

**Child Sex Trafficking in Durham:  
Calling the Community to a Coordinated Response**

**A Report by Durham-Orange Women Attorneys'  
Sex Trafficking Committee**

**October 8, 2015**

## **Executive Summary**

North Carolina and its cities near interstate highways, including Durham, harbor significant levels of child sex trafficking. Most of us don't realize that this is happening in our community, and are not watching for it. And that is also true for the people who work in our community agencies and organizations that interact with those who are trafficked: schools, police, district attorney's office, department of social services and hospital emergency rooms.

We are mostly failing to identify and help these children. Our community agencies which interact with these children are, for the most part, not systematically training staff to recognize warning signs, and then to intervene and refer children to appropriate agencies for support.

Most of our community agencies interacting with these children have no protocol or template for how to proceed when there is a suspicion that a child is in trouble or being sexually trafficked, and there is no overarching Community Protocol on Child Sex Trafficking. Instituting such a protocol would result in each community agency having a defined role in responding to child sex trafficking, each agency knowing where to turn for help, and each understanding how all fit with the others to create a comprehensive community action plan and web of response.

We recommend that the City Council and County Commissioners establish a task force on child sex trafficking, and that the task force create a Durham Response Protocol on Child Sex Trafficking, modeled on the Washington State Protocol. Greater detail on these recommendations is in the "Conclusion" section of this report.

## **Introduction**

Mere walls and a thin curtain can hide so much. They are enough to hide the sex businesses being staffed by children held in sexual servitude. It may be difficult to believe or accept, but this is happening to kids here in Durham.

Children and youth who are forced into prostitution are rarely identified, but if they are, they are likely to be treated as criminals instead of victims. "We believe these victimized girls and boys need help and compassion, not the further victimization of arrest, incarceration and a return to the streets where they once again will be forced into commercial sex acts for the

monetary gain of abusive pimps,” states Bobbe Bridge, President and CEO of the Center for Children & Youth Justice in Seattle, Washington, and former Washington State Supreme Court Justice.

A new focus on child sex trafficking is resulting from the determined efforts of 20 women Senators, Republicans and Democrats, who joined together this past year under the leadership of Senator Barbara Mikulski of Maryland. This group has shaken loose legislation that was stalled, and succeeded in getting a package of laws passed as the Justice for Victims of Trafficking Act (JVTA), which gives new tools to law enforcement. The focus of these laws is on punishing traffickers and buyers, as well as appropriating new money for assistance to those trafficked from fines to be assessed against those convicted of trafficking.

Sex trafficking is very profitable, and is managed on a systematic basis by gangs, gun-runners and branches of organized crime. It is the fastest growing business of organized crime and the third largest criminal enterprise in the world, exceeded only by illegal drug transactions and trading illegal firearms, according to the Federal Bureau of Investigation.<sup>1</sup> The FBI reports that some of these sex trafficking operations have the efficiencies and hierarchies associated with well-run corporations.

Our community’s response is not nearly as systematic and coordinated. We fail to even identify very many of these cases, let alone intervene effectively. Detective Matt Pearson of the Cary Police Department noted, “The problem was, we had seen [child sex trafficking], we just didn’t know exactly what we were looking at.”<sup>2</sup> See “Warning Signs a Child is at Risk for Commercial Sexual Exploitation,”<sup>3</sup> Attachment B. Bobbe Bridge observes, “Without a standardized response [protocol] and the training to implement it appropriately, law enforcement, the courts and other ‘first responders’ unintentionally perpetuate the problem and offer little hope to young victims.”

Good, kind and smart people in agencies such as the Department of Social Services, Police Department, Durham Public Schools, and the Durham District Attorney’s office are now working on the issue of child sexual trafficking. They are often supported by supervisors willing to send them to trainings upon request. These are good actions.

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<sup>1</sup> <http://leb.fbi.gov/2011/march/human-sex-trafficking?Source=GovD>

<sup>2</sup> <http://www.dailytarheel.com/article/2014/11/human-trafficking-in-north-carolina-slavery-in-plain-sight>

<sup>3</sup> <http://your.kingcounty.gov/mkcc/agendas/COW/20140305-COW-Packet.pdf> at p.37.

However, if we visualize a ladder of response where the first step is individual concern, and the highest rung is systematic, sustained training and coordination which includes local, state and federal agencies, we are on a relatively low rung of response.

Our faith in Durham is that once our community recognizes a problem, we join together to address it. The aim of this report is to focus attention on this problem of child sex trafficking. The hope of our committee is that as a community we will work more quickly, and in a more coherent and coordinated way across agency lines, to aid our children who are being trafficked. As a united community, we need to climb the ladder of response to achieve a systematic, institutionalized and coordinated response.

### **What Do We Know About Trafficking Cases in Durham?**

U.S. State Department's 2014 Trafficking in Persons Report (TIP Report) states, "Reporters often lead with numbers, but reliable statistics related to human trafficking are difficult to find. Human trafficking is a clandestine crime and few victims and survivors come forward for fear of retaliation, shame, or lack of understanding of what is happening to them."

The U.S. Department of Homeland Security (DHS) states in its training material for school administrators and staff, "Each year, as many as 100,000-300,000 American children are at risk of being trafficked for commercial sex in the United States." See "Trafficking 101 for School Administrators and Staff."<sup>4</sup>

There is a misconception that children who are trafficked are primarily immigrants, or that the children in Durham who have been sexually exploited are those who have immigrated illegally and been abused along the way. So, as only one example, initial attempts to engage with Durham Public Schools about child sex trafficking were directed to the director of ESL (English as a Second Language) services.

In actuality, the vast majority of people bought and sold in the sex trafficking network in the United States are American citizens (83 percent).<sup>5</sup>

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<sup>4</sup> <http://www.dhs.gov/sites/default/files/publications/blue-campaign/Blue%20Campaign%20-%20Human%20Trafficking%20101%20for%20School%20Administrators%20and%20Staff.pdf>

<sup>5</sup> <http://www.csmonitor.com/USA/Politics/2015/0317/Behind-landmark-sex-trafficking-bills-resolve-of-20-women-senators>. See also the Bureau of Justice Statistics' April 2011 report at <http://www.bjs.gov/content/pub/press/cshti0810pr.cfm>.

There are different vectors of child sex trafficking in Durham: children who are trafficked here for a short term and are kept moving, and those who live here for a longer term. In addition, some of the recruitment is through what might be called a 'home grown network,' in which 16, 17 and 18 year-old youth recruit younger students. Some of this recruitment happens while children are in or around school. The average age at which girls first become victims of prostitution is 12 to 14. It is not only the girls on the streets who are affected; boys and transgender youth enter into prostitution between the ages of 11 and 13 on average.<sup>6</sup>

There are also reportedly some gangs involved in child sex trafficking in Durham, with MS-13 and a Vietnamese gang based in Greensboro both mentioned by law enforcement officials. It is known that the brutal gang MS-13 has been active in Charlotte, North Carolina, with violence from this cell spilling into Greensboro and other North Carolina cities. In 2008, an FBI investigation resulted in 26 MS-13 members being charged with various crimes, and culminated with 7 trial convictions in January 2010, 18 guilty pleas, and 11 multi-year prison sentences, including the alleged first death-penalty conviction for an MS-13 member.<sup>7</sup>

In June, 2014, the FBI conducted its eighth "Operation Cross County", in which 168 children nationwide were recovered from sex traffickers. While no children were recovered by the FBI's Charlotte division (which covers a wide area, including Raleigh and Greensboro), 3 traffickers were arrested.<sup>8</sup>

### **Recommendation to Create County-wide Task Force**

We recommend that the City Council and County Commissioners create a City-County Task Force to develop a coordinated community response plan on the sex trafficking of minors, and enlist the participation of all community agencies which can assist in identifying and responding to child sex trafficking. For purposes of the rest of these recommendations, we'll refer to this as the "Task Force", whether an existing body or a specifically created body is tasked with developing such a response plan.

An example of the composition and work of such a county-wide Task Force is provided by the briefing report of the King County, Washington, Commercially Exploited Children Task Force

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<sup>6</sup> FBI 2011 Report <http://leb.fbi.gov/2011/march/human-sex-trafficking?Source=GovD>

<sup>7</sup> <http://www.fbi.gov/charlotte/press-releases/2010/ce072710.htm>

<sup>8</sup> <http://www.fbi.gov/news/pressrel/press-releases/168-juveniles-recovered-in-nationwide-operation-targeting-commercial-child-sex-trafficking>

presented to the King County Commissioners, which is available online or upon request from this report's authors.<sup>9</sup>

### **Recommendations for the Task Force**

1. Our community's response should have the welfare of the trafficked person as its organizing principle, and as much as possible, people who have been trafficked should be given a voice in shaping the response.
  - ◆ For example, our police and District Attorney may want to consider whether disrupting the business model of traffickers is a higher priority than prosecuting people who are prostituted. As another example, if criminal prosecution of a trafficker may pose a threat to the recovery of the trafficked person, recovery should be favored.
2. Create a Durham Sex Trafficking Response Protocol meeting the following goals:
  - ◆ Identify community agencies which have a role in responding to sex trafficking.
  - ◆ Define clear response roles for each agency, and for these roles to become institutionalized, ongoing and sustained through employee and volunteer training, and agency policies.
  - ◆ Each agency's employees should know whom to contact when working on a sex trafficking case or suspected case.
  - ◆ Ensure that the community's response is coherent, without gaps in the functions that need to be fulfilled to disrupt trafficking and provide needed services to trafficked persons.

The Washington State Protocol on Child Sex Trafficking may be adapted for use by our community, and a summary of that Protocol appears as Attachment A to this report.<sup>10</sup>

3. Consider conducting training for all involved Durham community agencies, with the training presented by a group such as the Center for Children & Youth Justice. One of the explicit goals of hiring a leading national advocacy group to conduct the initial

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<sup>9</sup> <http://your.kingcounty.gov/mkcc/agendas/COW/20140305-COW-Packet.pdf> at p.37.

<sup>10</sup> <http://ccyj.org/wp-content/uploads/2015/04/Project-Respect-protocol.pdf>

training could be to develop local trainers and training to be provided for Protocol participating agencies on a recurring and regular interval.

- ◆ Also consider sending representatives from Durham’s community institutions to receive training from the National Center for Missing and Exploited Children (NCMEC), which brings state and federal law enforcement agencies, prosecutors, and social service providers from across the country for training as part of the Innocence Lost National Initiative, established in 2003 by the FBI’s Criminal Investigative Division in partnership with the Department of Justice and NCMEC.
4. Durham hospitals, including their emergency room staffs, should be encouraged to study UNC-Chapel Hill’s Beacon Unit for potential implementation of a similar program.

### **Who We Are**

Durham-Orange Women Attorneys (DOWA) is a chapter of the North Carolina Association of Women Attorneys. DOWA’s Sex Trafficking Committee (the Committee) was formed by former DOWA President Sherri Zann Rosenthal, Committee Coordinator, along with attorneys Katherine Bandy, Kathleen Herr, Joanna Gaughan, Elizabeth Kuniholm, Tracy Lischer, Jennifer Perez, Beth Sheba Posner and Jane Volland. In addition, Barbara Lau, who teaches at Duke University, was a key member of the Committee, and we thank her for the interviews conducted by several of her oral history students.

### **The Committee’s Method and Report’s Intention**

The Committee grew from a DOWA focus on human trafficking during 2013 and 2014. After presentations on human trafficking from Legal Matters, a faith-based non-profit that provides case management to those trafficked, and from the NC Coalition Against Domestic Violence, some of us wanted to go further.

The Committee began work in August 2014, meeting with Dale Alton and Jess Porta of the Salvation Army’s Project Fight. Committee members interviewed individuals at community agencies that have key roles to play in responding to child sex trafficking: Durham Public Schools, Department of Social Services, Police Department, District Attorney, Judges, hospitals

and emergency rooms. Committee members have not interviewed key non-profits, though we also consider them to play an important role in responding to child sex trafficking.

This report is a broad look at Durham’s current response to child sex trafficking, conducted by reasonably-informed citizens. It is not meant to be an in-depth analysis, nor do we mean to critique any agency’s actions. Rather, it is a call to action based upon our conclusion that we can and should do better to assist the children in our community who are being trafficked for sex.

### **Grateful Thanks**

- ◆ The Salvation Army has shown great leadership on the issue of sex trafficking, and through its ‘Project Fight’ has provided invaluable case management to individuals who have been trafficked. We are grateful for the time and information provided by Dale Alton and Jess Porta.
- ◆ Thank you to Cathy Moore, Senior Assistant County Attorney working with DSS, who provided the Powerpoint of a presentation on the Washington State Protocol on Child Sex Trafficking from which Exhibit A to this report was adapted.
- ◆ Many gave generously of their time and information when our Committee members called. In most cases, these individuals asked not to be identified—mainly because individuals most concerned about child sex trafficking fear the reactions of superiors if they talk about the issue. Thank you to all of you who spoke with us.

### **Resources on Human Trafficking** (in alphabetical order):

**Center for Children & Youth Justice, ‘Project Respect’** created the Washington State Protocol, which provides a victim-centered response protocol for law enforcement, the courts, victim advocacy organizations, youth service agencies and other first responders to aid in identifying commercially sexually exploited children (CSEC) and those at risk of CSEC, in treating them as crime victims rather than criminals, and in providing these children the services they need. Washington State Model Protocol For Commercially Sexually Exploited Children, March 2013 revision, <http://ccyj.org/wp-content/uploads/2015/04/Project-Respect-protocol.pdf>

**Justice Matters** is a Durham-based non-profit providing legal services to those who are vulnerable and marginalized, specializing in trauma-informed immigration and family law

services that protect children and help survivors of human trafficking and other traumas rebuild their lives. <http://www.justicemattersnc.org/>

**NC Stop** (North Carolina Stop Human Trafficking) is a statewide organization whose mission is to eradicate modern day slavery in all its forms. They work to connect individuals, community groups, and faith-based organizations in North Carolina who fight against human trafficking to collaborate, communicate, educate and advocate. Sparse recent activity, but good links and a browsable database of resources. <http://humantrafficking.unc.edu/ncstop/>

**Project FIGHT (Freeing Individuals Gripped by Human Trafficking)**, a project of the Salvation Army, provides comprehensive case management for victims of human trafficking found in North Carolina, and works to generate education and awareness about human trafficking in the community. Project FIGHT also leads the Rapid Response Team of the Triangle, collaborating service providers including law enforcement, legal aid, and medical/mental health providers. Since its inception in 2011, Project FIGHT has seen over 140 cases of human trafficking in North Carolina. <https://www.salvationarmycarolinas.org/wakecounty/programs/social-ministries/project-fight/>

**Shared Hope International.** <http://sharedhope.org/resources>

**UNC Beacon Child and Family Program:** Provides comprehensive, coordinated care, 24/7, to UNC Health Care System's patients, families, and employees experiencing a variety of family violence. It includes services for children, victims of domestic abuse, human trafficking, workplace violence, sexual assault, and the elderly. <http://www.med.unc.edu/beacon>

## Attachment A

### Washington State Protocol on Child Sex Trafficking (Summary)

#### **Project Respect—Washington State**

Summary by Sherri Zann Rosenthal 10-1-13

See CENTER FOR CHILDREN & YOUTH JUSTICE 'PROJECT RESPECT' REVISED Washington State Model Protocol For Commercially Sexually Exploited Children, March 2013 at <http://ccyj.org/wp-content/uploads/2015/04/Project-Respect-protocol.pdf>

The mission of the commercial sexual exploitation of children (“CSEC”) model protocol is to foster collaboration and coordination among agencies to improve the capacity to identify CSEC and provide safety and services for them and their families/caregivers, as appropriate, as they work to end their exploitation, and to hold their exploiters accountable. Those involved in this effort will use best practices and will rely on data and evidence to drive system improvements.

The mission statement, unpacked:

1. Foster collaboration and coordination among agencies
2. Improve capacity to identify commercially sexually exploited children (“child sex trafficking”)
3. Provide safety and services to children identified as trafficked, and their caregivers
4. Hold the exploiters accountable

#### **Core Values for the Model Protocol**

1. We view sexually exploited youth as victims of crime, and do not view or treat them as criminals.
2. Our response fosters regional coordination and relationship-relationship building within and across systems; this is an intentional process for different systems to interact, network, and form a regional alliance.
3. We meet youth where they are with accessible services based on their individual needs.
4. Individually and collectively our first, foremost and sustaining objective is victim safety.
5. All children deserve a safe, warm, nurturing environment, independent of their behavior.

#### **Multidisciplinary Teams (MDT's)**

Responsible for immediate response and ongoing problem solving on specific CSEC cases as they arise. These teams are small and capable of quick response.

## **Multidisciplinary Teams (MDT's)**

Members will likely include;

- *police/deputy sheriff*
- *community based advocate*
- *Child Protective Services*
- others if needed (service providers, prosecutors, defense attorneys, etc.)

## **Multidisciplinary Team Duties**

Meet within 24 hours of the identification of a CSEC and work together to make sure:

- the child's immediate needs are met,
- that the child is assessed for safety and placed accordingly,
- that needed services are identified and offered.

## **Purpose of the Task Forces**

A CSEC Task Force is intended to support and encourage a collaborative effort among local law enforcement, courts, prosecutors, diverse victim service providers, and other key stakeholders who together provide comprehensive services in order to discover and respond effectively to the commercial sexual exploitation of children and youth.

## **Key Task Force Duties**

In addition to overall collaboration and coordination duties, it:

- Adapts and implements the model protocol at the local level
- Collects and reviews data that helps to monitor the extent to which CSEC exists in the region
- Evaluates the effectiveness of the protocol implementation
- Sets goals and achieves them
- Addresses collaboration/coordination issues as they arise

## **Task Force Memorandum of Understanding (MOU)**

- It is a public statement of commitment and a guide for accountability.
- It should clearly define roles, responsibilities and responses to CSEC that are within the agency or organization's normal capacity.
- MOU insures continuity of the Task Force – not just person or personality based.

## **Statewide Coordinating Committee**

A group of statewide decision makers will convene annually to address the issue of children who are commercially sexually exploited, to examine the practices of local and regional entities involved in addressing sexually exploited children and to make recommendation on statewide laws and practices

(from SSB 5308).

### **Data Collection**

The Washington State Center for Court Research is leading an effort to work with stakeholders and pilot sites to develop and implement a data collection plan involving law enforcement, courts, CPS and service providers.

### **Best Practices for the Model Protocol**

- Training
- Screening
- Local protocols to identify and locate youth who have runaway multiple times in one year
- Soft site as reception center
- Include families and care givers in service planning when appropriate

Don't let the perfect be the enemy of the good.

## Attachment B

# Warning Signs a Child is at Risk for Commercial Sexual Exploitation (CSE)

### What are the red flags?

- Chronic truant / runaway / homeless youth
- Excess cash
- Hotel room keys
- Multiple cell phones
- Signs of branding (tattoos, jewelry)
- Having expensive items with no known source of income (especially hair, manicures, cell phone, clothes)
- Lying about age / false identification/inconsistencies in information being reported
- Dramatic personality change; evasive behavior especially around a "new boyfriend", talk about being "taken care of", disengagement from school, sports, community
- Lack of knowledge of a given community or whereabouts
- Provocative clothing, sex toys, multiple condoms, lube or other sexual devices

### \*\*\* Guiding Principles for Engagement \*\*\*

- Maintain a compassionate and non-judgmental attitude at all times.
- Be consistent: follow through on everything and do not make promises that cannot be kept.
- Trust and relationship-building: this is a slow process and relationship testing is to be expected.
- Cultural Competency: be sensitive to the unique cultural needs and experiences of each person. Be aware of your own beliefs, biases, and cultural worldview.
- Safety: focus on safe housing, harm reduction and creating safety strategies for youth.
- Self-determination and empowerment: youth should have information relevant to their situation and be encouraged to make informed decisions whenever possible.

### How do I identify an at-risk youth?

- Ask specific questions to screen for risk factors or CSE involvement
- Increase attempts to find youth who chronically run away or are truant
- Learn about specific gang activity from local law enforcement (or from youth if it is safe for them to discuss)
- Ask about STI/STDs, pregnancy, and unexplained injuries
- Observe communication patterns; who talks to whom, who doesn't talk, who is in control

### What questions do I ask?

- What kind of support do you need?
- What happened to you?
- Sometimes people trade sex for money or because they have to survive, has that happened to you?
- I'm concerned about your safety, are there places that are dangerous for you to go? Are there people that are dangerous for you to be around right now?
- I'm concerned you are in the life. I will not judge you or anything you tell me. I'm here to listen if you ever want to talk or want support getting out.

### How do I help?

- **Call the CSEC Hotline @ (855) 400- CSEC / (855) 400 - 2732**

Prepared by King County CSEC Task Force  
Updated November 2013