



Human Trafficking: An Overview of Services and Funding for Survivors

Criminal Justice

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BY MEGHAN McCANN

Under the federal [Trafficking Victims Protection Act \(TVPA\)](#) of 2000, sex and labor trafficking are considered “severe forms of trafficking in persons,” and are defined as:

- **Sex trafficking:** A commercial sex act induced by force, fraud, or coercion, or in which the person induced to perform such an act has not attained 18 years of age.
- **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.

The TVPA and its reauthorizations, the Justice for Victims of Trafficking Act, and the Preventing Sex Trafficking and Strengthening Families Act of 2014, are among the many actions Congress has taken since 2000 to address human trafficking. A [May 2016 report](#) from the Government Accountability Office identified 105 provisions across six federal statutes that establish programs or initiatives to combat traffickers or provide assistance to victims.

Anti-trafficking efforts can be illustrated by a [4P approach](#) that has been established over time, starting with the federal TVPA. Prevention, protection, partnership and prosecution are the four prongs of this approach. This paper will focus on the protection prong, examining the services provided to human trafficking survivors.

States can support many [different types of services](#), from legal services and housing, to health care and child welfare services. This wide array of services that support survivors and their sustained exit from trafficking is on a continuum, ranging from short-term necessities like clothing, food and emergency medical services to longer-term needs like mental health care, housing and reintegrating into society. Without a one-size-fits-all approach, states have sought ways to maximize the existing supports while funding new approaches.

Funding for services varies greatly across states, with some setting up special funds to address human trafficking while others provide targeted services in budget line items. Even with these special funds and appropriations, it is unclear how many statewide and state-supported programs provide services to trafficking survivors and how those funds are collected and expended.

The 4P Approach

■ Protection

The protection prong, the focus of this paper, looks at the identification of trafficking victims, referrals to comprehensive services, the provision of those services and support of victims as they begin to rebuild their lives.

This paper will explore the comprehensive array of services necessary to support victims of human trafficking from identification to reintegration into their community.

■ Prosecution

The prosecution prong of the 4P approach focuses on ensuring that those responsible for trafficking in persons are prosecuted, which can act as a deterrent to future trafficking. This prong does not include prosecuting or punishing survivors for crimes they were forced to commit as a result of being victims of trafficking, such as prostitution. NCSL's [Human Trafficking Overview](#) provides information and resources on identifying and providing services to survivors as well as criminal penalties for traffickers.

■ Prevention

The prevention prong includes public awareness campaigns, training to help certain industries recognize and report trafficking activity, and corporate accountability in hiring practices to combat sex and labor trafficking.

Corporate accountability in hiring practices and work conditions is an approach to addressing labor trafficking across the world. Knowing where products are produced, how the workers are recruited and paid, and what kind of conditions they work in are strategies that state departments of labor across the country have taken.

■ Partnership

Partnership is the final prong, emphasizing the need for strong collaboration across silos and systems to help achieve better results and greater efficiency.

Approximately 37 states have created, through legislation or executive order, a human trafficking council, workgroup, task force or other group dedicated to studying and providing policy recommendations regarding human trafficking. This collaboration and relationship building can go a long way in addressing human trafficking and providing support to survivors.

NCSL's [Human Trafficking State Laws](#) page has more information about prosecution, prevention and partnership.

Survivor Protection and Service Delivery

The protection prong of the 4P approach focuses on identifying victims and appropriate services, referring survivors to services, providing services and supporting survivors in the short and long terms.

Trauma-Informed Service Delivery

It is important to acknowledge the impact that trauma has on survivors as they engage with victim services. Using a trauma-informed approach can help make interventions more effective and result in better outcomes for survivors. The Substance Abuse and Mental Health Services Administration highlights [6 principles to trauma-informed service delivery](#):

- Safety
- Trustworthiness and transparency
- Peer support
- Collaboration and mutuality
- Empowerment, voice and choice
- Cultural, historical and gender issues

[Project REACH](#), part of the Trauma Center at Justice Resource Institute, is a program that addresses the mental health needs of trafficking survivors through consultation and short-term direct services. In addition to those services, Project REACH also provides training and informational resources to trafficking service providers. One resource, [“Utilizing Trauma-Informed Approaches to Trafficking-related Work,”](#) provides a look at the various ways trauma impacts survivors and offers insight into how providers can deliver services with those consequences in mind.

Services to Survivors

IMMEDIATE NEEDS

The importance of addressing the emergency needs of trafficking survivors—such as food, shelter and clothing—can be an important component of providing services. Several [surveyed survivors](#) have identified the promise of receiving basic necessities as a reason for entering a trafficking situation. Ensuring these basic needs are met can build trust and a relationship between the service provider and the survivor, leading to further cooperation and [participation in services](#).

The [basic necessities](#) are many, and include providing: (1) an interpreter or translator to make the survivor feel more comfortable and understood; (2) crisis intervention and safety planning to ensure that the impact of the recent trauma is addressed and there is a plan to keep the survivor safe through the duration of the reintegration period; (3) health care, including immediate medical attention, sexual assault evaluations, substance abuse counseling, and other health care to ensure the survivor is well; (4) emergency housing; and (5) food and clothing.

Essential Services to Survivors

- Immediate Needs
- Health
- Legal Services
 - Civil claims and restitution
 - Vacating and expunging criminal records
 - Family law
 - Victim/witness advocacy
 - Identity theft
 - Immigration
- Housing
- System-Based Services
 - Child welfare
 - Public benefits
- Other Services

HEALTH

From the immediate physical and emotional health care concerns, to the longer-term mental health and substance use treatment needs, trafficking survivors require access to a complex array of health care services.

Several studies have found that trafficking survivors need access to health services for various reasons, including sexually transmitted infections, physical injuries, burns, anxiety, post-traumatic stress disorder, suicidal ideation, substance abuse, HIV/AIDS, depression, sexual violence, malnutrition, skin conditions, gastrointestinal disorders, dental injuries and diseases, and tuberculosis. In addition to these physical manifestations, mental health is an important medical concern for survivors of human trafficking. [Mental health and trauma therapy](#) has been found to be helpful to survivors, all of whom have experienced some form of trauma.

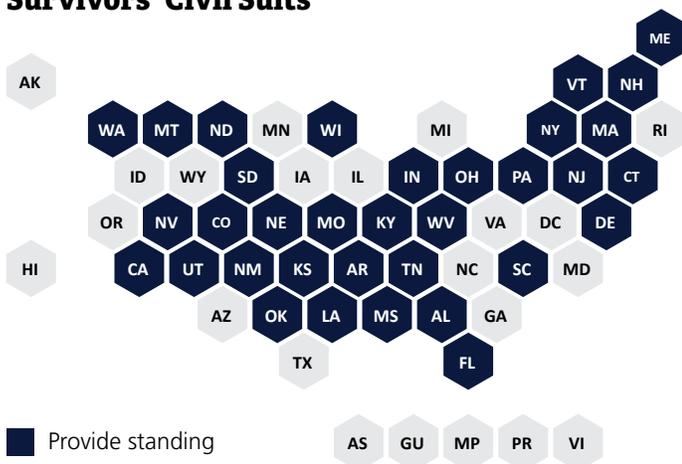
Estimates show that between [30 percent to 88 percent](#) of trafficking victims access health services during their exploitation. A University of Kansas project demonstrates how local partnerships can come together to identify and support trafficking survivors. After participating in an Anti-Slavery and Human Trafficking Initiative, the [University of Kansas School of Law's Medical-Legal Partnership Clinic](#) began providing legal services to trafficking survivors and training medical providers how to recognize trafficking and connect victims to services. This work has developed into a partnership with the University of Kansas hospital and physician clinics, which led to further training and partnerships to develop a [screening and assessment tool](#) for medical professionals to identify victims and connect them to services.

LEGAL SERVICES

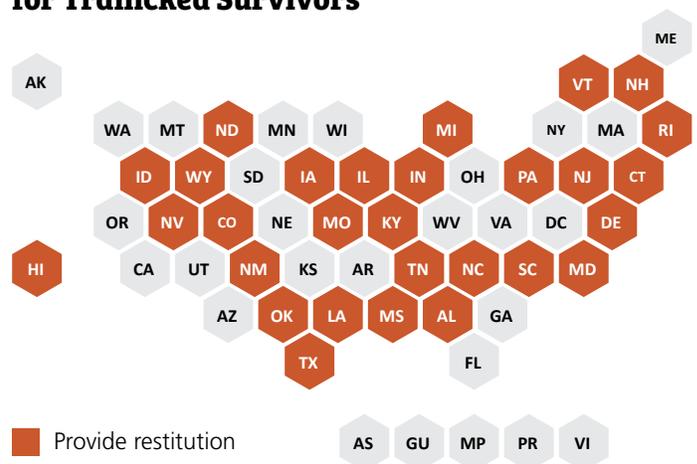
Survivors of sex and labor trafficking face complex legal issues that often require expertise in many areas of the law, including criminal, civil, immigration and more. Survivors may need legal assistance in the following areas:

- **Civil Claims and Restitution.** Civil litigation against the trafficker is one way survivors can seek redress and receive financial remedy, including restoration of earnings in labor trafficking situations and elimination of trafficking-related debts. Financial compensation also can be a powerful tool in helping survivors move toward more economic stability. The Trafficking Victims Protection Act provides federal and civil remedies for trafficking survi-

34 States Provide Standing for Survivors' Civil Suits



29 States Provide Restitution for Trafficked Survivors

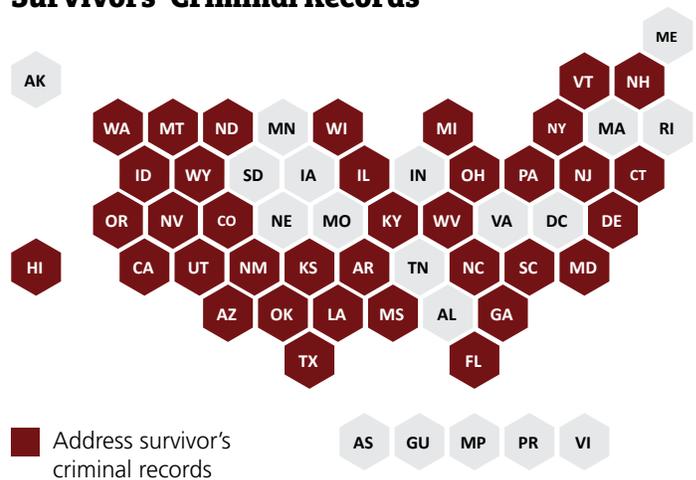


vors. In addition [34 states](#) provide guidance on the civil suits survivors can bring against traffickers, including where the suit can be filed, what damages can be recovered and the statute of limitations on such claims. Those states are Alabama, Arkansas, California, Colorado, Connecticut, Delaware, Florida, Indiana, Kansas, Kentucky, Louisiana, Maine, Massachusetts, Mississippi, Missouri, Montana, Nebraska, Nevada, New Hampshire, New Jersey, New Mexico, New York, North Dakota, Ohio, Oklahoma, Pennsylvania, South Carolina, South Dakota, Tennessee, Utah, Vermont, Washington, West Virginia and Wisconsin.

In addition, traffickers convicted of their crimes can be required to pay restitution to their victims, with the goal of addressing the financial harm done. At least [29 states](#) provide restitution for trafficking survivors, particularly labor trafficking survivors. This restitution may contribute to the payment of medical and psychological services, housing, child care, property loss, repatriation and, as often is the case, cost of labor provided. Those states include Alabama, Colorado, Connecticut, Delaware, Hawaii, Idaho, Illinois, Indiana, Iowa, Kentucky, Louisiana, Maryland, Michigan, Mississippi, Missouri, Nevada, New Hampshire, New Jersey, New Mexico, North Carolina, North Dakota, Oklahoma, Pennsylvania, Rhode Island, South Carolina, Tennessee, Texas, Vermont and Wyoming.

■ **Vacating and Expunging Criminal Records.** Survivors often have criminal records resulting from crimes committed as part of or in furtherance of the trafficking activity, including theft, drug possession or sales, loitering and prostitution, among others. At least [37 states](#) have created procedures for survivors to expunge, vacate or seal criminal records related to being trafficked. Those states are Arizona, Arkansas, California, Colorado, Connecticut, Delaware, Florida, Georgia, Hawaii, Idaho, Illinois, Indiana, Kansas, Kentucky, Louisiana, Maryland, Michigan, Mississippi, Montana, Nevada, New Hampshire, New Jersey, New Mexico, New York, North Carolina, North Dakota, Ohio, Oklahoma, Oregon, Pennsylvania, South Carolina, Texas, Utah, Vermont, Washington, West Virginia, Wisconsin and Wyoming. Clearing a survivor’s criminal record removes barriers to obtaining housing, gaining employment, pursuing education and restoring certain civic rights, all of which are critical to the survivor’s ability to recover and re-enter society.

37 States Seal, Expunge or Vacate Survivors’ Criminal Records



■ **Family Law.** The [intersection between domestic violence and human trafficking](#) is complicated and comes in several forms. First, domestic violence victims may be particularly vulnerable to human trafficking as they are trying to escape a dangerous situation. Second, human trafficking victims may be particularly susceptible to domestic violence for some of the same reasons. Third, trafficking victims may be trafficked by their intimate partner, a form of domestic violence in and of itself.

Survivors of trafficking may be fleeing complex personal situations when they come in contact with service providers. These situations—which may include protection orders, child custody, child support and the potential termination of parental rights of the abuser/trafficker—are critical to keep in mind when providing or planning service delivery.

■ **Victim/Witness Advocacy.** The court process can be intimidating, particularly for human trafficking survivors. They could be asked to recount their experience and often are required to be in the same courtroom as their trafficker. Victim/witness advocacy can prepare survivors for the emotionally charged process that lies ahead, and help them navigate the legal system while protecting their rights and safety.

■ **Identity Theft.** Identity theft is a huge issue for survivors of human trafficking. Often, a victim’s personal identification may be stolen as a form of capture and to ensure their compliance. This identification is sometimes sold by the trafficker, further placing the victim at risk. The ramifications of this are widespread, from credit issues to criminal records. Assistance often involves reversing the damaging effects of identity theft, or just helping survivors get proper identification.

■ **Immigration.** The legal status of many victims [may be used by traffickers](#) to maintain compliance with the trafficking activity.

The immigration services available to trafficking survivors include special visas known as [T or U visas](#), which are intended to protect victims of human trafficking by allowing them to stay in the United States to assist in the investigation and prosecution of their traffickers.

A T visa, or T nonimmigrant status, allows a victim of trafficking to remain in the U.S. for up to four years. To do so, victims must comply with reasonable requests from law enforcement agencies for assistance with investigating or prosecuting a human trafficking crime and demonstrate that, if removed from the U.S., they would suffer extreme hardship. [A T visa also](#) allows survivors to work and obtain lawful permanent resident status.

A U visa, or U nonimmigrant status, is very similar to a T visa. However, it is only available to victims of human trafficking who suffered substantial physical or mental abuse resulting from trafficking.

HOUSING

Many challenges persist with securing survivors of all forms of trafficking with safe, affordable, and appropriate housing. The [United States Advisory Council on Human Trafficking’s 2016 report](#) noted that “the housing needs of survivors of human trafficking are immense...” [Another report](#) on the needs of sex trafficking survivors who are minors noted that nearly 75 percent of them identified housing—either emergency, transitional, or long-term—as an area of need. Resources available may vary depending on the survivor’s immigration status, gender, age, or form of trafficking, in addition to the immediate and long-term nature of housing needs.

Some survivors need only emergency or transitional housing. Domestic violence and other types of shelters can temporarily house human trafficking survivors, but available housing options do not always meet victims’ needs and may be harder to access for certain victims. For example, a labor trafficking survivor may need different services than a domestic violence survivor needs. Youth shelters may have open beds but may have age limits that may preclude some survivors from seeking temporary shelter there. Also, some domestic violence shelters may be unwilling to extend their services to trafficking victims due to safety concerns or because the specific needs of trafficking victims might not be addressed by their programs. Lack of available beds is a persistent challenge for service providers. Ohio’s Human Trafficking Task Force released a report in January 2017 called [Sheltering Minor Victims of Human Trafficking](#), which provides guidance to programs looking to shelter these minors. The document also provides examples and an analysis of the nuanced needs of minor survi-

vors of human trafficking and how housing and shelter services can respond.

A 2012 report from the U.S. Department of Health and Human Services (HHS), [Services Available to Victims of Human Trafficking](#), states that some trafficking survivors, depending on legal and immigration status, are eligible for housing services from the U.S. Department of Housing and Urban Development (HUD). These include the public housing program and tenant-based vouchers. Providing long-term housing assistance can be difficult, but innovative methods are emerging. For example, in July 2016, the Chicago Housing Authority Board of Commissioners [approved a housing pilot program](#) for survivors of human trafficking. The first-of-its-kind pilot provides 60 tenant-based vouchers over a three-year period, providing access to permanent housing for survivors of labor and sex trafficking. This program is the result of a public-private collaboration between HHS, HUD, the Chicago Housing Authority Board of Commissioners, and nonprofit service providers Heartland Alliance and Salvation Army.

SYSTEM-BASED SERVICES

In addition to direct services provided to trafficking survivors, other system-based services are available, such as child welfare and public assistance benefits. However, youth in [one evaluation](#) said they did not want to engage with other systems for fear of being referred to child welfare or juvenile justice systems. This common hurdle for service providers likely leads to fewer victims coming forward and accessing support services.

■ **Child Welfare.** Several surveys and reports indicate that the [intersection between human trafficking and child welfare](#) involvement is common. In 2012, a survey from the Los Angeles Probation Department found that [59 percent of the 174 minors](#) arrested on prostitution-related charges were in foster care, often being recruited from group homes. A California Child Welfare Council report found that 50 percent to 80 percent of the victims of commercial sexual exploitation in the state are or were formally involved with child welfare. On the other side of the country, Connecticut’s Department of Children and Families found that 86 out of 88 children identified as sex trafficking victims had been involved with child welfare services.

This vulnerability faced by children and youth involved in the child welfare system uniquely positions the child welfare workforce to identify, prevent and protect youth who may be targeted for human trafficking. The [Colorado Human Trafficking Council](#) compiled several human trafficking screening tools currently being used by county child welfare agencies and created a [statewide screening tool](#) that will be validated and made available for use in all 62 Colorado counties.

So how does a minor human trafficking survivor access child welfare services? The Trafficking Victims Protection Act of 2015 requires states to include human trafficking in their definition of child abuse. This allows reports to be made directly to the child protection agency, and services to be provided to the child and his/her family. As of April 2016, according to the [Child Welfare Information Gateway](#), 21 states include the term “sex trafficking” in their civil definition of child abuse. Those states are Alaska, Arkansas, California, Colorado, Connecticut, Florida, Hawaii, Illinois, Indiana, Iowa, Kansas, Louisiana, Maine, Maryland, Massachusetts, Minnesota, North Carolina, North Dakota, Oklahoma, Texas and Vermont.

Child welfare services may include reunification and family counseling, foster care placement and other trauma-informed therapeutic services, with the goal of finding a safe, permanent placement for the minor.

■ **Public Benefits.** Because of the financial toll that trafficking can have on survivors, access to public benefits and assistance can help some survivors meet basic needs and move toward stability. In 2012, the [U.S. Department of Health and Human Services](#) indicated that both child and adult survivors of human trafficking may be eligible for Temporary Assistance for Needy Families (TANF), Medicaid, the Children’s Health Insurance Program (CHIP), as well as programs administered by the Health Resources and Services Administration (HRSA) and the Substance Abuse and Mental Health Services Administration (SAMHSA), in addition to several refugee assistance programs.

Given the diversity of human trafficking survivors, public assistance that benefits adults and children are important to distinguish. For example, housing and other benefit programs are restricted to adults, which causes youth to not engage with them.

OTHER SERVICES

In addition to the services outlined above, human trafficking survivors may also require other services, including case management, education assistance, employment, and vocational assistance, transportation and crime victim compensation. For more on comprehensive victim services, visit the [Human Trafficking Task Force e-Guide](#) published by the Office for Victims of Crime Training and Technical Assistance Center (OVC-TTAC).

Coalition to Abolish Slavery and Trafficking (CAST)

The Los Angeles-based [Coalition to Abolish Slavery and Trafficking](#) (CAST) provides comprehensive case management and an array of services to trafficking survivors. Services include a 24/7 hotline and emergency response team, social and legal services, a shelter and related services, a youth program and survivor leadership.

Among the [social services provided](#) by CAST are assistance with basic necessities, safety planning, supportive counseling and life-skills training, and applying for state and federal benefits, as well as medical, educational, transportation and employment services. The [legal services provided](#) include immigration advocacy, criminal victim-witness advocacy, civil litigation and family law assistance.

CAST also operates a shelter that houses up to 10 women, ages 18 and older, at a time. In addition, CAST provides 12 months of transitional housing, case management, financial savings training and other activities, including therapy and counseling. Job and independent living training are also provided.

Programs and assistance specific to youth and the unique needs of minor survivors of trafficking are also available as well as survivor leadership, including peer-to-peer mentorship and survivor-led advocacy.

State Approaches to Services Delivery

State legislation addressing services for human trafficking survivors varies greatly. Some states require an agency or commission to develop a plan for providing services to trafficking survivors, while others have laws mandating such services.

At least [seven states](#)—Missouri, New Mexico, New York, Oklahoma, Pennsylvania, Texas and Wyoming—have statutes establishing programs to provide services. Approximately [eight states](#)—Arkansas, Connecticut, Georgia, Louisiana, Minnesota, New Jersey, Pennsylvania and Tennessee—require the development of a plan to provide services to human trafficking survivors. These statutes generally require specific departments to coordinate with other agencies, nongovernmental organizations or service providers to develop a plan for providing services to survivors.

The implementation of these statutes can be difficult to track, and it is unclear how many states have funded programs to provide services or have finalized a plan to provide services under these statutes. In several instances, these statutes have led to or been connected to task forces or other statewide efforts to address trafficking. Legislatures in at least 26 states and Guam created statewide task forces, while an additional 13 state agencies created specific initiatives or task forces. These groups bring various stakeholders together to identify the biggest issues and barriers and often provide recommendations for changes to law or regulation to address human trafficking.

For example, Arkansas’ Human Trafficking Act of 2013 led to the creation of the [State Task Force for the Prevention of Human Trafficking](#). The act (Ark. Code § 12-19-101 et seq.) requires the task force to develop, coordinate and implement a state plan and “[establish policies](#) to enable state government to work with nongovernmental organizations and other elements of the private sector to prevent human trafficking and provide assistance to victims of human trafficking.” Among the [recommendations](#) was the creation of multi-disciplinary teams to service adult trafficking victims and funding the Arkansas Department of Human Service’s safe harbor proposed model for delivery of services to minors.

Texas House Bill 4009 from 2009 created the [Texas Human Trafficking Prevention Task Force](#).

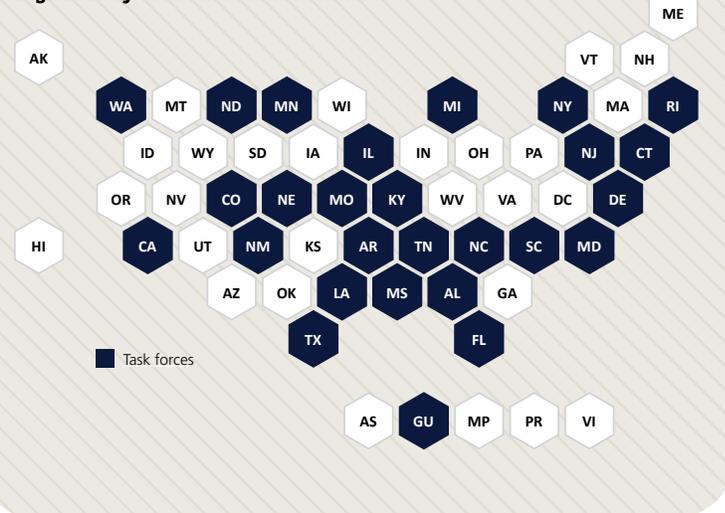
The Colorado Human Trafficking Council

The Colorado Human Trafficking Council (CHTC) was created by legislation in 2014. Guided by the 4P paradigm, the CHTC brings together leaders from law enforcement, state and county human services agencies, legal services, survivors and advocates to discuss ways to prevent human trafficking, while addressing the needs of victims and survivors, and prosecuting traffickers.

The [CHTC has released two annual reports](#) detailing the presentations heard by the council, the state of human trafficking in Colorado, and [recommendations to the legislature](#) for statutory changes.

The map below shows other states that have legislatively created statewide task forces.

Legislatively Created Statewide Task Forces



As of 2016, the task force had made 58 legislative recommendations, 53 of which became law. One example of a legislative recommendation that was adopted is [2013 House Bill 8](#) which added victims of trafficking in person to the list of protected victims under the state’s address confidentiality program. This legislative change was [recommended by the task force in 2011](#).

Funding for Services

One of the primary barriers to effectively providing services to human trafficking survivors is the lack of resources to accommodate all those in need. At least 22 states have created funds to pay for anti-trafficking efforts, including training law enforcement and attorneys general and for the providing services to survivors of human trafficking.

States also generate funds for services by levying fines on sex traffickers and purchasers of commercial sex. For example, in Louisiana the crime of purchasing commercial sexual activity carries increased fines based on the number of convictions and the age of the person from whom sex is being purchased. If the person is under 18, the maximum fine is \$50,000; for those who purchase sex from children under 14, the maximum fine is \$75,000. California’s law fines those convicted of labor, sex and child traffickers up to \$500,000 in addition to imposing prison sentences. While the legislation provides for collecting fines and fees from traffickers to in turn provide services to trafficking survivors, it is unclear, and often difficult to track, how much has actually been collected and used for those purposes.

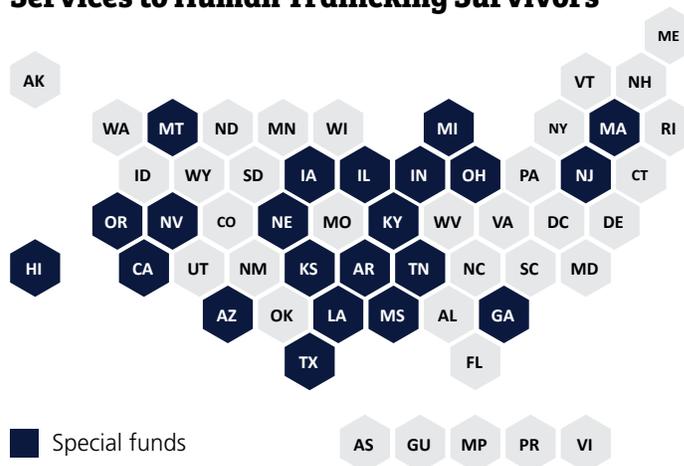
Georgia, Louisiana and Oregon have funds that apply only to children who are survivors of sex trafficking. Arizona, California and Hawaii specify that their funds are available to both child and adult survivors of sex and labor trafficking. The remaining funds are meant for all survivors of human trafficking. Instead of creating a special fund, some states provide for specific services in line items of budget bills. For example, Virginia (2015 HB 5002) reads:

“Out of this appropriation, \$100,000 the first year and \$100,000 the second year from the general fund shall be provided to contract with Youth for Tomorrow (YFT) to provide comprehensive residential, education and counseling services to at-risk youth of the Commonwealth of Virginia who have been sexually exploited, including victims of sex trafficking...”

North Dakota’s [Attorney General provided](#) approximately \$934,900 in grants to various groups in the state from funds appropriated by [2017 Senate Bill 2203](#).

In addition to state special funds for trafficking services, several federal funding streams can be leveraged to support trafficking survivors. The Victims of Crime Act (VOCA) provides funding to states through formula-based grants. [Victim Assistance Formula funds](#)

22 States with Special Funds to Provide Services to Human Trafficking Survivors



Additional Resources

- [95 Percent of Homeless Youth Who Experienced Sex Trafficking Say They Were Maltreated as Children](#), The Chronicle of Social Change, Sept. 14, 2017
- [Evaluation of Domestic Victims of Human Trafficking Demonstration Projects](#), Office of Planning, Research and Evaluation Report, 2017
- [Federal Strategic Action Plan on Services for Victims of Human Trafficking in the United States, 2013-2017](#), Department of Justice, Department of Health and Human Services and the Department of Homeland Security
- [Heartland Alliance in Illinois](#)

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NCSL Contact:

Meghan McCann
Senior Policy Specialist
303-856-1404
Meghan.McCann@ncsl.org



NATIONAL CONFERENCE *of* STATE LEGISLATURES

William T. Pound, Executive Director

7700 East First Place, Denver, Colorado 80230, 303-364-7700 | 444 North Capitol Street, N.W., Suite 515, Washington, D.C. 20001, 202-624-5400

www.ncsl.org

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