



# Recommendations for Federal Law Enforcement Agency Victim Services Protocol and Policy Development

A Supplementary Brief to *A Presidential Agenda for Ending Modern Slavery and Human Trafficking* | 2021-2024

## TABLE OF CONTENTS

<b>I.</b>	<b>About ATEST.....</b>	<b>2</b>
<b>II.</b>	<b>Introduction.....</b>	<b>3</b>
<b>III.</b>	<b>Priority Issues and Agency Recommendations.....</b>	<b>4</b>
	1. Implement Victim-Centered Protocols for Law Enforcement Agencies.....	4
	2. Ensure Federal Law Enforcement Agency Policies and Practices are Victim-Centered.....	8
	3. Significantly Increase Resources.....	10
<b>IV.</b>	<b>Points of Contact.....</b>	<b>14</b>

## **About the Alliance to End Slavery and Trafficking (ATEST)**

The Alliance to End Slavery and Trafficking (ATEST) is a U.S.-based coalition that advocates for solutions to prevent and end all forms of human trafficking and forced labor around the world. We promote lasting solutions to prevent forced labor and sex trafficking, hold perpetrators accountable, ensure justice for victims and empower survivors with tools for recovery. Our collective experience implementing programs at home and abroad gives us an unparalleled breadth and depth of expertise.

As ATEST, we are social workers, counselors, lawyers, doctors, workers' rights activists, children and youth advocates, researchers, immigrant rights protectors, human rights defenders and others. We believe in a holistic, comprehensive approach to anti-trafficking work, striving to address the needs and vulnerabilities of communities particularly at risk, including immigrants, migrant workers and refugees, LGBTQ+, children, runaway and homeless youth, communities of color, and ethnic and religious minorities. We are committed to focusing on racial and gender equity throughout our work. We promote victims' rights and access to justice and remedy, and the decriminalization of coerced and forced conduct. We insist on the separation of labor law and immigration enforcement. We take a victim-centered, trauma-informed, and worker-experience approach and center our work in a human, civil, and worker rights framework. We advocate for inclusion of survivor voices in the shaping of anti-trafficking policies and programs. We believe in consensus building, collaboration, and partnerships to support bi-partisan solutions that address the root causes of trafficking and the vulnerabilities of the populations for whom we advocate. We promote inclusive growth and sustainable development in our anti-trafficking programming and advocacy, focused on concrete actions, long-term solutions, and measurable impact.

Since its inception, ATEST has focused equally on both labor and sex trafficking. In recent years, we have witnessed back sliding and misinformation about the scope and extent of human trafficking, with the much less attention given to forced labor, and false information about the scope and underlying root causes of trafficking for sexual exploitation. We urge the new administration to engage in an awareness raising information campaign and implement meaningful policies to dispel the harm caused by this unbalanced and unsubstantiated approach.

ATEST member organizations include: Coalition to Abolish Slavery & Trafficking (CAST), Coalition of Immokalee Workers (CIW), Free the Slaves, HEAL Trafficking, Human Trafficking Institute, Humanity United Action (HUA), McCain Institute for International Leadership, National Network for Youth (NN4Y), Polaris, Safe Horizon, Solidarity Center, T'ruah: The Rabbinic Call for Human Rights, United Way Worldwide, Verité and Vital Voices Global Partnership.

## INTRODUCTION

Across the country, advocates are calling on policymakers and government agencies to address the history of structural racism in law enforcement and the impact of policing and mass incarceration on marginalized communities. In this critical time, it cannot be ignored that law enforcement efforts designed to counter human trafficking have often resulted in the arrests and conviction of victims, mainly victims of color.

In 2018, through § 906 of *Abolish Slavery and Human Trafficking Act of 2017*, Congress directed the Departments of Homeland Security (DHS) and Justice (DOJ) to issue a directive regarding victim protection training and victim screening protocols to remedy this well-documented issue.

In our own on-the-ground efforts to assist trafficking survivors, ATEST members and allies have observed firsthand how law enforcement utilizes arrests and threats of criminal conviction as a method to identify human trafficking victims and force cooperation with law enforcement. These actions only serve to further traumatize trafficking survivors and deepen their distrust of both law enforcement and service providers.

There is a critical need for standardized victim-centered protocols that hold task force and law enforcement partners accountable to a higher standard when they engage with potential human trafficking victims, ensure anti-trafficking policing is free from all forms of racial bias and discrimination, and that all survivor interactions with law enforcement are trauma-informed and designed to connect survivors with community service providers.<sup>i</sup>

About eighteen months after the deadline for the statutorily mandated directive in the *Abolish Slavery and Human Trafficking Act of 2017*, ATEST requests that DOJ and DHS prioritize this initiative by comprehensively implementing victim-centered trauma-informed protocols and policies that ensure survivor access to protections and services related to anti-trafficking activities and ensure racial bias is considered in law enforcement operations and approaches to targeting traffickers.

## PRIORITY ISSUES

### 1. Implement Overdue Victim-Centered Protocols for Law Enforcement Agencies (LEAs)

The *Abolish Slavery and Human Trafficking Act of 2017* mandated in Section 906, “Victim protection training for the Department of Homeland Security,” that the Secretary of the Department of Homeland Security, by July 2019, issue a directive to all federal law enforcement officers and task force members with respect to human trafficking victims.<sup>ii</sup> The Secretary was required to issue a victim screening protocol to ensure that (1) affirmative measures be taken to avoid arresting, charging, or prosecuting human trafficking victims whose offenses were the direct result of their victimization; (2) trauma or revictimization of the person being screened is minimized; and (3) assistance is provided to victims of human trafficking in identifying and receiving restorative services.<sup>iii</sup>

This directive and screening protocol must then be provided to:

- (A) All Federal law enforcement officers and relevant personnel employed by the Department who may be involved in the investigation of human trafficking offenses; and
- (B) Members of all task forces led by the Department that participate in the investigation of human trafficking offenses.

The core of the law is to:

- (1) Ensure that victims are not arrested for crimes their traffickers forced them to commit; and
- (2) Implement a victim-centered, trauma-informed approach by law enforcement to ensure that all forms of trafficking are identified and law enforcement is able to assist victims in obtaining the access they need to restorative services.<sup>iv</sup>

### To achieve victim-centered protocols, ATEST recommends

1. Extensive consultation and deference by Law Enforcement Agencies (LEAs) to survivor leaders and service providers in the field serving trafficking survivors;
2. Though not required in the Act, we also recommend that DOJ consult with the Departments of Health and Human Services (HHS) and Labor (DOL) in developing this protocol, given the holistic and nuanced needs that trafficking victims have, many of which relate to health and labor exploitation issues. ATEST members with direct, on-the-ground experience working with DOJ-funded task forces have noted, at times, a discrepancy between the *Trafficking Victims Protection Act of 2000* (TVPA) and its subsequent reauthorizations’ equal emphasis on protection, prevention and prosecution, wherein LEA task force

members tend to disproportionately emphasize prosecution over victim protections and prevention;

3. Establishing victim-centered protocols during each stage of a law enforcement investigation including: (1) targets for proactive investigations by LEAs; (2) LEA protocols during investigative operations; (3) LEA responses to reported victims currently in trafficking situations; (4) victim reporting to LEA/or proactive referrals of victims to law enforcement by community partners; and (5) protocols for ongoing investigations, during court proceedings, and after court proceedings; and
4. Adopting the following ethical framework based on United Nations (UN) recommendations:

<b>Ethical Standards<sup>v</sup></b>	Values, principles, and standards guiding the professional conduct of law enforcement agencies when investigating human trafficking cases
<b>Goal</b>	Use a trauma-informed and victim-centered approach when investigating all human trafficking cases as one means to safeguard against arresting victims for crimes they were compelled to commit by their traffickers.
<b>Standards</b>	<ol style="list-style-type: none"> <li>1. Pre-investigation standards:             <ol style="list-style-type: none"> <li>a. Do not arrest a potential human trafficking victim to connect them to services or to further an investigation;</li> <li>b. Do not refer a potential human trafficking victim to deportation proceedings;</li> <li>c. Ensure that social service or other support for victims is never contingent on cooperation with law enforcement;<sup>vi</sup></li> <li>d. Develop available referrals for immediate needs and necessities, including shelter, food, medical care and clothing;</li> <li>e. Liaise with all available and necessary service providers to ensure holistic long-term support of victims’ needs, including legal, social services and medical support and treatment;</li> <li>f. Develop partnerships with service providers and community organizations that can particularly address the needs of victims with disabilities and victims from different cultural and linguistic backgrounds;</li> <li>g. Obtain informed consent from the victim and work only with service providers who act in accordance with the victim’s informed consent;</li> <li>h. Any sexual contact should be prohibited as an investigative technique and officers should have a clear path for reporting violations and a clear policy</li> </ol> </li> </ol>

<p><b>Standards</b></p>	<p>that this is a ground for termination;</p> <ul style="list-style-type: none"> <li>i. Make personal safety and security of the victim/s a priority: Identify and minimize risks in control of the relevant law enforcement agency;<sup>vii</sup> and</li> <li>j. Protocols between DOL and DHS/DOJ must be established to ensure workers will not be placed in removal procedures if information is referred from DOL to DOJ/DHS to investigate a potential trafficking case. These protocols should be publicly available;</li> </ul> <p>2. During investigation standards:</p> <ul style="list-style-type: none"> <li>k. Listen to and respect the victim’s own assessment of their situation and risks to their safety;</li> <li>l. Avoid use of investigative tactics that replicate those used by the trafficker, including force, fraud and coercion;</li> <li>m. Ensure victim anonymity and confidentiality to the greatest extent possible, and fully comply with applicable state and federal laws;</li> <li>n. Do not make promises that law enforcement cannot fulfill;</li> <li>o. Ensure that law enforcement can communicate properly with victim/s by selecting and preparing interpreters and investigative teams beforehand, and offering victims their choice of gender when interviewing with a law enforcement agent;</li> <li>p. Recognize that due to a number of factors (including trauma, lack of trust of law enforcement, threats from the trafficker) the victim may choose not to disclose details at first or may share information in a manner that is confusing for law enforcement. Be patient and understanding of the complex dynamics at play;</li> <li>q. Be consistent in giving victims options and choices within LEA control, and demonstrate cultural humility in all victim interactions;</li> <li>r. Ensure that the differing roles of participating law enforcement agencies, service providers and other actors are clear to victims, and maintain these clearly-defined roles throughout the investigation;</li> <li>s. Communicate with the victim upfront about what information will be shared between law enforcement and service providers, set standards for doing so and obtain consent from the victim at the beginning of the process; and</li> <li>t. Respect a victim’s right to withdraw from cooperation with law enforcement, especially if the</li> </ul>
-------------------------	---

<b>Standards</b>	victim's safety is at risk.
<b>Media Standards</b>	<ol style="list-style-type: none"> <li>3. Refrain from inviting media to human trafficking operations where potential victims may be present;</li> <li>4. Ensure media engagement during operations is victim-centered and trauma-informed. Otherwise, it can cause: <ol style="list-style-type: none"> <li>u. Re-traumatization of victims from unexpected publicity, especially without the victim's consent or knowledge;</li> <li>v. Increased safety risks, including physical harm or danger to potential victim-witnesses and/or their family members, especially as news may travel quickly in close communities or to a victim's home country; or</li> <li>w. Re-traumatization due to a potential victim-witnesses' portrayal in the media;</li> </ol> </li> <li>5. Law enforcement should avoid working with service providers or other partners who use victims, without their informed consent and appropriate training, for media, public awareness or fundraising purposes; and</li> <li>6. Understand victims have the right to make informed decisions about involvement with the media, even if it is against law enforcement preferences. However, law enforcement who are strongly opposed to victim engagement with media during an ongoing investigation can request that the victim refrain from participation and work with the service provider to discuss with the victim the potential negative implications of media involvement. Ultimately, the decision to engage rests with the victim.</li> </ol>

The protocol should require Homeland Security Investigations (DHS/ICE/HSI) to collaborate with non-governmental organizations (NGOs) and survivor leaders when engaging in worksite investigations to ensure the investigations are placing worker safety at the forefront and focusing on identifying potential victims.

In order to better identify victims, the protocol should outline more focused questions on labor exploitation and trafficking to redirect the workers to services, rather than to support immigration raids.

## **2. Ensure Federal Law Enforcement Agency Policies and Practices are Victim-Centered**

In addition to the protocol required by the *Abolish Human Trafficking Act* (P.L. 115-392), other agency protocols and practices are needed to ensure trafficking survivors are not arrested for crimes their traffickers forced them to commit and to ensure victims are placed at the center of all task force efforts, in a client-centered and trauma-informed manner.

Too often, when engaging with government programs and personnel, victims of trafficking have a deeply negative and even harmful experience, characterized by paternalistic attitudes, lack of awareness of psychological and sometimes physical trauma and misplaced emphasis on institutional and government interests above those of victims and survivors.

The terms “survivor oriented,” “trauma-informed,” “culturally competent” and “linguistically appropriate” describe a holistic approach to policy development and service delivery in practice that prioritizes understanding, engaging with and responding to the needs, concerns and interests of victims and survivors. It specifically includes correctly identifying the effects of a range of categories of trauma and the cultural background and linguistic capabilities of the population to be served.

Despite important gains in recent years in better understanding and integrating such an approach, particularly by many federal law enforcement partners who now often frame interventions and even training using the correct language, much work remains to be done to evolve law enforcement culture and service provision to make good on this understanding. The Administration should commit to ensuring that interactions with the U.S. Government and local law enforcement do no harm and are in line with the stated policy and the broader goals to be reviewed in the recently released National Strategic Action Plan.

### **Recommendations**

- Federal Bureau of Investigations (DOJ/FBI)
  - The DOJ/FBI is past the deadline on the report required by section 401 of the Trafficking Victims Protection Act of 2017 (P.L. 115-393) regarding the Innocence Lost National Initiative. The DOJ/FBI should work to release the data required for the last five fiscal years as soon as possible;
- Department of Justice (DOJ)
  - DOJ must develop a process through which human trafficking cases that are not prosecuted can be referred to other relevant authorities such as the Department of Treasury (particularly the Internal Revenue Service (IRS)), DOL, or the Department of State’s Diplomatic Security Service (DOS/DSS) for possible action;



- DOJ grants for anti-trafficking funds should not require joint applications from both a service provider and a law enforcement agency, and victim services money should not be designated to fund law enforcement efforts. Instead, law enforcement should dedicate an appropriate part of its own budget at the federal, state and local level to victim service providers when models of close cooperation are seen as best practices;
- The Office of Justice Programs (OJP) should provide written guidance about funds used by law enforcement for anti-trafficking taskforces. Its guidance should specifically disallow the use of funds for vice sting operations where no victims are likely to be identified and which often disproportionately target communities of color; and
- Taskforces funded by the OJP Bureau of Justice Assistance (BJA) should not publicly, or to BJA, report data resulting from vice-style sting operations as anti-trafficking efforts when such data involves arrests or citations of vulnerable workers and/or potential human trafficking victims;
- Department of Homeland Security (DHS)
  - DHS should ensure funding for its outreach campaign on trafficking is transferred to DOL or HHS, as both agencies have long-standing expertise in reaching out and engaging vulnerable communities, while DHS has not earned this trust;
- DOJ and DHS
  - DOJ and DHS should support a federal vacatur bill now pending in Congress (S.3240, the Trafficking Survivors Relief Act) to ensure there is a path to clearing criminal arrest and convictions for trafficking victims convicted of federal crimes that their traffickers forced them to commit. Survivors currently have no way to clear their records. DOJ and DHS should encourage every state to do the same; and
  - DOJ and DHS should listen to survivors and on-the-ground community advocates as a standard, regular practice about anti-trafficking policing policies. After these listening sessions they should implement written policies and procedures to ensure the community is heard;
- All Law Enforcement Agencies
  - Service providers should not have to secure a letter of support from law enforcement in their community to receive anti-trafficking victim services funding;
  - Continued Presence, which creates temporary immigration relief for undocumented victims that only law enforcement can request, should be granted as a standard practice within 72 hours after the first interview law enforcement conducts with a potential victim, demonstrating that the

safety and economic security for the victim is a top law enforcement priority; and

- Federal LEAs must shift their focus from counting the number of arrests and convictions stemming from anti-trafficking efforts to a longer-term preventative approach that seeks to hold businesses accountable as traffickers under the financially benefiting standard created in the *Trafficking Victims Protection Act Reauthorization of 2008*.<sup>viii</sup> Section § 307 of the *Tariff Act* should also be better enforced to prevent goods made with forced labor from entering the United States.<sup>ix</sup> Both provisions to date have been woefully underutilized. It is only by holding employers and businesses accountable that we can often prevent hundreds if not thousands of trafficking cases in the United States and globally.

### **3. Significantly Increase Resources in Prevention and Investment in Housing, Services, and Specialized Programs that Serve Trafficking Victims in HHS**

Access to housing, services and specialized programs that serve trafficking victims are needed in every state. A focus on law enforcement efforts and development of victim protocols and practices without ensuring appropriate funding for prevention efforts and victim services means the government cannot engage in victim-centered/survivor informed practices. The U.S. Government must dedicate more resources and attention to the needs of victims of human trafficking and forced labor. The victims and survivors of forced labor and human trafficking have requested the government direct more funding to their immediate and long-term needs, but these requests have gone largely ignored. In the U.S. Advisory Council on Human Trafficking’s 2020 Report, they note, “There are many obstacles victims face after they have experienced trafficking, and services need to be tailored to not only focus on physical safety and well-being but also the psychological and emotional aspects of healing. Medical, dental, vision, housing, job training and placement, substance abuse treatment, and mental health are some of the services needed to provide wraparound supports for victims and their families.”<sup>x</sup> HHS departments have worked efficiently to provide these services with limited resources, further funding would allow HHS to fulfill legislated and urgent and long-term needs of victims and survivors more fully.

Similar levels of funding that have been provided to DOJ for specialized victim services must be matched and provided to HHS. Currently, HHS receives about 34 percent of the level of funding that DOJ receives for human trafficking programs.

The Office of Management and Budget (OMB) should include significant expansion of resources for victim services in the Budget request. As recommended by

the U.S. Advisory Council on Human Trafficking in its 2020 report, the U.S. Government should increase investment in victims' services and economic opportunities for survivors across government agencies and grant programs that have been ignored to prioritize criminal enforcement.<sup>xi</sup> HHS and DOL could utilize additional resources to fund prevention and workers' rights programs. HHS is in need of additional resources to fund both existing and newly created victim services programs, particularly in the light of the COVID-19 pandemic increasing vulnerabilities for trafficking survivors.

To highlight the need for services from HHS, only three organizations serving U.S. citizen survivors annually are funded by HHS. Further supportive funding for foreign national victims has decreased by over 65 percent per victim. This decrease due to cost-saving measures has dramatically increased burdens on human trafficking service providers and survivors. The chart below documents this decreased funding:

FY Annual Support per victim	Victim	Org. Support	Spouse	Child one	Child two	Total annual support
2018-2020	3600	2400	1500	0	0	7500
2015-2017	7800	4800	2880	2880	2880	21,240

The HHS Trafficking Victim Assistance Program (HHS/TVAP)<sup>xii</sup> funding for foreign national victims is currently administered through a per capita program where a grant award is made to agencies who then sub-grant monies per victim to support case management and administration of the funding at the local level. Funding can be used for a wide range of support for clients including rent, education, basic needs, transportation, legal services, etc. Given limited funding, service providers report that the majority of the time (HHS/TVAP) support goes to rental assistance, as housing is what the clients mostly choose when having to make the hard choice about the limited assistance they can receive.

In 2018, HHS TVPA per capita programs required supplemental funds in order to keep the program active. Funding restrictions were written into the next three-year grant cycle (Sept 30, 2018-September 29, 2021).<sup>xiii</sup> This meant fewer available funds for organizations serving foreign national victims and less direct support for victims and their families.

Additionally, in 2020, all HHS outreach grants to identify foreign national victims of trafficking ended in 2020.<sup>xiv</sup> They are not forecasted to renew in 2021. Therefore, it is unclear where the money allocated to foreign national outreach was

directed, or if there will be no money available for specialized outreach to foreign national populations given current funding levels.

## **Recommendations**

- OMB should request additional funding to fulfill the following obligations:
  - Increase services to meet expanded needs for all victims of trafficking during the COVID-19 crisis;
  - Ensuring Funding Levels for HHS are at least equivalent to funding levels to DOJ Office for Victims of Crime (DOJ/OVC) for human trafficking victims;
  - Commit additional resources to prevention programs to combat the heightened vulnerabilities to exploitation from the COVID-19 crisis;
  - Expand funding for outreach and training programs that take a public health approach to combating trafficking and forced labor. Outreach and training programs should not be funded by resources dedicated to victims' services, but should be supported with additional funding;
  - HHS should conduct an evaluation of the length of time and cost of serving trafficking victims in cities and rural areas across the United States and providing sufficient grant funding levels for both U.S. citizen and Foreign National Victims;
  - Provide sufficient funds for a per capita program to fund services for foreign national victims for up to two years with flexibility to extend beyond two years if needed given extended T visa processing times and COVID-19 related impacts;
  - Eliminate the match requirement for all victim grant programs;
  - Remove the policy barring organizations from receiving HHS per capita funding if they already receive DOJ grant funding if they can show need in their areas; and
  - Follow the U.S. Advisory Council on Human Trafficking's recommendation to create a "victim ID card" to remove a major hurdle to victims accessing social services before they are able to obtain a form of legal ID;<sup>xv</sup>
- Department of Labor
  - Wage and Hour: ATEST supports the U.S. Advisory Council on Human Trafficking's recommendation that DOL increase the number of Wage and Hour (DOL/WH) and Office of the Inspector General (DOL/OIG) inspectors across the country to better identify and refer possible trafficking cases.<sup>xvi</sup> To meet this recommendation, DOL should:
    - Request additional funding to increase the number of DOL/WH and DOL/OIG inspectors nationwide;

- Reinstating DOL authority to investigate potential human trafficking and labor exploitation claims without the requirement to coordinate with another law enforcement agency; and
- Consulting with the U.S. Advisory Council on Human Trafficking, unions and community-based providers to develop and institute mandatory uniform training policies on forced labor for labor inspectors and other frontline DOL staff who may come into contact with human trafficking survivors nationwide;
- Employment and Training Administration:
  - Using discretionary funds under the Workforce Innovation Opportunity Act (WIOA) to fund-TIP specific employment programs in the Public Workforce system;
  - Delivering annual webinars to that system to raise awareness of TIP issues and how to provide services in a trauma-informed manner to survivors;
  - Updating guidance for employment programs on specific needs for employed survivors during the COVID-19 pandemic; and
  - Updating and enhancing the Training and Employment Guidance Letter (TEGL) on trafficking, in order to reflect learning from the various pilot initiatives. This update should be undertaken in consultation with anti-trafficking organizations and the U.S. Advisory Council on Human Trafficking.

For additional specific recommendations on prevention see the ATEST supplementary brief, “Addressing Vulnerabilities to Labor and Sex Trafficking.”

## **POINTS OF CONTACT**

### **Coalition to Abolish Slavery & Trafficking (CAST)**

Stephanie Richard | Policy & Legal Services Director

Email: [stephanie@castla.org](mailto:stephanie@castla.org)

Phone: (213) 365-5249

### **National Network for Youth (NN4Y)**

Darla Bardine | Executive Director

Email: [darla.bardine@nn4youth.org](mailto:darla.bardine@nn4youth.org)

Phone: (202) 783-7949

### **Safe Horizon**

Anita Teekah | Senior Director of the Anti-Trafficking Program

Email: [Anita.Teekah@safehorizon.org](mailto:Anita.Teekah@safehorizon.org)

Phone: (718) 943-8655

Cell: (646) 438-1730

## ENDNOTES

---

<sup>i</sup> The structure of the protocol and many of its recommendations come from the Ohio Report to Attorney General Richard Cordray: Recommendations for Increasing Ohio’s Capacity to Serve Victims of Human Trafficking (June 9, 2020), available at: <<http://worldcat.org/arcviewer/3/OHI/2010/07/01/H1277999241477/viewer/file1.aspx>>

<sup>ii</sup> 6 U.S. Code § 645

<sup>iii</sup> The stated purposes of the AG guidelines “is to establish guidelines to be followed by officers and employees of the U.S. Department of Justice (Department) investigative, prosecutorial, correctional, and parole components in the treatment of victims of and witnesses to crime. In 1982, Congress directed the Attorney General to promulgate the first AG Guidelines, which have been revised periodically to reflect changes in the law. (See 18 U.S.C. § 1512 note (1984) (Federal Guidelines for Treatment of Crime Victims and Witnesses in the Criminal Justice System)). Available at: <[https://www.justice.gov/sites/default/files/olp/docs/ag\\_guidelines2012.pdf](https://www.justice.gov/sites/default/files/olp/docs/ag_guidelines2012.pdf)>

<sup>iv</sup> The OVC TTA Human Trafficking Taskforce Guide asks LEA to “**develop coordinated responses to the victims and to the criminal justice process, responses that may be outside of traditional law enforcement task force protocols or victim service programs.** Although challenging, it is imperative to think outside the box when developing such a response, always with an eye toward victim-centeredness and effective progress toward prosecution.” The approach taken in developing these protocols asks LEA to do just that. Full guide available at: <<https://www.ovcttac.gov/taskforceguide/eguide/2-forming-a-task-force/>>

<sup>v</sup> Adapted from: *Guide to Ethics and Human Rights in Counter-Trafficking*, United Nations Inter-Agency Project on Trafficking (2008), available at: <<http://un-act.org/publication/view/guide-ethics-human-rights-counter-trafficking/>>

<sup>vi</sup> Taken from OVC TTA e-guide supporting victims, available at: <<https://www.ovcttac.gov/taskforceguide/eguide/4-supporting-victims/>>

<sup>vii</sup> AG guidelines, page 27.

<sup>viii</sup> 18 U.S.C. § 1593A

<sup>ix</sup> 19 U.S.C. §1307

<sup>x</sup> U.S. Advisory Council on Human Trafficking, *United States Advisory Council on Human Trafficking Annual Report 2020*, July 28, 2020, available at: <<https://www.state.gov/wp-content/uploads/2020/07/United-States-Advisory-Council-on-Human-Trafficking-2020-Annual-Report.pdf>>

<sup>xi</sup> Id.

<sup>xii</sup> HHS funding is currently administered through 3 grant awards and the U.S. Committee for Refugees and Immigrants (USCRI) holds all three awards and subgrants with local organizations across the United States and in the U.S. territories to provide case management services and direct client assistance.

<sup>xiii</sup> In 2018 some TVPA funded programs ran out of money and they suspended services for all derivatives as well as did not allow enrollment of new clients. It was after HHS money ran that new funding levels were designed instead of increasing resources to this vulnerable population.

<sup>xiv</sup> These grants were initially called Rescue and Restore grants and then were replaced with Look Beneath the Surface grants.

<sup>xv</sup> U.S. Advisory Council on Human Trafficking, *United States Advisory Council on Human Trafficking Annual Report 2020*, July 28, 2020, available at: <<https://www.state.gov/wp->

---

content/uploads/2020/07/United-States-Advisory-Council-on-Human-Trafficking-2020-Annual-Report.pdf>

xvi **Id.**