)

18b. How many days have the child attended school in the last two weeks?

- ☐ 0 days
- ☐ 1-5 days
- ☐ 6-10 days
- ☐ Not applicable/school not in session

19. Does the child spend time on the Internet, Wi-Fi, or use phone or tablet apps?

- ☐ No (If 'no,' skip to Item 20)
- ☐ Yes (If 'yes,' ask Item 19a below)
- ☐ Refused to answer

19a. What kind of sites or apps does the child use? (Check all that apply) Remember, sites and apps are easily created and ones used by the child might not be listed below.

- ☐ Twitter
- ☐ Instagram
- ☐ Snapchat
- ☐ Online game chat
- ☐ Instant messaging
- ☐ Facebook
- ☐ Tinder
- ☐ Craigslist
- ☐ Backpage
- ☐ Other apps or sites (fill in) _____
- ☐ Refused to answer

CHILD VICTIMS OF HUMAN TRAFFICKING (CVHT) ASSESSMENT TOOL

20. Has the child ever agreed to meet someone he or she met online or through the Internet or through a phone app?

- ☐ No
- ☐ Yes (*If 'yes,' prompt by saying, Tell me more about that.*)
- ☐ Refused to answer

➡ Evidence of Unsafe Online Activity: (Check one) Yes _____ No _____

21. Does the child currently have a boyfriend or girlfriend?

- ☐ No (*If 'no,' skip to Item 22*)
- ☐ Yes (*If 'yes,' ask Item 21a and Item 21b below*)
- ☐ Refused to answer

21a. How old is he/she?

- ☐ Less than 10 years old
- ☐ 10 to 15 years old
- ☐ 16 to 17 years old
- ☐ 18 to 21 years old
- ☐ 22 years or older
- ☐ Refused to answer

21b. How did the child meet this person?

- ☐ Through a friend
- ☐ At school
- ☐ Through a family member
- ☐ Online (Facebook, Internet, game console)
- ☐ Public place (mall, movies, sports event)
- ☐ Work
- ☐ Other (*Fill in*) _____
- ☐ Refused to answer

22. Does the child have any tattoos?

- ☐ No (*If 'no,' skip to Item 23*)
- ☐ Yes (*If 'yes,' ask Item 22a through Item 22c below*)
- ☐ Refused to answer or responded no, but staff observed tattoos (*If selected, ask items 22a through 22c below*)

22a. What is the tattoo(s)? (*Assessor may respond to this item based on child response and/or based on observation of the tattoo.*) (*Check all that apply.*)

- ☐ Dollar/currency sign, money bags
- ☐ Star/hearts
- ☐ Male name, female name, nickname, or street name
- ☐ Refused to answer
- ☐ Other (*Describe*) _____

22b. What is the meaning of the child's tattoo(s)? (*Check all that apply*)

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- ☐ Family connection
- ☐ Personal meaning (*Fill in*) _____
- ☐ Romantic partner's name
- ☐ Gang-related
- ☐ Suspected trafficker's name/initials
- ☐ Forced branding/ownership
- ☐ No meaning
- ☐ Don't know the meaning
- ☐ Refused to answer
- ☐ Other (*Fill in*) _____

22c. Who was with the child when he or she got the tattoo(s)? (*Check all that apply*)

- ☐ Family member
- ☐ Friend
- ☐ Romantic partner
- ☐ No one
- ☐ Suspected trafficker
- ☐ Gang member
- ☐ Refused to answer
- ☐ Other (*Fill in*) _____

23. Does the child have any scars or brands that were made intentionally, not from an accident or injury?
(*Assessor should respond based upon child answer and/or observation of visible scars*)

- ☐ No (*If 'no,' skip to Item 24*)
- ☐ Yes (*If 'yes,' ask Item 23a*)
- ☐ Refused to answer
- ☐ Assessor observes mark(s), but child denies mark(s) made intentionally

23a. Who was with the child when he or she got the brand(s) or when the child received the scar?
(*Check all that apply*)

- ☐ Family member
- ☐ Friend
- ☐ Romantic partner
- ☐ No one
- ☐ Suspected trafficker
- ☐ Gang member
- ☐ Refused to answer
- ☐ Other (*Fill in*) _____

➡ **Evidence of Forced Tattooing/Branding:** (*Check one*) Yes _____ No _____

Section D – Living Conditions

24. What is the child's current living situation? What type of places does the child live in?

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(Assessor may prompt the child by listing examples from below) (Check all that apply)

- ☐ House
- ☐ Apartment
- ☐ Group/foster home
- ☐ Car/van
- ☐ Shelter
- ☐ Rehabilitation facility
- ☐ Hotel or motel
- ☐ Part of a residence – garage, basement, shed
- ☐ Squat
- ☐ Traveling/in-between residences
- ☐ Live in same place of “employment”
- ☐ Homeless
- ☐ Refused to answer
- ☐ Other *(Fill in)* _____

25. Who lives with the child? *(Check all that apply)*

- ☐ Father
- ☐ Mother
- ☐ Both parents
- ☐ Guardian
- ☐ Step-parent
- ☐ Relative(s)
- ☐ Friend(s)
- ☐ Romantic partner (girlfriend/boyfriend)
- ☐ Employer
- ☐ Co Workers
- ☐ By myself
- ☐ Refused to answer
- ☐ Other *(Fill in)* _____

26. Where does the child sleep? *(Check all that apply)*

- ☐ In own room
- ☐ In own bed
- ☐ In shared room
- ☐ In shared bed
- ☐ Other *(Fill in)* _____

27. Does the child pay for where he or she lives?

- ☐ No *(If ‘no,’ skip to Item 27)*
- ☐ Yes *(If ‘yes,’ ask Item 27a below)*

27a. How does the child pay for where he or she lives? *(Check all that apply)*

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- ☐ Parents/relatives
- ☐ Friends
- ☐ Romantic partner
- ☐ Myself through employment/job
- ☐ Myself through selling drugs
- ☐ Myself through stealing
- ☐ Myself through engaging in sexual acts for money/material gain
- ☐ Panhandle/beg
- ☐ Refused to answer
- ☐ Other (Fill in) _____

28. Has the child ever had any contacts or visits from the Department of Children and Child Services?
(Note, child may use other terminology including, DHS, CYS, CPS, Children and Child, the county and/or the state)

- ☐ No
- ☐ Yes
- ☐ Refused to answer

➡ Evidence of Unsafe Living Environment: (Check one) Yes _____ No _____

Section E – Work Information

The assessor needs to explain the meaning of work to the child. For example: What I mean by “work” is anything you have done where you have received something of value, like money, food, clothing, a place to stay, drugs, or gifts, in exchange for your efforts. This could include a more typical job like working at a fast-food restaurant or store, but may also include things that some kids have to do to survive when away from their homes, anything where you were given something of value for your efforts. So, your boss may have been a typical employer or may have been a family member, friend, boyfriend or girlfriend, or someone you lived with or had a relationship with.

29. Does the child have a “job”, e.g., duties, expectations, responsibilities, or did the child have one before coming here?

- ☐ No (If ‘no,’ skip to Item 32)
- ☐ Yes (If ‘yes,’ continue to Item 30 below)

30. What type of work has the child done? (Check all that apply)

- ☐ Babysitting/caring for other children
- ☐ Factory
- ☐ Agricultural/farm work
- ☐ Housekeeping/household chores (e.g., cooking and/or cleaning) janitorial work
- ☐ Door-to-door sales
- ☐ Restaurant work
- ☐ Construction
- ☐ Retail
- ☐ Nails/hair
- ☐ Massage

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- ☐ Personal dancing, stripping, or similar activity
 - ☐ Refused to answer
 - ☐ Other (*Fill in*) _____
31. How much money did the child make an hour? (*Assessor may ask relative to the minimum wage rate*)
- ☐ Nothing – was not paid for work/chores performed
 - ☐ At or below minimum wage (*Minimum wage is \$7.25/hour in Pennsylvania*)
 - ☐ More than minimum wage but less than \$15 an hour
 - ☐ \$15-\$25 an hour
 - ☐ More than \$25 an hour
 - ☐ Does not know
 - ☐ Refused to answer
32. Does anyone (boss, partner, boyfriend, girlfriend, parent, supervisor) owe the child money?
- ☐ No
 - ☐ Yes
 - ☐ Refused to answer
33. Does the child or any family members owe anyone money?
- ☐ No
 - ☐ Yes
 - ☐ Refused to answer

Assessor may prompt for something else that is owed like a favor, house, property, or land.

➡ Evidence of Indentured Servitude: (*Check one*) Yes _____ No _____

34. Has the child been threatened with violence and/or been the victim of violence as a way to force him/her to perform “work”, i.e., chores/duties?
- ☐ No
 - ☐ Yes
Explain _____
35. Has the child received threats related to his/her immigration status and/or had important “vital” documents taken and/or withheld?
- ☐ No
 - ☐ Yes
Explain _____
36. Has the child received threats related to his/her family members’ immigration status and/or had important “vital” documents withheld from family members?
- ☐ No
 - ☐ Yes
Explain _____

CHILD VICTIMS OF HUMAN TRAFFICKING (CVHT) ASSESSMENT TOOL

37. Has the child ever performed chores/duties, “worked” or done something for anyone (boss, partner, boyfriend, girlfriend, parent, supervisor) without getting the payment the child thought he or she would get?

- ☐ No (*If ‘no,’ skip to Item 34*)
- ☐ Yes (*If ‘yes,’ ask Item 33a through Item 33c below*)
- ☐ Refused to answer

37a. What kind of chore/duty/work was it? _____

37b. What payment did the child expect? _____

37c. What did the child receive in exchange for performing “work” ? _____

➡ Evidence of Deceptive Payment Practices: (*Check one*) Yes _____ No _____

38. Does the child live and work at the same place?

- ☐ No
- ☐ Yes
- ☐ Refused to answer

39. Can or could the child quit their job at any time without punishment from his or her boss or supervisor?

- ☐ No
- ☐ Yes
- ☐ Refused to answer

➡ Evidence of Forced Labor: (*Check one*) Yes _____ No _____

40. What does the child want to do when the child is older? (*Fill in*) _____

Section F – Leaving or Running Away from Home

41. Has the child run away, stayed away, or left home without permission in the past year?

- ☐ No (*If ‘no,’ skip to Item 42*)
- ☐ Yes (*If ‘yes,’ ask Items 41a through 41k below*)
- ☐ Refused to answer

41a. How many times has the child run away or left without permission?

- ☐ 1 to 5 times
- ☐ 6 to 10 times
- ☐ 11 to 20 times
- ☐ More than 20 times

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☐ Refused to answer

41b. How long was the child gone the last time he or she left home?

- ☐ Less than a week
- ☐ 1 to 4 weeks
- ☐ 4 to 12 weeks
- ☐ 12 weeks or longer
- ☐ Refused to answer

➡ Evidence of Excessive Running Away: (Check one) Yes _____ No _____

41c. Where did the child go when he or she left? *(Check all that apply)*

- ☐ Friend's place
- ☐ Relative's place/other biological parent's place
- ☐ Romantic partner's place
- ☐ Motel/hotel
- ☐ Street
- ☐ Out of town
- ☐ Pro-social adult's place
- ☐ Anti-social adult's place
- ☐ Street gang
- ☐ Refused to answer

41d. While away, how did the child support his or her self? *(Check all that apply)*

- ☐ Family/relatives took care of me
- ☐ Friend(s) took care of me
- ☐ Romantic partner helped
- ☐ Worked (legal employment/jobs)
- ☐ Money through drugs
- ☐ Money/material gain/favors from prostitution, stripping or similar activities
- ☐ Didn't stay away long enough to need support
- ☐ Stealing
- ☐ Government assistance
- ☐ Panhandling
- ☐ Borrowed money from friends
- ☐ Trafficker/pimp
- ☐ Refused to answer
- ☐ Other *(Fill in)* _____

41e. While the child was away, was the child in control of his or her own money?

- ☐ No
- ☐ Yes
- ☐ Refused to answer

41f. Who was the child with while away? *(Check all that apply)*

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- ☐ No one
- ☐ Friends
- ☐ Romantic partner
- ☐ Suspected trafficker/pimp
- ☐ Guardian
- ☐ Family/relatives
- ☐ Street gang
- ☐ Refused to answer

41g. Did that person(s) (from 36f) ever give the child things like money, drugs or clothes?

- ☐ No
- ☐ Yes
- ☐ Refused to answer

➡ Evidence of Questionable Support While Away: (Check one) Yes _____ No _____

41h. Did the child leave town while away from home?

- ☐ No
- ☐ Yes
- ☐ Refused to answer

41i. While the child was away, did anyone not allow the child to go back home?

- ☐ No
- ☐ Yes
- ☐ Refused to answer

➡ Evidence of Forced Restraint: (Check one) Yes _____ No _____

41j. While the child was away, did the child experience anything that made him/her uncomfortable?

- ☐ No
- ☐ Yes; **if so, what?** (Fill in) _____
- ☐ Refused to answer

41k. While the child was away, did anyone ever ask the child to do sexual activities in exchange for something of value. These activities can include dancing, stripping, posing for photos, or sex of any kind.

- ☐ No
- ☐ Yes
- ☐ Refused to answer

➡ Evidence of Oppressive Activities: (Check one) Yes _____ No _____

Section G – Sexual Exploitation/Coercion/Control

42. Has anyone ever locked doors or windows or anything else to stop the child from leaving work or

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home?

- ☐ No
- ☐ Yes
- ☐ Refused to answer

➡ Evidence of Inability to Leave: (Check one) Yes _____ No _____

43. Has anyone ever forced the child to get or use false identification, like a fake ID or fake green card?

- ☐ No
- ☐ Yes
- ☐ Refused to answer

➡ Evidence of Forced Deception: (Check one) Yes _____ No _____

44. Has anyone ever pressured the child to touch someone physically or sexually when the child didn't want to?

- ☐ No
- ☐ Yes
- ☐ Refused to answer

45. Has anyone ever asked or made the child do anything sexually that the child didn't want to do?

- ☐ No
- ☐ Yes
- ☐ Refused to answer

46. Has anyone in the child's home ever done anything sexually to the child that he or she didn't want?

- ☐ No
- ☐ Yes
- ☐ Refused to answer

➡ Evidence of Sexual Exploitation: (Check one) Yes _____ No _____

47. Has the child or someone else received something of value like money, a place to stay, food, clothes, gifts, favors, or drugs in exchange for the child performing a sexual activity?

- ☐ No
- ☐ Yes
- ☐ Refused to answer

➡ Evidence of Compensation for Sexual Activity: (Check one) Yes _____ No _____

Assessor, close out the interview by saying something like the following to the child:

I want to thank you for being open with me and answering these questions. Do you have any questions, or is there anything that you would like to talk about? _____

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Section H – Parent/Guardian Information (DO NOT READ TO OR ASK THE CHILD)

Section H is to be completed by the Assessor.

48. Did you speak with the child's parent(s) or guardian(s)?

☐ No (If 'no,' skip to item 53.)

☐ Yes (If yes, to whom did you speak? _____)

If yes, then ask parent/guardian items 49-52.

49. Does the parent/guardian report that the child has a cell phone that a third party/trafficker pays for or might be paying for?

☐ No

☐ Yes

50. Does the parent/guardian report that the child returns home from running away with hair/nails done, new clothing or money that were not provided by the parent/guardian?

☐ No

☐ Yes

51. Does parent/guardian report that the child has internet postings or text/cell phone messages that indicate child may be exchanging sex for something of value to him/her?

☐ No

☐ Yes

52. If child has a tattoo of someone else's name, does guardian verify this person is who the child says the person is?

☐ No

☐ Yes

➡ **Evidence of Potential Trafficking:** (Check one) Yes _____ No _____

Section I – Post-Assessment Results? (DO NOT READ TO OR ASK THE CHILD)

Section I is to be completed by the Assessor.

53. Did you observe any nonverbal indicators of past victimization? (If so, explain) _____

54. Did you observe any indicators that the child's responses may have been false? (If so, explain)

55. Indicate the likelihood that the child is a victim of trafficking:

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- ☐ Definitely not
- ☐ Likely not
- ☐ Not sure
- ☐ Likely is
- ☐ Definitely is

56. Provide at least three reasons for your answer in Item 55:

1. _____
2. _____
3. _____

57. If you answered “not sure,” “likely is,” or “definitely is”: What kind of service referrals will you make for the child?

1. _____
2. _____
3. _____

If you have personal knowledge that the child is a victim of sex and/or labor trafficking, you must call ChildLine, Pennsylvania’s Child Abuse Hotline: 1-800-932-0313.

If you have personal knowledge that the child is a victim of sex and/or labor trafficking, you must call and report to the local police department.

PRACTICE GUIDE TO SERVING CHILD VICTIMS OF HUMAN TRAFFICKING IN PENNSYLVANIA

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PRACTICE GUIDE TO SERVING CHILD VICTIMS OF HUMAN TRAFFICKING IN PENNSYLVANIA

PURPOSE

This Practice Guide, developed to supplement the overview of federal and state laws addressing Child Victims of Human Trafficking referenced in the Office of Children, Youth and Families Bulletin 3130-19-04, provides guidance, new practice requirements and recommendations and resources to address both the commercial sexual exploitation of children as well as labor trafficking involving child victims.

It is important to remember that the references to a “child” throughout this document adhere to the federal and state definition:

An individual under the age of 18 years of age who:

- (1) Is a victim of sexual servitude; or
- (2) Is a victim of an offense under 18 U.S.C. § 1591 relating to sex trafficking of children or by force, fraud, or coercion.

While the majority of changes noted in this document affect County Children and Youth Agency (CCYA) practice and policies, the need for collaborative and cooperative efforts across all systems involved with child victims of human trafficking requires an awareness of each other's roles and expectations to assure the safety of the child involved.

OVERVIEW

The Federal Administration for Children and Families (ACF) addresses Human Trafficking as a public health issue that impacts individuals, families, and communities. Experience shows that traffickers disproportionately target at-risk populations including individuals who have experienced or been exposed to other forms of violence (child abuse and maltreatment, interpersonal violence and sexual assault, community and gang violence) and individuals disconnected from stable support networks (runaway and homeless youth, unaccompanied minors, and persons displaced during natural disasters).

The profile of child victims of human trafficking looks similar to the profile of many children already involved with or known to the child welfare system. With this being noted, additional groups of children at higher risk than the general population include those who: identify as native or aboriginal, identify as lesbian, gay, bisexual, transgender, or questioning (LGBTQ), have disabilities, and/or have mental health or substance use disorders.

The Trafficking Victims Protection Act of 2000 (TVPA), as amended (22 U.S.C. § 7102), defines “severe forms of trafficking in persons” as:

- **Sex trafficking:** the recruitment, harboring, transportation, provision, obtaining, patronizing, or soliciting of a person for the purpose 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 perform such act has not attained 18 years of age; (and)
- **Labor trafficking:** the recruitment, harboring, transportation, provision, or obtaining of a person for labor or services, through the use of force, fraud, or coercion for the purpose of subjection to involuntary servitude, peonage, debt bondage, or slavery.

Human trafficking is a lucrative industry. According to the International Labor Organization (ILO, 2014), forced labor yields an estimated \$150 billion in profits each year. Per capita profits are highest in forced sexual exploitation, which can be explained by the demand for such services and the prices clients are willing to pay, by low capital investments, and by the low operating costs associated with this activity (ILO, 2014). After drug trafficking, it is tied with arms trafficking as the most lucrative business for organized crime.

Commercial Sexual Exploitation of Children (CSEC) can involve a range of crimes, including forcing or coercing a child to participate in sex acts, pornography, street-based prostitution, internet-based exploitation, stripping, erotic massage, phone sex lines, interfamilial pimping, or survival sex. Some of these crimes may involve giving money or something of value to the child or another person. All of these acts take advantage of the imbalance of power between an adult and a child. This targeted exploitation, objectification, and violence is child abuse.

Sexual violence is recognized as the most underreported crime in America. Statistics on sexual exploitation and human trafficking are difficult to obtain due to low reporting, poor detection rates, fear, shame, and silence, however, child victims have been identified in cities, suburbs, and rural areas in all 50 states. According to the Chicago Alliance Against Sexual Exploitation:

- The U.S. Department of Justice states that the average age of entry into prostitution is 12-14 years old. Underage girls are the bulk of victims in the commercial sex markets, which include pornography, stripping, escort services, and prostitution.
- Sixty percent of children exploited in prostitution are first recruited by peers.
- The overwhelming majority of runaway, homeless, abused, and at-risk children are approached by pimps and drug dealers within 48 hours of landing on the streets.
- Earlier childhood sexual abuse greatly increases vulnerability to commercial sexual exploitation during teen years. According to national statistics, children who are sexually abused earlier in childhood are four times more likely than their peers to be targeted and victimized by commercial sexual exploitation.

Other risk factors for commercially sexually exploited children include homelessness, inadequate supervision or care by parents or family, and exposure to domestic violence in the home.

- The rise of the internet and increased use of technology have led to more children being exploited in the commercial sex trade. Pimps use the internet, text messaging, and digital and web cameras to set up “dates” for their “girls.” The girl never has to leave the van she is sitting in or the hotel room where she has been placed to be exploited, making her harder to find and harder to save.

Two important points to remember -

- According to the TVPA, any child under the age of 18 years old who is used for the purpose of exploitation through sexual servitude (prostitution), regardless of the absence of economic leverage, manipulation, fraud, coercion, threats, force or violence, is considered a commercially sexually exploited child and a victim of human trafficking.
- A child victim of human trafficking does not have to prove that they were tricked or violently forced into sexual exploitation in order to be considered a victim of human trafficking under this federal law. The TVPA applies to every child human trafficking victim in the United States (U.S.), whether trafficked domestically or internationally.

Chicago Alliance Against Sexual Exploitation - “Know the Facts: Commercial Sexual Exploitation of Children”

The Action-Means-Purpose Model is used by *Polaris*, a leading charity in the fight to eradicate modern slavery, to describe the elements of human trafficking. Cases that are considered severe forms of trafficking in persons involve three elements:

1. **Action:** Under federal law, when the purpose is labor, qualifying acts include recruiting, harboring, transporting, providing, or obtaining an individual (18 U.S.C § 1590). Under Pennsylvania law, qualifying acts for both labor and sex trafficking include those five, as well as the additional acts of enticing, soliciting, or maintaining (18 Pa.C.S. § 3011). Federal law regarding sex trafficking for both adults and minors includes the above eight acts, as well as advertising or patronizing (18 U.S.C § 1591).
2. **Means:** Through use of force, fraud, or coercion. Examples of force include physical abuse or assault, sexual abuse or assault, or confinement. Examples of fraud include false promises of work/living conditions, withholding promised wages, or contract fraud. Coercion may include threats of harm to self or others, debt bondage, psychological manipulation, or document confiscation. However, it is not necessary to demonstrate force, fraud, or coercion in sex trafficking cases involving children under the age of 18.
3. **Purpose:** For either compelled labor or services or commercial sex act(s).

COMMERCIAL SEX TRAFFICKING OF CHILDREN

How Victims Are Trafficked

ACTION	MEANS (DOES NOT NEED TO BE PRESENT IN A SITUATION OF SEX TRAFFICKING OF MINORS)	PURPOSE
<p>Recruiting includes proactive targeting of vulnerability and grooming behaviors.</p> <p>Harboring includes isolation, confinement, monitoring.</p> <p>Transporting includes movement and arranging travel.</p> <p>Providing includes giving to another individual.</p> <p>Obtaining includes forcibly taking, exchanging something for ability to control.</p> <p>*Soliciting includes offering something of value.</p> <p>*Patronizing includes receiving something of value.</p> <p>*Only for sex trafficking</p>	<p>Force includes physical restraint, physical harm, sexual assault, and beatings. Monitoring and confinement is often used to control victims, especially during early stages of victimization to break down the victim's resistance.</p> <p>Fraud includes false promises regarding employment, wages, working conditions, love, marriage, or better life. Over time, there may be unexpected changes in work conditions, compensation or debt agreements, or nature of relationship.</p> <p>Coercion includes threats of serious harm to or physical restraint against any person, psychological manipulation, document confiscation, and shame and fear-inducing threats to share information or pictures with others or report to authorities.</p>	<p>Commercial Sex Act is any sex act on account of anything of value given to or received by any person.</p> <p>Involuntary Servitude is any scheme, plan, or pattern intended to cause a person to believe that, if the person did not enter into or continue in such condition, that person or another person would suffer serious harm or physical restraint; or the abuse or threatened abuse of the legal process.</p> <p>Debt Bondage includes a pledge of services by the debtor or someone under debtor's control to pay down known or unknown charges (e.g. fees for transportation, boarding, food, and other incidentals; interest, fines for missing quotas, and charges for "bad behavior). The length and nature of those services are not respectively limited and defined, where an individual is trapped in a cycle of debt that he or she can never pay down.</p> <p>Peonage is a status or condition of involuntary servitude based on real or alleged indebtedness.</p> <p>Slavery is the state of being under the ownership or control of someone where a person is forced to work for another.</p>

<https://www.acf.hhs.gov/otip/resource/fshumantrafficking>

Profile of Vulnerable Children

According to Shared Hope International, child victims of human trafficking are lured into sexual exploitation and forced labor through psychological manipulation, drugs, and/or violence. Traffickers use force, fraud, or coercion to subject victims to engage in commercial sex or forced labor. Anyone can be a victim of trafficking anywhere, including in the U.S..

The profile of child victims of human trafficking looks similar to the profile of many children already involved with or known to the child welfare system. In fact, studies have found that involvement in the child welfare system is one of the risk factors for child victims of human trafficking, making it critical for child welfare agencies and other professionals working with children to be trained and equipped to identify and effectively respond to this vulnerable population. Children who have run away, are homeless, in out-of-home care, and/or considered throwaway have increased vulnerability for becoming a child victim of human trafficking. Once they are on the streets, these children need survival items such as food, clothing, and shelter, which may become more acute the longer they remain on the streets. For this reason, homeless children are more likely to engage in survival sex, which is the process of exchanging sex to meet survival needs. A child engaging in survival sex constitutes CSEC.

A history of abuse and neglect is consistently cited as one of the greatest risk factors for becoming a child victim of human trafficking. Children living in abusive or neglectful homes may be more likely to run away, thus making themselves more vulnerable to traffickers. Experiencing sexual abuse is a significant risk factor for children. The trauma associated with abuse and neglect may also negatively impact a child's mental health, fostering feelings of powerlessness or motivating the child to seek support outside of the home environment.

In some cases, children are victimized through trafficking by their immediate family members. Family stressors such as parental addiction, family dysfunction, lack of family support, and financial strain can also serve as risk factors for becoming a child victim of human trafficking. Such stressors may propel children to run away from home or may push the family into exploiting a child for monetary gain.

Evidence suggests that children who identify as LGBTQ can be up to five times more likely than children who identify as heterosexual to be trafficking victims. This is due to the increased susceptibility that comes with the feelings of rejection and alienation that are often experienced by LGBTQ children. Key findings from the University of Pennsylvania's Field Center for Children's Policy, Practice & Research identified that LGBTQ children appear to experience a higher level of sex trafficking, comprising 39% of those who reported being trafficked. Transgender children are particularly vulnerable, with 60% of those surveyed reporting sex trafficking. Although the sample size was too small to generalize, it is indicative of increased risk.

Many children may be at risk due to their normal maturation process, which often includes taking risks, feeling misunderstood by adults, and seeking romantic relationships, increasing their susceptibility to the recruitment tactics of human traffickers. Findings also suggest that low self-esteem, school failure, and lack of self-worth may lead to trafficking vulnerability. Children with disabilities, refugees, immigrants, and non-English-speaking children, especially those who are undocumented, are at higher risk of victimization.

Unhealthy peer relationships impact children being recruited into CSEC by peers who are already involved. Children may also be easily influenced by promises of friendship, acceptance, love, or material gain. Dating violence has also been identified as a risk factor, particularly for female children. Abusive relationships may cause children to feel powerless and can negatively impact their physical and emotional health. Additionally, an individual the child considers their “boyfriend” may actually be a trafficker who is grooming them for trafficking.

A number of delinquent behaviors have been identified as risk factors for commercial victimization, including drug and alcohol abuse, gang involvement, and prior history with the juvenile justice or criminal justice system.

CSEC is the use of any person under the age of 18 for sexual purposes in exchange for money, goods, or services or the promise of money, goods, or services. There is a strong correlation between CSEC and childhood sexual abuse, chronic maltreatment and neglect, and otherwise unstable home environments.

How Do Perpetrators Recruit and Control Child Victims?

Recruiting occurs most often in schools, hallways of court buildings/courtrooms, group homes, halfway houses, public parks/playgrounds, truck stops, gas stations, highway rest stops, mass transit stations, homeless shelters, restaurants/bars, and shopping malls (food courts). Commercial child sex traffickers target vulnerable children and engage in constant recruitment to entice children into their web of control.

Traffickers may employ three common stages of recruitment: lure stage, trust stage, and payback stage. Once the trafficker engages a child, he/she entices the child by giving gifts and money; “glamorous” and exciting street lifestyles, professing love for and having sex with the child. The trafficker’s goal is to gain complete control over the child, so the trust stage is followed by the payback stage. During this stage, the trafficker will direct the child to perform sexual services for others (besides the trafficker) in exchange for money, which the child will turn over to the trafficker.

Unknown perpetrators may recruit children online, at public events, in malls, schools, on the streets and in shelters. Recruiters may be adults or other youth. Perpetrators may also use an existing relationship with a child to coerce or manipulate them into sexually exploitative acts.

Perpetrators often garner the trust of their victims through a process commonly referred to as grooming. They may also exploit other vulnerabilities or factors in a child's life such as existing trauma, low self-esteem, isolation from family or friends, lack of basic resources, sexual orientation, homelessness, or criminal behavior. Perpetrators may use force, violence, threats, lies, false promises, or other forms of control and manipulation to keep their victims reliant on them and involved in sexually exploitative activities or other ongoing illegal activity.

Perpetrators may utilize technology to reach potential child and youth victims. They may "friend" youth on social media sites or pose as talent or modeling scouts online and coerce children into sending personal information and images online. Technology such as social media, webcams, and smart phones offers perpetrators access to children in nuanced and evolving ways. Technology also provides a host of opportunities for offenders to share images, advertise their victims, and maintain further control over their victims (i.e. tracking software and technology; threatening to "out" the victim via social media).

A victim's relationship with the perpetrator can be complex. In fact, the perpetrator may be meeting emotional, physical and other basic needs of the victim. This, coupled with perpetrators' expertise in exploiting their victim, can contribute to victims not identifying themselves as such and feeling partially responsible for their own victimization.

Age is the primary factor of vulnerability. Pre-teen or adolescent girls are more susceptible to the calculated advances, deception, and manipulation tactics used by traffickers/pimps – no child is exempt from falling prey to these tactics. Traffickers target locations youth frequent such as schools, malls, parks, bus stops, shelters and group homes. Runaway homeless youth as well as those with or a history of physical and sexual abuse have an increased risk. – Shared Hope International

Child Labor Trafficking

Child labor trafficking is the (labor) trafficking of individuals who are 18 or younger. Child labor trafficking requires the presence of force, fraud, and/or coercion (Guidance to States and Services on Addressing Human Trafficking of Children and Youth in the U.S., Administration on Children, Youth and Families [ACYF] 2013). Force involves physically restraining or harming a victim; fraud intentionally deceives victims about certain aspects of their employment such as job duties, work conditions, and payment. The coercion aspect of labor trafficking includes threats of serious psychological/physical harm to the victims or their loved ones, as well as real or threatened abuse of the legal system.

One important difference between child labor trafficking and child sex trafficking is that force, fraud, and/or coercion is present in child labor trafficking; whereas any minor involved in a commercial sex act with or without the use of force is considered a sex trafficking victim. Child labor trafficking can and often overlaps with child sexual exploitation and abuse (Freedom Network USA 2012). In fact, victims may experience labor and sex trafficking simultaneously, such as being forced to engage

in both prostitution and burglaries (Gibbs et al. 2014; National Human Trafficking Resource Center [NHTRC] 2015a).

Labor trafficking can take many forms, which include bonded labor or debt bondage, where a child incurs a debt he or she is never able to pay off, or involuntary domestic servitude, where a child is forced to work in someone's home for long hours with little or no pay. Although children may legally engage in certain forms of work, there are legal prohibitions and widespread condemnation against forms of slavery or slavery-like practices, and yet these practices continue to exist as manifestations of human trafficking. A child can be a victim of labor trafficking, regardless of the location of the nonconsensual exploitation.

Traffickers manipulate victims into working long hours in substandard conditions for little or no wages. Peddling is a prevalent yet lesser-known form of child labor, where children sell cheap goods, such as candy, magazines, or other trinkets, often going door to door or standing on street corners or in parks, regardless of weather conditions and without access to food, water, or facilities. Like victims of sex trafficking, labor trafficking victims are kept in bondage through a combination of fear, intimidation, abuse, and psychological controls. It is important to remember that child victims of labor trafficking also may be sexually abused or simultaneously victims of sex trafficking.

Signs That May Indicate a Child Is a Victim of Human Trafficking

It is important that child welfare workers, and other professionals who interact with minors, are aware of and prepared to identify “red flags” that indicate a child may be a victim of human trafficking:

- Living with an employer.
- Visible signs of abuse such as unexplained bruises, blackeyes, cuts, or marks.
- Exhibit behaviors including fear, anxiety, depression, submission, tension, and/or nervousness.
- Exhibit “hyper-vigilance” or paranoid behavior.
- Expressing interest in or being in relationships with adults or older men.
- Evidence of controlling or dominating relationships, including reluctance to speak unless “boyfriend” is present, repeated phone calls from a “boyfriend”, and/or excessive concern about displeasing their partner.
- Reports that the child must pay a debt owed by the family.
- References made to frequent travel to other cities.
- Lack of control over personal schedule and/or identification or travel documents.
- Signs of a substance use disorder.
- Unexplained shopping trips or possession of expensive clothing, jewelry, or a cell phone could indicate the manipulation of an exploiter.
- Not being in control of their own money.

- Use of lingo or slang from “the life” among peers or referring to a boyfriend as “Daddy”.
- Secrecy about whereabouts.
- Being unable to account for time, vagueness concerning whereabouts, and/or defensiveness in response to questions or concerns.
- Keeping late-night or unusual hours.
- A tattoo that he or she is reluctant to explain may be the result of tattooing or branding by a pimp. Pimps and other sexual exploiters often tattoo or brand children particularly girls, with the exploiter’s name tattooed on the neck, chest, or arms.
- Wearing sexually provocative clothing may be an indicator of sexual exploitation. However, not all children in the commercial sex industry wear such stereotypical clothing and sexually provocative clothing is not a warning sign in and of itself.
- Wearing new clothes of any style or getting hair or nails done with no financial means to do this independently is a more general indicator of potential sexual exploitation.
- Most sexually exploited children have been trained to lie about their age. Sometimes a child’s appearance and/or actions can contradict the information they give. Sensitivity to clues in behavior or appearance that could indicate that a child is underage is needed.
- Personal information (age, name, and/or date of birth) changing with each telling of his or her story, or giving contradictory information.
- Has no identification or is not in control of his/her identification.
- Has an explicitly sexual online profile via internet sites such as Facebook, Instagram, MySpace.com, Blackplanet.com, etc.
- Excessive frequenting of internet chat rooms or classified sites known for recruitment.
- Depicts elements of sexual exploitation or the commercial sex industry in drawings, poetry, or other modes of creative expression. Prints lyrics to sexually explicit music or songs that allude to the sex industry.
- Frequent or multiple sexually transmitted infections (STI) or pregnancies.

Some indicators of possible forced labor of a child include situations in which the child appears to be in the custody of a nonfamily member who requires the child to perform work that financially benefits someone outside the child’s family and does not offer the child the option of leaving. In the U.S., labor trafficking often occurs in the context of domestic service, agricultural work, peddling, and hospitality industries (e.g., restaurants and hotels).

Red Flags

National Center for Missing and Exploited Children

<http://www.missingkids.com/theissues/trafficking>

While no single indicator confirms the existence of child sex trafficking, several indicators combined can mean it is more likely that a child is being exploited or is actively being targeted and recruited. That is why being aware of the following indicators is so important:

Behavioral Indicators

- Child has a significant change in behavior, including increased virtual behavior, or associates with a new group of friends.
- Child avoids answering questions or lets others speak for him or her.
- Child appears frightened, resistant, or belligerent to law enforcement.
- Child lies about his or her age and identity.
- Child looks to others before answering questions.
- Child does not ask for help or resists offers to get out of the situation (child does not self-identify as a victim).
- Child seems coached in talking to law enforcement.
- Child uses trafficking-related terms like “Trick,” “The Life,” or “The Game”.
- Child is preoccupied with “getting money” (e.g., displaying photos of cash).

Physical Indicators

- Child has multiple cell phones and/or electronic devices.
- Child has large amounts of cash or pre-paid credit cards.
- Child has no ID, or ID is held by another person.
- Multiple children are present with an unrelated male or female.
- Child has unusual/unexplained sexual paraphernalia (such as bulk condoms or lubrication).
- There is evidence the child has been or will be traveling (child is living out of suitcases, at motels, or in a car).
- Child has a name or symbol tattooed, burned, or branded onto his or her body, particularly when coupled with the child’s reluctance to explain the tattoo, the child’s tattoo matches other children’s tattoos, the tattoo indicates money or ownership (ex. MOB, barcode or \$).
- Child references traveling to other cities or states or is not from the current location; the child may also lack knowledge of his or her travel plans, destinations, and/or his or her current location.
- Child has hotel keys, hotel receipts, or other items from a hotel/motel.
- Presence of an overly controlling or abusive “boyfriend” or older female.
- Child is recovered at a hotel, street track, truck stop, or strip club.
- Child has notebooks or slips of paper containing phone numbers, dollar amounts, names, or addresses.
- Child has items or an appearance that does not fit his or her current situation (e.g., a homeless or runaway child who has money, electronics, new clothes or shoes, and who has his or her hair and nails done).
- Child references online classified ads or escort websites.
- Child references traveling job opportunities (including modeling, singing and/or dancing in a music group, or magazine sales crew).
- Child has unaddressed medical issues or who goes to the ER or clinic alone, or with an unrelated adult.

STANDARDS OF PRACTICE FOR SERVING CHILD VICTIMS OF HUMAN TRAFFICKING

It is recognized that child victims of human trafficking experience trauma and subsequently suffer from the impact of that trauma. Individual trauma results from an event, series of events, or set of circumstances experienced by an individual as physically or emotionally harmful or life-threatening with lasting adverse effects on the individual's functioning and mental, physical, social, emotional, or spiritual well-being. Trauma induces the feelings of terror, helplessness, or horror not only from personally experiencing it, but from the inability to stop or protect others from it.

The use of trauma-informed approaches is recommended to appropriately identify and effectively address the needs of child victims of human trafficking. Trauma-informed care is an approach to engaging individuals with a history of trauma that recognizes the presence of trauma symptoms and acknowledges the role that trauma has played in their lives.

The Substance Abuse and Mental Health Services Administration's principles of a trauma-informed approach include:

- Safety,
- Trustworthiness and transparency,
- Collaboration and mutuality,
- Empowerment,
- Voice and choice,
- Peer support and mutual self-help,
- Resilience,
- Strengths-based inclusiveness and shared purpose,
- Cultural, historical, and gender issues, and
- Change process.

Because trauma-informed approaches are so critical in working with this population, Pennsylvania Act 130 of 2018 now mandates that providers of specialized human trafficking services receive sufficient training and understand the unique circumstances surrounding the victimization of sexually exploited children. There are many options to access this training including the University of Pittsburgh Child Welfare Resource Center curriculum.

<http://www.pacwrc.pitt.edu/Curriculum/CSEC.html>

Screening

The first step toward helping child victims of trafficking is to identify them. CCYAs must ensure that screening is conducted for children who are potential victims of human trafficking and are within the supervision of the CCYA. This includes those for whom a general protective services assessment or child protective services investigation is being conducted, as well as those that have been accepted for

services, whether as an in-home or placement case. Screening should be incorporated into the ongoing assessment of safety for all children whether or not the child is believed to be a victim of human trafficking.

Assessment of a child's safety extends well beyond the initial determination as it is an ongoing dynamic process. Assessing and managing a child's safety as part of the casework process is done throughout the life of the case. To help assure that children are free from immediate physical and/or emotional harm, it is necessary to consider safety at every contact and assess safety at every face-to-face contact.

Because counties may have different processes, CCYAs should determine how to best integrate the screening process into their existing protocols and procedures and determine how these functions will be conducted and documented in the case record. It is not necessary that the tool used be maintained in the case record, however, evidence that all of the indicators were considered must be clearly documented in the case record.

CCYA caseworkers are required to screen for potential child victims of human trafficking. If someone other than a CCYA caseworker (i.e. law enforcement officials, hospital personnel, victim services agencies, etc.) screens the child, it should be coordinated with the CCYA. Documentation should include consideration of all indicators and the conclusion.

The Pennsylvania Department of Human Services (DHS) convened a multidisciplinary work group to develop a screening tool, which is known as the Child Victim of Human Trafficking (CVHT) Screening Tool (included as an attachment). Use of this CVHT Screening Tool is strongly recommended.

CCYAs must facilitate a CVHT Screen as follows:

- As part of the Safety Assessment and Management Process;
- When a child who has been missing from home or out-of-home placement is located; and
- If concerns arise throughout the life of the case that human trafficking may be occurring.

Screening must include, at a minimum, the components found in the CVHT Screening Tool. The CVHT Screening Tool is constructed for use by child welfare professionals but may be used by any professional comes into contact with a potential child victim of human trafficking. The CVHT Screening Tool includes instructions, prompts, and techniques to ensure proper administration.

The CVHT Screening Tool is comprised of Tier 1 and Tier 2 Indicators. Tier 1 Indicators are distinct, noticeable, and/or observable while Tier 2 Indicators are less obvious and may require further review and/or exploration. One or more Tier 1 Indicators warrants further assessment while two or more Tier 2 indicators may warrant further assessment. It is important to note that screening is not diagnostic.

Rather, it is a preliminary step that urges additional information gathering and interventions if there is suspicion of human trafficking.

CVHT Screening Indicators are as follows:

Tier One Indicators

- Current incident or history of sex and/or labor trafficking or acknowledgement of being trafficked in exchange for food, clothing, gifts, shelter, or money;
- Child is recovered from a runaway episode in a hotel or known area of prostitution; or
- Report of sex and/or labor trafficking by parent/guardian, law enforcement official, medical or service provider, teacher, service provider, juvenile probation officer, or other associated entity.

Tier Two Indicators

- History of running away or getting kicked out of a living arrangement four or more times in addition to a history of sexual abuse. (The definition of running away or getting kicked out of home includes times the child did not voluntarily return and/or under circumstances that did not prohibit the child from returning within 24 hours and includes incidents not reported by or to law enforcement officials);
- History of running away from another county or state;
- Current incident or history of inappropriate sexual behaviors;
- Current incident or history of sexually transmitted diseases and /or pregnancies;
- Child is not allowed or unable to speak for him/herself and may be extremely fearful;
- Child has no personal items or possessions, including identity documents if foreign-born, which may indicate possible labor trafficking;
- Child appears to have material items or luxuries that he or she cannot afford or justify how they were paid for (e.g., cell phones, tablets, new or expensive clothing, hair done, nails done, jewelry, etc.);
- Child shows signs of being groomed;
- Child has suspicious tattoos or other signs of branding (e.g., tattoos of the trafficker's name, dollar signs, diamonds, stars, etc. or certain designs/logos on nails, jewelry, etc.);
- Child has no knowledge about the community in which he or she is located;
- Child associates and/or has relationships with age-inappropriate friends, boyfriends, and/or girlfriends;
- Child is known to associate with confirmed or suspected commercially sexually exploited children;
- Child is not living with parent, guardian, relative, or caretaker of record.

- Child has inappropriate, sexually-suggestive activity on social media websites and/or chat applications;
- Child has a history of being arrested for loitering, curfew violations, disorderly conduct, simple possession of a controlled substance criminal trespassing, or false identification to law enforcement authorities;
- Child has a history of truancy or absence from school; or
- Elevated drug and/or alcohol use.

When using a screening tool, child welfare professionals should employ a strength-based, non-judgmental, and trauma-informed approach. Child victims of human trafficking have undergone a great deal of trauma and generally possess feelings of powerlessness. In addition, many victims have been told repeatedly by their traffickers not to trust adults. As a result, the way in which victims are initially identified and subsequently interviewed can significantly impact the way a victim engages with government, non-governmental organizations, and service providers. It is important to remember that a child may be reluctant to respond accurately to the screening indicators due to a lack of trust or fear of consequences related to disclosure. When a child refuses to respond to a question, this should be noted on the screening tool.

Assessment

When indicators of trafficking are identified through administration of the screening process, additional evaluation is warranted, and a full assessment should be undertaken. The CVHT Assessment Tool is recommended for use, however, if another tool is used, the assessment must include, at a minimum, the components found in the CVHT Assessment Tool (included as an attachment). It is not necessary to include the assessment tool itself in the case record; however, there must be sufficient documentation that confirms that all of the indicators were assessed.

The assessment can be facilitated by trained CCYA staff, contracted provider agency staff, or staff at a Child Advocacy Center (CAC). The assessment should be administered by assessors who are well trained, prepared, have experience working with trauma victims, and recognize the need to ask questions in a manner that is sensitive to the needs of the child. The Child Welfare Resource Center (CWRC) has developed a training module that encompasses facilitation of the CVHT Screening and Assessment tools. CWRC trainings may be accessed through their statewide registration process (www.pacwrc.pitt.edu/).

It is critical that assessments are conducted in a safe and non-threatening environment. The effectiveness of screening and assessing for trafficking victimization depends on alleviating fear, building rapport, and asking questions in an appropriate manner. Interviewers should be comfortable working with human trafficking victims, be sensitive to their special needs, and be aware that the child may be suffering the impact of traumatic experiences.

The child should be informed that the assessment process is an interview to better understand his or her current situation and experiences and that the information disclosed will be kept completely confidential unless the child describes certain situations. These circumstances include: if the child or someone else is in immediate danger, at risk of being hurt or abused, in danger of hurting someone else, or disclosure of the identify of another child victim. Information about a child's background, demographics, living conditions, work, history of running away or leaving home, exploitation/coercion/control, and parent/guardian information should be addressed through the assessment process.

Following the full assessment with the child, the evaluator should complete post-assessment findings that provide insight, indicators, and recommendations about the likelihood that a child has been victimized through human trafficking. It is important to remember that a child may be reluctant to respond due to a lack of trust, fear of consequences related to disclosure, whether or not they are a trafficking victim, and /or not viewing themselves as a victim.

Investigation and Evaluation

In Pennsylvania, the Attorney General and district attorneys are now able to initiate investigations and institute criminal proceedings in the same case without the concern of jurisdiction. This requires coordination and cooperation of the CCYA to support timely initiation of the investigation and to release information to law enforcement officials to aid in their investigation of severe forms of human trafficking.

Act 130 of 2018 now requires the Municipal Police Officers' Education and Training Commission and the Pennsylvania State Police to train law enforcement officers in the following methods:

- (1) Identifying a sexually exploited child;
- (2) Interviewing and engage with an asexually exploited child;
- (3) Assisting victims to access specialized programs and services; and
- (4) Minimizing trauma in the detention of a sexually exploited child.

Consistent with the CPSL and the Model Standards for Multi-Disciplinary Investigative Teams (MDITs), law enforcement officials and the CCYA should cooperate and coordinate investigations involving the abuse of a child that include possible crimes against a child. This multidisciplinary investigation, governed by 23 Pa. C.S. § 6365 (c), requires that the district attorney convene the MDIT in accordance with the protocol and that the MDIT includes those individuals and agencies responsible for investigating the abuse or for providing services to the child and at a minimum should include a health care provider, CCYA caseworker, and law enforcement official.

CCYAs have the following responsibilities:

- Jointly investigate with law enforcement and use a CAC if available.
- Identify a human trafficking point of contact.
- Notify identified human trafficking point of contact.
- If appropriate and warranted and if law enforcement officials have not taken the child into protective custody pursuant to 42 Pa. C.S.A. § 6324, obtain an emergency order of protective custody from the court.
- Obtain emergency medical/psychiatric treatment for the child, if warranted.
- If the child is not safe, place the child in a safe and appropriate setting with consideration given to the special needs of trafficking victims.
- Utilize the Interstate Compact for Juveniles (ICJ) process for human trafficking cases involving multiple states.
- Contact the Interstate Compact on the Placement of Children (ICPC) Office at DHS as soon as the county becomes aware of a juvenile in Pennsylvania without a parent or guardian so that a specialist can assist in the runaway return process
- In cases involving non-U.S. citizens' children, consult with the county administrator and solicitor to identify a knowledgeable child trafficking legal advocate; and
- Complete an administrative and legal review with the county administrator and solicitor before completion of the investigation and making a final case determination

Investigation Challenges

It is rare for child victims of human trafficking to self-identify as trafficking "victims". It is also often difficult to determine whether a child is in fact a victim. The widespread lack of awareness and understanding of human trafficking means that oftentimes victims are treated as criminals rather than as victims of crimes. Victims will likely present to the CCYA, law enforcement officials, or a local service agency because of another form of abuse, neglect, or dependency.

Victims require a highly specialized and coordinated investigative response from law enforcement officials, courts, and child serving systems which is focused upon the primary goals of safety and treatment. The following factors may hinder investigations into whether or not a child is being trafficked:

- Victims may not self-identify as victims.
- Victims may exhibit extreme distrust of and animosity toward authority figures.
- Victims may form a relationship with their traffickers or pimps known as a trauma bond.

- Victims and perpetrators are often skilled at concealing their situations.
- Victims may use false identification documents or may not be in control of personal identification documents.
- Foreign-national victims may fear deportation.
- Victims may fear harm or retribution because of their pledges of services to repay a debt known as debt-bondage.

Traffickers may be or may pose as the child's parent, relative, caregiver, or legal custodian. A suspected child victim of human trafficking should never be placed with a parent, relative, caregiver, or legal custodian if there is evidence that the person in question is the trafficker or there are no feasible services that could allow the parent to protect the child in their own home. Once separated, it is common for traffickers to find their victims and attempt to regain control. Victims should be placed in a shelter for dependent children or with a parent or other custodian, regardless of immigration status, if that is in the child's best interest. Child victims of human trafficking may not be placed in a secure facility unless a delinquency petition has been filed or if they are determined to be a danger to self or others under authorization of the ICJ.

Throughout the investigation, the CCYA and law enforcement officials are required to coordinate their investigations, in part to not duplicate or undermine fact-finding, but also to reduce any further trauma to the child. Agencies must collaborate as much as possible, appropriately, and in accordance with the law. This includes sharing screening and assessment outcomes, investigation reports, and other information among MDIT members. To support collaboration, 23 Pa. C.S. § 6340 (a) (9) permits the release of information to law enforcement officials of any jurisdiction when "the information is relevant in the course of investigating cases of severe forms of trafficking in persons or sex trafficking".

Addressing Immediate Physical and Mental Health Needs

Once victims are recovered from their traffickers, they may feel isolated and may present as confused and afraid. Support is required to help them gain confidence and believe that they are safe from their trafficker. Child victims have been targeted by predators; tricked when the trafficker invests time, effort, and money to gain trust of the child then reveals the true intent of victimization. They are traumatized by their trafficker, who uses psychological manipulation so that the child truly believes that the trafficker loves and cares for their well-being.

When psychological control is coupled with physical control such as threats, violence, or drug addiction, the child victim feels trapped, powerless, and dependent upon the trafficker. This condition is referred to as "trauma bonding" which is further described as a strong link to the trafficker based in what the child perceives as an incredibly intense or important relationship, but one in which there has been an exploitation of trust and/or power. Trauma bonding is a learned tactic for survival and common between trafficked children and the trafficker. It is difficult to break and long-term treatment and counseling for victims is required.

Post-Traumatic Stress Disorder (PTSD) is very common among children exposed to human trafficking and may be characterized by such symptoms as anxiety, depression, insomnia, irritability, flashbacks, emotional numbing, and hyper-alertness. Child victims of human trafficking often have unique needs given the frequent nature of multiple acts of sexual exploitation or violence by multiple offenders over potentially a sustained period of time.

Victims require a comprehensive medical evaluation to include addressing acute medical/surgical issues, evaluating possible chronic untreated conditions, documenting acute/remote injuries, testing and treating STIs and often, obtaining a sexual assault evidence kit. A pediatrician trained in evaluation of sexual abuse and case planning professionals working to address a victim's needs are important members of the investigative team.

For child victims of human trafficking, investigators must follow best practices on medical examinations for sexual abuse allegations, including a specialized examination within 72 hours of contact with the child to address any immediate medical needs. Whenever possible, and if part of the CCYA protocol, the examination should be completed by a medical practitioner who specializes in medical examinations of child sexual abuse such as a specially trained pediatrician, a Pediatric Sexual Assault Nurse Examiner, or a Sexual Assault Nurse Examiner. If a parent or legal guardian refuses or is unavailable to consent to the examination, the investigators should seek a court order to override lack of consent or obtain an order for protective custody, if appropriate, and necessary medical authorizations. In all cases, a victim should receive a medical examination as soon as possible which should include all of the following:

- Referrals to appropriate sexual assault response team, with forensic evidence collection, as indicated;
- Documentation of acute/remote injuries, genital and extra genital, and skeletal fractures;
- Testing for pregnancy, STIs, and HIV;
- Urine and/or serum screening for alcohol and drug use, as clinically indicated; and
- Assessment of overall physical health, nutritional status, and hydration.

Human trafficking victims often have serious and significant mental health needs such as complex trauma, which has been directly associated with human trafficking. They are also at heightened risk for self-destructive, risk-taking behaviors, and re-victimization. They may have difficulty with interpersonal and intimate relationships. The themes of trauma, abandonment, and disruption are central to the diagnoses of victims, who likely have experienced extensive physical and mental trauma and manipulation.

Historically, trafficked children have been treated as delinquents (or criminals) in connection to prostitution and related offenses. Child victims of sex trafficking are now recognized as victims of rape and sexual assault and it is critical to increase understanding about child victims so that they are protected rather than prosecuted. Criminalization of child victims of human trafficking increases risk for further traumatizing an already vulnerable population. Establishing trust with human trafficking victims is the first step to supporting their understanding that professionals are not there to “turn them in” but rather are interested in keeping them safe, physically and emotionally. In all cases, a child victim should receive a mental health examination as soon as possible which should include an assessment for all of the following:

- PTSD,
- Memory impairment,
- Depression,
- Addiction,
- Panic attacks,
- Phobias,
- Extreme anxiety and fear,
- Altered relationships with others, including the inability to trust,
- Self-destructive behaviors, including suicide attempts,
- Altered feelings or beliefs about oneself including profound shame and guilt,
- Altered perception of the perpetrator, including an established trauma bond, and
- Despair and hopelessness.

Placement, Treatment and Services

Consistent with federal law, the CCYA must make efforts to safely maintain child victims of human trafficking in their own homes and communities and engage parents whenever possible. It is also important that CCYAs actively explore, access and implement resources to support families of trafficked children. Keeping the child safe and creating a space for healing is the highest priority. Preventing additional instances of running away and potentially going back into a situation where the child can be re-victimized is a challenge for all those who engage with child trafficking victims. A multi-disciplinary approach to service planning that includes the child as an active participant is strongly recommended.

At times it is necessary to consider placement options to support the safety of the child victim. Service providers offering services to child victims that are specialized and comprehensive services, and that are prepared to coordinate development of a plan toward recovery are essential. There is not a *one size fits all* model. Different levels and types of care and supports are necessary to ensure long-term stability of the child.

While not all programs are able to offer all services onsite, there are services that should be available to children as the foundation of any placement program option. The following provisions include promising components for placement programs serving child victims of human trafficking as outlined by the U.S. Department of Health and Human Services (DHHS). To adequately meet and address the needs of victims, these core services are to be provided or arranged for by CCYAs:

- *Safe housing and basic needs:* The placement should be the least restrictive in consideration of each child's need for safety and security, age, and developmental level. Living arrangements for child victims must be able to provide physical and emotional safety, which is an essential ingredient for their recovery. The placement provider should have training and an understanding of the unique circumstances surrounding child victims of sex and/or labor trafficking. The location of the placement must take into account any risks that may be posed by a trafficker and safety plans should be in place to address concerns that the child will be vulnerable to victimization;
- *Child Victims of Human Trafficking Safety Planning:* The development of a human trafficking safety plan for each child, similar to practices employed by domestic violence shelters, should be practiced and recommended across programs. Victims should be taught to find safety zones that they can use to flee their trafficker or simply avoid an old acquaintance. These safety plans are put in place to address both the possibility of running and to navigate day-to-day life after exit;
- *Program Staffing:* It is highly recommended that treatment programs be operated by individuals with expertise in working with children who are victims of human trafficking. The need to hire staff with an authentic understanding of child sex and/or labor trafficking and a natural ability to connect with victims has led to some providers advocating for the hiring of survivors in the staffing complement;
- *Intensive and Comprehensive Case Management:* This requires a time commitment and 24-hour access to an advocate/case manager who has experience with child victims of human trafficking. Intensive case management services should be in place during heightened risk periods for running away including initial intake, and specific points in therapy;
- *Length of Stay:* The minimum recommended length of stay of 18 months at an appropriate placement setting exceeds the normal length of stay for traditional congregate care programs. Consideration should be given to this recommendation so that when placement plans are being determined, Juvenile Act provisions are considered, specifically, permanency determinations related to placement for at least 15 of the last 22 months. Consideration should also be given to the need for placing a child in the "least restrictive" environment;

- *Education and/or life skills and job training:* The ability to access these skills and training must meet the safety needs and be developmentally appropriate for the child victim
- *Care for the victim:* Medical screening/routine care, mental health services, drug and alcohol services, immigration screening, and family involvement/reunification should be provided with consideration of the specialized needs of children who have been victimized through human trafficking.

CHILDREN WHO ARE MISSING FROM OUT-OF-HOME PLACEMENT SETTINGS

The Preventing Sex Trafficking and Strengthening Families Act includes efforts and steps that are to be taken to locate and respond to children missing from placement. These include:

- Expeditiously locating any child who is missing from placement;
- Determining the primary factors that contributed to the child's leaving placement in order to address the child's needs and possibly prevent subsequent episodes;
- Determining a child's experiences while absent from placement including screening to identify if the child may be a victim of human trafficking; and
- Developing and providing services that respond to the factors that led to leaving placement to prevent future episodes.

Pennsylvania law defines a missing child as an individual who is under 21 years of age, known to the CCYA, and missing from the child's residence or abducted. Children missing from out-of-home care must be reported immediately to law enforcement officials by the CCYA for entry into the National Crime Information Center (NCIC) database and reported to the National Center for Missing and Exploited Children (NCMEC).

CCYAs should consider their policies and procedures addressing children who run away and enter a shelter, and how those policies and procedures can be updated and revised to ensure the safety and well-being of young people. When working with child with a history of running away from out-of-home care, CCYAs should consider how their policies and procedures may affect a child's decision to seeking shelter services rather than remaining on the street. Some children may avoid contacting a shelter if they believe they will simply be returned to a placement where they did not feel safe.

When a child runs away from out-of-home care and crosses a state line, the ICJ must be contacted.

Factors Associated with Running Away

The chances of a child in care running away are the highest in the first few months after placement. Older children are more likely to run away than younger ones. Children who run away from out-of-home care are more likely to run away repeatedly. Children who runaway have higher rates of depression, physical and sexual abuse, alcohol and drug problems, delinquency, school problems, and difficulties with peers than those who do not run away. Many have been exposed to high levels of violence, either as victims or as witnesses.

The following triggers commonly precede children running away:

- Recurrent arguments with caregivers about issues such as autonomy, spending money, curfew, choice of friends, appearance, lack of respect, delinquent behavior, alcohol or drug use, and school problems (truancy, suspension, grades);
- Physical and sexual abuse;
- Tension or rejection because of lifestyle or sexual orientation;
- Efforts to avoid a difficult encounter with caregivers (e.g., revealing a pregnancy, reporting failing grades);
- Rigid rules or expectations that do not account for normal developmental changes, punishments perceived as excessive, and authoritarian parenting styles;
- Seeking fun or adventure, to be with a boyfriend or girlfriend, or to do something caregivers will not permit;
- Inability of the child's caregivers to cope with stress, poor boundaries, failure to set limits, neglect, substance use, or depression; or
- Disharmony, arguing, and domestic violence between caregivers.

Reporting

Ongoing efforts are required to locate and recover children who are absent from placement. Children who runaway are in danger of falling victim to human trafficking or to becoming involved with drugs, violent crime, or other delinquent behavior. The CCYA must maintain regular contact with law enforcement officials and the NCMEC and provide updates about new information that may be of assistance in locating the child.

CCYAs are required to complete the following actions either directly or in coordination with the contracted placement provider agency when a child in out-of-home care is believed to be missing from placement:

- Immediately notify the appropriate law enforcement agency (the agency with jurisdiction in the town from which the child ran away or went missing);
- Immediately notify NCMEC;

- Request and obtain documentation to ensure that the child has been entered into the NCIC and NCMEC databases. Law enforcement officials should enter a missing child into the NCIC database. CCYA is responsible for notification of NCMEC by making a report via phone or the web-based electronic report. NCMEC can verify that the child has been entered into NCIC;
- Provide the most recent case identification photograph to law enforcement officials and to NCMEC;
- Notify child's parent/guardian as soon as possible but within 24 hours including after hours, on weekends, and holidays;
- Attempt to ascertain the whereabouts of the child through contact with family, friends, and other providers (i.e. school personnel, resource parents, residential staff, or other services providers) and in conjunction with law enforcement officials. Information gathered should be provided to law enforcement officials;
- Determine if there are any unusual circumstances that would place the child at a higher level of risk and if any of the circumstances are accurate, notify law enforcement officials immediately. Unusual circumstances refer to a missing child who:
 - Is less than 13 years of age;
 - Is believed to be out of an area familiar to him/her and is at increased risk due to age or developmental level;
 - Is developmentally delayed or has a mental health diagnosis that would increase risk to the child;
 - Is substance dependent;
 - Was absent for more than 24 hours before being reported to law enforcement;
 - Is in a potentially life-threatening situation;
 - Is believed to be with others who could endanger his/her welfare;
 - Is absent under circumstances inconsistent with his/her established patterns of behavior and this absence cannot be readily explained; or
 - Disappeared under circumstances that would lead a reasonable person to conclude that the child should be considered at higher risk.

Within 24 hours, but as soon as possible, the CCYA must notify the court of jurisdiction, the parents (if appropriate), and the lawyer/guardian ad litem that the child is missing from out-of-home placement. Within 24 hours of notification the CCYA worker must update the statewide data base with the required information and ensure that the placement provider completes a Reportable Incident Report, which is a current requirement as per 55 Pa. Code Chapter 3800. The CCYA worker should also document confirmation of the child being entered in the NCIC and NCMEC databases.

CCYAs should collect as much identifying information as possible, in conjunction with law enforcement, whenever a child is absent from placement. NCIC and NCMEC require that specific personal identification and circumstances be reported such as basic demographics, physical description and characteristics, physical/mental health issues (including substance use disorders) as appropriate, DNA if available, address from which the child went missing, prior runaway episodes, education/employment status, prior history of child abuse and human trafficking victimization, and gang involvement.

Efforts to Locate Absent/Missing Children

There should be collaborative ongoing efforts to locate and recover a child who is absent from placement or who is missing. NCMEC will work with law enforcement and the CCYA to find and recover a child. Therefore, the CCYA must maintain regular contact with law enforcement and NCMEC and provide updates that may be of assistance in locating the child. CCYAs should work with local police to determine how a child will be returned when found. Efforts to locate the child may include, but are not limited to, the following:

- Contact child's friends and family to request information about the child's whereabouts and persons with whom the child may be associating;
- Contact school personnel from the school the child last attended or previously attended;
- Contact the child's juvenile probation officer, if applicable;
- Contact any other individuals who are believed to have knowledge of the child's whereabouts. Formally review efforts at supervisory meetings, case reviews, and court hearings;
- Maintain communication with caretakers, parents, placement provider, attorneys, and significant others on status of search efforts;
- Maintain communication with police to inquire about search status and provide additional information whenever it becomes known; and
- If the CCYA and police agree that a press release is necessary, the CCYA Administrator, Agency Solicitor, and the commissioner's office should be notified immediately.

When a child is located and recovered the law enforcement organization that entered the child into NCIC and NCMEC must be immediately notified.

In conjunction with the safety assessment, it is of utmost importance to conduct a screen for human trafficking when the child is located and returns from "runaway/missing from out-of-home placement" status. An assessment should be completed if indicated. Upon return there must be a dialogue with the child in order to determine why the child ran away and what experiences the child encountered while absent from placement.

When a child returns or is recovered, it is important to recognize that the child has had a disruption in services and may have unmet needs that should be addressed. Caseworkers and service providers should immediately reconnect with the child and work with out-of-home placement providers, including foster parents, to ensure that services are arranged to meet the child's needs.

Reducing Runaway Episodes by Meeting Service Needs

From the perspective of fifty youth who ran away from foster care placement and were interviewed by researchers from the National Runaway Switchboard (Pergamit & Ernst, 2011), running away is a coping behavior and an attempt to maintain connections or to reconnect with family, friends, and a community where the child feels a sense of belonging, is cared about, and is wanted.

Youth participating in the study suggested ways to improve their experiences in care. In general, they identified that they wanted more opportunities to see their families and stay connected to their neighborhoods and friends. They wanted to talk to someone who will listen to them, get to know them, and help them work through difficulties. Although this need could be met by a resource parent, many of these children felt they could not talk to their resource parents. Children who ran also wanted more support from caseworkers, including more frequent visits where caseworkers spend time listening to hear how they are really faring in their placements. Those who were unhappy with their placements felt a placement move would have kept them from running.

To prevent or minimize the potential for a child running from placement, every consideration should be given to CCYAs adopting and incorporating the service planning components that are listed below into policies and procedures:

- CCYAs and their contracted service providers should consider using flexible staffing schedules, to support workers meeting the child's needs and having frequent, direct contact with children in out-of-home care;
- Working with foster parents/placement facility staff and children on conflict management and communication is a key prevention strategy. By teaching skills and being available to caregivers to help them work through difficulties, child welfare professionals make an important investment in strengthening relationships that may make the difference in a child's decision to run or stay when times are tough;
- Role of caseworkers and program staff: Children need professionals to care about them, spend time with them, and to look out for them. They benefit from the connections, support, and guidance of caring adults who want them to succeed and who focus on strengths and success, not mistakes;

- Ties to family: Immediate and extended family relationships, connections to friends, and peer groups at school and in the community are important to children. Maintaining these connections or assisting children in establishing or reconnecting provides an essential sense of belonging; and
- Need for normalcy: The struggle for normalcy often plays out in runaway behavior. Out-of-home care often restricts opportunities for children to participate in developmentally appropriate experiences in a safe way for experimentation and may offer little flexibility to accommodate individual preferences. Children placed in out-of-home settings are often missing the linchpin of normalcy that is assumed to offer some inoculation against the hazards of the street - a nurturing and supportive family.

Reasonable and Prudent Parent Standards (RPPS)

Children in out-of-home care are often unable to participate equally in extracurricular, enrichment, social, and cultural activities in ways similar to their classmates and peers. However, engaging in these activities is a way to promote social, cognitive, and emotional development. The Preventing Sex Trafficking & Strengthening Families Act requires the development of a reasonable and prudent parent standard for the child's participation in age or developmentally appropriate extracurricular, enrichment, cultural, and social activities; and that the standard is applied to any foster family home or child care residential setting.

This standard provides designated decision-makers with latitude to make parental decisions, similar to decisions typically made by parents of children who are not in placement settings. This decision-making process must occur with consideration of input from the child and parents and be consistent with the Family Service Plan (FSP), the Child's Individual Service Plan (ISP) and the Child's Permanency Plan (CPP), and support the health, safety, and best interest of the child.

Through this standard, "normalcy" is promoted, focusing on supporting the ability and opportunity to engage in age and developmentally appropriate activities that promote well-being of children in out-of-home care.

Pennsylvania enacted Act 75 of 2015, which is titled, "The Activities and Experiences for Children in Out-of-Home Placement Act", amending the Juvenile Act (Title 42, Pa. C.S. Chapter 63). Act 75 includes provisions to promote the well-being and opportunity to participate in developmental and age appropriate activities for children placed in out-of-home care and to meet the RPPS mandated by federal law. Under these laws, caregivers are empowered to make day-to-day decisions allowing children to join sports teams, attend sleepovers, and go on school field trips without obtaining approval of the CCYA.

COLLABORATION

Law Enforcement Training

It is critical that cross-county collaboration be practiced in responding to child victims of human trafficking and that other system and agencies collaborate as well. This includes, but is not limited to CCYAs, law enforcement officials, courts, juvenile probation officials, physical and mental health professionals, education representatives, and county assistance offices to build on strengths and identify areas of weakness that require enhancement.

One focal area to be strengthened is collaborative guidance for law enforcement who come into contact with an unaccompanied minor. New training requirements for law enforcement officers include steps to be taken if they come into contact with an unaccompanied minor including:

- Detain the unaccompanied minor;
- Verify the minor's identity;
- Photograph the child;
- Check NCIC, the Pennsylvania Justice Network (JNET/PSP), the Commonwealth Law Enforcement Assistance Network (CLEAN), and the NCMEC for runaway/missing or abducted status.
- Check with the county of origin for possible "pick up" orders and if a current order is in effect, the law enforcement official should contact the agency with custody;
- Verify child's home of origin;
- Identify the child's parent and/or legal guardian;
- Contact child's parent and/or legal guardian that their child is being detained and request that they report to the police station/barracks. If a parent or guardian refuses to respond or cannot respond within six hours, law enforcement officials should notify the CCYA that they have detained a child without proper supervision and care;
- Interview parent/legal guardian as to the circumstances;
- Complete the screening process;
- If there are no concerns of human trafficking or child abuse and the law enforcement official releases the child back to the parent/legal guardian, they should make a referral to the home CCYA if there are general protective services concerns; and
- If the law enforcement official has reason to believe the child is a victim of human trafficking, abuse, or neglect, they should report to ChildLine.

Receiving and Home County Coordination

A “Receiving CCYA” (RCYA) is the agency in the county in which contact is made with the child who is missing from out-of-home placement. A “Home CCYA” (HCYA) is the county in which the child resides. It is the responsibility of all CCYAs to report missing or abducted children to law enforcement officials and NCMEC as soon as practicable, but no later than 24 hours after receiving information about a missing or abducted child.

RCYAs will:

- Respond immediately to all referrals from local law enforcement and other referral sources on unaccompanied and out-of-county children incidents;
- Identify child, home address, and the parent/guardian;
- Photograph child;
- Complete a medical screening and, if needed, provide medical care and services. If services needed are not routine and parent/legal guardian cannot be located, RCYA will obtain a court order to ensure proper medical care is given to the child;
- Complete human trafficking screening;
- Complete human trafficking assessment, if needed, and the child may subsequently be taken into custody;
- Report suspected cases of trafficking to ChildLine;
- Identify circumstances as to why the child is in the county;
- Check with law enforcement officials, if not referred by them, as to any NCIC, JNET/PSP CLEAN reports of runaway or missing/abducted;
- If the child is listed/wanted in NCIC or JNET/PSP Clean, the CCYA will detain the child and obtain protective custody if needed;
- Contact the HCYA for previous history, current cases, and make a referral if the child is returning to or under custody of the home county;
- If the child cannot be identified, the parent/guardian cannot be located, the child is a refugee, or the child is an unaccompanied minor from another country, the HCYA cannot be contacted or an immediate safety threat is present, the RCYA will obtain emergency protective custody;
- If custody is taken, ensure that the child receives proper medical, mental health, and educational services as well as proper supervision and care while in RCYA’s custody;
- Work with the HCYA to transfer the case and the child to their jurisdiction in a timely manner; and
- Coordinate with the local court for legal transfer of the case by court order.

HCYAs will:

- Respond immediately to referrals or reports from out-of-county law enforcement officials, CCYA, and/or other reporting sources;
- Provide the RCYA with prior history of HCYA involvement;
- Assist in contacting child's parent/guardian if needed;
- Conduct an investigation as to the circumstances that led to the child leaving home;
- Conduct home visit of the child's home to ensure safety and no other concerns before child returns home;
- Accept custody and jurisdiction of the child from their county who may be placed in another county under another county's custody by working with their home court;
- Ensure that services are available for the child upon their return to the home county;
- Work with the RCYA to transfer the case and the child from their jurisdiction in a timely manner;
- Coordinate with the local court for legal transfer of the case by court order; and
- Consider requests from the RCYA for any reimbursement for costs associated with care and services of child while in their custody and/or jurisdiction that could not be reimbursed by traditional methods, policies, regulations, and law.

JUVENILE PROBATION INVOLVEMENT

If an out-of-county child is arrested and taken into custody by the receiving county juvenile probation, that office should complete a human trafficking screen to determine the need for further assessment and services. If it is determined that the child is a victim of sex and/or labor trafficking, the receiving county juvenile probation office should make a report of suspected human trafficking to ChildLine. The receiving county juvenile probation office should coordinate with law enforcement officials, the RCYA, the court, the child's attorney, home juvenile probation, the HCYA, and non-perpetrator parent/guardian for needed services, transfer of jurisdiction, withdrawal of charges, etc., to ensure the child's safety and that other needs of the child are met in the best manner possible.

Pennsylvania recognizes the need for child welfare agencies to work collaboratively with juvenile justice partners to address the needs of children who are dual system involved or crossover children. Existing data suggests that many victims of human trafficking are juvenile justice involved and that a large number of these victims are children that have crossed over from the dependency system to the juvenile justice system or are involved in both. Each CCYA and JPO should follow its own specific procedures and OCYF Bulletin 3130-10-1, "Shared Case Responsibility Policy and Procedures", and carry out essential elements, including interagency collaboration,

case planning and supervision, case flow management with a focus on efficient and timely court practices, and case assignments.

INTERSTATE COMPACT FOR JUVENILES/RUNAWAY RETURN PROCESS

The ICJ holds jurisdiction over children that have run away from home or have absconded and are then located in another state. As of June 2016, all fifty states, Washington, D.C., and the U.S. Virgin Islands are signatories to the ICJ.

When a child absconds from a home/demanding state (the state from which they absconded) and is then located in another state (called the holding state), due process is required before the child can be returned to the home/demanding state. The juvenile must appear in juvenile court in the holding state to be offered a voluntary waiver (Form III) to sign, agreeing to return to their home state. If the child refuses to voluntarily return to the home state, the home/demanding state will, in the appropriate court, initiate a requisition for return, demonstrating the parent/legal guardian's right to the child. The court in the holding state will review the requisition and affirm that the home/demanding state is entitled to the child.

It is important to remember that a runaway (regardless of court involvement or lack thereof) shall be held in a secure facility (either staff-secure or detention) if that child is considered a threat to themselves or others, and that further threats to abscond are considered a threat to themselves. This applies to all children who have runaway. The act of running away places the child at risk to him/herself so that being held in a secure facility is for the child's own protection. Holding the child may be done with or without court action in the holding state. Also, when such a child appears before a Pennsylvania court to have their due process rights affirmed, there is not sufficient jurisdiction to assess dependency issues. If there are dependency concerns, they shall be reported through the ICJ process (and by direct referral to the home/demanding state) so that they can be addressed under the home/demanding state's jurisdiction.

Definitions under ICJ from Rule1-101:

- Absconder: a juvenile (child) probationer or parolee who hides, conceals, or absents him/herself with the intent to avoid legal process or authorized control.
- Escapee: A juvenile (child) who has made an unauthorized flight from in-custody status or from a facility to which he/she has been committed by a lawful authority.
- Accused Delinquent: a juvenile (child) charged with an offense that, if committed by an adult, would be a criminal offense.
- Runaways: persons within the juvenile jurisdictional age limit, established by the home state, who have voluntarily left their residence without the permission of their legal guardian or custodial agency.

The return of juveniles/runaways is covered under Section 600 of the ICJ and reads as follows: "As soon as the agency is made aware of a juvenile/runaway, the

Interstate Compact Office shall be contacted so that an ICJ Specialist can assist as well as notify the home state.

Pennsylvania Interstate Compact Office contact information is as follows:

- Email: RA-PA-ICJ@pa.gov and copy the Interstate Compact Director
- Phone: 717-772-5505

Probation absconders, escapees or accused delinquents who have an active warrant shall be detained in secure facilities until returned to the home/demanding state. In the absence of an active warrant, the holding state shall have the discretion to hold the juvenile at a location deemed appropriate. Runaways and accused status offenders who are a danger to themselves or others shall be detained in secure facilities until returned to the home/demanding state.

- *Office of Juvenile Justice and Delinquency Prevention (OJJDP) exclusion: Juvenile held pursuant to the ICJ are excluded from the deinstitutionalization of status offender's requirements.*

Within 24 hours of detainment (excluding weekends & holidays), authorities may release a runaway to a parent/legal guardian or custodial agency (such as a child welfare agency). Juvenile authorities within the holding state make the determination if the parent/legal guardian or custodial agency has sufficiently demonstrated that they are entitled to the juvenile, except where instances of abuse/neglect are suspected. If there are allegations of abuse or neglect:

- The holding state's ICJ office will be notified;
- The home/demanding state will be notified by direct referral;
- The holding state ICJ office will notify the home/demanding state ICJ office of allegations;
- The home/demanding state will work with the appropriate authority and/or court to affect the safe return of the juvenile; and
- Form III must be completed and indicate who will be assuming responsibility for the juvenile if the juvenile is not returning to a parent/legal guardian.

In circumstances involving the voluntary return of non-delinquents, absconders, escapees and accused delinquents, the following process applies:

- The holding state's ICJ office notifies the home/demanding state that it is holding the juvenile;
- The home/demanding state ICJ office determines juvenile's residency and jurisdictional facts;
- A holding state judge, at a hearing, should inform the juvenile of his/her rights;
- The judge may use the ICJ Juvenile Rights form;
- The court may appoint an attorney or guardian ad litem for the juvenile;
- If the juvenile agrees to return, he/she will sign Form III in the presence of a judge. The judge should also sign Form III;

- The holding state authorities will forward completed Form III to the holding state ICJ office; and
- The home/demanding state has five business days from receipt of Form III to enact the return of the juvenile. This period may be extended up to five additional business days with approval from both the home/demanding and holding state's ICJ office.

In cases involving the non-voluntary non-delinquents, absconders, escapees and accused delinquents, if the juvenile refuses to return voluntarily, the appropriate authority in the home/demanding state shall prepare a written requisition within 60 calendar days. The appropriate authority may also request that a court takes into custody a juvenile that is allegedly located in their jurisdiction. The parent, legal guardian, or custodial agency must petition the court in the home/demanding state for a requisition. The petition should include:

- Form I non-delinquent/Form II delinquent;
- Juvenile's name and date of birth;
- Name of Petitioner;
- Basis for entitlement (court orders of custody, petitions, warrants, etc.);
- Circumstances of the juvenile running away/absconding;
- Juvenile's location, if known at the time;
- Other facts showing the juvenile is a danger to self/others and is not emancipated; and
- The petition must be verified by affidavit and accompanied by certified copy of documents showing entitlement.

The home/demanding state's appropriate authority should begin the requisition process when:

- Notified by the holding state ICJ that the juvenile refuses to return;
- The parent/legal guardian is unable or refuses to initiate requisition; and
- There are allegations of abuse or neglect and the appropriate authorities in the home/demanding state determine that he juvenile will not be returning to the parent/legal guardian.

The judge in the home/demanding state should determine whether:

- The petitioner is entitled to legal custody;
- The juvenile ran without consent;
- The juvenile is not an emancipated minor; and
- If the judge determines that the juvenile should return, the judge should sign Form I or Form II.

The court in the holding state shall inform the juvenile of the demand made for his/her return and may elect to appoint counsel or a GAL. The purpose of said hearing is to determine proof of entitlement for the return of the juvenile. If proof of

entitlement is not established, the judge shall issue written findings detailing the reason(s) for denial.

Once the requisition is honored by the holding state's judge, the child must be returned to the home/demanding state within 5 business days. This period may be extended up to five additional business days with approval from both ICJ offices. The home/demanding state is required to accompany requisitioned juveniles on their return. The holding state is responsible for placement costs while a delinquent/runaway is housed within their state. The demanding/home state is responsible for the costs of all travel arrangements.

SPECIAL CONSIDERATIONS FOR IMMIGRANT CHILDREN

Within the TVPA, there are specific benefits available to immigrant victims of human trafficking, making it possible to certify foreign victims of a severe form of trafficking in persons, which makes these individuals eligible for federally-funded benefits and services to the same extent as refugees. When victims of trafficking are identified, they may receive help to support their adjustment to immigration status and obtain support and assistance in rebuilding their lives. The ACF Office of Refugee Resettlement's Anti-Trafficking in Persons (ATIP) Programs provide victim identification and public awareness programming as well as assistance for victims of human trafficking.

ATIP leads the DHHS Rescue & Restore Victims of Human Trafficking campaign, which established rescue and restore coalitions in 24 cities, regions, and states. The Rescue & Restore Regional Program funds local organizations to serve as the focal points for regional outreach and response to foreign victims of human trafficking in need of protection and assistance. The Rescue & Restore Regional Program has, as one of its four objectives, to identify foreign victims of trafficking and refer them to service delivery systems.

HHS is the sole federal agency authorized to provide eligibility letters to minor foreign victims of human trafficking. The eligibility letters are issued by HHS's Office of Refugee Resettlement. Eligibility Letters grant minor foreign victims of trafficking access to Federal benefits and services to the same extent as refugees, including placement in the Unaccompanied Refugee Minors (URM) program, which provides specialized, culturally appropriate foster care or other licensed care settings, according to children's individual needs. A documented minor who has been identified/certified as a victim of human trafficking per refugee guidelines, may qualify, if eligible, through Pennsylvania's Office of Income Maintenance (OIM) for the URM Program. If the minor refugee qualifies and is determined eligible, he/she can be reclassified as a URM and receive a host of services.

The National Human Trafficking Victim Assistance Program provides funding for comprehensive case management services to foreign victims and potential victims of human trafficking who are seeking HHS Certification in any location in the U.S. Case management services are provided for this population through a network of sub-

awardees in locations throughout the country. These grants ensure the provision of case management, referrals, and emergency assistance (such as food, clothing, and shelter) to victims of human trafficking and certain family members. They help them gain access to housing, employability services, mental health screening and therapy, medical care, and some legal services, enabling them to live free of violence and exploitation. The trafficking victim services grantees, and the regions in which they or their partners provide services, include the U.S. Committee for Refugees and Immigrants (USCRI); HHS Regions 3, 6, 7, 8, 9 and 10. Pennsylvania is located in HHS Region 3.

Human trafficking victims who are not legally residing in the U.S pose unique challenges. They are especially vulnerable and may be difficult to identify because of a language barrier, lack of documents, fraudulent documents, social isolation, or fear of deportation. They may need services such as counseling, benefit coordination, and legal services. OIM will pay only for emergency medical services for undocumented minor refugees. Additionally, refugee funds cannot be applied to undocumented minors. Law enforcement officials should be involved in any potential trafficking case involving an undocumented minor victim.

It is important to connect minor immigrants with an immigration attorney or agency. In Pennsylvania, there are organizations that specialize in the provision of legal advocacy for immigrant minors (both documented and undocumented), including victims of human trafficking. Resources include the Hebrew Immigrant Aid Society; Pennsylvania's Immigrant Youth Advocacy Project; www.PALawHelp.org; Immigration Advocates Network; "ALDEA", which is also known as The People's Justice Center; and the Pennsylvania Immigration and Citizenship Coalition. These additional entities are available as resources regarding minor immigrants who are victims of human trafficking:

- The National Human Trafficking Resource Center (NHTRC) is a national, toll-free hotline that is available 24 hours a day, seven days a week, every day of the year and can be reached by calling 1-888-373-7888 or emailing NHTRC@PolarisProject.org
- To assist foreign national minors with eligibility, email childtrafficking@acf.hhs.gov or call 202-205-4582.
- To request technical assistance from the Office of Trafficking in Persons, email info@nhttac.org or call 1-844-648-8822.

ADVOCACY AND LEGAL CONSIDERATIONS

Child victims of human trafficking need advocacy and legal services during their involvement in various types of court proceedings. Children who are the subject of dependency petitions have a statutory right to representation, as either counsel, Guardian ad Litem (GAL), or both 42 Pa. C.S.A. § 6337 and Pa. R.J.C.P.1151:

- Act 130, Section 3026 - Concurrent Jurisdiction: This allows the Attorney General and district attorney to initiate and investigate the same case as it occurred in their respective county without the concern of jurisdiction. Without the concern of jurisdiction, cases can be initiated and investigated much more swiftly.
- Child Victims of Human Trafficking in Criminal Cases:

Detainment: An individual determined to be a sexually exploited child shall be detained no longer than necessary and only to assist the child in securing specialized services or to refer the child to a CCYA if required under 42. Pa. C.S. § 6328 (relating to dependency in lieu of delinquency).

Act 130, Section 3065 – Immunity: If it is determined by law enforcement, after reasonable confinement for investigative purposes, that a child has been sexually exploited, the individual is immune from prosecution or adjudication as a delinquent child for a violation of Sections 5507 (relating to obstructing highways and other public passages) and 5902(a) (relating to prostitution and related offenses); and withdrawal of an existing term of probation or parole arising from the conviction or adjudication for another offense, if the revocation is based on conduct under Sections 5507 (relating to obstructing highways and other public passages) and 5902(a) (relating to prostitution and related offenses). In addition, a law enforcement officer or prosecuting attorney who, acting in good faith, investigates, detains, charges or institutes delinquency proceedings against an individual who is thereafter determined to be entitled to immunity, shall not be subject to civil liability for the actions;

Testifying: When a child is a victim or witness in a criminal case, such as a child victim of human trafficking testifying in the prosecution of his/her “trafficker”, state law permits the court to appoint an attorney, a GAL, or a Court Appointed Special Advocate (CASA), to assist the child in the criminal proceedings and as a friend of the court. Typically, this person works closely with the prosecutor to support and prep the victim witness. In human trafficking cases, this relationship is even more important to

maintain support for the trafficked child victim/witness throughout the criminal case.

- **Exceptions to Act 130: Safe Harbor** shall not interfere with or prevent any investigation, arrest, charge, prosecution, delinquency adjudication or revocation for violations other than an eligible offense (Sections 5507 (relating to obstructing highways and other public passages) and 5902(a) (relating to prostitution and related offenses)). Safe Harbor does not bar the admission of evidence in connection with the investigation and prosecution for a violation other than the violations of Sections 5507 (relating to obstructing highways and other public passages) and 5902(a) (relating to prostitution and related offenses); or bar the admission of evidence in connection with an investigation and prosecution of an individual who does not qualify for Safe Harbor.
- **Domestic Relations Cases:** Child victims of human trafficking may be brought to the attention of the Family Court through custody actions, Protection from Abuse proceedings, or other intra-familial court cases. The Pennsylvania Domestic Relations Act was amended in 2011 to provide for the appointment of Counsel for the Child and for a GAL for the child. In child custody cases, which do not have the additional involvement and supports of probation or the local CCYA, it is important for the court and the child's attorney to ensure that the proposed guardian or legal custodian is not the trafficker. In child victims of human trafficking cases, family members are sometimes the traffickers, as well as imposters (including pimps) who pose as family members;
- **Immigrant Children:** After a preliminary immigration screening has been completed, a child's attorney, GAL, and caseworker should help the child receive free legal immigration advice. There are nonprofit immigration legal service providers that provide free or low-cost immigration legal services and legal advocacy to child victims of trafficking. In addition, legal service corporations fund nonprofits, which are permitted to provide free legal services to victims of abuse, such as victims of trafficking; and
- **Parenting Youth Scenario:** In some circumstances, parenting youth who are also dependent are presumed to retain their full parental rights to their own child or children. As with all dependency actions, petitions should only be filed if there are allegations of abuse or neglect of the child. If a child victim of human trafficking has a child with his/her trafficker, the parenting youth will have two separate dependency cases. In one dependent matter, the parenting youth will be considered "minor mom/dad as parent" and will have one attorney representing him/her as a parent. In a separate matter and

petition, the parenting youth will be considered “minor mom/dad as child” and will be represented by an attorney. In cases where children are removed from trafficked youth, mother/father-baby options should be explored.

SUMMARY OF STATUTORY PROVISIONS ADDRESSING HUMAN TRAFFICKING INVOLVING CHILDREN

Federal Acts

The provisions of the **Trafficking Victims Protection Act (TVPA)** pertaining to children are as follows:

Title I: Justice for Victims of Trafficking

- Established the “Domestic Trafficking Victims’ Fund” (DTVf) which funds supplemental domestic human trafficking victims’ services programs.
- Established the victim-centered Child Human Trafficking Deterrence Block Grant Program to help state and local governments develop and implement comprehensive victim-centered programs to train law enforcement officials, rescue exploited children, prosecute human traffickers, and restore the lives of victims (paid for through the DTVf).
- Amended the Victims of Child Abuse Act of 1990 to allow Child Advocacy Centers (CAC) to provide restorative services for victims of child pornography; required that DTVf dedicate funds to this purpose; and further clarified that CACs may use existing resources to work with child victims of human trafficking.
- Streamlined human trafficking investigations.
- Enhanced the reporting of human trafficking.
- Strengthened the TVPA definition of sex trafficker, to read as “a person who knowingly and by any means recruits, entices, harbors, transports, provides, obtains, or maintains a person through means of force, threats of force, fraud or coercion, or any combination of such means that are used to cause the person to engage in a commercial sex act, or that the person has not attained the age of 18 years and caused to engage in a commercial sex act.
- JvTA, Section 108, strengthened the TVPA by adding the words “solicits or patronizes” to the sex trafficking statute, making it clear for judges, juries, prosecutors, and law enforcement officials that criminals who purchase sexual acts from human trafficking victims can and should be arrested, prosecuted, and convicted as sex trafficking offenders.
- Utilized existing task forces to target offenders who exploit children by directing federally funded task forces within the “Innocence Lost

National Initiative” to increase the investigative capabilities of state and local law enforcement officials in the detection, investigation, and prosecution of persons who patronize, or solicit children for sex.

- Targeted child predators by clarifying that those who knowingly transport a child for child pornography production have engaged in illicit sexual activity, regardless of whether the person transporting the child actually had sexual contact with the child.
- The “Bringing Missing Children Home Act” was passed, requiring law enforcement organizations who file missing child reports with the NCIC to include a recent photograph of the missing child in their report, where available, and requires the NCMEC to be notified of each report received relating to a child reported missing from a resource family home or childcare institution.

Title II: Combatting Human Trafficking

- Amended the “Runaway and Homeless Youth Act”, enabling the use of existing grant resources to train relevant staff on the effects of human trafficking on runaway and homeless child victims and to develop statewide strategies to serve such children.
- Strengthened the response to victims of child sex trafficking who are reported to the NCMEC tip line by adding the phrase “child sex trafficking, including child prostitution” to the Missing Children’s Assistance Act.
- Directed the “Interagency Task Force to Monitor and Combat Trafficking”, to survey federal and state activities to prevent children from becoming trafficking victims; review academic literature on deterring individuals from committing human trafficking offenses and preventing children from becoming victims; and to identify best practices and strategies for prevention, as well as identify any current gaps in research and data that would be helpful to develop effective prevention strategies.

Title III: Human Exploitation Rescue Operations Act of 2015

- The Human Exploitation Rescue Operations Act of 2015 (HERO Act) provides for the express statutory authorization for the existing U.S. Immigration and Customs Enforcement (ICE) Cyber Crimes Center (C3). C3 is a powerful tool in the fight against the sexual exploitation of children; the production, advertisement and distribution of child pornography; and child sex tourism.
- The HERO Act authorizes C3 to collaborate with the Department of Defense and the National Association to Protect Children for purposes of recruiting, training, and hiring wounded and

- transitioning military veterans to serve as law enforcement officials engaged in the investigation of child exploitation cases.
- C3's Child Exploitation Section uses sophisticated investigative techniques to target violators who operate on the Internet, including the use of websites, email, chat rooms, and file-sharing applications. Major initiatives include the following:
 1. Operation Predator, ICE's flagship investigative initiative for targeting sexual predators, child pornographers, and child sex;
 2. The National Child Victim Identification System which was developed to assist law enforcement agencies in identifying victims of child sexual exploitation; and
 3. The Virtual Global Taskforce, an international alliance of law enforcement agencies working together to fight online child abuse and exploitation.
 - In addition, ICE joined in partnership with other agencies (including the Internet Crimes against Children Task Force), foreign law enforcement agencies, and non-governmental organizations such as NCMEC. These partnerships have enabled C3 to successfully investigate leads and assist in identifying violators and associates all over the world.

Title VIII: Better Response for Victims of Child Sex Trafficking

- Amended the Child Abuse Prevention and Treatment Act (CAPTA) P.L. 93-247 and was most recently amended on January 7, 2019, by the Victims of Child Abuse Act Reauthorization Act of 2018 (P.L. 115-424). by adding provisions and procedures requiring identification and assessment of all reports involving children known or suspected to be victims of sex trafficking as defined in the TVPA.
- Amended CAPTA by making provisions for training child protective services workers about identifying, assessing, and providing comprehensive services for children who are sex trafficking victims, including efforts to coordinate with law enforcement officials, juvenile justice officials and social service agencies such as runaway and homeless youth shelters., to serve this population.
- Amended CAPTA with provisions that a child shall be considered a victim of child abuse and neglect, and of sexual abuse, if the child is identified as being a victim of sex trafficking or a victim of severe forms of trafficking in persons as defined in the TVPA.

A complete copy of these Federal Acts can be accessed at:

Public Law 113-183, Preventing Sex Trafficking & Strengthening Families Act (P.L.113-183) <https://www.congress.gov/bill/113th-congress/house-bill/4980/text>

22 U.S. Code Chapter 78, Section 103 Trafficking Victims Protection Act (TVPA) <http://uscode.house.gov/view.xhtml?path=/prelim@title22/chapter78&edition=prelim>

Pennsylvania Statutes

Act 105 Pennsylvania's Comprehensive Anti-Human Trafficking Law

<https://www.legis.state.pa.us/cfdocs/billinfo/billinfo.cfm?year=2013&sind=0&body=S&type=B&bn=0075>

Act 105 of 2014 clearly defines both sexual and labor servitude human trafficking as criminal offenses in Pennsylvania, mirroring the federal statute. The foundation for Act 105 is an Action-Means-Purpose model listing certain acts that are defined as a crime (the "action") when the perpetrator(s) also uses one or more of 13 specified "means" in order to subject a victim(s) to involuntary servitude (the "purpose"). Act 105 defines 13 means of subjecting an individual to involuntary servitude (including both labor and sexual servitude). However, if the victim is a minor being subjected to sexual servitude, there is no need to prove "means." The 13 means of involuntary servitude are:

1. Causing or threatening to cause serious harm;
2. Physically restraining or threatening to physically restrain;
3. Kidnapping or attempting to kidnap;
4. Abusing or threatening to abuse the legal process;
5. Taking or retaining the individual's personal or real property as a means of coercion;
6. Engaging in unlawful conduct with respect to documents;
7. Extortion;
8. Fraud;
9. Criminal coercion;
10. Use of or threat of unlawful force against another;
11. Debt coercion;
12. Facilitating or controlling an individual's access to a controlled substance; and
13. Using any scheme, plan, or pattern intended to cause the individual to believe that if he/she does not perform the labor, services, acts, or performances, that the individual or another will suffer serious harm or physical restraint.

The qualifying actions (or "acts") include recruiting, enticing, soliciting, harboring, transporting, providing, obtaining, or maintaining a person if the actor "knows or recklessly disregards that the individual will be subject to involuntary servitude or if the person knowingly benefits financially or receives anything of value from any act that facilitates such activity." The law does not require third-party control for a commercially sexually exploited minor to be considered trafficked.

Act 105 imposes criminal liability for those who purchase sex from someone they know to be a victim of sex trafficking. Additionally, those convicted of sex trafficking of a minor under Act 105 must register as a sex offender.

Act 94 of 2015

<https://www.legis.state.pa.us/cfdocs/legis/li/uconsCheck.cfm?yr=2015&sessInd=0&act=94>

Pennsylvania's Act 105 addresses the prevention and prosecution of human trafficking as well as protection of victims while Act 94 sets forth expectations of CCYAs and law enforcement agencies related to Sex Trafficking and Missing and Abducted Children. Act 94 amended Title 23 relating to Domestic Relations by adding Chapter 57, Sex Trafficking and Missing and Abducted Children, setting forth specific duties for the CCYA involved with a child (defined as a person under 21 years of age) who meets one of the following:

1. The CCYA is conducting an assessment of the need for services;
2. The CCYA is conducting an investigation of suspected child abuse of the child; or
3. The CCYA is providing services to the child.

23 Pa. C.S. Section 5702 addresses CCYA responsibilities. As required by law, CCYA duties are as follows:

- Report possible sex trafficking victims: A CCYA shall report to law enforcement as soon as practicable, but in no case later than 24 hours after receiving information about a child who:
 - The CCYA has reasonable cause to suspect of being at risk of being a sex trafficking victim; or
 - The CCYA agency identifies as being a sex trafficking victim.
- Report child missing from residence or abducted: The CCYA shall report to law enforcement and to the NCMEC as soon as practicable but no later than 24 hours after receiving information about a child who is missing from the child's residence or is abducted.
- Report to DHS: The CCYA must annually report to the Pennsylvania DHS the number of children who are sex trafficking victims. This information should continue to be reported in the Child Welfare Information Solution (CWIS).

When the CCYA notifies law enforcement officials about a missing or abducted child, law enforcement officials must then enter the information into the National Crime Information Center database.

The Preventing Sex Trafficking and Strengthening Families Act requires CCYAs to address human trafficking of children. Requirements apply to dependent youth up to age 21, youth receiving Chafee services who are in out-of-home care but under age 21, children in the custody of a CCYA, children under court jurisdiction, children who have run away from placement, children at home, children in parental custody with an open general protective services (GPS) case, and children receiving Chafee Independent Living Preparation or aftercare services.

Specific requirements for CCYAs include:

- Implement policies, procedures, and training to identify, document, and determine appropriate services for children who are at risk of or are victims of sex trafficking or a severe form of trafficking in persons, which includes labor trafficking, as described in the TVPA, Section 103;
- Screen potential child victims of sex and/or labor trafficking;
- Ensure that children who are potential victims of sex and/or labor trafficking are properly assessed. A Child Advocacy Center (CAC) should conduct the assessment if a CAC is available to the CCYA;
- Report identified trafficking victims to law enforcement officials;
- Develop protocols to locate and provide services to children who run away from out-of-home care;
- Determine the factors that lead to a child's absence from out-of-home care, addressing those factors in subsequent placements, and determining the child's experiences while absent from care; and
- Develop and implement protocols to report information on missing or abducted children to law enforcement officials.

Act 115 amending Pennsylvania's Child Protective Services Law

<https://www.legis.state.pa.us/cfdocs/billInfo/billInfo.cfm?sYear=2015&slnd=0&body=S&type=B&bn=1311>

Act 115 of 2016 amends Chapter 63 of Title 23, Child Protective Services Law (CPSL), to comply with CAPTA by adding language to the definitions of perpetrator and child abuse as follows:

- Adds to the CPSL definition of perpetrator to include an individual 18 years of age or older who engages a child in severe forms of trafficking in persons or sex trafficking, as defined under Section 103 of the TVPA; and
- Adds a tenth category to the definition of "child abuse" under the CPSL as "intentionally, knowingly or recklessly engaging a child in a severe form of trafficking in persons or sex trafficking", as defined under Section 103 of the TVPA.

Additionally, Act 115 adds grounds for involuntary parental termination in Section 2511(a) of Title 23 (relating to grounds for involuntary termination) of the Pennsylvania Consolidated Statutes, to include:

(10) The parent has been found by a court of competent jurisdiction to have committed sexual abuse against the child or another child of the parent based on a judicial adjudication as set forth in paragraph (1)(i), (ii), (iii) or (iv) or (4) of the definition of "founded report" in Section 6303(a) (relating to definitions) where the judicial adjudication is based on a finding of "sexual abuse or exploitation" as defined in Section 6303(a) and

(11) The parent is required to register as a sexual offender under 42 Pa. C.S. Chapter 97, Subchapter H (relating to registration of sexual offenders) or to register with a sexual offender registry in another jurisdiction or foreign country.

The definition of “aggravated circumstances” in Title 42 § 6302 (relating to definitions) is amended by adding the following:

(6) The parent of the child is required to register as a sexual offender under Subchapter H of Chapter 97 (relating to registration of sexual offenders) or to register with a sexual offender registry in another jurisdiction or foreign country.

Act 115 also allows for the release of information in confidential reports. Pennsylvania’s CPSL, specifically Section 6339, requires that information within child welfare records be retained as confidential reports. The CPSL, however, also designates in Section 6340 those entities or individuals that are legally permitted access to the confidential reports cited in Section 6339. Law enforcement officials already have access to these reports in the course of investigating certain designated criminal offenses. Act 115 expanded the release of information to law enforcement officials to aid their investigation of severe forms of trafficking in persons or sex trafficking, as defined under Section 103 of the TVPA.

Act 130 of 2018 - Safe Harbor in Human Trafficking Law

<https://www.legis.state.pa.us/cfdocs/billInfo/billInfo.cfm?sYear=2017&sInd=0&body=S&type=B&bn=554>

Act 130 amended Title 18, Pa. C.S. Chapter 30 (relating to human trafficking) at Section 3001 by adding the following definitions:

County agency – A county children and youth social service agency established under Section 405 of the act of June 24, 1937 (P.L. 2017, No. 396), known as the County Institution District Law, and supervised by the department under Article IX of the act of June 13, 1967 (P.L. 31, No. 21), known as the Human Services Code.

Department – The Department of Human Services of the Commonwealth

Fund – The Safe Harbor for Sexually Exploited Children Fund

Sexually exploited child – An individual under the age of 18 years of age who:

- (3) Is a victim of sexual servitude; or
- (4) Is a victim of an offense under 18 U.S.C. § 1591 (relating to sex trafficking of children or by force, fraud, or coercion).

Title 18 was also amended at Section 3026 (relating to concurrent jurisdiction) to provide the attorney general and the district attorneys with overlapping prosecutorial authority to investigate and institute criminal proceedings under Chapter 30. Both the Attorney General and the district attorney in the county of jurisdiction have the ability to enforce the provisions of Chapter 30 at the same time and within the same territory.

Act 130 added a new Section 3056 (relating to special relief to restore victims' dignity and autonomy) which states that an individual of human trafficking who has been tattooed with an identifying mark of human trafficking may be eligible for special relief. "An identifying mark of human trafficking" includes a tattoo or brand from pimps and other sexual exploiters on the neck, chest or arms of children. This includes tattoos of the trafficker's name, dollar signs, diamonds, stars, etc., or certain designs or logos on nails or jewelry. This special relief includes reimbursement from the newly-established Safe Harbor for Sexually Exploited Children Fund for the costs of removing or covering up a tattoo with an identifying mark of human trafficking for costs from \$100 to \$10,000. If a reimbursement paid from the fund to an individual is later recovered by an insurance settlement, civil suit settlement or restitution, the individual shall pay to the fund an amount equal to the reimbursement.

Act 130 repealed Title 18 Section 3053 titled, "Appropriate implementation for minor victims of human trafficking," that any person or institution, established or licensed by the Commonwealth, would provide services in the best interest of the minor and as it is appropriate to the case. Act 130 added a new Subchapter D.1, "Safe Harbor for Sexually Exploited Children", which includes Sections 3061-3065. Section 3061 (relating to statewide protocol) requires DHS to develop a statewide protocol to efficiently and effectively coordinate the provision of specialized services to sexually exploited children.

Section 3062 (relating to specialized services for sexually exploited children) states that DHS, in conjunction with county agencies, shall develop and provide specialized program and services that address victims' needs, including: safe and stable housing, access to education, employment and life-skills training, comprehensive case management, physical and behavioral health care to include trauma therapy, treatment for drug and alcohol dependency, medical and dental care, access to personal care items and adequate clothing, and other needs that sexually exploited children may have as determined by DHS or county agency.

Section 3063 (relating to law enforcement training) mandates that the Municipal Police Officers' Education and Training Commission and the Pennsylvania State Police provide training to appropriate law enforcement officers. The training shall include methods to do the following: identify a sexually exploited child; interview and engage with a sexually exploited child; assist victims to access specialized programs and services; and minimize trauma in the detention of child victims.

Section 3064 establishes the Safe Harbor for Sexually Exploited Children Fund (the Fund). The Fund is supervised through the State Treasury and administered by DHS. In addition to money that may be appropriated by the General Assembly, DHS may apply for and expend Federal grants and contributions from other public, quasi-public or private sources to assist in implementing the Fund. Money will also be obtained for the Fund through fines and interest accrued as follows:

- An individual convicted of an offense under Section 3011 (relating to trafficking in individuals), 3012 (relating to involuntary servitude), 3013 (relating to patronizing a victim of sexual servitude) or 5902(b) or (b.1) (relating to prostitution and related offenses) shall be ordered to pay a fine of \$5,000 for each offense;
- An individual convicted of an offense under Section 5902(e) (relating to patronizing prostitutes) shall be ordered to pay a fine of \$2,500 for each offense; and
- An individual who is convicted of an offense under Section 5902(e) (relating to patronizing prostitutes) when the individual knew or should have known the victim was under 18 years of age, shall be ordered to pay a fine of \$5,000 for each offense.

Money in the Fund shall be used as follows:

- At least 50% of the Fund may be spent by DHS to provide victim services either directly or by DHS through grants;
- At least 40% of the Fund may be spent to increase public awareness through anti-demand campaign;
- No more than 10% of the Fund may be spent by DHS for the costs of operating and maintaining the Fund.

In addition, Section 3065 (relating to safe harbor for sexually exploited children) mandates that if a law enforcement officer, after reasonably detaining an individual under 18 years of age for investigative purposes, determines that the individual is under 18 years of age and is a sexually exploited child, the individual shall be immune from:

- Prosecution or adjudication as a delinquent child for a violation of Sections 5507 (relating to obstructing highways and other public passages) and 5902(a) (relating to prostitution and related offenses) of the Crimes Code; and
- Revocation of an existing term of probation or parole arising from a conviction or adjudication for another offense, if the revocation is based on conduct under Sections 5507 and 5902(a).

Subsection 3065(b) establishes two exceptions to safe harbor, which prohibit the safe harbor of a sexually exploited child from doing any of the following:

- Interfering with or preventing an investigation, arrest, charge, prosecution, delinquency adjudication or revocation for violations other than Sections 5507 and 5902(a);
- Barring the admission of evidence in connection with the investigation and prosecution for a violation other than a violation of Sections 5507 and 5902(a); and
- Barring the admission of evidence in connection with an investigation and prosecution of an individual who does not qualify for safe harbor as provided under Section 3065.

Subsection 3065(c) prohibits the detainment of an individual determined to be a sexually exploited child any longer than necessary and only to assist the child in securing specialized services under Section 3062 (relating to specialized services for sexually exploited children) or to refer the child to a county agency if required under the Juvenile Act at 42 Pa.C.S. Section 6328 (relating to dependency in lieu of delinquency).

Section 6328 of the Juvenile Act requires the referral of certain offenses at Subsection 6328(b) to a county agency under Sections 6362 (relating to responsibilities of county agency for child protective services) and 6375 (relating to county agency requirements for general protective services) of the CPSL if the offense:

- Is committed by a child as a direct result of being a sexually exploited child as defined in 18 Pa.C.S. § 3001 (relating to definitions).
- Is directly related to having been subject to human trafficking as defined in 18 Pa.C.S. § 3001.

The eligible offenses listed in Subsection 6328(b) that must be referred to a county agency include the following:

- 18 Pa.C.S. § 3503 (relating to criminal trespass).
- 18 Pa.C.S. § 4914 (relating to false identification to law enforcement authorities).
- 18 Pa.C.S. § 5503 (relating to disorderly conduct).
- 18 Pa.C.S. § 5506 (relating to loitering and prowling at night time).
- An offense for simple possession of a controlled substance under Section 13(a)(16) and (31) of the act of April 14, 1972 (P.L. 233, No.64), known as The Controlled Substance, Drug, Device and Cosmetic Act.

Subsection 6328(c) (relating to delinquency proceedings) provides that if an offense listed in Subsection 6328(b) is referred to a county agency,

delinquency proceedings under the Juvenile Act may not be commenced immediately. However, if treatment and social services are unsuccessful while the dependency petition is pending, as evidenced by the child's behavior, and the county agency believes that juvenile justice services are necessary and warranted, the county agency shall refer the child's case to the juvenile probation department or district attorney's office for the commencement of delinquency proceedings. Subsection 6328(d) (relating to record expungement) mandates that upon the final discharge of supervision of the sexually exploited child, juvenile court records relating to an offense listed in Subsection 6328(b) shall be expunged by the court under 18 Pa.C.S. § 9123 (relating to juvenile records).

Act 130 amended Section 6328 (relating to dependency in lieu of delinquency) of the Juvenile Act. Section 6328 provides that a case shall be referred to a county agency under 23 Pa.C.S. §§ 6362 (relating to responsibilities of county agency for child protective services) and 6375 (relating to county agency requirements for general protective services) if the offense:

1. Is committed by a child as a direct result of being a sexually exploited child as defined in 18 Pa.C.S. § 3001 (relating to definitions).
2. Is directly related to having been subject to human trafficking as defined in 18 Pa.C.S. § 3001.

Eligible offenses for referral to a county agency include the following:

- 18 Pa.C.S. § 3503 (relating to criminal trespass)
- 18 Pa.C.S. § 4914 (relating to false identification to law enforcement authorities)
- 18 Pa.C.S. § 5503 (relating to disorderly conduct)
- 18 Pa.C.S. § 5506 (relating to loitering and prowling at night time)
- An offense for simple possession of a controlled substance under Section 13(a) (16) and (31) of the act of April 14, 1972 (P.L. 233, No. 64), known as The Controlled Substance, Drug, Device, and Cosmetic Act.

If any of the offenses in the previous list are referred to a county agency, delinquency proceedings may not be immediately initiated. If treatment and social services are unsuccessful while the dependency petition is pending, as evidenced by the child's behavior, and the county agency believes that juvenile justice services are necessary and warranted, the county agency shall refer the child's case to the juvenile probation department or district attorney's office for the initiation of delinquency proceedings.

Record Expungement: Upon the final discharge of supervision, juvenile court records relating to an offense listed as an "eligible offense" listed above, shall be expunged by the court under 18 Pa. C.S. § 9123 (relating to juvenile records).

ADDITIONAL RESOURCES

Evidence-Based Mental Health Treatment for Victims of Human Trafficking

Office of The Assistant Secretary for Planning and Evaluation

[U.S. Department of Health & Human Services](https://aspe.hhs.gov/report/evidence-based-mental-health-treatment-victims-human-trafficking)

<https://aspe.hhs.gov/report/evidence-based-mental-health-treatment-victims-human-trafficking>

Fact Sheet: Human Trafficking OTIP-FS-18-01

<https://www.acf.hhs.gov/otip/resource/fshumantrafficking>

Addressing Misconceptions: Commercial Sexual Exploitation of Children

Who are the victims?

Who are the traffickers?

Human Trafficking and Technology: A framework for understanding the role of technology in the commercial sexual exploitation of children in the U.S

Cyberbullying and Digital/Internet Safety

CAASE: Chicago Alliance Against Sexual Exploitation

CAASE envisions a community free from all forms of sexual exploitation, including sexual assault and the commercial sex trade. CAASE addresses prevention, policy reform, community engagement, and legal services.

Washington State Model Protocol for Commercially Sexually Exploited Children

Developed by the Center for Children and Youth Justice, in partnership with YouthCare, the model protocol reflects emerging best practices and includes key components of a coordinated response.

Human Trafficking and Technology: A Framework for Understanding the Role of Technology

A draft framework that outlines key facets of human trafficking and the role that technologies such as the Internet, mobile phones, and social media play in human trafficking.

Confronting Commercial Sexual Exploitation and Sex Trafficking of Minors

The Institute of Medicine concludes that efforts to prevent, identify, and respond to commercial sexual exploitation and sex trafficking of minors in the U.S. require better collaborative approaches that build upon the capabilities of people and entities from a range of sectors.

Safe Place: For Youth...Someplace to Go. Someone to Help

The National Safe Place outreach program provides access to immediate help and safety for all youth in crisis. Locally, Safe Place is a community initiative that designates schools, fire stations, libraries and youth-friendly businesses as Safe Place sites where youth can access help and supportive resources.

National Conference of State Legislatures

www.ncsl.org/research/human-services/preventing-sex-trafficking-and-strengthening-families-act-of-2014.aspx

Sex Trafficking 101

Arizona State University School of Social Work

<https://socialwork.asu.edu/stir/training>

Interventions for Victims of Domestic Minor Sex Trafficking

Tucker, Esq. Florida Council Against Sexual Violence

<https://www.fcasv.org/sites/default/files/DMST%20webinar%20PDF.pdf>

Sex Trafficking

U.S. Department of Health and Human Services

Centers for Disease Control and Prevention

<https://www.cdc.gov/violenceprevention/sexualviolence/trafficking.html>

Sex Trafficking Prevention and Intervention Organizations

National organizations that provide information on child and youth sex trafficking prevention and intervention.

CAST- Coalition to Abolish Slavery & Trafficking

5042 Wilshire Blvd., #586 Los Angeles, California 90036

Phone: (213) 365-1906 Email: info@castla.org

<https://www.castla.org/about/leadership-team/> (opens in new window)

General Scope: CAST is a coalition of organizations who share a commitment to human rights and social justice by ending the modern-day slave trade.

Male Survivor (formerly National Organization on Male Sexual Victimization)

PO Box 276 Long Valley, New Jersey 07853

<http://www.malesurvivor.org>

General Scope: Male Survivor is a nonprofit organization committed to the prevention, treatment, and elimination of all forms of sexual victimization of boys and men.

National Center for Missing and Exploited Children

Charles B. Wang International Children's Building

699 Prince Street Alexandria, Virginia 22314

Phone: (703) 224-2150

Toll-Free: 1-800-843-5678

<http://www.missingkids.com/home>

General Scope: The National Center for Missing and Exploited Children provides assistance to parents, children, law enforcement, schools, and the community in recovering missing children and raising public awareness about ways to help prevent child abduction, molestation, and sexual exploitation.

National Children's Advocacy Center (NCAC) Child Abuse Library Online (CALiO)

210 Pratt Ave Huntsville, Alabama 35801

Phone: (256) 533-5437

Email: library@nationalcac.org

<https://www.nationalcac.org/>

General Scope: The CALiO library provides access to research and publications on [human trafficking](#) and [sex trafficking](#) of minors. The library also includes resources on [polyvictimization](#) (exposure to multiple forms of victimization).

National Human Trafficking Hotline

P.O. Box 65323 Washington, District of Columbia 20035

Phone: (202) 745-1001

Toll-Free: (888) 373-7888

Email: help@humantraffickinghotline.org

<http://humantraffickinghotline.org/>

<http://www.youtube.com/user/polarisproject1>

General Scope: The National Human Trafficking Hotline is a national, anti-trafficking hotline and resource center serving victims and survivors of human trafficking and the anti-trafficking community in the U.S. The toll-free hotline is answered live 24 hours a day, 7 days a week, 365 days a year. Callers can speak with the Hotline in English or Spanish or in more than 200 additional languages using a 24-hour tele-interpreting service. The National Hotline is operated by [Polaris](#).

National Sexual Violence Resource Center

123 North Enola Drive Enola, Pennsylvania 17025

Phone: (717) 909-0710 Toll-Free: (877) 739-3895

<https://www.nsvrc.org/>

<http://www.youtube.com/nsvrc>

General Scope: The National Sexual Violence Resource Center (NSVRC) is funded through a cooperative agreement from the [Centers for Disease Control and Prevention is Division of Violence Prevention](#). The organization collects information and resources to assist those working to prevent sexual violence and to improve resources, outreach, and response strategies..

Office for Victims of Crime

810 Seventh Street NW, Eighth Floor, Washington, District of Columbia 20531

Phone: (202) 307-5983 Toll-Free: (888) 737-7888

Email: humantrafficking@ovcttac.org

<http://ovc.ncjrs.gov/humantrafficking/>

General Scope: The Office for Victims of Crime (OVC) is a component of the Office of Justice Programs, U.S. Department of Justice. The OVC website contains resources and research from OVC and other Federal Government agencies, local and national direct assistance information, a map of services and task forces, and related funding opportunities for victims and survivors of human trafficking, victim service providers, law enforcement, and allied professionals. The [Child Trafficking and Exploitation](#) site offers resources, forum discussions, and FAQs.

Office on Trafficking in Persons

U.S. Department of Health and Human Services

330 C Street, SW, Washington, District of Columbia 20201

Toll-Free: (888) 373-7888

<https://www.acf.hhs.gov/otip>

General Scope: The Administration for Children and Families (ACF) is committed to preventing human trafficking and ensuring that victims of all forms of human trafficking have access to the services they need.

Polaris

P.O. Box 65323, Washington, District of Columbia 20035

Phone: (202) 790-6300

Email: training@polarisproject.org

<http://polarisproject.org/>

General Scope: Polaris is a nonprofit organization that operates the National Human Trafficking Resource Center (NHTRC), hosts the national hotline on human trafficking, and engages community members in local and national grassroots efforts. The organization's work ranges from working with government leaders to protect victims' rights to offering direct outreach and services to victims. The organization provides information on human trafficking, including information on special populations such as youth involved in child welfare and Lesbian, Gay, Bisexual, Transgender, and Questioning (LGBTQ) youth.

Project REACH

1269 Beacon Street, Brookline, Massachusetts 20446

Phone: (617) 232-1303 ex. 211

Email: ehopper@jri.org

http://www.traumacenter.org/clients/reach_svcs.php (opens in new window)

General Scope: Project REACH provides consultation and brief mental health services to trafficking victims throughout the U.S. Project REACH provides case consultation to local health providers regarding individuals who have been trafficked, offering expertise on trauma and mental health to local providers.

Shared Hope International

P.O. Box 65337, Vancouver, Washington 98665

Toll-Free: (866) HER-LIFE

Email: savelives@sharedhope.org

<http://sharedhope.org/>

<https://www.facebook.com/sharedhopeinternational>

<https://twitter.com/sharedhope>

General Scope: Shared Hope International is an international organization that brings together a network of committed professionals to prevent the conditions that promote sex trafficking, restore the lives of victims of sex slavery, and obtain justice for survivors. In addition, this organization seeks to inspire change through trafficking awareness campaigns and a broad range of advocacy efforts aimed at strengthening State and Federal legislative responses to sex trafficking.

Violent Crimes Against Children

FBI Headquarters

935 Pennsylvania Avenue, NW, Washington, District of Columbia 20535-0001

Phone: (202) 324-3000

<https://www.fbi.gov/investigate/violent-crime/cac>

General Scope: The mission of the Violent Crimes Against Children (VCAC) program is to provide a rapid, proactive, and comprehensive capacity to counter all threats of abuse and exploitation of children when those crimes fall under the jurisdiction and authority of the FBI; to identify and rescue child victims; to reduce the vulnerability of children to in-person and online sexual exploitation and abuse; to reduce the negative impact of domestic and international parental rights disputes; and to strengthen the capabilities of the FBI and federal, state, local, tribal, and international partners through training, intelligence sharing, technical support, and investigative assistance.

Office of Juvenile Justice and Delinquency Prevention

U.S. Department of Justice, Office of Justice Programs

<https://www.ojjdp.gov/programs/human-trafficking-services.html>

The [Department of Justice](#)'s anti-trafficking efforts involve numerous components engaged in investigating and prosecuting human trafficking crimes, stabilizing and supporting trafficking victims, and expanding outreach and training. The Civil Rights Division, Criminal Division, U.S. Attorneys' Offices, Federal Bureau of Investigation, and Office of Justice Programs all play important roles in the Department's broad-based anti-trafficking efforts. Many of these components contain multiple offices or sections that each work on different aspects of the fight against human trafficking. OJP's [Office for Victims of Crime](#) (OVC) helps victims find local programs, helplines, compensation programs and more. OVC provides resources for U.S. citizens both inside the U.S. and abroad as well as international victims. One such resource is a [searchable database](#) that allows victims to search by type of crime, such as human trafficking.

The Office of Justice Programs' Office of Juvenile Justice and Delinquency Prevention (OJJDP) funds the [Specialized Services and Mentoring for Child and Youth Victims of Sex Trafficking Initiative](#) to increase the availability of direct support services for children and youth who are victims of commercial sexual exploitation, facilitate outreach efforts, and develop organizations' capacities to mentor this vulnerable population.

With OJJDP support, the [Youth Collaboratory](#) developed a [toolkit for youth service providers](#) to build their understanding of the commercial sexual exploitation of child. The National Council of Juvenile and Family Court Judges, with OJJDP support, has developed the [National Judicial Institute on Domestic Child Sex Trafficking](#) to help judicial officers better understand the dynamics of domestic child sex trafficking, the applicable laws and legal considerations involving trafficking victims, how to identify trafficked and at-risk children, and how to connect these youth to appropriate services. The OJJDP Missing and Exploited Children Training and Technical Assistance Program provides multi-disciplinary training and technical assistance to prosecutors, state and local law enforcement and child protection personnel, medical providers, and other child-serving professionals to strengthen multidisciplinary responses to and improve prosecution of child victimization cases.

Access to Victim Services

The [OVC Human Trafficking site](#) provides access to a [searchable matrix of services for trafficking victims](#) — including outreach, legal/court advocacy, specialized, mental health, emergency shelter and intensive case management — from organizations that are funded by OVC and Bureau of Justice Assistance grants. Also see the [Services and Task Forces Map](#) for easy access to this program information.

How Victims Are Trafficked

<https://www.acf.hhs.gov/otip/resource/fshumantrafficking>

Traffickers use force, fraud, or coercion to subject victims to engage in commercial sex or forced labor. Anyone can be a victim of trafficking anywhere, including in the United States.

ACTION	MEANS (DOES NOT NEED TO BE PRESENT IN A SITUATION OF SEX TRAFFICKING OF MINORS)	PURPOSE
<p>Recruiting includes proactive targeting of vulnerability and grooming behaviors</p> <p>Harboring includes isolation, confinement, monitoring</p> <p>Transporting includes movement and arranging travel</p> <p>Providing includes giving to another individual</p> <p>Obtaining includes forcibly taking, exchanging something for ability to control</p> <p>*Soliciting includes offering something of value</p> <p>*Patronizing includes receiving something of value</p> <p>*Only for sex trafficking</p>	<p>Force includes physical restraint, physical harm, sexual assault, and beatings. Monitoring and confinement is often used to control victims, especially during early stages of victimization to break down the victim's resistance.</p> <p>Fraud includes false promises regarding employment, wages, working conditions, love, marriage, or better life. Over time, there may be unexpected changes in work conditions, compensation or debt agreements, or nature of relationship.</p> <p>Coercion includes threats of serious harm to or physical restraint against any person, psychological manipulation, document confiscation, and shame and fear-inducing threats to share information or pictures with others or report to authorities.</p>	<p>Commercial Sex Act is any sex act on account of anything of value given to or received by any person.</p> <p>Involuntary Servitude is any scheme, plan, or pattern intended to cause a person to believe that, if the person did not enter into or continue in such condition, that person or another person would suffer serious harm or physical restraint; or the abuse or threatened abuse of the legal process.</p> <p>Debt Bondage includes a pledge of services by the debtor or someone under debtor's control to pay down known or unknown charges (e.g. fees for transportation, boarding, food, and other incidentals; interest, fines for missing quotas, and charges for "bad behavior"). The length and nature of those services are not respectively limited and defined, where an individual is trapped in a cycle of debt that he or she can never pay down.</p> <p>Peonage is a status or condition of involuntary servitude based on real or alleged indebtedness</p> <p>Slavery is the state of being under the ownership or control of someone where a person is forced to work for another.</p>

Red Flags

National Center for Missing and Exploited Children
<http://www.missingkids.com/theissues/trafficking>

While no single indicator confirms the existence of child sex trafficking, several indicators combined can mean it is more likely that a child is being exploited or is actively being targeted and recruited. That is why being aware of the following indicators is so important:

Behavioral Indicators

- Child has a significant change in behavior, including increased virtual behavior, or associates with a new group of friends
- Child avoids answering questions or lets others speak for him or her
- Child appears frightened, resistant, or belligerent to law enforcement
- Child lies about his or her age and identity
- Child looks to others before answering questions
- Child does not ask for help or resists offers to get out of the situation (child does not self-identify as a victim)
- Child seems coached in talking to law enforcement
- Child uses trafficking-related terms like "Trick," "The Life," or "The Game"
- Child is preoccupied with "getting money" (e.g., displaying photos of cash)

Physical Indicators

- Child has multiple cell phones and/or electronic devices
- Child has large amounts of cash or pre-paid credit cards
- Child has no ID, or ID is held by another person
- Multiple children are present with an unrelated male or female
- Child has unusual/unexplained sexual paraphernalia (such as bulk condoms or lubrication)
- There is evidence the child has been or will be traveling (child is living out of suitcases, at motels, or in a car)
- Child has a name or symbol tattooed, burned, or branded onto his or her body, particularly when coupled with the child's reluctance to explain the tattoo, the child's tattoo matches other children's tattoos, the tattoo indicates money or ownership (MOB, barcode or \$)
- Child references traveling to other cities or states or is not from the current location; the child may also lack knowledge of his or her travel plans, destinations, and/or his or her current location.
- Child has hotel keys, hotel receipts, or other items from a hotel/motel
- Presence of an overly controlling or abusive "boyfriend" or older female
- Child is recovered at a hotel, street track, truck stop, or strip club
- Child has notebooks or slips of paper containing phone numbers, dollar amounts, names, or addresses
- Child has items or an appearance that does not fit his or her current situation (e.g., a homeless or runaway child who has money, electronics, new clothes or shoes, and who has his or her hair and nails done)
- Child references online classified ads or escort websites
- Child references traveling job opportunities (including modeling, singing and/or dancing in a music group, or magazine sales crew)
- Child has unaddressed medical issues or who goes to the ER or clinic alone, or with an unrelated adult.



MODEL SET OF STANDARDS *for Pennsylvania's* MULTIDISCIPLINARY INVESTIGATIVE TEAMS



Acknowledgements

“The Department of Public Welfare, Office of Children, Youth and Families greatly acknowledges and supports the work done to develop the Model Set of Standards for Pennsylvania’s Multidisciplinary Investigative Teams. The writing group sought the input of many stakeholders in addition to the groups represented on the committee. This document is intended to assist the dedicated people who participate in the evaluation of children for whom there is a concern for maltreatment: child protection, law enforcement, medical and mental health, Child Advocacy Centers (CACs), tribes/tribal organizations, victim advocates, prosecutors and others. The work is hard and often under-appreciated, but there is little we do that is more important than making a difference in the life of a child.”

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Pennsylvania Child Death Review

Pennsylvania Chapter, American Academy of Pediatrics

Foreword

It is the priority of the Commonwealth to minimize trauma to a child that has been abused and assure justice for all parties by requiring and supporting a collaborative and child-centered multidisciplinary child abuse investigation. Pennsylvania's well established statutory and regulatory requirements for multidisciplinary investigations:

- Promote the safety and best interest of the child;
- Minimize the trauma experienced by the child;
- Avoid duplication of fact-finding, including the child's exposure to multiple or leading interviews;
- Preserve the integrity of evidence; and
- Support justice and healing.

In 2010, as part of the State's plan to implement and appropriate Federal Children's Justice Act Funding, Pennsylvania's Child Abuse and Prevention Treatment Act (CAPTA) Steering Committee prioritized the development of a Model Set of Standards for Multidisciplinary Investigative Teams (MDIT) in order to improve the likelihood and quality of multidisciplinary investigations.

Meanwhile, Pennsylvania's Task Force on Child Protection, created by the Pennsylvania General Assembly and the Governor in 2011, issued a series of comprehensive findings and recommendations in November 2012.

Among its findings, the Task Force recognized that, "There are two groups in Pennsylvania charged with investigating reports of child abuse and neglect, the county children and youth agencies and local law enforcement personnel. Communication between these two entities is not always timely, investigative styles differ, and opportunities for coordination and cooperation are frequently missed, which hamper efforts to identify and stop perpetrators, and serve and protect abused children". The Task Force recognized that current law already provides for MDITs and so its recommendations were intended to "strengthen and further develop their role in investigating cases of child abuse involving criminal offenses against the child."

The Task Force recognized the need for and value of developing "model statewide standards" to better ensure that county-based practices are more "consistent" and of high quality. That recognition combined with and reinforced the value of the CAPTA Steering Committee's development of the Model Set of Standards.

The Model Set of Standards were developed collaboratively, informed and improved by the perspective and expertise of varied stakeholders, including professionals from law enforcement, children and youth services, prosecution/District Attorney's office, mental health, disability rights, children's advocacy centers, victim services as well as child and family advocates.

Foreword

The goal was, and remains, to develop a Model Set of Standards that guides counties to develop and/or revise their individual investigation protocols in order to provide high quality investigations and interventions for every child, all the while permitting some element of flexibility for communities. The Model Set of Standards are also able and intended to be adapted based on legal, medical and investigatory advances in the coming years. The Model Set of Standards promote best practice and high quality investigations based on available and emerging research that has shown that these practices lead to positive outcomes for both the individual child victim and the collective community of children.

These collaboratively developed Model Set of Standards emphasize the value and need for a shared vision and action plan that ensures coordination. They also recognize and respect that each discipline (e.g., law enforcement, Child Protective Services (CPS), prosecutors, medical and mental health specialists, victim services and child advocacy) have a distinct role to play within their shared commitment to the best interest of children.

The Model Set of Standards are intended to generate meaningful dialogue, to produce objective assessment of community strengths and challenges, and where needed, trigger changes in policy and practice within the context of community need and available resources. This Model Set of Standards is the next but not final step in Pennsylvania's longstanding commitment to promoting a child's best interest and justice through multidisciplinary investigations and interventions. Together we can and will strengthen our shared commitment to better protect every Pennsylvania child.



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Introduction

This Model Set of Standards was developed through a collaborative effort of the members of Pennsylvania's Child Abuse Prevention and Treatment Act Steering Committee. It will guide your MDIT as you develop your own investigation protocols as required by Pennsylvania Child Protective Services Law (CPSL).

This Model Set of Standards is intentionally general to demonstrate the best practice for achieving successful, efficient investigations that are proven to minimize a child's trauma, avoid duplication in fact-finding and to lead to stronger criminal and civil cases. Your MDIT protocols should reflect the preferences of local prosecutors and courts, as well as the County CPS and law enforcement policy. Your protocols must also take local needs and resources into consideration. It is imperative that your team does not simply copy this document and call it your own, but rather discuss the roles and responsibilities of the parties and draft a meaningful protocol that the parties will be willing and able to follow ("Joint Investigations," 2007).

The Model Set of Standards or MDIT Guidelines are not intended to replace currently existing protocols but are offered as a tool to assist you in re-evaluating your protocols and memorandums of understanding (MOU's). Counties should use this document to regularly evaluate and make any necessary updates to their various protocols and MOU's. These can include the county's protocol developed for reviews of cases when a child dies or nearly dies as a result of child abuse, when the county agency has not made a status determination within 30 days or joint investigations.

In developing this Model Set of Standards, Steering Committee members consulted various experts and publications. Two source documents were adopted as the primary sources for Pennsylvania's MDIT Guidelines. These documents provide a clear overview of the MDIT process as well as its benefits. The information has been adapted to comply with Pennsylvania's laws and regulations. These documents are:

- Ells, M. U.S. Department of Justice, Office of Juvenile Justice and Delinquency Prevention. (1998). Forming a multidisciplinary team to investigate child abuse (NCJ 170020). Retrieved from website: <https://www.ncjrs.gov/pdffiles1/ojdp/170020.pdf>
- Texas. Texas Department of Family and Protective Services. (2007). Joint Investigations Guidelines. Retrieved 20 March 2013 from the Department of Family and Protective Services website: http://www.dfps.state.tx.us/documents/Child_Protection/pdf/jointinvguidelines.pdf

Introduction

Research related to child abuse has increased dramatically. More information than ever before in the areas of specialized child development issues, victim and offender dynamics, diagnostic imaging, traumatic memory, linguistics, forensic pathology, and others is available to help practitioners and investigators in your fact finding efforts. Moreover, to meet the competing demands of child protection, due process, criminal prosecutions and family preservation, laws have been repeatedly changed and refined in the areas of evidence, procedure, and definitions related to abuse and neglect. The existence of such abundant yet diverse and technical data, and legal requirements places significant demands upon professionals who investigate and prosecute these increasingly difficult cases (Ells, 1998).

No single profession or agency has the ability or expertise to respond adequately to any allegation of child maltreatment. Indeed, several professions and agencies are mandated to report or investigate suspicions of child abuse or to provide services to abused children or the perpetrators of abuse. The best response to the challenge of child abuse investigations is the formation of a MDIT. In fact, formation of such teams is authorized, and often required, in more than three-quarters of the States (including Pennsylvania) and at the Federal level. Pennsylvania Child Death Review is an example of this multidisciplinary approach in practice and has been since its inception in 1994 (Ells, 1998). **For more information on Child Death Reviews, please see Appendix A.**

The multidisciplinary team approach often extends beyond multidisciplinary investigations and interagency coordination into team decision making. Team investigations require the full participation and collaboration of team members, who share their knowledge, skills, and abilities. Team members remain responsible for fulfilling their own professional roles while learning to take others' roles and responsibilities into consideration (Ells, 1998).

An effective response to reports of child abuse is an investigation that is timely and objective and minimizes trauma experienced by a child and their family. Effective teamwork can prevent further abuse to children, promote child permanency and can bring those who harm children to justice. Some of the recognized benefits of a high quality MDIT include:

- Minimized “system inflicted” trauma to children and families;
- Improved information sharing and accuracy throughout investigations;
- Enhanced assessment of a child’s needs so that interventions are timely and appropriate;
- Maximized use of limited agency resources;
- Effectively trained and supported professionals; and
- Increased public confidence and reduced burnout among child abuse professionals.

These benefits can translate into safer communities. (Ells, 1998)

Bodily injury – Impairment of physical condition or substantial pain.

Child Abuse – (1) The term “child abuse” shall mean any of the following:

(i) Any recent act or failure to act by a perpetrator which causes non-accidental serious physical injury to a child under 18 years of age. (ii) An act or failure to act by a perpetrator which causes non-accidental serious mental injury to or sexual abuse or sexual exploitation of a child under 18 years of age. (iii) Any recent act, failure to act or series of such acts or failures to act by a perpetrator which creates an imminent risk of serious physical injury to or sexual abuse or sexual exploitation of a child under 18 years of age. (iv) Serious physical neglect by a perpetrator constituting prolonged or repeated lack of supervision or the failure to provide essentials of life, including adequate medical care, which endangers a child’s life or development or impairs the child’s functioning. (2) No child shall be deemed to be physically or mentally abused based on injuries that result solely from environmental factors that are beyond the control of the parent or person responsible for the child’s welfare, such as inadequate housing, furnishings, income, clothing and medical care. (3) If, upon investigation, the county agency determines that a child has not been provided needed medical or surgical care because of seriously held religious beliefs of the child’s parents, guardian or person responsible for the child’s welfare, which beliefs are consistent with those of a bona fide religion, the child shall not be deemed to be physically or mentally abused. The county agency shall closely monitor the child and shall seek court-ordered medical intervention when the lack of medical or surgical care threatens the child’s life or long-term health. In cases involving religious circumstances, all correspondence with a subject of the report and the records of the Department of Public Welfare and the county agency shall not reference “child abuse” and shall acknowledge the religious basis for the child’s condition, and the family shall be referred for general protective services, if appropriate.

Children’s Advocacy Center – (I) Community-based programs designed to reduce trauma to child victims by coordinating the joint investigation team response to child abuse victims and their non-offending family members and to facilitate the multidisciplinary team’s sharing of information to ensure that children do not fall through the cracks of the systems. Centers provide, a) a child friendly environment where CPS and law enforcement can conduct and/or observe forensic interviews with children who are alleged victims of child abuse, and b) non-offending family members with support, crisis intervention, and referrals for medical and mental health treatment (“Accreditation Guidelines,” 2013). For a listing of CAC’s in Pennsylvania, click [here](#). (II) A local public agency in this Commonwealth or a not-for-profit entity incorporated in this Commonwealth which: (1) is tax exempt under section 501(c)(3) of the Internal Revenue Code of 1986 (Public Law 99-514, 26 U.S.C. §501(c)(3)); and (2) operates within this Commonwealth for the primary purpose of providing a child-focused, facility-based program dedicated to coordinating a formalized multidisciplinary response to suspected child abuse that, at a minimum, either onsite or through a partnership with another entity or entities, assists county agencies, investigative teams and law enforcement by providing services, including forensic interviews, medical evaluations, therapeutic interventions, victim support and advocacy, team case reviews and a system for case tracking.

Glossary

Cultural Competency – Is the capacity to function in more than one culture, requiring the ability to appreciate, understand and interact with members of diverse populations within the local community (“Accreditation Guidelines,” 2013).

Forensic Interview – Is conducted by a specially trained interviewer in a manner that is legally sound, developmentally appropriate, of a fact-finding nature, and is coordinated to avoid duplicative interviewing (“Accreditation Guidelines,” 2013).

Forensic Medical Exam – Is provided by health care providers with pediatric experience and child abuse expertise. Photographic documentation of examination findings is the standard of care (“Accreditation Guidelines,” 2013).

Near fatality – An act that, as certified by a physician, places a child in serious or critical condition.

Serious bodily injury – Bodily injury which creates a substantial risk of death or which causes serious, permanent disfigurement, or protracted loss or impairment of the function of any bodily member or organ.

Serious mental injury – A psychological condition, as diagnosed by a physician or licensed psychologist, including the refusal of appropriate treatment, that: (1) renders a child chronically and severely anxious, agitated, depressed, socially withdrawn, psychotic or in reasonable fear that the child’s life or safety is threatened; or (2) seriously interferes with a child’s ability to accomplish age-appropriate developmental and social tasks.

Serious physical injury – An injury that: (1) causes a child severe pain; or (2) significantly impairs a child’s physical functioning, either temporarily or permanently.

Sexual abuse or exploitation – Any of the following: (1) The employment, use, persuasion, inducement, enticement or coercion of a child to engage in or assist another individual to engage in sexually explicit conduct. (2) The employment, use, persuasion, inducement, enticement or coercion of a child to engage in or assist another individual to engage in simulation of sexually explicit conduct for the purpose of producing visual depiction, including photographing, videotaping, computer depicting and filming. (3) Any of the following offenses committed against a child:

- | | |
|--|-------------------------|
| (i) Rape | (vi) Incest |
| (ii) Sexual assault | (vii) Indecent exposure |
| (iii) Involuntary deviate sexual intercourse | (viii) Prostitution |
| (iv) Aggravated indecent assault | (ix) Sexual abuse |
| (v) Molestation | (x) Sexual exploitation |

Pennsylvania's Approach

Required Multidisciplinary Investigations

The Pennsylvania Child Protective Services Law, Title 23, Pa.C.S., Chapter 63, § 6365 (c) (relating to services for prevention, investigation and treatment of child abuse), requires each county to develop a protocol for the convening of investigative teams for any case of child abuse involving crimes against children set forth in section 6340 (a)(9) and (10) (relating to release of information in confidential reports).

The CPSL sets forth the minimum requirements for joint investigative teams in Pennsylvania. The county protocol must include:

- Standards and procedures to be used in receiving and referring reports;
- Standards and procedures coordinating investigations of reported cases of child abuse;
- System for sharing the information obtained as a result of any interview; and,
- Other standards and procedures to avoid duplication of fact-finding efforts and interviews and to minimize the trauma to the child.

Pennsylvania's CPSL also requires that a child fatality or near-fatality team be convened by the county agency "in accordance with a protocol developed by the county agency, the department and the district attorney." This protocol is implemented "when a child dies or nearly dies as a result of child abuse as to which there is an indicated report or when the county agency has not made a status determination within 30 days." This team is to consist of "at least six individuals who are broadly representative of the county where the

Protocols must coordinate the investigation of cases that fall into the following categories:

- Sexual abuse, sexual exploitation, serious bodily injury or serious physical injury perpetrated by persons whether or not related to the victim. Homicide or other criminal offenses set forth in 23 § 6344 (c):
 - o 18 § 2501 Child Death (Criminal Homicide);
 - o 18 § 2702 Aggravated Assault;
 - o 18 § 2709.1 Stalking;
 - o 18 § 2901 Kidnapping;
 - o 18 § 2902 Unlawful Restraint;
 - o 18 § 3121 Rape;
 - o 18 § 3122.1 Statutory Sexual Assault;
 - o 18 § 3123 Involuntary Deviate Sexual Intercourse;
 - o 18 § 3124.1 Sexual Assault;
 - o 18 § 3125 Aggravated Indecent Assault;
 - o 18 § 3126 Indecent Assault;
 - o 18 § 3127 Indecent Exposure;
 - o 18 § 4302 Incest;
 - o 18 § 4303 Concealing the Death of a Child;
 - o 18 § 4304 Endangering the Welfare of a Child;
 - o 18 § 4305 Dealing in Infant Children;
 - o 18 § 5902(b) Prostitution & Related Offenses (Felonies);
 - o 18 § 5903(c)(d) Obscene & Other Related Materials;
 - o 18 § 6301 Corruption of Minors;
 - o 18 § 6312 Sexual Abuse of Children (Child Pornography);
- Child abuse perpetrated by persons who are not family members.
- Repeated physical injury to a child under circumstances which indicate that the child's health, safety or welfare is harmed or threatened.
- A missing child report.

Pennsylvania's Approach

team is established” and who bring expertise in the prevention and treatment of child abuse to the review. The county agency, “in accordance with the protocol and in consultation with the team” is required to appoint a person not employed by the children and youth agency to serve as chairperson.

The District Attorney must convene the MDIT in accordance with the law. Pennsylvania law requires that an MDIT shall consist of those individuals and agencies responsible for investigating the abuse or for providing services to the child and shall, at a minimum, include a district attorney, county children and youth caseworker and law enforcement official.

In developing a protocol, your team should agree on a process for evaluating whether a report meets the criteria for a multidisciplinary investigation, as well as a process for quick notification of other team members of such a report. Protocols may include:

- Criteria for determination of need for multidisciplinary investigation;
- procedures for notifying other agencies of intakes;
- procedures for investigation strategy;
- procedures for sharing information between agencies; and
- procedures for making referrals to other team disciplines (“Joint Investigations,” 2007). **For tips on writing a MDIT Protocol, please see Appendix B.**

Keys to the successful operation of MDITs (EIs, 1998)

- Confidentiality policies that are in accord with legislative mandates, agency policies, professional practices, and the best interests of abused children.
- Conflict resolution practices that ensure core issues are aired and resolved satisfactorily based on mutual respect and recognition that child abuse investigations are complex, demanding, and frustrating, but that they are also important, meaningful and rewarding.
- Periodic self-analysis and outside evaluation of how the team is working so that it continues to achieve its purpose.
- Memorandums of Understanding that outline individual and agency commitments to the MDIT process.



Pennsylvania's Approach

Expanding the Multidisciplinary Investigative Team beyond the CPSL

The guidelines for Pennsylvania's MDITs recognize the value of including the perspectives and expertise of professional disciplines beyond those outlined in the CPSL. Some other entities to include for consideration on the MDIT are: medical professionals, school districts, military officials or law enforcement if appropriate, juvenile/adult probation, mental health professionals, and victim advocates. Those disciplines not charged with the responsibility of investigative decisions provide a consultative role with valued input that may help the investigators with decision-making.

This approach to investigating and responding to child abuse brings together the various professions involved in a child abuse case. It allows professionals to develop strategies for working together to meet their specific obligations while reducing the trauma felt by the child victim. The benefits of this approach are reduced childhood trauma, more credible evidence, stronger criminal and civil cases, faster prosecution, and better assessment of children's needs ("Joint Investigations," 2007).



Contents of a Multidisciplinary Team Protocol

Mission of Multidisciplinary Investigative Team

Texas's Joint Investigations Guidelines provide a concise explanation of mission statements and their purpose for teams. Your team members should discuss and agree upon the mission of the MDIT. The mission statement should clearly describe why your team exists and what the team intends to accomplish.

Examples of mission statements

The mission of the _____ County MDIT is to reduce the trauma of child victims of abuse and neglect through joint efforts of law enforcement, child protective services, and prosecutors to thoroughly investigate allegations of abuse and neglect and reach a quick disposition of cases (“Joint Investigations,” 2007).

The mission of the _____ County MDIT is to cooperate in a collaborative approach on cases involving child victims in order to facilitate strong case development and reduce the amount of trauma to the child victim (“Joint Investigations,” 2007).

The mission of the _____ County MDIT is to bring together various professionals involved in child abuse cases to coordinate investigations and victim services (“Joint Investigations,” 2007).

Composition of the Team

The District Attorney has the role and responsibility to convene the MDIT that includes those individuals and agencies responsible for investigating the abuse or for providing services to the child. The MDIT is to include, but is not limited to, the health care provider, county children and youth caseworker and law enforcement official.

In addition to the team members mandated by state law, teams may be composed of representatives of the following agencies and disciplines:

- Child Advocacy Center or Forensic Interviewer
- Mental Health/Intellectual Disabilities Agencies
- County Children and Youth Agency
- County Sheriff’s Office
- County District Attorney
- Local Police Department
- County Detectives
- Sexual Assault Resource Center
- Medical Community
- Victim Advocates

Contents of a Multidisciplinary Team Protocol

Each county team may decide that additional disciplines may be useful in case discussion. Some agencies will participate as necessary to augment the team's mission on a case-by-case basis. Peripheral members will not be required to sign the MDIT Protocol. Examples include:

- Schools
- County Drug and Alcohol
- Cultural Service Specialists
- Disability Specialists
- Juvenile/Adult Probation
- Children and Youth Solicitor
- Immigration and Customs Enforcement (ICE)

Teams need a person that is designated to coordinate and facilitate team activities. The coordinator should be someone that is part of the team. This could be a staff member from the child advocacy center or another agency.

Roles and Responsibilities of Each Discipline

Pennsylvania law, 23 § 6365 (c), provides the basis for the county agency and the District Attorney in their development of MDIT protocols addressing:

- convening a MDIT for any case of child abuse involving crimes against children
- standards and procedures to be used in receiving and referring reports
- coordinating investigations of reported cases of child abuse
- a system for sharing the information obtained as a result of the interview
- standards and procedures to avoid duplication of fact-finding efforts
- conducting of interviews that minimize the trauma to the child

The roles and responsibilities for each discipline member should be considered and included throughout the MDIT protocols by assuring the following:

- the member representing the discipline has the authority to represent the discipline
- the discipline involved has the ability and/or authority to accomplish the defined roles and responsibilities
- the interagency agreements clearly define their roles and responsibilities
- the discipline agrees to accept roles and responsibilities defined in the protocol

Effective teamwork can provide for better outcomes during a multidisciplinary investigation. It is essential that team members have complete clarity of their responsibilities. It is

Contents of a Multidisciplinary Team Protocol

recommended that the protocol provide details for each member's role in the process that includes investigation, interviewing, reporting and documentation, and training responsibilities. County protocols should also include details on their extended communication to the County's MDIT process.

In addition, if a complaint of child abuse cannot be investigated under the CPSL because the person accused of the abuse is not a perpetrator as defined in the CPSL at section 6303 (relating to definitions), but the complaint does suggest the need for investigation, the county children and youth agency is mandated to immediately transmit the information to the proper authorities, including the District Attorney, the District Attorney's designee or other law enforcement official, in accordance with the county protocol for investigative teams required by section 6365.

The MDIT may wish to convene a training committee to pool training resources of the members of the investigative team and the community, develop training ideas, and assure regular delivery of cross training to all members of the MDIT that promotes multidisciplinary investigations and improves investigation skills ("Joint Investigations," 2007). **For an example of a MDIT Protocol, please see Appendix E.**

Multidisciplinary Investigative Team Protocols (Lashley, 2003)

- Clarify the respective roles of the members of the investigative team in conducting the investigation;
- Expedite a comprehensive, thorough investigation and prosecution process to increase successful prosecution of offenders by conducting joint interviews and improving the evidence collection process;
- Meet the subject child's need for safety and protection, and make every effort to minimize trauma to the subject child by using child-focused, trauma-informed approaches and as child-friendly an environment as possible;
- Ensure that all needs of the subject child are met in a timely way, through comprehensive coordinated services;
- Maintain respect for the needs of each individual agency's philosophies and mandates;
- Provide a system of case tracking, which assures the provision of needed services to the subject child and non-offending family members and accountability of convicted and alleged perpetrators;
- Share team member expertise with fellow team members, community leaders, mandated reporters, and the community;
- Ensure regular continuing cross training for all core team members;
- Regularly evaluate the team's performance and implement ways to improve performance; and
- Provide for ongoing assessment of community needs with a commitment to expansion of services as needed.

Contents of a Multidisciplinary Team Protocol



Memorandum of Understanding (MOU)

A Memorandum of Understanding (MOU) is an important tool for a MDIT to put in place. *Texas's Joint Investigations Guidelines* provide a discussion regarding its importance. A MOU is a written document that captures the members' agreement and commitment to conduct multidisciplinary investigations. It can be as general or specific as the team desires, but should be agreed upon and signed by all member agencies. An MOU is a good way of beginning the formal process of forming your investigative team; especially when incorporating a multidisciplinary approach. It should briefly spell out why it is important for your community to form a MDIT and make a commitment to conduct multidisciplinary investigations. You may want to cite philosophical reasons along with the CPSL ("Joint Investigations," 2007).

The MOU should contain a place for the heads of each member agency to affix their signatures, thereby reflecting their commitment and their agency's commitment to the MDIT and their commitment to a multidisciplinary approach to child abuse/neglect investigations ("Joint Investigations," 2007). **An example of a MOU is located in the Appendix D.**

Distribution to Members

Your MDIT members must be familiar with the protocols and understand they are responsible for following them. Your team should discuss how to distribute copies of the protocols to all members. Your team may also want to choose a time to discuss the roles and responsibilities with all members. Your team should also develop a plan for sharing the protocols with new members as they join ("Joint Investigations," 2007).

Special Investigations

Listed below are situations that are unique, but when they occur may require a MDIT approach. *Texas's Joint Investigations Guidelines* provide a thorough overview of various special investigations that your team may want to consider when developing your protocol, as well as how these cases will be handled in the event an investigation is needed.

Safe Haven

Act 201 of 2002, also known as The Newborn Protection Act, took effect in February 2003 and states that a parent of a newborn may leave the child in the care of a hospital without being criminally liable providing that the following criteria are met:

- The parent expresses orally or through conduct that they intend for the hospital to accept the child, and;
- The newborn is not a victim of child abuse or criminal conduct.

A newborn is defined by this act as a child less than 28 days of age as reasonably determined by a physician.

The Act requires that designated hospital staff take protective custody of a newborn and perform a medical evaluation and any act necessary to care for and protect the physical health and safety of the child. The hospital is also required to notify the county children and youth agency and local law enforcement. The county children and youth agency is to make diligent efforts to notify a parent, guardian or other family member of the whereabouts of the newborn (unless prohibited by court order) and the reasons for the need for protective custody. The county children and youth agency will find a safe and permanent home for the baby.

Law Enforcement: A law enforcement agency that receives a report in a Safe Haven case shall investigate whether the child is reported as missing or is a victim of a crime.

Child fatality or near-fatality review team (Act 33 of 2008)

An amendment of the CPSL in 2008 (Act 33) required the establishment and utilization of a team approach in reviewing child abuse fatalities and near-fatalities related to substantiated child abuse or where a determination has not been made within 30 days from the report of the incident.

The local child abuse fatality and near-fatality team is convened “in accordance with a protocol developed by the county agency, the department and the district attorney.”

This team, chaired by a person not employed by the county agency, is expected to review the circumstances of the child’s fatality or near-fatality and the delivery of any services to the child preceding the incident. The team must issue a report within 90 days from being convened outlining “compliance with statutes and regulations” as

Special Investigations

well as recommendations for preventing such fatalities/near-fatalities in the future. **Additional background and explanation of this important team approach to child protection is included in Appendix A.**

Student Abuse

Reports of suspected serious bodily injury or sexual abuse perpetrated by school employees on students are to be referred to the District Attorney and local law enforcement by the school administrator. If after the initial review, there is reasonable cause to suspect that student abuse has occurred, local law enforcement/District Attorney shall report to the County CPS agency. The County CPS will register the report of suspected child abuse with ChildLine. To the fullest extent possible, law enforcement officials and the County CPS agency shall coordinate their respective investigations. In respect to interviews with the student, law enforcement officials and the County CPS agency shall conduct joint interviews. In respect to interviews with the school employee, law enforcement officials shall be given an opportunity to interview the school employee prior to the employee having any contact with the County CPS agency.

Child Pornography/Cyber Crimes

An allegation of child pornography or other cyber crime may be the original allegation or it may arise during the course of an investigation. Your MDIT members should be aware of this issue and the team should be prepared to pursue an allegation of child pornography or cyber crime if one does arise. Law enforcement should consult forensic computer experts regarding collection of computer evidence (“Joint Investigations,” 2007).

County Child Protective Services (CPS) Agency: This agency investigates allegations involving child pornography or cyber crime when a child has been alleged to have been abused by a perpetrator as defined by the CPSL. If there is no allegation of abuse of a specific child, CPS does not investigate and will refer these cases to law enforcement.

Law Enforcement: Child pornography cases may be investigated by local law enforcement, the District Attorney’s office, an Internet Crimes Against Children (ICAC) Taskforce, or other state or federal law enforcement agency (“Joint Investigations,” 2007).

Sensitive Cases

Your MDIT should consider its procedure for investigating cases that involve a member of the Team either as a suspect/perpetrator or as a victim or family member of a victim (“Joint Investigations,” 2007).

Child Abduction

Your team should discuss cases of child abduction that involve parents and custody issues as well as other situations of abduction and determine when child abduction will require investigation with a multidisciplinary approach (“Joint Investigations,” 2007).

Special Investigations

Child/Juvenile Offender

Your team should discuss agency policies regarding child-on-child abuse cases and other cases that involve a child or juvenile offender. Your team should be aware that child or juvenile offenders may also be victims and protocols should be in place to deal with them accordingly (“Joint Investigations,” 2007).

Child Witness

Your team may decide to develop protocols for conducting forensic interviews of child witnesses to violent crimes such as domestic violence or murder. This reduces trauma to the child witness by limiting the number of interviews and taking the child’s statement in a child friendly way, in a manner that benefits all investigating agencies (“Joint Investigations,” 2007).

Military

If your team is serving an area with a military base or military personnel you may need to consider developing protocols with the military establishment. Your team should be aware that an existing MOU may be in place and should be taken into consideration when developing protocols (“Joint Investigations,” 2007).

High Profile/High Media

Any child abuse investigation has the potential of becoming high profile. Your team may want to discuss the various policies of member agencies regarding disclosing information. Your team may want to determine what information should not be disclosed in order to protect a victim’s privacy and dignity as well as preserve evidence (“Joint Investigations,” 2007).

Child Victims with Disabilities

As children with disabilities are more than twice as likely to be physically or sexually abused as children without disabilities (Petersilia 2001; Sobsey and Mansell 1994), each Team should ensure that the developed protocol addresses effectively meeting the needs of child victims with disabilities. The identification of specific specialized resources and supports (for example, communication specialists, sign language interpreters, etc.), their contact information, and payment arrangements and responsibilities should be addressed within the protocol and reviewed regularly for currency. Forensic interviewers and persons who conduct medical examinations should have specialized training in meeting the needs of children with disabilities. Teams without this expertise should have identified external resources to provide it.

Prior to direct intervention with the child with a disability, whenever possible, Team members should familiarize themselves with how the child’s disability may impact both receptive and expressive communication, behavior, movement, and perception, as preparation is essential to making appropriate accommodations. With parent or guardian permission, resources for this information may include the family, the child’s teacher, related services personnel such as speech or occupational therapists, the school psychologist, or MH/ID personnel.

Strategies for Multidisciplinary Investigative Teams

Forensic Methods (“Joint Investigations,” 2007)

Forensic methods are sound methods and techniques of evidence gathering that lead to reliable and credible evidence, and then conducting an analysis of the evidence as it applies to the facts of the case in order to reach an objective conclusion.

Some examples of forensic methods are:

- forensic interview of a child victim;
- medical exam of a child;
- critical analysis of a child’s injuries and the explanation of those injuries;
- DNA evidence that corroborates the victim’s report;
- SANE exam;
- suspect/perpetrator statements;
- witness statements;
- photograph of crime scene; and
- photograph of injury.

Forensic Interviews (“Accreditation Guidelines,” 2013).

The purpose of a forensic interview is to obtain a statement from a child, in a developmentally and culturally sensitive, unbiased and fact-finding manner that will support accurate and fair decision making by the involved MDIT in the criminal justice and child protection systems. Forensic interviews should be child-centered and coordinated to avoid duplication. There must be particular attention to providing needed accommodations to, for example, the environment, communication and procedures when a child has a disability. When a child is unable or unwilling to provide information regarding any concern about abuse, other interventions to assess the child’s experience and safety are required.

Communities can vary with regard to who conducts the child forensic interview. *At a minimum, anyone in the role of a forensic interviewer should have initial and ongoing formal forensic interviewer training.* This role may be filled by a CAC employed forensic interviewer, law enforcement officers, CPS workers, medical providers, federal law enforcement officers or other joint investigation team members according to the resources available in the community.

The team’s written documents must include the general interview process, selection of an appropriately trained interviewer, sharing of information among MDIT members, and a mechanism for collaborative case planning (National Children’s Alliance, 2013).

Child-Focused Setting (“Accreditation Guidelines,” 2013).

A Children’s Advocacy Center (CAC) requires a separate, accessible, child-focused setting designed to provide a safe, comfortable and neutral place where forensic interviews can be conducted and other CAC services can be provided for children and families.

Strategies for Multidisciplinary Investigative Teams

Where a county does not have a CAC, every effort should be considered to create such a space. While every space may look different, the goal is help to define some specific ways that the environment can help children and families feel physically and psychologically safe and comfortable. These include:

- Attending to the physical setting and assuring it meets basic child safety standards, ensuring that alleged offenders do not have access to the interview space, providing adequate supervision of children and families while they are on the premises, and creating an environment that reflects the diversity of clients served.
- There is no one “right” way to build, design or decorate a child friendly space. Take care to ensure that team members have access to work space and equipment onsite to carry out the necessary functions associated with their role including, but not limited to, meeting with families and appropriate exchange of necessary information.
- Pay special attention to designing and decorating the client service areas. The appearance of the space can help facilitate children and families’ participation in the process, largely by helping to alleviate anxiety and instill confidence and comfort in the intervention system. It should communicate, through its design and materials, that the space is a welcoming and child oriented place for all children and their non-offending family members.

Medical Examinations (“Accreditation Guidelines,” 2013).

All children who are suspected victims of child abuse should be assessed to determine the need for a medical evaluation. Medical evaluations should be required based on screening criteria developed by skilled medical providers or by a local MDIT, which include qualified medical representation.

- Protocols should address the timeliness of the medical examination.
- A medical evaluation holds an important place in the assessment of child abuse. An accurate history is essential in making the medical diagnosis and determining appropriate treatment of child abuse.
- Recognizing that there are several acceptable models that can be used to obtain a history of the abuse allegations and that forensic interview techniques are specialized skills that require training, information gathering must be coordinated with the Team.
- Because children learn early the helping role of doctors and nurses, they may disclose information to medical personnel that they might not share with investigators.
- Physicians, nurse practitioners, physician assistants and nurses may all engage in medical evaluation of child abuse.
- Some CACs have expert evaluators as full or part-time staff while others provide this service through affiliation with local hospitals or other facilities.

Strategies for Multidisciplinary Investigative Teams

- Programs in smaller or more rural communities may not have easy access to qualified examiners and may develop mentoring or consultative relationships with experts in other communities.
- Photographic documentation of examination findings is the standard of care.
- Photo documentation enables peer review and continuous quality improvement.

Victim Assistance

Victim assistance is a critical component of successful investigations and prosecution. Regular contact with the victim's support system will allow members to recognize problems such as recanting or perpetrators having contact with the victim. These problems can be addressed prior to trial or before the child recants. It is important to be aware of resources the child or support system may be in need of. A family who was financially dependent on or easily intimidated and controlled by a perpetrator is very likely to weaken under pressure. The more support they receive from the outside, the less dependent they will be on the perpetrator ("Joint Investigations," 2007).

MDITs are formed in large part to lessen the trauma to the child victim. Therefore, one of the priorities for the MDIT should be assisting the child victim and those who care for the child victim. Victim assistance can benefit both civil and criminal cases as those victims and caregivers who receive the necessary support will be more likely to cooperate with law enforcement, CPS, and prosecution. Ensuring that they are receiving the proper help will lessen the need for CPS involvement in the current case and in the future. The proper follow-up care for victims and caregivers will help victims heal and reduce the likelihood that they will be victimized again ("Joint Investigations," 2007).

Victim Assistance Considerations ("Joint Investigations," 2007).

- What services are victims and caregivers likely to need;
- What services are available;
- What is the procedure for making a referral;
- Who will make referrals;
- Who will assist the victim with crime victim's compensation information; and
- Who will notify the victim of case progress?

Victim support and advocacy functions may be filled in a number of ways consistent with victims' rights legislation and the complement of services in the state of Pennsylvania. Many members of the MDIT may serve as an advocate for a child within their discipline's system; however, victim-centered advocate coordinates services and assures a consistent and comprehensive network of support for the child and family.

For developing MDITs, victim support and advocacy may include but is not limited to:

- Crisis intervention and support at all stages of investigation and prosecution;
- Attendance and/or coordination of interviews and/or case review;

Strategies for Multidisciplinary Investigative Teams

- Provision of education about the coordinated, multidisciplinary response;
- Providing updates to the family on case status, continuances, dispositions, sentencing, and offender release from custody;
- Assessment of the child's/family's attitudes and feelings about participation in the investigation/prosecution;
- Provision of court education/support/accompaniment (i.e. a 'Court School' program and/or providing tours of the courthouse/courtroom);
- Securing transportation to interviews, court, treatment and other case-related meetings;
- Assistance in procuring concrete services (housing, protective orders, domestic violence intervention, food, crime victims compensation, transportation, public assistance, etc.); and
- Providing referrals for mental health and medical treatment, if not provided at the CAC ("Accreditation Guidelines," 2013).

Mental Health and Reduction of Trauma

Another valuable member of an MDIT is a mental health/intellectual disability (MH/ID) professional. Without effective therapeutic intervention, many traumatized children will suffer ongoing or long term adverse social, emotional, and developmental outcomes that may impact them throughout their lifetimes. Today we have evidence based treatments and other practices with strong empirical support that will both reduce the impact of trauma and the risk of future abuse.

For these reasons, a protocol must include trauma assessment and specialized trauma-focused mental health services for child victims and non-offending family members:

- Family members are often the key to the child's recovery and ongoing protection. Their mental health is often an important factor in their capacity to support the child. Therefore, family members may benefit from counseling and support to address the emotional impact of the abuse allegations, reduce or eliminate the risk of future abuse, and address issues which the allegation may trigger ("Accreditation Guidelines," 2013).
- Mental health treatment for non-offending parents or guardians, many of whom have victimization histories themselves, may focus on support and coping strategies for themselves and their child, information about sexual abuse, dealing with issues of self-blame and grief, family dynamics, parenting education and abuse and trauma histories. Siblings and other children may also benefit from opportunities to discuss their own reactions and experiences and to address family issues within a confidential therapeutic relationship ("Accreditation Guidelines," 2013).

For more information concerning responses to youth subjected to trauma, see Appendix C.

Building & Sustaining Multidisciplinary Investigative Teams

Team Meetings/Case Review

Your Team should meet on a predetermined regular basis to discuss cases that have been the subject of a multidisciplinary investigation. Many teams find that their meetings are more organized if it is the responsibility of one person to organize and facilitate them (“Joint Investigations,” 2007).

These meetings are very beneficial for resolving barriers in the investigation, discussing concerns for the safety of children involved, and updating team members on the progress of the case. The meetings can also help for coordinating the investigations between law enforcement and CPS or coordinating efforts between CPS, victim advocates, and prosecutors. Your team wants to make sure that each entity knows what the other is doing so that the victim is safe and the case is progressing as quickly as possible toward resolution (“Joint Investigations,” 2007).

Your Team needs to discuss how and when cases will be reviewed after an investigation is complete. For example, will cases be reviewed upon certain milestones such as at the time of a charging decision, or when the investigation is presented to a grand jury, or upon the filing of a criminal complaint, or at specific time intervals? Your team should determine who should be involved in these reviews. Some examples include CPS family based safety services staff, therapists and prosecutors (“Joint Investigations,” 2007).

Case Tracking (“Accreditation Guidelines,” 2013).

Case tracking is an important component of a MDIT. Case tracking refers to a systematic method in which specific data is routinely collected on each case that is reviewed by the Team. Case tracking systems can be computerized, but smaller communities with limited resources or small caseloads can track child abuse cases manually.

Case tracking systems provide essential demographic information, case information and investigation/intervention outcomes. Case tracking gives team members accurate information that they can use to inform children and families about the current status and disposition of their cases.

Tips for developing case review meetings (“Joint Investigations,” 2007).

- A regularly scheduled time and place (such as the first Monday of every month);
- The person responsible for organizing the meetings;
- The person who will facilitate the meeting;
- A list of which team members who are expected to be present;
- A list of which cases will be reviewed (for example, some teams review all cases, others review all new cases and other cases as requested);
- A process for reviewing cases after an investigation is complete; and
- A process for placing a case on the agenda that falls outside the standard criteria for review.

Building & Sustaining Multidisciplinary Investigative Teams

Case tracking information should include but is not limited to:

- Demographic information about the child and family (including disability status);
- Demographic information about the alleged perpetrator;
- Type(s) of abuse;
- Relationship of alleged perpetrator to child;
- Team involvement and outcomes;
- Charges filed and case disposition in criminal court;
- Child protection outcomes; and
- Status/outcome of medical and mental health referrals.

The case tracking system can also be beneficial to communities because it can be used to:

- Evaluate the MDIT process.
- Generate statistical reports.
- Access information that is needed for grant writing and reporting purposes.

Each team needs to determine the type of case tracking system that will suit its needs. Case tracking should be compliant with all applicable privacy and confidentiality requirements.

Confidentiality

The Pennsylvania CPSL, Title 23, Pa.C.S., Chapter 63, § 6365 (c) which requires each county to develop a protocol for the convening of investigative teams also requires *the protocol to include standards and procedures to be used in receiving and coordinating investigations of reported cases of child abuse and a system for the sharing of information...*

In order for parties to share information freely, all Team members should sign confidentiality agreements. Your members must understand that much of the case-related information is confidential and should not be discussed outside the team (“Joint Investigations,” 2007). **To see an example of a confidentiality agreement in a MDIT Protocol, please see Appendix E.**

Team Work and Conflict Resolution

Situations may arise in a case where your members do not agree. Usually members are able to work beyond disagreements, however if conflicts are not resolved, this could lead to a division in your team that damages its effectiveness. *Ells’ Forming a Multidisciplinary Team To Investigate Child Abuse* provides a helpful understanding of managing team conflicts.

Before a conflict arises, your Team should discuss how to resolve conflict. In the event a conflict arises over an investigation or for any other reason, having a pre-determined conflict resolution plan helps your team find a quick resolution and move beyond the conflict (“Joint Investigations,” 2007).

Building & Sustaining Multidisciplinary Investigative Teams

Conflict resolution is one form of preventive maintenance. Conflict that is not properly rectified will cause resentment, retribution, or retaliation. Any or all of those will eventually destroy your team. Unresolved conflict in your team is like rust in a car – it may not be immediately visible, but left unchecked it will deepen and spread, eventually ruining the team. Effective conflict resolution, on the other hand, enhances team spirit, improves team function, and protects the team against failure (Ells, 1998).

Conflict within a team is inevitable and normal, but team effectiveness is measured not by the amount of conflict but by the manner in which conflict is resolved. Not all conflict is appropriate or necessary. Conflict that thwarts the team's ability to accomplish its mission is a core conflict and must be resolved in a constructive fashion and by consensus. This does not mean that team members must agree on every point, but they must find ways to support solutions that maintain agency integrity and further the team's purpose. Resolving core conflicts should result in "win-win" conclusions (Ells, 1998).

Other conflicts may involve peripheral problems. Peripheral issues can be dealt with more quickly, without necessarily building consensus.

These points can be summarized as follows:

- Characterize the problem. Look at it from a systems perspective.

Points to Remember When Faced With Conflict (Ells,1998)

- Do not lose sight of the team purpose (mission statement).
- Look forward to opportunity, not backward to blame.
- Be respectful. Ensure each contention is considered. Listen to one another. Be sure each position is understood. Restate the other position in your own words.
- Clarify the opposing point of view until you are sure you understand. Find something positive in each view. Avoid defending your point of view until you understand the other.
- Do not withhold an opposing point of view.
- State your position clearly, firmly, but without excessive emotion.
- Once you have been heard, do not continue to restate your position.
- Avoid personalizing your position – keep the discussion focused on the issue.
- Offer suggestions rather than mere criticism of other points of view.
- Remember that conflict within a team is natural and work toward a mutually agreeable resolution.
- Base resolutions on consensus, not abdication of responsibility or integrity.
- Keep focused on the team's agreed-upon purpose and refer to your protocol for guidance.

Rules for Effective Teamwork (Ells,1998)

- Identify a leader.
- Meet regularly.
- Respect others: agree to disagree.
- Listen to one another.
- Be open to constructive criticism.
- Be honest.
- Know respective abilities and limitations.
- Understand respective roles and responsibilities.

Building & Sustaining Multidisciplinary Investigative Teams

- Acknowledge relevant goals and interests by recognizing diverse agency objectives.
- Negotiate (but do not confuse negotiations with compromise) (Ells,1998).

Cultural Competency (“Accreditation Guidelines,” 2013).

Cultural competency is defined as the capacity to function in more than one culture, requiring the ability to appreciate, understand and interact with members of diverse populations within the local community. Cultural competency is as basic to the model protocol philosophy as developmentally appropriate, child-friendly practice.

- Child abuse occurs throughout all cultures. Culture can influence how the child and family view the investigative team and culture can influence how the team members view the family and the child.
- Like developmental considerations, diversity issues influence nearly every aspect of work with children and families, such as welcoming a child and family to the center, employing effective forensic interviewing techniques, analyzing information to make a determination about the likelihood of abuse, selecting appropriate service providers and securing help for a family in a manner in which it is likely to be utilized and effective.
- MDITs must be willing and able to understand the child’s and the family’s world views, adapt their practices as needed, and offer help in a manner in which it can be utilized.

Striving towards cultural competence is an important and ongoing endeavor. Culture is more than race and ethnicity. Every family has a unique culture just as every investigative team has a unique culture.

Proactive planning and outreach should focus on culture and degree of acculturation, ethnicity, religion, socioeconomic status, disability, gender and sexual orientation. Investigative teams should seek to understand the child and the family’s culture as much as possible and as quickly as possible. These factors contribute to a client’s world view, unique perceptions and experiences throughout the investigation, intervention, and case management process. By addressing these factors in a culturally competent environment, children and families of all backgrounds feel welcomed, valued, respected and acknowledged by the multidisciplinary investigative team.

Conclusion



The Model Set of Standards reflects a comprehensive effort to provide communities with important tools to improve practice at a local level. No Model Set of Standards, however, can ever fully capture all the necessary elements or predict all the questions that need to be answered as local teams strive to achieve and sustain practice improvements.

In view of this, your team will find included a variety of additional resources to inform your next steps. Together, we can and will strengthen our shared commitment to protect every Pennsylvania child.

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Appendices

Appendix A

WHERE THE TEAM APPROACH EXISTS IN PA: CHILD DEATH REVIEWS

Act 33 of 2008

On July 3, 2008 former Pennsylvania Governor Edward G. Rendell signed Senate Bill 1147, Printer's Number 2159 into law. This amendment to the Child Protective Services Law (CPSL) known as Act 33 of 2008 was effective December 30, 2008 and amended the law to require child fatalities and near fatalities to be reviewed at both the state and local level. The review of child fatalities is not new to the field of child welfare and The Office of Children, Youth and Families (OCYF) previously set forth requirements for similar reviews through Bulletin # 3490-00-01. Act 33 of 2008 codifies and builds upon this review process. Notably, the most significant difference is that the review process is now expanded to include the review of near fatalities. *A near fatality is defined as an act that, as certified by a physician, places a child in serious or critical condition and includes alleged abusive act or failure to act.*

Act 33 also increases the child welfare system's transparency and accountability related to child fatalities and near fatalities by granting the public access to information related to each child fatality or near fatality when abuse is suspected.

Local reviews require the team to be convened when a report is substantiated or if a status determination is not made by the county children and youth agency within 30 days of the oral report to ChildLine. The county agency, in consultation with the local review team, is responsible for choosing a person to chair the local review team. This individual must not be a county agency employee.

The Local Team must include at least 6 members that broadly represent the county with expertise in child abuse and neglect. Members may consist of:

- staff from the county agency;
- member of the advisory committee of the county agency;
- health care professional;
- representative of a local school, educational program or child care or early childhood development program;
- representative of law enforcement or the District Attorney;
- attorney-at-law trained in legal representation of children or an individual trained under 42 Pa.C.S., Section 6342 (relating to court-appointed special advocates);
- mental health professional;
- representative of a children's advocacy center that provides services to children in the county (this must not be an employee of the county agency however);
- county coroner or forensic pathologist;

- representative of a local domestic violence program;
- representative of a local drug and alcohol program;
- individual representing parents; and
- any individual whom the county agency or child fatality or near fatality review team determines is necessary to assist the team in performing its duties.

The team's responsibility for review:

- the circumstances of the child's fatality or near fatality resulting from suspected or substantiated child abuse;
- the delivery of services to the abused child, the child's family and/or the perpetrator provided by the county agency in each county where the child and family resided within the 16 months preceding the fatality or near fatality;
- the services provided to the child, the child's family and the perpetrator by other public and private community agencies or professionals (these services include services provided by law enforcement, mental health services, programs for young children, programs for children with special needs, drug and alcohol programs, local schools and health care providers);
- relevant court records and documents related to the abused child and the child's family; and
- the county agency's compliance with statutes and regulations and with relevant policies and procedures of the county agency.

The Local Team must submit a final written report on each child fatality or near fatality to Department of Public Welfare (DPW) and designated county officials consistent with § 6340 (a) (11) of the CPSL within 90 days of convening that includes information pertaining to the following:

- deficiencies and strengths in compliance with statutes and regulations and services to children and families;
- recommendations for changes at the state and local levels on reducing the likelihood of future child fatalities and near fatalities directly related to child abuse and neglect;
- recommendations for changes at the state and local levels on monitoring and inspection of county agencies; and
- recommendations for changes at the state and local levels on collaboration of community agencies and service providers to prevent child abuse and neglect.

The DPW must then respond to the local review team final written report within 45 days of receipt of the report. DPW is required to conduct an independent review and provide a report. Regional Offices conduct reviews and participate in local reviews.

Appendix A

Act 33 of 2008 requires the release of confidential information to the public by DPW during the course of the fatality or near fatality investigation. County agencies are not permitted to release information to the public until their report is finalized. The information that may be released DPW during the initial course of investigation includes:

- o The identity of the child;
- o If the child was in the custody of a public or private agency and the identity of that agency;
- o The identity of the public or private agency under contract with a county agency to provide services to the child and the child's family in the child's home prior to the fatality or near fatality;
- o A description of services provided by the public or private agency; and
- o The identity of any county agency that convened a child fatality or near fatality review team in respect to the victim child.

The final reports completed by Department of Public Welfare (DPW) and the county agency must also be released to the public. Upon release of the report, identifying information must be removed from these reports with the exception of:

- The identity of the deceased child;
- If the child was in the custody of a public or private agency and the identity of that agency;
- The identity of the public or private agency under contract with a county agency to provide services to the child and the child's family in the child's home prior to the fatality or near fatality; and
- The identity of any county agency that convened a child fatality or near fatality review team in respect to the victim child.

The only exception that permits the withholding of the release of these reports is when the District Attorney certifies that a report's release may compromise a pending criminal investigation or proceeding.

DPW posts the local review team reports, DPW's response to these reports as well as DPW's report on the DPW website to facilitate release to the public as required by Act 33 of 2008.

Act 87 of 2008

Pennsylvania Public Health Child Death Review process is accomplished through both State and Local multidisciplinary teams. Act 87 reviews include all child deaths regardless of circumstance unlike Act 33 reviews.

Local Teams are county based but can be two or more counties within the region. They review their residence child deaths between birth through 21 years of age. The overall outcome is

Appendix A

to promote safety and reduce child fatalities. Local Team members represent the following disciplines or any other person deemed appropriate by the majority of the team:

- county children and youth agency
- District Attorney or a designee
- local law enforcement
- court of common pleas
- physician who specializes in pediatric or family medicine
- county coroner or medical examiner
- emergency medical services
- local public health agency

Local Teams are permitted to review the following information: Coroner's report, death and birth certificates, law enforcement record and interview, medical records, information and report by the county Child and Youth, Fire and Emergency Services, available report and records by the court, animal control, EMS records, traffic fatality reports, and any other records necessary to conduct the review. All meetings are confidential and closed to the public; all members and meeting attendees must sign a confidentiality statement. This includes anyone appearing before the review team. No individual or agency is subject to civil or criminal liability by providing information and all proceedings, deliberation and records are privileged and confidential and are not subject to discovery, subpoena or introduction into evidence.

Local Teams provide case report data to the National Center for the Review and Prevention of Child Deaths in addition to an annual report to the State Child Death Review Team. Local Teams are charged to:

- Identify factors which cause injury and death, including modifiable risk factors
- Make recommendations regarding the following;
 - o Improvement to health and safety policies in the commonwealth
 - o Coordination of services and investigations by child welfare agencies, medical officials, law enforcement and other agencies
 - o To local agencies regarding procedures and other actions to reduce injury and death of children.

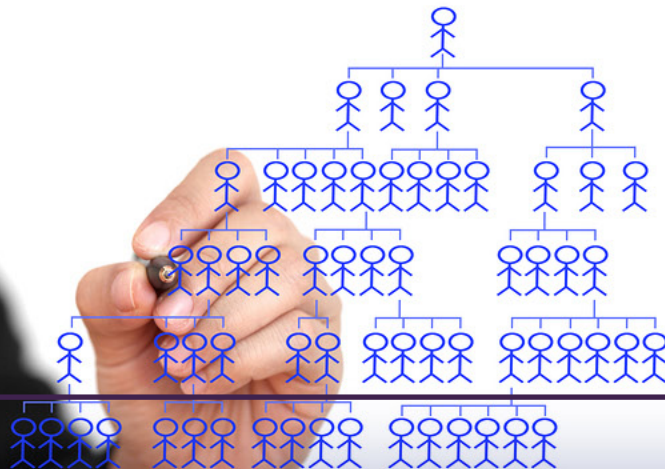


Appendix B

TIPS TO CREATING MULTIDISCIPLINARY INVESTIGATIVE TEAM PROTOCOLS (Ells, 1998)

The following points should be addressed in any protocol:

- What is the purpose of your team? This may be the team's mission statement, but it can be more concrete, such as "to investigate all child abuse reports in ABC County."
- Who are the members of your team?
- What kinds of cases will your team investigate? All child abuse? Only child sexual abuse and exploitation? Only felony physical abuse? Neglect and abandonment?
- How will investigations be conducted? Who will do what? Who will interview victims and who will interrogate suspects? Who will remove children from their home? Who will collect physical evidence? Who will refer victims for physical examinations?
- When will your team members perform certain tasks? Within a specified time from receipt of report? After consultation with other team members? In a particular sequence?
- Where will particular events occur? Will interviews be conducted at a certain location? Interrogations at a different location? Will specific locations be prohibited unless there are unusual circumstances?
- How will your team members carry out assignments? Jointly? Who must be present? How long will others wait? Will child interviews be recorded? On video? Audio? Other? Will non-team personnel be present? Parents or person in loco parentis?
- What information can be shared under what circumstances?
- How will your decisions be made? By whom and at what stage?
- When and where will your team meet?
- How will your meetings be conducted?
- When (or how frequently) will your protocol and team function be evaluated? How and by whom?



TRAUMA INFORMED RESPONSES TO YOUTH SUBJECTED TO TRAUMA

The adult response to youth who have been victimized by abuse and violence is best informed by considering what the youth has lost, and what he or she most needs. Victimization, whether by a family member, trusted neighbor, or stranger, deprives youth of safety, predictability, and a sense of control over their life. There is also a sense of betrayal and a diminution of trust. Given these realities, such youth need to experience respect in order to feel validated and to help restore their sense of personal dignity. The overall goal is to promote youth resilience and minimize the risk of secondary trauma, which may result from inappropriate responses by adults to youth who have been victimized by trauma.

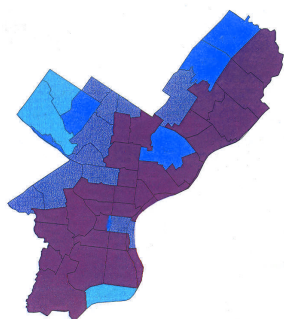
One of the mediators of trauma severity is the behavior of first responders. In addition and less recognized, the behavior of adult responders over time also influences the degree of distress experienced by youth. Therefore, the conduct of every individual who interacts with youth represents an opportunity to support, or further undermine, the youth. The specific role of an adult also impacts that person's responses. For example, the responsibilities of an investigator are different from those of a victim advocate and a lawyer.

A trauma informed approach to youth involves attention to the following parameters: 1) safety for youth, emotional as well as physical; 2) trustworthy behavior by adults; 3) meaningful choices for youth; 4) collaboration between adults and youth; and 5) empowerment of youth (Fallot, 2011; Fallot & Harris, 2009). Taken together, these factors promote healing and help restore a sense of personal mastery (Hodas, 2012). Specific examples may include the following:

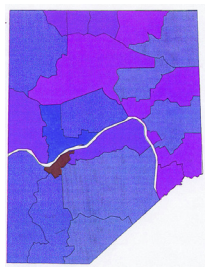
- A welcoming, non-judgmental attitude by involved adults.
- Empathy regarding the ordeal reported by the youth.
- Information about what is going on, and what to expect.
- Acceptance of ambivalence, reluctance, and uncertainty on the part of the youth, including respecting the pace of the youth, whenever possible.
- Education about typical, normal responses to traumatic experiences.
- Promoting family support for the youth, with the youth's consent.
- Offering referral to mental health services when indicated, in a non-stigmatizing manner.

Appendix D

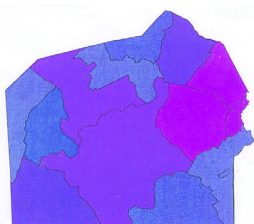
MEMORANDUMS OF UNDERSTANDING (MOUs)



**Philadelphia Children's Alliance
Memorandum of Understanding**



**Beaver County District Attorney's Office
Memorandum of Understanding**



**Adams County Children's Advocacy Center
Investigative Team Inter-Agency Agreement**

Appendix D



MEMORANDUM OF UNDERSTANDING

The Philadelphia Children's Alliance (PCA) is an independent non-profit agency which coordinates the multi-disciplinary investigation and assessment of child sexual abuse¹ cases in Philadelphia. Professionals from child protective services, law enforcement, prosecution, and medical and mental health agencies, work as a team with PCA to ensure that abused children receive comprehensive and sensitive treatment in all aspects of the investigation and subsequent intervention. The Philadelphia multi-disciplinary team's (MDT) primary goal is the well being of the child. We are committed to using a multi-disciplinary team approach in the investigation, assessment, prosecution, medical and therapeutic assessment involving child victims of sexual abuse, knowing that this approach efficiently utilizes all available resources without further traumatizing the child.

This Memorandum of Understanding (MOU) is written to formalize interagency relationships and to document each MDT member's commitment to a collaborative response for all suspected victims of child sexual abuse in Philadelphia.

As participants in the child abuse response system, we, the undersigned agencies, recognize the need for a collaborative response to ensure coordination and cooperation among all agencies involved in child sexual abuse cases in Philadelphia. We agree that this response will facilitate efficient gathering and sharing of information, broaden the knowledge base with which decisions are made, and improve communication among agencies. Additionally, when these interventions are provided in PCA's neutral, child focused facility, we acknowledge that the MDT response is associated with less anxiety, fewer interviews, increased support, and more appropriate and timely referrals for needed services for children and their non-offending family members. With our collective goal of minimizing stress that can be created for the child and his or her family by the intervention process, as well as increasing the efficiency and effectiveness of the involved agencies, we are committed to promoting a thorough understanding of case issues and assuring the best systemic response possible.

Appendix D

As such, protocols have been developed and implemented to address an interdisciplinary, coordinated approach to the investigation, prosecution, and treatment of child sexual abuse cases for the City of Philadelphia, for the purpose(s) of: 1) assisting all agencies in making their determinations as to whether or not abuse occurred, 2) resolving all cases of sexual abuse in a coordinated and collaborative manner, 3) reducing potential trauma to children and families, and 4) holding offenders accountable in both the civil and criminal systems.

By working together we will continually look at ways that we can improve our practice and procedures, including, but not limited to, the possibility of co-location of some or all team members.

We recognize that each of our agencies has specific responsibilities with regard to the investigation, assessment, prosecution, and medical and mental health treatment in cases of alleged child sexual abuse. We agree that the multi-disciplinary team approach will serve to enhance the individual efforts of each agency. We support this concept and agree to adhere to the guidelines as outlined. We acknowledge that through this initiative we will be formalizing the operating inter-agency practices and procedures in order to join together in the daily struggle to ensure the safety and protection of children in Philadelphia.

Specifically:

General Provisions:

- 1) All members of the MDT will adhere to the following collaboratively developed protocols for practice, collectively referred to as “**Protocols for Collaborative Practice**”:
 - A. “Memorandum of Agreement for Referral of Child Abuse Cases”
 - B. “PCA Electronic Recording Protocol”
 - C. “Forensic Interviewing Protocol”
 - D. “Medical Evaluation Protocol”
 - E. “Victim Support Services Protocol”
 - F. “Case Review/Case Conference Protocol”
 - G. “Case Tracking Protocol”
 - H. “Mental Health Treatment Protocol”

¹For the purpose of this document, the term “child sexual abuse” is defined as, “the employment, use, persuasion, inducement, enticement, or coercion of a child to engage in or assist another individual ten years of age or older to engage in sexually explicit conduct; the employment, use, persuasion, inducement, enticement, or coercion of a child to engage in or assist another individual ten years of age or older to engage in simulation of sexually explicit conduct for the purpose of producing visual depiction, including photographing, videotaping, computer depicting, and filming; and any of the following offenses committed against a child by someone ten years of age or older: rape, sexual assault, involuntary deviate sexual intercourse, aggravated indecent assault, molestation, incest, indecent exposure, prostitution, sexual abuse, or sexual exploitation.” Derived from *Pennsylvania Child Protective Services Law and Crimes Code*.

Memorandum Understanding, September, 2011

Appendix D

- 2) All reasonable efforts will be made to utilize PCA and coordinate each step of the investigation in order to minimize the number of interviews and interviewers to which the child is subjected.
 - A. Investigative agencies (Department of Human Services (DHS) and the Philadelphia Police Department, Special Victims' Unit (SVU)) will routinely utilize PCA for forensic interview processes and will adhere to the guidelines for referrals, participation, and utilization as outlined in the "Memorandum of Agreement for Referral of Child Abuse Cases."
 - B. PCA will coordinate joint interviews on cases involving all children referred to the PCA.
 - C. PCA will maintain the staff capacity to provide programmatic services in accordance with all established policies and procedures to effectively meet MDT and client needs.
 - D. Children will be interviewed in a safe, neutral, and child/family friendly setting, as exemplified by the PCA's facility at 42 S. 15th Street, Suite 300.
- 3) As part of case coordination, various mechanisms will be set up to ensure routine inter-agency communication.
 - A. All involved agencies will participate in monthly case review meetings to share pertinent information related to cases. All signers of this agreement shall participate in case review meetings, depending on the needs of the case and agree to send representatives to the meetings in accordance with the "Case Review /Case Conference Protocol." Confidentiality agreements will be signed at each meeting.
 - B. All involved agencies will share relevant information in a timely manner with the rest of the MDT for the entire continuum of the case (initial outcry through prosecution and treatment) to the maximum extent allowable based on state and federal law, and in accordance with each agency's established policies and procedures.
 - C. PCA will track all cases through child protective services, criminal justice, medical and mental health systems and will coordinate information among agencies.
 - D. PCA will facilitate regular Program Committee meetings, in partnership with all agencies, to review the operations of the PCA, develop and revise protocols, as well as improve multidisciplinary team and "systems" issues. All involved agencies agree to designate a supervisory/administrative level professional to participate in the Program Committee and to attend meetings.
 - E. Recognizing that cross-discipline training is an important vehicle for improving inter-agency communication, PCA will provide regular opportunities for members of the multi-disciplinary team to receive ongoing and relevant cross discipline training.

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- F. PCA will provide routine opportunities for MDT members to provide feedback and suggestions regarding procedures/operations of PCA and the MDT, including but not limited to team satisfaction surveys, dialogue during individual processes, Case Conference, and Program Committee Meetings.
- 4) In addition to coordinating the initial investigative process between DHS and the Police Department, Children's Alliance staff and team members will ensure that the following services are available to all clients based on the needs of the case:
 - A. Specialized medical evaluations and treatment services as specified in the "Medical Evaluation Protocol."
 - B. Specialized, trauma-focused mental health services, as specified in the "Mental Health Treatment Protocol."
 - C. Victim support and advocacy, as specified in the "Victim Support Services Protocol."
- 5) PCA will promote policies, practices and procedures that are culturally competent. PCA will make provisions for non-English speaking children and family members, and will provide opportunities for team members and staff to receive on-going training in diversity issues including ethnicity, gender, disabilities, sexual orientation, religion and culture.

It is expressly understood that each agency will work within its own organizational mandates and policies. Nothing contained in this agreement supersedes the statutes, rules and regulations governing each agency. To the extent that any provision of this agreement is inconsistent with any such statute, rule or regulation, the statute, rule or regulation shall prevail. There are no fees associated with this agreement.

This agreement will only be modified with the consent of all signatories. This agreement may be terminated by a specific signatory with respect to that signatory by written notice from such signatory given to the Children's Alliance, with 30 days notice. This agreement will be revised and signed once a year on or about October 1.

Signatories of this agreement will include senior leaders from:

- 1) Philadelphia Department of Human Services
- 2) Philadelphia Police Department
- 3) Philadelphia Office of the District Attorney
- 4) Children's Hospital of Philadelphia
- 5) St. Christopher's Hospital for Children
- 6) Women Organized Against Rape
- 7) Joseph J. Peters Institute
- 8) Children's Crisis Treatment Center
- 9) Penn Center for Youth and Family Trauma Response and Recovery at Hall Mercer
- 10) Philadelphia Children's Alliance

Beaver County District Attorney's Office

Joseph F. Fennych
Chief County Detective

Anthony J. Berosh
District Attorney

Sandra L. McMillen
Administrative Assistant

Courthouse
Third Street
Beaver, Pennsylvania 15009

724-773-8550
Fax: 724-728-0710

This Memorandum of Understanding (MOU) constitutes an agreement between the entities listed below to continue to participate in joint investigations and interviews in crimes involving the sexual abuse of children and any crimes related to the sexual abuse of children in Beaver County. The law enforcement and child protective agencies of Beaver County will be assisted by the Allegheny County Child Advocacy Center, A Child's Place at Mercy to ensure that all medical, psychological and therapeutic needs of the child victims are met. These agencies will make referrals to A Child's Place at Mercy according to the accepted criteria of the Beaver County Multidisciplinary Team.

The mission of these agencies is to respond jointly and effectively to any allegations of sexual abuse toward children in Beaver County. The utilization of law enforcement, child protection investigative agencies and prosecution strategies, as well as victim services, work toward the common goal of attaining a more positive outcome for children.

The Allegheny County Child Advocacy Center, A Child's Place at Mercy, will continue to be in the forefront of evaluating and examining the child victims of sexual abuse and will facilitate coordination with all of the following participating agencies:

Mary M. Carasco, MD, MPH
Director, the Allegheny County Child Advocacy Center, A Child's Place at Mercy

Anthony J. Berosh
District Attorney of Beaver County

Dayna Revay
Administrator of Beaver County Children & Youth Services

Jill Marsilio-Colonna
Executive Director of the Women's Center of Beaver County

Jennifer Popovich
Assistant District Attorney and
Chairperson of Beaver County's Multidisciplinary Team

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ADAMS COUNTY CHILDREN'S ADVOCACY CENTER INVESTIGATIVE TEAM INTER-AGENCY AGREEMENT

The mission of the Adams County Children's Advocacy Center (CAC) is to meet the needs of children and families in our community by providing a community based, child focused center that facilitates a compassionate, multi-disciplinary approach to the prevention and treatment of child abuse.

We recognize the importance of on-site agency collaboration and the use of the multi-disciplinary team approach in prevention, investigation, assessment, protection, referral for prosecution, and treatment of child sexual and serious physical abuse. This agreement includes victims/witnesses of child sexual abuse, serious physical abuse, children who witness violent crimes, child deaths where prosecution is involved and other cases that warrant the unique services of the CAC.

We recognize that the current system which deals with these young victims, although comprised of agencies committed to the protection and best interest of children in Adams County, often cannot meet many of their needs in a coordinated manner. The system is designed for and oriented to adults, a system that has few provisions and concessions to the specific needs and fragile state of those children who are, through no choice of their own, expected to enter into yet another threatening adult environment. As participants in this system, we recognize that many children remain at risk for re-victimization by excessive interviews, lack of communication and coordination between agencies, and lack of specialized interviewing techniques.

Having recognized these problems, we are supportive of the creation, development, and implementation of a child-oriented program, which will establish a cooperative effort between the undersigned agencies. A multi-disciplinary team approach will be utilized in the investigation, assessment, referral for prosecution, medical/therapeutic treatment involving child victims/witnesses of sexual abuse, serious physical abuse and witness to violent crimes.

Each of the undersigned agencies has specific responsibilities as outlined in the attached provisions with regard to the investigation, assessment, medical treatment, and prosecution of cases of child sexual and serious physical abuse. We agree to support the concept and adhere to the guidelines as outlined. We note that on certain cases exceptions to the guidelines will be necessary, and at such times exceptions will be granted with the agreement of the

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investigatory parties involved. We, the undersigned, do hereby acknowledge that the multi-disciplinary team approach, through the CAC will serve to enhance the individual efforts of each agency. We acknowledge that through these respective agencies, and through public support and awareness, the CAC will unify our communities in the daily struggle to ensure the protection and safeguarding of the children of Adams County.

GENERAL PROVISIONS

1. Each agency will work with and assist the other agencies and the CAC to ensure that the best interest and protection of the children will be served.
2. Each party agrees to support the concept and philosophy of the CAC, a neutral, child-friendly site promoting the multi-disciplinary team approach to investigating cases of child sexual abuse, serious physical abuse, children who witness violent crimes, child deaths where prosecution is involved and other cases that warrant the unique services of the CAC, and agrees that all efforts will be made to interview and meet with children and their non-offending care givers at the CAC.
3. Each party will devote sufficient staff and resources to maintain a multi-disciplinary team whose goals are to facilitate the recovery of the child victim and further the prosecution of offenders on a case-by-case basis.

Roles and Duties

1. The appropriate law enforcement agency is to investigate and determine whether or not a crime has been committed, and to present information to the proper authorities for prosecution.
2. Children and Youth Services provide protective services to children and their families in the form of investigations and treatment services. Children and Youth Services conduct an investigation to assess the child's safety and to provide rehabilitative services to children and their families.
3. The Office of the District Attorney is responsible for assessing the legal aspects of the case in accordance with their prosecutorial role in criminal matters.
4. When said interviews are conducted at the CAC, they shall be observed by law enforcement, Child and Youth Services worker and may be observed by the District attorney or their designee, and/or other professionals deemed appropriate by the members of the Multidisciplinary Team (MDT).
5. The parties recognize the fact that each of them has a different role and specific responsibilities for the interviewing, investigation, treatment, prosecution, and support services in the handling of these cases. It is further recognized that a team approach is more conducive to the resolution of the problems presented by these cases than an individual agency approach.
6. Each party agrees that all efforts will be made to coordinate each step of the investigative process to minimize the number and length of interviews to which the child is subjected, thus reducing the potential trauma to the child

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7. Each party agrees to adhere to the program policies and procedures outlined in the ACCAC Policy and Procedure manual.
8. The parties agree to meet once a month or at such intervals as may be agreed upon to attend MDT meetings for the purpose of reviewing specific cases, sharing relevant information, and recommending specific referrals.
9. All parties, in accordance with their individual agency's policies, agree to participate in ongoing training in the field of child maltreatment. All interviewers participating in investigations will have successfully completed specialized training when available. All agencies will be invited and encouraged to attend training sponsored by the Center.
10. The parties agree to serve as a source of information, education, and referral for the community on issues surrounding abused children.
11. All parties agree to provide extensive and continuing training and education for agency personnel and other professionals and volunteers in the community who work with abused children.
12. The parties will provide for a multidisciplinary case conference and case management approach which is focused first on the suspected child victim's needs, second on the law enforcement, prosecution and child protection proceedings involved, and third on the family members who are supportive of the child and whose interest are consistent with the best interest of the child.
13. All personnel participating at the Center, within the bounds allowed by law, agree to maintain confidentiality of all records and information gathered on any cases. All personnel further agree not to release any records or information on any cases except as it relates to legitimate program operations of their agency. Respective agencies will be notified of any media involvement in cases in which the Center is involved.
14. All agencies/organizations participating in the Center will immediately share pertinent case information with the appropriate agency except as prohibited by law.
15. The Child Advocacy Center Guidelines for Center Operation shall be reviewed and modified as determined by the designated agency representatives. These guidelines may be modified:
 - a) To conform to existing or new statutes, rules, regulations, or departmental policies which may conflict with any provisions of these Guidelines.
 - b) To better meet the needs of families and children in the provision of child sexual and serious physical abuse and other related services.
 - c) To improve the procedures set forth in these Guidelines.
 - d) To add or delete agencies as parties to these Guidelines.
 - e) For such other purpose as the parties may agree.The Child Advocacy Center Inter-Agency Agreement shall only be modified with the consent of all signatories.

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16. The Agreement and Guidelines may be terminated by written notice, submitted to all parties (signatories). Any party seeking to terminate the Agreement and Guidelines must give thirty (30) days notice.
17. As agencies become parties to this Agreement and Guidelines they will agree to follow the guidelines and provisions as outlined in this document to the best of their ability.

PARTICIPATING AGENCIES IN ADAMS COUNTY, PENNSYLVANIA

Signatures contained on this document acknowledge the participation by the agency represented and affirmation that the participating agency and all members of that agency will adhere to this agreement to the best of their ability. The undersigned agree to operationalize and adhere to the program policies and procedures included in the ACCAC's Policy and Procedure Manual.

Shawn Wagner, District Attorney
District Attorney's Office

Kathy McConaghay, Administrator
Children and Youth Services

Chief Michael Trostel
Bendersville Borough Police Department

Chief Gary Lanious
Biglerville Borough Police Department

Chief John Perry
Bonneauville Borough Police Department

Chief Richard Hileman
Carroll Valley Borough Police Department

Chief David Williams
Conewago Township Police Department

Chief Donald Boehs
Cumberland Township Police Department

Chief Robert Then
Eastern Adams Regional Police Department

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Chief J. Michael Grim
East Berlin Borough Police Department

Chief Joseph Dougherty
Gettysburg Borough Police Department

Officer-in-Charge Larmer
Hamiltonban Township Police Department

Chief Charles Kellar
Littlestown Borough Police Department

Chief Matthew Harvey
Liberty Township Police Department

Chief Michael Woods
McSherrystown Borough Police Department

Chief William Ceravola
Reading Township Police Department

Chief Michael Weigand
Latimore Township Police Department

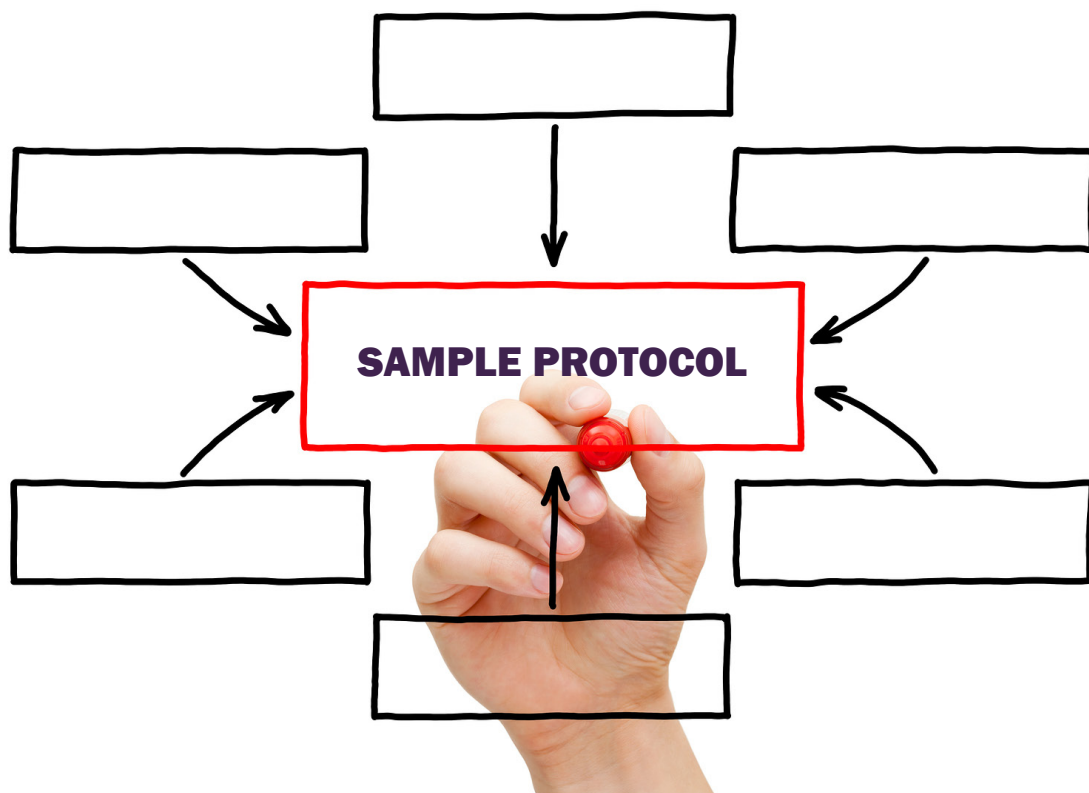
Sergeant Robert Gano
Pennsylvania State Police – Gettysburg

Chris Goodacre, Director
Victim/Witness Program

Jennifer McNew, RN SANE-P

Shelly Duckworth, MS, LPC, CTS
Trauma Counseling Center, LLC

Joddie Walker, Executive Director
Adams County Children's Advocacy Center



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_____ COUNTY CHILD ABUSE PROTOCOL

In accordance with 23 § 6365 (C) this county wide protocol has been developed to set forth standards and procedures to be used in receiving and referring reports and coordinating investigations of reported cases of child abuse. This protocol also includes standards and procedures to share information, avoid duplication of fact-finding efforts and interviews and to minimize the trauma to the child.

The following protocol has been adopted to ensure a complete and thorough investigation is completed by all agencies while minimizing the number of interviews of the child. Further, an emphasis is placed on cooperation and communication between the _____ County District Attorney's Office, _____ County Social Services for Children and Youth, and _____ County's Law Enforcement Agencies. This protocol provides guidelines on how investigations should be conducted and when, where and how the interviews of both victims and suspects shall be conducted.

MISSION STATEMENT

The mission of the _____ County joint investigative team is to cooperate in a collaborative approach to cases involving child victims in order to facilitate strong case development and reduce the amount of trauma to the child victim.

LAW ENFORCEMENT PROCEDURES & RESPONSIBILITIES

1. Upon receiving a report of child abuse, the law enforcement agency will immediately:
 - a. The law enforcement agency will be responsible to notify _____ County Children & Youth Services of the reported child abuse allegation.
 - b. The law enforcement agency is responsible to notify the _____ County District Attorney's Office.

Counties may consider listing the names of the designated contact people and their phone numbers in this section.

2. **Scheduling the interview of the child victim:** The Children's Advocacy Center [insert name of local CAC] [insert phone number] will coordinate the scheduling of the interview with the child victim in a timely manner. This interview will be coordinated with the District Attorney's Office, the police and Children & Youth in an effort to schedule a joint interview with the child and any appropriate medical examination. In situations where the allegation does not fall within the jurisdiction of cases investigated by Children & Youth, the [Law Enforcement Officer] [District Attorney

Office] will contact the CAC to coordinate the interview. **This interview should serve as the primary investigative interview of the child victim.** *If the jurisdiction is not served by a Child Advocacy Center, this section should provide a detailed description of how the interview of the child will be scheduled and who is responsible to conduct the interview.*

3. **Minimal Facts Interviews.** If circumstances necessitate an immediate interview of the child, the principles of the 'minimal facts' interviewing technique should be utilized. If the child volunteers detailed information the child should be listened to without interruption and the disclosure should be recorded in the child's own words (not a summary). The record should also reflect the circumstances under which the child made the disclosures. If the child does not volunteer information, extensive questioning of the child should be avoided as much as possible. In-depth facts should, however, be developed from other sources present, like adults. (See attachment 1, Minimal Facts Interviewing of Young Children)
4. **Medical Evaluations** are recommended in situations where a child discloses abuse, when a child has physical symptoms of possible abuse or when there are concerns and the child is too young to be interviewed. The Children's Advocacy Center will coordinate the medical examination with a medical provider that has specialized training in pediatrics and child sexual abuse.

The medical examination is necessary for evidentiary reasons. Should there be physical findings of sexual abuse, the appropriate authorities and investigative bodies are notified and prosecutors have additional proof to validate criminal charges. There may be a need to do sexually transmitted diseases or infection (STD/I) cultures, depending on who the perpetrator is and what sex acts occurred. Medical exams serve to reassure children and non-offending caregivers that they are okay.

5. **Suspect Interview & Interrogation:**
The police should be allowed the first opportunity to contact and interrogate the suspect. ****This must be coordinated by contacting the Children & Youth caseworker and a request should be made that Children & Youth delay notification to the suspect. While Children and Youth, through this protocol, will agree to delay their required notifications to the suspect, the police investigator's interview of the suspect must be conducted in a timely manner.** [Counties may want to further expand this portion of the protocol by providing specific timelines setting forth how long law enforcement has to conduct the suspect interview/interrogation]
**** Children & Youth caseworkers are required by law to notify the alleged perpetrator of the child abuse allegation. This notification may be reasonably**

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delayed upon request of the police officer. However, the caseworker must complete their report within 30 days (60 days for reasonable cause) and are required to notify the suspect prior to completing their report. As such, the police officer must conduct the interview of the suspect in a timely manner if you wish to have the first opportunity to speak with the suspect (23 § 6368).

6. **The District Attorney's Office reserves the right to review all child abuse cases prior to the suspect being charged (this includes all cases of Homicide, Rape, Statutory Sexual Assault, Involuntary Deviate Sexual Intercourse, Sexual Assault, Aggravated Indecent Assault, Indecent Assault, Aggravated Assault and Simple Assault).** None of the listed charges will be filed without the approval of the District Attorney's Office. Any charges not listed do not need prior District Attorney approval, however the police officer is encouraged to contact the District Attorney's Office so that proper coordination can be made in the case (example- Endangering the Welfare of a Child). Prior to charges being filed an attorney from the District Attorney's Office must review the case. Preferably this review of the case will be done as part of a MDIT meeting (however, if time constraints require, the review of the case may be conducted by phone). The point of contact in the District Attorney's Office to review child abuse cases is _____.] [This section may not apply to all counties]
7. **Case Review Meetings:** Case Review meetings are currently conducted on _____ from _____ AM/PM to _____ AM/PM at (*insert location of meeting*). During this meeting child abuse investigations are reviewed by MDIT members for the purpose of developing investigative strategies, for charging decisions and to discuss the best course of action in regards to the child victim. All law enforcement officers are encouraged to utilize this meeting to have their investigations reviewed by a member of the District Attorney's Office. Officers should call (*insert phone number*) prior to (*set a deadline date*) and request that their case(s) be reviewed at the meeting. *This meeting serves as the primary charge approval method for the District Attorney's Office.*
 - This meeting is intended to serve as the primary MDIT meeting to discuss child abuse cases and issues. It is expected that, in addition to law enforcement, the appropriate representative from Children & Youth, the Children & Youth Solicitor, mental health/intellectual deficiency (MH/ID) services, Children's Advocacy Center and victim service agencies will attend this meeting.
 - **Emergency/Special MDT meetings:** Any investigative team member may request a special or emergency multidisciplinary team review at any point in the case process to address concerns about a child's immediate safety, services to the child or family members, criminal or civil case status, or for

- any other reason which serves the best interest of the child. Anyone seeking a Special or Emergency MDT meeting should contact (list the appropriate contact information here).
8. The District Attorney's Office will be responsible to complete and return to the Children & Youth Agency both the initial and dispositional CY-73 form entitled "Follow-Up Child Abuse Referral".
 9. Law Enforcement officials have the right to access Children & Youth records pursuant to 23 § 6340(a)(9). The Law Enforcement official should contact the Children & Youth caseworker assigned to the case to arrange the date and time to review the information. Law Enforcement is entitled to the following information:
 - a. Sexual abuse, sexual exploitation, serious bodily injury or serious physical injury perpetrated by persons whether or not related to the victim. Homicide or other criminal offenses set forth in 23 § 6344 (c):
 1. 18 § 2501 Child Death (Criminal Homicide);
 2. 18 § 2702 Aggravated Assault;
 3. 18 § 2709 Harassment & Stalking;
 4. 18 § 2901 Kidnapping;
 5. 18 § 2902 Unlawful Restraint;
 6. 18 § 3121 Rape;
 7. 18 § 3122.1 Statutory Sexual Assault;
 8. 18 § 3123 Involuntary Deviate Sexual Intercourse;
 9. 18 § 3124.1 Sexual Assault;
 10. 18 § 3125 Aggravated Indecent Assault;
 11. 18 § 3126 Indecent Assault;
 12. 18 § 3127 Indecent Exposure;
 13. 18 § 4302 Incest;
 14. 18 § 4303 Concealing the Death of a Child;
 15. 18 § 4304 Endangering the Welfare of a Child
 16. 18 § 4305 Dealing in Infant Children;
 17. 18 § 5902(b) Prostitution & Related Offenses (Felonies);
 18. 18 § 5903(c)(d) Obscene & Other Related Materials;
 19. 18 § 6301 Corruption of Minors;
 20. 18 § 6312 Sexual Abuse of Children (Child Pornography);
 - b. Child abuse perpetrated by persons who are not family members;
 - c. Repeated physical injury to a child under circumstances which indicate that the child's health, safety or welfare is harmed or threatened.
 - d. A missing child report.

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10. Student Abuse

- a. When a school becomes aware that a student has been abused by a school employee, the administration of the school is required to report said abuse to both law enforcement and the District Attorney's Office. (23 Pa.C.S.A. § 6352).
- b. Upon learning of a report of suspected student abuse by a school employee law enforcement will immediately notify the District Attorney's Office (insert contact names & phone numbers). The District Attorney's Office will contact team members to notify them of the investigation.
- c. While the law requires the initial report of student abuse to be made to law enforcement/District Attorney's Office, it is expected that the MDIT process and procedures set forth in this protocol to investigate child abuse allegations will be followed as outlined above.

11. Taking a Child into Protective Custody

- a. The decision to take a child into protective custody in an emergency situation rests solely on the law enforcement officer authorized under 42 Pa.C.S.A. § 6324 (3). That being said, it is strongly advised that the law enforcement officer make this decision through consultation with the Children & Youth caseworker assigned to the investigation.
- b. If after consultation with the Children & Youth caseworker the law enforcement officer has "reasonable grounds to believe the child is suffering from illness or injury or is in imminent danger from his surroundings that his removal is necessary" the law enforcement officer must take protective custody of the child. The removal of a child under these circumstances must be coordinated with the Children & Youth caseworker to ensure that the child's placement in a safe environment occurs in a timely fashion.
- c. In making this determination, the law enforcement officer should evaluate the risk that, without protective custody, the child will be subjected to further abuse or to threats and intimidation and should consider whether the child is in need of immediate medical attention. Both the law enforcement officer and Children & Youth caseworker must be prepared to articulate the reasons why there was an immediate need for removal of the child from the home.
- d. Children and Youth Services will be responsible for placing the child in substitute care in accordance with DPW regulations. It may be necessary for the police officer to testify at a subsequent court hearing as to the reason protective custody was taken.

CHILDREN & YOUTH PROCEDURES & RESPONSIBILITIES

1. After assuring the child's safety, a report must be made **immediately** to the District Attorney's Office (pursuant to 23 § 6340[10]) when there is sufficient information to suspect any of the following:

- A. Any of the following criminal offenses or an equivalent crime under federal law or the law of another state, sexual abuse, sexual exploitation, or serious bodily injury perpetrated by persons, whether or not they are related to the victim:

1. 18 § 2501 Child Death (Criminal Homicide);
2. 18 § 2702 Aggravated Assault;
3. 18 § 2709 Harassment & Stalking;
4. 18 § 2901 Kidnapping;
5. 18 § 2902 Unlawful Restraint;
6. 18 § 3121 Rape;
7. 18 § 3122.1 Statutory Sexual Assault;
8. 18 § 3123 Involuntary Deviate Sexual Intercourse;
9. 18 § 3124.1 Sexual Assault;
10. 18 § 3125 Aggravated Indecent Assault;
11. 18 § 3126 Indecent Assault;
12. 18 § 3127 Indecent Exposure;
13. 18 § 4302 Incest;
14. 18 § 4303 Concealing the Death of a Child;
15. 18 § 4305 Dealing in Infant Children;
16. 18 § 5902(b) Prostitution & Related Offenses (Felonies);
17. 18 § 5903(c)(d) Obscene & Other Related Materials;
18. 18 § 6301 Corruption of Minors;
19. 18 § 6312 Sexual Abuse of Children (Child Pornography);

- B. Child abuse perpetrated by persons who are not family members;

- C. Serious physical injuries involving extensive and severe bruising, burns, broken bones, lacerations, internal bleeding, shaken baby syndrome or choking, or an injury that significantly impairs a child's physical functioning, either temporary or permanently.

2. The Children & Youth caseworker will report the alleged abuse immediately by phone (*insert the contact information for the point of contact in the District Attorney's Office*). The caseworker must also contact and notify the appropriate police jurisdiction of the report of alleged abuse.

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3. The caseworker will follow-up the verbal notification with a CY-104 referral form to both the District Attorney's Office and the appropriate police jurisdiction within 5 days.
4. **The Child Victim Interview: (in this section outline the procedures concerning the conduct of the child interview)**
 - a) *Example:* The **Children's Advocacy Center** (*phone number*) will coordinate the scheduling of the interview with the child victim in a timely manner. This interview will be coordinated with the District Attorney's Office, the police and Children & Youth in an effort to schedule a joint interview with the child and any appropriate medical examination. In most cases the agency contacting the Children's Advocacy Center to schedule the interview will be the Children and Youth caseworker assigned to case. In situations where the allegation does not fall within the jurisdiction of cases investigated by Children & Youth, the District Attorney's Office will contact the Children's Advocacy Center to coordinate the interview. **This interview should serve as the primary investigative interview of the child victim.**
 - b) This meeting should also serve as the MDIT meeting on the specific case. Caseworkers and Law Enforcement Officers should routinely update one another concerning the status of their respective investigations. They are also strongly encouraged to utilize the Case Review Meeting as follow-up MDIT meetings to further coordinate the investigation.
 - c) **Cases Not Requiring Emergency Protective Custody (28 § 6368):** In all cases other than those described above in (c), the caseworker shall see the child within 24 hours of receipt of a report of suspected child abuse. The caseworker will follow the procedures set forth in (a) to schedule an investigative interview with the child. *While it is recognized that the caseworker needs to assess the nature and extent of the allegation, if possible an effort should be made to avoid a full investigative interview and 'minimal fact' interviewing techniques should be utilized.* However, the extent of this interview is at all times left to the discretion of the caseworker based on the circumstances. The Children & Youth caseworker is required to prepare a safety plan for the family even in cases not requiring emergency protective custody. As such some information, out of necessity, may have to be divulged to the family. The CYS caseworker will attempt to reveal only minimal information so as not to interfere with the conduct of a criminal investigation.
 - d) **Cases Requiring Emergency Protective Custody (23 § 6368):** Upon receipt of a report of suspected child abuse the caseworker will *immediately* see the child

if emergency protective custody is required or has been or shall be taken, or if it cannot be determined from the report whether emergency protective custody is needed. The caseworker will attempt to contact the District Attorney's Office (insert contact information) to inquire as to the availability of a law enforcement representative to accompany the caseworker to visit the child. If circumstances necessitate an interview of the child, the principles of the 'minimal facts' interviewing technique should be utilized. If the child volunteers detailed information the child should be listened to without interruption and the disclosure should be recorded in the child's own words (not a summary). The record should also reflect the circumstances under which the child made the disclosures. If the child does not volunteer information, extensive questioning of the child should be avoided as much as possible. In-depth facts should, however, be developed from other sources present, like adults.

5. The Perpetrator Interview:

- a) **The police should be allowed the first opportunity to contact and interrogate the suspect.** **This must be coordinated by contacting the Children & Youth caseworker and a request should be made that Children & Youth delay notification to the suspect.*While Children & Youth, through this protocol, will agree to delay their required notifications to the suspect, the police investigator's interview of the suspect must be conducted in a timely manner. [Counties may want to expand this portion of the protocol by providing specific timelines setting forth how long law enforcement has to conduct the suspect interview/interrogation] Children & Youth caseworkers are required by law to notify the alleged perpetrator of the child abuse allegation. This notification may be reasonably delayed upon request of the police officer. However, the caseworker must complete their report within 30 days (60 days for reasonable cause) and are required to notify the suspect prior to completing their report. As such, the police officer must conduct the interview of the suspect in a timely manner if you wish to have the first opportunity to speak with the suspect (23 § 6368).*
- b) The results of the police interview with the perpetrator will be forwarded to the District Attorney's Child Abuse Coordinator. The Child Abuse coordinator will update the Children & Youth caseworker on the status of the police investigation and provide a copy of any suspect statements to the caseworker.
- c) In cases where it is absolutely necessary for immediate Children & Youth contact with the alleged perpetrator, the caseworker will contact the District Attorney's Office to arrange, if possible, police accompaniment for the caseworker's contact with the alleged perpetrator.

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VICTIM ADVOCACY

1. The complex problems of child abuse typically require more than a legal, medical and mental health response. Victim advocacy is critical in the provision of services to support the child and family. Victim advocacy will be provided by the *(insert name of victim advocacy agency or agencies and contact information)*.
 - a. The *(insert name of victim advocacy agency)* is responsible for providing the victims and their families with a better understanding of the judicial process and their role in it.
 - b. *(Insert name of victim advocacy agency)* is responsible for keeping team members informed of the family dynamics and the child and family's attitude towards prosecution.
 - c. *(Insert name of victim advocacy agency)* is responsible for providing support to child abuse victims and their families. *(Insert name of victim advocacy agency)* advocates will keep all witnesses and their families informed and updated on their case status as it proceeds through the court system.
 - d. *(Insert name of victim advocacy agency)* will facilitate linkages with community support services for child victims and their families.
 - e. The *(insert name of victim advocacy agency)* will provide help with the victim compensation process, short term individual therapy and peer support groups.

RESOLVING CONFLICTS AMONG AGENCIES

1. This protocol is intended to provide guidance in most situations. All participants understand that flexibility will be needed to meet the requirements of individual cases;
2. We expect that this protocol may be modified as the cooperating agencies have more experience working together on cases over an extended period of time. Changes can be made with the agreement of all agencies;
3. In situations where there is conflict over appropriate responsibilities in a specific child abuse investigation, line staff will attempt to resolve their differences directly or, if they are unable to do so, to prepare an objective description of the nature of their disagreement;
4. When line staff cannot resolve a disagreement, the next level of discussion should take place between the departmental supervisors of the staff. If they are unable to resolve the issue or question, the _____ County District Attorney and the Administrator of _____ County Social Services for Children and Youth or their designees will make the final decision about how the matter will be resolved.
5. Disagreements between agencies shall be resolved as quickly as possible to avoid compromising the investigation or the safety of the child victim.

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NOTES

Additional Resources

[Forming a Multidisciplinary Team to Investigate Child Abuse](#)

[Texas Department of Family and Protective Services Joint Investigations Guidelines](#)

[Guidelines for the Multidisciplinary Response to Child Abuse in Alaska](#)

[Pennsylvania Chapter of Children's Advocacy Centers & Multidisciplinary Teams:](#)

PA CAC/MDT provides training, support, technical assistance & leadership on a statewide level to local children's & child advocacy centers & communities throughout Pennsylvania respond to reports of child abuse & neglect.

[The Pennsylvania Child Welfare Resource Center:](#) The Pennsylvania Child Welfare Resource Center is a national leader in advocating for an enhanced quality of life for Pennsylvania's children, youth, & families. In partnership with families, communities, public & private agencies, we prepare & support exceptional Child Welfare Professionals & systems through education, research & a commitment to best practice.

[The Pennsylvania District Attorneys Association:](#) It is the mission of the Pennsylvania District Attorneys Association to: Assist the membership in the pursuit of the justice & in all matters relating to the execution of their duties. Advocate the position of the Association to the government & citizens of Pennsylvania. Coordinate with other agencies on matters of mutual concern. Communicate the Association's position to its membership & the public on criminal justice matters.

[National Children's Alliance:](#) The National Children's Alliance is dedicated to helping local communities respond to allegations of child abuse in ways that are effective and efficient – & put the needs of child victims first.

[Pennsylvania Commission on Crime and Delinquency:](#) Established in 1978, The Pennsylvania Commission on Crime & Delinquency's mission is to improve the criminal justice system in Pennsylvania.

[National Child Traumatic Stress Network:](#) The National Child Traumatic Stress Network (NCTSN) collaboration of frontline providers, researchers & families is committed to raising the standard of care while increasing access to services. Combining knowledge of child development, expertise in child traumatic experiences & dedication to evidence-based practices, the NCTSN changes the course of children's lives by changing the course of their care.

ChildFirst Pennsylvania: ChildFirst Pennsylvania assists participants and interviewers in defending their interviews and work product in court. This program is designed for investigative teams of law enforcement officers, social workers, prosecutors, child protective attorneys, and mandated reporters of abuse who must provide investigating professionals with essential information.

National Children's Advocacy Center, National Training Center: The National Children's Advocacy Center (NCAC) is located in Huntsville, Alabama, and has revolutionized our nation's response to child sexual abuse since its creation under the leadership of Bud Cramer. The work of the NCAC serves as a beacon of hope for more than 250,000 child abuse victims every year. The National Training Center (NTC) is one of the leading providers of quality training for professionals working with abused children and their families. To meet the varied needs of the child abuse professional, training sessions are available On Campus, Online, Customized Training - On Location, and through two professional conferences.

American Professional Society on the Abuse of Children: The American Professional Society on the Abuse of Children is the leading national organization supporting professionals who serve children and families affected by child maltreatment and violence. The Society's educational programs are designed to promote effective, culturally sensitive, and interdisciplinary approaches to the identification, intervention, treatment, and prevention of child abuse and neglect.

CornerHouse: More than 20 years ago, CornerHouse developed a forensic interview protocol, which has been adopted throughout the United States and several other countries. CornerHouse has now trained over 26,000 professionals from every state in the continental United States, Alaska and 14 foreign countries including the investigators of the International Criminal Court at the Hague.

Northeast Regional Children's Advocacy Center: The Northeast Regional Children's Advocacy Center (NRCAC) is an OJJDP funded grant project managed by the Philadelphia Children's Alliance (PCA) in collaboration with NCA and three other regional centers. NRCAC assistance is available to any community in the nine northeastern states in developing a coordinated, child-focused community response to child abuse, as well as services to support existing Children's Advocacy Centers (CACs). NRCAC staff members are available to provide assistance with team protocol development, organizational development, funding and marketing strategies, available training opportunities and other regional and national resources.



MODEL SET OF STANDARDS FOR PENNSYLVANIA'S MULTIDISCIPLINARY INVESTIGATIVE TEAMS

CHILD VICTIMS OF HUMAN TRAFFICKING (CVHT) SCREENING TOOL

The CVHT Screening Tool is designed to help child welfare professionals to identify children who have been possible victims of sex and/or human trafficking. This tool can be used to screen up to four children living with the same parent(s) or guardian(s). An example of how to record the responses of more than one child is shown below.

Example

For child number one mark any 'Yes' for the indicators under the boxes with the number 1.
For child number two mark any 'Yes' for the indicators under the boxes with the number 2.

[1][2][3][4]
☒ ☐ ☐ ☐
☐ ☒ ☐ ☐

Step One

Read through the entire screening tool. Based on information reported, direct observation of the child and from other assessments already completed, mark each indicator with a 'Yes' or leave blank. An example is shown below.

Example

[1][2][3][4]
☐ ☐ ☐ ☐ ← **Leave blank** if the indicator is **not** present or has not been reported for a child.
☐ ☐ ☐ ☐
☒ ☐ ☐ ☐ ← **Mark the box** indicating 'Yes' if the indicator is present or has been reported for a child.
☐ ☐ ☒ ☒

Step Two

Strengths-based, non-judgmental, and trauma-informed approaches should be used to engage the child in a conversation based on the child's developmental and intellectual ability to secure an answer to the indicators not already answered with a 'Yes' on the screening tool. Remember, a child may be reluctant to respond due to a lack of trust, fear of consequences related to disclosure, and/or not viewing themselves as a victim.

- ⊗ Do not read the items verbatim to the child.
- ⊗ Do not interview a child in front of a suspected trafficker or individual who is exhibiting controlling behavior over the child.
- ⊗ Do not allow the suspected trafficker to interpret for the child if he/she does not speak fluent English.

Step Three

- After talking with the child, if you have answered 'Yes' to a Tier One indicator, a more detailed CVHT Assessment is warranted.
- After talking with the child, if you have answered 'Yes' to two or more Tier Two indicators, you may refer the child for a CVHT assessment.
- The individual completing the screening tool has the ability to refer a child for a more detailed CVHT assessment regardless of the screening tool's findings.

CHILD VICTIMS OF HUMAN TRAFFICKING (CVHT) SCREENING TOOL

Tier One Indicators – If one or more Tier One indicators are present, a further assessment, using the CVHT Assessment Tool, is warranted.

[1][2][3][4]

- ☐☐☐☐ Current incident or history of sex and/or labor trafficking or acknowledgement of being trafficked
- ☐☐☐☐ Child is recovered from runaway episode in a hotel or known area of prostitution
- ☐☐☐☐ Report of sex and/or labor trafficking by parent/guardian, law enforcement, medical or service provider, teacher, child protective services and/or juvenile probation officer

Tier Two Indicators – If two or more Tier Two indicators are present, a further assessment, using the CVHT Assessment Tool, may be warranted.

[1][2][3][4]

- ☐☐☐☐ History of running away or getting kicked out 4 or more times in addition to a history of sexual abuse
(*Definition of running away or getting kicked out of home includes times the child did not voluntarily return within 24 hours. Include incidents not reported by or to law enforcement.*)
- ☐☐☐☐ History of running away from another county or state
- ☐☐☐☐ Current incident or history of inappropriate sexual behaviors
- ☐☐☐☐ Current incident or history of sexually transmitted diseases or pregnancies
- ☐☐☐☐ Child is not allowed or unable to speak for him/herself and may be extremely fearful
- ☐☐☐☐ Child has no personal items or possessions (including identity documents if foreign born—labor trafficking)
- ☐☐☐☐ Child appears to have material items that he or she cannot afford (e.g. cell phones, expensive clothing, tablets, etc.)
- ☐☐☐☐ Child shows signs of being groomed (i.e. hair done, nails done, new clothing, etc., that the child cannot afford or justify how it was paid for)
- ☐☐☐☐ Suspicious tattoos or other signs of branding (e.g. tattoos of the trafficker's names, dollar signs, diamonds, stars, etc.; may also have certain designs/logos on nails, jewelry, etc.)
- ☐☐☐☐ Child has no knowledge about the community he/she is located in
- ☐☐☐☐ Child associates and/or has relationships with age-inappropriate friends, boyfriends and/or girlfriends
- ☐☐☐☐ Child known to associate with confirmed or suspected child victim of human trafficking
- ☐☐☐☐ Child is not living with parent, guardian, relative or caretaker of record
- ☐☐☐☐ Child has inappropriate, sexually suggestive activity on social media websites and/or chat apps
- ☐☐☐☐ Child has a history of being arrested for loitering, curfew violations, disorderly conduct, simple possession of a controlled substance, criminal trespassing and false identification to law enforcement authorities
- ☐☐☐☐ Child has a history of truancy or absence from school
- ☐☐☐☐ Elevated drug and/or alcohol use

CHILD VICTIMS OF HUMAN TRAFFICKING (CVHT) SCREENING TOOL

*****The individual completing the screening tool has the ability to conduct a more detailed CVHT assessment regardless of the screening tool's findings*****

Name of Screener _____ Signature _____

Phone Number/Email _____

*(The individual utilizing the screening tool has the ability to conduct a more detailed CVHT assessment regardless of the screening tools findings.)***1) Name of Child Number [1]** _____ **Date of Birth** _____

Date of Screening _____

Total Number of Tier One Indicators _____

Total Number of Tier Two Indicators _____

No Indicators Were Present During the Screening _____

Date assessment was conducted _____ No further assessment is needed _____

Please explain why a further assessment is/is not warranted:

2) Name of Child Number [2] _____ **Date of Birth** _____

Date of Screening _____

Total Number of Tier One Indicators _____

Total Number of Tier Two Indicators _____

No Indicators Were Present During the Screening _____

Date assessment was conducted _____ No further assessment is needed _____

Please explain why a further assessment is/is not warranted:

CHILD VICTIMS OF HUMAN TRAFFICKING (CVHT) SCREENING TOOL

3) Name of Child Number [3] _____ **Date of Birth** _____**Date of Screening** _____

Total Number of Tier One Indicators _____

Total Number of Tier Two Indicators _____

No Indicators Were Present During the Screening _____

Date assessment was conducted _____

No further assessment is needed _____

Please explain why a further assessment is/is not warranted:

4) Name of Child Number [4] _____ **Date of Birth** _____**Date of Screening** _____

Total Number of Tier One Indicators _____

Total Number of Tier Two Indicators _____

No Indicators Were Present During the Screening _____

Date assessment was conducted _____

No further assessment is needed _____

Please explain why a further assessment is/is not warranted:

Name of Supervisor _____ **Signature** _____ **Date** _____**Supervisor Comments:** _____

CHILD VICTIMS OF HUMAN TRAFFICKING (CVHT) ASSESSMENT TOOL

Preparation for the Assessment

The assessment should be conducted in a safe and non-threatening environment. Assessors need to be well-prepared, should be comfortable working with victims of trauma, and must recognize the need to ask questions in an appropriate manner that is sensitive to the needs of child. The following guidelines should be followed when preparing to conduct a CVHT assessment:

- ➡ Read through the entire Assessment Tool and these instructions, so that you are familiar with the tool and able to conduct the assessment in a conversational style, allowing the child to direct the flow of discussion.
- ➡ Conduct the assessment in a private, quiet environment designed to make the child feel physically comfortable and safe.
- ➡ Be prepared to provide the child with basic needs, such as an interpreter, tissues, drink, food, clothing, medical or therapeutic care, and/or access to services, as appropriate.
- ➡ If an interpreter is necessary, he/she should be trustworthy (unknown to the child being interviewed) and able to use the same wording as the Assessor when asking questions and the same wording as the child when answering questions. The interpreter is required to be an agency or certified interpreter.
- ➡ Do not interview a child in front of a suspected trafficker or individual who is exhibiting controlling behavior over the child. Do not allow this person to interpret for the child if he/she does not speak fluent English.
- ➡ Recognize that dressing in uniforms, suits, or other formal attire may cause a child to fear that you are with immigration services or other enforcement agencies.
- ➡ Use strengths-based and trauma-informed care approaches during the assessment, allowing the child to lead the direction of the conversation.
- ➡ The assessment process may need to take place over multiple contact points if Assessor judges the child needs more time. The Assessor may postpone the discussion to a later time when the child is ready to discuss his/her experiences.

Instructions for the Assessment

- ➡ Instructions for the Assessor are provided in *italics* throughout the tool. These instructions guide Assessors to sub-questions that may need to be asked, sections that requires information to be filled in, and questions that include prompts for further explanation.
- ➡ The Assessor should use a conversational approach to secure answers to the other questions, being sensitive to the needs of child who may be suffering from the effects of exposure to trauma.
- ➡ The Assessor should use professional judgment in deciding whether to preface a question or a prompt with phrasing such as, "Please tell me more about that..." or "If you are comfortable, could you tell me about that?"

CHILD VICTIMS OF HUMAN TRAFFICKING (CVHT) ASSESSMENT TOOL

- ➡ Sections A, B, H, and I are preceded with the instruction – **(DO NOT READ TO OR ASK THE CHILD)** – these sections are intended to be completed by the Assessor and not asked of the child.
- ➡ Please use the lines provided within the Assessment Tool to record child's responses to open-ended questions or any additional information that has been disclosed to you that is specific to your determination of the child's involvement.
- ➡ At the end of selected questions, you will see this symbol ➡ which asks that Assessors code for the likelihood that the child's responses suggest any evidence of the problem targeted by the preceding item(s). An example is provided below:

➡ Evidence of Unsafe Living Environment: (Check one) Yes ___ No ___

Item-by-Item Guide for Administering the Tool

Section A is to be completed by the Assessor and not asked of the child.

Section A – Background Information **(DO NOT READ TO OR ASK THE CHILD)**

1. Date of Assessment: ___/___/___ (MM/DD/YYYY)
2. Location of the Assessment: _____
3. Assessor: _____
4. Contact phone number or Assessor: _____
5. Reason for the Assessment: *(Check all that apply)*

Tier One Indicators

- ☐ Current incident or history of previous sex and/or labor trafficking or acknowledgement of being trafficked
- ☐ Child is recovered from runaway episode in a hotel or known area of prostitution
- ☐ Report of sex and/or labor trafficking by parent/guardian, law enforcement, medical or service provider, teacher, child protective services and/or juvenile probation officer

Tier Two Indicators

- ☐ History of running away or getting kicked out 4+ times in addition to a history of sexual abuse
(Definition of running away or getting kicked out of home includes times the child did not voluntarily return within 24 hours. Include incidents not reported by or to law enforcement.)
- ☐ History of running away from another county or state
- ☐ Current incident or history of inappropriate sexual behaviors
- ☐ Current incident or history of sexually transmitted diseases or pregnancies
- ☐ Child is not allowed or unable to speak for him/herself and may be extremely fearful
- ☐ Child has no personal items or possessions (including identity documents if foreign born—labor trafficking)
- ☐ Child appears to have material items that he or she cannot afford (e.g. cell phones, expensive clothing, tablets, etc.)
- ☐ Child shows signs of being groomed (i.e. hair done, nails done, new clothing, etc. that the child cannot afford or justify how paid for)

CHILD VICTIMS OF HUMAN TRAFFICKING (CVHT) ASSESSMENT TOOL

- ☐ Suspicious tattoos or other signs of branding (e.g. tattoos of the trafficker's names, dollar signs, diamonds, stars, etc.; may also have certain designs/logos on nails, jewelry, etc.)
- ☐ Child has no knowledge about the community he/she is located in
- ☐ Child associates and/or has relationships with age-inappropriate friends, boyfriends and/or girlfriends
- ☐ Child known to associate with confirmed or suspected commercially sexually exploited child
- ☐ Child is not living with parent, guardian, relative or caretaker of record
- ☐ Child has inappropriate, sexually suggestive activity on social media websites and/or chat apps
- ☐ Child has a history of being arrested for loitering, curfew violations, disorderly conduct, simple possession of a controlled substance, criminal trespassing and false identification to law enforcement authorities
- ☐ Child has a history of truancy or absence from school
- ☐ Elevated drug and/or alcohol use
- ☐ Other

6. Mode of Assessment:

- ☐ Assessment with interpreter
- ☐ Assessment without interpreter
- ☐ Interpreter needed but unavailable (*If an interpreter is not available, the assessment should stop until an interpreter is available.*)

Section B – Demographic Information *(DO NOT READ TO OR ASK THE CHILD)*

Section B is to be completed by the Assessor and not asked of the child.

7. Child's Name: _____

8. Child ID # _____

9. Intake # _____

10. Case ID # _____

11. SSN (last four digits): _____

12. Sex: _____

13. Race/Ethnicity: _____

14. Preferred Language: _____

Begin the Assessment with introductory comments to the child similar to the following: This is a discussion to better understand your current situation and experiences. I will be talking with you and asking some questions about yourself. Try to be as honest as you can. Some questions may be sensitive and hard for you to answer. You do not have to answer anything you don't want to answer. You can take a break at any time, ask to finish at a later time, or stop the session. I want you to know that you can trust me and that your safety is my priority.

Everything you say will be kept completely confidential, unless you describe a situation where you or someone else is in immediate danger or at risk of being abused or hurting someone else. Before we get started, do you have any questions?

CHILD VICTIMS OF HUMAN TRAFFICKING (CVHT) ASSESSMENT TOOL

Section C – Child Personal Background

15. What is the child's date of birth? ____/____/____ (MM/DD/YYYY)

15a. (If child does not know date): What is the age of the child? _____

16. What country was the child born in? _____

17. What city does the child live in? _____

17a. (DO NOT ASK THE CHILD) Was the child arrested outside the city in which he/she resides?

- ☐ No
- ☐ Yes

18. Does the child go to school?

- ☐ No (If 'no,' skip to Item 19)
- ☐ Yes (If 'yes,' proceed to Item 18a below)
- ☐ Refused to answer

18a. Where does the child attend school? (Fill in. If school entered, ask item 17b)

18b. How many days have the child attended school in the last two weeks?

- ☐ 0 days
- ☐ 1-5 days
- ☐ 6-10 days
- ☐ Not applicable/school not in session

19. Does the child spend time on the Internet, Wi-Fi, or use phone or tablet apps?

- ☐ No (If 'no,' skip to Item 20)
- ☐ Yes (If 'yes,' ask Item 19a below)
- ☐ Refused to answer

19a. What kind of sites or apps does the child use? (Check all that apply) Remember, sites and apps are easily created and ones used by the child might not be listed below.

- ☐ Twitter
- ☐ Instagram
- ☐ Snapchat
- ☐ Online game chat
- ☐ Instant messaging
- ☐ Facebook
- ☐ Tinder
- ☐ Craigslist
- ☐ Backpage
- ☐ Other apps or sites (fill in) _____
- ☐ Refused to answer

CHILD VICTIMS OF HUMAN TRAFFICKING (CVHT) ASSESSMENT TOOL

20. Has the child ever agreed to meet someone he or she met online or through the Internet or through a phone app?

- ☐ No
- ☐ Yes (*If 'yes,' prompt by saying, Tell me more about that.*)
- ☐ Refused to answer

➔ **Evidence of Unsafe Online Activity:** (*Check one*) Yes _____ No _____

21. Does the child currently have a boyfriend or girlfriend?

- ☐ No (*If 'no,' skip to Item 22*)
- ☐ Yes (*If 'yes,' ask Item 21a and Item 21b below*)
- ☐ Refused to answer

21a. How old is he/she?

- ☐ Less than 10 years old
- ☐ 10 to 15 years old
- ☐ 16 to 17 years old
- ☐ 18 to 21 years old
- ☐ 22 years or older
- ☐ Refused to answer

21b. How did the child meet this person?

- ☐ Through a friend
- ☐ At school
- ☐ Through a family member
- ☐ Online (Facebook, Internet, game console)
- ☐ Public place (mall, movies, sports event)
- ☐ Work
- ☐ Other (*Fill in*) _____
- ☐ Refused to answer

22. Does the child have any tattoos?

- ☐ No (*If 'no,' skip to Item 23*)
- ☐ Yes (*If 'yes,' ask Item 22a through Item 22c below*)
- ☐ Refused to answer or responded no, but staff observed tattoos (*If selected, ask items 22a through 22c below*)

22a. What is the tattoo(s)? (*Assessor may respond to this item based on child response and/or based on observation of the tattoo.*) (*Check all that apply.*)

- ☐ Dollar/currency sign, money bags
- ☐ Star/hearts
- ☐ Male name, female name, nickname, or street name
- ☐ Refused to answer
- ☐ Other (*Describe*) _____

22b. What is the meaning of the child's tattoo(s)? (*Check all that apply*)

CHILD VICTIMS OF HUMAN TRAFFICKING (CVHT) ASSESSMENT TOOL

- ☐ Family connection
- ☐ Personal meaning (*Fill in*) _____
- ☐ Romantic partner's name
- ☐ Gang-related
- ☐ Suspected trafficker's name/initials
- ☐ Forced branding/ownership
- ☐ No meaning
- ☐ Don't know the meaning
- ☐ Refused to answer
- ☐ Other (*Fill in*) _____

22c. Who was with the child when he or she got the tattoo(s)? (*Check all that apply*)

- ☐ Family member
- ☐ Friend
- ☐ Romantic partner
- ☐ No one
- ☐ Suspected trafficker
- ☐ Gang member
- ☐ Refused to answer
- ☐ Other (*Fill in*) _____

23. Does the child have any scars or brands that were made intentionally, not from an accident or injury?
(*Assessor should respond based upon child answer and/or observation of visible scars*)

- ☐ No (*If 'no,' skip to Item 24*)
- ☐ Yes (*If 'yes,' ask Item 23a*)
- ☐ Refused to answer
- ☐ Assessor observes mark(s), but child denies mark(s) made intentionally

23a. Who was with the child when he or she got the brand(s) or when the child received the scar?
(*Check all that apply*)

- ☐ Family member
- ☐ Friend
- ☐ Romantic partner
- ☐ No one
- ☐ Suspected trafficker
- ☐ Gang member
- ☐ Refused to answer
- ☐ Other (*Fill in*) _____

➞ **Evidence of Forced Tattooing/Branding:** (*Check one*) Yes _____ No _____

Section D – Living Conditions

24. What is the child's current living situation? What type of places does the child live in?

CHILD VICTIMS OF HUMAN TRAFFICKING (CVHT) ASSESSMENT TOOL

(Assessor may prompt the child by listing examples from below) (Check all that apply)

- ☐ House
- ☐ Apartment
- ☐ Group/foster home
- ☐ Car/van
- ☐ Shelter
- ☐ Rehabilitation facility
- ☐ Hotel or motel
- ☐ Part of a residence – garage, basement, shed
- ☐ Squat
- ☐ Traveling/in-between residences
- ☐ Live in same place of “employment”
- ☐ Homeless
- ☐ Refused to answer
- ☐ Other *(Fill in)* _____

25. Who lives with the child? *(Check all that apply)*

- ☐ Father
- ☐ Mother
- ☐ Both parents
- ☐ Guardian
- ☐ Step-parent
- ☐ Relative(s)
- ☐ Friend(s)
- ☐ Romantic partner (girlfriend/boyfriend)
- ☐ Employer
- ☐ Co Workers
- ☐ By myself
- ☐ Refused to answer
- ☐ Other *(Fill in)* _____

26. Where does the child sleep? *(Check all that apply)*

- ☐ In own room
- ☐ In own bed
- ☐ In shared room
- ☐ In shared bed
- ☐ Other *(Fill in)* _____

27. Does the child pay for where he or she lives?

- ☐ No *(If ‘no,’ skip to Item 27)*
- ☐ Yes *(If ‘yes,’ ask Item 27a below)*

27a. How does the child pay for where he or she lives? *(Check all that apply)*

CHILD VICTIMS OF HUMAN TRAFFICKING (CVHT) ASSESSMENT TOOL

- ☐ Parents/relatives
- ☐ Friends
- ☐ Romantic partner
- ☐ Myself through employment/job
- ☐ Myself through selling drugs
- ☐ Myself through stealing
- ☐ Myself through engaging in sexual acts for money/material gain
- ☐ Panhandle/beg
- ☐ Refused to answer
- ☐ Other (Fill in) _____

28. Has the child ever had any contacts or visits from the Department of Children and Child Services?
(Note, child may use other terminology including, DHS, CYS, CPS, Children and Child, the county and/or the state)

- ☐ No
- ☐ Yes
- ☐ Refused to answer

➡ Evidence of Unsafe Living Environment: (Check one) Yes _____ No _____

Section E – Work Information

The assessor needs to explain the meaning of work to the child. For example: What I mean by “work” is anything you have done where you have received something of value, like money, food, clothing, a place to stay, drugs, or gifts, in exchange for your efforts. This could include a more typical job like working at a fast-food restaurant or store, but may also include things that some kids have to do to survive when away from their homes, anything where you were given something of value for your efforts. So, your boss may have been a typical employer or may have been a family member, friend, boyfriend or girlfriend, or someone you lived with or had a relationship with.

29. Does the child have a “job”, e.g., duties, expectations, responsibilities, or did the child have one before coming here?

- ☐ No (If ‘no,’ skip to Item 32)
- ☐ Yes (If ‘yes,’ continue to Item 30 below)

30. What type of work has the child done? (Check all that apply)

- ☐ Babysitting/caring for other children
- ☐ Factory
- ☐ Agricultural/farm work
- ☐ Housekeeping/household chores (e.g., cooking and/or cleaning) janitorial work
- ☐ Door-to-door sales
- ☐ Restaurant work
- ☐ Construction
- ☐ Retail
- ☐ Nails/hair
- ☐ Massage

CHILD VICTIMS OF HUMAN TRAFFICKING (CVHT) ASSESSMENT TOOL

- ☐ Personal dancing, stripping, or similar activity
 - ☐ Refused to answer
 - ☐ Other *(Fill in)* _____
31. How much money did the child make an hour? *(Assessor may ask relative to the minimum wage rate)*
- ☐ Nothing – was not paid for work/chores performed
 - ☐ At or below minimum wage *(Minimum wage is \$7.25/hour in Pennsylvania)*
 - ☐ More than minimum wage but less than \$15 an hour
 - ☐ \$15-\$25 an hour
 - ☐ More than \$25 an hour
 - ☐ Does not know
 - ☐ Refused to answer
32. Does anyone (boss, partner, boyfriend, girlfriend, parent, supervisor) owe the child money?
- ☐ No
 - ☐ Yes
 - ☐ Refused to answer
33. Does the child or any family members owe anyone money?
- ☐ No
 - ☐ Yes
 - ☐ Refused to answer

Assessor may prompt for something else that is owed like a favor, house, property, or land.

➡ **Evidence of Indentured Servitude:** *(Check one)* Yes _____ No _____

34. Has the child been threatened with violence and/or been the victim of violence as a way to force him/her to perform “work”, i.e., chores/duties?
- ☐ No
 - ☐ Yes
Explain _____
35. Has the child received threats related to his/her immigration status and/or had important “vital” documents taken and/or withheld?
- ☐ No
 - ☐ Yes
Explain _____
36. Has the child received threats related to his/her family members’ immigration status and/or had important “vital” documents withheld from family members?
- ☐ No
 - ☐ Yes
Explain _____

CHILD VICTIMS OF HUMAN TRAFFICKING (CVHT) ASSESSMENT TOOL

37. Has the child ever performed chores/duties, “worked” or done something for anyone (boss, partner, boyfriend, girlfriend, parent, supervisor) without getting the payment the child thought he or she would get?

- ☐ No (*If ‘no,’ skip to Item 34*)
- ☐ Yes (*If ‘yes,’ ask Item 33a through Item 33c below*)
- ☐ Refused to answer

37a. What kind of chore/duty/work was it? _____

37b. What payment did the child expect? _____

37c. What did the child receive in exchange for performing “work” ? _____

➡ Evidence of Deceptive Payment Practices: (*Check one*) Yes _____ No _____

38. Does the child live and work at the same place?

- ☐ No
- ☐ Yes
- ☐ Refused to answer

39. Can or could the child quit their job at any time without punishment from his or her boss or supervisor?

- ☐ No
- ☐ Yes
- ☐ Refused to answer

➡ Evidence of Forced Labor: (*Check one*) Yes _____ No _____

40. What does the child want to do when the child is older? (*Fill in*) _____

Section F – Leaving or Running Away from Home

41. Has the child run away, stayed away, or left home without permission in the past year?

- ☐ No (*If ‘no,’ skip to Item 42*)
- ☐ Yes (*If ‘yes,’ ask Items 41a through 41k below*)
- ☐ Refused to answer

41a. How many times has the child run away or left without permission?

- ☐ 1 to 5 times
- ☐ 6 to 10 times
- ☐ 11 to 20 times
- ☐ More than 20 times

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☐ Refused to answer

41b. How long was the child gone the last time he or she left home?

- ☐ Less than a week
- ☐ 1 to 4 weeks
- ☐ 4 to 12 weeks
- ☐ 12 weeks or longer
- ☐ Refused to answer

➡ Evidence of Excessive Running Away: (Check one) Yes _____ No _____

41c. Where did the child go when he or she left? (Check all that apply)

- ☐ Friend's place
- ☐ Relative's place/other biological parent's place
- ☐ Romantic partner's place
- ☐ Motel/hotel
- ☐ Street
- ☐ Out of town
- ☐ Pro-social adult's place
- ☐ Anti-social adult's place
- ☐ Street gang
- ☐ Refused to answer

41d. While away, how did the child support his or her self? (Check all that apply)

- ☐ Family/relatives took care of me
- ☐ Friend(s) took care of me
- ☐ Romantic partner helped
- ☐ Worked (legal employment/jobs)
- ☐ Money through drugs
- ☐ Money/material gain/favors from prostitution, stripping or similar activities
- ☐ Didn't stay away long enough to need support
- ☐ Stealing
- ☐ Government assistance
- ☐ Panhandling
- ☐ Borrowed money from friends
- ☐ Trafficker/pimp
- ☐ Refused to answer
- ☐ Other (Fill in) _____

41e. While the child was away, was the child in control of his or her own money?

- ☐ No
- ☐ Yes
- ☐ Refused to answer

41f. Who was the child with while away? (Check all that apply)

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- ☐ No one
- ☐ Friends
- ☐ Romantic partner
- ☐ Suspected trafficker/pimp
- ☐ Guardian
- ☐ Family/relatives
- ☐ Street gang
- ☐ Refused to answer

41g. Did that person(s) (from 36f) ever give the child things like money, drugs or clothes?

- ☐ No
- ☐ Yes
- ☐ Refused to answer

➡ Evidence of Questionable Support While Away: (Check one) Yes _____ No _____

41h. Did the child leave town while away from home?

- ☐ No
- ☐ Yes
- ☐ Refused to answer

41i. While the child was away, did anyone not allow the child to go back home?

- ☐ No
- ☐ Yes
- ☐ Refused to answer

➡ Evidence of Forced Restraint: (Check one) Yes _____ No _____

41j. While the child was away, did the child experience anything that made him/her uncomfortable?

- ☐ No
- ☐ Yes; **if so, what?** (Fill in) _____
- ☐ Refused to answer

41k. While the child was away, did anyone ever ask the child to do sexual activities in exchange for something of value. These activities can include dancing, stripping, posing for photos, or sex of any kind.

- ☐ No
- ☐ Yes
- ☐ Refused to answer

➡ Evidence of Oppressive Activities: (Check one) Yes _____ No _____

Section G – Sexual Exploitation/Coercion/Control

42. Has anyone ever locked doors or windows or anything else to stop the child from leaving work or

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home?

- ☐ No
- ☐ Yes
- ☐ Refused to answer

➞ Evidence of Inability to Leave: (Check one) Yes _____ No _____

43. Has anyone ever forced the child to get or use false identification, like a fake ID or fake green card?

- ☐ No
- ☐ Yes
- ☐ Refused to answer

➞ Evidence of Forced Deception: (Check one) Yes _____ No _____

44. Has anyone ever pressured the child to touch someone physically or sexually when the child didn't want to?

- ☐ No
- ☐ Yes
- ☐ Refused to answer

45. Has anyone ever asked or made the child do anything sexually that the child didn't want to do?

- ☐ No
- ☐ Yes
- ☐ Refused to answer

46. Has anyone in the child's home ever done anything sexually to the child that he or she didn't want?

- ☐ No
- ☐ Yes
- ☐ Refused to answer

➞ Evidence of Sexual Exploitation: (Check one) Yes _____ No _____

47. Has the child or someone else received something of value like money, a place to stay, food, clothes, gifts, favors, or drugs in exchange for the child performing a sexual activity?

- ☐ No
- ☐ Yes
- ☐ Refused to answer

➞ Evidence of Compensation for Sexual Activity: (Check one) Yes _____ No _____

Assessor, close out the interview by saying something like the following to the child:

I want to thank you for being open with me and answering these questions. Do you have any questions, or is there anything that you would like to talk about? _____

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Section H – Parent/Guardian Information *(DO NOT READ TO OR ASK THE CHILD)*

Section H is to be completed by the Assessor.

48. Did you speak with the child's parent(s) or guardian(s)?

☐ No (If 'no,' skip to item 53.)

☐ Yes (If yes, to whom did you speak? _____)

If yes, then ask parent/guardian items 49-52.

49. Does the parent/guardian report that the child has a cell phone that a third party/trafficker pays for or might be paying for?

☐ No

☐ Yes

50. Does the parent/guardian report that the child returns home from running away with hair/nails done, new clothing or money that were not provided by the parent/guardian?

☐ No

☐ Yes

51. Does parent/guardian report that the child has internet postings or text/cell phone messages that indicate child may be exchanging sex for something of value to him/her?

☐ No

☐ Yes

52. If child has a tattoo of someone else's name, does guardian verify this person is who the child says the person is?

☐ No

☐ Yes

➡ Evidence of Potential Trafficking: (Check one) Yes _____ No _____

Section I – Post-Assessment Results? *(DO NOT READ TO OR ASK THE CHILD)*

Section I is to be completed by the Assessor.

53. Did you observe any nonverbal indicators of past victimization? (If so, explain) _____

54. Did you observe any indicators that the child's responses may have been false? (If so, explain)

55. Indicate the likelihood that the child is a victim of trafficking:

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- ☐ Definitely not
- ☐ Likely not
- ☐ Not sure
- ☐ Likely is
- ☐ Definitely is

56. Provide at least three reasons for your answer in Item 55:

1. _____
2. _____
3. _____

57. If you answered "not sure," "likely is," or "definitely is": What kind of service referrals will you make for the child?

1. _____
2. _____
3. _____

If you have personal knowledge that the child is a victim of sex and/or labor trafficking, you must call ChildLine, Pennsylvania's Child Abuse Hotline: 1-800-932-0313.

If you have personal knowledge that the child is a victim of sex and/or labor trafficking, you must call and report to the local police department.