

Developing Health Provider Guidelines and Sample Protocol on Human Trafficking

Introduction

New research shows that trafficking victims seek services from family planning clinics. This document provides guidance on how to develop Guidelines on Human Trafficking that create a victim-centered approach to identification, treatment, referral, and other responses to human trafficking.

Clinic Statement

Develop a Statement of Interest that reflects the clinic's commitment to addressing human trafficking. Here is a sample statement for a Health Provider that wishes to develop Guidelines on Human Trafficking:

Clinic is committed to establishing a set of programs and guidelines that will meet the unique needs of human trafficking survivors. It is our policy to protect and serve those who have been trafficked with a victim-centered and trauma-informed approach.

Context

Clinic Guidelines on Human Trafficking should be developed in the context of a larger human trafficking identification and response program. Every Clinic needs a Human Trafficking program because human trafficking is occurring in virtually every community in the United States. Victims of sex and labor trafficking are seeking services from health providers and health providers need to adopt a victim-centered approach to identify them and refer these victims to appropriate services. Guidelines on Human Trafficking can be used by health providers as a step-by-step guide for recognizing and responding to trafficking victims.

Guidelines

Some health providers have guidelines in place for other issues – domestic violence, sexual assault, suicidal patients, substance abuse overdose, but only recently have providers begun to develop guidelines for identifying and responding to trafficking victims. Guidelines should be scalable to the size and type of clinic. This How-To Guide outlines the steps to drafting and adopting Guidelines tailored to your hospital or clinic. It is critical for each clinic to have Guidelines in place that address various aspects of the day-to-day work, from waiting room, to intake, to examination, and follow-up. Guidelines can outline the steps needed to complete a specific task and ensure that staff accomplish the task based on specific guidance.¹

Developing a Guidelines for Human Trafficking will allow your Clinic to:

¹ Guideline Steps adapted from HHS/ ACF / FYSB Human Trafficking Blueprint

- Clarify procedures, roles, and responsibilities around identification, response, referral and appropriate reporting of clients who are suspected or confirmed human trafficking victims
- Develop specialized training to enhance staff responses to trafficking victims
- Improve staff ability to identify and respond appropriately to clients who are trafficking victims
- Understand and arrange for specialized referral responses to the needs of trafficking victims, including medical, legal, mental health, substance use, and other kinds of services and treatment
- Address the special safety concerns (for the victim and the staff) that may be a part of assisting a victim of trafficking
- Distribute human trafficking educational materials to a victim who may not be ready or able to disclose victimization or accept assistance
- Establish holistic referral system to ensure that a youth who has been trafficked can obtain essential services your program may not provide
- Establish rapport with law enforcement agencies to protect runaway and homeless youth and to prevent predators and exploiters from trafficking youth for forced labor or commercial sex

The Elements of Guidelines on Human Trafficking:

The elements of a set of Guidelines on Human Trafficking should include the following:

Intake: As client comes in

- Carry out usual intake procedures
- Consider signs and indicators of human trafficking
- Be aware of trauma-informed and victim-centered approach

If Signs and Indicators are Present:

- Create Safe Space, Separate Client from Overbearing or Dominating Relative or Friend
- Provide the basic health service requested
- Ask further questions to try to uncover client's true problem
- Be aware of Incremental Disclosure Issues in Human Trafficking

If Human Trafficking is Uncovered:

- Call National Human Trafficking Hotline 1-888-3737-888
- Call Local Anti-Trafficking Organizations
- Assess for Safety
- Assess for Mandatory Reporting (e.g., child sex trafficking)
- If Perceived Immediate Danger, Call Local Law Enforcement

If Human Trafficking is Suspected:

- Refer Client to Existing Community Resources
- Ensure that Client Feels Comfortable and Understands
- Arrange for Follow-up Visit at a Future Date

Note that in order to fulfill all the elements of a good set of Guidelines, it will be important to identify community responders to various aspects of human trafficking. These may include:

- The National Human Trafficking Hotline
- U.S. Department of Health and Human Services
- State Child Protective Services Program
- Local human trafficking social service agencies and Local Human Trafficking Coalitions
- Local law enforcement and/or FBI taskforce, including police, sheriff's office

Below is a sample of Guidelines that can be used as a template for your hospital or clinic:

Sample Human Trafficking Protocol

Internal Procedures

Ensure internal agreement on Human Trafficking protocols, including roles and responsibilities.

- All staff, clinical and non-clinical, should take the Specialized Training on Human Trafficking.
- All staff should have basic training in Trauma-Informed Care.
- Identify key personnel who should be involved if trafficking is suspected. For example, if possible, forensic staff should conduct in-depth interview.

STEP ONE – TRUST AND SAFETY

Create trust by demonstrating warmth, care and concern. The patient centered approach of providing positive regard, empathy, and genuine support for the client dovetails with the “victim-centered approach” suggested in the Trafficking Victims Protection Act. One way to do this is to tend to the basic physical and emotional needs of the client. Ask a series of questions and take a series of steps that can ascertain the client’s needs and provide security and trust. Sample actions and questions include:

- Separate the client from any controlling person, including a family member
- Is there anything I can get you right now?
- How can I help you? Or Are you okay?
- Is there anything else bothering you that I should know about?
- Ascertain basic safety of client and client’s family, especially children
- Assure client of confidentiality
- Inform client of mandatory reporting requirements
- Determine if abuse is taking place and notify lead staff if trafficking is suspected
- Client interview should be conducted by forensic staff or personnel trained to lead trauma-informed interview
- Avoid having client repeat story numerous times
- Lead interviewer should continue to build trust throughout the initial process

STEP TWO – ASSESSMENT – SUSPECTED SEX TRAFFICKING

Preface interaction by explaining how you will proceed in the interview. For example, “I would like to ask some questions in order to understand how I can best help you. Anything you tell me is confidential. The only thing I need to report is [if you are going to hurt yourself or others. Or other state mandatory reporting requirements here]” Then, ask a series of open-ended questions designed to help the client discuss their situation. Sample questions include:

- Do you have any broken bones, stitches or injuries from previous violence?
- Are you (or your family) in danger of any physical violence now?
- Would you be willing to tell me about any drug or alcohol use?
- Have you been raped or sexually assaulted?
- Your sexual health is important. Have you had more than [5] sexual partners?
- What about STIs – have you had any over the last year?
- What about pregnancies? Have you had multiple pregnancies?
- Have you ever been forced to have ~~sex~~ sex for money or something else (like food, clothing or shelter)?

For adolescents, the questions may be different.

- Have you ever run away from home?
- Have you ever had a “bad date?” Tell me about it.
- Do you have a boyfriend/partner? Is he your age?
- Have you ever been asked to give sex for money or something else (like food, clothing or shelter)?
- Where did you sleep last night? Do you often sleep on your friend’s couch?

STEP TWO – ASSESSMENT – SUSPECTED LABOR TRAFFICKING

Preface interaction by explaining how you will proceed in the interview. For example, “I would like to ask some questions in order to understand how I can best help you. Anything you tell me is confidential. The only thing I need to report is [if you are going to hurt yourself or others. Or other state mandatory reporting requirements here]” Then, ask a series of open-ended questions designed to help the client discuss their situation. Sample questions include:

- Are you working and if so are you being paid?
- Is anyone taking your money or a portion of your money?
- Can you leave your job if you want to?
- Do you have your ID and other identity papers or is someone keeping them for you?
- Has anyone threatened you or your family if you don’t do what they want you to do?
- Have you been forced to do something physically or sexually that you did not want to do?
- Are you in debt to someone – the kind of debt you can’t pay off?

STEP THREE – ACTION

Under Age 18: Tell the client: “I want to help you. It is not your fault that this is happening to you. You deserve a better life.” Could be said to all suspected human trafficking victims

- If child sex trafficking is ascertained, it is considered child abuse under the law. Follow child abuse protocols including mandatory reporting in your state.

18 Years or Older: Tell the client, “I am sorry this has happened to you. You have rights that apply in this situation. I want to help you. There is no pressure on you to do or say anything. Here are our options:

- Explain possibilities, including reporting to law enforcement, especially if there is physical danger (obtain your client’s consent to do so); referring them, in a “Warm Hand-Off” to local service providers specializing in human trafficking, and/or calling the National Human Trafficking Hotline;
- Explain the kinds of services that trafficking victims can obtain including emergency food, clothing, and shelter, medical assistance, legal assistance, counseling, and translation services. Assist client in warm hand-off to obtain these services.

STEP FOUR – FOLLOW UP

Follow your Clinic’s procedures for follow-up for human trafficking including:

- Document the client’s issues properly, including using proper ICD codes, in Electronic Medical Records
- Ensure that the client has your name and your clinic’s number (give them a card or other information) and invite them to follow-up with you in two weeks.
- Continue building trust and rapport through final minutes of the clinic visit