



**Office of Children
and Family Services**

The Preventing Sex Trafficking and Strengthening Families Act

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The Preventing Sex Trafficking and Strengthening Families Act

- Signed into law on September 29, 2014.
- Amends various provisions in Title IV-E of the SSA.
- The primary goals are:
 - Steps towards protecting and preventing at-risk children from becoming victims of sex trafficking.
 - To make other improvements to the child welfare system to improve outcomes for children in foster care.



The Preventing Sex Trafficking and Strengthening Families Act

- Implementation due dates vary by each section.
- Some due dates can be extended if legislative action is needed.
- Different sections of the law pertain to different populations.
- We are awaiting further guidance on some issues from The Administration for Children and Families(ACF).
- We will go over the key provisions and due dates in the next slides...



Identifying, Documenting, and Determining Services for Children and Youth At-Risk of Sex Trafficking

By September 29, 2015

- Develop a set of policies and procedures (including training) for identifying, documenting and determining appropriate services for children in the care, placement or supervision of OCFS (or LDSS) where there is reason to believe the child is or is at-risk of being a sex trafficking victim.



Identifying, Documenting, and Determining Services for Children and Youth At-Risk of Sex Trafficking

Population:

- Children and Youth over whom the state (or LDSS) has responsibility for placement, care, or supervision and who there is reasonable cause to believe is, or is at-risk, of being a sex trafficking victim.
 - Including cases where there is an open child welfare case but no removal (child protective or preventive);
 - Children who have run away from foster care but are not yet 21; and
 - Children who are receiving Chafee Act services.



Identifying, Documenting, and Determining Services for Children and Youth At-Risk of Sex Trafficking

By September 29, 2016:

- States must demonstrate implementing the policies and procedures developed.
- Children who have been identified as sex trafficking victims as defined in federal law must be reported to law enforcement immediately, no later than 24 hours from identification.



Identifying, Documenting, and Determining Services for Children and Youth At-Risk of Sex Trafficking

Sex trafficking definition used:

- The term sex trafficking means “the recruitment, harboring, transportation, provision, or obtaining of a person for the purpose of a commercial sex act.”
- Severe forms of trafficking in persons “means sex trafficking in which a commercial sex act is induced by force, fraud, or coercion, or in which the person induced to perform such act has not attained 18 years of age.”



Reporting Instances of Sex Trafficking

By September 29, 2017:

- State must report to the Department of Health and Human Services (DHHS) the total number of sex trafficked victims.



Including Sex Trafficking Data in AFCARS

No Date Provided:

- State must report in AFCARS the annual number of children in foster care who are identified as sex trafficking victims
 - This includes victims prior to foster care and those victimized while in foster care.



Increasing Information on Children in Foster Care to Prevent Sex Trafficking

By September 29, 2016:

- DHHS must report to Congress the following information annually for children who are sex trafficking victims:
 - Efforts to provide specialized services, foster family homes, child care institutions (congregate care), or other forms of placement.

Locating and Responding to Children Who Run Away From Foster Care

By September 29, 2015:

- State must develop and implement protocols for:
 - Exeditiously locating any child missing from foster care.
 - Determining the primary factors why child was absent from care.
 - Responding to those factors in current and future placements.
 - Determining the child's experiences while absent from care, including screening for sex trafficking.



Locating and Responding to Children Who Run Away From Foster Care

Population:

- Children in foster care, including youth in non-secure Title IV-E eligible placements in ACS Commissioner's custody (CTH) or in OCFS Commissioner's custody.



Locating and Responding to Children Who Run Away From Foster Care

By September 29, 2016:

- Within 24 hours of receiving information on a missing or abducted child/youth must be reported to law enforcement.
 - Law enforcement will enter case into the National Crime Information Center (NCIC) database.
- The missing or abducted child information must also be reported within 24 hours to the National Center for Missing and Exploited Children (NMEC).



Locating and Responding to Children Who Run Away From Foster Care

Population:

- Children and Youth over whom the state (or LDSS) has responsibility for placement, care, or supervision and who there is reasonable cause to believe is, or is at-risk, of being a sex trafficking victim.
 - Including cases where there is an open child welfare case but no removal (child protective and prevention);
 - Children who have run away from foster care but are not yet 21; and
 - Children who are receiving Chafee Act services.



Increasing Information on Children in Foster Care to Prevent Sex Trafficking

By September 29, 2016:

- States must provide the following information to DHHS for an annual federal report:
 - Characteristics of children who run away from foster care.
 - Potential factors associated with children running away from foster care.
 - Information on children's experiences while absent from care.
 - Trends in the number of children reported as runaways in each fiscal year.



Increasing Information on Children in Foster Care to Prevent Sex Trafficking

By September 29, 2016:

- DHHS must report to Congress efforts to ensure that children in foster care form and maintain long-lasting connections to caring adults, even when they must move to another foster home or are under the supervision of a new caseworker.



Supporting Normalcy for Children in Foster Care

By September 29, 2015:

- Foster parents must be provided with knowledge and skills relating to the “reasonable and prudent parenting standard” when making decisions regarding the participation of the foster child in age or developmentally appropriate activities.
 - Congregate care facilities must have at least one staff person designated in this role as well.



Supporting Normalcy for Children in Foster Care

Definition of Reasonable and Prudent Parenting:

- “the standard characterized by careful and sensible parental decisions that maintain the health, safety, and best interests of a child while at the same time encouraging the emotional and developmental growth of the child, that a caregiver shall use when determining whether to allow a child in foster care under the responsibility of a state(or LDSS in NY) to participate in extracurricular, enrichment, cultural, and social activities.”



Supporting Normalcy for Children in Foster Care

By September 29, 2015:

- Liability relating to the application of the reasonable and prudent parenting standard must be addressed.
- The Act authorizes use of Chafee funds for youth to engage in age and developmentally appropriate activities.



Supporting Normalcy for Children in Foster Care

Population:

- Children in foster care, including youth in non-secure Title IV-E eligible placements in ACS Commissioner's custody (CTH) or in OCFS custody.



Improving Another Planned Permanent Living Arrangement (APPLA) as a Permanency Option

By September 29, 2015:

- APPLA must be eliminated for foster care youth under the age of 16.
- Each permanency hearing must document the intensive, ongoing, unsuccessful efforts made to return the child home or place with a fit and willing relative, legal guardian, or adoptive parent.



Improving Another Planned Permanent Living Arrangement (APPLA) as a Permanency Option

By September 29, 2015:

- At each permanency hearing:
 - The child must be asked about the desired permanency outcome for the child.
 - There must be a judicial determination explaining why APPLA is the best permanency plan for the child and why it continues to not be in the child's best interest to:
 - Return home
 - Be placed for adoption, with a legal guardian or with a fit and willing relative.



Section Title – Arial Bold

