



HEAL Trafficking: Health Professional Education, Advocacy, Linkage
Because Human Trafficking is a Health Issue

**Public Comment on Draft Legislation, House Committee on Ways and Means
“Preventing Sex Trafficking and Improving Opportunities for Youth in Foster Care Act”**

We submit this comment on behalf of HEAL Trafficking, an interdisciplinary network of health professionals from across the United States and beyond, working to combat human trafficking and to serve as a centralized resource on health for the broader anti-trafficking community.

We commend the House Ways and Means Committee for taking a bipartisan step to improve the lives of vulnerable children through the proposed legislation, “Preventing Sex Trafficking and Improving Opportunities for Youth in Foster Care.”

However, we implore the Committee to consider inclusion of *all* forms of child trafficking, including labor trafficking, in its legislation. While sex trafficking is the most visible form of trafficking, children in the United States also experience labor trafficking, including forced work as peddlers, beggars, nannies, domestic servants, and drug dealers, as well as forced work in agricultural, factory, and restaurant settings. These children come from vulnerable, often immigrant backgrounds, and interact with child welfare agencies, schools, and other social services. They, too, experience terrible abuse, including sexual assault and rape, and deserve our attention and protection.

Foster youth are among the children in our nation most at risk for commercial sexual exploitation (CSE) and human trafficking. As noted in the recently released Institute of Medicine (IOM) Report, *Confronting Commercial Sexual Exploitation and Sex Trafficking of Minors in the United States*, children in foster care have backgrounds that increase their risk for exploitation, including fragmented families, poor parental supervision, poverty, neglect, and histories of physical and sexual abuse. While child welfare systems are designed to protect children, foster care itself can place a child at risk for physical, emotional, and sexual abuse, as well as for trafficking. Increased funding for child welfare agencies and increased professionalization and training of staff are essential for the protection of foster youth.

Our members, including physicians, nurses, nurse practitioners, and social workers, report that transitioning into commercial sexual exploitation can occur rather seamlessly for youth in foster care, as they are already accustomed to being treated as commodities. These children are aware (and may frequently be reminded) that their foster caregivers are paid for their placement, and thus are familiar with being used as currency. The proposed legislation will support youth development and empowerment by decreasing the stigma of foster care and increasing foster children’s access to extracurricular activities, normal youth social programs and jobs, thereby decreasing the psychological stigma experienced by these children and their risk for commercial exploitation. We suggest, also, that the legislation include a provision that states employ mentoring programs (such as Big Brother Big Sister) to enable youth to develop ongoing, fulfilling relationships with adults that can be maintained. Such mentorship programs have been demonstrated to improve long term outcomes for foster children.

We propose, as a suggestion to increase awareness of foster youth about their rights, that placement homes be required to post an informational poster outlining such rights and listing phone numbers where youth can receive help. The information could be similar to the material posted on the website of California's foster care ombudsman, available at <http://www.fosteryouthhelp.ca.gov/Rights2.html>.

We are also concerned with the mental health needs of youth in foster care. As noted by Irene J. Clements, President of the National Foster Parent Association, in her testimony on May 19, 2013 to the House Committee on Ways and Means Human Resources Subcommittee Hearing on "Letting Kids Be Kids: Balancing Safety with Opportunity:" "We know all of the children have experienced trauma in some way and each child should be required to have a trauma assessment at the front end of entering foster care. This goes hand in hand with a system of service providers and caregivers who are also well trained in trauma informed care and caregiving."

As health professionals united to combat human trafficking, we ask the Committee to consider the importance of mental health in the care of vulnerable, maltreated, and neglected children, to require states to develop systems of trauma informed care for these youth, and to allow states to develop treatment programs beyond traditional therapy and medication to promote healthy psychological development. The normalized youth activities promoted by this legislation are an important component of the healing process for traumatized children.

The draft legislation includes a focus on screening youth for sex trafficking. We applaud the increased attention to finding trafficked youth, and youth at risk for trafficking, but we note that there do not yet exist any studies demonstrating the validity or efficacy of widely circulated trafficking screening questions. We suggest that children in the child welfare system should be screened for violence, and that sensitive, trained providers collect histories of sexual behavior and abuse. We strongly recommend that education about healthy romantic relationships be provided to children in foster care, beginning in the pre-teen years.

We want to emphasize to the committee that states should, in their attempt to protect foster children from sex trafficking, include special considerations for boys and for lesbian/gay/bisexual/transgender/questioning (LGBTQ) youth. As the Institute of Medicine report documents, male youth are frequently trafficked but are more difficult to identify. Our members note that boy CSEC victims tend to be younger and more independent than girls, engaging in survival sex rather than being tied to a pimp in a relationship. As the IOM also reports, LGBTQ youth appear to be at increased risk for trafficking, given that they are more likely to be homeless and more likely to have experienced physical or sexual abuse. Given the persistent stigma experienced by LGBT youth, and the dangers facing those in the child welfare system, we hope that the Committee will include protections for them, and standards for child welfare agencies in working with them, in the proposed legislation. Our members also encourage the Committee to maintain the provisions for protecting transitional age youth, as teens aging out of the foster system and losing basic supportive resources are also at increased risk for becoming involved in sex trafficking.

We commend the inclusion of case worker training in the draft legislation, but suggest that education and training regarding the risks for human trafficking also target foster children themselves as well as foster caregivers, including those managing group homes. Again, such training for the youth should include curricula about healthy relationships, along with empowerment, development, and mentoring programs. Trainings for foster caregivers should help them recognize risks of trafficking and also provide

them with enhanced tools to manage the challenging behaviors that can sometimes be manifested by foster youth most at risk of being trafficked; this, in turn, would mitigate foster placement changes, which would provide more needed stability for the youth most at risk. Our members also note that foster care was not designed to be a permanent solution for care of neglected and maltreated children, and encourage the continued promotion of efforts to improve adoption rates.

Education and training about foster youth, and their risk for being trafficked, should also be implemented among others with whom these youth interface, including school systems and health professionals. Interdisciplinary awareness and collaboration is essential for the identification and protection of children vulnerable to human trafficking.

As a practical matter, we encourage that data collection regarding trafficked or at-risk foster youth be systematized, rather than collected piecemeal by over 50 state agencies. There is an urgent need for information about these children. It is important that data collection be efficient, enable streamlined analyses at the local, state, and federal level, and not increase burden on staff at child welfare agencies.

Finally, the recession and Federal budget sequestration/austerity cuts have reduced funds for important programs serving vulnerable children. Over the last few years, government agencies have laid off hundreds of thousands of workers across the country. Child welfare systems at the state and local level have been hit by these cuts and are stressed by decreased funds and increased case loads. We urge that any new legislation and regulation must include enhanced fiscal resources in order to be successful in improving the lives and outcomes for foster children, and protecting them from trafficking.

Thank you for the opportunity to comment on this important legislation.

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on behalf of

HEAL Trafficking
Health Professional Education, Advocacy, and Linkage
Prevention Collaborative Group, Advocacy Collaborative Group, and Steering Committee
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