

Safe Harbor Protocol Writing Guidebook



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Introduction and Guidelines for Use

Safe Harbor protocols are a tool for individual communities to develop a coordinated response to victims/survivors of sexual exploitation and sex trafficking. Protocols are created by a multidisciplinary team with the goal of improving collaboration between the various systems (governmental and community-based) involved in the response to sexual exploitation and sex trafficking.

This writing guide is one of several tools available to Safe Harbor protocol teams, and these tools are best used in combination with one another. Throughout this guide, your team will be referred back to these key documents for additional information.

[Safe Harbor Protocol Guidelines:](#)

Developed by the Ramsey County Attorney's Office and the Minnesota Coalition Against Sexual Assault (MNCASA) in 2017 and revised in 2020, the document outlines best practices for working with victims/survivors of sexual exploitation and sex trafficking across various disciplines and should be used extensively throughout protocol development.

[Safe Harbor Protocol Team Formation Starter Kit:](#)

Developed by MNCASA to help communities across the state to form multidisciplinary protocol teams, the kit provides guidance on assessing community readiness, forming a team, and developing a collaborative process.

[Authentic Community Engagement in Safe Harbor:](#)

This report was developed by MNCASA by interviewing and engaging culturally-specific Safe Harbor service programs as well as individuals with lived experiences of sexual exploitation and sex trafficking. It contains information on how Safe Harbor protocol teams can increase their capacity to center marginalized voices and survivors within their work.

Since 2018, MNCASA has worked with Safe Harbor protocol teams across the state as they develop and implement their response to sexual exploitation and sex trafficking, using the [Safe Harbor Protocol Guidelines](#) as the foundational text. The additional resource most requested by teams was a template or writing guide for teams new to protocol development. MNCASA initially

developed this writing guide in 2018 as a starting point for new teams. We are now releasing a revised writing guide that incorporates feedback and lessons learned from protocol teams across Minnesota. We encourage you to incorporate and improve upon the information in this guide.

The Safe Harbor Protocol Writing Guide begins with the Basics of Multidisciplinary Teaming for Protocol Development, where you will find information on team membership, working with Survivor Subject Matter Experts, and tips for the writing process. The second section, Foundations of Protocol, is key information that your team will want to consider and integrate throughout the development of your protocols. The third section is a Protocol Template, which contains sample formatting and language that your team can adapt to suit your community's needs. The final section, Appendices and Additional Materials, contains additional tools and resources that your team may find useful when developing protocols.

This guidebook has been written to be accessible, using plain language and a 14-point, sans serif font. It is recommended that your protocols be designed to meet the needs of responders in your community, ensuring that both the content and the format of the document is accessible and user-friendly. Victims/survivors of all genders are subject to sexual exploitation. Non-gendered language is used throughout this document to promote a more inclusive response except in direct quotation or when a specific gender identity is discussed.

Our hope is that this guide serves as a valuable resource as you write your community-specific protocols. In addition, you can contact MNCASA (info@mncasa.org) for further guidance. Good luck!

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The Basics of Multidisciplinary Teaming for Protocol Development

Victims/survivors of sexual exploitation and sex trafficking engage with a variety of systems in the community. To effectively respond, disciplines must work together to increase positive outcomes for victims/survivors. Working as a team to create a clear protocol to increase positive outcomes for victims/survivors makes every professional more effective and improves the overall response.

What Is A Protocol Team?

- Representatives from key disciplines
- Broad spectrum of views, approaches, constraints, and experiences

Goals of the Protocol Team

- Improving outcomes for victims/survivors
- Improving the community's response
- Collaboration and systems change

For more information on forming a protocol team, assessing community readiness, and initial steps, please refer to the [Safe Harbor Protocol Team Formation Starter Kit](#).

WHAT MAKES A SUCCESSFUL TEAM?

In our extensive work with multidisciplinary teams focused on systems change, MNCASA has identified ten internal and external factors that facilitate success.

Internal Factors:

- Shared vision and model
- Multi-level leadership
- Culture of learning
- Continual evaluation and improvement
- Diverse membership
- Emphasis on relationships and teamwork

External Factors

- Confident individual team members
- Supportive member agencies
- Access to resources and networking
- Community support and involvement

For more information on these characteristics, please see [A Ten-Factor Framework for Sexual Assault Response Teams](#).

WHO SHOULD BE ON THE TEAM?

The team should be comprised of all systems and community professionals who engage with victims/survivors and/or are part of the response to sexual exploitation and trafficking. Consider the tangible needs victims/survivors may have, such as housing, food, clothing, transportation, income, or child care. Some key disciplines to include as participating partners are:

- Survivor Subject Matter Experts
- Safe Harbor Regional Navigator ([Find Your Navigator](#))
- Advocacy and Outreach
- Safe Harbor service providers in your area ([Housing](#), [Supportive Services](#))
- Child Protection/Child Welfare
- Health Care (SANE/Forensic Nurse programs, medical providers, chemical and mental health)
- Law Enforcement
- Prosecution
- Juvenile and Adult Corrections/Probation
- Tribal Government (where applicable)
- Culturally specific representation:
 - o [Indigenous communities](#) ¹
 - o Communities of color
 - o Foreign nationals
 - o Deaf or hard of hearing
 - o [LGBTQIA+](#) ²
 - o Disabled people
 - o Other disproportionately affected populations
- Public Health

1. Native+ Students Involved in Trading Sex: Data from the 2019 Minnesota Student Survey. Retrieved from: <https://conservancy.umn.edu/bitstream/handle/11299/227180/UofM-MSS-Native%2B-v9%20FINAL%204-25-2022.pdf?sequence=1>

2. Transgender and Gender Diverse Students Involved in Trading Sex: Data from the 2019 Minnesota Student Survey. Retrieved from <https://conservancy.umn.edu/bitstream/handle/11299/228026/UofM-MSS-TGD-FINAL%202-17-2022.pdf?sequence=1>

- Schools
- [Children's Advocacy Centers](#) ³
- Legal Representation (Public defenders)
- Judicial
- Other points of disclosure or service provision specific to your community

Each community will have different needs, and different disciplines to include in protocol development teams. Not all disciplines listed are necessary in each community, and some communities will have key responders not listed above. Membership should be tailored to your community's resources and needs.

Make sure that your team includes young people or a mechanism to ensure that youth voice is included in protocol development. For additional resources on determining team membership, please refer to the [Safe Harbor Protocol Team Formation Starter Kit](#).

You may find that some individuals or agencies are initially hesitant to commit to the protocol development process. This is normal in developing your team and should not delay the start of your project. Begin your protocol development process and work to engage new stakeholders. For information on community engagement, please refer to [Authentic Community Engagement in Safe Harbor](#).

WORKING WITH SURVIVOR SUBJECT MATTER EXPERTS

When developing your protocols, it is critical that you include individuals with lived experience at all stages. This guidebook includes some strategies for engaging these experts.

Language, words, and labels matter. For those who have been affected by trafficking and exploitation, there are various preferred terms, and these may change over time for each individual. Some examples include: victim, survivor, leader, or thriver. Each person's experience is unique, and it is important to allow them to determine what title they wish to use.

For the purposes of this guidebook, we will use the term Survivor Subject Matter Expert to refer to an individual who has survived sexual exploitation and/or sex trafficking and has made a personal decision to be doing professional work on this topic.

We have provided definitions to key terms on the next page:

Definitions:

Terms like “victim,” “survivor,” and “survivor expert” are often used interchangeably, but they actually have different implications.

- **Victim:** is an individual who experiences mental, physical, financial, social, emotional, or spiritual harm as the direct result of a specified crime committed on their person or property.
- **Survivor:** is an individual who has survived an ordeal or trauma; which includes both direct and indirect victims of crime. The term survivor emphasizes the strength and courage needed to survive a traumatic event.
- **Lived Experience:** personal knowledge about the world gained through direct, first-hand involvement in everyday events rather than through the representations constructed by other individuals.
- **Professional Experts:** is an individual who has some unique or greater education/experience than that required of employees in regular classified service, and the work performed by Professional Experts is usually considered to be unique, or special, for a specific project.
- **Survivor Subject Matter Expert:** is a victim/survivor who has expertise on sexual exploitation and/or sex trafficking due to their lived experience.

Why Are Survivor Subject Matter Experts Important In Developing Protocols?

Survivor Subject Matter Experts are the individuals that have been most impacted by the systems response. Including Survivor Subject Matter Experts allows protocol teams to better serve victims/survivors, implement and improve programming, and identify challenges and opportunities. They can help ensure your protocols are accessible and effective, and that your team understands existing barriers and gaps in service that need to be addressed. In addition, including Survivor Subject Matter Experts can lead to greater trust from community members and an increased likelihood of victims/survivors coming forward for services.

Many service providers struggle to develop relationships with Survivor Subject Matter Experts, or only have limited opportunities to engage. Including Survivor Subject Matter Experts in protocol teams benefits each individual discipline by giving them an opportunity to have those discussions and better understand the needs of victims/survivors. Survivor Subject Matter Experts provide knowledge on equitable and inclusive practices, and can identify opportunities for further education and training.

If possible, your team should include more than one Survivor Subject Matter Expert, as each individual has a unique perspective and experience, and more expertise will help ensure your protocols are effective for each victim/survivor in your community. On a related note, it is also preferable to engage Survivor Subject Matter Experts from the community you're serving, as they will have a deeper knowledge of your local response. If you are unable to connect with a local Survivor Subject Matter Expert, it is recommended that you find someone with experience specific to Minnesota.

When to Include Survivor Subject Matter Experts in Protocol Development

Ideally, your team will include Survivor Subject Matter Experts in protocol development from the earliest stages. If your team is limited by budget or time constraints, it is important to determine the points of the process where their expertise will be the most beneficial. Here are some examples of how to engage Survivor Subject Matter Experts in protocol work:

- Have a Survivor Subject Matter Expert attend all protocol meetings.
- Include both youth and adult Survivor Subject Matter Experts on your team.
- Have a Survivor Subject Matter Expert speak to the protocol team at the start of the process about why protocols are important and how they will benefit victims/survivors.
- Have a Survivor Subject Matter Expert review the protocol draft and give written or verbal feedback and suggestions. Have them also review the final draft prior to publication to ensure changes are incorporated.
- Have a special session with the Survivor Subject Matter Expert after they have reviewed the protocol to answer questions that the protocol team has about their suggestions.
- Find creative ways to engage with Survivor Subject Matter Experts, victims/survivors, and parents/caregivers of individuals affected by sexual exploitation and/or sex trafficking.

How to Connect with Survivor Subject Matter Experts

Survivor Subject Matter Experts can be found through your Regional Navigators, agencies that work directly with victims/survivors of sexual exploitation and sex trafficking, or through statewide agencies like MNCASA that frequently work with Survivor Subject Matter Experts as consultants. You might also ask other protocol teams whether the Survivor Subject Matter Experts they work with would be interested in an additional consulting project.

Contracting with Survivor Subject Matter Experts

Like any other professional consultant, Survivor Subject Matter Experts should be contracted employees and paid accordingly. A written and signed contract should be executed between the Survivor Subject Matter Expert and the protocol team or payor agency.

- Prior to contacting the Survivor Subject Matter Expert, determine the number of hours and/or maximum compensation amount available, and inform them of these parameters at the time of contact. Review the contract with the Survivor Subject Matter Expert to ensure both parties understand and agree to the terms.
- The Survivor Subject Matter Expert should be paid at the [federal consulting rate](#), including mileage reimbursement, meal compensation and hotel expenses as needed.⁴
- In most instances, Survivor Subject Matter Experts should be paid by check (not gift card). If the Survivor Subject Matter Expert does not wish to be paid by check, work with them to determine the appropriate form of payment.
- If you need the Survivor Subject Matter Expert to submit an invoice, this should be discussed before a contract is signed. Ask them if they need help or provide a template (see Appendices and Additional Materials for a sample). You should be clear what is needed on the invoice: dates, times, and level of detail in description of work performed.
- Specific dates on when contract starts and ends.
- Hours that are paid should include time for emails, reviewing documentation, preparation work for meetings, 1:1 or group meetings, phone/video/in-person meetings, travel time, and meals/lodging.
- It is important to compensate all Survivor Subject Matter Experts regardless of age.

Considerations When Working with Survivor Subject Matter Experts

When working with Survivor Subject Matter Experts, it is important to remember that they are professionals providing a service, and ensure the team does not ask for contributions above and beyond the contracted agreement. Additionally, remember that they are sharing information related to trauma they have experienced, and victim-centered and trauma-informed practices should be used at all times.

- Give them a safe space to talk and share their experiences.
- Treat Survivor Subject Matter Experts like the experts they are.
- Be open and honest with them at all times.

4. U.S. Office of Justice Programs. Retrieved from: https://www.ojp.gov/sites/g/files/xyckuh241/files/media/document/ConsultantRate_SoleSource_Changes.pdf

- Don't ask them to share their story with the team or as part of a public event. Allow them to share only what they are comfortable with or feel is needed for the work.
- Don't share their story or experiences without their permission.
- Don't record or take photos of them unless they have given you permission and you have explained how and when the recording will be used.
- Ask before listing their name in your protocol, and use the title they prefer.
- Maintain their privacy when talking with other teams or professionals about the work your protocol team is doing.

Other Options for Engaging with Survivor Subject Matter Experts

If your team is unable to contract with one or more Survivor Subject Matter Experts, there are other strategies to gain victim/survivor expertise. However you plan to engage individuals with lived experience in your protocol development, make sure to compensate them for their time and expertise.

- Create a survey that asks specific questions for each discipline/service/program to see what is or is not working. This can be given to youth, adults and parents/caregivers.
- Create a youth and/or adult advisory board.
- Create opportunities to have “raw” conversations with youth and adult victims/survivors, family members, systems, organizations and community members.

GETTING STARTED

Once your protocol team is established, it's time to begin the work of protocol development. Meaningful systems change work takes time, and your team can expect the process to take up to two years, followed by ongoing continuous improvement. For more information on protocol planning, including tasks and potential timelines, see [A Guide to Safe Harbor Protocol Project Planning](#).

Writing protocol can be a daunting task, and it is not unusual for the scope of the project to overwhelm team members and leaders. It is helpful to determine your process for writing protocol early on, and to share the workload equitably. There are a variety of strategies for writing protocol, and your team will need to decide what works best for your community.

Suggestions for the Writing Process

- Have each discipline write out their current protocols for responding to victims/survivors of sexual exploitation and sex trafficking.
- Review current protocols in the large team—this gives other disciplines the opportunity to understand processes, ask questions, and provide suggestions for improvement.
- Set deadlines and benchmarks to keep the project moving forward.
- Don't worry about perfection—your protocol is a living document that will be revised as practices are improved and as your community changes over time.
- If your community has an existing sexual assault response protocol, consider adapting it to include sexual exploitation and sex trafficking.

Foundations of Protocol

The following sections are important to consider and discuss with your team, and to incorporate throughout your protocols for responding to sexual exploitation and sex trafficking.

DEVELOPING SHARED DEFINITIONS

Before you begin protocol development, it is critical to ensure that everyone on the team has a shared understanding of the various terms used when discussing the response to victims/survivors of sexual exploitation and sex trafficking. Some of these definitions are universal, and many of those are included in the Glossary at the back of the guidebook. However, other terms may vary across disciplines and this can create confusion and tension if not addressed. Some of these terms are easy to agree upon, while others may require a significant amount of discussion and compromise. Some examples of common terms your team should discuss and agree upon are:

- **Minor/child/youth/adolescent:** Because many aspects of the response differ depending on the victim/survivor's age, it is important to clarify the specific age group being described (ex. "minor" means under the age of 18, while "youth" may be used by some responders for anyone under age 24).
- **"Missing" vs. "runaway" youth:** For a variety of reasons, the systems response can differ significantly depending on how a youth is described to responders. Due to capacity, responders often place more attention on missing youth, as they are seen to be at higher risk of harm. However, particularly when working with systems-involved young people, the distinction between "missing" and "runaway" is difficult to determine. Parents or guardians may kick youth out of the home but report them as missing, or youth may flee from a dangerous home situation. "Runaway" youth are often homeless or have unstable housing situations, which puts them at very high risk for exploitation or trafficking.
- **Safety:** The foremost goal of each member of your team is safety; however, what that entails may differ widely. Law enforcement and prosecution are focused on public safety, which includes arresting and trying offenders, with the goal of preventing them from doing future harm. Health care professionals are focused on the physical wellness of the victim/survivor, meaning addressing any injuries or illnesses, and providing preventative care. Child protection workers are focused on the safety of a youth's living situation, and concerned with preventing or intervening in abuse or maltreatment. While these differences are not always in conflict with one another, it is important for team members to keep in mind when working to ensure a victim-centered response.

- **Success:** Related to the above concerns about safety, disciplines may also differ in what they consider to be successful outcomes. A victim-centered response recognizes that success is determined by the victim/survivor.

SAFE HARBOR VALUES

When working with victims/survivors of sexual exploitation and sex trafficking, it is important to think about the values and assumptions we bring to this work and consider how we can formulate our approach to better support victims/survivors. To ensure that our efforts are helpful and not harmful, we can utilize five core principles identified in the [Safe Harbor Protocol Guidelines](#) (See [Five Core Principles for Working with Sexually Exploited or Trafficked Youth](#) for detailed definitions). In addition, your team may identify additional values needed for working with victims/survivors of sexual exploitation and/or sex trafficking, and those should be included as well.

What “Victim-Centered” Looks Like in Protocol:

Victims/survivors are the experts in their own lives. Throughout the protocol document, your team should discuss key steps or commitments that all service providers can take to be victim-centered.

EXAMPLES

1. Responders to sexually exploited or trafficked individuals commit to listening to the victim/survivor with generosity, patience, and belief. We will listen to understand the victim/survivor’s needs and goals for safety, healing, and seeking justice.
2. Responders will ensure that victims/survivors understand the full scope of their options and the systems processes and potential outcomes for each.

What “Trauma-Informed” Looks Like in Protocol:

Sexual exploitation and sex trafficking is highly traumatic, and it is important for responders to understand the effects of trauma. Throughout the protocol document, your team should discuss key steps or commitments that all service providers can take to be trauma-informed.

EXAMPLES

1. To be trauma-informed is to orient yourself towards and apply the concepts of, “What has happened to this person? What trauma have they endured?” It requires us to change our framing from “What did you do?” to “What was done to you?”
2. Use nonjudgmental approaches. Do not approach victims/survivors as if there is something “wrong” with them or that you can “fix” their situation.
3. When interviewing a victim/survivor about their experience, take your time and understand that their memory may have been affected by the trauma they experienced. Offer breaks or pauses.
4. Do not attempt to turn the victim/survivor against their exploiter. Often, the exploiter is someone the victim/survivor considers to be a friend or loved one.
5. Allow the victim/survivor to choose the terminology they use to refer to their exploiter.
6. Learn the victim/survivor’s triggers and teach them grounding techniques.
7. Recognize that victims/survivors of sexual exploitation and sex trafficking are often slow to trust, and may react negatively to someone who is showing care towards them.

What “Youth-Centered” Looks Like in Protocol:

Being youth centered means recognizing the strengths and personal agency of young people. It is important to include youth in the protocol development to ensure that the voices of youth are reflected. Throughout the protocol document, your team should discuss key steps or

commitments that all service providers can take to be youth-centered when responding to younger victims/survivors.

EXAMPLE

1. We believe that sexually exploited and sex trafficked youth are able to make informed decisions about their own lives. We will, whenever possible, prioritize the youth's voice in determining the types of services provided.

What “Strengths-Based” Looks Like in Protocol:

Victims/survivors have strengths and skills that will help them achieve their goals. Throughout the protocol document, your team should discuss key steps or commitments that all service providers can take to be strengths-based.

EXAMPLE

1. We believe that victims/survivors are resilient and continue to learn from their experiences or environment. We commit to honoring the strengths of the individuals we work with.

What “Culturally Responsive” Looks Like in Protocol:

An equitable response to sexual exploitation and sex trafficking means providing culturally responsive services to all victims/survivors in the community. Throughout the protocol document, your team should discuss and develop key steps or commitments that all providers can take to design services that provide equitable access. This may include noting specific cultural or social groups. If you are unsure of steps to take, review your community's demographic information through looking at [Census data](https://www.census.gov/data.html)⁵ or other publicly available demographic data (see Additional Materials). Next, review each agency's service demographics. What populations are not present and which are present in each set of records?

5. 2020 United States Census: <https://www.census.gov/data.html>

One way to develop equitable access plans is to ensure outreach materials are tailored to the particular communities you are hoping to reach. Do they include options for gender identity and sexual orientation? Non-English speaking victims/survivors? Individuals with physical or cognitive disabilities? What about those with limited transportation options? These are areas to develop outreach or service model changes. See Effective Communication Tips in the Additional Materials section, and for more information on increasing your team's capacity to center marginalized voices and victims/survivors within your work, see [Authentic Community Engagement in Safe Harbor](#).

EXAMPLES

1. Our community has a 6% Latinx population, yet our services only reflect less than 1% of all clients served as Latinx. Our agencies will all have written materials that are appropriately translated and readily available to service providers to give to victims/survivors.
2. Access to reliable transportation is an issue facing many in our community. All agencies represented on our protocol team will work collaboratively to provide transportation to victims/survivors to access services. To achieve this, we will...
3. Our team respects all gender identities and diverse forms of gender expression. Our team will take steps to respond to the needs of trans, non-binary, and/or gender non-conforming victims/survivors. We will ensure that all agency forms are updated with expanded gender options and provide services that are consistent with their self-definition. If the victim's/survivor's chosen name is different from their legal identity documents, we will use victims'/survivors' chosen name and pronouns at all times unless the use of their legal name is required for legal proceedings.

RESPONDING TO INITIAL DISCLOSURES

It is critical to note that victims/survivors of sexual exploitation and sex trafficking do not have to fully disclose in order to receive services, and full disclosure should not be a responder's goal. Experiences of sexual violence are deeply personal and traumatizing, and not all victims/survivors want to share the details of their experience. This is especially important to note with regard to law enforcement; not all victims/survivors want to engage with the criminal legal system, and that decision should be respected.

Research consistently shows us that the first disclosure of sexual violence (including sexual exploitation and sex trafficking) greatly affects a victim/survivor's healing process.⁶ Disclosure often happens in multiple stages, with victims/survivors slowly revealing information to gauge the reaction of the service provider and determining if they are trustworthy.

If a victim/survivor experiences negative or judgmental reactions, they are less likely to share information and may not be willing to disclose again in the future.⁷

Negative experiences may also prevent the victim/survivor from seeking other forms of help or support, leading to mental and physical health concerns and an increased risk of further victimization.

On the other hand, if a victim/survivor experiences positive and supportive reactions to their disclosures, they are more likely to continue to seek services and will experience fewer mental and physical health impacts. Positive or supportive reactions include empathy, support, active listening, and asking non-judgmental questions (see Effective Communication Tips in the Additional Materials section). Each of these strategies can result in more victims/survivors disclosing and continuing with various services and processes.

Responders from all disciplines may encounter disclosures and can offer positive and supportive reactions without compromising the integrity of their work. It is important for your entire protocol team to commit to effectively responding to disclosures of sexual exploitation and trafficking.

Some General Tips for Handling Disclosures Include:

- Keep a neutral expression; avoid reacting either verbally or physically in a way that implies disbelief or disgust.

6. Ullman, Sarah E., and Henrietta H. Filipas. "Predictors of PTSD symptom severity and social reactions in sexual assault victims." *Journal of traumatic stress* 14.2 (2001): 369-389.

7. Stansell, Janna, and Amy Jennings. "To tell or not to tell: The impact of disclosure on sexual assault survivors' recovery." *Violence and victims* 25.5 (2010): 631-648.

- Also avoid appearing overly emotional; you are there to support the victim/survivor and they need to be able to lean on you.
- Be aware that many people react strongly to the trauma they have experienced, and this may manifest in physical or emotional ways, including (but not limited to) dissociation, aggression, lack of enjoyment in activities, or self-harm. They may also experience physical symptoms such as headaches, nausea, or other pain, or sensitivity to external stimuli. It is important for all responders to sexual exploitation and sex trafficking to be trained extensively in trauma-informed practices.

Your protocol team should consider the likely points of disclosure within your response, and include preferred practices for handling disclosures in your protocol. Either within each discipline-specific section or in a separate section, your team should develop commitments, plans, and steps to help responders handle disclosures of sexual exploitation or trafficking. Each discipline should receive ongoing training on how to handle disclosures in order to ensure responders are following these practices and that the response is consistent across individuals and disciplines.

Practices for Handling Initial Disclosures

EXAMPLES

1. Staff in our agencies often do not feel comfortable or are unsure of how to handle exploitation/trafficking disclosures effectively. When a disclosure occurs, responses from staff members vary based on training. To close this gap and improve the victim/survivor experience and services, each agency will...
2. Every new staff member who joins one of the agencies listed in this protocol will go through the same mandatory training on compassionate response to disclosures of sexual exploitation or trafficking. To ensure adherence to this protocol, each agency will...

INFORMED CONSENT, RELEASE OF INFORMATION, AND CONFIDENTIALITY

Each discipline on your team has unique and complex ethical and legal requirements around confidentiality and data privacy. Confidentiality issues are a frequent area of tension or confusion within multidisciplinary teams.⁸ It is not only important for responders to understand their own responsibilities, but teams benefit from understanding one another's requirements as well.

Many of the disciplines on your team may use informed consent paperwork with victims/survivors. Because of the effects of trauma on memory and brain function, it is important for all service providers to ensure that the victim/survivor has the capacity to fully understand the implications of their signed or verbal consent (please note that written consent is a best practice, and verbal consent should be used only when necessary). Additionally, service providers should do follow-up to ensure that the victim/survivor continues to consent to this information being shared. For releases of information (ROIs), best practice and federal guidelines state that a ROI should have validity for no longer than 30 days and should specify to whom and what information will be shared.⁹ ROIs should be time-bound and limited to specific situations or discussions. Additionally, releases of information should only occur when it is in the best interest of the victim/survivor or improves their access to services or support.

Often, multidisciplinary teams attempt to simplify this process by using a blanket confidentiality agreement. Blanket confidentiality agreements—one agreement signed upon joining a team or for the duration of a meeting that states they will not share any information they gain during the meeting with others—should not be used, as they put any agency receiving funding from federal entities at risk as well as open up the agency to liability for failure to protect information.

Teams must develop and implement strict confidentiality boundaries. For protocol development teams focusing on the overall response, it can be beneficial to discuss patterns of behavior or frequently encountered situations, rather than discussing specific case details.

Remember that in addition to ethical and legal obligations, how and when you share information will directly affect your rapport with the victim/survivor. They may have fear, shame, or other emotions in connection to their experience, and may not want other service providers to know the details. In situations where information sharing is permitted or required, make sure the victim/survivor understands those rules.

8. Cole, Jennifer. "Victim confidentiality on sexual assault response teams (SART)." *Journal of Interpersonal Violence* 26.2 (2011): 360-376.

9. Office on Violence Against Women. Retrieved from: <https://www.justice.gov/ovw/page/file/1006896/download>: <https://www.techsafety.org/confidentiality-in-vawa-fvpsa/>

Practices for Informed Consent, Release of Information, and Confidentiality

In this section, your team should develop commitments and steps to implement appropriate informed consent, release of information, and confidentiality policies and practices. You and your team may want to consider how each agency partner will train their staff, cross-train team members on differing levels of information sharing, or how partner agencies will change their internal policies.

EXAMPLES

1. All service providers will use the established release of information form to ensure appropriate protections of victim/survivor information. Information will only be shared with written consent or as required by law or professional ethical codes.
2. Staff responding to victims/survivors of sexual exploitation or sex trafficking will adhere to a 48-hour follow-up procedure to ensure victims/survivors understood the forms signed. Each agency will develop a process to document a preferred method of contact for each victim/survivor.

MANDATED REPORTING

Your team's protocols around mandated reporting will vary by discipline as well as by the age of the victim/survivor. There are mandated reporting and cross-reporting requirements ¹⁰ in place to protect children and vulnerable adults from abuse or neglect. Responders who are mandated reporters must inform victims/survivors as early as possible (ideally prior to disclosure) of their reporting obligations so they can make an informed decision whether or not to disclose detailed information.

Per the [Minnesota Department of Health guide, Minnesota's Best Practice Response to Trafficking and Exploitation of Children and Youth: A guide for county and tribal child welfare agencies](#), ¹¹ known or suspected sex trafficking

10. Minn. Stat. 260E.03, subd. 20

11. <https://edocs.dhs.state.mn.us/lfserver/Public/DHS-7641Z-ENG>

of a child (age 17 or younger) is a mandated report, regardless of whether the third party sex trafficker is a caregiver. When a reporter has reason to suspect that a third party may have been involved, a report must be made to child protection intake.

Sexual exploitation is not a mandated report unless an alleged offender is a caregiver, which includes parents, siblings and household members in a caregiving role. Sometimes it can be difficult to know whether a third party facilitated or profited from a child's victimization through a commercial sex act. Even if a reporter suspects there could be a third party, but is unsure, it is strongly recommended they make a mandated report. All sexual exploitation of children should be reported to law enforcement.¹²

Sexual exploitation and sex trafficking are both mandated reports if the reporter suspects a vulnerable adult is involved.

Practices for Mandated Reporting

Your protocol should include each discipline's unique requirements around mandated reporting. If your community has a child protection multidisciplinary team,¹³ it can also be important to clarify the differences between that team and the protocol team.

EXAMPLES

1. Staff who are mandated reporters will make sure to inform the victim/survivor of their reporting obligations as early as possible so victims/survivors can choose whether or not to disclose information
2. Responders who are mandated reporters will report all incidences of suspected sex trafficking of youth to the applicable county or Tribal Child Protection division. In order to keep the process youth-centered, the provider will speak with the youth about their requirement to report...

12. <https://edocs.dhs.state.mn.us/lfserver/Public/DHS-7641Z-ENG>

13. Minn. Stat. 260E.02

PROVIDING FOLLOW-UP

Regardless of outcomes of processes or procedures, service providers can provide better care and support for victims/survivors by providing follow-up, information, and additional support. Share updates even if the update is that there has been no new information or changes. One of the most important aspects of follow-up and information that leads to positive outcomes is providing clear, concise information.¹⁴ Many victims/survivors have limited understanding of how systems function, including law enforcement investigations, referrals for services, housing eligibility, or child welfare. This is an area in which all providers can improve the experiences of victims/survivors.

In addition, many victims/survivors need ongoing case management and support. Your protocols should not be limited to the initial response, but instead allow for ongoing service provision. This includes considerations for youth transitioning into adulthood, as this may change their eligibility for certain programs and services. Providers should work to find age-appropriate alternatives and assist the victim/survivor in getting connected to those programs. Each discipline, as applicable, should include their processes for long-term planning and aftercare.

Practices for Providing Follow-Up

In this section, your team should review how and when they offer to provide follow-up and information to victims/survivors after contact with a service provider. You and your team may want to consider how each agency partner can develop practices and policies to inquire if/how a victim/survivor wants follow-up or information regarding their contact with the agency. Consider how your team agencies can track how and when follow-up or information is being given.

EXAMPLES

1. Staff in agencies will develop and adhere to a standard policy for providing timely follow-up and information for any victims/survivors. This policy states...
2. Service providers will provide a business card to each and every victim/survivor with their individual contact information and the instructions to call if they wish for an update on their case or a process.

3. Our response is not limited to victims/survivors in immediate danger or crisis, but also includes long-term supports and resources throughout all stages of the healing process.

MALE AND MASCULINE VICTIMS/SURVIVORS

Although victims/survivors of sexual exploitation and sex trafficking are often presumed to be primarily female and feminine-identifying, this is inaccurate and can lead to many victims/survivors struggling for access to needed services. Research demonstrates that men and boys are just as vulnerable to sexual exploitation and trafficking as women and girls.

¹⁵ In fact, social frameworks of masculinity can make males even more vulnerable, as they are often less likely to come forward and seek services.

Your response to sexual exploitation and sex trafficking should be applicable to individuals of all genders, which includes understanding some of the differences in the needs and behaviors of male and masculine victims/survivors. Although the trauma experienced by males and females is similar in many ways, the effects can manifest in different ways. For males, this can include increased anger and hostility, questions about sexual orientation or masculinity, sexual dysfunction, and shame or humiliation. In addition, many of the needs of sexually exploited and trafficked females are also essential for males (e.g. immediate access to health care and advocacy, mental health services, sustainable housing, job skills, etc.). You should ensure that your protocol be inclusive and geared towards victims/survivors of all genders.

An important consideration for working with male and masculine victims/survivors is that they may have higher rates of involvement in the criminal justice system due to a variety of behaviors, many of which may be related to the trauma they have experienced. ¹⁶ This requires professionals working in corrections and probation be trained to identify risk factors and intervene appropriately. It is critical for your team to institutionalize protocols and practices that address male and masculine victims/survivors.

FOREIGN NATIONAL VICTIMS/SURVIVORS

There are a number of important considerations when working with foreign national victims/survivors. [The International Institute of Minnesota](#) ¹⁷ is a

15. Trading Sex and Sexual Exploitation among High School Students: Data from the 2019 Minnesota Student Survey. Retrieved from: <https://drive.google.com/file/d/1qHWI8MNY5cTvCsWWcgulo2brzZbHDg6Z/view>

16. Henriksen, M., Skrove, M., Hoftun, G.B. et al. Sex Differences and Similarities in Risk Factors of Physical Aggression in Adolescence. *J Child Fam Stud* (2022).

17. <https://iimn.org/programs/immigration-and-citizenship/anti-human-trafficking/>

Safe Harbor service provider that assists foreign-born trafficking survivors by providing direct, trauma-informed services to adults and children. The Institute also offers training and technical assistance to other agencies. For support and resources regarding legal matters, please consult with The Advocates for Human Rights (www.theadvocatesforhumanrights.org), a nonprofit organization based in the Twin Cities that provides legal assistance, referrals, training, and technical assistance to victims/survivors of human trafficking and service providers.

When working with victims/survivors from outside the U.S., it is important to consider that there may be significant cultural differences in how they view or interact with systems, particularly government and law enforcement. They may have experienced corruption or abuse from within systems, or not perceive systems as there to help them. In addition, if the victim/survivor is undocumented, they may avoid seeking help out of fear of deportation. They may not be aware of what programs they are eligible for or which services would require revealing their status.

Practices for working with foreign national victims/survivors

In this section, your team should highlight key legal and culturally specific resources for foreign national victims/survivors. You should also develop processes for engaging interpretation and translation services. See Effective Communication Tips in the Additional Materials section for more guidance on working with non-English speaking victims/survivors. It is critical that your protocol team create a process where victims/survivors can receive the support and services they need without fear of deportation or other repercussions.

EXAMPLES

1. Responders will not ask victims/survivors questions about their residency status unless required for their specific role. Responders will not share a victim/survivor's immigration status with other team members or coworkers.
2. Service providers will immediately contact ABC Translation Services to ensure that the victim/survivor can effectively communicate their needs.

CONSIDERATIONS FOR TRAINING

Your team should develop a plan for onboarding new protocol team members and training them on the protocols and mission of the team. In addition, developing a Safe Harbor protocol in your community provides an opportunity to engage and train a variety of professionals on identifying and responding to sexual exploitation and sex trafficking, and comprehensive training is critical to a successful response. All staff members, including leadership and administrative or support staff, of the agencies included in your protocols should be trained both as part of initial onboarding and their ongoing training plan. Remember that the first point of contact can often determine whether a victim/survivor seeks support, and make sure that your frontline workers, intake coordinators, front desk staff, and patrol officers have been thoroughly trained in providing trauma-informed and victim-centered care.

It can be helpful for teams to include information on what ongoing training will occur for each discipline, and it is important to ensure that participating agencies incorporate these trainings into their employee training plans. Some considerations for training include:

- **Screening and identification:** This should include training on any specific tools or approaches used by an agency, as well as how to ask trauma-informed and culturally responsive questions. For youth, we recommend all disciplines utilize the [Minnesota Youth Trafficking and Exploitation Identification Tool and Guide \(MYTEI\)](#) available through the Minnesota Department of Health.¹⁸
- **Safety planning:** Safety planning involves helping victims/survivors and staff anticipate and plan ahead for potential dangers before, during, or after leaving a dangerous situation.
- **Multidisciplinary response:** Every victim/survivor is unique and will require a different mix of services. A vital component of responding to trafficking is collaborating across sectors with professionals who can provide services such as legal aid, housing, medical care, and behavioral health services.
- **Trauma-informed, victim-centered, culturally responsive care:** Every staff member of every participating agency should be extensively trained on how to work with victims/survivors in a way that minimizes re-traumatization, prioritizes their needs, and respects their unique experience.
- **Cross-training with partner agencies:** This will increase staff understanding of the roles of disciplines within the response. Your protocol should specify how frequently agencies will cross-train with partners.

18. Minnesota Department of Health. <https://www.health.state.mn.us/communities/safeharbor/communities/mytei.html>

Protocol Template

Each section of this template includes suggestions on what type of information to include to help guide the writing process. In some areas, you will find sample language that you can adapt and use. The sample language, if used verbatim, does not need to be cited in your protocols; however, please do cite other resources you use, including protocols from other communities. Remember that the actual protocols you develop should be specific to your community—although you can look to other community protocols for inspiration, it is critical to ensure that the protocols you develop will work for the victims/survivors you work with.

TITLE PAGE

Teams should create a title page including the team's name and document title, as well as the date of publication. Your team can also add design elements if desired. If preferred, the team name and document title can be incorporated into the document as a header or footer.

PURPOSE OF SAFE HARBOR RESPONSE PROTOCOL

Here you should include a brief explanation of the purpose and intended use of the document.

SAMPLE LANGUAGE

This protocol serves as one tool used by a collaborative, multidisciplinary team to improve the experiences of victims/survivors of sexual exploitation and/or sex trafficking in our community. The protocol is designed to make critical changes to individual, agency, and systems efforts in the response to sexual exploitation and sex trafficking and is designed to be used by individuals and the agencies working directly with individuals who have been sexually exploited or sex trafficked. This protocol focuses on the critical elements of response in an effort to improve outcomes for victims/survivors. Through adopting this protocol,

each agency agrees to use this information to strengthen their practices, policies, and procedures. Compliance with this protocol will require changes, and each participating agency agrees to invest the appropriate time and resources to ensure change occurs. Community adoption of this document serves as a commitment to that work on behalf of all agencies.

TEAM MISSION STATEMENT

Protocol teams benefit from having a short, clear, and memorable mission statement to assist them in their work. The mission statement acts as a compass for team members to remain focused on the common goal of systems change. If your team does not have a mission statement or has not visited the mission statement recently, work together to draft one using the [Safe Harbor Protocol Team Formation Starter Kit](#).

SAMPLE LANGUAGE

The (County/Org) Safe Harbor Protocol Team addresses strengths and gaps in our community's Safe Harbor response in order to better serve victims/survivors.

Note: You can always expand on key ideas and concepts in other parts of the team's work, such as in an underlying philosophies and principles section or by adding a vision or values statement.

HOW TO USE THIS PROTOCOL

Describe how your participating agencies will use the document, including a commitment to training team members and agency employees. Include an explanation of what format your team will choose (ex. electronic reference, printed guidebook, etc.). You may wish to add disclaimer language as necessary (ex. This protocol is applicable only to the (County/Org) Safe Harbor Protocol Development Team). Because this is a living document that will be revised over time, it is helpful to determine how frequently your team will conduct evaluation and revision of the protocols.

BRIEF HISTORY OF THE TEAM OR COLLABORATION

Teams and protocols benefit from developing a short paragraph that outlines the highlights of the team's history and origin. This may provide orientation for new team members as well as context for the team's role in the community.

PARTICIPATING PARTNERS

In this portion, list the names of the agencies who are currently participating members of the protocol team. To ensure the protocol's usefulness is not contingent on specific team members, list the agency rather than the name of the individual team member.

CONTRIBUTING PARTNERS

This is the space to thank past participating agencies or any community provider who has offered assistance in your team's work. This should include Survivor Subject Matter Experts if they are comfortable being identified.

DISCIPLINE-SPECIFIC INFORMATION & RESOURCES

The following sections include some content and formatting options for the individual discipline portions of your protocol. Remember to include the disciplines that make sense for your community—this may differ from the examples provided.



Advocacy (Community-Based)

Role of Community-Based Advocacy

SAMPLE LANGUAGE

Community-based victim services and street outreach workers have expansive roles, engaging with the victim/survivor on a number of levels outside government systems in order to provide basic needs and supportive services. For many reasons, sexually exploited and/or sex trafficked individuals may not trust law enforcement, child

protection systems, or the courts, and so they need another outlet to turn to for safety and help. Community-based advocates may work with victims/survivors over a period of many years, as different needs arise.

Discipline Specific Tools or Information

If the team would like to add additional tools or information, please add to this section. An example may be informed consent processes. Inter-agency cross training on advocacy-specific topics may be a consideration. This section may also be used to indicate which tools the team and community agencies will agree to use in strengthening and supporting the advocacy response.

Special Considerations

In this section, you may wish to include the state statutes for community advocacy privilege or confidentiality. Providing mandated reporting or data collection practices may also be of use in this section, depending on your team and community. You may wish to provide the names of community advocacy agencies as well as systems advocacy to increase systems professionals' knowledge. In addition, you should include how each discipline engaged with Survivor Subject Matter Experts when developing their protocol.

Intersections with Other Providers in the Response

You may wish to include information regarding key intersections between disciplines, as these intersections are often the source of breakdowns in the response and tensions within the multidisciplinary team.



Advocacy (Systems-Based)

Role of Systems-Based Advocacy

SAMPLE LANGUAGE

Government-based advocates, often called victim/witness advocates, assist victims/survivors who have cases in the criminal justice and civil legal systems (either as a witness or party). These advocates often work in either police departments or prosecutors' offices, and they provide ongoing support and logistical coordination over the course of a legal matter. They also provide resource referrals in the community. Government-based advocates work with victims/survivors during the course of a particular case and when the case ends, their advocacy role usually ends.

Discipline Specific Tools or Information

If the team would like to add additional tools or information, please add to this section. An example may be informed consent processes. Inter-agency cross training on advocacy-specific topics may be a consideration. This section may also be used to indicate which tools the team and community agencies will agree to use in strengthening and supporting the advocacy response. Be sure to include information about how victims/survivors can access VOCA funds.

Special Considerations

In this section, you may wish to provide mandated reporting or data collection practices as applicable, depending on your team and community. You may wish to provide the names of community advocacy agencies as well as systems advocacy to increase systems professionals' knowledge. In addition, you should include how each discipline engaged with Survivor Subject Matter Experts when developing their protocol.

Intersections with Other Providers in the Response

You may wish to include information regarding key intersections between disciplines, as these intersections are often the source of breakdowns in the response and tensions within the multidisciplinary team.



Child Protection and Child Welfare

Role of Child Protection/Child Welfare

SAMPLE LANGUAGE

The focus of the child welfare system response to children and youth who experience sexual exploitation and sex trafficking is safety, permanency, well-being and access to services. This requires close collaboration with law enforcement, county attorneys, and the Safe Harbor network in order to reduce trauma to victims and provide adequate support for children and their families or caregivers. As long as it is safe and in the child's best interest, the goal of the child welfare system is to keep children in their home and community.

There are five key requirements to include in protocols for the child welfare system response to sexual exploitation and sex trafficking in Minnesota.

1. Sex trafficking of a minor is a mandated child protection report, regardless of who the alleged offender is. When reporting and when screening reports, it is important to identify the difference between sexual exploitation and sex trafficking (see Glossary of Terms and Acronyms in the Appendix).
2. Once reported to child protection intake, all sex trafficking involving a minor should be screened in for a child protection investigation. All non-caregiver sexual exploitation should be screened out for investigation and referred for voluntary child welfare services.

3. Law enforcement and child protection must cross-report all child crime victims, including all alleged minor victims of sexual exploitation and sex trafficking. Sex trafficking child protection investigations require early and frequent coordination between child protection and law enforcement.
4. Developmentally appropriate safety planning with the youth and family should begin immediately. This begins with face-to-face contact to assess child safety within 24 hours of receipt of report.
5. Collaboration with law enforcement, county attorney, Safe Harbor, and others is required to determine whether placement is necessary. If applicable, find an appropriate placement based on the individual needs of the youth, taking into account the impact of the sexual exploitation and/or sex trafficking.

Discipline Specific Tools or Information

[Minnesota's Best Practice Response to Trafficking and Exploitation of Children and Youth: A guide for county and tribal child welfare agencies](#)¹⁹ contains more detailed guidance on the child welfare response to sexual exploitation and sex trafficking. Additional resources, such as the child protection screening of sexual exploitation and sex trafficking tool and the youth exploitation or trafficking safety plan, and information on the child welfare response in Minnesota are available at www.mn.gov/dhs/safe-harbor. DHS Human Trafficking Child Protection Coordinators are available for technical assistance to child welfare agencies and protocol development teams.

Special Considerations

- All county and Tribal staff with child protection duties are required to complete training on sexual exploitation and sex trafficking. More information on this requirement and registration can be found on the [Minnesota Child Welfare Training Academy website](#).²⁰
- Child protection screening is based on Minnesota statute and the [Minnesota](#)

¹⁹ <https://edocs.dhs.state.mn.us/lfservlet/Public/DHS-7641Z-ENG>

²⁰ <https://mn.gov/dhs/partners-and-providers/program-overviews/child-protection-foster-care-adoption/safe-harbor/family-first-prevention-services-act-training/>

[Child Maltreatment Screening, Intake, and Response Path Guidelines.](#) ²¹

- In Minnesota, the child welfare system is state supervised and county or Tribal administered; each child welfare agency has their own procedures and protocols. Child welfare agencies should review [Minnesota's Best Practice Response to Trafficking and Exploitation of Children and Youth- A guide for county and tribal child welfare agencies.](#)
- The federal Preventing Sex Trafficking and Strengthening Families Act of 2013 requires child welfare agencies to report all youth who go missing from care to law enforcement and the National Center for Missing and Exploited Children. Additionally, case workers must have a debriefing conversation, utilizing the [Runaway Debriefing Form,](#) ²² within 24 hours with youth who return after going missing from foster care.
- Foreign national youth, any person under age 18 who is not a U.S. citizen or lawful permanent resident, who experienced sex or labor trafficking are eligible to apply for benefits and services. All state, local and federal officials are required to report these youth to the Office on Trafficking in Persons within 24 hours of identification; this requirement extends to all state, county and Tribal child welfare caseworkers and supervisors. See the [OTIP website](#) for information. ²³

In addition, you should include how each discipline engaged with Survivor Subject Matter Experts when developing their protocol.

Intersections with Other Providers in the Response

You may wish to include information regarding key intersections between disciplines, as these intersections are often the source of breakdowns in the response and tensions within the multidisciplinary team.

21. <https://edocs.dhs.state.mn.us/lfserver/Public/DHS-5144-ENG>

22. <https://edocs.dhs.state.mn.us/lfserver/Public/DHS-7641Q-ENG>

23. <https://www.acf.hhs.gov/otip/form/resource/rfa-0>



Health Professionals

Role of Health Professionals

SAMPLE LANGUAGE

Patients see healthcare professionals for health needs while in the midst of sexual exploitation, sex trafficking, or in other situations of high risk. Healthcare providers, therefore, are often in the position of being the first professionals to identify this issue and be able to provide a response. It is essential that the healthcare response be one that is patient-centered, culturally responsive, and trauma-informed. The health professional can be a critical point of connection to other services for the youth.

Discipline Specific Tools or Information

If the team would like to add additional tools or information, please add to this section. If you choose, you may include mental health professionals in this section as well, or they may be included separately. This section may also be used to indicate which tools the team and community agencies will agree to use in strengthening and supporting the medical response. This is particularly important if your community has multiple hospitals/clinics—determining which health care providers to use in specific situations (ex. pediatric vs. adult) will be important to ensure victims/survivors get their health care needs met.

You may want to consider a brief section for each type of health professional your response may include. For example, your community may have a teen clinic or other community-based health care services that victims/survivors may choose to access. First responders such as EMTs and ER staff may also be included. If your community has a SANE program/access to medical forensic examinations, those should be specified. If your team includes Public Health, it is recommended that it be included as a separate discipline.

The Minnesota Department of Health has developed an [online training program](https://www2.web.health.state.mn.us/communities/safeharbor/communities/healthcare.html)²⁴ that is useful for health care professionals working in a variety of settings, including emergency rooms and community clinics, when serving victims/survivors of sexual exploitation and sex trafficking.

24. MN Department of Health. Serving Survivors of Human Trafficking in Health Care Settings. <https://www2.web.health.state.mn.us/communities/safeharbor/communities/healthcare.html>

Special Considerations

In this section, you may wish to include specific content about information sharing practices under HIPAA (Health Insurance Portability and Accountability Act). Providing mandated reporting or data collection practices may also be of use in this section, depending on your team and community. You may wish to provide the names of available medical agencies to increase systems professionals' knowledge, as well as the requirements for eligibility for various services. In addition, you should include how each discipline engaged with Survivor Subject Matter Experts when developing their protocol.

Intersections with Other Providers in the Response

You may wish to include information regarding key intersections between disciplines, as these intersections are often the source of breakdowns in the response and tensions within the multidisciplinary team.



Juvenile Corrections and Probation

Role of Juvenile Corrections and Probation

Note: If your protocol is intended for both youth and adult response, adult corrections and probation should be included as a separate discipline.

SAMPLE LANGUAGE

Even with Safe Harbor, victims/survivors of sexual exploitation and trafficking often interact with the juvenile justice system. Many of the risk factors for involvement in both sexual exploitation and/or sex trafficking and the juvenile justice system are quite similar. Sexually exploited or sex trafficked youth may be forced into or otherwise involved in committing delinquent acts, whether related to their sexual exploitation or not. Often, the sexual exploitation and/or sex trafficking is not immediately known, and the youth may already have involvement in the criminal justice system at the time the disclosure is made. Additionally, youth in corrections programs such

as detention facilities and residential treatment programs are often potential targets for recruitment.

Discipline Specific Tools or Information

If the team would like to add additional tools or information, please add to this section. Inter-agency cross training on corrections/probation specific topics may be a consideration. This section may also be used to indicate which tools the team and community agencies will agree to use in strengthening and supporting the corrections/probation response while also helping youth access services when involved with the juvenile justice systems.

Special Considerations

In this section, you may wish to include specific content such as PREA or victim notification systems. You may wish to provide the names of prosecutorial offices to increase systems professionals' knowledge. In addition, you should include how each discipline engaged with Survivor Subject Matter Experts when developing their protocol.

Intersections with Other Providers in the Response

You may wish to include information regarding key intersections between disciplines, as these intersections are often the source of breakdowns in the response and tensions within the multidisciplinary team.



Law Enforcement

Role of Law Enforcement

SAMPLE LANGUAGE

Combatting sexual exploitation and sex trafficking requires an important shift for law enforcement from a more traditional approach to their work. To be most effective in investigating sexual

exploitation/sex trafficking, officers must put victims' needs and well-being first and recognize the expertise they bring to the table. Multi-jurisdictional collaboration among law enforcement is key in effectively investigating cases of sexual exploitation and sex trafficking. All reports of minor crime victims, including all victims of sexual exploitation and sex trafficking, must be cross-reported to the relevant child welfare agency.

Law enforcement officers may come into contact with sexually exploited or sex trafficked victims/survivors in a variety of settings, including encounters with runaway youth or homeless individuals, traffic stops, domestic disputes, or fraudulent financial transactions. It is important for all patrol officers, as well as investigators, to be trained in how to identify and respond to sexual exploitation and sex trafficking.

Discipline Specific Tools or Information

If the team would like to add additional tools or information, please add to this section. Inter-agency cross training on law enforcement specific topics may be a consideration. This section may also be used to indicate which tools the team and community agencies will agree to use in strengthening and supporting the law enforcement response. Some resources might include the [Minnesota Bureau of Criminal Apprehension's Human Trafficking Investigators Task Force](#),²⁵ the [Tribes United Against Sex Trafficking \(TRUST\) task force](#),²⁶ and the Statewide Antitrafficking Investigation Coordinator.²⁷

Special Considerations

In this section, you may wish to include the jurisdictions that participate in this response or you may include best practices in sharing information across law enforcement jurisdictions. Remember to include Tribal law enforcement where applicable. You may wish to provide the names of law enforcement agencies to increase systems professionals' knowledge.

25. <https://dps.mn.gov/divisions/bca/bca-divisions/investigations/Pages/human-trafficking-investigations.aspx>

26. <https://yourcallmn.org/community-type/tribes-united-against-sex-trafficking-trust/>
[Sec. 299A.783 MN Statutes](#)

27. MN Department of Public Safety, Office of Justice Programs Sex Trafficking Investigation Grantees. <https://dps.mn.gov/divisions/ojp/grants/Documents/2022%20STI%20Program%20Update.pdf>

You may also wish to outline your community's protocols with regard to any regional or statewide trafficking task forces.²⁸ In addition, you should include how each discipline engaged with Survivor Subject Matter Experts when developing their protocol.

It is imperative that law enforcement personnel understand the perceptions many victims/survivors may have of police and law enforcement. Fear of arrest for prostitution or criminal activity related to their sexual exploitation and/or sex trafficking (such as drug/alcohol use, shoplifting, loitering, etc.) may cause the victim/survivor to be reluctant to approach or cooperate with law enforcement. It may require time and effort to build trust and rapport with victims/survivors before they are willing to work with police.

Intersections with Other Providers in the Response

You may wish to include information regarding key intersections between disciplines, as these intersections are often the source of breakdowns in the response and tensions within the multidisciplinary team. For law enforcement in particular, the team should openly discuss power differentials within the team and community.



Prosecution

Role of Prosecution

SAMPLE LANGUAGE

Prosecution and the County Attorney's Office play multiple roles in the response to sexual exploitation and trafficking. As prosecutors of buyers and traffickers, they may require assistance from victims/survivors such as interviews and testimony. For understandable reasons, victims of sexual exploitation and sex trafficking frequently act in ways that are counterintuitive to juries and others who are unfamiliar with this crime. They may recant their statements and may be uncooperative or even hostile to prosecution of perpetrators. Consistent with having experienced trauma, they may have difficulty

28. MN Department of Public Safety, Office of Justice Programs Sex Trafficking Investigation Grantees. <https://dps.mn.gov/divisions/ojp/grants/Documents/2022%20STI%20Program%20Update.pdf>

providing statements that are clear and cohesive, and may be unable to remember details or provide an accurate chronology of events.

As many youth involved in sexual exploitation and/or sex trafficking have a history of involvement with the Child Protection system, attorneys who work Child in Need of Protection or Services (CHIPS) cases should be involved in protocol development.

In addition, victims/survivors of sexual exploitation and/or sex trafficking may become involved in other crimes, including sex trafficking crimes. They may recruit other victims, help the trafficker to conduct the operation, and even commit violence against other victims at the trafficker's behest or otherwise. Whether to charge such victims is one of the most difficult decisions faced by prosecutors.

Discipline Specific Tools or Information

If the team would like to add additional tools or information, please add to this section. One additional element to consider is including information about the civil legal process as some victims/survivors may wish to access that as a means of justice seeking. Inter-agency cross training on prosecution specific topics may be a consideration. This section may also be used to indicate which tools the team and community agencies will agree to use in strengthening and supporting the prosecutorial response.

Special Considerations

In this section, you may wish to include relevant state statutes for disposition of forfeited property related to trafficking of persons.²⁹ You should also include specific content about information sharing practices. Providing information about case decision processes may be in this section, depending on your team and community. You may wish to provide the names of prosecutorial offices to increase systems professionals' knowledge. In addition, you should include how each discipline engaged with Survivor Subject Matter Experts when developing their protocol.

29. Minn. Stat. 609.5315, subd. 5b-c, 6.

Intersections with Other Providers in the Response

You may wish to include information regarding key intersections between disciplines, as these intersections are often the source of breakdowns in the response and tensions within the multidisciplinary team.



Safe Harbor Regional Navigator

Role of Safe Harbor Regional Navigator

SAMPLE LANGUAGE

Regional Navigators are responsible for connecting youth with services and serving as experts for their communities. They serve as the “hub” for Safe Harbor services, resources, and training. There are nine Regional Navigators located across Minnesota, as well as two Tribal Regional Navigators. (County/organization) is located in the (region), and the Navigator is (Name of organization – NOT the name of the individual).

Each Regional Navigator’s role is tailored to their specific region, so make sure to include additional details on your Navigator’s role. Generally, Navigators do not do individual case management work, so be sure to distinguish between the Navigator and Advocate roles. If your community has both a general and Tribal Regional Navigator, a separate section should be written for each of them.

Discipline Specific Tools or Information

If the team would like to add additional tools or information, please add to this section. Inter-agency cross training on the role of the Regional Navigator may be a consideration. This section may also be used to indicate which tools the team and community agencies will agree to use in strengthening and supporting the Navigator response.

Special Considerations

Here, you may wish to delineate any region-specific aspects of the navigator’s role, including their organization’s role in the Safe Harbor response. In addition,

you should include how each discipline engaged with survivor subject matter experts when developing their protocol.

Intersections with Other Providers in the Response

For the Regional Navigator in particular, it is important to clearly describe their role and how it intersects with other disciplines. Discuss when and how to include Regional Navigators in your response, and what each discipline should expect from the Navigator.



Tribal Communities

Role of Tribal Communities

SAMPLE LANGUAGE

Intergovernmental coordination between state, federal, and Tribal governments is essential to the response to sexually exploited or sex trafficked individuals. The Safe Harbor law is state law, not Tribal law. Tribal nations have independent sovereignty to develop their own statutory schemes for protecting sexually exploited and/or sex trafficked individuals. However, there are a number of ways that Safe Harbor and Tribal law intersect, including through state criminal jurisdiction and child welfare systems. Some of these Tribal-specific laws may not apply for American Indian people living outside of Tribal reservations. The services provided under Safe Harbor are available to all Tribal communities.

Community Specific Tools or Information

If the team would like to add additional tools or information, please add to this section. Inter-agency cross training on specific topics may be a consideration. This section may also be used to indicate which tools the team and community agencies will agree to use in strengthening and supporting the response. Some resources include the [Tribes United Against Sex Trafficking \(TRUST\) task force](#)³⁰ and the Minnesota Department of Public Safety Office of Justice Programs' [Missing and Murdered Indigenous Relatives Office](#).³¹

30. <https://yourcallmn.org/community-type/tribes-united-against-sex-trafficking-trust/>

31. <https://dps.mn.gov/divisions/ojp/Pages/missing-murdered-indigenous-relatives-office.aspx#:~:text=The%20Missing%20and%20Murdered%20Indigenous,Murdered%20Indigenous%20Women%20Task%20Force>

If there are multiple Tribal systems involved, you may wish to consider specific sections for each or including this information in each discipline section.

Special Considerations

In this section, you may wish to include information regarding [Public Law 280](#) (if applicable), the [Indian Child Welfare Act \(ICWA\)](#),³² and [Tribal Law and Order Act \(TLOA\)](#)³³ at minimum.

American Indian people have experienced disproportionately high rates of sexual exploitation and sex trafficking since colonization.³⁴ Historical government policies like forced removal, boarding schools, sterilization, and urban relocation have contributed to the generational trauma in the American Indian community. You may wish to include historical context, as well as information regarding the statistics of sexual exploitation and trauma, either specific to local tribal communities or statewide.

Minnesota is also home to 11 federally recognized Tribal Nations³⁶ and a sizable urban population in the Twin Cities Metro area, as well as numerous Tribal members that live off reservation through the state. Your community may also include members from one or more of the 574 federally recognized Tribes in the United States, and the variety of needs and preferences may vary widely across Tribal communities.

Intersections with Other Providers in the Response

You may wish to include information regarding key intersections between disciplines, as these intersections are often the source of breakdowns in the response and tensions within the multidisciplinary team. One important area to address is criminal jurisdiction and coordination of Tribal and county law enforcement. Child protection and child welfare is another key issue, as ICWA requires coordination between Tribal and county Child Welfare.

32. <http://www.tribal-institute.org/lists/icwa.htm>

33. <http://www.tribal-institute.org/lists/tloa.htm>

34. Native+ Students Involved in Trading Sex: Data from the 2019 Minnesota Student Survey. Retrieved from: <https://conservancy.umn.edu/bitstream/handle/11299/227180/UofM-MSS-Native%2B-v9%20FINAL%204-25-2022.pdf?sequence=1>

35. Technically 12 tribal nations. The Minnesota Chippewa Tribes comprised of Bois Forte, Fond du Lac, Grand Portage, Leech Lake, Mille Lacs, and White Earth Tribes is also a federally recognized Tribe. MCT operates in tandem with the Tribes it is comprised of.



Additional Disciplines

Role of Discipline

You may wish to add additional disciplines or represented team agencies. For example, your team may want to include schools or adult protection. Work with your team members to determine what disciplines to include. Provide a brief summary that specifies the role of the representative in the response. This should serve as a brief overview of the provider's work with victims/survivors.

Discipline Specific Tools or Information

This information should focus on any sex trafficking and sexual exploitation-specific information or practices. Do not include basic information relevant to all disciplines, but things that are unique to this discipline.

Special Considerations

In this section, include laws or requirements relevant to the discipline that will affect how they respond to victims/survivors (for example, mandated reporting requirements, data practices, or region-specific information. In addition, you should include how each discipline engaged with Survivor Subject Matter Experts when developing their protocol.

Intersections with Other Providers in the Response

You may wish to include information regarding key intersections between disciplines, as these intersections are often the source of breakdowns in the response and tensions within the multidisciplinary team.

ADDITIONAL ADDENDUMS AS IDENTIFIED BY TEAM

In this section, teams should provide any additional information or addendums they have identified as necessary for a complete protocol. For example, some teams include a contact list of protocol team members and/or key contacts from each participating agency. Other examples may include a flowchart for service providers or the inter-agency referral or criminal legal processes. Work with your team to decide on any additional information to be added to the protocol.

Appendices and Additional Materials

This guidebook includes additional information that may be useful for training purposes or to provide resources to service providers. Teams may choose to include any or all of these addendums to their finished protocol. Additionally, teams may identify other resources or materials they wish to include.

GLOSSARY OF TERMS AND ACRONYMS

Teams use many terms and acronyms in the course of their daily work. The team should provide any definitions or explanations of terms and acronyms in this section. Be sure to organize the terms such as by discipline, part of the response, or alphabetically.

EXAMPLES

Buyer: Someone who pays for or trades something of value (ex. money, shelter, food, ride, drugs, etc.) for sexual acts.

Commercial sexual exploitation: The exchange of or promise to exchange something of value for sexual contact or penetration.

Community or community-based: Pertaining to nonprofit or nongovernmental organizations that provide services or support to victims/survivors (unless otherwise noted).

Exploiter: A trafficker, facilitator, buyer, or other individual who perpetrates sexual exploitation and/or sex trafficking.

Harm Reduction: A technique for working with sexually exploited and/or sex trafficked individuals aimed at reducing the negative consequences associated with risky behavior, while recognizing that the victim/survivor may not be ready, willing, or able to end the behavior immediately (ex. clean needle programs for drug users are a type of harm reduction).

Minor: A person under the age of 18.

Service provider (or responder or professional): Any person, of any discipline, who in that person's professional capacity encounters sexually exploited and/or sex trafficked youth.

Sex trafficking: is defined by Minnesota law as the act of a third party, not the purchaser or the victim, facilitating or profiting from a commercial sex act performed by another person . Under federal law, sex trafficking is defined differently as a severe form of trafficking in persons. Federal law does not require that a third party be the trafficker.

Sexual exploitation of a minor: The use of a minor (1) for any kind of sexual activity in exchange for money, drugs, or something else of value (commonly termed "prostitution"), or in exchange for food, shelter, or other basic needs (often termed "survival sex"); or (2) in pornography, stripping, or a sexually explicit performance or photo. A third person— such as a trafficker—need not be involved . This includes commercial sexual exploitation and non-commercial sexual abuse.

Survivor Subject Matter Expert: an individual who has survived human trafficking/exploitation and has made a personal decision to be doing professional work on this topic.

System(s) or systems-based: Pertaining to governmental or institutional responses to victims/survivors (unless otherwise noted).

Trafficker: An individual who profits from or is otherwise involved as a third party in sexual exploitation/sex trafficking.

Victim/Survivor: For the purposes of this protocol, someone who has experienced sexual exploitation and/or sex trafficking. The term "victim/survivor" recognizes both the harms involved in exploitation

and the strength that it takes to overcome those harms. “Victim” and “survivor” are both part of a continuum where individuals involved may choose what they would like to be called, and that choice may or may not change over time. “Victim/survivor,” then, is a way to capture various experiences in a general document such as this. The term “victim” may be used by certain disciplines when referencing someone in a criminal justice or medical context.

Youth, Young People, Young Person: A person under the age of 24. Note that the use of this variety of terms indicates the wide range of ages affected by sexual exploitation and/or sex trafficking, acknowledging that the needs of children (generally age 12 and under) and adolescents differ, particularly as young people near adulthood. Also note that Safe Harbor supportive services for victims/survivors extend through age 24, but protections against prosecution still end at age 18.

RELATED STATUTES

Criminal Law

- MN. Stat. § 609.322: Sex Trafficking Definitions
- MN. Stat. § 609.322: Solicitation, Inducement, and Promotion of Sex Trafficking

Child Protection Law

- MN. Stat. § 626.556, subd. 2(n) and 3(e). Sex trafficking is a form of sexual abuse and child protection must investigate all reports regardless of the relationship between the alleged victim and the alleged offender.
- MN. Stat. § 260B.007, subd. 6(c). Juvenile victims of exploitation and trafficking are now treated as victims, not perpetrators. Definition of “delinquent child” excludes child engaged in sex-for-hire.
- MN. Stat. § 260C.007, subd. 6(11), 31. Definition of “child in need of protection or services” (CHIPS) includes “sexually exploited youth,” such as child engaged in sex-for-hire, involved in sexual performance (e.g., stripping or pornography), or “sex trafficking victim.”

Minor Consent to Homeless and Sexually Exploited Youth Services

- MN. Stat. § 256K.451. A minor living separately from the minor's parent or legal guardian may give consent to receive homeless youth services and services for sexually exploited youth. A minor's consent to receive services does not affect a parent or legal guardian's custody of the minor.

EFFECTIVE COMMUNICATION TIPS

When working with victims/survivors of sexual exploitation and sex trafficking, it is important to ensure you are communicating clearly and effectively. Consider the following:

Listening

- Foster rapport and trust by expressing genuine concern rather than detached neutrality.
- Listen to what the victim/survivor says.
- Allow enough time for the victim/survivor to share at their own pace. Know that multiple sessions may be needed to complete the full assessment/interview.
- Let the victim/survivor know when you do and do not understand what they are saying.
- Cultural and physiological differences can affect nonverbal cues like facial expressions and body language. Be sensitive to tone of voice and nonverbal cues, and check your perceptions.

Explaining Clearly

- Explain what will happen before you begin
- Tell and show what you are going to do and why
- Speak slowly. Do not shout.
- Pause frequently, so as not to overload the patient with words.
- Give the individual enough time to understand what you have said and to respond.
- Rephrase and repeat questions, if necessary, or write them out, if the patient is able to read.
- Checking for understanding is essential. For patients who can speak in sentences, ask questions such as: “Can you tell me what I just said?” “Can you tell me what I am going to do and why?”

Communicating Without Words

- Use visual aids
- Act or demonstrate
- People with limited language ability and understanding rely on familiar routines and environmental cues to understand or anticipate what will happen next.
- Use simple diagrams and gestures.
- Use pictures when communicating.

Additional Suggestions

- Meet victims/survivors at their level – use plain language and avoid jargon.
- Keep in mind that many people have stronger receptive (understanding) communication skills than expressive skills.
- Conversely, a person's expressive speech may sometimes give an impression of better comprehension than is actually the case, so check the client's understanding.
- Some people may need time to process and respond to questions, so much so that answers may seem to “come out of nowhere.”
- Some people with language barriers/disabilities may also have difficulty giving you an accurate picture of their feelings and symptoms because of limitations in interpreting internal cues (e.g., need to urinate, anxiety). However, as much as possible, continue to focus your communication efforts on the victim/survivor.
- If you are in a busy area with many distractions, consider moving to a quieter location.
- Victims/survivors should not be required to fully disclose in order to receive support or services.

MNCASA RESOURCES

Safe Harbor Protocol Guidelines

The Safe Harbor Protocol Guidelines were developed by the Ramsey County Attorney's Office in partnership with the Sexual Violence Justice Institute at the Minnesota Coalition Against Sexual Assault. The Guidelines are available on MNCASA's website at: <https://mncasa.org/tools/safe-harbor-protocol-guidelines/>.

Safe Harbor Team Formation Starter Kit

Developed by MNCASA to help communities across the state to form multidisciplinary protocol teams, the kit provides guidance on assessing community readiness, forming a team, and developing a collaborative process. The kit is available on MNCASA's website at: <https://mncasa.org/tools/safe-harbor-protocol-team-formation-starter-kit-a-guide-for-new-teams/>.

Authentic Community Engagement in Safe Harbor

This report was developed by MNCASA by interviewing and engaging culturally-specific Safe Harbor service programs as well as individuals with lived experiences of sexual exploitation and/or sex trafficking. It contains information on how Safe Harbor protocol teams can increase their capacity to center marginalized voices and survivors within their work. The report is available on MNCASA's website at: <https://mncasa.org/tools/authentic-community-engagement-in-safe-harbor/>.

A Ten-Factor Framework for Sexual Assault Response Team Effectiveness

This resource breaks down factors that help facilitate the success of multidisciplinary teams. Find it here: <https://mncasa.org/tools/a-ten-factor-framework-for-sexual-assault-response-team-effectiveness/>.

Five Core Principles for Working with Sexually Exploited or Trafficked Youth

This document, adapted from the Safe Harbor Protocol Guidelines, provides detailed explanations of the five principles. The document is available on MNCASA's website at: <https://mncasa.org/tools/five-core-principles-for-working-with-sexually-exploited-or-trafficked-youth/>.

Guide to Safe Harbor Protocol Project Planning

This resource provides suggested timelines and benchmarks for protocol development. Find it here: <https://mncasa.org/wp-content/uploads/2022/06/A-Guide-to-Safe-Harbor-Protocol-Project-Planning.pdf>.

Consultant Invoice Template

This sample invoice can be used by your team's Survivor Subject Matter Experts to request payment for services. Find it here: <https://mncasa.org/tools/safe-harbor-consultant-invoice-sample/>

Response Flow Chart Sample

This is an example of a response flow chart that helps teams determine the next steps at key points in the response to sexually exploited and/or sex trafficked individuals. Find it here: <https://mncasa.org/tools/response-flow-chart-sample/>

MDH RESOURCES

Minnesota Safe Harbor Overview

Information about Minnesota's Safe Harbor law and response can be found on the Minnesota Department of Health website (<https://www.health.state.mn.us/communities/safeharbor/index.html>). This webpage includes Minnesota's Safe Harbor legislative timeline and information on the No Wrong Door approach, as well as links to additional resources.

Safe Harbor Services Map

Locations and contact information for all Safe Harbor Regional Navigators and service providers can be found at: <https://www.health.state.mn.us/communities/safeharbor/documents/safeharbormap.pdf>.

Safe Harbor Housing Services

The Department of Human Services funds several organizations to provide

emergency, transitional and permanent housing for sexually exploited and/or sex trafficked youth. Additional information and agency contact information can be found here: <https://www.health.state.mn.us/communities/safeharbor/response/housing.html>.

Safe Harbor Supportive Services

The Department of Health funds a variety of victim-centered services designed to heal the trauma experienced by Minnesota's sexually exploited and sex trafficked youth. Additional information and agency contact information can be found here: <https://www.health.state.mn.us/communities/safeharbor/response/services.html>.

Safe Harbor Regional Navigators

Safe Harbor Regional Navigators connect youth with services and serve as points of contact for their communities. Additional information related to Regional Navigators can be found here: <https://www.health.state.mn.us/communities/safeharbor/response/navigators.html>.

Minnesota Youth Trafficking and Exploitation Identification (MYTEI) Tool

The MYTEI Tool was created by professionals who work with youth to help identify minors who have experienced, or may be experiencing, human trafficking and/or exploitation. Find it here: <https://www.health.state.mn.us/communities/safeharbor/communities/mytei.html>.

Minnesota Department of Health Human Trafficking for Health Care Providers

This online course, Serving Survivors of Human Trafficking in Health Care Settings, teaches health care professionals how to identify survivors of human trafficking and provide trauma-responsive care. You can find it here: <https://www2.web.health.state.mn.us/communities/safeharbor/communities/healthcare.html>.

DHS RESOURCES

Minnesota's Best Practice Response to Trafficking and Exploitation of Children and Youth

<https://edocs.dhs.state.mn.us/lfserver/Public/DHS-7641Z-ENG>

Indian Child Welfare Act/Minnesota Indian Family Preservation Act

https://mn.gov/dhs/assets/ICWA%20MIPFA%20Resources%2012.2018__tcm1053-363676.pdf

Mandated Reporter Training

<https://mnchildwelfaretraining.com/training/mandated-reporting-training/>

PUBLICLY AVAILABLE DATA SOURCES

Demographics

- U.S. Census: www.census.gov
- American Community Survey: www.census.gov/programs-surveys/acs/

Youth

- Minnesota Student Survey: <https://education.mn.gov/mde/dse/health/mss/>
- Youth Risk Behavior Surveillance System: <https://www.cdc.gov/healthyyouth/data/yrbs/index.htm>
- KIDS COUNT: <https://datacenter.kidscount.org/>

