



**Testimony of:  
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**Preventing and Addressing Sex Trafficking of Youth in Foster Care  
October 23, 2013**

**Subcommittee on Human Resources of the Committee on Ways and Means**

Members, I am Ashley R. Harris with Texans Care for Children, a statewide nonpartisan, nonprofit advocacy organization dedicated exclusively to improving the lives of Texas children through policy change. We look to our broad base of community-based experts—our partners and 220 members throughout the state who together represent thousands of Texas children—to inform our work and help us in developing our legislative agenda. We also co-convene various stakeholder groups that bring together a wide range of organizations, families, and advocates around our areas of focus, which are: early opportunities; infant, child and maternal health; children’s mental health; child welfare; and juvenile justice.

As you examine the impact of sex trafficking of those involved currently in foster care, Texans Care for Children urges the Committee to include in its consideration the role that improved data collection and information-sharing between child serving agencies, and training has on the identification and protection of our most vulnerable children, those removed from their home due to abuse and neglect and placed in foster care.

Today, I will highlight some of these issues and offer some recommendations for the Committee’s consideration.

**Protecting Foster Youth from Sex Trafficking**

Recent data released by the National Center for Missing and Exploited Children estimates 60 percent of child trafficking victims were either in foster care or a group home setting prior to being recovered from the sex trade.<sup>i</sup> This shocking statistic reflects the value we place on our most vulnerable children, those removed from their parents and subsequently placed in the child welfare system. Children removed from their families due to abuse or neglect, often young girls, run away from the state’s official care and may become victims of child trafficking and sexual exploitation.<sup>ii</sup> Research shows that runaway children are at a high risk of falling victim to traffickers.<sup>iii</sup> These vulnerable children enter a life on the streets seeking what all children need and deserve: protection, food, shelter and a sense of belonging. Our nation must do more for our most vulnerable children to ensure they are protected from traffickers and further abuse and neglect.

Across the nation, local and state governments are faced with the challenges of addressing this problem and finding ways to prevent and combat child trafficking. The state of Texas is a major hub for this abhorrent crime. In fact, Texas is only second to California in the number of calls that come into the National Human Trafficking Hotline.<sup>iv</sup> At one point in recent years, 1 in 4 victims the FBI recovered from human traffickers came from Texas.

As each state continues to look at ways to combat human trafficking, we must also do a better job at identifying, protecting, and supporting children and youth in foster care. There is little coordination between systems and too few solutions for the children caught between each system and this leads to real challenges. Additionally, youth emerging from one of the most traumatic experiences imaginable sometimes can't get the services they need. A 2012 report from Texas’ Human Trafficking Prevention Task Force mentioned a range of barriers to accessing services for child trafficking victims.<sup>v</sup> Society can and must respond to our most

vulnerable children used as commodities in sex crimes, ensuring they just don't become another statistic, but can thrive as healthy and productive adults.

### **Texas' Efforts to address trafficking of youth**

Texas has made many strides to combat human trafficking. Texas was one of the first states to acknowledge human trafficking as a distinct crime, and the Legislature has passed laws aimed at stopping it since 2003. Our state also has an established task force dedicated to preventing human trafficking.

More recently, the Texas Legislature enacted laws to support minor trafficking victims.

- HB 1272 by Representative Thompson strengthens the Texas Human Trafficking Prevention Taskforce by requiring local agencies to provide data, if requested by the taskforce, on issues related to human trafficking in their local jurisdictions. This bill guides the taskforce to work with the Department of Family and Protective Services (DFPS) in developing training and indicators that direct delivery staff can use to identify victims of human trafficking and youth in DFPS custody who may be at risk of human trafficking. The bill also requires a cross-systems plan for connecting identified victims to services.
- SB 1356 by Senator Van de Putte requires the Texas Juvenile Justice Department (TJJD) to provide trauma-informed care training to staff working in our juvenile justice systems, including training on human trafficking. Additionally, TJJD must evaluate best practices for identifying minor sex trafficking victims in juvenile justice settings and provide recommendations for best practices that may be used in facilities.

### **Recommendations**

**Determine efforts to promote social and emotional well-being of children in the custody of Child Protective Services (CPS), including efforts to secure placement stability and strengthen protective factors that will decrease likelihood of further sexual victimization.**

The effects of childhood trauma can be devastating to a child's development and overall wellbeing. Often, children and youth who have experienced maltreatment lack the skills, capacity and characteristics that can help enable them to understand and navigate the world in a healthy and positive way and are at a high risk for continued maltreatment and further victimization. Those youth on runaway from foster care, are at an increased risk for sex trafficking.<sup>vi</sup> State and local child welfare agencies should make efforts to place children in the most appropriate settings where they can thrive for a lifetime and connect them with services that will enable them to resolve their past trauma and be successful both in and out of the child welfare system.

**Each state child welfare agency should track and monitor the number of children in their custody on runaway, including efforts to locate the child.**

Research shows that runaway children are at a high risk of falling victim to traffickers.<sup>vii</sup> Some state child welfare agencies collect information regarding children on runaway status from foster care. While this data is helpful in knowing who the kids are, additional information should be analyzed to ensure best efforts are being made to locate the child and address their safety and well-being.

- In 2011, Texas passed HB 943 by Representative Dukes. The bill requires the Department of Family and Protective Services (DFPS) to make diligent efforts to locate the child and document these efforts in the child's case record. Most notably, DFPS is required to interview a child to determine why the child ran

away, where the child stayed, and if the child was harmed while missing from foster care. This mandate will help DFPS support a child's stay in foster care and decrease likelihood of future attempts to run away.

**Cross systems training on victim identification and risk factors for human trafficking should be provided to medical professionals, juvenile justice staff, and the education community.**

Often, foster youth and those on runaway come into contact with professionals outside of the child welfare system, including teachers, hospitals, law enforcement, and other local service providers. Given the likelihood of such contact, these professionals should have the tools needed to identify and assist victims, including basic training on human trafficking, reporting laws, and information on appropriate resources. These efforts will ensure children are more quickly identified and placed in a safe setting and matched with appropriate services and supports that will help them heal.

**Develop training and indicators that direct delivery staff can use to identify victims of human trafficking and youth in foster care who may be at risk of becoming victims of sex trafficking.**

Caseworkers are rarely provided the skills and supports needed to identify children on their caseloads as victims of human trafficking. For many state child welfare agencies, training on this topic is not a part of the initial basic skills development training provided to newly hired caseworkers, as required by federal standards and included as a topic for continued professional development. Given the vulnerable population of children being served in state child welfare systems and at risk for sexual exploitation, it is vital that direct delivery staff receive comprehensive training on human trafficking. Additionally, caseworkers should be equipped with user-friendly tools that allow them to effectively screen and assess children on their caseloads who may be at risk and/or victims of sex trafficking.

- Recently, Texas passed a bill that guides the Human Trafficking Prevention Taskforce to work with DFPS in developing training and indicators that direct delivery staff can use to identify victims of human trafficking and youth in Department of Family and Protective (DFPS) custody who may be at risk of human trafficking. As DFPS continues to develop the training and tools in collaboration with the taskforce and Health and Human Services Commission (HHSC), Texans Care for Children will closely monitor its implementation.

**Improve the collection of human trafficking data on youth in foster care, including the number of foster youth entering the juvenile justice system as a result of sex trafficking.**

We cannot effectively address and combat trafficking of these vulnerable youth without first having a strong understanding of the actual scope of the problem. Many child welfare agencies do not collect information related to child trafficking, including the state of Texas.

Additionally, many minor victims of sex trafficking enter the juvenile justice system as a result of being on runaway, including youth in foster care who have left care and may be victims of commercial sex trafficking. In Texas, minor trafficking victims are identified and served in the juvenile justice system. To ensure child serving agencies have a comprehensive picture of how this crime impacts youth in foster care and opportunities for improvements, data elements related to minor sex trafficking and foster care status should be gathered by the child protection and juvenile justice system.

**Expand specialized services for sex-trafficking victims and those at risk of sexual exploitation**

Without additional services to provide identified victims, child serving agencies are not capable of responding effectively to the individual needs of victims. Like other states, Texas is lacking comprehensive services for child trafficking victims and expansion of appropriate services should be secured. Additionally, the types of services available to child victims may vary and should reflect best practices.

As you consider the recommendations noted above, efforts to lower caseloads for direct delivery staff should be a priority and is a key strategy in securing any meaningful improvements. **In many states, caseloads exceed what national standards tell us are needed to ensure child safety.** In Texas, the average caseload for all caseworkers is well above the recommended average of 15.<sup>viii</sup> Caseworkers are the people charged with protecting some of our most vulnerable children and should be provided a manageable caseload that ensures appropriate supervision and does not leave children at risk for further abuse and neglect.

Thank you for your time and commitment to our most vulnerable children and ensuring they are protected from traffickers and abuse and neglect. If you have any questions, please feel free to contact me at 512.473.2274.

Respectfully,  
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<sup>i</sup> National Center for Missing and Exploited Children. Available from, <http://blog.missingkids.com/post/56795201973/the-national-center-for-missing-exploited>

<sup>ii</sup> University of Texas at Austin, Institute on Domestic Violence and Sexual Assault, Center for Social Work Research, School of Social Work. October 2009. *Understanding Human Trafficking: Development of Typologies of Traffickers*. Noel Busch-Armendariz, Maura B. Nsonwu, Laurie Cook Heffron, Jacqueline Garza, and Mayra Hernandez, p.19-25. Retrieved September 10, 2012, from <http://www.utexas.edu/ssw/dl/files/cswr/institutes/idvsa/publications/humantrafficking.pdf>.

<sup>iii</sup> United States Department of Health and Human Services, Office of the Assistant Secretary for Planning and Evaluation. August 2009. *Human Trafficking Into and Within the United States: A Review of the Literature*. Heather J. Clawson and Lisa Goldblatt Grace, p. 5 and 10. Retrieved December 6, 2012, from <http://aspe.hhs.gov/hsp/07/humantrafficking/litrev/#Other>.

<sup>iv</sup> Polaris Project. Hotline Statistics. Retrieved November 13, 2012, from <http://www.polarisproject.org/resources/hotline-statistics>.  
<sup>v</sup> [https://www.oag.state.tx.us/AG\\_Publications/pdfs/20121912\\_htr\\_fin\\_3.pdf](https://www.oag.state.tx.us/AG_Publications/pdfs/20121912_htr_fin_3.pdf)

<sup>vi</sup> United States Department of Health and Human Services, Office of the Assistant Secretary for Planning and Evaluation. August 2009. *Human Trafficking Into and Within the United States: A Review of the Literature*. Heather J. Clawson and Lisa Goldblatt Grace, p. 5 and 10. Retrieved December 6, 2012, from <http://aspe.hhs.gov/hsp/07/humantrafficking/litrev/#Other>.

<sup>vii</sup> Ibid.

<sup>viii</sup> "Guidelines for Computing Caseload Standards," (CWLA: Together, Making Children and Families a National Priority, accessed), accessed February 6, 2012, <http://www.cwla.org/programs/standards/caseloadstandards.htm>.