

	<b>GEORGIA DIVISION OF FAMILY AND CHILDREN SERVICES CHILD WELFARE POLICY MANUAL</b>		
	<b>Chapter:</b>	(1) Administration	<b>Effective Date:</b> July 2019
	<b>Policy Title:</b>	Sex Trafficking Overview	
<b>Policy Number:</b>	1.13	<b>Previous Policy #:</b> N/A	

**CODES/REFERENCES**

O.C.G.A. §16-5-46 Trafficking of Persons for Labor or Sexual Servitude  
 O.C.G.A. §15-11-130.1  
 Title IV-E of the Social Security Act §§471(a)(9)(C), 471(a)(34)(A), and 475(9)  
 Preventing Sex Trafficking and Strengthening Families Act of 2014, P.L. 113-183

**REQUIREMENTS**

The Division of Family and Children Services (DFCS) shall:

1. Ensure that child and youth victims and those at risk receive the appropriate care, treatment, and services needed to heal and recover from sex trafficking/sexual servitude.
2. Refer any child suspected of being a victim of sexual exploitation or trafficking to an available victim assistance organization, as certified by the Criminal Justice Coordinating Council, which provides comprehensive trauma-informed services designed to alleviate the adverse effects of trafficking victimization and to aid in the child's healing, including, but not limited to, assistance with case management, placement, access to educational and legal services, and mental health services.
3. Be authorized to provide emergency care and supervision to any child without seeking a court order for a period not to exceed seven days when the child is a victim of trafficking for labor or sexual servitude (see policy 20.9 Special Circumstances: Short Term Emergency Care (Human Trafficking)).
4. *Develop, in consultation with State and local law enforcement, juvenile justice systems, health care providers, education agencies, and organizations with experience in dealing with at-risk children and youth, policies and procedures (including relevant training for caseworkers) for identifying, documenting in agency records, and determining appropriate services for:*
  - a. *Any child or youth over whom DFCS has responsibility for placement, care, or supervision and who the agency has reasonable cause to believe is, or is at risk or being, a sex trafficking victim (including children for whom an agency has an open case file but who have not been removed from the home, children who have run away from foster care and who have not attained 18 years of age or such older age as the State has elected under section 475(8) of the Act, and youth who are not in foster care but are receiving services under section 477 of the Act); and*
  - b. *Youth formerly in foster care who are participating in Extended Youth Support Services through the age of 21.*

5. Report to law enforcement immediately, and in no case later than 24 hours after receiving information on children or youth who have been identified as being a victim of sex trafficking/sexual servitude.

**NOTE:** For the Purposes of the Titles IV-B and Title IV-E of the Act, the term “sex trafficking victim” means a victim of:

1. Sex trafficking, as defined in section 103(10) of the Trafficking Victims Protection Act of 2000 as the recruitment, harboring, transportation, provision, or obtaining, of a person for the purpose of a commercial sex act; or
2. A severe form of trafficking in persons described in Section 103(9)(A) of such Act in which a 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:** Georgia law defines trafficking an individual for sexual servitude as a person commits the offense of trafficking an individual for sexual servitude when that person knowingly:

1. Subjects an individual to or maintains an individual in sexual servitude;
2. Recruits, entices, harbors, transports, provides, solicits, patronizes or obtains by any means an individual for the purpose of sexual servitude; or
3. Benefits financially or by receiving anything of value from the sexual servitude of another.

Sexual servitude means any sexually explicit conduct or performance involving sexually explicit conduct for which anything of value is directly or indirectly given, promised to, or received by any individual, which conduct is induced or obtained:

1. By coercion or deception;
2. From an individual who is under the age of 18 years;
3. From an individual whom the accused believes to be under the age of 18 years;
4. From an individual who has a developmental disability; or
5. From an individual whom the accused believes to have a developmental disability.

**NOTE:** DFCS accepts reports involving children under the age of 18. Reports involving adults with developmental disability are referred to the Georgia Department of Aging, Adult Protective Services.

## PROCEDURES

DFCS will:

1. Work with community stakeholders through a multi-disciplinary approach to address and manage the multidisciplinary work with children and youth identified as victims of sex trafficking/sexual servitude or those identified as at risk of sex trafficking.
2. Investigate intake reports screened in involving known or suspected child or youth victims of sex trafficking/sexual servitude.
3. Assess a child who has been missing from care to determine their experiences, including screening the child to determine if the child is a possible victim of sex trafficking/sexual servitude (see policy 19.22 Case Management: Missing Children).
4. Report immediately (no later than 24 hours) to law enforcement any child or youth who the agency identifies as being a known or suspected victim of sex trafficking/sexual servitude (see policy 3.7 Intake: Intakes Involving Sex Trafficking/Sexual Servitude).
5. Adhere to the Commercial Sexual Exploitation/Domestic Minor/Sex Trafficking Case Management Protocol.

6. Provide services to sex trafficking/sexual servitude victims that is trauma-focused, strength-based, culturally sensitive, gender and developmentally appropriate, and informed by comprehensive evaluation that includes physical and mental health assessments. Services may include:
  - a. Case Management
  - b. Permanency or temporary placements
  - c. Medical and mental health treatment
  - d. Reproductive and sexual health services
  - e. Substance abuse treatment
  - f. Access to educational and legal services
  - g. Referral to immigration services and assistance as appropriate
7. Empower child and youth victims of sex trafficking/sexual servitude by allowing their participation in decision-making.
8. Assist sex trafficking/sexual servitude victims in accessing medical and health assistance, public housing, and other federal and state assistance for which they are eligible as sex trafficking victims.
9. Support sex trafficking/sexual servitude victims to gain permanency through reunifying them with their families or other appropriate permanency options including fostering supportive connections.
10. Provide trainings regarding sex trafficking/sexual servitude for:
  - a. Child welfare professional
  - b. Foster parents
  - c. Room Board and Watchful Oversight providers
  - d. Child Placing Agencies

## **PRACTICE GUIDANCE**

Sex trafficking is one form of human trafficking. Human trafficking is most commonly for the purpose of sex trafficking or sexual servitude, forced labor or for the extraction of organs or tissues, including surrogacy. It is a serious public health problem that negatively affects the well-being of individuals, families, and communities. Human trafficking occurs when a trafficker exploits an individual with force, fraud, or coercion to make them perform commercial sex or work. This type of violence exploits women, men, and children across the United States and around the world.

Perpetrators of human trafficking often target people who are poor, vulnerable, living in an unsafe situation, or searching for a better life. Many victims are women and girls, though men and boys are also impacted. Victims can come from all backgrounds, races, ethnicities, sexual orientations, gender identities, citizens, non-citizens, and income levels. Victims can become trapped in different locations and situations, and do not have to be physically transported between locations to be victimized. Victims are often controlled through assault, threats, false promises, perceived sense of protection, isolation, shaming, and debt.

Youth who are victims of sex trafficking are often seduced, coerced or forced into trafficking. For example, youth with a history of abuse and neglect or who are homeless are more likely to be exploited. Traffickers will identify a youth's vulnerabilities and prey upon their normal desires for love, attention, or material items, and the meeting of basic needs, such as shelter or food. Many victims of sex trafficking do not see themselves as victims and will make efforts to protect their abuser. Victims of sex trafficking may have suffered significant psychological,

physical and sexual abuse and may exhibit anxiety, depression, and post-traumatic stress syndrome.

Consequences of sexual violence, including sex trafficking, can be immediate and long term, including physical and relationship problems, psychological concerns, and chronic health outcomes.

## **FORMS AND TOOLS**

Human Trafficking Case Management Statewide Protocol