

Louisiana Indicator Tool for Child & Youth Labor Trafficking

Supplementary User Guide

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Overview of the Tool

The purpose of this tool is to provide indicators to assist in the identification of children and youth who may have experienced labor trafficking. Labor trafficking is when a person is compelled, either through force, fraud, or coercion, to provide labor services. The tool was developed with input gathered from focus groups with subject-matter and lived experience experts. The tool assesses the presence of research-based indicators associated with labor trafficking and exploitation among children and youth. The result, or “conclusion,” of a completed screening helps screeners identify next steps for further monitoring, assessment, and/or reporting. A self-disclosure of trafficking or an outcry by the child or youth is *not* required to complete the tool or to make a referral for services. The tool was developed as a narrative assessment tool, rather than a questionnaire or interview tool. The indicators outlined in the tool are *not* to be asked directly to the child or youth. The tool’s indicators were chosen for use with children and youth up to age 24 years old; however it may have applicable indicators that are suitable for adults over the age of 24 years old. For the purpose of this tool, children are people under the age of 18 years of age, and youth are people between the ages of sixteen and twenty-four. For a list of definitions used in this guide, see Appendix A: Definitions. A paper copy of the tool can be found in Appendix B.

Contributors

This tool was created in partnership between the Louisiana Governor’s Office of Human Trafficking Prevention, Louisiana Alliance of Children’s Advocacy Center, and the Louisiana Department of Children and Family Services. Special thanks to Dr. Dana Hunter and Mary Kate Andrepont of the Governor’s Office of Human Trafficking Prevention and to Christy Tate, Shannon Catanzaro, and Lauren Brocksmith of the Department and Children and Families Services for their role in developing this tool and supplemental guide. Additional thanks to Leanne McCallum Desselle for facilitating the working group and the following individuals for their participation in the working group: Kate Shipley, Steven Farber, Brianna Rock, Mary Yanik, Ariel Gutierrez, Stephanie Bratnick, and others who wish to remain anonymous. We are grateful to the experts at several agencies who reviewed the final product of this tool: U.S. Department of Justice Office for Victims of Crime (OVC), U.S. Department of Health and Human Services Office of Trafficking in Persons (OTIP), and RTI International.

Background

Human trafficking is an under-identified crime in Louisiana. Screening tools have provided an effective means to identify potential victims of human trafficking for referral to victim services. In 2015, the Louisiana Department of Children and Family Services (DCFS) worked with partners across the state to establish a Child Sex Trafficking (CST) Indicator Tool that Child Protective Service (CPS) workers could use when they assessed youth who entered the child welfare system in Louisiana. This tool was designed specifically with the view of Louisiana state law on

child sex trafficking (Revised Statute 14:46.3). Following the implementation of this CST tool, the state saw an increase in the identification of child sex trafficking victims.

Despite the advances in identification of child sex trafficking in Louisiana, labor trafficking continues to be under-identified. In 2021, through the Louisiana Child and Youth Trafficking Collaborative project, the Office of Human Trafficking Prevention (OHTP), the Louisiana Alliance of Children's Advocacy Centers (LACAC), and DCFS began a working group to develop a tool that CPS workers and child-serving agencies in Louisiana could use to screen children and youth for labor trafficking. Specifically, DCFS requested the development of a child labor trafficking screening tool that could be complementary to the existing CST Indicator Tool and that CPS workers could use to quickly and simply screen children. To achieve this goal, this group invited an array of 1) subject-matter experts on labor trafficking and 2) populations impacted by labor exploitation to participate in a focus group. Over the series of four focus group meetings, the team reviewed more than twenty tools, reports, and other pieces of literature on topics such as, labor trafficking screening, indicators of human trafficking for children and youth, and other screening tools of children and youth. The team then worked collaboratively to develop this tool with indicators that adhere to state and federal law on labor trafficking and state-specific guidelines on service referral and reporting.

This tool has some limitations. It was intended for use by practitioners in Louisiana to efficiently screen children and youth for labor trafficking indicators. This tool's indicators were specifically chosen for use with children and youth; however it may have applicable indicators that are suitable for adults. For the purpose of this tool, children are people under the age of 18 years of age, and youth are people between the ages of sixteen and twenty-four. We use these words to differentiate because minors have special rights as a protected class, but in the process of our literature review we found that youth and young people up to 24 years old may have similar characteristics in terms of trafficking indicators. Louisiana's human trafficking law in Revised Statute 14:46.2 pertaining to labor trafficking does not differentiate by age, and therefore we chose to assign this tool for use for both children and youth.

Though this is a simple check-box tool that does not require prior training, the developers of this tool highly recommend that any people who intend to use this tool seek training on human trafficking identification and response prior to using it. For more information and training resources, please visit www.humantrafficking.la.gov or email humantrafficking@la.gov.

This content was produced in part by the Louisiana Child and Youth Trafficking Collaborative under 2021-63005, awarded by the Office for Victims of Crime, Office of Justice Programs, U.S. Department of Justice. The opinions, findings, and conclusions or recommendations expressed in this guide are those of the contributors and do not necessarily represent the official position or policies of the U.S. Department of Justice.

What is Labor Trafficking?

Louisiana Revised Statute 14:46.2 states “it shall be unlawful for any person to knowingly recruit, harbor, transport, provide, solicit, receive, isolate, entice, obtain, or maintain the use of another person through fraud, force, or coercion to provide services or labor.”¹ RS 14:46.2 defines labor and services as an activity having an economic value. **Human trafficking is when a person is compelled, either through force, fraud, or coercion, to provide sexual or labor services.** Human trafficking can happen to people of any age, gender, race, ethnicity, socio-economic status, and more. Specifically, labor trafficking can happen in any type of work whether it is legal or not. This includes the normal economy or the ‘gray economy’, also known as the underground or illicit economy (e.g., dealing with illicit substances).

Depending on the state, children typically are allowed to work legally when they’re between 14 and 16 years old. Child labor exploitation is when a child is working legally but is denied basic legal rights such as fair compensation. Child labor is when a minor under the legal working age is engaged in illegal work or work that’s harmful to his/her/their health, development, or education.² In Louisiana, the legal working age for children is age 14, though there are exceptions when the child’s parent or guardian is the owner of the business (see RS 23:162). Child labor trafficking can include components of child labor and labor exploitation, but is *only* considered labor trafficking when there are elements of force, fraud, or coercion. Learn more about employment of minors in Louisiana at the Louisiana Workforce Commission website, www.laworks.net.

Common Misconceptions About Trafficking

There are many common misconceptions about human trafficking. It is critical to know not only what trafficking is, but also what trafficking is not. A few misconceptions about labor trafficking are addressed below.

- Labor trafficking is not just unpaid labor or slavery.
- Traffickers do not only use physical restraint or force to keep victims in a trafficking situation.
- Labor trafficking can happen in both legal industries, such as hospitality, *and* in illicit industries, such as the drug trade.
- Anyone can be a victim; there is no “perfect victim.” Labor trafficking can happen to U.S. citizens, children, male-identifying individuals, and people with disabilities.
- Labor trafficking is not less harmful than sex trafficking and can result in a great deal of trauma experienced by the victim. A comprehensive service array that can meet the myriad needs of children and youth who have experienced labor trafficking is vital.

¹ Louisiana Revised Statute 14:46.2. <http://www.legis.la.gov/Legis/Law.aspx?d=320889>

² Learn more about child labor laws and regulations from the Louisiana Workforce Commission’s “Employment of Minors Information Handbook”: www.laworks.net/Downloads%2FWFD%2FEmploymentOfMinors.pdf&clen=135225&chunk=true

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How to Use this Tool

This tool was created for use by professionals in Louisiana who may encounter victims of human trafficking. This is particularly useful for child protective service workers, service providers, and law enforcement. This tool does not require prior knowledge or advanced training on labor trafficking, though training in labor trafficking is encouraged. Please follow the instructions outlined below for using the tool.

Instructions

The screening uses indicators that meet the state of Louisiana's definition of labor trafficking, per the state and federal laws. Professionals utilizing this tool should adhere to the instructions for use outlined in this guide. *The tool is not intended to be a questionnaire; questions should **not** be asked directly to the child or youth. This tool is intended to be used as a narrative assessment.* Please check the boxes for any of the indicators that you note. You should weigh potential trafficking situations over the lifetime of the child or youth, including labor trafficking that happened previously in other states or countries or that was a one-time occurrence. Victims of labor trafficking are eligible for services regardless of when, where, or how long the trafficking situation occurred.

Information used to complete the tool does not have to be strictly reflective of a singular interaction with the child or youth. Rather, information used to complete the tool may include collateral information such as, background information shared by multi-disciplinary team partners or verifiable information from the child or youth's non-offending caregiver. It is important to recognize that victims often do not realize that they are victims, or they may be fearful to share information about their abuse. A disclosure by the child or youth of the indicators on this tool is *not* required to complete the tool. In interacting with potential victims, use a sensitive, trauma-informed and victim/survivor-centered approach, and avoid the implication of shame or blame on the child or youth.

The screening results categories are "not enough information," "concern," and "indicated." A screening result of "not enough information" does not mean that the child or youth has not experienced labor trafficking. It simply means that there is not currently enough information, based on the indicators listed, to determine whether they have experienced trafficking. **If there is an indication that the child or youth is currently, was ever, or is in the process of being forced to perform labor or services, you should follow the actions for additional assessment.**

Methodology of Indicators

The Indicator Tool adapts the Ends-Means-Process (EMP) Model to guide the process of identifying the potential victim of labor trafficking in Louisiana. The EMP Model was created by the Coalition to Abolish Slavery and Trafficking (CAST) to help attorneys and legal providers

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identify human trafficking under the federal Trafficking Victims Protection Act in 22 USC § 7102.³ The EMP model is similar to the Action-Means-Purpose Model (AMP) first publicized by Polaris.⁴ The working group agreed to use a modified version of the EMP model, as members felt it better fit this tool's purpose of screening youth for trafficking indicators that reflect the legal definition. To view an EMP model worksheet, please see Appendix C.

Under the EMP Model, human trafficking is broken down into three components to meet the legislative definition of human trafficking: the Ends, Means, and Process. The “ends” category identifies if the child or youth was required or made to perform work or services. Next, the “means” category identifies the presence of force, fraud, and/or coercion by a perpetrator in compelling the child or youth to perform work or services. Finally, the “process” category identifies the specific actions, or recruitment tactics, the perpetrator took to compel the child or youth into the trafficking situation. If all three categories are completed, this suggests a trafficking experience has occurred that meets the legal definition.

Ends

The ends of the crime refer to the specific type of victimization that the victim is experiencing. This may include domestic servitude, debt bondage, forced labor, involuntary servitude, or sex trafficking.

In other words, ask yourself: *“Were there services or work the individual was made to perform?”* or *“Did the child or youth engage in labor or services against their will, or were they forced to work to pay off debt?”*

Debt bondage is when a person is forced to work to pay off a debt. Oftentimes, the victim will have no control over their debt, or will not be able to pay off their debt no matter how much they work. This can also be known as bonded labor or debt slavery.

Note. Louisiana Law (RS 14:46.2(C)(2)) defines debt bondage as, “inducing an individual to provide...[i]labor or services in payment toward or satisfaction of a real or purported debt if either of the following occur:

- (i) The reasonable value of the labor or services provided is not applied toward the liquidation of the debt.
- (ii) The length of the labor or services is not limited and the nature of the labor or services is not defined.”

Domestic servitude is when a person is compelled into a condition of work of servitude by a scheme, plan, or pattern of behavior that leads the person to believe that if they do not enter or stay in that work that they would experience harm. Harm includes physical restraint, abuse, or threat of abuse of the legal system.

³ Learn more about the Coalition to Abolish Slavery and Trafficking (CAST) at <https://www.castla.org/>

⁴ For more information on the AMP model, visit <https://humantraffickinghotline.org/sites/default/files/AMP%20Model.pdf>

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Forced labor is when a person is compelled against their will to provide work or service through the use of force, fraud, or coercion.

Involuntary servitude is when a person is forced to work against their will.

Note. If you have not yet determined there was abuse (i.e., force, fraud, or coercion) present in the child or youth's relationship with an employer (whether formal or informal), consider what the labor and services are that the child is engaging in, the nature of the child's relationship with their employer (whether a parent, friend, manager, recruiter, etc.), and the conditions of the work being performed (wages, working hours, legality of work).

Means

The means are the way that the trafficker⁵ controls the victim. The three means of human trafficking are force, fraud, and coercion. Only one has to be present to meet the threshold of trafficking, although traffickers often use multiple means of control on their victims. Determining this component is a very important part of establishing the difference between labor trafficking and other crimes against children.

In other words, ask yourself: *“What did the perpetrator do to ensure that the child or youth provided labor or services?”* or *“What would the perpetrator do, or threaten to do, if the child or youth didn't perform the labor or services?”*

Force

Force is when a trafficker uses physical control or restraint over a victim. This includes: being physically held or restrained from leaving, physically harmed, forced to take drugs, alcohol, or other substances, or sexually harassed, abused or assaulted. This is a particularly common means of control in situations of forced criminality or forced criminal activity. Force may also include denial of medical care or disability support. In addition, sexual harassment or sexual violence can be used as means of control in labor trafficking situations. Experiences of sexual assault or sexual trauma can be forms of force or coercion for labor trafficking victims. Additionally, a person can experience forced labor in a sex trafficking situation. A person can experience both sex and labor trafficking at the same time.

Fraud

Fraud is when the trafficker tricks, lies, or defrauds a victim. Examples include: The child or youth was given fraudulent work or identification documents, had a different job or was living in different conditions than they agreed to, or was promised opportunities that never happened (e.g., the chance to go to school, lawful immigration status, a high-paying job, fame, fortune, etc.).

⁵ For the purpose of this tool, the trafficker is the person who is the abuser. This can be an employer, abuser, “enforcer”, manager, parent, or other person causing harm.

Coercion

Coercion is when a trafficker uses psychological, mental, or emotional control over a victim. This is one of the most common means of control that traffickers use to keep victims in an abusive situation. Examples include:

- Threats of legal action from authorities (police, immigration, CPS, etc.)
- Confiscation of important documents (IDs, birth certificate, passport, etc.)
- Isolation or confinement of child/youth from family, friends, or the public.
- Controlling food intake, communication, or other daily activities.
- Living or working under constant surveillance.
- Mental, emotional, or verbal abuse.
- Threats of violence, or witnessing harm to others.
- Retaliation for non-compliance or from an attempt to leave/quit.

Note. Louisiana Law in RS 14:46.2(C)(3) explicitly outlines the following as examples of force, fraud, and/or coercion but does not limit force, fraud, and coercion to these examples alone:

- Causing or threatening to cause serious bodily injury.
- Physically restraining, isolating, confining, or threatening to physically restrain, isolate, or confine another person.
- Abduction or threatened abduction of an individual.
- The use of a plan, pattern, or statement with intent to cause an individual to believe that failure to perform an act will result in the use of force against, abduction of, serious harm to, or physical restraint of an individual.
- The abuse or threatened abuse of law or legal process.
- The actual or threatened destruction, concealment, removal, withholding, confiscation, or possession of any actual or purported passport or other immigration document, or any other actual or purported government identification document, of another person.
- Controlling or threatening to control an individual's access to a controlled dangerous substance as set forth in R.S. 40:961 et seq.
- The use of an individual's physical or mental impairment, where such impairment has substantial adverse effects on the individual's cognitive or volitional functions.
- The use of debt bondage or civil or criminal fraud.
- Extortion as defined in R.S. 14:66.
- Exposing or threatening to expose any fact or information that would subject an individual to criminal or immigration proceedings.
- Causing or threatening to cause financial harm to an individual or using financial control over an individual.

Process

The 'process' is the action(s), or methods, that the trafficker takes to compel the child or youth into a trafficking situation. This includes, but is not limited to, the recruitment, harboring, transporting/moving, obtaining, threatening, restraining, and/or enticing.

In other words, ask yourself: *“What were the intentional acts the perpetrator took to get the child or youth in the situation?”*

Note. The complete list of actions constituting this category under Louisiana state law as outlined in [RS 14:46.2](#) is: recruit, harbor, transport, provide, solicit, receive, isolate, entice, obtain, patronize, procure, purchase, hold, restrain, induce, threaten, subject, or maintain the use of another person. The actions must be taken with the use of force, fraud, or coercion for the purpose of obtaining labor and/or services.

Final Screening Results and Actions

Not Enough Information

Result: If there is **one checkbox in one of the categories** (Ends, Means, Process) or **no boxes checked**, there is not enough information to determine the child or youth is a possible victim of labor trafficking.

Action: You should continue to monitor the child or youth. Follow mandatory reporting guidelines if you suspect abuse or neglect to a child under 18 years of age by a parent or caretaker. If you suspect a crime has occurred or the child or youth is in immediate danger, report to law enforcement.

Concern

Result: If there is at least **one checkbox in at least two of the categories** (Ends, Means, Process), there is a low to moderate concern that the child or youth is a possible victim of labor trafficking.

Action: Screen again in three months or upon learning new information, and continue to monitor the child or youth.

Immediately report to law enforcement if you suspect a crime has occurred or the child or youth is in immediate danger. If you suspect child abuse or neglect to a child under 18 years of age by a parent or caretaker, call the DCFS Child Abuse/Neglect Hotline at 855-452-5437. Refer to services for additional assessment by contacting the National Human Trafficking Hotline at 888-373-7888 or by referring to a local service provider with expertise in human trafficking. A list of Louisiana service providers by region can be found at humantrafficking.la.gov/resources/.

Note. A result of “Concern” is not an indication that trafficking has not occurred but, rather, that there is not enough information to create a reasonable belief that the child is

a victim. Referring the child or youth for additional assessment and services with an appropriate service agency allows additional assessment to take place.

Indicated

Result: If there is **at least one checkbox in all *three* categories** (Ends, Means, Process), the child or youth is considered “indicated” for possible labor trafficking.

Actions: *If the individual is a child (0-17 years old)*

Refer to Care Coordination services by emailing carecoordination@lacacs.org and attaching this screening tool.

If you are a mandatory reporter, make a report to DCFS or law enforcement. Immediately report to local law enforcement if the child or youth is in immediate danger or if there is a serious concern of the child’s safety.

If the child is a non-U.S. citizen or non-lawful permanent resident under the age of 18:

Report to [HHS Office of Trafficking in Persons \(OTIP\)](#) within 24 hours of having credible information that a foreign national minor may be a victim of trafficking by submitting a Request for Assistance (RFA) through [Shepherd](#). To learn more about how to navigate [Shepherd](#), access the [Shepherd User Guide \(PDF\)](#). If you want to discuss the case with OTIP Child Protection Specialists before submitting the RFA, you can call 202-205-4582 during normal business hours (9am-5pm ET) or email at ChildTrafficking@acf.hhs.gov. Also consider referring the child/youth to an attorney to help assess qualifications for legal relief as a potential trafficking victim.

Note. The Trafficking Victims Protection Act of 2000 (TVPA), as amended, requires federal, state, and local officials to notify the U.S. Department of Health and Human Services through the Office on Trafficking in Persons (OTIP) within 24 hours of discovering that a foreign national minor may be a victim of trafficking.

Actions: *If the individual is between the ages 18 and 24 years old*

Provide the youth, or person aged 18 years or older, with the National Human Trafficking Hotline at 888-373-7888 and offer to make a referral to a local service provider with expertise in human trafficking. A list of Louisiana victim service providers by region can be found at humantrafficking.la.gov/resources/.

Note. The process for responding to a person over the age of 18 who is a suspected victim of trafficking is different from responding to a minor. If a person is 18 or older, they are legally an adult. It is important to respect their confidentiality if they deny services at this time. However, if a victim who is 18 years old or older *has a disability*, the person is

classified as a protected person and additional reporting to Adult Protective Services is required.

If the individual is an adult (18+) with a disability:

Report Adult Abuse, Neglect or Exploitation to Adult Protective Services at 800-898-4910.

Note. The Adult Protective Services Reporting Law, Louisiana R.S. 14:403.2, requires all Louisianans to report abuse, neglect, exploitation, and extortion of adults with disabilities. For more information, visit <https://ldh.la.gov/index.cfm/faq/category/15>.

Do I need to make a Mandatory Report?

Mandatory reporters should follow the following instructions, regardless of the screening outcome. Learn more about your mandatory reporting requirements by visiting www.dcfslouisiana.gov/.

(1) Any suspicion of child sex trafficking by any person requires a report to Child Abuse/Neglect Hotline at 855-452-5437 (option 4).

(2) Any suspicion or knowledge of sexual abuse, physical abuse, neglect, or other maltreatment of a child (including labor trafficking) requires a mandatory report to DCFS or law enforcement.

Report cases involving in-home perpetrators to the DCFS Child Abuse/Neglect Hotline 855-452-5437.

Report cases involving out-of-home perpetrators to the law enforcement agency where the incident occurred.

Additional Considerations

Utilizing a Trauma-Informed, Victim/Survivor-Centered Approach

Trauma-informed care is a critical component of engaging with potential victims of crime.⁶ Trauma-informed approaches acknowledge that trauma impacts all aspects of a person's life, including physical, social, and emotional impacts. **Trauma-informed approaches seek to minimize re-traumatization during the initial engagement with a potential victim of crime and throughout the provision of services.** Safety of the victim, choice, and autonomy in services and service planning, and trust between victims and those working with them, are all

⁶ For the purpose of this tool, the term "victim" is used to describe the people who have experienced labor trafficking. This is due to the legal protections and rights that these people have as victims of crime. However, many people who have experienced this crime prefer terms such as "survivor."

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paramount to a trauma-informed approach. An example of a trauma-informed approach to conversations intended to identify potential victimization: meet the child or youth where they are at in terms of their understanding of their experience and be transparent about any mandates to report any abuse that they have disclosed. Taking steps to create a physical environment that feels safe for the child or youth, such as allowing them to choose where they sit and, to the extent possible, who is interviewing them, is also an aspect of a trauma-informed approach.

Victim-centered or survivor-centered approaches prioritize the needs, safety, well-being, and wishes of the child or youth in all procedures and services. Like trauma-informed approaches, victim-centered approaches seek to minimize re-traumatization and empower victims of crime as engaged participants in their service planning and provision. A victim-centered approach also includes a culturally and linguistically-appropriate approach that is aware and respectful of people's unique needs based on cultural background or identity and provides language-specific services for victims when needed. It is critical to follow your agency's internal policies when engaging with people whose English is not their first language, or that may have limited communication capacities. When engaging children and youth in conversations to identify potential trafficking, a victim-centered approach will prioritize the child/youth's feelings of safety and comfort and may require flexibility in interview locations, interview timing, and other accommodations based on needs and wants expressed by the child/youth.

It is important that those utilizing the tool remember that conversations regarding potential experiences of human trafficking can reveal that a child or youth is suffering from the effects of trauma and can trigger traumatic responses. Creating a safe and supportive environment by using both approaches is key to minimizing harm and ensuring traumatic responses can be immediately addressed in a healthy way. Furthermore, these approaches better facilitate a trusting relationship with the child or youth and enhance efforts to gather information and engage children and youth in services.

Confidentiality

Confidentiality is the act of protecting private information relating to a person who is being served. State and federal laws, as well as professional codes and agency protocols, provide guidance about when information can and cannot be shared. For the safety of all involved, it is critical to protect the confidentiality of the child or youth's information whenever possible. Mandatory reporting is an important exception to this rule of confidentiality. When speaking with children or youth, you should be transparent about the limits of your confidentiality by letting the child (under 18 years age) know that you are a mandated reporter and what that means. Your transparency allows the youth to make an informed decision—that is, with all the facts at hand—about what and how much to share.

Resources for Victims

When you report a potential trafficking or child abuse case to investigators, it is recommended that you also refer the victim to services and support. For child victims of human trafficking in Louisiana, the child may be referred to their local Children's Advocacy Center for assistance, the Louisiana Child and Youth Trafficking Collaborative for care coordination, or another local human trafficking response team.

Additionally, there are several avenues to assist you in the service referral process:

- Refer child victims to your regional Children's Advocacy Center. A list of Children's Advocacy Centers in Louisiana can be found at <http://www.lacacs.org/>. Learn more about the local and regional resources available for child victims of trafficking at www.lacacs.org/lcytc.
- Visit <https://humantrafficking.la.gov/resources/> to find services and resources in your region.
- Call the 24/7/365 National Human Trafficking Hotline at 1-888-3737-888 or text them at 233733 with the words "HELP" or "INFO", or visit their website at <https://www.humantraffickinghotline.org/>

Contact Information

For information regarding the development of the tool or this supplementary guide, you can reach out to the Office of Human Trafficking Prevention at humantrafficking@la.gov, or Mary Kate Andrepont, Deputy Director of The Office of Human Trafficking Prevention at humantrafficking@la.gov.

Appendix

- A. Definitions in this Guide
- B. Louisiana Labor Trafficking Identification Tool (paper copy)
- C. CAST's End-Means-Process Model Worksheet

Definitions

The following is a list of the definitions used throughout this guide and in the identification tool.

Adult: A person eighteen years old or older.

Child: A person under the age of eighteen years of age. Children are a legislatively protected class of people who have special rules and regulations that must be followed if they are suspected of being a victim of crime or abuse.

Coercion: A form of control that a trafficker may use over a victim through psychological, mental, or emotional control over a victim.

Debt bondage: When a person is forced to work to pay off a debt. Often, the victim will have no control over their debt, or is unlikely to pay off the compounding debt no matter how much they work. This can also be known as bonded labor or debt slavery.

Domestic servitude: When a person is compelled into a condition of work of servitude by a scheme, plan, or pattern of behavior that leads the person to believe that if they do not enter or stay in that work that they would experience harm. Harm includes physical restraint, abuse, or threat of abuse of the legal system.

Force: A form of control that a trafficker may use over a victim that involves physical control, physical harm, or restraint.

Forced labor: When a person is compelled against their will to provide work or service through the use of force, fraud, or coercion.

Fraud: A form of control that a trafficker may use over a victim through tricks, lies, or defrauding.

Human trafficking: when a person is compelled, either through force, fraud, or coercion, to provide sex or labor services.

Involuntary servitude: When a person is forced to work against their will.

Labor trafficking: when a person is compelled, either through force, fraud, or coercion, to provide labor or services. Labor trafficking can happen in the regular economy, or in underground/ gray economy such as under-the-table work or criminal activity.

Parent/ Caregiver: "Caretaker" means "any person legally obligated to provide or secure adequate care for a child, including a parent, tutor, guardian, legal custodian, foster home parent, an employee of a public or private day care center, an operator or employee of a registered family child day care home, or other person providing a residence for the child" as

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defined in Children's Code Article 603(3). This can also be a person who maintains an interpersonal dating or engagement relationship with the parent or caretaker, or a person living in the same residence with the parent or caretaker as a spouse whether married or not.

Screening tool: A tool designed to screen a person for a specific experience or criteria. For the purpose of this tool, the screening uses indicators that meet the state of Louisiana's definition of labor trafficking, per Louisiana Revised Statute 14:46.2.

Survivor: A person who has experienced a crime and has survived that experience. Many people who have experienced trafficking prefer to use this word to describe themselves. Some people who have experienced human trafficking also prefer to describe themselves as a victim/survivor or survivor leader. Since the tool is designed for use by investigators and practitioners to identify potential victims of crime, we will use the term victim. However, when working with potential victims, we recognize the importance of using terms that the individual prefers when describing their experience.

Trafficker: The person who is committing forced, fraud, or coercion against a victim for the purposes of commercial sex or labor acts. To the victim, the perpetrator/trafficker may be an employer, abuser, enforcer, boyfriend/girlfriend/partner, parent, or manager. It is important to honor the words that each victim uses to describe their experience of human trafficking.

Trauma-informed: An approach that acknowledges that trauma impacts all aspects of a person's life. Trauma-informed services are those that realize that trauma impacts all aspects of a person's life, and the services seek to minimize re-traumatization through the provision of services. The focus should always be to do no harm.

Victim: A legal term for a person who has experienced a crime and has rights within the criminal-legal system.

Victim/survivor-centered: An approach that centers victim/survivors at the heart of all activities intended to support their healing from the crime they experienced. Victim-centered or survivor-centered services are those that prioritize the needs and well-being of the client in all services.

Youth: A person between the ages of sixteen and twenty-four years old; also known as transitional-aged youth or young adult. While there are differing accepted age ranges for what constitutes a "youth," for the purpose of this tool, we accept the definition of youth as defined by the federal government's Interagency Working Group on Youth Programs, which includes the U.S. Department of Justice.



Louisiana Indicator Tool for Child & Youth Labor Trafficking

Child's Name: _____ Case Number: _____

Instructions: The purpose of this tool is to provide indicators to assist in the identification of children and youth who may be victims of labor trafficking. The result of a completed screening identifies next steps for further monitoring, assessment, and/or reporting. This tool is to be used as a narrative assessment, NOT a questionnaire. The indicators outlined in the tool should not be asked directly to the child or youth. To determine if a child or youth may be a victim of labor trafficking, please check the boxes for any indicators that you note and follow the actions for reporting and referrals on page 2. The screening results are "not enough information," "concern," and "indicated." A screening result of "not enough information" does not necessarily mean that the child or youth has not experienced labor trafficking. If there is an indication that the child or youth is currently, was ever, or is in the process of being forced to perform labor or services, you should follow the actions for additional assessment. *For the complete instructions, please refer to the Supplementary User Guide.*

ENDS

The 'ends' of the crime refer to the specific type of victimization that the child or youth experiences.

Did the child or youth engage in labor or services against their will, or were they forced to work to pay off debt?

Forced Labor

- ☐ The child/youth is making low to no wages for their work.
- ☐ The child/youth is working long working hours with few or no days off.
- ☐ The child/youth is working or living in dangerous conditions.
- ☐ The child/youth is being pressured or tricked to do work they do not want to do.
- ☐ The child/youth cannot walk away, stop working, or is unable to quit.
- ☐ The child/youth is working against their will.
- ☐ Other: _____

Debt Bondage

- ☐ The child/youth is required to pay off a real or alleged debt to their employer/abuser.
- ☐ The child/youth's debt is increasing over time, regardless of how much they work.
- ☐ The child/youth is uncertain about how much debt they have or have paid off.
- ☐ The child/youth works in exchange for food, rent, clothing, transportation, etc.
- ☐ Other: _____

MEANS

The 'means' refers to the methods of force, fraud, and coercion a perpetrator uses to keep the child or youth in a trafficking situation.

What did the perpetrator do (or threaten to do) to ensure that the child or youth provided labor or services?

Coercion (psychological, mental, or emotional control)

- ☐ The child/youth is threatened with legal action from authorities (police, immigration, CPS, etc.)
- ☐ Important documents (IDs, birth certificate, passport, etc.) were taken away from the child/youth.
- ☐ The child/youth is isolated or confined from family, friends, or the public.
- ☐ The child/youth's food intake, communication, or other daily activities are controlled.
- ☐ The child/youth lives or works under constant surveillance.
- ☐ The child/youth is mentally, emotionally, or verbally abused.
- ☐ The child/youth is threatened with violence, or witnesses harm to others.
- ☐ The child/youth faces retaliation for non-compliance or if they try to quit.
- ☐ Other: _____

Fraud (tricked, lied to, or defrauded)

- ☐ The child/youth was given fraudulent identification documents.
- ☐ The child/youth has a different job or is living in different conditions than they agreed to.
- ☐ The child/youth was promised opportunities that never happened (the chance to go to school, lawful immigration status, a high-paying job, fame, fortune, etc).
- ☐ Other: _____

Force (physical control or restraint)

- ☐ The child/youth is physically harmed.
- ☐ The child/youth is forced to take drugs, alcohol, or other substances.
- ☐ The child/youth is sexually harassed, abused or assaulted.
- ☐ The child/youth is physically restrained or confined from leaving.
- ☐ The child/youth is denied medical care or has a developmental or intellectual disability.
- ☐ Other: _____



Louisiana Indicator Tool for Child & Youth Labor Trafficking

PROCESS

The 'process' refers to the actions the perpetrator takes to compel the child or youth into a trafficking situation.

What were the intentional acts the perpetrator took to get the child or youth in the situation?

- ☐ The employer/abuser hired the child/youth or obtained them from a third party (or a recruiter).
- ☐ The employer/abuser provided transportation to the child/youth.
- ☐ The employer/abuser provided housing to the child/youth.
- ☐ The employer/abuser employed or benefitted from the child/youth's labor.
- ☐ The employer/abuser recruited the child/youth to work.
- ☐ The employer/abuser is harboring the child by controlling their movements or restricting access to others (for example, not attending school or other activities in order to work).
- ☐ The employer/abuser physically held, restrained, or isolated the child/youth.
- ☐ Other: _____

SCREENING RESULTS AND ACTIONS:

- ☐ **NOT ENOUGH INFORMATION:** If there is one checkbox in one of the categories or no boxes checked, there is not enough information to determine the child or youth is a potential victim of labor trafficking. **Action:** Continue to monitor the child or youth.

Follow mandatory reporting guidelines if you suspect abuse or neglect to a child under 18 years of age by a parent or caretaker. If you suspect a crime has occurred or the child or youth is in immediate danger, report to law enforcement.

- ☐ **Level 1: CONCERN:** If there is at least one checkbox in at least two of the categories, there is concern that the child or youth may be experiencing labor trafficking. **Action:** Screen again in three months or upon learning new information, and continue to monitor the child or youth.

Immediately report to law enforcement if you suspect a crime has occurred or the child or youth is in immediate danger. If you suspect child abuse or neglect to a child under 18 years of age by a parent or caretaker, call the [DCFS Child Abuse/Neglect Hotline](#) at 855-452-5437. Consider referring to services for additional assessment by contacting a [Children's Advocacy Center](#) or [a local service provider](#) with expertise in human trafficking.

- ☐ **Level 2: INDICATED:** If there is at least one checkbox in all three categories (Ends, Means, and Process), the child or youth may meet the state definition of human trafficking and is considered "indicated" for possible labor trafficking. **Action:** Refer to Care Coordination services by emailing carecoordination@lacacs.org and attaching this screening tool. If you are a mandatory reporter, make a report to DCFS or law enforcement. Immediately report to local law enforcement if the child or youth is in immediate danger or if there is a serious concern of the child's safety.

If the child is a non-U.S. citizen or non-lawful permanent resident, report to [HHS Office of Trafficking in Persons \(OTIP\)](#) by submitting a Request for Assistance (RFA) through [Shepherd](#). (Contact the OTIP Child Protection Specialists by phone at 202-205-4582 or email at ChildTrafficking@acf.hhs.gov.) Consider referring the child or youth to an attorney to help assess qualifications for legal relief as a potential trafficking victim.

If the youth is aged 18 years or older, provide them with the [National Human Trafficking Hotline](#) at 888-373-7888 and offer to make a referral to [a local service provider](#) with expertise in human trafficking. If the individual is an adult with a disability, report also to Adult Protective Services at 800-898-4910.

For questions regarding this tool, please contact the Governor's Office of Human Trafficking Prevention at humantrafficking@la.gov.

Ends-Means-Process Model and Analysis

ENDS

(1) What are the services the victim was made to perform?

(2) The type of services the victim was made to perform fall under:

☐

**Involuntary
Servitude**

☐

**Debt
Bondage**

☐

**Sex
Trafficking**

MEANS

(3a) What did the perpetrator do to ensure that the victim provided the services in Question 1?

(3b) What would the perpetrator do (or threaten it do) if the victim didn't perform the services in Question 1?

(4) The mechanisms the perpetrator used to control the victim fall under the category:

☐

Force

☐

Fraud*

☐

Coercion

PROCESS

(5) What were the intentional acts the perpetrator took to get the victim in the situation?

(6) The method the perpetrator used to get the victim in the situation was:

☐

Recruiting

☐

Harboring

☐

Transportation

☐

Provision

☐

Obtaining

(7) Summarize!

The victim was _____ for the purpose of _____,
(Action/Process) (End/Purpose)

specifically, _____ through the use of _____,
(Type of Service) (Means)

such as _____.
(Specific types of coercive actions taken by the Perpetrator)