Safe Harbor and No Wrong Door: An Overview of the Statewide Response to Sexual Exploitation

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Developing LOCAL Response

"That doesn’t happen here."
“It does happen here.”

What Is Sex Trafficking/Sexual Exploitation?

Sex Trafficking under Minnesota Law

1. receiving, recruiting, enticing, harboring, providing, or obtaining by any means an individual to aid in the prostitution of the individual

OR

2. receiving profit or anything of value

Minn Stat 609.321 subd. 7
Sex Trafficking under Minnesota Law

No requirement of "force, fraud, or coercion":

1. A victim's "consent" is not a defense.
2. A victim's prior engagement in prostitution is not a defense.

Minn Stat 609.325

Why is this significant?

Minnesota's Sex Trafficking Law

- Recognizes that sex trafficking can happen without "force, fraud, coercion"
- Puts the focus on the offender's actions
- Acknowledges the harm in "buying"

A Conflict in the Law

VICTIM:
1. Engaging, hiring, or agreeing to hire a minor to engage in prostitution
2. Engages in the sex trafficking of an individual under 18

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"CRIMINAL":
Offering or agreeing to be hired to engage in sexual penetration or a sexual act
- prostitution
- delinquent act

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The Need for Safe Harbor

“I got arrested for suspicion of trade, I was stopped because a man tried to pick me up. [...] I was arrested and they didn’t ask me why. The man was armed who was trying to be pick me up [...] I got arrested for that and they do nothing to this man. [...]”

- Survivor, Voices of Safe Harbor

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Sexual Exploitation

Anything of value (e.g., money, drugs, food, shelter, rent, or higher status in a gang or group)

OR

a promise of anything of value

is given to a person by any means in exchange for any type of sexual activity.

A third party may or may not be involved.

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Why is this significant?

- Resolves a conflict in the law (SEY added to MN Child Protection Codes Minn Stat 260.007)
- Recognizes that exploitation can happen in a variety of ways (MDH definition)
- Acknowledges the harm in “buying” (Minn Stat 609.352)
How did MN go about completely changing the state’s approach to sex trafficking/sexual exploitation?

Safe Harbor History in MN

What have we done so far?

Safe Harbor Law → No Wrong Door
“A public health approach, with its preference for systems thinking and primary prevention, reframes the issue to better understand its causes on many levels and how to prevent it. By this public health approach, the No Wrong Door program seeks to embody the fundamental principles of public health – prevention, population focus, collaboration, and client-centeredness.”

Underlying Values and Philosophy:
Minnesota’s Commitment to SEY

1. Those who come in contact with youth should be trained to identify sexual exploitation.
2. Youth who are sexually exploited are victims of a crime.
3. Victims should not feel afraid, isolated or trapped.
4. Sexual exploitation is traumatic. Victim centered services should be based in trauma-informed care.

5. Services should be responsive to needs of youth (gender-responsive, culturally competent, age appropriate, supportive for LGBTQ youth).
6. Services should be offered statewide.
7. Youth have the right to privacy and self-determination.
8. Services should be based in positive youth development.
9. Sexual exploitation can be prevented.
What have we done so far?

Safe Harbor Law → No Wrong Door → Training

Why Do We Need Protocol?

Safe Harbor Law → No Wrong Door → Training

No Wrong Door

What are the potential consequences of a “wrong door?”
Why We Need Protocol

Safe Harbor Law — No Wrong Door — Training — Protocol — Youth receives services and support

Building the Local Systems Response
to Sex Trafficking and Sexual Exploitation

Minnesota Statewide Safe Harbor Protocol Implementation Project

Statewide Resources

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What is the “systems response?”
What is the “systems response?”

Pertaining to the
• Governmental agencies
• Institutions
response to sexually exploited youth.

What “systems” are we working in?

Victim/Youth Services
Prosecution
Law Enforcement
Child Protection/Child Welfare
Civil Legal Services/Public Defenders
Juvenile Court
Schools
Housing/Shelter
Tribal Governments
Front Line Medical Response
Mental/Chemical Health
Adolescent Health
Public Health
Child Advocacy Centers

Question for YOU:

What is your role in the systems response?
A Note about Community Members...

Elements of an Effective LOCAL Response

Community Outreach/Awareness

Protocol Development

Active Case Management

Effective Local Response
Community Members

- Are not directly involved in the systems response, but can influence leadership and help shape policy.
- May or may not have contact with victims, but can make changes to community culture, practice, and resources to stop the harm before it starts.
- Can ensure that information being provided to the general public is not sensationalized, but accurately reflects what is happening in the community.
- Are the driving force of culture change.

QUESTIONS?

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