



UNIVERSITY *of* MARYLAND
SCHOOL OF SOCIAL WORK

PARI: PREVENTION OF ADOLESCENT RISKS INITIATIVE

CHILD LABOR TRAFFICKING IN MARYLAND:

Findings from an Environmental Scan

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I. Review of Professional Literature

A. Background

Although human trafficking occurs in all 50 states, its exact prevalence rates are difficult to determine because of misidentification, differing definitions of trafficking by state, and lack of knowledge (Jordan et al., 2013). Two types of trafficking are defined in federal law: sex trafficking and labor trafficking. The landmark Trafficking Victims Protection Act of 2000 (TVPA), as provided in the United States Department of State's Trafficking in Persons Report (2019), defines human trafficking as:

Sex trafficking in which a commercial sex act is induced by force, fraud, or coercion, or in which the person induced to perform such an act has not attained 18 years of age; **or the recruitment, harboring, transportation, provision, or obtaining of a person for labor or services, through the use of force, fraud, or coercion for the purpose of subjection to involuntary servitude, peonage, debt bondage, or slavery. (p.6)**

The TVPA also legislates the prevention of trafficking, protection of victims, and prosecution of traffickers (United States Department of State, 2019).

Social workers and other human service workers are often the first to respond to the needs of victims of human trafficking in general, so their education in this area is critical (Mace, 2018). It is also common to find that victims of trafficking have

experienced both labor and sex trafficking simultaneously (Preble et al., 2020). For child sex trafficking specifically, being in the child welfare system is a key risk factor. Therefore, the role of social workers in educating vulnerable children about the risks and dangers of trafficking is critical (Alvarez & Alessi, 2012). In state and community service settings, survivors need case management services including connecting clients to individual counseling, housing assistance, medical care, and law enforcement advocacy (Busch-Armendariz, et al., 2011). International groups have called upon the field of social work to place a global focus on trafficking in human beings as an urgent global crisis (Dominelli & Hackett, 2012).

For the better part of the past decade, Maryland has made significant progress in the effort to combat child trafficking in our communities. However, much of that focus has been directed towards sex trafficking. In 2012, the Maryland Legislature passed SB 1082 amending the definition of child sexual abuse to specifically include commercial sex acts, child pornography, and prostitution of a child (Maryland General Assembly, 2012). This change in the Courts and Judicial Proceedings Code created a child protective service response to reports of child sex trafficking. Furthermore, in 2014, Congress passed the Preventing Sex Trafficking and Strengthening Families Act; a landmark piece of legislation that, among other things, requires states to develop policies and procedures for screening youth in foster care for risk of sex trafficking (United States Congress, 2014).

Training on child sex trafficking has led to increasing clarity on case prevalence. Because of a training and policy development partnership between the University of Maryland Baltimore School of Social Work and Maryland Department of

Human Services funded by the US Department of Health and Human Services Administration for Children and Families Children's Bureau, a mandatory training for all members of the public child welfare workforce was implemented. Between 2013 and 2019, the number of reports of child sex trafficking screened by Maryland's child protective service (CPS) units increased each year (Appendix A). Conversely, in the absence of similar training and policy development around child labor trafficking, there have been no documented reports of child labor trafficking investigated by Maryland's DHS during that same time period and no reliable data on the prevalence of this form of trafficking in Maryland.

B. Statement of the Problem

In recent years, there has been growing attention to the issue of child labor trafficking, although the scope remains relatively unknown (Development Services Group, 2019). Maryland's Anti Exploitation Act was signed into law in 2019 which created a criminal labor trafficking statute providing the necessary framework to investigate and prosecute labor trafficking crimes at the state level (Maryland General Assembly, 2019). In 2020, the National Human Trafficking Hotline received 1,052 reports of labor trafficking involving 3,583 victims (Polaris, 2022). For those victims where age was known, 232 were minors (7%) (Polaris, 2022). Labor trafficking of minors is also found among foreign nationals migrating to the United States. In fiscal year 2019, the Administration for Children and Families, Office of Trafficking in Persons issued 892 eligibility letters to foreign national minor victims of human trafficking experiencing trafficking in their home country or en route to the United States. It was discovered that 614 (68.8%) of those foreign national minors were victims of labor trafficking (Office on Trafficking in Persons, 2020). From an international perspective, 52% of the 152 million children in child labor are aged 12-17 and are usually male (58%) (International Labour Organization, 2017).

Recent research has suggested that labor trafficking of domestic minors may be more prevalent than was previously thought. In a study of a Midwest city's trafficking tip line, 9% of reported victims were children, and half of the reported victims were labor trafficking survivors (Koegler, et al., 2019). The Covenant House New Jersey conducted one of the largest studies to specifically assess homeless youth's demographic and social variables for association with trafficking (Chisolm-Straker et

al., 2018). Of the 344 participants who completed the human trafficking assessment, 9.6% reported having had a trafficking experience in their lifetime. More than half of them experienced labor trafficking (Chisolm-Straker et al., 2018). In a similar study, nearly 40% of Atlanta-area runaway and homeless youth surveyed experienced some form of trafficking (Wright et al., 2021). Forms of labor trafficking included coerced labor (29.3%) and fraud (25.2%), which were more common experiences than commercial sexual exploitation (15.6%) (Wright et al., 2021). Other homeless and runaway youth research has reported child labor trafficking in 25-42% of children responding (Wolfe et al., 2018).

A broader National Institute of Justice study looked at allegations of child labor trafficking investigated by Florida's child welfare system. The study included an analysis of more than 6,000 allegations of labor or sex trafficking involving nearly 5,000 children between 2013 and 2017 (Gibbs et al., 2019). While reports of labor trafficking represented only about 10% of the trafficking investigations, the study found that children with labor trafficking allegations were younger, nine times more likely to be male, less likely to have prior child welfare involvement, and less likely to have subsequent child welfare involvement, compared to children with sex trafficking allegations (Gibbs et al., 2019). This finding that children involved in allegations of labor trafficking were less likely to have prior or subsequent child welfare involvement is a vast departure from other research. For example, an Illinois study of both sex and labor trafficking allegations demonstrated that two thirds of child labor trafficking cases had previous child welfare allegations, and over one fourth had been in out of home care at least once (Havlicek, et al., 2016).

While the number of reports of child labor trafficking that are investigated by child welfare systems across the United States remains low, a study of those professionals working with youth who are at risk of being trafficked revealed that the actual number trafficked for commercial labor may be much higher. The study surveyed 186 participants working in child welfare, probation/juvenile justice, or community-based organizations on whether they are providing services and supporting children who have been labor trafficked (Fukushima, 2020). While only 25% of respondents reported having worked with a child victim of labor trafficking, 50% reported that they were likely to have served youth who meet the definition of labor trafficking. Half the participants reported they were likely to have served youth who reported they were being controlled or coerced for their labor, defrauded about their terms of employment, were in debt bondage, and were forced to sell and/or transport drugs, weapons or stolen goods (Fukushima, 2020).

C. Types of Labor Trafficking

According to current literature, there are several unique types of child labor trafficking: debt bondage, involuntary domestic servitude, forced criminality, and more general forced or coerced labor.

Debt Bondage

Debt bondage, also known as bonded labor or peonage, refers to the practice of pledging labor as payment or collateral on a debt (Genicot, 2007). These labor agreements typically concern very poor workers who have such limited opportunities that these types of contracts may be their best option (Genicot, 2007). Debt bondage is extremely pervasive in human smuggling, where individuals or families frequently borrow large amounts of money to cover smuggling fees and have to work for a friend or relative of the smuggler until their debt is repaid (Genicot, 2007). There are circumstances in which the smugglers add on exorbitant fees and interest leaving these individuals to have to work long hours with no pay to fulfill these debts or their families in their home countries are likely to face the consequences (Freedom Network USA, 2015). In some cases, the fees and interest make it such that the debt can never be fully repaid.

Involuntary Domestic Servitude

Under domestic servitude, foreign migrants, usually women, are often recruited from less developed countries to work as domestic servants for families in

the United States. In many cases, they are promised opportunities for higher education, financial gain, and other types of prosperity. However, these workers are often subject to working long hours with little pay and are vulnerable to physical, sexual, and other types of abuse. Maryland's proximity to Washington DC and the foreign embassies and residences of diplomatic officials, make our state susceptible to situations involving involuntary domestic servitude. In many cases, the domestic workers come to the United States legally through specialized work visas. However, employer and employment sponsorship laws make domestic workers more vulnerable to abuse because of the stipulations surrounding their employment-based visas (Human Rights Watch, 2001). If a domestic worker leaves their sponsoring employers, even in cases where they are escaping abuse, they could not only lose their jobs but also their legal immigration status (Human Rights Watch, 2001). In many international contexts, domestic work is performed by children. While foreign national children may not come to the United States through the same specialized work visa programs, they may be recruited into domestic servitude by other means and subject to the same type of abusive tactics by their employers.

Forced Criminality

One distinct, yet often under-identified, characteristic of human trafficking is forced criminality. Traffickers may force their victims into committing crimes during their victimization, including theft, illicit drug production and transport, prostitution, terrorism, and murder (United States Department of State, 2014). In 2013, the Institute of Medicine National Research Council released a report on the commercial sexual exploitation and sex trafficking of children in the United States. One of the

recommendations in that report called for an end to the criminalization of minors who engage in commercial sex and for systems to recognize and treat them as victims of exploitation and child abuse (Clayton, Krugman & Simon, 2013). This report led to a change in practice from arresting and prosecuting those youth for prostitution related crimes to referring them to other systems and agencies that could provide restorative and supportive services. Currently, the same practice is not applied to those who are forced to commit crimes despite the fact that these youth are also victims of exploitation and child abuse.

A study examining whether juvenile gang members can be considered victims of labor trafficking cites numerous examples and references several international and domestic laws that explore the relation between victimization, perpetration, and criminal culpability (Rizen, 2015). The study goes on to further apply the same understanding of the elements of force, fraud, and coercion in relation to juveniles who are compelled to commit crimes while being exploited for labor by gangs. Rizen (2015) additionally highlights a case in the United Kingdom where a group of foreign national minors were made to grow cannabis by a gang. The criminal convictions were overturned based on the court's ruling that the crime alleged against the minors was a component of their existing exploitation and victimization. Rizen (2015) also makes the comparison between juvenile gang members and child soldiers including the commonalities in how these youth are recruited and the economic, familial, and social voids that gangs and armies seek to fill for these youth. Here in the United States, juveniles known to be gang-involved who commit crimes are not identified and treated as victims of exploitation nor labor trafficking.

Coerced or Forced Labor

Youth are also coerced and forced into a variety of types of labor, including sales crews, agricultural work, factory work, construction, and more. Sales crews, also known as traveling sales workers, involve young people going door-to-door or throughout the community to sell magazines, water bottles, and all types of goods while experiencing highly abusive working conditions (Polaris, 2015). The minimum wage laws at the state and federal level are often not applicable to traveling sales work leading to daily low wage stipends which attract at-risk youth. Sales crews cross into labor trafficking when the trafficker uses force, fraud, or coercion to maintain the workforce. Youth participating in the sales crew may rely on the trafficker for transportation and housing while in employment, which are seen as debts. The trafficker may take earnings beyond the daily stipend as payment towards debt. Force and coercion are used to pressure youth to work harder and threaten other youth who are trying to leave the abusive situation. Sales crews are the second most common kind of labor trafficking behind domestic servitude among both adults and children (Polaris, 2015).

D. Barriers to Identification

Fear of Reporting

Victims of trafficking may not disclose or seek help due to the tactics that traffickers use to force, coerce, and/or defraud those individuals. The reasons why victims don't report can include mounting debt, traffickers' threats of physical harm to the worker and their family, traffickers blocking escape routes or communication with people outside the workplace, fear of blacklisting, ridicule, or loss of pay, fear of police inaction, or fear of harm to coworkers (Dank et al., 2021). Victims can also be taught by their traffickers to distrust outsiders, particularly law enforcement and government agencies. Victims may be fearful of being arrested or deported or completely unaware of their rights or may have been intentionally misinformed about their rights in this country (ACF n.d.). As a coping or survival skill, they may also develop loyalties and bonds with their trafficker and may even try to protect the trafficker from law enforcement or other authorities (ACF n.d.). A study of 152 labor trafficking survivors found that their reasons for not seeking help included "I didn't think anyone could help" (44%), "I didn't know who to go to for help" and "I thought that I could handle it on my own" (Dank et al., 2021). Child victims of trafficking may be even more likely to fear reporting due to a trafficker's control tactics. Lastly, a study of 52 child labor trafficking victims in 34 criminal cases found that in the majority (94.1%) of the cases child labor traffickers used "psychological violence against their victims including threatening to harm victim or victim's family, starving the victim, threatening to report the victim to immigration authorities and restricting the victim to have outside contact" (Letsie et al., 2021).

Gaps in Screening

Up until 2019, Maryland was one of only three states without a specific labor trafficking criminal statute, which hindered local law enforcement and the State's Attorney's Office in being able to successfully investigate and prosecute these cases at the state level. The Anti-Exploitation Act of 2019 created a legal statute that criminalized this type of exploitation and sought to deter labor trafficking in our state by supporting victims in coming forward and bringing their traffickers to justice (Maryland Office of the Attorney General, n.d.). However, the law does not amend nor create a parallel child abuse statute for Maryland's child welfare system to initiate a specific and separate child protective response to those situations. As such, Maryland's Department of Human Services (DHS) does not currently include labor trafficking as a specific maltreatment indicator in their Statewide Automated Child Welfare Information System (SACWIS). Maryland's Department of Human Services Social Services Administration is developing a new child trafficking policy which will provide guidance for how those types of reports would be screened and investigated. If a parent or caregiver is alleged to be the one forcing, coercing, or defrauding the youth for the purpose of labor, then those reports can be screened and investigated to assess the indicators and related risk or safety concerns as it relates to neglect or abuse. Currently, there is no legal statute to allow Maryland's child welfare system to identify a non-parent/caregiver as the alleged maltreater of labor trafficking.

The field of health and human services has primarily been focused on prioritizing prevention and intervention for child sex trafficking resulting in little focus on

labor trafficking (Kaufka Walts, 2017). As a result, there is a lack of specific tools, protocols, and training on labor trafficking for first responders and child serving organizations (Littenberg & Baldwin, 2018). This leads providers in health care and other settings to rely on informal tools to screen for child labor trafficking (Byrne et al., 2017; Hachey & Phillippi, 2017; Hornor, 2020). A study to assess the differences in the identification of human trafficking among youth experiencing homelessness found that human trafficking-specific screening tools were more successful at identifying trafficking incidence than a standard psycho-social assessment tool (Mostajabian et al., 2019)

Maryland's Departments of Human Services and Juvenile Services have implemented screening tools and protocols to assess the risk of trafficking within the populations they serve. Previously, those tools and protocols were specific to sex trafficking, but have recently been revised to include elements of labor exploitation. These tools include the use of the Quick Youth Indicators for Trafficking, the first validated labor and sex trafficking screening tool for youth that does not require administration by a trafficking expert (Chisolm-Straker et al., 2019). The 4-item tool utilizes affirming and youth-friendly language "to quickly screen all clients for a trafficking experience and determine which clients require a more time-consuming, expert assessment for trafficking" (Chisolm-Straker et al., 2019). The QYIT has been shown to have a high sensitivity rate across genders. The tool was tested as part of a 2019 research study involving homeless youth/young adults and validated through a two-phase process that included the use of the Covenant House Human Trafficking Interview and Assessment Measure (Chisolm-Straker et al., 2019).

Another barrier to the identification of child labor trafficking is that this type of trafficking can co-occur or be masked by child sex trafficking. In 2019, the National Trafficking Hotline received 1,048 out of more than 22,000 calls where reports of both sex and labor trafficking occurred (Polaris, 2020). Child labor trafficking can be masked by child sex trafficking. For example, child trafficking survivors may be asked to commit crimes and other illicit activities while being sex trafficked (Polaris, 2020). Romanticized sex can also be used to manipulate and coerce labor trafficking in domestic settings (Dold, 2017).

Gaps in Investigation and Enforcement

Unlike sex trafficking, labor trafficking is often tied to formal economies and industries, which can make it difficult to distinguish from so-called legitimate work (Freedom Network USA, 2015; Kaufka Walts, 2017). A series of recent investigative reports by the Public Broadcasting System's Frontline news outlet highlighted some of the reasons why labor trafficking is so difficult to identify. One of the reports on the problem of child labor noted that the enforcement of unlawful child labor is difficult to perform because of a lack of investigative resources (Boghani, 2018). The report also highlights some of the exceptions and differences within child labor laws for different industries. The agricultural industry, for example, has much more permissive standards for the employment of children allowing those as young as 12 to work without limitation under certain circumstances (Boghani, 2018). From an international perspective, agriculture accounts for almost 71% of the 152 million children experiencing child labor (International Labour Organization, 2017).

Furthermore, the elements of labor trafficking and labor exploitation are often confused. Wage and hour violations, while exploitative, may not involve force, fraud, or coercion (Miller, 2018). Another recent report examines the intersection of labor trafficking, labor exploitation, and child labor (Owens et al., 2014). The report highlights the risk for labor trafficking in both formal and informal labor industries where child labor and labor exploitation practices are known to occur and includes a diagram (Appendix B) illustrating the overlapping vulnerabilities and signs or indicators (Owens et al., 2014).

Gaps in Services for Unaccompanied Children

For the purpose of this environmental scan, we will use the term unaccompanied alien children (UAC), as the term is defined in the Immigration and Nationality Act of 1952, as amended (INA), Section 101(a)(3), 8 U.S.C. 1101(a)(3) (Kandel, 2019). It is noted that there is a growing movement to replace the term alien with “non-citizen.” The Homeland Security Act of 2002 (HSA; P.L. 107-296) divided responsibilities for the processing and treatment of UAC between the Department of Homeland Security (DHS) and the Department of Health and Human Services (HHS). The DHS’ Customs and Border Protection (CBP) apprehends and detains unaccompanied children arrested at ports of entry including the southern and northern borders (Kandel, 2019). The DHS’ Immigration and Customs Enforcement (ICE) handles custody transfer and repatriation responsibilities, apprehends UAC in the interior of the country, and represents the government in removal proceedings (Kandel, 2019). DHS’ Office of Refugee Resettlement coordinates and implements the care and placement of UAC into appropriate shelter care (Kandel, 2019).

The number of UAC apprehended at the Southwest border between ports of entry, while attempting to enter the United States without authorization, has increased substantially in recent years (Kandel, 2019). The UAC Program at the Office of Refugee Resettlement provides for the custody and care of children who have been apprehended and referred by CBP or ICE, or who have been referred by other federal agencies (Office of Refugee Resettlement, 2015). The Office of Refugee Resettlement arranges to house the child in one of its networks of shelters while seeking to place the youth with a sponsor, typically a family member (Office of Refugee Resettlement, 2015). In Fiscal Year 2021, 5,471 youth were released from the Office of Refugee Resettlement's care to sponsor relatives in Maryland (Office of Refugee Resettlement, n.d.). Historically, only about 10-20% of the total youth released to sponsors were eligible to receive Post Release Services, in which the youth and sponsor family would be connected with a local social service agency for case management support. There have been recent efforts to increase access to Post Release Services for all youth released to sponsors in order to monitor their transition and adjustment from shelter to home.

A 2016 report, from the United States Senate Permanent Subcommittee on Investigations Committee on Homeland Security and Governmental Affairs, highlighted the vulnerabilities and risks for trafficking and other abuse that UAC face (United States Senate, 2016). The report provides several examples of deficiencies in the processes for releasing UAC from the care of the Office of Refugee Resettlement to situations where they are vulnerable to abuse. This includes cases where the sponsor's relationship with the child is questionable or a sponsor sought custody of multiple children or inadequate background checks were run (United States Senate,

2016).

A barrier to identification of child labor trafficking victims is related to recent immigration policies and enforcement strategies that are noted to have created increased fears of deportation among undocumented immigrants. Research has shown that one's immigration status is the most telling factor for trafficking vulnerability with those individuals having an illegal status being the most at risk (Zhang et al., 2014). In a news story on Frontline, Miller looked at the difficulties in determining the prevalence of labor trafficking. They talked with various service providers and scholars about the issues related to reporting, including what may cause victims to not report abuse. As one scholar stated, "people who are in a situation of trafficking may know that they are in a situation that is awful and can't be legal but they don't know that there are protections for them" (Miller, para. 18, 2018). It was further discussed how the current national deportation regime impacts anti-trafficking work resulting in low self-reports from trafficked individuals (2018). The story also noted that the higher standard of proving force, fraud, or coercion and having to cooperate with the law enforcement investigation in cases of child labor trafficking makes it more difficult to prosecute successfully (Miller, 2018).

At present, the full scope and prevalence of child labor trafficking in Maryland is unknown. However, we know several factors that make young people in our state susceptible to this type of exploitation. Given the lack of data on the subject, we conducted (1) a survey of key stakeholders and specialized service providers across the state to collect information about the number of victims of child labor trafficking served over the past three years, and (2) an online survey of public child welfare

and juvenile services workers on their experiences serving youth at heightened risk of labor trafficking. These recommendations, which follow public-health research methods, are aligned with successfully implemented human trafficking research that has used methods like Respondent-Driven Sampling (Fedina & DeForge, 2017).



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II. Survey of Key Stakeholders and Specialized Service Providers

Given the lack of data on child labor trafficking and the absence of a specific labor trafficking maltreatment indicator within our state's child protective services screening protocol, we chose to administer a brief survey to key stakeholders and specialized service providers to gather information on the number of children and/or youth victims of labor trafficking they have worked with over the past three years; and, whether those youth were Foreign Nationals or US Citizens. We administered the survey to 20 organizations identified as specialized service providers working with child victims of human trafficking who met one or more of the following criteria:

(1) The organization is a Trafficking Victim Assistance Program (TVAP) Grantee through the United States Department of Health and Human Services, Administration for Children & Families, Office on Trafficking in Persons.

(2) The organization receives funding through the Office for Victims of Crime (OVC) to provide services to child victims of human trafficking, including Maryland's Child Trafficking Regional Navigator programs.

(3) The organization is contracted by the Office of Refugee Resettlement (ORR) to conduct Home Study Assessments and provide Post Release Services to unaccompanied migrant youth released from ORR care to sponsor families in Maryland.

(4) The organization provides legal services to child victims of trafficking.

We received completed surveys from the following 16 organizations:

- Araminta Freedom Initiative
- Asylee Women Enterprise
- Bethany Christian Services of Maryland & DC
- Board of Child Care
- Catholic Charities of DC
- Cecil County Family Violence Programs
- Center for Hope
- Heartly House
- Lutheran Social Services of the National Capital Area
- Mary's Center
- Washington County Safe Place Child Advocacy Center
- Harford County Sexual Assault Response Center (SARC)
- Tahirih Justice Center
- The Listening Place - Howard County Child Advocacy Center
- Turn Around Inc
- University of Maryland SAFE Center

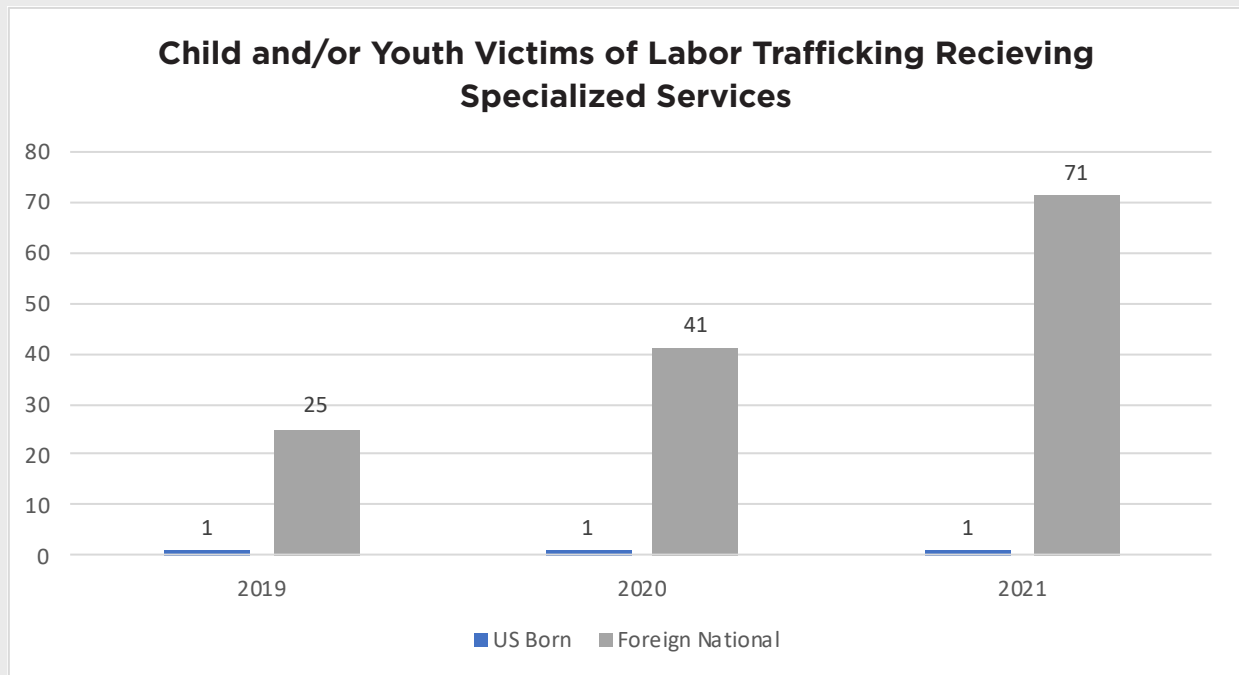


Figure 1 - Survey of Key Stakeholders and Specialized Service Providers

Per the results of the survey of specialized service providers (Figure 1), the number of child victims of labor trafficking who were served in Maryland grew from 26 in 2019 to 42 in 2020 and 72 in 2021. All but one youth in each of the years were identified as a foreign national. These numbers may not represent separate individual youth. It is possible that the same youth was served by the same organization over multiple years. It is also possible that the same youth may have been served by multiple service organizations within the same calendar year. With regard to the data on eligibility letters for child victims of human trafficking issued by the HHS Office on Trafficking in Persons in 2019 and 2020, child victims of labor trafficking represented 83% of all of the eligibility letters issued in both years compared to 17%

who were identified as victims of sex trafficking.

This data should be used as an approximate estimate of the number of identified victims of child labor trafficking in Maryland between 2019-2021. Given the fact that child labor trafficking is not currently captured as a separate and unique form of maltreatment in our child welfare system's SAQWIS system, we cannot measure the true numbers of youth who were suspected to have been exploited through labor trafficking or those who were identified as a victim of labor trafficking but not connected to a specialized human trafficking service provider. These numbers may account for more US born victims.

Eligibility Letters to Child Victims of Labor Trafficking

“Foreign national minors in the United States, including unaccompanied children (UC), who have experienced a severe form of trafficking (forced labor or commercial sex) are eligible for benefits and services under the Trafficking Victims Protection Act (TVPA) of 2000, through the issuance of an Eligibility or Interim Assistance Letter from the HHS Office on Trafficking in Persons” (OTIP 2022). Eligibility letter recipients may have experienced exploitation in their countries of origin, in another country, during their journey to the United States, or within the United States. The data provided below reflects the number of eligibility letter recipients living in/receiving services in Maryland at the time the eligibility determination was made, and a benefits letter was sent. Or, in other words, the number of letters sent to eligible recipients in the state of Maryland. The data does not reflect the number of foreign national individuals who were exploited/trafficked within the state.

In FY 2020, OTIP issued eligibility letters to 12 child recipients in Maryland. Of those recipients, **10** experienced labor trafficking and half of them were exploited to provide domestic labor. In FY 2021, OTIP issued eligibility letters to 30 child recipients in Maryland. Of those recipients, **25** experienced labor trafficking.¹

¹ Number of eligibility letters issued to child victims of labor trafficking who resided in Maryland at the time the eligibility determination was made, and a benefits letter was sent.



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III. Problems with Child Labor and Youth at Work: Survey of Youth-serving Professionals at Maryland's Department of Social Services and Department of Juvenile Services

As noted in the literature review, there have been several studies exploring the intersection of child labor trafficking and child welfare. A study involving a survey of 186 California child welfare professionals resulted in some interesting findings. When asked if they “have ever worked with a child who has been labor trafficked,” only 25% of the respondents indicated “yes” (Fukushima, 2020). However, when asked questions related to the specific indicators of labor trafficking, the percentages were much higher (Fukushima, 2020).

The research team from the Prevention of Adolescent Risks Initiative at the University of Maryland Baltimore School of Social Work sought to replicate the Fukushima survey with Maryland’s Child Welfare and Juvenile Services professionals to gather information about their experiences in working with youth who have been forced, coerced, or defrauded for labor. The survey (See Appendix C) was anonymous and voluntary. It was disseminated electronically to each county’s Local Department of Social Services’ (LDSS) and regional Department of Juveniles Services’ caseworkers, supervisors, and program managers/administrators. The eligibility criteria for participation in the survey was that staff were (1) Employed by DHS or DJS and (2) Serve children and families or have done so in the past.

Demographics

A total of 198 surveys were completed and included for analysis. 77% of the respondents were Female, 17% Male, and 6% No Response. For Race/Ethnicity, 62% were identified as Caucasian, 34% African American, 3% Asian/Pacific Islander. None of the respondents identified as Hispanic/Latino(a). With regard to Field of Work,

55% reported Child Welfare and 41% indicated Juvenile Services. The types of Position/Roles included Child Welfare Caseworker (27%), Child Welfare Supervisor or Administrator (18%), Juvenile Justice Caseworker (17%), Juvenile Justice Supervisor or Administrator (13%), and Juvenile Justice correctional or probation officer (7%). The total number of respondents represented all but one county in Maryland. The top six jurisdictions were Baltimore City (20%), Baltimore County (13%), Anne Arundel (12%), Prince George's (9%), Allegany (9%), and Washington Counties (7%).

Survey Analysis

Twenty percent of participants responded "yes" to the following question, 'Have you worked with children or youth under 18 who have been coerced or controlled by another person or entity for their labor (commercial and noncommercial labor)?' The following tables provide details about those children and youth; and their responses to them:

Table 1 - How many children/youth have you worked with who have been coerced/controlled by another person/entity for their labor?

Between 1-2	33%
Between 3-4	15%
Between 5-10	15%
Between 11-20	18%
20+	13%
No Response	8%

Table 2 - Types of work identified by survey participants

Child Care	21%
Construction	3%
Domestic Service	12%
Farming	3%
Food Industry	15%
Retail	15%
Sex Work	21%
Unknown	12%

Table 3 - Participants responses/services offered to identified youth

Provided or linked to basic services (shelter, food, clothing)	55%
Provided or linked to mental health counseling	74%
Contacted law enforcement	42%
Contacted the Department of Labor	5%
Provided emotional support	66%
Brought to a medical doctor	24%
Reported the situation to Child Protective Services as Child Labor Trafficking	37%
Provided help leaving the situation	29%
Provided help in finding a new job / income	24%
Did not provide additional help beyond what I was already doing for the child / youth	11%
Any Other Response	5%

Table 4 - Likelihood of working with labor trafficked youth in the future

Very Unlikely	8%
Unlikely	11%
Neutral: Neither unlikely nor likely	40%
Likely	33%
Very Likely	8%

Sixteen percent responded “yes” to having worked with children or youth who had been defrauded (lied to) about the terms of their employment (i.e., work conditions, living conditions, hours, or pay). Respondents indicated the type of work children/ youth reported being engaged in at the time of their trafficking experience included childcare, domestic service, and forced criminality/selling drugs (13%); food industry, retail and sex work (6%). However, the type of work in these instances remains largely unknown (44%).

Only seven percent had worked with youth in debt bondage (a person who provides services to pay off money they owe to another person). In these cases, 22% were forced into criminality and selling drugs, while 11% worked in the food and retail industries. In the majority of cases the type was significantly unknown (56%). Twenty-nine percent of participants responded “yes” to having worked with children or youth who were forced to cultivate, sell, or transport drugs. While 15% indicated they had worked with children or youth who were forced to steal, sell and/ or transport weapons or stolen goods. Gangs and other criminal networks often recruit

vulnerable youth for the labor of crime and other illicit activities by making false promises of fast money and material wealth. These youth can become entrapped in these situations due to fear of what would happen if they chose to not follow the orders of the gang or criminal leaders. They can also become entrapped through the same type of psychological manipulation that sex traffickers use on their victims, i.e. by creating an illusion of family and love and filling other emotional voids in a youth's life. These findings emphasize the occurrence of forced criminality and justify the need to amend current child abuse laws to recognize and include forced criminality as a form of labor trafficking.

Lastly, four percent reported working with youth whose documents were forcibly taken away by their employers/ recruiters or another individual. Of these instances, it was reported in the following types of work: Other activities (53%), illicit activities (32%), childcare/ elderly care (18%), domestic services (12%), construction (9%), hospitality (9%), agricultural activities (4%), transportation (2%) and manufacturing (2%).

Overall, respondents reported providing or linking children/ youth to services and providing additional support beyond what was already being provided in cases that experienced controlled or coerced for labor, defrauded, debt bondage, were forced to cultivate, sell and/or transport drugs, and forced to steal, sell and/or transport weapons or stolen goods. It is important to note that the least utilized services were contacting law enforcement or contacting the Department of Labor and reporting the situation to Child Protective Services as Child Labor Trafficking. This highlights the need to support collaboration across these systems and

improve guidance and policies for how reports of suspected labor trafficking can be screened and investigated. Furthermore, respondents overall expressed they were neither likely or unlikely to work with children/ youth that experienced some element of labor trafficking discussed above. This may indicate a lack of awareness or understanding about how labor trafficking presents within potential cases. Therefore, it is critical to expand training for Child Welfare and Juvenile Services professionals to increase capacity and ensure coordination across systems.



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IV. Conclusion

Determining the global, national, or local scope and prevalence of human trafficking is very difficult to quantify. However, changes to federal and state laws and legislation have improved our understanding and response to cases of child sex trafficking. Child welfare systems across the US and here in Maryland have created policies and procedures for investigating and responding to these types of reports. As a result, we have been able to gather data through our child welfare information system on the reports and outcomes of child sex trafficking cases that have been screened and investigated by Maryland Child Protective Service Units. Additionally, the Maryland Department of Juvenile Services has been conducting human trafficking screening assessments as part of their intake process within detention and community-based facilities. Unfortunately, there has not been the same attention and focus on child labor trafficking within our state's child serving systems and we do not have access to the same type of data to fully understand how reports of child labor trafficking are being identified, reported, and investigated.

The results of this Environmental Scan show that child victims of labor trafficking are in fact being identified in Maryland; and, that there is a network of specialized service providers who are qualified and able to serve and meet the needs of these youth. Furthermore, the results of the survey of child welfare and juvenile services professionals indicate that many workers have had experience working with youth who have been exploited for labor and a significant percentage reported that it is Likely/Very Likely that they will encounter youth in these situations in the future. The final question of the survey asked respondents to "Please share any additional insights about your experience of working with children and youth impacted by problems with labor and work." The following is a quote from one respondent:

“There is a lack of job opportunities for minors within Baltimore City, either due to lack of options, lack of personal documentation (social security card, birth certificate, ID, etc.), or lack of transportation, etc. Youth are left to find income/employment with the options of what they have, which are often under the table/unofficial employment, which leaves the people they work for in complete control as there are no official documents, regulation, etc. Youth do what they can to survive.”

The economic and geographical landscape of Maryland exposes several risk factors that could contribute to the exploitation of children through force, fraud, or coercion for the purpose of labor. The unequal distribution of wealth in our state has led to fewer opportunities for youth to obtain gainful employment in underserved and low-income communities. Maryland’s location, diversity of its populations, and combination of urban and agricultural industries make it an appealing destination for migrant youth and families. In recent years, we have seen an influx of unaccompanied children released to sponsor relatives across the state. The literature and research on child labor trafficking has shown this population to be at high risk of labor exploitation due to pressures to work, lack of knowledge of US labor laws, and fear of reporting unlawful labor practices of employers among many other things.

Given the findings of this research study, we propose the following recommendations to improve Maryland’s response to child labor trafficking:

- Address gaps in child abuse laws to include the elements of labor trafficking as a

form of child maltreatment and include the ability to identify a non-parent/caretaker as the maltreater. The law should recognize and include Forced Criminality as a form of labor trafficking.

- Support Maryland's Department of Human Services and Juvenile Services in continuing to develop policies and practices to improve screening, reporting, investigation, and service connection for youth who are identified to be at risk of or a victim of labor trafficking.
- Develop specialized training on child labor trafficking for Maryland's public child welfare and juvenile services professional workforce.
- Increase access to programs that provide culturally and linguistically responsive supports and resources for unaccompanied youth and migrant families throughout the state.
- Provide an alternative to the labor of crime, by improving access to meaningful and gainful employment for youth; including competitively paid internships in businesses and industries that support vocational skill building and employment growth opportunities.

Implementing these recommendations will vastly improve Maryland's response to child labor trafficking by creating preventative and proactive changes to the way we address vulnerabilities and risks, as well as by creating an infrastructure to effectively identify victims and connect them to services.



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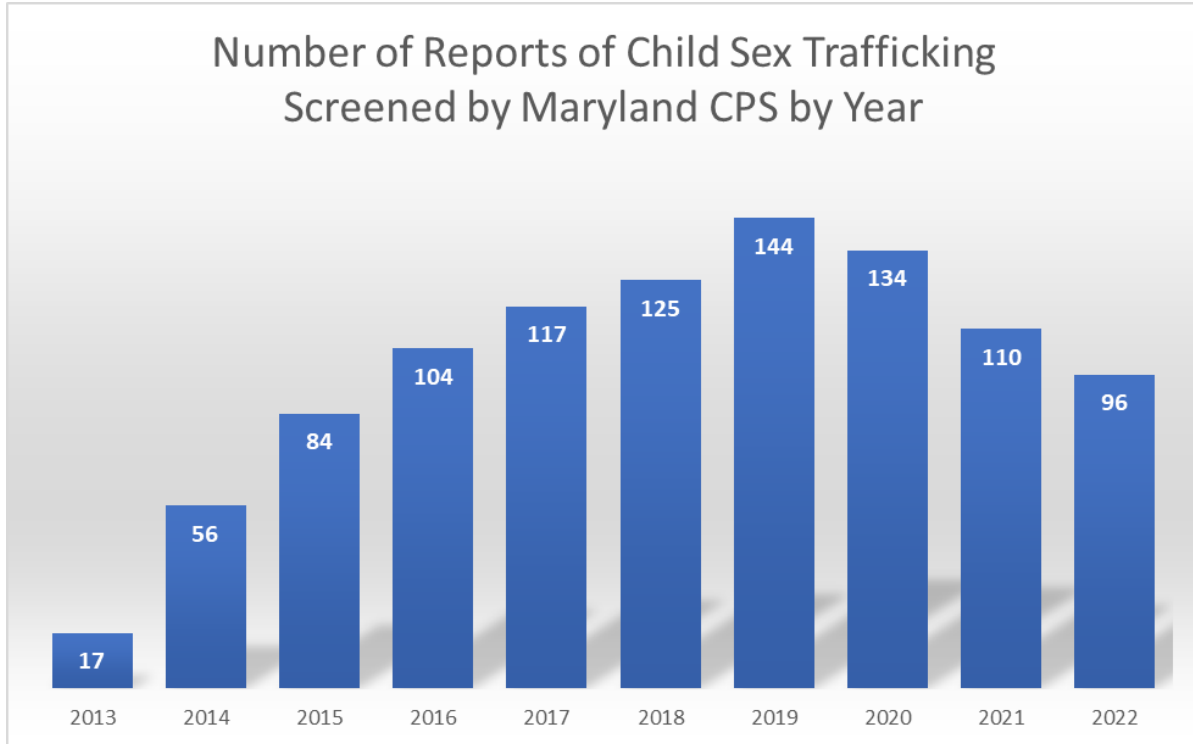
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V. Appendices

Appendix A

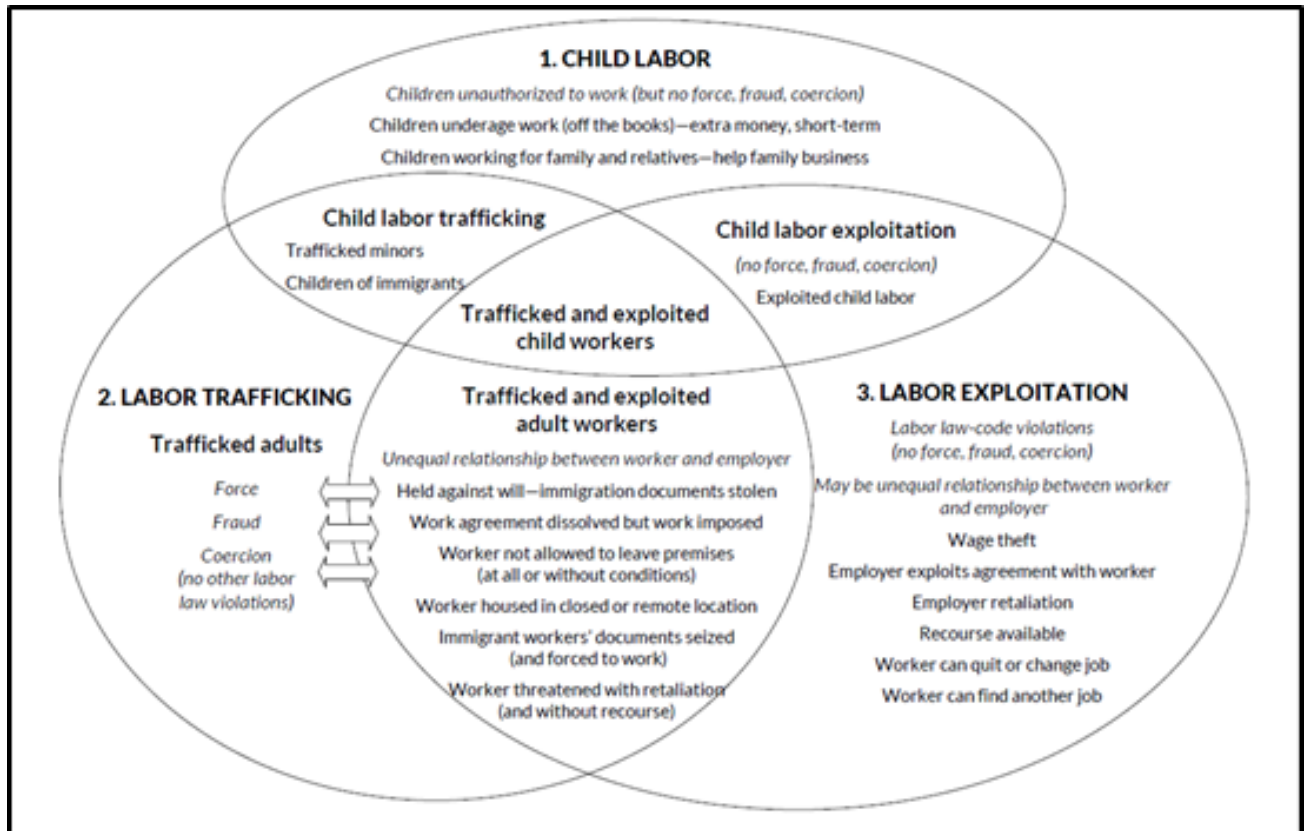
Screening Reports of Child Sex Trafficking in Maryland from June 2013- December 2022



Appendix A. 2013-2022 Child Electronic Social Services Information Exchange (CHESSIE), Child Juvenile & Adult Management System (CJAMS); DHS- SSA, as analyzed and reported by the Prevention of Adolescent Risks Initiative, University of Maryland, Baltimore School of Social Work

Appendix B

Venn Diagram of Labor Exploitation, Child Labor, and Labor Trafficking



Appendix B. Owens, C., Dank, M, Breau, J., Bañuelos, I., Farrell, A., Pfeffer, R., Bright, K. Heitsmith, R., & McDevitt, J. (2014, October). *Understanding the organization, operation, and victimization process of labor trafficking in the United States*. Urban Institute

Appendix C

Problems with Child Labor and Youth at Work: Survey of Youth-serving Professionals

For the purpose of this research, the survey below is intended to document problems related to labor and work of children and youth seen by youth serving professionals in Maryland.

Your individual responses are anonymous but will be seen by members of the evaluation team.

Participation in this survey is voluntary. We encourage you to respond to the survey at a time and place that will give you the level of privacy you are comfortable with. Numeric results will be aggregated and reported as average scores. Open-ended comments may be reported exactly as you write them, so please consider this when writing your comments if you wish to remain anonymous. The aggregate study findings will be shared with the organizations who participated in the study, including the Maryland Department of Human Services and the Maryland Department of Juvenile Services, and may also be published.

Please contact Nadine Finigan-Carr, PhD (nfinigan-carr@ssw.umaryland.edu or 410-706-7157) if you have any questions or concerns about the survey. Thank you for your participation.

I acknowledge that I have read and understood the information above, and I assert:

- ☐ Agree to participate in the survey
- ☐ I am NOT interested in participating in the study at this time

1. What is your gender?

2. What is your race/ethnicity? (choose all that apply)

- ☐ African American
- ☐ American Indian/Alaska Native
- ☐ Asian/Pacific Islander
- ☐ Caucasian
- ☐ Hispanic/Latino(a)
- ☐ Other (type in) _____

3. What is your current field of work? (please mark one)

- ☐ Child Welfare
- ☐ Juvenile Justice
- ☐ Education
- ☐ Mental Health
- ☐ Other (type in) _____

4. What is your current position within your field? (please mark one)

- ☐ Child Welfare Supervisor or Administrator
- ☐ Child welfare caseworker

- ☐ Child Protective Investigator
- ☐ Juvenile Justice Supervisor or Administrator
- ☐ Juvenile Justice caseworker
- ☐ Juvenile justice correctional or probation officer
- ☐ School-based counselor, social worker or teacher
- ☐ Other (type in) _____

5. How long have you worked in your current field?

- ☐ Years _____
- ☐ Does Not Apply
- ☐ Months _____

6. What Maryland jurisdictions have you worked in since 2000?

- ☐ My position is statewide
- ☐ Allegany County
- ☐ Anne Arundel County
- ☐ Baltimore County

- ☐ Baltimore City
- ☐ Calvert County
- ☐ Caroline County
- ☐ Carroll County
- ☐ Cecil County
- ☐ Charles County
- ☐ Dorchester County
- ☐ Frederick County
- ☐ Garrett County
- ☐ Harford County
- ☐ Howard County
- ☐ Kent County
- ☐ Montgomery County
- ☐ Prince George's County
- ☐ Queen Anne's County

- ☐ Somerset County
- ☐ St. Mary's County
- ☐ Talbot County
- ☐ Washington County
- ☐ Wicomico County
- ☐ Worcester County

7. Have you worked with children or youth under 18 who have been coerced or controlled by another person or entity for their labor (commercial and noncommercial labor)?

- ☐ Yes
- ☐ No

If yes,

7a. Please estimate how many children / youth have you worked with in the above mentioned situation in your career?

7b. Please list the types of work the children / youth were doing in these cases (e.g., domestic service, retail, child care, sales, etc.), sharing as much detail as you can while preserving their confidentiality.

7c. In general, what was your response to youth who experienced this problem (mark all that have applied to your cases like this)?

- ☐ Provided or linked to basic services (shelter, food, clothing)
- ☐ Provided or linked to mental health counseling
- ☐ Contacted law enforcement
- ☐ Contacted the Department of Labor
- ☐ Provided emotional support
- ☐ Brought to a medical doctor
- ☐ Reported the situation to Child Protective Services as Child Labor Trafficking
- ☐ Provided help leaving the situation
- ☐ Provided help in finding a new job / income
- ☐ Did not provide additional help beyond what I was already doing for the child / youth

☐

Any other response _____

7d. How likely are you to work with children / youth in that situation in the future?

- ☐ Very Unlikely
- ☐ Unlikely
- ☐ Neutral: Neither unlikely nor likely
- ☐ Likely
- ☐ Very Likely

8. Have you worked with children or youth under 18 who have been defrauded (lied to) about the terms of their employment (i.e., work conditions, living conditions, hours, or pay)?

- ☐ Yes
- ☐ No

If yes,

8a. Please estimate how many children / youth have you worked with in that situation in your career?

8b. Please list the types of work the children / youth were doing in these cases (e.g., domestic service, retail, child care, sales, etc.), sharing as much detail as you can while preserving their confidentiality.

8c. In general, what was your response to youth who experienced this problem (mark all that have applied to your cases like this)?

- ☐ Provided or linked to basic services (shelter, food, clothing)
- ☐ Provided or linked to mental health counseling
- ☐ Contacted law enforcement
- ☐ Contacted the Department of Labor
- ☐ Provided emotional support
- ☐ Brought to a medical doctor
- ☐ Reported the situation to Child Protective Services as Child Labor Trafficking
- ☐ Provided help leaving the situation
- ☐ Provided help in finding a new job / income
- ☐ Did not provide additional help beyond what I was already doing for the child / youth

☐

Any other response _____

8d. How likely are you to work with children / youth in that situation in the future?

- ☐ Very Unlikely
- ☐ Unlikely
- ☐ Neutral: Neither unlikely nor likely
- ☐ Likely
- ☐ Very Likely

9. Have you worked with children or youth under 18 who have been in debt bondage (a person who provides services to pay off money they owe to another person)?

- ☐ Yes
- ☐ No

If yes,

9a. Please estimate how many children / youth have you worked with in that situation in your career?

9b. Please list the types of work the children / youth were doing in these cases (e.g., domestic service, retail, child care, sales, etc.), sharing as much detail as you can while preserving their confidentiality.

9c. In general, what was your response to youth who experienced this problem (mark all that have applied to your cases like this)?

- ☐ Provided or linked to basic services (shelter, food, clothing)
- ☐ Provided or linked to mental health counseling
- ☐ Contacted law enforcement
- ☐ Contacted the Department of Labor
- ☐ Provided emotional support
- ☐ Brought to a medical doctor
- ☐ Reported the situation to Child Protective Services as Child Labor Trafficking
- ☐ Provided help leaving the situation
- ☐ Provided help in finding a new job / income
- ☐ Did not provide additional help beyond what I was already doing for the child / youth

☐

Any other response _____

9d. How likely are you to work with children / youth in that situation in the future?

- ☐ Very Unlikely
- ☐ Unlikely
- ☐ Neutral: Neither unlikely nor likely
- ☐ Likely
- ☐ Very Likely

10. Have you worked with children or youth under 18 who were forced to cultivate, sell, and/or transport drugs?

- ☐ Yes
- ☐ No

If yes,

10a. Please estimate how many children / youth have you worked with in that situation in
your career?

10b. Please list the types of work the children / youth were doing in these cases (e.g., domestic service, retail, child care, sales, etc.), sharing as much detail as you can while preserving their confidentiality.

10c. In general, what was your response to children and youth who experienced this problem (mark all that have applied to your cases like this)?

- ☐ Provided or linked to basic services (shelter, food, clothing)
- ☐ Provided or linked to mental health counseling
- ☐ Contacted law enforcement
- ☐ Contacted the Department of Labor
- ☐ Provided emotional support
- ☐ Brought to a medical doctor
- ☐ Reported the situation to Child Protective Services as Child Labor Trafficking
- ☐ Provided help leaving the situation
- ☐ Provided help in finding a new job / income

☐

youth

Did not provide additional help beyond what I was already doing for the child /

☐

Any other response _____

10d. How likely are you to work with children / youth in that situation in the future?

☐

Very Unlikely

☐

Unlikely

☐

Neutral: Neither unlikely nor likely

☐

Likely

☐

Very Likely

11. Have you worked with children or youth under 18 who were forced to steal, sell and/or transport weapons or stolen goods?

☐

Yes

☐

No

If yes,

11a. Please estimate how many children / youth have you worked with in that situation in your career?

11b. Please list the types of work the children / youth were doing in these cases (e.g., domestic service, retail, child care, sales, etc.), sharing as much detail as you can while preserving their confidentiality.

11c. In general, what was your response to youth who experienced this problem (mark all that have applied to your cases like this)?

- ☐ Provided or linked to basic services (shelter, food, clothing)
- ☐ Provided or linked to mental health counseling
- ☐ Contacted law enforcement
- ☐ Contacted the Department of Labor
- ☐ Provided emotional support
- ☐ Brought to a medical doctor
- ☐ Reported the situation to Child Protective Services as Child Labor Trafficking
- ☐ Provided help leaving the situation
- ☐ Provided help in finding a new job / income

☐

youth

Did not provide additional help beyond what I was already doing for the child /

☐

Any other response _____

11d. How likely are you to work with children / youth in that situation in the future?

☐

Very Unlikely

☐

Unlikely

☐

Neutral: Neither unlikely nor likely

☐

Likely

☐

Very Likely

12. Have you worked with children or youth under 18 whose important documents (such as documents related to work, immigration, citizenship etc.) were forcibly taken away by their employers/recruiters or any other individual?

☐

Yes

☐

No

If yes,

12a. Please estimate how many children / youth have you worked with in that situation in your career?

12b. What types of work the children / youth were doing in these cases? Please select all that apply.

- ☐ Domestic services
- ☐ Construction work
- ☐ Agricultural activities
- ☐ Child care/ Elderly care
- ☐ Manufacturing
- ☐ Hospitality
- ☐ Mining or drilling
- ☐ Transportation
- ☐ Illicit activities
- ☐ Any other activities _____

12c. In general, what was your response to youth who experienced this problem (mark all that have applied to your cases like this)?

- ☐ Provided or linked to basic services (shelter, food, clothing)
- ☐ Provided or linked to mental health counseling
- ☐ Contacted law enforcement
- ☐ Contacted the Department of Labor
- ☐ Provided emotional support
- ☐ Brought to a medical doctor
- ☐ Reported the situation to Child Protective Services as Child Labor Trafficking
- ☐ Provided help leaving the situation
- ☐ Provided help in finding new job/ income opportunities
- ☐ Did not provide additional help beyond what I was already doing for the child/
youth
- ☐ Any other response _____

12d. How likely are you to work with children / youth in that situation in the future?

- ☐ Very unlikely
- ☐ Unlikely
- ☐ Neutral: Neither unlikely or likely

☐ Likely

☐ Very likely

13. Please share any additional insights about your experience of working with children and youth impacted by problems with labor and work:
