

Senator Orrin G. Hatch
Testimony before the Subcommittee on Human Resources of the Committee on Ways and Means
“Preventing and Addressing Sex Trafficking of Youth in Foster Care”
October 23, 2013

Chairman Reichert, Ranking Member Doggett and Members of the Subcommittee on Human Resources, thank you for holding this important hearing on preventing and addressing sex trafficking of youth in foster care.

I am pleased to have the opportunity to tell your committee about legislation I have introduced in the Senate.

Mr. Chairman, as you know, there is an epidemic of abuse taking place in America today. Recent reports estimate that hundreds of thousands of children and youth are at risk for domestic sex trafficking.

The risk of sex trafficking is compounded every year for up to 30,000 young people who are “emancipated” from foster care. Too many of these emancipated youth turn 18, pack their few belongings in a trash bag, and are driven to homeless shelters, leaving them vulnerable and exposed to traffickers and other predators.

While in foster care, children and youth are also at increased risk for trafficking.

In July of this year, the FBI’s Innocence Lost Initiative, which combats domestic sex trafficking of minors, launched Operation Cross Country, a three-day effort to recover child victims of sex trafficking. All told, the operation recovered 105 children and arrested 152 traffickers.

Operation Cross Country also revealed a disturbing aspect of our nation’s child welfare and foster care systems. According to some reports, up to 60 percent of sexually exploited children are recruited out of the child welfare and foster care systems.

That being the case, in order to combat domestic sex trafficking and improve outcomes for children and youth in foster care, systemic changes need to be made in the current child welfare system.

The legislation I have introduced in the Senate, the Improving Outcomes for Youth At Risk for Sex Trafficking, otherwise known as I O Youth, addresses some of the endemic and widespread conditions in the child welfare and foster care systems that make children and youth particularly vulnerable to being sexually trafficked.

I’d like to describe the highlights of the legislation for the subcommittee,

Mr. Chairman, I’m sure many Americans would be surprised to learn that most child welfare agencies will not serve trafficked children and youth who are not in the custody of a biological or foster family or living in a group home. Often these children, who are not legally able to give consent for sex, are arrested for prostitution and referred to the juvenile justice system.

And, in many states, the courts and the juvenile justice system are ill-equipped to deal with the trauma these children and youth have endured.

My bill requires states provide services to youth who have been trafficked or are at risk of being trafficked. It also redirects Social Services Block Grant funds to improve the current court system to better identify and address the needs of trafficked youth.

Mr. Chairman, in May, your subcommittee held an important hearing, titled, Letting Kids Be Kids: Balancing Safety with Opportunity for Foster Youth. That hearing featured testimony describing how many youth in foster care are routinely denied the opportunity to participate in normal age-appropriate activities and social events such as: playing sports, participating in after-school activities, and enjoying a social life with friends.

As we learned from your hearing, this lack of contact and engagement in healthy and meaningful activities deprives young people of important social connections. Preventing youth from having normal experiences impairs their healthy development and contributes to isolation and loneliness, which, in turn, makes them vulnerable to negative outcomes like domestic sex trafficking, homelessness, drug abuse, poverty, and poor educational outcomes.

My bill includes a number of provisions to encourage, enhance, and support youth in foster care to allow them to participate in age-appropriate activities and social events. I hope these provisions will promote healthy development, increase opportunities for foster children to form meaningful connections, and reduce the risk of vulnerability to domestic sex trafficking and other negative outcomes.

Another major risk factor for vulnerability to domestic sex trafficking for older youth in the child welfare system is a continued reliance on congregate care facilities, sometimes referred to as group homes.

These facilities are routinely targeted by traffickers, and are often warehouses for youth who are rarely, if ever, allowed to engage in healthy social activities.

My legislation refocuses federal priorities on connecting vulnerable youth with caring, permanent families and limits federal reimbursement for very young children and, after a certain duration, for older youth.

For those remaining in congregate care facilities, the bill requires that youth have improved access to normal, age-appropriate activities.

Many youth in foster care report that they might not have gone into foster care in the first place had preventative services been available to their biological family which could have kept them safely at home.

I O Youth responds to the need for preventative services such as mental health and substance abuse treatment for fragile families by redirecting funds from the Social Services Block Grant to address this need as well to enhance and improve child welfare systems.

Youth in foster care routinely report that they feel uninvolved, unaware, and disconnected to any planning around their care or future. They are not informed of their rights while in foster care. This can lead to a sense of disenfranchisement and a lack of connection to siblings, relatives or other caring adults. In many cases this lack of connection contributes to the void so often preyed on by traffickers.

My bill requires that state child welfare agencies provide ongoing family finding for older youth in foster care as well as greater participation of youth in planning for their future. It also encourages states to find individuals willing to be involved on an ongoing basis with the youth in foster care.

Individuals who work with victims of domestic sex trafficking tell us that the single biggest challenge to successful intervention with these victims is a lack of accessible and affordable housing. For older youth who have been emancipated from foster care, not having a place to sleep is often a reason why they enter the sex trade.

In order to improve housing options for these at-risk youth, my bill redirects funds from the Social Services Block Grant in order to provide housing to trafficked and other vulnerable youth.

I am pleased to report that a number of organizations and advocacy groups already support I O Youth. I am particularly gratified that organizations that work directly with young people have come out so strongly in support of my legislation.

I have received letters of support from: Foster Club, Children's Home Society of America, the National Network for Youth, the National Center for Housing and Child Welfare, Covenant House International, Rights 4 Girls, the Children's Village, and the International Center for Missing and Exploited Children.

Chairman Reichert and Ranking Member Doggett, thank you again for the opportunity to share highlights of my legislation. I look forward to working with you and other members of the subcommittee as we move forward to prevent and address domestic sex trafficking.