

# COMMUNITY COORDINATION OF CARE INITIATIVE (CCCI) – LEGISLATIVE ACTION PLAN

## **Legislative Action Plan:** Statutory changes and program implementation

1. Establish a Human Trafficking Oversight Council: The council will serve under the Health and Human Services Executive Branch as the governing body for all agencies and programs related to Human Trafficking in Idaho, to oversee, guide, and coordinate the development, implementation, monitoring, and evaluation of the statewide Human Trafficking Community of Care and Policy framework. The council should be composed of representatives from the legislature, government – local/state, federal, and tribal agencies, and nongovernment agencies.

- Establish an oversight body to monitor and evaluate programs, services, and legislative initiatives that address the needs of human trafficking victims on a regular basis.
- Institute effective oversight and evaluation of all programs related to Human Trafficking in the state in order to ensure successful outcomes for all agencies, statewide programs, and survivors.
- Review recommendations from the Coordinated Community of Care Committee which are not limited to strengthening laws, regulations, and policies against exploitation, as well as establishing stricter penalties for offenders and promoting victim protection efforts.

2. Require training regarding human trafficking for all law enforcement and first responders that includes trauma-informed, person-centered approaches, emphasizing treating individuals who have experienced trafficking as victims rather than offenders.

- Require advanced training regarding best practices and trends in conducting investigations for law enforcement investigators who work on human trafficking cases and law enforcement who work on other types of offenses, including status offenses, likely to intersect with human trafficking cases (e.g., organized crime, child abuse, and domestic violence prosecutions).

Advanced training may include:

- Barriers to identification
- Building a case without victims' cooperation
- Case studies

- Continued Presence and T or U visa certifications for qualifying foreign national victims
- Greater focus on interview and interrogation practices
- Identification and collection of digital and online media evidence
- Impact of trauma on the developing brain
- Intersection between labor trafficking and sex trafficking
- Cultural Awareness and Communication
- Review and integration of response protocols for missing/unaccompanied children and youth
- Use of forensic interviews
- Use of technology to assist in the identification of victimization

3. Require initial and ongoing training regarding human trafficking for all employees who are employed by public agencies (including state, tribal, and local family, juvenile and criminal court, child welfare, education, health, behavioral health, and all other public entities frequented by children and youth).

- Training should include information on systemic racism, cultural biases, and forms of discrimination, as they intersect with human trafficking.
- Juvenile justice agencies should implement required training regarding human trafficking for all juvenile justice personnel.
- Criminal justice systems should implement required training regarding human trafficking for all corrections employees.
- Judges should ensure local child welfare and juvenile justice policies include requesting a court hearing immediately when a child is missing from placement.
- Review all licensing requirements for all residential care facilities and community-based programs to ensure they are safe and able to address substance use, mental and physical health, disability, cultural differences, and other needs of individuals who have experienced trafficking.
- Create protocols for state, tribal, and local family, criminal, juvenile, and criminal courts that address victim rights; safety, privacy, and confidentiality standards.

4. Implement a Child and Youth Ombudsman program.

- Child and youth ombudsman programs are designated to address issues concerning children and youth in out-of-home placements (including foster care settings, residential programs, treatment programs, group homes, and shelters), detained or incarcerated, and or reentering the community from out-of-home placement.

- Child and youth ombudsmen are independent, impartial, and neutral advocates who are responsible for promoting the rights and welfare of children and youth in out-of-home placements.
- Child and youth ombudsmen are responsible for investigating complaints, identifying systemic issues, and promoting systemic change. Child and youth ombudsmen are required to have knowledge of and be informed about laws and regulations that:
  - Affect children and youth in out-of-home placements;
  - Maintain confidentiality; and
  - Have the skills to effectively mediate and advocate on behalf of children and youth.

4. Require initial and ongoing training regarding human trafficking for providers contracted and credentialed by public agencies who work with children, youth, and adults facing barriers, including providers in health care, behavioral health and substance use, unhoused/unsheltered, re-entry, diversion, sober living programs, refugee resettlement and immigration, and legal services.

5. Require training for prosecutor's offices that includes information on criminal statutes, reporting requirements on behalf of minor victims of trafficking, indicators of sex trafficking, victim dynamics, forms of grooming and recruiting, buyers and demand, the connection between sex trafficking and child sexual abuse material, and local resources. Training should emphasize treating individuals who have experienced sex trafficking as victims rather than offenders.

- Court administrative authorities should implement required basic training regarding the sex trafficking of children and youth for judicial personnel and court employees.
- Review state, tribal, and local family, juvenile, and criminal court rules to ensure they adequately address court dynamics related to human trafficking (e.g., safety, confidentiality, etc.).
- Develop and implement protocols for prosecutors to enhance their ability to prosecute offenders while addressing the needs of children and youth who have experienced trafficking.

Considerations should include:

- Clearly stated commitment to avoiding criminally charging individuals who have experienced human trafficking for crimes they committed during or as a result of their trafficking victimization

- Collaboration with juvenile justice, probation, other units in the court and criminal justice system, and child welfare; associated reporting requirements
- Continued Presence and T or U visa certifications for qualifying foreign national minor victims Fines, forfeiture, sex offender registry, and criminal restitution
- Specialty courts for traffickers and exploiters
- Steps to remove online child sexual abuse material
- Use of vacatur and expungement for individuals who have experienced sex trafficking