

TRUTH IN TRANSITIONING

A CANDID PANEL DISCUSSION ABOUT
PREPARING A CHILD FOR ADULTHOOD

CIP Cross-Training July 2015

The Panelists

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JESSICA

JESSICA

- **First in state's care at age 8**
- **Parents' rights terminated**
- **Three types of cases in three counties by age 14**

QUESTIONS

Does the judge in the original child abuse/neglect case in Allegheny County know that Jessica's permanent placement has been disrupted?

If not, should someone tell him or her?

QUESTIONS

Should the cases be consolidated?

Is age 14 the time to begin transitional planning?

What permanency options should the MDT be exploring?

JESSICA



JESSICA

- **Now age 15**
- **Runs away from residential placement**
- **Trafficked**
- **Pregnant**
- **Drug-addicted**

QUESTIONS

What is a “trafficking situation”?

What should the MDT recommend for Jessica?

Should Jessica have charges for running away and her activities?



JESSICA

JESSICA

- **Now age 17**
- **Back on track academically (senior in high school)**
- **Tired of being in the state's care**
- **Wants to live with terminated mother**

QUESTIONS

Should the MDT still be exploring permanency options for Jessica?

What happens when Jessica turns 18 during her senior year of high school?

Will Jessica be eligible for an FC-18 agreement with DHHR?

Will she need to leave the group residential facility if she does not sign an FC-18 agreement?

QUESTIONS

Will Jessica be allowed to live with her terminated mother and still receive help with living expenses or sign an FC-18 agreement?

Should the GAL and DHHR consider recommending reinstatement of the mother's parental rights?

If Jessica's mother's rights *are* reinstated, will Jessica be eligible for MODIFY services?

ALTERNATIVE SPINS

- **Out-of-State Placement**
- **Unable to Live Independently**

ADVICE OR
QUESTIONS?

Does Human Trafficking Exist in Your Community? Examining Reports and Reviewing Facts

Human trafficking is a diverse and hidden crime, and currently there is no estimate of how many victims there are in the United States. The NHTRC created this resource in response to requests from community actors who want to understand the extent to which human trafficking happens in their community. This reference tool suggests resources to guide you in finding reliable information on instances of human trafficking in your area.

Introduction

Since the passage of the Trafficking Victims Protection Act (TVPA) in 2000, the anti-trafficking field has made great strides in recognizing and responding to human trafficking in the United States. Yet, human trafficking remains largely under reported to the authorities, often due to the methods of force, fraud or coercion employed by traffickers. Even when reported, cases involving human trafficking might be charged as another crime or pled down to a lesser crime.

These issues lead to the question “How do I know if human trafficking exists in my community?” The answer to this question may be critical when building capacity and community support for combatting human trafficking.

Human trafficking adapts to the economic and environmental landscape of a location, so identifying regionally specific information on human trafficking and vulnerable industries can be helpful in order to:

- Convince policy makers that human trafficking is an issue worth addressing;
- Make a case that law enforcement should invest resources to investigate and prosecute this crime;
- Inform a Board of Directors why funds should be appropriated for trafficking specific services;
- Raise awareness about the existence of human trafficking for community members, who then can report instances of human trafficking.

What is Human Trafficking?

Human trafficking is a form of modern-day slavery where people profit from the control and exploitation of others; this crime occurs when a trafficker uses **force**, **fraud** or **coercion** to control another person for the purpose of engaging in commercial sex acts or soliciting labor services against his/her will¹

Traffickers use violence, threats, blackmail, false promises, deception, manipulation, and debt bondage to trap vulnerable individuals in horrific situations. **Sex trafficking** has been found in a wide variety of venues within the commercial sex industry, including residential brothels, online escort services, fake massage businesses, strip clubs, and street prostitution. **Labor trafficking** has been found in diverse labor settings including domestic work, small businesses, large farms, and factories. For more information about human trafficking, visit www.traffickingresourcecenter.org.

¹ The presence of force, fraud or coercion need not be proved in instances of sex trafficking of minors.

Federal Law:

Human Trafficking became a federal crime with the passage of the Trafficking Victims Protections Act (TVPA). Both labor trafficking and sex trafficking are covered under the TVPA:

- **Labor Trafficking** is the recruitment, harboring, transportation, provision, or obtaining of a person for labor or services, through the use of force, fraud, or coercion for the purposes of subjection to involuntary servitude, peonage, debt bondage, or slavery, (22 USC § 7102).
- **Sex Trafficking** is the recruitment, harboring, transportation, provision or obtaining of a person for the purposes of a commercial sex act, in which the commercial sex act is induced by force, fraud, or coercion, or in which the person induced to perform such an act has not attained 18 years of age (22 USC § 7102; 8 CFR § 214.11(a)).

State Law:

As of 2014, all 50 states and the District of Columbia have laws against human trafficking. Visit <http://www.traffickingmap.org> or consult your state's statutes for more information as state and local laws differ by jurisdiction.

Where can I Find Statistics and Reports on Human Trafficking?

The below sources include reported investigations and/or prosecutions, government reports, news reports, and hotline reports. *Please note, this is not an exhaustive list. In addition to national reports on crime statistics and prosecutorial actions, you may consult your state and local offices for more regionally specific information.*

Reported Cases of Human Trafficking

In order to recognize trends in vulnerable industries or populations, it is helpful to review previously identified human trafficking cases in your region. Information regarding investigations or prosecutions may be found from the following sources:

- Department of Justice Criminal Section [Human Trafficking Case Summaries](#)
- Official Press Releases
 - Federal cases are investigated by a number of entities, including [USAO](#), [FBI](#), [HSI](#).
 - Press releases for cases charged on the state and local level are generally released by the local prosecutor's office or the lead law enforcement departments.
- News Sources
 - A useful tool for filtering news articles to human trafficking in your location is [Google Alert](#). You may enter your state, county or city along with relevant key terms, to review news articles as they are published.
- Legal Databases
 - Reviewing prosecuted cases in your jurisdiction may provide unique information on prosecutorial trends as well as insight into common industries in which human trafficking exists. Searchable legal databases provide the opportunity to narrow prosecutions by jurisdiction and crime for both criminal and civil cases.
 - Examples of these legal databases include: [Lexis Nexis](#), [Pacer](#), [University of Michigan Human Trafficking Law Clinic](#).

Government Reports

Federal reports offer data collected from federally funded trafficking initiatives. These sources may publish topical or aggregate data on human trafficking related occurrences.

- [Uniform Crime Report](#) – Human trafficking was introduced as major crime in 2013.
 - State Uniform Crime Reports (example: [Michigan Uniform Crime Reports](#))

- [Trafficking in Persons Reports](#) (Department of State)
- [Attorney General Report on Human Trafficking](#) (AG)
- [Trafficking in Persons Reports by Bureau of Justice Statistics](#) (BJS)
- [Human Trafficking Information by National Criminal Justice Reference Service](#) (NCJRS)
- [Human Trafficking Studies by National Institute of Justice](#) (NIJ)
- [Commercial Sexual Exploitation of Children by the Office of Juvenile Justice and Delinquency Prevention](#) (OJJDP)
- [National Center for Missing and Exploited Children](#) (NCMEC)

NHTRC State-Based Reports

The National Human Trafficking Resource Center (NHTRC) generates state-based reports documenting the calls, texts, emails and web forms from and about that state to the hotline. These reports reflect only what information is received by the NHTRC. You can find annual and five-year reports for your state at www.traffickingmap.org. NHTRC hotline statistics provide the following information:

- Total number of calls from a given state;
- Total number of calls that reference potential situations of human trafficking;
- Type of trafficking referenced.

Human Trafficking Research Institutes

Research institutes conduct topical- and locality-based research on human trafficking, such as examining the commercial sex industry, evaluating intervention methods or studying victimization in human trafficking context. Examples of research institutes conducting studies on human trafficking include The Urban Institute and Northeastern University.

Human Trafficking Task Forces

Whether you are compiling information on human trafficking to build community support, develop an interagency action plan or demonstrate a need for legislative action, it is vital to connect to others working on human trafficking issues. Many of these task forces already conduct data collection and publish reports on human trafficking in their jurisdictions.

Human trafficking task forces are collaborative interagency initiatives to combat and respond to regionally-based human trafficking and often include:

- Office of the US Attorney
- District Attorney Offices
- Local Law Enforcement
- State Law Enforcement
- Federal Bureau of Investigations
- Homeland Security Investigations
- Office of the Attorney General
- Local Social Services Providers
- Pro Bono Legal Networks

Where Can You Find Help?

The National Human Trafficking Resource Center (NHTRC) maintains a database of service providers and resources through the United States, along with extensive training resources on a variety of human trafficking topics.

Report Online or Access Resources & Referrals: www.traffickingresourcecenter.org

Call: 1-888-373-7888 (24/7)

Email: nhtrc@polarisproject.org

This document was developed in conjunction with U.S. Committee for Refugees and Immigrants, Heartland Alliance, and Polaris Project – New Jersey.

Overview of MODIFY Services



Mentoring & Oversight for Developing Independence with Foster Youth

Services & Eligibility:

Youth who are adopted after the age of 16 or placed in legal guardianship qualify for:

- *Education and Training Voucher Funds (\$5,000/school year) until they complete their first undergraduate program or they reach the age of 23*

Youth who age out of foster care qualify for:

- *Foster Care Tuition Waiver until they complete their first undergraduate program*
- *Education and Training Voucher Funds (\$5,000/school year) until they complete their first undergraduate program or they reach the age of 23*
- *Independent Living Services under the Voluntary Placement Agreement (FC-18) until they reach the age of 21*
 - Independent Living Subsidy
 - \$200/month – Dorm
 - \$900/month – Apartment
 - Housing Start-Up Funds (\$1,100)

All current and former foster youth are invited to participate in West Virginia Foster Advocacy Movement, sponsored by the MODIFY program (enrollment not required).

****Former foster youth may qualify for West Virginia Medicaid up to the age of 26 under new provisions of the Affordable Care Act.****

Maintaining Eligibility:

- *Complete 80 percent of your coursework*
- *Maintain a 2.0 GPA*
- *Provide your worker with your student account information for verification of enrollment, tuition, fees and mid-term and final grades*
- *Maintain monthly contact with your worker via emails, texts, calls or visits*
- *Submit your Budget/Productivity Form monthly*
- *Be engaged in at least 40 hours per week of productive activity related to transition*

Making a Referral:

- *Apply within six months of high school graduation or obtaining a high school equivalency*
- *Apply up to the age of 20*

*To make a referral,
call **1-866-720-3605** or visit
www.modify.cedwvu.org*

MODIFY is being presented with financial assistance as a grant from the West Virginia Department of Health and Human Resources. All printed materials are made available in braille, electronic format, CD and large print. WVU is an Affirmative Action/Equal Opportunity Institution WVUCED 7/2014

Chafee Education and Training Vouchers

Mentoring & Oversight for Developing Independence with Foster Youth

Services & Eligibility:

Youth who age out of foster care at 18, are adopted after 16 or placed in a legal guardianship after 16 qualify for:

- *Education and Training Voucher Funds (\$5,000/school year) until they complete their first undergraduate program or they reach the age of 23*



Education and Training Voucher can cover:

- *Tuition and fees*
- *Room and board*
- *Computer and software (if not provided by DHHR)*
- *Clothing and special equipment*
- *Educational supplies, including books*
- *Transportation costs (with limitations)*
- *Other supportive services*

To make a referral, call

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Necessary Documentation:

- *Copy of high school diploma or general education development (GED) certificate*
- *Copy of acceptance letter to a post-secondary institution or vocational program*
- *Verification of Free Application for Federal Student Aid (FAFSA) submission*
- *Student identification number, student account username and student account password*

Foster Care Tuition Waiver



Mentoring & Oversight for Developing Independence with Foster Youth

Project Purpose:

West Virginia Legislation (HB-4784) was enacted allowing eligible youth in foster care to receive tuition waivers for the purpose of attending a West Virginia public college or university.

Who is eligible?

Within limitations of the governing boards for higher education, the waiver program is available to ANY youth who:

- Graduated from high school or passed the high school equivalency examination while in the custody of the Department of Health and Human Resources (DHHR);
- Was in family foster care or residential care for at least one year immediately preceding graduation;
- Applies for the waiver within two years of graduation from high school or passing the high school equivalency examination;
- Has been accepted to a West Virginia public institution of higher education AND
- Apply for student financial aid other than student loans, e.g., the Federal Pell Grant, in compliance with federal financial aid rules

What does the waiver pay for?

The waiver covers tuition and fees after other sources of financial aid dedicated solely to tuition and fees are exhausted.

What does the waiver not pay for?

The waiver does NOT cover room and board or the cost of books.

Would a youth have to apply for a waiver each of the four years?

Yes. The youth must continue to meet the academic progress standards established by the West Virginia college or university he or she is attending in order to maintain waiver eligibility.

Where do youth apply for a West Virginia Foster Care Tuition Waiver?

Youth apply for the waiver at the financial aid office of the college or university where they have been accepted. Verification of custody will need to be provided via a letter from DHHR to the institution. The college or university will then apply the waiver at their discretion and in conformity to Department of Education standards.

www.modify.cedwvu.org

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