

MINIMUM GUIDELINES EXPECTATIONS FOR HUMAN TRAFFICKING

INSTRUCTION FOR ADULT SERVING YOUTH

This document will be used for these intended purposes:

- 1. To satisfy 53G-9-207 amendment, provisions relating to human trafficking prevention and awareness training and instruction in public schools.*
- 2. As a guide for evaluation of possible curricula by the state and possibly by Local Education Agencies throughout Utah.*

Adult-serving Youth (ASY) is any adult who works with children not related to them. This includes teachers, coaches, nurses, volunteers, advocates, and other paid and non-paid staff.

TRAINER EXPECTATIONS

Method of teaching: The training of ASYs should be oriented to empower them as the primary trainers of their children. The training should include interactive portions.

Have familiarity with law: Read and understand Utah's laws in regard to human trafficking, Utah Code (U.C.A) 53E-9-203, 76-5-308, 76-5-308.5, 76-5-309, 76-5-310, and 76-5-311.

Cultural differences and/or special populations: Be mindful of your own cultural upbringing and teach to the individual in equitable ways.

Limits of training: Training should focus on prevention and interruption of human trafficking.

REQUIRED PROGRAM CONCEPTS

All bolded terms are minimum expectations. Accompanying information should be treated as explanatory to the bolded term.

Trafficking: Human trafficking is a form of modern-day slavery in which traffickers use force, fraud, or coercion to control victims for the purpose of engaging in commercial sex acts or labor services against his/her will. These crimes include digital trafficking, including the production and distribution of photographs, videos, and other media of underage victims through online social networks. Child victims exploited for commercial sex acts are human trafficking victims, even if no force, fraud, or coercion is used to compel their participation in those acts.

Adult responsibilities: Adults who do not know what to look for, say, or do miss critical opportunities to prevent human trafficking. By becoming educated, ASYs make the world a safer place for youths. Every adult is responsible for the safety of children. If someone approaches a youth who is a target for human trafficking, adults need to prevent, recognize, and react responsibly.

Appropriate adult behavior: Curriculum should focus on teaching youths what appropriate adult behavior is and making clear that it is the responsibility of adults to keep youths safe. Youths should be taught that they have the right to ask an adult to stop inappropriate behavior and to report any behavior that concerns them to a trusted adult. Adults also have a legal responsibility not to abuse or exploit children and can be punished for doing so. Modeling appropriate behavior is a preferred method of teaching.

Forms of trafficking in persons:

Sex trafficking means 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. Note: A child (under 18) cannot consent to any form of commercial sex. Thus, exchanging anything of value (money, food, water, shelter, controlled substances, a ride, etc.) for sex with a minor is a form of human trafficking where the minor is always the victim.

Labor trafficking means the recruitment, harboring, transportation, provision, obtaining, patronizing, or soliciting of a person for labor or services, through the use of force, fraud, or coercion. (See U.C.A. 76-5-308). Note: Labor trafficking can include labor in industrial facilities, sweatshops, households, agricultural enterprises, or any other workplace. The key question is whether the victim's labor was obtained through the use of force, fraud, or coercion.

Human trafficking safe harbor amendments:

Utah law has clarified that victims of human trafficking should be treated as such, and not subjected to arrest or criminal prosecution for acts they engaged in only as a result of trafficking. This concept is known as "safe harbor." Utah law has clarified that children engaged in commercial sex cannot be subjected to juvenile delinquency proceedings but must be treated as victims of abuse and referred to services through Division of Child and Family Services (DCFS). (See U.C.A. 76-10-1302; 76A-6-105). Children victimized in any form of labor trafficking (i.e. being forced, defrauded, or coerced into selling drugs, etc.) should also be considered abuse victims. Children wrongfully adjudicated delinquent for conduct they engaged in only as a result of trafficking can petition courts to have those convictions vacated. (See U.C.A. 78A-6-1114).

The recent legislation has removed references to "child prostitution" or "child prostitutes" throughout the Utah Code. This recognizes the fact that children engaged in commercial sex are being exploited and are legally considered victims of human trafficking.

Effects of Human Trafficking: Human trafficking is prevalent and can cause various physical and/or mental health problems. The effects of human trafficking are numerous and widespread. Survivors report increased likelihood of substance abuse, anxiety, insecurity, fear, medical issues, and trauma. The side effects include increased risk of cognitive impairment,

memory loss, depression, and even suicide. Many victims report that they feel their innocence was taken from them, and that the emotional effects are lifelong and devastating.

Trauma bond: The trafficker holds control of the victim to induce commercial sex or forced labor. The trafficker sustains control by using privilege, intimidation, manipulation, isolation, coercion, minimizing, denying, blaming and forms of abuse that includes economic, emotional, sexual abuse. The trafficker's-imposed controls often lead to the trauma bond that is created between the trafficker and the victim.

Poly-victimization: Victims of human trafficking who undergo multiple mental, physical and emotional forms of trauma experience poly-victimization. The traumatization leads to change in the plasticity of the brain and a "rewiring" of cognitive functions.

Using a trauma-informed approach to discuss possible victimization with a child: Trauma changes normal or typical reactions of a child. ASYs need to be provided tools to help them formulate the proper questions and responses to the child. The trauma-informed approach changes an adult's perspective from questioning why a youth is difficult, to understanding what has happened to the youth.

Myths and Misconceptions: Human trafficking myths and misconceptions are common/prevalent. The notion that human trafficking only occurs abroad; that victims are only foreign-born or impoverished individuals; that traffickers are always strangers; and that victims always have visible chains.

Myth #1: Human trafficking does not occur in the United States. It only happens in other countries.

Fact: Human trafficking exists in every country, including the United States. It exists nationwide—in cities, suburbs, and rural towns—and probably in your own community.

Myth #2: Human trafficking victims are only foreign-born individuals and those who are poor.

Fact: Human trafficking victims can be any age, race, gender, or nationality: young children, teenagers, women, men, runaways, United States citizens, and foreign-born individuals. Victims come from all socioeconomic backgrounds.

Myth #3: Human trafficking is only sex trafficking.

Fact: Individuals may have heard about sex trafficking, but forced labor is also a significant and prevalent type of human trafficking. Victims are found in legitimate and illegitimate labor industries, including sweatshops, massage parlors, agriculture, restaurants, hotels, and domestic service. Often, victims are forced, defrauded, or coerced into engaging in criminal activities such as selling drugs or retail theft. Note that sex trafficking and forced labor are both forms of human trafficking involving the exploitation of a person.

Myth #4: Individuals must be forced or coerced into commercial sex acts to be a victim of

human trafficking.

Fact: According to state and federal law, any minor under the age of 18 who is induced to perform commercial sex acts is a victim of human trafficking, regardless of whether he or she is forced or coerced.

Myth #5: Human trafficking and human smuggling are the same.

Fact: Human trafficking is not the same as smuggling. “Trafficking” is exploitation-based and does not require movement across borders. Although transporting a person for the purpose of commercial sex or forced labor is one way of committing human trafficking, trafficking can also occur without movement of a person. “Smuggling” is movement-based and involves moving a person who is not lawfully entitled to be in the state, in violation of immigration laws.

Myth #6: All human trafficking victims attempt to seek help when in public.

Fact: Human trafficking is often a hidden crime. Victims may be afraid to come forward and get help; they may be forced or coerced through threats or violence; they may fear retribution from traffickers, including danger to their families; and they may not be in possession or have control of the identification documents. [1]

Where can trafficking occur: Traffickers may systematically target vulnerable individuals by frequenting locations where said individuals congregate (e.g., malls, schools, shelters, parks, bus and train stations, foster and group homes, and social media networks.)

How victims are trafficked: Traffickers use force, fraud and coercion to compel individuals to engage in these activities. Victims of human trafficking include men, women, and children who are U.S. citizens, permanent residents, or foreign nationals.

Force: Force can involve the use of physical restraint or serious physical harm. Physical violence, including rape, beatings, and physical confinement, is often employed as a means to control victims, especially during the early stages of victimization when the trafficker breaks down the victim’s resistance.

Fraud: Fraud can involve false promises regarding employment, wages, working conditions, or other matters. For example, individuals might travel to another country under the promise of well-paying work at a farm or factory only to find themselves manipulated into forced labor. Others might reply to advertisements promising modeling, nanny, or service industry jobs overseas, but be forced into commercial sex once they arrive at their destination.

Coercion: Coercion can involve threats of serious harm to or physical restraint against any person. Any scheme, plan or pattern intended to cause a person to believe that failure to perform an act would result in serious harm to or physical restraint against any person, or the abuse or threatened abuse of the legal process are other forms of coercion. These methods used to traffic victims are often subtle, to the point that the victim themselves may not

recognize the full scope of the coercive scheme. If the victim is not working voluntarily but because they fear some serious consequence (including physical, emotional, reputational, or financial harm), they are being trafficked. [2]

Familial trafficking: When a family member (parent, sister/brother, aunt/uncle, etc.) exploits the family power dynamics and vulnerabilities of the child or youth to compel them into a trafficking situation is familial trafficking.

Trafficker recruitment method:

Traffickers target vulnerable children and lure them into forced labor and commercial sex and other forms of sexual exploitation. In fact, the vast majority of child victims in the commercial sex industry and in forced labor are recruited and controlled by traffickers. Traffickers often use the internet to recruit their victims. Trafficking victims can also become traffickers by recruiting their peers.

Trafficker tactics:

- provide false feelings of love and affection
- create a dependency on drugs or alcohol or exploiting or manipulating an existing drug addiction
- isolate the victims from others
- physically, sexually, or verbally abuse the victim
- confine the victim
- control access to food or shelter
- place the victim in “debt”
- exhaust victims with long work hours and quotas
- threaten friends, family, or other victims
- convince child that engaging in commercial sex or other forced labor is better than the life they have at home
- supplying or buying expensive items

Possible indicators of a victim of human trafficking: There are various that may be present in a youth who is a victim of human trafficking. Some signs could indicate that there are other stressors occurring in a youth’s life that are affecting their well-being, such as divorce or bullying. However, if an ASY observes a combination of these signs, they should be attentive and make sure to address them immediately.

Possible indicators of a child sex trafficking victim:

- an inability to attend school on a regular basis and/or unexplained absences
- frequently running away from home
- references made to frequent travel to other cities
- bruises or other signs of physical trauma, withdrawn behavior, depression, anxiety, or fear
- lack of control over a personal schedule and/or identification or travel documents
- hunger, malnourishment, or inappropriate dress (based on weather conditions or surroundings)
- signs of drug addiction
- coached or rehearsed responses to questions
- a sudden change in attire, behavior, relationships, or material possessions (e.g., expensive items)
- uncharacteristic promiscuity and/or references to sexual situations or terminology beyond age specific norms
- a “boyfriend” or “girlfriend” who is noticeably older and/or controlling
- an attempt to conceal scars, tattoos, or bruises
- a sudden change in attention to personal hygiene
- tattoos (a form of branding) displaying the name or moniker of a trafficker, such as “daddy”
- hyperarousal or symptoms of anger, panic, phobia, irritability, hyperactivity, frequent crying, temper tantrums, regressive behavior, and/or clinging behavior
- hypo arousal or symptoms of daydreaming, inability to bond with others, inattention, forgetfulness, and/or shyness
- Use of terminology associated with the sex industry such as “the life” or “the game,” “turning tricks,” “hustling,” and “the track”
- Use of websites and apps known for selling explicit services

Possible indicators of a child labor trafficking victim:

- being unpaid, paid very little, or paid only through tips
- being employed but not having a school-authorized work permit
- being employed and having a work permit but clearly working outside the permitted hours for students

- owing a large debt and being unable to pay it off
- not being allowed breaks at work or being subjected to excessively long work hours
- being overly concerned with pleasing an employer and/or deferring personal or educational decisions to a boss
- not being in control of his or her own money
- living with an employer or having an employer listed as a student's caregiver
- a desire to quit a job but not being allowed to do so
- hunger, malnourishment, or inappropriate dress (based on weather conditions or surroundings) [3]

Perpetrator information and traits: Perpetrators often look and act like everyday people. They can be charming, charismatic, and pillars in the community. Perpetrators will attempt to earn trust, thus challenging ASY's instincts and causing them to let down their guard. They are methodical in their efforts to keep up the image they have worked to create. Respected and admired members of society can be perpetrators, including those in the workplace.

Risk factors: Certain traits or behaviors of a youth can put them at higher risk. (e.g. those who have a history of sexual abuse, dating violence, low self-worth, and lack of social support).

Other factors include lack of personal safety, isolation, emotional distress, homelessness, poverty, family dysfunction, substance abuse, mental illness, learning disabilities, developmental delay, childhood sexual abuse, and sexual exploitation by family members or peers. Children and youth who are engaged in sexting or have been victims of sextortion are also at risk for human trafficking and exploitation.

Vulnerable youth populations include those involved in the Children Juvenile Justice System; Division of Child and Family Services (DCFS) and the foster care system; refugees and immigrant youth; homeless and runaway youth; lesbian, gay, bisexual, or transgender (LGBTQ+) youth; and American Indian/ Native Alaskan youth.

LAWS AND RESPONSIBILITIES REGARDING PREVENTION AND DISCLOSURE

Mandatory reporting and requirements: In Utah, all adults are legally obligated to report suspected child trafficking, not just teachers, social workers, or police. Anyone who suspects any type of human trafficking to any child is required by law to call and report. There is an added importance to reporting for ASYs as they are in a position of trust and power. If one suspects a youth is being (or has been) human trafficked, that person should immediately call law enforcement and Utah's 24-hour Child Protection Line: 1-855-323-3237. The national human trafficking hotline is 888-373-7888.

How to react:

Victims of human trafficking may not self-identify as a victim. Trafficking victims often blame themselves for their situation or often feel responsible for it to some degree. If you suspect a youth or child is being trafficked, don't force the label of victim; interview or force the youth to talk; or show injuries. Immediately report what you suspect to law enforcement.

When a youth discloses being a victim of trafficking, the reaction plays an important part in whether the youth will continue to confide or will shut off. ASYs should actively listen as the youth share experiences and ask themselves "am I showing care and love, or am I quick to cast aside their experiences in response to my own uncomfortable feelings?" Youths will pick up on everything from mannerisms to attentiveness (or lack thereof), and potentially judge themselves "guilty" or "dirty" according to how they feel their ASY perceives them. It is important to learn what to say, and what *not* to say.

Establish trust in the following ways:

- Don't "interview" the youth; allow law enforcement and professionals to do that.
- Help the youth feel comfortable.
- Reassure the youth the abuse is not his or her fault.
- Don't react with shock, anger, or disgust.
- Don't force a youth to talk.
- Don't force a youth to show injuries.
- Use terms and language that the youth can understand.
- Don't teach the youth new terms or words; speak clearly and simply.
- Find out what the youth wants from you.
- Be honest with the youth.
- Confirm the validity of the youth's feelings.
- Be supportive, and help the youth understand that he or she does not have to carry the burden alone.

What to expect when you report: Try to have as much information on hand as possible, including the name of the youth and his or her parents/caretakers; the youth's date of birth, address, school or childcare provider; and the nature of the concerns. The system is set up to handle an investigation in a way that considers the well-being of the youth. By following the appropriate steps for reporting, chances are the youth will not be traumatized further by multiple interviews and the case will remain untainted by outside sources. After reporting

potential trafficking case, you are turning over the information to authorities and have no legal right to further details.

PREVENTION

School policy: Each school has procedures and prevention policies set in place to protect against human trafficking. ASYs should educate themselves on schools' programs and work closely with parents and guardians to reinforce these practices at home. Coordinating efforts in both the school and home environments provides a clear and unified discussion of human trafficking, its terminology and signs, and the proper ways to report when one suspects trafficking.

Minimize risk: Set clear boundaries and rules with a youth's time and think carefully about the safety of situations. Consider the safety of any isolated, one-on-one settings, and choose group situations whenever possible. ASYs should monitor internet use-- including what youths are posting online—and ensure they are using privacy settings online and on apps. Be aware of who youths or children are in contact with online. Perpetrators take advantage of internet anonymity to lure youths into trafficking and begin the recruiting process.

Trust your intuition: When reflecting on someone's behavior, consider the following: Does it seem odd? Does it make you feel uncomfortable? Does it seem to happen all the time or too often? Has anyone else commented or noticed? If the answer is yes, then trust your instincts and act. Never confront a suspected trafficker. Doing so can put you and especially the child or youth at risk. Contact law enforcement who will then open an investigation. Reporting what you suspect may save the life of a child.

Set and respect family boundaries: All members of the family have rights to privacy in dressing, bathing, sleeping, and other personal activities. If anyone does not respect these rights, an adult should clearly tell them the family rules.

Recognize the characteristics of healthy relationships: With the prevalence of feigned love and affection in the recruitment of trafficking, ASYs should teach their students what a healthy relationship looks like and what are red flags.

Right to say no: Teach youths the right to say no when anyone wants to engage in activities that make the youths feel uncomfortable. Teach youths to say NO firmly and loudly. Explain that doing this will not get them in trouble. Teach youths about "bad secrets" and the difference between a surprise and a secret. Empower youths with the right to privacy and to say no, but pair it with the understanding that the adults are the ones responsible for correct behavior.

Responsibility to respect boundaries: Teach youths that a person who is uncomfortable with some behavior or unwilling to participate may not actively say "no." Sometimes they are fearful or feel social pressure or have other reasons for keeping quiet, freezing up, or even reluctantly going along with the behavior. It is the responsibility of every person to recognize and respect

the wishes of others, even if they are not always communicated verbally. Teach children to understand the need to empathize and understand others' desires or wishes and avoid pushing their boundaries.

Communication: ASYs should talk to youths about human trafficking with clarity and confidence and in a trauma-informed way. All prevention efforts are strengthened by the reinforcement of prevention concepts by caregivers. Practicing what to say and using trauma-informed methods will help prepare for the conversations. Making sure youths have the words they need to describe situations that make them feel confused, uncertain or uncomfortable.

Accountability: Youths shouldn't have the burden of preventing human trafficking by themselves. Adults must act on their commitment to keeping youths safe by learning to recognize and respond to inappropriate behaviors around youths, before a youth is harmed, and reporting if something has occurred.

Safety plans: Make a plan ahead of time about:

1. What are the boundaries for adult interactions with youths, including social media, internet, and texting boundaries?
2. What will be said if there is behavior that violates those boundaries?
3. How will the ASY report abuse (what number to call, what information is needed, etc.)?
4. How will the youth report abuse?

Resources:

Utah Human Trafficking Tipline: The Utah Human Trafficking Tip Line is a 24-hour tip line run by the Utah Attorney General's office. Call the tip line to report tips about human trafficking. Leave a detailed message, along with your contact information and an investigator from the SECURE Strike Force will return your call.

Call 801-200-344

Utah Attorney General's Internet Crimes Against Children Task Force: The Internet Crimes Against Children Task Force (ICAC) is a multi-jurisdictional task force that investigates and prosecutes individuals who use the Internet to exploit children.

ICAC Tip Line: 801.281.1211

ICAC Email: utahicac@agutah.gov

National Human Trafficking Hotline: The National Human Trafficking Hotline is a national, toll-free hotline, available to answer calls, texts, and live chats from anywhere in the United States, 24 hours a day, 7 days a week, in more than 200 languages. The National Hotline's mission is to connect human trafficking victims and survivors to critical support and services to get help and stay safe, and to equip the anti-trafficking community with the tools to effectively combat all forms of human trafficking. The National Hotline offers round-the-clock access to a safe space to report tips, seek services, and ask for help.

Call 1-888-373-7888

Text BeFree (233733)

National Center for Missing and Exploited Children (NCMEC): As the nation's clearinghouse & comprehensive reporting center for all issues related to the prevention of and recovery from child victimization, NCMEC leads the fight against abduction, abuse, and exploitation - because every child deserves a safe childhood.

CyberTipline is the nation's centralized reporting system for the online exploitation of children. The public and electronic service providers can make reports of suspected online enticement of children for sexual acts, extra-familial child sexual molestation, child sexual abuse material, child sex tourism, child sex trafficking, unsolicited obscene materials sent to a child, misleading domain names, and misleading words or digital images on the internet. www.cybertipline.com

NetSmartz is a place where the public and electronic service providers can report suspected online and offline child sexual exploitation. The millions of reports made each year uniquely situate NCMEC to identify trends and create prevention resources to address the evolving needs of kids and teens online. www.netsmartz.org

NetSafe Utah provides online videos and resources for kids, teens, parents and educators,

including Internet Safety information that Utah schools need to meet the Children's Internet Protection Act (CIPA) requirements. www.netsafeutah.org

References:

[1] State of Utah, Office of the Attorney General, Human Trafficking. (2018). Retrieved from: <https://attorneygeneral.utah.gov/initiatives/human-trafficking/>

[2] Victims of Trafficking and Violence Protection Act of 2000. (22 USC Ch. 78). (2000). Retrieved from: <https://www.congress.gov/106/plaws/publ386/PLAW-106publ386.pdf>

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