

The Correlation Between the Child Welfare System and Child Sex Trafficking¹

ABSTRACT

Child sex trafficking is occurring all over the world, and is even happening right here in the United States of America. Some believe that children are being kidnapped and brought here from other parts of the world, but in reality, many of these sexually exploited children are American citizens. The domestic children being recruited into human trafficking typically have also gone through the child welfare system. The correlation between the child welfare system and child sex trafficking will be discussed as well as how the children are affected by it.

1 From the Master's in Criminal Justice Class *Special Topics in CJ-Human Trafficking*

INTRODUCTION

The issue of human trafficking has gotten more recognition within the last few years as people are becoming more aware of its prevalence in the United States. A topic thought of as an international issue has become a domestic one with forced prostitution and labor occurring in our backyards. There are many components to human trafficking, and child sex exploitation is no exception. Along with human trafficking, the efficiency of the child welfare system is also a nationwide issue. Both involving children, the child welfare and child sex trafficking systems correlate with one another and often times is a result of the other. It is important to understand why and how individuals (and their families) go through the two systems and the detrimental effects afterwards.

Child Welfare System

Child welfare is a “continuum of services designed to ensure that children are safe that that families have the necessary support to care for their children successfully” (Child Welfare Information Gateway, 2012). They provide services to prevent child abuse and neglect by working with the youth and their families to “achieve family reunification, adoption, or other permanent family connections for children and youth leaving foster care” (Child Welfare Information Gateway, 2012). This system works with a variety of agencies that intervene to take care of the children who are, or have been, in a household where there was abuse and neglect. Much vulnerability of the families makes it easier for them to face adversities that ultimately lead to being supported by the Department of Children and Families (DCF). Florida’s DCF trains their child protective service (CPS) agencies to recognize

potential human trafficking victims and there has been an increase identification, according to Shared Hope International (2006). The Children's Defense Fund organization (2015) provided a report to show a brief overview of the statistics in Florida, and in 2013, 48,457 children were abused or neglected, and of those 18,076 were placed in foster care.

Child Sex Trafficking

Human trafficking – what society is considering to be modern-day slavery – is growing at a rapid pace at the local, state, federal and international levels. Globally, there are about twenty million individuals who were victims of fraud, force, and/or coercion in severe forms of trafficking, such as sex or labor. The Trafficking Victims Protection Act of 2000 defines sex and labor trafficking as follows:

“Sex trafficking: the recruitment, harboring, transportation, provision, or obtaining of a person for the purpose of a commercial sex act, in which the commercial sex act is induced by force, fraud, or coercion, or in which the person induced to perform such 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.” (TVPA, 2000)

Child sexual exploitation is another form of sex trafficking that occurs around the world, and even in the United States. According to Smith (2015), there are four types of the controlled environment the victims are in:

- 1) Pimp-controlled (trafficker)
- 2) Family-controlled (family members)
- 3) Gang-controlled (gang leaders)
- 4) Organized crime (transfers internationally)

International Labour Organization (2015) provided the fact that 26% of the world's trafficking victims are children. There are commonalities between the characteristics of individuals who have to go through the child welfare system and those who fall as victims of human trafficking, which this paper will analyze. The lack of efficient child welfare systems in America, with it being at the bottom of the two worst countries, is contributing to the rise in the U.S. citizens as victims of sex trafficking (NBC News, 2007).

BACKGROUND

According to the Polaris Project (2014), there were about 20 million human trafficking victims, globally. Out of the 20 million, 4.5 million (32%) were sexually exploited and 14.2 (68%) million were forced to conduct labors in the areas of agriculture, construction, domestic work, and/or manufacturing (Polaris, 2014). There has been a rise of domestic victims who were born or raised in the United States as well as sex trafficking. There has also been an increase rate of confirmed child maltreatment cases. In 2012, there were about 679,000 cases that had to be intervened by Department of Children and Families, and of those an estimate of 397,000 had to be placed in foster care. The following legislation has been enacted to protect children from abuse and neglect, human trafficking, as well as a combination of the two areas.

Child Abuse Prevention and Treatment Act (CAPTA) of 1974 (reauthorized in 2010)

The Child Abuse Prevention and Treatment Act (CAPTA) was enacted to “provide funding for the prevention, identification, and treatment of child abuse and neglect (NLIHC, 2014). To work on attending to the child abuse reports and protect the safety of the children, the act provides funding through

grants to the states to provide trainings, increase prevention outreach, and ultimately work to provide safe placements for the children. This act sets forth the definition of child abuse and neglect.

Trafficking Victims Protection Act of 2000 (reauthorized in 2003, 2005, 2008, and 2013)

Many efforts have been implemented to fight human trafficking. The Trafficking Victims Protection Act (TVPA) was implemented on a national level. This law was passed to define a human trafficking victim as a “person induced to perform labor or a commercial sex act through force, fraud, or coercion. Any person under age 18 who performs a commercial sex act is considered a victim of human trafficking, regardless of whether force, fraud, or coercion was present” (TVPA, 2000). This act seeks to combat trafficking by implementing a policy of “3 Ps”: prosecution, protection, and prevention: **Prosecution** involves passing the appropriate laws that criminalize trafficking, and jailing the abusers who exploit other humans for profit. **Protection** involves identifying victims, providing them with medical care and shelter (and if necessary witness protection), and, when appropriate, repatriating them. **Prevention** involves raising awareness of the inhumane practices involved in the trafficking trade and promoting a paradigm shift that seeks to reduce the demand for the “fruits” of human trafficking.” (TVPA, 2000)

Safe Harbor Act

An act related to human trafficking as well as child welfare, the Safe Harbor Act ensures that any underage individuals are treated as dependents rather than delinquents. Rather than be arrested and charged with prostitution, the children are being taken care of by the Department of Children and Families and being referred to a safe house. This act also increases the fine fee from \$500 to \$5000 for those who solicit sex, also known as johns. The fee is gathered together to fund safe houses for the victims of sexual exploitation.

Preventing Sex Trafficking and Strengthening Families Act of 2014

To combine anti-trafficking and child welfare initiatives, it began the implementation of the Preventing Sex Trafficking and Strengthening Families Act of 2014, which was “to prevent and address sex trafficking of children in foster care, to extend and improve adoption incentives, and to improve international child support recovery” (National Conference of State Legislatures, 2014). President Obama signed this act into law in hopes of decreasing the amount of prevalence of sex trafficking among the youth in foster care. The act will require state agencies to have more accountability to develop policies and procedures to assist with sex trafficking, report to law enforcement, include sex trafficking data in the system, locate and respond to children who have run away, and to develop strategies to assist foster parents with their parenting skills.

IMPACT OF SOCIAL MEDIA AND TECHNOLOGY (Easy Access)

Being in a world where society is consumed with “consumerism, sex, and objectification of women,” individuals are consistently being exposed to the sexual on TV (ie. series, movies, music videos), printed material (ie. magazines and books), technology (ie. Craigslist, BackPage), as well as phone applications (ie. Facebook, Instagram, Snapchat, Twitter, Tinder). Technology and social media has made it easier to obtain anything they wish, even those rated for adults only.

Child Pornography

The sexual materials are including these women with perfect and unattainable attributes that attract the men as well as make the youth strive for that level of perfection. Social media and technology make it easy for youth to believe they can achieve it with tutorials. As a parallel consequence of this, more and more are becoming attracted to this level of “beautiful,” which refers to being skinny and youthful-looking with flawless skin. This is, naturally, how young children look and there has been a rise in demand for sex with children. To meet the demands of those who are sexually attracted to the youthful types, child pornography is being created. Child pornography is like a slippery slope into actually wanting sex with the children they are addicted to watching.

Implications

With the rise of easy access to any materials with sexual suggestive nature, there has been more of a demand for sex. The age of sexual preference are getting younger and younger. Erikson’s psychosocial theory indicates that between ages 12-15, the youth are at the “Identity vs. Confusion Stage” where social relationships are vital in their lives. They are transitioning from childhood to adulthood and it can be a very confusing time. After this stage, they are onto the “Intimacy vs. Isolation” stage, where longing to be loved is important. Without the proper role models, some youth involved rely on peers, celebrities, and virtual friends to help them achieve intimacy.

CORRELATION

The National Center for Missing and Exploited Children reported that 1 out of 5 endangered runaway was a child sex trafficking victim. John Ryan, the company’s CEO, provided the United States House of Representatives with the fact that in 2012, 67% of the child sex trafficking victims who went missing went through the child welfare system (Ryan, 2013). In 2015, it increased and 74% of those children were going through the child welfare system (National Center for Missing and Exploited Children, 2015). Undoubtedly, there is a correlation between the children of the child welfare system and domestic sex trafficking victims. Those who go through the child welfare system are at an elevated risk of becoming sexually exploited through trafficking. Similarities between the two groups are organized into the characteristics that are displayed as well as their needs and wants. With similar qualities, the pimps have acquired strategies that work to recruit potential victims.

Characteristics

Children who go through the child welfare system, due to abuse and neglect, will often feel detached from their parent or guardian. The detachment will impose great difficult on the individuals to form a bond with their primary caregiver. The trauma that both children of the child welfare system and human trafficking have endured will affect their growth and development. The trauma could be from abusive family members, sexual abuse, neglect, and the act of moving from home to home, whether it is foster care or one family member to another. The vulnerability among the youth, especially in unstable homes and those who run away or are homeless, will leave them yearning for love and acceptance. Their low self-esteem will enable them to settle for anyone or anything that could potentially make them feel loved. Because of the unstable homes and lack of love, these children may not know the proper way to achieve the feeling of love and acceptance, and they can easily be manipulated.

Vulnerabilities

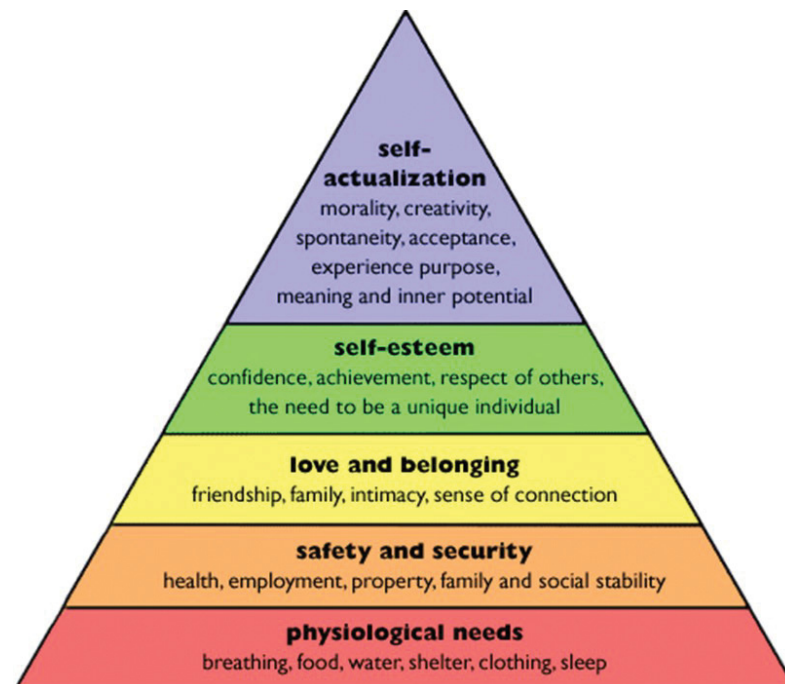
Families who go through the child welfare system already have vulnerabilities making pre-disposed to adversity. According to Smith (2014), any type of trauma can cause “self-loathing, depression, and anger” making it all interrelated to vulnerabilities, which includes:

- abuse/neglect in childhood
- poverty
- difficulty in school
- running away
- mental health issues (depression, PTSD)
- history of sex abuse
- LGBTW youth
- missing/absent parent(s)
- substance abuse

In general, social and economic challenges implicate high drop-out rates. Children at Risk (2016) indicated that there are four pillars and it includes education, parenting, food and nutrition, and human trafficking. If any of those pillars are affected, it hinders the proper development and successes of the individual. Florida is ranked 45th in the nation for underprivileged kids (Bernardo, 2015). According to the National Working Group on Foster Care and Education (2014), 50% of foster youth completed high school by 18 years of age and 20% attended college after graduating high school. 2-9% of former foster youth earned a bachelor’s degree (National Working Group on Foster Care and Education, 2014). This is alarming due to the fact that the U.S. has set up grants to provide funding for the children to attend college/university.

Figure 5-1

Maslow’s Hierarchy of Need



Placing children in foster care also increases the “arrest rate of the marginal child by 200-300%” (Lindquist, 2014). The criminal offenses can include stealing, violent crimes, alcohol abuse or narcotics, and other offenses. To get their needs met, individuals do acts like such to potentially meet their needs. They can be easily influenced and manipulated by others who are going through the same hardships and do not know how to cope as well as by traffickers who use their vulnerability to their advantage.

Wants and Needs

Maslow developed a ‘Hierarchy of Needs’ (see figure 5-1) to emphasize how imperative it is for certain needs to be met in order for an individual to be motivated to achieve self-actualization (Maslow, 1943). The foundation that needs to be met first and foremost are the *physiological needs*, such as breathing, food, water, shelter, clothing and sleep. After those needs are met, then the next set is related to *safety and security*, regarding health, employment, property, family and social stability. Then, *love and belonging* in friendship, family, intimacy and sense of connection. *Self-esteem* is also important when it comes to confidence, achievement, respect of others and the need to be a unique individual. The final layer is self-actualization where morality, creativity, spontaneity, acceptance, experience purpose, meaning and inner potential are regarded highly once there is a sense of completion in the areas prior.

The children who go through the child welfare system, due to abuse and/or neglect in the household, have a decreased chance of having their physiological needs met. The unstable life of these children make it difficult for them to feel truly motivated, therefore will make them do anything possible to seek food, water, shelter, clothing, and sleep. With the victims of human trafficking, food, water and sleep are more likely to be scarce and unattainable. Shelter and clothing will be provided, but most likely be limited and inappropriate considering the situation. Without meeting their physiological needs, the individuals within the child welfare system and human trafficking will be unable to ever feel true safety, security, love, belonging, high self-esteem and self-actualization. They will try to feel safety, security, love and belonging, but it will be truly difficult to achieve it successfully. The traffickers know this and have developed many different ways to make the vulnerable youth feel the pseudo sense of connection, family and employment.

Recruitment Strategies

Much like gangs, pimps have developed a variety of recruiting strategies that are aimed at vulnerable youth. Like discussed above, children in the child welfare system often feel vulnerable, traumatized, have low self-esteem, and have a history of abuse. Traffickers use this to their advantage because these children are considered easy prey for them. There is also a network between the pimps and they help each other out with recruitment and transfers.

With modern day technology, apps such as Facebook, Instagram, Snapchat, and Tinder, give the public easy access to a multitude of profiles. A young girl, searching for acceptance and love, will be the one to post risqué pictures of her to gather attention. For one, there is a pseudo-boyfriend tactic that is used to particularly recruit girls into forced prostitution. This male will pretend to be boyfriend-potential when “randomly” meeting at a mall or through social media.

A good-looking male, who happens to work as a recruiter for a pimp, can befriend anyone online by seeking profiles that show the telltale signs of a vulnerable girl, such as sexy pictures and or posts about lacking love, drugs and alcohol, and, but not limited to, unstable homes. Social media is an entity that can be acquired internationally, which makes it easier for traffickers to seek and sell their victims on a global level. The recruiter will shower the girl with love, intimacy, sense of belonging, acceptance, and possibly even drugs and alcohol to begin the addiction cycle. The seemingly charismatic and sympathetic solicitors will act subtle and patient by acting interested in their target’s life, making them feel

special and loved. Genuine conversation and compliments will get the targeted victim to feel like they are in a legitimate relationship with a glamorous future.

After befriending the females, the males will eventually manipulate them to work at strip clubs or brothels to garner money to pay back what they owe them, which could be for shelter, drugs, and food. This is how they transition into sex trafficking. The traffickers use control tactics, such as physical/emotional abuse, sexual assault, confiscation of identification and money, and isolate their victims from friends and families. The act of manipulation is highly used in this field and it makes the victims feel trapped and afraid to leave. As a result of succumbing to trafficking, there has been a developed feeling of trauma (physical, psychological), shame, emotional attachment, and physical threats to victims and their family's safety have been declared.

Post-Traumatic Stress Disorder (PTSD)

The effects of going through the child welfare system and human trafficking are similar in various ways. Children in the foster care system and human trafficking ring are taken away from their homes, and often move from home to home, making it the most restrictive to their psychological and physical capacities to be developed and nurtured. With this comes with a lot of issues that will affect them in the future. According to the American Academy of Pediatrics (2000), "optimal child development occurs when a spectrum of needs is consistently met over an extended period." When these needs are not being met, it can cause significant emotional and psychological stress that can lead to detrimental coping skills developed overtime. Along with the emotional issues developed, there is a reduced rate in graduation and proper employment, as well as an increase in criminal offenses.

Availability of Services

In America, there can never be enough funding to provide efficient assistance to those in the child welfare system as well as the human trafficking programs that service the victims. In the national budget, President Obama has requested for an increase in all areas of child welfare. According to the Child Welfare League of America (2015), specifically for the Title IV-E category (foster care, adoption services), he has requested \$4.772 billion - an increase from 2015 of \$4.581 billion. There has also been a request of \$22 million to assist victims of human trafficking under the Vulnerable Children and Youth category (Child Welfare League of America, 2015). President Obama has also requested \$22 million to study runaway/homeless youth, which has never been in the budget before. With the limited funding, there are still available resources to assist the specified populations. Like what Maslow has indicated, physiological needs are the first and foremost the important thing to focus on, and the United States do provide services in the areas of child welfare and human trafficking.

Child Welfare

- Services for children and families to prevent abuse and neglect,
- Family preservation services,
- Child protective services (intake, family assessment, investigation, and case management),
- In-home services,
- Out-of-home placements
- Adoption and guardianship services and supports

Human Trafficking

- Safety
- Housing
- Food & clothing
- Legal assistance
- Advocacy
- Medical care
- Mental health services
- Transportation
- Education
- Job training
- Reunification

OVC Grant

The U.S. Department of Justice's (DOJ) has an Office for Victims of Crime (OVC) that oversees the Crime Victims Fund to help service providers get the monetary support they need (Office of Justice Programs, n.d.). The grants derived from the Crime Victims Fund deliver services regarding legal, shelter, or comprehensive services (ie. financial support, medical needs, transportation). In Florida, five NGOs or agencies have received funding from the OVC grant to provide services for victims of human trafficking and they are Catholic Charities, Diocese of Venice, Gulfcoast Legal Services, International Rescue Committee, Kristi House, and Miami- Dade County. Catholic Charities and Gulfcoast Legal both help the southwest region of Florida, while International Rescue Committee, Kristi House, and Miami-Dade County assist Miami.

United Nations

The United Nations have made a major impact in the spreading awareness on human trafficking on an international level. They defined human trafficking as the...

“...recruitment, transportation, transfer, harbouring or receipt of persons, by means of the threat or use of force or other forms of coercion, of abduction, of fraud, of deception, of the abuse of power or of a position of vulnerability or of the giving or receiving of payments or benefits to achieve the consent of a person having control over another person, for the purpose of exploitation. Exploitation shall include, at a minimum, the exploitation of the prostitution of others or other forms of sexual exploitation, forced labour or services, slavery or practices similar to slavery, servitude or the removal of organs” (United Nations, 2000)

Their Office of Drugs and Crime (UNODC) created a trafficking protocol as one of the three Palermo protocols. The Protocol to Prevent, Suppress and Punish Trafficking in Persons, especially Women and Children (UN TIP Protocol), adopted in 2000, works to:

- a) Prevent and combat trafficking in persons, paying particular attention to women and children;
- b) Protect and assist the victims of such trafficking, with full respect for their human rights; and
- c) Promote cooperation among States Parties in order to meet those objectives.

FURTHER RECOMMENDATIONS

After understanding the apparent association between the child welfare system and domestic sex trafficking, there are recommendations to decrease the rate in victims at the micro, mezzo, and macro levels. With the United States being in the bottom two of the worst countries to run their child welfare systems, it is advised that they look at other countries and their effective methodologies to handle maltreatment within the families (NBC News, 2007). There should be a higher support, financially, physically, and emotionally, to those in the child welfare system. Families should also be held to a higher accountability. As of today, the files through the Department of Children and Families are not transferred from state to state. If educational files are mandated to be transferred with the child as he moves to another state so should the child protective cases. This could prevent families from running away and manipulating the system.

In 2015, The Administration for Children and Families have advocated for the President and his Administration to increase the funding for Anti-Trafficking initiatives to \$15 million in the 2016 budget request. The \$15 million will support the Preventing Sex Trafficking and Strengthening Families Act of 2014 be divided up accordingly:

\$10 million – fund grants to identify youth who are at-risk as a preventative measure, fund comprehensive services to youth who are victims and in care of the child welfare system

\$2 million – fund programs to evaluate grantees and improve child welfare system

\$1.5 million – fund the establishment of National Advisory Committee on the Trafficking of Children and Youth in the US; lobby for administrative or legislative change

\$1.5 million – fund the research and data collection on prevalence of human trafficking in the US (Chon, 2015).

With the provided funding, it is hopeful that the agencies continue to provide comprehensive services to the victims, such as providing financial, medical, and therapeutic support to ensure the success of re-integrating back into society.

CONCLUSION

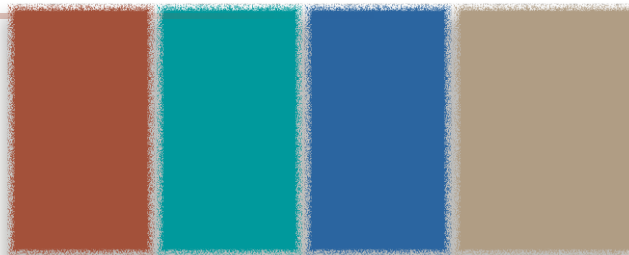
There are plenty of ongoing debate about how to confront colossal issues such as the child welfare system and human trafficking. The correlation between the two systems is apparent regarding prior entry, during, as well as after exiting one or the other. Human trafficking is not simply an international issue, but rather exists in America as well. Some understand the significance of developing proper interventions, yet some do not see the need. The children who have grown up in an abusive and/or neglected household develop characteristics, such as vulnerability and lack of motivation, which makes it easy for the traffickers to recruit. The lack of motivation of the children could be a result of their experiences through the child welfare system and/or human trafficking. Despite the situations that these individuals are in, traumatic events will lead them to develop the same characteristics.



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CHAPTER
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