Safe Harbor Laws for Victims of Child Sex Trafficking

The Field Center recently published a white paper, entitled “An Analysis of Safe Harbor Laws for Minor Victims of Commercial Sexual Exploitation: Implications for Pennsylvania and Other States.” Authors Sarah Wasch, MSW, Debra Schilling Wolfe, MEd, Elizabeth H. Levitan, and Kara Finck, Esq. explored this recent shift in how the legal system addresses victims of child sex trafficking. The following Executive Summary provides an overview of their research. The full white paper is available at www.fieldcenteratpenn.org.

Child sex trafficking is increasingly recognized as a compelling legal and social problem in the United States. Reliable data does not yet exist due to both the paucity of scientific research and underground nature of the crime, but some estimates suggest a minimum of 100,000 cases of sexually exploited children on an annual basis. Although this issue may have appeared on the nation’s radar only recently, the term “child sex trafficking” has supplanted “child prostitution” as the prevailing thought, shifting responsibility to the perpetrator’s actions rather than focusing on those of the victim.

By the end of 2015, a full two-thirds of states had passed some version of “Safe Harbor” legislation to move from a prosecutorial to a victim services focus for child sex trafficking victims. Safe Harbor legislation seeks to offer and engage victims in rehabilitative services in lieu of charging them with a crime. This paper examines the structure and lessons learned, with recommendations for Pennsylvania and the other remaining states yet to pass Safe Harbor laws.

New York was the first state to enact a Safe Harbor law, which went into effect in 2010. Due to the variance in laws from state to state, relatively recent implementation, and a paradigm shift in the criminal justice system approach to victims of commercial sexual exploitation, little outcome data exists at the present time. One of the more promising findings is that Minnesota, considered model legislation, evaluated their program after its first year of implementation and found a dramatic increase in both charges and convictions against sex traffickers subsequent to enacting Safe Harbor legislation. It is important to note that a greater focus on sex trafficking of minors often accompanies such legislation and may play a part in such findings.

To inform recommendations for future legislation and program development for victims of sex trafficking, the authors conducted an examination of the research on victim compliance with specialized services, utilization of the child welfare system in lieu of the juvenile justice system, and approaches to gain compliance with prosecution of traffickers. The research supports engaging victims of sex trafficking in a voluntary system of trauma-informed specialized services to encourage their healing, foster service compliance, and develop trust so that they will assist in the identification and prosecution of sex traffickers. Involuntary detention was found to replicate the trauma experienced by sexually trafficked youth, preventing recovery, and increasing the likelihood of recidivism. In order to develop specialized services to be available in lieu of prosecution, it is suggested that implementation of new Safe Harbor legislation take place no less than six months after its passage.

Better data collection and further research will assist in better understanding the problem of sex trafficked youth and the impact of Safe Harbor legislation and its various components.

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The Field Center for Children’s Policy, Practice & Research

Guided by the Schools of Social Policy & Practice, Law, Medicine and Nursing, and the Children’s Hospital of Philadelphia, the Field Center for Children’s Policy, Practice & Research brings together the resources of the University of Pennsylvania to enhance and assure the well-being of abused and neglected children and those at risk of maltreatment.

By moving beyond traditional approaches, the Field Center utilizes an interdisciplinary model to integrate clinical care, research and education, inform local and national policy, and prepare the nation’s future leaders, for the benefit of children and their families.

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A research delegation of U.S. child welfare experts visited Cuba in the fall of 2015, in advance of relaxed relations between the two nations. Debra Schilling Wolfe, the Field Center’s executive director, was one of 15 delegates selected from across the country to travel to Havana as part of this landmark trip sponsored by the Child Welfare League of America (CWLA) and Coalition for Research to Practice.

This Child Welfare Research Delegation was provided access to a variety of child-serving institutions during this week-long visit. The delegation, comprised of non-profit executives, public sector representatives, leading advocates, policy experts, and select academics, met with governmental officials and community agency leadership while visiting a variety of agencies throughout Havana.

The delegation learned about the Cuban health care system, a prevention-based model that offers free care to citizens while maintaining a record of all people in the community. The group learned that Cuba’s low infant mortality rate is balanced by its high abortion rate. In visiting a maternity hospital, the delegation was told about Cuba’s extensive genetics program for high-risk pregnancies. Abortions are encouraged if it is discovered that the fetus has a malformation.

Meeting with the National Union of Lawyers offered great insight into the Cuban criminal justice system and the role it plays in cases of child abuse. Cuba is a signatory of the UN Convention on the Rights of the Child. Without a civil system like the United States, child abuse is viewed as a criminal act and the prosecutor represents the best interest of the child. There is no system of child abuse reporting in Cuba. However, failure to report a crime, such as child abuse, is considered a crime.

Children who need to be removed from their parents’ care are sent to shelters. The delegation had the opportunity to visit a children’s shelter and learn about how child placement is handled in Cuba. Shelter populations are segregated by age and efforts are made to keep sibling groups together. Custody is not removed from parents, and they can visit children and even take them out of the shelter. However, a significant number of children who are placed in shelters have parents who are in prison. Children do not visit with their parents in prison nor are the parents’ sentences typically short enough to allow for reunification, resulting in many children emancipating from the shelters in which they live. Grandparents’ rights are a new concept in Cuba.

The Cuban Women’s Federation runs women’s guidance houses in each municipality, providing governmental oversight of children and families. When child abuse is suspected, it is addressed by community commissions comprised of police, social workers, and schools. These guidance houses monitor the needs of individual and families throughout the municipality.

Cuba provides food rations, housing and employment for its citizens. However, there is rampant poverty throughout the country. The average wage is $20 per month. Cubans are also provided a free education throughout the municipality.

The diverse composition of the delegation enhanced its learning opportunities. Members of the research delegation are disseminating their findings to a variety of key constituencies who are concerned with the global welfare of children.
On June 2, 2016, the Field Center’s Foster Care to College (FC2C) workgroup held a training for college financial aid officers and those who prepare foster youth to attend college: Financing College for Foster Youth: Preparation, Engagement, and Retention Strategies.

With the support of The Philadelphia Foundation, over 100 participants representing over 30 area colleges and universities and dozens of community organizations, this first-of-its-kind training provided attendees with critical information to support youth from foster care in college attendance and success.

While over 70% of foster youth aspire to attend college, they enroll at less than half the rate of their peers. The vast majority do not make it beyond their first year of college, with finances providing them one their greatest challenges.

This training was conceptualized to engage college financial aid officers in understanding the unique challenges faced by foster youth, and provide them with the tools to support their success.

The Field Center will be making this training available on its website free of charge through iTunes University.
What Drives Our Advisory Board?
The Field Center’s Newest Board Member Tells Her Own Story

My name is Klair Fitzpatrick. I currently work as an associate in the Labor and Employment Group of Morgan Lewis & Bockius, an international law firm based in Philadelphia. I specialize in defending employers in complex employment litigation, single-plaintiff discrimination cases, and whistleblower investigations.

I learned about the Field Center from my friend and fellow board member, Andrew Whitney, who invited me to the annual luncheon. I immediately was impressed by the Field Center’s cutting edge research and interdisciplinary approach to solving some of the most persistent problems facing children. As the daughter of a Philadelphia public school teacher and a Philadelphia police detective, I heard daily about the hardships that many children face. Later, I saw firsthand the catastrophic results of failures in the child welfare system. As an intern at the United States Attorney’s Office for the Eastern District of Pennsylvania, I assisted with the investigation into the tragic death of Danieal Kelly, a fourteen-year old who died of starvation while under the protection of the city’s human services agency. Along with my fellow interns, I helped build the case that that proved that the agency tasked with monitoring the wellbeing of Danieal and many other children had been utterly derelict in their duties to protect these vulnerable children. I now have two children of my own and know that I would do anything to protect them. As a result, I am thrilled to have the opportunity to assist the Field Center in fulfilling its mission of working to enhance and assure the well-being of abused and neglected children.

New York Friends of the Field Center recently held its first well-attended event at the home of Amy Nislow in New York City. Dr. Cindy Christian, one of the foremost national child abuse experts and a Field Center’s faculty director, delivered a powerful talk on the work of a child abuse pediatrician. With a standing room only crowd, this wine and cheese reception was a huge success. The Field Center wishes to thank Ms. Nislow for opening up her beautiful home and hosting this event.

If you are interested in hosting an event in any city, please contact James Browning, Director of Development, at jambro@upenn.edu or (267) 788-3335.

Field Center Launches Web-based Resources to Support Access to Higher Education for Foster Youth

The Field Center continues its local, statewide and national efforts to improve access to higher education for foster youth, as well as support foster youth who choose to attend college in improving their rates of success.

The latest accomplishment of the center’s Foster Care to College workgroup is the launching of a web-based virtual library of resources to support this work. This comprehensive annotated resource directory can be found at www.fostercaretocollege.org, and is hosted on the Field Center’s website. Materials on the website are reviewed and vetted by a cross-system team of professionals.

The workgroup encourages widespread use of these resources to support better outcomes and increased opportunities for foster youth.

The Field Center Shares the Love of Reading for Super Tuesday

At this year’s Field of Dreams Luncheon, the Field Center opted for a children’s theme to decorate the room. Centerpieces included many favorite children’s books.

For Giving Tuesday, the Field Center donated 100 children’s books to Wordsworth, a Community Umbrella Agency who serves victims of child abuse and neglect in Philadelphia. By providing these books to children in foster care, the Field Center supported the love and importance of reading while giving many children the first book they ever owned.
THANK YOU TO OUR SUPPORTERS!

We are grateful to the following individuals, foundations and organizations for their generous support of the Field Center from May 1, 2015 to May 1, 2016.

Your tax-deductible donation to the Field Center for Children's Policy, Practice & Research enables us to continue our critical work. Thanks to a challenge grant from the Joseph and Marie Field Foundation, gifts are matched on a dollar-for-dollar basis. An envelope is attached for your convenience, or you may give a gift online by visiting www.fieldcenteratpenn.org.

For more information, please contact Field Center Director of Development James Browning at (267) 788-3335 or jambro@upenn.edu
Zoë Artz is a licensed Social Worker who has spent the last three years as a member of the interdisciplinary team in the division of Neuro-Oncology at The Children’s Hospital of Philadelphia. In this role she conducts assessments and provides counseling to children and families affected by brain and spinal cord tumors. Zoë has dedicated her career to working with children and families in the city of Philadelphia. She has experience with homeless populations, school-based mentoring and teaching, and mental health therapy. As she has progressed through each of her professional roles, Zoë has gained a strong understanding of the impact of social policy on communities and families and a desire to positively impact vulnerable populations. Zoë joined the Young Professionals Council in the Spring of 2015 and is looking forward to contributing her skills and experience to support the work of the Field Center.

Zoë is a graduate of J.R Masterman High School and has been a volunteer running leader and mentor for the Masterman team of Students Run Philly Style for the past five years. She also has a certificate in Trauma-Informed Yoga for Youth and plans to complete a Palliative Care and End of Life Certificate Program from Smith College in April of 2016. Zoë has a bachelor’s degree in Sociology from Dickinson College and a Master’s Degree in Social Work from Temple University.

The Young Professionals Council is a group of professionals from within and beyond the world of child welfare with a passion and commitment to improving outcomes for abused and neglected children.

YPH members meet quarterly, disseminate information about Field Center events, research and programs, develop networks and raise awareness of child welfare issues, and plan or participate in fundraisers and community events. The Chair of the YPC serves as liaison to the Field Center Advisory Board.

Che Wang joined the Field Center for Children’s Policy, Practice & Research in September 2015 as a 2nd Year MSW Student from the University of Pennsylvania School of Social Policy and Practice. She is pursuing a macro concentration and is interested in learning about the child welfare system in the United States. Che is an international student from Beijing, China. She graduated from Renmin University of China in 2014 with a Bachelor of Economics where she majored in International Business. Che was previously the Vice President of AIESEC, a student-run non-profit focusing on world issues, leadership, and management. She placed students in international non-profits, in addition to twice living and volunteering in Africa. Her foundation year field placement was at the Star Harbor Senior Center, where she provided case management and led groups for senior citizens. At the Field Center, Che built on this knowledge to explore how child welfare policy can best address the needs of vulnerable populations.

Maxwell Wagenknecht joined the Field Center for Children’s Policy, Practice & Research in July 2015 as an Advanced-Standing MSW candidate from the University of Pennsylvania School of Social Policy and Practice. He is pursuing a macro concentration and is interested in child welfare policy and research. Max graduated from San Diego State University in May 2015 with a Bachelor of Social Work degree and a minor in Counseling. Max’s BSW field placement was at San Diego State’s Consensus Organizing Center, where he worked on programs to empower low-income adults and former foster youth (18 to 24 years old) transitioning into adulthood to achieve their dreams and strengthen their communities. At the Field Center, Max developed skills in program development and evaluation and gained a better understanding of interagency collaboration in the development of child welfare policy and programming.
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| June 21 - 25, 2016 New Orleans, LA | 24th Annual APSAC Colloquium  
*American Professional Society on the Abuse of Children (APSAC)* | **Phone:** (877) 402-7722  
**Email:** apsac@apsac.org  
**Website:** http://www.apsac.org/24th-annual-apsac-colloquium |
| June 22 - 25, 2016 Washington, DC | 2016 National Association of Social Workers National Conference Leading Change | **Email:** naswconference@naswdc.org  
**Website:** http://www.naswconference.org |
| July 10 – 13, 2016 New Orleans, LA | FFTA 30th Annual Conference on Treatment Foster Care  
*Foster Family-based Treatment Association* | **Phone:** (800) 414-3382  
**Email:** akoscielny@ffta.org  
**Website:** http://www.ffta.org/conference |
*Council on Accreditation (COA)* | **Phone:** (212) 797-3000  
**Email:** zhutchinson@coanet.org  
**Website:** http://coanet.org/2016Conference/ |
| July 17 – 20, 2016 Monterey, CA | NCJFCJ’s 79th Annual Conference  
*National Council of Juvenile and Family Court Judges (NCJFCJ)* | **Phone:** (775) 784-6012  
**Email:** contactus@ncjfcj.org  
**Website:** http://www.ncjfcj.org/79th-annual-conference |
| August 1 – 3, 2016 Orange County, CA | 2016 CWLA National Conference  
*Advancing Excellence in Practice and Policy: What Works for Families Affected by Substance Use*  
*Child Welfare League of America (CWLA)* | **Phone:** (202) 688-4200  
**Email:** SubstanceUse@cwla.org  
**Website:** http://www.cwla.org/substanceuseconference/ |
| October 4 – 6, 2016 Garden Grove, CA | NCCD Conference on Children, Youth, and Families: Creating Solutions  
*National Council on Crime and Delinquency (NCCD)* | **Phone:** (800) 306-6223  
**Email:** conference@nccdglobal.com  
**Website:** http://www.nccdglobal.org/news-events/nccd-conference-on-children-youth-and-families |
| November 1 – 4, 2016 Ft. Worth, TX | International Conference on Innovations in Family Engagement  
*Kempe Center for the Prevention and Treatment of Child Abuse and Neglect* | **Phone:** (303) 630-9429  
**Email:** amy.hahn@childrenscolorado.org  
**Website:** http://www.kempeconference.org |
Newsletter Highlights...

- Safe Harbor Laws for Victims of Child Sex Trafficking
- Financing College for Foster Youth: The Field Center Holds Training For Financial Aid Officers