Human Trafficking in AMERICA'S SCHOOLS

JANUARY 2015

This report was written under U.S. Department of Education Grant Number Q184L070139 by Jeneé Littrell of the Grossmont Union High School District. Eve Birge served as the grant monitor. This report was designed for the U.S. Department of Education under Contract Number EDESE12O0035 with American Institutes for Research, Inc. Rita Foy Moss served as the contracting officer's representative for the National Center on Safe Supportive Learning Environments technical assistance center (NCSSLE). The views expressed herein do not necessarily represent the positions or policies of the Department of Education. No official endorsement by the Department of any product, commodity, service or enterprise mentioned in this publication is intended or should be inferred. For the reader's convenience, this publication contains information about and from outside organizations, including hyperlinks and URLs. Inclusion of such information does not constitute the Department's endorsement.

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> Our fight against human trafficking is one of the great human rights causes of our time, and the United States will continue to lead it–in partnership with you. The change we seek will not come easy, but we can draw strength from the movements of the past. For we know that every life saved–in the words of that great Proclamation–is 'an act of justice,' worthy of 'the considerate judgment of mankind, and the gracious favor of Almighty God.'
>
> –President Barack Obama, September 25, 2012

Introduction

Human trafficking is modern slavery. It involves exploiting a person through force, fraud, or coercion for the purpose of forced labor, commercial sex, or both. Victims of human trafficking include men, women, boys, girls, and transgender individuals lured by the promise of a better life in the United States and adults and children who were born and raised in the United States.

The International Labour Organization estimated, in 2012, that children represented 26 percent (or 5.5 million) of the 20.9 million victims worldwide.[1] Both U.S. citizen and foreign national children are trafficked for sex and labor in the United States.[2] In fact, many child victims of human trafficking are students in the American school system. School administrators and staff need to be aware that cases of child trafficking are being reported in communities throughout the nation. No community—urban, rural, or suburban—school, socioeconomic group, or student demographic is immune.

Few crimes are more abhorrent than child trafficking, and few crimes are more challenging for communities to recognize and address. For many people, the reality of trafficking in their community is difficult to comprehend, let alone confront. For educators and school personnel, the reality of these crimes and the severity of their impact are cause for a call to action.

Schools can and should be safe havens for students, and even more so for some students whose lives are otherwise characterized by instability and lack of safety or security. In these cases, school personnel are uniquely well positioned to identify and report suspected abuse and connect students to services—actions that can prevent trafficking and even save lives. Everyone who is part of the school community—administrators, teachers, bus drivers, maintenance personnel, food service staff, resource officers, and other school community members—has the potential to be an advocate for child victims of human trafficking, but, *first*, school community members must learn the indicators of the crime, its warning signs, and how to respond when a student is an apparent victim.

Though they play a crucial role, school personnel cannot, and should not, address these complex issues alone. Effectively responding to child trafficking demands increased awareness and a clearly defined course of action, supported by collaboration with child protective services, law enforcement, social services, and community-based service providers. This guide was developed to help school officials

- understand how human trafficking impacts schools
- recognize the indicators of possible child trafficking
- develop policies, protocols, and partnerships to address and prevent the exploitation of children

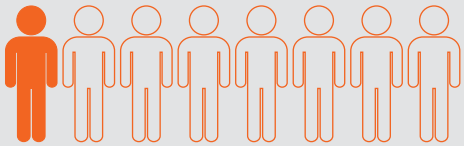
Child Sex Trafficking

When a child (a person under 18 years of age) is induced to perform a commercial sex act, proving force, fraud, or coercion against the child's pimp is not necessary for the offense to be characterized as human trafficking. There are no exceptions to this rule: No cultural or socioeconomic rationalizations may prevent the rescue of children from sexual servitude. The use of children in the commercial sex trade is prohibited both under U.S. law and by statute in most countries around the world. Sex trafficking has devastating consequences for minors, including long-lasting physical and psychological trauma, disease (including HIV/AIDS), drug addiction, unwanted pregnancy, malnutrition, social ostracism, and even death.

Each victim has a different experience, but experiences often share common threads due to the nature of the crime. Trafficking victims live under the control of their trafficker, subject to fear, abuse, and denial of their basic human rights.

ONE OUT OF EIGHT endangered runaway youths is likely a victim of human trafficking.

–National Center for Missing and Exploited Children



Child Labor Trafficking

Labor trafficking or forced labor 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. 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 United States, labor trafficking often occurs in the context of domestic service, agricultural work, peddling, and hospitality industries (e.g., restaurants and hotels). 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.

Deconstructing Perceptions and a Victim-Centered Approach

Until recently, the trafficking of children in the United States has been clouded by a lack of awareness and exacerbated by stigma and denial. Now, communities are beginning to familiarize themselves with the nature of the crime and to train law enforcement and legal and social service providers on how to protect victims and serve their needs. *Child trafficking is child abuse, and properly understanding this reality allows educators and law enforcement and social service providers to minimize judgment, provide services, prevent revictimization, and focus on the safety and well-being of the boy, girl, or transgender individual.*

With the passage of the Trafficking Victims Protection Act (TVPA) of 2000 (Pub.L.106-386), the trafficking of children for sex and labor was criminalized, with the crucial caveat that anyone under age 18 who is induced to perform a commercial sex act is a victim of child sex trafficking, regardless of whether force, fraud, or coercion are involved. Unfortunately, local practice and policy sometimes treat the exploited minor in a human trafficking incident, where sex is *engaged in for profit*, as a perpetrator

> Not all traffickers are adults: A suburban Minneapolis high school cheerleader was arrested for allegedly recruiting and pimping a younger student by creating an online ad and driving the victim to potential customers.
>
> –Star Tribune

of the crime rather than as a victim. It is a contradiction that public outrage occurs when an eighth grader is molested by a family friend, and yet, if that same adolescent is sexually abused by a stranger who pays for the sex act, the community often wrongfully perceives the act as willing criminal prostitution. The law recognizes that children cannot give meaningful consent to such a crime. Educators must remember that a child involved in prostitution should *always* be treated as a victim and that criminal responsibility rests with the trafficker.

Risk Factors and Indicators

Though there is no standard profile of a child-trafficking victim, several risk factors make certain children more susceptible. Reports indicate that traffickers often target children and youths with a history of sexual abuse, dating violence, low self-esteem, and minimal social support.

Runaway and homeless youths—male, female, and transgender—are at particularly high risk for becoming victims, though some trafficked youths continue living at home and attending school. There is also a strong correlation between sexually exploited youths and childhood sexual abuse, chronic maltreatment and neglect, and otherwise unstable home environments. Research findings estimate that between 33 and 90 percent of victims of commercial child sexual exploitation have experienced these types of abuses.[3] Evidence also suggests that lesbian, gay, bisexual, or transgender (LGBTQ) youths can be up to five times more likely than heterosexual youths to be victims of trafficking due to the increased susceptibility that comes with the feelings of rejection and alienation that are often experienced by LGBTQ youths.[4]

Possible risk factors associated with child trafficking include the following:

- lack of personal safety
- isolation
- emotional distress
- homelessness
- poverty
- family dysfunction
- substance abuse
- mental illness
- learning disabilities
- developmental delay
- childhood sexual abuse
- promotion of sexual exploitation by family members or peers
- lack of social support

Social workers who provide services to these victims indicate that feelings of isolation and abandonment are often reported but that the lack of a support network increases the vulnerability to trafficking. It is important to note that many teenage girls may be at risk of being recruited into the commercial sex

industry simply by virtue of their normal maturation process. Wanting to take risks, feeling misunderstood by parents, and seeking romantic relationships can increase girls' susceptibility to the recruitment tactics of sex traffickers or pimps. Findings also suggest that low self-esteem accompanies school failure for girls, and the resulting sense of a lack of self-worth may make them more vulnerable to recruitment.[5]

However, once a student is victimized, identifying him or her can prove difficult for a variety of reasons: (1) the student's reluctance to disclose the problem due to a sense of shame and fear; (2) the stigma associated with forced prostitution; (3) the power and control of the trafficker's seduction and manipulation; and (4) the student's inability to recognize that he or she is a victim and, therefore, is unwilling to seek help.

Possible behavioral indicators of a child sex trafficking victim include, but are not limited to, the following:

- 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
- hypoarousal or symptoms of daydreaming, inability to bond with others, inattention, forgetfulness, and/or shyness

Additional behavioral indicators for labor trafficking include the following:

- 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

What to Do if You Suspect Trafficking

In order to build healthy learning environments, educators and school personnel must be knowledgeable about the signs and symptoms of trafficking, ways to support disclosure, and the steps to take if there is a strong suspicion of trafficking. If a school staff member—a teacher, bus driver, administrator, counselor, or cafeteria worker—notices a student who shows signs of potential trafficking, the first rule is to always pay attention. Learn about the school's policies and protocols. If the school does not have clear policies and protocols, talk to the principal about instituting them. Share this information with school staff, administrators, school boards, and members of the community.

For more information, see "Sample Protocol for School Districts" on p. 10.

> A man from Millington, Tennessee, was accused of trafficking girls as young as 15. He reportedly used a boy under the age of 18 to help recruit girls from local high schools. The boy was paid $20 for every $100 the girls brought in.
>
> –www.localmemphis.com

Recruitment

Traffickers, who may be male, female, or transgender, target vulnerable children and lure them into forced labor and prostitution and other forms of sexual exploitation. In fact, it is known that the vast majority of child victims in the commercial sex industry and in forced labor are recruited and controlled by traffickers.[6] Understanding particular recruitment methods and how trafficking occurs in a community will greatly assist school personnel's abilities to identify potential victims.

Traffickers may systematically target vulnerable children by frequenting locations where children congregate—malls, schools, bus and train stations, and group homes, among other locations. With the advent of social media, traffickers recruit through Facebook and other Internet sites. They also use peers or classmates, who befriend the target and slowly groom the child for the trafficker by bringing the child along to parties and other activities.

Often, traffickers will create a seemingly loving and caring relationship with their victim in order to establish trust, dependence, and allegiance, thus making their child target even more vulnerable. One of the most common variations of this is a romantic relationship. A trafficker often will spend time slowly isolating and convincing a child of his or her love before selling that child for sex.

Young victims also are lured into sexual exploitation and forced labor through psychological manipulation, drugs, and/or violence.

Impact on Learning Environment

The shared priorities and beliefs that motivate a school community have an effect on student learning, achievement, and behavior. A safe learning environment is proven to be imperative for overall student success, and this success is sacrificed on a campus where there is exploitation and violence.

Due to the abuse associated with child trafficking, many victims experience severe physical, emotional, and psychological trauma. The symptoms of trauma can impact the learning experience of students and may manifest as problematic behaviors, such as aggression and truancy. Bad behavior can be a key warning sign of an abusive background and may provide a clue about possible victimization. Of particular note for educators is research that has shown a correlation between the human trafficking of children and school-related problems, including learning disabilities.[7]

In order to build healthy learning environments, educators must be knowledgeable about the signs, such as signs of child trafficking, and the steps to take when behaviors at school are out of order. A best practice is when all members of a school campus, along with parents and community partners, have a shared commitment to work together to prevent crimes and protect victims. This collaboration is critically important to student success and will lead to a safer, healthier school culture.

> I didn't care about school at all. In fact, I was so uncomfortable there...so afraid that people were talking about me and telling others about what I was doing...I was constantly getting into fights. This gave me a way to keep people scared of me and get myself a suspension so that I could leave school.
>
> –Child trafficking survivor, 18 years old

> I had a feeling that my teacher knew something was wrong in my life. I would notice her looking at me . . . almost like she wanted to say something to me. I wanted to open up to her, but I was afraid she would judge me. I was afraid that she wouldn't understand.
>
> –Child sex trafficking survivor, 16 years old

Community Involvement

Child trafficking is not solely a school issue; it is a community issue that impacts schools. Therefore, it is recommended that all members of the community play a role in protecting students.

To prevent the trafficking of children, community members first need to admit the problem exists and then commit to educating other community members and increasing awareness of the impact of the problem. Standing up to child trafficking also means equipping leaders with the resources to have an authentic dialog about the issue—including demand—in their neighborhoods, jurisdictions, constituencies, or school districts and giving these leaders the tools to work toward solutions.

Historically, law enforcement and probation departments across the nation have been the primary systems addressing the complex needs of survivors of child sex trafficking. Through sting operations, crackdowns on gangs, and curfew sweeps, a law enforcement agency may be the first agency to interact with a sex trafficking victim. Today, child welfare systems and runaway and homeless youth programs are increasingly elevating their responses to child trafficking. It is strongly recommended that each community develop cross-system mechanisms and infrastructure for collaboration among public agencies and other stakeholders, while building upon the structures, processes, and relationships already in place.

> Trafficking statistics are often unreliable due to a variety of factors, including the clandestine nature of the industry and underreporting.
>
> –United Nations Population Fund

Schools should partner with their school boards, service providers, governmental agencies, and local law enforcement partners to identify the nature, scope, and prevalence of child trafficking in their communities. By getting other partners involved, schools will create safer campuses and increase the chances for academic, social, and psychological student success. These same partners should work collaboratively to develop a comprehensive prevention awareness program targeted at students and parents, alerting them to the nature and danger of child trafficking, as well as to develop protocols for dealing with the crime and providing services to victims.

Some pragmatic concerns contribute to most communities' ambivalence in mounting an aggressive child trafficking prevention effort. Increased awareness and provision of services are invaluable, but there are limited resources to support child trafficking victims and other at-risk students. How should education, social services, and, above all, safety for a student who has been trafficked and safety for their friends, classmates, and community members be balanced? How should schools evaluate whether their responses are effective? These are questions that school districts need to confront as they develop responses to the crime. Although comprehensive solutions take time, educators need immediate options for students involved in child trafficking.

Awareness, Policies, and Protocols

Schools have several responsibilities regarding child trafficking. They must: (1) increase staff awareness and educate staff on the indicators and the nature of the crimes; (2) increase parent and student awareness of the risks and realities of trafficking; and (3) develop and clearly articulate district- or school-wide policies on and protocols for identifying a suspected victim or responding to a disclosure from a suspected victim.

Training on risk factors for vulnerable children, the signs and indicators of exploitation and trafficking, and the victim-centered approach should be provided to all staff working with students. It also is imperative that school personnel understand best practices for interacting with trafficking survivors, who often struggle with shame and embarrassment and too frequently believe their victimization is their fault. Suspending all judgments and remaining open minded are critical to creating a trusting, safe relationship in which vulnerable students feel safe to confide and seek support.

In order to be ready to assist a child victim, the school district should develop a procedure similar to the procedures used in cases of sexual assault or for reporting child abuse. Because trafficking of children is child abuse, the protocol may be an addendum to the existing child abuse reporting protocol.

An effective school policy should require that school administrators and/or authorities be notified immediately, while maintaining the student's confidentiality to the extent possible under the law. Once a child victim is identified, it is imperative that all responding providers coordinate intervention and support for the victim as well as ensure minimal impact on other students.

To have an effective anti-trafficking protocol, schools should, at a minimum

- develop, adopt, enforce, and implement a policy to address child trafficking;
- make sure all school personnel are properly trained on the policy;
- make certain campus security is in place so that all visitors are screened;
- provide programs and roles for parents and guardians to make them part of their children's safety and security, both at school and while going to and from school;
- assess the environmental structure and take every possible step to help make it safe;
- partner with local law enforcement experts to provide a parent awareness program on the dangers and warning signs of child sex trafficking; and
- partner with local law enforcement agencies to protect the routes that students use to travel to and from schools.

> A 10th-grade student was identified by law enforcement as a victim of child sex trafficking when they arrested her pimp. The victim was referred for services with a case manager and therapist. The victim and her mother granted consent for her case manager to work with her high school counselor to transfer her to an alternative school. The new school provided her a fresh start as well as a safe location where her pimp and his associates could not locate her.
>
> –Case Manager, San Diego Youth Services

A Sample Protocol for School Districts

SITUATION AND PROTOCOL

Suspected Recruitment or Actual Exploitation by Student

STEP 1
Involve on-site school resource officer (SRO) for possible investigation

STEP 2
Investigate possible campus impacts, such as recruitment, harassment, and involvement of other students, and safety issues on campus

STEP 3
Provide school consequence, if appropriate, and law enforcement may make an arrest depending on outcome of investigation

STEP 4
SRO to input relevant information into the Law Enforcement Human Trafficking website if sufficient and/or reliable evidence exists

Suspected Victim of Commercial Sexual Exploitation of Children

STEP 1
Involve on-site school resource officer (SRO) for possible investigation

STEP 2
If child abuse or neglect is suspected, submit Child Welfare Services report with as much detail as possible

STEP 3
Investigate possible campus impacts, such as recruitment, harassment, and involvement of other students, and safety issues on campus

STEP 4
If appropriate, and in consultation with the victim, contact and inform guardian or parent of potential victimization

STEP 5
Offer potential victim and/or parent/guardian a referral to appropriate counseling or social services

STEP 6
Set up regular contact with victim and periodically check on status

(Most appropriate for counselor or social worker)

Confirmed Victim of Commercial Sexual Exploitation of Children

STEP 1
Involve on-site school resource officer (SRO) for possible investigation

STEP 2
Submit Child Welfare Services report with as much detail as possible

STEP 3
Investigate possible campus impacts, such as recruitment, harassment, and involvement of other students, and safety issues on campus

STEP 4
SRO to conduct investigation or refer to appropriate investigation unit

STEP 5
If appropriate, and in consultation with victim, contact and inform parent/guardian of victimization

STEP 6
Investigate whether the school placement is appropriate for the student; if not, work with the appropriate department to transfer the student

STEP 7
Offer victim a referral to appropriate counseling or social services; set up regular contact with victim and periodically check on status

U.S. Government Entities Combating Human Trafficking

The U.S. government supports a victim-centered, whole government approach that brings together federal departments and agencies to address all aspects of human trafficking—enforcement of criminal and labor law, victim identification and protection, education and public awareness, international trade and development, enhanced partnerships and research opportunities, and international engagement and diplomacy. The U.S. government also funds numerous civil society organizations to conduct anti-trafficking efforts according to the *3 Ps* (prosecution, protection, and prevention) both domestically and around the world.

The following federal departments are involved in this effort:

- Department of Education
- Department of Health and Human Services
- Department of Homeland Security
- Department of Justice
- Department of Labor
- Department of State

Publications and Resources

Some of the best ways to help combat human trafficking are to raise awareness, learn more, and help school staff, administrators, and the community at large learn about how to identify victims. Information about human trafficking can be found at the following websites:

- U.S. Department of Health and Human Services, Administration for Children and Families
  www.acf.hhs.gov/endtrafficking
- U.S. Department of Homeland Security Blue Campaign
  http://www.dhs.gov/blue-campaign/share-resources
- Institute of Medicine
  http://www.iom.edu/~/media/Files/Resources/guideforhealthcaresector.pdf
- National Center on Homeless Education
  http://center.serve.org/nche/downloads/briefs/trafficking.pdf
- National Center for Missing and Exploited Children
  http://www.ncmec.org
- National Human Trafficking Resource Center
  http://www.polarisproject.org/what-we-do/national-human-trafficking-hotline/the-nhtrc/overview
- Runaway and Homeless Youth Training and Technical Assistance Center
  http://www.rhyttac.net/resources/document/human-trafficking-resource-list
- United Nations Office on Drugs and Crime
  http://www.unodc.org/unodc/en/human-trafficking/what-is-human-trafficking.html

Trainings

- U .S. Department of Health and Human Services, Anti-Trafficking in Persons Division, Office of Refugee Resettlement, National Human Trafficking Resource Center, *"Safe Harbor" Laws: A Systemic Approach to Addressing Child Sex Trafficking*
  http://polarisproject.adobeconnect.com/safeharbor/
- U.S. Department of Homeland Security, Blue Campaign, Human Trafficking Awareness Training
  http://www.dhs.gov/blue-campaign/awareness-training

Services

- U .S. Department of Health and Human Services, *Services Available to Victims of Human Trafficking: A Resource Guide for Social Service Providers*
  http://www.acf.hhs.gov/programs/orr/resource/services-available-to-victims-of-human-trafficking
- U.S. Department of Homeland Security, Blue Campaign, Victim Assistance Resources
  http://www.dhs.gov/blue-campaign/victim-centered-approach
- U.S. Department of Justice, Office for Victims of Crime, Initiatives to Expand Services to Human Trafficking Victims
  http://www.ojp.usdoj.gov/ovc/news/human_trafficking.html
- International Labour Organization, International Programme on the Elimination of Child Labour, *Combating Trafficking in Children for Labour Exploitation: A Resource Kit for Policymakers and Practitioners*
  http://www.ilo.org/ipecinfo/product/viewProduct.do?productId=9130

Terms and Definitions

Child (minor, juvenile, youth) Persons under the age of 18 unless, under the law applicable to the child, majority is attained earlier.[8]

Exploitation Unfair, if not illegal, treatment or use of somebody or something, usually for personal gain.

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.

Pimp Any person who participates in the transporting, harboring, or selling of a person for a commercial sex act. This term can be interchangeable with *sex trafficker*.

Sex trafficking The recruitment, harboring, transportation, provision, or obtaining of a person for a commercial sex act in which that 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.

Endnotes

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Note: All references listed were last accessed on August 12, 2014.

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