

Safe Harbor and No Wrong Door:

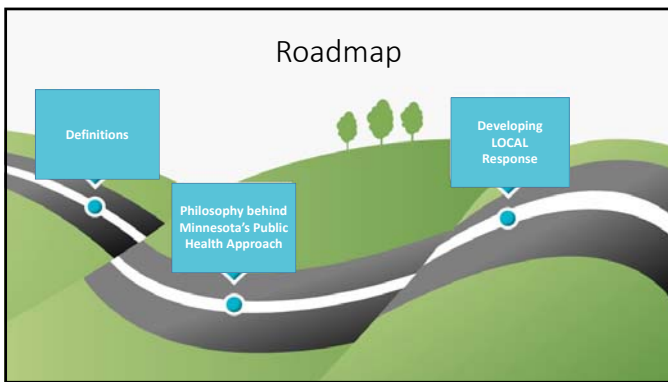
An Overview of the Statewide Response to Sexual Exploitation



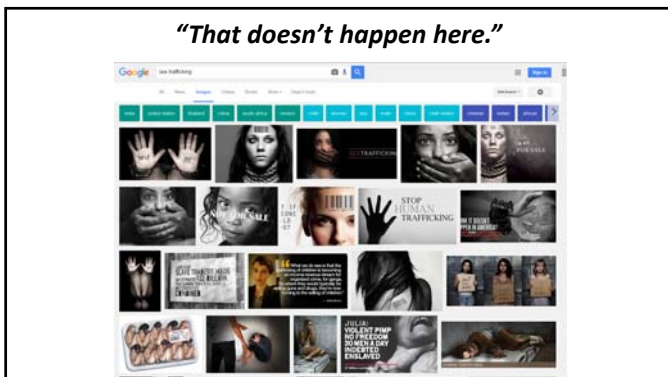
Noelle Volin
Trafficking Policy Coordinator
Staff Attorney

December 20, 2016

Roadmap



"That doesn't happen here."

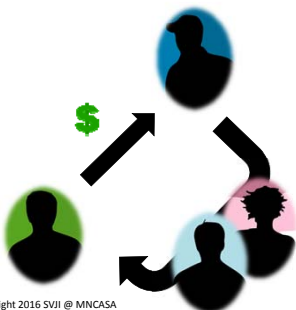


"It does happen here."



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

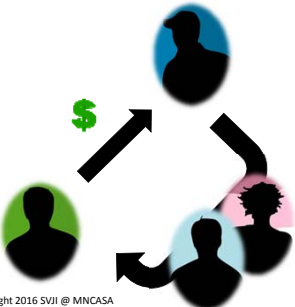
OR

2. receiving profit or anything of value

Minn Stat 609.321 subd. 7

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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

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Why is this significant?



- 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
(Minn Stat 609.324 subd 1)
2. Engages in the sex trafficking of an individual under 18
(Minn Stat 609.322)

“CRIMINAL”:

Offering or agreeing to be hired to engage in sexual penetration or a sexual act
= prostitution
(Minn Stat 609.324 subd 6)
= 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

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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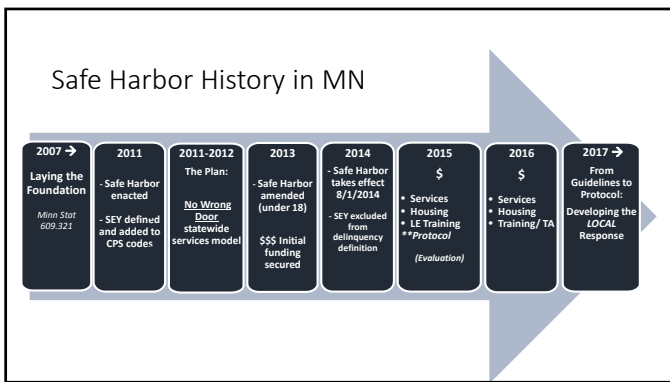
Minnesota Department of Health
http://www.health.state.mn.us/injury/topic/safeharbor/#sexual_exploitation

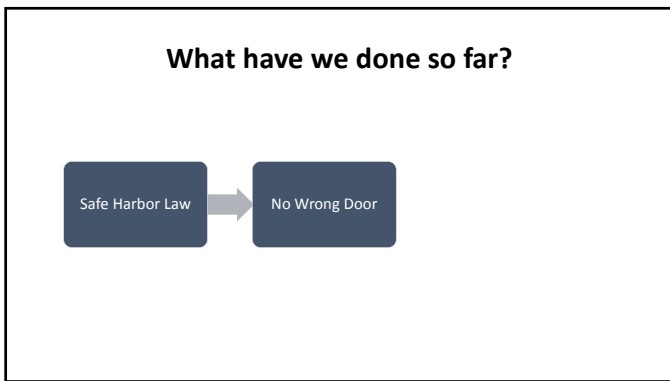
Why is this significant?



- 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?





“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.”



A Public Health Approach to the Sexual Exploitation of Youth: Public Health Models to Inform the Work of Safe Harbor Minnesota Bethany Divakaran, RN, PHN, BSN

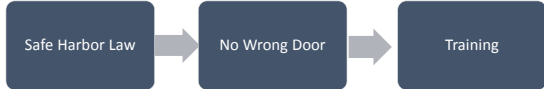
Underlying Values and Philosophy: Minnesota’s Commitment to SEY

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.

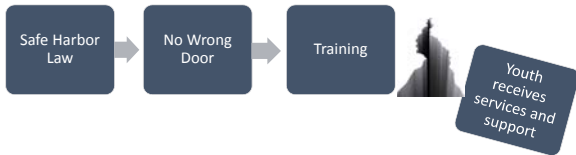
Underlying Values and Philosophy: Minnesota’s Commitment to SEY

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?



Why Do We Need Protocol?

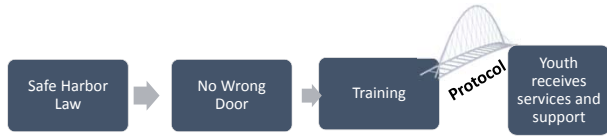


No Wrong Door



What are the potential consequences of a "wrong door?"

Why We Need Protocol

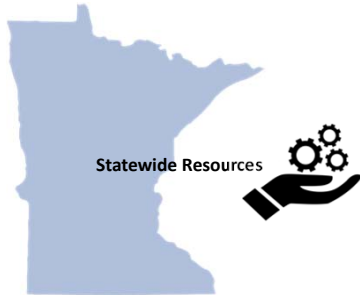


Building the Local Systems Response

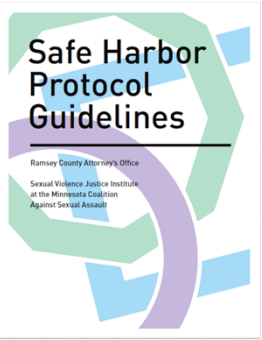


to Sex Trafficking and Sexual Exploitation

Minnesota Statewide Safe Harbor Protocol Implementation Project



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Safe Harbor Protocol Guidelines

Ramsey County Attorney's Office
Sexual Violence Justice Institute at the Minnesota Coalition Against Sexual Assault

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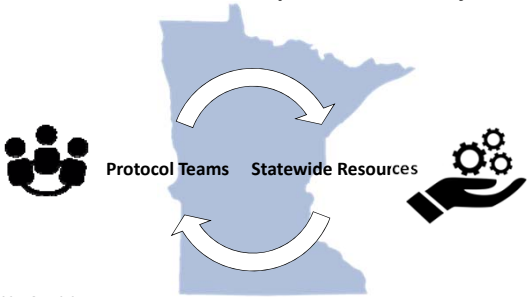
Foundational

- Terminology
- Dynamics of Sexual Exploitation
- Working With Sexually Exploited Youth
- Cultural Considerations
- Legal Framework
- Working as a Team
- Working With Tribal Nations
- Preventing Sexual Exploitation

Discipline

Next Steps

Minnesota Statewide Safe Harbor Protocol Implementation Project



Protocol Teams Statewide Resources

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What is the “systems response?”

What is the "systems response?"

Pertaining to the

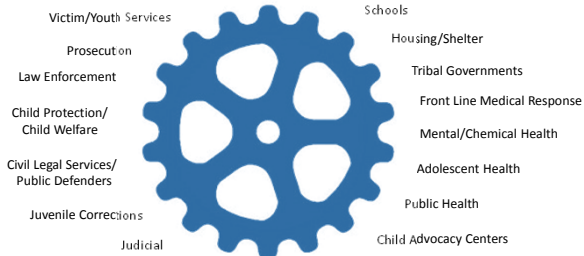
- Governmental agencies
- Institutions

response to sexually exploited youth.



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What "systems" are we working in?



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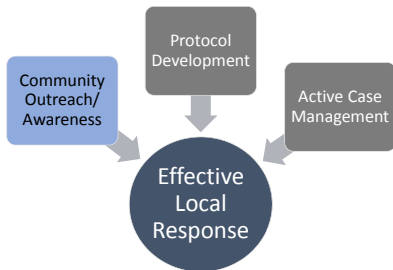
Question for YOU:



What is your role in the *systems response*?

A Note about Community Members . . .

Elements of an Effective LOCAL Response



Community Outreach/Awareness



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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