

FLORIDA STATE UNIVERSITY CENTER FOR THE ADVANCEMENT OF HUMAN RIGHTS

HUMAN TRAFFICKING STUDY

FINAL REPORT

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Introduction

The Florida State University, Center for the Advancement of Human Rights (Center) received a grant from the Florida Department of Children and Families Office of Refugee Services to conduct an exploratory study of human trafficking in Florida. The Center contracted with the Justice Research Center (JRC) to conduct file reviews of Department of Children and Family (DCF) cases potentially involving human trafficking. Specifically, the JRC was contracted to develop a tool for collecting data from the case files and to report the findings and recommendations from an initial review of DCF cases in Broward and Dade counties in Florida. This report presents the results from the case file reviews as well as an overview of the case file review tool developed by the JRC.

Sampling Design

Prior to the JRC becoming involved in the study, it was decided that a random stratified sample of DCF cases would be pulled and in-depth reviews of the cases would be conducted. Stratification variables were determined on the basis of information available in DCF electronic databases. In particular, the sample was selected in the following manner:

- ◆ 100% of the cases that were determined to be “Out of Home Ineligible” (for federal funding) (n=105).
- ◆ 20% of the cases where the country of origin or citizenship is known to be foreign, the perpetrator is a “Non-Parent” or “Indeterminate,” and the funding source is listed as something other than “Out of Home Ineligible” (n=24).
- ◆ 10% of all cases where the country of origin or citizenship is *not* known to be foreign, the perpetrator is a “Non-Parent” or “Indeterminate,” and the funding source is listed as something other than “Out of Home Ineligible” (n=34).

The victim's age and the reason for service, were not used to stratify the sample. The total sample size for the case file review was 163. Fifty-one of the cases were Broward County DCF cases, and the remaining 112 cases were from Miami-Dade County.

Data Collection Tool

One of the primary objectives of the initial phase of this project was to develop an effective case file review tool that could ultimately be used within DCF to track human trafficking cases (see attached Access database file). After a preliminary review of the literature, we examined two sustained DCF trafficking cases to aid in our construction of the data collection tool. We chose to develop the tool in Microsoft Access, as the software is typically available in most state offices, is relatively user-friendly, and can be programmed to prevent data entry errors and

facilitate the data collection process. The database is comprised of four categories of information:

1. Youth Information
2. Case Worker Information
3. Biological Parent Information
4. Guardian Information

The primary data fields are contained in the Youth Information table. In reviewing the substantiated case files, it was determined that at a minimum, data collection should focus on youth demographics, perpetrator information, the reason for DCF intervention, and parent/guardian information. The four components include the following data fields:

Youth Information

- CID – auto tracking number (automatically assigned each time a case is entered)
- Casenum – dependency court case number
- Clientid – unique three-digit identifier assigned by DCF
- SSN – social security number (when available)
- Last Name
- First Name
- DOB – date of birth
- Alias Last – alias last name
- Alias First – alias first name
- Alias DOB – alias date of birth
- Gender
- Race
- Ethnicity
- Country – country of birth
- Language – primary language spoken
- Primary Referral Reason – main reason youth referred to DCF (additional information surrounding circumstances of referral reason is entered into Case Notes field)
- Abuse/Neglect History? – yes/no
- Notes About Abuse/Neglect History
- School – attendance status
- Dropout – yes/no, school dropped out
- STDs – sexually transmitted diseases
- Pregnant – whether youth is or ever has been pregnant
- Parent Status – whether youth is or will be a parent
- # of Children – number of children youth has
- Is a U.S. Citizen – yes/no
- Eligible for Federal Funding – yes/no
- Relationship to Perpetrator
- Has a Criminal Background – yes/no
- Types of Offenses – crimes youth has committed
- Social Services Knowledge – awareness and involvement in the DCF system
- Describe Knowledge of Social Services
- Is Victim Witness – yes/no as to whether youth is/was a victim witness against perpetrator in criminal trial
- Description of Victim Witness Status
- Placement Date – DCF date of youth placement in approved facility/foster home
- Description of Placement with Perpetrator – explanation as to how youth was placed in the care and/or custody of the perpetrator (i.e., parent sold child to perpetrator, restavek case, etc.)
- Removal Date – removal from home
- Disposition Date – date of judicial order removing child from home

Case Worker Information

- Case Worker – lead DCF worker handling the case
- Important Case Notes – primary case note field for information regarding the details of the case.

Biological Parent Information

- Mother's First Name
- Mother's Last Name
- Mother's Age
- Mother's Status – where mother is currently located (e.g., U.S., prison, deceased, etc)
- Mother's Language – primary language spoken
- Mother's Country – country of origin
- Mother's Occupation – open text field
- Father's First Name
- Father's Last Name
- Father's Age
- Father's Status – where father is currently located (e.g., U.S., prison, deceased, etc)
- Father's Language – primary language spoken
- Father's Country – country of origin
- Father's Occupation – open text field
- Marital Status Parents – between biological parents
- Marital Status Mother – marital status of mother with someone other than biological father
- Marital Status Father – marital status of father with someone other than biological mother
- Number of Children – number of children between biological parents
- Information About Children – extenuating information regarding DCF status of other children in family and involvement in human trafficking
- Parent Knew Arrangement – extent of parents' involvement in human trafficking
- Parent Was Paid – yes/no parent received monetary
- Amount Parent Was Paid
- Other Parental Information – qualitative memo field

Guardian Information

- Last Name
- First Name
- Age
- Occupation
- Status
- Additional Information

The JRC intended to revise the initial case file review tool after beginning the first phase of in-depth case file reviews in Broward and Miami (i.e., in the second phase of the project). As such, the current version of the data collection tool is still under development and will be further refined upon the completion of more file reviews.

Case File Reviews

In June 2003, working from the pre-selected stratified sample, JRC researchers traveled to the Broward County DCF offices to begin the case file reviews. A total of 51 cases were randomly selected from Broward County files for review. DCF staff had located the files and placed them in a conference room. On average, each case was comprised of multiple volumes filling approximately one to two banker boxes. Case files generally consisted of the following sections: legal documentation, correspondence, case notes, psychological and medical information, and treatment plans. A comprehensive review of an entire case would take on average roughly two to three hours. Fairly soon into the review process, however, JRC researchers began to question the sample selection process, as no trafficking cases were emerging. The original stratification method involved selecting 20% of the cases in which the country of origin was “foreign” and the perpetrator was a “Non-Parent” or “Indeterminate” (n=24), and 10% of the cases in which the country of origin was unknown and the perpetrator was a “Non-Parent” or “Indeterminate” (n=34). In reviewing case files and in interviewing DCF case workers in Broward, JRC researchers determined the following:

1. Inaccurate Perpetrator Information – Upon review of the cases, it became apparent that at the time data were initially entered into the statewide tracking database, the worker may not have known the exact relation of the perpetrator to the child victim. However, the case file ultimately contained the perpetrator’s information, despite the fact that the statewide database was never updated with this new information. In every case reviewed, DCF had identified the relationship of the perpetrator to the victim and it was not in fact “Indeterminate.” There were also a number of instances in which the perpetrator may have originally been considered “Indeterminate” because he/she was the paramour of a biological parent.
2. Inaccurate Country of Origin – The case file reviews also revealed data entry problems with the Country of Origin field in the statewide database. Specifically, similar to the perpetrator information, the main DCF case files included accurate information about the country of origin. While the information may not have been known initially when the file was started in the database, it was clearly identified at a later date however this information was not subsequently updated in the database. In every case reviewed it was possible to identify the child’s country of origin. Notably, in most instances in which the country of origin was originally identified as “unknown” it was determined that in fact the youth had been born in the United States.
3. Stratification Weights – Given the findings noted in items 1 and 2 above, and in talking with DCF workers both in the Tallahassee headquarters office and in Broward County, the JRC concluded that the stratification weights should be changed. It was concluded from these sources that trafficking cases would likely involve perpetrators that were “non-parents” and youths whose country of origin was foreign. As such, the JRC determined that had the sample involved a greater percentage of cases (more than the 20% original sampled) with “Non-Parent” perpetrators *and* a foreign country of origin, it may have been possible to identify more trafficking cases.

In addition, cases were also originally selected on the basis of whether the funding source was considered “Out of Home Ineligible.” JRC researchers determined that this classification can be based upon the placement (i.e., the facility or home in which the youth has been placed by DCF) location being ineligible, the child being ineligible, or the guardian being ineligible. In the first example, a youth may be classified as “Out of Home Ineligible” because the foster care home in which the youth resides has not yet obtained approval for federal funding, whether due to having just opened or other administrative reasons. Therefore, this field may not necessarily indicate that the youth is ineligible for federal funding because he or she is not a United States citizen.

Given the issues outlined above, JRC researchers concluded fairly early in the case file review process that the sample would likely contain few if any substantiated human trafficking cases. This information was immediately relayed to the Center and at the Center’s direction, case file reviews were terminated at that point to allow for adjustments to the sample selection. The 32 cases reviewed primarily involved youths who were born in the United States, but whose parents’ country of origin was foreign. All of the cases involved what would be considered “typical” abuse and neglect DCF cases. In many instances, the parents would have immigrated to the United States in search of employment and then one or both of the biological parents would be determined unfit, on the basis of having abused and/or neglected the child victim. A common characteristic among the majority of cases was DCF involvement with the family very early on in the child victim’s life. The victim and their siblings were often involved in the DCF system from the time they were babies. This finding led the JRC researchers to conclude that age may be an important method of isolating potential human trafficking cases, with youths under the age of five omitted from the sample selection process.¹

Case File Synopses²

CF1 and CF2 are 15 year old and 14 year old brothers. CF1 was born [REDACTED] and his brother was born [REDACTED]. The biological father and mother of the brothers are of Hispanic origin listed in the information system as from Puerto Rico but the case file did not indicate the parents’ country of birth origin was Puerto Rico. CF1 was born in Dade County Florida in the USA and CF2 was born in Broward County Florida in the USA. Both boys were removed from their parents’ custody when they were 3 and 1 year old. Due to incarceration, both parents were in non-compliance with the Court ordered tasks in that they needed: court psychologicals, parent effectiveness training courses, stable incomes and stable housing. Both parents were unable to comply with court ordered tasks. Mother was in prison in NY for murder starting in October 1990. Mother went to Rikers Island and was sentenced to 2-6 years for criminal possession of a weapon (plea bargained). She was moved to Albion then to Taconic but was moved back to Albion. Mother has been released from prison to date but is still not allowed contact with the children. Father has been in prison in NY for murder since October 1990. Father went to Rikers and was sentenced to 8-25 for manslaughter and was 1st eligible for parole [REDACTED]-max to

¹ Note that it is possible that babies are being brought into this country for the purpose of illegal sales of children. While this may represent a form of human trafficking, the reasons that these cases occur differ widely from the cases involving indentured, domestic, or sexual servitude, and therefore may not be an effective method of stratification and identification of human trafficking cases.

² See Appendix 1 for remaining synopses from the 32 case file reviews.

██████████. He was moved to Down State at Fishkill and later transferred to Great Meadows. Children have been with maternal grandmother since 1990 and maternal grandmother wants to adopt by December. The brothers are listed as being “Out of Home Ineligible” in the information system. CF2 has the perpetrator listed as “Non-parent” in the information system and from the file review that does not seem correct. CF1 has the perpetrator listed as “Indeterminate” in the information system and from the file review that does not seem correct. This is a case where both parents were incarcerated which is what the information system and case file reflected. There is no indication in the Children Youth and Families case file of human trafficking in this case.

CF3 and **CF4** are a 17 year old brother and a 14 year old sister. CF3 was born ██████████ in Haiti and CF4 was born ██████████ in Haiti and both are illegal immigrants in the United States. Both children speak Creole and English. CF4 moved to the US when she was 8 years old with her mother according to the case file review. There are 13 siblings in this family (5 of which are from the children’s biological mother and father). Their mother is 39 years old in 2003. The biological father is deceased and the mother moved back to Haiti with some case file indication that she would be running the family business. She left the children with a non-relative (also Haitian) listed in the case file as "a custodian" in the United States for two months. The biological mother sent money from Haiti until September 1999 when she stopped. In September 1999 the children came to the attention of CYF when caregiver quit feeding them and kicked them out of the house because she said that she no longer wanted to care for the children. Sometime in 2000, mom came back from Haiti and CF4 was removed from her mother’s custody for abandonment. CF3 was removed from his mother’s custody for inadequate housing. As of June 2003 the biological mother was incarcerated in Haiti. The siblings are listed as being “Out of Home Ineligible” in the information system. CF3 and CF4 have the perpetrator listed as “Non-parent” in the information system. This is a case where the children were actually abandoned by the mother and then the caretaker that they were left with also abandoned them. In this case the caregiver must have been interpreted as the “Non-parent” perpetrator. There is not enough indication in the Children Youth and Families case file to determine whether this is a human trafficking case, but might warrant a closer look at this file and other documents surrounding this family. For example, ██████ may have been purchased, may have forced labor, etc. Therefore, human trafficking cannot be ruled out.

CF5 is a 14 year white Hispanic male born in the USA. His date of birth is ██████████. He speaks English. The biological father and mother are of Hispanic origin listed in the information system as from Puerto Rico but the case file did not indicate the parents’ country of birth origin was Puerto Rico. An abuse report was filed alleging that CF5’s three sisters had been sexually abused and all four children had been physically abused. He is in school. He was removed from his parents’ custody at the age of 3 years old. There are three other children in addition to CF5 who were removed from the home. The biological father and mother are both in the United States. Mother’s primary language is Spanish and father’s is English. The children now live in foster care, where they have been for six years. There is no indication in the Children Youth and Families case file of human trafficking in this case.

CF6 is an 18 year old black non-Hispanic female born in ██████████ in Nassau Bahamas. She is a parent and has one child. CF6 is not married to the father of the child. The father was 18 years

old at the time of conception. CF6 was 12 years old at the time of conception. CF6 was removed from her parents' custody at the age of 13 years old. Her mother abandoned her and her father is unable to care for CF6 and brother. The child has an older brother who left the county with their biological mother when she was deported to the Bahamas. She is unable to return to the United States. The mother left the child with non-relatives when she was deported. The mother is a housewife and her country of origin is Abaco, Bahamas. The biological father is a gardener and his country of origin is Haiti. His primary language is not English (likely Creole) but the case file does not identify it as such. The biological father resides in Dade County Florida. CF6 has the perpetrator listed as "Indeterminate" in the information system and from the file review that does not seem correct. From the case file review the mother seems to have abandoned the children by being deported. There is no indication in the Children Youth and Families case file of human trafficking in this case.

CF7 is a 4 year old black male born in the United States. He has never attended school. The child was taken into custody and placed with maternal grandmother because the child's biological mother has other children removed because of death of sibling to CF7 as a result of multiple blunt trauma to the head while in her custody. The original call to CYF said relationship of the perpetrator to the victim was unknown and the database was updated to "Non-parent." The biological father was born in South Carolina USA and is incarcerated or in jail on a suspended license charge. There is another father in the mix here of at least one other child in the family. The child was placed at birth with his maternal grandmother by CYF. CF7 is listed as being "Out of Home Ineligible" in the information system. There is no indication in the Children Youth and Families case file of human trafficking in this case.

CF8 is a 5 year old female born [REDACTED]. She was removed from the custody of her parents when she was one and a half year old. Mother abandoned the child on steps of stranger's home and a call was made to CYF. The biological mother says she does not know who the father of CF8 is and that she was raped by her own mother's husband. The child was placed in the home of the child's godmother who contacted CYF later to say that she was going into the hospital and someone needed to care for child. Child placed in foster care and later the grandmother asked for child to be placed with her. CF8 has the perpetrator listed as "Indeterminate" in the information system and from the file review that does not seem correct. The case file review indicates that the biological mother abandoned the child. There is no indication in the Children Youth and Families case file of human trafficking in this case.

CF9 is a 16 year old black non-Hispanic female born [REDACTED]. Her birth certificate indicates that she was born in Haiti-Port-de-Paix and she speaks Creole and English. She is in school. Child was taken from her mother's custody at the age of 16. The child is not a citizen of United States. Her biological mother left the children with maternal grandmother in a house without electricity (off for 2 weeks), money or food. The biological mother speaks Creole, was born in Haiti and moved to the United States 10 years ago. There is no SSN, DOB or address listed for the biological mother or father. Mother is a housekeeper and is not a citizen of the United States. The mother has 3 other children and all the children have different fathers. The father is 47 years old, was born in Haiti and is presently in that country. The parents were never married and the mother became pregnant in Haiti with CF9. The CYF investigation revealed that the house was filthy. The child has a Social Security Number valid for work only with INS authorization and is

a registered alien. Child is in the custody of a sister of a non-relative woman who has CF9's other 3 siblings. CF9 has the perpetrator listed as "Indeterminate" in the information system and from the file review that does not seem correct. The biological mother seems to have abandoned the children and the grandmother seems to have neglected the children. There is no indication in the Children Youth and Families case file of human trafficking in this case.

Summary and Recommendations

The JRC developed a human trafficking case file review tool and reviewed 32 suspected human trafficking cases. The data collection tool proved an effective method of gathering information from the cases. The tool will be further refined as more human trafficking cases are identified.

No documented or substantiated cases of human trafficking were identified among the 32 case file reviews conducted. The researchers concluded that cases previously thought to involve "Indeterminate" perpetrators and "unknown" country of origin, were actually cases in which the perpetrator relation and country were in fact known. Often the perpetrator relation involved a complicated situation in which a non-relative perpetrator and a biological parent had abused and/or neglected the child. It was determined that future reviews of suspected human trafficking cases would likely take approximately two to three hours to conduct a thorough investigation of the correlates and common identifying factors involved in the cases.

As noted above, JRC researchers reviewed two substantiated cases of human trafficking in the DCF headquarters office. The review of these two cases proved invaluable to the development of the data collection tool and it was likewise possible to begin the process of identifying potential risk factors or correlates of human trafficking cases to be used in developing prevention and training strategies for the Department of Children and Families. These factors include the following:

- Foreign country of origin – In both cases, the youth was indeed a citizen of another country.
- Non-parent perpetrator – In both cases, the perpetrator was not related to the youth nor was a family friend or member of the youth's extended family.
- Family socio-economic status – The youths' families of origin (biological family) were extremely economically deprived.
- Family status – Immediate family, including parents, remained in the country of origin or other states.
- School problems – While youths involved in human trafficking cases are often limited in their outside contact with the world, it appeared that due to the stringent school requirements in the States, that the perpetrators in both cases chose the path of least resistance in sending the child to school. The victim youths exhibited behavior problems in school. They were disruptive and unruly. They also attended school sporadically and in one of the cases, the child wore the same clothes to school every day.
- Abuse – Indications of abuse were present (i.e., bruises, stomach pains, spontaneous crying, blackouts, inappropriate aggressive behaviors, inappropriate sexual behaviors).

- Primary language spoken – In both instances, the youths had difficulty adjusting in school and in the community due to the language barrier, as English was not the primary language spoken by either youth.
- Child protective of perpetrator – In one of the cases, given that the youth’s family remained in the country of origin and the length of time spent with the perpetrator, the youth was protective of the perpetrator and was willing to lie on his behalf.
- Pornography or prostitution involved – It may be beneficial to further investigate cases involving child pornography to determine whether the children involved are of foreign descent, as these may involve human trafficking cases.
- Confusing legal documentation – In both cases, legal documentation for the youths was often missing, incomplete, or suspect in origin.
- Social isolation – Both children were socially isolated from other youths and people in the community in general.

The JRC offers the following recommendations for future case file review and identification of human trafficking cases:

1. A revised stratified sample should be selected in which a greater percentage of cases involve “Non-Parent” perpetrators and youths with “Foreign” country of origin. In addition, cases should be stratified on the basis of age whereby the majority of cases selected involve youth over the age of 10 years. It is also recommended that Reason for Service be included in the stratification process by sampling a greater percentage of youths identified as victims of physical and sexual abuse, domestic violence, neglect, inadequate housing, abandonment, and relinquishment.
2. A two-pronged approach to identifying and reviewing human trafficking cases should be undertaken. First, DCF cases should be re-sampled as noted in Recommendation 1 above. Second, given the primary objective of developing identification and training strategies, the use of pure random sampling, while important, should perhaps be used in conjunction with non-probability sampling procedures. The JRC recommends that a snowball sampling design be undertaken to identify trafficking cases. JRC researchers determined that DCF staff were very knowledgeable about their cases and would be an excellent resource in identifying cases that potentially involve trafficking. In addition, DCF staff in Broward indicated that the Office of Immigration and Naturalization Services is very much involved in these cases, as are attorneys working in the Office of the Attorney General (AG), the Office of the United States Attorney, and/or other agencies responsible for tracking immigration cases in Florida. According to DCF staff, the AG’s office maintains a list of all cases involving immigration and naturalization issues and this list may be an effective resource in identifying trafficking cases. Each of these sources should be contacted to identify a small sample of cases on which to conduct in-depth reviews. It is estimated that this sampling design will result in at least 20 cases for review. Should all 20 involve trafficking, this would be an invaluable review process and provide greater insight into effectively identifying these cases.
3. It is recommended that a task force of individuals in law enforcement, child protective services, the juvenile justice system, immigration and naturalization services, the courts, and the community in Broward and Miami counties be convened to work collaboratively

toward identifying human trafficking cases. The JRC's initial research leads to the conclusion that each of these agencies may have involvement in trafficking cases, but little to no collaboration is currently in place. For example, youths involved in trafficking may, in addition to being abused and neglected, also be involved in the juvenile justice system due to being picked up for prostitution or drug offenses. Database integration and case sharing across the agencies may facilitate identification processes.

4. As a final attempt to identify cases, the JRC recommends conducting a review of federal case law involving immigration and trafficking. This may lead to the identification of perpetrators and then in turn to victims and case file information.

The current study represents an initial effort to begin the difficult process of isolating cases involving human trafficking and then subsequently developing strategies to assist protective services personnel and law enforcement in identifying and handling these cases. It is not unexpected that the research revealed that investigating these cases is a complex process. It is hoped that this important first step will provide a solid foundation for further inquiry and development of the Center's efforts in identifying and preventing human trafficking in the Florida.

Appendix 1: Human Trafficking Case Reviews - Synopses

**NOT ATTACHED DUE TO CONFIDENTIAL NATURE OF INFORMATION
CONTACT THE JUSTICE RESEARCH CENTER FOR FURTHER DETAILS:
850.521.9900**