



Commission on
Improving the
Status of Children

Commission on Improving the Status of Children

OCTOBER 18, 2023

Agenda

1. Welcome and Introductions
2. Consent Agenda
 - a. Minutes from the August 2023 meeting

Agenda

3. Legislative Affairs Guiding Principles

Mark Fairchild

Legislative Affairs Guiding Principles

Mark Fairchild, MSW

Executive Director

Commission on Improving the
Status of Children in Indiana

Presentation Agenda

**Current
Practice
Overview**

**Potential
Levels of
Involvement**

**Potential
Activities
for Levels**

**Commission
Discussion**

Why Guiding Principles?

- Discussion with Commission members, agency legislative staff and other leadership suggested a strong agreement with a set of core elements.
- While not a deviation of current practices per se, establishing guiding principles solidifies these process and provides standing guidance on what legislative actions are permissible and when further vetting is necessary.

Guiding Principles

- Legislative actions undertaken by the Commission on Improving the Status of Children in Indiana (Commission) must focus on issues connected to the organizational Mission, Vision, overarching principles, or Strategic Plan goals and the core Commission principle of fostering cooperation across branches of government and state agencies.

Guiding Principles

- Legislative actions are communications with legislators regarding legislation currently under consideration by the Indiana General Assembly. This may include written correspondence with legislators, meetings with legislators, and providing verbal or written testimony to a legislative committee.

Guiding Principles

- Legislative actions with a potential state agency impact should only take place following consultation with the state agencies impacted.
- Legislative actions related to the work of a Commission committee or subcommittee should only take place following consultation with that committee or subcommittee.

Guiding Principles

- Legislative actions representing the Commission are to be performed by the Commission's Executive Director or staff of the Commission as delegated by the Executive Director.
- Any testimony will note the Commission support or concern regarding the issue addressed by the legislation while providing factual, impartial education and information on the issue.

Guiding Principles

- For purposes of identifying the category of testimony to be provided on legislation, “neutral” should be indicated unless the entirety of the legislation falls under “support” as determined through Commission vetting.

Guiding Principles

- Issues considered for legislative action should go through one of the following processes:
 - 1) Vetting and unanimous approval by the Commission Executive Committee with all three branches of state government and bipartisan representation present, followed by vetting and approval by the full Commission.

Guiding Principles

2) When timing does not allow for the process above and when the Executive Director identifies that clear alignment with the mission, vision, overarching principals, and/or Strategic Plan goals exists, vetting and unanimous approval by the Commission's Executive Committee with three branch and bipartisan representation may substitute until vetting by the full Commission is possible.

Actions will be limited to education and information on specific issues within the legislation, with "neutral" being the only allowed category for testimony.

Additional Notes and Considerations

- Monitoring and reporting to the Commission, its committees, or subcommittees on legislation with a potential impact on children is not considered a legislative action but may be a tool for identifying issues for potential action.
- Monitoring and reporting has been a standing activity of the Commission since its creation.

Additional Notes and Considerations

- Informing legislators about the Commission, its activities, and ways that the Commission can act as a resource is not considered legislative action, but rather legislative engagement covered by the Commission's legislative engagement agenda.
- Creation of the legislative engagement agenda should involve setting benchmarks such as speaking to committees, caucuses and new legislators and other opportunities to interface with legislators regarding the work of the Commission.

Additional Notes and Considerations

- Monitoring and reporting to the Commission, its committees, or subcommittees on legislation with a potential impact on children is not considered a legislative action but may be a tool for identifying issues for potential action.
- Monitoring and reporting has been a standing activity of the Commission since its creation.

Additional Notes and Considerations

- It is recommended that potential legislative actions be reviewed at the December and February Commission meetings to prepare before the commencement of the legislative session and to plan for final legislative actions prior to sine die, respectively. Recommended timing for setting this agenda is at the December meeting of the Commission.

Approval Considerations

- The Commission on Improving the Status of Children is already involved in legislative affairs.
- **NEW** - Granting the Executive Committee the ability to approve legislative action, only with three branch and bipartisan support, when timing does not allow for full Commission vetting and approval
- **NEW** - Creating a legislative engagement agenda, which will set benchmarks such as speaking to committees, caucuses and new legislators and other opportunities to interface with legislators regarding the work of the Commission.

Thank You!

Mark Fairchild, MSW

Executive Director

*Commission on Improving the
Status of Children in Indiana*

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Agenda

3. Legislative Affairs Guiding Principles

Commission Member Discussion

Action: Approve Legislative Affairs Guiding Principles

Agenda

4. Family and Youth Engagement Summit Update

Stephaney Knight

Dejuna Rodriguez



Unmuting Your
Authenticity



Date(s):
Friday December
1st &
Saturday
December 2nd

2023 Family and Youth Engagement Summit

What is planned for this year's summit?

Day 1 Agenda

10:00am: Opening Remarks

10:05am: Keynote Speaker

10:45am: Panel - Youth with Lived Experience

11:30am: Lunch Break

Noon: Panel - Parents and Families with Lived Experience

12:45pm: Panel - Being an Authentic Professional

1:30pm: Closing Remarks

Day 2 Agenda

10:00am: Opening Remarks

10:05am: Keynote Speaker

10:45am: Panel - Unmuted Advocates

11:30am: Lunch Break

Noon: Panel - Unmuting with Legislators

12:45pm: Panel - Opportunities to Unmute

1:30pm: Closing Remarks

Things we have done for the Summit

Indiana Youth
Advisory Board
Statewide Meeting

Networked with
different agencies
to get young people
involved

DCS Parent Board
Meeting

Interviewed potential
Keynotes and panel
participants

Reached out to
young people for
panels



Mayda Berrios

Keynote

Former Foster Youth from Delaware

Received her Masters in Social work in 2023 from Delaware State University

Leader within Foster Club

She played a huge role in Passing House Bill 123 in her state of Delaware

Served as president for her states Youth Advisory Council from 2017-2019

Panels

**Youth with Lived
Experience**

**Parents and
Families with
Lived Experiences**

**Being an
Authentic
Professional**

**Unmuting
Advocates**

Unmuting with Legislators

Opportunities
to Unmute

Desired Outcomes

Informed Change

Knowledge of
Resources available

Understanding of
barrier that system
impacted children,
youth, parents, and
families face

Awareness

Stigma lowered

Systematic change
within different
organizations

Voices being heard

What outcomes would you like to see?

SAVE

FAMILY AND
YOUTH
ENAGEMENT
SUMMIT

1 & 2 DECEMBER

2023

THE

DATE



VIRTUAL
SUMMIT

Presented by:

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Agenda

4. Family and Youth Engagement Summit Update
Commission Member Discussion

Agenda

5. Commercial Sexual Exploitation of Children Subcommittee Report

Hon. Kim Dowling



Innocence Lost: CSEC Update

Kimberly S. Dowling, Judge Delaware Circuit 2

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What is Human Trafficking?

- **Sex Trafficking:** When a person under the age of 18 is induced to perform a commercial sex act or when an adult is induced by force, fraud, or coercion, to perform that sex act; **or**
- **Labor Trafficking:** The recruiting, harboring, transporting, providing, or obtaining a person for labor or services, (through the use of force, fraud, or coercion if an adult) for the purpose of subjecting them to involuntary servitude, debt bondage, or slavery.

Adult Sex Trafficking Statute

Indiana Law IC 35-42-3.5-1.1

A person who knowingly or intentionally uses force, threat of force, coercion, or fraud to recruit, entice harbor or transport an individual with the intent of causing the individual to:



Indiana Law IC 35-42-3.5-1.1

- (1) Marry another person;**
- (2) Engage in prostitution; or**
- (3) Participate in sexual conduct;**

Commits promotion of human sexual trafficking, a Level 4 felony

Juvenile Sex Trafficking Statute

I.C. 35-42-3.5-1.2

(a) A person who knowingly or intentionally recruits, entices, harbors, or transports a child less than 18 yrs of age w/ intent of causing child to engage in:

Juvenile Trafficking Statute (cont'd)

- (1) Prostitution or juvenile prostitution; or**
- (2) A performance or incident that includes sexual conduct in violation of child exploitation statutes;**

Commits promotion of child sexual trafficking, a Level 3 felony

(Defenses are further set out)

A Growing Problem

Human Trafficking is tied as the **SECOND LARGEST** and **FASTEST** growing criminal industry in the world, just behind the drug trade.

\$150 billion dollars generated annually by the human trafficking industry.



A Growing Problem Affecting Youth

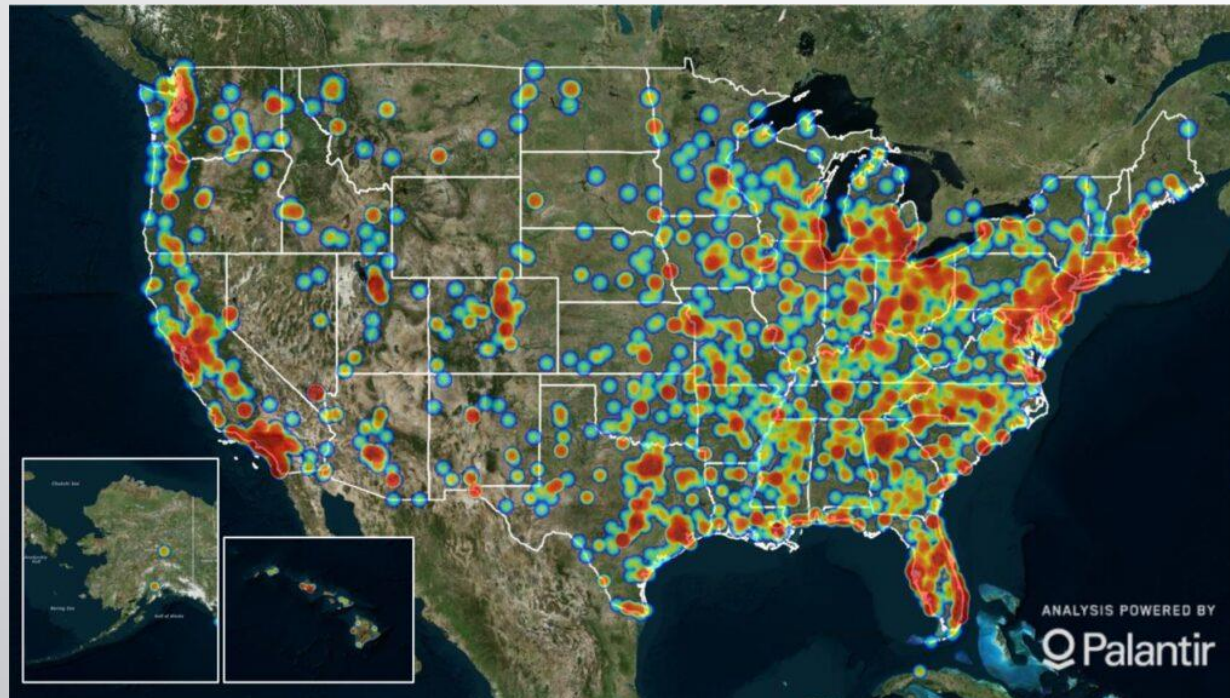
- **1.6 MILLION CHILDREN ARE RUNAWAYS EACH YEAR**
- **83%** of sex trafficking victims found in the U.S. were U.S. citizens, according to one Justice Department study.
- 50% previously involved in the foster care system
- 80% previously involved in the DCS system
- Estimated 100,000-300,000 US children are victims of commercial sex trafficking each year according to NCMEC

A Growing Problem Affecting Youth

- **1 IN 3 ARE RECRUITED WITHIN 48 HOURS OF LEAVING HOME**
- **Average age depends on type of trafficking involved**
- **Familial trafficking: average age is 12-14 years old**
- **Perpetrator trafficking: average age is 14-16 years old**

Where does it happen?

Polaris Project, 2019



IMPACT AT A GLANCE

VICTIMS AND
SURVIVORS IDENTIFIED

22,326

VICTIMS AND
SURVIVORS IDENTIFIED
BY TRAFFICKING FORM

Sex trafficking 14,597
Labor trafficking 4,934
Sex and labor 1,048
Not specified 1,747

TRAFFICKING
SITUATIONS IDENTIFIED

11,500

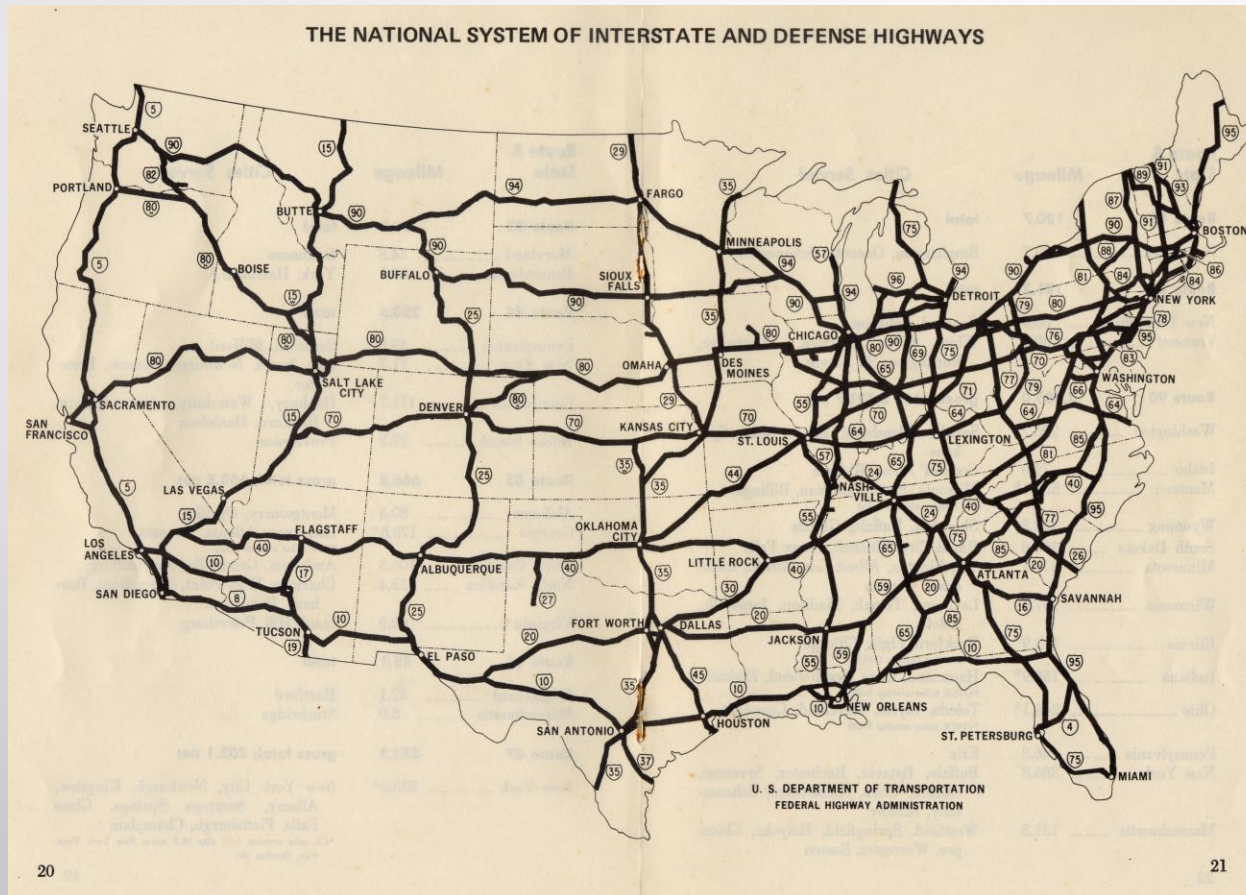
TRAFFICKERS
IDENTIFIED

4,384

SUSPICIOUS
BUSINESSES IDENTIFIED

1,912

Where Does it Happen?





CAVEAT

**Victims do NOT
self identify**

What drives trafficking?

- ✧ The **consumer** funds the human trafficking industry by purchasing goods and services. Often s/he is unaware that someone is suffering
- ✧ Reverse Operation Example
- ✧ Legislation passed in Indiana

A Critical Role for Healthcare Providers

- 87.8% of trafficking victims encounter a health care professional while being trafficked
- Few if any of these encounters result intervention because of lack of training to recognize victims
- Nurses in Indiana are not required to complete any continuing medical education hours post graduation. There is no agency in place to monitor hours.
- Only specialized nurses (eg SANE) are required to complete post graduation training, and that is on an honor system

CSEC Sub-committee QI tools

- Developed QI tools for Educators (on the state website)
- A tool for law enforcement-still need funding to print
- A tool for Health care professionals
 - Funding was provided by the I Hope Grant thru Purdue University
- A tool for Juvenile Probation
 - Now on Incite
 - Regional trainings-5 completed, 1 scheduled in October, 2 to be scheduled

Healthcare QI tool



CHILD TRAFFICKING
QUICK INDICATOR TOOL - HEALTHCARE

Call DCS immediately if youth:

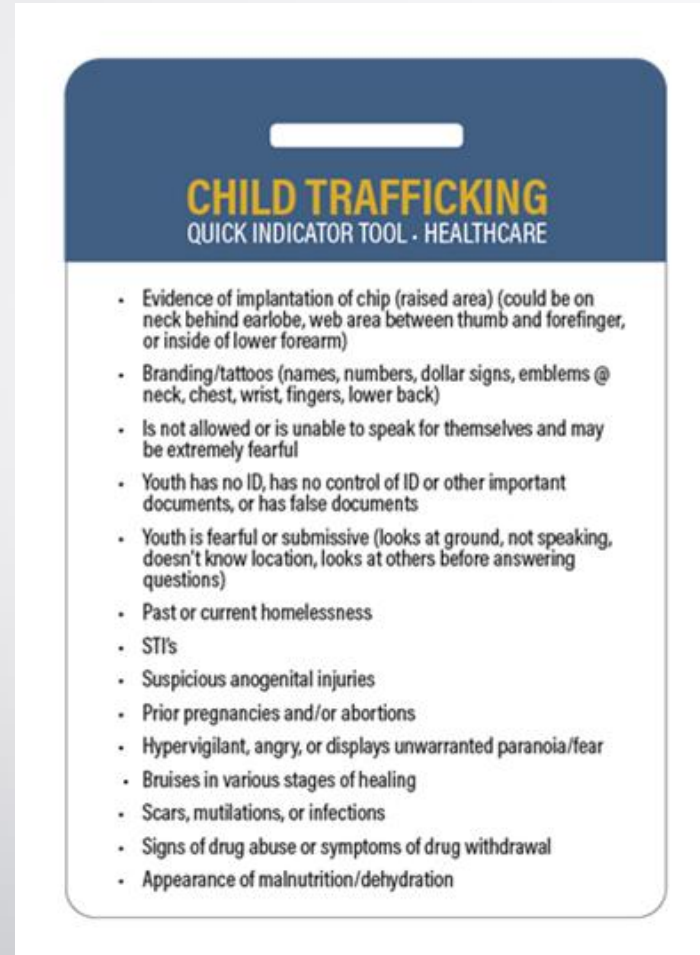
- is listed on web pages or social media for commercial sexual exploitation
- was brought in with altered consciousness
- was recovered alone from a hotel or off the street
- admits to exchanging sex for ANYTHING of value
- has had a prolonged absence from home without explanation/consistently runs away from home

Other Red Flags
The factors on reverse also may indicate human trafficking. Use your professional judgment based on the individual circumstances to determine if DCS should be notified. DCS will screen and assess for human trafficking when a report is submitted.

INDIANA DCS: 1-800-800-5556



Healthcare QI tool



Legislative Updates

1. I.C. 31-34-1-3.5 CHINS

Provides that if a petition alleges that a child is a child in need of services as a victim of human or sexual trafficking, the juvenile court shall make a determination on the petition and: (1) the child shall not be required to admit or deny the allegation; and (2) the petitioner must prove the allegation by a preponderance of the evidence. Requires that before or at the initial hearing, the court shall appoint an attorney for a child alleged to be a child in need of services as a victim of human or sexual trafficking.

Legislative Updates cont'd

- Previously proposed twice, most recent 2021
- Current version requires child to admit/deny
- Appointment of Attorney protects due process rights
- Children's Commission previously voted to endorse this proposed legislation

Legislative Updates cont'd

- Working with Senator Mike Crider to propose that all nurses receive a minimum of one to two hours of training per year in trauma informed care, which would include human trafficking
- Challenges of no current training requirements and no agency in place to monitor



If you believe someone is a victim of Human Trafficking:

In emergency situations:

Call 911

Call the Department of Child
Services Hotline

1-800-800-5556

National Human Trafficking
Resource Center Hotline **1-888-373-
7888**

or send a text to **BeFree (233733)**

Contact Information

Kimberly S. Dowling, Judge Delaware Circuit 2

kdowling@co.Delaware.in.us

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ERIN WILLIAMSON, NICOLE M. DUTCH, & HEATHER J. CLAWSON, U.S. DEPARTMENT OF HEALTH AND HUMAN SERVICES, OFFICE OF THE ASSISTANT SECRETARY FOR PLANNING AND EVALUATION, EVIDENCE-BASED MENTAL HEALTH TREATMENT FOR VICTIMS OF HUMAN TRAFFICKING (April, 2010), *available at* <http://aspe.hhs.gov/hsp/07/HumanTrafficking/MentalHealth/index.shtml>.

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Polaris Project National Human Trafficking Resource Center Statistics for Indiana:
<https://traffickingresourcecenter.org/state/indiana>

FBI "Assisting Commercially Sexually Exploited Children" Presentation, 02/27/2014

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U.S. DEPARTMENT OF STATE, THE FACTS ABOUT CHILD SEX TOURISM (2005) at p.22 (2005), *available at* <http://www.state.gov/documents/organization/47255.pdf>.

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Testimony of Ernie Allen (July, 2010), NATIONAL CENTER FOR MISSING & EXPLOITED CHILDREN, *available at* www.missingkids.com/missingkids/servlet/NewsEventServlet?LanguageCountry=en_US&PageId=4312.

Some research indicates that the average age of entry for U.S. girls is 12 to 14, while the average age for U.S. boys and transgender youth is 11 to 13. *See* Amanda Walker-Rodriguez and Rodney Hill, *Human Sex Trafficking*, FBI LAW ENFORCEMENT BULLETIN, (March, 2011), *available at* http://www.fbi.gov/stats-services/publications/law-enforcement-bulletin/march_2011/human_sex_trafficking. *See also* POLARIS PROJECT, CHILD SEX TRAFFICKING AT-A-GLANCE, (2011), *available at* http://loveandlighttofreedom.org/uploads/Child_Sex_Trafficking__Polaris_Project_-_Jan_2012_.pdf. *See also* Ernie Allen, President and CEO of the National Center for Missing and Exploited Children, speaking to the House Victims' Rights Caucus Human Trafficking Caucus, Cong. Rec., 111th Cong., 2nd sess., 2010. *See also* U.S. Children are Victims of Sex Trafficking (April 2008), HUMANTRAFFICKING.ORG, <http://www.humantrafficking.org/updates/801>.

This statistic is based on one study of confirmed sex trafficking incidents opened by federally funded U.S. task forces. *Human Trafficking/Trafficking In Persons*, Dept. of Justice, Bureau of Justice Statistics, <http://bjs.ojp.usdoj.gov/index.cfm?ty=tp&tid=40> (last visited 1/14/2012).

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Jennifer K. Wesely, *Growing up Sexualized: Issues of Power and Violence in the Lives of Female Exotic Dancers*, 8 *No. 10 Violence Against Women*, 1182, 1192 (October, 2002).

Agenda

6. Executive Director and Committee Updates

December 6th Meeting and Volunteer Reception

Proposed 2024 Meeting Dates:

- February 21
- April 17
- June 19
- August 21
- October 16
- December 11

Agenda

7. Next Meeting

Wednesday, December 6, 10 a.m. – noon

Indiana Government Center South, Conference Room C

Reception immediately following in Conference Room B