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Webinar Transcript

Human Trafficking, Domestic Violence, and Sexual Assault:

Strategies to Strengthen Community Collaboration to Respond to Survivors’ Needs

September 24, 2015
Danielle Malangone: Welcome, everyone. We are about to get started, and we are very excited to kick off the final Webinar in what has been a great five-part series. My name is Danielle Malangone, and I will be hosting today’s Webinar.

Danielle Malangone: Before we get started, a couple of technology notes. First of all, you have to call in. If you cannot hear any sound right now, you have to call in. The number is in the top left corner of your screen, beginning with 530. So, please call in if you are not hearing anything. Secondly, as with all technology, we may experience a momentary lapse in the Webinar session. In the event of a problem, please be patient and remain on the line. The Webinar session will resume shortly. We also encourage you to keep a copy of the PowerPoint accessible during the presentation in case of any technical difficulties.

Danielle Malangone: Please note that these sessions are going to be recorded. Because we have such an incredible turnout for this series, we had close to 1,500 registrants, we will only be taking questions via the chat box. So, throughout the Webinar, please post your questions to the chat box. I will be monitoring it. We are going to be stopping periodically to respond to questions at that time. That is the only time we will be responding to questions. And, on that note, let us get started.

Danielle Malangone: So, the prevalence of human trafficking across the country is widespread. It spans small, rural jurisdictions to sprawling cities, and affects both domestic and foreign-born children and adults. Because of the coercive and violent nature of human trafficking, it is common for victims to experience overlapping forms of victimization, particularly domestic violence and sexual assault. Yet many survivors are unrecognized or they are criminalized in our justice system, or they do not receive adequate services to address their complex needs.
Danielle Malangone: So, the purpose of this Webinar series has been to address the following questions: How can multidisciplinary groups work together to identify survivors and direct them to crucial services? And how can key stakeholders enhance their capacity and collaboration to meet survivors’ needs?

Danielle Malangone: Because of all of these challenges, the following federal agencies and TA providers came together to deliver this Webinar series. These agencies include the U.S. Department of Justice’s Office for Victims of Crime, the Office on Violence Against Women, and Office for Victims of Crime Training and Technical Assistance Center, the U.S. Department of Health and Human Services’ Family Violence Prevention and Services program, and the State Justice Institute’s Human Trafficking and State Courts Collaborative.

Learning Objectives for the Collaboration Series

- Understand the overlap between human trafficking, domestic violence, and sexual assault;
- Explore ways to effectively engage the justice system and community stakeholders and sustain involvement;
- Consider examples of partnerships to build agency capacity and enhance victim identification;
- Explore strategies for promoting collaboration while protecting confidentiality;
- Identify effective collaboration strategies that leverage culturally specific resources on behalf of survivors;
- Learn about examples of successful law enforcement collaborations; and
- Identify court-based strategies to address the needs of trafficking victims and understand the role and significance of the court and judicial leadership in developing a response to human trafficking.

Danielle Malangone: So, learning objectives. The only objective that we will be covering today is the one at the bottom of the screen that you will see in bold. The previous objectives have been covered in earlier sessions.
Danielle Malangone: This series is part of the joint federal government’s strategic action plan on services for victims of human trafficking. Some of the common themes you will see here on the slide — that victim services should promote safety, healing, justice, and rights for victims, and should empower them to participate in efforts to bring traffickers to justice. You will hear a lot about this today from our speakers in terms of types of interventions that do promote safety. Also that survivors should play a key role in initiatives that work to address human trafficking. And that all anti-trafficking efforts should be victim-centered, culturally-relevant, holistic, comprehensive, evidence-based, gender-responsive, and trauma-informed. Just a few things there.
Danielle Malangone: In case you missed the past Webinars, you will see that we have had four prior to this. Both online and at the end of the Webinar, I will post another slide with a link so you can access those. And, again, they are recorded. So the past four Webinars are posted and recorded and available. This one will be posted as well in several weeks.
Danielle Malangone: So, just a little bit about who I am and what we do, the Center for Court Innovation (CCI). We are a national nonprofit think tank that is based in New York City, and we do three main things. The first is this center circle that you will see on your screen, is we run what we call demonstration projects or operating projects, in and around the New York City area. And, these are on a wide range of topics. It includes things like community courts or domestic violence courts, mental health courts, youth courts, and most recently, our New York State Human Trafficking Intervention Court. And the idea here is to really test out new ideas, and based on what works, work with other jurisdictions to help reform their practices as well, and I am going to talk more about that in a second.

Danielle Malangone: The second piece is the circle on the left, research. So, we have an independent in-house research department that not only evaluates our demonstration projects that I just talked about, but also works on a host of other national criminal justice-related research topics. In particular, we are currently working on an NIJ (National Institute of Justice) funded evaluation of adult prostitution in New York City. The idea is to get some prevalence estimates and get a better understanding of the scope and nature of adult prostitution in New York. We are also working on a national CSEC study, and for those of you who are not familiar with acronym CSEC, it is the Commercial Sexual Exploitation of Children. Those will be forthcoming and available on our website.

Danielle Malangone: The third piece of what we do, and that is what I do and my colleague, Miriam, that you will be hearing from momentarily, is we provide expert assistance, which really is consulting. So, this is where we work with other jurisdictions to help them plan, implement, or even evaluate innovative responses. In particular, responses to prostitution and human trafficking. Our organization has several different technical assistance departments. Some work on drug courts.
Some work on community courts or mental health courts. But both Miriam and I work on human trafficking and prostitution diversion specifically.

**Human Trafficking and the State Courts Collaborative**

Danielle Malangone: We are also a member of the Human Trafficking and the State Courts Collaborative. So, this is an initiative funded by the State Justice Institute, and it is comprised of five different agencies: ourselves, the Center for Public Policy Studies, the National Judicial College, National Association of Women Judges, Legal Momentum, and the National Council of Juvenile and Family Court Judges. And the idea here is to focus on training and technical assistance for new or existing courts addressing prostitution & trafficking.

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Polling Question – Who is Participating Today?

Polling Question – Who’s Participating Today?

- Please check the box that best represents your role:
  - Dual Domestic Violence/Sexual Assault Coalition
  - Domestic Violence Victim Service Provider/Coalition
  - Sexual Assault Victim Service Provider/Statewide Coalition
  - Human Trafficking Victim Service Provider
  - Runaway and Homeless Youth Service Provider
  - Criminal Justice (Law Enforcement, Prosecutor, Judiciary/Court Staff)
  - Medical/Mental Health Practitioner
  - Survivor
  - Training/Technical Assistance Provider
  - Other

Danielle Malangone: So, before we get started, we just want to take inventory of who is on the line. So, if you could please take a minute to take the poll.

Danielle Malangone: Okay. So, it looks like we have a pretty wide range of participants here today, which is great, because this is all about multidisciplinary collaboration. Interestingly, the vast majority of you are also in the “other” category. So, we will guess where you are from there. But mostly criminal justice agencies, law enforcement, prosecutor, members of the judiciary or court staff, as well as youth service providers, and, in particular, sexual assault victim service providers. So, it is great to have such a diverse group here today.
Danielle Malangone: Okay. And so, without further ado, I am going to turn it over to my colleague, Miriam Goodman, who is the Assistant Director of Anti-human Trafficking and Trauma services here at the Center for Court Innovation. Thanks, Miriam.
Miriam Goodman: Hi. So, it is really great to be on this Webinar, and happy to be able to speak to so many people. So I, like Danielle said, am the Assistant Director of anti-trafficking and trauma initiatives here. I am a social worker by training, and a large part of what I do is overseeing our staff that work with people who are arrested on prostitution-related offenses, and our staff that works with people who are also survivors of trafficking, as well as providing a lot of consulting, like Danielle said.
Miriam Goodman: So, where I was going to start is to talk about trauma. And, sorry, one moment. There it goes. And the reason that I am talking about trauma is because when we think about response to working with survivors of trafficking and how to work with them, trauma-informed approach is an approach that many, many, many service providers and attorneys, court stakeholders, everybody agrees seems to be something that works. And the reason is because people who are arrested for prostitution-related charges, those that are trafficking survivors, those in the commercial sex industry, are very often survivors of trauma on a range of experiences.

Miriam Goodman: So, I have up for you just a pretty concrete definition of trauma. And it results from an event or series of events, or set of circumstances, that is experienced by an individual or a community, which I should add, as physically or emotionally harmful or threatening and has lasting effects. Essentially, it is an experience that an individual or a community has, that it goes through, that really shakes their understanding of themselves and how their community or society at large sees them. So, it can impact self-worth. It can impact accessing resources. It can impact all sorts of things, as we are going to talk about.
Examples of Interpersonal and Systemic Trauma and Oppression

Miriam Goodman: So, while we are going to spend a majority of today talking about interpersonal trauma, we cannot talk about trauma and trauma-informed approach without talking about systemic and structural forms of trauma and oppression. Because for many people that you may work with or who are survivors of trafficking, who are getting arrested or coming through the criminal justice system, experience all of these levels of trauma and oppression, and it is going to impact how we work and how they, our clients, react to us.

Miriam Goodman: So, interpersonal trauma, examples are childhood sexual abuse, physical abuse, witnessing violence, rape, neglect. And the thing about interpersonal trauma is the intention behind the hurt. So, if we think about a horrible traumatic experience like a natural disaster, like a tsunami. A tsunami does not choose which house it is going to destroy or which area it is going to destroy. It just does. And, it is horrible and traumatizing. Not trying to minimize that. Whereas interpersonal trauma, a person is intentionally causing harm and hurt to another. And as we think about the impact that somebody who is experiencing continued and repeated intentional hurt and harm, that is going to have a big impact on themselves in all sort of ways.

Miriam Goodman: But a lot of times, people are also experiencing systemic forms of trauma and oppression, and structural. So, systemic being the systems that so many people end up in, court system, child welfare, education, incarceration. It goes on and on and on. And structural forms of oppression, such as racism, poverty, cannot stress the impact of poverty enough, homophobia, transphobia, all of these “isms” that are out there. And the reason we think about this so much when we talk about working with trafficking survivors is that, a lot of times, their experiences in systems and structural forms of oppression all reinforce the intentional hurt and harm that the interpersonal abuse that they have experienced has already taught them. For example, somebody, let us say, was removed from home because of being sexually abused, and they get put into the child welfare
system. And now, they are in five different homes, because their behavior, which we are going to talk about, their reaction to their traumatic experiences causes them to have quote/unquote “behavioral issues” in a foster care setting. They get moved around a lot, and eventually give up on trying to stick with a family. And now they are on their own. They are on the street. They have to figure out ways to survive. So, the experience of being passed from home to home and people not being able to understand what is going on for that person reinforces the sense of worthlessness and hopelessness.

**Interpersonal Trauma: Trauma Reactions**

*Interpersonal Trauma: Trauma Reactions*

- Best understood as adaptations to survive and are logical in the context of trauma
- People will do whatever it takes to survive their experience and pain – RESILIENCY!
- Trauma reactions often misdiagnosed or overlooked as symptoms of other mental illness

Miriam Goodman: So, like I said, we are going to really focus in on interpersonal trauma, because it will greatly impact the individual work that any of you do with a survivor, but I really do challenge you to keep in mind all the other experiences that people have in terms of systemic trauma and poverty.

Miriam Goodman: So, interpersonal trauma. Trauma reactions, anybody that goes through a traumatic experience is going to have a reaction. It is very normal in the context of traumatic experiences to react. Even if people say, “I am fine. I am fine. I do not feel anything,” that in and of itself can be a reaction. But I think of trauma reactions really as adaptations to survive, and they are really logical in the context. So, people do whatever it takes to survive their experience and pain.

Miriam Goodman: I often think about a movie, and I always mess up the title, so forgive me. I think it is *127 Hours*, where it is about the hiker who goes hiking, and his arm gets caught under a rock, and he has only a pocket knife to cut off his own arm. And, this is basically a true story, and the story is about what a hero he is for wanting to live so badly that he will even cut off his own arm with a little pocket knife. But if we did not know that his arm was caught underneath a bolder, we...
Miriam Goodman: The other reason that I bring up trauma reactions is that, often, trauma reactions can be overlooked or misdiagnosed as other forms of mental illness. So, it is not to say that people do not have mental illness or diagnoses, but we really want to think about how they got there. So, if somebody is diagnosed with bipolar. How do they know that? What has happened in their lives that has caused them to have highs and lows, and all the other things that go along? So, it is really just about really thinking about what is underneath that label.

**Interpersonal Trauma**

![Interpersonal Trauma Diagram]

Miriam Goodman: So, when we think about reactions, again, we think we have this automatic reaction to trauma, we think about what happens when we are attacked. Right? So, there is fight, flight, freeze mode, and the fight or flight make a lot of sense. So, for an example, wherever you are right now, if a bear were to walk into the room, you may think – you would probably do two things. Right? You would think that you would fight it, maybe if you wanted to be crazy and fight a bear, or you would get out of the room. But what would really probably happen is that we would all freeze, but we do not actually recognize freeze as a reaction usually, because it is not logical to us. So, imagine that you go home and you tell whoever at home that this bear walked into your office, and they ask, “Well, what did you do?” And you say, “Well, I fought it,” or, “I got out of there,” and the response from another person would be, “Okay. That makes sense.” But if you told them, “Well, I just froze. I did not do anything,” people are going to ask you, “Why?” Right? That is a natural follow-up question. “Well, why did you not do something? Why did you not do this? Why did you not do that?” And we do this to trauma survivors and trafficking survivors all the
time. Why did you not do this? Why did you not do that? And they start really questioning themselves. So, it scars because it is where survivors begin to judge themselves, and we as society very much judge survivors of crime and violence.

**Effects of Trauma**

![Effects of Trauma Diagram]

Miriam Goodman: Okay. So, if we, again, think about fight, flight, freeze and what it looks like, this is your brain on trauma, essentially. And, thinking about how the parts of your brain that have emotional regulation, that can have long-term consequential thinking, it all shuts down. We go into fight, flight, freeze mode. So, if you imagine for a second somebody who is always having to be in fight, flight, freeze mode, it means that they are going to struggle to regulate emotion. They might not be able to have long-term consequential thinking, and that really comes in when we are working with survivors of trafficking, especially if they are coming through a criminal justice setting. So, for people who maybe – we are going to break down the trauma reaction even more – but when we think about why somebody maybe goes from zero to a hundred, when all you are trying to do is help, or when somebody who does not show up to do their mandate by the court because coming into that setting, it causes them to go from, again, zero to a hundred and they have gotten in trouble or they cannot come back, or they are not allowed back into the office or space because of how they are reacting.

Miriam Goodman: And so, again, I say all this not to make an excuse for people’s behavior. Meaning, it is not okay for somebody to miss what they are supposed to be doing, or be very rude to staff or yourself or whoever. But if we can kind of use this as a way to contextualize why people may be thinking, doing, feeling the way that they are, it can help our response to them, that we are not causing an escalation when somebody is having a trauma reaction.
Miriam Goodman: So, I often get asked about, “Well, why…” about choice, and I worked for a judge for a long time who was just wonderful and asked me, “I get that this person had trauma in their past, but what does it have to do with why they are before me right now?” And so, the only way I could really think about this is that traumatic experiences tend to put somebody in this position of being vulnerable and needing to survive, but often leads to further trauma. And so, it really can be thought of as this can be a picture in a circle really, but this idea that it is not this trauma first trauma. Trauma can put people in a position where they have to make some very complicated choices.

Miriam Goodman: A classic example being, in a trafficking situation, being somebody aging out of child welfare, out of foster care. They have no one to take care of them. So, they meet a boyfriend who becomes abusive. They leave the boyfriend. Now they have no other family. They have nobody to support them. They are vulnerable to other forms of abuse and exploitation, and they also need to survive. So, they are going to figure out, “How do I survive on my own?” And doing so can often lead to another traumatic experience, such as another abusive relationship or having to do things to survive that may cause them to break the law, like stealing or engaging in prostitution or other forms of traumatic events.

Miriam Goodman: Another example would be a young person who is being abused at home, runs away, is on the street, is vulnerable to all sorts of exploitation, and also needs to survive. And so, may exchange sex for a place to stay or, again, steal and be arrested, and now they are in that cycle, and it can be very hard to break.
Secrecy, Shame, Silence


Examples of Trauma:
- Childhood
- Sexual Abuse
  - Physical Abuse
  - Verbal/Emotional Abuse
  - Domestic/Sexual Violence
- Poverty
- Rape
- Neglect

Miriam Goodman: So, why is this so hard for people to talk about, and why do people kind of show us these tangible trauma reactions or emotional reactions, such as anger or defensiveness? And it is because the kind of hallmarks of trauma are secrecy, shame, and silence. These are the elements that perpetrators, both individual perpetrators and society at large, really kind of reinforce for survivors. So, a perpetrator might ask somebody to keep a secret. Right? The experience of abuse can cause the victim to feel a ton of shame, and they ask them to stay silent. And when we think about our policies and our practices, too, when we only focus on traffickers and we only focus on policies and practices that look at only going after traffickers, the person that gets left out of that is the victim. So, we need to be balancing out how do we create policy and practice that is going to incorporate real concrete services and needs for the victim and not just paying attention to the trafficker. Right? Because that, again, will reinforce this idea of secrecy, shame, and silence.
Now That we Know, how do we Respond? Trauma-informed Care

Now that we know, how do we respond?

Trauma – Informed care!

- Upholding a trauma framework helps us understand how our clients feel, behave, and present with themselves, other and their communities
- Understanding people’s feelings and behaviors as adaptations to survive, and normal reactions to abnormal experiences, helps remove judgment and pathology
- Incorporating a trauma-informed approach allows the helper to connect with the client
- You don’t need all the details!

Miriam Goodman: Okay. So, now that you are all experts on trauma, I am sure, how do we respond? And the way that we respond is through trauma-informed care, and what that really means is upholding a framework that helps us understand how our clients feel, behave, and present. And another way to think about trauma-informed care is kind of human-informed care. Right? So, this person that is in front of you that you are working with in whatever context is a human, a complicated human, who has been through a whole lot of experiences. And so, in return, we really want to treat them as a human, and all the complexities that will come up when working with humans. And it sounds kind of silly and, duh, we know we are working with humans, but a lot of times, again, in practice and policy and systems, we actually kind of forget that, and we expect people to do superhuman things, like attend a program when they are living in poverty and have no way to get there. Right? Or we get upset at somebody who, I do not know, is not working – decides to recant their statement. Right? Because they are too scared and they are not ready to make that move. And we need to remind ourselves that these are people, and people have complicated lives.

Miriam Goodman: So, again, trauma-informed or human-informed care is about thinking about people’s feelings and behaviors and adaptations to survive, and it can help us remove judgment and labeling of people. And when we can remove judgment and labeling, we can do a much better job of connecting. I do not believe that we can be nonjudgmental. It is what we do with those judgments that really impacts our connection and our ability to work with survivors. So, if we can change our judgment from, “You are bad. You do not want these services. You are not deserving of these services,” to, “Why is it maybe challenging for you to engage in services? Why is it hard to work with whatever social worker or attorney?”

Miriam Goodman: The other thing to think about is that you do not need all the details in a trauma-informed approach, and this is really important for people who are not social workers or lawyers
that are working on testimony. When you are a judge, or when you are somebody else who maybe is not going to have access to all the details of a person’s trauma history. What we want to keep in mind is that if you know certain things, if, for example, you know that the person has been in the foster care system for years, or you know that this person has a history of running away, or you know that – these are signs and information that tell you that this person has probably been through or going through traumatic events. And so, our response can – should be a trauma-informed one. Also, a trauma-informed approach will allow you to connect with a client in a more genuine way, because we are not going based on labels. We are going with who that client is.

**Moving Towards Trauma-informed Care**

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<td>• Safety as priority</td>
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Miriam Goodman: So, just to kind of put… I love when we can do a comparison. Thinking about traditional models, really going with that asking the questions of, “What is wrong with you?” Very blaming, very much about power and control. A hierarchy, that the person – the worker knows what is best, that the worker – that the person does not have a right to collaboration in their care. So, it is a common thing that you will hear, and some providers are like, “The person is trying to dictate their own treatment.” But, of course, they should have control over some of their treatment, because all of us, again, as humans, feel better when we have some control. And we are working with people who have had a lot of control taken from them. And so, we really want to be mindful that treatment is going to work better if we can figure out ways to balance power and control with the people that we work with. Again, traditional models, really looking at an overreliance on diagnosis, but as safety as a priority.

Miriam Goodman: Whereas trauma-informed care shifts that question of, “What is wrong with you?” to, “What has happened? What is in your life? Who are you? What do you want me to know about you?” Instead of assuming that we might know things about them. It understands the impact of trauma. And a key thing about the principles of trauma-informed care is that it assumes that the
worker, whatever role you may have, will be impacted by the work, that, again, if we are truly
talking about human-informed, trauma-informed care, that it is about a connection. That you are
going to risk to connect with somebody means that you are going to have feelings about it. And so,
we want to think about creating professional space, where it is okay that you might have a reaction
to the horrible things that you are hearing or bearing witness to that your clients are going through.

Why is it Hard to Uphold a Trauma-informed Framework?

Why is it hard to uphold a trauma-informed framework?

- We’re humans
- Requires living in the gray
- Acknowledging the horror in the world
- Impact of trauma and Vicarious trauma

Miriam Goodman: But, while that sounds all very simple and wonderful, it is very hard to uphold
a trauma-informed framework, and the reason is, again, because we are human. We have our own
experiences that get triggered up, that cause us to have bias, that make it hard to work with certain
people. And we need to be – the more that we can be aware of that and mindful of it, I think that
the easier it will be to be able to address whatever those issues might be.

Miriam Goodman: The other thing about the trauma-informed framework is it requires living in the
gray. So, it would be really lovely if things fell neatly into a black and white context. You are this.
You are that. You are a criminal or you are a victim. You are right. You are wrong. But the reality
is that that is not people’s experiences, that oftentimes it is very much in the gray. And so, people
might be arrested and charged as a criminal and a victim, or they might be a victim of violence and
be a perpetrator of violence. So, just to really sit in the gray, to be in that area where it is harder to
define things, it can feel really uncomfortable.

Miriam Goodman: It is also hard because it means you have to acknowledge the really horrible
things that happen in the world, which we cannot stay away from with social media and everything
now, but it requires us to acknowledge the horror in the world to people we are actually interacting
with, that we know.
Miriam Goodman: And, again, that trauma-informed framework is hard, because the impact of continuously bearing witness to horrible things will impact people, and the whole various trauma and burnout can be really challenging for people.

**Key Principles of Human Trafficking and Prostitution Diversion Courts: The New York Model**

Miriam Goodman: Okay. So, now that we talked about trauma and trauma-informed care, we are going to shift into talking about the New York State model, the Human Trafficking Intervention Courts. And, again, the reason for trauma and trauma-informed care in the beginning is because this is the approach that these courts and the stakeholders that work within them are embracing. Right?
Human Trafficking Intervention (HTI) Courts

Miriam Goodman: So, this is – the Human Trafficking Intervention Courts was an initiative that was launched almost 3 years ago by our Chief Judge of New York State, Judge Lippman. And the idea is there are 11 courts across the state. And we call it AP8 in New York City, because it is shorter, and calling it Human Trafficking Intervention Court raises some concerns in terms of on people’s actual court files. Anyway, so these – the idea of these courts are to – there is a dedicated judge. There are dedicated defense attorneys, there are dedicated prosecutors, and dedicated providers. So, all prostitution-related charges are streamlined into one court, where a trained judge and trained attorneys and social service providers are there to work with people.
HTI Court: Overview

**HTI Court: Overview**

- **Goal:**
  - connect victims and potential victims of trafficking to services
  - offer better legal dispositions to help reduce the number of criminal convictions and criminal records
    - Dismissals
    - 440 motions/vacating records
    - Safe Harbor
- **Design**
  - Short term (proportional) mandates
  - General offers: 5-10 sessions
  - Engage and connect

Miriam Goodman: So, the goals of these courts are to identify and connect to victims and potential victims of trafficking to services, and to offer better legal dispositions to help reduce the number of criminal convictions and criminal records. So, when people are mandated to a social service agency, if they complete those sessions, their case will be dismissed. And not accumulating a criminal record has a huge impact on people, if and when they want to leave the life of commercial sex work, because when you have a long record, it blocks you from a lot of employment and financial aid and all sorts of things.

Miriam Goodman: The 440 motions and vacating, this is something that we have in New York, and it is in a lot of states now, where through a long process if you can prove that you were being trafficked the time of your arrest for prostitution, you can work to have your record vacated, which is a really powerful experience for people when all of a sudden they go from 20 convictions to none.

Miriam Goodman: So, the design of these courts, it is a very short term and proportional mandates, so usually between five and 10 sessions. And the reason for that is because the worth of the case, in terms of jail time, is very short in New York. And so, the social service mandate is to be proportionate and match that. And so, people are often very surprised when they see five or 10 sessions. What in the world can you do with that? And while my staff and my colleagues at other organizations are wonderful, wonderful people, we do not pretend that it is going to...people change within five or 10 sessions. I mean, sometimes they do, but that is really not our goal. The goals are about engagement and connection to create a safe enough space for people where they can connect with somebody that is listening to them, that can offer them any sort of help or thing that they might want to work on. It is not about saving and rescuing, because when we focus on engagement and creating a safe place, then people can work with us on whatever their issue is. And
we have had a lot of success with this approach, as opposed to going in, again, knowing what is best or right for this person.

**HTI Court: Challenges and Strengths**

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Miriam Goodman: I am sorry. I forgot to advance the slide. Apologies. So, some of the challenges and strengths of this model. So, the challenges list looks longer than the strengths, but that is often the case of new initiatives. Right? That there are lots of things to work out. The biggest challenge is this victim/defendant duality. So, like I said before, living in the gray is very hard, and these courts are really challenging the historical black and white perspective of a victim or a criminal. And it is like saying, “Hey, if people are being arrested for this crime, and so technically are criminals, but we are also recognizing that they are victims of trafficking or other forms of violence, or potential to be trafficking victims.” And so, that duality just makes things very complicated for all the stakeholders. What do we do with that? I do not have an answer for you really. We are still – we have a lot of multidisciplinary meetings, and how do we address this when it comes to recidivism or all sorts of issues.

Miriam Goodman: Another challenge is that victims do not identify as victims. So, people maybe their experiences qualify them as a trafficking victim, but that label does not make sense or work for them.

Miriam Goodman: There is a long list here, but I think that a big one, just to go over it, is that recidivism and the use of sanctions for non-compliance. So, recidivism for this population is not a measurement of success. We do not use it as a measurement of success, and the reason is because I have to be aware of all of the things that are going on in people’s lives that will make it likely that they will come back through the criminal justice system, and these mandates are very short. So, to go to the strengths side, when people get arrested several times or over and over again, they have
the opportunity to continue to work with that same dedicated provider, so they can grow the relationship. For any of you that have worked with trafficking survivors, it takes a while for people to gain trust, to want to talk, to want to make any sort of move in their life to escape or leave a trafficker or leave an abusive partner.

Miriam Goodman: And, I think that another issue that comes up a lot, and I am sure this is true everywhere, are resources. There is a real lack of resources in terms of never enough beds and never enough cars, money for transportation, things like that.

Miriam Goodman: But, some of the strengths that have come up, like I mentioned, are the multidisciplinary collaboration. That is the defense, prosecutor, the judge, and a social service provider work very closely, and we have – each court has its regular meetings, stakeholder meetings to check in, see how things are going.

Miriam Goodman: There is also, there is a better communication across the city. So, people get arrested in many different – in different boroughs in New York. So, for example, some get arrested in Brooklyn, and another gets arrested in Queens. Now, because there are dedicated attorneys and social services and judges in these different boroughs, there is a better communication, that people do not have to start again with another mandate. They can – we can combine programming and mandates so that it can count in multiple boroughs, which makes people’s lives a lot easier.

Miriam Goodman: The dismissal of cases, again, is a huge strength. It is really reducing collateral consequences of being in the criminal justice system. And connection to services. So, you know, while the process of getting to services can be very challenging to people, arrests and being in court and all of those experiences, being connected to services that are really good services, that are really addressing and meeting need of people, are – is a very important thing and a very positive thing that has happened.
Miriam Goodman: So, without further ado, questions please.

Danielle Malangone: Okay. So, we actually just received a great question from Tabitha, asking if there are other states looking into offering the Human Trafficking Intervention Courts. This is Danielle Malangone speaking again. I can answer that, and Miriam can answer it as well. The answer is yes. There are many other states that are currently either in the process of developing or enhancing prostitution diversion initiatives. They do not all look exactly like the New York model, and that is a good thing, because every jurisdiction is different. Right? You have got different legal leverage on cases. There might be a different amount of resources available in communities. So, everything has to be tailored, the response has to be tailored to your particular community.

Danielle Malangone: So, another example that is quite different from the New York model is one in Ohio. It is called the Ohio CATCH Court, and it is led by Judge Paul Herbert, and the reason that is it strikingly different is because of the length of engagement. So, as Miriam talked about, one of the things that we are dealing with here in New York is proportionality. So, the going rates for these cases, so to speak, is very, very low. You know, these are individuals that are not going to get sent to jail for a year. We would not want them to get sent to jail for a year, but in other jurisdictions you have more legal leverage, where they can be placed on probation for say 18 months. So, the types of engagement and services available are going to look a lot different when you have a longer period of time to work with them. But yes. There are different models popping up all over the country, from California, Texas, as we talked about, Ohio, Minneapolis, Florida. I am sure I am missing many, many states, but that is just to name a few. Go ahead, Miriam.

Miriam Goodman: And also, there are courts that are addressing trafficking in both the juvenile and adult world. So, some areas have really been focusing their efforts on juvenile courts and
addressing commercial sexual exploitation in that context, whereas others, like New York and Ohio, are working with people who are in adult criminal court.

Danielle Malangone: And, in terms of actually a list of those states, there is not one comprehensive and updated list. If you want to check the Center for Court Innovation’s website, we do have a human trafficking page, and we do update news periodically on that page, and we are hoping to create a compendium of these types of models that list states.

Danielle Malangone: Another question here is about the legal impact of the New York model. Now, I am going to interpret this as possibly reducing collateral consequences or what legal incentives are available to victims. But, Susan, if I am not interpreting your question correctly, please feel free to type in the chat box here. But, the major benefit is to have cases dismissed. So, when you come through the system, as opposed to being prosecuted and ultimately convicted, here in New York it would be a misdemeanor charge with a maximum penalty of up to a year in jail, and also other collateral consequences in terms of longer term employment, or even housing opportunities. Now, in New York, in most instances, cases can be dismissed. Also, New York State has a vacatur law. We are one of 12 states that have a vacatur law, which means that individuals who are deemed victims of human trafficking can have any past convictions related to their trafficking experiences vacated. So, not just prostitution convictions, but in some cases it might even be drug possession convictions.

Danielle Malangone: So, I see here that the other questions…Okay, so one final question here for Miriam. What resources could they turn to when the victim survivor needs help? So, could you talk a little bit about the types of resources that are available?

Miriam Goodman: Sure. So, I think that one thing that makes trafficking and the human trafficking courts very unique is, unlike other courts, like a drug court for example, where there is a clear treatment model. Right? Somebody is dealing with substance use, they get sent to drug treatment. There is not that for trafficking, because what people need, what survivors need, it runs the gamut. Right? It can be education resources. It can be housing, counseling, whatever it is. So, I think that what you do not need to do in communities is reinvent the wheel over and over again. If you have an agency that is aware of human trafficking and domestic violence or sexual assault, to collaborate with healthcare providers, I think healthcare is a huge, huge issue and barrier. People go to the doctor, and when doctors and nurses are not trauma-informed, it is a very triggering, overwhelming experience being touched, not being told what is going on. Basic resources like housing. Housing is a number one issue for us in New York. We are always looking for beds, for shelter beds, for transitional beds. Education system, or just educational needs and jobs. Job training and job placement are huge, huge needs that people have. So, one thing that we do a lot of is training social service agencies that do not specifically work with trafficking survivors, but provide services that our survivors might need, so that they can enhance their response and enhance their assessment for this population, because we never want to send people to a place that we have not [unclear]. Right? We want to make sure that we are sending, we are continuing to create safety for survivors, and the only way to do that is to make sure that we are sending them to places for services that will treat them with respect and all those things.

Danielle Malangone: So, there are a lot of great questions coming in. I really, really appreciate your participation. We do have to move on, but there is going to be another opportunity for questions for Miriam when she finishes her presentation. So, hopefully we can get to a few more of those questions because they are really excellent.
How do you Enhance a Court Response?

Miriam Goodman: I am sorry. I forgot about this. So, how to enhance our court response. So, one thing that I think, you know, people get overwhelmed, myself included, about how do we create change? How do we make change on an individual level or a system level?
Miriam Goodman: And I think that we have to think about intentional change in our own daily practice, in whatever practice we might be in, whatever your profession is. Because we have no control over a lot of things. We have control on how we treat people and how we do our work. So, if you take anything away from anything that I have been babbling about, to take away thinking about, what is one thing that you can do on a daily basis that would enhance your practice so that you are being trauma aware and you are enhancing the response to survivors?
Miriam Goodman: So, elements in strengthening the court response. Judicial leadership is extremely important, and having the buy-in of judges to think about the gray. Right? To think about the complexity of these cases is really, really important, and that goes to training and capacity building. So, the judges that preside in the Human Trafficking Intervention Courts have received a lot of training. They meet regularly as a group, and their leadership in the court is incredibly helpful. The social service agencies, the attorneys, can speak to the judge about what is going on for an individual, so that a traditional response of a warrant being issued or being put in jail are not the responses, but giving people second, third chances are.

Miriam Goodman: Right. So, in case you have not gathered, trauma-informed programming is quite important, and in and out of the courtroom. So, this is true to think about not just training the people that are like social workers, lawyers, and judges, but everybody else in the court. So, court officers or sheriffs or whoever else is law enforcement that is around and in your court is extremely important, because they set a big tone in the courtroom as well.

Miriam Goodman: Screening and assessment, so thinking about how and where and who. Right? So, where are you doing the screening and assessment? What are you screening and assessing for? How do you do that, and where, and who is doing it? So, is it that…thinking about roles. Should the judge do screening and assessment? Probably not, because that would be an awkward role, thinking about roles. Should the attorney? Probably. Should the social worker? Yes. How do we think about who and where?

Miriam Goodman: Creation of specialized services and treatment options. Again, thinking about what do people need, and how do we – how do you find in your community trauma-informed, anti-oppressive spaces for people to go to?
Miriam Goodman: Meaningful engagement and relationship development. Again, so that is true with people, with workers and their clients, they are survivors, but also with each other. So, developing trust and rapport with colleagues that are across the board really helps to get things moving faster and to be able to provide better care for the survivors. So, in New York and the Human Trafficking Intervention Courts, the defense and prosecution work very closely together. They have to, and their years of working together has developed a trust, a relationship. And so, cases can be treated individually, and they can move faster.

Miriam Goodman: And, engage in self-reflection. So always to be thinking about what is working and honest about what is not working, because it is never going to be perfect, and this is very hard work. So, thinking both personally and as a court or as an organization, how are we doing, and how can we continue to do better?

**Procedural Justice**

Miriam Goodman: So, procedural justice. So, these are four key components of procedural justice, which is something that is now getting a lot of attention, as it should, and how courtrooms can help to make the courtroom feel safer, to feel more fair. So, voice, respect, neutrality, understanding are these four key principles, and they are relatively self-explanatory. Giving voice to the person, to the defendant, to the victim. Treating them with respect. Asking what name they would like to be called. Neutrality, to have the person feel that whatever the decision is that is made, is being made based on facts, so that there is not bias. And understanding, again, going back to how complicated things are, to create some room for flexibility in understanding people’s life experiences.
Miriam Goodman: So, one thing that we do in New York that has been extremely helpful is gather a quarterly meeting of all the different social service providers, who work with people that are coming through the Human Trafficking Intervention Courts. And what we have been working on is trying to figure out, what are our goals, and what are our best practices? So, the three goals that we have come up with are we implement trauma-informed care, we provide crisis intervention services, and we deliver resource coordination and advocacy. Those seem pretty simple, but these are things that organizations across perspectives and across – that offer a variety of services have agreed on as what we do.
Miriam Goodman: And, the last thing I will say is that one of some of the best practices that we have come up with, shockingly, are to provide trauma-informed services, but really the need for also a multidisciplinary approach, because we need to be working together to be able to really effectively help survivors and provide the necessary resources for them. Thank you.
Danielle Malangone: Thank you, Miriam. We have a few more minutes before we are going to turn it over to Jennifer, and there were some excellent questions from the previous section. So, I wanted to address some of them. So, Miriam, the first one, and I think this is one that we hear a lot, is somebody posed the question: “Did I hear you say mandated services for victims?”

Miriam Goodman: Yes, I did.

Danielle Malangone: Which sounds counterintuitive, right? So, can you respond to that?

Miriam Goodman: So this is...Yes, you did hear me say that, and this is what I was getting at with that victim/defendant duality that is really complicated and poses a lot of challenges across the board. So, these courts are designed in that people are arrested for the crime of prostitution, for engaging in prostitution, and that instead of the traditional punitive response of jail, are being connected to social services, again, so that their cases can be dismissed, etcetera. So, yes, it is very challenging. It makes it very confusing for everyone involved, from judge to attorneys to provider to client, because it is a very confusing message. And the only way that we, as a social worker, have really been able to address it is to be as transparent as – be very transparent with the people that we work with. So, when someone is mandated to our program, we do not pretend that they are not. Right? That it is all roses and everyone is really happy to be there. They eventually will, because our programming is good. But that people are being told by the court that they must do these things. And we are very open, and we are transparent, and we provide as much information as anyone needs about what happened in court and what happened to their case. But, yes, you did hear that, and it is very complicated and confusing.
Danielle Malangone: Now, Danielle just posed a question about the relationship with law enforcement. So, first I will say that last month’s Webinar was specifically focused on the role of law enforcement. So, if you did not have an opportunity to check that one out, it is available on the website. The link will be available at the end of this Webinar. But because most of these people have already been adjudicated, the role with law enforcement, particularly police, is limited, because by now they have already come through the system. So, we are just trying to divert them now out of the court system and into community-based groups and victim service providers. However, Miriam, could you speak a little bit about how you have worked with victims who may have worked with prosecutors to testify against their traffickers?

Miriam Goodman: Yes. So, very, very few women end up wanting to prosecute their trafficker, and there is a variety of reasons for that. But those that do, again, it is really the relationships that our organization and others have developed with very specific prosecutors, makes the process of having a survivor meet with them very smooth, because they can trust. There is a relationship. If I had to go to a random, random person who I have no relationship with, I could not even tell the survivor that I am working with, “Hey, this is the person that I know and I trust.” And so, again, it is really about developing those relationships.

Miriam Goodman: Another thing that some of the prosecutors’ offices here have done, and it has been really helpful, is having a dedicated social worker actually in their office, who can kind of field questions from service providers. “Well, this happened, and we are not sure what to do. Who should we talk to, and how should we handle this?” And so, having that relationship and that liaison relationship has been really helpful for survivors who maybe are not necessarily going to be wanting to prosecute their trafficker, but have been assaulted by a John or they want to prosecute him, or have something – another experience that is not necessarily wanting to talk about their trafficker, but wanting to prosecute in another way. So, I think that the main thing is developing the relationships, that you have someone you can call right away and you feel like you can trust.

Danielle Malangone: One final question for Miriam, and this is also an important one. Well, what about the boys? What about the men? What about transgender individuals? So, what happens with them? What programs exist for them?

Miriam Goodman: Great question. So, in the court – so remember, the people that we see in Human Trafficking Intervention Courts are the only people that are arrested. So, the landscape of the commercial sex industry is huge, and all sorts of people are involved in the commercial sex industry, from trafficking survivors to not trafficking survivors to [unclear]. That is a whole other Webinar. But we do see a decent amount of trans women who are arrested and coming through the courts. Often it is in areas that are known for – either known for prostitution or where there are higher volumes of trans people. There has also been a lot of issues about policing, in terms of why are they arresting, and who are they arresting? But in terms of services, because that is a whole other Webinar also, in terms of services we partner with LGBTQ (lesbian, gay, bisexual, transgender, questioning) specific organizations that can provide a whole range of services. And we also developed a trans women’s empowerment program, specifically for trans women, not because we felt like they needed to be separated from cisgender women. They have the opportunity to do whichever program they want. But talking to trans women, they have some specific needs that they wanted to address, like hormone and name change and things like that. So, we have done a lot of partnering with agencies that work with LGBTQ people. And men do get arrested. It is rare. It is just rare to see men being arrested. It does not mean for a second that there are not male trafficking survivors or men involved in the commercial sex industry. It is just that I think it is
about how people are being arrested and where, and it is not necessarily where there are men who are engaging in sex work. I hope that answers all your questions.

Danielle Malangone: Well, thank you, Miriam. I think there are a few more questions, but we are actually out of time, because we want to move on to the next speaker. So, thank you, again, for all your questions and participation, and please keep the questions coming for our next speaker, and we will respond to them accordingly.

**Key Principles of a Prosecutor-led Approach: The Chicago Model**

Danielle Malangone: So, without further ado, our next speaker is Jennifer Greene, who is a policy advisor for the Cook County State’s Attorney’s Office, Anita Alvarez, who has really been a pioneer in this field, and developing a lot of really, really great initiatives that aim to identify and respond to trafficking survivors, which Jennifer is going to talk more about. So, with that, Jennifer, take it away.

Jennifer Greene: Great. Thanks, Danielle, and hi, everybody. Good afternoon. So, I think one of the first things I will point out is that we are going to walk through what our human trafficking work has been in Cook County, and really how that led to our intervention court. But some of the questions that I have seen and some of what we have talked about, I think it is really important to highlight how they work together, but that they are also very separate programs.
Overview of Human Trafficking Work in Cook County

Jennifer Greene: So, in Cook County, prior to 2009, there was not a huge effort, anti-trafficking effort happening in Cook County. For those of you who do not know, Cook County is the second largest prosecutor’s office in the country, and we are home to Chicago and about 122 other jurisdictions. And so, the Cook County State’s Attorney’s Office is responsible for prosecuting all crime in Cook County.

Jennifer Greene: There was, prior to 2009, when State’s Attorney Alvarez came into office, a lack of coordinated response and a lack of prosecution happening here. There was a task force that was operational with the Chicago Police Department, but despite the fact that we had had a human trafficking law on the books for 4 years at that point, crime of human trafficking had never been charged at the state level in Illinois. For Anita Alvarez, who is a career prosecutor and a mother of 12-year-old twin girls, it did not make sense to her. Chicago had been identified as a hub for human trafficking in the country. We were seeing human trafficking happening on a pretty large scale. And so, one of her first priorities was to build a coordinated response, a coordinated law enforcement response.

Jennifer Greene: One of the things that had to happen pretty quickly though was a change in philosophy. One challenge that prosecutors’ offices have had traditionally is, where do you put your human trafficking initiative? A lot of people put it under sex crimes. Some people put it under domestic violence. And so really looking at how we approach the crime of human trafficking. And what we came up with was that really it was a couple of different things. It needed to be responded to utilizing the lessons we had learned from domestic violence and from sexual assault, but also the lessons we learned in fighting organized crime and financial crimes. And so, we really kind of put all of those together.
Jennifer Greene: In order for us to be successful, we knew that we had to develop new relationships that had not existed for combating human trafficking. For example, we worked very closely with our U.S. Attorney’s Office on gangs and drugs, but not on human trafficking. We felt like it was really critical to embed service providers in our response, meaning that we had service providers with us every step of the way, and we encouraged our law enforcement partners to do the same. As a prosecutor’s office, it was important for us to recognize that prosecutors cannot combat this alone, nor can law enforcement. And so, the more quickly we could provide access to our victims and survivors, access to services, the more successful we might be in helping them get the support they need, exit the life, and therefore be able and willing to even participate in the law enforcement process, if that is what they chose to do.

Jennifer Greene: Finally, the third piece of our human trafficking work was dedicating full time prosecutors. So, a human trafficking unit was developed in 2009, where we placed three full time prosecutors in the unit to address this issue.

**The Chicago Approach**

- Unprecedented coordination between law enforcement
- Bridging the gap between social services and law enforcement
- State of the art statutory changes
  - The Illinois Safe Children’s Act
  - Reform of Human Trafficking Code
  - Justice for Victim’s of Sex Trafficking Act
  - Elimination of Felony Prostitution

Jennifer Greene: One of the things that I mentioned briefly is that we knew we needed unprecedented coordination between law enforcement, and when we started building this approach, we did not know it. It has since become known in the law enforcement community as The Chicago Approach. But what we really wanted to do was start ensuring that we were working with local, state, and federal law enforcement, as well as working very closely with our U.S. Attorney’s Office. And so, what we did was we started to come together with our U.S. Attorney’s Office on a regular basis and talk about the cases that were coming before us together. And we cross-designated staff from the U.S. Attorney’s Office to our office, and from our office to the U.S. Attorney’s Office, so that we could deal with some of the grand jury issues that come up in prosecution. And, what we
really worked to do was eliminate the kind of turf wars that have traditionally existed between local and federal prosecution and law enforcement.

Jennifer Greene: We knew that we needed, as I said, to bridge the gap between social services and law enforcement, and we knew that we needed to change some things statutorily in Illinois to be successful in addressing human trafficking here in Cook County. One of the first things that we did was partner with End Demand Illinois and drafted the Illinois Safe Children’s Act. And, what the Illinois Safe Children’s Act did was it decriminalized juvenile prostitution here in Illinois. Up until that time, young people under the age of 18 could be charge with the crime of prostitution, which, again, did not make sense of us. They were really victims. They were not offenders. If you have ever heard my boss talk, what she would say to you is, “As the daughter of 12-year-old twins,” you could not get her to believe that some 12- or 13-year-old girl was out here doing this on her own. Someone was helping her, someone was facilitating it, or someone was forcing her into it.

Jennifer Greene: We needed to do some other things to be more successful, too. But within the Safe Children’s Act, which we passed in 2010, including eliminating juvenile prostitution, we put in the ability for prosecutors to use wire taps to investigate human trafficking and trafficking of children. And, again, we could use wire taps in the state for narcotics and for people selling drugs, but we could not for people selling children. And that really was important to us as a law enforcement agency to ensure that we were really using our Chicago approach of looking at these cases like organized crime and domestic violence.

Jennifer Greene: After we started our work, we realized we needed to reform our Human Trafficking Code a bit, and simplify the language. The way our code was written, it was very difficult to charge some of the cases. And so we removed the term “forced labor or services” to correct what we thought was an overemphasis on force, and allow for more opportunity to look at the coercive tactics that often happen from traffickers that are not necessarily forced, but more of the manipulation and coercion that we see so commonly in human trafficking cases.

Jennifer Greene: Our partners at End Demand Illinois then worked to pass the Justice for Victims of Sex Trafficking Act, which allows for those with prostitution convictions to ask a judge to vacate those convictions that may have resulted from human trafficking, particularly when we as a law enforcement and court system did not really know what human trafficking was.

Jennifer Greene: As we worked along building our human trafficking initiative, starting to investigate cases, starting to charge cases, we kept learning more and more. And the next thing that we realized that we really needed to focus on to continue to be successful was the elimination of felony prostitution here in the State of Illinois.
Jennifer Greene: So, in Illinois, up until about 3 years ago, Illinois was one of eight states in the country to actually still have a felony charge for prostitution. And, here in Illinois, that potential upgrade to a felony charge could happen after just one conviction. What we knew is that felony prostitution was disproportionately impacting women, particularly women of color. There was no proof that it reduced crime or recidivism in our communities. It was incredibly costly, both to the Illinois Department of Corrections, the state system, as well as to the Cook County Jail system. And was creating, you know, huge costs for us.

Jennifer Greene: But from our perspective, and the Prosecutor’s Office, the other thing that really concerned us is that we could charge a felony prostitution case after one conviction, but in doing so we could not ensure that there was screening happening for human trafficking. And so what we knew is that our law enforcement partners, and sometimes even our own prosecutors, were not screening before charging someone with another felony, and that just did not fit into our overall initiative of what we were trying to achieve to combat human trafficking in our community.

Jennifer Greene: So, again, we partnered with End Demand Illinois, and if you do not know them you should check them out. They have led a lot of great major initiatives here in the State of Illinois, [www.enddemandillinois.org](http://www.enddemandillinois.org), and we partnered with them to work to eliminate the felony charge of prostitution, and we were successful. And one of the other things that the elimination of felony prostitution did is we had a rider bill on there that said that anyone who was charged with prostitution should be given services.
Jennifer Greene: At the same time, something that was happening in Cook County was that we were massively expanding our Alternative Prosecution and Sentencing Court. Again, when State’s Attorney Alvarez took over, there were eight functioning courts in Cook County, and we are now up to 31. So expanding the use of those courts has been really a primary focus for her. We have a very large population here in Cook County and we have a significant population in jail, and we were really looking at a wide array of pre-trial diversion programs to serve a range of populations. Our Alternative Prosecution and Sentencing Court has specialized courts for mental health, for drug treatment, and for veterans, as well as for first time felony offenders.
Chicago Prostitution and Trafficking Intervention Court

- Authorizing access to alternative courts
- Elimination of WINGS
- Planning with CCI, Chicago Coalition for the Homeless and Office of the Chief Judge
- Developing the model
- Planning, planning, planning

Jennifer Greene: And so, in working to – when eliminating felony prostitution, the next step for us was to really look at how we could begin a Prostitution and Trafficking Intervention Court here that fit into the array of services that were happening with our Alternative Courts. But also took into account all of the work that we were trying to do to combat human trafficking. So even though the work in the Chicago Prostitution and Trafficking Intervention Court grew out of our human trafficking initiative, it is still separate, it is a separate entity, and I will talk a little bit more about, you know, some of the challenges that we had in trying to ensure that they stayed very separate.

Jennifer Greene: Prior to the elimination of felony prostitution, there was a felony-level court called WINGS, Women in Need of Growing Stronger. So when the felony charge of prostitution was eliminated, that meant that that court program was no longer available at the felony level. So at the Prosecutor’s Office, we decided quickly to start planning an intervention court at the misdemeanor level. We started working pretty early on with the Center for Court Innovation. And, as Danielle mentioned earlier, I think we were one of the first to receive the technical assistance from their program. We went out to New York, we visited – we started working with the Chicago Coalition for the Homeless, which ran the Prostitution Alternative Roundtable that was very involved in developing the WINGS court. And we started working with the Office of the Chief Judge, who was also very supportive and integral in building most of our Alternative Prosecution and Sentencing Courts.

Jennifer Greene: After visiting CCI and looking at what we had already happening here in Cook County with the WINGS court and another program that was happening at the misdemeanor level, we started developing the model that we thought would work best for us. So the first thing we did is we chose a service partner agency to work with. And we chose a program called Footprints, which is a subset of a much larger social service agency called the Chicago Christian Community
Health Center, and they do a variety of services. The Footprints program had been working in the Cook County Courts system for many years for first time misdemeanor offenders who were charged with prostitution. And they ran a 1-day program that if someone participated, they would get a certification and bring it back to the court, and the court could be dismissed – I mean the case could be dismissed. But that was just for first time offenders. We chose to work with them because they had a history with the courts, they had survivors on staff, and they had programming that was equipped to work with LGBT-identified individuals. They had their Unhooked program and their Quest program, so they were well equipped to work with trans-identified and LGBT-identified.

Jennifer Greene: And so we started planning. And then we were planning, and we were planning, and we were planning. So this was one of the issues that – and one of the challenges that we faced is that our planning process ended up taking much longer than anticipated. And from the time we started our TA with the Center for Court Innovation, to the time that we started our court, it was actually a year-long planning process. And I think a lot of that has to do with the size of our jurisdiction and the number of players that had to be brought to the table, and the amount of prostitution cases that we were seeing in the City of Chicago.

Jennifer Greene: We decided to start with a pilot program in the City of Chicago, as opposed to the whole county. And with the elimination of felony prostitution, we have seen a reduction in prostitution arrests from the Chicago Police Department, but there was still a very high volume that we were working with.

Jennifer Greene: Some of the other challenges we faced in the planning were that, with our service partner, about halfway through the process there was a change in leadership personnel, which meant that we had to kind of go back to the beginning and start over. In addition, they also faced budget issues, which caused them to have to close one of their offices, which was going to be one office that was integral to providing services. And one other piece is that, in choosing them and in basing the model somewhat off of New York and working with the Center for Court Innovation, we were asking them to change their programming slightly to fit the model we were working on. And so that was a big ask of us, and they rose to the challenge and we loved that, but it took some time to work through all of that.

Jennifer Greene: So, having said that, we were finally up and running, and we have been up and running for almost 4 months now. And, over time, we have had a lot of successes and a lot of challenges. I would say that one of the challenges that I mentioned already is that the massive size of our jurisdiction here has been more of a challenge that we anticipated. In the first 2 months, we had 86 participants come to the court. Of those 86, 84 accepted the program and two did not, and that was not something that we were anticipating in the beginning. And so, we had to work and kind of ensure that we had enough services to meet the need.

Jennifer Greene: We also brought in some other service partners from the beginning, and very quickly. One of those was the Salvation Army STOP-IT program, which is a partner on our human trafficking task force. They are our lead partner for the task force. And pretty quickly after we started Footprints, our primary partner asked that they be there to conduct screening for human trafficking on every single case. That was something that Footprints thought that they would do the screening as part of their psych-social assessment. But with the large volume coming in so quickly, we pulled in the trafficking partner, the trafficking service provider partner, almost at the beginning to provide more wraparound services.
Jennifer Greene: Within the first 2 months, we added two other service partners that are pretty much operational in the court with us every day, and one is a mental health service provider and one is a drug treatment provider, because we were identifying those needs at a high volume. And, again, it was a bit overwhelming to the primary service partner to address so many needs at such a crisis intervention stage.

Jennifer Greene: I think one of our other big challenges was changing the law enforcement response. We have done a lot of work in training law enforcement officers to recognize and identify trafficking, but it is still difficult for them to get onboard with sending the cases, that for those that were charged with prostitution, to a specialized court. So sort of buying into the program.

Jennifer Greene: I would say one other challenge is that, even though we had programming prepared for trans-identified individuals, we were not prepared for the large number of trans-identified individuals that came into the court. The service partner was prepared and had the programming, but what we found pretty quickly is that our court personnel, all of our court personnel, were not prepared to deal with that population. We got a lot of questions about what is the appropriate language to use, and they were great questions and came from a really good place, because everyone in the court did not want to say the wrong thing and did not want to alienate any participants. And so pretty quickly we had to pull in some training, some very specialized training, to help everyone working in the court as a multidisciplinary team to get a little bit more comfortable with language and different issues that might happen if they were working with a trans-identified participant.
Successes and Lessons Learned

Jennifer Greene: One of the lessons that we learned early on from Center for Court Innovation that has been a huge success for us is the role of the public defender in this court, or the defense bar. For us, with the jail system in Cook County being the way it is, many of our participants could choose to plead guilty, take time considered served, and walk out of the courtroom that day. So what we knew early on is that our defense attorney, our public defender was going to be an integral part of talking to their clients, pitching the idea of the program, and really sort of vouching for the program. So we actually worked with our public defender’s office here to write a special grant for this program, and we were successful, and that has proved to be one of the biggest successes and one of the most invaluable parts of the program is working that closely with the public defender’s office. So sort of a different change and different partnership than you generally see between a prosecutor and a public defender.

Jennifer Greene: Some of our other successes is that we were able to bring on new partners so quickly, that were so amenable and so willing to work with this population. And we have just had great buy-in from our social service partners. And I think our biggest success is that we have had so many participants who have been willing to come on board, who have been interested in the programming, and who have really been successful so far.

Jennifer Greene: We have had a small amount of cases that we are seeing recidivism and a second arrest. And so we are working on expanding the programming. But we have just really had an overwhelming response, successful response, in the first 3 months.

Jennifer Greene: I think one of our other biggest challenges is that now that we are up and running, there are so many other jurisdictions around us that are interested in doing the same kind of court. And so we are getting a lot of calls for people to come visit and to come see it, and I think we are
still early in the game that we are a little worried about hosting tours because we are still working out our own kinks. But I think those have been the major successes and lessons learned.

Questions?

Danielle Malangone: Okay, thank you, Jennifer. Now we have a few minutes for some questions. The first question that came in – and this is actually a really excellent question, they have all been such good questions today – is, “If survivors are not arrested, can they still participate in the program or can they somehow access services?” So, Jennifer, do you want to respond to that first, and then, Miriam, if you have anything else to add?

Jennifer Greene: Yeah, that is a great question. So one of the things that I referenced earlier is that sort of a change in philosophy, in that we have seen that change in philosophy really growing here in Cook County amongst not just our prosecutors, but our law enforcement partners. So we are seeing lower arrests by law enforcement. With the minors, under the Illinois Safe Children’s Act, it decriminalized juvenile prostitution so they cannot arrest them. And what the law accounted for then is the jurisdiction goes to the Department of Children and Family Services, where they are offered wraparound services and several things that they may need. For our adult victims, we partner with the [unclear] program on our human trafficking initiative, and they are embedded with us. That is what I was referencing with the embedded service providers. So from the first point of contact with law enforcement, one of the first things that happens is law enforcement leaves the room and sends in a service provider to talk to the person who has been placed into custody to talk to them about trafficking, screen for trafficking, offer them services. Now, one of the challenges is that, generally, when you are partnering with law enforcement in that capacity, often they may not be willing to talk right then and there. They think you are an extension of law enforcement. But what we do see is that there can often be outreach after the fact where they call them for services after being given the number. So we are definitely working with law enforcement at the earliest
levels to try to make services available, even for those who are not coming into this court in any way, shape, or form.

Miriam Goodman: And the same in New York as well. A lot of the – all of the agencies that work with mandated clients out of courts also provide wraparound or holistic services to people that are not arrested or coming to the courts. So people have access to services, regardless.

Danielle Malangone: Thank you both. A few more questions here. The first, Jennifer, is for you and this is about funding. So who is funding the service providers in Chicago?

Jennifer Greene: So the service providers receive a variety of different funding. The STOP-IT program, which is the human trafficking service partner, is funded through an enhanced collaborative grant that we write in partnership to DOJ, as well as other grant funding and private donors. Same with the Footprints program, they have a variety of government grants and private funders, as well as the mental health service provider and the drug treatment service provider. So it is a combination, as are many of our social service agencies, of government funding and private donors, and foundations.

Danielle Malangone: And here in New York, I will just say that it is really, really a wide range of funding sources. Some can access federal grants, state grants. Just recently our New York City Council announced that they would be providing funding, and that is currently being clawed after here in New York City. So it is really a diverse group that are funding these programs now. As awareness increases, so, fortunately, do the funding streams.

Danielle Malangone: Another question is about labor trafficking and I do want to acknowledge that we have not talked about labor trafficking at all, and labor trafficking is certainly an issue, though it is not as recognizable as sex trafficking, which is probably why we do not talk about it so much. So we really do not have any stories here to share in New York. So, Jennifer, I am wondering if there is anything that you could talk about in terms of labor trafficking victims, in particular if your court system is working with labor trafficking victims.

Jennifer Greene: I will say in regards to labor trafficking, our task force work and our human trafficking initiative is very much addressing labor and sex trafficking, adults and children. As far as any sort of specialized courts for that, not that I know of. I mean, I think the difference is that most labor trafficking survivors that we might encounter, there are not often correlating charges that could go along with that. So, first of all, labor has been much harder to identify than sex trafficking, just because sex trafficking you can find it very easily on the street or on the Internet. And with sex trafficking versus prostitution, there has to be some sort of assessment legally in regards to force, fraud, or coercion. With labor trafficking, law enforcement is not coming into contact with them in the same way as they are those who may be engaged in prostitution or being charged with prostitution, or being assessed for trafficking. So, I am not aware of any courts for labor trafficking survivors, but I also think the law enforcement response to labor trafficking is different than it is to prostitution and sex trafficking.

Danielle Malangone: Miriam, did you want to add something [overlapping comments]…

Miriam Goodman: I just wanted to say that several of the organizations in New York that particularly work with East Asian defendants, people are coming to the courts, those organizations do a lot on labor trafficking and provide “know your rights” class for that particular population,
because we have seen an overlap of people who are arrested in massage parlors or nail salons, these types of places, an overlap of those arrests with labor trafficking.

Danielle Malangone: So, I am going to pose one final question to Jennifer and Miriam, and then there are two other questions here that I will respond to quickly. But this is a very important question that we have actually talked about in some of the earlier sessions. But, Miriam in particular, you can probably speak to this as well. It is about social worker or clinician absolute privilege and confidentiality. So, how do you balance the need to protect confidentiality and the need to share information with the court system?

Miriam Goodman: So, we have client-signed confidentiality releases, so that things can stay confidential, and it is clear to them things that cannot stay confidential. In my experience here in New York, the other stakeholders really understand that there is confidentiality, and that in order to effectively work with trafficking survivors, that we need to maintain it, confidentiality. The other thing that we do is we are really transparent with the people we work with. So, when we talk about confidentiality, we will explain to people, “Look. When we need to talk to the court or some of those people, we will always talk to you first, the client first.” We explain the purpose of let us say somebody does not show up to court, and then we need to say, “Danielle is out sick today.” In essence, you are breaking confidentiality, but we discussed it with the client from the beginning, and we have them also sign confidentiality forms or waivers. I think it gets complicated as well when things get really complicated for the clients, when they are not showing up to court or they are not doing their mandate, and then we – that is how we always have a conversation with clients at the beginning about what we can or cannot share, so we can advocate for them for their best interest.

Danielle Malangone: Now, Jennifer, you are on the other side of this, right? So, Miriam is the service provider who has to share the information. And working for a prosecutor’s office, I would imagine that your office is the one who expects to receive the information from service providers. So, how have you guys addressed this issue of confidentiality?

Jennifer Greene: What we, our service providers, our primary service provider at Footprints, we rely on them to report back to the court whether the client has been successful in completing their service plan or not, whatever that service plan may be. And we rely pretty heavily on Footprints to develop the service plan that makes sense within the number of interventions that are needed, and report back whether it was successful or not. We are not requiring a lot of indepth conversation from Footprints, and lot of indepth information. Our goal is to ensure that the clients are successful and that our service partners are providing the services that are needed to help them be most successful.

Jennifer Greene: I think where the bigger issue for us on confidentiality came up is that when we first started developing this program and working with law enforcement and the public defender’s office, there was sort of a general opinion that this court would be really great to find human trafficking investigations, and sort of utilize this court to get to traffickers and get the court participants to sort of give up this information about their traffickers, and we had to be very clear early on to set the tone that that was not the goal of this court. The goal of this court is to provide services to those who are trying to exit the life. And so, we had to really work with our public defender’s office to assure them that we were not going to be trying to, you know, utilize their clients to build cases. What we did was we built in this human trafficking service provider very early on, so that if someone is identifying as a survivor of human trafficking, that they are getting
specialized human trafficking services that are confidential and outside the scope of the court, and then they can work with their counselor, their helping professionals or helping personnel, to decide how and if they want to interface with law enforcement. And so, we are just very clear around our philosophy behind the court, that this is really, first and foremost, about providing services and addressing some of them.

Miriam Goodman: I want to add, too, that the Human Trafficking Intervention Courts in New York expect the same as what Jennifer was saying, to know that the person has or has not completed their mandate, that there is in a record or in a memo that is submitted to the court. It is not required that there is to be detailed information about that person.

Danielle Malangone: Exactly. So, two other questions that I want to address quickly, and, again, this is Danielle speaking. I know it can get confusing with all of the different voices going back and forth. But Nancy asked, “How are states chosen? And do states have to initiate this?” And I am assuming this refers to the technical assistance. And there is no formal process for selecting states. If you are in a jurisdiction and you think you need help doing a better job to identify victims, particularly involving the court system, then we are here to help. So, the last slide you will see our website, and my contact information is available. And you can contact us, and we can begin an exploratory conversation and see how we might be helpful. So, there are not designated states that we have to work with right now. We are just working with individuals as – or jurisdictions as they arise.

Danielle Malangone: Secondly, somebody asked, and this is one of my favorite questions, so this is why I am snagging it and I saved it for the end, is if we are not measuring recidivism – because everybody wants to know about recidivism – if we are not measuring recidivism, then what are we looking at? What are some of the performance measures? And this is really, really important to come up with some realistic and achievable things that you can measure. So, simple things, like just identifying victims, using assessment tools and actually quantifying the number of victims that you have been able to identify, linking those victims to services as a way to reduce barriers, expediting the referral process. So, how long do they have to wait in between the point of contact and the actual referral? Making sure that their referrals are in proximity to where they are, making sure that they are convenient for them. Reducing collateral consequences. For instance, reducing the number of arrests or prosecutions, convictions, or even jail or detention, is a huge milestone. And then, also, stakeholder collaboration. So, people often overlook this, but the fact that you are bringing people together, having these conversations, and developing policies collaboratively is a benchmark in and of itself. So, hopefully that helped answer the question.

Danielle Malangone: We do have available, at the Center for Court Innovation, created a menu of suggested performance measures. So, that is available. Feel free to contact me if you are interested in seeing that document. I do not believe it is up on our website, but I can send it to you.
Danielle Malangone: So, a few final notes before we wrap up. So, here are a few more resources for you. So, if you are interested in more toolkits or resources on this topic, here are several websites. Jenna did send out this PowerPoint earlier. So, the slides are available so that you can click on these links. Our Human Trafficking and the State Courts Collaborative website has a lot of tip sheets and cards, as well as some other research and publications, and all of these other sites listed here.
Danielle Malangone: And then, as I already mentioned, in terms of receiving further training and technical assistance, OVC TTAC is available. They actually assist with the Bureau of Justice Assistance’s (BJA) program in developing anti-human trafficking task forces, and they are an excellent resource. And their website has all of these Webinars listed, as well as a bunch of other toolkits available. And they created an e-guide for BJA on how to develop an anti-human trafficking task force.

Danielle Malangone: And then, there is our website listed there for the Center for Court Innovation. If you go to that website, there is a human trafficking link on the left-hand side. We have developed a toolkit on how to respond to sex trafficking in your jurisdiction, that sort of spells out a step-by-step process for developing some of these programs that we have talked about. We actually just published yesterday a fact sheet on this very topic, on the overlap of domestic violence, sexual assault, and human trafficking, and it sort of lays out the problem, as well as lists some practical steps that you can try to take to improve your response.
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All webinars are being recorded and will be available at: [https://www.ovcattc.gov/views/HowWeCanHelp/dsphumanTrafficking.cfm](https://www.ovcattc.gov/views/HowWeCanHelp/dsphumanTrafficking.cfm)

Danielle Malangone: And, again, in case you missed the previous Webinars, they are listed here. And you can access them on the link, and they have been recorded. This one will be made available shortly.
Danielle Malangone: And, finally, your feedback is very, very important to us. So, as soon as this Webinar ends, which will be in about a minute, an evaluation will automatically pop up on your screen. If you could please take a few minutes to complete the evaluation, that would be really helpful for us in terms of shaping these Webinars going forward. I want to thank Miriam and Jennifer for their presentations today, and I want to thank all of you for your participation and your excellent questions. Thank you, and have a great day, everyone.

[End.]