

	GEORGIA DIVISION OF FAMILY AND CHILDREN SERVICES CHILD WELFARE POLICY MANUAL			
	Chapter:	(3) Intake	Effective Date:	January 2022
	Policy Title:	Intakes Involving Human Trafficking		
Policy Number:	3.7	Previous Policy #:	3.9	

CODES/REFERENCES

O.C.G.A. §16-12-100 Sexual Exploitation of Children; Reporting Violation; Forfeiture; Penalties
O.C.G.A. §16-5-46 Trafficking of Persons for Labor or Sexual Servitude
O.C.G.A. §19-7-5 Reporting of Child Abuse
Title IV-E of the Social Security Act, Sections 471(a)(9)(C) and 475(9)(10)(11)(12)
Preventing Sex Trafficking and Strengthening Families Act, P.L. 113-183

REQUIREMENTS

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

1. Receive intake reports of alleged child abuse involving human trafficking - trafficking a child for:
 - a. Sexual servitude (sex trafficking); and/or
 - b. Labor servitude (labor trafficking).

NOTE: This includes known or suspected child victims of human trafficking who legally reside in Georgia or are currently located in Georgia regardless of the child's legal residence.

2. Complete the Intake Assessment gathering process with the reporter as outlined in policy 3.1 Intake: Receiving Intake Reports.
3. Thoroughly evaluate the Intake Assessment to make an intake decision in accordance with policy 3.2 Intake Making an Intake Decision.
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.*

NOTE: Intake reports requesting short-term emergency care for a known or suspected child victim of human trafficking should be processed as a Special Circumstance in accordance with policy 3.22 Intake: Special Circumstance Intakes Involving Short Term Emergency Care (Human Trafficking).

PROCEDURES

The Centralized Intake Specialist will:

1. Complete the Intake Assessment information gathering process with the reporter as outlined in policy 3.1 Intake: Receiving Intake Reports. In addition, gather the following information:
 - a. Sex trafficking
 - i. What gives the reporter reason to suspect sex trafficking?

- ii. Does the child have a boyfriend/girlfriend around five years of age or older than the child?
 - iii. Does the child have money or expensive new belongings the child claims are gifts?
 - iv. Does the child have tattoos on his/her chest neck or arms? Description of the tattoos.
 - v. Are the child's caregivers aware of the boyfriend/girlfriend, gifts, or tattoos?
 - vi. Does the child have a history of runaway or truant behavior?
 - vii. Does the child have a history of substance abuse, sexualized behavior, changes in behavior or association with a different group of friends (possibly older)?
- b. Labor trafficking
- i. What gives the reporter reason to suspect labor trafficking?
 - ii. Does the child lie about their identity or are they unable to provide evidence of a legal guardian?
 - iii. Does the child live with an employer or other "employees"?
 - iv. Is the child paid little or nothing for work or services provided?
 - v. Has the child mentioned that "pay" goes toward a debt to "employer," fees for travel, or housing provided by employer?
2. Refer to the Human Trafficking Case Management Statewide Protocol for additional guidelines for intake reports involving human trafficking.
 3. Assess all information gathered to make an intake decision in accordance with policy 3.2 Intake: Making an Intake Decision.
 4. Provide notification within 24 hours of the intake report of known or suspected victims of sex trafficking to the:
 - a. Law enforcement
 - b. Care Coordination Treatment Unit (CCTU)
 - c. Children's Advocacy Centers of Georgia (CACGA)

The Centralized Intake Specialist Supervisor will:

1. Verify the information was gathered from the reporter in accordance with policy 3.1 Intake: Receiving Intake Reports, including gathering specific information on human trafficking.
2. Evaluate and make an approval decision on the Intake Assessment in accordance with policy 3.2 Intake: Making an Intake Decision.

PRACTICE GUIDANCE

Human Trafficking

Human trafficking involves the exploitation of people through force, coercion, threat, and deception and includes human rights abuses such as debt bondage, deprivation of liberty, and lack of control over freedom and labor. Trafficking can be for purposes of sexual exploitation or labor exploitation.

Sex Trafficking

Sex trafficking or commercial sexual exploitation of children (CSEC) is defined as the recruitment, harboring, transportation, provision, obtaining, patronizing, or soliciting of a child for the purpose of a commercial sex act. Severe forms of trafficking in persons means sex

trafficking 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. This intake type includes allegations of a prostituted minor.

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.

Victims of sex trafficking/sexual servitude may have suffered significant psychological, physical and sexual abuse and may exhibit anxiety, depression, and post-traumatic stress syndrome. Many victims of sex trafficking do not see themselves as victims and will make efforts to protect their abuser. In situations where the child's caregiver has not been identified as the maltreater, DFCS must engage the reporter in obtaining information regarding caregiver protective capacity and what efforts have been made to protect the vulnerable child.

Labor Trafficking

Federal defines a "severe form of [labor] trafficking in persons" as the recruitment, harboring, transportation, provision, or obtaining of a person for labor or services through the use of force, fraud, or coercion in order to subject that person to involuntary servitude, peonage, debt bondage or slavery.

Georgia law states a person commits the offense of trafficking a person for labor servitude when that person knowingly subjects another person to or maintains another person in labor servitude or knowingly recruits, entices, harbors, transports, provides, or obtains by any means another person for the purpose of labor servitude.

Georgia defines labor servitude as work or service of economic or financial value which is performed or provided by another individual and is induced or obtained by coercion or deception. Types of labor exploitation include domestic servitude, restaurant work, janitorial work, sweatshop factory work, and migrant agricultural work.

FORMS AND TOOLS

Human Trafficking Case Management Statewide Protocol