

	<b>INDIANA DEPARTMENT OF CHILD SERVICES CHILD WELFARE MANUAL</b>	
	<b>Chapter 2:</b> Administration of Child Welfare	<b>Effective Date:</b> November 1, 2014
	<b>Section 21:</b> Human Trafficking	<b>Version:</b> 1

**POLICY [NEW]**

The Indiana Department of Child Services (DCS) will be diligent in its efforts to identify and/or assess allegations of suspected human trafficking (**see definition in Related Information**) as a part of a comprehensive assessment of Child Abuse and/or Neglect (CA/N).

**Note:** Allegations of human trafficking should be handled using the same criteria outlined in policy [3.4 Initial Evaluation of CA/N Reports](#).

DCS will coordinate with the local Law Enforcement Agency (LEA) and agencies listed in Practice Guidance when completing an assessment for children who are alleged victims of CA/N and are also suspected to be victims of human trafficking. For those children who are not alleged victims of CA/N, DCS will not complete an assessment on allegations of human trafficking, but will notify the Attorney General’s tip-line of the human trafficking allegation (see Practice Guidance).

Code References

[IC 35-42-3.5: Human and Sexual Trafficking](#)

**PROCEDURE**

The Family Case Manager (FCM) will:

1. Contact the appropriate LEA to plan for a human trafficking forensic interview if allegations of human trafficking are reported during the CA/N intake (see Practice Guidance);

**Note:** The FCM will advocate that the interview be completed at a safe place.

2. Consider the safety of the alleged victim(s) of human trafficking prior to the scheduled interviews;

**Note:** It is important that the suspected trafficker is not present during the interview, as the trafficker may intimidate the victim(s) or not allow him or her to speak for himself/herself. The child’s parent, guardian, or custodian may be the child’s trafficker or the trafficker may be dishonest and identify himself/herself as the child’s parent, guardian, or custodian.

3. Document in the Management Gateway for Indiana’s Kids (MaGIK) any possible indicators of human trafficking in the child’s behavior or statements, especially statements that the child is afraid of the alleged human trafficking offender;
4. Observe potential signs of human trafficking during visits to the home and document any indicators observed (see Practice Guidance);

- Determine if the non-custodial parent or other relatives would be appropriate placement options, if human trafficking is confirmed and it is determined that the child cannot remain in his or her home;

**Note:** The child should not be placed until it is determined that the potential placement is not the trafficker or associated with the trafficker, and that the child can remain safe in the placement.

- Identify an appropriate placement for the child if placement with the non-custodial parent or other relative is not appropriate;

**Note:** When selecting a placement, the FCM will consider that many children who are victims of human trafficking run away from their placements and return to their trafficker or a similar situation from which they came.

- Refer for appropriate services and safe placement, if recommended, after a Child and Adolescent Needs and Strengths (CANS) Assessment has been completed; and
- Staff all decisions on securing placements with his or her immediate supervisor with input from the Local Office Director (LOD) or designee.

## PRACTICE GUIDANCE

### **Emergency Contacts to Request an Interviewer**

Contact the appropriate number listed below to request an interviewer if human trafficking is identified during the CA/N intake or the FCM observes indicators of human trafficking and it is determined a human trafficking forensic interview is appropriate.

County	Agency	Contact
Lake, St. Joseph, Porter, or LaPorte	U.S Dept. of Homeland Security	1-800-973-2867 <i>Ask for Duty Agent on Call</i>
Marion	Indianapolis Trafficked Persons Assistance Program 24-Hour Hotline (Julian Center)	1-800-928-6403 <i>Hotline will contact IMPD to notify Det. on duty</i>
All Counties except Lake, St. Joseph, Porter, LaPorte, and Marion	US Dept. of Homeland Security	1-800-973-2867 <i>Ask for Special Agent Assigned to Human Trafficking</i>
All Counties- <i>business hours only- attempt other contact first</i>	US Attorney's Office	(317)226-6333 <i>Ask for Co-Chair of IPATH</i>

**Note:** For non-emergencies, contact the Office of the Attorney General's tip-line at [humantraffickingtip@atg.in.gov](mailto:humantraffickingtip@atg.in.gov).

### **Indicators of Human Trafficking<sup>1</sup>**

If any of the following indicators or a combination of several indicators of human trafficking are observed during the course of an assessment, the FCM should staff with his or her supervisor to determine if a human trafficking forensic interview is needed.

<sup>1</sup> State of Florida Department of Children and Families (2009). *Human Trafficking of Child Indicator Tool*. Retrieved from <http://www.dcf.state.fl.us/programs/humantrafficking/docs/HumanTraffickingOfChildrenIndicatoTool0109.pdf>.

**Child Indicators:**

1. Child may not be able or willing to speak on his or her own behalf;
2. Child may not be able to speak English;
3. Child may not be allowed to speak to the FCM alone;
4. Child may not have access to identification and/or travel documents;
5. Child may work long hours and receive little or no pay;
6. Child may not cooperate with the FCM during the interview (e.g., provide wrong information about identity and living situation);
7. Child may not attend school or has large gaps in his or her education history;
8. Child may live at his or her workplace or with his or her employer and many other people in a small area;
9. Child may have a **heightened** sense of fear and distrust of authority;
10. Child may have engaged in prostitution or commercial sex acts;
11. Child may have a significantly older boyfriend or girlfriend;
12. Child may be a runaway; and/or
13. Child may be in a public place (e.g., hotel) and found in possession of drugs/alcohol.

**Indicators in the Home:**

During each home visit, the FCM will observe for the following potential signs of human trafficking. If the FCM believes that human trafficking may be occurring, the FCM will speak to his or her supervisor to determine if a human trafficking forensic interview is needed.

1. The child's home lacks personal effects (e.g., no toys) or the child has a small room that is different from the rest of the house;
2. The yard may be fenced and access to phones is denied;
3. The child may live in the same place he or she works (e.g., behind a restaurant, in a motel with other workers, etc.);
4. The child may be unaware of the location of his or her home due to multiple moves or the human trafficker may lie to the child about his or her whereabouts;
5. The child may be isolated and have no relationships outside of the home (e.g., the child does not attend school or play with other children in the neighborhood); and/or there may be multiple, unrelated people living in the home.

**Types of Questions to Ask During an Interview for Possible Cases of Human Trafficking**

When allegations of human trafficking have been made or the FCM observes indicators of human trafficking during the interview with the child, the following questions should be asked to help determine if a human trafficking forensic interview is needed:

1. Tell me about your friends. What activities do you do with them? Where do these activities occur? (These questions will help determine if the child is able to leave the home, play, and visit friends- this can indicate levels of control and possible trafficking.)
2. Tell me about what you do in a typical day. What do you do outside of the home (e.g., work, extracurricular activities, etc.)? Do you like your work/doing these activities? Has someone told you/pressured you to participate in these activities? What happens if you do not participate in these activities? (These questions will help determine if the child feels forced to work or participate in other activities and what the consequences are if they do not participate.)
3. How long have you been working? How many hours do you work each week? How much money do you make from work? How often are you paid? What do you do with your money after you are paid? Do you owe anyone any money, if so, how much do you owe and what led to the debt? (These questions will help determine if the child is forced to work to pay off any "debt", such as travel expenses, clothing, food, and/or rent. The

number of hours the child works may also indicate if the child's work interferes with school attendance.)

## FORMS AND TOOLS

N/A

## RELATED INFORMATION

### **Human Trafficking**

There are two types of human trafficking: sex trafficking and labor trafficking. The [Victims of Trafficking and Violence Protection Act of 2000](#)<sup>2</sup> defines sex trafficking and labor trafficking as follows:

1. Sex trafficking- "the recruitment, harboring, transportation, provision, or obtaining of a person for the purpose of a commercial sex act where the commercial sex act is induced by force, fraud, or coercion, or the person being induced to perform such act is under 18 years of age."
2. 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."

### **Forensic Interviews for Children who are Alleged Victims of Human Trafficking**

Human trafficking may include either labor or sex trafficking. General screening questions should be incorporated into the initial interview to assist FCMs in recognizing indications of human trafficking. If human trafficking is suspected, FCMs will staff the case with their supervisor to determine if a forensic interview is needed. It is best for a child who is an alleged victim of human trafficking to be interviewed by a professional who is trained and experienced in interviewing victims of human trafficking. The forensic interview will include more extensive questions regarding human trafficking.

A forensic interviewer trained in human trafficking will take into account the complex nature of human trafficking. Victims of human trafficking rarely self-identify, and they may not identify their exploiter as their trafficker. Victims of human trafficking may have experienced trauma bonding and demonstrate a sense of loyalty or affection for their trafficker, and they may believe the trafficker cares for them. Victims may refer to the person controlling them as their boyfriend/girlfriend, father/mother ("daddy"/"mommy"), employer, or boss; therefore, the interviewer should mirror the language used by the child to avoid terms that may be offensive. Victims may have suffered physical abuse and/or received threats against them or their loved ones, which may lead them to be hesitant to accuse their trafficker or ask for help due to concerns about possible repercussions. In addition, victims of human trafficking are often lied to by their trafficker about what may happen to them if they report or seek help (e.g., a victim of sex trafficking may be told he or she will be arrested for prostitution), and foreign-born victims are often told they will be deported.

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<sup>2</sup> Victims of Trafficking and Violence Protection Act of 2000, Pub. L. No. 106-386 (2000). Available at <http://www.state.gov/documents/organization/10492.pdf>.