



TEXAS
Department of Family
and Protective Services

Senate Bill 1, Rider 45
85th Legislature, Regular Session
Study to Develop Standards for the Placement
Capacity for Victims of Sex Trafficking Served
by DFPS

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Executive Summary

Pursuant to the Department of Family and Protective Services (DFPS) Rider 45, 2018-2019 General Appropriations Act, 85th Legislature, the agency conducted a study to develop standards for the placement capacity needed to provide services to children in foster care who are the victims of sex trafficking. In addition, this study includes recommendations on the number of licensed facilities required statewide to provide such services¹.

Information on prevalence, missing children, and findings within existing human trafficking studies² are helpful in understanding the complexity of attempting to estimate the number of potential victims in child welfare. Due to the challenge of projecting future need for beds, DFPS recommends a broad, statewide approach to expanding the continuum of care through program expansion within the existing infrastructure, in conjunction with the creation of new brick and mortar standalone programs.

Prevalence

Establishing prevalence is a critical component in the conversation of human trafficking. Prevalence drives all aspects of response from funding to policy, resources to direct service needs, and finally breadth of the continuum of care. Currently, there is no recognized methodology for capturing human trafficking rates within the United States. As Homeland Security Investigation (HSI), Human Smuggling and Trafficking Center (HSTC) Acting Section Chief Ramona Carey has noted, the complexity in capturing prevalence has many factors.³ There is no consistent pattern in how statistics are collected nationally. Data sets do not match state to state. Non-Governmental Organizations (NGO) do not have commonality regarding how data is captured, nor do the specific data components, thus minimizing the ability to collect and aggregate data. Prosecutorial entities and law enforcement agencies reporting on human trafficking cases also lack data consistency nationally.⁴ The HSTC is funding research at several universities to explore the development of a methodology, but the issue is so complex that each step in the development process is just one small piece of the larger analytical framework.⁵ It may be years before an objective methodology is developed. As of today, there is no recognized methodology for capturing accurate human trafficking rates within the United States.

¹ http://www.tlc.state.tx.us/docs/sessions/InterimStudiesBillReso_85R.pdf

² Only studies published within peer reviewed journals are cited.

³ Oral presentation at the 2015 Southern Region Fusion Center Conference by Homeland Security Investigation (HSI), Human Smuggling and Trafficking Center (HSTC) Acting Section Chief Ramona Carey, February 15, 2016, Montgomery, Al.

⁴ Id.

⁵ Id.

Missing Youth (under 18 years old)

Runaway and missing youth are at high risk for exploitation.⁶ Understanding if these youth were in the custody of child welfare when they were exploited is helpful in assessing service provision and placement needs for youth in DFPS conservatorship. The National Center for Missing and Exploited Children (NCMEC) provides some national numbers. They estimate that in 2015, one out of five of the reported endangered children were likely victims of sex trafficking.⁷ NCMEC reports that 74 percent of the reported endangered children were in the care of social services or foster care at the time they were reported missing.⁸ In 2017, the number decreased to one out of seven with 88 percent of the youth missing from social service when they went missing.⁹

These statistics require clarification. NCMEC identifies all missing children as endangered; this is not a specialized criterion. NCMEC does not receive reports on every child and teenager who runs away, so this figure only reflects runaways who are reported to NCMEC by a parent, legal guardian, or law enforcement. The enactment of the Preventing Sex Trafficking and Strengthening Families Act has drastically changed the volume of reporting coming into NCMEC from child welfare. Recently, when presenting statistics, NCMEC clarified that the high rate of youth exploited while missing from social services may be a result of the disproportionality of social service agencies reporting runaways in compliance with the act.¹⁰

Prevalence Studies

There are several studies which have explored rates of human trafficking within child welfare, which are beneficial to inform recommendations on capacity needs for sex trafficking victims.

- Illinois child welfare administrative data evaluated 568 youth out of 697,062 between 2011 and 2015 who were the subject of human trafficking maltreatments, both sex and labor trafficking. Some 28 percent had experienced one or more out of home placements, and 45 percent of these had experienced trafficking allegations during out-of-home care episodes.¹¹ This is approximately 256 youth.

⁶ http://www.missingkids.com/content/dam/ncmec/en_us/documents/CST-Resource-blue-1.pdf

⁷ Id.

⁸ Id.

⁹ National Center for Missing and Exploited Children. More information at <http://www.missingkids.com/theissues/cse/cstt>

¹⁰ Phone call with Eliza Reock, Program Specialist, Child Sex Trafficking, NCMEC dated March 10, 2018

¹¹ Havlicek, J., Hurston S., Boughton, S., & Zhang, S. (2016). Human trafficking of children in Illinois: Prevalence and characteristics. *Children and Youth Services Review*, 69, 127-135. <https://doi.org/10.1016/j.childyouth.2016.08.010>.

- In the Midwest Evaluation of the Adult Functioning of Former Foster Youth, 5 percent of youth reported having exchanged sex for something of value.¹²
- RTI International analyzed Florida child welfare intakes from January 1, 2011 through December 31, 2015. The study population included all children who were subjects of one or more maltreatment allegations during that time period, who were aged 10 or older. The population included 296,167 unique children with allegations of any type of maltreatment during the five-year period. Child welfare investigated 4,413 human trafficking allegations, sex and labor trafficking, before March 2016. More than one-fifth (22.4 percent) were verified for the human trafficking allegations, and 21.2 percent of human trafficking allegations were for children in out-of-home placement at the time of the allegation.¹³ This identified approximately 210 youth from the original population sample as verified or trafficked while on a run episode from foster care.

DFPS identified victims

Allegations for sex trafficking coming through Statewide Intake’s child abuse hotline increased by 181 percent from 248 in fiscal year 2016 to 697 in fiscal year 2017. The number of these allegations that led to a disposition of “Reason to Believe” rose from 23 in fiscal year 2016 to 40 in fiscal year 2017. The proportion of investigations for sex trafficking that ended in a disposition of “Reason to Believe” has not changed significantly from fiscal year 2016 (16 percent) to fiscal year 2017 (13 percent). It should be noted that it cannot be known how many of these increases in intakes categorized as sex trafficking are due to reclassification of cases that would previously have been categorized as sexual abuse, as opposed to an increase in sex trafficking cases referred to CPS. It is also possible that community education and awareness has led to an increase in all recognized forms of sex trafficking being reported to the hotline, including allegations where DFPS does not have jurisdiction to be involved with the youth and family¹⁴.

Some 35 youth under DFPS conservatorship reported being victims of sex trafficking while on a run episode in 2017 compared to 31 in 2016. Another 41 youth were suspected victims of sex trafficking while on a run episode but lacked an outcry from the youth. This

¹² Ahrens, K.R., Katon, W., McCarry, C., Richardson, L.P., & Courtney, M.E. (2012). “Association between childhood sexual abuse and transactional sex in youth aging out of foster care. *Child Abuse & Neglect*, 36(1), 75-80.

¹³ Gibbs, D.A., Henniger, AM., TTueler, S.J., & Kluckman, M.N. (2018). “Human trafficking and the child welfare population in Florida.” *Children and Youth Services Review*, 88(2018) 1-10.

¹⁴

http://intranet.dfps.txnet.state.tx.us/SWI/Intake_Procedures/IntakeGuidelines/RCCL_Intake_Guidelines.pdf#search=family%20law%20human%20trafficking%20jurisdiction

was not a measure in 2016.¹⁵ As DFPS increases staff training, rolls out the Human Trafficking Protocol, and implements a screening tool, an increase in the identification of victims in both community and conservatorship settings is anticipated. Based on the Illinois and Florida studies, it is reasonable to believe Texas's population of sex trafficked youth within conservatorship will fall within similar identification rates of 200 – 300 youth. This may seem like a small number, but the broad range of needs and the complexity of the victim's emotional and physical needs are very significant and require substantial resources.

- Minnesota's "No Wrong Door Model" estimated a biennium budget of \$13,583,600 to serve Commercially Sexually Exploited youth through their Safe Harbor legislation. Their model included navigation staff, outreach, housing, multidisciplinary training, transportation, supportive services and evaluation components.¹⁶ They were able to secure \$8,000,000 over the biennium for implementation. Their one year evaluation identified 163 individuals eligible for services and 129 receiving services. It was noted in the one year evaluation that there was still a significant gap in placement needs as compared to specialized beds.¹⁷
- Since 2015, Florida's Community Based Care (CBC) Lead Agencies have received a \$3,000,000 annual appropriation to serve trafficked youth within the child welfare system. During fiscal year 2014-15, the CBCs exceeded the \$3 million appropriation by \$990,107 on services and placement for 191 youth. During fiscal year 2015-16, the CBCs exceeded the \$3 million appropriation by \$1,043,238 on services and placement for 214 youth. During the first nine months of fiscal year 2016-17, the CBCs spent \$3,325,963 for 215 youth. This is a monthly average of \$369,551.44. Based on current monthly averages, the CBCs will exceed the \$3 million appropriation by approximately \$1,434,617 on services and placements on 288 youth.¹⁸

¹⁵ Department of Family & Protective Services Annual Runaway and Human Trafficking Report, Fiscal Year 2017

¹⁶ [https://dps.mn.gov/divisions/ojp/forms-documents/Documents/!2012percent20Safepercent20Harborpercent20Reportpercent20\(FINAL\).pdf](https://dps.mn.gov/divisions/ojp/forms-documents/Documents/!2012percent20Safepercent20Harborpercent20Reportpercent20(FINAL).pdf)

¹⁷ <https://www.wilder.org/Wilder-Research/Publications/Studies/Safepercent20Harbor/Safepercent20Harborpercent20Firstpercent20Yearpercent20Evaluationpercent202015.pdf>

¹⁸ Florida DCF Budget data provided January 2017.

Recommendations

Because each victim has individual stabilization and treatment needs, a broad range of services must be made available to victims throughout the state to most effectively serve this population. Due to high levels of complex trauma often experienced by these victims, high intensity services may be required over a long period of time, which requires a long term commitment on the part of involved state agencies and service providers. A comprehensive service approach must go beyond emergency placements and include extended therapeutic services and aftercare.¹⁹ In addition to the development of specialized placements, there is a need to expand programming within established providers to create the broadest response for CSE victims.

A 2016 National Institute of Justice (NIJ) grant evaluated three specialized human trafficking programs funded by the U.S. Department of Justice's Office for Victims of Crime (OVC). These programs identified and provided services to victims of sex and labor trafficking who are United States citizens and lawful permanent residents under the age of 18. The evaluation documented program implementation in the three programs, identified promising practices for service delivery programs, and informed delivery of current and future efforts to serve this population. Investigators uncovered five main findings:

Diversity of trafficked minors. Trafficked youth include pre-adolescents, adolescents, and those of transitional age; of every race and culture; of every sexual orientation and gender identity; and tragically disadvantaged or apparently underprivileged.

Mixed results for programs. OVC-funded programs demonstrated success in connecting to some young people, but struggled to reach others. It is unlikely that any single program can meet the needs of all victims.

Challenges in engaging survivors. Many young people served were wary of service providers and adults in general. Strategies used to engage them and keep them engaged included meeting immediate needs, responding to youth-identified priorities, and being flexible.

Lack of quick fixes. Conditions that pushed and pulled young people into trafficking were frequently lifelong, if not generational. Program staff found it essential to remain available to young people and to connect them to other services, positive family members, positive peers and communities.

Programs as critical sources of expertise and assistance. OVC-funded programs offered unique expertise in trauma and resiliency, understanding of street economies, and had the ability to align themselves with young people in a way that formal agencies rarely can. Street economies refers to informal mechanisms that people live in outside formal

¹⁹ http://sharedhope.org/wp-content/uploads/2014/04/JRC_ResponseModel_Spreads_web.pdf

structure, like trading sex for housing, etc. They provided valuable technical assistance to other organizations and case management services to victims.²⁰

DFPS recommends utilizing information gained from program evaluation and leveraging resources through community wide, collaborative partnerships. A few examples of DFPS community collaborations to serve youth and expand programming include:

1. Denton County: Denton Independent School District, Juvenile Justice Division, Juvenile Court Judge Kimberly McCary and Denton County's Behavioral Health Leadership Team. This collaboration is focused on prevention and clinical training for a wide range of providers in Denton and beyond, and to extend the continuum of care options within the existing infrastructure and provide continuity of care.
2. Houston, Montgomery County, Arrow expansion for full continuum of care and continuity of treatment model. Initial work flow processing meeting pending.
3. DFPS is partnering in El Paso to re-launch the El Paso Human Trafficking Task Force as well as spearheading the creation of a task force for the Midland/Odessa area.

DFPS will continue to engage in collaborative, community-wide partnership opportunities to expand programming to serve Commercially Sexually Exploited victims, and will continue to develop practice and policy informed through program evaluation and multi-state workgroups to share progress and lessons learned.

Finally, and importantly, through a partnership with the Office of the Governor's Sex Trafficking Team, DFPS is introducing comprehensive human trafficking training opportunities throughout the DFPS divisions, with a strong focus on frontline CPS staff. DFPS is also rolling out a screening tool to increase identification, and implementing a strong multi-disciplinary approach to ensure youth's unique placement and services needs are met.

²⁰ Language taken directly from: <https://www.nij.gov/topics/crime/human-trafficking/Pages/evaluating-services-for-young-victims-of-human-trafficking.aspx>