

# **Human Trafficking Law Enforcement Guidelines**

**2021**



**The Commonwealth of Massachusetts  
Executive Office of Public Safety and Security**

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## SECTION ONE: Purpose and Overview

The purpose of these guidelines is to establish best practice standards for law enforcement when responding to and investigating potential human trafficking scenarios. Local law enforcement agencies are often the first to come into contact with victims involved with this covert crime, and as first responders, law enforcement agencies play a critical role in identifying and responding to trafficking victims and intervening in instances of human trafficking.

While each investigation and encounter will undoubtedly present different circumstances and challenges, a timely, pragmatic, and sensitive law enforcement response is critical to combating trafficking and responding to the needs of trafficking victims. This type of response improves a community's confidence in the police, increases reporting levels, and strengthens investigations, thereby facilitating more successful prosecutions.

*“Exploitation is about someone controlling us. Let us have as much control in the process when possible.” — Survivor*

These guidelines are to be used to supplement the ongoing need for in-person or online training and to augment the continued education of law enforcement professionals, which are important to ensure effective law enforcement response. The information contained in these guidelines will also provide a foundation for all law enforcement training curricula throughout Massachusetts.

The following three core principles serve as the foundation for these guidelines and should be employed when responding to and investigating human trafficking:

1. Recognition of human trafficking indicators
2. Trauma-informed approach
3. Multidisciplinary and interagency cooperation

## SECTION TWO: Terminology of Human Trafficking

### **A. Terminology**

Law enforcement should be cognizant of the language used when encountering human trafficking victims and survivors. Language regarding the experience of exploitation, and the recommended response, will differ for youth and adults because language impacts the way human trafficking is perceived and the manner in which people respond to the issue.

Victims and survivors interacting with law enforcement may have prior history with the criminal justice system; they may fear being punished and have concerns around racism, sexism, homophobia, or other forms of oppression that can all impact interactions with law enforcement. Law enforcement can effectively demonstrate empathy using terms that are both respectful and affirming.

It is important to ask victims and survivors their preferred name and pronouns and be cognizant of gender inclusivity. Creating a space that emphasizes language and a response that is inclusive allows for individuals to feel respected, helps foster a more welcoming space for victims and survivors, and fosters partnership which can thereby promote more effective prosecutions.

## **B. Victim/Survivor**

The terms “victim” and “survivor” are often used interchangeably. The term “*survivor*” is more often associated with empowerment and carries less stigma than the term “victim.” It is common that both terms are used to describe individuals that have been exploited. Some individuals may not identify themselves as someone who has experienced trafficking and may not use either term. Some may identify as someone who has experienced trafficking and reject the use of either term because they do not want their identity to be defined by their trafficking experience. These individuals may wish to be referred to as having “lived experience” or something similar.

“*Victim*” is also a legal term that should be used in situations when discussing the application of laws and/or legal rights and is frequently used by law enforcement and the criminal justice system to describe someone entitled to rights and services. It may be helpful to attribute the term “victim” to someone who is currently being exploited or when describing past experiences. The term “survivor” can describe someone who has experienced trafficking in the past or someone who is seeking to exit exploitation. It should be noted that victim service providers often use the term “survivor.” For the purposes of these guidelines, we will use the term “victim/s” throughout.

## **C. Commercial Sexual Exploitation of Children and Sex Trafficking of Minors**

The term “Commercial Sexual Exploitation of Children” or “CSEC” refers to any case where sexual conduct involving a minor, (children under 18), is exchanged, offered, or agreed upon for anything of value. The term “CSEC” is widely used among child-serving agencies in Massachusetts and other states, although it is not a legal term per se. Likewise, the Federal Victims of Trafficking and Violence Protection Act of 2000 (TVPA) defines sex trafficking as “the recruitment, harboring, transportation, provision, obtaining, patronizing, or soliciting 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”<sup>1</sup>. Any human trafficking case involving a child should be framed as child abuse. This includes children who do not identify or see themselves as victims, who offer or agree to engage in sexual conduct for something of value, and whether or not a third-party exploiter is identified.

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<sup>1</sup> Trafficking Victims Protection Act of 2000, Pub. L. No. 106-386, 114 Stat. 1464–1548.

## D. Multidisciplinary Team

All human trafficking cases in Massachusetts involving minors must be referred to an MDT through a 51A (child abuse) report to the Department of Children and Families (DCF). An MDT is a group of professionals from different agencies and disciplines who work together in a coordinated and collaborative manner to ensure an effective response to a particular situation or individual's needs. This practice is commonly used with reports of child abuse and neglect. Members of the team can be representatives from government agencies, non-governmental organizations, and private practitioners responsible for investigating, protecting, and treating victims, children in particular. An MDT may focus on investigations; policy issues; treatment of victims, their families, and perpetrators; or a combination of these functions. In Massachusetts, all child trafficking investigations, service planning, and case management are conducted by specialized MDTs.

*“I think that getting everyone at the table is huge with helping these youth. The team partners are able to have an understanding of each other and learn from each other, which will only better the process for everyone, but especially for the youth. I think it's powerful to be able to tell these kids that there is a team like ours who is on their side, who is there for them, and who cares about them.” — Det. Sarah Sargent, Worcester Police Department*

## E. Trauma-Informed Response

Trauma results from an event, series of events, or a set of circumstances experienced by an individual as physically or emotionally harmful or life threatening and that has lasting adverse effects on the individual's functioning and mental, physical, social, emotional, or spiritual well-being.<sup>2</sup> A trauma-informed response is focused on preventing re-traumatization and increasing the likelihood of an effective and efficient interaction with victims. A trauma-informed approach begins with understanding the impact trauma has on the individual, as well as on the professionals who help them, including law enforcement officers. This approach incorporates four elements:

1. Realizing the prevalence of trauma
2. Recognizing how trauma affects all individuals involved with the program, organization, or system, including its own workforce
3. Responding by putting this knowledge into practice
4. Resisting retraumatization

*“Because I was stuttering and so nervous, law enforcement thought I was lying and ended the interview.” — Survivor*

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<sup>2</sup> Substance Abuse and Mental Health Services Administration, *SAMHSA's Concept of Trauma and Guidance for a Trauma-Informed Approach* (Rockville, MD: Substance Abuse and Mental Health Services Administration, 2014), <https://store.samhsa.gov/product/SAMHSA-s-Concept-of-Trauma-and-Guidance-for-a-Trauma-Informed-Approach/SMA14-4884>.



## F. Trauma Bonding

Trauma bonding is “when a trafficker uses rewards and punishments within cycles of abuse to foster a powerful emotional connection with the victim. Traffickers may take on a role of protector to maintain control of the victim, create confusion, and develop a connection or attachment, which may include the victim feeling a sense of loyalty to or love for the trafficker. This connection, or traumatic bond, becomes especially intense when fear of the trafficker is paired with gratitude for any kindness shown. Additionally, trauma bonding, including in cases of trafficking, may occur within familial relationships in which the perpetrator could even be a parent. . . . [T]rauma bonding may cause coerced co-offending, perceived ambivalence, delayed or inaccurate reporting, or unwillingness to cooperate with law enforcement.”<sup>3</sup> It is important to note that trauma bonding does not exist in every trafficking situation.

## G. Additional Terminology

For the purposes of this document, a “*trafficker*” is a person who exploits or “*traffics*” or derives benefit or value from others for profit, specifically individuals that purchase or sell others to perform labor or sex work. Traffickers may also be referred to as perpetrators or offenders interchangeably throughout the document.

Additional terms such as a “*john*,” “*patron*,” “*trick*,” or “*client*” have often been used to describe an individual who buys sex. Under Massachusetts statute, these individuals are also considered perpetrators of crime.<sup>4</sup>

For the purposes of this document, a “*child*” or “*minor*” refers to anyone that is under the age of 18. A “*youth*”, generally refers to anyone between the ages of 18 and 24 but within this document, as commonly accepted in society, youth may refer to anyone under the age of 24.

“*Commercial sex act*” refers to any sex act for which anything of value is given to or received by any person.

“*Debt Bondage*” is the status or condition arising from a pledge by a debtor of his or her personal services or those of a person under his or her control as security for a debt, if the value of those services as reasonably assessed is not applied towards the liquidation of the debt or if the length of those services are not limited and defined.<sup>5</sup>

“*Exploitation*” is a broad term to describe different types of abuse, including sex trafficking. In the labor trafficking context, the term refers to the unfair, if not illegal treatment or use of a person, usually for personal gain where the user benefits unfairly from the work of another, typically by overworking or underpaying them, or not paying them at all.

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<sup>3</sup> U.S. Department of State, *Trafficking in Persons Report, 20th Edition*, June 2020, <https://www.state.gov/trafficking-in-persons-report/>.

<sup>4</sup> Mass. Gen. Laws ch. 272, § 53a.

<sup>5</sup> Trafficking Victims Protection Reauthorization Act of 2019, 22 U.S.C. § 7102

**“Involuntary servitude”** is the condition of servitude induced by means of any scheme, plan, or pattern intended to cause a person to believe that, if they did not enter into or continue in such condition, that person or another person would suffer serious harm or physical restraint; or the abuse or threatened abuse of the legal process.<sup>6</sup>

**“Labor trafficking”** is defined as 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.<sup>7</sup>

## H. Terminology to Avoid

The term **“prostitute”** may arise in a legal context as a reference to certain crimes related to sex trafficking. This term carries a stigma, objectifies, and implies that the individual is a criminal, rather than someone who may need support and services. The preference is not to refer to individuals in this way and rather to describe that an individual is/was exploited. Slang for “prostitute” also should not be used.

The term **“illegal”** to describe an individual is problematic and can be seen as dehumanizing; if necessary, an individual could be described as a noncitizen or someone who is out of status.

The term **“rescue”** is not a preferred way to describe support provided to individuals to exit and recover from trafficking. The idea of “rescuing” or “saving” individuals is not synonymous with actively engaging in a long-term collaboration with survivors and encouraging them to make choices and speak for themselves. Interventions must be specific and tailored to address the required supports that ultimately promote a more successful investigation and prosecution.

The term **“pimp”** has often been used to describe sex traffickers. There are also variations with different meanings having to do with how traffickers operate. These terms may not be used by a victim or may be replaced with terms of endearment, which often indicate the control that a trafficker has over a victim.<sup>8</sup>

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<sup>6</sup> Id.

<sup>7</sup> Id.

<sup>8</sup> Use of the term “pimp” could have racial and cultural connotations that may be offensive.

## SECTION THREE: Federal and Massachusetts Human Trafficking Laws<sup>9</sup>

### A. Federal Laws

#### 1. The Victims of Trafficking and Violence Protection Act of 2000<sup>10</sup>

In 2000, the United States enacted the Trafficking Victims Protection Act of 2000 (TVPA). The TVPA provided the necessary tools and resources to combat modern forms of slavery both domestically and internationally. In summary, the TVPA established the following framework, often referred to as the “3 P’s”: Prevention, Prosecution, and Protection.

- **Prevention:** Preventative measures were authorized to assist with awareness, research, and the creation of effective programs, as well as procedures for investigation.
- **Prosecution:** Prosecutorial efforts were bolstered through the creation of additional laws that further criminalized human trafficking and clearly defined what constituted sex and labor trafficking in the United States.
- **Protection:** Assistance and services were made available for victims and the U and T visa were established, providing an avenue for noncitizen victims and certain family members to remain in the United States under a nonimmigrant status and potentially to enable them to qualify to become lawful, permanent residents.

Since TVPA’s enactment, there have been several reauthorizations in an effort to further limit traffickers and to add additional protections for victims.

### B. Massachusetts Laws

In 2011 Massachusetts enacted comprehensive legislation titled An Act Relative to the Commercial Exploitation of People. This statute created offenses aimed at addressing the exploitation of children and adults for purposes of sexual servitude and forced labor, expanded mandated reporting obligations, mandated interagency cooperation to provide services to victims, and established a Victims of Human Trafficking Fund to help fund services for victims.<sup>11</sup> It also authorized the forfeiture of offender assets and civil actions by victims.

The “Safe Harbor” provisions included in the legislation define the commercial sexual exploitation of minors as child abuse. Whether or not minors self-identify or see themselves as a victim, and whether they engage, agree to engage, or offer to engage in a commercial sex act,

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<sup>9</sup> Laws frequently utilized in conjunction with human trafficking investigations can be found in [Appendix A](#).

<sup>10</sup> United States of America: Victims of Trafficking and Violence Protection Act of 2000 [United States of America], Public Law 106-386 [H.R. 3244], 28 October 2000

<sup>11</sup> An Act Relative to the Commercial Exploitation of People, 2011 Mass. Acts 178.

they are considered a victim of child abuse under the law. This is particularly important, because it can be extremely difficult for a young person to come forward and seek help.

The following are summaries and portions of the Massachusetts criminal trafficking statutes.

**1. Trafficking of Persons for Sexual Servitude, Mass. Gen. Laws ch. 265, § 50**  
(Sex Trafficking)

**Section 50. (a)** Whoever knowingly:

(i) subjects, or attempts to subject, or recruits, entices, harbors, transports, provides or obtains by any means, or attempts to recruit, entice, harbor, transport, provide or obtain by any means, another person to engage in commercial sexual activity, a sexually-explicit performance or the production of unlawful pornography in violation of M.G.L. C. 272<sup>12</sup>, or causes a person to engage in commercial sexual activity, a sexually-explicit performance or the production of unlawful pornography in violation of said chapter 272; or

(ii) benefits, financially or by receiving anything of value, as a result of a violation of clause (i), shall be guilty of the crime of trafficking of persons for sexual servitude . .

<sup>13</sup>

The potential penalty for conviction under (a) is “imprisonment in the state prison for not less than 5 years but not more than 20 years and by a fine of not more than \$25,000.”<sup>14</sup>

The potential penalty for conviction if the victim is under 18 years of age is “imprisonment in the state prison for life or for any term of years, but not less than 5 years.”<sup>15</sup>

“A business entity that commits trafficking of persons for sexual servitude shall be punished by a fine of not more than \$1,000,000.”<sup>16</sup>

**2. Trafficking of Persons for Forced Services, Mass. Gen. Laws ch. 265, § 51**  
(Labor Trafficking)

**Section 51. (a)** Whoever knowingly:

(i) subjects, or attempts to subject, another person to forced services, or recruits, entices, harbors, transports, provides or obtains by any means, or attempts to recruit, entice, harbor, transport, provide or obtain by any means, another person, intending or knowing that such person will be subjected to forced services; or

(ii) benefits, financially or by receiving anything of value, as a result of a violation of clause (i), shall be guilty of trafficking of persons for forced service.

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<sup>12</sup> Mass. Gen. Laws ch. 272

<sup>13</sup> Mass. Gen. Laws ch. 265, § 50(a).

<sup>14</sup> *Id.*

<sup>15</sup> *Id.* § 50(b).

<sup>16</sup> *Id.* § 50(c).

The potential penalty for conviction under (a): imprisonment in the state prison for not less than 5 years but not more than 20 years and by a fine of not more than \$25,000.

The potential penalty for conviction under (b), **is if the victim is under 18 years of age**, the maximum in state prison could be up to life or for any term of years, but not less than 5 years.

A business entity that commits trafficking of persons for forced labor services shall be punished by a fine of not more than \$1,000,000.

### **3. Definitions Mass. Gen. Laws ch. 265, § 49**

As used in sections 50 to 51 of chapter 265, the following words shall, unless the context clearly requires otherwise, have the following meanings:

*"Commercial sexual activity"*, any sexual act on account of which anything of value is given, promised to or received by any person.

*"Sexually-explicit performance"*, an unlawful live or public act or show intended to arouse or satisfy the sexual desires or appeal to the prurient interests of patrons.

*"Forced services"*, services performed or provided by a person that are obtained or maintained by another person who:

- (i) causes or threatens to cause serious harm to any person;
- (ii) physically restrains or threatens to physically restrain another person;
- (iii) abuses or threatens to abuse the law or legal process;
- (iv) knowingly destroys, conceals, removes, confiscates or possesses any actual or purported passport or other immigration document, or any other actual or purported government identification document, of another person;
- (v) engages in extortion under M.G.L. C. 265, § 25<sup>17</sup>; ; or
- (vi) causes or threatens to cause financial harm to any person.

*"Financial harm"*, a detrimental position in relation to wealth, property or other monetary benefits that occurs as a result of another person's illegal act including, but not limited to, extortion under M.G.L. C. 265, § 25, a violation of M.G.L. C. 271, § 49, criminal usury, or illegal employment contracts.

*"Services"*, acts performed by a person under the supervision of or for the benefit of another including, but not limited to, commercial sexual activity and sexually-explicit performances.

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<sup>17</sup> Mass. Gen. Laws ch. 265, § 25.

#### **4. Enticement of a Child by Means of Electronic Communication, Mass. General Laws ch. 265, § 26D**

(a) As used in this section, the term "entice" shall mean to lure, induce, persuade, tempt, incite, solicit, coax or invite.

(b) As used in this section, the term "electronic communication" shall include, but not be limited to, any transfer of signs, signals, writing, images, sounds, data or intelligence of any nature transmitted in whole or in part by a wire, radio, electromagnetic, photo-electronic or photo-optical system.

**(c) Whoever, by electronic communication, knowingly entices a child under the age of 18 years, to engage in prostitution** in violation of section 50 or section 53A of chapter 272, **human trafficking** in violation of section 50, 51, 52 or 53 **or commercial sexual activity** as defined in section 49, or attempts to do so, shall be guilty of enticement of a child by means of electronic communication.

The potential penalty for a conviction: imprisonment in a house of correction for not more than 2 ½ years or in the state prison for not more than 5 years or by a fine of not less than \$2,500, or by both such fine and imprisonment.

Comparing the TVPA to the Massachusetts anti-trafficking statutes, reveals a significant difference: the federal TVPA requires proving an element of force, fraud or coercion exists for adult sex trafficking victims, and victims of labor trafficking<sup>18</sup>. But the Massachusetts laws do not have this requirement. For victims under the age of 18, both federal and Massachusetts law, **do not include a requirement of force, fraud, or coercion**. The TVPA defines coercion as “(A) Threats of serious harm to or physical restraint against any person; (B) any scheme, plan, or pattern intended to cause a person to believe that failure to perform an act would result in serious harm to or physical restraint against any person; or (C) the abuse or threatened abuse of the legal system”. Although the word “force” is used in the context of the Massachusetts forced services “labor trafficking” statute, those federal elements of proof of force, fraud or coercion are not otherwise required under the Massachusetts laws. This is a key difference in the ability and breadth of the Massachusetts statutes.<sup>19</sup>

## SECTION FOUR: Dynamics of Human Trafficking

### **A. Victim Recruitment**

Human trafficking is a dynamic phenomenon and there is no single pathway for someone to become a victim of trafficking. The manner of recruitment varies; traffickers and perpetrators use a variety of control methods to exploit victims including grooming, seduction, force, manipulation, relationships, trauma-bonding, and the provision of basic needs. Traffickers know

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<sup>18</sup> <https://www.govinfo.gov/content/pkg/PLAW-106publ386/pdf/PLAW-106publ386.pdf>

<sup>19</sup> Commonwealth v. McGhee, 472 Mass. 405, 415 (2015).

how to instill fear in victims by threatening to harm them or their loved ones if they try to escape or contact police. As long as trafficking remains profitable and difficult to detect, traffickers will create new ways to recruit and retain victims into the sex and labor trafficking industry. Traffickers target the most vulnerable members of the community and prey upon their individual circumstances to manipulate them into eventual exploitation.<sup>20</sup> Children and youth are more vulnerable, especially those that have a history of trauma, involvement with child welfare services, homelessness, or those who have a history of going missing from care and/or running away.<sup>21</sup> Exploiters may target children and youth whose families are undocumented. Further, individuals that identify as members of the lesbian, gay, bisexual, transgender, queer, and intersex (LGBTQI+) youth community are at an even higher risk. This population appears to be overrepresented among youth who are victimized; these youth have an increased risk of homelessness or runaway incidents, because of frequent harassment, socio-economic status, and peer or familial rejection.<sup>22</sup> Traffickers can be family members, friends, romantic partners, and strangers.<sup>23</sup>

Labor trafficking can occur across any sector. Those most susceptible to labor trafficking struggle to fulfill basic needs or are otherwise an unprotected segment of the population (e.g., youth; individuals with physical, emotional, or cognitive impairments; or individuals who lack immigration status).<sup>24</sup> For example, foreign workers may be persuaded with false promises of educational and job opportunities with good working conditions. Upon arrival in the United States, these individuals may have their immigration documents and other belongings confiscated. Traffickers then threaten victims through abuse or threats of involving the criminal justice system, loss of housing, income, and other means to create a sense of entrapment. Some labor trafficking experts have noted that exploitive work settings can elevate into labor trafficking.<sup>25</sup> Appendix C provides information about recognizing the signs of labor trafficking.

Third-party offenders, facilitators, and online platforms may also be utilized during the recruitment process. Social media is increasingly being utilized by traffickers to engage and recruit potential victims, including applications (apps) such as Facebook, Tinder, Twitter, Snapchat, and other social media and messaging apps. Traffickers use these apps to engage in conversation to build trust and rapport while often remaining anonymous.

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<sup>20</sup> Clawson, H. J., Dutch, N., Solomon, A., & Grace, L. G. (2009). Human trafficking into and within the United States: A review of the literature. Washington, DC: Office of the Assistant Secretary for Planning and Evaluation, US Department of Human and Health Services.

<sup>21</sup> Franchino-Olsen, H. (2019). Vulnerabilities relevant for commercial sexual exploitation of children/domestic minor sex trafficking: A systematic review of risk factors. *Trauma, Violence, & Abuse*, 1524838018821956.

<sup>22</sup> Hogan, K. A., & Roe-Sepowitz, D. (2020). LGBTQ+ Homeless Young Adults and Sex Trafficking Vulnerability. *Journal of Human Trafficking*, 1-16.

<sup>23</sup> Sprang, G., & Cole, J. (2018). Familial sex trafficking of minors: Trafficking conditions, clinical presentation, and system involvement. *Journal of family violence*, 33(3), 185-195.

<sup>24</sup> Labor Trafficking, POLARIS PROJECT, <https://polarisproject.org/labor-trafficking/> [<https://perma.cc/3TLM-X439>] (“[C]ommon types of labor trafficking include people forced to work in homes as domestic servants, farmworkers coerced through violence as they harvest crops, or factory workers held in inhumane conditions with little to no pay.”).

<sup>25</sup> Clawson, H. J., Dutch, N., Solomon, A., & Grace, L. G. (2009). Human trafficking into and within the United States: A review of the literature. Washington, DC: Office of the Assistant Secretary for Planning and Evaluation, US Department of Human and Health Services.

Recruiting tactics may vary depending on the relationship between the trafficker and the victim. Common recruiting behaviors used by traffickers include the following:

- Warmth, gifts, compliments, and sexual and physical intimacy
- Elaborate promises of a better life, fast money, and future luxuries
- Offers of love, belonging, protection and security, and a sense of family
- Offers of basic needs, such as housing, food, and clothing
- Pre-meditated targeting of vulnerability (e.g., children, youth who are missing from home or care and/or who are DCF involved, people experiencing homelessness, individuals living in poverty, individuals with mental health problems or with disabilities)
- Preying upon potential victims who have substance use disorders (SUDs) or addiction challenges
- Promises of well-paying jobs
- Exploitive work situations that escalate into labor trafficking

Common controlling behaviors used by traffickers include<sup>26</sup>:

- Physical and sexual violence
- Coercion and threats (e.g., threats of deportation or law enforcement involvement)
- Verbal and emotional abuse
- Confinement and isolation
- Economic abuse
- Denying, blaming, and minimizing
- Capitalizing on SUDs/addiction

## **B. Vulnerability**

There are several indicators and risk factors that law enforcement should be aware of to identify and assess the potential for trafficking.<sup>27, 28</sup> Predatory traffickers strategically target victims who are more vulnerable to recruitment tactics and methods of control. The key element in these instances is vulnerability. Specific attention should be paid to individuals who have any of the following risk factors:

- Economic instability, poverty
- Homelessness, unstable housing, living in group or foster homes
- Lower education level
- Prior victimization (child abuse/sexual assault)

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<sup>26</sup> Human Trafficking Power and Control Wheel. (2020). Polaris Project. Available: HT Power&Control Wheel NEW.pdf (humantraffickinghotline.org)

<sup>27</sup> Clawson, H. J., Dutch, N., Solomon, A., & Grace, L. G. (2009). Human trafficking into and within the United States: A review of the literature. *Washington, DC: Office of the Assistant Secretary for Planning and Evaluation, US Department of Human and Health Services. Retrieved December, 25, 2009.*

<sup>28</sup> Fedina, L., Williamson, C., & Perdue, T. (2019). Risk factors for domestic child sex trafficking in the United States. *Journal of interpersonal violence, 34*(13), 2653-2673.



- Low self-esteem, mental health issues
- History of running away or being unaccompanied (youth)
- Lack of emotional support
- Social isolation, lack of peer support
- LGBTQI+ identity
- Noncitizen, refugee, or lack immigration status
- Substance use disorders / addiction
- History of truancy or delinquency (shoplifting, carrying weapons or drugs)
- Past or current involvement in organized crime, including gangs
- Limited or no English language proficiency

### **C. Perpetrators**

Perpetrators of human trafficking do not fit a single stereotype and represent every socioeconomic, ethnic, and racial group. Exploiters can be any age, sexual orientation, or gender. Any combination of traffickers and victims can exist; for example, females can exploit other females. Traffickers may work in small or large-scale networks and can be involved with local gangs, can be part of a much larger organization, and can have no affiliation with any one group.

It is also critical to include the “buyers” as perpetrators. In addition to participating in human trafficking, they often commit secondary offenses that may not be prioritized but should also be fully investigated and prosecuted. Individuals involved with trafficking can include but are not limited to, the following:

- Friends and family members
- Organized criminal groups, including gangs
- “Pimps”/“Madams”
- Buyers/“Johns”
- People/groups who facilitate trafficking, such as drivers and those who create false identification documents

Additionally, human trafficking can be found in sectors and legal businesses such as the following<sup>29</sup>:

- Adult entertainment / strip clubs
- Hotels
- Restaurants, bars, cantinas
- Massage parlors
- Health and beauty businesses
- Home-cleaning services

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<sup>29</sup> Owens, C., Dank, M., Breaux, J., Bañuelos, I., Farrell, A., Pfeffer, R., ... & McDevitt, J. (2014). Understanding the organization, operation, and victimization process of labor trafficking in the United States. Washington, DC: Urban Institute.

- Nail salons
- Labor subcontractors
- Schools, residential programs
- Sober homes
- Factories
- Farms
- People's homes (where domestic help and care is provided)

#### **D. Impact of Trauma / Victim Responses**

It is critical for law enforcement to have a basic understanding of the impact of trauma and how trauma impacts the brain and behavior of a victim. With this understanding, law enforcement may respond in a more appropriate and effective manner. The nature of the trauma endured by trafficking victims reduces the likelihood they will reveal their true situation to law enforcement and service providers alike. Many victims may feel they do not have the support to “exit” exploitation. This is particularly true if the victim is being exploited by a family member or individuals involved in street gangs or other organized crime entities. Victims may feel ashamed, stigmatized, and embarrassed about their situation, and may lie to cover up the abuse or produce a rehearsed story to law enforcement.

Victims may also display anger and aggression toward law enforcement; a normal reaction for a traumatized person that is often based upon an underlying sense of fear or threats of harm by an exploiter. If a victim appears resistant and does not engage with law enforcement, they should not be viewed as any less deserving of support or assistance. For many trafficking victims, being exploited has been a continuum of violence and abuse that started early in their life, therefore, they are not always cooperative and/or trustful of anyone. Victims are uncertain about the law enforcement system and how it may respond to their situation (e.g., if they will/will not be believed, treated like a criminal for crimes committed as a result of their trafficking situation, or if they will self-incriminate).

*“Behind the anger/mask is a scared person.” — Survivor*

When encountering someone who appears to be experiencing symptoms of trauma, law enforcement should do the following:

- Address first the victim's safety and security needs by ensuring his or her physical concerns are acknowledged and addressed.
- Provide referrals for victims and witnesses through cooperative efforts with community stakeholders, to prevent further abuse and trauma such as connecting them with the District Attorney's Office Victim Witness Advocacy Program. For youth, initiate the appropriate notification protocols for the CSEC MDT Response. (See Section Six)
- Allow the traumatized person to vent about his or her feelings and provide validation. Listen attentively with a non-judgmental demeanor. Approach victims by asking, “What

has happened to you?” instead of “What is wrong with you?” When possible, try not to ask “why” questions, as this may be interpreted as a judgment on their actions.

- Enable prediction and preparation by explaining to the victim what happens next in processing of the case and his or her role in that process. Identify information about the criminal justice system that will help victims heal and prepare for their future. Be transparent about the voluntary nature of their involvement.
- Note that, in addition to victims, law enforcement officers can also be traumatized by a particular event or long-term history of/or exposure to violence. In both cases, access to services and supports should be made available to help an individual heal.<sup>30</sup>

## E. Law Enforcement Challenges

Law enforcement faces challenges regarding proper identification, referral, and investigation of human trafficking cases. Building upon the training and expertise of current law enforcement is crucial to increasing the awareness and recognition of trafficking victims among vulnerable populations. Law enforcement responds to offenses such as sexual assault, aggravated assault/battery, domestic violence, or narcotic activity, but often does not recognize the indicators of human trafficking that may be underlying these offenses.

Additional law enforcement challenges arise when individuals do not self-identify as human trafficking victims or are reluctant to disclose information due to fear of law enforcement or intimidation by the trafficker. Without proper training, some law enforcement officers may incorrectly assume that victims are “choosing” exploitation. As a result, it may be difficult for law enforcement to properly identify the crime or they may mislabel the crime and, in some circumstances, stigmatize the victim as an offender.

In situations where it appears that a victim has a “choice” to leave the trafficking situation, it is important to understand trauma bonding and cultural barriers. Victims who have been introduced into human trafficking at an early age by family members and/or through organized crime, see few choices or options leave involvement. Additionally, when gangs or other groups are involved with human trafficking, the life of the victim or the victims’ family members may be threatened—the “choice” is to comply with the gang or to live with the threat that their family members will be recruited into trafficking or killed. When thinking about “choices” it is important to note that under state law, child trafficking victims are never perceived as having a “choice.”

It is of the utmost importance to avoid, whenever possible, mislabeling the crime and perpetrator. This error leads to continuous victimization and decreases the likelihood of effective and successful prosecution; additionally, this error may limit resources that would otherwise be available to victims. Services and resources are crucial and there may be a very limited window

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<sup>30</sup> Altovise Love-Craighead, “Building Trust through Trauma-informed Policing,” *Think Justice, Police Perspectives: Building Community Trust* (blog) March 20, 2015, <https://www.vera.org/blog/police-perspectives/building-trust-through-trauma-informed-policing>.

to engage and offer victims this critical support. Law enforcement must have strong relationships with exploitation-specific service providers to navigate this challenge.

Finally, it is important for law enforcement to be aware that victims, witnesses, and perpetrators may need appropriate language assistance to facilitate referrals and response. Similarly, it is strongly encouraged that law enforcement officers be aware of their communication methods and be considerate of each individual's experiences, including oppression related to race, gender, and sexual orientation that can potentially impact victim engagement with law enforcement.

## **F. Relating to Victims**

A trauma informed approach and victim-centered response can increase the likelihood of a positive interaction between law enforcement and victims. Listening to individuals with the understanding that they have likely endured abuse and trauma from multiple persons is a must. Utilizing training and experience can help guide law enforcement's response; being patient and showing respect for the victim can establish trust and rapport.

Positive interactions with victims can lead to the following:

- Improved confidence in the police, reinforcing law enforcement's status as protectors of public safety
- Increased reporting of human trafficking
- Successful investigations and prosecutions
- Hope and justice for victims
- Disruption of the crime of human trafficking
- Reduced risk of retraumatization

### **1. Attending to Basic Needs**

Addressing safety concerns and other basic needs first is important. Victims must feel safe before they may be willing to speak with officers. Victims may be hungry and tired and may have an immediate need for food and rest. They may also have the need for shelter, medical and/or mental health assistance, detox, and/or support from a trusted person in their life. To participate in trafficking investigations, victims may first need protection, support, and safety planning for themselves and possibly for some family members. In addition, it is important not to make participation in investigations a requirement for victims to receive help.

### **2. Concern for Victims**

Conveying a genuine concern for the victim's well-being can create a connection, which can allow victims to feel safer to disclose abuse and to participate in the criminal justice process. This connection can help victims who may return to their trafficking situation, as a result of fear, coercion, threats, safety concerns, trauma bonding, and a lack of safe alternatives to earn money and to survive. Though law enforcement and other responders cannot force victims to exit trafficking, officers can point out the risks. Officers can say that they do not want the victim to continue to be hurt and can acknowledge concern about the victim's safety. These simple

statements can instill in victims a sense that they are cared about and can ultimately strengthen victims' ability to receive help.

### **3. Offering Choices**

As much as possible, offering victims choices—even with small things—can allow the victims to regain a sense of their power. Exploitation is about controlling victims. Offering an antidote to these experiences by giving victims as much control as possible will promote victim healing and participation in the criminal justice process.

### **4. Believing Victims**

Believing victims about their trafficking experiences is the cornerstone of relating to victims. They may fear that they will not be believed or that they will be judged. It is critical not to respond with disbelief, judgment, or shock. Some disclosures may be made years after abuse has occurred, while some disclosures are never made. When victims disclose abuse, it is important that they are believed and supported.

It can be useful, if appropriate, for officers to indicate that they have received training and have supported people with different experiences, such as abuse, including trafficking. This knowledge may convey to victims that officers are safe people to disclose their abuse to and that they will understand and believe them.

It is important for law enforcement to be aware that victims may describe the trafficking they endured in different ways—there is no “right way” for victims to report their experiences and one way should not be construed as more believable than another.

For example, victims may talk in a disorganized or contradictory way, and they may remember only fragments of the trauma. This is normal and has to do with how trauma is stored in the brain and how the brain protects the victim from the full impact of the abuse. Alternatively, some victims may report the trafficking in a more organized, chronological way. In addition, some victims may express emotion when talking about the abuse, while others may be reserved and unemotional. All of these presentations are normal and it is important for law enforcement to be attentive, patient, and understanding, regardless of how victims present themselves.

### **5. Interactions without Re-traumatization**

To the fullest extent possible, ensuring that victims are not re-traumatized during their interactions with officers is crucial. First and foremost, it is imperative not to see victims as delinquents or criminals. While safety protocols need to be followed, where possible, not handcuffing or asking victims questions in the back of a police car can be the first steps in a trauma-informed approach.

It is also important for officers to prevent victims from feeling “used” for the purposes of the investigation. Having a victim-centered approach—providing a systematic focus on the individual's needs and concerns to ensure compassionate and sensitive delivery of services in a

nonjudgmental manner<sup>31</sup>—helps prevent victims from being re-traumatized during law enforcement interactions, and promotes successful investigations and prosecutions.

## **6. Victims and Diversity**

Criminal justice data indicates that the majority of human trafficking cases identified in Massachusetts involve victims who are female. Nationally, the majority of individuals identified as trafficked for both labor and commercial sex are women and girls.<sup>32</sup> Females are also historically and disproportionately victims of domestic violence, rape, and sexual assault. It is important to note, however, that victims of trafficking are represented in all genders, backgrounds, races, cultures, socioeconomic classes, ages, sexual orientations, nationalities, education levels, and other demographic categories.

When officers interact with victims, it is crucial to be aware of each person’s attributes and identities, including the prejudices they may face. Victims in communities that have experienced persistent levels of discrimination, such as people of color and transgender people, may particularly fear law enforcement. As many police officers have done through community policing efforts, taking the time to learn about the people and cultures represented in the neighborhoods where law enforcement work will help boost victims’ and the community’s confidence in the police.

Racial, gender, and language representation among responding officers should be considered. For example, if it is possible to offer female victims the ability to speak with a female officer or to enable victims to speak with someone who can communicate in their primary language, victims may feel more comfortable with participating in the criminal justice process.

For transgender people, having to use their identification and their birth name can be distressing and in some cases, can have especially negative effects. It is important to ask transgender victims what name and pronouns they use and to refer to them in this way. Transgender victims may particularly benefit from having a supportive person present, if possible, when talking with law enforcement. Demonstrating sensitivity toward different gender identities may help mitigate fear.

Males are routinely underidentified as victims of human trafficking. It is important to be aware that males can be victims and are in need of assistance. They should be treated with the same seriousness as female and transgender victims.

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<sup>31</sup> Larry Alvarez and Jocelyn Cañas-Moreira, “A Victim-Centered Approach to Sex Trafficking Cases,” *FBI Law Enforcement Bulletin*, November 9, 2015, <https://leb.fbi.gov/articles/featured-articles/a-victim-centered-approach-to-sex-trafficking-cases>

<sup>32</sup> Task Force on Trafficking of Women and Girls, *Report of the Task Force on Trafficking of Women and Girls* (Washington, D.C.: American Psychological Association, 2014) 1, <https://www.apa.org/pi/women/programs/trafficking/report.pdf>.

## **7. Connecting Adult Victims to Resources**

Law enforcement officers should familiarize themselves with both local and statewide organizations that serve adult victims of human trafficking; these organizations can be contacted to assist with supporting these victims. Section Nine provides a more comprehensive list.

Additionally, sex and labor trafficking victims may qualify for U nonimmigrant status (U visa) and T nonimmigrant status (T visa) available through U.S. Citizenship and Immigration Services (USCIS).<sup>33</sup> It is recommended that victims of trafficking be connected to resources, including an experienced immigration attorney, as soon as possible to assist in this process. When victims request that law enforcement complete a USCIS declaration or certification, law enforcement should respond to confirm receipt of the request and a decision should be made within 90 days. In certain cases, involving urgent circumstances (e.g., derivative age-out or detained victims), law enforcement should expedite the requests.

## **8. T Visa**

A T visa is a longer-term immigration benefit that allows eligible trafficking victims to remain in the United States for up to four years, to eventually qualify for lawful permanent residence, and to petition for certain qualifying family members. Victims have the burden of showing that they are a victim of a “severe form of trafficking in persons” and of responding to a reasonable request for assistance from law enforcement, with limited exceptions (among other requirements). Victims that are under the age of 18 or who have experienced extreme trauma are exempted from the cooperation requirements. Victims may also request that law enforcement sign a declaration (Form I-914, Supplement B), a useful but not required document to support the T visa application.

## **9. U Visa**

The U visa is set aside for victims of violent crime, including human trafficking under state or federal law, who have suffered mental or physical abuse and who are helpful to law enforcement or government officials in the investigation or prosecution of criminal activity. The U visa is intended to strengthen the ability of law enforcement agencies to investigate and prosecute cases, while also protecting victims of crimes. Unlike the T visa, the U visa requires certification from a qualifying agency that explains that the applicant is a victim of the qualifying crime and that the victim had, has, or will be helpful to the investigation or prosecution of the case.

To satisfy these requirements, Form I-918, Supplement B, U Nonimmigrant Status Certification, must be submitted. If this form is not submitted, the victim will be unable to qualify.

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<sup>33</sup> “Information for Law Enforcement Agencies and Judges,” U.S. Citizenship and Immigration Services, last modified July 31, 2019, <https://www.uscis.gov/tools/information-for-law-enforcement-agencies-and-judges>.

Law enforcement should familiarize themselves with their department’s policies and procedures when utilizing both T and U visas. Generally, the head of the agency has the authority to sign declarations or to delegate authority to other official in a supervisory role to sign declarations.

## **10. Individualized Needs**

In addition to having different backgrounds, victims can have varying experiences of exploitation—they may be victims of one trafficker or of a sophisticated network of traffickers and they may have been victims for a short period of time or for years. While trafficking victims share commonalities, they can have varying reactions and emotional responses and a range of other differences. The law enforcement response should consider victims’ individualized needs and circumstances.

## **11. Supportive Person**

Whenever possible within existing safety protocols, allowing victims to contact a mentor from a victim services agency or another supportive person will further victims’ sense of safety and will strengthen their interactions with law enforcement. If the support person can be physically present, officers should ensure safety by having the interaction in a controlled setting. A phone call or video chat is another option for bringing the support person into the interaction, if being physically present is not possible.

## **12. Filing a DCF Report for Child Victims**

Law enforcement should file a report with DCF as soon as possible for suspected and confirmed victims under the age of 18. This filing will initiate the MDT response. The MDT section provides details about the specific steps for law enforcement to take for young victims.

## **13. Transparency, Consistency, and Reliability**

The more that law enforcement can demonstrate to victims the qualities of transparency, consistency, and reliability, the more likely victims are to trust officers and to be engaged in investigations. It is important not to make participation in investigations a requirement for victims to receive help. The following are examples:

- **Explaining actions:** Offering victims transparency and predictability about officers’ actions can help victims feel safer. Some actions, such as note-taking, can lead some victims to feel apprehensive—while other victims may feel heard when an officer takes notes. Explaining the purpose of note-taking and other actions may lessen any anxiety victims may feel and can build trust.
- **Interacting with the same officers:** If and when possible, enabling victims to interact with the same officers that they previously met with—especially if a victim expresses a preference for a particular responder—establishes consistency, which can build a sense of safety and trust.



- **Following up:** Ensuring timely follow-up with victims and making only promises and commitments that can be kept are critical to demonstrating reliability and trustworthiness.

#### **14. Nonverbal Communication**

Body language and other forms of communication have an effect on victims. It is important for officers to be aware of their tone of voice; many victims may feel more comfortable with a gentle tone. Additionally, if officers' hands are on their weapons, or if a weapon is exposed, victims may feel intimidated.

#### **15. Past Law Enforcement Experience**

In addition to groups that have historically been discriminated against, victims may have had negative past experiences with law enforcement and other government systems and may feel fear and mistrust. Treating victims with respect and patience may encourage victim engagement and lessen negative feelings.

#### **16. Victims of Organized Crime, Including Gangs**

Gangs and other organized crime groups can be involved in human trafficking and victims may be trafficked by more than one group. Organized crime groups may intimidate victims, their families, and others that victims know. The risk level for these victims and their families can be especially high and can make engagement with law enforcement feel especially frightening and dangerous. It is important not to make participation in investigations a requirement for victims to receive help. To participate in trafficking investigations, victims may first need protection, support, and safety planning for themselves and their families.

Organized crime "members" may actually be victims of human trafficking; some also may have been gang raped. It is important to differentiate these victims from other members; these victims are being harmed and need assistance. When gangs or other organized crime groups are involved in human trafficking, police gang units may be involved in the investigation or may collaborate with other law enforcement units.

### **SECTION FIVE: Initial Law Enforcement Response**

#### **A. Dispatch**

From the very first interaction, it is important that law enforcement make an authentic, caring impression, and show respect and compassion. First impressions matter and can help increase the likelihood of both the healing process of a victim and conviction of a perpetrator. Law enforcement should be aware that proper and appropriate initial screening and questioning by a dispatcher may reveal human trafficking red flags.

A trained and experienced dispatcher can convey a sense of safety to the caller and ask specific questions that allow for a more accurate assessment of the situation. The dispatcher should understand the power dynamics between law enforcement and an exploited person. The

controlling methods used by traffickers and the daily realities for victims may make it especially challenging for law enforcement to establish trust and elicit honest answers.

### **1. Discovering Human Trafficking during Calls for Service**

Human trafficking may be discovered during a variety of calls for service including the following:

- Sexual assault
- Aggravated assault/battery
- Domestic violence
- Kidnapping/false imprisonment
- Lost/found reports (child/adult)
- Traffic stops
- Disturbance; noise complaint/observation
- Labor dispute
- Suspected narcotic activity
- Shoplifting
- Prostitution

### **2. Human Trafficking Red Flags**

Human trafficking red flags include the following:

- Unawareness of the current location
- Exploitative working and living conditions
- Lack of freedom; lack of control over communication/transportation
- Lack of control of identification documents
- Trauma response: fear, anxiety, hypervigilance, submissiveness
- Not in control of own money; are unpaid or paid very little
- Being watched or followed
- Not allowed to speak for self
- Youth found with older teens/adults; missing from care
- Reporting false names/ages
- Youth traveling out-of-state
- Located in areas known for prostitution/exploitation (hotels, known addresses, streets)

### **3. Common Challenges When Asking Questions**

Law enforcement may encounter the following challenges when asking human trafficking victims questions:

- Fear or mistrust of law enforcement
- Fear of retaliation by exploiter
- May not perceive themselves as victims

- Fear retribution for “snitching” or exposing others involved
- May not be aware of their location or surroundings
- Feel shame about the type of work they were forced to do
- Believe that they have a contractual obligation to pay a debt despite being exploited
- View their situation as temporary, surviving on the hope they can earn freedom

## **B. First Responding Law Enforcement Officer**

The actions of the first responding law enforcement officer are critical to the success of the investigation and their importance cannot be overstated. A first responding officer can often directly and indirectly impact how a victim interacts with law enforcement and others involved with the criminal justice process. The initial response by law enforcement should include the following responsibilities:

- Victim / Witness Safety and Basic Needs
- Interview
- Crime scene preservation
- Reporting and notification

**The medical treatment and well-being of the victim should be the first priority.** It is important for law enforcement to be cognizant of a trauma-informed approach and utilize training and experience to present a professional and empathetic response to the situation.

When interacting with the victim, patience is key as they may not be ready to speak about their situation. Prioritizing meeting basic needs and focusing on building a good rapport at an early stage can provide the victim with appropriate support and increase the likelihood of “exiting” and their willingness to assist in the criminal justice process.

### **1. Victim/Witness Safety and Connections to Services**

As part of the emergency response, officers shall prioritize the safety and well-being of the parties involved. Different victims of human trafficking will have different reactions to trauma and to responders. It will be important to check-in with victims about how they are doing, and to provide them with opportunities to voice their needs. Appropriately addressing the immediate needs of victims will increase the trust and cooperation shown toward law enforcement. Subsequently, victims may be more willing to provide detailed information about the crime to officers, investigators, and prosecutors, thereby increasing the likelihood of successful prosecutions. (See “Relating to Victims” section for additional information.)

### **2. Responding to an Incident**

Upon responding to an incident, officers should do the following:

- Control the situation and separate parties to prevent any further conflict. This allows the officer to listen without unnecessary interruptions or an individual being overheard, influenced, or intimidated by the other party.

- Assess the need for medical attention which includes forensic evidence collection, the treatment of physical injuries, emergency contraception and sexually transmitted infection testing/treatment, and psychiatric evaluation. Obtain victim consent for ambulance transport to a hospital if there is observable injury or if the victim is reporting an injury or pain.
- If sexual assault is alleged to have occurred in the past 120 hours (5 days), victims (12 and older) are eligible for forensic evidence collection and it should be strongly encouraged that the victim be seen by a Sexual Assault Nurse Examiner (SANE). Offer to arrange EMS transport to a SANE site designated by the Massachusetts Department of Public Health (MDPH)<sup>34</sup>
- Evaluate the scene for suspects, vehicles, or objects involved, as well as for possible threats.
- Be cognizant of the victim's concerns for safety/threats and be reassuring and comforting. If the victim feels they cannot get the help they need to "exit" exploitation, victims will be less likely to cooperate.
- Communicate all vital information to the Patrol Supervisor and other responding officers, including any possible communication barriers or special circumstances.
- Follow appropriate notification protocols for protective service agencies, including: Department of Children and Families (DCF), Disabled Persons Protection Commission (DPPC), Executive Office of Elder Affairs (EOEA), and Department of Public Health (DPH), if abuse is suspected.
- If possible, provide adult victims with a direct referral for community services, particularly well-established survivor-informed organizations. At the very least, resources and contact information should be provided for potential follow-up.

### **C. Language Barriers**

If interpretative language services are needed, law enforcement should obtain such services as soon as possible. Using an independent party as an interpreter is strongly encouraged. Avoid the use of involved parties (i.e. friends, family members, children). Officers can call **QWEST**, a multilingual communications network provided to assist police departments at **(888) 892-2850** for interpretive language services 24 hours a day.

### **D. Interview**

Law enforcement officers should conduct a preliminary interview in addition to a subsequent, in-depth follow-up interview when dealing with an adult victim. (Interviews of child victims are discussed separately below). An in-depth follow-up interview should be conducted after the adult victim has been medically examined, treated, and personal needs have been met. The primary purpose of the preliminary interview is to establish whether a crime has occurred and obtain basic information similar to when investigating any other offense (e.g. who, what, where, when, how). For a list of potential screening questions, refer to Appendix B.

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<sup>34</sup> **Designated SANE site hospitals:** <https://www.mass.gov/info-details/designated-sane-site-hospitals>

During the initial interview with adult victims, the first responding officers should:

- Separate the parties and interview independently of each other. This allows for information to be relayed to an officer without threats of being overheard, influenced, or intimidated by the other party(ies).
- Address safety concerns of the victim and provide appropriate referrals (e.g., medical/SANE services, rape crisis services, survivor led programming);
- Obtain basic information to determine if a crime occurred;
- Establish the elements of the crime(s);
- Identify any and all witnesses and suspect(s);
- Identify possible locations of evidence and crime scene(s);
- Identify additional interviews to be conducted; and
- Advise a supervisor of additional resources and/or personnel needed (e.g. crime scene services, crime lab, etc.).

If children/youth are involved:

- Assess safety, whether or not medical services are needed;
- Record names and dates of birth;
- Conduct a “minimal facts” interview on scene if appropriate;
- Follow all necessary protocols for filings and referrals pursuant to Mass. Gen. Laws ch. 119, § 51A, to DCF.
- An in-depth, comprehensive interview should be done in concert with an MDT response. The forensic interview is scheduled by contacting the District Attorney’s Office/Children’s Advocacy Center to schedule a forensic interview.

The responding officer plays a key role in how a victim interacts with law enforcement and assists with the rest of the investigation. The most important initial steps are to respond to the needs of the victim and to engage with victims in the least traumatizing manner. Law enforcement can assist by establishing initial connections and making appropriate referrals to ensure basic needs (food, clothing, medical care, detox, rest, etc.) are met prior to an individual participating in an interview. It may be beneficial for the responding officer to explain their role as a first responder, what the victim may expect from the investigative team, and provide assistance with that transition.

## **E. Crime Scene Preservation**

Successful investigations start with effective crime scene preservation, search and gathering of evidence. The responding officer has the responsibility of eliciting information from the victim in order to identify the location(s) of crime scenes. A trafficking crime scene is unique, as a primary crime scene and secondary crime scenes may not always be evident and distinguishable. This is often a result of traffickers moving from place to place, and the current location may only be part of a larger crime scene.

Once identified, this crime scene information should be communicated to a supervisor to ensure that any additional crime scenes are secured as soon as possible and that the necessary steps are taken to prevent evidence from being lost, altered, destroyed, or contaminated.

The initial responding officer will be responsible for the following:

- Protect and preserve the scene (additional apartments, hotel rooms, and vehicles should be secured as well).
- Relay information to a supervisor; request a specialized investigator/crime scene examiner.
- Control entry to and exit from the scene.
- Document and preserve physical evidence.
- When possible, assign an officer as the collector of evidence who is responsible for marking or tagging each piece of evidence located.
- Keep a record of every move made and of every person who might have come into contact with evidence. Do not touch anything with bare hands, if at all possible.
- If the crime scene is an online-based operation, then secure associated electronic devices and locate advertisements and ‘business’ phones. Consent forms and passwords should be obtained, if possible, for immediate extraction of information.

## **F. Reporting and Notification**

Whenever law enforcement has reasonable cause to believe that a child under the age of 18 has been abused or neglected, in accordance with Mass. Gen. Laws ch. 119, § 51A a report must be filed with DCF. Additionally, if a minor has witnessed abuse, this could be also be flagged as “neglect” for purposes of mandatory filing.

A 51A report, filed due to concerns of Commercial Sexual Exploitation of Children, is categorized as “Human Trafficking – Sexually Exploited Child.” Per DCF’s Protective Intake Policy, allegations of “Human Trafficking-Sexually Exploited Child” will likely be screened in for an investigative response. Allegations of Human Trafficking (either Sexually Exploited Child or Labor) are an exception to DCF’s mandate to investigate abuse perpetrated by caregivers; there is a caregiver exception. This means that a caregiver does NOT have to be identified in order for DCF to investigate the allegation of Human Trafficking. Once a 51A report has been filed, and DCF has screened the report and made determinations regarding the investigative response, a copy of this report will be sent to the local law enforcement, the county District Attorney’s office and the local CSEC Coordinator at the Children’s Advocacy Center so that MDT coordination can take place.

During office hours (8:45-5:00 p.m.), law enforcement can contact the local area DCF office to file a 51A. After hours, the Child-At-Risk Hotline can be reached at 1-800- 792-5200. If law enforcement is filing the 51A report, be sure to explain the filing process to non-offending parent or caregiver. It is important to explain that the report is being filed on behalf of their child. A written report must be filed within 48 hours, and an oral report must be filed immediately upon knowledge of the concern.

The process of mandatory reporting and subsequent notification protocols are the initial steps that prompt the CSEC MDT response. This response supports additional communication between appropriate agencies and organizations involved with exploited youth and children at risk for trafficking. This process also allows for coordinated investigations (often including a forensic interview) and crucial services to be available depending on the situation (i.e. Interpersonal Support/Mentoring, Psychological Treatment, Medical Care, etc.)

## SECTION SIX: Role of the Multidisciplinary Team

### **A. The Multidisciplinary Response to Minor Sex Trafficking/CSEC**

Every county in Massachusetts has a specialized MDT, which is based in a Children’s Advocacy Center (CAC)<sup>35</sup> and is designated to coordinate interventions for minor victims of human trafficking. The CSEC MDTs are supported by Massachusetts statute and ensure that children under the age of 18 who are being trafficked are rightfully identified as victims of child abuse. Each county’s CSEC MDT is facilitated by a CSEC Coordinator, based in the local CAC. The teams work closely with local, state, and federal law enforcement, the Massachusetts DCF, and many other child-serving agencies to promote safety and healing and to support criminal investigations that can hold exploiters accountable.

CSEC MDTs provide child-centered, individualized support, streamlined information sharing, and coordination across agencies, so professionals can collectively ensure that children’s needs are met, and that exploiters are held accountable.

Law Enforcement plays a critical part in recognizing exploited children and making prompt referrals to the CSEC MDT; officers are frequently key members of the CSEC MDT. The following sections provide guidance on the steps law enforcement should take when identifying child victims of sexual exploitation and initiating the local CSEC MDT response.

*“The benefits of being part of the CSEC MDT are it provides a forum for discussion among the different agencies and service providers working with youth and victims. In addition, it provides law enforcement the opportunity to approach CSEC cases as victim first and to make our main goal the safe recovery of exploited youth.” — Detective Lieutenant Edward Hatten, MSP HRVU*

### **B. Relevant Background**

As mentioned, the Massachusetts Safe Harbor provisions compel mandated reporters to report the suspicion of minor human trafficking and sexual exploitation to DCF through a report pursuant to M.G.L. c. 119, section 51A (“51A report”). These reports should be filed based upon the suspicion of minor sex trafficking, including observed red flags and indicators. The threshold for filing is intentionally low to afford children who are not yet able to disclose their abuse and

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<sup>35</sup> Locate your county’s CAC, visit: <http://machildrensalliance.org/locate-a-cac>

children who may be at high risk for exploitation the opportunity to receive attention and support. Finally, the Massachusetts Safe Harbor legislation further ensures that sexually exploited children receive a coordinated, multidisciplinary response.

In 2014, Massachusetts was awarded a five-year federal grant to increase the state's capacity to recognize and respond to minor trafficking. As part of this statewide Child Welfare Anti-Trafficking Grant, each county engaged local stakeholders, including the local prosecutor's office, law enforcement, the defense bar, local offices of state human services agencies, and local nonprofit service providers to establish its own tailored minor sex trafficking/CSEC response protocol, specific to the county. Since 2018, there has been a designated CSEC Coordinator assigned to facilitate the CSEC MDT response based in each county's CAC.

### **C. The Purpose of the CSEC MDTs**

The county-based CSEC MDTs serve as the local hub for CSEC referrals across the state. When mandated reporters and community members report concerns to DCF, DCF is directed, by statute, to immediately refer the case to the local CAC, dependent on the jurisdiction of the abuse. The CSEC Coordinator assesses the report and connects with the local district attorney's (DA's) office, law enforcement, DCF, and others to determine potential assignments and next steps.

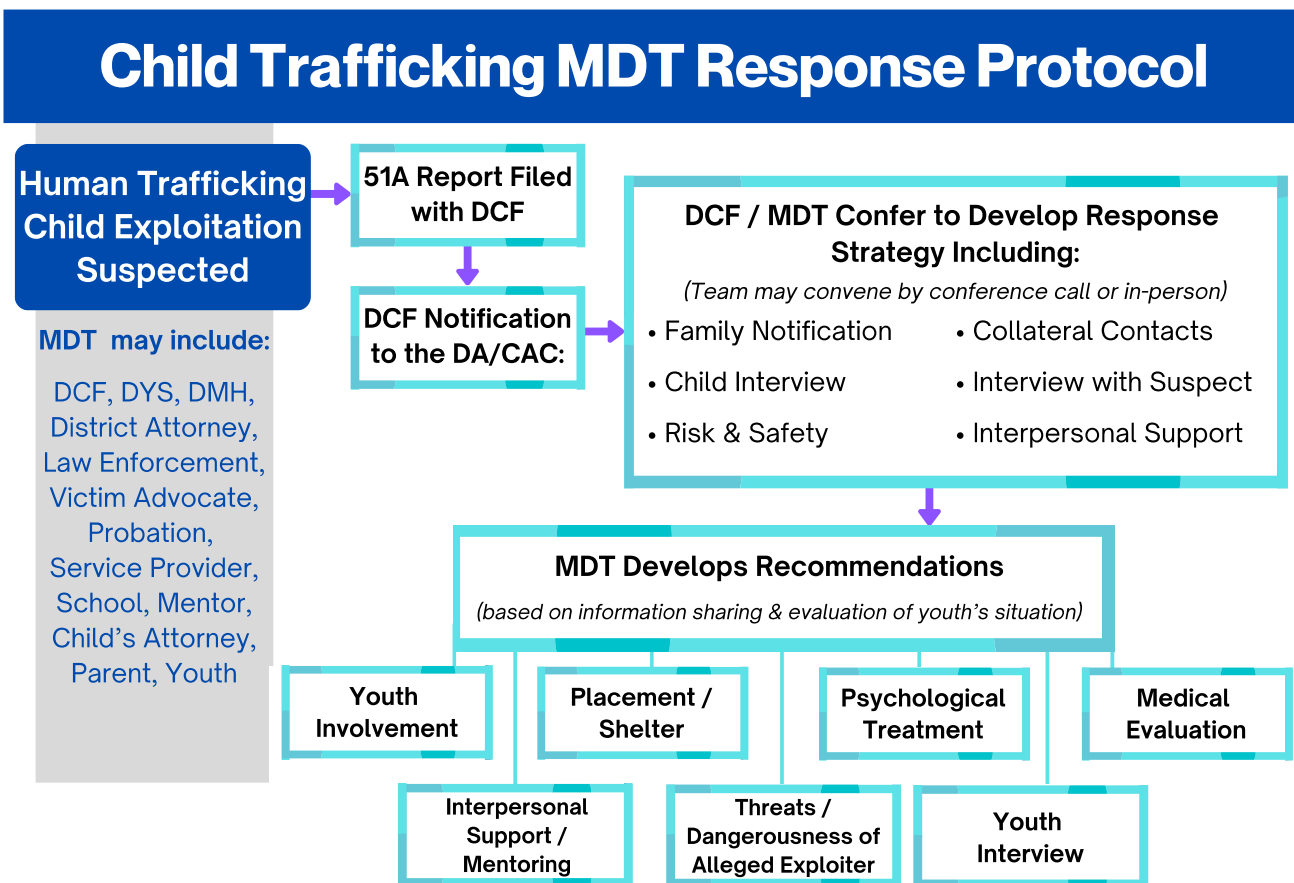
Because CSEC MDTs are child-specific and tailored to each individual child's referral, team composition can vary. Team members can include any of the following, given a child's risk, circumstances, and needs, and whether there is enough information to investigate a crime: police, prosecutors, victim witness advocates, DCF Response Workers or Ongoing Social Workers, congregate care or group home staff, juvenile defense attorneys, medical providers, including Pediatric Sexual Assault Nurse Examiner (Pedi SANE), school personnel, mental health clinicians, probation officers, mentors and life coaches, caregivers/a parent, and, ideally, the referred children themselves.

Typically, within 48 hours of receiving a referral, the CSEC Coordinator convenes a team meeting or case conference to discuss any information known about the concerns and to create a plan that addresses investigative and supportive steps. The information sharing that occurs on the team across disciplines is supported by statute. Teams discuss investigation and the forensic interview strategies, safety planning and the dangerousness of alleged offenders, interpersonal support, medical evaluation, mental health assessment, safe placement options, support for caregivers, and, importantly, strategies for engaging children in their own recovery.

It is important for law enforcement members to understand the critical role they play in referring children to the CSEC MDT and to understand how all of the different agencies fit together. An understanding of this multi-system response increases the likelihood of child safety, maximizes the ability to hold exploiters accountable, prevents the duplication of tasks, maximizes collaboration, and streamlines both communication and case planning.



**D. The following is a visual of the CSEC MDT Response Protocol**



**E. Steps to Refer to the CSEC MDT**

Human trafficking and sexual exploitation are an often hidden, unseen form of child abuse. Law enforcement officers that utilize their training and experience can effectively recognize the signs of trafficking and exploitation. It is imperative that these instances are reported—an officer may be the only adult in a child’s life to do so, and in so doing, a genuine lifeline.

Filing 51A reports of suspected child abuse under the allegation “Human Trafficking-Sexually Exploited Child” documents the concern of CSEC and connects children to the child welfare system, increasing their access to community resources and services. The 51A report also triggers the CSEC MDT response (including a multidisciplinary investigation) to which exploited children are entitled.

- To report suspicion of CSEC to DCF, contact the DCF Child At-Risk Hotline: 1-800-792-5200.
- Report the concern under the allegation “Human Trafficking-Sexually Exploited Child.”
- Unless you are directed otherwise by a supervisor, contact the local CAC/CSEC Coordinator directly to provide notification that a new 51A report has been filed.

## **F. The Benefits and Importance of the CSEC MDT Response**

### **No One Agency, and No One Person, Can Tackle this Issue Alone**

For child victims of trafficking and exploitation, the CSEC MDT can represent hope. CSEC MDTs leverage the expertise and resources of multiple child-serving agencies. It is not possible for one agency to meet the myriad needs of exploited children alone, or to have every answer. No one agency or single discipline can make every decision, understand all of the resources available, or determine every step to take. Especially because exploitation impacts so many aspects of a child's life, the CSEC MDT collaborates closely to make a comprehensive plan.

High-risk and exploited children may experience different levels and types of police involvement:

- Children who are exploited may intersect with multiple jurisdictions.
- If children are missing from care, their missing persons case may be assigned to a detective in another unit (not necessarily a child abuse or sexual assault detective).
- If children frequent hotels or are in areas known for exploitation, they may encounter uniformed officers in the field.
- If there is an active investigation into a trafficker and a minor is uncovered in a sting operation, the child may interact with detectives, state, and/or federal law enforcement.

Importantly, CSEC MDTs include specialized law enforcement members; many include designated human trafficking detectives or child abuse prosecutors. When filing a 51A and initiating the CSEC MDT response, law enforcement is helping to connect children to expert responders and a wide array of services.

Because each child is involved with multiple agencies, coordination is necessary to avoid duplication of efforts or, worse, overlapping, or conflicting action plans.

### **1. Coordinators Streamline Case Communication and Planning**

CSEC Coordinators work hand-in-hand with professionals spanning multiple sectors. They navigate complicated systems and communicate across disciplines seamlessly. They understand the investigative process, as well as the child-serving landscape and the resources available. The Coordinator serves as a facilitator, a connector, and a convener.

Rather than wrestle alone with questions—*Whom should I speak to at DCF? How can I learn about this child's history? Where should this child be placed into care? Does this child receive services already? Where can I refer this child for support?*—law enforcement should partner with the CSEC Coordinator. The Coordinator will facilitate information sharing and case planning and coordinate supportive service referrals.

## **2. A Trauma-Informed, Child-Centered Approach Matters**

Law enforcement may be the first professionals to interact with exploited youth or to recognize their victimization. By extension, they are a representative of the Multidisciplinary Team. How law enforcement approaches child victims can set the tone for the subsequent intervention and can influence a traumatized child's willingness to engage in the investigation and services.

- **Trauma-Informed:** Whether or not a youth identifies as a victim, it is important to approach them with a “trauma-informed” lens. Exploited youth may be fearful, angry, distrustful of adults, or protective of their exploiter. They may act out physically. These are signs of trauma. Youth are often told by exploiters that they are “just a case”, “just a number”, or that “no one cares about them”. When law enforcement encounters youth and demonstrates understanding and compassion for underlying trauma, they can help dispel those messages. Not only can this help establish trust and build rapport, but a victim-centered approach can increase a youth's willingness to engage and promote a more successful investigation.
- **Respect for youths' identities:** It is recommended that law enforcement demonstrate respect around youths' various identities, including race, gender identity, and sexual orientation. For example,
  - If a child identifies as transgender, the child's preferred name and pronouns should be utilized to help them feel seen and respected.
  - If a child expresses a preference related to the gender of a responding officer, helping youth feel heard, and connecting them to someone they feel comfortable with, when possible, will promote their sense of safety.
- **Appreciation for youth's potentially negative experiences with the “system”:** It is important to remember that exploited youth may be dually involved with the child welfare and the criminal justice system and may have current or prior delinquency involvement. Their previous experiences with police may not be positive. How law enforcement treats high risk and exploited youth can help repair trust, especially if police are able to offer safety, comfort, and justice. First impressions matter immensely and can have a long-term impact on youth engagement.
- **Successes:** CSEC MDTs have many examples that celebrate the efforts and successes of law enforcement engaging some of the hardest-to-reach youth:
  - A young girl who shared that the only person she felt safe with was the officer who separated her from an exploiter after a traffic stop; that the officer provided her with a chance to ask for help.
  - A teenage boy who felt a strong bond with the detective assigned to his missing persons cases and who never gave up or dismissed him, but showed up every time worried about his safety and trying to connect him back to care.
  - A youth who talked about how the detective who found them and brought them to the hospital came back with a Happy Meal, didn't pressure them to answer questions when they weren't ready, and made sure their basic needs were met before talking to them about their experience.

- A teenage girl who shared that she preferred to get case updates from her detective, that she appreciated how the detective asked her how she was doing every time they communicated, that she wanted the detective with her at every stage of her trial, and how she found comfort in looking at her detective while testifying on the stand.
- A youth who shared that they never felt “ghosted”, that the police officer working with them always followed-up when they said they would, and never made a promise they could not keep.

## **G. Missing and Homeless Children**

The risk of exploitation for children who are missing, who are alone and unsupervised in the community, and who lack access to safe shelter, food, and safety cannot be overstated. It is critical to take a second look at missing children and to not overlook potential exploitation.

CSEC MDTs receive referrals for countless children who were approached by an exploiter while missing after running away. As exploiters build relationships with children, children may repeatedly leave their homes or placements to rejoin them. Other times, children may be unable to escape or return home, given their trauma bonds with an exploiter or given threats and force.

- When children are repeatedly missing, the real possibility of exploitation, each and every time a child goes missing, may not be recognized. It is critical that law enforcement always consider the possibility of exploitation and treat missing and homeless children in a trauma-informed manner.
- When children are reported missing, the MDT’s work is just beginning. CSEC MDTs can work together to recover or relocate missing children, to connect them to safe adults and services, and to engage them in an effort to prevent or reduce further instances of going missing.
  - Additionally, when children are missing, CSEC MDTs can work together to assess potential evidence of trafficking, including phone numbers linked to exploiters, online advertisements, social media and online communications with exploiters, and surveillance from areas children are known to frequent.
- There are resources available to law enforcement who encounter high risk and exploited children after hours:
  - Some CSEC MDTs have an on-call response available 24 hours a day, seven days a week.
  - Every DA’s Office has an on-call child abuse contact available for police and prosecutors to confer with about investigative steps. Some DA’s offices also have an on-call human trafficking contact. This list can be obtained through the Massachusetts District Attorney Association (MDAA).
  - Law enforcement can also contact the DCF At-Risk Hotline at 1-800-792-5200 after hours to seek assistance and a child welfare response for children in state custody.

## **H. Information Sharing**

The information sharing that occurs within CSEC MDTs is supported by the Massachusetts child abuse reporting statute.<sup>36</sup> Most typically, information sharing occurs in the form of team meetings or case conferences, team emails, phone calls, and written summaries of case plans and recommendations. The CSEC Coordinator acts as a clearinghouse for new information, helping to ensure that the appropriate law enforcement MDT members have all of the information relevant to investigations and that service providers have all of the information relevant to supporting children. Given the complexities of legal discoverability of information, it is important that MDTs talk about what information is shared and how it is shared. The CSEC Coordinator can help ensure that information sharing is productive, factual, and appropriate.

Information sharing within the CSEC MDT matters, because it helps team members tailor their intervention to be more responsive to the needs of children. The process of sharing information as an MDT can take time, and there may be some limits to what is shared. Ultimately, the MDT process of gathering information is worth the investment; it results in opportunities to learn as much as possible about the circumstances of children and their experience of exploitation, and this process leads to a more tailored and focused intervention.

## **I. Forensic Interviews and Minimal Fact Interviews**

Every CAC has forensic interviewer staff with specialized training and demonstrated expertise in interviewing children about their experiences of child abuse. Most forensic interviewers have also had training in interviewing victims of child trafficking. Forensic interviews minimize trauma by reducing the number of times children are asked to discuss their experience of abuse or exploitation. The interviews are structured, non-leading, and evidence based. For law enforcement encountering high-risk and exploited children, it is critical to remember that it is best practice for survivors of abuse to receive a forensic interview.

Especially when responding to an emergency, law enforcement may be in the position of establishing contact with a minor, gathering preliminary information to determine elements of a crime, and assessing a minor's imminent risk, safety, and need for medical attention. Law enforcement first responders can gather information, while being sensitive to the child's needs and the MDT approach. When possible, it is recommended that law enforcement conduct a minimal facts interview and act as a bridge for the children, helping them understand that they will have the opportunity to speak more fully about their experience with a trained specialist at the CAC.

## **J. Ongoing Resource Coordination**

The CSEC MDT can serve as an ongoing resource for children, not just when CSEC is first recognized. CSEC MDTs can be reconvened as investigations unfold, as new needs, information, and questions arise, and as supportive service plans are re-assessed over time.

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<sup>36</sup> <https://malegislature.gov/Laws/GeneralLaws/PartI/TitleXVII/Chapter119/Section51A>

It is unrealistic to expect that all issues will be resolved immediately via the CSEC MDT response or through any one discipline's involvement. CSEC MDTs recognize that the well-intentioned concept of "rescuing" children from exploitation is short-sighted and incomplete. In fact, focusing on rescue can be counter-productive to engaging children in services and holding exploiters accountable. It may appear that children do not want to be "rescued." For some, this is a normal reaction to the trauma they have endured. For children who do not identify as victims, or who may feel varying degrees of readiness to leave their abuser/exploitation, avoidance, disengagement, or resistance to responders may occur. Truly exiting exploitation and healing requires child participation and engagement. This may take time.

CSEC MDTs anticipate challenges and obstacles along a child's journey to healing. MDT members understand that a singular intervention will not resolve every issue and that success will most likely not be immediate. CSEC MDTs promote child safety and well-being and are anchored in the understanding that both healing and investigations will likely be a long-term process.

## **SECTION SEVEN: Human Trafficking Investigations**

### **A. Investigations**

There is no single profile or characteristic of a trafficking victim. The victims encountered are unique in their individual circumstances and in the paths that led them to their precarious existence. When this is taken into consideration, along with the stressors present when interacting with law enforcement in a criminal investigation, it makes the first communication with investigators critical to a successful investigation. The following actions, taken at the outset of an investigation, play a pivotal role in the resolution of a case.

Investigations commonly involve multiple agencies and benefit greatly from a collaborative response from agencies that otherwise may not be involved in an investigation (See Section Six). A multidisciplinary approach allows for an effective, high-level response to address incidents of trafficking.

It is imperative to corroborate the victim's story with independent evidence for future integrity challenges. In trafficking cases, law enforcement can ease the burden of a victim to provide testimony by collecting supporting evidence.

### **B. Documentation**

Investigations are dynamic and interactive, consisting of compilations of information, and no one portion of an investigation can stand on its own. It is challenging to establish a concrete picture of what occurred without the proper documentation. An officer's ability to communicate the facts, circumstances, and events of the investigation can often be the difference between a successful or failed prosecution.

Procedures regarding recording and documenting information obtained from victims, witnesses, and suspects depend upon individual departmental policies. All activities conducted and observations made at the crime scene must be documented as soon as possible, as they can be an excellent investigative tool. A “fresh” record of the facts and circumstances:

- Serves as a resource for police officers and witnesses when recollecting events;
- Assists during the filing of criminal complaints and other legal action(s) (e.g., search warrants); and
- Offers testimonial evidence during a trial should a witness become incapacitated or legally unavailable to testify.

### **C. Written Reports**

A written report should be clear and concise in order to communicate the facts to the reader. A report’s presentation is very important and can impact the perception of the officer’s thoroughness, competency, and professionalism. The most effective way to write a report that facilitates the reader’s ability to follow what occurred is to have a detailed, chronological account of the events.

The content documented in statements should be as close to verbatim as possible, especially those made by the victim and/or suspect. This is an important practice as it may establish a pattern of behavior exhibited by an offender which may reveal or link them to multiple cases. In addition, using exact statements rather than paraphrasing is an effective way to communicate what the victim and/or offender was thinking or feeling at the time of the incident.

Officers should document a detailed and precise description of the victim’s demeanor and state of mind. For example, “visibly shaking and crying” is more expressive than stating the victim was “upset.” It is important to be aware that a case may go to trial months or years from the date of report, so recording contemporaneous details is key.

Reports should also include the environmental aspects of crime scene/arrest/interview. This information can also be detailed in a separate and distinct report which communicates the tone and environment. For example, documenting the tone and various physical aspects such as: the number of officers that were present, the demeanor of the participants, how the officers were dressed, who was seated where, and if breaks/refreshments were afforded the suspect (e.g. drink, bathroom). Detailing the manner of how a suspect is interviewed showcases how a complete and comprehensive investigation was, while simultaneously avoiding potential bases for motions to suppress the defendant’s statements.

## **D. Audio Recordings**

Law enforcement should familiarize themselves with the expected practices, standard policies, and legal requirements for recording interviews by consulting a supervisor and/or the district attorney's office of jurisdiction. The use of audio recordings can be utilized for suspect, victim, and witness interviews. Law enforcement should provide victims with the opportunity to have their interview recorded; and explain that by recording it allows the officer doing the interview to focus on the victim's statement and not be distracted by note taking.

If the suspect refuses to have their statement recorded, the officer should record the refusal (if practical) and document it on a refusal form. If the interview is recorded, the officer should begin by:

- Identifying themselves and the interviewee
- Verbally stating the date, time, and location of interview
- Informing the suspect of any applicable rights (e.g. Miranda warning).
- Documenting that the person knows that they are being recorded and agree to same.
- If at any point the interviewee provides a physical demonstration or explanation, the officer should verbally explain any physically demonstrated explanation/information. (e.g. suspect demonstrates the length of the knife using their hands, officer should state that "the suspect showed a distance of approximately six inches.")

## **E. Photographic Documentation**

Photographs that document a crime scene, evidence, or injury can be critical in criminal investigations. Photos are able to provide a visual description of the scene for jurors and the corroborative element can help alleviate the burden on the victim. In addition, photographing the scene and evidence prior to recovery demonstrates thoroughness by the police and helps eliminate challenges to the integrity of the investigation. If photographing the victim/injuries, be sure to offer them the option and provide reasoning as to why photographing them is important. Also be sure to photograph in a manner that affords the victim the utmost privacy and dignity.

If law enforcement has access to a crime scene unit, it is recommended that it be utilized. This will ensure items are photographed according to scale and captured in a manner which provides context to the entire scene. If photographing injuries, there may be certain lighting and technology which capture different conditions better. Time aged photos may also be relevant. When documenting evidence through photographs, an overall photo, a mid-range photo, and a close-up photo should be taken to provide contextual basis for the evidence being displayed. In addition, it may be beneficial to have a ruler or a mechanism of measurement to provide a basis of size/scale of the item being displayed.

## **F. Video Recordings**

Video recordings are much like photographic documentation but can be more effective at capturing the big picture. This is especially true when trying to capture distances, location of objects, spatial relationships, and paths of entry or egress.



## **G. Sketches/Diagrams**

Sketching a scene can be helpful if there is no access to photographic equipment or when documenting outside scenes. Using sketches and triangulation will assist in pin-pointing the exact location of a recovery site at a later date.

## **H. Types of Evidence**

Documentation of evidence such as: call detail records, forensic cell phone extraction, subpoenaed advertisements, recovery of subpoenaed hotel video and records, and recovery of personal electronic devices associated with the crime are necessary to pass on to the prosecution team.

### **1. Physical**

- Document the demeanor of the victim
- Tattoos
- Injuries
- Condoms, Lubricants, Sex industry devices
- Bedding, clothing, towels
- Drugs/Drug paraphernalia
- Hotel keys, hotel registration information, surveillance system
- Physical aspects of crime scene/arrest (hot pots/cookware, etc.)

### **2. Documents**

- Contracts
- Property ownership/lease agreement
- Business/financial licenses
- Directories, client lists, ledger
- Utility bills/phone records
- Financial records (tax returns, bank records, receipts, etc.)
- Employment records
- Vehicle registration/violations/tickets
- Restraining order

### **3. Identification**

- Passports
- Visas
- Immigration documents
- Birth certificates
- Identification cards
- Driver's Licenses

#### **4. Digital / Photographic / Media**

- Cell phones/text messages (including pictures)
- Computers/websites/CDs/flash drives
- Email addresses
- Social media accounts
- Internet discussion boards, chat rooms, personal ads, matchmaking services
- Security system videos

#### **I. Investigative Support Units**

As with any reported crime and investigation, law enforcement are encouraged to contact their local District Attorney's Office, the Attorney General's Office, or the Massachusetts State Police High Risk Victim Unit for assistance and support. Human trafficking investigations are often complex cases, but can be most effective when leveraging partnerships and being proactive. Law enforcement agencies that pool their resources together for a common goal can increase the likelihood of building an investigation that ends the illicit activity. Further, appropriately involving the entities identified below can assist in streamlining, identifying, and charging traffickers as well as providing support to victims.

##### **1. Massachusetts Attorney General's Office**

- **The Human Trafficking Division (HTD)** uses a multidisciplinary team approach to prosecuting and preventing human trafficking through law enforcement efforts, policy development, and community partnerships.
  - The HTD is comprised of a dedicated team of prosecutors, victim-witness advocates, Massachusetts State Police troopers, and a paralegal.
  - The HTD uses a multidisciplinary team approach to investigate and prosecute multi-jurisdictional, high impact cases of both sex trafficking and labor trafficking throughout the Commonwealth, often alongside local law enforcement.
  - The HTD is also frequently involved in outreach and training for law enforcement and civilian community members statewide and works extensively with stakeholders on collaborative efforts toward prevention, service provision and data collection.
  - The HTD multidisciplinary teams working on investigations and prosecutions often include members and analysts from other AGO Divisions, including the Fair Labor Division, and the Digital Evidence Lab and the Criminal Bureau Financial Investigations Division.

- **The Fair Labor Division (FLD)** is the primary enforcer of wage and hour laws in Massachusetts. As such, complaints to FLD may include signs and signals that indicate potential labor trafficking. In these scenarios, FLD has teamed up with HTD to prosecute potential labor trafficking.
  - The FLD can be reached via email: [labortrafficking@mass.gov](mailto:labortrafficking@mass.gov)
  - Fair Labor Hotline: (617) 727-3465 from Monday to Friday, 10am to 4pm
  
- **The Digital Evidence Lab (DEL)** is an investigative, analytical team comprised of forensic examiners and support personnel with extensive forensic experience. DEL works to solve complex technical problems in criminal investigations, and supports federal, state, local law enforcement.
  - DEL phone numbers: (617) 963-2146 (office); (617) 963-2620 (lab main)
  
- **Commonwealth's Anti-Trafficking (CAT) Task Force** is a multidisciplinary Task Force based out of the AGO HTD that assembles partners across sectors to comprehensively address all forms of human trafficking in the Commonwealth.
  - The CAT Task Force builds on a comprehensive strategy for combating human trafficking through a state-wide, multidisciplinary, collaborative approach.
  - The CAT Task Force is a joint project between the AGO, the US Attorney's Office (USAO), service providers, and law enforcement to formalize a trauma-informed approach to address trafficking in Massachusetts.
  - The CAT Task Force receives referrals for all types of human trafficking cases. Referrals should be communicated to the CAT Task Force through the Attorney General's Office or via email to [CATTaskForce@mass.gov](mailto:CATTaskForce@mass.gov).

## 2. Massachusetts State Police

- **The High Risk Victims Unit (HVRU)**, created in 2016, expanded the Massachusetts State Police's (MSP) Division of Investigative Services. The HVRU is comprised of a dedicated team of Troopers responsible for the investigation and enforcement of state and federal crimes involving minor trafficking and sexual exploitation; and strengthening the capabilities of federal, state, and local law enforcement through training and investigative assistance.

The HVRU uses a multidisciplinary team approach to investigate and prosecute trafficking cases involving juveniles age eighteen and under. A key partnership in this unit is the investigative assistance and interagency communication between the HVRU and DCF. It is recommended that local law enforcement utilize the MSP and HVRU to augment responsibilities and broaden law enforcement response to better serve children and youth across the entire Commonwealth.

## SECTION EIGHT: Courtroom Preparation and Testimony

As the law enforcement investigation progresses into a criminal prosecution, it is incumbent upon the lead investigator to ensure that the District Attorney's Office that is prosecuting the case has a complete report of all relevant documentation regarding the investigation work. Working with prosecutors and victim witness advocates (VWA) early on in the process of an investigation allows for productive collaboration and will lead to a comprehensive investigation. The successful use of a collaborative approach will also assist in connecting victims and witnesses to the support network of advocates, non-governmental organizations, and other resources that go beyond just the investigative/prosecution team.

- **Successes:** There are many examples that celebrate the efforts of having a support network of law enforcement, investigative/prosecution team, and non-governmental organizations engage with adult victims during the investigation and trial process:
  - An adult survivor of sex trafficking remained connected to the service provider introduced by the VWA such that when it came time for trial this victim was readily located and the team was able to connect with her again.
  - An adult survivor of sex trafficking always appreciated a call from her VWA after court even if nothing happened and the court just gave the case a new date. Communication was important to her throughout the process and kept her connected.
  - An adult survivor of sex trafficking stayed in contact with her VWA because they made a strong connection on the first day they met and disclosed what she had been through.
  - An adult survivor of sex trafficking who connected with both her VWA and assigned Trooper because they treated her with respect and took the time to connect with her.

Law enforcement should be cognizant of the inherent struggles with moving forward toward a successful prosecution. When preparing for a trial, it is important to acknowledge that this process is often re-traumatizing for victims, as they will be required to recall and recount past experiences of their own exploitation or trafficking. To minimize or alleviate some concerns, law enforcement should help ensure that victims and witnesses are aware of what to expect and what will be expected of them.

Furthermore, it is important to keep in mind that time also plays a factor; the parties, especially victims, may be at a very different place in their lives by the time a case comes to trial. Including prosecutors/victim witness advocates who can collaborate closely with outside agencies/partners early on in the process of an investigation will provide continuity for victims and witnesses that increases the likelihood of a successful prosecution.

Law enforcement should adhere to the following considerations when assisting with court preparation and testimony:

- Review reports prior to testifying; being able to have an independent recollection of the events will display competency and professionalism

- Prepare in advance; this will help alleviate the natural anxiety and tension associated with testifying
- Do not guess the answer to any question; answer the questions honestly and to the best of your abilities
- Refrain from attempting to outsmart or out-think the questioning attorney(s)
- Always be courteous, and provide answers directly and in a positive manner
- If an answer to a question cannot be recalled, communicate that in a direct, non-defensive manner
- When testifying, relax, and be yourself
- Review all training and experience related to human trafficking (and other trainings, sexual assault, narcotics, etc.), being prepared to establish specific law enforcement experience that guided the ability to identify and make the conclusions
- Consider having an outlined and condensed professional resume on an index card that includes any relevant certifications, trainings, classes, and other information that displays experience on the subject matter

## SECTION NINE: Additional Resources and Referrals

Below is a list of organizations that law enforcement can utilize to provide additional assistance for victims and allow further access to victim services and aid in investigative methods. Please note this is not an exhaustive list but aims to provide a starting point for law enforcement looking to connect victims to appropriate services and agencies.

### **A. Massachusetts Hotline Numbers**

| <i>NAME</i>  | <i>CONTACT INFORMATION</i> | <i>WEBSITE</i>   |
|--|----------------------------|--|
| <b>Child-at-Risk-Hotline</b>                               | Phone: 800-792-5200        | <a href="http://www.mass.gov/how-to/report-child-abuse-or-neglect">www.mass.gov/how-to/report-child-abuse-or-neglect</a> |
| <b>Disabled Persons Protection Commission Hotline</b>      | Phone: 1-800-426-9009      | <a href="http://www.mass.gov/service-details/hotline-unit">www.mass.gov/service-details/hotline-unit</a>                 |
| <b>Institute for Health and Recovery / Substance Abuse</b> | Phone: 617-661-3991        | <a href="http://www.healthrecovery.org">www.healthrecovery.org</a>   |
| <b>SafeLink</b>  | Phone: 877-785-2020        | <a href="http://www.casamyrna.org">www.casamyrna.org</a>   |

### **B. Children’s Advocacy Centers**

| <i>NAME</i>  | <i>CONTACT INFORMATION</i>   | <i>WEBSITE</i>   |
|--|--|--|
| <b>Massachusetts Children’s Alliance – State Chapter</b> | 11 Beacon St, Suite 321<br>Boston, MA 02108<br>Phone: 617-573-9800 | <a href="http://www.machildrensalliance.org">www.machildrensalliance.org</a> |

| <b>NAME</b>   | <b>CONTACT INFORMATION</b>  | <b>WEBSITE</b>   |
|---|---|--|
| <b>Children’s Cove: The Cape &amp; Islands Child Advocacy Center (Barnstable, Nantucket &amp; Dukes Counties)</b> | PO Box 427<br>Barnstable, MA 02630<br>Phone: 508-375-0410   | <a href="http://www.childrenscove.org">www.childrenscove.org</a>   |
| <b>Berkshire County Kids’ Place and Violence Prevention Center (Berkshire County)</b>                             | 63 Wendell Avenue<br>Pittsfield, MA 01201<br>Phone: 413-499-2800                                      | <a href="http://www.kidsplaceonline.org">www.kidsplaceonline.org</a>   |
| <b>Children’s Advocacy Center of Bristol County (Bristol County)</b>  | 58 Arch Street<br>Fall River, MA 02724<br>Phone: 508-674-6111   | <a href="http://www.cacofbc.org">www.cacofbc.org</a>   |
| <b>Essex Children’s Advocacy Center Eastern District Attorney’s Office (Essex County)</b>                         | 10 Federal St, 5th Floor<br>Salem, MA 01970<br>Phone: 978-745-6610 (ext. 5173)<br>Phone: 978-984-7535 | <a href="http://www.essexcac.org/">http://www.essexcac.org/</a>  |
| <b>Children’s Advocacy Center of Franklin and North Quabbin Area (Franklin County)</b>                            | PO Box 1099<br>Greenfield, MA 01302<br>Phone: 508-843-7306  | <a href="http://www.cacfranklinNQ.org">www.cacfranklinNQ.org</a>   |
| <b>Baystate Family Advocacy Center (Hampden County)</b>   | 300 Carew Street<br>Springfield, MA 01104<br>Phone: 413-794-9816                                      | <a href="http://www.baystatehealth.org/fac">www.baystatehealth.org/fac</a>   |
| <b>Children’s Advocacy Center of Hampshire County (Hampshire County)</b>  | 593 Elm Street<br>Northampton, MA 01060<br>Phone: 413-570-5989  | <a href="http://www.cachampshire.org">www.cachampshire.org</a>   |
| <b>Middlesex District Attorney’s Office (Middlesex County)</b>  | 15 Commonwealth Ave<br>Woburn, MA 01801<br>Phone: 781-897-8400  | <a href="http://www.middlesexcac.org">www.middlesexcac.org</a>   |
| <b>Norfolk Advocates for Children (Norfolk County)</b>  | 12 Payson Road<br>Foxborough, MA 02035<br>Phone: 508-543-0500   | <a href="http://www.norfolkadvocatesforchildren.com/">http://www.norfolkadvocatesforchildren.com/</a>  |
| <b>Children’s Advocacy Center (Plymouth County)</b>   | 309 Pleasant Street<br>Brockton, MA 02301<br>Phone: 508-580-3383                                      | <a href="https://cac.plymouthda.com/">https://cac.plymouthda.com/</a>  |
| <b>Children’s Advocacy Center of Suffolk County – (Suffolk County)</b>  | 989 Commonwealth Ave<br>Boston, MA 02215<br>Phone: 617-779-2146                                       | <a href="http://www.suffolkcac.org/">www.suffolkcac.org/</a>   |
| <b>Children’s Advocacy Center of Worcester County (Worcester County)</b>  | 180 Main St, 5th Floor<br>Worcester, MA 01608<br>Phone: 508-792-0214                                  | <a href="http://www.worcesterda.com/childrens-advocacy-center-of-worcester-county">www.worcesterda.com/childrens-advocacy-center-of-worcester-county</a> |

### C. Human Trafficking Resources

| <i>NAME</i>   | <i>CONTACT INFORMATION</i>  | <i>WEBSITE</i>  |
|---|---|---|
| <b>SafeLink</b>   | Phone: 877-785-2020   | <a href="http://www.casamyrna.org/get-support/safelink/">www.casamyrna.org/get-support/safelink/</a>  |
| <b>Polaris Project</b>  | Phone: 202-745-1001<br>Hotline: 1-888-373-7888<br>Text: BeFree (233733) | <a href="http://www.polarisproject.org">www.polarisproject.org</a>  |
| <b>Ascentria Care Alliance</b>  | Phone: 774-243-3100<br>Paralegal: 774-243-3020                          | <a href="http://www.ascentria.org">www.ascentria.org</a>  |
| <b>Eva Center / Casa Myrna</b>  | Phone: 617-779-2133   | <a href="http://www.evacenter.org">www.evacenter.org</a>  |
| <b>Centerboard Inc. – We Rise</b>   | Phone: 781-598-9417   | <a href="https://centerboard.org/werise-index">https://centerboard.org/werise-index</a>   |
| <b>Living In Freedom Together, Inc. (LIFT)</b>                                      | Phone: 774-243-6025   | <a href="http://liftworchester.org/">liftworchester.org/</a>  |
| <b>My Life My Choice at Justice Resource Institute</b>                              | Phone: 617-529-2603   | <a href="http://www.mylifemychoice.org/">www.mylifemychoice.org/</a>  |
| <b>GLASS – Justice Resource Institute</b>   | Phone: 857-399-1920 (ext. 2322)   | <a href="https://jri.org/services/health-and-housing/health/boston-glass">https://jri.org/services/health-and-housing/health/boston-glass</a> |
| <b>Office of the Attorney General Victim Compensation &amp; Assistance Division</b> | Phone: 617-727-2200 (ext. 2160)   | <a href="http://www.ago.state.ma.us">www.ago.state.ma.us</a>  |
| <b>RIA House, Inc. (Ready.Inspire.Act)</b>  | Phone: 774-245-9153<br>Phone: 888-373-7888                              | <a href="http://www.riahouse.org/">www.riahouse.org/</a>  |
| <b>RFK Children’s Action Corps</b>  | Phone: 617-227-4183   | <a href="http://www.rfkchildren.org/">www.rfkchildren.org/</a>  |
| <b>Support to End Exploitation Now (SEEN) Coalition</b>                             | Phone: 617-779-2145   | <a href="http://www.suffolkcac.org/programs/seen/">www.suffolkcac.org/programs/seen/</a>  |
| <b>Roxbury Youthworks Inc. Being United in Leading our Destiny (BUILD)</b>          | Phone: 617-514-6090   | <a href="http://www.roxburyyouthworks.org/">www.roxburyyouthworks.org/</a>  |

| <i>NAME</i>   | <i>CONTACT INFORMATION</i> | <i>WEBSITE</i>   |
|---|----------------------------|--|
| <b>Roxbury Youthworks Inc.<br/>Gaining Independence For<br/>Tomorrow (GIFT)</b> | Phone: 617-474-2101        | <a href="http://www.roxburyyouthworks.org/">www.roxburyyouthworks.org/</a> |
| <b>YWCA in Springfield<br/>La VIDA – Youth<br/>La VIDA – Adult</b>              | Phone: 413-732-3121        | <a href="http://www.ywworks.org">www.ywworks.org</a>                       |

#### **D. Law Enforcement / Investigative Agencies**

| <i>NAME</i>  | <i>CONTACT INFORMATION</i>   | <i>WEBSITE</i>   |
|--|--|--|
| <b>Office of the Attorney General<br/>Human Trafficking Division</b>   | Phone: 617-963-2011  | <a href="http://www.mass.gov/fighting-human-trafficking">www.mass.gov/fighting-human-trafficking</a> |
| <b>Boston Police Department<br/>Human Trafficking Unit</b>   | Phone: 617-343-6533<br>Phone: 617-779-2100   | <a href="http://bpdnews.com/fjc">http://bpdnews.com/fjc</a>  |
| <b>Federal Bureau of Investigation,<br/>Boston Field Office</b>  | Phone: 857-386-2000  | <a href="http://www.fbi.gov/boston/">www.fbi.gov/boston/</a>   |
| <b>U.S. Attorney’s Office, District of<br/>Massachusetts</b>   | Boston: 617-748-3100<br>Worcester: 508-368-0100<br>Springfield: 413-785-0235                           | <a href="http://www.justice.gov/usao-ma">www.justice.gov/usao-ma</a>                                 |
| <b>U.S. Department of Homeland<br/>Security - Boston Office</b>  | Phone: 617-565-4949<br>Victim Assistance: 617-565-4945   | <a href="http://www.dhs.gov">www.dhs.gov</a>   |
| <b>U.S. Citizenship and Immigration<br/>Services Trafficking in Persons and<br/>Worker Exploitation Task Force<br/>Complaint Line</b>                              | Phone: 1-800-375-5283  | <a href="http://www.uscis.gov">www.uscis.gov</a>   |
| <b>U.S. Department of Homeland<br/>Security: US Citizenship and<br/>Immigration Services USCIS and<br/>Bureau of Immigration and Customs<br/>Enforcement (ICE)</b> | USCIS Tel: 800-375-5283<br>ICE Reporting Hotline: 866-347-2423 ICE<br>Public Affairs Tel: 202-732-4646 | <a href="http://www.ice.gov">www.ice.gov</a>   |
| <b>U.S. Department of Labor, Office of<br/>Inspector General</b>   | Phone: 617-748-3218<br>OIG Hotline: 1-800-347-3756   | <a href="http://www.oig.dol.gov/hotlinemain.htm">www.oig.dol.gov/hotlinemain.htm</a>                 |



**E. National Hotline Numbers**

| <u><i>NAME</i></u>                          | <u><i>CONTACT INFORMATION</i></u> | <u><i>WEBSITE</i></u>  |
|---|-----------------------------------|--|
| <b>Dating Violence</b>                      | 24-hour Hotline: 1-866-331-9474   | National Dating Abuse Helpline                                     |
| <b>Domestic Violence</b>                    | 24-hour Hotline: 1-800-799-7233   | National Domestic Violence Hotline                                 |
| <b>Human Trafficking</b>                    | 24-hour Hotline: 1-800-799-7233   | National Human Trafficking Resource Center                         |
| <b>Missing Children / Child Pornography</b> | 24-hour Hotline: 1-800-843-5678   | National Center for Missing and Exploited Children                 |
| <b>Polaris Project</b>                      | 24-hour Hotline: 888-373-7888     | <a href="http://www.polarisproject.org">www.polarisproject.org</a> |
| <b>Runaway and Homeless Youth</b>           | 24-hour Hotline: 1-800-786-2929   | National Runaway Safeline  |
| <b>Sexual Abuse</b>                         | 24-hour Hotline: 1-800-656-4673   | Rape, Abuse and Incest National Network (RAINN)                    |

## Appendix A: Examples of Other Laws That May Be Used with Potential Human Trafficking Cases

### **Rape of a Child**

<https://malegislature.gov/Laws/GeneralLaws/PartIV/TitleI/Chapter265/Section23>

### **Posing or Exhibiting a Child in a State of Nudity**

<https://malegislature.gov/Laws/GeneralLaws/PartIV/TitleI/Chapter272/Section29A>

### **Dissemination of Obscene Matter**

<https://malegislature.gov/Laws/GeneralLaws/PartIV/TitleI/Chapter272/Section29>

### **Deriving Support from Prostitution**

<https://malegislature.gov/Laws/GeneralLaws/PartIV/TitleI/Chapter272/Section7>

### **Maintaining a House of Prostitution**

<https://malegislature.gov/Laws/GeneralLaws/PartIV/TitleI/Chapter272/Section6>

### **Keeping a House of Ill Fame**

<https://malegislature.gov/Laws/GeneralLaws/PartIV/TitleI/Chapter272/Section24>

### **Sex for a Fee**

<https://malegislature.gov/Laws/GeneralLaws/PartIV/TitleI/Chapter272/Section53A>

### **Money Laundering**

<https://malegislature.gov/Laws/GeneralLaws/PartIV/TitleI/Chapter267A/Section2>

### **Conspiracy**

<https://malegislature.gov/laws/generallaws/partiv/titlei/chapter274/section7>

### **Failure to Pay Minimum Wage**

<https://malegislature.gov/laws/generallaws/parti/titlexxi/chapter151/section1>

### **Failure to Pay Proper Overtime**

<https://malegislature.gov/Laws/GeneralLaws/PartI/TitleXXI/Chapter151/Section1B>

### **Sexual Abuse of Minors**

<https://malegislature.gov/Laws/GeneralLaws/PartIII/TitleV/Chapter260/Section4C>

### **Forfeiture Proceedings after Human Trafficking Prosecutions**

<https://malegislature.gov/Laws/GeneralLaws/PartIV/TitleI/Chapter265/Section55>

<https://malegislature.gov/Laws/GeneralLaws/PartIV/TitleI/Chapter265/Section56>

## Appendix B: Sample Screening/Interview Questions

In 2013, the Massachusetts Interagency Human Trafficking Policy Task Force<sup>37</sup> developed a set of potential screening questions that may prove helpful when navigating conversations with potential minor and adult victims. The following are potential screening questions modified from what the Task Force developed for both law enforcement and case workers. It is recommended that the questions be asked in a conversational style, and not read from as a checklist.

### *Potential Screening Questions for Adults:*

- What is your legal name? What is your preferred name?
- What pronouns do you use?
- How old are you?
- How are you feeling?
- Do you need any medical assistance?
- Do you feel safe?
- Where do you live (where do you sleep and eat)?
  - Who else lives there?
  - Do you feel that you can leave if you want? Do you have to ask permission to leave?
  - Have you ever been threatened if you tried to leave?
- Does anyone stop you from getting food, water, sleep, or medical care?
- Do you work? (Alternative: Do you get paid for what you do?)
  - How do you get to and from work?
  - Do you get paid for your work?
  - How did you find your job?
  - Do you owe anyone money because they helped you find your job?
  - Have you ever felt like you could not leave your job or felt pressured to work?
- Have you ever exchanged sex for anything of value such as shelter, food, clothing, or money?
- Have your identification or travel documents been taken from you?
- Have you ever been physically harmed in any way or seen anyone else harmed?
- Has anyone ever threatened you or your family?
- Has anyone ever threatened you with calling immigration authorities or the police?
- Is anyone making you do anything that you do not want to do?

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<sup>37</sup> <https://www.mass.gov/doc/interagency-human-trafficking-policy-task-force-findings-and-recommendations/download>

***Potential Screening Questions for Minors:***

- What is your legal name? What is your preferred name?
- What pronouns do you use?
- How old are you?
  - Are you in school?
    - If yes, where do you go to school?
- How are you feeling?
- Do you need any medical assistance?
- Do you feel safe?
- Where do you live?
- Who else lives there?
- Can you come and go as you please?
- Have you ever been threatened if you tried to leave?
  - Whom would you contact in an emergency?
  - Do you work or how do you get money?
  - Have you ever exchanged sex for food, clothing, shelter, or money?
  - Has anyone forced you to do something that you did not want to do?
  - Did someone ever touch you in a way you did not like?
  - Has anyone hurt or tried to hurt you? Are you lonely? Do you get to see your friends?

## Appendix C: Learn the Signs of Labor Trafficking

# Learn the Signs of Labor Trafficking

### Working Conditions



- Unpaid or paid very little
- Excessive wage deductions
- Works excessively long hours
- Not allowed breaks
- Unable to identify the employer

- High security measures (e.g. boarded up windows, barbed wire, security cameras)
- Recruited through false promises
- Inadequate protective clothing or gear
- Poor or non-existent health and safety standards
- Experiences threats or intimidation by employer

### Living Conditions



- Imposed place of accommodation
- Lives with employer
- Lives with multiple people in cramped space
- High security measures
- Poor living conditions
- Claims of “just visiting” and inability to convey where he/she is staying/address

### Lack of Control



- Not free to come and go as desired
- Not in control of his/her own money
- Not in control of his/her own identification documents
- Not allowed or able to speak for themselves (a third party may insist on being present and/or translating)
- Owes a large debt and is unable to pay it off

### Behavior



- Fearful, anxious, depressed, submissive, tense, and/or nervous/paranoid
- Inability to speak to an “outsider” alone
- Answers appear to be scripted/rehearsed
- Unable to identify what city he/she is in
- Has numerous inconsistencies in his/her story

### Physical Health



- Appears malnourished or shows extreme fatigue
- Suffers chronic health problems due to working conditions
- Shows signs of physical abuse, physical restraint, confinement, or torture
- Lacks or is denied medical care/services by employer

### Questions to Ask

|   |  |  |
|---|--|--|
| <ul style="list-style-type: none"> <li>• How old are you?</li> <li>• Can you quit your job if you want to?</li> <li>• Can you come and go as you please?</li> <li>• Have you ever tried to leave and were not allowed to?</li> <li>• Have you been hurt or threatened if you tried to leave?</li> </ul> | <ul style="list-style-type: none"> <li>• Has your family been threatened?</li> <li>• Do you live with your employer?</li> <li>• Where do you sleep and eat?</li> <li>• Are you in debt to your employer?</li> <li>• How did you find your job?</li> <li>• Do you owe anyone money because they helped find you find your job?</li> </ul> | <ul style="list-style-type: none"> <li>• Are you in possession of your passport/ID? If not, who has it?</li> <li>• Do you get paid?</li> <li>• How do you get paid? How much do you get paid? How often are you paid?</li> <li>• Do you need medical assistance?</li> <li>• Do you feel safe?</li> </ul> |
|---|--|--|

### What to Do

Explain first and foremost that you are concerned about the individual’s well-being.

If you believe that someone is in immediate danger, call 911

- Tip the National Human Trafficking Hotline:
  - Phone: **1-888-873-7888** Text: **233733**
  - Email: [help@humantraffickinghotline.org](mailto:help@humantraffickinghotline.org)
  - File a report at: <https://humantraffickinghotline.org/report-trafficking>
- Contact the MA Attorney General’s Fair Labor Division:
  - File a Non-Payment of Wage Complaint at [www.mass.gov/ago/wagetheft](http://www.mass.gov/ago/wagetheft)
  - Call the hotline (M-F/10AM-4PM): **617-727-3465**



Office of the  
Massachusetts  
Attorney General  
Maura Healey

These are potential signs of labor trafficking.  
The indicators listed are not determinative nor cumulative; they are meant to inform and to raise awareness that one or several of these red flags may be present in a forced services situation.

All information has been provided by various sources. Contact the Office of the Attorney General for more information. Rev. 5/18