

# **The Child Sex Trafficking Data and Response Act of 2013**

*Sponsored by Sen. Ron Wyden (OR) and Sen. Rob Portman (OH)*

Domestic child sex trafficking remains a serious problem in the United States. There are an estimated 293,000 American youth at risk of commercial sexual exploitation and trafficking. The U.S. Department of Justice reports that between 2008-2010, 83 percent of sex trafficking victims found within the United States were U.S. citizens and 40 percent of sex trafficking cases involved the sexual exploitation of children.

Research suggests that the majority of trafficked youth in the United States have been in and out of the child welfare system, specifically foster care. For example, of the trafficking victims in Alameda County, California, 55 percent were from foster youth group homes. In New York, 85 percent of trafficking victims had prior child welfare involvement. And in Florida, the head of the state's trafficking task force estimates that 70 percent of victims are foster youth.

Children and youth in foster care lack stability which often sets them up to fall prey to pimps and traffickers. And too often, state child welfare systems fail to properly identify and assist trafficked and exploited children. The protections, services and protocols established for abused and neglected children within the child welfare system are rarely extended to trafficked children and youth, and in most states, such children aren't even categorized as victims. Instead, they are often sent to the juvenile justice system and criminalized for being raped and trafficked.

One of the struggles in gaining due attention to the issue of child sex trafficking is the lack of reliable data. *The Child Sex Trafficking Data and Response Act* would address this shortcoming, particularly as it relates to children in the child welfare system.

## **Description of the Domestic Child Sex Trafficking Prevention and Response Act**

1. Requires that each state's Foster Care and Adoption Assistance plan contains a description of the specific measures taken to protect and provide services to children who are victims of sex trafficking. State plans must also ensure state child welfare workers:
  - a. Identify and document each child within the child welfare system who is identified as being a victim of sex trafficking; and
  - b. Immediately report information on missing and abducted children to law enforcement authorities.
2. Requires law enforcement authorities to notify the National Center for Missing and Exploited Children (NCMEC) when a child is missing from state care.
3. Amends the Child Abuse Prevention and Treatment Act (CAPTA) to require that child victims of sex trafficking are considered victims of abuse and neglect.
4. Requires CAPTA state plans designed to improve child protection services to contain:
  - a. Provisions and procedures requiring identification and assessment of all reports involving children known or suspected to be victims of sex trafficking;
  - b. Provisions and procedures for training child protective services workers to identify and provide comprehensive services for children who are victims of sex trafficking;
  - c. A description of efforts to coordinate with State law enforcement, juvenile justice, and social service agencies such as runaway and homeless youth shelters to serve these victims; and
  - d. An annual state data report on the number of children identified as known or suspected to be victims of trafficking.
5. Requires the Department of Health and Human Services to submit a report to Congress detailing issues related to identifying and providing services for victims of labor trafficking within the child welfare system, including whether state law enforcement, child welfare, and other relevant state agencies have identified a significant presence of victims of labor trafficking within the child welfare population.