
Consultant's After-Action Report

*Addressing the Sex Trafficking of Children in MN
Grant SJI-17-021*



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I. Introduction

On May 22-25, 2017, in partnership with the State Justice Institute, the Ramsey County Attorney's Office, and the Women's Foundation of Minnesota, the Minnesota Judicial Branch hosted a statewide training: *Sex Trafficking and Sexual Exploitation 102: Engagement Strategies for Working with Sexually Exploited Children*.

Judges from each of Minnesota's 10 judicial districts and one United States District Court judge each selected a team of systems professionals to represent their district in this training, which focused on building an effective systems response to sex trafficking and sexual exploitation. In all, 21 judges and 71 systems professionals, including Safe Harbor Regional Navigators, community-based advocates, law enforcement, prosecution, victim services, child protection, and probation, participated in this two and a half-day training.

This *After-Action Report* provides a summary of major themes, including a report-back on the district-specific multidisciplinary team activities, and overall recommendations for next steps in building an effective systems response to sex trafficking and sexual exploitation.

II. Background

Minnesota's groundbreaking Safe Harbor law represents a paradigm shift in how our state views youth who have been sexually exploited—not as juvenile delinquents, but as victims and survivors. Since August 1, 2014, youth involved in selling or trading sex cannot be arrested for or charged with the crime of prostitution. Rather, exploiters—both traffickers and those who purchase sex—face increased penalties for their crimes.¹

To ensure an effective change to Minnesota's statutes, Minnesota conducted a statewide multidisciplinary collaborative process that resulted in one of the most comprehensive response models in the nation for responding to commercial sexual exploitation: "[No Wrong Door](#)."² The No Wrong Door Response Model created a statewide infrastructure for service delivery, specialized housing and shelter, and training for systems professionals. It was founded upon a set of values and an overarching philosophy that recognize the impact of trauma on the lives and recovery of sexually exploited youth and most importantly, affirms that youth are capable of making decisions about their own recovery.

¹ Ramsey County Attorney's Office and the Sexual Violence Justice Institute at the Minnesota Coalition Against Sexual Assault, "Safe Harbor Protocol Guidelines" (2017) <http://www.mncasa.org/sh/guidelines/>

² Department of Public Safety, Office of Justice Programs, *No Wrong Door: A Comprehensive Approach to Safe Harbor for Minnesota's Sexually Exploited Youth*, (Jan. 2015), [https://dps.mn.gov/divisions/ojp/forms-documents/Documents/!2012%20Safe%20Harbor%20Report%20\(FINAL\).pdf](https://dps.mn.gov/divisions/ojp/forms-documents/Documents/!2012%20Safe%20Harbor%20Report%20(FINAL).pdf). As of this writing, the model has been significantly but not fully funded by the state.

To assist communities across the state become “No Wrong Door communities,” [Regional Navigators](#) (funded through the Minnesota Department of Health and coordinated by the Safe Harbor/No Wrong Door Director) work with systems partners and service providers in their regions to identify and meet the specific needs of sexually exploited youth.

In addition to appropriating funds for services and housing, the Minnesota State Legislature also provided funding for the development and implementation of community-specific Safe Harbor protocols. In partnership with the Ramsey County Attorney’s Office, the Sexual Violence Justice Institute at the Minnesota Coalition Against Sexual Assault brought together over 200 state and national experts from a variety of disciplines to provide on-the-ground experience and knowledge about the best practices for responding to the needs of sexually exploited youth, identify the most common and challenging issues associated with building a community-specific victim-centered systems response to sexual exploitation, and recommend strategies for effectively engaging different disciplines, partners, and systems. The resulting *Safe Harbor Protocol Guidelines* is a comprehensive tool that will help multidisciplinary teams across the state build a systems response to sexual exploitation that is tailored to the needs and resources of their communities.

To support development of the *Safe Harbor Protocol Guidelines*, the Sexual Violence Justice Institute at the Minnesota Coalition Against Sexual Assault and the Ramsey County Attorney’s Office teamed up with the Hennepin County No Wrong Door Initiative and consultant Paula Schaefer to conduct focus groups and interviews with youth and adults, many of whom were survivors of sexual exploitation. Their thoughts were documented in *Voices of Safe Harbor: Survivor and Youth Input for Minnesota’s Model Protocol on Sexually Exploited Youth* and also appear throughout the *Safe Harbor Protocol Guidelines*.³

In October 2015, three Minnesota judges, along with Ramsey County Attorney John Choi, and State Court Administrator, Jeff Shorba, attended the National Summit on Human Trafficking and the State Courts in New York. There was strong consensus among the group that Minnesota judges should be provided with training on sex trafficking and sexual exploitation, as well as a recognition that this issue could not be addressed by the courts alone. As a result, a plan was developed to promote judicial leadership and collaboration through a training designed specifically for judges and selected teams of local systems professionals, including attorneys, investigators, advocates and service providers, child protection workers, and probation officers. This training, *Sex Trafficking and Sexual Exploitation 102: Engagement Strategies for Working with Sexually Exploited Children*, was generously funded by the Minnesota Judicial Branch, State Justice Institute and the Women’s Foundation of Minnesota.

³ Hennepin County No Wrong Door Initiative, Ramsey County Attorney’s Office, Sexual Violence Justice Institute at the Minnesota Coalition Against Sexual Assault and Paula Schaefer and Associates, *Voices of Safe Harbor: Survivor and Youth Input for Minnesota’s Model Protocol on Sexually Exploited Youth*, (Dec. 2015), <http://www.hennepin.us/~media/hennepinus/your-government/projects-initiatives/documents/no-wrong%20-door-voices.pdf?la=en>.

III. Summary of Major Themes

Several major recurring themes emerged from the *Sex Trafficking and Sexual Exploitation 102* training, which served as a foundation for the district-specific multidisciplinary team activities, and which the Minnesota Judicial Branch hopes will ultimately shape the philosophy and approach of each district's systems response to sex trafficking and sexual exploitation.

1. *The Judiciary Plays a Critical Role in Improving Multidisciplinary Collaboration and Developing an Effective Systems Response to Sexual Exploitation.*

Presenters were very clear about the critical role that judges play in building an effective, victim-centered, and trauma-informed systems response to sexual exploitation. Often victims are systems-involved youth that have come before the court for other reasons, but have not yet been identified as sexually exploited or trafficked. Judges were asked to reflect on why they chose to do this work, and recognize that in their respective roles, they can have a profound and positive impact on individuals' lives. In addition, judges' leadership can influence the philosophy and approach of systems professionals in their districts, as well as strongly encourage better collaboration and communication among systems partners.

2. *Meeting the Needs of Victims Requires a Long-term Commitment from Judges and Other Systems Professionals.*

Most sexually exploited youth have experienced multiple traumas, and these repeat exposures to adverse childhood experiences impact their physical, behavioral, and emotional development, which in turn, can impact a youth's ability to make good decisions. Because of the accumulated effect of trauma, judges and other systems professionals *will likely not see immediate results* from their efforts to disrupt cycles of abuse and violence in these youths' lives. However, over the long-term, consistent contact with caring and trustworthy adults – *including judges* - has been shown to help restore a youth's ability to trust the systems professionals trying to help them.

3. *Victims Are More than "Survivors" of Sexual Exploitation.*

A poignant story was told about a sexually exploited youth who was asked what career she wanted in the future, and her response (probation officer, social worker, or prosecutor) reflected the reality of the options she has been exposed to during her formative years. These jobs were the ones she knew best because of the people in her life. Presenters, particularly the professionals who disclosed that they are also survivors,

were very clear that survivors of sexual exploitation should never be tokenized or put in a box (e.g.: asked to retell their story, or pushed into direct service or advocacy for other victims – the “flip side of the same coin”), but should be presented with many options and opportunities regarding their futures, just like any other youth.

4. *An Effective Systems Response is a Local Systems Response.*

Minnesota’s definitions of sex trafficking and sexual exploitation are broad, and they differ from community to community. In addition, each community has its own set of resources and challenges, as well as cultures, practices, and populations. The response that one county or judicial district has built to respond to sex trafficking and sexual exploitation as it occurs at the local level will not be sufficient to meet the needs of another community – even in a neighboring jurisdiction. Therefore, in order to build an effective systems response, judicial districts must commit to a process of systems change (which includes an inventory of existing partnerships and resources, as well as an assessment of how sex trafficking and sexual exploitation are happening at the local level) and the development of *community-specific* protocols.

5. *An Effective Systems Response Prioritizes Partnerships with Diverse Communities and Populations (Including Tribal Governments) within the Judicial District.*

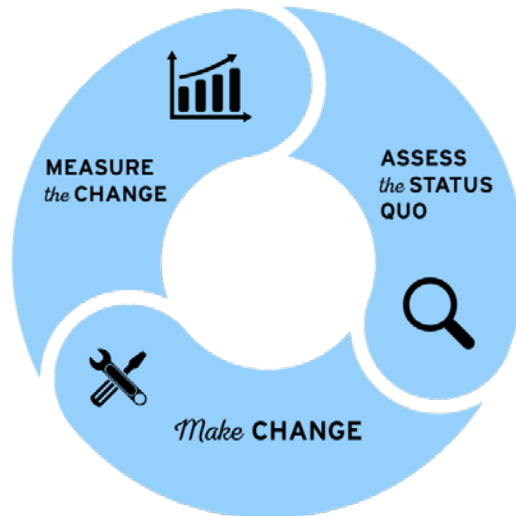
Across the board, there was a clear gap in the way districts have attempted to engage with diverse communities, specifically, marginalized populations and tribal governments. A systems response that does not engage representatives from these communities will not sufficiently address the problems specific to their communities, or meet the needs of victims that come from these communities. Therefore, multidisciplinary teams from each judicial district should make every effort to first understand which communities are present in their jurisdiction, then ensure that the make-up of their teams includes representation from these communities and authentically represents the populations in their jurisdiction.

IV. Summary of Multidisciplinary Team Activities

Assessing the Status Quo: First Steps to Building the Local Systems Response to Sex Trafficking and Sexual Exploitation

In this brief presentation, judges and their teams were introduced to a basic framework for building and improving the systems response to sex trafficking and sexual exploitation. During the team activities described below, participants were guided through the Assessing the Status Quo phase of the Systems Change Cycle.

Systems Change Cycle



The ways in which sex trafficking and sexual exploitation occur vary amongst judicial districts. For example, some districts will see cases involving Native victims trafficked in both tribal and local jurisdictions, while others may find that sexual exploitation is happening primarily within schools, involving juvenile traffickers, buyers, and victims. In order to build an effective and comprehensive systems response, districts must first *assess* how sex trafficking and sexual exploitation are happening at the local level.

One way to do so is by examining existing data of known at-risk populations. In this session, judges and their teams heard from Sergeant Ray Gainey about how a “look back” of existing runaway and missing persons reports conducted by the Ramsey County Attorney’s Office and the Saint Paul Police Department resulted in the identification of victims and convictions of several traffickers.

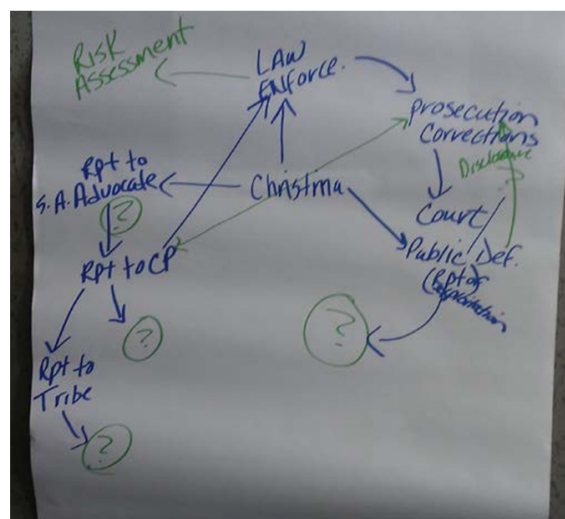
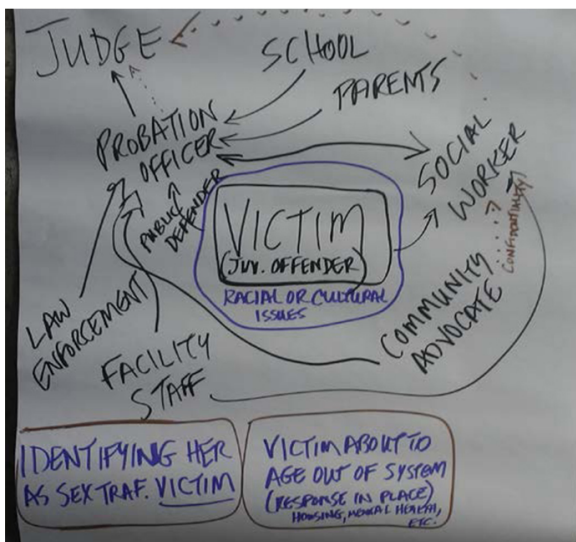
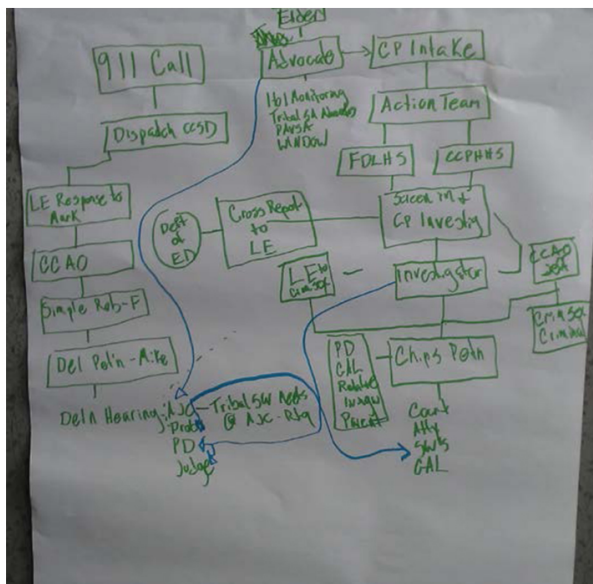
Team Activity 1: Mapping the Systems Response

In addition to assessing the ways in which sex trafficking and sexual exploitation are occurring at the local level, and, before a district can improve the systems response, they must first assess the

existing systems response, identifying both potential intersections between disciplines, as well as existing gaps in coordination.

In this session, judges and their teams engaged in a mapping exercise based on a case scenario tailored to their jurisdiction. These case scenarios were derived from interviews with advocates, Regional Navigators, and investigators working in each No Wrong Door Region, and were edited based on the feedback of participating judges.

The resulting systems “maps” (see the below for some examples from the mapping activity) demonstrated both the overwhelming complexity of the justice system from the perspective of systems-involved youth, and highlighted the need for communication, coordination, and long-term collaboration among all relevant systems partners responding to a victim of sexual exploitation.



Highlights from the Team Activity 1 Report-back:

Communication with the Court

“Communication is our ‘ah ha’ moment - the response is good, but we need to work on coordination and especially communicating to the judge. What would the judge actually know when the youth presents in the court?”

“How to communicate with the judge is also a gap.”

Protocol and Collaboration

“We realized that we have a lot of informal working relationships, however we do not have a formal protocol for identifying victims in the court systems. If we don’t hear that they’re being trafficked we assume that’s not the case. We want to come up with a more formal protocol and formal identification so we can make sure all the service providers are involved.”

“While we have started a collaboration, the collaborators need more education.”

“In [our] county we’re good where law enforcement and county attorney connect and have a grant to do prosecution, but what we don’t have going on is communication with other parts of the system. Our MDT doesn’t exist, we need to stop finger pointing and collaborate more.”

“Our issues have to do with just identifying the parties in specific agencies; we don’t know who that is, we should know the contact people.”

“We have a lot of different service providers can address these issues but no coordination.”

“One of the gaps is that while we do a good job when cases come in, we don’t do a good job talking to one another with pre-charging or when working in CHIPS pre-petition.”

Need to Assess and Identify the Local Problem

“Our community doesn’t recognize this as an issue in rural [Minnesota], the biggest barrier we need to address, we need to change the perception is in our community.”

“Given our huge geographical area and we tend to be a pipeline, we know we are getting kids trafficked through our area.”

“When we saw a chart that talked about trafficking cases – we were the second lowest of all of [Minnesota] in reporting [of sexual exploitation cases], but [our county] is the third most populous county in the state.”

When Victims Are Also Defendants

“We have come up with creative solutions to dealing with individuals who are victims and defendants.”

“Our biggest challenge is what to do with victim-defendants, how to deal with recruiting in foster care . . . and what approaches can be use instead of charging a victim-defendant.”

“When our district calls your district asking for services don’t push back and say it’s a federal matter.”

Being Victim-Centered

“We realized that we do have things in place and we do have some semblance of a system, we have an MDT, we have placements, programming, shelter, but we also have kids in our detention center and we don’t want them there.”

“We missed the youth in our diagram until quite far in the discussion which is emblematic of how we as implementers and policy makers forget their voice is this process.”

“We’re throwing services on child protection and delinquency, they are not talking to each other; we’re not using a holistic approach.”

“Safety is the biggest need.”

“The most urgent concern is the safety needs of the child.”

Working with Tribes and across Jurisdictions

“Coordinating efforts with law enforcement between county and tribes . . . we’re still trying to figure out how it’s all going to work.”

“We do a lot of transfer to other counties, all of a sudden we have no contact with this case we have started, we are not providing services.”

Engaging Outside Stakeholders and Leaders

“We need the County Board to be more receptive to funding and providing support to services for victims.”

Team Activity 2: Practical Next Steps for Improving the Systems Response

Having been introduced to two practical strategies for assessing the status quo (assessing how sex trafficking and sexual exploitation are occurring at the local level, and assessing the current systems response in order to identify intersections and gaps), judges and their teams were challenged to develop next steps for assessing their district’s status quo.

Specifically, teams were asked to create practical, implementable goals for the immediate, short-term, and by the end of the year that would help judges to:

1. Increase identification of sexually exploited youth (SEY), and
2. Make informed decisions once a youth has been identified as SEY.

Most notably, many districts agreed that there needed to be an emphasis on improving communication between the different agencies and disciplines, as well as with the judges, and many districts acknowledged that their starting point would be to form a multidisciplinary protocol team by the end of the year.

Highlights from the Team Activity 2 Report-back:

Forming or Expanding a Protocol Team

“We are starting from ground zero. We want to create an MDT, which we do have for child protection, but haven’t looked at specifically for sexually exploited youth. We are also going to identify the key players that are necessary to form that team.”

“We already have a MDT in [our] county, but we want to reach out to our Regional Navigator in that effort.”

“We want to put together a team – first identify people to be on that team, and we need to reach out to the tribal nations.”

“Our immediate goals are to identify partners, we want to expand our MDT to include community organizations, public health involvement, and we want to figure out how to include diverse communities.”

“Our goal is to have an MDT in place by the end of the year.”

“We will look at creating a MDT model – we already have these in place in different areas, but not one that is unique to this population.”

“We want to identify targeted service providers and want an MDT established by the end of the year.”

Assessing the Status Quo

“Within the next week we want to identify some resources in the state to see what’s out there and available, and determine who needs training. In the next few months we want to contact service providers to find out what services are available for clients, and we hope to have a screening process in place by end of the year.”

“Our short-term goal is figuring out processes for focus groups with young people who have been in the child protection and juvenile detention systems to better understand their needs and barriers.”

Improving Communication

“Our judge just learned they have a MDT in place, but it doesn’t specifically deal with this issue. Next week we are going to bring up this issue and try to have good communication.”

“We want to continue information-sharing among partners.”

Education and Training

We want to keep educating judges to be more sensitive to these issues and to temper justice with compassion.”

“Our focus is on identification, and we would also like to do more education in respective disciplines to educate one another.”

“[W]e need to need to focus on surveying the law enforcement agencies and investigate what training would be best suited to them. We need to identify trainers, including social workers, prosecutors, defense attorneys, etc.”

Stakeholder Buy-in

“Starting from scratch in [our] county, we need to stay encouraged, notify coworkers, get higher-ups on board, and learn about what agencies are doing.”

V. Recommendations

- Leverage the Influence of Judges on the Systems Response and in the Community: Judges play a pivotal role in the court, as well as in the overall systems response. Judges also have a high level of influence within the broader community. By educating judges about sex trafficking and sexual exploitation, as well as helping them to understand the important role they play in systems change, judges can help their districts take practical steps towards building a sustainable, victim-centered, *local* multidisciplinary response that will meet the needs of all victims in their community. For example, judges can convene multidisciplinary protocol teams, encourage communication and partnerships between systems professionals and community-based advocates, and make space on their calendars to ensure that youth are consistently coming into contact with the same caring judge – fostering trust between sexually exploited and at-risk youth and the justice system.
- Develop a Comprehensive Response: Judicial districts that are interested in engaging in the development of Safe Harbor protocols should understand that sex trafficking is only one form of the sexual exploitation of minors. Therefore, teams should take steps to increase institutional knowledge about the dynamics of survival sex, prostitution, sex trafficking, and all other forms of exploitation.
- Leverage Existing Resources: While each judicial district may seek additional funding and support for the work of developing a community-specific systems response, they should not wait for these resources before beginning the work. Judicial districts should identify and leverage existing resources. For example, each judicial district can assess the readiness of existing multidisciplinary teams in their jurisdiction or appoint (or form) a team to take on the task of developing a community-specific systems response to sexual exploitation.
- Use the Safe Harbor Protocol Guidelines: There are many tools and resources specific to multidisciplinary collaboration and protocol development, including the *Safe Harbor Protocol Guidelines*, as well as the Sexual Violence Justice Institute at the Minnesota Coalition Against Sexual Assault. Judicial districts should make use of these tools, and also communicate and learn from neighboring jurisdictions.
- Work towards Systems Change: Judicial districts working on protocol development should understand that writing and implementing protocol is only one aspect of developing an effective systems response to sexual exploitation, and will engage in the necessary

foundational work to gain buy-in from essential systems and community partners, develop common values and language, and assess the current needs—including the cultural needs—of the region.

- Ensure a Culturally-Responsive Systems Response: Judicial districts working on protocol development should understand that victims of sexual exploitation can be any gender identity, race, or sexual orientation, and should therefore ensure that the community response meets the specific needs of their communities.
- Incorporate the Youth/Survivor Perspective: Listening to and engaging youth and survivors can provide judges and other systems professionals with critical information about the way sexual exploitation is occurring at the local level, as well as ways in which the systems response can be improved to meet the needs of all victims. Because judges and other systems professionals come into contact with youth regularly, taking the time to ask questions and listen to these youth can be an important step in ensuring that the youth/survivor perspective is incorporated into any changes made to the systems response. Another invaluable resource is community-based advocacy organizations that work regularly with youth and victims. Advocates can provide general information about patterns they are seeing in the community related to sexual exploitation and, feedback they are hearing from victims, as well as basic information about the dynamics of sexual exploitation, best practices, and ways to engage survivors when building a victim-centered systems response.

VI. Resources

Links

Minnesota Department of Health – Safe Harbor/No Wrong Door Regional Navigators
<http://www.health.state.mn.us/injury/topic/safeharbor/navigators.html>

Minnesota Department of Health – Safe Harbor/No Wrong Door Shelter/Housing
<http://www.health.state.mn.us/injury/topic/safeharbor/housing.html>

Minnesota Department of Health – Safe Harbor/No Wrong Door Supportive Services
<http://www.health.state.mn.us/injury/topic/safeharbor/services.html>

Sexual Violence Justice Institute at the Minnesota Coalition Against Sexual Assault
<http://www.mncasa.org/about-safe-harbor/>

Safe Harbor Protocol Guidelines
<http://www.mncasa.org/sh/guidelines/>

“Voices of Safe Harbor”
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