

APPENDIX F: DRAFT PROTOCOL FOR SCREENING AND REFERRING ADULT VICTIMS

Guiding principles

- i. The subcommittee recommends that it be clear for adult victims that the screener will only make referrals to government agency if the victim or potential victim consents that information about them be shared.
- ii. Both adult and minor victims should be advised of their rights during the screening process.
- iii. The protocol should guide users to provide both negative and positive information about options. For example, if they are referred to law enforcement what are the potential outcomes? It may be important to notify a person that DCF may have to be notified if there are concerns about the safety of a person's children. Screeners should identify but not overstate possible risks.
- iv. It is important to be clear in the protocol that the screener may not be able to ensure the safety of adults once they leave the situation where they are screened. It is important for the screener to make a safety plan with people before they leave regardless of referral. The subcommittee recommends developing a one page "if you need help" handout with information about where to get various types of assistance and support.
- v. The subcommittee expressed concern that the protocol offer guidance about how to assess the language and literacy issues of a person before starting the screening. If interpreters are needed it is critical to ensure that the potential victim feels comfortable with the interpreter and that the interpreter is not connected to the trafficker or the trafficking situation.

Step 1: Screening

- A broad range of service providers, medical professionals, legal advocates and law enforcement should be trained to screen clients for signs of potential human trafficking. The screening tool should be used to develop questions or red flag indicators that could be discussed with clients to determine if a referral is warranted.
- Screening questions or discussion of potential red flag indicators should be asked in a conversational style and not read as part of a checklist.
- Screeners should identify any language or cognitive barriers to screening. Trained third party translators should be used where appropriate for screening.
- Adults should be informed that the questions are being asked because of concerns about their safety. In many cases screeners will need to obtain consent of the person being screened before referring information about their situation to law enforcement or members of the multi-disciplinary team. Depending on the practices of the screening agency and relevant law, in certain circumstances the screener may not be able to promise that the person being screened will not get in trouble or that all information can always be kept confidential. The screener should clarify these situations depending on their practices and governing law. The intent of the screening should be to help keep people safe. People should be informed that the screening questions are not intended to identify immigration status issues. Law enforcement should be provided specific guidance that the screening is not an interview.
 - Need to address issue of confidential communication of human trafficking caseworker as defined in the statute. Not clear that this caseworker is exempt from mandatory reporting requirements.
- Screeners should ensure the safety of potential victims before he/she leaves. Screeners should determine if any immediate safety planning, medical or mental health needs exist.

Step 2: Reporting potential victimization

- If the provider or agent suspects a person may be a victim of labor or sex trafficking he or she should refer information about the situation to the human trafficking case coordinator in the county responsible for coordinating the multi-disciplinary team.
- Depending on the practices of the referring agency this may require consent of the person being screened.

Step 3: Notification to and action of multi-disciplinary team

- The multi-disciplinary team specified in the human trafficking legislation to respond to referrals of sexually exploited children should have the additional responsibility of responding to all human trafficking referrals including adults sex trafficking and labor trafficking victims. In addition to the members specified in the legislation, the team may also include legal advocates, immigration service providers and victim service provider experienced working with adult victims.
- The human trafficking case coordinator (or DA's office) will contact key members of a multi-disciplinary team established in each county to respond to each human trafficking referral.
- The multi-disciplinary team will conference to share information that they have about the victim's involvement in or risk for human trafficking and establish if any other agencies have contact with the potential victim.
- The team will develop a plan of action for the victim based on their immediate and long term needs including a formal assessment and where needed assistance with housing, mental health services, medical services, legal advocacy, safety planning and education.