

Domestic Minor Familial Sex Trafficking

A National Study of Prevalence, Characteristics,
and Challenges across the Justice Process



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Executive Summary

This study provides a thoughtful description of—and guidance for future research on—the prevalence, characteristics, and challenges of domestic minor familial sex trafficking. The data was derived from a national survey and in-depth interviews of justice professionals from 24 states, representing 3,505 cases of domestic minor sex trafficking during the period of 2018-2021, of which 917 cases were confirmed familial. Prevalence from this study suggests 26 percent of cases were family-facilitated, but justice professionals believe the number to be higher due to insufficient disclosure, lack of evidence, and how cases are recorded. Reports from individual states also suggest a higher prevalence. Major findings call for increased training of frontline professionals and mandated reporters, modified tools to improve victim identification, a more attuned understanding of the unique relational dynamics between the child victim and related perpetrator, and challenges to our assumptions about the efficacy of family contact and/or reunification in cases of familial exploitation.

Acknowledgements

This work is dedicated first to the countless children whose abuse was never noticed, never spoken, never justified, as well as to those who had the courage to come forward. We may struggle to find you, but we will never stop looking.

Secondarily, this work endeavors to honor the daily “soul crushing” commitment made by justice professionals to protect and serve the most vulnerable among us. Thank you for your participation in this study and for using your experiences with these cases to instruct others and impact social change.

Gratitude is also offered to those who contributed significantly to this publication: Rachel Shade, John DeMichael, and Chelsea Longo.

You, LORD, hear the desire of the afflicted;


 You encourage them, and You listen to their cry, defending the fatherless and the oppressed, so that mere earthly mortals will never again strike terror. – Psalm 10:17-18

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Introduction

The United States formally recognized the commercial sexual exploitation of minors as sex trafficking with the 2000 Trafficking in Persons Protection Act (TVPA). Federal statute 18 U.S.C. § 1591 outlines that: it is a federal offense to knowingly recruit, entice, harbor, transport, provide, obtain, or maintain a minor knowing or in reckless disregard of the fact that the victim is a minor and would be caused to engage in any sex act, on account of which anything of value is given to or received by any person. In other words, it is illegal to offer or to obtain a child and cause that child to engage in any kind of sexual activity in exchange for anything of value, whether that be money, goods, personal benefit, in-kind favors, or some other benefit. When the victim is a minor, Section 1591 does not require proof that the defendant used force, threats of force, fraud, or coercion, or any combination of those means, to cause the minor to engage in a commercial sex act (US DOJ, 2020). The law makes it clear that a minor engaged in commercial sex is not a criminal but rather, a victim under the law.

While this reframing is vital to how we identify and respond to all minor victims, there may be an erroneous assumption about how we see all perpetrators. The modern-day trafficker has too often been characterized as a cunning and patient outsider, an in-the-shadows manipulator, able to exert his or her control through promises, money, drugs, or romance.^{1,2} Now, twenty years into the anti-trafficking movement within the United States, another reality is to be confronted: that sometimes the perpetrator is not an outsider, but rather, an intimate threat residing within the home and heart of the victim.^{3,4,5}

Familial sex trafficking, similar to intrafamilial sexual abuse (incest), is an unspoken yet distinct form of abuse against children.⁶ Unlike other crimes that occur in public places, intrafamilial abuse usually occurs in private places, and the victims may try to hide evidence of it or deny that it took place.⁷ What makes domestic minor Familial Sex Trafficking (FST) distinct from incest or domestic minor sex trafficking (DMST) are two factors: the presence of an economic exchange, and the unique relationship between the victim and the perpetrator. According to **22 U.S. Code § 7102**, sex trafficking is defined as the recruitment, harboring, transportation, provision, obtaining, patronizing, or soliciting of a person for the purpose of a commercial sex act. Severe forms of trafficking in persons are those in which a commercial sex act induced by force, fraud, or coercion, or in which the person induced to perform such act has not attained 18 years of age. DMST is considered a severe form of human trafficking (US DOJ, 2000). FST has been more succinctly defined as a type of trafficking that occurs when a family member (the trafficker) gives offenders sexual access to minor victims or pornography in exchange for something of commercial value (e.g., drugs, money).⁸

Sex trafficking as a field of criminal or psychological/trauma studies is still in its infancy. There

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- 2 the unique relationship between the victim and the perpetrator.**

¹ Reed, S. M., Kennedy, M. A., Decker, M. R., and Cimino, A. N. (2019). Friends, family, and boyfriends: An analysis of relationship pathways into commercial sexual exploitation. *Child Abuse and Neglect*, 90, 1-12.

² Rose, K. (2010). *Pimp juice: Profiles of the African American popular culture pimp*.

³ Sprang, G., and Cole, J. (2018). Familial sex trafficking of minors: Trafficking conditions, clinical presentation, and system involvement. *Journal of Family Violence*, 33(3), 185-195. doi:10.1007/s10896-018-9950-y

⁴ Middleton, J., Edwards, E., and Ayala, R. (2019). *Project PIVOT: Prevention and intervention for victims of trafficking: A preliminary report of child trafficking in Kentucky*.

⁵ Reid, J. A., Huard, J., and Haskell, R. A. (2015). Family-facilitated juvenile sex trafficking. *Journal of Crime and Justice*, 38(3), 361-376.

⁶ Ford, J.D. and Courtois, C. A. (Eds.). (2020). *Treating complex traumatic stress disorders in adults*. Guilford Press.

⁷ Dedel, K. (2010). *The Problem of child abuse and neglect in the home*. Guide No. 55. ASU Center for Problem-Oriented Policing.

⁸ Sprang, G., and Cole, J. (2018). Familial sex trafficking of minors: Trafficking conditions, clinical presentation, and system involvement. *Journal of Family Violence*, 33(3), 185-195. doi:10.1007/s10896-018-9950-y

is scant peer-reviewed literature on which to base advocacy, legislative, judicial, or restorative treatment actions. One of the challenges in examining the literature is the lack of coherent and consistent terminology to accurately isolate the phenomenon under study. It is worth noting that even though the 2000 Trafficking Victims Protection Act (TVPA) identified that anyone under the age of 18 involved in commercial sex was a victim, not a prostitute, that language did not become commonly adopted until approximately 2010. Today it would be incorrect to use the terms “child, juvenile or teen prostitute.” A similar evolution of language is happening with this specific form of trafficking. The following terms were identified in the literature.

Table 1: Terminology in Use

“incestuous abuse” or “incest”	The most generalized term for this crime is child sexual abuse. Under that heading is the subcategory of child sexual abuse specifically enacted by a family member, historically referred to as “incestuous abuse” or “incest.” ^{9,10}
“intrafamilial sexual abuse”	In studies from Israel, Turkey, Portugal, and the Netherlands, the phenomenon of sexual abuse by a family member has been labeled “intrafamilial sexual abuse.” ^{11,12,13,14}
“conventional child sexual abuse (CSA) with payment”	The National Child Prostitution study (2004) referred to intrafamilial sex trafficking as “conventional child sexual abuse (CSA) with payment.” ¹⁵ This term makes the status of the child and the economic component clear but fails to recognize the relational distinction to the perpetrator. ¹⁶
“family-facilitated juvenile sex trafficking (FF-JST)”	As the commercial sexual exploitation of minors became a more prevalent topic in U.S. academic literature, new terms were offered to represent the unique dynamics of this form of abuse. Reid, Huard, and Haskell offered the comprehensive term, “family-facilitated juvenile sex trafficking (FF-JST),” ¹⁷
“familial sex trafficking”	Most recently, the term “familial sex trafficking” has been used in academic and government literature ^{18,19,20,21} but may also be inclusive of adult victims.

⁹ Courtois, C. (2010). *Healing the incest wound*, Second Ed. W.W. Norton & Co Deloitte.

¹⁰ Herman, J.L. (2000). *Father-daughter incest*. Harvard University Press.

¹¹ Katz, C., and Field, N. (2020). Unspoken: Child–Perpetrator dynamic in the context of intrafamilial child sexual abuse. *Journal of Interpersonal Violence*, 88626052094372-886260520943723. doi:10.1177/0886260520943723

¹² Magalhães, T., Taveira, F., Jardim, P., Santos, L., Matos, E., and Santos, A. (2009). Sexual abuse of children. A comparative study of intra and extra-familial cases. *Journal of Forensic and Legal Medicine*, 16(8), 455-459.

¹³ Selvius, K., Wijkman, M. D. S., Slotboom, A., & Hendriks, J. (2018). Comparing intrafamilial child sexual abuse and commercial sexual exploitation of children: A systematic literature review on research methods and consequences. *Aggression and Violent Behavior*, 41, 62-73. .

¹⁴ Koçtürk, N., and Yüksel, F. (2019). Characteristics of victims and perpetrators of intrafamilial sexual abuse. *Child Abuse and Neglect*, 96, 104122.

¹⁵ Mitchell, K. J., Finkelhor, D., and Wolak, J. (2010). Conceptualizing juvenile prostitution as child maltreatment: Findings from the National Juvenile Prostitution Study. *Child Maltreatment*, 15(1), 18-36.

¹⁶ Reid, J. A., Huard, J., and Haskell, R. A. (2015). Family-facilitated juvenile sex trafficking. *Journal of Crime and Justice*, 38(3), 361-376.

¹⁷ Ibid.

¹⁸ Sprang, G., and Cole, J. (2018). Familial sex trafficking of minors: Trafficking conditions, clinical presentation, and system involvement. *Journal of Family Violence*, 33(3), 185-195. doi:10.1007/s10896-018-9950-y

¹⁹ Middleton, J., Edwards, E., and Ayala, R. (2019). *Project PIVOT: Prevention and intervention for victims of trafficking: A preliminary report of child trafficking in Kentucky*.

²⁰ U.S. Department of State. (2021). *Trafficking in Persons Report*. Special Topics

²¹ Minnesota Office of Justice Programs Minnesota Statistical Analysis Center. (2019). *Human trafficking in Minnesota. A Report to the Minnesota Legislature*

It may not be possible to encapsulate all of the dimensions of this crime into a single, coherent label, but it is important to consider how the status of the child victim, the nature of the perpetrator relationship, the psycho-sexual nature of the offense, and the economic motive must be concurrently held if we are to grasp an understanding of this phenomenon. For the purposes of clarity, the commercial sexual exploitation of a minor by an individual other than a family member will be referred to as Domestic Minor Sex Trafficking (DMST). To distinguish cases and references to these acts at the hand of a related perpetrator, the term Familial Sex Trafficking (FST) will be used.

FST may be one of the most under-reported crimes, due in part to the lack of awareness. The general population may not associate a family member profiting from the exploitation of a child to human trafficking. Furthermore, it is difficult for many to accept that parents or close relatives would perpetrate such heinous abuse against a child.²² At the same time, it is well established that children who are sexually abused in the home are less likely to report.^{23,24}

Christine Cesa, a survivor of familial trafficking points out that our awareness posters and brochures are not geared towards effective outreach towards familial trafficked minors.²⁵ Too often public service campaigns reflect foreign nationals in labor trafficking situations, not American boys and girls in their own homes, or those being transported by a relative to locations for the purpose of sexual abuse.

The subcategory of domestic minor familial sex trafficking (FST) is difficult to identify, but that difficulty is exacerbated by the absence of clear and responsive reporting of the cases that have been confirmed. The Vera Institute observed that contemporary screening tools—used most often by medical and social service professionals and other mandated reporters—do not include questions about the relationship of the victim to the perpetrator.²⁶ According to Raphael, both government reports on court cases and the FBI Crime in the United States Report do not record the nature of the perpetrator-victim relationship.²⁷ The National Incident-based Reporting System fails to gather information about important details of trafficking cases such as the role of the juvenile and the type of sex trafficking (solo, familial, third-party). In fact, no uniform system currently exists to collect and analyze data on trafficking cases.^{28,29,30}

The literature on DMST has begun to address prevalence, vulnerabilities of youth, pathways into exploitation, and the traumatic effects of this form of abuse. Studies recognize that there are important distinctions based on how the child is inducted and utilized in the commercial sex trade. Less progress has been made, however, in understanding how familial trafficking presents, how the commercial component is reflected, and the unique power and control dynamics between the familial perpetrator and the child-victim. While the Counter Trafficking Data Collaborative reports that family members are involved in nearly half of child trafficking cases,³¹ the routes to

²² Smith, L., Vardaman, S. H., and Snow, M. (2009). *The national report on domestic minor sex trafficking: America's prostituted children*.

²³ Herman, J.L. (2000). *Father-daughter incest*. Harvard University Press.

²⁴ Raphael, J., and DePaul University College of Law. (2019). Parents as pimps: Survivor accounts of trafficking of children in the united states. *Dignity: A Journal on Sexual Exploitation and Violence*, 4(4)

²⁵ Cesa, C. (2021, July 23). Navigating the unique complexities in familial trafficking. Presentation at NCOSE Summit 2021.

²⁶ Vera Institute of Justice. (2014). *Screening for human trafficking: guidelines for administering the trafficking victim identification tool*. Vera Institute of Justice.

²⁷ Raphael, J., and DePaul University College of Law. (2019). Parents as pimps: Survivor accounts of trafficking of children in the united states. *Dignity: A Journal on Sexual Exploitation and Violence*, 4(4)

²⁸ Mitchell, K. J., Finkelhor, D., and Wolak, J. (2013). Sex trafficking cases involving minors. *Crimes Against Children Research Center*, University of New Hampshire.

²⁹ Gerassi, L. (2015). From exploitation to industry: Definitions, risks, and consequences of domestic sexual exploitation and sex work among women and girls. *Journal of Human Behavior in the Social Environment*, 25(6), 591-605.

³⁰ Miller-Perrin, C., and Wurtele, S. K. (2017). Sex trafficking and the commercial sexual exploitation of children. *Women & Therapy*, 40(1-2), 123-151.

³¹ CTDC (Counter Trafficking Data Collaborative) Family members are involved in nearly half of child trafficking cases. (2021). Information Brief.

victimization in international child sex trafficking differ from the pathways commonly experienced by domestically trafficked victims.³² Therefore, it has been suggested that research in the field of sex trafficking may be most effective by purposefully focusing on particular forms of exploitation, in combination with specific types of victims, thereby exposing common pathways and victim types.³³ The National Institute of Justice (NIJ) also supports this approach and has explored possible pathways to attaining an accurate prevalence estimate on trafficking cases. Best practice suggests that the most effective means of fully understanding prevalence is to conduct sector and type-specific studies. One such sector where focused study is needed is familial sex trafficking, as evidenced by it being featured in the 2021 U.S. State Department Trafficking in Persons Report as a Topic of Special Interest.³⁴ Therefore, this study sought to advance the field of study on domestic minor sex trafficking by focusing on a discrete manifestation of this crime, those perpetrated by family members of the victims.

A consistent limitation of the research has been studies with small sample sizes.^{35,36,37,38,39} A 2021 search of four scholarly databases yielded only twenty-one articles that offered a domestic focus on the issue of domestic minor sex trafficking. The literature scan characterized the available studies as “of low quality, utilizing largely small convenience samples.”⁴⁰ The Reid, Huard, and Haskell study was based on 19 FST victims. One study on FST endeavored to describe the characteristics of victims and traffickers, law enforcement classifications of trafficking, clinical profiles, and system involvement based on a sample of 31 minor victims. In their findings, the authors suggested that 45 percent of cases were identified by law enforcement;⁴¹ however, another study found that similar cases were not being consistently recorded.⁴² Therefore, within the United States, there is not a clear sense of the prevalence, characteristics, and challenges presented by FST, which means as a nation, one of the most severe forms of human trafficking is not adequately being addressed. This study expanded the data collection to a larger and more diverse sample, which aids our understanding of familial trafficking as a national problem.

The research question guiding this study was: what can be known about the prevalence, characteristics, and challenges associated with FST, as experienced by justice professionals in the United States. Civil society relies on those in a frontline capacity, and those who may encounter the child in other settings, to be trained, alert, and equipped to respond to suspected abuse. Therefore, this effort mined the experiences of justice professionals (law enforcement, attorneys, court profes-

³² Wilson, J. M. & Dalton, E. (2008). Human trafficking in the heartland. *Journal of Contemporary Criminal Justice*, 24, pp.296-313.

³³ Reid, J. A. (2012). *Girl's path to prostitution: Linking caregiver adversity of child susceptibility*. LFB Scholarly Publishing LLC.

³⁴ U.S. Department of State. (2021). Trafficking in persons report. p.30

³⁵ Edinburgh, L., Pape-Blabolil, J., Harpin, S. B., & Saewyc, E. (2015). Assessing exploitation experiences of girls and boys seen at a child advocacy center. *Child Abuse & Neglect*, 46, 47-59.

³⁶ Katz, C., and Field, N. (2020). Unspoken: Child-Perpetrator dynamic in the context of intrafamilial child sexual abuse. *Journal of Interpersonal Violence*, 88626052094372-886260520943723.

³⁷ Reid, J. A., Baglivio, M. T., Piquero, A. R., Greenwald, M. A., & Epps, N. (2017). Human trafficking of minors and childhood adversity in Florida. *American Journal of Public Health*, 107(2), 306-311.

³⁸ Reed, S. M., Kennedy, M. A., Decker, M. R., and Cimino, A. N. (2019). Friends, family, and boyfriends: An analysis of relationship pathways into commercial sexual exploitation. *Child Abuse and Neglect*, 90, 1-12.

³⁹ Selvius, K., Wijkman, M. D. S., Slotboom, A., & Hendriks, J. (2018). Comparing intrafamilial child sexual abuse and commercial sexual exploitation of children: A systematic literature review on research methods and consequences. *Aggression and Violent Behavior*, 41, 62-73.

⁴⁰ Jaeckl, S., and Laughon, K. (2021). Risk factors and indicators for commercial sexual Exploitation/Domestic minor sex trafficking of adolescent girls in the united states in the context of school nursing: An integrative review of the literature. *The Journal of School Nursing*, 37(1), 6-16.

⁴¹ Sprang, G., and Cole, J. (2018). Familial sex trafficking of minors: Trafficking conditions, clinical presentation, and system involvement. *Journal of Family Violence*, 33(3), 185-195.

⁴² Mitchell, K. J., Finkelhor, D., and Wolak, J. (2010). Conceptualizing juvenile prostitution as child maltreatment: Findings from the National Juvenile Prostitution Study. *Child Maltreatment*, 15(1), 18-36.

sionals and victim advocates) who have encountered FST cases. The resulting observations and recommendations have been organized around the phases of the justice process including identification, investigation, prosecution, victim services, and concludes with recommendations and a discussion. By minimizing the knowledge gap and widening justice professionals' understanding of the problem, this study aims to serve as a catalyst to greater inquiry and systemic change, but more importantly, as a voice to those who have suffered at the hands of those who should have protected them.

Methodology

Data for this study was derived from two sources: a national survey of justice professionals who work with trafficking cases, and in-depth interviews from a subset of those same professionals to develop a thick description of the characteristics and challenges associated with familial trafficking cases.

Survey Participants

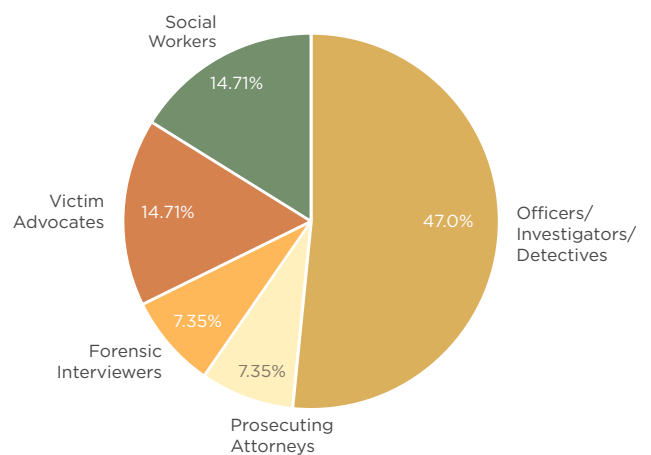
An email was sent to existing contacts in federal and state law enforcement as well as to members of DOJ-funded human trafficking task forces, State Governors’ Offices, Offices of the Attorney General, attendees of the Conference on Crimes Against Children, and the International Association of Human Trafficking Investigators (IAHTI). The survey instrument was created from observations presented in the Raphael (2019), Sprang and Cole (2018), and Reid, Huard, and Haskell (2015) studies and included 36 substantive questions in objective or fill-in-the-blank format. The survey was open for response collection over a three and a half-month period in 2021. Respondents were asked to report general information about their professional capacity and experience with sex trafficking cases, to reflect on their familial cases over the prior four years (2018 through 2021), and record aggregate information about those cases. The survey tool collected non-identifying data, including demographic information on victims and perpetrators, venues, aggravating factors, case outcomes and victim services.

Sixty-nine responses were received within the survey period. One response was omitted for being substantially incomplete, leaving a final data set of 68 responses. Of those, 42 respondents (62%) represented roles that can be generalized as law enforcement and 26 respondents (38%) served in roles that can be generalized as victim advocacy and/or service provision. The largest percentage of generalized law enforcement respondents (38.23%) represented state or local law enforcement; however, many indicated that they were also deputized by federal agencies and/or served as a member of a federal task force which expanded their case reach. Federal law enforcement (Federal Bureau of Investigations or Homeland Security Investigations) comprised 10.29 percent. State courts made up only 7.35 percent with no respondents representing federal court. Most of the respondents (47.06%) were Officers/Investigators/Detectives or those with direct responsibility for investigating trafficking crimes. The sample also included Prosecuting Attorney (7.35%), Forensic Interviewer (7.35%), Social Worker (14.71%), and Victim Advocates (14.71%).

Under generalized victim advocacy and/or service provision, 11.76 percent represented child advocacy centers (CACs); 7.35 percent represented child protective services (CPS); and 14.71 percent represented non-governmental agencies (NGOs) who work closely with law enforcement. The combined years of experience handling domestic human trafficking cases across this entire sample totaled 486 years ($M = 7.36$ years).

This sample ($n = 68$) represented twenty-four different states, with Ohio offering the most responses at 13, Florida and Michigan at 7 and Texas at 5. Twenty-one percent of case jurisdiction was national; 26.87 percent handled cases only at a state or multi-state level; 22.39 percent of respondents had jurisdiction limited to a single county, city, or town. These professionals work cases for all ages of victims (68.66%).

Image 1: Study Respondents by Role



The combined years of experience with domestic human trafficking cases across this sample was 486 years ($M = 7.36$ years).

The survey inquired into the number of hours of training each respondent had in the past four years (2018-2021) specific to domestic sex trafficking. A wide range of responses yielded a total of 4,972 hours, with one outlier of 2,400 hours. Excluding that one respondent, the average number of hours of training in domestic sex trafficking over a four-year period was 38 hours, or less than 10 hours per year. Thirty-two respondents (47%) reported only five hours of training in the past four years. Inquiring about trainings specific to familial trafficking only 18 individuals reported receiving at least one training on the topic.

Interview Participants

Participants for the interviews were included based on having experience with familial trafficking cases, serving in a justice capacity as an investigator, prosecutor, court professional, or victim advocate within the United States. In descriptive research, virtually any purposeful sampling technique may be used;⁴³ therefore, the goal was to glean from the experiences and perspectives of those who see these cases upfront. Eleven survey respondents each participated in a 90-minute video- or telephone-conferencing interview. Three participants requested and were granted an in-person interview. The interview participants had a greater number of years of experience with trafficking case ($M = 12.0$) and worked for larger jurisdictions (federal or multi-state) than the overall survey population. All interviewees were from generalized law enforcement. Participants were neither coached on nor compensated for their participation, abating any concern about the integrity of their responses.

Only 18 individuals (26%) reported receiving at least one training on the topic of familial trafficking.

⁴³ Lambert, V. A., & Lambert, C. E. (2012). Qualitative descriptive research: An acceptable design. *Pacific Rim International Journal of Nursing Research*, 16(4), 255-256.

Research Findings

Prevalence

According to StopTheTraffik.org, there are 7 major forms of human trafficking, and under sex trafficking specifically, 11 subcategories, of which familial is not included.⁴⁴ Yet experts in the field of intrafamilial child sexual abuse (incest) have established that this form of abuse is both distinct and profound in its effects^{45,46} and should be uniquely considered. According to the U.S. Department of Justice (2000), 34 percent of child sexual abuse is inflicted by a family member. Ninety-four percent of sex trafficking survivors from one shelter program had histories of childhood sexual abuse, 70 percent at the hands of a family member.⁴⁷ In 2005, the National Juvenile Prostitution Study interviewed over 2,600 law enforcement professionals to ascertain their experiences of cases dealing with juveniles involved in prostitution.⁴⁸ That study broadly categorized cases into three types: third-party exploiters, solo prostitution, and conventional child sexual abuse (CSA) with payment. The study later defines that “CSA with payment” was approximately 12% of the sample and mostly facilitated by family members.⁴⁹ In another, familial recruitment was 16 percent.⁵⁰ The 2019 Data Report from the U.S. National Human Trafficking Hotline reported that familial relationship was the second most common form of induction into commercial sex.⁵¹ Few research studies in the United States have been dedicated to the prevalence of familial trafficking; more studies have inferred or affirmed its existence within the context of studies about generalized DMST.^{52,53,54,55,56,57}

Given the hidden nature of DMST, prevalence estimates are elusive,⁵⁸ often presented as crude estimates,⁵⁹ and not based on a strong foundation.⁶⁰ In fact, it may be among the most difficult forms of juvenile victimization to investigate.⁶¹ A systematic literature review of studies conducted between 2000-2016 on intrafamilial sexual abuse and the commercial sexual exploitation of

⁴⁴ <https://www.stopthetraffik.org/about-human-trafficking/types-of-exploitation/>

⁴⁵ Herman, J.L. (2000). *Father-daughter incest*. Harvard University Press.

⁴⁶ Courtois, C. (2010). *Healing the incest wound*, Second Ed. W.W. Norton & Co. Deloitte.

⁴⁷ The Samaritan Women (2021). personal conversation

⁴⁸ Mitchell, K. J., Finkelhor, D., and Wolak, J. (2010). Conceptualizing juvenile prostitution as child maltreatment: Findings from the National Juvenile Prostitution Study. *Child Maltreatment*, 15(1), 18-36.

⁴⁹ Ibid

⁵⁰ Raphael J., Reichert, J.A., and Powers, M. (2010). Pimp control and violence: Domestic sex trafficking of Chicago women and girls. *Women & Criminal Justice* 20(1-2):89-104. doi: 10.1080/08974451003641065

⁵¹ Polaris. (2019). *2019 Data report: U.S. national human trafficking hotline*. <https://polarisproject.org/wp-content/uploads/2019/09/Polaris-2019-US-National-Human-Trafficking-Hotline-Data-Report.pdf>.

⁵² Edinburgh, L., Pape-Blabolil, J., Harpin, S. B., & Saewyc, E. (2015). Assessing exploitation experiences of girls and boys seen at a child advocacy center. *Child Abuse & Neglect*, 46, 47-59.

⁵³ Gerassi, L. (2015). From exploitation to industry: Definitions, risks, and consequences of domestic sexual exploitation and sex work among women and girls. *Journal of Human Behavior in the Social Environment*, 25(6), 591-605.

⁵⁴ Williamson, C., Karandikar-Chheda, S., Barrows, J., Smouse, T., Kelly, G., Swartz, G., . . . Tame, C. (2010). *Ohio trafficking in persons study commission research and analysis sub-committee report on the prevalence of human trafficking in Ohio*.

⁵⁵ Miller-Perrin, C., and Wurtele, S. K. (2017). Sex trafficking and the commercial sexual exploitation of children. *Women & Therapy*, 40(1-2), 123-151.

⁵⁶ Hopper, E. K. (2017). Polyvictimization and developmental trauma adaptations in sex trafficked youth. *Journal of Child & Adolescent Trauma*, 10(2) 161-173. doi:10.1007/s40653-016-0114-z

⁵⁷ Kellison, B., Torres, M. I. M., Kammer-Kerwick, M., Hairston, D., Talley, M., & Busch-Armendariz, N. (2019). *“To the public, nothing was wrong with me”: Life experiences of minors and youth in Texas at risk for commercial sexual exploitation*. Institute on Domestic Violence & Sexual Assault, The University of Texas at Austin.

⁵⁸ Reid, J. A. (2012). *Girl’s path to prostitution: Linking caregiver adversity of child susceptibility*. LFB Scholarly Publishing LLC.

⁵⁹ Gerassi, L. (2015). From exploitation to industry: Definitions, risks, and consequences of domestic sexual exploitation and sex work among women and girls. *Journal of Human Behavior in the Social Environment*, 25(6), 591-605.

⁶⁰ Mitchell, K. J., Finkelhor, D., and Wolak, J. (2013). Sex trafficking cases involving minors. *Crimes Against Children Research Center*, University of New Hampshire.

⁶¹ Reid, J. A., Baglivio, M. T., Piquero, A. R., Greenwald, M. A., & Epps, N. (2017). Human trafficking of minors and childhood adversity in Florida. *American Journal of Public Health*, 107(2), 306-311.

children (worldwide) identified 1,698 studies, of which only 7 were specific to the United States.⁶² Among the scant collection of studies specific to domestic familial trafficking, prevalence estimates range from 3% to 44% of child trafficking cases.^{63,64} Yet within state-level trafficking reports—from the Atlantic to Pacific—we are starting to see mention of familial trafficking and its prevalence.

- In **South Carolina** (2021), familial trafficking ranked third (**19%**) in the top methods of recruitment.⁶⁵
- A 2022 report from the state of **Hawaii** finds that in **25%** of child trafficking cases, the first trafficker was a family member.⁶⁶
- The 2021 report in **Colorado** reflected “intrafamilial” as a perpetrator category in **42%** of reported cases.⁶⁷
- A report from **Minnesota** based on 2018 data found **45%** of victims were recruited by a familial trafficker and **24%** were trafficked by a familial party.⁶⁸
- A **Kentucky** study identified that **over half** the cases of sex trafficking over a five-year period were familial.⁶⁹ A 2020 report from the Kentucky Cabinet for Health and Family Services found “caretaker perpetrator” in **47%** of child trafficking cases.⁷⁰
- According to a study of four counties in **Mississippi**, familial trafficking was identified as the **most common** form of exploitation—more than gang related, pimp related, or survival sex.⁷¹

Polaris Project reports that in 2020, among all forms of trafficking whose recruitment relationships were known (4,142), the proportion of victims recruited by a family member or caregiver increased significantly – from 21% of all victims in 2019 to 31% in 2020 – a 47% increase.⁷² Therefore, emerging evidence suggests that familial trafficking is an under recognized, but significant, type of human trafficking in the United States.

Study Findings

In 2020 the author of this study conducted a smaller-scale pilot study which served as a useful precursor. That study had a sample of 38 respondents representing 1,696 sex trafficking cases. Of those, 307 or 18.1 percent were confirmed as FST. The current study represents 3,505 sex trafficking cases, of which 917 or 26.1 percent were confirmed as familial.

Survey respondents noted insufficient resources and training in forensic interviewing as impedi-

This study represented 3,505 sex trafficking cases, of which 917 or 26% were confirmed as familial.

⁶² Selvius, K., Wijkman, M. D. S., Slotboom, A., & Hendriks, J. (2018). Comparing intrafamilial child sexual abuse and commercial sexual exploitation of children: A systematic literature review on research methods and consequences. *Aggression and Violent Behavior, 41*, 62-73.

⁶³ Hopper, E. K. (2017). Polyvictimization and developmental trauma adaptations in sex trafficked youth. *Journal of Child & Adolescent Trauma, 10*(2) 161-173. doi:10.1007/s40653-016-0114-z

⁶⁴ Raphael, J., and DePaul University College of Law. (2019). Parents as pimps: Survivor accounts of trafficking of children in the united states. *Dignity: A Journal on Sexual Exploitation and Violence, 4*(4) doi:10.23860/dignity.2019.04.04.07

⁶⁵ South Carolina Attorney General’s Office. (2021). Annual report- South Carolina Human Trafficking Task Force.

⁶⁶ State of Hawai’i Department of the Attorney General. (2022). Initial report on the state’s efforts to address the commercial sexual exploitation of children. Requested by House Resolution No. 83, H.D. 1 Regular Session of 2021 Submitted to The Thirty-First State Legislature Regular Session of 2022

⁶⁷ Colorado Human Trafficking Council (2021). Annual Report to the Judiciary Committees of the House of Representatives and the Senate, pursuant to C.R.S. § 18-3-505

⁶⁸ Minnesota Office of Justice Programs Minnesota Statistical Analysis Center. (2019). Human trafficking in Minnesota. A Report to the Minnesota Legislature

⁶⁹ Middleton, J., Edwards, E., and Ayala, R. (2019). *Project PIVOT: Prevention and intervention for victims of trafficking: A preliminary report of child trafficking in Kentucky.*

⁷⁰ Department for Community Based Services- Cabinet for Health and Family Services (2020, November 1). Human Trafficking Report to Legislative Research Commission.

⁷¹ Beautiful Ones Ministries, Inc. (2015). Rapid assessment on domestic minor sex trafficking: Mississippi, Hinds, Madison, Rankin, and Warren counties. P.19

⁷² <https://polarisproject.org/2020-us-national-human-trafficking-hotline-statistics/>

ments to getting the victim to articulate what has occurred, or that Social Services does not assist as they should. More specifically, a survey respondent wrote, “[We need] child protection and law enforcement understanding the differences between sexual abuse and trafficking and the role of consent when it relates to commercial sexual exploitation of minors.” Several commented that they believe their incidents of familial cases to be much higher than reported: “familial trafficking happens but it’s either happening in a location where the locals don’t report it (for whatever reason) or where we simply don’t have sufficient law enforcement investigative resources to find the cases.”

Further study should refine our understanding of the prevalence of familial cases among the universe of DSMT cases. Still, for this study to suggest that familial cases may be 26 percent of all minor sex trafficking cases—irrespective of other demographic parameters—is to assert that this is a problem of significant proportion.

Characteristics

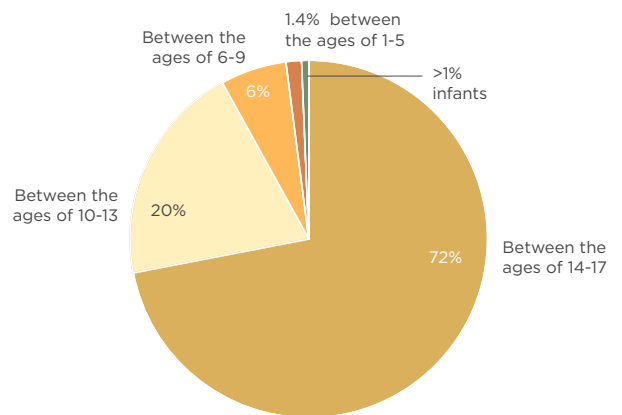
A 2004 analysis of 1,450 juvenile prostitution arrests from the National Incident-Based Reporting System (NIBRS) summarized: “the typical victim in these incidents was a lone 14-year-old female who was the victim of a sex offense by an adult male acquaintance or family member that occurred during the daytime in a residence or hotel/motel.”⁷³ This image provokes considerable distress but also begs more questions than it answers. How did a 14-year-old get to a motel? Who set up the transactions? Who benefitted from her abuse? Therefore, this study sought to assert a contemporary portrait of domestic minor familial sex trafficking by identifying the more common characteristics presenting in these cases.

Victim Profile

Age

Consistent with incest, where offenders tend to have younger victims and offend for longer periods of time^{74,75} children trafficked by a family member were found to be significantly younger than those trafficked by a non-family member^{76,77} and children who were trafficked by a family member were more likely to have more commercial assaults than children trafficked by non-family members.^{78,79,80} Sprang and Cole found the average age of a victim of familial trafficking in their study to be 11.96 years old and 58 percent female ($n = 31$).⁸¹ The Reid, Huard, and Haskell sample of FST victims ($n = 19$) averaged 11.5 years of age.⁸² Two studies found the average age of a victim of familial trafficking in their studies to be between 11.5 and 11.9 years old.^{83,84} A 2019 federal study on child maltreatment found that 76.1 percent of child sex trafficking cases had victims between the ages of 14-17.⁸⁵

Image 2: Age of Child Victims in this Sample



⁷³ Finkelhor, D., & Ormrod, R. (2004). Prostitution of Juveniles: Patterns From NIBRS. *Juvenile justice bulletin*. p.9

⁷⁴ Gekoski, A., and Broome, S. (2019). *Victims and Survivors' Own Stories of Intrafamilial Child Sexual Abuse*. Cambridge Scholars Publishing.

⁷⁵ Seto, M.C. (2008). *Pedophilia and sexual offending against children: Theory, assessment, and intervention*. American Psychological Association, Washington, DC (2008)

⁷⁶ Magalhães, T., Taveira, F., Jardim, P., Santos, L., Matos, E., and Santos, A. (2009). Sexual abuse of children. A comparative study of intra and extra-familial cases. *Journal of Forensic and Legal Medicine*, 16(8), 455-459.

⁷⁷ Reid, J. A., Huard, J., and Haskell, R. A. (2015). Family-facilitated juvenile sex trafficking. *Journal of Crime and Justice*, 38(3), 361-376.

⁷⁸ Middleton, J., Edwards, E., and Ayala, R. (2019). Project PIVOT: Prevention and intervention for victims of trafficking: A preliminary report of child trafficking in Kentucky.

⁷⁹ Gragg, F., Petta, I., Bernstein, H., Eisen, K., and Quinn, L. (2007). New York prevalence study of commercially sexually exploited children. *Rensselaer, NY: New York State Office of Children and Family Services*.

⁸⁰ Raphael, J., and DePaul University College of Law. (2019). Parents as pimps: Survivor accounts of trafficking of children in the united states. *Dignity: A Journal on Sexual Exploitation and Violence*, 4(4)

⁸¹ Sprang, G., and Cole, J. (2018). Familial sex trafficking of minors: Trafficking conditions, clinical presentation, and system involvement. *Journal of Family Violence*, 33(3), 185-195. doi:10.1007/s10896-018-9950-y

⁸² Reid, J. A., Huard, J., and Haskell, R. A. (2015). Family-facilitated juvenile sex trafficking. *Journal of Crime and Justice*, 38(3), 361-376.

⁸³ Reid, J. A., Huard, J., and Haskell, R. A. (2015). Family-facilitated juvenile sex trafficking. *Journal of Crime and Justice*, 38(3), 361-376.

⁸⁴ Sprang, G., and Cole, J. (2018). Familial sex trafficking of minors: Trafficking conditions, clinical presentation, and system involvement. *Journal of Family Violence*, 33(3), 185-195. doi:10.1007/s10896-018-9950-y

⁸⁵ U.S. Department of Health & Human Services, Administration for Children and Families, Administration on Children, Youth and Families, Children's Bureau. (2021). *Child Maltreatment 2019*. P.105

A 2020 study of familial trafficking found 84 percent of minor victims between the ages of 14-17 and 13 percent between ages 10-13.⁸⁶

This 2021 study represents the largest sample to date. Of the 3,505 trafficking cases represented, 917 were confirmed to be cases of familial sex trafficking with 900 victims identified at the time their cases were encountered. Of that sample of minor victims, 72 percent were between the ages of 14-17; 20 percent were between the ages of 10-13; 6 percent were between the ages of 6-9; 1.4 percent were between the ages of 1-5; and less than 1 percent were infants. What appears reliable is that pre-pubescent and adolescent females are the populations at greatest risk; however, at the time of this study one Midwest prosecutor was working an active case with 7 exploited children, all under the age of 10.

Sex

A Health and Human Services (2019) study on child maltreatment reported 88.4 percent of child sex trafficking victims were female and 10.6 percent were male.⁸⁷ The 2020 familial trafficking study found 93 percent of the minor victims were female; 7 percent were male.⁸⁸

Eighty-three percent of the minor victims in this study were female; 10.7 percent were male; and 6 percent of respondents did not specify. The average across these three studies suggests 88.1 percent female and 9.4 percent male. Across DMST and FST studies, this is a hardy statistic, but one to monitor in the years ahead.

Risk Factors

The Reid, Huard, and Haskell (2015) study offered the following contrast between familial and non-familial cases: children exploited by a family member were more likely to witness domestic violence (67% familial versus 27% non-familial); experience child sexual abuse (88% versus 35%); experience physical abuse (71% versus 30%) and be neglected or abandoned (83% versus 43%). The findings of this study not only reinforce those 2015 observations, but convey an even more dire situation for familial trafficked youth. Comparing the Allert (2021) study and the current study, all but three risk factors were within ten percentage points. Substance abuse/addiction in the home, suggestion or evidence of domestic violence, and acute poverty, however, jumped 20 percentage points in the current study. Therefore, we might infer that these three risk factors are reliable indicators for vulnerability to familial exploitation.

Some studies have reported that children trafficked by a family member were likely to have more commercial assaults than children trafficked by non-family members.^{89,90} While this study did not inquire as to the frequency of commercial sexual transactions, the literature suggests that chronic, repetitive sexual assault inflicts a unique type of trauma that must be understood if the victim is to be well-served.⁹¹ According to the Polaris Project Typologies of Modern Slavery report (2017), residential (in the home) trafficking tends to involve younger victims and include coercive compo-

Child victims averaged 88.1% female and 9.4% male.

Substance abuse/addiction in the home, suggestion or evidence of domestic violence, and acute poverty, however, jumped 20 percentage points in the current study.

⁸⁶ Allert, J. L. (2021). Justice Professionals' Lens on Familial Trafficking Cases. *Criminal Justice Review*, 07340168211024719.

⁸⁷ U.S. Department of Health & Human Services, Administration for Children and Families, Administration on Children, Youth and Families, Children's Bureau. (2021). *Child Maltreatment 2019*. P.104

⁸⁸ Allert, J. L. (2021). Justice Professionals' Lens on Familial Trafficking Cases. *Criminal Justice Review*, 07340168211024719.

⁸⁹ Middleton, J., Edwards, E., and Ayala, R. (2019). *Project PIVOT: Prevention and intervention for victims of trafficking: A preliminary report of child trafficking in Kentucky*.

⁹⁰ Gragg, F., Petta, I., Bernstein, H., Eisen, K., and Quinn, L. (2007). New York prevalence study of commercially sexually exploited children. *Rensselaer, NY: New York State Office of Children and Family Services*.

⁹¹ Herman, J.L. (2000). *Father-daughter incest*. Harvard University Press.

nents such as confinement, drugs, threats of harm, or threats to the familial relationship.⁹² One study contrasting intra-familial to extra-familial child sexual abuse found that verbal threat was the significantly more common form of coercion in intrafamilial cases versus physical threat in extra-familial.⁹³ The Reid, Huard, and Haskell (2015) study also offered that juveniles trafficked by family members were less likely to run away (69% familial versus with 92% non-familial), and less likely to use drugs and alcohol (56% versus 81%) during exploitation.⁹⁴ Additionally, Sprang and Cole reported that over half of the children in their study had attempted suicide in their lifetime.⁹⁵ All of these characteristics should compel future research.

The following risk factors (Table 2) were identified in this study as present in Half to All of the cases. It is important to consider that any of these factors may have existed at an even higher prevalence but may not have been apparent during the identification or investigative process. The following table reports the risk factors that were evident in Half to All Cases and the percentage of those same risk factors in All Cases.

Table 2 : Presence of Risk Factors in Half to All Familial Trafficking Cases (n = 917)

Present in Half to All Cases	Present in All Cases	Risk Factor
88.7%	22.6%	Acute poverty
86.8%	19.7%	Substance use/Addiction in the family
86.7%	23.3%	Suggestion or evidence of neglect of basic needs
83.9%	25.8%	Suggestion or evidence of verbal, emotional, spiritual abuse
81.0%	19.0%	Other criminal activity in the home
78.9%	17.5%	Suggestion or evidence of domestic violence
78.7%	26.2%	Housing instability
77.0%	18.0%	Single parent household
75.8%	16.1%	Absent or nonexistent father
73.2%	17.8%	Suggestion or evidence of other forms of childhood sexual abuse
62.2%	13.5%	Pattern of running away from home
55.2%	6.9%	Generational prostitution
50.0%	3.6%	Incarcerated family members
45.5%	3.6%	Pornography present in the home
24.1%	0%	Gang affiliation
10.3%	0%	Illegal immigration

⁹² Polaris. (2017). The typology of modern slavery: Defining sex and labor trafficking in the United States. *Polaris Project*.

⁹³ Magalhães, T., Taveira, F., Jardim, P., Santos, L., Matos, E., and Santos, A. (2009). Sexual abuse of children. A comparative study of intra and extra-familial cases. *Journal of Forensic and Legal Medicine*, 16(8), 455-459.

⁹⁴ Reid, J. A., Huard, J., and Haskell, R. A. (2015). Family-facilitated juvenile sex trafficking. *Journal of Crime and Justice*, 38(3), 361-376.

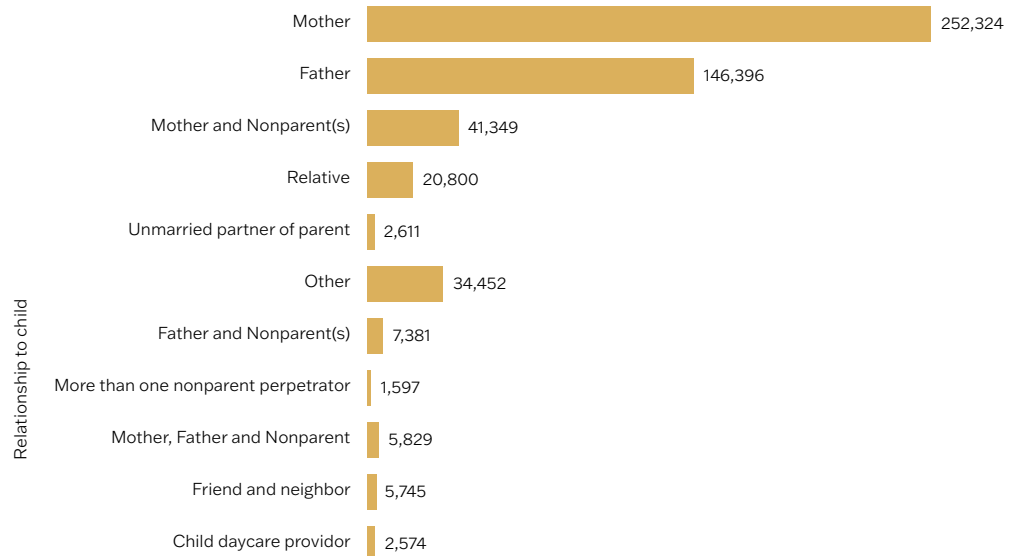
⁹⁵ Sprang, G., and Cole, J. (2018). Familial sex trafficking of minors: Trafficking conditions, clinical presentation, and system involvement. *Journal of Family Violence*, 33(3), 185-195. doi:10.1007/s10896-018-9950-y

Exploiter Profile

In a 2019 study by U.S. Health and Human Services, the biological mother was the most common perpetrator of child abuse (Image 3).⁹⁶ In intrafamilial sexual abuse (incest) cases, the perpetrator is more often the biological father, stepfather, or mother’s paramour.^{97,98,99} As previously mentioned, one of the factors that sets familial sex trafficking apart is the uniqueness of the relationship between offender and victim. Family members include consanguine (related by blood) family members, marital family members (related by law), and those that are functionally related (i.e., custodial non-parent, boyfriend or girlfriend of the parent). A 2021 report on child abuse by abuser found that 46 percent of cases were perpetrated by the child’s biological mother.¹⁰⁰ In FST, biological mothers were the perpetrator in 63-64.5 percent of cases.^{101,102} In a study of traffickers, Roe-Sepowitz reinforced that when the exploiter was a caregiver or guardian, the individual was more likely to be female.¹⁰³ Another study where all traffickers involved were family members showed that nearly 65 percent were the victim’s mother, and 32 percent were the victim’s father.¹⁰⁴

In a 2020 survey of familial cases, justice professionals identified the second most common exploiter profile as mother-plus-par-amour.¹⁰⁵ Sprang and Cole found evidence of Mother + Non-Relative in 45 percent of the cases,¹⁰⁶ and the Broad study (2015) found that

Image 3: Number of Child Abuse Victims in the United States (2019) by Perpetrator Relationship⁹⁷



⁹⁶ U.S. Department of Health and Human Services, Administration for Children and Families, Administration on Children, Youth and Families, Children’s Bureau. (2021). *Child Maltreatment 2019*, p.106

⁹⁷ Magalhães, T., Taveira, F., Jardim, P., Santos, L., Matos, E., and Santos, A. (2009). Sexual abuse of children. A comparative study of intra and extra-familial cases. *Journal of Forensic and Legal Medicine*, 16(8), 455-459.

⁹⁸ Silbert, M. H., and Pines, A. M. (1983). Early sexual exploitation as an influence in prostitution. *Social Work*, 28(4), 285-289. doi:10.1093/sw/28.4.285

⁹⁹ Koçtürk, N., and Yüksel, F. (2019). Characteristics of victims and perpetrators of intrafamilial sexual abuse. *Child Abuse and Neglect*, 96, 104122.

¹⁰⁰ Statista. (2021). *Number of child abuse victims in the United States in 2019, by perpetrator relationship*.

¹⁰¹ Sprang, G., and Cole, J. (2018). Familial sex trafficking of minors: Trafficking conditions, clinical presentation, and system involvement. *Journal of Family Violence*, 33(3), 185-195. doi:10.1007/s10896-018-9950-y

¹⁰² Reid, J. A., Huard, J., and Haskell, R. A. (2015). Family-facilitated juvenile sex trafficking. *Journal of Crime and Justice*, 38(3), 361-376.

¹⁰³ Roe-Sepowitz, D. E., Gallagher, J., Risinger, M., & Hickle, K. (2015). The sexual exploitation of girls in the United States: The role of female pimps. *Journal of Interpersonal Violence*, 30(16), 2814-2830.

¹⁰⁴ Sprang, G., and Cole, J. (2018). Familial sex trafficking of minors: Trafficking conditions, clinical presentation, and system involvement. *Journal of Family Violence*, 33(3), 185-195. doi:10.1007/s10896-018-9950-y

¹⁰⁵ Allert, J. L. (2021). Justice Professionals’ Lens on Familial Trafficking Cases. *Criminal Justice Review*, 07340168211024719.

¹⁰⁶ Sprang, G., and Cole, J. (2018). Familial sex trafficking of minors: Trafficking conditions, clinical presentation, and system involvement. *Journal of Family Violence*, 33(3), 185-195. doi:10.1007/s10896-018-9950-y

52 out of 71 cases of familial trafficking included mothers who collaborated with their intimate partners to exploit their children.¹⁰⁷

The most common perpetrator of familial trafficking in this study was—by wide margin—the child’s biological mother (60.29%). All respondents reported at least one case involving the biological mother of the victim as perpetrator. One federal prosecutor reported that her first familial case was a father and son exploiting the daughter-sister, but today she has eleven cases of women selling their children. One investigator noted, “The mom’s role is almost always overt if the child is being sold. If there’s porn being produced, that’s usually by a male in the home.” Table 3 records the relationship of the perpetrator to the victim in this sample of familial trafficking cases.

Table 3: Perpetrator Relationship to Familial Trafficking Victim (n = 917)

Percentage	Relationship
60.3%	Biological Mother
39.7%	Stepfather/Mother’s Boyfriend
39.7%	Unknown/Uncertain
33.8%	Biological Father
25.0%	Uncle
22.0%	Both parents together
11.7%	Female Sibling
11.7%	Grandparent
10.3%	Stepmother/Father’s Girlfriend
10.3%	Male Sibling
10.3%	Cousin
8.8%	Aunt

Seto (2008) suggests that incestuous behaviors are more likely to occur when the father does not perceive kinship cues or relatedness;¹⁰⁸ in other words, if the offender does not perceive a familial relationship to the child. The child, reportedly, experiences no such distancing.^{109,110} In a study of female incest perpetrators, the researcher referred to mother-child abuse as a “double betrayal” because the violation was of the child’s trust as well as the child’s affection and dependency.¹¹¹

While most child victims of sex trafficking are coerced into or retained within commercial sex by the perceived authority the offender has over the victim, the nature of that authority differs in familial cases. Dr. Judith Herman argues that “the question of whether force is involved is largely irrelevant, since force is rarely necessary to obtain compliance. The parent’s authority over the child is usually sufficient to compel obedience.”¹¹² There is no legal distinction for when the commercial sexual exploitation of a minor is at the hand of a related party; however, child abuse and incest literature offer considerable argument that the psychological, relational, and spiritual effects on the child are more acute when the perpetrator has the unique access, power, confinement, and the emotional

“the question of whether force is involved is largely irrelevant since force is rarely necessary to obtain compliance. The parent’s authority over the child is usually sufficient to compel obedience”

DR. JUDITH HERMAN

¹⁰⁷ Broad, R. (2015). ‘a vile and violent thing’: Female traffickers and the criminal justice response. *British Journal of Criminology*, 55(6), 1058-1075.

¹⁰⁸ Seto, M.C. (2008). *Pedophilia and sexual offending against children: Theory, assessment, and intervention*. American Psychological Association, Washington, DC (2008)

¹⁰⁹ Courtois, C. (2010). *Healing the incest wound*, Second Ed. W.W. Norton & Co Deloitte.

¹¹⁰ Herman, J.L. (2000). *Father-daughter incest*. Harvard University Press.

¹¹¹ Haliburn, J. (2019). Mother-child incest, psychosis, and the dynamics of relatedness. In *The Abused and the Abuser* (pp. 167-184). Routledge.

¹¹² Herman, J.L. (2000). *Father-daughter incest*. Harvard University Press. p.27

tie of a familial relationship.^{113,114,115,116,117 118,119}

This study also supported the work of several studies^{120,121,122,123} in finding a relationship between prior or current maternal prostitution and familial exploitation of children. Some familial victims are part of a generational family system of sexual abuse and/or prostitution.^{124,125} The Jaeckl & Laughon (2021) study found that one-third of DMST victims had family members who engaged in commercial sex and that was a statistically significant risk factor for a juvenile being sexually exploited. One study correlated that 35 percent of child trafficking victims had family members who engaged in commercial sex.¹²⁶ Based on a 2019 examination of exploited youth in three Texas cities, they cited most often that a family member introduced them to commercial sex.¹²⁷ Another study of juvenile exploitation in six American cities commented that there can be “family pressure to do it [when] their fathers are pimps and their mothers are prostitutes.”¹²⁸

Motive

An important distinction between incestuous child abuse and FST is the presence of an economic exchange, regardless of the form of commerce. Estes and Weiner (2001) identified four economic categories of sexually exploited children living at home:

- 1) those who are exploited to raise money to support drug habits;
- 2) those who use commercial sex to buy more expensive consumer goods;
- 3) those who engage in prostitution with their own peers; and
- 4) exploitation is approved by the parent(s) as it contributes to the household economy.¹²⁹

“I can’t think of a human trafficking case where drugs were not a factor or the impetus for the crime.”

FEDERAL PROSECUTOR

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- ¹¹³ Cook, A., Spinazzola, J., Ford, J., Lanktree, C., Blaustein, M., Cloitre, M., DeRosa, R., Hubbard, R., Kagan, R., Liautaud, J. and Mallah, K., (2017). Complex trauma in children and adolescents. *Psychiatric annals*, 35(5), pp.390-398.
- ¹¹⁴ Boon, C. (1986). Betrayal of trust: Father-daughter incest. *Sexual abuse of children in the 1980’s: ten essays and an annotated bibliography*, 80
- ¹¹⁵ Courtois, C. (2010). *Healing the incest wound*, Second Ed. W.W. Norton & Co Deloitte.
- ¹¹⁶ Herman, J.L. (2000). *Father-daughter incest*. Harvard University Press.
- ¹¹⁷ Gekoski, A., and Broome, S. (2019). *Victims and Survivors’ Own Stories of Intrafamilial Child Sexual Abuse*. Cambridge Scholars Publishing.
- ¹¹⁸ Sprang, G., and Cole, J. (2018). Familial sex trafficking of minors: Trafficking conditions, clinical presentation, and system involvement. *Journal of Family Violence*, 33(3), 185-195. doi:10.1007/s10896-018-9950-y
- ¹¹⁹ Koçtürk, N., and Yüksel, F. (2019). Characteristics of victims and perpetrators of intrafamilial sexual abuse. *Child Abuse and Neglect*, 96, 104122.
- ¹²⁰ Ventura, L., Williamson, C., Cox, J., DuPuy, R., Lambert, E., Benjamin, B., & Bryant, M. (2007). *Female offenders in the criminal justice system: Needs of and services for mothers and their children*. Bureau of Justice Programs.
- ¹²¹ Balgamwalla, S. (2016). Trafficking in narratives: Conceptualizing and recasting victims, offenders, and rescuers in the war on human trafficking. *Denver Law Review*, 94(1), 1-42.
- ¹²² Williamson, C., Karandikar-Chheda, S., Barrows, J., Smouse, T., Kelly, G., Swartz, G., . . . Tame, C. (2010). *Ohio trafficking in persons study commission research and analysis sub-committee report on the prevalence of human trafficking in Ohio*.
- ¹²³ Jaeckl, S., and Laughon, K. (2021). Risk factors and indicators for commercial sexual exploitation/Domestic minor sex trafficking of adolescent girls in the united states in the context of school nursing: An integrative review of the literature. *The Journal of School Nursing*, 37(1), 6-16.
- ¹²⁴ Balgamwalla, S. (2016). Trafficking in narratives: Conceptualizing and recasting victims, offenders, and rescuers in the war on human trafficking. *Denver Law Review*, 94(1), 1-42.
- ¹²⁵ Williamson, C., Karandikar-Chheda, S., Barrows, J., Smouse, T., Kelly, G., Swartz, G., . . . Tame, C. (2010). *Ohio trafficking in persons study commission research and analysis sub-committee report on the prevalence of human trafficking in Ohio*.
- ¹²⁶ Fedina, L., Williamson, C., and Perdue, T. (2019). Risk factors for domestic child sex trafficking in the United States. *Journal of Interpersonal Violence* 34(13).
- ¹²⁷ Kellison, B., Torres, M. I. M., Kammer-Kerwick, M., Hairston, D., Talley, M., & Busch-Armendariz, N. (2019). *“To the public, nothing was wrong with me”: Life experiences of minors and youth in Texas at risk for commercial sexual exploitation*. Institute on Domestic Violence & Sexual Assault, The University of Texas at Austin.
- ¹²⁸ Swaner, R., Labriola, M., Rempel, M., Walker, A., and Spadafore, J. (2016). *Youth involvement in the sex trade: A national study*. Center for Court Innovation.
- ¹²⁹ Estes, R. J., and Weiner, N. A. (2001). *The commercial sexual exploitation of children in the US, Canada, and Mexico*. Philadelphia: University of Pennsylvania, School of Social Work, Center for the Study of Youth Policy.

Respondents recorded the economic exchange that was employed in Half to All of the cases represented in this study (Table 4).

Table 4: Economic Exchange in Half to All Familial Trafficking Cases (n = 917)

Percentage	Economic Exchange
75.4%	Sex acts with the minor were exchanged for drugs
69.8%	Sex acts with the minor were exchanged for cash
60.3%	Sex acts with the minor were exchanged for material goods or services
33.3%	The minor was forced to perform sex acts live on camera
28.6%	The minor was used to facilitate the manufacture of pornography
15.4%	The minor was exchanged for sex among family members only
16.3%	Sex acts with the minor were exchanged for protection

In historical studies, the most common motive identified for familial trafficking was financial gain.^{130,131} Chohaney identified that one-third of CSEC victims [in Ohio] lived in familial poverty before their involvement in commercial sex.¹³² The motive of selling a child for sex in exchange for drugs was reported as prominent in other studies,^{133,134,135,136,137} but in this study was found to be the most common scenario at 75.4 percent of cases. Repeatedly, these professionals noted that the offending relative had a chronic drug addiction. Several interviewees confirmed the assertion that if there is a male involved, there is more likely to be the production and retail of child sexual abuse images. One Ohio prosecutor with over a decade of experience in trafficking cases reported that 100% of her minor cases involved the production of pornography as well as sexual exploitation.

Reported another professional with over a decade of experience with these crimes, “I can’t think of a human trafficking case where drugs were not a factor or the impetus for the crime.” That same individual suggested that if she could make the public aware of the single greatest prompting issue to familial trafficking, it would be the pervasive addiction across some communities to heroin, fentanyl, and methamphetamines.

Seventy-four percent of respondents indicated a child being smuggled into the country and sexually exploited was “None of the cases,” although 9 respondents reported encountering this scenario. Likewise, 87.8 percent of respondents indicated that they had not seen cases where children were sold for torture, rituals, or other forms of abuse, but five respondents indicated that they had encountered that type of case.

It’s either willful blindness or they are just so sick. What I hear often in these cases is, “I will do anything to get well.”

FEDERAL PROSECUTOR

¹³⁰ Reed, S. M., Kennedy, M. A., Decker, M. R., and Cimino, A. N. (2019). Friends, family, and boyfriends: An analysis of relationship pathways into commercial sexual exploitation. *Child Abuse and Neglect*, 90, 1-12. doi:10.1016/j.chiabu.2019.01.016

¹³¹ Reid, J. A., Huard, J., and Haskell, R. A. (2015). Family-facilitated juvenile sex trafficking. *Journal of Crime and Justice*, 38(3), 361-376.

¹³² Chohaney, M. L. (2016). Minor and adult domestic sex trafficking risk factors in Ohio. *Journal of the Society for Social Work and Research*, 7(1), 117-141.

¹³³ Allert, J. L. (2021). Justice Professionals’ Lens on Familial Trafficking Cases. *Criminal Justice Review*, 07340168211024719.

¹³⁴ Balgamwalla, S. (2016). Trafficking in narratives: Conceptualizing and recasting victims, offenders, and rescuers in the war on human trafficking. *Denver Law Review*, 94(1), 1-42.

¹³⁵ Middleton, J., Edwards, E., and Ayala, R. (2019). *Project PIVOT: Prevention and intervention for victims of trafficking: A preliminary report of child trafficking in Kentucky*.

¹³⁶ Estes, R. J., and Weiner, N. A. (2001). *The commercial sexual exploitation of children in the US, Canada, and Mexico*. Philadelphia: University of Pennsylvania, School of Social Work, Center for the Study of Youth Policy.

¹³⁷ Litam, S. D. A. (2017). Human sex trafficking in America: What counselors need to know. *Professional Counselor*, 7(1), 45-61.

Venues

Consistent with intrafamilial sexual abuse,¹³⁸ we might assume familial trafficking occurs only or primarily within the home. However, early research suggests children exploited by family members may be abused within the home, driven to buyer locations, or taken to strip clubs, parties, and other venues where sexual abuse of children is a part of the experience.^{139,140} Commercial sexual exploitation of children may include the selling of minors for prostitution, the production of pornography, stripping and nude dancing, or live sex shows.¹⁴¹ It involves the exchange of anything of value for the sexual act of the minor (TVPA, 2000, Sec. 103(3)). It is therefore not yet known if there is a distinct pattern or set of characteristics for where familial trafficking takes place.

What is known is that minors victimized in one form of sex trafficking are often victimized in other forms.¹⁴² The U.S. Federal statute 18 U.S. Code § 2251- Sexual Exploitation of Children explicitly states that “any person who employs, uses, persuades, induces, entices, or coerces any minor to engage in...any sexually explicit conduct for the purpose of producing any visual depiction of such conduct or for the purpose of transmitting a live visual depiction of such conduct, shall be punished as provided.” With the ubiquitous and private nature of video recording technology, the proliferation of pornographic websites, image-swapping communities, and the Dark Web, there is also a disturbing ease—and growing economy—by which family members can exploit children in the home to manufacture pornography. In 2005 Mitchell, Finkelhor and Wolak reviewed 796 cases of juvenile prostitution over a one-year period and found that most of the activity involved disseminating child pornography images to other offenders online. Forty-four percent involved family member perpetrators.¹⁴³ Sprang and Cole found that familial trafficking included the manufacture of pornography in 50 percent of the cases.¹⁴⁴ Several interviewees confirmed the assertion that if there is a male involved, there is more likely to be the production and retail of child sexual abuse images. One Ohio prosecutor with over a decade of experience in trafficking cases reported that 100% of her minor cases involved the production of pornography as well as sexual exploitation.

The complexity of these cases may best be understood by illustration. In the Eastern District of Virginia, Hooper, a 53-year-old man, was indicted for producing child pornography of two children, ages 14 and 15. He paid a woman to transport the children to him, to secure specific clothing, and took photos and videos of the juveniles in various sex acts with him.¹⁴⁵ Hooper received a life sentence for sexual exploitation of a child under the manufacture and distribution of pornography statute.¹⁴⁶ The female co-conspirator was charged with sex trafficking of a minor. The initial disclosure of the abuse to the police was made by the adult sister of the 15-year-old girl. It was never mentioned in the media that the co-conspirator was the victim’s own mother, or the case was

¹³⁸ Magalhães, T., Taveira, F., Jardim, P., Santos, L., Matos, E., and Santos, A. (2009). Sexual abuse of children. A comparative study of intra and extra-familial cases. *Journal of Forensic and Legal Medicine*, 16(8), 455-459.

¹³⁹ Allert, J. L. (2021). Justice Professionals’ Lens on Familial Trafficking Cases. *Criminal Justice Review*, 07340168211024719.

¹⁴⁰ Sprang, G., and Cole, J. (2018). Familial sex trafficking of minors: Trafficking conditions, clinical presentation, and system involvement. *Journal of Family Violence*, 33(3), 185-195. doi:10.1007/s10896-018-9950-y

¹⁴¹ Reid, J. A. (2012). *Girl’s path to prostitution: Linking caregiver adversity of child susceptibility*. LFB Scholarly Publishing LLC.

¹⁴² Hughes, D.M. (2005). *The demand for victims of sex trafficking*. University of Rhode Island, Women’s Study Program.

¹⁴³ Mitchell, K.J., Finkelhor, D., and Wolak, J. (2005). The Internet and family and acquaintance sexual abuse. *Child Maltreatment*, 10 (1), 49-60.

¹⁴⁴ Sprang, G., and Cole, J. (2018). Familial sex trafficking of minors: Trafficking conditions, clinical presentation, and system involvement. *Journal of Family Violence*, 33(3), 185-195. doi:10.1007/s10896-018-9950-y

¹⁴⁵ Hamilton, S. (2020, September 16). Hooper trial underway in Richmond. *Gloucester-Mathews Gazette-Journal*. <https://www.gazettejournal.net/hooper-trial-underway-in-richmond>

¹⁴⁶ Wavy (2021, May 3). Mathews County yacht owner sentenced to life in prison in child pornography case. *Channel 10 Wavy*.

disclosed by a sister. The complicated familial dynamics, the overlap of criminal activities, and how these cases traverse the judicial process gives credence to the importance of this study.

The following table records responses for where *Half* to *All* of the familial trafficking cases in this study took place. Among the responses that were reported *All* of the Time, exploited online (8.11%), in the home with parents present (7.27%), transported to other locations (7.14%), and transported to hotel/motel (7.02%).

Table 5: Venue for Half to All Familial Trafficking Cases

Percentage	Venue
64.9%	Exploited online
63.8%	Transported to the buyer’s location
61.4%	Transported to a hotel/motel
53.6%	Transported to another location
49.1%	In a vehicle
49.1%	In the child’s home with parent(s) present
32.0%	In the child’s home with parent(s) absent

This study noted an increase in the percentage of familial trafficking cases in all venues, but most notably observed high percentages in the child being transported from the home to other locations. This would suggest the opportunity for public witnesses who might be educated to become more alert and report, which also opens up the definition of culpability to all persons who aid or abet this crime.

What might be considered significant is that between this and the Allert pilot study in 2020, the U.S. experienced a challenging time of pandemic lockdowns, record unemployment, hostility towards police, and an influx of the drug trade through our southern borders. It is worth further sociological study to explore whether during this time of unrest, the criminal impulse became more brazen, more desperate, or less concerned about exposure such that this study would see an increase in behaviors that could lead to the risk of public exposure. The following table reflects the significant increase in venue changes between these two research points.

Table 6: Venue Comparison for 2020 and 2021 Findings

2020 Percentage	2021 Percentage	Venue
Not asked	64.9%	Exploited online
28.6%	63.8%	Transported to the buyer’s location
42.0%	61.4%	Transported to a hotel/motel
22.0%	53.6%	Transported to another location
8.3%	49.1%	In a vehicle
11.4%	49.1%	In the child’s home with parent(s) present
3.0%	32.0%	In the child’s home with parent(s) absent

There was also a contrast between the Allert (2020) study and the current study in relationship to the exploitation of children for the manufacture of pornography and the use of the internet to advertise sex with a minor. In the former study, the assumption on behalf of the researcher was that familial exploiters would not risk criminal exposure by advertising a child online; therefore, that option for venue was not asked in early 2020. Yet between January and November 2020, the National Center for Missing and Exploited Children (NCMEC) reported a 98.66% increase in disclosures of online sexual solicitation of children compared to the same time period last year.¹⁴⁷ This study, based on case experience 2018 through 2021, reported online exploitation as the most common at 64.9 percent occurring in Most or All cases. While tragic, the high percentage of online exploitation may offer a digital trail that could provide the often-missing evidentiary support needed for these cases.

¹⁴⁷ NCMEC. (2020). COVID-19 and Missing & Exploited Children. <https://www.missingkids.org/blog/2020/covid-19-and-missing-and-exploited-children>

Challenges

For justice to have an opportunity, there must be a breach in the law and evidence sufficient to prove the offense. That is challenging in familial cases as there are a myriad of dynamics at play. To understand those dynamics, the study invited respondents to rank order the most prevalent challenges with 1 as the least and 10 as the greatest. Table 7 offers ten options and how those challenges were ranked. Notice how the top 3 items are evidentiary in nature.

Table 7: Ranking of Challenges in Familial Trafficking Cases

Order	Ranking	Challenge
1	8.0	Minor is unwilling to testify against offending family member(s)
2	6.1	There is usually not enough evidence to prosecute these cases
3	6.1	Minor’s testimony is not believed
4	5.9	Laws or penalties are not written with family perpetrators in mind
5	5.6	We have no (or inadequate) options for alternative placement of minors
6	5.2	Victim service agencies allow contact with offending family member(s)
7	5.0	Social services favor placing the minor with family
8	4.9	There is usually a great deal of collusion in these cases
9	4.6	Prosecutors will not take these types of cases
10	3.5	These cases are not a priority in our jurisdiction

Identification

There is a shroud of secrecy that insulates the child victim from disclosure or from outsiders catching suspicion.¹⁴⁸ In the Silbert and Pines study (1986), 63 percent of intrafamilial abuse victims never told anyone about their lives at home and the abuse they suffered. Cecchet and Thoburn (2014) suggest that youth often do not recognize or disclose their exploitation because they have family members who are engaged in the sex trade which may normalize those activities.¹⁴⁹ The emotional proximity between the victim and abuser makes disclosure from the victim or detection by a third party more difficult and less likely.^{150,151} Yet as Farrell, Owens, and McDevitt (2014) argue, current interventions are inadequate. More emphasis should be placed on policies that identify and serve victims.¹⁵²

The indicators for familial trafficking can also be different than indicators for other types of trafficking.¹⁵³ From one report in Mississippi:

“It is important to realize that victims are not always picked up and whisked away by their traffickers. In cases of familial trafficking, the children still go to school, attend functions, and go out in the community. Even when victims have freedom of movement, it does not mean

¹⁴⁸ Ford, J.D. and Courtois, C. A. (Eds.). (2020). *Treating complex traumatic stress disorders in adults*. Guilford Press.

¹⁴⁹ Cecchet, S. J., and Thoburn, J. (2014). The psychological experience of child and adolescent sex trafficking in the United States: Trauma and resilience in survivors. *Psychological trauma: theory, research, practice, and policy*, 6(5), 482.

¹⁵⁰ Magalhães, T., Taveira, F., Jardim, P., Santos, L., Matos, E., and Santos, A. (2009). Sexual abuse of children. A comparative study of intra and extra-familial cases. *Journal of Forensic and Legal Medicine*, 16(8), 455-459.

¹⁵¹ Katz, C., and Field, N. (2020). Unspoken: Child–Perpetrator dynamic in the context of intrafamilial child sexual abuse. *Journal of Interpersonal Violence*, 88626052094372-886260520943723. doi:10.1177/0886260520943723

¹⁵² Farrell, A., Owens, C., and Mcdevitt, J. (2014). New laws but few cases: understanding the challenges to the investigation and prosecution of human trafficking cases. *Crime, Law and Social Change*, 61(2), 139-168.

¹⁵³ U.S. Department of State. (2021). *Trafficking in Persons Report*. Special Topics

they are not trapped. In fact, this can make them even more loyal to their trafficker because it allows them to think they have a ‘choice’ in staying.”¹⁵⁴

In a recent case, John Griffin, CNN Producer, was charged with enticing minors to engage in unlawful sexual activity. The case included multiple charges of Griffin soliciting mothers to perform sexual acts with their daughters online, or paying the mothers of young girls to fly with their children to his location in Vermont for “sexual training.”¹⁵⁵ Given the secrecy of what a mother might do within her own home, or the normalcy of a mother escorting her child on travel, we understand the lament of one respondent who wrote, “We are not seeing these victims—and that’s the problem!”

The limited research on this topic suggests that cases of familial exploitation are not only rarely identified, but those that have been identified are more often discerned by healthcare providers, child welfare workers, education providers, or law enforcement professionals^{156,157} based on whatever training each may have had.

So whose responsibility is it to identify and account for these children? Given that Child Protective Services (CPS) primarily deals with perpetrators of abuse who are parents or caregivers,¹⁵⁸ they have the opportunity to be on the frontlines of identifying familial trafficking. This effort, however, did not uncover a study that suggests CPS workers are being consistently trained on identifying cases of FST. In a 2016 report on trafficking in the state of Texas, the authors noted: “It is often assumed that Child Protective Services (CPS) will get involved on all cases of child endangerment, but they only have jurisdiction in cases of familial trafficking, where the trafficker is a parent or caregiver.”¹⁵⁹ It is worth noting that HHS “instructs states to conduct a CPS response for sex trafficking cases [also] by non-caregivers and to consider sex trafficking victims who are older than 21 and younger than 24 as children, which is outside of the traditional scope of CPS.”¹⁶⁰

A number of state reports acknowledge that screening is either not in place or insufficient.^{161,162} In the 2021 study 38 respondents offered their subjective observations on the most common impediments to identifying cases of FST. Those observations are summarized below.

Screening Tools. Relying on tools to facilitate identification is currently an insufficient strategy. Contemporary screening tools do not necessarily ascertain the relationship of the perpetrator to the minor victim,^{163,164} which ignores one of the critical factors of FTS. Many

¹⁵⁴ Beautiful Ones Ministries, Inc. (2015). *Rapid assessment on domestic minor sex trafficking: Mississippi, Hinds, Madison, Rankin, and Warren counties*. p.19

¹⁵⁵ <https://www.dailymail.co.uk/news/article-10298845/CNN-employee-accused-luring-mom-daughter-home-train-sexually-submissive.html>

¹⁵⁶ Sprang, G., and Cole, J. (2018). Familial sex trafficking of minors: Trafficking conditions, clinical presentation, and system involvement. *Journal of Family Violence*, 33(3), 185-195. doi:10.1007/s10896-018-9950-y

¹⁵⁷ Marburger, K., and Pickover, S. (2020). A comprehensive perspective on treating victims of human trafficking. *The Professional Counselor*, 10(1), 13-24.

¹⁵⁸ Hartinger-Saunders, R. M., Trouteaud, A. R., & Matos Johnson, J. (2017). Mandated reporters’ perceptions of and encounters with domestic minor sex trafficking of adolescent females in the United States. *American journal of orthopsychiatry*, 87(3), 195.

¹⁵⁹ Busch-Armentariz, N.B., Nale, N.L., Kammer-Kerwick, M., Kellison, B., Torres, M.I.M., Cook-Heffron, L., Nehme, J. (2016). *Human Trafficking by the Numbers: Initial Benchmarks of Prevalence & Economic Impact in Texas*. Austin, TX: Institute on Domestic Violence & Sexual Assault, The University of Texas at Austin.p.93

¹⁶⁰ U.S. Department of Health & Human Services, Administration for Children and Families, Administration on Children, Youth and Families, Children’s Bureau. (2021). *Child Maltreatment 2019*, p.97

¹⁶¹ Roe-Sepowitz, D., Gallagher, J., Steving, K., and Lucchesi, L. (2020, December). *Maricopa county sex trafficking collaborative – Analysis of three years of cases*. p.4

¹⁶² State of Hawai’i Department of the Attorney General. (2022). *Initial report on the state’s efforts to address the commercial sexual exploitation of children*. Requested by House Resolution No. 83, H.D. 1 Regular Session of 2021 Submitted to The Thirty-First State Legislature Regular Session of 2022

¹⁶³ Reid, J. A., Baglivio, M. T., Piquero, A. R., Greenwald, M. A., & Epps, N. (2017). Human trafficking of minors and childhood adversity in Florida. *American Journal of Public Health*, 107(2), 306-311.

¹⁶⁴ Hartinger-Saunders, R. M., Trouteaud, A. R., & Matos Johnson, J. (2017). Mandated reporters’ perceptions of and encounters with domestic minor sex trafficking of adolescent females in the United States. *American journal of orthopsychiatry*, 87(3), 195.

contemporary screening tools in use fail to include questions that would suggest a familial perpetrator(s). Only 15 respondents (22%) indicated that they use a specific screening tool to distinguish sex trafficking cases. The most cited tool in use was CSE-IT (Commercial Sexual Exploitation Identification Tool) with three mentions. Four individuals reported that their agency had to modify a publicly available tool.

One investigator noted that the language of the law in his state was that “screening was recommended,” not necessarily required. Screening for trafficking should be mandatory for all juvenile justice identified youth, with specific screening for FST among youth engaged in commercial sex. As with other types of child abuse, however, the child trafficking identified by authorities is likely still only a fraction of what is truly occurring.^{165,166,167}

Lack of Training. Because DMST is a relatively new term, it is reasonable to assume that it causes confusion and reporting inconsistencies.¹⁶⁸ Consistent and coherent training is also lacking. In a study of the states that changed their mandated reporting laws to include human trafficking, “none of the fourteen states that changed their mandatory reporting laws to address child trafficking expressly mandate training for all mandatory reporters on how to identify and respond to human trafficking.”¹⁶⁹ It is therefore unknown whether, since 2016, mandated reporters across different professions have been given specific and sufficient training related to identify and respond to DMST.

Ten respondents noted that the lack of training among frontline professionals (mandated reporters, children’s services, and first responders) impeded the proper identification of these cases. Study participants suggested that a “lack of experience, training, expertise and willingness of street level officers to recognize the situation” contributes to what they assumed to be a high number of overlooked cases. A few respondents indicated that there are very few—if any—tips related to familial cases, and because they do not have explicit categorization of these cases as familial, it is difficult to learn from them. One law enforcement investigator with 15 years’ experience in trafficking cases noted that specific training on trafficking is not required—nor is the training consistent across jurisdictions—for officers assigned to trafficking cases.¹⁷⁰ Lack of training or inconsistent training for those on the frontlines and across the justice process impacts the ability to have reliable, actionable prevalence figures.^{171,172,173,174}

¹⁶⁵ Finkelhor, D., & Ormrod, R. (2004). Prostitution of Juveniles: Patterns From NIBRS. *Juvenile justice bulletin*.

¹⁶⁶ Hartinger-Saunders, R. M., Trouteaud, A. R., & Matos Johnson, J. (2017). Mandated reporters’ perceptions of and encounters with domestic minor sex trafficking of adolescent females in the United States. *American journal of orthopsychiatry*, 87(3), 195.

¹⁶⁷ Reid, J. A., Baglivio, M. T., Piquero, A. R., Greenwald, M. A., & Epps, N. (2017). Human trafficking of minors and childhood adversity in Florida. *American Journal of Public Health*, 107(2), 306–311.

¹⁶⁸ Hartinger-Saunders, R. M., Trouteaud, A. R., & Matos Johnson, J. (2017). Mandated reporters’ perceptions of and encounters with domestic minor sex trafficking of adolescent females in the United States. *American journal of orthopsychiatry*, 87(3), 195.

¹⁶⁹ Todres, J. (2016). Can mandatory reporting laws help child survivors of human trafficking? *Wisconsin Law Review Forward*, 2016, 69-78.

¹⁷⁰ Lewis, J. (2021, May 24). Personal conversation.

¹⁷¹ Dedel, K. (2010). *The Problem of child abuse and neglect in the home*. Guide No. 55. ASU Center for Problem-Oriented Policing.

¹⁷² Swaner, R., Labriola, M., Rempel, M., Walker, A., and Spadafore, J. (2016). *Youth involvement in the sex trade: A national study*. Center for Court Innovation.

¹⁷³ Hartinger-Saunders, R. M., Trouteaud, A. R., & Matos Johnson, J. (2017). Mandated reporters’ perceptions of and encounters with domestic minor sex trafficking of adolescent females in the United States. *American journal of orthopsychiatry*, 87(3), 195.

¹⁷⁴ Mitchell, K. J., Finkelhor, D., and Wolak, J. (2013). Sex trafficking cases involving minors. *Crimes Against Children Research Center*, University of New Hampshire.

Disclosure by the victim. It is well established that children who are sexually abused in the home, including those who are victims of incestuous abuse, are less likely to self-report.^{175,176,177} One respondent summed up a common observation: “The child is not made aware of the exchange of goods/money/something of value and the case is recorded as child sex abuse. The child victim witness is unable to testify to the commercial exchange because they [sic] did not witness it. However, investigators do not pursue other options like interviewing other family members in order to gather that vital piece of evidence.” The suggestion here is that if children understood what was happening, they would disclose and/or testify—or would they? As one survey respondent noted, there is a resistance for the victim to talk to police, even more so than in a non-familial case. Intertwined with unwillingness to disclose, is lack of cooperation with the process. “Other family members protect the suspect” and “there is pressure within the family to keep quiet” were recurring themes.

Underground. Two respondents alluded to the secretive nature of familial trafficking, particularly in how the child is advertised to buyers: “The trafficking is not typically advertised online via traditional means (i.e., prostitution hub websites, dating websites), which is the way we typically identify trafficking victims” and “[there is a difference in] methods of advertising, not on the internet, but by word of mouth.” In clandestine systems there is not the same kind of digital trail that can be followed. Had the outcome of a case of familial trafficking not ended in the death of 5-year old Kamarie Holland, her mother Kristy Siple (GA) may never have been identified as having sold her daughter to Jeremy Williams (AL) for sexual abuse in a nearby motel.¹⁷⁸

Reporting Bias. Familial trafficking may be one of the most under-detected crimes because society is either ignorant to the fact that family member(s) profiting from the exploitation of children is trafficking¹⁷⁹ or social bias inhibits plausibility that a parent or close relative would perpetrate such abuse against a child, and for commercial gain. This bias of belief can have a powerful effect on what we allow ourselves to see. Anna Salter, expert on sexual predators, points out: “[Personal bias does] half the work for the offender. If you have an unconscious bias toward discounting the accusation, you will look for signs that bolster your belief, not for signs that challenge it.”¹⁸⁰ Idealism about family or parenthood also may cloud our perception of these cases and color the lens through which we see what is happening to children.

It is likewise unclear whether perceptions or beliefs about sexual exploitation on behalf of those on the frontlines impede decisions to report. In a disturbing study on mandated reporters (school and healthcare professionals), 96.6 percent of reporters indicated that they would definitely report if they knew an adolescent was being sexually exploited by a family member, but some indicated they would probably *not* report if they had knowledge of an adolescent being used in pornographic imagery (12.4%), being pressured to exchange sex for money or goods (17.9%), or working at a strip club (18.5%) and 57.2 percent of mandated reporters in the sample believed that some adolescent girls choose to

In clandestine systems there is not the same kind of digital trail that can be followed.

¹⁷⁵ Herman, J.L. (2000). *Father-daughter incest*. Harvard University Press.

¹⁷⁶ Schlesinger, B. (2019). An inventory of findings. In *Sexual Abuse of Children*, 11-39.

¹⁷⁷ Raphael, J., and DePaul University College of Law. (2019). Parents as pimps: Survivor accounts of trafficking of children in the united states. *Dignity: A Journal on Sexual Exploitation and Violence*, 4(4)

¹⁷⁸ Fox News. (2022, January 2). Georgia mom sold murdered 5-year-old daughter as sex slave, warrant alleges

¹⁷⁹ Smith, L., Vardaman, S. H., and Snow, M. (2009). *The national report on domestic minor sex trafficking: America's prostituted children*.

¹⁸⁰ Salter, A. (2003). *Predators – pedophiles, rapists, and other sex offenders*. Basic Books. p.204

prostitute.¹⁸¹ These perceptions or beliefs speak to an ignorance of the laws protecting children from abuse and a lack of training within these professions. In fact, out of the 577 mandated reporters in the sample, 60 percent indicated that they had received no training of any kind related to identification and reporting of child sexual exploitation.¹⁸²

Misidentification. It is not known if juveniles who are being exploited by a family member present as a victim of solo or third-party DMST. An adolescent dropped off at a motel or taken to a strip club by a parent could be misidentified as a delinquent youth acting independently.¹⁸³ Law enforcement and juvenile justice agencies may be among the most likely to collect data or track child sex trafficking victims as such minors who have been detained as juvenile delinquents.^{184, 185} According to Reid et al., exploited youth are frequently arrested and detained in the juvenile justice system because:

- (1) they may be wrongly identified as offenders,
- (2) they may have been manipulated by exploiters to engage in other criminal offenses, and/or
- (3) their victimization may coincide with alcohol or drug use, increasing the likelihood of being identified by law enforcement.¹⁸⁶

It is unlikely the juvenile is going to disclose the familial exploiter; the child may instead point culpability elsewhere or incur it him/herself. This study lends credibility to the hypothesis that juveniles identified as engaging in commercial sex could be misidentified as delinquents, not familial victims. Given that this sample of familial cases reflected a majority (72%) of older minors (age 13-17) and half-to-all cases involved a minor being taken to the buyer's location (63.8%), taken to a hotel (61.4%) or to another location (53.6%); it is not surprising that 79.4 percent of respondents encountered a case where the juvenile was apprehended for engaging in commercial sex outside of the home, only to find out through investigation that the juvenile's exploiter was a family member. Several write-in and interview comments spoke to the dearth of training among frontline professionals which impeded their ability to accurately discern juvenile cases as familial.

Time. The interviews in this study yielded that time and relationship with the victim were critical to the disclosure of familial trafficking. One Texas investigator with over 11 years of experience with trafficking cases reported that all of the familial victims in his case history were being exploited by an outsider at the time they came to law enforcement's attention. It was only after a long period of developing rapport that victims disclosed being introduced to exploitation by their biological mother, usually around age 13-14.

"It's not your job to test the voracity of the child's testimony; just believe the kid and report it."

LAW ENFORCEMENT

¹⁸¹ Hartinger-Saunders, R. M., Trouteaud, A. R., & Matos Johnson, J. (2017). Mandated reporters' perceptions of and encounters with domestic minor sex trafficking of adolescent females in the United States. *American journal of orthopsychiatry*, 87(3), 195.

¹⁸² Ibid.

¹⁸³ Mitchell, K. J., Finkelhor, D., and Wolak, J. (2010). Conceptualizing juvenile prostitution as child maltreatment: Findings from the National Juvenile Prostitution Study. *Child Maltreatment*, 15(1), 18-36.

¹⁸⁴ Halter, S. (2010). Factors that influence police conceptualizations of girls involved in prostitution in six US cities: Child sexual exploitation victims or delinquents? *Child maltreatment*, 15(2), 152-160.

¹⁸⁵ 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.*

¹⁸⁶ Reid, J. A., Baglivio, M. T., Piquero, A. R., Greenwald, M. A., & Epps, N. (2017). Human trafficking of minors and childhood adversity in Florida. *American Journal of Public Health*, 107(2), 306-311.

Credibility. The third most cited impediment to identifying cases is that the child’s testimony is often not believed.¹⁸⁷ One investigator who was interviewed exhorted other mandated reporters, “It’s not your job to test the voracity of the child’s testimony; just believe the kid and report it.” Several respondents commented on the challenge of finding credible witnesses or corroborating evidence given the protective nature of the family dynamic and the secrecy of the criminal acts. One federal prosecutor added that in these cases, they have to secure a great deal of corroboration because the victim-witness isn’t likely to be reliable. “They don’t lock into their statements, and they are easily influenced by others.”

Investigation

The 2021 study asked respondents to report on how dependent they are on investigative work to confirm a familial trafficking case. Based on their responses for Most or All cases worked, respondents indicated:

- they know that the case is familial at the time the case is identified (50.6%);
- it takes some investigative work to determine the case is familial (54.5%);
- it takes considerable work to be certain the trafficking is familial (39.4%); and
- they are never really sure because these cases are so complex (13%).

The survey inquired as to how often these trafficking cases ended in arrest of the familial perpetrator. The majority of responses indicated Some (22%), a Few (28%), or None (18%) with 9 percent not knowing the outcome of their cases. The following section represents some of the more common challenges in the investigative process.

On-going Contact. Almost 60 percent of familial trafficking victims have ongoing contact with their trafficker, making it exceedingly difficult for children and youth to remove themselves from harmful situations and protect themselves—both physically and psychologically.¹⁸⁸ This leaves the child under the emotional and psychological coercion of not only the perpetrator, but the family’s entire system of abuse—and virtually ensures that the child will be confounded and confused as a potential witness.¹⁸⁹

It is safe to assume that the familial exploiter is not going to be cooperative to the investigative process. Accused caretakers may refuse entry to the home or access to the victim, both of which are essential to determining whether abuse occurred and whether the child is still at risk of harm.¹⁹⁰ In the Allert (2021) study, justice professionals commented that juvenile witnesses (and other family members) being uncooperative to the investigative process was a prominent and consistent factor in FST cases.

Protecting the Perpetrator. Once a child has been sexually victimized or trafficked by a family member, permanent separation for the victim from the perpetrator is the most common proposed option. This option may also mean a closed door for any future reconciliation and reestablishment within the home or within the family, and the threat of that loss can be overwhelming to a child. In a child’s economy, the risk of losing this primary relationship

“These cases take a lot longer to investigate from the jump. You have to build so much corroboration because victims don’t lock into their statements”

PROSECUTOR WITH
10 YEARS’ EXPERIENCE

“There is a world and a reality that the child shares only with his/her abuser, which is why s/he may feel their abuser is the only one who truly knows them”

KATZ & FIELD, 2020

¹⁸⁷ Melkman, E. P., Hershkowitz, I., and Zur, R. (2017). Credibility assessment in child sexual abuse investigations: A descriptive analysis. *Child Abuse and Neglect*, 67, 76-85. doi:10.1016/j.chiabu.2017.01.027

¹⁸⁸ Sprang, G., and Cole, J. (2018). Familial sex trafficking of minors: Trafficking conditions, clinical presentation, and system involvement. *Journal of Family Violence*, 33(3), 185-195. doi:10.1007/s10896-018-9950-y

¹⁸⁹ Allert, J. L. (2021). Justice Professionals’ Lens on Familial Trafficking Cases. *Criminal Justice Review*, 07340168211024719.

¹⁹⁰ Dedel, K. (2010). *The Problem of child abuse and neglect in the home*. Guide No. 55. ASU Center for Problem-Oriented Policing.

can be more devastating than the abuse s/he must suffer to keep it.¹⁹¹ As such, the victim may subvert any efforts to expose the perpetrator, fearing the loss of that relationship, or the whole family. There can be a desire in the child victim to protect the perpetrator¹⁹² or at least protect the family system. Comparing the perception of threat in familial trafficking to that of incest, we must consider that “no matter how miserable the daughter may be, she is likely to remain silent as long as she fears that a word from her will loose [sic] the full vengeance of the law upon her parent, her family, herself.”¹⁹³ For some children, an abusive adult is the only caregiver they have, and many choose to stay with “the devil they know” instead of risk the devil they don’t.

“A victim may also feel a sense of loyalty to the abuser, and while the victim may want the abuse to stop, he or she may not want the perpetrator to be punished.”¹⁹⁴ As noted by Katz and Field (2020), “there is a world and a reality that the child shares only with his/her abuser, which is why s/he may feel their abuser is the only one who truly knows them” (p. 5). Trauma specialist Bessel van der Kolk offers: “When trauma emanates from within the family, children experience a crisis of loyalty and organize their behavior to survive within their families.”¹⁹⁵ Familial trafficking cases can be much more complex given that the entire family system is often affected.

A 2019 case, *Reyes-Bonilla v. the State of Texas*, faced the challenge of the 16-year-old victim recanting her testimony of familial abuse because of the adverse reaction she got from her mother and because she “did not want to be blamed for taking her little sisters’ father away.”¹⁹⁶ As noted in the 2019 U.S. Health and Human Services Child Maltreatment Report, “victims of sex trafficking have different relationships patterns to their perpetrators than victims of all maltreatment types analyzed together.”¹⁹⁷

“We have to keep in mind, the child’s sense of safety is with the parent, not with a stranger or a service provider. Children don’t often cooperate for their own best interest, but for the interest of preserving the family”

LAW ENFORCEMENT
PROFESSIONAL

Prosecution

Reaching beyond the identification and investigative phases of justice, it is equally important to consider the role of the courts, attorneys, and judges. Several studies have demonstrated that the majority of trafficked youth have had some involvement with the juvenile justice and child welfare systems^{198,199,200} but it is not known whether that holds true for children in familial trafficking situations.

Laws in individual states are also inconsistent on whether DMST is considered a form of child abuse.²⁰¹ This leaves open the potential for FST cases to be recorded as other offenses, such as

¹⁹¹ Herman, J.L. (2000). *Father-daughter incest*. Harvard University Press.

¹⁹² Koçtürk, N., and Yüksel, F. (2019). Characteristics of victims and perpetrators of intrafamilial sexual abuse. *Child Abuse and Neglect*, 96, 104122.

¹⁹³ Herman, J.L. (2000). *Father-daughter incest*. Harvard University Press. p.163

¹⁹⁴ Dedel, K. (2010). *The Problem of child abuse and neglect in the home*. Guide No. 55. ASU Center for Problem-Oriented Policing. p.8

¹⁹⁵ van der Kolk, B. A. (2005). Editorial introduction: Child abuse & victimization. *Psychiatric Annals*. 374-378.

¹⁹⁶ Partida-Kipness, R. (2021, September 20). *Reyes-Bonilla v. State*. Memorandum opinion, Leagle No. 05-19-00983-CR, p.2

¹⁹⁷ U.S. Department of Health & Human Services, Administration for Children and Families, Administration on Children, Youth and Families, Children’s Bureau. (2021). *Child Maltreatment 2019*, p.98

¹⁹⁸ Swaner, R., Labriola, M., Rempel, M., Walker, A., and Spadafore, J. (2016). *Youth involvement in the sex trade: A national study*. Center for Court Innovation.

¹⁹⁹ Mitchell, K. J., Finkelhor, D., and Wolak, J. (2013). Sex trafficking cases involving minors. *Crimes Against Children Research Center*, University of New Hampshire.

²⁰⁰ Marburger, K., and Pickover, S. (2020). A comprehensive perspective on treating victims of human trafficking. *The Professional Counselor*, 10(1), 13-24.

²⁰¹ Hartinger-Saunders, R. M., Trouteaud, A. R., & Matos Johnson, J. (2017). Mandated reporters’ perceptions of and encounters with domestic minor sex trafficking of adolescent females in the United States. *American journal of orthopsychiatry*, 87(3), 195.

child abuse, neglect, maltreatment, or child endangerment. Over the course of the justice process the charges may change and plea deals may be made.²⁰² In the Roe-Sepowitz (2019) analysis of sex traffickers over a six-year period, she found that 70.8 percent of traffickers were offered a plea bargain with the court which led to the documented offense being other than the original charge.²⁰³ Differences in penalties also come into play as in the Hooper sex trafficking and pornography case mentioned prior. Instead of a child sex trafficking charge, several counts of the manufacture and production of pornography afforded the prosecution the ability to work with higher sentencing guidelines.²⁰⁴ According to the investigator on that case, “[pornography] production can be easier to prove when you have an image. It does not require proving any force, coercion, or laying out a trafficking scheme. Trafficking can be really difficult to prove.”²⁰⁵ Collecting sufficient evidence to determine whether a crime against a related child occurred and to identify effective responses to the problem is very difficult.²⁰⁶

This study found that cases involving familial perpetrators can often end up being filed or pled out as child abuse, child endangerment, contributing to the delinquency of a minor, sexual assault, coercion, and enticement (18 USC 2422), or other types of crimes. One head of special investigations offered, “There’s a gap in the identifying circumstances, familial trafficking being seen as child exploitation or child abuse. The cases are still being prosecuted but not with the full depth and breadth that they could be, and often not inclusive of the commercial component of the crime.” Labeling these offenses as child sexual abuse may allow parents to be charged with lesser penalties.²⁰⁷

Few of the cases in this sample fully traversed the justice system. Of those cases that resulted in arrest of the familial perpetrator, only 23 percent indicated All or Most of them. Twice as many (46.2%) indicated Few or None. A similar pattern was presented in the familial trafficking cases that ended in the conviction of the familial perpetrator. Twenty-one percent indicated All or Most of the cases, but 41 percent reported a Few or None of the cases. Over a quarter of respondents (26.0%) did not know how their cases ended. Of the few reported cases of familial trafficking that have been heard in court, the challenges to prosecution were many. The following challenges were noted in this study.

Collusion, Coercion, and Corruption. Familial trafficking cases can be much more complex given that the entire family system is affected, if not complicit. It is not just the victim and perpetrating family member, but the entire family is infected by a familial system of abuse.²⁰⁸ The most common lament among those interviewed was their inability to secure sufficient time and distance needed to do their job. The distance sought is the emotional/psychological separation between the victim and the abusive family system. “We don’t have access to the child without them being [continually] psychologically adulterated by the adult in the home,” said one investigator. Over half of the study respondents reported collusion, coercion, and corruption of the process by family members as the most prevalent challenge

²⁰² Farrell, A., Owens, C., and Mcdevitt, J. (2014). New laws but few cases: understanding the challenges to the investigation and prosecution of human trafficking cases. *Crime, Law and Social Change*, 61(2), 139-168.

²⁰³ Roe-Sepowitz, D. (2019). A six-year analysis of sex traffickers of minors: Exploring characteristics and sex trafficking patterns. *Journal of Human Behavior in the Social Environment*, 29(5), 608-629.

²⁰⁴ Wavy (2021, May 3). Mathews County yacht owner sentenced to life in prison in child pornography case. *Channel 10 Wavy*.

²⁰⁵ Brumbelow, J. (2021, May 27). personal conversation.

²⁰⁶ Dedel, K. (2010). *The Problem of child abuse and neglect in the home*. Guide No. 55. ASU Center for Problem-Oriented Policing.

²⁰⁷ Sprang, G., and Cole, J. (2018). Familial sex trafficking of minors: Trafficking conditions, clinical presentation, and system involvement. *Journal of Family Violence*, 33(3), 185-195. doi:10.1007/s10896-018-9950-y

²⁰⁸ Ford, J.D. and Courtois, C. A. (Eds.). (2020). *Treating complex traumatic stress disorders in adults*. Guilford Press.

in the investigative process. “Families rally behind the offender and that hinders investigation” or “families join up against the victim” were echoed comments. One suggested, “Bail reform has allowed offender(s) out while they can continue exploiting the victim or others.” A respondent wrote there are difficulties in “breaking through barriers with victims, which is much more highly complex than with adult victims, caused by manipulations of offenders.” Sprang and Cole found familial threats, intimidation, and parental authority—including bribes, force, and use of weapons—as the means of coercion to control the victim.²⁰⁹

Issues of Evidence and Testimony. Study respondents conveyed that with these cases “there are often evidentiary issues: a lot of testimony and a little evidence.” In close to half of the cases (39.5%), justice professionals said there was not enough evidence to prosecute. Aggravating factors in a case may include children having been rendered intoxicated by the adult and having no clear memory of the abuse. The investigation may be unable to secure corroborating evidence or there may often be collusion among family members. Victims are reluctant to testify and may present a confusing picture to the jury by conveying affection for the perpetrator(s). As one investigator put it, “the victim’s mindset is too immature. They actually believe it was a choice.”

Family Bias. The belief that “family is safe” and “family is best” is also a bias that may be wholly unfounded for minors experiencing familial trafficking. This bias can influence the rigor of investigation and prosecution. Special Agent in Charge of the Tennessee Bureau of Investigations wrote, “Defendants’ advocates have embraced the concept of family unity, not because it would benefit children, but because it would benefit those who commit the abuse.”²¹⁰ This sentiment remains today and can serve as an obstacle to the identification and pursuit of justice of familial sex trafficking.

Gender Bias. Another challenge associated with FST cases can be the social/gender bias that factors in when the perpetrator is a female relative. Broad observes: “criminal procedures use exonerated constructions for female behavior that is not the same for males.”²¹¹ The behavior of a female exploiter may be interpreted with less culpability, attributed to her own victimization or lack of reasonable alternative, as opposed to moral autonomy.²¹² Roe-Sepowitz et al., studied female traffickers and found that overall, judges and prosecutors issued significantly shorter sentences for female traffickers [not necessarily familial], in some cases in exchange for testimony against a male counterpart.²¹³ One study on female offenders asserted, “Increasing clarity surrounding the positions of female sex traffickers is crucial if the U.S. is to ameliorate its policy surrounding their prosecution to one that is based on their true roles, not ones developed based on gender stereotypes.”²¹⁴

The problem with bias is it can either disproportionately favor the offender or have the opposite effect. Raphael conducted a media review of familial cases and noted a clear “venting of their disgust with parental perpetrators” on behalf of prosecutors, psychologists,

²⁰⁹ Sprang, G., and Cole, J. (2018). Familial sex trafficking of minors: Trafficking conditions, clinical presentation, and system involvement. *Journal of Family Violence*, 33(3), 185-195. doi:10.1007/s10896-018-9950-y

²¹⁰ Pence, D. (1993). Family preservation and reunification in intrafamilial sexual abuse cases: A law enforcement perspective. *Journal of Child Sexual Abuse* 2(2), 103-108. P.104

²¹¹ Broad, R. (2015). ‘a vile and violent thing’: Female traffickers and the criminal justice response. *British Journal of Criminology*, 55(6), 1058-1075.

²¹² Jones, S. V. (2014). The invisible women: Have conceptions about femininity led to the global dominance of the female human trafficker. *Albany Government Law Review*, 7, 143.

²¹³ Roe-Sepowitz, D. E., Gallagher, J., Risinger, M., & Hickle, K. (2015). The sexual exploitation of girls in the United States: The role of female pimps. *Journal of Interpersonal Violence*, 30(16), 2814-2830.

²¹⁴ Veldhuizen-Ochodničanová, E., and Jeglic, E. L. (2021). Of madams, mentors, and mistresses: Conceptualising the female sex trafficker in the united states. *International Journal of Law, Crime and Justice*, 64. P.4

and judges.²¹⁵ She argues that our tendency to fixate on an immoral or demonic characterization of the parent buries the monetary motivation and obscures the organization of the sex trade in the U.S. that encourages these acts. For mothers who are exploiters, research supports that such behavior so undermines our normative labels and traditional gender-stereotypes that these cases may be underreported and not prosecuted adequately.²¹⁶ While examining gender stereotypes and their impact on the judicial process is beyond the scope of the current study, it is worth recognizing the pervasive impact that bias may have on case identification, investigation, and the judicial process.

Victim Stability. With a lengthy prosecution process, there is a need to keep the victim stable. “Victims need to have consistent, long-term support during the court process.” How do we provide a “cycle of services for the victim to maintain ‘positive consistency’ in their lives?” A few comments suggested that simply keeping track of the victim during this protracted process is difficult. One respondent expressed dismay at a protracted judicial process: “The length of time it took to get a conviction was long and so ongoing perpetration took place during that time.” A federal prosecutor from Ohio and investigator from Virginia, both suggested it can take 18-24 months for a case to go before the court. An investigator from Washington estimated 2 – 2 ½ years, and one high-profile familial case from that state took over three years, largely due to the inordinate amount of time the investigative team had to put into building trust with the victim and perpetrators. “It can be even longer when you have multiple defendants,” acknowledged one prosecutor who was currently working a case with 11 defendants.

Politics and Culture. There was also the challenging acknowledgement that court can be a negotiation of what is “win-able?” Several law enforcement officials who were interviewed conveyed the sentiment that prosecutors won’t touch these cases because they are “messy.” “It’s a no-win situation to have a child testify against her parent—and in front of a room full of strangers,” lamented one Texas investigator. A survey entry offered: “there is a lack of prosecutors willing to prosecute, concern that juries won’t comprehend the complexities.” “...from a LEO perspective, [these cases] are hugely resource intensive, there’s a lower chance of conviction when compared to other, simpler matters (drug cases, simple assaults, etc.), and the maximum penalty someone might face for HT1/ST1 is 20 years in jail unless—we get lucky—and they are trafficking someone under the age of 20.” Respondents often commented on the frequency by which plea deals are made: “prosecutors don’t want to pursue charges” or “prosecutors plea bargain everything,” thereby making it difficult to account for true prevalence of this specific form of sex trafficking. Another lamented: “there are so many cases in which no investigation or prosecution happens, and it is so frustrating.”

The cultural climate towards the crime impacts if and how these cases appear before the courts. Respondents suggested that the political leanings of elected officials weighed heavily on whether these crimes had priority—or were addressed at all. A few investigators conceded that these cases are not a priority in their jurisdiction, or do not make for good media, so they are not encouraged to pursue them. One investigator from a progressive city in the Pacific northwest painted a challenging political landscape: “we have given all the rights to the kids and stripped [good] parents of their parental authority. A child at age 13 can decline any service. Courts are saying to those parents who are trying to intervene and

**“These cases are messy.
I wouldn’t give them to just
any prosecutor”**

**PROSECUTOR WITH 10 YEARS’
EXPERIENCE**

²¹⁵ Raphael, J., and DePaul University College of Law. (2019). Parents as pimps: Survivor accounts of trafficking of children in the united states. *Dignity: A Journal on Sexual Exploitation and Violence*, 4(4) doi:10.23860/dignity.2019.04.04.07

²¹⁶ Hayes, S., & Baker, B. (2014). Female sex offenders and pariah femininities: Rewriting the sexual scripts. *Journal of Criminology*, 2014.

get help for their child that ‘the kid has a right to be homeless’ but then no one is asking why is that kid homeless.”

Witness Cooperation. Lack of cooperation in the investigative process was mentioned by several respondents, whether that was cooperation of the victim, relatives, or other parties. “We have a hard time getting the families to follow through on appointments and bring the child to court,” reported one professional. As one respondent noted, “In all trafficking cases, it is difficult to prevent the victim from returning to her abuser and becoming uncooperative during the investigation” —and even more so when the abuser is in the family.

The most-cited challenge in this study for the justice response to familial trafficking—by two ranking points —was that minors are unwilling to testify against offending family member(s). That pattern of the victim protecting the perpetrator is consistent with other forms of intra-familial child abuse.²¹⁷ Exploited minor victims, many who come from dysfunctional family systems and/or those who have prior criminal interactions with the law can be uncooperative with the legal process.²¹⁸ Therefore, to understand FST cases, we must learn to account for the unique power of the familial bond. This demands more time, training, and attention to relational dynamics. That investment of time, however, must also be attuned to the fact that prolonged investigations and court proceedings are felt as a considerable burden. One prosecutor who had seen improved outcomes reported that these cases are only given to special prosecutors, those who “have the heart and stamina” for them, and who have been trained to understand their complexities. “We have to keep in mind,” added a federal law enforcement professional, “that the child’s sense of safety is with the parent, not with a stranger or a service provider. Children don’t often cooperate for their own best interest, but for the interest of preserving the family”—even at their own peril.



“Children don’t often cooperate for their own best interest, but for the interest of preserving the family—even at their own peril

LAW ENFORCEMENT

Victim Services

Once identified, the question of what to do with exploited minor victims presents many challenges for criminal justice professionals and victim advocates, because not only are the victim and perpetrating family member(s) involved, but the entire family is infected by a familial system of abuse.²¹⁹

According to the TVPA, minor victims of sex trafficking are to be provided protection and benefits, including specialized shelter and services,²²⁰ and yet, residential treatment homes for trafficked minors are in short supply. According to the Institute for Shelter Care, there are 67 residential programs in the U.S. that specialize in trafficked minors, equating to about 737 beds.²²¹ In stark contrast, a 2019 report from the University of Texas at Austin estimates 79,000 children in that state alone as victims of commercial sexual exploitation.²²² Criminal justice professionals and victim advocates have few options for juvenile victims, often aggravated when the victim or custodial parent refuses to accept services.

²¹⁷ Koçtürk, N., and Yüksel, F. (2019). Characteristics of victims and perpetrators of intrafamilial sexual abuse. *Child Abuse and Neglect*, 96, 104122.

²¹⁸ Sprang, G., and Cole, J. (2018). Familial sex trafficking of minors: Trafficking conditions, clinical presentation, and system involvement. *Journal of Family Violence*, 33(3), 185-195. doi:10.1007/s10896-018-9950-y

²¹⁹ Katz, C., and Field, N. (2020). Unspoken: Child–Perpetrator dynamic in the context of intrafamilial child sexual abuse. *Journal of Interpersonal Violence*, 88626052094372-886260520943723. doi:10.1177/0886260520943723

²²⁰ Reid, J. A. (2012). *Girl’s path to prostitution: Linking caregiver adversity of child susceptibility*. LFB Scholarly Publishing LLC.

²²¹ Institute for Shelter Care (2021). National shelter landscape map. *The Samaritan Women*. Retrieved from:

²²² Busch-Armendariz, N.B., Nale, N.L., Kammer-Kerwick, M., Kellison, B., Torres, M.I.M., Cook-Heffron, L., Nehme, J. (2016). *Human Trafficking by the Numbers: Initial Benchmarks of Prevalence & Economic Impact in Texas*. Austin, TX: Institute on Domestic Violence & Sexual Assault, The University of Texas at Austin.

Thirteen write-in comments ($n = 44$) reported that there are simply not enough options for minor victim placement, and 8 commented that the options available lack the specialized skills to serve this population well. One question that warrants study is does the nature of the restorative care need to differ based on how the individuals experienced exploitation? Some contend that exploitation presents in such a wide array that care must follow suit. “Frequently, service providers use the same approaches and resources for familial trafficking that are used for all types of human trafficking, which can be inappropriate and even harmful.”²²³ Respondents also acknowledged the tension between needing to protect the child from familial influences while also not treating the child like a criminal. Where does the line between ensuring safety and inhibiting liberties lie? The following are some of the challenges presented in this study.

Reunification Bias. Based on a 2020 study of justice professionals who have encountered FST cases, several noted that one of the primary challenges in victim care is the bias found in social services and the courts to facilitate family reunification.²²⁴ The Swaner et al. study noted, “services should not necessarily be based on family reunification, given that many of these youth are leaving their family homes because of abuse.”²²⁵ Study participants recognized this challenge: “[we have a] well-intended but misguided focus on reunification.” “Our systems are negligent. The consensus is reunification.” Or “...we see judicial leanings towards premature reunification. This could be liability deflections, or parental victimization. If we paint the parent as a victim, we may hasten the reunification.” This and future studies should challenge the wisdom of a default posture towards reunification.

Several of the interviewees conveyed a wish that they could have the authority and available services to place a child outside of the abusive home, “at least long enough to give the child a chance.” Another echoed that system change is imperative: “I think that in the past we [took] a more child protection/civil action approach which always has the aim of towards reunification. In my experience, it is very rare for familial trafficking to enable any future, safe reunification/return of the child to the family home.” And “we need to accept when reunification just isn’t an option. If *that* kid has run from *that* home over a dozen times, something’s just not right and we need to pursue other options.” A federal prosecutor of these crimes noted that while she sees frequent cases whereby the older minor victim (age 15-17) is left on her own to figure out how to resolve family dynamics post-abuse, the same justice professional noted that she does not see a reunification push when the child is younger.

In this study, 65.1 percent of the time, the child was not returned to the home, and only in 10.6 percent of cases was the child returned to the home All or Most of the time. Such outcomes would be consistent with the recommendation of a federal prosecutor with a decade of child sex trafficking experience: “The child has to be removed from the home if the perpetrator is the one who has custody – 1000 percent of the time!”

Unsecured Services. Forty-one percent of the child victims in this study ($n = 900$) were removed from the home and placed in child protective services, institutional care, or foster

If *that* kid has run from *that* home over a dozen times, something’s just not right and we need to pursue other options.”

A FEDERAL PROSECUTOR

²²³ U.S. Department of State. (2021). Trafficking in Persons Report. <https://www.state.gov/reports/2021-trafficking-in-persons-report/>

²²⁴ Allert, J. L. (2021). Justice Professionals’ Lens on Familial Trafficking Cases. *Criminal Justice Review*, 07340168211024719.

²²⁵ Swaner, R., Labriola, M., Rempel, M., Walker, A., and Spadafore, J. (2016). *Youth involvement in the sex trade: A national study*. Center for Court Innovation.

care All or Most of the time. Law enforcement continues to be challenged by the lack of available and secure options for temporary placement of the child. As quoted: “the CINS [child in need of services] statute is not effective.” One of the biggest concerns from these professionals is the propensity of child victims to run from placements: “Juveniles are difficult to retain in a secure facility unless they have a high enough JAC [Juvenile Assessment Center] score. We rescue them and they are released back to other family or foster care and are gone again ASAP.” “Ninety percent of the time a child is recovered and placed with CPS and typically is gone the next day.” Running away is often the only way a child victim can escape abuse at home, but they also run from services. A veteran investigator from Texas offered, “Adult [victims] are just easier to keep track of. They are more likely to take the offer for services. Kids are always running.” A minor trafficking shelter in Tennessee reports that in over 8 years of service, they have a 100% AWOL rate. “We’re not a lockdown facility, and running is the only tool in their toolkit,” reports the shelter director.²²⁶ Other justice professionals lament: “We can’t legally detain the child and CPS is not really a lock-down option. We have no provision by which to hold the child. Could we get some kind of mental health warrant to at least buy time to have the child assessed?” “[We need to be able to find] a secure facility that the victim can stay and not feel like they are in custody.” The director of a large anti-trafficking task force in the Midwest suggests that there are some kids who are simply dangerous on their own and need lock-down for a while. She referred to a “package” of conditions that suggest the juvenile is a danger to him/herself:

“When a kid has 15, 20 or more missing persons reports, you have to stop and ask, ‘what is she running from?’ Add to that a growing criminal history, a history of sexual abuse and mental health issues, and that juvenile is saying to the world, ‘I can’t do this on my own.’ We need the courts to see this, and we need to get that kid placed far enough away, out of the county, maybe out of the state, to give her a chance.”

Qualified Treatment Programs. Only 24% of respondents indicated that victims were placed in a therapeutic program specific to victims of sexual exploitation All or Most of the time, but respondents noted the dearth of qualified services available. “There are very limited, specialized services available for minors in our state who have experienced exploitation of this kind or therapeutic placements which (1) have space and (2) feel confident in addressing this type of trauma.” The problem, according to one seasoned professional, is that the placement options “just are not good. They aren’t equipped to support the needs of these kids, which may mean they need a secure, lock-down situation.”

This study echoed the need for more, and better qualified, placement options. Most justice professionals expressed that they were getting by with what they had, and all of the interviewees spoke into the desire for more options, at different levels of care with more qualified staff. A comment offered thrice in this study was how state funding is associated with a child-victim which also limits the placement options for that child. In most cases, the state funding precludes the justice professional from seeking placement outside of the child’s home state, even if that might be the best possible care for the child. At present 95% of the shelter programs in the U.S. will accept referrals from anywhere in the nation, and especially if the funding were to accompany the child.²²⁷

²²⁶ Tolar, L. (2020). Personal conversation.

²²⁷ The Institute for Shelter Care. (2021).

Restricted Contact. There are not only insufficient options, but justice professionals have their hands tied when the victim or custodial parent refuses to accept services. In some cases, judges will place child victims in juvenile detention for their own safety, which can lead to a outcry from the public about locking up children. Even within residential programs, the child can still be influenced by family member. “We need to ask the judge to restrict the defendant from having access to the child, but even then, we may be infringing on the constitutional rights of parents,” lamented one prosecutor.

For an older minor, it may be an option to consider emancipation from parental authority, but this study did not offer insight into the respondents’ perspective on, or use of, emancipation as an option. The reasons may be that such pathway to that freedom often requires parental agreement or, as one justice professional conveyed, “emancipation is next to impossible for these kids coming out of dysfunctional family systems. They haven’t been prepared for ‘normal’ life, and to be considered for emancipation [in our state] the child has to show that she can take care of herself.” Given the amount of trauma, that may be less likely. Ford and Courtois admonish that “without effective intervention, abusive/incestuous families tend to return to their known interactional patterns without change, and abuse may resume or even worsen.”²²⁸ What may be needed is what society might not want to accept: that if a healthy family member cannot be identified for these children, they may have to be removed from what they have come to know as their family system. In the words of one law enforcement officer, “I wish these kids could be given a chance at something different.”

What these observations lead to is the necessity to invest in more long-term community-based options for child placement that are equipped for their acute needs, with staff who have been specifically trained to serve the exploited. It would also seem imperative that these placement programs have a close working relationship with justice professionals, as the facts of the case often unfold only as rapport and trust are established, and both remain invested in positive outcomes for the child.

“We are personally and emotionally invested. Their failures are our failures. These are just the most stressful crimes to investigate.”

²²⁸ Ford, J.D. and Courtois, C. A. (Eds.). (2020). *Treating complex traumatic stress disorders in adults*. Guilford Press. p.461

Improving Outcomes

This study collected the perspectives of justice professionals on the challenges, but also on what specific efforts have proven to be helpful across the justice process.

Multi-disciplinary Teams

The formation of multi-disciplinary teams (MDTs) has proven to have multiple benefits to the case and the victim. In traditional structures, justice professionals and child welfare workers gather information independently, and seek different types of information. This can be time-consuming and detrimental to the case and the victim. When MDTs are in place, victims and witnesses may be interviewed once, obtaining information that is criminally, legally, and therapeutically pertinent which is then shared across the team. This approach is not only more efficient, but it can also lessen the secondary trauma on the witnesses, and potentially increase conviction rates by minimizing contradictory statements or interpretations.²²⁹

Fifteen percent of the entries mentioned the value of multi-disciplinary teams (MDTs) and/or task forces as leading to a better handling of these cases. Specific members of that team noted as valuable were social service agencies, child advocacy centers, victim advocates/guardian ad litem, victim service providers, and other law enforcement agencies. One investigator offered: “CPS has more ways of getting inside the home, but there’s not much collaboration. We need to work better together.” MDTs are also more inclined to share data across agencies, which can help to identify the cracks through which these children may be falling. One emerging model, in Maricopa County, Arizona, has been working a collaborative community response model for the past four years between the Department of Child Safety, juvenile courts, CASA and survivor mentors, behavioral health providers, and local service providers.²³⁰ As these coordinated approaches prove efficacious, an effort should be made to showcase and replicate them elsewhere.

Trained Victim Advocates

Seventy-nine percent of the respondent population ($n = 54$) offered their input on the resources that have proven to be the most helpful in handling familial cases. Just under 20 percent of the write-in entries mentioned law enforcement or community-based victim advocates as being instrumental to improved outcomes. Staff from local NGOs, that are trained in issues of trafficking and their role, who work alongside the justice professionals were deemed extremely helpful. Some justice professionals recognized that their limitations, such as with budgeting and service provision, is complemented by what NGOs can offer. “There’s so much we as law enforcement can’t do that victim advocates can. They are the ones who can build rapport, who can get the survivor the things she needs, and be there at all hours. We *need* them,” acknowledged a human trafficking task force director. In a 12-state human trafficking operation call Operation United Front, led by the Missouri Attorney General’s Office and Missouri Highway Patrol, Kentucky State Police partnered with members of Southeast Christian Church to provide emergency care and material support to the 20+ survivors.²³¹ These church members had undergone considerable training prior to coming

“We need a good victim advocate to create rapport, to help her detach, to guide her through the process”

PROSECUTOR WITH 10 YEARS’ EXPERIENCE

²²⁹ Skibinski, G. J. (1995). The influence of the family preservation model on child sexual abuse intervention strategies: Changes in child welfare worker tasks. *Child Welfare*, 74(5), 975-989.

²³⁰ Roe-Sepowitz, D., Gallagher, J., Steving, K., and Lucchesi, L. (2020, December). Maricopa county sex trafficking collaborative – Analysis of three years of cases.

²³¹ WLKY Louisville. (2021, Sept. 21). 21 Victims rescued during Kentucky human trafficking sting, dozens arrested. <https://www.msn.com/en-us/news/crime/21-victims-rescued-during-kentucky-human-trafficking-sting-dozens-arrested/ar-AANZhID>

alongside law enforcement in this operation. Jurisdictions should ensure that the teams working on child trafficking cases include well-defined and cultivated partnerships with the community-based agencies that can augment victim support.

Psychological/Emotional/Spiritual Stability

Interviewees were asked to speak to the personal impact of the cases they handle. “It’s soul-crushing just to go to work” reported a Pennsylvania juvenile defense attorney that specializes in child trafficking cases. “You have to develop thick skin,” reported an investigator, “You are going to see the worst of the worst in these cases.” Some reported satisfaction in arresting perpetrators but live with the unanswered question of what becomes of the victims.

A Sergeant in Ohio explained the psychic toll this way: “In a normal crime you don’t get to know the victim. Investigating a robbery might take a month and you’re onto the next one, but in these cases, the whole team gets to know the victim over a long period of time. We are personally and emotionally invested. Their failures are our failures. These are just the most stressful crimes to investigate.” One attorney said succinctly, “Drug cases are easy. Drugs don’t lie; people do. That is what makes these cases so hard to investigate.” A federal prosecutor of child sex crimes admitted that she and her team keep pictures of the victims who have had positive outcomes and refer to that wall of photos as their “brain bleach,” a way of cleaning out the bad thoughts. When asked how she has made it over a decade in this work, she replied, “You find the strength because you have to. You can’t just not do anything.”

Multi-disciplinary teams and on-going training were noted as important provisions for the well-being of these professionals and should not be overlooked. Both provide a collegial forum for sharing the challenges and frustrations of these cases, which can attend to psychological and emotional health. Likewise, intentional collaboration hones the agility and skillset of those involved as “iron sharpens iron.”

These professionals were generally aware of the effects of vicarious trauma, as well as the services offered within their departments for psychological support. Of those that reported effective self-care strategies, “peer connections,” “time with my family,” and “faith in God” were most mentioned. Jurisdictions should be intentional about hiring professionals for this work based on emotional and spiritual stability as well as technical skills and put provisions in place to ensure that there are healthy means by which these workers can release the burdens this work imposes.

“We are personally and emotionally invested. Their failures are our failures. These are just the most stressful crimes to investigate.”

Suggestions for Action

Law Makers

- Future research should delve into the legal statutes and processes that are in place which may lead to familial sex trafficking cases being filed as other offenses or settled out of court.
- States should harmonize laws and penalties across incest, child sexual abuse, and sex trafficking to ensure a consistent response when the perpetrator is a family member.
- Given how quickly the landscape of exploitation is changing, states should conduct an updated survey on the training and perceptions of mandated reporters, to be proactive about areas of deficit. Mandated reporters and/or their employers who override their responsibility to report based on personal bias should be subject to corrective measures.

Justice Agencies

- Leadership should advocate for a multi-disciplinary team approach to the justice process, to reduce the traumatic impact on victims and encourage the best outcomes for prosecution.
- Similarly, justice agencies need to be tasked with ensuring that there are proper channels by which data on at-risk children is collected, analyzed, and shared. It should not be assumed these provisions are in place.²³²
- Each state should examine the screening tool(s) and protocol(s) recommended for frontline professionals to ensure that those tools and processes include screening for victim-perpetrator relationship.
- Justice professionals acknowledge that their preferred mode of learning is case studies. Therefore, a series of shared case reviews would be useful to understanding the characteristics and progression of these cases through identification, investigation, and prosecution. The International Association of Human Trafficking Investigators (IAHTI) conference is a likely venue for these case studies to be taught.
- Child sexual abuse images should be further explored as a reverse gateway to identifying familial actors who are exploiting their children. Investigators who work child sexual abuse material (CSAM) cases not only need to be trained to identify the clues that might suggest a familial agent, but also be included in multidisciplinary teams who work child trafficking cases.
- Judges and other court professionals should be required to complete annual training in familial trafficking and caregiver-perpetrator dynamics.

Academia/Research

- The Sprang and Cole (2018) study found that familial trafficked children were less likely to be identified by law enforcement and more likely by a health-care provider, schools, or child welfare. While educators have typically had the most consistent contact with children outside of their home, the lockdowns and imposed remote learning the past few years have lessened teachers' direct contact with vulnerable children. Child welfare professionals, like law enforcement and emergency response, have unique access inside the home of a child

²³² State of Hawai'i Department of the Attorney General. (2022). Initial report on the state's efforts to address the commercial sexual exploitation of children. Requested by House Resolution No. 83, H.D. 1 Regular Session of 2021 Submitted to The Thirty-First State Legislature Regular Session of 2022

who is suspected of being abused.^{233,234} This unique access can provide critical context and additional evidence on a trafficking situation. Therefore, this study should be replicated with child welfare workers nationally. The results should be compared to the results of this study to further improve suggested prevalence and case characteristics. As a means of raising awareness and improving victim identification, a similar study should be conducted with emergency room and medical clinic personnel.

- To improve victim identification and services, a longitudinal study should be conducted on familial trafficking survivors. Studies have reported familial victims as being less likely to run away, less likely to use drugs/alcohol during exploitation,²³⁵ and more likely to attempt suicide.²³⁶ Such a study would help to isolate any characteristics of FST victims that differs from our understanding of DMST victims. The current body of literature lacks studies that explore the phenomenology of the familial victim as well as perpetrator which may shed light on how victims might better be identified and served, as well as why this problem exists.
- Correlational studies between discrete sociological factors (poverty, substance abuse, domestic violence, and sexual abuse) and familial trafficking of minors may help to refine our understanding of vulnerability factors. Similarly, a correlation study to examine the likelihood that familial trafficking children will become exploited by non-familial exploiters, and/or engage in the commercial sex trade as adults would be helpful for the prevention of further abuse.
- The relational dynamics between the exploitative relative and child victim warrant considerable study. Building on the work of Seto (2008) regarding kinship cues and relatedness between the exploiter family member and the child victim may provide insight into our understanding of familial bonds or the absence thereof.
- A longitudinal study should be done to determine if there is an optimal set of conditions and/or lapse of time that is effective for giving familial-abused children a chance at a different way of relating, to interrupt any pattern of generational exploitation and abuse.

Child Welfare/Victim Service Providers

- All workers associated with exploited children need a greater understanding of the impact of human trafficking victimization on individuals to allow them to more appropriately contextualize victims' experiences and behavior²³⁷ most specifically, how the unique relational bond and control dynamics between family members differs from non-familial exploiters.
- Each jurisdiction should build up a strong base of trained victim advocates to complement the work of law enforcement and the courts.
- Several justice professionals noted that the disclosure of familial exploitation came only after a long time of relationship-building. A closer partnership between justice professionals and the service providers they work with could lead to a better understanding of victim's trajectories of exploitation.

²³³ Marburger, K., and Pickover, S. (2020). A comprehensive perspective on treating victims of human trafficking. *The Professional Counselor, 10*(1), 13-24.

²³⁴ Sprang, G., and Cole, J. (2018). Familial sex trafficking of minors: Trafficking conditions, clinical presentation, and system involvement. *Journal of Family Violence, 33*(3), 185-195.

²³⁵ Reid, J. A., Huard, J., and Haskell, R. A. (2015). Family-facilitated juvenile sex trafficking. *Journal of Crime and Justice, 38*(3), 361-376.

²³⁶ Sprang, G., and Cole, J. (2018). Familial sex trafficking of minors: Trafficking conditions, clinical presentation, and system involvement. *Journal of Family Violence, 33*(3), 185-195.

²³⁷ Farrell, A., McDevitt, J., Pfeffer, R., Fahy, S., Owens, C., Dank, M., & Adams, W. (2012). *Identifying challenges to improve the investigation and prosecution of state and local human trafficking cases*. Washington, DC: National Institute of Justice.

Conclusion

This study sought to build on the scant literature about domestic minor familial sex trafficking in order to infer its prevalence, isolate its distinct characteristics, and illuminate any specific challenges to these cases as they traverse the justice process. This research offered a significantly greater sample size than prior studies, yet reinforced many of the same conclusions.

Seasoned human trafficking professionals are confident that the familial cases disclosed or investigated do not represent the fullness of this type of child exploitation. The gap may be attributed to a host of reasons: frontline personnel not having the training or proper tools to distinguish between child neglect/abuse/child endangerment cases and child sex trafficking; a greater shroud of secrecy insulating familial trafficking from detection; family members who collude to avoid detection; juveniles who appear on the surface to be willingly engaged in the commercial sex trade; and the children themselves being unwilling to disclose out of fear or indoctrination. What this study reinforced, however, is that social interventions and mandated reporters need to be much more intentional with at-risk families, based on prevalence of the risk factors noted in this study and others.

Given the high percent of cases where the child was sold in exchange for drugs (75.4%) and the presence of substance abuse in the home (86.8%) and other criminal history in the family (81%), child welfare professionals and those who supervise individuals known for substance-related offenses should be trained to screen for familial abuse. Screening tools also need to be adapted to include the victim-perpetrator dynamic. Then professionals who intersect with at-risk (but not criminally identified) families may have a greater opportunity to identify familial trafficking cases.

Frontline responders and judicial personnel continue to need an investment of training, case examples, and appropriate tools to identify cases correctly. Societally, there needs to be a greater recognition of the vulnerability of children that is created for families with poverty, domestic violence, and substance abuse. Within the court system, demand education of judges and attorneys on familial exploiters, and the bias towards family reunification. Finally, victim services that are specific to sexual exploitation continue to be lacking nationwide, not only in availability, but also in expertise to attend to the unique wounds imposed upon a child by his or her own family.

About the Author



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