



Protections for Child Victims of Human Trafficking*

INFORMATION KIT

I. Awareness and Identification

A. Identification of a Trafficked Child or Situation

It is rare for child victims of human trafficking to identify themselves as being trafficked. More often than not, victims will present to the Department of Children and Families (DCF) or Community Based Care providers due to another form of abuse, neglect, or abandonment.

B. Indication that a Child May be a Victim of Human Trafficking

Please note that this list of indicators is not exhaustive (visit www.acf.hhs.gov/trafficking for further information):

The Child:

- Shows evidence of physical, mental, or sexual abuse.
- Cannot or will not speak on own behalf and/or is a non-English speaker.
- Is not in school or has significant gaps in schooling.
- Is being controlled.
- Has engaged in prostitution or commercial sex acts.
- Does not have access to identity and/or travel documents.
- Works unusually long hours and is unpaid or paid very little.
- Will not cooperate, e.g., gives you wrong information about identity and living situation.
- Lives at his/her workplace or with employer and/or lives with many people in a small area.
- Has a heightened sense of fear and distrust of authority.

II. Appropriate Procedures

A. Best Practices That Should Be Used With a Child Victim of Human Trafficking

- Use a qualified, non-biased interpreter if the victim does not speak fluent English.
- It is important that the child be gently interviewed and that the suspected trafficker(s) not be present. The child should be questioned in an unbiased and non-judgmental manner. Doing otherwise could discourage them from seeking help or making a disclosure.
- Ensure confidentiality.
- Do not ask about immigration status at the beginning of the interview; this can be intimidating.
- Know that it may take several interviews to establish trust and a long time to determine if a child has been trafficked.
- Be sensitive to cultural and religious differences.

Be aware that the child's parent or caregiver may be the child's trafficker or that the trafficker may lie and say s/he is the child's parent or caregiver.

B. Differentiation between Criminals and Child Victims of Trafficking

Traffickers solicit children to do illegal acts like prostitution, selling or transporting drugs, and committing other crimes. Even though these are illegal acts, the victim is not guilty of a crime



because they are enslaved and their freedom of choice is restricted. The involvement of child victims in criminal activities does not undermine their status as both a child and a victim, or their related rights to special protection.

C. Protections of Potential Child Victims During Police Interviews

Prior to the interview with the trafficked child, the investigator should inquire whether prior interviews have already been conducted by any person or agency. Cases should be coordinated between the victim's advocate and the law enforcement agencies involved to ensure that victims of trafficking are not repeatedly interviewed. Also, a trusted and qualified interpreter should be used if the victim does not speak English. As much as possible, the interviewer and interpreter, should be of the same gender as the trafficked child, dressed in civilian clothes, trained in administering child-friendly/sensitive interview methods and knowledgeable about the issue of child trafficking.

D. Confidentiality and Security Needs

Consider these situations where people "close" to trafficked children could endanger them if any information about the children were discovered:

- A child who was sold by his parents, snatched by his/her traffickers or lured to meet them, believing that he is following his families' wishes.
- A 16 year old minor who is prostituted by her boyfriend.
- A child who believes he owes a debt to the trafficker or who thinks he is under a voodoo spell which will cause harm to family and self, if the traffickers are not obeyed.

Strict confidentiality is necessary to avoid the trafficker(s) from obtaining information on the child's whereabouts. Shelter staff, law enforcement agents and others who are working with the child must adhere to confidentiality and privilege laws and screen individuals to whom they provide information about the victim. All necessary measures should be taken to protect the privacy and identity of child victims such as, minimizing the number of people directly in contact with the victim, to ensure the safety and security of the victim and his or her family.

E. Benefits Available to Foreign-born Child Victims of Human Trafficking

- To receive a wide range of benefits, a child needs to obtain an "eligibility" letter from the U. S. Department of Health and Human Services (HHS). The process to obtain an eligibility letter should be coordinated with a local non-governmental organization advocate and law enforcement. Law enforcement, child welfare authorities, and nongovernmental agencies with expertise in victims of trafficking can issue a statement to HHS that a child is believed to be a victim of trafficking. Once this occurs, HHS may issue interim or long-term assistance through a letter of eligibility. The victim or the victim's advocate may then present the letter to benefit issuing agencies.
- Benefits to children who receive an eligibility letter may include: Refugee Cash Assistance or Temporary Assistance for Needy Families; Social Security Income; Medicaid or Refugee Medical Assistance; Health Screening; Food Stamps; Match Grant; as well as entry into Refugee Social Services programs that may include adult education, legal services, employment assistance, youth and family services, and child care.
- Child victims of human trafficking have the option of entering (1) the Unaccompanied Refugee Minors Program or URMP, a federally funded foster care placement for non-U.S. citizen immigrant child victims of human trafficking, (2) licensed Out of Home Care (programs



including foster care, group homes and other therapeutic settings) or (3) being repatriated and/or reunified with their families in their home country.

III. Florida and National Laws

A. Background and Statistics on the Crime of Human Trafficking in Florida

- Prime Destination States: Florida, Texas, New York, and California.
- The United States (U.S.) government estimates that 14,500-17,500 annually, 80% women and children.
- Globally, accounts range from 600,000 to 4 million people trafficked worldwide each year.
- There are 27 million people in slavery around the world.
- Identified trafficking victims in Florida have included: people from Latin America and Eastern Europe, as well as U.S. teenage runaways forced into prostitution; male and female immigrant farm laborers from Central America; Eastern European women exploited while working in hotels; U.S. citizen homeless men recruited for farm labor; and girls from Haiti, Honduras, and India held as house slaves.
- Florida also continues to see high profile child trafficking cases. One reason for this is that it is a popular destination state for U.S. teenage runaways and also for foreign national minors fleeing poverty, sexual abuse, or violence in their homelands.

B. Information on Federal and Florida Human Trafficking Laws

Human trafficking is now criminalized and is punishable under both federal (Victims of Trafficking and Violence Protection Act of 2000 §103) and Florida law (787.06, F.S). Cases can be investigated at local, state and federal levels and prosecuted at the state or federal level.

C. Some Differences between Smuggling and Human Trafficking

Please note that smuggling may be part of a trafficking scheme and smuggling may turn into human trafficking.

Smuggling	Human Trafficking
Planned to come to the U.S.	May or may not have planned to come to the U.S.
Freedom of movement.	Restricted movement.
No continued relationship with smuggler/"coyote" after arriving in the destination country.	Unable to flee from the trafficker's control.
Smuggling is the unauthorized crossing of a border.	Labor or services are obtained through force, fraud, or coercion (if a child is a victim of sex trafficking, force, fraud or coercion need not be proven).

D. Florida Child Trafficking Cases

Here are examples of two child trafficking cases in Florida.

The Osley-Greer Case: Sex Trafficking of U.S. Minors

Demond Osley met a 17-year-old girl in Detroit and convinced her to fly to South Florida with him. He promised her that he would be her boyfriend, that he would buy her jewelry, and that they would go to the Bahamas together. However, upon their arrival in Florida he ordered her to earn at least \$500 a day through street prostitution. When she fell short of this amount, Osley beat



her, stuck a gun in her mouth, and threatened to kill her. Osley then sold the girl to another “pimp” named Stacey Greer. Greer assumed control of the minor, forcing her to engage in prostitution and also took nude photos of the girl to post on the internet. In November 2006, she was arrested after propositioning an undercover officer. Upon her identification as a juvenile, prostitution charges against the girl were dropped. The U.S. Attorney’s Office in Miami secured convictions in federal court against both men for sex trafficking of a minor.

The Pompee Case: Forced Labor Exploitation of an Immigrant Minor

Rose, a native of Haiti, was six years old when her mother died of AIDS. She was placed in the care of the Pompee family in Port-au-Prince and worked in their home as a house servant and nanny. She was allowed almost no schooling. In 1995, the Pompees smuggled Rose, who was nine years old, into the United States. The Pompees purchased a \$400,000 home in Pembroke Pines where for the next four years, Rose was held as a domestic servant and forced to sleep on the floor. She was raped almost nightly by the Pompee’s adult son and beaten routinely. Though allowed to attend school, she was required to clean the house from the moment she returned from school. The Pompees did not allow her any personal possessions, and she was fed very little. Rose tried to escape but police returned her home. Then Rose responded by telephone to a televised ad for a modeling agency. During daily calls, Rose slowly revealed details of her exploitation, and finally disclosed that she was being raped. Employees of the agency called police and the school that Rose attended. The principal at the school confirmed that Rose was constantly late, never had school supplies, and frequently had no appetite. When rescued, Rose was twelve years old. She was malnourished, infected with gonorrhea and suffered from nightmares. Marie and Willy Pompee were charged with harboring an undocumented alien. Marie Pompee pleaded guilty to the harboring charge; however, Willie Pompee escaped to Haiti and is now a fugitive.

IV. Linkages and Resources

A. Trafficking Related Hotline Numbers and Websites

State and Local

- Department of Children and Families, Refugee Services – 850-488-3791
 - Regina Bernadin, Statewide Human Trafficking Coordinator – 305-376-1948
Regina_Bernadin@dcf.state.fl.us
- Local law enforcement
- Local federal authorities
 - Northern District – 850-942-8439
 - Middle District – 239-461-2225
 - Southern District – 305-961-9001
- Florida Immigrant Advocacy Center (FIAC), Lucha Project – 305-573-1106, www.fiacfla.org
- Florida Freedom Partnership (FFP) – 866-443-0106, www.floridafreedom.org
- Florida State University, Center for the Advancement of Human Rights – 850-644-4550, www.cahr.fsu.edu

National

- US Department of Justice – Civil Rights Division, www.usdoj.gov/whatwedo/whatwedo_ctip.html
888-428-7581
- US Department of Health and Human Services, www.acf.hhs.gov/trafficking ~ 888-3737-888
- Lutheran Immigration and Refugee Services (LIRS), www.lirs.org
- US Conference of Catholic Bishops (USCCB), www.usccb.org

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