



NATIONAL COUNCIL OF  
JUVENILE AND FAMILY COURT JUDGES

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# Creating a **Human Trafficking** Strategic Plan

to Protect and Heal  
Native Children and Youth

**Human trafficking** is a crime in which people profit from the exploitation of others.

Victims of human trafficking include children involved in the sex trade, adults over the age of 18 who are forced, coerced or deceived into commercial sex acts, and children and adults compelled into different forms of labor. Child and youth trafficking victims require a highly educated, loving, and carefully coordinated response by multiple individuals and agencies including parents, child welfare workers, foster care workers, law enforcement officers, medical workers, school administrators and teachers, attorneys, and the courts.

Children are particularly vulnerable to human trafficking. When dealing with trafficking cases, child safety must guide all efforts: child victims must be protected, physically and psychologically, from their traffickers and provided with placements and services specifically designed to address the trauma they have endured. Because every tribal community is different, it is not possible to create one plan that will work for everyone. Instead, each community needs to consider structures, processes, resources, size, community risk factors, and other things in order to come up with the most effective plan. This worksheet walks through several questions that prompt participants to make a plan that is in alignment with the needs and abilities of the community. Some things your community will be able to work on immediately. Others will take more time and might give ideas for potential grant applications or other funding requests for the future. Still others will require coordination with non-Native communities and agencies.

## 1. Who in the community needs training on the definition and indicators of human trafficking?

### Indicators that trafficking might be happening:

- Does not attend school on a regular basis and/or has unexplained absences
- Frequently runs away from home
- Makes references to frequent travel to other cities
- Exhibits bruises or other signs of physical trauma, withdrawn behavior, depression, anxiety, or fear
- Shows signs of drug addiction
- Has coached/rehearsed responses to questions
- Has a sudden change in attire, personal hygiene, relationships, or material possessions
- Makes references to sexual situations or terminology that are not age appropriate
- Sudden delinquent conduct
- Has a "boyfriend" or "girlfriend" who is noticeably older and/or refusal to disclose the identity of the boyfriend or girlfriend
- Confusion about when and where they are
- Attempts to conceal recent scars or tattoos

### Factors that make it difficult to identify victims:

- They may not identify themselves as victims
- They are ashamed or embarrassed for their family and/or community to find out
- They may feel extreme distrust of the system
- They may have formed a trauma-bond with their trafficker
- Both victims and perpetrators are often skilled at concealing their situations
- It can be difficult to distinguish traffickers from victims because some victims "collaborate" to survive

## 2. How will you train children and youth to be aware of what trafficking is and how to protect themselves?

One source that has good materials for teaching children about abuse and exploitation in general is:

National Center for Missing & Exploited Children (<http://www.missingkids.org/Safety>)

### 3. Are there any particular risk factors connected with your community that might draw traffickers into the area or cause locals to decide to get involved with trafficking?

**Examples:**

- Economic Factors
- Rates of Substance Abuse
- Large Number of Kids Involved with Child Welfare
- Large Number of Runaways
- Outside Events

**Vulnerability factors:**

- 50-80% of trafficking victims were involved with child welfare services at some point
- Minimal social support
- Poverty
- Limited Education
- Lack of work opportunities
- Run Away/Thrown Away/Homeless
- History of Previous Sexual Abuse
- Drug or Alcohol Addiction
- PTSD
- History of Truancy
- Physical, Mental, Emotional Health Challenges

**4. What agencies or individuals in your community need to create procedures to work together to protect youth and children?**

**5. Does your tribe have human trafficking included in the tribal code? If so, how is it written? If not, how can it be included? If you do not have a written code, how can it be incorporated into your tribal justice system, both formal and informal?**

**Example from a Michigan state code:**

If a minor has been recruited, enticed, harbored, transported, obtained, exploited, or maintained to engage in commercial sexual activity, a sexually explicit performance, or the production of pornography, then the minor is a victim of sex trafficking. MCL 750.462g.

**Common state standard:**

Traffickers often use force, threats, violence, false promises, manipulation, lies, or other physical and psychological methods to control the victim. Unlike adult victims, however, any sexually exploited child under 18 is considered a victim of sex trafficking, even if there is no force, fraud or coercion.

Empty response area for tribal codes and standards.

**6. If your community has a court, does it have forms to file a trafficking petition? If no tribal court, does the court you would go to have these forms?**



**7. Taking a minor into protective custody - what procedures and practices have been set up? Are they trauma-informed? What do you do when the child's family/guardian is involved?**

## 8. How do you interview a minor?

Interviewers must be careful to use statements that do not blame the victim, and also choose terminology carefully. Not all victims will be comfortable being called a victim. Victims may not tell the truth as they could have been told by their trafficker that law enforcement will punish them, not help them. Victims may repeatedly tell lies or relate a rehearsed story.

**9. What will you do if the minor is a runaway and you fear that they will run again?**

## 10. How will you address medical and mental health needs?

In all cases, a victim should receive a comprehensive medical examination as soon as possible. The comprehensive medical examination should include a behavioral/mental health screening, which may reveal evidence of post-traumatic stress, which could include: memory impairment, anxiety, depression, addictions, panic attacks, or phobias.

## 11. How will you meet placement and treatment needs?

The needs of survivors of trafficking are typically very complex and need to address severe trauma, medical needs, safety concerns, shelter and other basic daily needs. All child victims of human trafficking must be placed within a safe environment and receive appropriate services. The physical and mental stability of the child must be continuously assessed throughout the child's placement and treatment. Strict confidentiality is necessary to prevent the trafficker from obtaining information on the child's whereabouts.

## 12. What are some alternatives to punitive law enforcement measures?

Traffickers solicit children to engage in illegal acts like prostitution, selling or transporting drugs, and committing other crimes. Even though these acts are illegal, the victims are not guilty of a crime because they are under the control of the trafficker. Only if necessary to ensure a victim's separation from the trafficker or for successful treatment should a juvenile delinquency proceeding be initiated.