

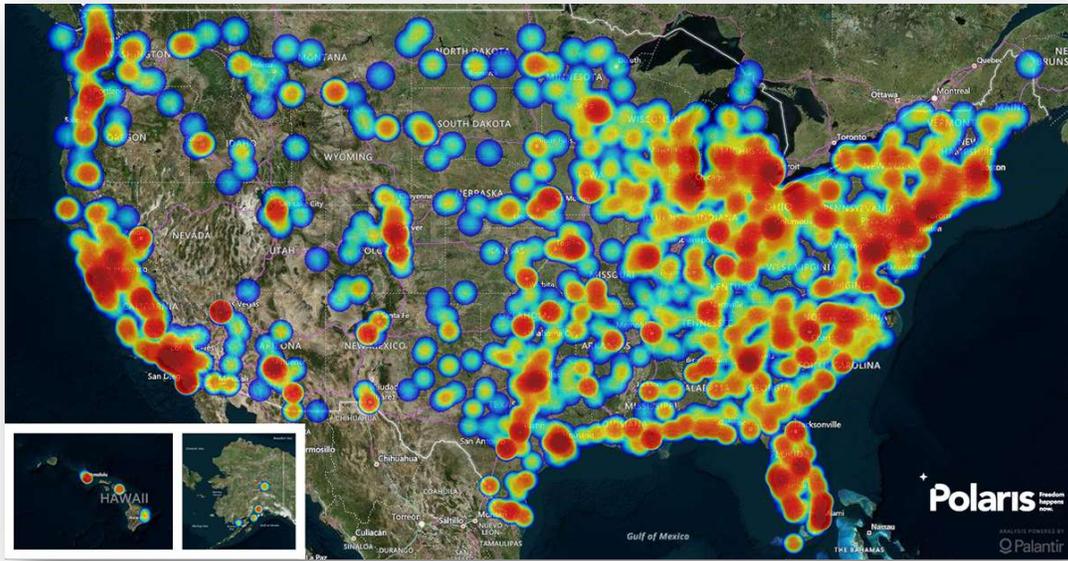
Annual Report

Report on Actions and Recommendations on
Human Trafficking in Delaware

SEPTEMBER 2019

**Delaware Human Trafficking Interagency
Coordinating Council**

*Education and response
through partnership
to combat human trafficking
in Delaware*



If you suspect a youth is a victim of trafficking, call the Delaware Child Abuse and Neglect Hotline
1-800-292-9582
 Department of Services for Children, Youth and their Families



NATIONAL HUMAN TRAFFICKING HOTLINE

- CALL** 1-888-373-7888
- TEXT** "BeFree" (233733)
- LIVE CHAT** humantraffickinghotline.org

24/7 • Toll free
 Confidential
 200+ languages

GET HELP • REPORT TRAFFICKING

 **Delaware State Police**
1-800-VICTIM-1

CRIME STOPPERS

REWARD UP TO \$1000

Hotline
1-800-TIP-3333

Web Tips
 Submit a Tip Online

Links to smartphone apps, social media websites, etc. are not a substitute for 9-1-1. If you are reporting an incident that requires immediate police response, call 9-1-1.

Let me start off by saying I am truly blessed to be a survivor and not a victim anymore. Going through trafficking for basically my whole life has taken its toll on me. Not a day goes by that I'm not afraid or looking over my shoulder, some things will never leave me. The hardest part of getting out of trafficking is safety but also dealing with [systems]... Having long-term support programs like the Well's, allows us help and to start to have a voice. Between my advocate and my support, I am able to start to put my pieces back together and build a life I want, free of pain and torture, and one that is not forced. I make my decisions now, alongside my support, that I am forever grateful for. Being a survivor is hard, but it has made me the person I am today. I may have PTSD and a lot of problems, but I am me. That person is a strong survivor.

- Anonymous survivor of trafficking, Delaware, September 15, 2019

Through Senate Bill 197 the Delaware General Assembly aligned the state definition of trafficking with the Trafficking Victims Protection Act of 2000 and its subsequent reauthorizations. "The act recognizes the forms of coercion that human traffickers use, including threats, force, debt bondage, abuse of the legal process, and use of a victim's disability/mental impairment."

The Trafficking Victims Protection Act of 2000 and its subsequent reauthorizations define human trafficking as:

- a) Sex trafficking in which a commercial sex act is induced by force, fraud, or coercion, or in which the person induced to perform such act has not attained 18 years of age; or
- b) The recruitment, harboring, transportation, provision, or obtaining of a person for labor or services, through the use of force, fraud, or coercion for the purpose of subjection to involuntary servitude, peonage, debt bondage, or slavery. (22 U.S.C. § 7102(9)).

Source(s):

<https://www.justice.gov/humantrafficking>

<https://legis.delaware.gov/BillDetail?LegislationId=22583>

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Acknowledgements

The steps taken in 2018-2019 have increased the likelihood of providing a route out of trafficking and improved the livelihood of survivors of human trafficking. The changes highlighted in this report would not have been realized had it not been for the fortitude and vision of our strong representatives in government and community. For the first time in Delaware history, our systems have broadly responded to survivors who are self-identifying and seeking justice and we thank all those listed below for their efforts to change lives.

- ❖ Courageous survivors for raising their voices;
- ❖ Victim advocates and service providers for crisis support and ongoing services to victims;
- ❖ Advocates and public media who create public awareness and promote action by public and community organizations;
- ❖ Members of the law enforcement community for demonstrating compassion and understanding in working with victims;
- ❖ Members of the Human Trafficking Interagency Coordinating Council for their efforts to fulfill the requirements of the enabling legislation;
- ❖ Members of the General Assembly who sponsored past and current legislation; and
- ❖ Governor John Carney for continuing to champion this work.



The Council also wishes to acknowledge three members who have left the Council recently after making substantial contributions to the first two year's work: Chair Dr. Leslie Brower who retired from the Department of Health and Social Services; Julie Petroff, Esq. who retired from the Department of Labor; and Dr. Silvana Croope who moved from the Department of Transportation to a new position in academe. Finally, the Council wishes to express our gratitude to Cara Sawyer, Deputy Director in the Department of Health and Social Services, who replaces Dr. Brower as DHSS designee for Secretary Kara Odom-Walker, and who was elected Chair for 2019-2020.

Appointed Council Members

Chair, Leslie Brower, Ph.D., R.N., Project Director, Trauma Informed Approaches, Division of Substance Abuse and Mental Health, Department of Health and Social Services

Vice Chair, Honorable Jan Jurden, President Judge, Superior Court

Abby Layton, Deputy Attorney General, Family Division Director, Dept. of Justice

Annamarie McDermott, Director of Care Management, Manager of Social Services, St. Francis Hospital

Christian Kervick, Executive Director, Criminal Justice Council

Debra Reed, Director of Victim Services, Delaware State Police

Diane Glenn, Victim Services Coordinator, Dover Police Department

Honorable Carl Danberg, Judge, Court of Common Pleas

Julie Petroff, Director of Industrial Affairs, Department of Labor

Lisa Minutola, Chief of Legal Services, Office of Defense Services

Melissa Pennachi, Victim Services Coordinator, Newark Police Department

Randall Hughes, Chief, Georgetown Police Department

Trenee Parker, Director, Division of Family Services, Department of Services for Children, Youth and Their Families

Please direct any questions about this report to Diana Suchodolski, Council Administrative Support at
Diana.Suchodolski@delaware.gov

For information about Delaware's response to human trafficking activity please refer to this web page: <https://www.dhss.delaware.gov/dhss/admin/humantrafinteragcouncil.html>

I. Executive Summary

In its first full year of operation, the Delaware Human Trafficking Interagency Coordinating Council (HTICC) has made good progress to advance the core goals of the Council. With the assistance of partners across the organizational spectrum, the Council has made progress to significantly increase awareness of the nature of the problem, develop and improve services to victims, and establish a specific action plan to coordinate an array of collaborative activities. Delaware should take pride in the forward movement to address trafficking in our state.* In all of these areas, sex trafficking has received the bulk of the public attention, even though national and international figures suggest that labor trafficking is by far the more common offense. It will not be possible to know the comparative rates of sex and labor trafficking in Delaware unless and until equally vigorous investigation of labor trafficking occurs and a valid, reliable measurement system is in place.

This second annual report summarizes what accomplishments can rightly be celebrated and notes the work, as well as the challenges to the work yet before the Council and the State of Delaware.

Briefly, the accomplishments include:

- Significant increases in public awareness through presentations, public events and targeted trainings;
- Legislation to protect and assist victims;
- Adoption of service protocols by a select few organizations, including adoption by all of Delaware's hospitals of a standard protocol, the first in the nation to do so;
- Data gathering to increase understanding of the availability of services and the interest of service providers to learn more and improve their services;
- Convening of a comprehensive array of child and youth providers, advocates and policy makers to focus on the special needs and resources for children and youth victims;
- Grant funding to begin developing a systematic methodology for estimating the number of victims seen annually; and
- Initiatives to explore a law enforcement human trafficking task force.

Briefly, the challenges include:

- Reluctance of victims to self-identify and participate in services or prosecution of traffickers;
- Lack of an established methodology to estimate prevalence;
- Lack of political will to investigate labor trafficking in the most typical industries (especially those where women and immigrants are employed);
- Lack of funding to develop and staff specialty programs and services, including the option for residential services as needed for the most injured victims; and
- Lack of funding for dedicated Council leadership and committee activities.

In each of these areas the accomplishments should be viewed as initial steps, even though pockets of activity existed for five or more years before the Council was established. During these early years, advocates were speaking out to draw attention to the problem and to assist the victims who have been able to come forward. Legislators have responded to the insistent pleas for legislation that will allow victims a path to recovery, though no dedicated resources have yet been allocated. Providers have begun to tap the array of resources available to educate and train their staff, though few have established specialized services or programs, and no residential programs exist in Delaware for either

minors or adults. Law enforcement has stepped up training and investigation, though, while arrests and prosecutions are underway, significant barriers remain for achieving justice for victims.

In the course of this work, energy has developed for the state to focus on prevention, including both demand reduction and measures to identify youth who are at risk, and to implement programs demonstrated to be effective. It should be noted, however, that many of the standard programs already in place for children and youth have similar general aims in terms of child protection, mental health and addiction treatment, self-esteem and competence-building and so on, which would be equally applicable to trafficking victims. It seems obvious that demand reduction and service interventions would be high priorities, yet research into effective programs lags the awareness of need.

Recommendations

The plans reflected in this report (see committee summaries that follow) are designed to support efforts already underway and to explicate strategies to achieve emerging objectives. The following recommendations based on the 2018-2019 Council activities are designed to sustain momentum toward the overall Council goals and to improve the Council's ability to deliver on these goals, which are summarized here:

The overarching goals of the Council can be summarized in this way:

- Improve services and supports and access to these for victims;
- Obtain or identify dedicated funding for services and supports;
- Train all personnel as well as the public to identify and report possible trafficking situations;
- Achieve sustainability and accountability for the work of preventing trafficking and supporting victims;
- Regularly inform officials and the public about accomplishments and challenges; and
- Continue to coordinate the activities of the Council with other organizations and state agencies.

Each of the Council committees is in a different stage of development as they define and implement their plans, and several committees deserve to be highlighted here.

Public Awareness; While there has been excellent progress meeting the legislative mandate to improve public awareness, this committee has been constrained by the lack of resources to purchase and/or develop materials. Establishing a website has been delayed due to lack of adequate IT support; distributing educational materials has been hampered by lack of funds to print materials, in addition to significant delays obtaining materials from the federal Blue Campaign; funds have not been available to attend conferences and/or purchase space at the associated vendor fairs; committee staff have essentially volunteered their time in addition to fulfilling their existing employment responsibilities. Typically, the starting point of policy change and infrastructure development is within the building of public awareness; these resource constraints must be remedied.

Data Collection and Analysis; as noted above, the Council's work in collaboration with advocates and other organizations has increased the likelihood of identifying and victims and improving their lives. However, unless and until Delaware implements a strategy to estimate the prevalence and location of

trafficking victims, we will have no way to know whether that prime directive has been accomplished. The Data Committee has begun to focus on this challenge, but it will require the cooperation of many parties and the support of Delaware's policy apparatus to move that work forward in a timely manner.

Similarly, the Training and Victim Services Committees' success will depend on support from the State's policy apparatus as well as a financial investment in supporting widespread training and the development of tailored service interventions in various settings. And, last but not least, the Juvenile Committee faces the unique challenge of implementing the activities of all the other committees in the specialty services sector for children and youth and their families. This committee has moved deliberately to understand the significant challenge before them and to attract members who are up to the challenge.

In light of the very brief Committee summaries above, the Council has endorsed the following recommendations for 2019-2020:

1. Create a concise strategic plan that encompasses the Council priorities, that is comprehensible to the public, and that speaks to the various service systems' needs and challenges.
2. Develop a budget that will support the Council's work as described in the strategic plan, in consultation with the appropriate public authorities and their respective provider networks.
3. Work with the Governor's Office and representatives of the General Assembly to establish a minimally effective level of predictable funding for the Council's work while simultaneously seeking grant funding from non-state sources.

As this problem gains notoriety nationally and regionally, Delaware's awareness grows simultaneously and with it the responsibility to respond. The HTICC is organized to promote and coordinate this work and will continue to do so with discipline and vigor. To optimize the effectiveness of the Council and the impact on victims, we call upon all Delawareans to participate in supporting this work.

* Some readers may be confused that Polaris' grade for Delaware dropped from a B to an F in the 2018-2019 Council year, despite all the progress noted in this report. The explanation for the low grade is simple: Polaris changed their scoring algorithm last year to emphasize data collection and legal relief for victims, neither of which had begun to take shape in Delaware until after the grades were published. We anticipate recognition of these important steps in future grade reports.

II. Legislation

On June 20, 2019, Governor John Carney signed the following two bills into law, positively impacting support and survivorship for victims of human trafficking in Delaware.

Senate Bill 60 was sponsored by Senator Nicole Poore, along with Senator David McBride, Representative Kim Williams and 26 co-sponsors. This law clarifies that a minor (under the age of 18) may not be charged with prostitution. This law now reflects the reality that most children under 18 engaging in commercial sexual activity are *victims* of human trafficking.

House Bill 102 was sponsored by Representative Kim Williams, along with Senator Nicole Poore and Senator Raymond Seigfried and nine co-sponsors. This bill allows a person who is arrested or convicted of any crime, except a violent felony, which was a direct result of being a victim of human trafficking to file an application for a pardon or expungement or make a motion to vacate judgment. This bill also makes changes to the Human Trafficking Interagency Coordinating Council by adding another member of the judicial branch and a representative of the Department of Education. This bill also adds locations where public awareness signs must be placed.

Other legislation of note included **House Bill 337**, sponsored by Representative Kim Williams, along with Senators Anthony DelCollo and Bryan Townsend, Co-sponsors Representatives Paul Baumbach and Debra Heffernan. This Act prohibits the marriage of individuals under 18 years of age. **Senate Bill 95**, sponsored by Senator John Walsh, along with Representative Edward Osienski and co-sponsored by Senators Anthony Delcollo and Stephanie Hansen, and Representatives Ruth Briggs King and Kim Williams. This act clarifies definitions of a contractor, prohibits labor brokers from providing construction services, allows general contractors to engage with similar businesses, and creates a contractor registration system, all to minimize the risk of workers being mis-classified by labor brokers for the purposes of defrauding a migrant or otherwise vulnerable labor worker.

REPRESENTATION MATTERS

“With these measures signed by Governor John Carney, we help give a voice to those who may feel powerless, letting them know that we are fighting for them. Thank you, Governor Carney, and I'd also like to thank Rep. Helene Keeley for laying the foundation for this great work and for Sen. Nicole Poore's leadership in the Senate. I have to also recognize the advocates and the Human Trafficking Interagency Coordinating Council for their tireless efforts. This was a special moment for Delaware.” -

Representative Kim Williams



III. Collaborative Highlights

During the 2018-2019 Council year, discussions between various organizations provided critical insights and invaluable support to address both sex trafficking and labor trafficking.

Criminal Justice Council (CJC)

In 2019, the Council applied for a VOCA assistance grant to support subcommittee efforts with specific attention given data collection and coordination of efforts to improve victim services. The CJC awarded grant funds for a part time administrator for the Council. The Planner supports the committees in developing and implementing projects, connecting community partners, the development of the annual report, and providing day to day oversight to ensure follow through on Council decisions. “The project coordination efforts between agencies and peer committees has proven to be key in making sure all voices of youth and adult victims are included in the work to gather data, build appropriate public awareness campaigns, and promote trauma informed training.” – Diana Suchodolski, VOCA Grant Application

Department of Labor (DOL)

According to the National Human Trafficking Hotline, labor trafficking makes up 12% of reported trafficking cases in Delaware. This statistic is not reflective of national data where labor trafficking is the more prevalent problem. Legislative efforts are underway to help bring attention to a possibly under reported issue within Delaware. The DOL



continues to participate actively in the Council and in efforts to identify and address labor trafficking in Delaware.

*(Image Source: National Human Trafficking Hotline, 2019
<https://humantraffickinghotline.org/s>*

DELDOT “Turns Up the Heat on Human Trafficking”

“Our goal is to first train our frontline staff including our maintenance personnel, toll booth operators, traffic personnel, and construction engineers,” Johnson said. “At the same time, we plan to work closely with DART – DeIDOT’s Transit Agency – and their training staff to develop training for bus operators and other transit workers.”

Stephanie J. Johnson
Assistant Director,
Planning
Delaware Department
of Transportation

Department of Agriculture

In continuing to support the work of identifying opportunities to address labor trafficking in Delaware, Secretary Michael T. Scuse of the Department of Agriculture invited leaders in the agricultural community, Julie Petroff and other members of the Department of Labor, State Representative Kim Williams, President Judge Jan Jurden and Dr. Leslie Brower from the Human Trafficking Interagency Coordinating Council to participate in an information sharing discussion. Opportunities were introduced to train workers and employers on trafficking awareness and to post public awareness signs in locations that workers frequent.

Department of Transportation (DeIDOT)

DeIDOT worked with Truckers Against Trafficking, a nationally recognized training organization, to implement a standardized online training for DeIDOT employees. DeIDOT added human trafficking training into new employee orientation and will be adding a human trafficking curriculum into the CDL training. In 2019 DeIDOT funded the placement of posters and the installation of bus wraps on a fleet of 90 public transportation vehicles. In the May *Journal for American Association of State Highway and Transportation Officials*, Delaware's efforts were recognized. In this article, the Assistant Director of Planning, Stephanie Johnson, provided details for how DeIDOT will be addressing human trafficking going forward.

Source: State DOTs Work to Turn Up Heat on Human Trafficking, AASHIO Journal, May 31, 2019
<https://aashiojournal.org/2019/05/31/state-dots-work-to-turn-up-the-heat-on-human-trafficking/>

Office of Defense Services (ODS)

Attorneys and Forensic Social Specialists from the Office of Defense Services participated in a training presented by Dr. Leslie Brower and Diana Suchodolski to raise awareness about human trafficking and how it might present in clients represented by ODS. ODS continues to ensure all staff are aware of the red flags that indicate suspected trafficking in order to identify possible victims and refer them to appropriate services. Additionally, when a trafficking victim becomes justice involved, ODS works to mitigate any arrests, prosecutions, or convictions that resulted from the human trafficking or the trauma caused therein.

Department of Services for Children, Youth, and their Families (DSCYF)

In 2018, Cabinet Secretary Josette Manning convened a meeting with Council representatives to discuss the ways that human trafficking is being addressed by DSCYF. Human Trafficking is now part of the Department's hotline screening tool and can be used for collecting data to analyze and respond to individual cases and possible trends. In 2018, 24 cases of minors in human trafficking were conformed. DSCYF supports data collection efforts and recognizes the importance of making sure that all children and youth who are at risk are screened and that appropriate services are provided in a timely manner. The Department coordinates closely with the Office of the Child Advocate to follow up on reports of possible trafficking.

Department of Justice (DOJ)

The DOJ works closely with both state and federal law enforcement agencies in the investigation and prosecution of human trafficking cases. The DOJ has provided training to other stakeholders on this topic and works closely with agency partners to develop a plan once a victim of human trafficking has been identified. Internally, the DOJ has a multi-division working group to coordinate the educational and investigative efforts. In addition to criminal prosecutions, civil, administrative and criminal nuisance actions have been taken against illicit massage establishments suspected of being involved in human trafficking.

Department of Health and Social Services (DHSS)

House Bill 164 assigns responsibility to DHSS for administrative support to the Council. The Division of Substance Abuse and Mental Health (DSAMH) funds a position focused on trauma informed approaches, including the policy and program work of the Council. The employee in this position, Dr. Leslie A. Brower, was elected Chair of the Council for 2018 through September of 2019.

As DSAMH anticipated Dr. Brower's upcoming retirement, the agency expanded the role of Deputy Director to include service on the Human Trafficking Interagency Coordinating Council. In this capacity, DSAMH coordinates across services, populations and settings, both within DHSS and with other state agencies and community organizations. The DHSS long-term goal is to develop a crisis response unit that can coordinate with the victim services units of law enforcement agencies to activate those services in expedited fashion, including mental health and addiction treatment, Medicaid coverage, and food benefits.

Department of Correction (DOC)

Opportunities for training in awareness and identification of human trafficking have been implemented in key areas within the Department of Correction. This training is ongoing for all 270 Probation and Parole Officers across the state. The DOC also hosted a pilot project working with interns from the University of Delaware and

DEPARTMENT OF JUSTICE

“The Human Trafficking Interagency Coordinating Council is doing yeoman’s work in the fight against human trafficking, and it shows in the result. Thanks in significant part to the HTICC’s devotion to this mission and a multi-disciplinary approach to these issues, we are making meaningful progress in Delaware. That includes this year’s passage of two major pieces of legislation that reflect the reality that the victims of human trafficking—who, tragically, are often children—are victims, not criminals. I am proud that so many in Delaware, from law enforcement and prosecutors to advocates and legislators, are collaborating to stop human trafficking and rehabilitate its victims, and I applaud HTICC for its amazing work at the center of this effort.”

Attorney General Kathy Jennings



Wilmington University. Interns provided a presentation specific to human trafficking for justice involved women who are currently on probation and parole, residing at the Baylor Women's Correctional Institution (BWCI) or at the Hazel D. Plant Women's Treatment Facility (HDP). Although the number of women interviewed to date is small, approximately 25% disclosed experiencing possible commercial sexual exploitation at some point in their life. Next steps for the DOC include plans for educating justice involved women on how to identify possible human trafficking recruitment techniques as a preventative measure.

Department of Education

The Department of Education is committed to doing its part to address the impacts of human trafficking on the students and families who are part of our educational system. The Department's School Climate Office developed and presented a new in person workshop designed to introduce educators to the signs of human trafficking in students and ways to help those students in need. This topic was added to the list of approved Non-Academic Mandatory Training courses which educators in Delaware must complete every three years in order to maintain their certification.

The course was delivered to 65 educators at the Human Trafficking Symposium held by Wilmington University and supported by the Department. In addition, an online version of the class was made available for educators statewide. The Department plans to update the course regularly and will continue to offer it face to face for educators and learning communities throughout Delaware.

IV. Committees

In 2019, the committees focused on meeting the Council goals by coordinating efforts with peer committees and agencies. These committee reports summarize briefly each committees accomplishments, challenges, and options explored to fulfill their missions.

Committees and Chairs

Training Committee: Annamarie McDermott, MSW, St Francis Hospital Director Care Management – Chair

Public Awareness/Prevention Committee: Diane Glenn, Victim Services Coordinator, Dover Police Department - Co-Chair

Victim Services Committee: Melissa Pennachi, Victim Services Coordinator, Newark Police Department – Chair

Data Collection and Analysis Committee: Christian Kervick, Criminal Justice Council, Executive Director - Chair

Juvenile Committee: Trenee Parker, Department of Services for Children, Youth and Their Families, Director, Division of Family Services - Chair

(Full roster of Committee Members referenced in Appendix E)

Human Trafficking Interagency Coordinating Council

TRAINING COMMITTEE



LEGISLATIVE CHARGE

- Coordinate training on human trafficking prevention and victim services for state and local employees who may have recurring contact with victims or perpetrators.

HIGHLIGHTS

- Human trafficking awareness training specific to law enforcement has been provided to over 1000 officers in Delaware by specially trained officers
- Delaware is believed to be the first state to advance a common human trafficking response protocol for all general hospitals across the state

"Through a year-long process of research and shared learning, the [Delaware Healthcare Association Human Trafficking Medical] committee has developed recommendations for each hospital to implement that include education and step-by-step protocols designed to empower hospital employees to identify the signs of human trafficking and to respond to the victim in a trauma-informed, patient centered manner."

Annamarie McDermott, MSW, ACM-SW,
Director of Care Management, Manager of
Social Services, St. Francis Hospital, HTICC
Training Committee Chair

- Training collaboration with the Division of Substance Abuse and Mental Health is set to begin this fall



NEXT STEPS



- Identify public and community partners with trainings in place and possible gaps
- Build resource database of existing, available trainings on human trafficking, generally and for specific employee groups
- Identify 2 to 3 key agencies where there is opportunity for early identification and prevention and assess for training opportunities



- Collaborate with Victim Services and Juvenile Committees to ensure training on victim services is up to date and address specialized training needs



- Develop protocols for initial and on-going trainings on human trafficking awareness and victim services for state and local employees
- Develop a state training institute to efficiently manage all training resources on prevention, identification, and provision of victim services

Human Trafficking Interagency Coordinating Council

PUBLIC AWARENESS & PREVENTION COMMITTEE



LEGISLATIVE CHARGE

Promote public awareness about human trafficking, victim remedies and services, and human trafficking prevention. Create a public awareness sign that contains the state and National Human Trafficking Resource Center hotline information.

HIGHLIGHTS

- Human Trafficking Awareness Month in January:
 - “Wear Blue to Work” Day campaign
 - Governor John Carney's proclamation of Human Trafficking Awareness Month
 - iHeart Radio's Community Spotlight program
 - Op-Eds written by leading professionals
- Community Events Highlights
 - Brecknock Park Safe Summer Days
 - 2019 Dental Society of Delaware Session vendor fair
 - Delaware State Fair Governor's Booth
 - National Night Out

"According to the 2016 National Survivor Network survey, many survivors who did not go through the criminal record relief process either did not know about pathways for relief, or, if they knew they existed, did not know how to start the process. Allocating resources for targeted outreach and awareness campaigns — for example, outreach to local legal and social service providers, to community-based organizations and to government agencies working on criminal record relief — would help ensure the legislation is effective." - Polaris Project, Why Public Awareness is Critical to Serving Survivors

- Partnering with DelDOT, public transit buses were wrapped with trafficking awareness media.



NEXT STEPS



- Identify sustainable resources and funding to provide materials for participating in community events and offering presentations



- Host Public Forums, target at-risk populations

- Identify resources to build a compliant and effective website for the purpose of public awareness and resource sharing



- Engage with multiple agencies that provide public awareness materials, to address the delay in obtaining free public awareness materials from the federal Blue Campaign

Human Trafficking Interagency Coordinating Council

VICTIM SERVICES COMMITTEE



LEGISLATIVE CHARGE

Develop a comprehensive plan to provide victims of human trafficking with services.

HIGHLIGHTS

- Hosted roundtable of service providers for discussion and networking. Assisted providers and allied professionals to know what each agency is doing and how those services can be accessed. This helped to address how we can work together and maintain confidentiality to provide services to a victim, potentially from various agencies at the same time
- Collected information for surface level survey of services provided in Delaware, specific to human trafficking
- Further clarification on service categories in development to be available in 2020

“We might interact with a victim in a situation where they are not identifying themselves as a trafficking victim; maybe we are working with the person as a runaway; or maybe the person is listed as a victim in a domestic violence case, but isn’t comfortable relaying being sold for sex. It can take time and multiple interactions with victims to build rapport and gain their trust for them to disclose any of the abuse that has occurred. It is difficult to capture the data, but with the continuing work and training around trafficking we will be better able to identify and respond to victims.”

Melissa Pennachi, Victim Services Specialist, Newark Police Department, , HTICC Victim Service Committee Chair

NEXT STEPS



- Build resource reference of services for the larger community
- Identify gaps in services and what is needed, especially emergent needs
- Collaborate to identify funding sources and grants to communicate to agencies working to expand or develop HT services, and work as a clearinghouse to disseminate that information



- Establish services or collaborate with agencies who have services or are establishing services to help with assessment and guidance



- Help to determine sustainability plan for services
- Continue to identify and distribute information about services to allied professionals and larger community



- Have ongoing roundtable events with service providers to discuss concerns, issues, and best practices for serving human trafficking victims and survivors

Human Trafficking Interagency Coordinating Council

DATA COLLECTION AND ANALYSIS COMMITTEE



LEGISLATIVE CHARGE



Collect and evaluate data on human trafficking in Delaware.

EXPLORING DATA COLLECTION IN DELAWARE

HIGHLIGHTS

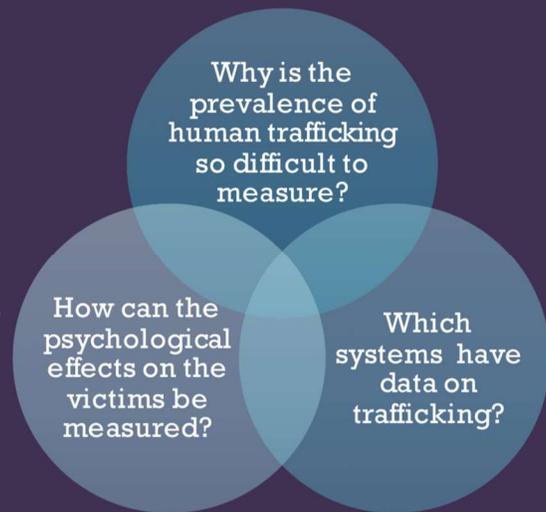
- The Data Committee has been approved to submit a proposal for launching an effort to begin estimating the prevalence of human trafficking in Delaware
- Explored Ohio's response to challenges of analyzing the prevalence of human trafficking by collecting data from multi-system organizations

(Reference: https://humantrafficking.ohio.gov/links/Ohio_Human_Trafficking_Prevalence_Study_Executive_Summary.pdf)

NEXT STEPS



- Identify existing data sources, processes and mechanisms of collection of human trafficking data
 - Create focus group to begin connecting with agencies, jurisdictions, faith-based groups, non-profits etc. that are providing services to suspected and identified victims of human trafficking
 - Describe how human trafficking data is being captured
- Develop a comprehensive cross-discipline human trafficking data collection tool
- Create timely reporting procedures and analysis techniques using the tool in order to continually inform decision makers
- Coordinate with other agencies (State, local, non-profit, faith based) to review data and improve quality assurance on a continuing basis
- Prepare for CDC code utilization that will be instrumental in providing data to assist in possible identification of additional trafficking cases within the medical settings
- Coordinate with the Department of Services for Children, Youth and their Families to identify intersections of reporting through the DYRS hotline and Delaware Law Enforcement



Human Trafficking Interagency Coordinating Council

JUVENILE COMMITTEE



LEGISLATIVE CHARGE

No specific legislative charge; The Council convened the Juvenile Committee to ensure Delaware's response to youth who may be victims of trafficking continues to focus on access to appropriate resources and educational opportunities within a specialized system of care.

If you suspect a youth is a victim of trafficking, call the Delaware Child Abuse and Neglect Hotline

1-800-292-9582

Department of Services for Children, Youth and their Families



HIGHLIGHTS

- Created subcommittees to support implementations of Council initiatives
- Training on the Juvenile Trafficking Pre-Assessment Checklist (JTAC) was completed statewide for approximately 233 DFS staff between August and October 2018
- Membership on the Juvenile Committee is expanded to include law enforcement, Department of Education, Office of the Child Advocate and other agencies
- Increased content and focus on human trafficking within Mandatory Reporting framework

NEXT STEPS



- Discuss use of the JTAC that is included in the Best Practices MOU with suspected victims of trafficking who are involved with the Department of Services for Children, Youth and Their Families (DSCYF)



- Continue to provide training on the JTAC to DSCYF staff and make training available to other systems on identifying signs of trafficking in juveniles

- Coordinate with the HTICC Training Committee to provide training at the Wilmington University Trafficking Symposium on how to best interview youth victims

- Develop an awareness program for at-risk youth served in facilities within DSCYF, looking to existing resources to see if an appropriate awareness program currently exists



- Strengthen training and increase opportunities for foster parents to receive training on identifying and responding to youth victims of trafficking

- Determine the appropriateness of other systems' (i.e. Department of Education, health care providers) use of the JTAC



- Explore ways to expand the array of in-state services for victims to include a search of best practices for trauma-informed services for post-residential treatment

- Change the language around how victims are described (i.e. refer to victims as being "exploited" and not "trafficked")

V. Community Partners and Stakeholders

Contained in this annual report to the Governor is a summary of the work that has been accomplished by some of the members associated with the Public Awareness & Prevention Committee. Their individual efforts and efforts combined with various agencies/organizations was integral to the HTICC's efforts to inform and increase awareness on labor and sex trafficking throughout our great state.

Delaware Coalition Against Trafficking (DelCAT)

DelCAT is a statewide working group that continues to support collaboration among those in our community committed to identifying and serving survivors of human trafficking in Delaware. The growing membership of 130 individuals and organizations includes representation from non-profit agencies, law enforcement, faith based organizations, healthcare, legal services, and government agencies. From 2018 to present, DelCAT helped facilitate over 75 presentations and trainings for various education, medical, professional, youth, religious, and military organizations throughout Delaware.

Delaware Coalition Against Domestic Violence (DCADV)

The DCADV has taken a strong role as a partner for advocating legislative change around human trafficking. For example, the DCADV provided a statement supporting legislation for SB 60 that discussed the ways in which human trafficking can intersect intimate partner violence, such as when the trafficker is a partner or a family member. "Legislative efforts that recognize that children and teenagers involved in prostitution are victims will reduce these victim's exposure to the criminal justice system. Increased access to safety, connection to treatment programs, and decriminalization of behavior are crucial in addressing the root causes and assuring that quality services for children and teens who are involved in prostitution are available." Marcey Rezac, Policy Coordinator, Delaware Coalition Against Domestic Violence

Community Legal Aid Society, Inc.

CLASI assists survivors of human trafficking in obtaining crime victim compensation, lawful immigration status and work authorization, and expungement of victimization-related criminal records. CLASI's legal services allow survivors to attain stability, safety, and independence subsequent to their human trafficking victimization.

CLASI also conducts outreach and education with potential survivors and community partners about trafficking and the legal services CLASI can provide to survivors. In addition, CLASI Staff Attorney Kelly Head contributed to the passage of HB 102 and SB 60 by the Delaware General Assembly in 2019. These bills expand the availability of expungement for trafficking survivors and ensure that no child is criminally charged with prostitution.

Wilmington University

In 2019 Wilmington University held the third Human Trafficking Symposium with two hundred and eighty-nine (289) registrants in attendance. A key partnership was formed with the Beau Biden Foundation for the Protection of Children and the Stewards of Children® training was presented at the symposium. Sessions were aimed at training professionals and lay people on how to recognize the signs and respond to cases of human trafficking. Those in attendance came from various backgrounds that included education, mental health, law enforcement, criminal justice system personnel and others.

Also in 2019, Wilmington University officially began its undergraduate certificate in Human Trafficking Awareness. Since 2015, the University has offered an undergraduate course in human trafficking awareness with over 345 students have completed this course. These 345 students will go to work in the human services, social work, victim services or other jobs having more knowledge and greater awareness of human trafficking.

Meet me at the Well Foundation

In January, Meet me at the Well hosted a public awareness conference for Human Trafficking Awareness Month. A panel of regional leaders answered critical questions about the issue of human trafficking in Delaware. Public awareness trainings were provided to various organizations including the Delaware National Guard's Sexual Assault Response Unit. Meet me at the Well lead a breakout session for the 2019 Wilmington University Human Trafficking Symposium. The organization continues to support survivors of trafficking through all facets of health and wellness and provide awareness and training in key events.

Zoë Ministries

Zoë Ministries is collaborating with Courageous Hearts in Sussex County to bring clinical psychotherapy using the EAGALA model to youth survivors of sex trafficking. Zoë Ministries provided public awareness and training to over 2000 participants from 2018 to 2019. Our goal continues to be to serve Domestic Minor Sex Trafficking survivors by providing long term, comprehensive treatment using the infrastructure that is currently in place in our state.

Appendices

Appendix A. By-Laws

Human Trafficking Interagency Coordinating Council

By-Laws

Article I

PURPOSE

It shall be the purpose of the Human Trafficking Interagency Coordinating Council (Council) to proactively further the purposes and goals set forth in 11 *Del. Code* §787. The Council shall adhere to the provisions of the statute as it relates to powers, duties, council composition, meetings, procedure, committees, reporting requirements and other related matters.

Article II

POWERS AND DUTIES

The Council shall exercise the powers and perform the duties and responsibilities set forth in the statute establishing the Council.

Article III

MEETINGS

- (a) All meetings shall be at the call of the Chairperson or at the request of three members of the Council with no less than seven (7) days' notice required for any meeting, except under extraordinary circumstances. Seven Council members shall constitute a quorum. The Council shall meet at least 4 times a year.
- (b) All motions, except as may hereafter be specifically noted, shall be carried by a simple majority of those members present and entitled to vote. The presiding officer shall vote only in the case of a tie.
- (c) In the absence of a quorum at a regular duly noticed meeting of the Council, the agenda of that meeting shall be delegated to the Executive Committee for disposition.
- (d) Council member appointments must be made or rescinded by letter from the statutory appointing authority to the Chair. A Council member, so designated by appointment, who is unable to attend a meeting may authorize another person to attend and vote on their behalf by proxy. Such designation must be made in writing to the Chair.
-

Human Trafficking Interagency Coordinating Council

By-Laws

Article IV

COMMITTEES

(a) Committees shall be appointed and dissolved as the Council deems advisable. Ad Hoc Committees may be created without amending these by-laws. Committees which have been appointed are as follows:

1. Training
2. Public Awareness
3. Victim Services
4. Data Collection and Analysis
5. Bylaws
6. Annual Report

(b) An Executive Committee shall be formed whose members shall be the Chairperson, the Vice Chairperson and three Council members elected by the Council. Meetings of the Executive Committee shall be at the call of the Chair or any other member of the committee. Three members of the Executive Committee shall constitute a quorum.

Article V

HUMAN TRAFFICKING STRATEGIC PLAN

(a) The Council shall establish a Human Trafficking Strategic Plan which shall set forth the goals of the Council for coordinating the response to Human Trafficking in order to meet the overriding purpose of reducing the incidence of Human Trafficking in the State of Delaware.

(b) Upon adoption of goals by the Council, committee members and the agency or constituency which they represent shall analyze the issues pertinent to that agency's or constituency's response to Human Trafficking and to victims of Human Trafficking in light of the established goals and the statutory purposes of the Council and shall formulate a focused plan that provides a detailed response for attaining the established goals of the Council, as they relate to that agency or constituency.

(c) Periodically, the Council staff shall review and assess the established goals included in the Human Trafficking Strategic Plan to determine whether those goals have been attained and whether the goals should be continued, revised or eliminated.

(d) The Council shall submit a written report of its activities and recommendations to the Governor, General Assembly and the Chief Justice of the Supreme Court at least once every year on or before September 15.

Human Trafficking Interagency Coordinating Council

By-Laws

Article VI

PARLIAMENTARY AUTHORITY

Except where in conflict with these by-laws or applicable state or federal law, Robert's Rules of Order shall be the parliamentary authority for the Council.

Article VII

AMENDMENTS

These by-laws may be amended in whole or in part, upon the recommendation of the Executive Committee or upon written request of a least five (5) Council members with seven (7) days written notice of the proposed change, at any regular or special meeting of the Council by a vote of a majority of the membership.

Appendix B. Polaris Red Flags – Recognize the Signs

Source: <https://polarisproject.org/human-trafficking/recognize-signs>

Are you or someone you know being trafficked? Is human trafficking happening in your community? Recognizing potential red flags and knowing the indicators of human trafficking is a key step in identifying more victims and helping them find the assistance they need.

To request help or report suspected human trafficking, call the National Human Trafficking Hotline at 1-888-373-7888. Or text HELP to: BeFree (233733).

This list is not exhaustive and represents only a selection of possible indicators. Also, the red flags in this list may not be present in all trafficking cases and are not cumulative. Learn more at www.humantraffickinghotline.org.

Common Work and Living Conditions: The individual(s) in question

- Is not free to leave or come and go as he/she wishes
- Is under 18 and is providing commercial sex acts
- Is in the commercial sex industry and has a pimp / manager
- Is unpaid, paid very little, or paid only through tips
- Works excessively long and/or unusual hours
- Is not allowed breaks or suffers under unusual restrictions at work
- Owes a large debt and is unable to pay it off
- Was recruited through false promises concerning the nature and conditions of his/her work
- High security measures exist in the work and/or living locations (e.g. opaque windows, boarded up windows, bars on windows, barbed wire, security cameras, etc.)

Poor Mental Health or Abnormal Behavior

- Is fearful, anxious, depressed, submissive, tense, or nervous/paranoid
- Exhibits unusually fearful or anxious behavior after bringing up law enforcement
- Avoids eye contact

Poor Physical Health

- Lacks health care
- Appears malnourished
- Shows signs of physical and/or sexual abuse, physical restraint, confinement, or torture

Lack of Control

- Has few or no personal possessions
- Is not in control of his/her own money, no financial records, or bank account
- Is not in control of his/her own identification documents (ID or passport)
- Is not allowed or able to speak for themselves (a third party may insist on being present and/or translating)

Other

- Claims of just visiting and inability to clarify where he/she is staying/address
- Lack of knowledge of whereabouts and/or do not know what city he/she is in
- Loss of sense of time
- Has numerous inconsistencies in his/her story

Appendix C. Adverse Childhood Experiences (ACE) Study

The Adverse Childhood Experiences (ACE) Study is a major research project based on an early collaboration between Kaiser Permanente in San Diego and the Centers for Disease and Prevention (CDC.) Co-Principal Investigators Drs. Vincent Felitti of Kaiser Permanente and Robert Anda of the CDC developed a short survey of several key types of childhood adversity, now a widely used screening tool called the ACE Survey (see below.) They recruited nearly 19,000 patients who completed the survey and participated in a comprehensive annual physical health assessment. The results were startling and have been widely replicated in other settings and with other populations, for example, the Philadelphia ACEs Task Force replicated the ACE Study, adding several items to better reflect the demographics of their population: neighborhood safety and trust, bullying, witnessing, violence, racism and experiencing foster care (<http://www.philadelphiaaces.org/philadelphia-ace-survey>). These studies all found that childhood adversity (also referred to as ‘trauma’) is common, has pervasive, lifelong impacts, and is dose-related; more adversity correlates with more negative outcomes. See <https://www.cdc.gov/violenceprevention/acestudy/>

Adverse Childhood Experience (ACE) Questionnaire Finding your ACE Score

While you were growing up, during your first 18 years of life:

1. Did a parent or other adult in the household often ...
Swear at you, insult you, put you down, or humiliate you?
or
Act in a way that made you afraid that you might be physically hurt?
Yes No If yes enter 1 _____
2. Did a parent or other adult in the household often ...
Push, grab, slap, or throw something at you?
or
Ever hit you so hard that you had marks or were injured?
Yes No If yes enter 1 _____
3. Did an adult or person at least 5 years older than you ever...
Touch or fondle you or have you touch their body in a sexual way?
or
Try to or actually have oral, anal, or vaginal sex with you?
Yes No If yes enter 1 _____
4. Did you often feel that ...
No one in your family loved you or thought you were important or special?

or

Your family didn't look out for each other, feel close to each other, or support each other?

Yes No If yes enter 1 _____

5. Did you often feel that ...

You didn't have enough to eat, had to wear dirty clothes, and had no one to protect you?

or

Your parents were too drunk or high to take care of you or take you to the doctor if you needed it?

Yes No If yes enter 1 _____

6. Were your parents ever separated or divorced?

Yes No If yes enter 1 _____

7. Was your mother or stepmother:

Often pushed, grabbed, slapped, or had something thrown at her?

or

Sometimes or often kicked, bitten, hit with a fist, or hit with something hard?

or

Ever repeatedly hit over at least a few minutes or threatened with a gun or knife?

Yes No If yes enter 1 _____

8. Did you live with anyone who was a problem drinker or alcoholic or who used street drugs?

Yes No If yes enter 1 _____

9. Was a household member depressed or mentally ill or did a household member attempt suicide?

Yes No If yes enter 1 _____

10. Did a household member go to prison?

Yes No If yes enter 1 _____

Now add up your "Yes" answers: _____ This is your ACE Score

Appendix D. Committee Members

Training Committee Members

Annamarie McDermott, MSW, St Francis Hospital Director Care Management – Chair
Johanna P. Bishop, Ed.D., CPT, Director Behavioral Science, Wilmington University
Cecilia Ahanonu, PA-C, Nemours/Al Dupont
Barbara Allsopp, Dover Aglow International, President
Judge Carl Danberg, Delaware Court of Common Pleas
Patricia Danner, US Department Health and Human Services
Debbie Litten, YWCA Delaware, New Castle Coordinator
Maria Martinez, RN, Beebe Healthcare, Zoë Ministries
Diane Glenn, Victim Services Coordinator, City of Dover
Dyron Green, Labor Law Enforcement Officer, Department of Labor
Julie Petroff, Director, Division of Industrial Affairs, Delaware Department of Labor
Corrie Schmitt, Delaware State Police Victim Services

Public Awareness / Prevention Committee Members

Diane Glenn, Victim Services Coordinator, Dover Police Department, Committee Co-Chair
Dr. Johanna Bishop, Professor in Wilmington University, Committee Co-Chair
Dr. Sivanna Croope, Delaware Department of Transportation
Erin Connelly, Victim Services, Department of Correction
Katherine Gianonne, Department of Children, Youth for Family Services
Kelly Head, Fellow, Community Legal Aid Society, Inc.
Melissa Pennachi, Newark Police Department
Monica Shockley-Porter, Dover Behavioral Health System
Debra Reed, Director of Victim Services, Delaware State Police
Ana Ramirez, People Place II
Diana Suchodolski, Delaware Health & Social Services
Kimberly Williams, State Representative, 19th District, Delaware General Assembly

Victim Services Committee Members

Melissa Pennachi, Victim Services Coordinator, Newark Police Department – Chair
Amanda Alcaraz, YWCA Sexual Assault Response Center
Susan Alfree, Delaware Victim Services, U.S. Attorney's Office
Carl Colantuono, Director of Development Office, Salvation Army
Debra Reed, Director of Victim Services, Delaware State Police
Aimee String, Criminal Justice Planner, Domestic Violence Coordinating Council

Data Collection and Analysis Committee Members

Christian Kervick, Criminal Justice Council, Executive Director - Chair
Earl McCloskey, Executive Director of DELJIS

Spencer Price, Director, Statistical Analysis Center
Joanna Champney, Chief of Planning, Department of Corrections
Tanya Whittle, Planning and Research, Administrative Office of the Courts
Dan O'Connell, Senior Scientist, University of Delaware
Treneee Parker, Department of Services for Children, Youth and Their Families
Susan Alfree, Victim Services, U.S. Attorney's Office, Delaware
Maureen Monagle, Executive Director, Domestic Violence Coordinating Council
Johanna Bishop, Wilmington University
Randall Hughes, Chief, Georgetown Police Department

Juvenile Committee Members

Treneee Parker, Department of Services for Children, Youth and Their Families, Director,
Division of Family Services - Chair
Jennifer Perry, Department of Services for Children, Youth and Their Families - Co-Chair
Carrie Hyla, Department of Services for Children, Youth and Their Families - Co-Chair
Barbara Allsopp, Dover Aglow International (I am not sure about Barbara)
Lauren Arnold, Salvation Army
Abigail Layton, Department of Justice
Lisa Minutola, Office of Defense Services
Rachael Neff, Family Court
Meredith Seitz, Department of Services for Children, Youth and Their Families
Diana Suchodolski, Meet Me at the Well Foundation
Colleen Woodall, Department of Services for Children, Youth and Their Families
Michele Yingling, Department of Services for Children, Youth and Their Families
Ryan Brabson, Department of Services for Children, Youth and Their Families
Det Joshua Rowley, Delaware State Police
Bernadette Clagg, Nemours-Al Dupont
Eileen Carlin, Nemours Al Dupont
Tracey Frazier, Department of Services for Children, Youth and Their Families
Shana Cipparone, Office of the Child Advocate
Elisa Lehman, Federal Bureau of Investigation
Natasha Simms, Department of Services for Children, Youth and Their Families
Alice Stevens, Holistic Elevation, LLC
Susan Murray, Department of Services for Children, Youth and Their Families
Rashan Henry, Department of Services for Children, Youth and Their Families
Tina Fountain, Department of Services for Children, Youth and Their Families
Kate Giannone, Department of Services for Children, Youth and Their Families
Brian Moore, Department of Education
Brie Gannon, Statistical Analysis Center
Melissa Palokas, Office of the Child Advocate

Appendix E. House Bill No. 102



SPONSOR: Rep. K. Williams & Rep. Seigfried & Sen. Poore
Reps. Baumbach, Briggs King, Heffernan, Lynn,
Minor-Brown, Griffith; Sens. Delcollo, Hansen,
Richardson

HOUSE OF REPRESENTATIVES
150th GENERAL ASSEMBLY

HOUSE BILL NO. 102
AS AMENDED BY
HOUSE AMENDMENT NO. 1

AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO CRIMES.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF DELAWARE:

Section 1. Amend § 787, Title 11 of the Delaware Code by making deletions as shown by strike through and insertions as shown by underline as follows:

§ 787 Trafficking an individual, forced labor and sexual servitude; class D felony; class C felony; class B felony; class A felony.

(j) Application for pardon and petition to expunge; motion to vacate conviction and expunge record. —

(1) Notwithstanding any provision of Chapter 43 of this title or any other law to the contrary, a person arrested or convicted of any crime, except those deemed to be violent felonies pursuant to § 4201 of this title prostitution, loitering or obscenity committed as a direct result of being a victim of human trafficking may file an application for a pardon pursuant to article VII of the Delaware Constitution and § 4361 et seq. of this title and may file a petition requesting expungement of such criminal record pursuant to § 4371 et seq. of this title.

(2) A person convicted of any crime, except those deemed to be violent felonies pursuant to § 4201 of this title, committed prostitution, loitering or obscenity as a direct result of being a victim of human trafficking may file a motion in the court in which the conviction was obtained to vacate the judgment of conviction. A motion filed under this paragraph must:

- a. Be in writing;
- b. Be sent to the Delaware Department of Justice; and
- c. Be made 2 years after the person's last criminal conviction and within a reasonable period of time after the person ceases to be a victim of trafficking in persons; and
- c. Describe the evidence and provide copies of any official documents showing that the person is entitled to relief under this paragraph.

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If the motion satisfies the foregoing requirements, the court shall hold a hearing on a motion, provided that the court may dismiss a motion without a hearing if the court finds that the motion fails to assert grounds on which relief may be granted. Official documentation of the person's status as a victim of this section, "trafficking in persons," or "a severe form of trafficking" from a federal, state, or local government agency shall create a presumption that the person's participation in the offense of prostitution, loitering or obscenity any crime, except those deemed to be violent felonies pursuant to § 4201 of this title, committed was a direct result of having been a victim of human trafficking, but shall not be required for the court to grant a petition under this paragraph. If the petitioner can show to the satisfaction of the court that he or she is entitled to relief in a proceeding under this paragraph, the court shall grant the motion and, pursuant to this paragraph, enter an order vacating the judgment of conviction and dismissing the accusatory pleading, and may take such additional action as is appropriate in the circumstances or as justice requires.

(3) Notwithstanding any provision of Chapter 43 of this title or any other law to the contrary, any person filing a motion under paragraph (j)(2) of this section in Superior Court or Family Court may also seek in that motion expungement of the criminal record related to such conviction. If the court grants the motion to vacate the conviction under paragraph (j)(2) of this section and the movant also requested expungement, the court's order shall require expungement of the police and court records relating to the charge and conviction. Such order shall contain a statement that the expungement is ordered pursuant to this paragraph and, notwithstanding any limitations to the contrary, that the provisions of §§ 4374(f), 4376 and 4377 of this title apply to such order.

(4) Notwithstanding any provision of Chapter 43 of this title or any other law to the contrary, upon granting the motion, the Court of Common Pleas shall provide Superior Court with the certified order granting the motion to vacate . any person filing in Court of Common Pleas a motion under paragraph (j)(2) of this section may, upon the Court of Common Pleas' entry of an order granting the motion to vacate, file a petition in the Superior Court seeking expungement of the criminal record related to such conviction and attaching to the petition a certified copy of the Court of Common Pleas' order granting the motion to vacate . Upon finding that the Court of Common Pleas entered an order under paragraph (j)(2) of this section, the Superior Court shall enter an order requiring expungement of the police and court records relating to the charge and conviction. Such order shall contain a statement that the expungement is ordered pursuant to this paragraph and, notwithstanding any limitations to the contrary, that the provisions of §§ 4374(f), 4376 and 4377 of this title apply to such order.

(k) The Human Trafficking Coordinating Council is hereby dissolved and reestablished as the Human Trafficking Interagency Coordinating Council to assume the functions of the Human Trafficking Coordinating Council and to administer and implement this chapter, and to perform such other responsibilities as may be entrusted to it by law.

(1) The Human Trafficking Interagency Coordinating Council shall consist of 13 15 members:

- a. Two Three representatives of the Judicial Branch, as appointed by the Chief Justice;
- b. A representative of the Department of Justice to be appointed by the Attorney General;
- c. A representative of the Office of Defense Services to be appointed by the Chief Defender;
- d. A representative of the law-enforcement community to be appointed by the Speaker of the Delaware House of Representatives;
- e. A representative of the health-care community to be appointed by the President Pro Tempore of the Delaware State Senate;
- f. A representative of the Department of Health and Social Services to be appointed by the Secretary of the Department of Health and Social Services;
- g. A representative of the Department of Labor to be appointed by the Secretary of Labor;

h. A representative of the Department of Services for the Children, Youth and Their Families to be appointed by the Secretary of the Department of Services for the Children, Youth and Their Families;

i. Four members who are advocates or persons who work with victims of human trafficking to be appointed by the Governor for a 3-year term and shall be eligible for reappointment. Members shall include representation from all 3 counties of the State.

j. The representative appointed to the Council by the Secretary of the Department of Health and Social Services shall serve as the temporary Chair of the Council to guide the initial organization of the council by setting a date, time, and place for the initial organizational meeting, and by supervising the preparation and distribution of the notice and agenda for the initial organizational meeting of the council. Members of the Council shall elect a Chair and a Vice Chair from among the members of the Council at the initial organizational meeting. Thereafter, the Chair and Vice Chair shall be elected annually from among the members.

k. A representative of the Delaware Department of Education to be appointed by the Secretary of the Department of Education.

(2) The Council shall:

- a. Develop a comprehensive plan to provide victims of human trafficking with services;
- b. Effectuate coordination between agencies, departments and the courts with victims of human trafficking;
- c. Collect and evaluate data on human trafficking in this State;
- d. Promote public awareness about human trafficking, victim remedies and services, and trafficking prevention;
- e. Create a public-awareness sign that contains the state and National Human Trafficking Resource Center hotline information;
- f. Coordinate training on human trafficking prevention and victim services for state and local employees who may have recurring contact with victims or perpetrators; and
- g. Conduct other appropriate activities.

(3) Meetings; quorum; officers; committees; procedure.

- a. The Council shall meet at least 4 times per year. Seven members shall constitute a quorum.
- b. The Chairperson shall have the duty to convene and preside over meetings of the Council and prepare an agenda for meetings. The Department of Health and Social Services shall provide the administrative support for the Council.
- c. The Vice-Chair's duty shall be to act as Chair in the absence of the Chair.
- d. The Council shall establish committees composed of Council members and other knowledgeable individuals, as it deems advisable, to assist in planning, policy, goal and priority recommendations and developing implementation plans to achieve the purposes of the Council.
- e. The Council shall submit a written report of its activities and recommendations to the Governor, General Assembly and the Chief Justice of the Supreme Court at least once every year on or before September 15.

(1) Display of public awareness sign; penalty for failure to display. —

(1) The Delaware Department of Transportation shall display a public-awareness sign required by this section in every transportation station, rest area, and welcome center in the State which is open to the public.

(2) A public awareness sign created under paragraph (k)(2)e. of this section shall be displayed at locations designated by the Council in a place that is clearly conspicuous and visible to employees. These locations shall include adult entertainment facilities, entities found to be maintaining a criminal nuisance involving prostitution under § 7104 of Title 10, job recruitment centers, hospitals, and emergency care providers. The Council shall approve a list of locations on an annual basis.

(3) The Delaware Department of Labor shall impose a fine of \$300 per violation on an employer that knowingly fails to comply with paragraph (k)(2)e. of this section. The fine is the exclusive remedy for failure to comply.

Appendix F. Senate Bill No. 60



SPONSOR: Sen. Poore & Sen. McBride & Rep. K. Williams, Sens. Bonini, Brown, Cloutier, Delcollo, Ennis, Hansen, Hocker, Lawson, Lockman, Lopez, McDowell, Paradee, Pettyjohn, Richardson, Sokola, Sturgeon, Townsend, Walsh, Wilson; Reps. Baumbach, Brady, Dorsey Walker, Griffith, Heffernan, Lynn, Seigfried

HOUSE OF REPRESENTATIVES
150th GENERAL ASSEMBLY

SENATE BILL NO. 60
AS AMENDED BY
HOUSE AMENDMENT NO. 4

AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO CRIMES.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF DELAWARE:

Section 1. Amend § 1342, Title 11 of the Delaware Code by making deletions as shown by strike through and insertions as shown by underline as follows:

§ 1342 Prostitution; class B misdemeanor.

(a)(1) A person, 18 years or older , is guilty of prostitution when the person engages or agrees or offers to engage in sexual conduct with another person in return for a fee.

(2) Prostitution is a class B misdemeanor.

(b)(1) Any person, 18 years or older, found guilty of an act of prostitution when such crime has occurred on or within 1,000 feet of the property of any school, residence, church, synagogue or other place of worship shall be guilty of a class A misdemeanor. The minimum mandatory fine shall be \$500. This fine shall not be suspended.

(2) It shall not be a defense to prosecution for a violation of this section that the person was unaware that the prohibited conduct took place on or within 1,000 feet of any school property, residence, church, synagogue or other place of worship.

(c) A minor who, if 18 years or older, could be charged with prostitution as defined in subsection (a) of this section, is presumed to be a neglected or abused child under § 901 of Title 10. Whenever a police officer has probable cause to believe that a minor has engaged in prostitution, the police officer shall make an immediate report to the Department of Services for Children, Youth and Their Families pursuant to § 903 of Title 16.

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LC : HVW : : 5081500110

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Appendix G. DHA Statewide Protocol Press Release

Delaware Hospitals Announce Coordinated Approach to Tackle Human Trafficking

New Recommendations Aimed at Identifying and Assisting Trafficking Victims

(DOVER, DE - May 8, 2019) Delaware hospitals are joining forces to combat human trafficking. A coordinated victim identification protocol has been adopted by all hospitals in our state that will allow more of those imprisoned by the tragedy of human trafficking to be identified and rescued. We believe Delaware is the first state to advance a common human trafficking identification protocol on a statewide basis.

The Delaware Healthcare Association's (DHA) Human Trafficking Medical Committee unveiled recommendations today for each hospital to adopt as part of a statewide approach to tackle human trafficking. The Human Trafficking Medical Committee was formed in February 2018 at the direction of the DHA Board of Directors to address human trafficking in the health care setting in Delaware by aligning efforts with the state's Human Trafficking Interagency Coordinating Council (the "HTICC"), coordinating with community partners, and developing today's announced protocols. The goal is to identify and care for victims of human trafficking in Delaware hospitals.

"Studies have shown that 88% of human trafficking victims were seen by a health care provider while they are being trafficked. Hospitals have a unique and important opportunity to identify and help victims," said DHA President & CEP Wayne A. Smith. "Delaware is leading the way thanks to the hard work and coordination of our hospitals and support of our state partners, and we encourage other states to join in similar efforts to combat human trafficking."

"Through a year-long process of research and shared learning, the Committee has developed recommendations for each hospital to implement that include education and step-by-step protocols designed to empower hospital employees to identify the signs of human trafficking and to respond to the victim in a trauma-informed, patient centered manner," said Annamarie McDermott, MSW, ACM-SW, Director of Care Management for Saint Francis Hospital & Co-Chair of the Human Trafficking Medical Committee.

"I have seen first-hand how being vigilant and aware of the potential signs of human trafficking -- which may include a chaperone not leaving the patient alone or not letting them speak for themselves or a patient not being aware of where they are -- has allowed nurses to identify victims and get them the help they need before it is too late," said Dawn Culp, MSN, RN, SANE-A, SANE-P, FNE, Bayhealth, & Co-Chair of the Human Trafficking Medical Committee.

"Delaware's Human Trafficking Interagency Coordinating Council is pleased to recognize the leadership of the Delaware Healthcare Association and member hospitals in addressing human trafficking in Delaware. Victims are known to visit hospital emergency departments soon after being trafficked, so EDs are positioned to notice red flags such as their physical injuries, STIs, other untreated illnesses, and signs of psychological trauma. We look forward to partnering with the DHA in understanding the prevalence of trafficking in Delaware and improving services to victims." said Leslie Brower PhD, RN, Chair, Delaware Human Trafficking Interagency Coordinating Council

The Committee is Chaired by Saint Francis Hospital's Annamarie McDermott, MSW, ACM-SW and Bayhealth's Dawn Culp, MSN, RN, SANE-A, SANE-P, FNE and includes members from each of the

hospitals in Delaware, representatives behavioral health facilities in the state, the Medical Society of Delaware, state government and other key stakeholders.

The Committee's recommendations, released today, include the following:

1. Staff education with Human Trafficking 101 – Hospitals are encouraged to implement training using the National Human Trafficking Resource Center power point presentation, or similar content.
2. Use of Human Trafficking Assessment Questions – Intended to assist clinicians in identifying red flags.
3. Implementation of Human Trafficking Algorithm – A step-by-step process of recognizing and responding to suspected trafficking, including links to key resources.
4. Use of ICD-10-CM codes for data collection on adult or child forced labor or sexual exploitation – Utilization of the codes is key to collecting data on trafficking that will better streamline future response and help with allocation of resources. Hospitals are encouraged to implement the codes with the help of the American Hospital Association fact sheet and training on use of the codes.
5. Use of the Juvenile Memorandum – The memorandum developed by the Child Protection Accountability Commission (CPAC) provides an overview of how to address instances when a suspected victim of trafficking is a minor. Each hospital should discuss the memorandum with their legal department with regard to handling documentation.

Each hospital in Delaware will work to implement the recommendations over the next year.

About the Delaware Healthcare Association

The Delaware Healthcare Association (DHA) was formed in 1967 to assist Delaware hospitals in working on issues concerning health care and the hospital industry. DHA is a statewide trade and membership services organization that serves as a leader in the promotion of effective change in health services through collaboration and consensus building on health care issues at the State and Federal levels. DHA's vision is to be the leading and respected voice for hospitals and health care delivery systems in Delaware working together to deliver compassionate, accessible, high quality, financially sustainable health care to the patients and communities they serve. DHA's mission is to provide policy and advocacy leadership in creating an excellent environment for enabling every Delawarean to be as healthy as they can be.

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Appendix H. SB 60 and HB 102 Press Release



Delaware General Assembly

**For Immediate Release:
March 25, 2019**

**Contact: Jen Rini – (302) 744-4399
Scott Goss – (302) 744-4180**

DOVER – As the scourge of human trafficking continues to impact residents throughout Delaware, **Rep. Kim Williams** and **Sen. Nicole Poore** have proposed two pieces of legislation that would help victims of human trafficking rebuild their lives after trauma, bolster public awareness and coordination, and clarify the crime of prostitution.

These measures are the result of recommendations from the Delaware Human Trafficking Interagency Coordinating Council, which is a coalition of agency leaders and stakeholders dedicated to supporting human trafficking victims.

Under House Bill 102, championed by Rep. Williams, human trafficking victims forced into participating in criminal activities could have a clean slate, opening opportunities to jobs, housing and education. The legislation allows a person who is arrested or convicted of any crime, except a violent felony, as a direct result of being a victim of human trafficking to pursue a pardon, expungement or motion to vacate judgement. HB 102 also expands the Human Trafficking Interagency Coordinating Council by adding one member each from the judicial branch and from the Department of Education and encourages more public awareness of this issue.

“Human trafficking effectively silences victims. With this legislation, we are taking them out of the shadows and helping them find the pathway to rehabilitation,” said Rep. Williams, D-Newport. “Trafficking victims face severe trauma, fear and manipulation, and we should not punish them for being forced to commit crimes against their will. They deserve the opportunity to pursue housing, education and employment without the mark of a criminal record holding them back.”

Sponsored by Sen. Poore, Senate Bill 60 clarifies under the law that children can’t be convicted of prostitution. Though it is rare children are found guilty, this bill puts the practice in law, clarifying that an individual must be 18 years of age or older in order to be found guilty of prostitution.

“It’s so important we stop treating these children as criminals and start treating them like the victims that they are. Human trafficking is traumatic, and has lifelong consequences,” said Sen. Poore, D-New Castle. “Victims need counseling and intervention, not criminal records.”

According to an analysis by Polaris Project, nearly 41,000 human trafficking cases were reported nationwide from 2007 to 2017, with 8,759 cases in 2017 alone. Of the total cases nationwide, there have been 91 reported in Delaware since 2007.

Victims of human trafficking need wraparound services and support, which is why the work of the Delaware Human Trafficking Interagency Coordinating Council is critical.

“With Delaware’s location along the I-95 corridor, human trafficking is a serious concern that needs to be addressed with an all-hands-on-deck approach. The Delaware Human Trafficking Interagency Coordinating Council is committed to helping victims and bringing all stakeholders to the table to combat this issue,” said **Dr. Leslie Brower, chair of the council**. “This legislation is a substantial step forward to helping victims rebuild their lives from the trauma of human trafficking, showing them that these experiences do not define them.”

HB 102 and SB 60 will be introduced in Tuesday’s pre-file legislation.

###



DELAWARE COALITION AGAINST DOMESTIC VIOLENCE

Breaking the cycle of violence.

Comments in support of SB 60

Human trafficking takes on a variety of forms and may intersect with intimate partner violence in a variety of ways.

- Sometimes the trafficker is an intimate partner, family member, or someone else in the household. When this happens, it is likely that domestic violence is already occurring, with the offender/trafficker using power and control tactics to force their victim into prostitution activities.
- Children and teenagers who live in homes where domestic violence is occurring are particularly vulnerable to trafficking. Children exposed to violence at home may run away in order to avoid abuse; and research indicates that runaway and homeless youth are at a higher risk of being trafficked.¹
- Reports indicate that traffickers often target children and teenagers with a history of sexual abuse, dating violence, and minimal social support. Traffickers will pretend to be a boyfriend or significant other, feigning affection while manipulating their victim in order to elicit commercial sex or services.²

As we continue to address the issue of human trafficking in our state, SB60 is an important piece of our community's response. Legislative efforts that recognize that children and teenagers involved in prostitution are victims will reduce these victim's exposure to the criminal justice system. Increased access to safety, connection to treatment programs, and decriminalization of behavior are crucial in addressing the root causes and assuring that quality services for children and teens who are involved in prostitution are available.

¹ "Domestic Violence and Human Trafficking." UNICEF USA, 2017, www.unicefusa.org/stories/domestic-violence-and-human-trafficking/33601.

² Simak, Eileen. "Human Trafficking Toolkit." HCET.org, 2018, www.hcet.org/assets/meta/Human-Trafficking-Toolkit.pdf.

Appendix J. Zoë Ministries Statement of Support for SB 60

Dear Rep. Smyck,

This email serves two purposes.

First, to thank you for your past support of my mission and let you know Zoë Ministries is moving forward in opening aftercare for minors in DE who have been exploited for the purpose of sex trafficking. I would be happy to give more detail about our plan/strategy as we move ahead, if you would be interested. We have a two part plan that we hope unfolds by the end of this summer!

Further, I would like to go on record to support HB60. I have grave concerns about children (17 years of age or younger) that could be arrested for prostitution. My understanding is that only 5 minors have had such charges in the past 12 years in our state.

There are many reasons for my concerns, but one of the most serious implications is what we create long-term. There is empirical evidence that recidivism rates skyrocket when minors are incarcerated. When they are arrested and placed in the criminal justice system, they are understandably angry. That, coupled with the "bad company" inside those walls, is a recipe for a perfect storm. We take away hope for rehabilitation and they learn to distrust a system that we communicate is here to protect them.

Teenagers are still minors. They are CHILDREN, many behaving like adults because of our culture, the expectations placed on them by authority figures that care for them, or a need to fill one of the many voids in their lives. We cannot set children up to fail and expect them to succeed...then punish them when they don't.

Please consider my message: We want to prevent trafficking of children. We cannot prevent trafficking of children when we arrest them for decisions that are beyond their cognitive ability and development to make.

Most teens have some degree of trauma in their lives that place them exponentially at risk for being sold for sex by a luring relationship or a starvation to meet an unmet need in their lives.

These kids need our protection and understanding. They need to see our lawmakers ready to help and be compassionate if we want them to trust adult decisions.

Coercion, especially with adolescents, does not yield engagement or cooperation, but rather alienates them from our systems of care at time when we want to focus on trust and engagement.

Please rally support for HB60, on behalf of all those without a real and true choice.

Feel free to call me if you wish to discuss further.

Thank you for your time!

I look forward to your response.

Sincerely,
Yolanda

Yolanda Schlabach, R.N., M.A.

Executive Director

Zoë Ministries, Inc.

P.O. Box 26

Greenwood, DE 19950

302.381.2202

zoe-delaware.org

Appendix K. Recommended Reading and Supporting Resources

A compendium of human trafficking news articles and arrests in the State of Delaware is maintained and provided for reference by Patty D'Angelo of Zoë Ministries

<https://dspnewsroom.com/2017/05/22/five-arrested-in-human-trafficking-case/>

<https://www.delawarereview.com/police/smyrna-man-gets-probation-human-trafficking-case/>

<https://dspnewsroom.com/2017/04/08/georgetown-man-arrested-by-troopers-for-human-trafficking/>

<https://www.delawareonline.com/story/news/crime/2016/09/05/wilmington-man-charged-human-trafficking/89884388/>

<http://www.wboc.com/story/35171226/caroline-county-couple-arrested-for-human-trafficking-and-child-abuse>

http://www.stardem.com/easternshore/times_record/spotlight/police-couple-injects-girl-with-drugs-forces-her-to-perform/article_c7d39ed4-0036-5b32-b73f-febf8c24fb4a.html

https://www.myeasternshorem.com/times_record/spotlight/couple-pleads-guilty-to-human-trafficking/article_2d0e079e-4c8a-5b0c-9b6b-04e74854ed4f.html

<https://www.delawareonline.com/story/news/crime/2018/03/16/newark-reverse-prostitution-sting-nets-6-arrests-men-seeking-services/431731002/>

<https://www.facebook.com/NewarkDelawarePoliceDepartment/posts/632691063520137>

<https://delawarebusinessnow.com/2018/03/undercover-prostitution-sting-at-newark-hotel-leads-to-6-arrests/>

<https://www.delawareonline.com/story/news/local/2017/04/14/two-dafb-airmen-charged-sexual-abuse-minor/100461914/>

<https://www.delawareonline.com/story/news/2018/01/03/dover-airman-gets-prison-sexually-abusing-15-year-old-girl/1000146001/>

<https://www.delawareonline.com/story/news/2018/03/06/dover-airman-sentenced-10-years-sex-trafficking-teenage-girl/396044002/>

<http://www.wboc.com/story/36576233/airman-pleads-guilty-to-child-sex-trafficking>

<https://www.delawareonline.com/story/news/crime/2018/04/13/dover-man-gets-20-years-sex-trafficking-two-teen-girls/515833002/>

<https://www.delawareonline.com/story/news/crime/2018/07/30/another-dover-airman-pleads-guilty-raping-child/863725002/>

<http://www.wboc.com/story/29556045/salisbury-man-convicted-of-human-trafficking>
<https://www.delawareonline.com/story/news/local/2014/12/09/charged-massage-parlor-prostitution-raids/20167909/>
<https://www.delawareonline.com/story/news/crime/2016/05/16/delaware-sues-massage-parlors-owner-prostitution-sting/84453314/>
<https://www.delawareonline.com/story/news/crime/2018/04/03/middletown-police-investigating-attempted-child-abduction/481183002/>
<https://www.delawareonline.com/story/news/2018/05/05/human-trafficking-court-merged-other-treatment-courts/570948002/>
<https://www.delawareonline.com/story/news/2018/05/05/despite-good-intentions-delaware-slow-address-human-trafficking/570902002/>
<https://www.politico.com/magazine/story/2018/07/29/first-amendment-limits-backpage-escort-ads-219034?cid=apn>
<https://www.delawareonline.com/story/news/local/2018/04/06/sex-marketplace-backpage-seized-feds/494868002/>
<https://www.politico.com/magazine/story/2018/07/29/first-amendment-limits-backpage-escort-ads-219034?cid=apn>
<https://www.delawareonline.com/story/news/2018/08/06/citizens-petition-ag-matt-denn-investigate-abuse-delaware-llcs/898036002/>
<https://www.delawareonline.com/story/news/health/2018/08/13/delaware-hospitals-newest-diagnosis-human-trafficking/974792002/>
<https://dsp.delaware.gov/2018/11/02/four-arrested-in-human-trafficking-case-laurel/>
<https://www.usnews.com/news/us/articles/2018-11-15/case-reveals-shame-trauma-of-male-sex-trafficking-victims>
<https://phys.org/news/2018-11-online-sex-ads-rebound-months.html>
<https://www.delawareonline.com/story/news/politics/2018/11/26/delaware-ag-moves-shutdown-llcs-connected-backpage/2071313002/>
<http://www.fox13news.com/news/local-news/polk-county-detectives-arrest-103-suspects-in-human-trafficking-operation>
<https://delawarestatenews.net/opinion/commentary-human-traffickers-hiding-in-plain-sight-in-delaware/>

<http://www.doverpost.com/news/20190109/trump-signs-coons-legislation-to-combat-human-trafficking-into-law>

<http://www.fopledge10.com/news/multi-agency-operation-combat-human-trafficking>

<https://nhliberty.org/wp-content/uploads/2018/04/goldstandard-01-09-18-H-y.pdf>

<https://www.cnn.com/2019/01/31/us/sex-trafficking-super-bowl-myth/index.html>

<https://www.delawareonline.com/story/opinion/contributors/2019/02/04/opinion-help-human-trafficking-victims-rebuild-their-lives/2770486002/>

<http://humansarefree.com/2017/04/doctor-extracts-rfid-chip-from-sex.html?m=0>

<https://www.delmarvanow.com/story/news/local/delaware/2019/02/07/backpage-gone-but-not-sex-trafficking-police/2539934002/>

<http://www.wboc.com/story/29556045/salisbury-man-convicted-of-human-trafficking>

<http://www.wboc.com/story/27517310/police-two-women-held-against-their-will-for-prostitution>

<https://news.delaware.gov/2019/02/18/rm/>

<https://www.delawareonline.com/story/opinion/2019/03/07/delawares-corporate-law-needs-fresh-set-eyes-prevent-misuse/3093468002/>

<https://www.usatoday.com/story/news/nation/2019/02/23/robert-kraft-florida-spa-case-sex-trafficking-common-across-us/2953812002/>

<https://townsquaredelaware.com/2019/02/19/ag-jennings-to-prosecutors-ease-up-on-sentencing-non-violent-offenders/>

https://www.newarkpostonline.com/news/three-facing-up-to-life-in-prison-for-sex-trafficking/article_825deba4-1fa5-582e-9e09-315051565efc.html

<https://www.delmarvanow.com/story/news/local/delaware/2019/02/07/backpage-gone-but-not-sex-trafficking-police/2539934002/>

<https://www.aol.com/article/news/2019/04/11/police-minneapolis-sex-trafficking-sting-during-final-four-ensnares-58-rescues-28/23710224/>

<https://www.justice.gov/opa/pr/three-men-convicted-running-sex-trafficking-ring>

https://www.azfamily.com/news/family-ids-woman-killed-in-ahwatukee-shooting-that-sent-federal/article_3f7af95c-5c80-11e9-9151-bb0e588dbed1.html

<http://www.wtol.com/2019/04/17/oshp-trooper-rescues-human-trafficking-victim-during-traffic-stop/>

<https://www.aha.org/news/headline/2019-05-08-del-hospitals-adopt-common-protocol-help-human-trafficking-victims>

<https://abcnews.go.com/US/wireStory/cop-teacher-accused-lure-teens-sex-62631779>
<http://legis.delaware.gov/MeetingNotice/22090>
<http://www.wgmd.com/de-state-senate-passes-bill-to-protect-child-victims-of-human-trafficking-from-prosecution/>
<https://legis.delaware.gov/BillDetail/47266>
https://youtu.be/wM_EatTdV6w
<https://www.delawareonline.com/story/news/crime/2019/05/03/police-pimp-withheld-drugs-food-sex-trafficking-victims/3662964002/>
<https://www.capegazette.com/article/seminar-takes-aim-human-trafficking/180299>
<https://www.reuters.com/article/us-usa-congress-sextrafficking-idUSKBN1HI2KP>
<https://www.foxnews.com/health/delaware-hospitals-tackle-human-trafficking>
https://www.wdel.com/news/claymont-man-wilmington-pair-convicted-of-sex-trafficking-minors/article_2949352a-5c73-11e9-a7e7-0722189c767c.html
<https://youtu.be/6jMhMVEjEQg>
<https://www.justice.gov/usao-md/pr/two-delaware-men-plead-guilty-sex-trafficking-15-year-old-girl>
<https://www.delawareonline.com/story/news/2019/04/20/trial-set-state-lawsuit-over-massage-parlor-prostitution/3530200002/>
<https://www.delawareonline.com/story/news/crime/2019/05/03/police-pimp-withheld-drugs-food-sex-trafficking-victims/3662964002/>
<http://www.msn.com/en-us/news/us/arrest-of-la-luz-del-mundo-church-leader-sends-shock-waves-through-california-congregation/ar-AACuPbc?ocid=ientp>
<https://www.sacbee.com/news/local/article231119493.html>
<https://www.youtube.com/watch?v=jvLEBXO3A9Y>
<https://www.wmdt.com/2019/06/human-trafficking-survivors-awarded-second-chance-with-bill-signings/>
<https://www.foxnews.com/us/ohio-former-judge-allegedly-work-drunk-thousands-court-cases-under-review>
<https://sharedhope.org/2019/06/20/2019-trafficking-in-persons-tip-report-release/>
<https://www.state.gov/reports/2019-trafficking-in-persons-report/>

Appendix L. DeIDOT Public Awareness Campaign Press Release

DeIDOT Public Awareness Campaign on Sex and Labor Human Trafficking Press Release



In collaboration with the state’s Human Trafficking Interagency Coordinating Council’s Public Awareness Committee, the Delaware Department of Transportation (DeIDOT) launched a new public awareness campaign that focuses on labor and sex trafficking aimed at transit riders in Delaware. Campaign posters/signage was added to all ninety (90) regular transit buses throughout the state. Information identifies the national hotline number and helps to promote greater awareness on the subject of labor and sex trafficking in our state.

A total of 90 DART buses throughout our state display a wrap on the outside of the bus and a poster on the inside of the bus which display artwork and publication of the national hotline number for trafficking

Dr. Silvana Croope with the Department of Transportation stated that “DeIDOT is committed to supporting the effort to eliminate human trafficking within the state and beyond. Over the past several years there have been more cases of sex trafficking that have been identified in Delaware and there is much more believed that goes unreported.

This partnership is the first in many ongoing efforts to help promote public awareness about human trafficking, victim remedies and services, and risks/prevention of trafficking.” The mission of the HTICC relies on collaborative efforts to effectuate change and communication between agencies, state personnel and the courts to better serve the needs of survivors and victims of labor and sex trafficking.



Appendix M. Training Events and Recommendations

Training includes Awareness, Recognition, and Who to call. Recognition of human trafficking includes a review of different types of exploitation, including but not limited to illicit massage, gang related, and familial. Who to call response is agency dependent and may include contacting the National Human Trafficking Hotline and a specific agency's Victim Services Coordinator.

Trainings for Law Enforcement completed since October 2018

- 20 sessions that trained 750 state police
- 4 DSP academy classes trained – 200 officers
- 250 officers trained at Dept of Homeland Security conference, which included state and local municipality officers
- 5 to 6 officers trained of Greenwood municipality at request of Chief of Police
- 60 Capital Police Department (New Castle, Kent, Sussex): important sector to train due to potential of interacting with both human trafficking victims and perpetrators
- Training also for Dept of Corrections Probations officers. (Annamarie to follow up with Mike Records, Director of Training)

Upcoming trainings include: 4 training blocks with the Wilmington Police Department, 2 in August and 2 in September with already sworn officers.

Suggested goals for the human trafficking training in Delaware are a mandated ½ day training at the Academy-level and a 4 hour block specific for human trafficking. Including training on human trafficking at the Academy level reaches an officer at a critical time in their development in their law enforcement career. If it is not taught at the academy, it does not hold a level of importance. Academy training of human trafficking supports that officers fold human trafficking recognition and response into their duties, just as they do for domestic violence and responding to emotionally disturbed persons. Chair/Director of Training of the Council on Police Training is receptive to this.

Delaware has 3 law officer academies: 1) Delaware State Police, 2) Wilmington PD, and 3) New Castle County. Delaware State Police account for 70% of law officers in Delaware.

Another goal is to bring to Delaware the Interdiction for the Protection of Children Spring 2020. Program recommended by US Marshalls who cover Delaware region and by Col of State Police. It is a 2 day long training focused at the patrol level. Regions that have gone through the training have seen a sizable increase in the identification of human trafficking cases. Josh, can you remind me of agencies that support bringing this program to Delaware, the Attorney General's office, DSP and 2 others? (I can't read what I wrote). Application and funding has been approved, working to secure a larger venue that can accommodate 200 to 300 officers.

*discussion of easier to train a new officer with a more open mind versus seasoned officers whose experiences may limit ability to see certain persons as victims, ie. Looking at prostitute as a human trafficking victim even when prostitute herself doesn't recognize trafficking, she calls her trafficker her boyfriend. Discussion of similar barriers to training seasoned nurses and physicians versus residents and nursing students/new nurses. Parallels to domestic violence.

Appendix N. 2019 Op-ed's

In Recognition of Human Trafficking Awareness Month

Submitted by: Dr. Leslie Brower

January 7, 2019

In 2018, five Delaware residents are arrested in Dover for selling a 16-year-old girl for sex, via an internet application. Who would want to acknowledge that the evil of human trafficking happens in Delaware? Sadly, we know that it happens in Delaware, though statistics are difficult to capture. Federal and Delaware law define a sex trafficker as anyone who profits from sexual activity with, or against a child/youth, or with an adult through use of *force, fraud or coercion*. Similar language relates to exploitative labor practices. Recall the recent scandal in which female nail technicians were unpaid, sometimes for a year or more, and forced to live in abject circumstances with no source of income. Sometimes the two types of trafficking overlap. Witness the recent arrests of “spa” operators in Delaware who promised women a job, only to effectively imprison them to be raped daily under the cover of “massages.” Even after Backpage.com was shuttered, internet ads for such operations have proliferated.

Traffickers are hiding in plain sight. Most people understand that children and youth who are sold for sex are truly victims, even if they have taken some action that put them at risk. Research suggests that girls (or boys questioning their sexual identify) who run away from home or from foster care, often because of sexual violence, are at the highest risk of being trafficked. Traffickers know where to find these youth and how to lure them into sexual activity with promises of love and affection, “free” housing and travel, drugs and alcohol—all of which may appeal to a hurt, scared and lonely youth. Youth are increasingly lured through “sextortion”: Someone posing as a peer gathers screenshots of gradually more revealing images—blackmailing the youth into sexual activity with threats to share the images on social media.

The picture may look different when a youth turns 18. It may be tempting to think of an adult sex worker as voluntarily earning a living and sharing the proceeds with a “protective” pimp -- this image is common in films and theater. The “protector” in this case may be called a boyfriend or fiancé, or may be an older male relative or father, or an employer, or yes, even a mother or a “pastor.” But that “protector” is actually a *trafficker* if he, or she, compels that sexual activity through force (beatings, forced drug injections, rapes and gang rapes), fraud (as in the illegitimate spas), or coercion (threats to withhold housing, food, clothes, freedom of movement, medications or drugs.) Like victims of intimate partner violence, these victims often are unable to break away because of fear, intimidation, humiliation and devastated self-regard.

How many victims are in Delaware? Data are hard to pin down. Verified victims under the age of 18 are now considered victims of *child abuse* and mandated reporting applies. But data remain elusive for them and for other victims. Many child or youth victims are still trafficked after their 18th birthday

--though suddenly prosecutors would have to prove the use of force, fraud or coercion to win a case against the trafficker. The barriers to identification and prosecution are daunting. Law enforcement personnel, victim advocates and service providers tell a chilling tale: It is rare for a victim to self-disclose this crime. Chances are they are programmed either to believe their trafficker loves them, or that they don't deserve love and respect, or that they are so broken and humiliated that they can't bear to discuss what has happened to them. Therapists note that victims of sexual abuse, including trafficking, often take 10-20 years before they can discuss what happened to them.

Governors Markell and Carney and many legislators support efforts to prevent and deter trafficking. Delaware's Human Trafficking Interagency Coordinating Council is charged with addressing this situation by increasing public awareness and creating a plan to coordinate victim services. A primary challenge in meeting this charge is to create an approach to identifying, counting and serving victims. We are going to learn more from surrounding states and cities that have met this challenge.

For more information about the crime of trafficking and how to report it, please follow this link to the Human Trafficking National Hotline/Polaris project: <https://polarisproject.org/>

Click here for more information about the Delaware Human Trafficking Interagency Coordinating Council and the Council's preliminary report:

<https://dhss.delaware.gov/dhss/admin/humantrafinteragcouncil.html>

Leslie A. Brower PhD, RN is a psychiatric nurse who chairs the HTICC as well as the statewide advocacy group *Trauma Matters Delaware*.

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Opinion:

Delaware laws should help human trafficking

Victims' rebuild their lives

Submitted by: Kelly E. Head and Laura Graham

February 4, 2019

Kelly E. Head, Community Legal Aid Society, Inc., Staff Attorney

Laura Graham, Community Legal Aid Society, Inc., Deputy Director and the managing attorney of its Medical-Legal Partnership and Immigration Program.

In light of #Me-too and our ongoing national discussion about violence against women, it is important to remember that human trafficking is one of the most severe forms of violence against women and girls. Human trafficking is the business of stealing another person's freedom for profit. Globally, the International Labor Organization estimates that there are 4.8 million people trapped in forced sexual exploitation.

Many survivors have criminal convictions that are directly related to their trafficking victimization. A criminal record re-victimizes a survivor by forcing her to re-live her victimization every time she

discloses her criminal history on job applications, and by making it nearly impossible to obtain the stable employment that she needs to achieve healing and independence.

Community Legal Aid Society, Inc. (CLASI) helps mitigate this re-victimization by providing free civil legal services to victims of human trafficking, including expungement of criminal convictions.

Former CLASI client Jane — we're using a different name to protect her identity — was trapped in forced sexual labor. Jane was brought to the United States by her boyfriend — who we'll call "Steve" — who promised Jane love and opportunity. However, once she arrived, Steve made Jane work in a brothel, where she was forced to engage in sex with 10-12 patrons a day. Steve controlled the money Jane earned, what she wore, and her identity documents. Steve threatened to report Jane to immigration authorities and have her deported, and threatened to physically harm Jane, or her family in her home country, if she disobeyed him.

Jane was further isolated and found it difficult to seek help because she did not speak English. Eventually Steve sold Jane to a large sex-trafficking network. If Jane failed to “serve” enough customers, or disobeyed the traffickers, she was physically assaulted, denied food, and/or locked in a room with no windows or lights.

Jane’s traffickers kept the money she earned as payment for her “room and board.”

During this time, Jane was arrested for prostitution. The traffickers paid her bail and hired her defense attorney. After her conviction, the traffickers forced her to work longer hours to reimburse them for the legal fees they incurred from her arrest.

They also forced her to cash checks for them that were forged; Jane was arrested and convicted of forgery. Jane thought that she would be beaten if she did not do as her traffickers demanded.

Almost 13 years later, Jane escaped from her traffickers. They were arrested, and as a result of Jane’s cooperation, her traffickers were convicted and sentenced.

Jane’s escape from her traffickers did not solve her many problems. While she was free from their abuse, she still needed help with: her immigration status; personal stability including access to employment and housing, which was nearly impossible due to her criminal record; and access to healthcare, including mental health counseling.

CLASI represented Jane in her immigration case, and with our help she obtained lawful status and work authorization. We also helped Jane with expunging her prostitution conviction, and with a victim’s compensation application, so that she could obtain mental health counseling.

Delaware allows victims of human trafficking to expunge some convictions that are related to their victimization. However, this law is limited, as convictions for most minor offenses are not covered.

Jane’s conviction for misdemeanor forgery is still on her record, even though she incurred the conviction because of her human trafficking victimization. This conviction prevents Jane from obtaining the education and employment that she needs to live independently.

Jane’s conviction also re-victimizes her, because she is forced to re-live the abuse and exploitation she suffered every time she discloses her criminal history on job applications.

Some might think that an expansion of Delaware’s expungement law for victims of human trafficking will let victims like Jane get a “free pass.” Some might think that Jane had the choice to leave her situation, and that as an adult she must suffer the consequences of her behavior.

Jane’s victimization does not excuse her behavior, but it does explain her behavior.

Often, victims are not able to make free choices. Victims of human trafficking think about how to survive and avoid further abuse from their trafficker. A victim of human trafficking, when faced with the choice of being beaten or punished, versus obeying their trafficker, will most likely act as demanded —even if asked to engage in illegal activity.

Even though a victim of human trafficking did not make the free choice to engage in the illegal activity, she might have a criminal record for the rest of her life that prevents her from obtaining further education and high-paying employment. And that criminal record will continue to re-victimize the survivor long after she escapes her traffickers.

Victims of human trafficking deserve a second chance to rebuild their lives. Expanding Delaware’s expungement law for victims of human trafficking would give victims a second chance by allowing them to clear minor convictions incurred because of their victimization.

If you think victims like Jane deserve a second chance, we urge you to call your state representatives and ask them to support a bill that expands Delaware’s expungement law for victims of human trafficking.

Making a phone call to your state representative makes a difference in the lives of survivors of human trafficking.

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