



Family First Prevention Services Act: Intersections with Safe Harbor in MN

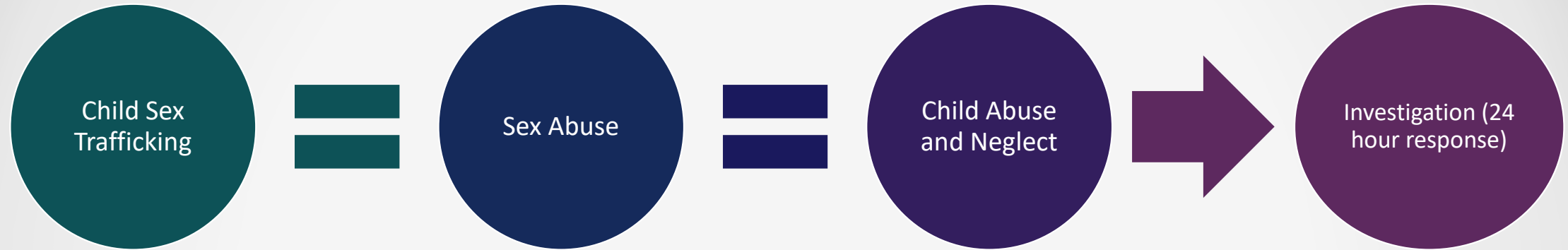
October 25, 2021

Minnesota's Three-Pronged Response to Trafficking and Exploitation of Children and Youth



Minnesota's

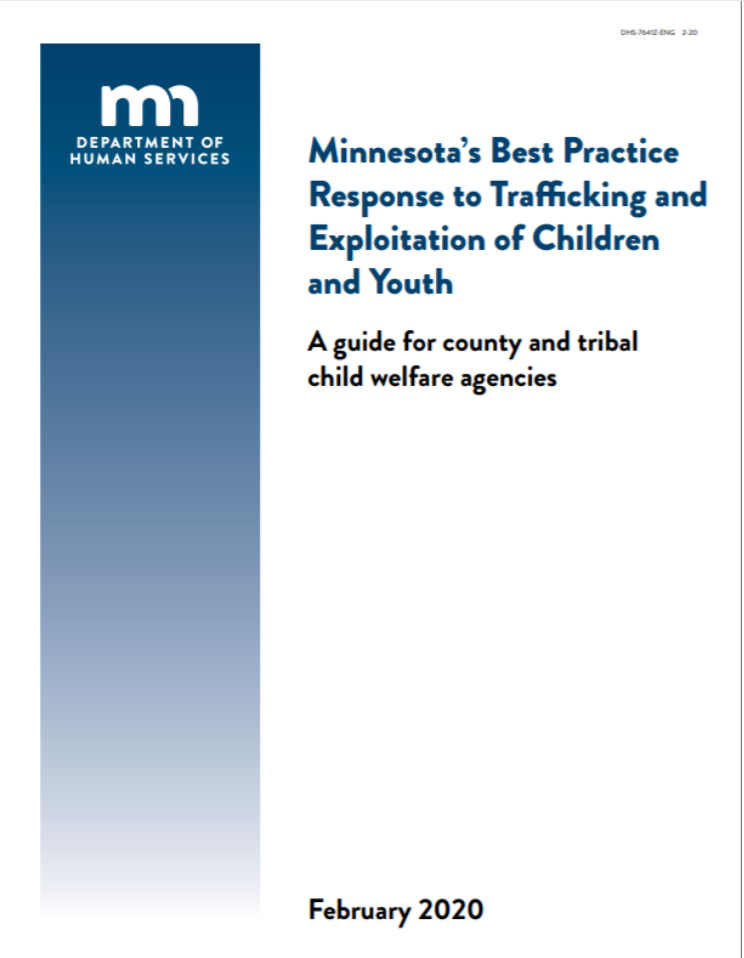
Child Protection Response to Human Trafficking and Exploitation



The Basics

1. Sex trafficking of a child is a mandated report in Minnesota, even if the alleged trafficker is a non-caregiver/ household member. When in doubt, report.
2. Sex trafficking requires three parts:
 - a) **ACTOR:** Third party trafficker (not the buyer or victim)
 - b) **ACTION:** Receiving, recruiting harboring, providing, or obtaining; or profiting
 - c) **ACT:** Aid in the prostitution of an individual
3. Reports of sexual exploitation (without a third party) or labor trafficking should be referred to voluntary child welfare services through the county or tribal agency.
4. Law enforcement and county or tribal child welfare agencies must promptly cross report.

Child Welfare Best Practice Guide and related resources



The image shows the cover of a guide titled "Minnesota's Best Practice Response to Trafficking and Exploitation of Children and Youth". The cover features the Minnesota Department of Human Services logo (a stylized 'm') in the top left corner. The title is in a large, bold, blue font. Below the title, it says "A guide for county and tribal child welfare agencies". The date "February 2020" is at the bottom. The document ID "DHS-7642-ENG 2.20" is in the top right corner.

Minnesota's Best Practice Response to Trafficking and Exploitation of Children and Youth

A guide for county and tribal child welfare agencies

February 2020

DHS-7642-ENG 2.20

A. Quick reference to the best practice guide

The best practice guide was created for child welfare system staff, providing effective tools, explanation of legal requirements, and guidance for effective engagement with youth and families who experienced sex or labor trafficking or sexual exploitation. The best practice guide covers all stages of the child welfare system response. A brief list of key topics include:

Screening for sex trafficking and sexual exploitation

Best practice guide content: Pages 10-12 (Child protection intake and screening, screening for sex trafficking and sexual exploitation).

Supporting content: DHS-7641N, [Child Protection Sex Trafficking and Sexual Exploitation Intake Tool](#) (Appendix A).

Emergency placement of youth

Best practice guide content: Page 28 (emergency placement) for guidance when an emergency placement is necessary.

Supporting content: See the department's [Safe Harbor website](#) for resources.

Safety planning

Best practice guide content: Page 14 (Safety assessment and planning) to learn about assessing safety and making a safety plan with a youth and family who experienced sex or labor trafficking or sexual exploitation.

Supporting content: DHS-7641R, [Safety Assessment and Safety Planning Considerations](#) (Appendix D).

[Bulletin 21-68-13 Family First Prevention Services Act: Youth victims or at risk of sex trafficking or commercial sexual exploitation and specialized placements](#)

Gaps in the Safe Harbor System for Placement

- Mental health and chemical health treatment/stabilization model
- Male specific programs
- Culturally specific programs
- Individuals with disabilities
- Individuals with dependent children



More residential programs certified and trained to serve this population will help to fill the gaps.

What are the problems that Family First tries to solve?

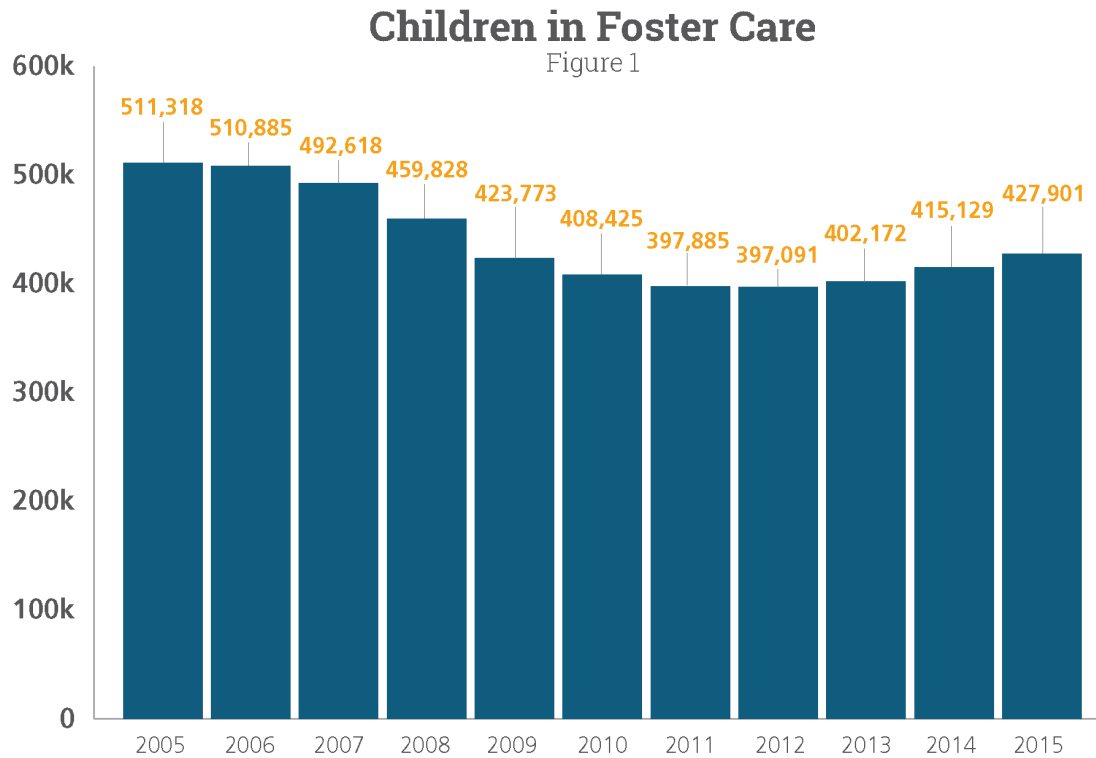


Figure 1 Annie E Casey Foundation, <http://www.aecf.org/blog/americas-foster-care-population-grew-for-third-straight-year/>

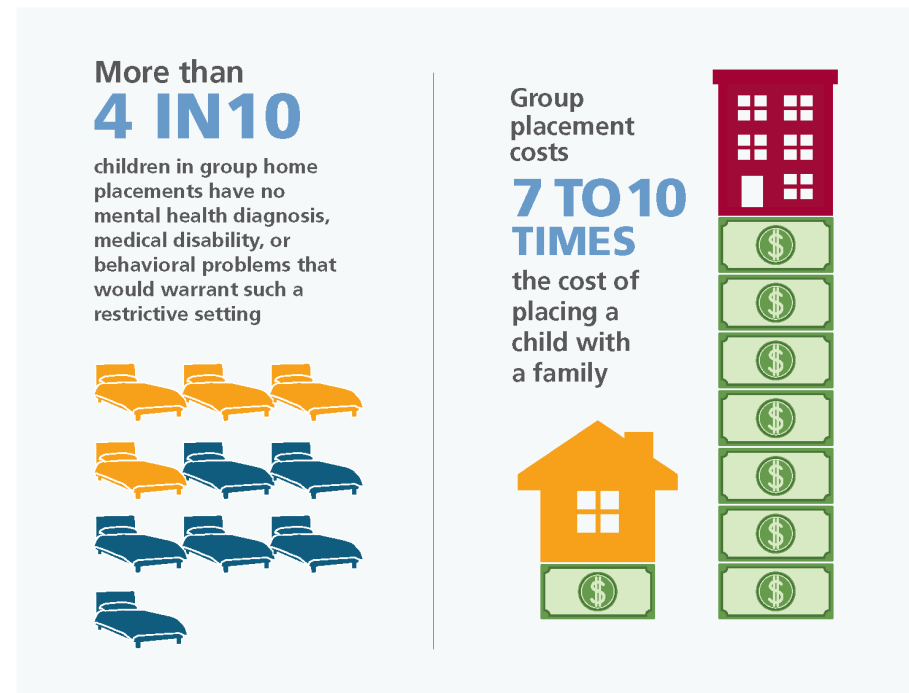


Figure 2 Annie E Casey Foundation, <http://www.aecf.org/m/resourcedoc/aecf-EveryKidNeedsAFamily-2015.pdf>

How are out of home placements impacted by Family First?

Limits Federal Funding for Non-Family Settings

Federal funding for congregate care services is allowed only under certain conditions:

- The program meets detailed requirements as a Qualified Residential Treatment Program, and various case planning and judicial requirements are met
- The program is specialized to meet the needs of specific populations:
 - Independent living programs for 18+
 - Programs for pregnant or parenting youth
 - **“setting[s] providing high-quality residential care and supportive services to children and youth who have been found to be, or are at risk of becoming, sex trafficking victims”**

Potential impacts of FFPSA specialized settings for ST/CSE and at risk youth?

- **Short term**

- More access to trained staff and HT prevention
- More access to Safe Harbor services and supports
- Better services/ possibly more funding to serve identified youth

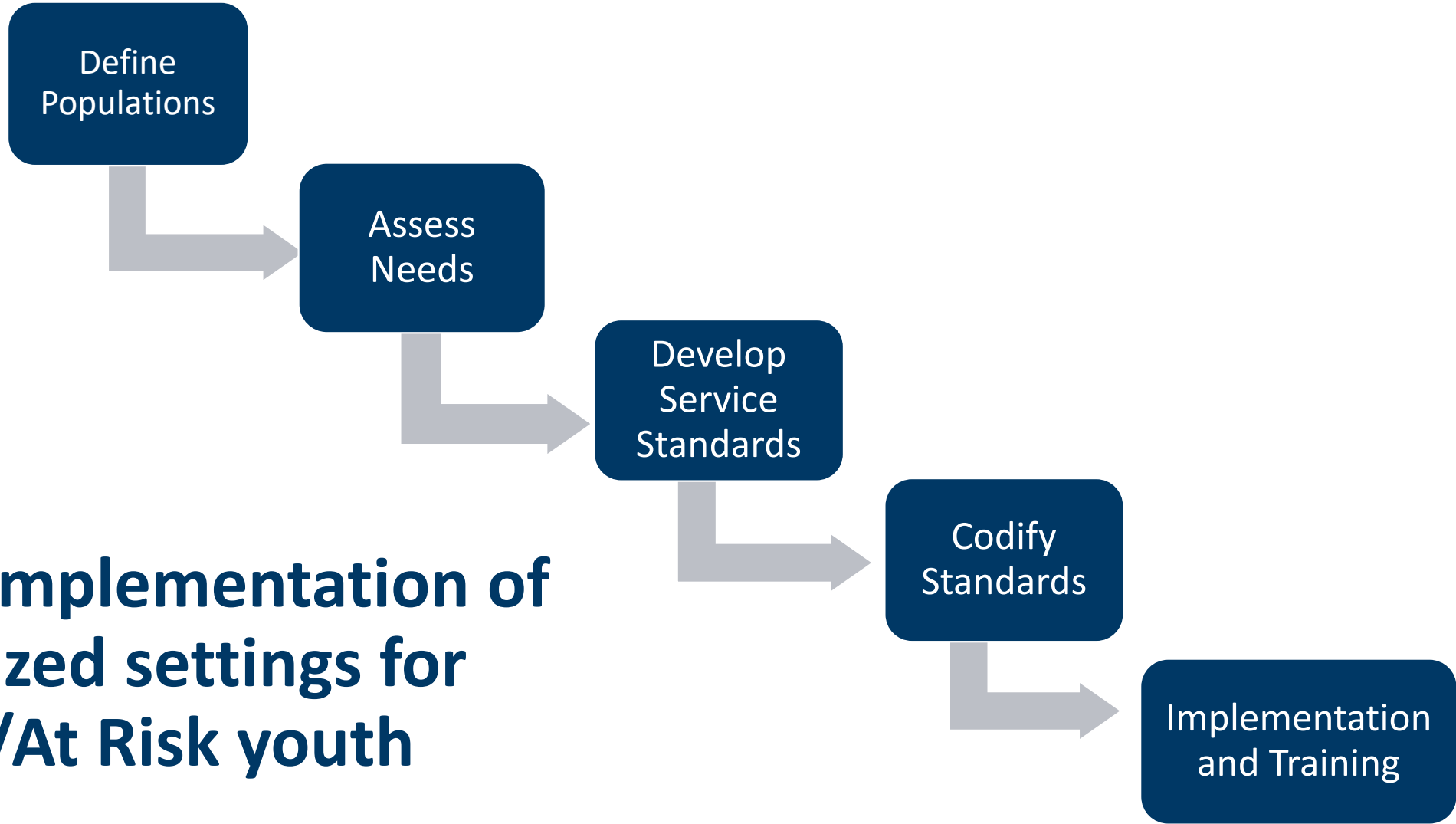
- **Long term**

- Upstream impact- less trafficking
- Changing the narrative and dismantling the stigma victims face
- Filling gap for continuum of care for sex trafficked/at risk



The process of FFPSA implementation in Minnesota





FFPSA Implementation of specialized settings for ST/CSE/At Risk youth

ST/CSE/At Risk Residential Placement

Why a specialized setting?

ST/CSE and At Risk youth need:

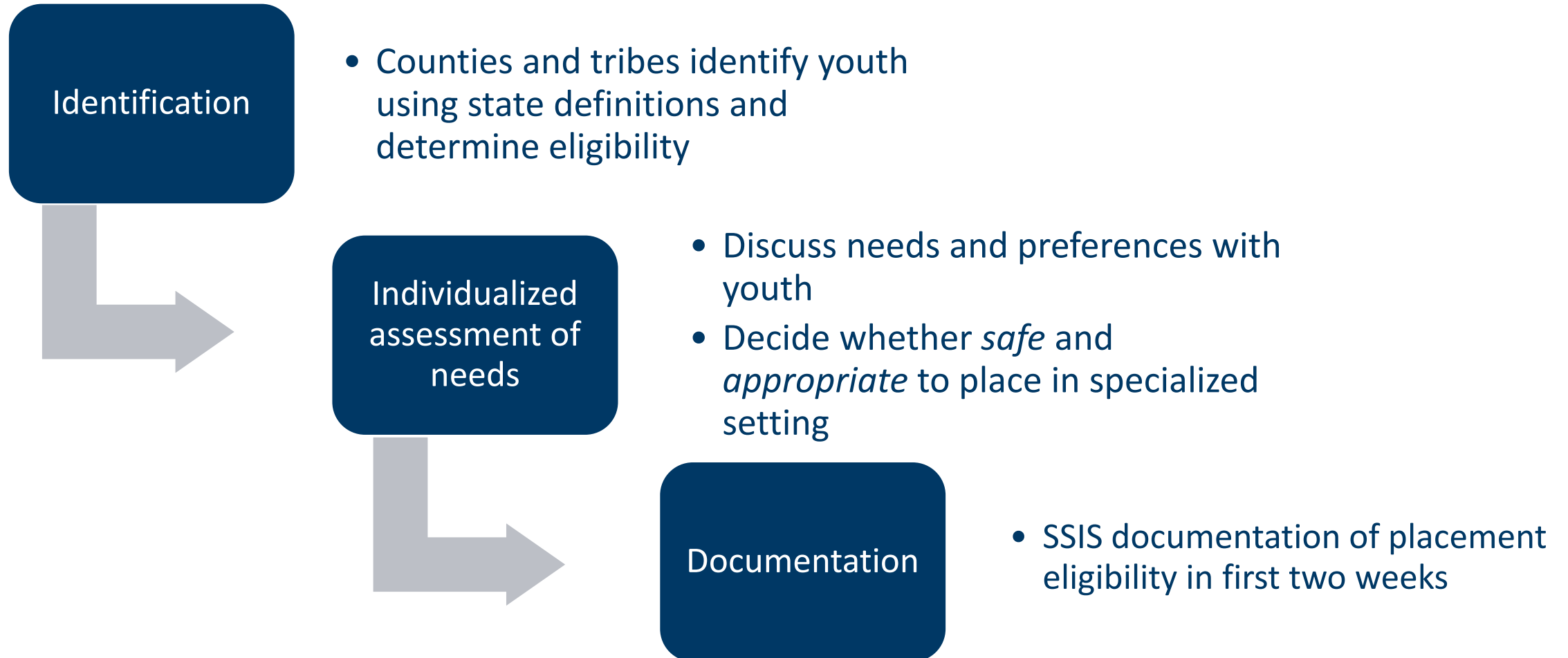
- **Safety** (physical and emotional),
- Care by **trained** staff,
- Access to specialized **services**,
- Higher level of **Collaboration** and communication, and
- Human trafficking **prevention** education.

Family First Prevention Services Act:
High Quality Service Standards for
Specialized Settings

Key Considerations for Developing Residential
Programming for Survivors and Young People at Risk of
Sex Trafficking

Paula Costa Collins, Heather Baker. September 3, 2020

How are youth placed in this setting?



Youth who have been sex trafficked or commercially sexually exploited

- Identified by child welfare as currently or previously involved in commercial sexual activity
- May or may not involve a third party trafficker
- Reference: MN Stat. 260C.007, subd 31.

Youth who are at risk

- **Primary risk factors include:** commercial or non-commercial sexual exploitation; connected with others who exchange sex for anything of value; experiencing wage theft, labor trafficking or exploitation
- **Secondary risk factors:** experiences such as abuse and trauma, homelessness, drug use, family conflict and gang affiliation
- *Intersectionality with cultural identity, social and systemic oppression, racism and white supremacy. These factors increase risk of trafficking and exploitation.*



A placement eligibility guide for identifying youth at risk of sex trafficking or commercial sexual exploitation

This guide is a tool for child welfare agency staff to identify youth who may benefit from out-of-home placement in a specialized setting designed for youth who have been or at risk for sex trafficking or commercial sexual exploitation. The guide assists workers in assessing criteria that meet the definitions below. When identifying youth at risk, staff should assess all primary and secondary risk factors. This guide is not intended to be used to interview youth or their families.

The full definitions and information about identification and eligibility regarding specialized residential placement is in [Bulletin #21-68-13](#). Eligibility for placement in specialized settings for youth who have been or at risk of being sex trafficked or commercial sexual exploitation.

Youth at risk of sex trafficking or commercial sexual exploitation

Black, Indigenous and youth of color, as well as those who identify as LGBTQ or gender non-binary, disproportionately experience trafficking and exploitation. When determining if youth are at risk, consider the intersectionality of cultural identity, societal oppression, and how these factors can contribute to higher risk for sex trafficking or exploitation.

Youth under age 21 are at risk for sex trafficking if they meet primary or secondary risk factors.

Primary risk factors

Youth are at risk of sex trafficking if they have **one or more** of the primary risk factors below, history of or currently:

1. Experiencing forms of sexual exploitation, including pornography or sexual performance (commercial or non-commercial)

2. Connected to family members or other individuals who are or were sexually exploited or who buy or sell sex, or
3. Experiencing labor trafficking or exploitation, or wage theft.

Secondary risk factors

Youth who have **two or more** of the following secondary factors are at risk for trafficking and exploitation, even if no primary risk factors are present, history of or currently:

4. Alleged to be a victim of child maltreatment as defined by [Minn. Stat. 260E](#), or other similar law (such as sexual or physical abuse, or neglect)
5. Experiencing trauma such as sexual, physical, or emotional abuse, intimate partner or caregiver violence
6. Experiencing homelessness, including youth kicked out of their home
7. Lacking a long-lasting supportive relationship with at least one safe and trustworthy adult
8. Experiencing prior out-of-home placement (with or without child welfare involvement)
9. Experiencing substance abuse disorders
10. Experiencing parental substance use, domestic violence, or other forms of violence in the home, parent or family involvement in the criminal legal system
11. Has known or suspected gang affiliation
12. Engaging in truancy or running away, or
13. Involved with juvenile legal system or law enforcement.

How does the child welfare agency determine the most appropriate placement?

Community and family connections

Medical, mental health, and chemical dependency needs

Individual needs, culture and background of child

History and current trauma and abuse

Risk of absenting from home or placement

Concerns for recruitment of other children

When a specialized ST/CSE/At Risk setting may not be right for a youth

- Access to adequate community supports and caregivers who can keep youth safe and supported at home
- Kin or foster family with adequate training + good fit (KEY: ICWA/ MIFPA preference; sibling preference)
- Substance abuse concerns
- Needs higher level of care
- Other priority need

NEW training requirement: MN 260E.36

- **All** staff with child protective duties under MN Statutes 260C or 260E must take approved training on human trafficking and sexual exploitation.
- Effective July 1, 2021
- **Why?** To identify and respond appropriately to youth experiencing sex trafficking or exploitation, aligned with Safe Harbor response in Minnesota
- **How?** Take 239B online! Revised version to be offered beginning in March 2022 (completion of 239 A and B or completion of new work foundations since Jan 2020 satisfies requirement)

Certification requirements: Programs for ST/CSE/At Risk youth

Specializes in serving youth who have been or are at risk of sex trafficking or commercial sexual exploitation through:

- Trauma-informed model of care
- Safe setting designed to prevent ongoing and future trafficking
- Providing equitable, culturally-responsive, and individualized services
- Assisting youth with accessing services based on individual needs
- Providing educational, life skills, and employment supports
- Offering a trafficking prevention education curriculum*
- Direct contact staff are trained by DHS on human trafficking*

Programs for youth who have been or are at risk of sex trafficking or exploitation

Staff Training

- **Direct contact staff from certified programs must be trained by Jan 1, 2022**
- **What can you expect staff to be trained on?**
 - Introducing human trafficking and exploitation
 - Building upon skills and expertise that staff currently have
 - Promoting the five principles in Safe Harbor response
 - Using the power of stories to increase understanding about youth needs

UPDATE: HT 101 training resources list sent out 10/18/21 to approved programs. Required training will be available in November.



Programs for youth who have been or are at risk of sex trafficking or exploitation

Youth Education

The logo for "Not a Number" features the words "NOT A" in white on a black background, followed by a stylized white icon of a person's head and shoulders, and then the word "NUMBER" in black on a white background.

NOT A NUMBER

- Program may use its own trafficking prevention education curriculum or use the Not a Number curriculum
- Staff can become certified to facilitate Not a #Number prevention groups with youth ages 10 to 20 in facilities
- **UPDATE: 38 scholarships for facilities staff have been awarded by DHS in partnership with review team and Love 146. Round two will be in January.**

ST/CSE/ At Risk Residential Programs

“A place with people in similar situations, where people won’t judge you by what has happened to you or by your race or religion or also a place where you know someone dangerous won’t come in. Control is kind of comforting, a program where they let you decide for yourself, let you grow on your own.”

Youth survivor of sex trafficking, Voices of Safe Harbor (2015), p. 40.

A few things to consider about the continuum of programs:

- Programs may serve either population or both (Safety and service delivery may vary)
- Different types of programming and service delivery models to meet needs of youth
- Mental health is a major concern

- DHS or DOC licensed programs apply for certification (through DHS Licensing)- **as of 10/19/21, 14 programs have been approved for this certification**
- Programs and counties discuss county contracts
- County seeks Title IV-E approval for programs (through DHS CSP)
- Programs are approved and listed on Licensing Information Look-up
- Identified children and youth placed **after September 30** in Title IV-E approved programs may be eligible for Title IV-E reimbursement for the placement
- Support available through DHS www.mn.gov/dhs/safe-harbor.

LL: Approved programs

The screenshot shows a web browser window displaying the Minnesota Department of Human Services (DHS) Licensing Information Lookup page. The page has a dark blue header with the DHS logo and the title "Licensing Information Lookup". Below the header, there is a search form with several fields: "Name", "MN City" (set to "All"), "MN County" (set to "All"), "ZIP code", and "License type" (set to "Child Foster Residence Setting"). There are also checkboxes for "Additional CFRS Services" and "Active Licenses Only". A "Search" button and a "Clear Search" button are at the bottom of the form. To the right of the form, there is a "Helpful Links" section with links to "Glossary of terms", "MDH Health Care Facilities Search", "Minnesota Licenses", "Terms/conditions of use, DHS disclaimers and notices", and "Provide feedback on this site". At the bottom right, there is contact information for the MN Department of Human Services. A disclaimer at the bottom of the page states that the website is for public information and that users must accept the terms and conditions of use.

DHS Licensing Information Lookup

Instructions:
Enter information in one or more fields below to find licensed providers.

Name :

MN City : All

MN County : All

ZIP code :

License type : Child Foster Residence Setting

Additional CFRS Services :

- Qualified Residential Treatment Program
- Sex Trafficked, Commercially Sexually Exploited or At Risk
- Pregnant and Parenting Youth
- Supervised Independent Living Setting 18+

License number :

Active Licenses Only

Subscribe to receive licensing actions and maltreatment investigation memorandums
[Sign up to receive daily emails](#) with links to newly published licensing actions and maltreatment investigation memorandums.

Helpful Links:

- [Glossary of terms](#)
- [MDH Health Care Facilities Search](#)
- [Minnesota Licenses](#)
- [Terms/conditions of use, DHS disclaimers and notices](#)
- [Provide feedback on this site](#)

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Thank You!

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- **Minnesota DHS Safe Harbor website:** See www.mn.gov/dhs/safe-harbor for information about the child welfare response to trafficking and exploitation, including [DHS Bulletin #68-21-13](#) (identifying youth for placement in specialized settings for ST/CSE and At Risk youth) and [Placement Eligibility Guide: Minnesota's definition of youth at risk for sex trafficking or commercial sexual exploitation](#)
- **Minnesota Family First Prevention Services Act- [Implementation website](#)** (links to settings, overview, Title IV-E information, statutory language, webinar series and certification process)