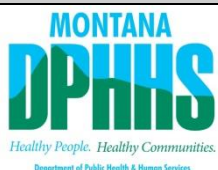


Department of Public Health and Human Services – Procedure



Category:

Child and Family Services Division

Procedure:

3.2.6.1 (PRO) Prevent Sex Trafficking

Procedure Number

(Optional)

1. **PURPOSE**

The purpose of this procedure is to outline the Federal Title IV-E requirements for identifying, reporting and determining services to victims of sex trafficking and the ways in which the Montana Child and Family Services Division (CFSD) will adhere to those requirements.

2. **SCOPE**

Any child or youth in the placement, care or supervision of the Title IV-E agency who is at-risk of becoming a sex trafficking victim or who is a sex trafficking victim (including those not removed from home; those who have run away from foster care and under age eighteen or such higher age elected under 475(8)); and youth not in foster care who are receiving services under the Chafee Foster Care Independence Program (CFCIP).

Report immediately (no later than twenty-four hours) to law enforcement children or youth described above who the agency identifies as being a sex trafficking victim. Victim information will be entered into the National Crime Information Center (NCIC) database.

Implement protocols to locate missing children from foster care, determine the factors that lead to the child's being absent from foster care and to the extent possible address those factors in subsequent placements, determine the child's experiences while absent from care, including whether the child is a sex trafficking victim, and report related information as required.

3. **RESPONSIBILITY**

It is the responsibility of all CFSD staff to comply with the following outlined procedure. Child Protection Specialists (CPS) are required to complete sex trafficking assessments, report any findings and, if necessary, determine services for trafficking victims for the population outlined below. CPS are required to notify law enforcement within twenty-four hours if a youth is identified as being a victim of sex trafficking.

4. **DEFINITIONS**

CAPS means Child and Adult Protection Services and is CFSD's Statewide Automated Child Welfare Informational System.

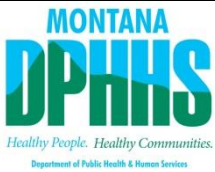
CFCIP means the Chafee Foster Care Independence Program.

CFSD means Child and Family Services Division.

'Child abuse and neglect' and 'sexual abuse' means that a child shall be considered a victim of 'child abuse and neglect' and of 'sexual abuse' if the child is identified, by a state or local agency employee of the state or locally involved, as being a victim of sex trafficking or sever forms of trafficking.

CPS means Child Protection Specialist.

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CPSS means Child Protection Specialist Supervisor.

CSE-IT means the Commercial Sexual Exploitation-Identification Tool.

NCIC means the National Crime Information Center.

Title IV-E means Title IV-E of the Social Security Act.

Sex Trafficking means the recruitment, harboring, transportation, provision, obtaining, patronizing, or soliciting of a person for the purpose of a commercial sex act.

Severe forms of trafficking in persons means 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 eighteen years of age.

5. PROCEDURE

1. Assessment Requirements

- a. CPS are required to completed the Commercial Sexual Exploitation-Identification Tool (CSE-IT) assessment under the following circumstances:
 - i. Any child or youth in the placement, care or supervision of the Title IV-E agency who is at-risk of becoming a sex trafficking victim or who is a sex trafficking victim (including those not removed from home); and
 - ii. those youth who have run away from foster care and under age eighteen or such higher age elected under 475(8).
- b. CFCIP providers are required to completed the CSE-IT assessment for youth not in foster care who are receiving services under the CFCIP under the following circumstances:
 - i. for any youth who is at-risk of becoming a sex trafficking victim or who is a sex trafficking victim and
 - ii. annually for any youth no longer in foster care receiving CFCIP services.

2. Runaway or Missing Youth

- a. CPS must:
 - i. implement protocols to locate missing children from foster care. See the Runaway or Missing Youth Procedure for additional information;
 - ii. determine the factors that lead to the child's being absent from foster care and to the extent possible address those factors in subsequent placements;
 - iii. determine the child's experiences while absent from care, including whether the child is a sex trafficking victim;
 - iv. report related information as required; and
 - v. adhere to any Runaway or Missing Youth Procedures.

3. Completing the CSE-IT Assessment

- a. CPS or CFCIP providers must complete an initial Service Provider Information Form log by visiting <http://goo.gl/YVSkOF>

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- b. Once the Service Provider Informational Form is completed, you will be emailed a link to the online CSE-IT assessment.
- c. When prompted, CPS will be asked to enter their agency name (Montana CFSD), Service Provider ID (CPS/CFCIP email address), and a Youth Code (Youth’s CAPS ID).
- d. CPS will have the option of printing or saving the assessment in PDF form and then uploading the information to DocGen.

4. Assessment Result Actions

- a. If the CSE-IT results in a total number that indicates the youth’s level of risk as No Concern, that rating indicates that there is no reason to believe that the youth is being sexually exploited or that we do not have enough information to determine at this time.
 - i. No additional action by the CPS is needed.
- b. If the CSE-IT results in a total number that indicates the youth’s level of risk as Possible Concern, that indicates the youth may be at risk for sexual exploitation but there is either not enough information available or the current behaviors and circumstances do not clearly indicate the presence of exploitation.
 - i. The CPS and Child Protection Specialist Supervisor (CPSS) should actively monitor the young person who receives this rating, fully assess any additional needs, and initiate preventative actions to ensure that exploitation does not occur.
- c. If the CSE-IT results in a total number that indicates the youth’s level of risk as Clear Concern, that rating indicates that there are numerous indicators present that suggest a high level of risk for sexual exploitation. This outcome should immediately trigger the following actions to address sexual exploitation of the youth:
 - i. Ensure a full assessment of the youth’s needs is conducted by scheduling a forensic interview and ensure specific questions relating to victims of sex trafficking are asked;
 - ii. Report immediately (no later than twenty-four hours) to law enforcement children or youth described above who the agency identifies as being a sex trafficking victim. Victim information will be entered into the NCIC database; and
 - iii. Based off CSE-IT and forensic interview results, the CPS must refer the youth for any treatment or further assessment to address their needs.
- d. The CSE-IT tool is not diagnostic. This means there may be rare situations when the screening is scored in the category of possible concern for a youth who is actively being exploited, or where a score of clear concern comes up but the youth is not actually being exploited (but clearly has some serious circumstances in their life that warrant intervention). Essentially the tool identifies the presence of indicators, but the entirety of the youth's circumstances must be taken into account to determine if trafficking is occurring -- the score relies on professional judgment to be interpreted in context.

5. Assessment Documentation

- a. All completed assessments must be uploaded to DocGen, under the youth’s CAPS ID, for documentation purposes.

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b. CAPS must be updated to indicate the youth is a victim of sex trafficking.

6. RELATED DOCUMENTATION

- Prevent Sex Trafficking Policy
- Runaway or Missing Youth Procedure
- Service Provider Information Form

7. RELATED FEDERAL OR STATE GUIDANCE

- [Public Law 114-22, the Justice for Victims of Sex Trafficking Act of 2015](#)
- [Public Law 113-183, the Preventing Sex Trafficking and Strengthening Family Act](#)
- [Titles IV-B, IV-E, and section 1114A of the Social Security Act](#)
- [Title 1 of the Child Abuse Prevention and Treatment Act](#)
- [Section 103\(10\) of the Trafficking Victims Protection Act of 2000 \(22 U.S.C. 7120\)](#)