

**NYC**<sup>TM</sup>  
**Administration for  
Children's Services**



**The New York City Council,  
Committees on Youth Services and General Welfare  
Monday, February 25, 2013**

**“Int. No. 866-a: Reporting Data Related to Sexually Exploited Youth”**

**Testimony by**

**Ronald E. Richter, Commissioner  
New York City Administration for Children's Services**

**The New York City Administration for Children's Services  
Ronald E. Richter, Commissioner  
Testimony to the New York City Council  
Committees on Youth Services and General Welfare  
February 25, 2013**

**"Reporting Data Related to Sexually Exploited Youth"**

Good morning. I am Ronald E. Richter, Commissioner of the New York City Administration for Children's Services (ACS). With me today is Susan Morley, ACS' Senior Advisor for Investigations. Thank you for providing us with the opportunity to address the proposed legislation related to reporting data on sexually exploited youth.

Before we address the legislation directly, I would like to share the work that ACS has done over the past several years, since the passage of the Safe Harbor Act in 2008, to address the needs of sexually exploited youth. We have undertaken this work on a number of fronts through our child protective, preventive, foster care, and juvenile justice programs in order to identify youth who are being or have been sexually exploited as well as to train staff and establish services that can address the unique needs of these youth.

As the Council is aware, New York City was recently allocated \$622,000 in state funding to address the needs of this population. We have collaborated extensively with DYCD, and have reached out to providers and advocates who are engaged in this work to gather their input. Earlier this month we developed and submitted a plan outlining the city's proposed use of these funds to the New York State Office of Children and Family Services (OCFS). We are very pleased to report that just last week the plan was approved by the state and we are happy to share the details of it this morning.

**Meeting the Needs of Sexually Exploited Children and Youth**

ACS offers supportive services, as well as placement options and programs that are designed to address the special needs of this population. Young people come into contact with Children's Services for many reasons, including but not limited to domestic violence, substance abuse, behavioral issues and/or mental health issues. The symptomology of these issues can

make it particularly difficult for the best social workers to discover when a child or youth is being or has been sexually exploited. In addition, youth come into contact with ACS through a number of doors: we see children in the course of our Child Protective Investigations, at our Children's Center (which, as many of you know, is our facility that cares for children who are in our custody awaiting foster care placements), in our contracted foster care and preventive programs, and in our juvenile justice programs and facilities. In the past several years, ACS has established processes to help identify and address instances of sexual exploitation, whether they are identified during the course of a child protective investigation, when a child is arrested, is being served through our Children's Center, is in foster care, or is engaged with our preventive service providers.

### **Investigative/Clinical Work**

In recent years, ACS has invested in strengthening both our investigative capacity and our clinical expertise in order to better assess these issues. In 2006, ACS hired its first team of Investigative Consultants, retired law enforcement investigators led by Susan Morley, who is a former Commanding Officer of the NYPD Special Victims Division. We now have 108 Investigative Consultants with extensive law enforcement experience. Any case involving suspected sexual exploitation triggers an immediate alert to our Investigative Consultants. In addition, each of our borough Child Protective offices has a team of clinical social work staff who have expertise in issues of violence and trauma that we see in cases involving sexually exploited youth.

### **Specialized Contracted Providers**

ACS contracts with providers to offer both placement options for sexually exploited children as well as supportive service options designed to address the special needs of this population. We contract with preventive, foster care, and residential providers that work with this population. Since 2009, the Jewish Child Care Association (JCCA) has operated a residential program called Gateways that provides intensive, specialized care for girls ages 12 to 16 who have been victims of commercial, sexual exploitation and trafficking. This program houses twelve youth and remains at or near full capacity at all times.

ACS also contracts with JCCA for a Specialized Family Foster Care program that places sexually exploited youth with foster parents who are trained to offer a therapeutic home environment while the young person receives a full range of medical, emotional and psychological services to address their unique needs. The foster care program is currently being developed and expects to serve 24 youth once it is fully operational.

In addition, JCCA runs a residential program to support sexually exploited young women who are in non-secure placement through the juvenile justice system. JCCA currently supports these youth using two models (Sanctuary and Gateways), and a four phase model of treatment that involves assessment, individual and family therapy, and peer counseling. The JCCA non-secure placement residence can accommodate six youth.

ACS also contracts with the New Beginnings program at St. Luke's—Roosevelt Hospital Center. Their Community Services for Children & Families is a clinical program intended to maintain sexually exploited youth safely in their homes by providing intensive therapy to the youth and family members. In 2012, St. Luke's Sexually Exploited Preventive Services program served 38 families.

Finally, ACS has a long-standing partnership with GEMS, a nationally recognized organization that works with sexually exploited youth through intervention and outreach, direct supportive services, training, and technical assistance. GEMS has been invaluable to us at the Children's Center. We must comprehensively assess children at the Children's Center, which is often our first point of contact with them. GEMS has worked closely with our staff to provide training on how to identify and assess risk factors for sexual exploitation.

### **Training**

Another critical component of our work with this population involves training staff in several of our divisions to be able to identify and assist sexually exploited youth (DCP, DYFJ, FPS, FCLS, FSS, Investigative Consultants). In May 2012, ACS, in collaboration with Safe Horizon's anti-trafficking unit, the Manhattan and Brooklyn District Attorneys, the NYPD Vice Enforcement Coordinator, End Prostitution and Child Trafficking (ECPACT-USA), and St. Luke's New Beginnings Program held an all-day training for staff in our Division of Child Protection to discuss human trafficking and discuss how to define, identify, understand, and engage youth who may have been or are being trafficked for sex. Our staff was provided with

critical information to help them identify the red flags for youth who are being trafficked for sex. A total of 411 ACS staffers attended this training. This forum was also broadcasted live to all the DCP Borough Office Sites for viewing by staff. We think this type of opportunity is critical to our progress on educating ACS.

Subsequently, ACS released a policy in June 2012 regarding Assessment and Safety Planning for Commercially Sexually Exploited Children. The policy provided guidance to ACS staff on how to identify, engage, support and develop safety plans for children who are victims of sex trafficking. The policy – as well as a Desk Aid Guide produced for CPS staff - directs staff to identify, work with parents and care takers, when applicable, and find targeted services to help children recover from sex trafficking. Since the May training, ACS has conducted additional training with child protective offices in each borough in which a total of 275 frontline line staffers have participated.

#### **Foster Care instead of Juvenile Justice Placements**

As the Council is aware, the Safe Harbor legislation allows for the conversion of Family Court delinquency cases of youth under the age of 16 who are arrested for prostitution to a Person in Need of Supervision (PINS) petition. Conversion to a PINS petition prevents the young victim of sexual exploitation from being prosecuted for prostitution and allows that young person to receive critical support and services. In 2010, ACS, with assistance from the Mayor's Office, began to coordinate with other New York City agencies including the Department of Youth and Child Development (DYCD), the Law Department, the Department of Probation, and the New York Police Department (NYPD) to implement the Act's provisions and to develop a protocol for ensuring that sexually exploited youth receive necessary services. That protocol included a role for each agency: the Law Department assists with the PINS conversion process, ACS places children in the appropriate level of care and secures services for them, and DYCD establishes drop-in centers to serve impacted youth.

#### **City-Wide Coordination**

In addition to the work we are doing here at ACS, stakeholders citywide are collaborating to address the unique needs of sexually exploited youth. In 2006, Mayor Bloomberg established the Anti-Human Trafficking Task Force, chaired by Deputy Mayor Carol Robles-Roman to

coordinate efforts to combat foreign and domestic human trafficking and the commercial, sexual exploitation of children. The Task Force, of which I am a member, meets quarterly and brings together experts from state and federal law enforcement, city and state government agencies, service providers, advocacy groups, and other community-based organizations. In addition, ACS co-chaired a workgroup with the Council of Family and Child Caring Agencies (COFCCA) to assist provider agencies in becoming more informed on this issue. This work led to a round table discussion with experts on sexual exploitation that included the FBI, the District Attorney's office and providers with expertise in this area.

### **ACS/DYCD Plan to Use State Safe Harbor Funds**

As I mentioned earlier, last fall New York State's Office of Children and Family Services allocated \$622,200 in funding to New York City to address the needs of sexually exploited children through the development and implementation of a statewide child welfare response to child trafficking. Through extensive interagency collaboration with DYCD, and an informal survey with a variety of stakeholders, providers, and advocates, ACS received valuable input on the need for expanded services. We also held a public hearing last week to allow for additional feedback.

I would like to take a few minutes to walk you through our plan, which was approved last week by OCFS and which we will begin to implement immediately. The plan includes eight primary components. **First**, DYCD has a street outreach team that seeks out youth in areas where they tend to congregate at night (including public spaces, subway stations, transportation hubs, and other areas). The workers provide information about services for vulnerable youth and transport them to a safe environment - be it their home, another safe environment, or a Crisis Shelter. With these additional funds, we will increase the program's capacity to identify and engage youth at risk of sexual exploitation who may be AWOL from foster care placements. In addition, we will create and implement training and tracking mechanisms around engaging sexually exploited youth and encourage them to return to their foster homes. To improve information sharing, street outreach teams will communicate regularly with our Children's Center and with Children's Services AWOL Unit, which assists provider agencies with identifying and re-engaging youth who have run away from foster care placements. Current street outreach units serve approximately 480 youth per month. Children's Services projects this

additional street outreach will serve approximately 4,300 more children at high risk of sexual exploitation.

**Second**, we plan to place Master's in Social Work counselors from agencies that contract with DYCD and have experience in providing services to sexually exploited youth at ACS' Children's Center to engage youth and prevent AWOLS. Provider agency staff will also train and consult with Children's Services staff to build our capacity to identify and engage these youth and appropriately direct them to the existing services I have discussed. Provider agency staff will work at the Children's Center during times of day/night when youth are at higher risk of leaving the facility such as evenings and weekends, for up to 60 hours per week. We expect this combination of capacity-building and direct services to improve service delivery to all high-risk youth, ages 11 and older, entering the Children's Center, which sees approximately 8,000 youth per year.

**Third**, as the Youth Services committee is already aware, DYCD runs a Summer Youth Employment Program which provides New York City youth between the ages of 14 and 24 with summer employment and educational experiences. We plan to use a portion of the State Safe Harbor funds to increase the capacity of this program. DYCD will set aside forty Summer Youth Employment slots to specifically serve foster care youth who are placed in a specialized sexually exploited foster care placement or at the Children's Center, by providing them with opportunities so that they can become familiar with the world of work, gain employment experience, and identify educational pathways that support career and life goals.

**Fourth**, it is critical that we identify youth at risk of exploitation as early as possible, and connect them to the specialized preventive, foster care and juvenile justice services that we offer. We will use a portion of the funds to build the capacity of ACS staff and service providers to identify and engage more of them by developing Program Champions within key areas of Children's Services. These Program Champions will be a resource and liaison for staff members on all issues related to sexual exploitation within child protection, foster care, and preventive program areas with an increased focus within the Education, AWOL, and Older Youth Services units. Children's Services will release a Request for Proposals to engage a provider experienced on the issue of child sexual exploitation who can work with designated staff to design a curriculum that will be shared with other city agencies serving similar populations.

**Fifth**, we are using funds to specifically target our Division of Youth and Family Justice. We will hire an expert in this area to train Case Managers, Placement and Permanency Specialists, and Youth Counselors to identify, understand, and refer youth to specialized services appropriately. The expert will coordinate their training of juvenile justice staff with the trauma-informed care initiative that DYFJ is currently implementing in partnership with Bellevue Hospital as part of the National Child Traumatic Stress Initiative and the Prison Rape Elimination Act (PREA) initiative ACS is launching to comply with new regulations issued by the U.S. Department of Justice to help juvenile facilities prevent, detect and respond to sexual misconduct. In addition to training, the expert will produce a resource guide that staff can use to refer young people when they are discharged from juvenile placements and detention. We will share the resource guide with other city agencies serving similar populations, including the NYC Department of Probation.

**Sixth**, we will use the funds to strengthen and provide additional expertise to Jewish Child Care Association and St. Luke's specialized sexually exploited programs with the goal of further developing their treatment service models, creating strategies to recruit foster homes for sexually exploited youth, and for improving outreach efforts to ensure specialized programs are receiving appropriate referrals and are fully utilized.

**Seventh**, we will use the funding to hire an expert to work with ACS to develop a comprehensive plan with strategies that advance our approaches to working with sexually exploited youth particularly around addressing the complicated and destructive relationship between the young person and their trafficker. Part of this vision will include enhanced coordination among city agencies, courts and city-wide stakeholders. The plan will also include an analysis of needs, types of services available, gaps in services, prioritization of new service needs for future funding allocations and will outline both short-term and long-term goals towards an improved response to child sexual exploitation in New York City.

And finally, advocates and stakeholders city-wide, including the Council, have expressed the difficulties with, and the need for, an increase in collection of data on sexually exploited young people. To begin to address this issue, ACS will use a portion of this OCFS funding to hire a consultant to evaluate current data collection methods of sexually-exploited service providers in child welfare and juvenile justice, and identify both short-term and long-term opportunities to improve data collection, analysis, and reporting.



ACS continues to work systematically on a number of fronts through our child protective, preventive, foster care, and juvenile justice programs to identify youth that may be, are being or have been sexually exploited and to train staff and establish services that can address this problem. Through these efforts, we have learned that identifying sexually exploited youth who come into contact with Children's Services can be challenging for many reasons. Many youth are understandably reticent to disclose sexual exploitation; some feel ashamed, some fear retribution by their abusers, while others are conflicted about the potential prosecution of their abusers. As I mentioned earlier, youth also enter ACS care for a variety of reasons, including substance abuse, mental health concerns, and/or domestic violence. Any or all of these could mask issues relating to sexual exploitation. As the Council knows, identification of sexual exploitation is much more challenging than simply marking a box on a form. As much as we want to know what the need is, our priority is to serve and protect youth who need help.

Despite these challenges, we agree with the Council that collecting and tracking data regarding this population is important, which is why we are allocating funds to bolster our ability to track and share data among City agencies. We therefore support the proposed legislation requiring ACS and DYCD to submit an annual report documenting the number of youth who are referred to us as sexually exploited, who self-identify as sexually exploited, or who we determine to be sexually exploited at some point in our time serving them. We hope that with the additional state resources, New York City will have the ability to understand the extent of the need and be able to appropriately support and assist sexually exploited youth this population.

Thank you. Ms. Morley and I will now take your questions.



Written Testimony of  
*Jewish Child Care Association*  
NYC Council Committees on Youth Services and General Welfare  
Regarding Int. No. 866  
Monday, February 25, 2012

Good morning. My name is Dr. Elizabeth Schnur and I am the Chief Strategy Officer for the Jewish Child Care Association. I welcome the opportunity to address the New York City Council on Int. 866, a local law to amend New York City's administrative code to require data reporting related to sexually exploited youth.

At nearly 200 years old, Jewish Child Care Association (JCCA) is one of the oldest and largest child and family caring agencies in the nation, focusing on children with the greatest need, and providing non-sectarian services to over 16,000 children and family members each year throughout the greater New York City region. We offer an extensive array of child welfare, mental health, education, day care and other child and youth services.

In 2009, JCCA opened Gateways, a 13-bed residential treatment center for sexually exploited girls ages 12-16. Last year, we expanded this program to include a 6-bed non-secure placement for treating sexually exploited girls ages 12-17. These 19 beds represent 18% of the fewer than 100 treatment residential beds nationwide for commercially sexually exploited children, and ours is the only program of its kind in New York State. In addition, JCCA was recently awarded funding from the NYC Administration for Children's Services to develop and operate specialized foster home placements for young men and women who had experienced commercial sexual exploitation.

The continued need for services for this population cannot be overstated. The Justice Department estimates that there are between 100,000 and 3 million adolescents who are sexually exploited each year in this country – note that this huge range in the estimates of sexual exploitation itself is a telling indicator of the need for better incidence data. Though the number of commercially sexually exploited children in New York City has been difficult to quantify, recent research shows that NYC law enforcement and service organizations reach over 2,000<sup>1</sup> youth annually who have been sexually exploited. Sixteen percent of the girls in JCCA's Gateways program are under the age of 14, and we have served girls as young as 11 years old. There is a shared alarm among many public defenders, prosecutors and child advocacy organizations that the estimated numbers of children and adolescents victimized by sexual exploitation is a gross underestimate.

Over 20 years ago, under my auspices, JCCA developed the agency's Research Department with the express goal of using data to improve agency practice. I hold a Doctorate in Developmental Psychology from the University of Michigan and have devoted the past three decades to research and program development for at-risk children and families. In recent years, my research has focused on children in the child welfare system. On behalf of JCCA, I applaud the City Council's initiative to ensure an accurate estimate of youth who have been commercially sexually exploited, and how they have been served in our city.

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<sup>1</sup> 2007 OCFS Report

However, it is very important that these data are collected carefully and thoughtfully. We strongly recommend that the City Council, when requiring ACS and the NYPD to collect data, reflect on the following issues:

- Consider the individuals who will provide the information. Service line staff members, who work with youth on a daily basis, are already required to maintain daily records, including notes of each case and many other reports. Ideally, existing data sources would be mined for information. If it is the Council’s intention to collect data directly from program staff, it is important to create a simple and straightforward data tool, and to make technical support available to all users;
- Consult with a set of stakeholders, including staff at direct service organizations, researchers, representatives from juvenile justice and the youth themselves to create a thoughtful and meaningful data collection tool and ensure appropriate sampling;
- It is obviously inadequate to collect data based solely on youth who have been referred for services specifically for this population. Given the dearth of programs both city- and nation-wide, this necessarily will result in a significant undercount. Many youth also present signs of CSEC involvement well after their initial intake, suggesting that initial screening tools will also yield significant underestimates of prevalence.
- Perhaps more importantly, we believe that the greatest numbers of youth involved in CSEC are not easily identifiable, will not self-identify, and also are represented in a large range of non-specialized, non-referred settings, including schools. Many youth involved in CSEC are invisible and unknown to any law enforcement or child welfare systems. How will this tool engage and count youth who exist outside of these systems? For example, although JCCA runs programs specifically for CSEC survivors, a recent quick survey of staff in our agency programs that do not explicitly serve this population demonstrated the presence of a number of children whom staff strongly suspects have been or are currently involved in CSEC activity.
- We need to understand that there is not a defined set of standards or “symptoms” to identify a youth who has been involved with commercial sexual exploitation. This term covers a spectrum of experiences and needs, and we need to clarify what is to be included. Similarly, when developing estimates, we need to be clear that we are all using the same criteria to define this population. For example, although many young people involved in commercial sexual exploitation also have been sexually abused, these terms are not synonymous, and have different treatment implications.
- We need to address the fact that populations of sexually exploited youth may vary dramatically in terms of identification and treatment needs, and ideally the data will reflect this diversity. The trajectory and needs of boys and young men who are sexually exploited may differ dramatically from those of girls and young women, and age is an important variable as well. The more we are able accurately to characterize the populations in a population estimate, the more we ultimately will be able to target effective interventions.

JCCA would like to reiterate our enthusiastic support for this data collection and the potential good that can result from it. We would also like to encourage the City Council to use this information to support direct services and specialized treatment to this population. The most immediate way to help this population is to get youth off of the streets and into crisis beds –of which there are shamefully too few in the city – and to provide them with specialized treatment – which is even scarcer. Thank you for your interest in this issue and we look forward to working together.

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For more information, contact Harriet Lessel, Director of Government Contracts at [lesselh@jccany.org](mailto:lesselh@jccany.org) or 212-558-9970.

**Testimony of the New York City Department of Youth and Community  
Development before the New York City Council Committees on Youth Services and  
General Welfare**

**Int. No. 866-A, a local law to amend the administrative code of the city of New York,  
in relation to reporting data related to sexually exploited children**

**Monday, February 25, 2013**

Good morning, Chairs Fidler and Palma and members of the Committees on Youth Services and General Welfare. I am Deborah Harper, Assistant Commissioner for Runaway and Homeless Youth at the New York City Department of Youth and Community Development. On behalf of Commissioner Jeanne B. Mullgrav, thank you for the opportunity to testify on Introduction No. 866-A, which requires reporting data related to sexually exploited children. We appreciate the Council's continued support for our City's most vulnerable young people.

For the benefit of members of the committee who may not be familiar with DYCD's services, I will summarize our continuum of services for runaway and homeless youth. Our coordinated model includes street outreach and transportation services, a drop-in center in each borough, emergency shelters, and Transitional Independent Living (TIL) facilities. Each DYCD-funded RHY facility employs a social worker who is responsible for helping youth to receive appropriate services. Young people are assessed and evaluated for their mental health needs. The comprehensive assessment evaluates the psychiatric history of each person, including screening for suicidal ideation, sexual exploitation, depression and thoughts of sadness, history of violence or mental illness, and school functioning.

For the purposes of today's hearing, we will share with you some information about the number of young people who identified themselves as either sexually abused or exploited in Fiscal Year 2012. A total of 71 young people identified themselves as abused or exploited. The vast majority, or 58, disclosed this information while in a TIL program. We believe this is because young people feel more comfortable identifying themselves as being sexually abused or exploited the longer they are in our care.

We support the overall goal of Intro 866-A, which is to provide greater focus on the needs of sexually exploited youth served by both DYCD and ACS through our residential services. We ask that the Council consider limiting the bill to these systems. As currently drafted, the bill would require all DYCD programs, not just runaway and homeless youth programs, to be included in the report. All of our providers are mandated by law to report cases of abuse and neglect, and take appropriate action. However, we request that the bill focus attention where it is most needed within the RHY system.

## **Sexually Exploited Youth Funding**

We were pleased that the City was awarded \$622,000 from the State to further enhance services to sexually exploited young people through the Safe Harbor grant program. This will provide some welcome relief, considering that that State funding to RHY services has decreased 60% over the past several years from approximately \$2 million to \$744,000. We are grateful for the support of ACS, and are pleased to be joined by Commissioner Ron Richter. The plan he outlined helps further integrate our agencies' services for sexually exploited youth. Specifically, for DYCD it focuses on three areas:

- 1: Additional Street Outreach** will not only help us reach more young people but to better engage foster care youth. With these funds, we will purchase an additional van and hire staff to conduct outreach work, and build our capacity to identify and engage youth who may be at risk of sexual exploitation and are away from their foster care placements. Our outreach teams will communicate regularly with the ACS AWOL unit that assists provider agencies with identifying and re-engaging youth who have run away from their foster care placements.
- 2: Sexually Exploited Service Providers at the ACS Children's Center** will help build the capacity of the Children's Center staff to identify and meet the needs of sexually exploited youth, and provide direct services to youth.
- 3: Summer Youth Employment slots** will enable us to hire additional vulnerable young people this summer. ACS will refer youth to SYEP providers that specialize in serving vulnerable youth. The youth will have the opportunity to work in a summer job for six weeks for 25 hours per week. Vulnerable youth face extraordinary challenges in areas of education, employment, and finances, and SYEP can assist them with employment opportunities, as well as to identify educational pathways that support career and life goals.

It is important to note that the future of Safe Harbor funding is uncertain. It was added to the State budget for the first time in the current State fiscal year, but it was not included in the Governor's proposed budget for next year. Commissioner Mullgrav has traveled to Albany twice over the past few weeks and met with legislators to discuss State funding for youth programs. We are hopeful that this funding will be included in the State Legislature's Conference Committee recommendations expected in mid-March.

We again thank ACS for their partnership, and we look forward to continuing our efforts to better serve the needs of sexually exploited youth. We would be pleased to answer your questions.



Leadership, Voice and Vision for Child Welfare in New York State

**Testimony of James F. Purcell**  
**Chief Executive Officer**  
**Council of Family and Child Caring Agencies**  
**Before the**  
**New York City Council Committees**  
**On Youth Services and General Welfare**  
**February 25, 2013**

Good morning, I am Jim Purcell, Chief Executive Officer of the Council of Family and Child Caring Agencies (COFCCA). COFCCA is the primary statewide membership organization for child welfare services providers, representing over 100 not-for-profit agencies that contract with the New York City Administration for Children's Services and the county departments of social services to provide foster care, preventive services, adoption, juvenile justice, and aftercare services as well as education for children on our facility campuses. Our member agencies provide foster care to over 99% of the City's children in foster care and preventive services to well over 85% of the families served by NYC.

On behalf of all the vulnerable, abused, severely neglected, and at-risk children and youth served by our member agencies, I thank chairs Palma and Fidler and the staff of the General Welfare Committee and the Youth Services Committee for your continuing attention to the deeply troubling issue of protecting and reclaiming Sexually Exploited children. The work of the City Council in committees and in collaboration with the NYS Assembly Committee on Children and Families has helped make the Safe Harbor for Sexually Exploited Children Act a reality.

But just as we are about to see the first programs funded through this act, we must confront the fact that funding for the Safe Harbor Act has not been included in the Executive Budget for SFY 2013-14. Currently, Assembly member Amy Paulin has been spearheading an effort to secure \$3M for a continuation of Service Programs funded in SFY 2012-2013, and the addition of Law Enforcement Training and desperately needed crisis care.

The Safe Harbor Coalition, to which COFCCA and a significant number of our member agencies belong, has been working with Assembly member Paulin to promote support among other legislators for this appropriation. Assembly members have been asked to sign onto a letter to Assembly Speaker Sheldon Silver outlining the request for Safe Harbor funding. I attach a copy of this letter to my testimony.

The programs and services designated for Safe Harbor funding in 2013-14 were developed with the input of the experts and actual providers of services to victims of Commercial Sexual Exploitation and Sexually Exploited Youth. The allocation sought for Safe Harbor would continue the service programs that were funded in 2012-13 for 9 counties, including each of the five boroughs of NYC, at a cost of approximately \$1.05 million.

In addition, to continuing these services, funding is sought for the training of Law Enforcement so that they can identify sexually exploited youth and refer them to services and shelter.

The Safe Harbor Coalition also identified the critical need for more crisis beds, which are an immediate requirement for victims fleeing sexual exploitation. This crisis housing must provide victims with a safe place to stay, apart from the traditional runaway and homeless youth (RHY) population. One million dollars would pay for a minimum of four temporary crisis shelter beds in a dedicated crisis facility in New York City and would allow 104 exploited youth in one year access to a crisis bed for two weeks along with comprehensive wrap-around crisis interventions services.

Crisis intervention services include case management; clothing, food, and toiletries; calls and referrals on the young person's behalf; and assistance in identifying and applying for long-term housing. Funding would also cover the cost to maintain staff dedicated to 24-hour crisis response and liaise with law enforcement, service providers and court systems to ensure prompt referrals.

Many of the requests included in the Proposed Int. No.866-A that we are here to discuss today cannot be fulfilled without the training and services sought in the Safe Harbor funding for 2013-14. Seeking accurate data on the numbers of sexually exploited youth involved with the Department of Youth and Community Development and the Administration for Children's Services would seem to be a basic expectation in responding to the critical needs of these young victims.

We support your seeking to identify youthful victims of sexual exploitation. We know that there has never been an accurate count, but estimates based on expert research, such as the study conducted by the John Jay Center on Criminal Justice in 2008, lead us to believe that there are many young victims in need of rescue.

We also appreciate your wanting to make the definition of sexually exploited youth consistent with the NYS Social Services Law. And we are especially glad that you raise the age of youth under the definition to 24. This is important because residential programs currently continue to work with youth until the age of 24. There do, however, remain some concerns about the application of a definition in identifying sexually exploited youth. It would seem that the count you propose is not limited to Commercially Sexually Exploited Youth, but is broader in scope. Would it include any youth in an exploitative situation, where sex is traded for gifts?

A group of foster care directors from our member agencies had been meeting with ACS staff to develop guidelines for identifying youth in their programs who are at-risk or involved in sexually exploitative relationships. That group has not met for several months, but its participants realized the need for training from those who are expert in working with sexually exploited youth—perhaps GEMS or St. Luke's Preventive Program for Sexually Exploited Youth. The group had also envisioned working with ACS to develop a conference on the issue.

Another expectation of the proposed law that causes concern is that the City agencies will report on the services provided to the newly identified numbers of sexually exploited youth. As you know, there is a deep and abiding commitment among child welfare providers to sexually exploited youth. Our member agencies, such as Jewish Child Care's Gateways program, are the leaders in providing services, but there must be funding to support the services essential to assisting these young victims.

It is indeed a concern for us, given all of the current demands on child welfare services providers—who must respond to an unrelenting roll-out of new initiatives from ACS without even Cost of Living Adjustments—that a new unfunded mandate may be coming in January 2014. We urge the Council to consider how to support agencies in doing the work to which they are committed.

We also ask you as leaders in the City Council who are champions of victims of Sexually Exploited Youth to support the advocacy effort at the State level to appropriate \$3 million in funding for Safe Harbor. We are sure that any support from the City Council in this advocacy effort at the legislative level would be greatly appreciated and would advance the likelihood of achieving the essential appropriation

Thank you.



February , 2013

The Honorable Sheldon Silver, Speaker  
New York State Assembly  
Room 932, Legislative Office Building  
Albany, NY 12248

Re: Safe Harbour for Exploited Children Act ("Safe Harbour Act")

Dear Speaker Silver:

Under your leadership, we have fought hard to protect commercially sexually exploited youth by enacting the landmark Safe Harbour Act and appropriating funds to provide these youth with services rather than prosecute them for committing criminal acts. Last year, the Assembly included a \$1.5 million add-on in our budget resolution for such services. Through your efforts, \$1.5 million was appropriated in the 2012-13 Enacted Budget.

Despite the need to ensure continuous funding of Safe Harbour services, the Executive Budget for SFY 2013-14 does not include any appropriation for these services. We ask that \$3 million be appropriated for the following:

1. Continuation of Service Programs Funded in SFY 2012-13 and Law Enforcement Training: \$2 million
  - Of the \$1.5 million appropriated for Safe Harbour in the 2012-13 Enacted Budget, approximately \$1.05 million was allocated to Erie, Monroe, Onondaga and Westchester counties and the five boroughs of New York City to develop specialized services such as counseling, respite care, case management, mental health services and wrap around services, necessary and appropriate for sexually exploited youth. In order for communities to plan and execute effective programming, it is critical that funds continue to be allocated in SFY 2013-14.
  - Law enforcement must be trained to identify sexually exploited youth and refer them to services and shelter. Although mandated by the Safe Harbor Act, funds have not been allocated to train law enforcement to identify and obtain services for sexually exploited youth.

2. Crisis Beds: \$1 million. Commercially sexually exploited youth need crisis housing services to extricate themselves from their traffickers and provide them with a safe place to stay. Crisis housing must be dedicated solely to sexually exploited youth, not combined with traditional runaway and homeless youth (RHY) population services due to the threat of recruitment at RHY facilities and because of safety concerns for the welfare of young people fleeing abusive traffickers.

The proposed \$1 million would fund a minimum of four temporary crisis shelter beds in a crisis facility in New York City specifically devoted to commercially sexually exploited youth, separate from runaway and homeless youth crisis bed facilities. This funding would allow us to provide in one year temporary crisis shelter to 104 exploited youth (each bed would be used in two-week increments) along with comprehensive wrap around crisis intervention services.

Crisis intervention services includes case management; clothing, food and toiletries; calls and referrals on the young person's behalf; and assistance in identifying and applying for long-term housing. Funding would also cover the cost to maintain staff dedicated to 24-hour crisis response and liaise with law enforcement, service providers and court systems to ensure prompt referrals.

In order to ensure that allocated funds are utilized most effectively, we recommend requiring OCFS to release no later than June 1, 2013 an RFP for Safe Harbour services and programs funded and to disperse the funds no later than October 1, 2013.

With your support, we can ensure that commercially sexually exploited youth obtain the critical services they need to enable them to end their victimization and begin to take control of their lives.

Thank you for your consideration of this request.

Very truly yours,

ECPAT USA (End Child Prostitution, Pornography and Trafficking)  
30 Third Avenue, Suite 800A, Brooklyn, NY 11217

**ECPAT USA Testimony to the New York City Council  
Committee on Youth Services Chaired by Lewis A. Fiddler  
jointly with the Committee on General Welfare**

On Int 0866-2012 A Local Law to amend the administrative code of the city of New York, in relation to reporting data related to sexually exploited children

Camelia Tepelus, PhD, NY Policy and Program Development Director  
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Committee Room, City Hall  
New York City, Monday, February 25, 2013, 10:30 AM

ECPAT USA (End Child Prostitution and Trafficking USA), is the US branch of an international organization that works to protect children from sexual exploitation. Over the last 22 years, we carried out research, advocacy for policy and legislative changes and implemented a wide range of programs to protect sexually exploited children in New York and nationally. We also work closely with the private sector, especially the travel industry, to implement corporate policies to ensure travel businesses are not facilitating child sexual exploitation on their premises.

Lack of adequate, accurate and current information on the numbers of sexually exploited children in New York is often referred to as a reason why existing child protection laws and the related child welfare services are insufficiently funded. ECPAT USA expresses its strong support for the proposed Local Law 0866, that would request ACS to submit yearly reports to the City Council documenting the number of reported sexually exploited children.

We know that ACS introduced last year its new child trafficking policy. We are gratified that it incorporated ECPAT-USA's training and advocacy video "What I Have Been Through Is Not Who I Am." With the new policy and with additional training we expect ACS to be able to identify all children who are sexually exploited in NY. Revealing those numbers to the Council will go a very long way in supporting advocacy for additional protection for those children, and for building the necessary prevention programs and policies.

Such a law would also significantly inform the legislative processes concerning trafficking children for sexual exploitation in NY State. ECPAT USA actively advocated for the passage of NY Safe Harbor law in 2008, aimed to protect minors victims of sexual exploitation from criminal prosecution and insuring specialized services for them. Since its enactment in NY in 2010, based on information from ACS, as of November 2012 29 minors have been processed as trafficking victims in the state. Several loopholes and weaknesses of NY Safe Harbor became apparent:

- failure to accurately identify victims still remains a primary barrier to addressing the problem. Even if a child is accurately identified as a minor and even if law

enforcement view him/her as a victim rather than a delinquent, the current situation offers few options for intervention. Because so many victims are 'trauma-bonded' to their exploiters, the risk for their return to an exploitative situation is very high. With few residential facilities in the state dedicated to the unique needs of minor victims of sexual exploitation, there is a stark lack of specialized services for this population. Law enforcement will often detain victims to compensate for the lack of secure shelters but this only contributes to a victim's mistrust of "the system," lack of self-esteem, and has unintended consequences such as the creation of a juvenile criminal record.

- although federal legislation define all children younger than 18 years old as trafficking victims in need of protection, NY state law enforcement and courts still identify children younger than 18 as delinquent 'prostitutes', considering them criminals, instead of routing them on a rehabilitative, child welfare course.
- there is no minimum age for arresting a child for prostitution in NY, which makes it possible for exploited children 14, 15 years old, and sometimes younger, to be detained for a crime for which they technically have no capacity to consent to.

Based on these considerations, ECPAT USA would like to convey to the New York City Council:

- strong support for the proposed Local Law Int 0866, that will improve accountability and support better- informed decision making of policies to protect children in New York;
- a request to pass a resolution in support for the recently introduced NY State Paulin/Lanza Bill 'Trafficking Victims Protection and Justice Act (A.9804/S.7212), that will support correcting an important problem in Safe Harbor implementation: that the criminal justice system still treats 16- and 17-year old victims as criminal defendants, not as victims of trafficking;
- support to increase funding for available specialized services to commercially sexually exploited children, and in particular long-term safe housing options, and for expanding the group of people authorized to make referrals to social services to actually include the established service providers, who are often the first to interact with the victims and gain their trust.

We would also like to call for the City Council support to the 'Raise the Age' legislative initiatives of NY Chief Judge Lipmann, to raise the age of criminal liability in the state of NY from 16 (as it currently is) to 18. NY is one of the last two states in the country (next to NC), that did not yet reform its juvenile justice system to this effect. This change, although it will likely involve a long-term, phased implementation process will also address important gaps in protection of all youth under 18 years old from all forms of sexual exploitation.

ECPAT USA thanks the New York City Council Committee for Youth Services for the opportunity of testifying to this hearing and remains available for additional information and assistance if necessary.

**Testimony of**  
**John Welch, Senior Director**  
**Streetwork Project Drop-in Center Programs**  
**Safe Horizon**

**Intro. 866-A – Reporting Data Related to**  
**Sexually Exploited Children**

**Committee on Youth Services**  
**Hon. Lew Fidler, Chair**

**Committee on General Welfare**  
**Hon. Anabel Palma, Chair**

**New York City Council**

**February 25, 2013**

## **Introduction**

Thank you, Chairman Fidler, Chairwoman Palma and members of the Committees, for the opportunity to testify before you today about data collection on the prevalence of sexually exploited youth in New York City. My name is John Welch and I am the Senior Director for Drop-in Centers at the Streetwork Project of Safe Horizon. Safe Horizon is the nation's leading victim assistance organization and New York City's largest provider of services to victims of crime and abuse, their families and communities. Safe Horizon creates hope and opportunities for hundreds of thousands of New Yorkers each year whose lives are touched by violence.

We share the Council's conviction that more information about prevalence will help ensure the City appropriately funds programs, housing and other critical services for sexually exploited youth. We also recognize the difficulty in accurately developing these data sets given the diverse identities, experiences, and needs of the population. In the decades that we have been working with sexually exploited youth, we have found that many young people do not disclose their exploitation for many months or years, if they disclose at all. We welcome the opportunity to share with you today some lessons learned from our experience working with this population – what works, and importantly what doesn't work -- and how best to elicit information regarding sexual exploitation from young people.

## **Working with Sexually Exploited Youth**

Safe Horizon encounters youth who have been sexually exploited primarily through three of our programs – the Streetwork Project, our Anti-Trafficking Program and our Child Advocacy Centers.

Since 1984, Safe Horizon has operated the **Streetwork Project** serving homeless and at-risk youth.  
Safe Horizon 2 Lafayette Street New York, NY 10007 [www.safehorizon.org](http://www.safehorizon.org) (212) 577-7700

risk young people under the age of 24, the great majority of whom have been exploited and abused and are at significant risk for injury and disease. Every year, through our peer and staff street outreach, Streetwork reaches over 19,000 homeless and at-risk youth. Through our two drop-in centers and our youth shelter, we provide a safe and healing environment for 1,400 youth whose families are unable or unwilling to care for them, and who have fallen through the cracks of social welfare nets such as foster care, group homes and other more restrictive settings. Seven nights per week our street outreach teams travel to all five boroughs, literally meeting street-involved youth 'where they are'. Our dedicated, professional outreach workers consistently engage some of the hardest to reach youth, who frequently are not yet connected to any social service programs.

Three years ago Safe Horizon was awarded a demonstration grant by the federal Office for Victims of Crime for the purposes of providing dedicated services to domestically trafficked minors. We were awarded this grant due to our proven track record and decades of experience serving all youth who have been impacted by the sex trade – regardless of gender, citizenship status, or type of experience in the sex trade. A 2008 John Jay study of commercially sexually exploited children in NYC found that the Safe Horizon Streetwork Project works with more minors involved in the commercial sex trade than any other youth serving organization in NYC. Safe Horizon also assists trafficked persons through its **Anti-Trafficking Program** which has provided intensive, victim-centered case management and legal services to over 500 trafficking survivors since 2001, making it the largest such program on the East coast. All of our clients are offered culturally and linguistically sensitive counseling, support groups, shelter, and housing assistance. In addition to our direct service work, our Anti-Trafficking Program participates in a range of educational and technical assistance, training, and advocacy efforts designed to foster

the systemic change needed to bring an end to human trafficking. Roughly 10% of our clients in this program are under 18 years of age.

Safe Horizon works with sexually exploited youth in our **Child Advocacy Centers (CACs)**. CACs incorporate a multi-disciplinary approach to investigating child abuse and caring for its victims. By combining social services, law enforcement and medical care under one roof, cases of abuse are thoroughly investigated, offenders are quickly brought to justice, and victims are given every opportunity to heal. Over the past year, we have made a concerted effort to identify youth whose abuse may be tied to sexual exploitation by traffickers, and to refer these young people to appropriate care and services beyond the CAC.

### **Sexually Exploited Youth – the Data**

John Jay's 2008 study of New York City's commercially sexually exploited children reported that between 70 and 80% of homeless youth have traded sex for money, food, shelter or drugs. The same study notes nearly 4,000 young people meet the federal definition of trafficking. At Streetwork, between 87 and 95% of our clients report they have exchanged sex for money, a bite to eat, a place to sleep or some other tangible item – a terribly sobering fact. They tell us this is primarily due to a lack of other options for survival.

Of course, one cannot talk about the vulnerability of sexually exploited youth without discussing the alarming lack of emergency shelter beds for homeless young people. There are approximately 240 emergency shelter beds (most of which are funded by the City Council) for the roughly 3,800 youth that spend each night homeless in New York City. Each and every evening, young people are turned away from shelter, even on the coldest nights, because there simply are not enough beds. The waiting list at our 24-bed overnight shelter in Harlem



consistently averages approximately 80 young people under 21 years old. Without immediate access to safe, age-appropriate housing, homeless youth are forced to seek shelter in situations in which they are at risk of becoming sexually exploited, increasing the chances of victimization and repeated trauma.

Through working closely with homeless youth for nearly 3 decades, we have learned that youth without appropriate shelter often enter the sex trade. Too often, the only alternative to, say, spending the night on the subway, is to sleep with someone in exchange for a place to stay. We know that young people are asking for more options because we are the ones they are asking. We know they are looking for voluntary, accessible emergency youth shelter beds because we have a waiting list full of names. We believe that the first step to addressing this issue is to listen to the young people most impacted by it and to respond to their self-identified needs.

### **Lessons Learned**

The first thing that needs to be said is that there is no typical experience of the sex trade or profile of a youth engaged in the sex trade. Streetwork was founded in 1984 as a direct response to what at the time was termed “juvenile prostitution” in Times Square. In the past 29 years we have worked with tens of thousands of youth – many of whom have had some experience with the sex trade. We know this population includes youth of all genders, sexual orientations, races, ethnicities, citizenship statuses, ages, and family backgrounds. It is equally important to point out that while youth of many different identities may be involved in the commercial sex trade, youth who are marginalized through societal racism, sexism, classism, homophobia, transphobia (which is bias and discrimination towards transgender individuals, or those who challenge traditional gender norms) are at greater risk.

As I stated at the outset, it can be very challenging to learn whether our clients have been sexually exploited. There are several reasons for this. Young people choose not to disclose because they have too often had the experience of being judged for their choices and circumstances, even by well-meaning service providers. As with survivors of all kinds of abuse, young people frequently internalize feelings of shame that stand in the way of sharing their experiences.

Many young people fear that, if they disclose, child protective services or the police will get involved, and they may be returned to a placement they don't consider safe or welcoming, or even arrested. In fact, young people are so reluctant to become involved with ACS that those who are under 18 years old will often lie about their ages in order to access services, or even decline service options, such as shelter, that might lead to ACS involvement.

Over the past few decades, our work in engaging and providing services to vulnerable youth has taught us that youth need room to discuss their ongoing struggles without feeling that they have failed, or fearing that they will lose access to needed services. We have found that, by creating a safe and supportive environment, we can build trust with our clients and over time learn more about their experiences. Our client-centered practice—including safety assessment, risk management and a non-judgmental approach—promotes safety, increases options, builds trust, creates dialogue and helps young people make safer choices. We acknowledge from the very outset that our clients are the experts in their own experiences, and find that when a relationship is built on trust, our clients are more likely to feel a sense of ownership of their path to safety.

This is our critical point: we wish to caution the Council, as well as our partners at DYCD and ACS, against data collection strategies that place too much reliance on initial screening of young people—before trust has been built—or that may have the unintended consequence of driving young people away from the very programs designed to help them, by forcing them to answer intrusive questions before they are ready.

We agree with the Council that there is a pressing need to learn more about the prevalence and impact of sexual exploitation on New York City's youth. We hope to see city government utilizing such information to create more comprehensive plans to meet the needs of young people who are at risk. We also are mindful that expert, university-based researchers who have studied this population have documented how difficult it is to collect data that is reliable and comprehensive. Every study of the sexual exploitation of minors that has been conducted has major limitations. This is because sexual exploitation of young people, by its very nature, happens in the shadows. For all these reasons, we would advise the city to proceed with care and caution, securing advice from experts and from service providers who work with this population to ensure that the data collected is sound, and that the process for collecting it does not inadvertently harm the very young people we all hope to aid.

Thank you again for inviting us to testify today. We appreciate your attention to this issue and we look forward to working with you in the future as we move toward providing concrete solutions and assistance to sexually exploited youth. I would be happy to answer any questions at this time.



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## TESTIMONY

New York City Council Committees on Youth Services and General Welfare

**RE: Int. No. 866-a, a Local Law to Amend the Administrative Code  
of the City of New York, in Relation to Reporting Data Related to  
Sexually Exploited Children**

Lewis A. Fidler, Chair  
Annabel Palma, Chair

February 25, 2013  
New York, New York

The Legal Aid Society  
Juvenile Rights Practice  
199 Water Street  
New York, NY 10038

Prepared and Presented by:

Katherine Mullen, Staff Attorney, Juvenile Rights Practice  
Beth Hofmeister, Staff Attorney, Juvenile Rights Practice

Good morning. I am Katherine Mullen, a staff attorney with The Legal Aid Society's Juvenile Rights Practice, with me today is Beth Hofmeister, a staff attorney with Special Litigation and Law Reform Unit in the Society's Juvenile Rights Practice. We submit this testimony on behalf of the Legal Aid Society, and thank Chairs Fidler and Palma, and all of the committee members for inviting our input on the amendment to Int. No. 866-a, a local law specifying how data about sexually exploited children is gathered and reported. We applaud the Committees for continuing to tackle this important subject, and look forward to the valuable contributions that we are sure the Council will make in this area of vital concern to our City's children.

The Legal Aid Society is the nation's largest and oldest provider of legal services to low-income families and individuals. Legal Aid's Juvenile Rights Practice provides comprehensive representation as attorneys for children who appear before the New York City Family Court in abuse, neglect, juvenile delinquency, and other proceedings affecting children's rights and welfare. Our perspective comes from daily contact with children and their families, and also from our frequent interactions with the courts, social service providers, and State and City agencies. In addition to representing many thousands of children, youth, and adults each year in trial and appellate courts, we also pursue impact litigation and other law reform initiatives on behalf of our clients.

The term sexually exploited child is defined as any person under the age of eighteen who has been subject to sexual exploitation because he or she is the victim of the crime of sex trafficking; engages in any act of prostitution; is the victim of the crime of compelling prostitution; participates in sexual performance; or loiters for the purpose of engaging in a

prostitution offense.<sup>1</sup> We see, on a daily basis, sexually exploited children in all areas of our practice. Our clients who have been sexually exploited rarely present as youth being charged with committing acts of prostitution in delinquency proceedings. While they are sometimes charged in delinquency proceedings with committing other criminal acts, they are more frequently the subject children of PINS<sup>2</sup> proceedings and neglect/abuse proceedings.

As we have testified before the Council in the past, identifying the child victims of sexual exploitation can be challenging. Children and youth who are being sexually exploited do not view themselves as victims. To a sexually exploited girl, her pimp is both boyfriend and head of the family. Through false promises of love and rewards combined with cycles of violence and degradation, youth come to believe that being sexually exploited is all they are good for, and what they deserve. They come to see their pimp as their protector, and feel that no outsider could ever understand. For boys and transgender youth, their experiences of sexual exploitation can be equally isolating. Unfortunately, this is frequently reinforced by their experiences in the child welfare system, where a lack of education and understanding of the issue often results in stigmatizing the youth.

Collecting accurate information about the number of sexually exploited youth involved in the child welfare system and the services available to them is a laudable goal, but must be done carefully and thoughtfully. It will require devising a protocol that is survivor-informed, and adequately trains all staff who interact with youth on the issue of sexual exploitation. The methodology used must be respectful of the deeply private nature of the information that is being sought, and in determining numbers reported, must account

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<sup>1</sup> See Social Services Law §447-a, Penal Law §230.34, Penal Law §230.00, Penal Law §230.33, Article 263 of the Penal Law; and Penal Law §240.37

<sup>2</sup> See Family Court Act Article 7, Proceedings Concerning Whether a Person is in Need of Supervision

for the fact that a large percentage of youth will not feel comfortable or secure enough to disclose their victimization. Indeed, many youth do not recognize that they are victims of sexual exploitation. Developing a relationship of trust in which to discuss the issue takes time, and the protocol used must take into consideration the reality that a youth who has been subjected to sexual exploitation will rarely, if ever, disclose that information at an initial meeting. While there are certain factors that put a young person at risk of sexual exploitation, contact with the child welfare system being one of them, asking a young person a series of questions on a checklist will rarely result in obtaining accurate information, and could have the unintended consequence of actually discouraging a young person from disclosing.

Ideally, the disclosure should be made in a safe, comfortable environment, to staff who are trained to provide immediate support to the young person who has revealed sexual exploitation. Fears of being judged and stigmatized must be addressed, and further service referrals made in a manner that protects privacy. Any collection of data must be done in a manner that allows for youth to remain anonymous. No youth who has disclosed a history of sexual exploitation should be subject to having that information revealed in the context of a court proceeding, or provided to other parties as part of a discoverable case record.

We would also like to take this opportunity to remind the Council that lack of available services remains a huge obstacle to assisting this vulnerable population. Identification without intervention is meaningless. After a youth either self-identifies or is determined to be sexually exploited at minimum an intervention should occur, and possibly an immediate service referral. Interventions can be as simple as listening in a non-judgmental way and offering the opportunity for further discussions, or as complex as

finding a safe place to stay, medical attention and supportive services, and guidance through a difficult legal proceeding. The Legal Aid Society testified before the Council in June 2011 about the challenges faced by existing service providers because of a lack of funding, and while there have been great strides made in terms of understanding the sexual exploitation of youth, we must continue to ensure that these youth are supported and respected as victims who deserve quality services. Because of the great likelihood of significant underreporting of sexual exploitation by youth, the numbers alone should not be the basis for determining the scope of services funded.

We thank you for giving The Legal Aid Society the opportunity to speak about this important topic.

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Testimony of

Stephanie Gendell  
Associate Executive Director  
Policy and Government Relations  
Citizens' Committee for Children

Before the  
New York City Council  
Youth Services Committee  
General Welfare Committee

*Reporting Data Related to Sexually Exploited Youth*

February 24, 2013

Good morning. My name is Stephanie Gendell, and I am the Associate Executive Director for Policy and Government Relations at Citizens' Committee for Children of New York, Inc. (CCC). CCC is a 69-year old independent child advocacy organization dedicated to ensuring that every child in New York is healthy, housed, educated and safe.

I would like to thank Council Member Fidler and Council Member Palma, as well as of the members of the Youth Services and General Welfare Committees, for holding today's hearing on Int. 866-A regarding reporting data on sexually exploited youth. CCC is grateful for the City Council's continued interest in meeting the needs of these extremely vulnerable youth.

CCC understands and appreciates the Council's desire to know how many sexually exploited youth there are in New York City and agrees that the Department of Youth and Community Development (DYCD) and the Administration for Children's Services (ACS) play critical roles in identifying these young people and ensuring that they receive the services they need. As such, CCC is generally supportive of Int. No. 866-A.

The Council's proposal would require DYCD, in consultation with ACS, to report annually (starting January 2014) on the number of youth (defined as any person under the age of 24) in contact with ACS or DYCD who were referred as, self-reported to be, or were later identified to be sexually exploited. In addition, the report would need to include the services that were provided and the methodology used to determine the number of children sexually exploited.

In 2007, the New York State Office of Children and Family Services (OCFS) estimated that there were 2,400 sexually exploited youth in New York City.<sup>1</sup> In 2008, a study by John Jay College estimated that there were 3,946 commercially sexually exploited youth in New York City.<sup>2</sup>

CCC agrees that, as requested in Int. 866-A, it is important to both know how many children are sexually exploited in New York City and to know what ACS and DYCD are doing to serve these children and youth.

Knowing how many New York City children and youth have been sexually exploited will help agencies, such as DYCD and ACS, City Council Members, policy makers, budget offices and advocates know the amount of resources that need to be invested to meet the needs of these young people.

While CCC is generally supportive of the Council's proposed legislation, we do have some concerns because meeting the needs of these incredibly vulnerable youth will require more than tracking and reporting.

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<sup>1</sup> Office of Children and Family Services, *New York Prevalence Study of Commercially Sexually Exploited Children*, 2007. <http://www.ocfs.state.ny.us/main/reports/csec-2007.pdf>

<sup>2</sup> Center for Court Innovation and John Jay College, *The Commercial Sexual Exploitation of Children in New York City*, 2008. [http://www.courtinnovation.org/sites/default/files/CSEC\\_NYC\\_Volume1.pdf](http://www.courtinnovation.org/sites/default/files/CSEC_NYC_Volume1.pdf).

First, being able to identify which (not just how many) children and youth have been sexually exploited is necessary so that agencies know how to target the services they have. While some of these young people may present at ACS and DYCD as sexually exploited, many will not self-identify. Staff at these agencies and their contacted providers will need to have the skills to appropriately counsel and identify these young people. Furthermore, if the staff are going to help young people to disclose this personal and painful information, the agencies need to have services readily available to then refer the young person to.

Second, it is important to note that not all of New York City's commercially sexually exploited youth will present at DYCD or ACS. While many of these youth do touch the Runaway and Homeless Youth (RHY) and child welfare systems, they do not always. For example, a young person trying to escape this life could have a supportive family that he/she would not want to run away from—thus, the child may not be a runaway nor come from a neglectful family. In addition, the legislation requires tracking through age 24, but ACS's services legally end before then- with preventive services culminating at age 18 and foster care services ending at age 21.

Third, the legislation is not prescriptive with regard to how DYCD and ACS track and collect the information regarding the number of youth sexually exploited and the services they receive. CCC appreciates the City Council giving the agencies the opportunity to best determine how to track these children and youth. Both ACS and DYCD already have case tracking systems. In the case of ACS, their CONNECTIONS system is required by state law and does not (to CCC's knowledge) have a field denoting "commercially sexually exploited." It seems likely that to comply with this legislation, ACS and DYCD would need to do manual tracking. It is important to remember the sensitivity in these cases and that sometimes there is potential danger for the children and youth if their identities and/or locations become known. CCC urges the Council and the agencies to ensure that any tracking of these young people does not compromise their safety—even if this means that the count may not be 100% accurate.

CCC feels strongly that it is essential for New York City and its child-serving agencies to have a means to identify commercially sexually exploited youth and to provide them with much-needed services. Since the passage of the New York State Safe Harbor Act in September 2008 (which became effective in April 2010), CCC has been advocating for State resources to serve the children this Act intended to protect.

The funding for Safe Harbor has been a long and arduous battle, in part due to the State's fiscal woes. In State Fiscal Year 2010-2011, funding was cut from \$10 million to \$3 million in the Executive Budget and then Adopted Budget. This money was never spent. In State Fiscal Year 2011-2012, there was no funding at all for Safe Harbor. In State Fiscal Year, 2012-2013 (the year we are currently in), there was \$1.5 million allocated for sexually exploited children, which was a one-year add by the State Legislature. The proposed State Fiscal Year 2013-2014 Budget, which is being negotiated right now, includes no funding for Safe Harbor/sexually exploited youth.

CCC participated in advocacy efforts to secure the funding for the current fiscal year, as well as meetings and conference calls with the State OCFS and City ACS with regards to the use of the \$1.5 million for “services and expenses associated with sexually exploited children.” Due to uncertainties with regard to the sustainability of the one-year funding, both the State and the City have decided to use the funding for purposes that essentially train staff to better identify sexually exploited youth. CCC agrees that it is critical to be able to identify these young people—but once these young people are identified and disclose their histories we must have the services they need available.

OCFS decided to spend about \$500,000 of the \$1.5 million on a contract with IOFA, to develop a Child Right model, which is a state-wide cross-system training package. According to OCFS, IOFA participated in building and implementing this model in Illinois. The OCFS contract with IOFA includes training (for participants such as child welfare professionals, law enforcement, mental health professionals, etc.) and the development of a tool kit tailored to New York (which includes screening and assessment tools). IOFA will also be conducting an evaluation to document outcomes of the project.

OCFS then allocated \$124,444 to Erie, Monroe, Onondaga, Westchester and the 5 boroughs of New York City (meaning NYC received about \$600,000.) While City’s full plan is still in formation, CCC’s understanding is that ACS will be using some of the money to develop expertise at the ACS Children’s Center to identify and better assist sexually exploited youth.

CCC is very pleased that the City and the State have dedicated the \$1.5 million to helping the adults who come into contact with these children be able to better identify and counsel those who are sexually exploited. We believe the next step in addressing this growing and troubling issue is to invest resources in the services that prevent children from becoming sexually exploited, that keep sexually exploited youth safe, and that treat the trauma a sexually exploited child has experienced. CCC is currently advocating that the State restore the \$1.5 million for Safe Harbor, return it to its \$3 million funding level, and that the funds be baselined so that counties, such as New York City, can fund sustainable programs for these children and youth.

Given the City Council’s interest in commercially sexually exploited youth, CCC urges the Council to include this funding in the Council’s State Budget advocacy package, write a letter to the State Legislature and take whatever other steps might assist us in restoring these funds. While it is important for ACS and DYCD to be able to track and count the number of sexually exploited youth they come into contact with, it is also essential that New York City have the services these young people need.

Thank you for this opportunity to testify.

**THE COUNCIL  
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. 8106 Res. No. \_\_\_\_\_

in favor  in opposition

Date: 2/25/13

(PLEASE PRINT)

Name: Elizabeth Schnur

Address: \_\_\_\_\_

I represent: JCCA

Address: 120 Wall St NY NY 10005

**THE COUNCIL  
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. 0866 Res. No. \_\_\_\_\_

in favor  in opposition

Date: \_\_\_\_\_

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I represent: ECPAT USA

Address: same as above

**THE COUNCIL  
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. \_\_\_\_\_ Res. No. \_\_\_\_\_

in favor  in opposition

Date: \_\_\_\_\_

(PLEASE PRINT)

Name: Deborah Harper

Address: \_\_\_\_\_

I represent: NYCO

Address: \_\_\_\_\_

Please complete this card and return to the Sergeant-at-Arms

**THE COUNCIL  
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. \_\_\_\_\_ Res. No. \_\_\_\_\_

in favor  in opposition

Date: \_\_\_\_\_

(PLEASE PRINT)

Name: Andrew Miller

Address: \_\_\_\_\_

I represent: DYCD

Address: \_\_\_\_\_

**THE COUNCIL  
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. \_\_\_\_\_ Res. No. \_\_\_\_\_

in favor  in opposition

Date: \_\_\_\_\_

(PLEASE PRINT)

Name: Janice Holzman

Address: 201 West 198<sup>th</sup> Street Ground Fl

I represent: Girls Educational & Mentoring Services

Address: (GEMS)

**THE COUNCIL  
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. \_\_\_\_\_ Res. No. \_\_\_\_\_

in favor  in opposition

Date: \_\_\_\_\_

(PLEASE PRINT)

Name: Stephanie Gender

Address: at

I represent: Citizens' Committee for Children

Address: \_\_\_\_\_

◆ Please complete this card and return to the Sergeant-at-Arms ◆

**THE COUNCIL  
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. \_\_\_\_\_ Res. No. \_\_\_\_\_

in favor  in opposition

Date: 2-25-13

(PLEASE PRINT)

Name: John Welch

Address: 33 Essex St. NYC 10002

I represent: Safe Horizon

Address: 2 Lafayette St NYC

**THE COUNCIL  
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. 866-a Res. No. \_\_\_\_\_

in favor  in opposition

Date: 2/25/13

(PLEASE PRINT)

Name: Katherine Mullen The Legal Aid Society

Address: 111 Livingston Street Brooklyn NY

I represent: The Juvenile Rights Practice of The Legal Aid Society

Address: same

**THE COUNCIL  
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. \_\_\_\_\_ Res. No. \_\_\_\_\_

in favor  in opposition

Date: \_\_\_\_\_

(PLEASE PRINT)

Name: Ronald E Richter, Commissioner

Address: 150 William

I represent: ACS

Address: 150 William

Please complete this card and return to the Sergeant-at-Arms

**THE COUNCIL  
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. \_\_\_\_\_ Res. No. \_\_\_\_\_  
 in favor  in opposition

Date: 2/25/13

(PLEASE PRINT)

Name: Susan Morley

Address: 148 B. 144 St Neponsit, N.Y. 11694

I represent: A.C.S.

Address: 150 William St. N.Y. N.Y. 10038

**THE COUNCIL  
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. \_\_\_\_\_ Res. No. \_\_\_\_\_  
 in favor  in opposition

Date: \_\_\_\_\_

(PLEASE PRINT)

Name: Carolyn Strudwick

Address: \_\_\_\_\_

I represent: Safe Horizon's Streetwork Project

Address: (joining John Welch)

**THE COUNCIL  
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. \_\_\_\_\_ Res. No. \_\_\_\_\_  
 in favor  in opposition

Date: 2/25/13

(PLEASE PRINT)

Name: Margo Hirsch

Address: Brooklyn

I represent: Empire State Coalition

Address: Brooklyn

Please complete this card and return to the Sergeant-at-Arms