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

- Definitions
- Philosophy behind Minnesota’s Public Health Approach
- 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

Copyright 2016 SVJI @ MNCASA
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”
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

Credit: © 2015 Do Justice Consulting, LLC www.dojusticeconsulting.com
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.*
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

2007 ➔ Laying the Foundation

- Safe Harbor enacted
- SEY defined and added to CPS codes

Minn Stat 609.321

2011

- The Plan: No Wrong Door statewide services model

2011-2012

- Safe Harbor amended (under 18)
- $$$ Initial funding secured

2013

- Safe Harbor takes effect 8/1/2014
- SEY excluded from delinquency definition

2014

- $$ Services
- Housing
- LE Training
- **Protocol (Evaluation)

2015

- $ Services
- Housing
- Training/ TA

2016

- $ Services
- Housing
- Training/ TA

2017 ➔ From Guidelines to Protocol: Developing the LOCAL Response
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.
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?

Safe Harbor Law → No Wrong Door → Training
Why Do We Need Protocol?

- Safe Harbor Law
- No Wrong Door
- Training

Youth receives services and support
No Wrong Door

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

- Safe Harbor Law
- No Wrong Door
- Training
- Youth receives services and support
Building the Local Systems Response to Sex Trafficking and Sexual Exploitation
CONTENTS

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

Copyright 2016 SVJI @ MNCASA
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 Corrections
- Judicial
- Schools
- Housing/Shelter
- Tribal Governments
- Front Line Medical Response
- Mental/Chemical Health
- Adolescent Health
- Public Health
- Child Advocacy Centers

Copyright 2016 SVJI @ MNCASA
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 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.