



# Office of Children and Family Services

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## Informational Letter

<b>Transmittal:</b>	15-OCFS-INF-08
<b>To:</b>	Commissioners of Social Services Executive Directors of Voluntary Authorized Agencies
<b>Issuing Division/Office:</b>	Strategic Planning and Policy Development
<b>Date:</b>	August 26, 2015
<b>Subject:</b>	<b>Promoting Awareness and Best Practices to Address Human Trafficking</b>
<b>Suggested Distribution:</b>	Directors of Social Services Voluntary Agency Program Directors Child Advocacy Center (CAC) Staff Supervisors of Child Protective Services (CPS), Adoption, and Foster Care LDSS Attorneys and Other Agency Legal Staff Domestic Violence (DV) Liaisons Staff Development Coordinators
<b>Contact Person(s):</b>	See Page 12
<b>Attachments:</b>	1) Youth In Progress' Need to Know Series on Human Trafficking <a href="http://ocfs.ny.gov/main/publications/Pub5138.pdf">http://ocfs.ny.gov/main/publications/Pub5138.pdf</a> 2) Guidance to States and Services on Addressing Human Trafficking of Children and Youth in the United States <a href="http://www.acf.hhs.gov/programs/cb/resource/human-trafficking-guidance">http://www.acf.hhs.gov/programs/cb/resource/human-trafficking-guidance</a>

### Filing References

Previous ADMs/INFs	Releases Cancelled	NYS Regs.	Soc. Serv. Law & Other Legal Ref.	Manual Ref.	Misc. Ref.
09-OCFS-ADM-01: <i>New York State Anti-Trafficking Statute</i>			SSL Art. 10-D SSL Art. 6, Title 8-A SSL §§ 447-a(1)(a)-(d) and 447-b(1) FCA §§ 311.4(3) and 712(a)		Trafficking Victims Protection Act (TVPA) of 2000 [P.L. 106-386]
15-OCFS-INF-03: <i>Preventing Sex Trafficking and Strengthening Families Act [P.L. 113-183]</i>			PL §§135.35, 135.36, 230.34, and 230.36 CPL §440.10(1)		Preventing Sex Trafficking and Strengthening Families Act [P.L. 113-183]

## I. Purpose

The purpose of this Informational Letter (INF) from the New York State Office of Children and Family Services (OCFS) is to inform local departments of social services (LDSSs) and Voluntary Authorized Agencies (VAs) and raise awareness regarding the issue of human trafficking, and how it commonly intersects with the work of LDSSs and VAs. In addition, this INF will provide information on the applicable laws addressing the issue of human trafficking, as well as recommendations for best practices pertaining to identification of trafficking victims, prevention services for at-risk populations, services and resources available to victims of trafficking.

## II. Background

Human trafficking is a violation of human rights where individuals are denied liberty and basic rights. It is essentially a form of modern day slavery in which adults and children, both domestic and foreign nationals, are bought and sold like commodities for the purpose of profiting from their labor or sexual exploitation.

The Trafficking Victims Protection Act (TVPA), a federal law originally enacted in 2000, was most recently reauthorized in 2013 (P.L. 113-4). The Act created a three-pronged approach to combat human trafficking by providing authority to address prevention, protection, and prosecution of human trafficking. The term “sex trafficking” is defined in the law as “the recruitment, harboring, transportation, provision, or obtaining of a person for the purpose of a commercial sex act” and “severe forms of trafficking in persons” is defined as:

- “Sex trafficking in which the 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
- 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<sup>1</sup>.”

The TVPA created a process to “certify” victims of human trafficking federally as a means to provide specialized services and assistance to certified victims.

The New York State Anti-Trafficking Law of 2007<sup>2</sup> criminalized sex and labor trafficking. A person commits the crime of sex trafficking when he/she intentionally advances or profits from prostitution by: (1) providing the victim with certain drugs; (2) making material false statements; (3) withholding or destroying government identification documents; (4) requiring prostitution to be performed as repayment of a debt; (5) using force or engaging in any scheme, plan, or pattern to compel or induce such person to engage in prostitution by making that person fearful.<sup>3</sup> It is important to note that unlike New York State law, the federal law’s definition of sex trafficking considers minor victims as trafficking victims regardless of force, fraud, or coercion. Under New York State law, the crime of labor trafficking is committed when a person compels or induces another person to engage in labor, or recruits, entices, harbors, or transports such other person by means of

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<sup>1</sup> 22 U.S.C. § 7102

<sup>2</sup> Chapter 74 of the Laws of 2007.

<sup>3</sup> NYS Penal Law § 230.34.

intentionally: (1) providing the victim with certain drugs; (2) requiring servicing of a debt that is caused by a course of conduct, with intent to defraud such a person; (3) withholding or destroying government identification documents; (4) using force or engaging in any scheme, plan, or pattern to compel or induce such person to engage in labor activity by making that person fearful.<sup>4</sup>

The 2007 law created a process to “confirm” victims of human trafficking, for which the New York State Office of Temporary and Disability Assistance (OTDA) and the Division of Criminal Justice Services (DCJS) are jointly responsible. This process is a referral mechanism to provide specialized assistance to victims, as well as a method of collecting data. For information about the Anti-Trafficking Law, including the confirmation process and LDSSs’ responsibilities when they receive a referral of a confirmed trafficking victim, please see the directive on the New York State Anti-Trafficking Statute [09-OCFS-ADM-01](#).<sup>5</sup>

The New York State Safe Harbour for Exploited Children Act of 2008 (Chapter 569 of the Laws of 2008), provides protections for children who are victims of commercial sexual exploitation and provides for the ability to access specialized services. This law provides protections for sexually exploited children when he/she is charged with a prostitution-related offense. This law was amended by Chapter 555 of the Laws of 2013 and Chapter 402 of the Laws of 2014 to allow for the same protections to be extended to 16 and 17 year olds charged with certain prostitution-related offenses. It allows courts to proceed with a Person in Need of Supervision (PINS) petition rather than a juvenile delinquent (JD) proceeding in family court or in those instances where a youth is 16 or 17, it allows the criminal court to permit a PINS proceeding. A PINS proceeding provides minors with the services available to children under the Family Court Act.

Starting in SFY 2012-2013, OCFS received an appropriation of funds under the Safe Harbour Act for “services and expenses associated with sexually exploited children.” This funding, which has been continued each year, provides an opportunity to address the needs of children who are sexually exploited through the development and implementation of a statewide child welfare response to commercial sexual exploitation of children (CSEC) and child trafficking, called the Safe Harbour New York project (formerly called ChildRight: New York). For more information on the project, please see <http://ocfs.ny.gov/main/humantraffic/default.asp>.

The New York State Vacating Convictions Law of 2010<sup>6</sup> provided victims of human trafficking with an appeals process to vacate convictions for prostitution-related offenses that took place while the person was a victim of trafficking. A victim’s convictions may be vacated if he or she can prove his/her involvement was related to sex trafficking as defined under state or federal law (New York Penal Law § 230.34 or 22 U.S.C. Chapter 78). In the case of minor victims, a process already exists outside of the Vacating Convictions Law, and if a child was charged as a juvenile delinquent, after the child reaches the age of 16, he or she can request that the court seal the records (Family Court Act section 375.2).

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<sup>4</sup> NYS Penal Law § 135.35.

<sup>5</sup> 09-OCFS-ADM-01 *New York State Anti-Trafficking Statute* ([http://ocfs.ny.gov/main/policies/external/OCFS\\_2009/](http://ocfs.ny.gov/main/policies/external/OCFS_2009/)).

<sup>6</sup> Chapter 332 of the Laws of 2010.

Many individuals who end up in New York State courts on prostitution charges are victims of trafficking and were recruited into the commercial sex industry by force, fraud, or coercion. For this reason, in 2013, New York State launched its statewide Human Trafficking Intervention Initiative, which is the Human Trafficking Courts, also known as the Prostitution Diversion Courts. This initiative targets cases involving individuals charged with prostitution-related offenses to identify and assist any potential sex trafficking victims, as well as to break the cycle of exploitation and arrest. If there is consensus that the case involves a sex trafficking victim in need of resources, the court facilitates in connecting the victim to tailored services such as shelter, healthcare, immigration assistance, drug treatment, education, and job opportunities. For more information see [http://www.nycourts.gov/press/PR13\\_11.pdf](http://www.nycourts.gov/press/PR13_11.pdf).

On September 29, 2014, the Preventing Sex Trafficking and Strengthening Families Act (Act) [P.L. 113-183] was enacted, which amended various provisions of Title IV-E of the Social Security Act (SSA). The Act has two primary purposes - to protect and prevent at-risk children and youth from becoming victims of sex trafficking, and to improve the safety, well-being and permanency outcomes of children and youth involved with the child welfare system. Among other provisions, the Act requires that policies, procedures, and tools for identification, documentation, and response to child victims of sex trafficking, or those at risk of becoming victims, be developed and provides a mechanism for data collection. For more information on the basic provisions of the Act, please see [15-OCFS-INF-03](#).<sup>7</sup> Amendments made to regulations in 18 NYCRR to implement P.L. 113-183 will become effective on September 1, 2015.

Further guidance specifically on the policy and procedures for identifying, documenting, and responding to sex trafficking victims and those at risk as required by P.L. 113-183 will be provided in a future policy directive.

### III. Program Implications

Although child welfare and other direct service staff may recognize human trafficking red flags as indicators of issues affecting a child's well-being, staff often do not identify them as cases of "human trafficking" and may not recognize the person as a victim. Adult and child trafficking victims, as well as persons at risk of becoming victims, fit many of the vulnerabilities seen in direct service staffs' day-to-day clients. For example, many trafficking victims have experienced physical and psychological abuse, substance abuse, neglect, domestic violence (DV), and/or homelessness. This may result in workers in DV programs, Runaway and Homeless Youth (RHY) shelters, Child Advocacy Centers (CAC), residential facilities, Child Protective Services (CPS), foster care, mental health and substance abuse programs, and other areas coming into contact with individuals who have either been trafficked or who are at risk of being trafficked.

For this reason, it is important that workers are prepared to identify risk factors and "red flags" that indicate a child or adult may have been trafficked or is at risk of being trafficked. This provides workers an opportunity to educate adults and children about how to protect themselves against traffickers, thereby potentially preventing a child or adult

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<sup>7</sup> 15-OCFS-INF-03, *Preventing Sex Trafficking and Strengthening Families Act* (<http://ocfs.ny.gov/main/policies/external/#INF>).

from being victimized. In addition, identification of victims also enables the worker to provide proper referrals and services to victims.

The presence of one red flag does not indicate a person is a trafficking victim; rather, workers should look at a pattern of red flags and vulnerabilities to make potential victim identifications. Key red flags<sup>8</sup> for both labor and sex trafficking include, but are not limited to:

- Few or no personal items
- No control of finances or identification documents
- Unpaid, underpaid, or paid only through tips
- Works excessively long/unusual hours
- Limited knowledge about whereabouts; loss of sense of time
- Limited freedom to leave working/living conditions
- Lives and works in the same place
- Signs of trauma, fatigue, injuries or abuse
- Multiple residences within a brief period; frequent travel to other cities; living in a hotel; having hotel keys
- Controlled/restricted communications
- Excessive/inappropriate security features
- Excessive fearfulness of law enforcement; non-cooperativeness
- Expensive gifts; extra money, and/or multiple cell phones, especially if they can't afford these things
- Suspicious jewelry; tattoos, such as "branding" barcode, "Daddy's Girl"
- Minor engaged in sexual behaviors beyond age-specific norms; with noticeably older "boyfriend" (e.g., 10+ years older)
- Minors with sexually transmitted infections/diseases and/or need for pregnancy tests/abortion
- Minor with unexplained absences from school for a period of time
- Minor running away chronically

### **Individuals at Risk of Becoming a Victim:**

Anyone—no matter their age, nationality, race, religion, socio-economic status, education level, sexuality, or gender—can be a victim of labor or sex trafficking. However, traffickers often target adults and youth who are vulnerable as they are easily exploitable. This includes adults and youth who:

- Have histories of abuse (physical, sexual, emotional)
- Have substance abuse or mental health issues.
- Are placed in foster care or juvenile justice system or previously were placed
- Live in areas of civil unrest or natural disasters
- Have undocumented status
- Have low socio-economic status
- Lack employment opportunities
- Have an unstable home life
- Are seeking a new or exciting

<sup>8</sup> Source: *Polaris, Recognizing the Signs* (<http://www.polarisproject.org/human-trafficking/recognizing-the-signs>).

- Are runaway youth or homeless opportunity
- Are Lesbian, Gay, Bisexual, Transgender or Questioning/Queer (LGBTQ)
  - Are refugees, immigrants, and non-English speaking
  - Have limited education or disabilities

In addition, most recently the topic of re-homing has also been discussed in terms of its potential connection to human trafficking. For more information on re-homing, please see [15-OCFS-INF-01](#).<sup>9</sup>

### **Runaway and Homeless Youth (RHY):**

Youth run away from home or care due to a host of reasons that often include experiences of physical or sexual abuse, neglect, difficulties that may be faced due to gender identity, as well as limitations and control imposed upon them, especially if in a shelter, program, or facility. Complex mixtures of vulnerabilities such as these may lead youth to have low self-esteem and minimal social support. For this reason, and due to the additional vulnerabilities of trying to survive out on their own, runaway and homeless youth are at extremely high risk of falling victim to human trafficking.

The National Institute for Missing, Abducted, Runaway and Throwing Children estimates that nationally 1.6 million children run away from home each year and that one out of every three teens on the street will be lured toward the sex industry within 48 hours of leaving home.<sup>10</sup> Studies report that many exploited children are missing when exploitation occurs. Homeless LGBTQ youth are at even higher risk for sexual victimization for a number of reasons, including that many LGBTQ youth do not have any familial or other positive supports. In addition, traffickers and exploiters often target runaway youth, youth shelters, group homes, foster homes, and other services for youth and lure victims by promising a better life, basic needs (food, shelter, and clothes), a relationship, and/or employment. To further complicate the issue, sometimes runaway and homeless youth may engage in survival sex<sup>11</sup> as a means to meet basic needs, which may increase their chances of being trafficked. Survival sex is exchanging sex acts for basic subsistence needs, including clothing, food, and shelter.

### **The Intersection Between Human Trafficking and Domestic Violence:**

Human trafficking, especially sex trafficking, often mirrors the dynamics of DV with traffickers utilizing similar tactics and conditions of power and control. The physical,

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<sup>9</sup> 15-OCFS-INF-01, *Re-homing of Children* (<http://ocfs.ny.gov/main/policies/external/>)

<sup>10</sup> Hammer, H., Finkelhor, D., & Sedlak, A.J. (2002). *Runaway/Throwaway Children: National Estimates and Characteristics*. NISMART Bulletin Series. Washington, D.C.: Office of Juvenile Justice and Delinquency Prevention.

<sup>11</sup> Bigelsen, J. (2013). *Homelessness, Survival Sex & Human Trafficking: As Experienced by the Youth of Covenant House NY*. Covenant House New York. (<https://www.covenanthouse.org/homeless-teen-issues/human-trafficking>).

sexual, psychological, emotional, and economic abuses that are often used in both situations are very similar. Perpetrators of both DV and trafficking may use coercion, intimidation, isolation, threats, control of finances, and/or children to make victims comply. Both perpetrators are also known to use a mix of loyalty, fear, and dependence, making it difficult for a victim to leave. These tactics often cause victims of both situations to relapse and return to the trafficker or abuser, even after they seek help and services. This can be very frustrating to service providers, so it is important for them to remember that, similar to the situation facing DV victims, it may take several attempts for a trafficking victim to break ties with his or her trafficker. In addition, providers should know that as a result of the overlap of trafficking and DV, a victim of trafficking can be very vulnerable to a DV relationship, and vice versa, especially when they are attempting to flee an abusive relationship. DV can also have an impact on the trafficker. According to a recent study,<sup>12</sup> 88 percent of traffickers interviewed indicated that they grew up in a home where DV was present.

### **Traffickers and Trafficking Tactics:**

There is no one profile of a trafficker. A trafficker can be anyone who is willing to exploit another human being for profit. People who can be traffickers include, but are not limited to:

- Organized crime rings
- Gangs
- Intimate partners
- Family and/or friends
- Neighbors
- Community/religious leaders
- Pimps
- Farmers
- Labor brokers
- Small business owners
- Employment/recruiting agencies
- Enforcement agents
- Governments/diplomats
- Sometimes victims themselves

Traffickers usually recruit potential victims in places where vulnerable persons may be located, such as shelters, group homes, foster care homes, and the streets. Program staff should be aware of this and watch for red flags. In addition, there is a growing trend of youth being recruited through social media websites and newspaper advertisements for adult services (sex-related services).

In many cases, victims, especially sex trafficking victims, are manipulated with an initial period of false love and affection that includes warmth, gifts, compliments, as well as sexual and physical intimacy. These tactics mirror those often used by pedophile sex abusers who groom their victims prior to exploitation. First, the victim is made to feel attractive and wanted by the trafficker/pimp when he/she spends money on and gives special treatment to the victim. Once trust is gained, the trafficker/pimp breaks the victim's will through physical, sexual, and verbal abuse to prepare him or her for exploitation.

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<sup>12</sup> Raphael, J. & Myers-Powell, B. (2010). *From Victims to Victimizers: Interviews with 25 Ex-Pimps* ([http://newsroom.depaul.edu/PDF/FAMILY\\_LAW\\_CENTER\\_REPORT-final.pdf](http://newsroom.depaul.edu/PDF/FAMILY_LAW_CENTER_REPORT-final.pdf)).

#### IV. Best Practice Guidelines

The anti-human trafficking field is fairly new for both federal and state governments. The federal government and many states are focused on best practices in the field and how such practices can be adopted on a statewide as well as national level. The federal government has published a five-year [strategic action plan](#),<sup>13</sup> which outlines best practices, focusing on coordination, collaboration, and capacity to effectively fight this crime and provide services to victims. Some recommended best practices to prevent and respond to trafficking are listed below.

##### **Responding to Human Trafficking:**

LDSSs and VAs, as well as any other direct service provider workers (preventive services, homeless youth shelter staff, etc.), should be aware of the issue of human trafficking, and how it might intersect with the population they serve. Staff should also know how to identify potential victims and provide appropriate referrals for services. While recognizing red flags is important, it is essential that workers be able to engage victims as a first step to potentially assisting them. Initial engagement is often difficult for a variety of reasons. Workers should know that victims rarely self-identify, or even realize they are a victim. In addition, other barriers are that victims may be unaware of rights and services; they are often ashamed of admitting victimization; and/or may experience cultural barriers. Another issue is that the victim may lie or change the story many times due to a fear of the trafficker or police or a feeling of allegiance to the trafficker. The trafficker/victim relationship is a very complex one that is difficult for others to understand and victims may experience trauma-bonding to the trafficker. As a result of these factors, such cases can be very challenging and may take time and several interviews to establish trust for victims to open up and accept services.

Each case and each victim is unique. A “one size fits all” approach to providing services will usually be ineffective. Services must be victim-centered and trauma-informed. Human trafficking victims often experience multiple layers of trauma, including psychological damages from their trafficking situations. Emotional effects of trauma can be persistent and devastating. Victims may suffer from anxiety, depression, panic disorder, post-traumatic stress disorder (PTSD), substance abuse, and/or other psychological issues. They may re-experience trauma via flashbacks, nightmares, and intrusive thoughts; learn avoidance or numbing of trauma-related stimuli or triggers, such as avoidance of certain places, people, or situations; and may experience memory loss and hyper-arousal.

If a placement is needed for a child, workers can explore methods that are appropriate to the circumstances of the case. In some cases, the child may qualify as an abused or neglected child under Article 10 of the Family Court Act, a destitute child under Article 10-C of the Family Court Act, a PINS under Article 7 of the Family Court Act, or may enter

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<sup>13</sup> *Federal Strategic Action Plan on Services for Victims of Human Trafficking in the United States 2013-2017* ([http://www.ovc.gov/pubs/FederalHumanTraffickingStrategicPlan.pdf?\\_sm\\_byp=iVVWH547FsFVMqVL](http://www.ovc.gov/pubs/FederalHumanTraffickingStrategicPlan.pdf?_sm_byp=iVVWH547FsFVMqVL)).

foster care through a voluntary placement agreement made with the parent. The Unaccompanied Refugee Minor (URM) program, which is a federal foster care program, should be explored for non-qualified minors (not eligible for federal benefits due to his/her immigration status) under 18 years of age. While exploring any of the placement options listed above, safety concerns must be thoroughly reviewed, and victims should be connected to various services to meet four general areas of needs:

- (1) Immediate assistance, such as housing, food, medical, safety and security, language interpretation, and legal services;
- (2) Mental health assistance such as traditional counseling or holistic services, such as yoga or art therapy;
- (3) Income assistance such as cash and living assistance, as well as skill building and job training assistance; and
- (4) Legal status assistance, such as obtaining immigration relief.

Further guidance will be provided via an administrative directive on identifying, documenting and responding to child sex trafficking victims and those at risk of being sex trafficking victims, as required by the Preventing Sex Trafficking and Strengthening Families Act (P.L. 113-183).

### **Men, Boys, and Transgender Population:**

To effectively respond to trafficking, it is important to understand that not only girls and women are trafficked; men, boys, and transgender individuals can also be trafficked for labor and/or sex. Workers need to know how to sensitively interact with these victims. As a general rule, it is good not to assume someone's gender or sexual orientation, and instead ask them how they would like to be addressed. To do good work with this population, workers need to respect individuality and reject stereotypes; be familiar with transgender identities, language, and terminology; and use gender neutral language and the terms/labels the individual uses.

### **Language Sensitivity:**

Using proper language when speaking about trafficking victims and also when interacting directly with victims, especially sex trafficking victims, is extremely important. A worker should utilize language that shows understanding and knowledge of the issue, as well as understanding of an individual's vulnerability and victimization. Workers should address child or adult victims in a manner that demonstrates understanding of what has happened to them, rather than labeling them with terms in regards to occurrences in their life. For example, refer to the individual as a victim or survivor utilizing language such as "victim/survivor of human trafficking" instead of "prostitute." It is vital to avoid using language that may denote the victim as an offender or criminal. This may convey that they deserved the sexual violence, social isolation, and/or incarceration they may have experienced.

**Multi-disciplinary Team Approach:**

Victims of human trafficking require extensive services. Working through several systems and explaining abuse and exploitation numerous times may cause re-traumatization to the victim. In an effort to avoid this, it is recommended that agencies adapt a multi-disciplinary approach to handle all trafficking cases. A multi-disciplinary team can take the form of a taskforce, network, or coalition, or other group that is essentially serving as a central resource port for cases. This approach fosters collaboration, communication, and information sharing among disciplines and across agencies that need to work together for service coordination and delivery. Multi-disciplinary teams may handle cases from the initial report through investigation, treatment of victim(s), and the prosecution of the offender. This approach reduces the number of interviews a child or youth victim has to endure, coordinates prompt treatment referrals, and improves evidence collection necessary to hold offenders accountable for their actions. In some cases a team may meet at a CAC. CACs utilize a multi-disciplinary response for allegations of child sex abuse, some physical abuse cases, and child deaths. These CACs provide a comprehensive, culturally competent response to the investigation in a dedicated, child-friendly environment, which can be beneficial for child sex trafficking victims.

**Preventing Human Trafficking:**Raising Awareness Among Youth and Adults

Educating and engaging youth (both boys and girls), as well as adults, on the topic of sex and labor trafficking can help protect them. Youth education and engagement are very important as prevention strategies, as youth are very vulnerable and easily targeted by traffickers. Youth engagement can be accomplished through discussions concerning:

- Healthy relationships - including relationships with family members, friends, and boyfriends/girlfriends;
- Healthy role models - incorporating media's language and message, as well as entertainment figures who are survivor-sensitive;
- Internet safety and the use and misuse of various social media sites such as Facebook, Instagram, Snapchat, and Craigslist; and
- Discussions around safety and safety planning if the youth encounters a trafficking situation.

Human trafficking dialog can be incorporated into these discussions using the [Youth In Progress' Need to Know Series on Human Trafficking](#).<sup>14</sup> In addition, bringing awareness to parents and legal guardians, as well as the community as a whole, is vital. Parents and guardians who are aware of red flags can pay attention to children's behavioral changes and potentially identify trafficking or exploitation. Providing adults with knowledge on this topic will promote both children's and adults' safety. For this reason, OCFS has been engaged in awareness-raising activities for the past several years, including the

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<sup>14</sup> Youth In Progress' Need to Know Series on *Human Trafficking: Sex & Labor Trafficking* ([http://ocfs.ny.gov/main/publications/Pub5138.pdf?sm\\_byp=iVVWH547FsFVMqVL](http://ocfs.ny.gov/main/publications/Pub5138.pdf?sm_byp=iVVWH547FsFVMqVL)).

development of OCFS' [Human Trafficking webpage](#),<sup>15</sup> participation in community awareness events, presentations at related conferences, and posting of human trafficking materials at rest stops throughout New York State.

### Transition Planning

A transition plan is required by law and regulation<sup>16</sup> for all youth 18 and older who are aging out of foster care. Workers are required to begin discussing the transition plan with youth at least 180 days (six months) prior to a youth's scheduled discharge date. The plan must be completed by 90 days (three months) prior to discharge date. A youth-driven transition plan is important; as it helps the youth think about what they will need to have in place when they leave care. A strong transition plan should improve the ability for the youth to meet his or her basic needs upon exit from care and protect the youth from falling prey to various dangerous situations, such as sex or labor trafficking. Education and employment services, as well as a support system, are extremely important for a youth's self-sufficiency<sup>17</sup> and sustainability post discharge. When transition planning with youth, the youth should be setting a goal toward a career, education and/or training, and a job; and he or she should be provided with basic life skills and job training, as needed. Although transition planning is required for youth 18 and older in foster care, many aspects of the transition planning policy can be utilized with youth in other types of care (like RHY and domestic violence shelters, etc.), as well as youth under age 18, as appropriate. Another very important piece to good transition planning, especially to prevent trafficking and exploitation, is that the youth should have a safety plan if he or she finds himself or herself in a vulnerable situation and in need of assistance.

Promoting positive adult relationships and helping youth build a support system by connecting them to a supportive adult permanency resource<sup>18</sup> or mentor is also essential to successfully transition into adulthood. This provides the youth with a positive role model and a resource to reach out to when needing assistance or in crisis. An adult permanency resource or mentor should be a caring adult committed to providing the youth with emotional support, advice, guidance, and positive influence.

## **IV. Contact Information**

Any questions concerning this release should be directed to the appropriate individuals listed below:

### **For questions regarding human trafficking, please contact:**

The Office of Children and Family Services' child trafficking mailbox at:

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<sup>15</sup> OCFS Human Trafficking webpage (<http://ocfs.ny.gov/main/humantrafficking/>).

<sup>16</sup> 09-OCFS-ADM-16 *Transition Plan Requirements for Youth 18 and Older Aging Out of Foster Care* ([http://ocfs.ny.gov/main/policies/external/OCFS\\_2009/](http://ocfs.ny.gov/main/policies/external/OCFS_2009/)).

<sup>17</sup> Youth In Progress' Need to Know Series on *Preparing Youth for Success* (<http://ocfs.ny.gov/main/publications/Pub5093.pdf>).

<sup>18</sup> Youth In Progress' Need to Know Series on *Supportive Adults and Permanency Resources* (<http://www.ocfs.state.ny.us/main/publications/Pub5119.pdf>).

[ocfs.sm.sppd.child.trafficking.questions@ocfs.ny.gov](mailto:ocfs.sm.sppd.child.trafficking.questions@ocfs.ny.gov) or

Lynn Baniak  
Strategic Planning & Policy Development  
New York State Office of Children and Family Services  
(518) 474-9435  
[Lynn.Baniak@ocfs.ny.gov](mailto:Lynn.Baniak@ocfs.ny.gov)

**For regionally based questions on human trafficking, please contact the appropriate OCFS Regional Office, Division of Child Welfare and Community Services:**

Buffalo Regional Office - Dana Whitcomb (716) 847-3145  
[Dana.Whitcomb@ocfs.ny.gov](mailto:Dana.Whitcomb@ocfs.ny.gov)

Rochester Regional Office - Karen Buck (585) 238-8201  
[Karen.Buck@ocfs.ny.gov](mailto:Karen.Buck@ocfs.ny.gov)

Syracuse Regional Office - Sara Simon (315) 423-1200  
[Sara.Simon@ocfs.ny.gov](mailto:Sara.Simon@ocfs.ny.gov)

Albany Regional Office - Kerri Barber (518) 486-7078  
[Kerri.Barber@ocfs.ny.gov](mailto:Kerri.Barber@ocfs.ny.gov)

Spring Valley Regional Office - Yolanda Désarmé (845) 708-2499  
[Yolanda.Desarme@ocfs.ny.gov](mailto:Yolanda.Desarme@ocfs.ny.gov)

New York City Regional Office - Raymond Toomer (212) 383-1808  
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