

# NO WRONG DOOR



A Comprehensive Approach  
to Safe Harbor for Minnesota's  
Sexually Exploited Youth

January 2013



DEPARTMENT OF PUBLIC SAFETY  
OFFICE OF JUSTICE PROGRAMS

## Legislative Authority

Under federal law, a person under the age of 18 who has been induced to perform a commercial sex act is a victim of a severe form of human trafficking.<sup>1</sup> However, many state prostitution laws allow for the prosecution of juveniles who engage in the same behavior, despite the exploitation these children experience from pimps and commercial sex abusers.<sup>2</sup> In addition, many state laws don't contain adequate penalties to curb the demand for purchasing minors for sex or provide for effective services for youth victims.

Because of this, End Child Prostitution Child Pornography and Trafficking of Children for Sexual Purposes (ECPAT-USA<sup>3</sup>) developed, and is currently promoting, model safe harbor legislation designed to correct the differences between state and federal law. This legislation sends a strong message that our society and legal systems should treat children used in systems of prostitution as victims of a crime who need effective services to deal with the trauma they have experienced.

Specifically, safe harbor laws are designed to exempt children from prostitution prosecution, train law enforcement and others on how to identify and assist victims, increase the legal penalties for traffickers and commercial sex abusers and promote the development of a statewide system of care. This legislation explicitly treats exploited children as victims rather than criminals.

Several states, including Minnesota, have passed safe harbor legislation; New York passed the first safe harbor legislation in 2008, followed by similar bills in Connecticut, Illinois and Washington in 2010.

In addition, Texas has ruled that children involved in prostitution cannot consent to sex and cannot be guilty of an act (prostitution) that involves their own sexual exploitation. Florida passed a safe harbor law in 2012, which is awaiting signature by the governor and will take effect in 2013.

The Minnesota Safe Harbor for Sexually Exploited Youth Law, passed in July 2011, addresses the key components of ECPAT-USA's model safe harbor legislation. The law affirms Minnesota's recognition that it is a best practice to treat sexually exploited children and those at risk for exploitation as victims rather than as juvenile delinquents. The law also addresses the issue that in the absence of a Safe Harbor Law, Minnesota youth engaging in prostitution can be treated as victims of sex trafficking, children in need of protective services (CHIPS), maltreated minors and juvenile delinquents.

### **Minnesota's Safe Harbor Law includes five key changes:**

#### **1. Excludes sexually exploited youth under age 16 from the definition of a delinquent child**

Effective Aug. 1, 2014, children under age 16 alleged to have engaged in conduct which would, if committed by an adult, violate any federal, state, or local law relating to being hired, offering to be hired, or agreeing to be hired by another individual to engage in sexual penetration or sexual conduct will no longer be included in the definition of a delinquent child.<sup>4</sup>

This change to the delinquency statute resolves the conflict in Minnesota law that defined a sexually exploited youth as both a victim and delinquent.

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<sup>1</sup> <http://uscode.house.gov/download/pls/22C78.txt>

<sup>2</sup> Throughout this report you will see that those who purchase children for sex, typically called johns, will be referred to as commercial sexual abusers, which is a more accurate description of their role and culpability in juvenile sexual exploitation.

<sup>3</sup> <http://ecpatusa.org/what-we-do/helping-children-in-america/law-project/>

<sup>4</sup> <https://www.revisor.leg.state.mn.us/statutes/?id=260B.007>

## **2. Creates a mandatory first-time diversion for any 16 or 17 year old who has been exploited in prostitution**

Effective Aug. 1, 2014, youth 16 or 17 years old who have been exploited in prostitution will receive a mandatory first time diversion. This change to Minnesota law also allows for continuous diversion or a CHIPS petition for children who come through the system more than once.

This provision allows the juvenile justice system to treat youth as victims, but still retain the ability to use juvenile proceedings with youth who may not be effectively served outside of the justice system.

## **3. Includes the definition of sexually exploited youth in Minnesota's child protection codes**

This provision of the Safe Harbor Law went into effect Aug. 1, 2011 and amended the child protection law (Minnesota Statutes 260c.007<sup>5</sup>) to include the definition of a sexually exploited youth.

## **4. Increases the penalty against commercial sexual abusers**

Starting Aug. 1, 2011, Minnesota Statutes section 609.3241<sup>6</sup> increased penalties against adults convicted of patronizing adults and minors engaged in prostitution from a \$250 minimum to a minimum of \$500 and a maximum of \$750. In addition, this change requires a payment of \$100 if the defendant is indigent or can show that the penalty would result in undue hardship for themselves or their family. The fees collected under this statute

are to be distributed to law enforcement (40 percent), the county attorney (20 percent) and to the commissioner of public safety (40 percent) to create a specific revenue fund to be distributed to organizations that provide services to sexually exploited youth.

## **5. Directs the commissioner of public safety to work with stakeholders to create a victim-centered response to sexually exploited youth**

This final mandate of the Safe Harbor for Sexually Exploited Youth is the impetus for this report. The law requires recommendations from the Safe Harbor for Sexually Exploited Youth Pilot Project<sup>7</sup> be considered when developing the statewide model. This provision also required there be no fiscal burden to the state to develop the model. To that end, the Women's Foundation of Minnesota<sup>8</sup> agreed to fund the Minnesota Department of Public Safety in this process. The funding provided a means for the commissioner of public safety, along with the commissioners of health and human services, to work with other governmental and non-governmental stakeholders to create the victim-centered model presented here.

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<sup>5</sup> <https://www.revisor.mn.gov/statutes/?id=260C.007>

<sup>6</sup> <https://www.revisor.mn.gov/statutes/?id=609.3241>

<sup>7</sup> [http://www.co.ramsey.mn.us/ph/docs/SHYIP\\_guidelines\\_feb\\_2010.pdf](http://www.co.ramsey.mn.us/ph/docs/SHYIP_guidelines_feb_2010.pdf)

<sup>8</sup> The Women's Foundation of Minnesota invests in social change to achieve equality for all women and girls in Minnesota. <http://www.wfmn.org/>

## Safe Harbors for Sexually Exploited Youth Legislation

### Sec.9. Safe Harbor For Sex Trafficked Youth; Sexually Exploited Youth; Statewide Victim Services Model.<sup>9</sup>

(a) If sufficient funding from outside sources is donated, the commissioner of public safety shall develop a statewide model as provided in this section. By June 30, 2012, the commissioner of public safety, in consultation with the commissioners of health and human services, shall develop a victim services model to address the needs of sexually exploited youth and youth at risk of sexual exploitation. The commissioner shall take into consideration the findings and recommendations as reported to the Legislature on the results of the safe harbor for sexually exploited youth pilot project authorized by Laws 2006, chapter 282, article 13, section 4, paragraph (b). In addition, the commissioner shall seek recommendations from prosecutors, public safety officials, public health professionals, child protection workers, and service providers.

(b) By Jan. 15, 2013, the commissioner of public safety shall report to the chairs and ranking minority members of the senate and house of representatives divisions having jurisdiction over health and human services and criminal justice funding and policy on the development of the statewide model, including recommendations for additional legislation or funding for services for sexually exploited youth or youth at risk of sexual exploitation.

(c) As used in this section, “sexually exploited youth” has the meaning given in section 260C.007, subdivision 31. Laws of Minnesota 2011, chapter 1, article 4, section 9 (Effective Aug. 1, 2011).

## Acknowledgements

The No Wrong Door Model was developed from the knowledge and experiences of dedicated professionals from across Minnesota who came together multiple times to build this comprehensive approach to serving sexually exploited youth. Thank you to everyone who donated their time, shared their experiences and offered their expertise.

Thank you specifically to Beth Holger-Ambrose, Suzanne Elwell and Kris Rush who graciously agreed to organize and coordinate the three working groups that met regularly to develop the model recommendations. Thank you to Beth Holger-Ambrose and Amy Kenzie, who served as liaisons to the commissioners of the Department of Human Services and the Department of Health. Michele Garnett-McKenzie and Jeff Bauer provided valuable insight and information during the development of this model and also helped ensure that the focus of the work remained true to the spirit and intent of the legislation.

This model could not have been developed without the generous financial support of the Women’s Foundation of Minnesota. Special thanks to Lee Roper-Batker (president and CEO), Terry Williams (vice president), Mary Beth Hanson (communications director) and Kim Borton (director of programs) for their leadership in addressing juvenile sex trafficking and promoting a vision of safety and equality for all women and girls in Minnesota.

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<sup>9</sup> <https://www.revisor.mn.gov/laws/?id=1&doctype=Chapter&year=2011&type=1>

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## Executive Summary of Law and Model Recommendations

Minnesota's Safe Harbor for Sexually Exploited Youth Law, passed in July 2011, is designed to ensure that juveniles who are sexually exploited or at risk of exploitation are treated as victims under Minnesota law. The legislation also ensures that those who purchase juveniles for sex are held accountable and that there is a system of response in place to move victims of sexual exploitation to recovery and healing. Specifically, the law includes five key changes. Two of these changes went into effect Aug. 1, 2011:

1. Include the definition of sexually exploited youth in Minnesota's child protection statutes/laws
2. Increase the penalty against commercial sex abusers ("johns")

*The fees collected under this statute are to be distributed to law enforcement (40 percent), the county attorney (20 percent) and to the commissioner of public safety (40 percent) to create a specific revenue fund to be distributed to organizations that provide services to sexually exploited youth.*

Two changes do not go into effect until Aug. 1, 2014:

3. Exclude sexually exploited youth under the age of 16 from the definition of a delinquent child

*This change to the delinquency statute resolves the conflict in Minnesota law that defined a sexually exploited youth as both a victim and delinquent.*

4. Create a mandatory first-time diversion for any 16 and 17 year old who has been exploited in prostitution

The fifth change directed the commissioner of public safety to work with stakeholders to create a victim-centered response to sexually exploited youth by June 30, 2012. In total, more than 65 people from across Minnesota participated in 12 meetings. The group devel-

oped a series of recommendations to ensure that victims of juvenile sexual exploitation are identified, receive effective victim-centered and trauma-informed services, and are housed safely. The recommendations also ensure that law enforcement has the tools necessary to investigate this crime and build cases that will lead to successful prosecutions. Specifically, 11 recommendations were developed:

1. Create a statewide director position
2. Create six regional navigator positions
3. Provide comprehensive training on juvenile sexual exploitation
4. Ensure effective outreach to youth
5. Support coordinated law enforcement investigations across Minnesota
6. Provide appropriate, effective diversion opportunities to youth ages 16 and 17
7. Modify the Juvenile Protection Hold Statute to meet the needs of sexually exploited youth
8. Ensure access to safe and supportive housing
9. Provide appropriate and accessible supportive services to sexually exploited youth
10. Support efforts to prevent the sexual exploitation of youth
11. Conduct comprehensive evaluation to ensure the No Wrong Door Model to Providing Safe Harbor for Sexually Exploited Youth is an effective model of intervention

Together, these recommendations form the basis of the No Wrong Door Model. Many of these recommendations represent best practices for criminal justice professionals, service providers and social service providers. Some of the recommendations require legislative changes,

the specifics of which are included within this report under the discussion of each recommendation. Many, but not all, of these recommendations require private and public investment. In total, implementation of the No Wrong Door Model to serve sexually exploited youth is estimated to be \$13 million for the biennium.

When fully implemented, these recommendations will ensure that Minnesota is a national leader in providing effective, trauma-informed and victim-centered services to youth.

## Introduction

In early 2010, ECPAT-USA approached The Advocates for Human Rights to create a campaign aimed at passing legislation to protect sexually exploited children in Minnesota. Enlisting The Family Partnership and an array of others working in the field, they convened to discuss legislation to protect sexually exploited youth from criminalization and provide effective services. These advocates developed legislation that was introduced in February 2011. The legislation was endorsed by the Minnesota Human Trafficking Task Force (MN-HTTF) and found support among prosecutors and law enforcement. A bill incorporating the majority of the desired changes was passed in July. The bill is a strong step in securing better protections for sexually exploited children and providing for their needs. It also builds on the excellent efforts already in place in Minnesota.

Once the legislation was passed, the Minnesota Department of Public Safety Office of Justice Programs, along with the key developers of the Safe Harbor Law, met in the late summer of 2011 to discuss the key stakeholders needed to develop an effective statewide victim-centered services model for sexually exploited youth. It was important that those assisting in the development of the model represent myriad communities, perspectives and disciplines. To accomplish this, The Safe Harbor for Sexually Exploited Youth Team (hereinafter the “Safe Harbor Team”) of knowledgeable people representing governmental and non-governmental organizations across Minnesota was convened. In total, more than 65 individuals across Minnesota worked together and participated in 12 meetings to develop this victim-centered model.

### Anti-Human Trafficking Work in Minnesota

Minnesota has long taken a strong stance in protecting and providing services to victims of crime. Minnesota's response to the issue of human trafficking, particularly juvenile prostitution and sexual exploitation, has been no different.<sup>10</sup> In **2005**, under strong legislative leadership, the first state anti-trafficking statutes came into existence. These statutes defined sex and labor trafficking and created a civil liability law for trafficking victims. Legislation requiring an annual *Statewide Human Trafficking Report* also was established.<sup>11</sup>

Also in **2005**, the St. Paul Police Department received its first U.S. Department of Justice grant to begin the Gerald D. Vick Human Trafficking Task Force. This law enforcement task force promotes a collaborative effort among service providers and law enforcement agencies to develop a coordinated approach to fighting the crimes of human

<sup>10</sup> P See The Hofstede Committee Report: Juvenile Prostitution in Minnesota; <http://www.heart.intl.net/HEART/080105/JuvenileProstitutionMinn.pdf>

<sup>11</sup> Legislation: <https://www.revisor.mn.gov/statutes/?id=299a.785> This report was amended in 2008 to make the report biennial. Reports: [https://dps.mn.gov/divisions/ojp/statistical\\_analysis\\_center/Pages/human\\_trafficking\\_reports.aspx](https://dps.mn.gov/divisions/ojp/statistical_analysis_center/Pages/human_trafficking_reports.aspx)

trafficking. Currently, the U.S. Attorney's Office, District of Minnesota, is working in collaboration with the Gerald D. Vick Human Trafficking Task Force to provide law enforcement across Minnesota the opportunity to meet and discuss human trafficking cases. This collaboration allows law enforcement to provide mutual support and resources, while allowing agencies the opportunity to learn more about potentially overlapping investigations.

In **2006**, legislation passed that required the Minnesota Department of Public Safety to convene a statewide human trafficking task force. While the legislation enabling this task force ended in July 2011, members continue to meet quarterly under the leadership of the Minnesota Department of Health.<sup>12</sup> Comprised of governmental and non-governmental agencies, the Minnesota Human Trafficking Task Force (MN-HTTF) continues to provide Minnesota with a forum to vet proposed human trafficking legislation. The MN-HTTF is an important resource for those working on human trafficking issues and will be an integral component to the No Wrong Door Model geared toward serving sexually exploited youth.

Legislation also passed in 2006 to fund legal advocacy clinics and a statewide human trafficking hotline to identify and serve human trafficking victims. During 2006, the first statewide human trafficking report was published and Civil Society established the Human Trafficking Watch<sup>13</sup> to coordinate trainings, conduct public education and outreach and provide services to victims of human trafficking. Civil Society also was funded to provide a Minnesota-specific trafficking hotline and legal clinics to help identify and assist potential international trafficking victims.

In **2008**, at the request of the MN-HTTF, the Advocates for Human Rights conducted a comprehensive needs assessment on sex trafficking. This needs assessment detailed 26 recommendations to address human trafficking in Minnesota. This report has been instrumental in defining the work of the MN-HTTF and other initiatives in addressing sex trafficking in Minnesota.

In addition, the Gerald D. Vick Human Trafficking Task Force hosted a human trafficking conference in 2008 for approximately 200 people. During this same year, the Action Network to End Sexual Exploitation in Minnesota (ANESEM) was established to bring awareness to and prevent human trafficking during the Republican National Convention in St. Paul. ANESEM also worked in conjunction with an organization in Denver, Colo. to address trafficking at the Democratic National Convention.

In **2009**, Minnesota Statutes section 609.322 was amended to specifically define sex trafficking as a crime and provide for increased penalties. The Minnesota Indian Women's Resource Center also published the report *Shattered Hearts: The Commercial Sexual Exploitation of American Indian Women and Girls in Minnesota*.<sup>14</sup>

In **2010**, the Advocates for Human Rights received a grant from the Minnesota Department of Public Safety Office of Justice Programs to develop and deliver training to county attorneys on how to use Minnesota's new law in the prosecution of sex trafficking crimes. During this same year, the Women's Foundation of Minnesota<sup>15</sup> quietly launched its MN Girls Are Not For Sale<sup>16</sup> campaign, a five-year, \$5 million campaign to end prostitution of Minnesota girls through grant making, research, convening and public education.

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<sup>12</sup> <http://www.health.state.mn.us/injury/topic/svp/implement/taskforce/>

<sup>13</sup> <http://www.civilsocietyhelps.org/htw/HOME.html>

<sup>14</sup> [http://www.miwrc.org/system/uploaded\\_files/0000/0105/Shattered\\_Hearts\\_Full\\_Report\\_Web\\_version.pdf](http://www.miwrc.org/system/uploaded_files/0000/0105/Shattered_Hearts_Full_Report_Web_version.pdf)

<sup>15</sup> [www.wfmn.org](http://www.wfmn.org)

<sup>16</sup> [www.MNGirlsNotForSale.org](http://www.MNGirlsNotForSale.org)

In **2011**, two events occurred that shaped the current discussion and response to human trafficking in Minnesota. The first event involved a public declaration by a group of county attorneys announcing they would no longer prosecute minors for prostitution or prostitution-related charges; the second event was the passing of the Safe Harbor for Sexually Exploited Youth law,<sup>17</sup> mandating the development of this victim services model.

Also In **2011**, Breaking Free<sup>18</sup> and MAATTO<sup>19</sup> hosted the Demand Change Project—a two day international anti-human trafficking event that focused on ending the demand for buying and selling human beings. 2011 also included the publication of the Minnesota Indian Women’s Sexual Assault Coalition study Garden of Truth, which focused on in-depth interviews with 150 Native women about their experiences with sex trafficking and prostitution. The Women’s Foundation of Minnesota provided the \$12,000 fiscal note to sponsor the development of the No Wrong Door Model and publically launched its MN Girls Are Not For Sale Campaign in November. In 2012, a series of public resolutions calling on Backpage.com to end its adult classified section, which facilitates the trafficking of minors for sex, also began to reshape the community response to juvenile sexual exploitation. Resolutions that also supported federal legislation addressing the sexual exploitation of youth were passed by the Minneapolis City Council, St. Paul City Council, Ramsey County Board of Commissioners, National Association of Attorneys General and U.S. Conference of Mayors.

This same year, a report commissioned by the Minnesota Indian Women’s Resource Center examined the benefits and costs of early intervention to avoid sex trading by Minnesota’s female youth.<sup>20</sup> This report found that every dollar spent on prevention and early intervention saves the public budget \$34.

Between 2004 and 2012, the Minnesota Department of Health Sexual Violence Prevention Network hosted five human trafficking presentations around the state to raise awareness and encourage local anti-human trafficking work. Communities across Minnesota are convening regional task forces to address issues related to human trafficking. In Duluth, the American Indian Housing Community Organization and the Program for Aid to Victims of Sexual Assault have come together to provide leadership around the sex trafficking of Native women and girls. Rochester, Bemidji, Brainerd, and St. Cloud are all in the early stages of forming working collaborations.

In addition to the ongoing anti-human trafficking work taking place, Minnesota also is fortunate to have 27 agencies that have specific programming for runaway and homeless youth. Although there is a common recognition that there are not enough services to meet the demand, these providers do an excellent job of offering a continuum of services, which include street outreach, family reunification, drop-in center services, emergency shelter, transitional housing and youth supportive housing.

<sup>17</sup> <http://www.womenspress.com/main.asp?SectionID=1&SubSectionID=1&ArticleID=3984>

<sup>18</sup> <http://breakingfree.net/>

<sup>19</sup> Men Against the Trafficking of Others <http://mattoo.org/>

<sup>20</sup> [http://www.miwrc.org/system/uploaded\\_files/0000/0147/Benefit\\_Cost\\_Study\\_Full\\_Report\\_9\\_4\\_2012.pdf](http://www.miwrc.org/system/uploaded_files/0000/0147/Benefit_Cost_Study_Full_Report_9_4_2012.pdf)

Minnesota's non-governmental organizations have shown strong leadership, advanced thinking, initiative and commitment to ending human trafficking. While it is not possible to name all organizations that are committed to working on this issue, the following programs provide examples of important work already occurring in our state: The Advocates for Human Rights<sup>21</sup> (research, policy and training), Catholic Charities<sup>22</sup> (advocacy), the Minnesota Human Trafficking Task Force<sup>23</sup> (effective collaborations), Family Partnership<sup>18</sup> and Breaking Free (front line advocacy services), Minnesota Not for Sale Campaign (public awareness), the Runaway Intervention Project (trauma-informed services) and the Gerald D. Vick Human Trafficking Task Force (investigation and prosecution).

These initiatives, collaborations and publications, along with Minnesota's well developed crime victim services network, have uniquely positioned the state to develop and implement the proposed No Wrong Door Model to serving juvenile victims of sex trafficking.

**Much of the work to address human trafficking in Minnesota would not be possible without strong, bipartisan legislative support both at the state and federal level. Polaris Project, a leading organization in the global fight against human trafficking, ranks each state on 10 categories of law that are critical to a basic legal framework that combats trafficking, punishes traffickers and supports victims. For 2012, Minnesota was one of 21 states to receive a tier one ranking for having passed the majority of basic laws to combat trafficking. However, Minnesota was identified as deficient in two areas — Minnesota currently does not have legislation requiring a statewide human trafficking task force<sup>28</sup> or any legislation allowing sex trafficking victims the opportunity to vacate prostitution-related convictions.**

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<sup>21</sup> <http://www.theadvocatesforhumanrights.org/>

<sup>22</sup> <http://www.osjspm.org/>

<sup>23</sup> <http://www.health.state.mn.us/injury/topic/svp/implement/taskforce/>

<sup>24</sup> <http://thefamilypartnership.org/>

<sup>25</sup> <http://www.breakingfree.net/>

<sup>26</sup> [http://www.notforsalecampaign.org/news/topic/minnesota\\_not\\_for\\_sale/](http://www.notforsalecampaign.org/news/topic/minnesota_not_for_sale/)

<sup>27</sup> <http://www.stpaul.gov/index.aspx?NID=3704>

<sup>28</sup> While Minnesota does not have a legislatively mandated task force, the Minnesota Human Trafficking Task Force (MN HTTF), formed in 2006 continues to convene without a mandate under the guidance of the Department of Health.

## The Importance of the Safe Harbor Law to Sexually Exploited Youth

Minnesota, like most other states, has laws that allow for the arrest, adjudication and detention of youth for prostitution and prostitution-related offenses. Minnesota's current legal framework views juveniles used in prostitution as offenders although many police officers and prosecutors prefer not to charge youth with prostitution-related crimes. However, many youth are still charged with other offenses and placed in secure custody based on law enforcement's desire to keep the youth safely off the streets. This response, while well-intentioned, creates a discrepancy in how law enforcement and others would like to treat juveniles used in prostitution (as victims) and the way the system dictates how they must respond (as delinquents). **This Safe Harbor for Sexually Exploited Youth legislation requires those who come into contact with sexually exploited youth and youth at risk for exploitation to shift their paradigm of response from one of viewing sexually exploited youth as criminals, to one where these children are seen as crime victims.** This legislation calls on those who work with youth to create a new system of response that addresses the myriad needs of this population, keeps youth safe and holds accountable those responsible for the harm. This approach is much more appropriate for sexually exploited youth, many of whom are first approached by traffickers at a very young age,<sup>29</sup> and may have other risk factors, such as:

- being a runaway or homeless youth
- having drug or alcohol problems
- being a female gang member
- being a gay, lesbian or transgender homeless youth<sup>30</sup>

These risk factors, along with a victim's age and lack of maturity, mean most youth do not have the life experiences or supports needed to protect them from a trafficker's control tactics. Traffickers employ many damaging tactics, including physical assault and emotional harm, to keep youth under their control. In addition, traffickers often put their victims in situations of criminal or delinquent behavior to not only make them less credible witnesses, but to further damage their sense of identity and marginalize them from support systems. Traffickers also control their victims by supplying them with drugs and alcohol.

Understanding the vulnerabilities of these youth and the extremely damaging control tactics employed by traffickers underscores the importance of providing sexually exploited youth with a victim-centered response that strives to protect and restore their lives, while holding traffickers and commercial sex abusers accountable for the harm they cause.

<sup>29</sup> [http://centerforchildwelfare2.fmhi.usf.edu/kb/humantraf/SHI\\_National\\_Report\\_on\\_DMST\\_2009{1}.pdf](http://centerforchildwelfare2.fmhi.usf.edu/kb/humantraf/SHI_National_Report_on_DMST_2009{1}.pdf)

<sup>30</sup> Birkhead, T. R. (2011). The "Youngest Profession": Consent, Autonomy, Prostituted Children. *Washington Law Review*, volume 88, Number 5 (Striving for APA citation form??)

# No Wrong Door: Providing Safe Harbor for Minnesota's Sexually Exploited Youth

Contact Through Social Services, Community Organizations and Business



Community/Social Service Professionals

Juvenile Justice Professionals

Statewide Director  
Advisory Committee

Regional Navigators  
Six Regions

Information  
and Referral

Justice System

Child Welfare System  
Child Protection  
Juvenile Justice

Supportive  
Services  
Housing  
Services

To meet the many  
needs of sexually  
exploited youth.

Culturally Specific  
Gender Responsive

System Contact and System Involved

*The Safe Harbor for Sexually Exploited Youth Team determined a set of values and an overarching philosophy of service that informs all aspects of the No Wrong Door Model. These values and philosophies should be understood and incorporated into trainings, services and system response provided to sexually exploited and at-risk youth.*

## Underlying Values and Philosophy

1. Sexual exploitation of youth is pervasive in Minnesota and affects youth from across the state. Youth who are sexually exploited and victims of trafficking often don't identify as such. Therefore, those who come into contact with youth should be **trained to identify sexual exploitation**. This training will provide Minnesota youth with no wrong door to receiving services and support.
2. Youth who are sexually exploited are **victims of a crime** and should be treated as victims, not perpetrators.
3. Victims should not feel afraid, isolated or trapped.
4. Sexual exploitation is traumatic. These types of traumatic experiences, especially when compounded over time, can result in youth who are mistrustful of adults and authority. It can result in feelings of depression, shame, hopelessness and post-traumatic stress, and can harm relationships with others. Traumatic experiences, especially sexual exploitation, also can impact physical health, including reproductive health. Trauma impacts drug and alcohol use as well. While trauma harms one's sense of self and connection to community, youth can and will heal from the exploitation they have experienced. Comprehensive victim-centered services for youth should be based in **trauma-informed care**.
5. Services also should be **responsive to the needs of individual youth**. This includes making services available that are gender-responsive, culturally competent, age-appropriate and supportive for youth who are gay, lesbian, bisexual, transgender and questioning (GLBTQ).
6. Services should be offered **statewide**, with services designed to reflect the specific regional needs of different areas.
7. Youth have a right to **privacy** and **self-determination**, including the right to understand and consent to the data that is collected and shared about them.
8. While minimizing the risks youth have for sexual exploitation is vital to the safety and recovery of sexually exploited youth, ensuring that services are based in **positive youth development principles** is equally important. Positive youth development builds on the strength and resiliency of youth, ensuring they have the support needed to become successful in life.
9. Sexual exploitation can be **prevented**. While this model is designed to intervene and work with youth who have been or are at risk of being a victim of sexual exploitation, it is equally important that efforts be undertaken to change the culture and environment that allows for and accepts the sexual exploitation of children.

*The Safe Harbor for Sexually Exploited Youth Team also developed a set of basic assumptions that guided the development of model specifics. The assumptions, while not mentioned throughout the report, are integral to each aspect of the model and should be considered essential in the development of any training, services or system response to sexually exploited youth and youth at risk for sexual exploitation.*

### **Basic Model Assumptions**

1. The child protection system is not designed, nor is adequate to address the needs of sexually exploited youth, especially when that youth is a teenager and has not experienced familial abuse.
2. The juvenile delinquency system is not designed, nor is adequate, to address the needs of sexually exploited youth who are victims of a crime.
3. Whenever possible, existing services should be used to provide services to sexually exploited youth. These services should be based in the community. Organizations that work with youth should be adept at identifying sexual exploitation. When appropriate, these organizations also should incorporate trauma-informed methods to their services.
4. When possible, peer models and supports should be made available to sexually exploited youth.
5. Services should be multidisciplinary and coordinated. These services should be available to youth for an open-ended amount of time, as best fits the needs of the youth.
6. Law enforcement and service providers should work together to identify victims, provide appropriate services and prosecute traffickers and commercial sexual abusers.
7. Holding youth in juvenile detention is undesirable. However, keeping youth safe from traffickers and commercial sexual abusers is paramount. Access to a comprehensive needs assessment and services is vital when there are no other options and youth must be securely held for personal safety reasons.
8. Addressing the complex needs of sexually exploited youth is difficult, particularly when youth have difficulty establishing trusting relationships. This model assumes those working with sexually exploited youth have the proper experience, training and skills needed to effectively establish relationships with this population. The model also assumes those working with this vulnerable population of children have been screened thoroughly.

## Coordination, Training and Outreach Recommendations

### Recommendation #1 — Create a Statewide Director Position

It is recommended that Minnesota create a full-time statewide human trafficking director position in the Department of Health. This position would be supported by a select advisory board comprised of members from the MN-HTTF. Membership on the advisory board should include representatives from the Minnesota Department of Human Services and Minnesota Department of Public Safety. Other membership should reflect the multidisciplinary approach of this model. The statewide director position is integral to successfully implementing the No Wrong Door Model.

#### Specifically, it is recommended that the statewide director be responsible for:

1. Coordinating statewide trainings (see recommendation #3).  
This work will be critical in the early stages of implementation, as training is a key component to the overall success of the model.
2. Collecting, organizing, maintaining and disseminating information on sexual exploitation and services across the state as a resource to stakeholders, including a web-based resource list.
3. Monitoring and applying for federal funding for anti-trafficking efforts that may benefit victims in Minnesota.
4. Oversight and grant management of the training, outreach, housing, services, evaluation and prevention monies.
5. Identifying best practices in serving sexually exploited youth.
6. Developing the request for proposals (RFP) and the process for determining the grant awards for the regional navigators (see recommendation #2). In addition, the director will ensure work plans and goals are developed and followed, and that funds are being spent accordingly.
7. Providing oversight of the regional navigator grants.
8. Supporting and providing technical assistance and training to Minnesota's regional navigators. While the regional navigators would not directly report to the statewide director, the director would specifically be responsible for ensuring that the regional navigators have developed the proper relationships and roles within their regions to address the needs of victims and meet the terms of the grant.
9. Overseeing the No Wrong Door implementation process and outcome evaluation (see recommendation #11).
10. Collaborating with entities knowledgeable about data privacy and confidentiality to develop a comprehensive and thorough policy that addresses confidentiality and data sharing related to sexually exploited youth and the efforts of the regional navigator, multidisciplinary teams and community-based advocates. Engaging community stakeholders and encouraging their efforts toward primary prevention.
11. Consulting with the No Wrong Door Advisory Board, comprised of members from the MN-HTTF and representatives from the departments of public safety and human services.

**Rationale:** The No Wrong Door Model requires extensive training, coordination and multiple systems working collaboratively to ensure sexually exploited youth are properly identified and served. Currently, there is no one person or agency responsible for ensuring the relevant stakeholders are engaged, trained and knowledgeable about serving this population. Statewide oversight and coordination is vital to the provision of quality services and effective systems response across the state.

**Legislative action:** Legislation will be required to establish and fund this position within the Minnesota Department of Health. Legislation also will be required to establish the No Wrong Door Advisory Board

**Cost:** \$165,100 (\$82,550 base salary plus fringe benefits)<sup>31</sup> per biennium.

## Recommendation #2 — Fund Six Regional Navigator Positions

It is recommended that Minnesota fund a minimum of six regional navigators located in the north, south, central and metro regions of the state. These would be grant-funded positions located in governmental, non-governmental or tribal agencies, depending on the resources and needs of the region served. These grant-funded positions would be accountable to the Minnesota Department of Health through a grant process managed by the statewide director. It is assumed these positions will be either full- or part-time, depending on the needs and capacity of the region.

Each regional navigator would be required to develop and submit a work plan to the statewide director that would contain the following components:

- Regional needs statement, which should include an examination of the regional population at risk
- Regional strengths and resources
- Grant goals
- Measureable outcomes
- Work plan with grant activities and timelines

### Depending on the needs of the region, these positions could be responsible for:

1. Serving as a regional expert and resource to professionals who may need information on how to work with juvenile sex trafficking victims or where to refer them.

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<sup>31</sup> Fringe is estimated at 12.65% and \$16,026 for insurance.

2. Providing information to the general public and others seeking to learn more about juvenile sex trafficking.
3. Ensuring that training has been provided to regional stakeholders so youth in that region encounter no wrong door to services, and professionals who come into contact with youth know the signs of sex trafficking and can access the services identified by the regional navigator.
4. Working to ensure adequate outreach and services for sex-trafficked youth are available in their community region.
5. Completing victim assessments to ensure youth who are referred to them receive a comprehensive, trauma-centered service plan that meets the youth's individual needs.
6. Providing initial case management to sex-trafficked youth by developing a comprehensive service plan and making appropriate referrals to services.
7. Providing ongoing case management services to sexually trafficked juveniles, verifying their eligibility for services, coordinating these services, providing support to sex-trafficked youth, and ensuring youth are safe and able to participate in services.
8. Working to engage community stakeholders and dedicating a portion of their efforts in primary prevention (see Recommendation #10 for examples of primary prevention activities).

**Rationale:** While we are seeking to develop a statewide victim services model for sex-trafficked youth, it is clear that different regions of the state have unique populations, services, needs and strengths. It also is clear that services and resources for sex-trafficked youth are often uncoordinated and the relationships between organizations providing comprehensive services to youth do not exist. A regional navigator position will ensure the community is able to work collectively and effectively to provide no wrong door to sex-trafficked youth. The specific regions to be served by the navigators will be defined in the statewide director's request for proposal (RFP). The RFP could dedicate one of the regional navigator positions to work specifically with the Native American community.

**Legislative action:** Legislation will be required to establish the grant fund for the regional navigator. Funds should be allocated to the departments of health, human services and public safety to ensure a wide variety of stakeholders receive appropriate training.

**Cost:** \$762,000 (annual \$63,500 base salary + fringe x six positions) per biennium.

### Recommendation #3 — Provide Comprehensive Training on Juvenile Sexual Exploitation

It is recommended that Minnesota develop and make available training for social service professionals, medical professionals, public health workers, criminal justice professionals and others who come into contact with youth on how to recognize, screen, refer and investigate sexual exploitation.

#### Specifically, it is recommended that:

1. Training opportunities be identified and coordinated by the statewide director.
2. As appropriate, training and curriculum development should include input from those who have experienced sex trafficking.
3. Effective curriculum and trainings that have already been developed should be utilized.
4. Training should be conducted on an ongoing basis, rather than a one-time event.
5. When possible, training should be incorporated into professional licensure and development standards (e.g., social work curriculum, continuing education credits, POST credits).
6. Communities that reflect the demographics of victims should have the opportunity to provide training.
7. Training should be tailored to individual audiences, but should always be victim-centered. It also should include information on the trauma experienced by juvenile sex trafficking victims and how that may manifest through substance abuse, emotional disorders, health problems, issues with interpersonal relationships and distrust in the criminal justice system.
8. Primary prevention trainings should be developed and available to organizations and communities that want to further address the root causes of juvenile sexual exploitation.
9. Training should rely on best practices for successful outreach to sexually exploited youth (see recommendation #4).
10. Training should include information on vulnerability to trafficking, techniques traffickers use to recruit victims, the impact on victims and the types of interventions that assist victims in recovery and effective primary prevention strategies.
11. Law enforcement, in particular patrol officers, should be afforded multiple opportunities and methods to receive training on juvenile sex trafficking. The Bureau of Criminal Apprehension (BCA) should be considered to provide law enforcement trainings and information on coordinated investigations (see recommendation #5).
12. Attorneys should be trained on the medical, legal and housing needs of sexually exploited youth (see recommendation #9).

**Rationale:** Comprehensive, effective training is the backbone of the No Wrong Door Model to serving sexually exploited youth. Youth often do not identify as sex trafficking victims; any professional who encounters youth should be trained on how to identify the signs of sexual exploitation, conduct an initial screening, and refer to the appropriate regional navigator, service or other professional. Extensive and effective training will ensure more youth are identified as sexually exploited and that they will have access to appropriate, responsive and effective services.

**Legislative action:** Legislation will be required to establish a training grant fund.

**Cost:** \$750,000 per biennium (\$500,000 in 2013 and \$250,000 in 2014).

## Recommendation #4 — Ensure Effective Outreach to Youth

Sexually exploited youth typically do not come forward and self-identify as victims. Many youth receive services at drop-in centers, emergency shelters or housing programs, schools, emergency rooms and other programs or organizations even though they have not been identified as sexually exploited. For these reasons, it is critical that the appropriate outreach efforts be made to sexually exploited youth in order to connect them with the comprehensive services and supports they need.

In addition to training (see Recommendation #3) for professionals who come into contact with youth, particularly at risk youth, it is recommended that Minnesota implement a model of outreach so sexually exploited youth can access support and services from common, everyday points of contact. These points of contact include public transportation, libraries, coffee shops and other areas youth congregate. This recommendation addresses that need and also strengthens the role of current street outreach workers, who are likely to come into contact with sexually exploited youth in the course of reaching out to homeless and runaway youth.

### Specifically, it is recommended that:

1. Local communities identify appropriate businesses and industries (e.g., gas stations, coffee shops, bus drivers,) to collaborate with their regional navigator and other local service providers to identify a central point of contact. This will help ensure when a youth is identified or self-identifies as sexually exploited, he or she is immediately connected with supportive resources.

2. Street outreach workers,<sup>32</sup> who already know how to effectively work with runaway and homeless youth, should be trained in how to work specifically with sexually exploited youth and connect them with supportive services.
3. Adequate numbers of street outreach workers are available in each region of the state. If there are not adequate numbers of outreach workers in a specific region, regional navigators (see Recommendation #2) should ensure that funding for these positions is included in their grant proposal to the Minnesota Department of Health. It is recommended that four outreach workers be available in each of the six regions proposed in this model.

**Rationale:** In addition to training, effective outreach to sexually exploited youth — many of whom are homeless or have run away — is crucial to the success of the No Wrong Door Model. Ensuring citizens who encounter youth every day know what to do if a youth discloses their victimization is a critical component to meeting youth where they are and opening an appropriate door to services and support.

In addition, street outreach is an effective and established method for identifying and providing basic needs to sexually exploited youth.<sup>33</sup> Currently, it is anticipated that an additional 14 street outreach workers would be needed to conduct appropriate outreach across the state.

**Legislative action:** Legislation would be required to establish funding for outreach positions.

**Cost:** \$1,064,000 (\$38,000 base salary + fringe x 14 positions) per biennium.

<sup>32</sup> Street outreach workers respond to street youths' immediate needs for food, clothing, shelter and medical care. They work to both provide homeless and runaway youth with basic necessities but to also build relationships and help youth find a more stable living situation. See the Runaway and Homeless Youth Act, Senate File 2833 for more detailed information.

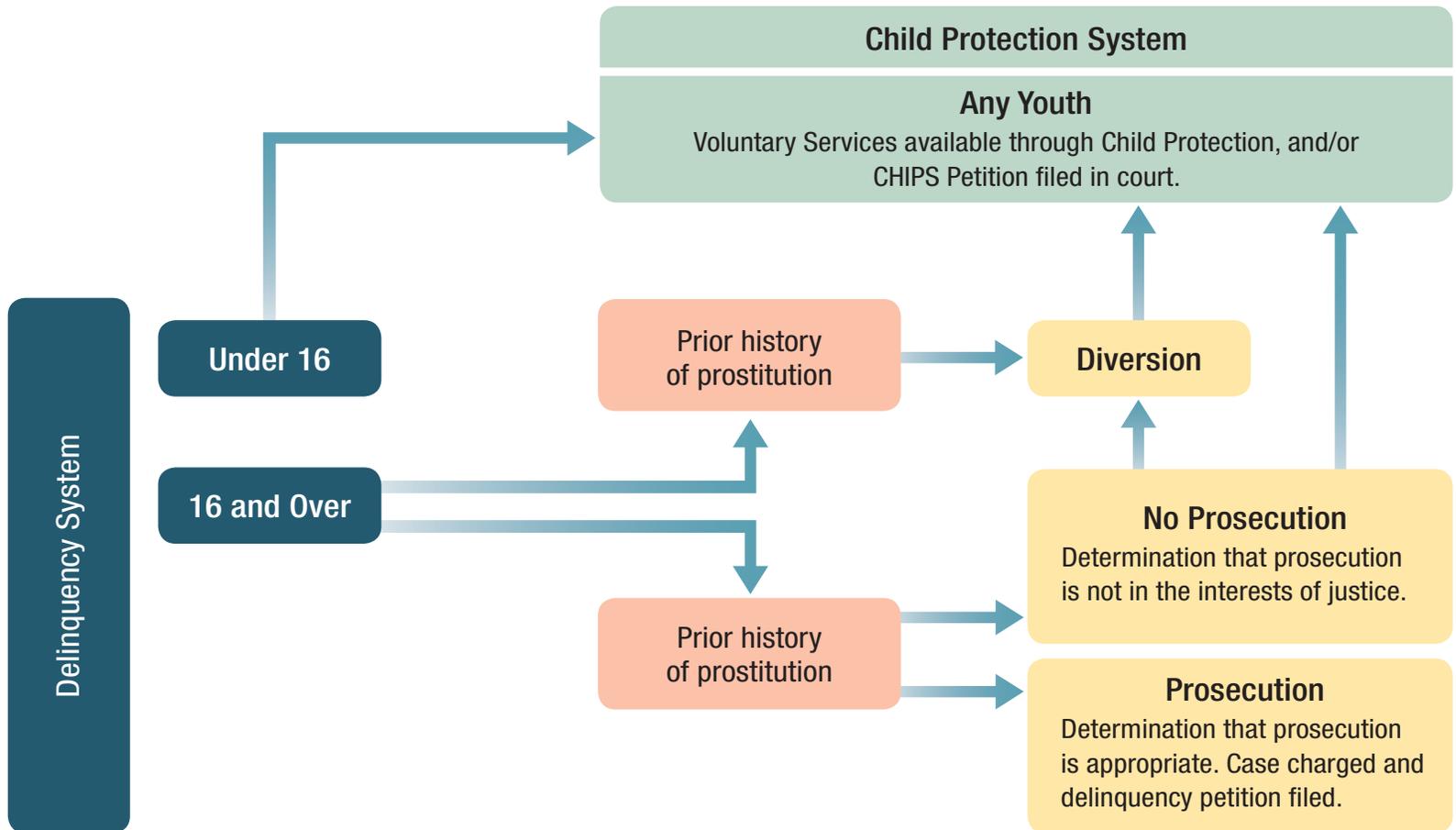
<sup>33</sup> Collaborative Community Health Research Centre, University of Victoria, Oct. 2002. Research Review of best Practices for the Provision of Youth Services. [http://www.mcf.gov.bc.ca/youth/pdf/best\\_practices\\_provision\\_of\\_youth\\_services.pdf](http://www.mcf.gov.bc.ca/youth/pdf/best_practices_provision_of_youth_services.pdf)

## Justice System Recommendations

While most sexually exploited youth will be identified and receive services through the community and non-governmental agencies, there will be youth who are already in the juvenile justice or child

protection system who will be identified as sexually exploited. Under the Safe Harbor law, these youth will need a new response that treats them as victims and children in need of services, rather than juvenile delinquents. The chart below is a representation of how the delinquency and child protection systems should respond to system-involved, sexually exploited youth.

### Responding to Systems-Involved Sexually Exploited Youth: Process Under New Safe Harbor Law



As a result of the 2011 Safe Harbors Law, youth under the age of 16 cannot be charged in the delinquency system; there is mandatory diversion for youth with no prior history of prostitution, with optional diversion if there is a prior history.

## Recommendation #5 — Support Coordinated Law Enforcement Investigations across Minnesota

It is recommended that law enforcement increase their ability to effectively conduct victim-centered investigations focused on arresting traffickers and commercial sex abusers.

### Specifically, it is recommended that:

1. Law enforcement officers be trained on best practices in victim-centered juvenile sex trafficking investigations (see recommendation #3).
2. Law enforcement agencies, specifically investigators, should work across jurisdictions to share information and resources, and coordinate investigations. Furthermore, it is recommended that a clearinghouse for investigations be established that would be responsible for maintaining a centralized database of investigations, traffickers and commercial sex abusers.
3. No new law enforcement task forces be created. However, it is important that the violent crime enforcement teams be knowledgeable about the issue of juvenile sex trafficking, identifying victims and investigative techniques.
4. The Gerald D. Vick Human Trafficking Task Force continues to expand their training to law enforcement on the protocols it has developed for human trafficking investigations, on identifying and working effectively with trafficking victims, and successful collaborations with non-governmental agencies and other law enforcement agencies in human trafficking investigations.
5. The Bureau of Criminal Apprehension should coordinate statewide training for investigators and law enforcement on best practices in sex trafficking investigations and provide technical/investigative assistance to law enforcement in investigating these cases.
6. Law enforcement ensure community-based advocacy services be offered to victims as soon as possible. Advocacy services should continue throughout the prosecution of the traffickers and commercial sex abusers.
7. Law enforcement ensure advocates are not directly involved with sting operations or investigations.

**Rationale:** Holding those who sexually exploit juveniles accountable for their crimes is vital to public safety and sends the message that sexual exploitation is unacceptable. Human trafficking investigations are difficult, time consuming and resource intensive. Coordinated human trafficking investigations that are well-informed and victim-centered will help the state become more effective and successful in prosecuting traffickers and commercial sex abusers.

**Legislative action:** No legislative action is required.

**Cost:** There are no costs associated with this recommendation, with the exception of training costs detailed in recommendation #3.

## Recommendation #6 — Provide Appropriate, Effective Diversion Opportunities to Youth Ages 16 and 17

The Safe Harbor Law requires that 16 and 17 year olds receive a mandatory, first-time diversion when arrested for prostitution or prostitution-related charges. It is recommended that, whenever possible, law enforcement and county attorneys divert youth as a means of keeping victimized youth from becoming more deeply involved in the juvenile justice system and experiencing the collateral consequences associated with arrests, charges and convictions.

### Specifically it is recommended that:

1. Diversion opportunities for 16 and 17 year olds include an individual needs assessment that addresses issues of sexual exploitation. Youth should be referred to services based on the results of this assessment. It is expected that youth who are 16 and 17 years old will receive the same types of services younger youth will receive through the No Wrong Door Model.
2. Specific victim-centered diversion opportunities are developed for sexually exploited youth. These opportunities should ensure youth are receiving information on the dynamics of sex trafficking and healthy relationships.
3. Sexually exploited youth should not participate in generic diversion programming with youth who have committed other delinquency offenses. Many diversion programs are designed to address juvenile delinquency and offending, and would not be appropriate for youth who have been victimized.

4. When possible, sexually exploited youth are diverted to a community-based organization trained to address the specific needs of this population. This is particularly true for police departments, most of which do not provide formal diversion opportunities.
5. Sexually exploited youth should not be excluded from diversion opportunities because of past non-prostitution-related adjudications or diversions.

**Rationale:** The Safe Harbor for Sexually Exploited Youth law dictates that diversion is available to 16 and 17 year olds who are arrested for prostitution or prostitution-related crimes. Law enforcement often provides youth with diversion opportunities and Minnesota law requires county attorneys to provide diversion services for delinquency matters. Diversion opportunities for youth by both law enforcement and county attorneys prevent the collateral consequences that come with having a charge on a youth's record. Diversion also is an opportunity to connect youth with supportive services. Ensuring that law enforcement and county attorney diversion programming addresses the dynamics of sex trafficking and offer support to youth is an effective intervention and recidivism reduction strategy.

**Legislative action:** No legislative action is associated with this recommendation.

**Cost:** There is no state-level cost associated with this recommendation. However, there will likely be a cost to city and county governments as this would require an expansion of the diversion services currently offered.

## Recommendation #7 — Modify the Juvenile Protection Hold Statute to Meet the Needs of Sexually Exploited Youth

Most sexually exploited youth and those at risk of exploitation will be identified and served in the community through non-governmental organizations. However, law enforcement officers sometimes come into contact with sexually exploited youth in situations where their safety and security is compromised. When this happens, it is recommended that sexually exploited youth be held in the least restrictive setting possible and only as a means to keep the youth safe. Holding a sexually exploited youth in detention should be the last alternative; while there, they should have an early assessment of their needs, which may include a transfer to a different community to avoid custody in a secure setting.

The No Wrong Door Model supposes that when fully implemented, law enforcement will have a variety of available and appropriate shelter spaces (see Recommendation #8) to keep juvenile victims safe within an environment more adept than juvenile detention at providing services and support. This kind of safety, support and victim-centered approach will in turn allow victims the strength and trust to assist law enforcement in the prosecution of traffickers.

### Specifically, it is recommended that:

1. Chapter 260C (child protection) be amended to allow a sexually exploited youth to be taken into custody if the child is in surroundings or conditions that endanger the child's health or welfare. This would allow the child to be securely placed for up to 24 hours for their safety.
2. Chapter 260C be further amended so that upon motion by the prosecutor, and subject to judicial review, a youth can be held up to an additional 48 hours (72 hours total) in a secure placement upon a showing that release poses an immediate danger to the youth. The ability of the trafficker to access and harm the child should be considered when determining if the child's health or welfare would be endangered.

3. Counties may rely on multi-disciplinary teams, under section 626.358, to help determine the needs of the child.
4. Protocols be developed that first consider the transfer of youth to a different community, outside the reach of the trafficker. This type of protocol allows for placement in a less restrictive facility, while still ensuring safety. If transfer is not possible, other placement options should be considered, with secure placement as a last resort.
5. The youth's access to his or her family also should be considered when determining if placement in a different community is considered.
6. Sexually exploited youth involved in the child protection or the juvenile justice system are referred to appropriate community-based advocacy services. This also can include referral to appropriate child protection housing options, such as specially trained foster families (see recommendation #8).

**Rationale:** Juvenile detention for sexually exploited youth is not a victim-centered approach. However, some sexually exploited youth may be at risk for harm if immediately released or placed in a non-secure shelter. Working to ensure youth who need to be in protective custody are treated as victims, are outside the influence of their trafficker, and have access to services and supports is consistent with a victim-centered approach to working with sexually exploited youth.

**Legislative action:** Amend section 206C to include sexually exploited youth so that a juvenile can be held in secure placement for up to 72 hours, upon motion to the court if it can be shown that the youth is in immediate danger.

Legislation would be required to establish funding for outreach positions.

**Cost:** \$70,000 (\$35,000/year) per biennium appropriated for transportation costs.

## Housing and Supportive Services Recommendations

### Recommendation #8 — Ensure Access to Safe and Supportive Housing

Currently, there are no shelter or housing services specifically dedicated to meet the needs of sexually exploited youth or those at risk of sexual exploitation in Minnesota. Additionally, the results of an extensive analysis of the housing services for homeless and runaway youth have shown the number of beds available is inadequate to serve the current population of youth who are in need. Because it is anticipated that the training and outreach efforts detailed in this report will result in more youth needing housing, specifically housing that provides appropriate services, it is recommended that four types of shelter and housing services be available specifically for sexually exploited youth across Minnesota to meet the different needs of youth, depending on their circumstances and the extent of their trauma and victimization:

1. Emergency shelters
2. Transitional living programs
3. Youth supportive housing programs
4. Foster families trained to host sexually exploited youth who are already in the child welfare system

#### **Specifically, it is recommended that emergency shelters:**

1. Provide 20 beds across Minnesota specifically for sexually exploited youth and those at risk for exploitation.

2. Accept referrals from a variety of sources, including youth themselves.
3. Address the youth's immediate needs and work to resolve crises including immediate safety concerns, physical and mental health issues, chemical dependency, emotional well-being and family reunification whenever safe and appropriate.

#### **Specifically, it is recommended that transitional living programs:**

1. Dedicate 15 units specifically for sexually exploited youth.
2. Provide services to sexually exploited youth for up to 24 months.
3. Provide opportunities for youth to participate in either congregant or individual living arrangements.

#### **Specifically, it is recommended that youth supportive housing programs:**

1. Dedicate five supportive housing units to sexually exploited youth and those at risk of exploitation.
2. Provide services for an unlimited length of stay.
3. Provide intensive services specifically designed to address the needs of sexually exploited youth with severe chemical dependency and/or mental health issues.

**Specifically, it is recommended that foster families:**<sup>34</sup>

- Be trained and made available to provide a safe, supportive living arrangement for sexually exploited youth who are in the county child protection system or have been deemed Children in Need of Protection or Services.
- Be trained on the special needs for this population of youth.

**Rationale:** Many sexually exploited youth need immediate access to safe, supportive shelter. It is important that youth be able to access beds in other areas of the state if safety dictates. Additionally, access to emergency shelter is vital if law enforcement is to have a safe, dependable alternative to juvenile detention. Currently, Minnesota has only 108 emergency shelter beds and 599 units of transitional living/supportive youth housing for the entire state’s homeless youth population, despite there being up to 2,500 youth on the street each night.<sup>35</sup> It is critical that the existing emergency shelter, transitional and supportive housing programs for runaway and homeless youth continue to be supported and expanded because research has shown being a runaway or homeless youth is one of the top risk factors leading to youth being sexually exploited. The sexually exploited youth who cannot be reunified with family due to safety reasons need a place to heal, grow and transition to stability. Since there is not the capacity in the current shelter and housing services for runaway and homeless youth, it is recommended that additional shelter and housing services specific to the needs of sexually exploited youth be available.

**Legislative action:** Amend Minnesota’s Runaway and Homeless Youth Act (Minnesota Statutes § 256K.45) to specifically include a definition of “sexually exploited youth and youth at risk of sexual exploitation” after the definitions of “homeless youth” and “runaway youth.”

Legislation also would be required to establish additional monies dedicated to housing sexually exploited youth.

**Cost:** The costs associated with the housing options presented in this model are based entirely on operating costs.

<b>Emergency shelter:</b>	\$2.19 million per biennium (20 beds x \$150/night x 730 nights)
<b>Transitional living programs:</b>	\$1.37 million per biennium (15 units x \$125/night x 730 nights)
<b>Supportive housing programs:</b>	\$547,500 per biennium (5 units x \$150/night x 730 nights)
<b>Foster families:</b>	\$365,000 per biennium (10 families x \$50/night x 730 nights)
<b>One time housing/shelter construction costs:</b>	\$4 million
<b>Total</b>	<b>\$8,472,500 for housing</b>

<sup>34</sup> This housing recommendation applies specifically to youth who are either in the county child protection system or are Children in Need of Protection or Services.

<sup>35</sup> [http://www.wilder.org/Wilder\\_Research/Publications/Studies/Homelessness%20in%20Minnesota,%202009%20Study/Homelessness%20in%20Minnesota%202009,%20Full%20Report.pdf](http://www.wilder.org/Wilder_Research/Publications/Studies/Homelessness%20in%20Minnesota,%202009%20Study/Homelessness%20in%20Minnesota%202009,%20Full%20Report.pdf)

## Recommendation #9 — Provide Appropriate and Accessible Supportive Services to Sexually Exploited Youth

Once identified, sexually exploited youth and those at risk for exploitation should be afforded the opportunity to receive services specifically designed to meet their needs, address the harm caused by the trafficking and move them toward recovery and self-efficacy. It is vital that these services be available to youth in a variety of settings, including community-based organizations and emergency and supportive housing programs. It is recommended that sexually exploited youth should have access to the following types of services:

- Advocacy
- Civil legal services
- Health care
- Mental and chemical health care
- Education and employment
- Aftercare and relapse prevention
- Family reunification

These services will be offered in myriad ways depending on regional strengths and needs; however, it is through street outreach that youth will be identified, screened and referred to these services. The regional navigator will play a critical role in ensuring comprehensive training is provided to those who work with youth. The regional navigators also will play a role in fostering effective relationships between street workers and service providers.

This recommendation relies on building the capacity and expertise of existing services to meet the needs of sexually exploited and at-risk youth. However, it is recognized that in some communities the needed services may not exist and will need to be developed.

### Specifically, it is recommended that advocacy services:

1. Provide sexual assault services, domestic violence services and crisis intervention.
2. Be available to youth regardless of whether the sexually exploited youth reports their exploitation to law enforcement or participates in prosecution.
3. Be community-based and representative of sexually exploited youth.
4. Respect the privacy of the victims. Upon accessing advocacy services, sexually exploited youth should be fully informed of their rights to privacy related to data collected about them and any exceptions to confidentiality.
5. Be available after a youth has contact with law enforcement, as well as through the prosecution process.
6. Not be involved in law enforcement sting operations or investigations.
7. Be considered as a part of multidisciplinary teams (see Juvenile Protection Hold recommendation #7).

### Specifically, it is recommended that civil legal services:

1. Be available to sexually exploited youth free of cost.
2. Be readily available across the state to respond competently to the needs of sexually exploited youth.

### Specifically, it is recommended that health care services:

1. Provide easy access for youth and have seamless referral pathways to treatment services. Sexually exploited youth will access health care services from a variety of entry points. All efforts should be made to ensure youth are linked to a single care provider for the continuity of medical services.

2. Refer youth to appropriate services for a comprehensive health care assessment, which may include referral to a Child Advocacy Center (CAC) and, if desired, forensic screenings at those facilities.
3. Offer age-appropriate, confidential and responsive care to meet the individual needs of the youth.
4. Connect sexually exploited youth with a community-based advocate and/or the regional navigator to ensure the youth is receiving other needed services.

**Specifically, it is recommended that mental health care services:**

1. Provide sexually exploited youth with evidence-based, trauma-informed mental health care in settings where youth are already accessing other supportive services.
2. Provide therapies that address mood disorders, post-traumatic stress, trauma, suicidal ideation and suicide attempts.

**Specifically, it is recommended that chemical health services:**

1. Provide either inpatient or outpatient treatment, depending on the needs of the sexually exploited youth.
2. Be combined with mental health services when youth have dual chemical/mental health diagnoses.

**Specifically, it is recommended that education and employment services:**

1. Be offered to sexually exploited youth to move them toward independence. These services should include job readiness training and job search assistance.
2. Include internships and opportunities for entry-level employment to gain experience.

3. Include youth-run businesses to help sexually exploited youth learn additional work and entrepreneurial skills.
4. Include both GED completion courses and opportunities for secondary education.

**Specifically, it is recommended that aftercare and relapse prevention:**

1. Be provided to sexually exploited youth to ensure the ongoing success of sexually exploited youth, especially those youth who are in supportive housing or in-patient treatment.
2. Planning should begin when a sexually exploited youth begins accessing services. This will help youth maintain the skills they learned during intervention.

**Specifically, it is recommended that family reunification services:**

1. Be provided to sexually exploited youth when appropriate. Screening to ensure families and other related adults in the child's life were not complicit in the sexual exploitation is essential.

**Rationale:** Sexual exploitation is traumatic and destructive, and many sexually exploited youth are provided drugs and alcohol from their traffickers. Because of this, sexually exploited youth have many medical, psychological and chemical health needs. These can include broken bones and other physical traumas, as well as sexually transmitted diseases, HIV, hepatitis, traumatic brain injuries, depression and post-traumatic stress disorder. These myriad issues make it difficult for sexually exploited youth and those at risk for exploitation to navigate multiple systems, service agencies and providers. Child advocacy centers can

provide the multiple medical, mental and sexual assault services needed by sexually exploited youth in one location. Providing immediate, effective mental and chemical health services to youth is vital to ensure youth safety and is an opportunity to develop important social supports.

In addition, sexually exploited youth are often deprived the opportunity for consistent, uninterrupted education; many have academic challenges. Moving youth from sexual exploitation to poverty is not acceptable. Education and employment services are an essential component for self-support, increased self-esteem and stability.

The importance of relapse prevention has been shown for youth who have received services to change behavior or erroneous thinking.<sup>36</sup> Aftercare and relapse prevention are vital to ensuring the ongoing success of sexually exploited youth.

**Legislative action:** Legislation will be required to establish monies for supportive services.

**Cost:** \$2 million per biennium<sup>37</sup> for all supportive services.

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<sup>36</sup> Collaborative Community Health Research Centre, University of Victoria, Oct. 2002. Research Review of best Practices for the Provision of Youth Services. [http://www.mcf.gov.bc.ca/youth/pdf/best\\_practices\\_provision\\_of\\_youth\\_services.pdf](http://www.mcf.gov.bc.ca/youth/pdf/best_practices_provision_of_youth_services.pdf)

<sup>37</sup> The Safe Harbor for Sexually Exploited Youth legislation requires that 40% of the penalties assessed against commercial sex abusers be used by the Department of Public Safety to grant to organizations that directly serve juvenile sex trafficking victims. In the first year, this fund collected approximately \$15,000. While an important source of funding, it is not enough to entirely fund the spectrum of needed services across the state.

## Prevention Recommendation

### Recommendation #10 — Support Efforts to Prevent Sexual Exploitation of Youth

Prevention is an investment in ending sexual abuse, exploitation and trafficking. It is recommended that prevention activities be undertaken to address the root causes of sexual exploitation of youth.

#### Specifically, it is recommended that:

1. Prevention implications are considered in all facets of the No Wrong Door Model. Prevention should include work to change the environmental, organizational and cultural norms that allow for the sexual exploitation of youth.
2. The statewide director and designated regional navigators dedicate a percentage of their time to prevention-related activities. This could include participating on MN-HTTF, establishing and participating on community initiatives, participating in public health prevention trainings and incorporating prevention strategies in all facets of their work.
3. Communities adopt a three-component approach (services, intervention and prevention) to successfully address the sexual exploitation of youth. Communities addressing this issue in a multifaceted manner are encouraged to examine the symptoms and root causes of sex trafficking, the conditions that discourage sex trafficking and the methods to engage local businesses and organizations in addressing this problem.

4. The MN-HTTF Prevention Committee continues its work to develop organizational and policy recommendations based on research and promising practices that will continue to support the No Wrong Door Model and other community work across the state.

**Rationale:** While developing a comprehensive response across systems to victims of juvenile sexual exploitation is essential, it is equally critical to incorporate strategies to prevent the harm from initially being perpetrated. Prevention addresses the root causes of sex trafficking, as well as the environmental factors and societal norms that contribute to sexual perpetration and victimization.

This recommendation focuses on the primary prevention of child sexual abuse and exploitation to promote safe, healthy environments and behaviors. It also aims to reduce/prevent the occurrence of sexual abuse and exploitation. Prevention is a vital component in the success of the No Wrong Door Model.

**Legislative action:** No legislative action is associated with this recommendation.

**Cost:** There is no cost associated with this recommendation.

## Evaluation Recommendation

### Recommendation #11 — Conduct Comprehensive Evaluation to Ensure the No Wrong Door Model to Providing Safe Harbor for Sexually Exploited Youth is an Effective Model of Intervention

It is important to evaluate whether the No Wrong Door Model for sexually exploited youth is effective in identifying victims and providing them with services to recover from current trauma and prevent future exploitation. In addition, the No Wrong Door Model requires extensive coordination and resources. Evaluation of these efforts should be completed to demonstrate whether the model is operating as designed, and if resources are being used appropriately and effectively. The statewide director would be responsible for developing a request for proposals to complete the evaluation.

#### Specifically, it is recommended that:

1. A process evaluation be completed to ensure the model is being implemented as designed; is reaching the intended victims; and that effective supportive services are available, accessible and adequate for sexually exploited youth.
2. Evaluation of the first-time diversion standard for 16 and 17 year olds is studied two years after model implementation.

3. A post-implementation, comprehensive outcome evaluation be completed. Outcomes could include, but are not limited to, increased identification of sexually exploited youth; increased coordination of investigations; increased access to services and housing for sexually exploited youth; and improved effectiveness of services.
4. An examination be conducted on how the penalties against commercial sex abusers are assessed, collected and distributed to ensure supplemental funding for investigation, prosecution and victim services.

**Rationale:** The goal of the Safe Harbor for Sexually Exploited Youth legislation is to ensure sexually exploited youth in Minnesota are treated as victims and provided with services that are readily available, accessible and effective. Meeting these goals requires a significant investment of resources. A comprehensive evaluation ensures that efforts of the No Wrong Door Model are successful. The evaluation also ensures responsible, effective use of the requested funds.

**Legislative action:** Legislation will be required to establish monies for evaluation.

**Cost:** \$300,000

## Conclusion

The No Wrong Door approach is a comprehensive, multidisciplinary plan to ensure communities across Minnesota have the knowledge, skills and resources to effectively identify and serve sexually exploited youth and youth at risk for sexual exploitation. When implemented, this model will have a positive effect on exploited youth. It will help prevent youth from future exploitation and move our communities toward a better understanding of what sexual exploitation is and how to prevent it.

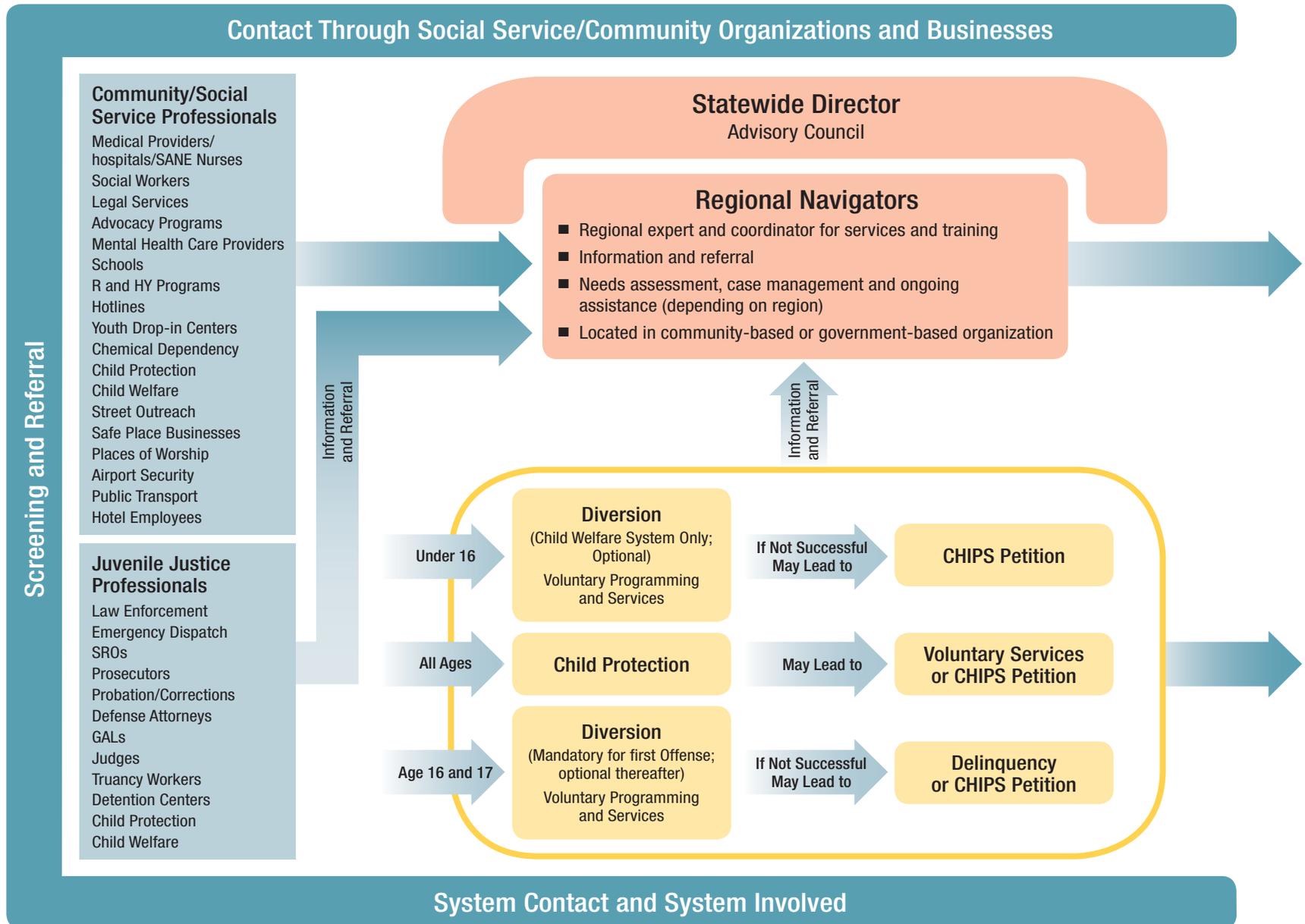
At its core, this model is an enhancement and coordination of the systems of services already in place in Minnesota. Through comprehensive training, coordination and targeted funding, the No Wrong Door approach builds on Minnesota's network of homeless youth service providers, crime victim service providers and other social services agencies to increase their capacity to respond to the unique needs of this population. The expansion of developed police protocols will enhance Minnesota's ability to hold traffickers and commercial sexual exploiters accountable, while ensuring that sexually exploited youth are viewed as victims. Increasing the capacity to house sexually exploited youth will not only keep them safe, but allow them the opportunity to receive trauma-informed, victim-centered chemical

and mental health services that will begin their process of healing. This model also will guide those who work with sexually exploited youth to focus on and explore primary prevention activities. Finally, this model calls for a comprehensive evaluation to ensure that it is implemented properly and has positive outcomes for youth.

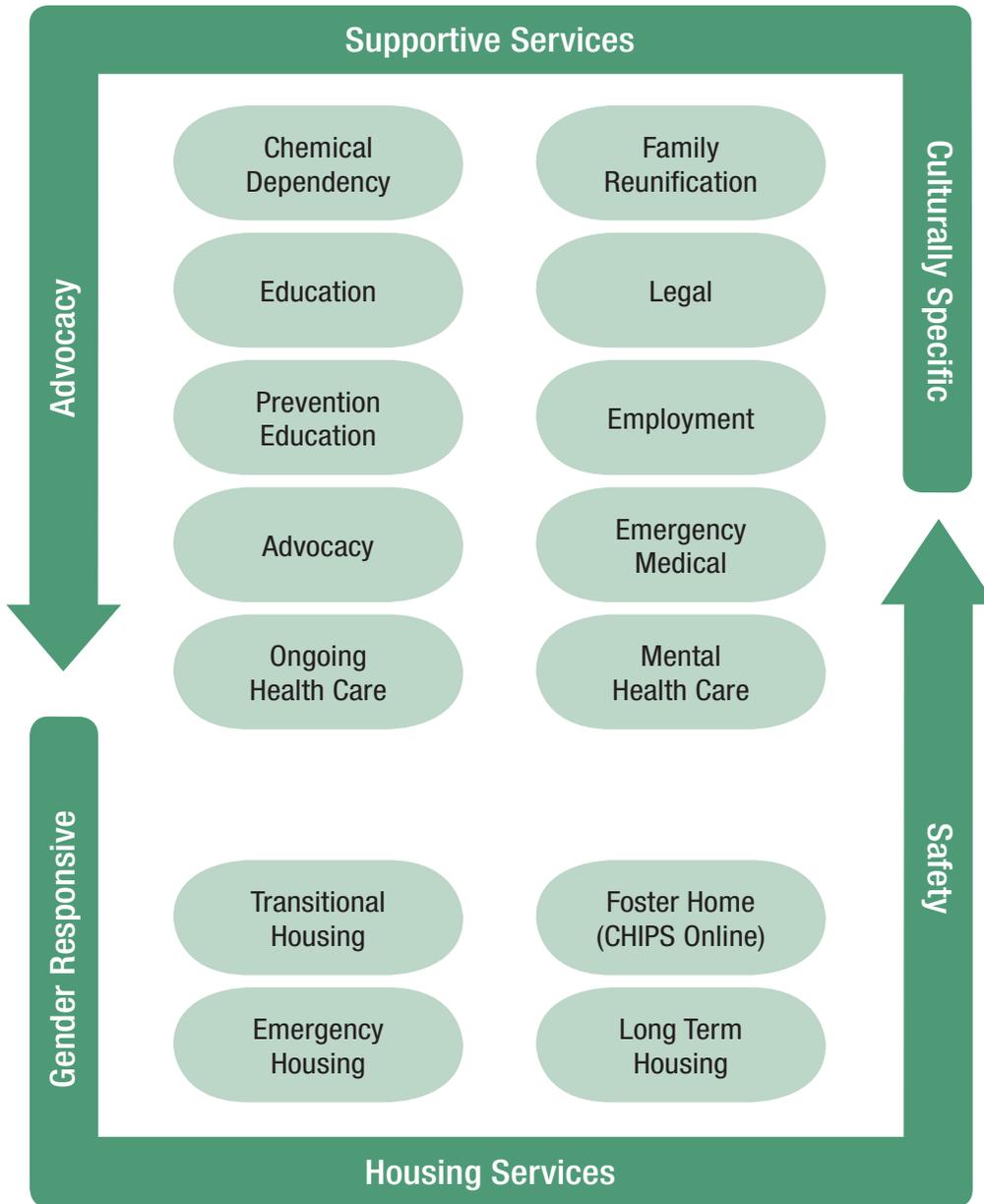
The No Wrong Door approach clearly demonstrates Minnesota's continued leadership in providing effective interventions to crime victims. Implementation of this model will be challenging. Rising to this challenge, however, means that Minnesota's most vulnerable youth will be given an opportunity to open the right door to a productive, healthy future.

# Appendix A: The No Wrong Door Model

## No Wrong Door to Services for Sexually Exploited Youth



# No Wrong Door



## Appendix B: Summary of Recommendations

### Coordination and Training Recommendations:

1. Create a Statewide Director Position
2. Create Six Regional Navigator Positions
3. Provide Comprehensive Training on Juvenile Sexual Exploitation
4. Ensure Effective Outreach to Youth

### Justice System Recommendations:

5. Support Coordinated Law Enforcement Investigations across Minnesota
6. Provide Appropriate, Effective Diversion Opportunities to Youth Ages 16 and 17
7. Modify the Juvenile Protection Hold Statute to Meet the Needs of Sexually Exploited Youth

### Housing and Supportive Services Recommendations:

8. Ensure Access to Safe and Supportive Housing
9. Provide Appropriate and Accessible Supportive Services to Sexually Exploited Youth

### Prevention Recommendations:

10. Support Efforts to Prevent the Sexual Exploitation of Youth

### Evaluation Recommendations:

11. Conduct Comprehensive Evaluation to Ensure the No Wrong Door Model to Providing Safe Harbor for Sexually Exploited Youth is an Effective Model of Intervention

## Appendix C: Required Legislative Actions

### Coordination and Training Legislative Action Required:

Establish and fund a statewide director within the Minnesota Department of Health and the advisory board. Legislation also will be required to establish the No Wrong Door Advisory Board, which will support and advise the statewide director.

- Establish the grant funds for the regional navigators.
- Establish a training grant fund.
- Establish funding for additional youth outreach positions.

### Justice System Legislative Action Required:

- Amend section 206C to include sexually exploited youth so that a juvenile can be held in secure placement for up to 72 hours upon motion to the court if it can be shown that the youth is in immediate danger.

### Housing and Supportive Services Legislative Action Required:

- Amend Minnesota's Runaway and Homeless Youth Act (Minnesota Statutes § 256K.45) to specifically include a definition of "sexually exploited youth and youth at-risk of sexual exploitation" after the definitions of "homeless youth" and "runaway youth."
- Establish additional monies dedicated to housing sexually exploited youth.
- Establish monies for supportive services.
- Establish monies for evaluation.

## Appendix D: Budget

### No Wrong Door Budget

	2013	2014	Total
<b>Statewide Director Position</b>	\$82,550	82,550	\$165,100
<b>Regional Navigator Positions (6 total)</b>	\$381,000	\$381,000	\$762,000
<b>Comprehensive Multidisciplinary Training</b>	\$500,000	\$250,000	\$750,000
<b>Youth Outreach Workers (14 total)</b>	\$532,000	\$532,000	\$1,064,000
<b>Transportation (to move youth to safe housing)</b>	\$35,000	\$35,000	\$70,000
<b>Housing</b>			
Emergency Shelter	\$1,095,000	\$1,095,000	\$2,190,000
Transitional Living	\$685,000	\$685,000	\$1,370,000
Supportive Housing	\$273,750	\$273,750	\$547,500
Foster Families	\$182,500	\$182,500	\$365,000
One time capital construction costs	\$3,000,000	\$1,000,000	\$4,000,000
<b>Total</b>	<b>\$5,236,250</b>	<b>\$3,236,250</b>	<b>\$8,472,500</b>
<b>Supportive Services</b>	\$1,000,000	\$1,000,000	\$2,000,000
<b>Evaluation</b>	\$150,000	\$150,000	\$300,000
<b>Total Safe Harbor Budget</b>			<b>\$13,583,600</b>

## Appendix E: Glossary of Terms

A **sexually exploited youth** is someone under the age of 18 who may be subject to sexual exploitation because they engaged, agreed to engage, or were forced into sexual conduct in return for a fee, food, clothing or a place to stay. A youth also can be sexually exploited if he or she has engaged in exotic dancing, been filmed doing sexual acts, traded sex for drugs, or has been found guilty of engaging in prostitution or prostitution-related crimes. Minnesota Statutes section 609.342 defines a sexually exploited youth as an individual who is alleged to have engaged in conduct which would, if committed by an adult, violate any federal, state, or local law relating to being hired, offering to be hired, or agreeing to be hired by another individual to engage in sexual penetration or sexual conduct; or is a victim of criminal sexual conduct or sex trafficking, has been solicited to engage in sexual conduct or had sexually explicit materials communicated to them; been used in a sexual performance or pornography.

A **youth at risk for sexual exploitation** is someone under the age of 18 with identified risk factors: be a runaway or homeless youth, be truant, have experienced a sexual assault or sexual abuse, emotional or physical abuse or neglect, have a drug or alcohol problem, may be “dating” much older adults, have limited pro-social relationships, and/or have parents, family members or friends who have been involved in prostitution or sex trafficking. Both boys and girls are at risk for sexual exploitation.

**Victim-centered services** are those driven by the needs, strengths and voices of victims.<sup>38</sup> Victim-centered services also take into consideration victims’ wishes, safety and well-being in all matters and practices.

**Trauma-informed care** works to collaboratively address the neurological, physical, psychosocial and social effects trauma has on sexually exploited youth. Trauma-informed care employs services and approaches that mitigate the effects of trauma that traditional service delivery may exacerbate in victims.<sup>39</sup>

**Positive youth development principles** promote protective factors in young people, focus on successful development, involve youth as active agents in the decisions made about them, encourage civic involvement, and work to include all elements of community to invest in young people and develop solutions that allow young people to thrive.<sup>40</sup>

**Primary prevention** means actions taken before sexual exploitation or perpetration occurs. Primary prevention addresses the root causes, environmental factors and social norms that support and contribute to the perpetration of sexual exploitation.

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<sup>38</sup> [https://dps.mn.gov/divisions/ojp/forms\\_documents/Documents/CVSBestPractices.pdf](https://dps.mn.gov/divisions/ojp/forms_documents/Documents/CVSBestPractices.pdf)

<sup>39</sup> <http://www.samhsa.gov/nctic/trauma.asp>

<sup>40</sup> [http://www.findyouthinfo.gov/youth\\_topics/positive\\_youth\\_development/key\\_principles\\_positive\\_youth\\_development](http://www.findyouthinfo.gov/youth_topics/positive_youth_development/key_principles_positive_youth_development)

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