

Human Trafficking Screening Processes and Best Practices: Part Two

September 15, 2020
2:00–3:30 p.m. (eastern time)

Presenters:

Erika Gonzalez and Cristina Bae Chung, Technical and Training Assistance Senior Attorneys,
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The material presented during today's webinar session will be available on the Human
Trafficking Learning Grantees Community and the OVC TTAC Human Trafficking Webinars page.
The session will be recorded and will begin shortly.

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Today's Moderator



Aubrey Lloyd,
Human Trafficking Team Lead
OVC TTAC

Today's Presenters

Lujain Alhajji, M.D.



Stephen Symes, M.D.



Erika Gonzalez



Cristina Bae Chung





Screening is a process not just a form or tool that is used



If using screening tools, best practice is to use evidence-based, evaluated tools



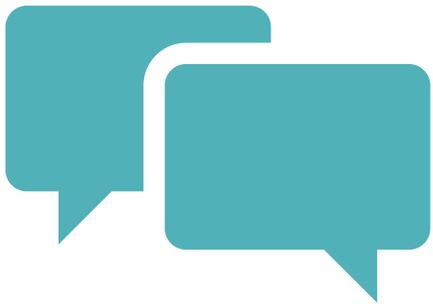
Questions asked should have a direct correlation to your program

How do questions affirm identification of needs
Ensure programmatic fit

Lessons from Screening Part 1

Definitions

- **Screening:** A diagnostic instrument applied to an **entire (pre-determined) population**, in an effort to identify the **possible presence** of an outcome of interest.
 - Process vs. Tool
- **Assessment:** A process to evaluate or measure; the process of using interviews and case information to establish the victim's needs. In victim services, "assessment" does not refer to clinical assessment (e.g., diagnosing clinical disorders) unless the victim assistance provider is a licensed mental health provider.



Poll



YES



NO



UNCERTAIN

Questions

Think of a time you had bad customer service.

What made it bad?

Did you give the company/person another chance?

What would they need to do for another opportunity?

Going Deeper

- Today, we are going to think about some additional aspects of screening.
- Ensuring we are protecting the victims and survivors we walk alongside.
- Even through a pandemic or in a crisis, we can stay consistent to a trauma-informed screening process.

Erika Gonzalez and Cristina Bae Chung

Technical and Training Assistance Senior Attorneys,
Coalition to Abolish Slavery & Trafficking (CAST)

Legal Considerations When Adopting Screening Tools



Objectives

- Legal considerations when adopting a screening tool
- Overview of privilege and confidentiality
- Practical tips when adopting screening tools



What is the Purpose of Screening?

- Identify potential survivors of trafficking
- Determine eligibility for services
 - Financial eligibility, type of victimization, specific demographic, etc.



What is your Role in the Screening Process?

- Social services
- Mental health
- Education
- Public health
- Legal services

Legal Intersections

- Survivors can be involved in active criminal investigations.
- Survivors can be engaged in other processes seeking legal relief.
- Screening tools can be broad and capture non-essential information.
- Social and legal service providers can be brought into the legal proceedings by a court.

What can happen?



- **Subpoena** is a request for the production of documents or a request to appear in court or other legal proceedings.
- Subpoena Request
 - Order by the court to reproduce and submit certain documents
 - Records
 - Documents
 - Other relevant information
 - Request to appear in court to testify
 - Service provider
 - Survivor

How To Minimize Legal Ramifications of a Subpoena

Set up protections with
privilege and confidentiality

- Privilege and confidentiality are not bulletproof

Tailor intake tools to the needs
of your agency/department

Develop protocol and continuous
training for staff on privilege and
confidentiality

Protecting Client Information

Privacy (Individuals)

- “I decide who knows my information.”
- Need privacy to exercise control over situations

Confidentiality (Professionals)

- “You commit to protect my information.”
- Promise confidentiality to build relationships

Privilege (Governments)

- “They can’t make you share my information.”
- Bestowed privilege to protect social values

Types of Privileged Relationships

- Attorney–Client
- Spousal/Marital Privilege
- Therapist–Patient
- Doctor–Patient
- Human Trafficking Caseworker–Victim
- DV Shelter Advocate–Victim
- Sexual Assault Advocate–Victim

Practical Considerations

Adapting Screening Tools

- **Assess tools** to fit your organization's goals and needs
- **Modify screening tools** to capture information that is necessary for your role and purpose
 - Personalize screening tools to the individual survivor
 - "Nice To Know" versus "Need To Know"
- **Acknowledge** that the screening and assessment process is re-traumatizing for the survivor and traumatizing for the service provider
 - Minimize trauma during screening

Activity

6. Have you ever worked [or done other activities] without getting the payment you thought you would get? *[INTERVIEWER: You do not need to repeat “done other activities,” if unnecessary and the client understands work does not just mean formal work.]*

No

Yes → Was it the same work as you described above?

No → **What kind(s) of work or activities were you doing?**

Yes → **What payment did you expect and why?**

→ What did you receive?

Shifting Perspective



Set practice and protocols that collect information as if you would be issued a subpoena by court



Partner with a pro bono law firm or counsel to assist in asserting privilege



Modify intake tools to the agency's needs



Consider privilege and confidentiality as trauma-informed and victim-centered practice

CAST Training and Technical Assistance Website



- Individual Technical Assistance
- e-Learning Courses and Webinars
- Blog/Resources
- Sign Up for Technical Assistance Calls

Lujain Alhajji, M.D. and Stephen Symes, M.D.

THRIVE Clinic, University of Miami Miller School of Medicine

Question

What screening tools/questions do you utilize for human trafficking identification?

HT Screening Tools

Trafficking Victim Identification Tool (TVIT)

- First validated labor and sex trafficking identification tool for adults
- Can be used in some social service settings
- Can take 60 minutes to administer
- Requires a human trafficking expert for interpretation

HT Validated Screening Tools

Quick Youth Indicators of Trafficking (QYIT)

- Validated for homeless young adults only
- Can be used in some social service settings

Short Screen for Child Sex Trafficking (SSCST)

- Only tool validated for use in health care settings
- Validated for adolescents only (11–17 years)

Human Trafficking Identification Assessment Measure-14

- Shorter; requires expert interpretation; based on TVIT
- Can be used in some social/legal services settings

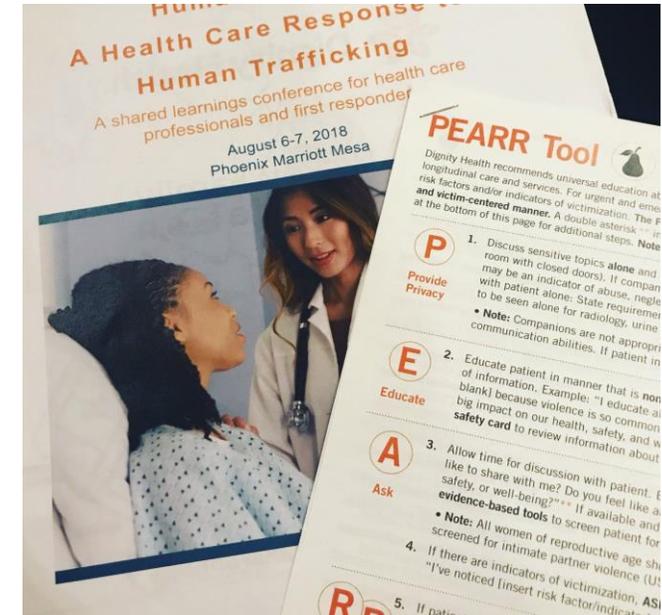


Trauma-Informed Care (TIC) in Screening

TRAUMA-INFORMED PRINCIPLES		
Safety 	Trustworthiness and transparency 	Peer support 
Collaboration and mutuality 	Empowerment, voice and choice 	Cultural, historical, and gender issues 

PEARR Tool*

- Provide Privacy
- Educate
- Ask
- Respect and Respond



*Dignity Health, in partnership with HEAL Trafficking and Pacific Survivor Center, with support from Dignity Health Foundation (2019)

PEARR Tool (Continued)

Provide Privacy:

- Provide a patient with a safe and private setting.
- Consider strategies to separate the patient from the companion in a non-threatening manner.
- Explain any limits to confidentiality (e.g., mandatory reporting for minors).

PEARR Tool (Continued)

Educate:

- Educate the patient about abuse, neglect, or violence in a nonjudgmental and normalized manner.
- Determine risk factors.
- Provide educational brochures/contact information for resources.

PEARR Tool (Continued)

Ask:

- Screen the patient for abuse, neglect, or violence.

PEARR Tool (Continued)

Respect & Respond:

- If the adult patient denies victimization or declines assistance, then respect the patient's wishes.
- Offer the patient information about resources that can assist in the event of an emergency (e.g., local service providers, crisis hotlines).
- If the patient accepts help, refer to local resources and provide info for local/national resources.

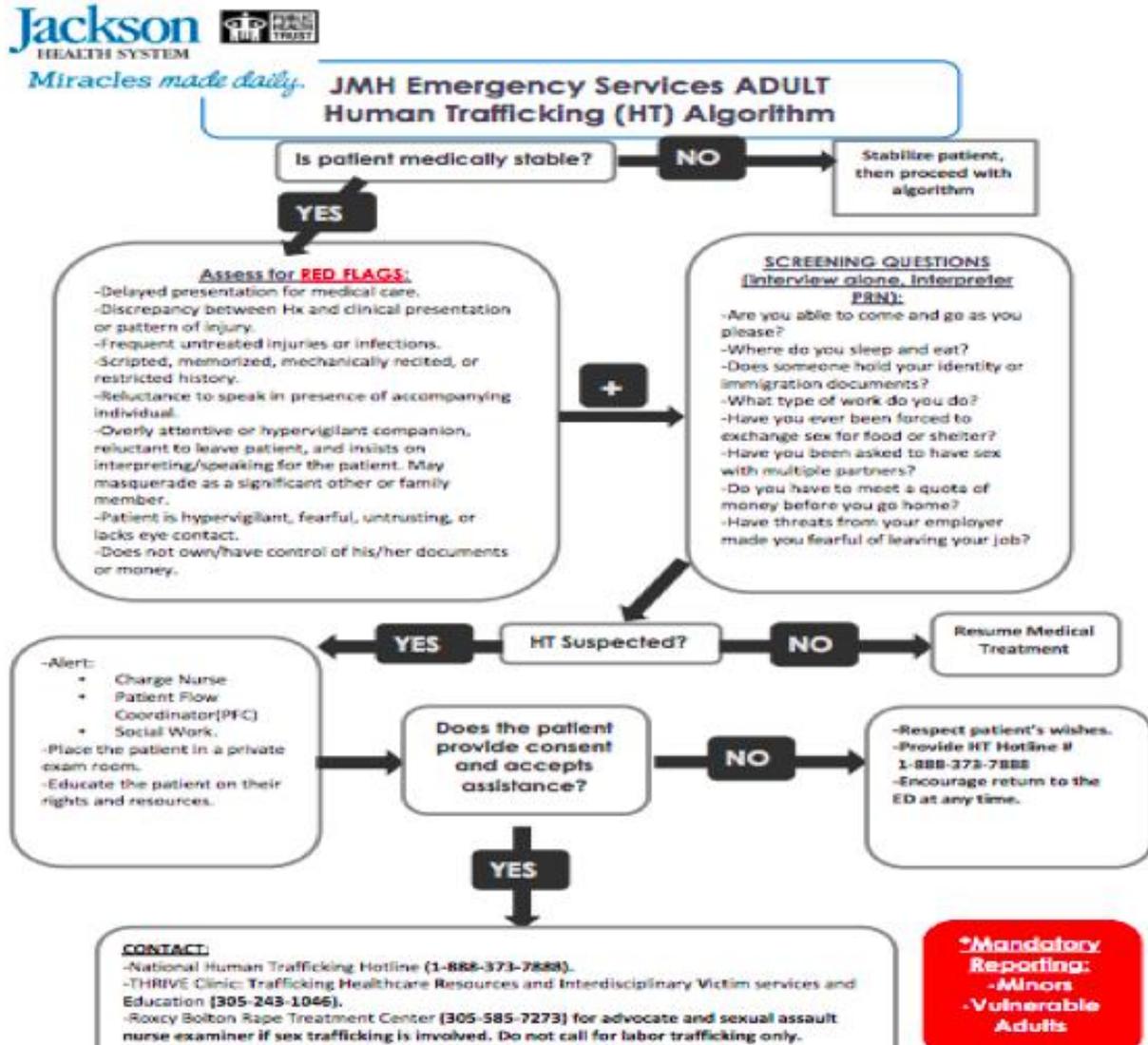
HT Screening in Health Care Settings

- Are you able to come and go as you please?
- Where do you sleep and eat?
- Does someone hold your identity documents?
- What type of work do you do?
- Have you ever been forced to exchange sex for food or shelter?
- Have you been asked to have sex with multiple partners?
- Do you have to meet a quota of money before you go home?
- Have threats from your employer made you fearful about leaving your job?

HT Screening in Health Care Settings (Continued)

- Screening/assessing for HT needs to be conducted in a private environment.
- The patient needs to be ready to disclose.
- A positive screen can help connect the patient to needed resources.
- Report to appropriate agencies (minors).

UM/JMH ED Protocol



Question

How has your institution adapted the screening process for survivors of human trafficking during the COVID-19 pandemic?

COVID-19

Transition to a “hybrid” model:

- Telehealth is still prioritized to limit potential COVID exposure to patients and staff and preserve PPE.
- Patients with no access to phone/Internet offered a telehealth clinic visit.
- In-person appointments offered for some patients with special circumstances.

How to maintain being trauma-informed?

Take Home Messages...

- Difficulties in establishing trust due to fear, stigma, legal issues, ongoing violence, and sexual exploitation may delay entry into care.
- Screening survivors for HT needs to be done in a trauma-informed and culturally sensitive manner.
- Collaborative care models are key to improving access and coordination of services for HT survivors.

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 **THRIVE CLINIC**

Questions?

Evaluation QR Code

Scan the QR code with your phone to open the survey or use this [link](#).



Thank you!

Please take a moment to fill out an evaluation for this webinar.

