

Pennsylvania Senate Majority Policy Committee

Written Hearing Testimony

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“HUMAN TRAFFICKING”

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Senator Laughlin:

It is an honor to testify before you today regarding policies to protect Pennsylvania’s most vulnerable citizens: children and youth. My name is Anne Basham, and I represent The Foundation United on behalf of Ascend Consulting, a human rights advocacy firm. The Foundation United is a leader in eradicating sexual exploitation and abuse through global systemic change, training, and root level solutions. I am also the Founder and Chair of the Interparliamentary Taskforce on Human Trafficking, a global consortium of Members of Parliament and Congress, government leaders, and lived-experience experts who combat human trafficking through policy solutions and lawmaker education.

As state lawmakers, your role in the fight against child trafficking and exploitation is crucial. Many human trafficking related convictions occur at the state level, and state legislation has a profound impact on both the identification and restoration of survivors and the protection of potential victims.

Human trafficking is defined as the recruitment, transportation, or harboring of individuals through force, fraud, or coercion, with the ultimate goal of exploiting them for profit. Traffickers target children, women, and men of all ages, races, and backgrounds. They use false friendship, fraudulent employment agencies, and empty promises of education, work, marriage, or love, to deceive their victims and subject them to labor or sexual exploitation.

Global estimates indicate that 50 million individuals are exploited in human trafficking schemes, with .04% of victims ever identified; thus, more than 99.5% are never identified. Their suffering

sustains a \$150 billion industry, rivaling even the profits generated by drug trafficking—an enterprise that has long been regarded as the leader in illicit global revenue. Unlike other human rights abuses, local and regional exploitation is frequently linked to transnational organized crime syndicates.

Child Exploitation and Trafficking in Pennsylvania

- **U.S. domestic trafficking and global syndicates.** In the state of Pennsylvania, just over 4000 human trafficking victims have been identified via National Human Trafficking Hotline community tips from 2007 to the present day.¹ Meanwhile, the Unified Pennsylvania Court System reports just over one thousand human trafficking-related offenses filed in the last five years.² If more than 99.5% of victims are never identified in Pennsylvania, then at least 400,000 trafficking victims may have experienced exploitation in Pennsylvania’s communities and industries over the last 15 years.

U.S. child exploitation also frequently funds organized criminal networks like MS-13, one of the most notorious gangs operating in Guatemala, Honduras, and El Salvador, with documented criminal activity across the U.S. and even in the state of Pennsylvania.³ A U.S. Treasury investigation found that “money generated by local MS-13 cliques” engaged in sex trafficking, drug trafficking, murder-for-hire, extortion, and money laundering was “consolidated and funneled to the group’s leadership in” Central America.⁴ The reality is that children, including U.S. citizen children trafficked from and within the United States, are a primary component of this illicit financial network.⁵

- **Child Migrants and Human Trafficking.** All gathered here today are intimately familiar with the local impact of global civil unrest and displacement, as experienced in recent migration waves. I testified before the U.S. Senate Judiciary Committee this past

¹ <https://humantraffickinghotline.org/en/statistics/pennsylvania>

² <https://www.pacourts.us/news-and-statistics/news/news-detail/1124/cracking-down-on-human-trafficking-in-pennsylvania>

³ <https://www.nydailynews.com/2023/07/07/brooklyn-ms-13-member-shot-his-drinking-buddying-for-disrespecting-him-during-late-night-cocaine-binge-feds/>

⁴ <https://home.treasury.gov/news/press-releases/jl10026>

⁵ <https://home.treasury.gov/news/press-releases/jl10026>

summer about human trafficking vulnerabilities among the tens of thousands of Central American unaccompanied child migrants who have crossed the U.S. Southern Border. Inevitably, many of these children will be exploited in sex trafficking, labor trafficking, or both. This problem affects not only border towns, but big cities, suburban areas, and rural communities across the country. The Department of Homeland Security's Homeland Security Investigations (HSI) has prosecuted cases involving girls as young as 14 who are part of a "human pipeline" from Mexico to New York City, and Pennsylvania is of course en route.⁶

- **Foster Care, Human Trafficking, and Online Sexual Exploitation and Abuse of Children (OSEAC)**

Many migrant and refugee children eventually enter the U.S. foster care system. This includes the more than 10,000 children that Pennsylvania's Unaccompanied Refugee Minors program has generously cared for since 2014.⁷ However, the overburdened U.S. foster care system too often exposes children to further exploitation. Last fall, it was reported that human trafficking rings targeted children in the State of Texas' temporary foster care settings,⁸ and that Child Protective Services paid \$30M to off-duty police officers to watch children who were housed unsupervised in hotels and churches because there is no family for them within the foster care system.⁹

Setting aside migration and refugee issues, data suggests that U.S.-born children in the foster care system are our country's most trafficking-vulnerable citizens. According to the National Foster Care Institute, more than 60% of child trafficking victims are current or former foster youth.¹⁰ Unfortunately, many children are first targeted by traffickers while in foster care. Children and youth in foster care can also be more vulnerable to the terrible epidemic of online sexual exploitation and abuse of children (OSEAC).

Throughout the United States including here in Pennsylvania, child trafficking survivors

⁶ <https://nypost.com/2021/04/17/how-bidens-border-policy-will-increase-child-sex-trafficking-to-us/>

⁷ <https://www.acf.hhs.gov/orr/grant-funding/unaccompanied-children-released-sponsors-state>

⁸ <https://www.dallasnews.com/news/2023/09/07/texas-foster-kids-trafficked-for-sex-as-rings-target-those-lacking-placement-judges-say/>

⁹ <https://www.dallasnews.com/news/politics/2023/06/29/cps-forks-over-millions-to-station-off-duty-cops-at-hotels-churches-housing-foster-kids/>

¹⁰ <https://nfyi.org/mission/>

have received services from state and local child protection agencies only to be failed or forgotten even in the midst of daily bureaucratic connection¹¹. However, Pennsylvania's legislators can take critical steps to ensure that trafficking-vulnerable children and youth are identified and protected from the first moment they encounter a caseworker.

Recommendations

While the state house is divided on many issues, I believe all Pennsylvania legislators can agree that no child should be exploited, trafficked, or abused. There are strategic state-level legislative and policy solutions that legislators can take to protect Pennsylvania's children and strengthen the families who love them. Here are a few primary recommendations:

Human Trafficking Prevention Education: Education is a key preventative measure, and Pennsylvania legislators should mandate and fund human trafficking prevention education in schools. Prevention education helps children see and stop exploitation before it starts, bolsters children's capacity to self-identify and self-report, and supports teachers as frontline actors in the fight against trafficking. Especially in an age of hyper-sexualized, perpetually accessible media content, the best prevention education also helps children avoid becoming exploiters themselves.

The role that teachers play in trafficking prevention and victim identification is unparalleled. Olympic gold medalist Sir Mo Farah made headlines several years ago when he shared that he was trafficked as a child, but the full story revealed that his recovery began when he disclosed his exploitation to a P.E. teacher who reported it to social services.¹² Because of teachers' daily relationships with children and youth, they are highly likely to receive reports of human trafficking from their students or to recognize exploitation in the lives of children.

Therefore, it is imperative to prioritize funding for widespread education to youth about the signs of human trafficking, the harm of human trafficking and the importance of human dignity. Not only does this save lives, but the cost of education is far less than the cost of restorative care. Each survivor of sex trafficking who is recovered needs thousands of dollars for supportive trauma-informed rehabilitation, but prevention education is only a few dollars per child by comparison. Sample legislation and text can be provided upon request.

¹¹ <https://www.nbcnews.com/news/us-news/missing-foster-kids-four-major-states-werent-screened-see-sex-traffick-rcna35937>

¹² <https://www.bbc.com/news/uk-62158918>

The Foundation United’s SPEAK UP curricula is an excellent example of the key elements that make for a truly effective prevention curriculum because it is: evidence-based; scenario-based; a “train the trainer” implementation model for teachers and students to effectively learn to recognize the signs of trafficking, exploitation, abuse, and reporting; and backed by university research partners for pre and posttest surveys, which have led to a proven 85% success rate. Because of this, they are currently in many public, private and homeschool settings throughout the U.S. and internationally as well as a digital platform that reaches public schools in 34 states.

CPS Modernization: Child Protective Services (CPS) is the gatekeeper to the foster care system, and 60% of trafficked youth have been in the foster care system at one time. A child’s vulnerability to human trafficking should end at every encounter with Child Protective Services, but as previously mentioned, often it does not. A simple fix for this problem is the modernization of Child Protective Services interview protocols, including mandatory audio recordings of all CPS interviews.

37.4% of children in the United States will be interviewed by a CPS caseworker at some point before their 18th birthday and surprisingly these initial interviews are never recorded. These initial interviews are generally conducted spontaneously at the child’s school by a social worker. The child’s statements are written down by the caseworker with no witnesses or accountability for accuracy of reporting. This creates an opportunity for the child’s voice to be inaccurately portrayed or even silenced. The accuracy, accountability, and efficiency of interviews could be substantially improved if these initial interviews were recorded. Video and audio recordings of interviews are already considered standard best practices at child advocacy centers nationwide, and it is an overdue child protection policy that audio recordings should be mandatory in Pennsylvania for all interviews by CPS caseworkers.

The Department of Justice has required recordings of all interrogations for nearly a decade, and state law enforcement departments—including Pennsylvania state police¹³—require police body cameras. Similar accountability measures are long overdue in the child protection space. To stop

¹³ <https://www.kingtoptec.com/body-worn-cameras/how-the-pa-state-police-body-camera-policy-is-shaping-law-enforcement>

child trafficking and exploitation, especially among highly vulnerable and routinely neglected and abused foster care children and youth, it is imperative that state legislators craft legislation requiring at least audio recording, if not video recording, of all CPS interviews.

Minor victims do not have a voice unless adults and leaders choose to let them speak and be heard. I have spent much of my career working in Congress, and as you all know every word in this hearing is recorded for an official record. How many of us listen and respond more carefully when we know we are being recorded and that every word can and will be saved? And yet, how many important words are dismissed or silenced because there was no recording?

I have personally worked with a mother whose daughter was silenced when a CPS caseworker recorded her report of abuse inaccurately in his written record. In this instance the child was interviewed in the mother's home where she was able to listen through the door and record the interview herself and compare it months later to the family assessment report after the case the closed. In her situation a protective order for the children was dismissed because her child's testimony was not accurately written down. How many other acts of abuse, exploitation, or trafficking have been erased due to closed-door interviews or false reports? How many times have sex traffickers, domestic violence perpetrators, or other criminals leveraged CPS' broken protocols to gain greater freedom to abuse? Transparency and accountability are essential in our modern world, especially when advocating for children.

Online Sexual Exploitation of Children and Adolescents: Pennsylvania state lawmakers also have a crucial role to play in the prevention of online sexual exploitation of adolescents and children. In 2021, 21 million reports of online child sexual abuse were received by the National Center for Missing and Exploited Children (NCMEC), and because of this growing epidemic threat to youth, legislation to protect them is essential. A study by Thorn concluded that 75% of sex trafficking victims are advertised online.¹⁴

To address this, Montana's state legislature recently joined their lawmakers in Arkansas, Louisiana, Mississippi, North Carolina, Utah, and Virginia in ratifying legislation that

¹⁴ <https://www.thorn.org/child-trafficking-statistics/>

strategically protects children from accessing pornographic material, which is frequently produced in exploitative situations. [Senate Bill 544, sponsored by Senator Willis Curdy \(D-Missoula\)](#), revises Montana laws regarding material considered harmful to minors and internet-based distribution of such material. The notorious website PornHub blocked Montana users' access days in advance of the law's effective date. A similar law was implemented in Virginia on July 1, 2023, and PornHub issued the statement, "We have made the difficult decision to completely disable access to our website in Virginia." It would be a huge victory for the protection of children to see Pennsylvania take its place as the next state to protect children with similar legislation.

Third Party Control: I would also like to highlight Senate Bill 45, which eliminates the third-party control requirement to access victim services under the National Human Trafficking Resource Center Hotline Notification Act. SB 45 is excellent model legislation for other states. This bi-partisan legislation protects child trafficking victims by eliminating the need to identify a "controlling person" when classifying minors as sex trafficking victims. To put it simply, under current Pennsylvania law, a child sex trafficking victim must identify the individual exerting control over them in order to be recognized as a human trafficking victim. The new legislation appropriately designates any child who has been commercially sexually exploited as a "victim of human trafficking." After all, a child who is too young to consent to sex is undoubtedly incapable of consenting to commercial sex.

I commend the Pennsylvania Senate on the passage of SB 44 in December of 2023 through unanimous consent which provides an additional affidavit criteria for the Address Confidentiality Program, and I urge the Pennsylvania House to swiftly pass SB 45.

In a world that is deeply divided on many issues, there is unity on this: human trafficking and the abuse of children must stop. There is no better way to honor Human Trafficking Awareness Month than to prioritize policies that bridge political divides: policies focused on safeguarding our children, truly the future of the state of Pennsylvania such as this one.

Thank you, Senator Laughlin, for the honor of testifying before you and The Senate Majority Policy Committee today on these serious, sensitive, and deeply important topics. I look forward to continuing to work with you and your colleagues in the Senate and House to protect children and youth in Pennsylvania from trafficking and exploitation.