

Attachment Two (2)

Committee on Domestic Violence Agenda
December 4, 2018

Contents: AG Human Trafficking Screening Tool
Parade Best Float and
Model Protocol for Cross-Agency Response to
Domestic Violence



Law Enforcement Screening Tool for Victims of Human Trafficking

BEFORE USING THE TOOLKIT

1. TAKE HUMAN TRAFFICKING TRAINING

- <https://humantraffickinghotline.org/resources/trauma-informed-human-trafficking-screenings>
- Recognize Signs of Trafficking
- Trauma Informed / Victim Centered Approach
- Minimize Re-Traumatization
- Victim Mindsets:
 - ◆ Fear - harm to selves or loved ones
 - ◆ Shame - activities forced to perform
 - ◆ Self-blame – for falling prey to a situation
 - ◆ Traumatic bonding to trafficker – a.k.a. Stockholm syndrome
 - ◆ Distrust of Law Enforcement and service providers
 - ◆ Isolation – complete dependency on trafficker
 - ◆ Hopelessness and resignation – No one cares to help
 - ◆ Psychological Trauma – PTSD
 - ◆ Normalization of exploitation – abuse is a normal part of everyday life
 - ◆ Don't self-identify as victims
 - ◆ Unaware of resources

2. DEVELOP INTERNAL POLICIES AND PROCEDURES

- Who Administers the Toolkit
- Language Services
- Nonjudgmental Screener

3. ESTABLISH RESOURCE REFERRAL NETWORK

- Collaborate with Local Resource Service Providers
- Supply Resource Information Materials
- Maintain List of Resource Contacts for Warm Handoffs

ADMINISTERING TOOLKIT

1. ESTABLISH A RELATIONSHIP

- Build Trust – Administer Verbally
- Lifetime History of Trauma not Uncommon
- Build a Safe Space
- Nonthreatening Calm Tone and Physical Presence
- Allow Time

2. ESTABLISH INTERNAL RESPONSE

- Only use a trained Assessment Screener
- Screener should remain nonjudgmental and encouraging
- Establish internal protocols to guide implementation
- Include language interpreter services

3. RESOURCES

- Offer Resources
- Provide Information Materials
- With Permission Call Referral Contact
- Warm Handoff to Service Provider Contact for Resources and Safety Planning

SCREENERS QUESTIONING THE VICTIM SHOULD CONSIDER THE FOLLOWING:

Common charges against sex or labor trafficking victims are possession of unlawful weapons or controlled substances, financial crimes, identity theft, selling or cultivating drugs and possession of false identification documents.

Is there evidence of possible “Stockholm” or “Patty Hearst” Syndrome where the victim, because of his or her dependency, actually begins to identify with the trafficker?

It is important to note that trafficking victims rarely self-identify as victims. They do not realize they are victims or that a crime is even being committed.

Law enforcement should make every effort to help victims feel safe and secure. When working with trafficking victims, law enforcement officers may wish to keep the following in mind:

- Enlist the help of victim advocates wherever possible.
- Since many victims have been arrested, it takes time and astute questioning to determine that they are victims, and not criminals
- Be aware that lawyers are sometimes employed by traffickers.

HUMAN TRAFFICKING SCREENING TOOL

1. Fraud/Financial Coercion Questions

- a) Where were you born? _____ (If not a U.S. Citizen continue to (a)-(d))
- (a) How did you get into this country? _____
- (b) Who brought you into this country? _____
- (c) Who organized your travel? _____
- (d) Are you in possession of your own legal (I.D.) documents? If not, why? _____
- (e) Were you provided false documents or identification? _____
- (f) How was payment for your travel handled? _____
- (g) Did you come to this country for a specific job that you were promised? _____
- (h) Were you forced to do different work? _____
- (i) Who forced you into doing different work than what was promised? _____
- b) How did you get your job? _____
- c) Who promised you this job? _____
- d) Was there some sort of work contract signed? _____
- e) Are you getting paid to do your job? _____
- f) Do you actually receive payment or is your money being held for you? _____
- g) Do you owe your employer money? _____
- h) Are there records or receipts of what is owed to your employer/recruiter? _____
- i) Are there records/receipts of what was earned/paid to you? _____
- j) How were financial transactions handled? _____
- k) Are you being made to do things that you do not want to do? _____

2. Physical Abuse Questions

- a) Were you ever threatened with harm if you tried to leave? _____
- b) Did you ever witness any threats against other people if they tried to leave? _____
- c) Has your family been threatened? _____
- d) Do you know about any other person's family ever being threatened? _____
- e) Were you ever physically abused? _____
- f) Did you ever witness abuse against another person? _____
- g) What type of physical abuse did you witness? _____
- h) Were there any objects or weapons used in the physical abuse? _____
- i) Where are these objects or weapons located? _____
- j) Was knowledge of this abuse ever communicated to a person outside of this situation (e.g., police reports, domestic violence reports, hospital records, social service records)?

- k) Was anyone else ever abused or threatened with harm in your presence? _____
- l) How were medical problems handled, and who attended to them? _____

3. Freedom of Movement Questions

- a) Is your freedom of movement restricted? _____
- b) Do you live and work in the same place? _____
- c) What were the conditions under which you were left unattended? _____
- d) Were there instances of physical restriction through locks, chains, etc.? _____
- e) Where are the locks used and who has the keys to them? _____
- f) How was movement in public places handled (e.g., car, van, bus, subway)? _____
- g) Who supervised your movement in public places? _____

- h) How was the purchase of private goods and services handled (e.g., medicines, prescriptions)? _____
- i) What forms of media or telecommunication did you have access to (e.g., television, radio, newspapers, magazines, telephone, the Internet)? _____

4. Psychological Coercion Questions

A. Behavioral indicators:

- a) Who are you afraid of? _____
- b) Why are you afraid of them? _____
- c) What would you like to see happen to the people who hurt you (e.g., jail, deportation)?

- d) How do you feel about the police? Why? _____

B. Environmental Indicators:

- a) Where do you live/work/eat/sleep? _____
- b) Where do the alleged perpetrators live/eat/sleep? _____
- c) Are the living conditions between the two excessively different? _____

Sources: United States Department of Health and Human Services,
<https://www.acf.hhs.gov/otip/resource/nhhtacadultscreening>
National Human Trafficking Hotline Resource Center
<https://humantraffickinghotline.org/resources/trauma-informed-human-trafficking-screenings>



A MODEL PROTOCOL FOR CROSS-AGENCY RESPONSE TO DOMESTIC VIOLENCE

This Domestic Violence Protocol provides a framework for an active relationship between community advocates and the local law enforcement agency. This document is intended to assist advocates and law enforcement with defining their cross-agency working relationship in order to implement best practices in domestic violence response. The protocols referenced in this document should serve as a basis for agencies to tailor to the needs of their individual jurisdictions and available community resources.



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Community-Based Organizations

Organizations not affiliated with the criminal justice system can often assist in meeting the needs of a victim that the criminal justice system cannot. Some of the assistance offered by the community-based organizations includes 24-hour crisis hotlines, emergency shelters, transitional housing, individual and group support, counseling, advocacy, and other supportive services. Community education and professional training are often available as well.

Many of the community victim services agencies have advocates who can offer assistance when a victim applies for an Order of Protection. This affords an opportunity to intervene to disseminate information to the victim, thereby potentially interrupting the cycle of violence. Most agencies have advocates available to accompany a victim to various hearings to offer support and information about the process. Some agencies have advocates available to accompany a victim to various hearings to offer support and a measure of reassurance.

VICTIM ISSUES

Victims of domestic violence often have had negative experiences with the criminal justice system. Law Enforcement officers must be cognizant of this and devote the time necessary to attempt to establish rapport and open dialogue with a victim. A victim advocate can be instrumental in developing a positive relationship between the victim and the criminal justice system resulting in greater safety for victims, their family/pets and successful investigations.

Law Enforcement Protocol

Dispatcher

A dispatcher who receives a domestic violence incident will:

1. Assign priority based on the following factors:
 - a) Whether the parties are separated;
 - b) Whereabouts of the suspect;
 - c) Use of weapons;
 - d) Nature of any injuries;
 - e) Threats of future harm;
 - f) Whether the incident was physical, verbal or involved other types of abuse
 - g) Is there a history of domestic violence; and
 - h) Presence and/or involvement of children or other surrogate victims (elderly, pets, etc.).
2. Reassure the Victim that help is on the way.
3. Once all necessary information is obtained and law enforcement has confirmed the scene is secure, the dispatcher will contact the local domestic violence service provider so an advocate can be provided immediately or as soon as available.

Contact Victim Services Advocate

Contact the local domestic violence service provider as early in the process as possible. The victim advocate may be called to the scene of any domestic violence incident whether or not an arrest is made. The victim advocate shall assist the victim which may include, but is not limited to:

1. Assisting with the development of a safety plan for the victim(s);
2. Providing referrals to community resources and relevant phone numbers;
3. Providing transportation to a medical facility, shelter, etc.;
4. Advising the victim on Emergency Orders of Protection;
5. Informing victims on the functions of VINE (the nation's leading victim notification network), assisting victims with downloading the VINELink app on their smart phone, helping them create an account on VINE to track their offender if an arrest has been made or showing them how to use the service provider feature so they can access services as needs arise; and
6. Contacting the animal shelter or Humane Society to arrange emergency shelter for household pets when necessary.

Victim Services On-Scene Responders

The purpose of victim services providers is to keep victims informed, connected to resources and prepared for a variety of situations dependent upon the nature of their case. The victim advocate in a domestic violence case can assist the victim in understanding the criminal justice process, in assessing their needs and in determining how to best meet those needs.

After assessing a domestic violence scene for the level of danger, the patrol officer should consider whether or not to call out an on-scene victim services advocate. Officers should consider calling an advocate when any of the following situations arise:

1. There is serious physical injury to the victim;
2. There are children at the scene that have witnessed the events and may be traumatized;
3. Shelter is needed for the victim and/or the children and/or pets;
4. The suspect has made threats or used weapons;
5. The suspect has not been taken into custody;
6. There are basic unmet needs;
7. The victim is emotionally distraught and/or needs a support person; and
8. When it is in accordance with departmental policy.

The on-scene victim services advocate will assess the needs of the victim and may:

1. Calm the victim and de-escalate the situation as much as possible;
2. Assess immediate needs of both the victim and family members;
3. Locate any on-scene children and assess immediate needs including additional personnel to assist with childcare;
4. Provide an emotional support person for the victim;
5. Facilitate transportation to a shelter or other destination;
6. Obtain minimal emergency supplies;
7. Coordinate, with the officer, a brief history of the occurrence and the background of the couple;
8. Develop a plan of action with the victim, including immediate and short-term goals entailing safety planning, emergency orders of protection, shelter information and other referrals as necessary;
9. Explain victims' rights;
10. Provide information, when applicable, on the Victims of Crime Program and how to apply for the funds; and
11. Provide referrals to agencies that can provide long-term assistance.

If the scene is not safe or if the suspect is not arrested, the victim services advocate should meet the victim at a neutral location.