

Minnesota Safe Harbor

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Minnesota Department of Health

Safe Harbor Nationally

- ▶ Safe Harbor laws treat minors engaged in prostitution as victims who need services and generally are immune from prosecution.
- ▶ Federal legislation ‘Justice for Victims of Trafficking Act of 2015’
- ▶ Additional states have passed laws that fulfill some aspects of Safe Harbor laws
- ▶ Decriminalization/Diversion, Services, Training, Funding, Task Force, Forfeiture

Safe Harbor

- ▶ The state of Minnesota's model to respond to sexually exploited youth and hold perpetrators accountable
- ▶ Recognizes that sexual exploitation is a public health and public safety issue
- ▶ Multidisciplinary and multijurisdictional

Safe Harbor Law

Included definition of sexually exploited youth in Minnesota's child protection statutes/laws (effective: 2011)

Increases penalty against purchasers of adult victims ("Johns") (effective: 2011)

Excluded sexually exploited youth under 18 from the definition of a delinquent child (effective: August 2014)

Delayed effective date of decriminalization until 2014

Ordered development of a statewide model response

Child Protection & Criminal Law

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Child Protection

- ▶ Effective August 1, 2014 sexually exploited youth (under 18) are treated as victims not criminals.
 - ▶ Removed from delinquency sexual contact for hire. Minn. Stat. § 260B.007, subd. 6(c).
 - ▶ Added 'sexually exploited youth' to Child in Need of Protection or Services (CHIPS) definitions § 260C.007, subd. 6(11).
 - ▶ Definition of SEY very broad in § 260C.007, subd. 31 - includes criminal sexual conduct, sex trafficking, minor involving sexual performance, and sexual conduct for hire.

Child Protection Law

County Attorneys interpret involvement in prostitution as a mandatory report, regardless of whether the perpetrator is in a position of authority or non-familial. § 626.556, subd. 2(d).

- ▶ Differences in interpretation regarding non-familial perpetration.
- ▶ “Sexual abuse” must be reported to law enforcement or child protection (and cross-reported between these agencies). § 626.556, subd. 3.

Criminal Law: Sex Trafficking

- ▶ § 609.322 (“Solicitation, inducement, and promotion of prostitution; sex trafficking”)
 - ▶ solicit or induce prostitution
 - ▶ promote prostitution
 - ▶ knowingly receive profit derived from prostitution or promotion of prostitution, or
 - ▶ engage in sex trafficking
- ▶ No requirement to prove force, fraud, or coercion, even with adult victims
- ▶ No defense for consent or mistake of age
- ▶ Increased penalties for sex trafficking
- ▶ § 609.324 Buying sex from a minor of any age is now a felony

Safe Harbor/No Wrong Door Implementation

No Wrong Door Report

NWD published and presented to legislators 2013

- Recommendations for service delivery model
- Agreed upon values and philosophies

MN Department of Health

- Regional Navigators
- Statewide Director
- Comprehensive Services
- Evaluation
- Training and Protocol

MN Department of Public Safety

Ramsey County Attorney's Office

- Statewide Model Protocol
- Training law enforcement and prosecutors
- Regional Conferences

MN Department of Human Services

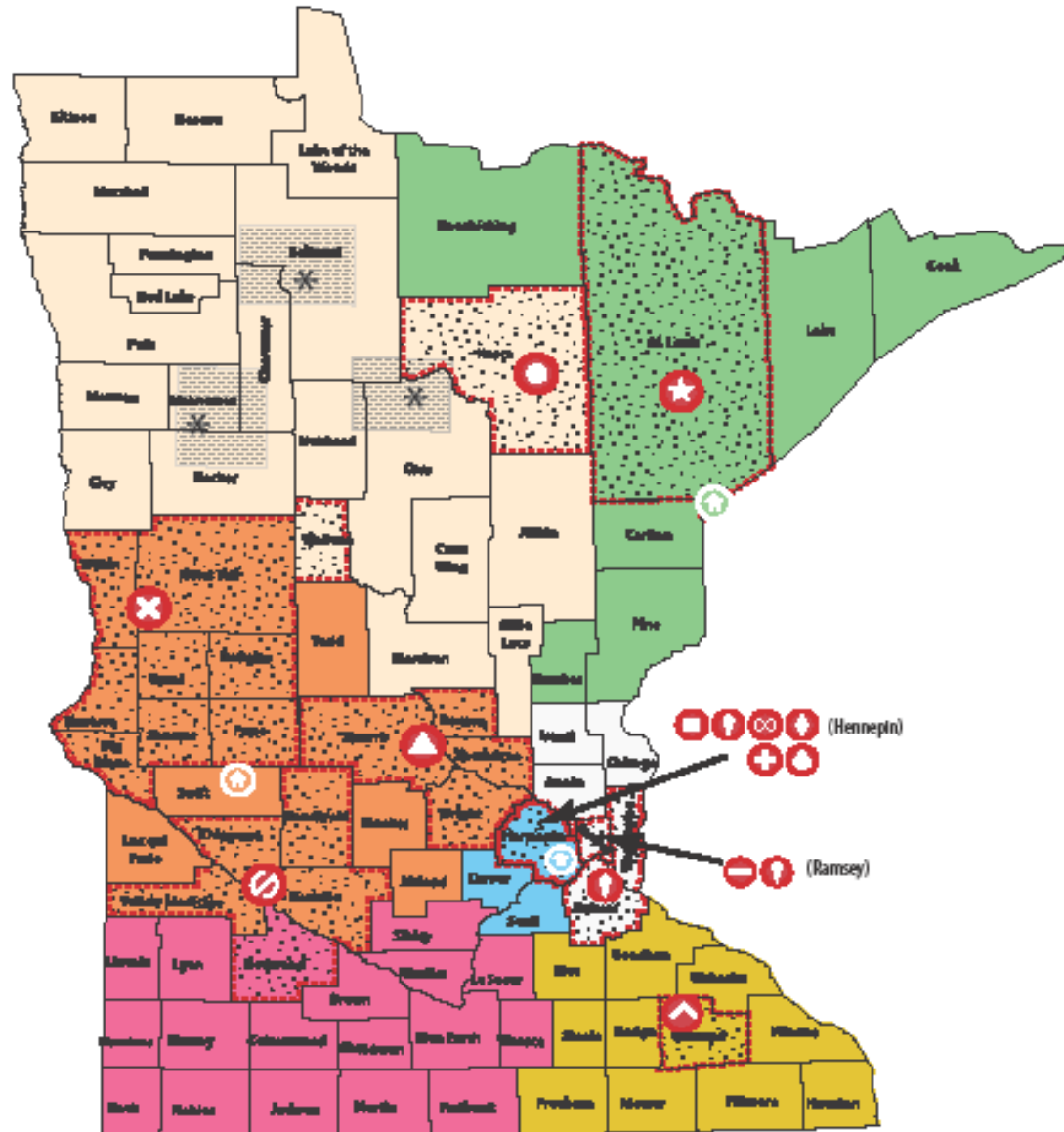
Shelter/ transitional, long term housing.

Outreach

Regional Navigators and Services

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Safe Harbor Funding 2014-2015



Regional Navigator

-  American Indian Navigator:
DOVE (Down On Violence Everyday) White Earth
-  West Central: Heartland Girls Ranch
-  Metro West: The Link
-  Metro East: Breaking Free
-  Northeast: PAVSA (Program to Aid Victims of Sexual Assault)
-  Northwest: Support within Reach
-  Southeast: Olmsted County Victim Services
-  Southwest: Southwest Crisis Center

Housing

-  The Link - Minneapolis
-  Heartland Girls Ranch - Benson
-  Life House - Duluth

Services

-  Central MN Sexual Assault Center
-  Children's Hospitals and Clinics MN (Children's Healthcare)
-  Cornerstone Advocacy Services
-  The Family Partnership
-  Hmong American Partnership
-  The Link
-  Mid-Minnesota Legal Aid, Inc.
-  Minnesota Indian Women's Resource Center
-  North Homes Children & Family Service
-  Olmsted County Victims Services
-  Program to Aid Victims of Sexual Assault
-  Someplace Safe
-  Lutheran Social Services

Map represents funding from both the Minnesota Department of Health (MDH) and Department of Human Services (DHS)

Shelter and Housing

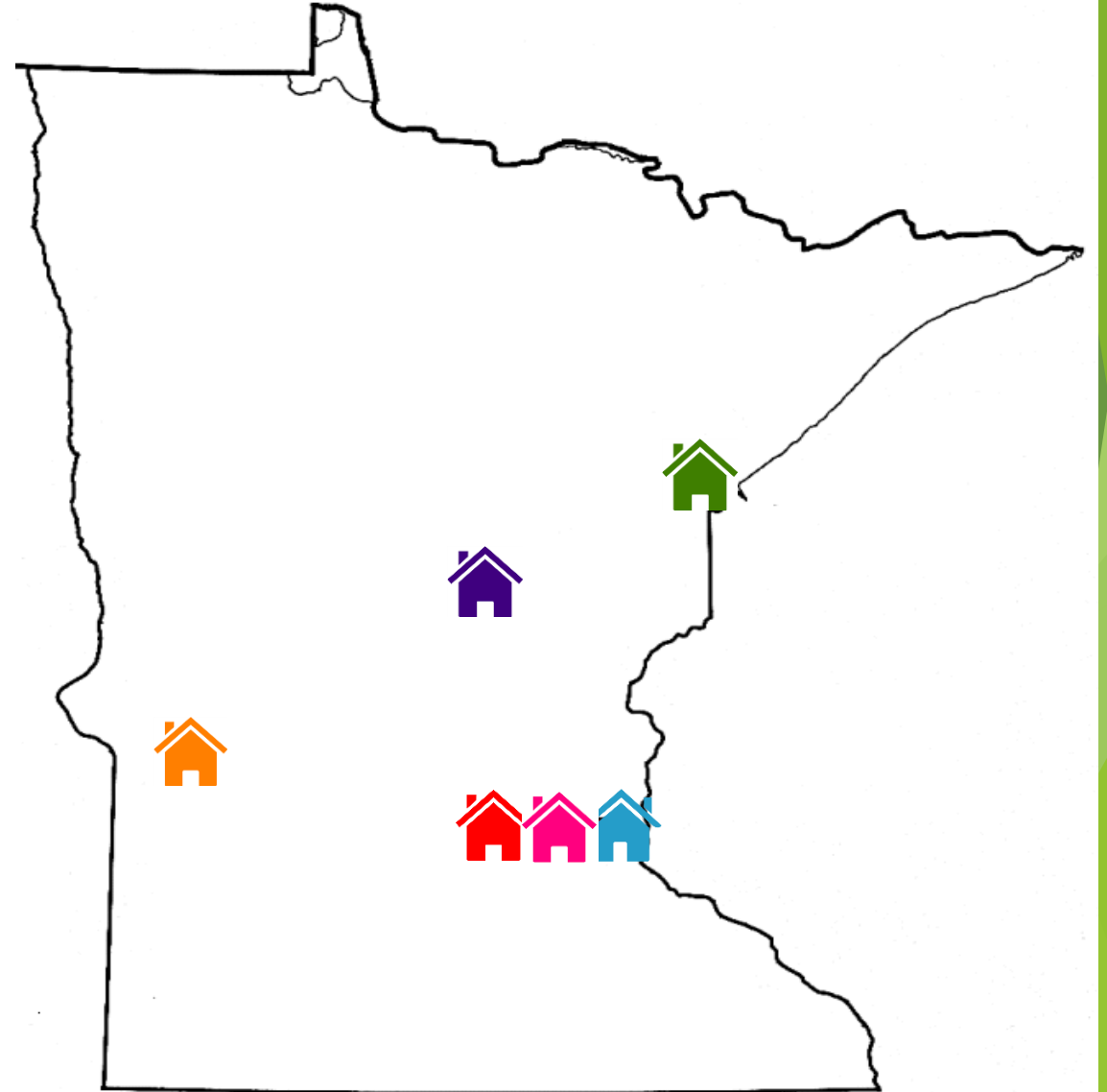
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Safe Harbor Shelter and Housing 2016-2017

TOTAL FUNDING = \$3 million/biennium

-  180 Degrees - St. Paul
 - ▶ Brittany's Place Shelter, 10 beds
-  Heartland Girls Ranch - Benson
 - ▶ Supportive Housing, 8-10 beds
-  Life House - Duluth
 - ▶ Safe Haven Shelter, 2 beds
 - ▶ SOL House Transitional Housing, 5 beds
-  Lutheran Social Service - Brainerd
 - ▶ Specialized Foster Care, 2 beds
-  The Link - Prior Lake
 - ▶ Passageways Shelter, 6 beds
 - ▶ Transitional Housing, 5 units
-  Tubman - Maplewood
 - ▶ Transitional Housing, 8 units

TOTAL CAPACITY = 48



Training and Protocols

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Statewide Training & Protocol Development

- ▶ Legislative direction to Ramsey County Attorney's Office:
 - ▶ Develop a statewide model protocol for systems professionals on identifying and intervening with exploited (and at-risk) youth
 - ▶ Disseminate best practices to systems professionals
 - ▶ Develop and deliver training to law enforcement and prosecutors

Other Training

- ▶ Statewide training for front line officers and investigators (roll call, resource cards).
- ▶ Training for human services staff by The Link (2015-2016)
- ▶ Conference for US, tribal, and county attorneys (fall 2015)
- ▶ Tribal conference (early 2016)
- ▶ Regional multidisciplinary conferences, cosponsored by the MN Department of Health (2015-2016)

Statewide Model Protocol

- ▶ Spring 2014 to fall 2015, led by Sexual Violence Justice Institute at MNCASA
- ▶ Input:
 - ▶ Advisory panel drawn from many statewide groups
 - ▶ Fifteen multidisciplinary workgroups - child protection, juvenile corrections, medical, judges, law enforcement, etc.
 - ▶ Feedback from survivors, youth, judges, & cultural populations
- ▶ Output:
 - ▶ Resource for communities to use to develop their own protocol
 - ▶ Model tools, checklists, and other resources
 - ▶ Not a “fill-in-the-blanks” template
- ▶ Developed in parallel with individual community protocols - the two processes reinforce one another

Evaluation

What's happened the first year?

Evaluation

- ▶ MDH Commissioner must report to the legislators September 1, 2015 on the progress of No Wrong Implementation including:
 - ▶ Increased coordination of investigations across the state
 - ▶ Increased in amount of services available to SEY
 - ▶ And increase effectiveness of services offered
- ▶ Regional Navigators served 163 at-risk and exploited youth
- ▶ Service Grantees served 121 at-risk and exploited youth
- ▶ Some notable differences between metro and greater MN.

Successes

- ▶ MN has strong programs and service providers; domestic violence, sexual violence, homeless youth, etc
- ▶ Training of professionals on trafficking, identification and NWD model successful.
- ▶ Effective navigator role
- ▶ Decriminalization
- ▶ Availability of funding and resources
- ▶ Separate residence and group services for SEY
- ▶ Multidisciplinary approach

Challenges

- ▶ Lack of funding
- ▶ Lack of cohesion throughout the state (various task forces, some professionals not collaborating)
- ▶ Navigator Role
- ▶ Lack of clarity around mandated reporting
- ▶ Implementation in tribal communities
- ▶ Debate over locked placements for youth
- ▶ Self-determination, voluntary services for youth victims
- ▶ Identifying clients

Recommendations

- ▶ State should seek full funding
- ▶ Expand the age limit
- ▶ More services including 24 hour triage, outreach and transportation as well as males and specific cultural groups
- ▶ More housing
- ▶ More collaboration
- ▶ More prevention

Questions?

- ▶ Thank you
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