



Human trafficking of children in Illinois: Prevalence and characteristics



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ABSTRACT

Not much is known about the prevalence or characteristics of children who come to the attention of child protection systems for human trafficking. This study used administrative data from the Illinois Department of Children and Families Services (DCFS) to compare the prevalence of investigated allegations of human trafficking with the investigated allegations of other types of maltreatment and to describe the characteristics of children with an allegation of human trafficking. From July 1, 2011 to June 30, 2015, there were 563 (0.0008%) investigated allegations of human trafficking compared with a total of 697,062 investigated allegations for all other types of maltreatment. These 563 allegations represented 419 children who were predominantly female (90%), African American (53%), residing in a large urban county (56%), and 14–1/2-years-old, on average. Just under two thirds (61%) had a previous investigated allegation of maltreatment in their case record, and just over one quarter (28%) had at least one entry into out-of-home care prior to, during, and/or after an allegation of human trafficking. These exploratory findings are discussed in the context of federal and state human trafficking laws for minors that have sought to raise awareness of human trafficking in the U.S., and enhance the ability of child welfare systems to identify and serve this population.

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1. Introduction & background

Across multiple states and service contexts, there is growing concern about the number of children who are victims of human trafficking. Defined as the exploitation of children for forced labor or commercial sex (Finklea, Fernandes-Alcantara, & Siskin, 2015), the Polaris Project,¹ a website that collects and reports annual data from a national, toll-free hotline, estimates that in 2015, 33% of all sex trafficking reports and 16% of all labor trafficking reports made to the hotline involved a minor (National Human Trafficking Resource Center, 2015).² Of investigated human trafficking incidents opened by federal task forces over a two-year period, Banks and Kyckelhahn (2011) find that 40% involved sex trafficking of a minor.³ The challenges of identifying reliable prevalence estimates of human trafficking of children are well known (Finklea et al., 2015; Stransky & Finkelhor, 2008) and in 2013 report from the Institute of Medicine and the National Research Council still concluded that there is “substantial and compelling evidence” that sex trafficking of minors in the United States is a serious problem with immediate and long-term adverse consequences (Clayton, Krugman, & Simon, 2013). Important insights may therefore come from developing

more nuanced understanding of the prevalence and characteristics of subgroups of minor victims of human trafficking in the U.S.

Consensus is growing among legislators, advocates, professionals, researchers, and administrators that service systems' responses to human trafficking of at-risk children are currently lacking (Clayton et al., 2013; Gibbs, Walters, Lutnick, Miller, & Kluckman, 2015; Kaufka-Walts, French, Moore, & Ashai, 2011). In part, evidence suggests that the service needs of minor victims of human trafficking may be substantially different from the service needs of other victimized youth (Fong & Cardoso, 2010). For example, a recent comparison of adolescents with a history of commercial sexual exploitation with same aged adolescents with a history of child sexual abuse revealed that those with a history of commercial sexual exploitation are more likely to self-report having extensive histories of violence, substance use, running away, involvement with child protection and/or law enforcement, and sexual activity (Varma, Gillespie, McCracken, & Greenbaum, 2015), which suggests alternative services may be needed. A handful of studies also find that personnel at agencies serving at-risk and vulnerable youth possess too little knowledge about human trafficking of children to recognize signs (Clawson & Grace, 2007; Cole & Sprang, 2015; Kaufka-Walts et al., 2011). Still others worry that conflicts of interest within service systems (i.e. agency goals) may prevent human trafficking from being adequately identified and addressed (Bergman, 2013; Bounds, Julion, & Delaney, 2015).

To build the capacity of service systems to respond to the human trafficking of children, the *Preventing Sex Trafficking and Strengthening Families Act* (P.L. 113-183; hereafter referred to as the Preventing Sex

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¹ For instance, see: <http://polarisproject.org/human-trafficking>.

² This includes 1379 reports for sexual trafficking and 114 reports for labor trafficking.

³ Data from this study comes from the Human Trafficking Reporting System (HTRS), which was designed to measure the performance of federally funded task forces in 28 regions of the state.

Trafficking Act) was passed in 2014 to require state child welfare agencies to identify, document, screen, and provide services to victims of sex trafficking and/or at-risk youth, including those who run away from out-of-home care. Building on the *Trafficking Victims Protection Act of 2000* and following the small but growing number of states that have enacted state “safe harbor” laws to redirect juvenile victims of human trafficking to child protection systems, the *Preventing Sex Trafficking Act* seeks to treat the commercial sexual exploitation of children (CSEC), such as juveniles engaged in prostitution, as acts of abuse and violence against children; to strengthen the capacity of child welfare systems to provide a specialized response to victims; and to estimate the prevalence of minors that come to the attention of child welfare systems for sex trafficking. Though the *Preventing Sex Trafficking Act* is the first federal bill to address the intersection of child welfare and sex trafficking of children, little is known about the prevalence of human trafficking of children within child welfare systems or the characteristics of cases involving human trafficking of children.

The study we present provides preliminary estimates of human trafficking of minors in one state child welfare system that was an early leader in responding to commercial sexual exploitation of children as victims of abuse through state “safe harbor” legislation. In 2010, the *Illinois Safe Children Act* (ISCA; P.A. 096-1464)⁴ was signed into law to make all children under the age of 18 immune from prosecution for prostitution and eligible for temporary protective custody. Following the passage of the *Illinois Safe Children Act* (ISCA), the Illinois Department of Children and Family Services (DCFS) added, “human trafficking of children,” as an allegation in the Statewide Automated Child Welfare Information System (SACWIS), a state-based intake and case management tool for investigated reports of child maltreatment allegations (Bergman, 2013; Bounds et al., 2015; Kaufka-Walts et al., 2011). This means that the state can systematically identify and track all referred and investigated cases of sex and labor trafficking involving minors in the state.

The study that is presented capitalizes on these early advocacy efforts to answer the following questions: First, how many allegations of “human trafficking of children” have been investigated since the passage of the *Illinois Safe Children Act* in 2010? How do these rates compare to the prevalence rates of other types of maltreatment that are investigated by the state? Second, how many children have come to the attention of child protective services for human trafficking since the passage of the *Illinois Safe Children Act* in 2010 and what are their characteristics? Third, how do children with investigated allegations of human trafficking typically intersect with state child welfare systems? Answers to these questions represent the first among many steps needed to develop more nuanced understanding of a complex problem. Below we review what is known about human trafficking of children in the U.S. Table 1 defines key terms related to human trafficking of children, which are described further in the background section below.

2. Background

During fiscal year 2014, approximately 3.9 million children were subjects of investigated referrals to state child protective systems in the U.S. (U.S. Department of Health and Human Services, 2016). Girls in age groups 6 to 10 and 11 to 17 have higher rates of victimization than boys in the same age groups. This is especially true for girls ages 11 to 17. In 2014, three-quarters of children came to the attention of child protective services in the U.S. due to an allegation of neglect (77%); 17% for an allegation of physical abuse; and 8% for an allegation of sexual abuse. The majority come to the attention of child protective services for one type of maltreatment (86%).

Commercial sexual exploitation of children (CSEC) and sex trafficking of minors are forms of abuse and neglect, but historically child welfare and juvenile justice systems charged with protecting and serving children and adolescents have not been designed to support and assist victims and survivors of CSEC and sex trafficking (Bergman, 2013; Clayton et al., 2013; Kaufka-Walts et al., 2011). For instance, a report of CSEC or sex trafficking of a minor would typically be considered outside of the responsibilities of the state child protection system in a majority of states when the abuse or neglect is perpetrated by someone other than a caregiver or person with caregiving responsibilities (Bergman, 2013; Bounds et al., 2015; Kaufka-Walts et al., 2011) whereas a referral to law enforcement would likely trigger an arrest or detainment in most states as opposed to a human service response. The absence of state policies or protocols related to CSEC and sex trafficking of minors has made it difficult for any child-serving system (e.g. child welfare, juvenile justice, etc.) to assist child victims of human trafficking and respond effectively to needs (Bergman, 2013; Fong & Cardoso, 2010; Kaufka-Walts et al., 2011).

2.1. Trafficking victims protection act

To address the problems of human trafficking in the United States, Congress first passed the *Trafficking Victims Protection Act of 2000* (TVPA), which was subsequently amended by the *Trafficking Victims Reauthorization Act of 2003, 2005, 2008, and 2013*. According to Siskin and Wyler (2013) in a report to congress, the TVPA has primarily focused on international trafficking and foreign survivors in the U.S. It was not until the 2005 amendment that U.S. victims of trafficking were fully recognized and addressed (Clayton et al., 2013). Specialized services and support for minor victims of human trafficking under the TVPA have also been limited, which suggests that the U.S. is in the early stages of recognizing, understanding, and developing solutions to human trafficking of children (Clayton et al., 2013).

Under the TVPA, “severe” forms of trafficking in persons refers to, “sex trafficking in which a commercial sex act is induced by force, fraud, or coercion or in which the person induced to perform such an act has not attained 18-years of age; or the recruitment, harboring, transportation, provision, or obtaining of a person for labor or services through the use of force, fraud, coercion for the purpose of subjection to involuntary servitude, peonage, debt bondage, or slavery.” As part of this definition, “a commercial sex act” means “any sex act on account of which anything of value is given or received by any person” (Greenbaum, 2014). More recent conceptualizations of CESC may also include “survival sex,” which refers to children engaging in sex acts in exchange for money, food, shelter, or other basic necessities in a definition of CSEC (Greenbaum, 2014). The commercial aspect of sexual exploitation differentiates trafficking from other sexual crimes against children, such as sexual molestation, sexual assault, and rape. It is also what makes CESC a particularly disturbing type of victimization because in addition to sexual crimes against children, they are additionally treated as commodities and used for economic gain (Mitchell, Jones, Finklehor, & Wolak, 2011). Under the TVPA, children are recognized as victims of sex trafficking regardless of whether the child’s actions are voluntary or forced (Finklea et al., 2015; Kaufka-Walts et al., 2011).

The exact number of child victims of sex and labor trafficking in the U.S. is unknown (Clayton et al., 2013; Fahy, 2015; Finklea et al., 2015; Stransky & Finkelhor, 2008). Studies nevertheless find that certain populations may be vulnerable to becoming victims of human trafficking. For instance, runaways may be at high risk of commercial sexual exploitation (Hammer, Finkelhor, & Sedlak, 2002) and/or survival sex (Greene, Ennett, & Ringwalt, 1999). Similarly, some foster youth may also be at elevated risk of commercial sexual exploitation during and following out-of-home care (Clawson & Grace, 2007; Smith, Vardaman, & Snow, 2013). Though females typically outnumber males in the majority of studies on commercial sexual exploitation of children, there has been limited attention given to male victims in the existing

⁴ The *Illinois Safe Children Act* (P.A. 096-1464) went into state law on August 20, 2010.

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