

CLEARWATER AREA TASK FORCE ON HUMAN TRAFFICKING
AND
NETWORK OF EMERGENCY TRAFFICKING SERVICES OF WORLD RELIEF
PROTOCOL
Clearwater, Florida
June 2008

Background

The need for this protocol was given in the proposal for the Office for Victims of Crimes of the U.S. Department of Justice grant to World Relief for the Network of Emergency Trafficking Services (NETS) Project. It states the following in the grant proposal: “In partnership with members of the Clearwater Task Force, World Relief Tampa will facilitate the creation and maintenance of protocols that coordinate investigation and prosecution with pre-certification service-delivery. These protocols will be developed in light of NETS’ policies and procedures and will include procedures for referral, intake, communication, victim protection, risk assessment, and overcoming barriers to certification.”

The Clearwater Area Task Force on Human Trafficking has been created by another grant from the U. S. Department of Justice, Bureau of Justice Assistance to the Clearwater (Florida) Police Department. World Relief and the Clearwater Police Department are partners in the human trafficking work. The Task Force’s threefold mission is:

- To identify and rescue victims
- To create a coordinated law enforcement response
- To deliver services to human trafficking victims in the Clearwater and Tampa Bay areas.

The Network of Emergency Trafficking Services threefold purpose is:

- To provide emergency services to individuals identified in the U.S. as potential trafficking victims.
- To educate local law enforcement, service providers, churches and other key community groups about identifying and responding to human trafficking in the U.S.
- To facilitate effective and sustainable anti-trafficking collaboration and coordination among key law enforcement agencies and service providers in areas of operation.

The grant period runs from August 1, 2006 to July 31, 2009. We are now almost two years into the grant period; however, World Relief’s anti-trafficking work began with a previous grant which started in July 2004.

With the experience gained in over four years of offering services, working with human trafficking survivors, and collaborating with law enforcement, we believe that it is now time to write up what we have been doing in a protocol so that we can both follow it as well as make corrections and additions as the need arises.

Introduction

After their escape or rescue, victims of human trafficking have a long and difficult journey ahead of them. But they cannot do it alone as there are many linguistic, cultural, physical, legal, and emotional challenges that must be confronted before any real restoration and social integration can begin. The goal of the NETS Project is to begin restoring and integrating the victim into society through a goal comprehensive, client-centered, service program that is protective, healing, and empowering. The program, however, covers only the pre-certification period—that is, the time period between identification of the victim and certification by the U.S. Department of Health and Human Services. Emphasis should, therefore, be placed on laying a good foundation for post-certification services. That foundation includes establishing the victim’s safety and privacy, addressing urgent medical and emotional needs, securing legal representation, starting English instruction, obtaining “certification” and work authorization. The full road to recovery—including temporary nonimmigrant status, and even permanent US residency—extends beyond the scope of NETS services. Nevertheless, NETS is committed to a solid beginning.

NETS exists for the timely restoration and social integration of specific individuals; therefore, the protocol is structured to allow for differing circumstances from one client to another, adequate time for providers to service clients in addition to their day-to-day responsibilities, and sufficient space for law enforcement to do its part. Although cases may vary – as some will be easier and move more smoothly than others – the total time period from identification to certification will hopefully not extend beyond four months to six months for a client receiving certification through continued presence and one year for a client receiving certification through the I-914. The key to an effective service program and to quickly obtaining victim certification is maintaining the balance between reaching goals and staying flexible—the welfare of the client being at the center of that balance.

We realize that no inter-agency program can be successful in service to a client unless there is clear communication and genuine cooperation among NETS partners and between the NETS collaborative and the primary assisting law enforcement agencies. Though the specific details concerning the client’s medical, legal, and emotional situation will remain confidential, each participant in a particular case should be updated regarding the general development of the case. Victim Status Meetings are the vehicle for the updating.

Since the protocol will be different for different types of victims depending on their age, gender, and type of trafficking situation, we begin with adults, both female and male, and then consider children. The protocol will also be different depending on how the trafficking victims are first encountered. It may be law enforcement or non-law enforcement that first finds the trafficking victim. In all cases, we urge that law enforcement be immediately notified especially because their collaboration is necessary

for any immigration legal benefits the victim may pursue, and they are best suited for victim protection. At the same time, we urge that NETS and the appropriate service providers be immediately notified by law enforcement because NETS is best suited to provide for the survivors' needs.

Next, we organize the protocol by the priority and content of each service. What follows offers a protocol for case managers working directly with the client in the NETS program through structure, yet still with flexibility.

I. Adult Females

A. Encountered First by Law Enforcement

1. Law Enforcement investigating a case determines that there are potential female trafficking victims in a given situation. Law Enforcement notifies NETS a week or several days prior to rescue (when possible) to allow NETS to make ready appropriate rescue packs, to arrange for the caseworker's personal and family needs, to arrange for an interpreter if needed, and to arrange for housing.
2. Law Enforcement first notifies the Lead Caseworker. If she does not answer, then Law Enforcement notifies the YWCA Caseworker. If she does not answer, then Law Enforcement notifies NETS Coordinator,
3. Law Enforcement also notifies the housing provider several days ahead of time if there are housing needs. If no housing is available at Law Enforcement will arrange with _____ (hotel/motel) for immediate housing needs. The housing provider's transitional housing may be the second place for the victim to stay after rescue if the victim goes directly to the hotel/motel first. Other emergency housing possibilities are domestic violence shelters. World Relief will notify these shelters a few days ahead of time if possible.
4. The NETS caseworker should expect to stay the first night with the rescued victim(s) to allay any fears the victim(s) may have and to assess immediate needs, particularly health needs.
5. The NETS caseworker should contact an interpreter if the client does not speak either English or Spanish. We begin by contacting Gulf Coast Jewish Family Services and have a list of agencies to contact that do interpretation in our geographic area. The caseworker can also use Pacific Interpreters by phone to interview the client. The interpreter is paid by the OVC grant and is for use by World Relief and by Gulfcoast Legal Services.
6. An interpreter may be needed for law enforcement. The NETS program cannot provide the interpreter for law enforcement. Law enforcement should also not use the caseworker or the attorney as interpreters.

7. Gulfcoast Legal Services should be notified by the NETS caseworker so that their attorney can interview the victim(s) as soon as possible after rescue. The interview will include a legal assessment of the victim's situation to determine if she is a trafficking victim. This legal service is covered by the existing MOU between Gulfcoast Legal and NETS.

8. The lead caseworker is responsible for completing the NETS client intake form, the client release form, and the confidentiality form before providing services beyond an emergency nature to the potential trafficking victim. The lead caseworker will also make a brief plan that covers the victim's needs in priority order.

B. Encountered First by Non-Law Enforcement

1. An agency, organization, church or individual notifies NETS of World Relief, the Hispanic Outreach Center at the YWCA, or Gulfcoast Legal Services of a potential trafficking victim. Although rare, the victim may also self-report. The agency notified notifies the other two agencies and Law Enforcement, Clearwater Police Department. If rescue is needed by law enforcement or victim is in still in the trafficking situation or in any danger, follow the protocol under I.A. Encountered First by Law Enforcement.

2. If the client is not in any immediate danger, NETS will ask Gulfcoast Legal Services under the existing MOU to do a legal assessment to determine if the person is a trafficking victim. In the meantime, NETS will provide the social services that are needed such as food, clothing, personal items, immediate medical needs. If necessary, housing will also be provided during the assessment process by arrangement with the hotel/motel _____.

There is a need to decide on a safe location for conducting the assessment interview. If the victim is at an emergency housing location, arrange with the housing provider before the interview.

3. An interpreter may be needed by the caseworker and by the attorney. Securing an interpreter can be arranged by the caseworker with Gulf Coast Jewish Family Services, Pacific Interpreters or any local interpretation agency on our list. Neither the caseworker nor the attorney should act as the interpreter for law enforcement.

4. The lead caseworker is responsible for completing the NETS client intake form, the client release form, and the confidentiality form before providing services beyond an emergency nature to the potential trafficking victim. The lead caseworker will also make a brief plan that covers the victim's needs in priority order.

5. Gulfcoast Legal Services will notify NETS, the YWCA, and Law Enforcement that the client is or is not assessed to be a human trafficking victim. If the person is determined to be a victim, she will continue to be served as a pre-certified victim under

the NETS grant. If she is determined not to be a human trafficking victim, her case will be closed, and if possible, she will be referred to a program that may serve her needs.

II. Adult Males

A. Encountered First by Law Enforcement

1. Law Enforcement investigating a case determines that there are potential male trafficking victims in a given situation. Law Enforcement notifies NETS a week or several days prior to rescue (when possible) to allow NETS to make ready appropriate rescue packs, to arrange for the caseworker's personal and family needs, to arrange for an interpreter if needed, and to arrange for housing.
2. Law Enforcement first notifies the Lead Caseworker, If she does not answer, then Law Enforcement notifies the YWCA Caseworker. If she does not answer, then Law Enforcement notifies NETS Coordinator.
3. Law Enforcement also notifies the Victim Advocate of the Clearwater Police Department, of the possibility of male victims. With the police officers, he should determine whether or not there is a need for him to stay the first night with the rescued victim(s). He should assess the immediate needs of the client and especially any health needs.
4. Law Enforcement also notifies the housing provider several days ahead of time if there are housing needs. If no housing is available at housing provider, Law Enforcement will arrange with _____(hotel/motel) for immediate housing needs. The housing provider's transitional housing may be the second place for the victim to stay after rescue if the victim goes directly to the hotel/motel first.
5. The NETS caseworker should contact an interpreter if the client does not speak either English or Spanish. We begin by contacting Gulf Coast Jewish Family Services and have a list of agencies to contact that do interpretation in our geographic area. The caseworker can also use Pacific Interpreters by phone to interview the client. The interpreter is paid by the OVC grant and is for use by World Relief and by Gulfcoast Legal Services.
6. An interpreter may be needed for law enforcement. The NETS program cannot provide the interpreter for law enforcement. Law enforcement should also not use the caseworker or the attorney as interpreters.
7. Gulfcoast Legal Services should be notified by the NETS caseworker so that their attorney can interview the victim(s) as soon as possible after rescue. The interview will include a legal assessment of the victim's situation to determine if she is a trafficking victim. This legal service is covered by the existing MOU between Gulfcoast Legal and NETS.

8. The lead caseworker is responsible for completing the NETS client intake form, the client release form, and the confidentiality form before providing services beyond an emergency nature to the potential trafficking victim. The lead caseworker will also make a brief plan that covers the victim's needs in priority order.

B. Encountered First by Non-Law Enforcement

1. An agency, organization, church or individual notifies NETS of World Relief, the Hispanic Outreach Center at the YWCA, or Gulfcoast Legal Services of a potential trafficking victim. Although rare, the victim may also self-report. The agency notified notifies the other two agencies and Law Enforcement, Clearwater Police Department. If rescue is needed by law enforcement or victim is in still in the trafficking situation or in any danger, follow the protocol under II.A. Encountered First by Law Enforcement.

2. If the client is not in any immediate danger, NETS will ask Gulfcoast Legal Services under the existing MOU to do a legal assessment to determine if the person is a trafficking victim. In the meantime, NETS will provide the social services that are needed such as food, clothing, personal items, immediate medical needs. If necessary, housing will also be provided during the assessment process by arrangement with the hotel/motel _____.

There is a need to decide on a safe location for conducting the assessment interview. If the victim is at an emergency housing location, arrange with the housing provider before the interview.

3. An interpreter may be needed by the caseworker and by the attorney. Securing an interpreter can be arranged by the caseworker with Gulf Coast Jewish Family Services, Pacific Interpreters, or any local interpretation agency on our list. Neither the caseworker nor the attorney should act as the interpreter for law enforcement.

4. The lead caseworker is responsible for completing the NETS client intake form, the client release form, and the confidentiality form before providing services beyond an emergency nature to the potential trafficking victim. The lead caseworker will also make a brief plan that covers the victim's needs in priority order.

5. Gulfcoast Legal Services will notify NETS, the YWCA, and Law Enforcement that the client is or is not assessed to be a human trafficking victim. If the person is determined to be a victim, he will continue to be served as a pre-certified victim under the NETS grant. If he is determined not to be a human trafficking victim, his case will be closed, and if possible, he will be referred to a program that may serve his needs.

III Children

A. Encountered First by Law Enforcement

1. Law Enforcement investigating a case determines that there are potential child trafficking victims in a given situation. Law Enforcement notifies NETS immediately or a day in advance (when possible) to allow NETS to make ready appropriate rescue packs, to arrange for the caseworker's personal and family needs, to arrange for an interpreter if needed, and to arrange for housing.
2. Law Enforcement first notifies the Lead Caseworker. If she does not answer, then Law Enforcement notifies the YWCA Caseworker, If she does not answer, then Law Enforcement notifies NETS Coordinator.
3. If the child(en) has no parent, guardian, or adult caregiver, the caseworker notifies one of the following shelters depending on the gender and age of the child(ren) as soon as possible after learning of the need. If no housing is available at the designated agencies or if the children are inappropriate as to age and gender,

If the child has a parent, guardian, or adult caregiver, the child will accompany the adult to their emergency housing.

5. The NETS caseworker should contact an interpreter if the client does not speak either English or Spanish. We begin by contacting Gulf Coast Jewish Family Services and have a list of agencies to contact that do interpretation in our geographic area. The caseworker can also use Pacific Interpreters by phone to interview the client. The interpreter is paid by the OVC grant and is for use by World Relief and by Gulfcoast Legal Services.
6. An interpreter may be needed for law enforcement. The NETS program cannot provide the interpreter for law enforcement. Law enforcement should also not use the caseworker or the attorney as interpreters.
7. Gulfcoast Legal Services should be notified by the NETS caseworker so that their attorney can interview the victim(s) as soon as possible after rescue. The interview will include a legal assessment of the victim's situation to determine if he/she is a trafficking victim. This legal service is covered by the existing MOU between Gulfcoast Legal and NETS.
8. The lead caseworker is responsible for completing the NETS client intake form. A child will not be asked to sign a consent to release form nor a confidentiality form. A child's parent or guardian can sign for the child. If there is no parent or guardian, the adult caregiver can sign for the child. If there is no adult caregiver,
_____. The lead caseworker will make a brief plan that covers the victim's needs in priority order.

Confidentiality

In order to respect a client's privacy and protect them from unnecessary exposure that might hinder the certification process and cause the client unnecessary risk to emotional or physical wellbeing, it is necessary for each NETS partner to submit a signed and completed NETS Confidentiality Statement form to World Relief Tampa. Only *one* form needs to be completed for each partnering agency, organization and individual and will apply to each and every case in which they are involved. This confidentiality structure will guard against NETS agencies' disclosing sensitive client information to those outside NETS and/or to those within NETS without a client's expressed consent. The client will sign a consent form allowing NETS agencies to release information to each other. The client will be provided with a list of these agencies when the client signs the consent form. The client will be informed and verbal consent will be sought the first time that an agency in the network is contacted. The first time a NETS agency needs to share the client's information with a new agency in the network, the agency must obtain the client's written consent. NETS agencies must also follow the information-release procedures established by each provider within the network. The first time a new law enforcement agency asks for the client's information, written consent must be obtained from the client.

A client who is a child (under 18) will not be asked to sign a consent to release information form. A child's parent or guardian can sign for the child. If there is no parent or guardian, the adult caregiver can sign for the child. If there is no adult caregiver _____.

Interpreters may be needed to communicate with clients when there is no NETS service provider who can speak the client's language. Interpreters must sign a NETS confidentiality form. This form will be kept in the NETS permanent file. NETS may complete a Memorandum of Understanding with an interpretation agency in which case the confidentiality form may be signed by the agency. It is still appropriate to have each individual interpreter sign the form also.

Volunteers that work directly with the client not only must sign the confidentiality form, but they must also have a police background check completed. The NETS Project has the forms that need to be filled out to request the background check.

Referral/Intake

(Ask LE if ICE contacted as referral is made to NETS)

If local or federal law enforcement make the referral, the NETS point of contact must establish a time at which a NETS caseworker and interpreter can meet with the identified victim for an intake, assessment, and explanation of the NETS services.

If the referral is from another agency or an individual and there is no serious threat to the person's stability, the caseworker can meet with the victim in a safe environment and complete the intake and assessment. Then notification should be done to law enforcement if it is the decision that the person is a trafficking survivor and the person agrees.

In the event that someone self-reports and the referral comes by phone, the NETS Point of Contact should first assess the person's stability – i.e., safety and emotional state. If the person seems unsafe or extremely upset, he or she should be relocated immediately. Again, notification should be done to law enforcement if it is the decision that the person is a trafficking survivor and the person agrees.

After intake, arrangements for housing, medical screening, legal assistance, and trauma counseling (if necessary) should be made as needed for client.

The caseworker should contact the lawyer from Gulfcoast Legal Services to discuss immigration benefits with the victim and to verify whether the survivor is victim of human trafficking or not. This interview should be done with an interpreter, if necessary, but not in the presence of the caseworker.

Whether or not the client is relocated, they need to know about safety precautions, and utility procedures should be reviewed with him or her.

Intake is here defined as a discussion with the referred person about his or her situation and subsequent needs, the services offered through NETS, and the potential benefits from being willing to cooperate with law enforcement during the investigation and/or prosecution of the trafficker(s). Once the caseworker or Point of Contact has assessed the situation and believes it to be human trafficking, and once the options have been discussed and the person has made a positive decision regarding NETS, the person should have to opportunity to speak with the lawyer from Gulfcoast Legal Services. Together, the person, the NETS caseworker, and the lawyer Gulfcoast will determine that communication with federal law enforcement should be promptly pursued. This may become an obstacle in continuing with the case. The option of legal representation during the process of communicating and working with local and federal law enforcement should also be emphasized.

