

Welcome & Introductions

Shawndell Dawson, Program Specialist
Family Violence Prevention and Services Program (FVPSA)

✓ http://www.acf.hhs.gov/programs/fysb/news/human-trafficking-and-fysb

Mary Atlas-Terry, Victim Justice Program Specialist Off. for Victims of Crime (OVC)

√ http://ovc.ncjrs.gov/topic.aspx?topicid=37

Nancy Wan, Program Coordinator
Asian & Pacific Islander Institute on Domestic Violence

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Core Value in Federal Plan: Survivor-Centered

Victim services should promote safety, healing, justice, and rights for victims, and should empower them to participate in efforts to bring traffickers to justice.

Survivors play a key role in elevating understanding and awareness of human trafficking, improving service delivery, and informing policy.

Federal Strategic Action Plan on Services for Victims of Human Trafficking in the United States 2013-2017



Learning Objectives

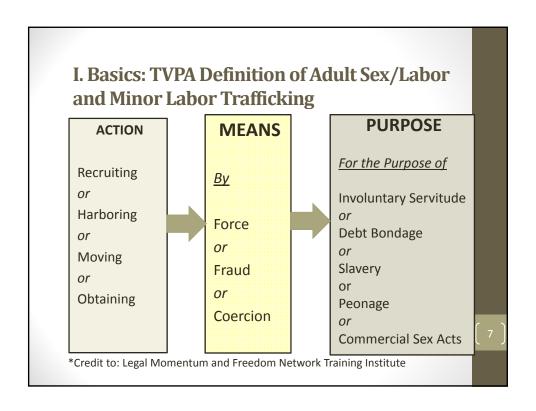
- 1. <u>Define</u> human trafficking, types and trends
- 2. <u>Analyze</u> root causes, socioeconomic factors for different forms of human trafficking
- Identify critical considerations and interventions at points of contact to formulate collaborative partnerships
- 4. Learn about legal remedies
- 5. <u>Understand</u> trauma from repeated victimization, how this influences helpseeking behavior, and how trauma-informed practices can guide case management

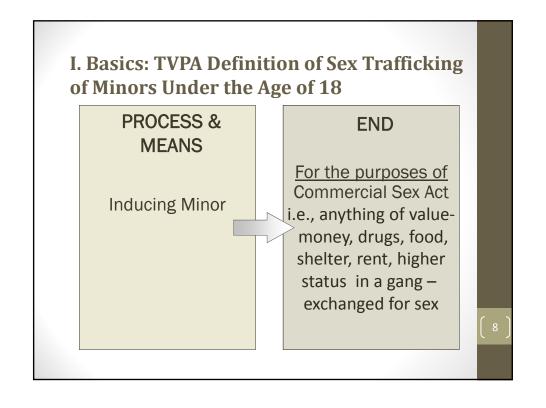
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Content

- I. <u>Basics</u> Definitions, types, trends
- II. Analysis Root causes, intersections
- III. <u>Trauma-Informed Advocacy</u> Trauma, types, trauma-informed care, help-seeking
- IV. <u>Points of Contact</u> Considerations, recommendations, inter-agency collaboration
- V. <u>Legal remedies</u>
- VI. Resources

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Definitions, cont.
Commercial Sexual Exploitation of Children (CSEC) refers to a range of crimes including:

- Recruiting enticing, harboring, transporting, providing, obtaining, and/or maintaining (acts that constitute trafficking) a minor for the purpose of sexual exploitation;
- Exploiting a minor through prostitution;
- Exploiting a minor through survival sex;
- Using a minor in pornography;
- Exploiting a minor through sex tourism, mail order bride trade, and early marriage; and
- Exploiting a minor by having her/him perform in sexual venues (e.g., strip clubs, peep shows).

I. Basics: Definitions

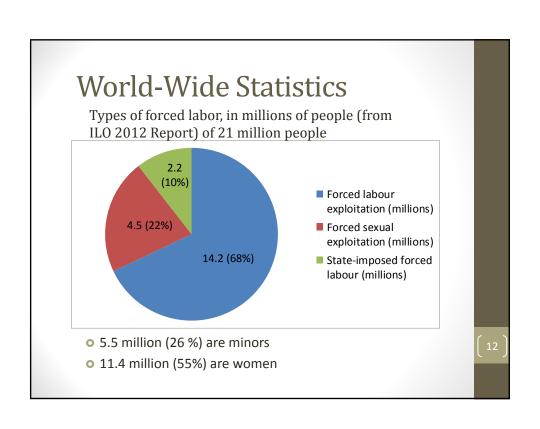
Trafficking is defined as:

- Recruitment, harboring, provision, receipt, transportation and/or obtaining of individuals
- Using force or threats, coercion, abduction, fraud and/or systems of indebtedness or debt bondage for purposes of sexual or other forms of economic exploitation

Human Smuggling is distinct from trafficking:

 It involves transporting individuals for a fee, across borders

Protection	Prosecution
Witness protection Benefits	New crimes Enhanced penalties
Prevention U.S. resources	Partnership Interagency collaboration Collaboration between countries Survivor-led input



U.S. Statistics

INTERNATIONAL TRAFFICKING

• 14,500 to 17,500 are trafficked into the U.S. each year

TRAFFICKED MINORS

- Commercially Sexually Exploited Children (CSEC): 12-14 year old girls and 11-13 year old boys are targeted by pimps
- 100,000 300,000 per year are <u>at risk</u> of commercial sexual exploitation
- Of 1.7 million runaways annually, only 1/3rd are reported missing by parents
- In the U.S., <u>estimated</u> average age of entry into prostitution is 12.

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U.S. Trafficking Cases & Victims

From the Trafficking in Persons Report, 2013

- DOJ Federal Prosecutions FY 2012: 128 cases involving 200 defendants (162, primarily in sex trafficking, 38 in labor)
- DOJ Federal Convictions FY 2012: 138 traffickers in cases of forced labor (33 cases), sex trafficking of minors & adults (105)
- OVC Services in FY 2012: More than 1,300 new victims identified and served, including U.S. citizens, foreign nationals, male and female, adults and minors.
- Immigration relief through T-visas, granted to 674 trafficking victims

In San Francisco, at API Legal Outreach Trafficking Client Snapshot

Gender	Male, female, transgender
Age range	7 to 75
Sample countries of origin	China, Egypt, Guatemala, Honduras, India, Indonesia, Kenya, Korea, Mexico, Nigeria, Nicaragua, Philippines, Taiwan, Thailand, Tonga, United States, Vietnam, etc.
Type of trafficking	Labor, sex, both

Polling Question

Have you become aware of labor trafficking cases

- a. Through your work
- b. Through your community
- c. Both
- d. None of the above

Polling Question

In which of the following settings, do you see the <u>most</u> labor trafficking:

- a. Agricultural / agri-business
- b. Hospitality industry, e.g., hotels, food service
- c. Domestic work: cleaning, care-giving
- d. Factory work

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Sample Human Trafficking Cases		
Agricultural Labor	Housekeeping and Janitorial Work	
Caregiving and Nursing	Hospitality Work	
Construction Work	Restaurant Work	
Domestic Servitude	Servile Marriage	
Fishing	Sex Work	
Forced Drug Smuggling and Sales	Teaching	

Who are the Traffickers?

Traffickers are often:

- Members of the victim's own community
- Related to the victim through immediate or extended familial ties
- May be fluent in English as well as another language
- May have greater social or political status in their community or home country than their victims
- Locally and internationally organized criminal syndicates
 - Street gangs, drug cartels
 - Many have "diversified trafficking portfolios"—people who traffic humans often smuggle/sell drugs and guns
- "Mom-and-pop" family operations, often involving extended family
- Independently owned businesses
- Large, third-party labor recruiters
 - Contractors/agents that provide laborers for agricultural work, construction work, restaurants, janitorial services



II. Analysis: Root Causes of International Trafficking

International Trafficking Relies On:

- Exploitation of poverty by local recruiters/organized crime
- Exploitation of female poverty in particular
- Reliance on systems of indebtedness
- Complex push-pull factors: particularly civil unrest, gang violence, disasters.
- Demands for cheap, exploitable labor in globalized markets
- Some countries view trafficking as the only form of migration available to labor because all other approaches are closed or restricted. They advocate safe migration to prevent trafficking.

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II. Analysis: Root Causes of Sex Trafficking

<u>Gender oppression</u>: Culture of gender violence and devaluation normalizes abusing women and girls; and LGBTQ individuals.

Male demands for commodified sex: Trafficking relies on

- Extent of male demand e.g., an estimated 100 k DMST victims, turning 10 tricks/day = 1 million male buyers/year;
- Changing trends amongst buyers e.g., paying higher prices for sex with younger girls.

<u>Predation, Impunity</u>: Nexus of (mostly) male predatory behavior and impunity is seen as normal masculinity

Money: organized crime, pimps find it lucrative w/ fewer penalties and losses than drugs and arms trafficking.

II. Analysis: Root Causes | Control Dynamics in Minor Sex Trafficking in U.S.

Exploitation of female vulnerability due to abuse, neglect, devaluation → increased vulnerability to predation

Exploitation of male vulnerability, often (but not only) due to LGBTQ identity, and due to abuse

Dynamics of Control in Domestic Minor Sex Trafficking (DMST)

Pimp-controlled: targeted recruitment; grooming; turning out

Family-controlled: incest, sexual abuse, trading, buying and selling

Gang-controlled: recruitment by girls, blackmail, threats, violent

Trans-controlled: straight or gay boys trafficked by trans-men

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Polling Questions

Have you become aware of sex trafficking cases

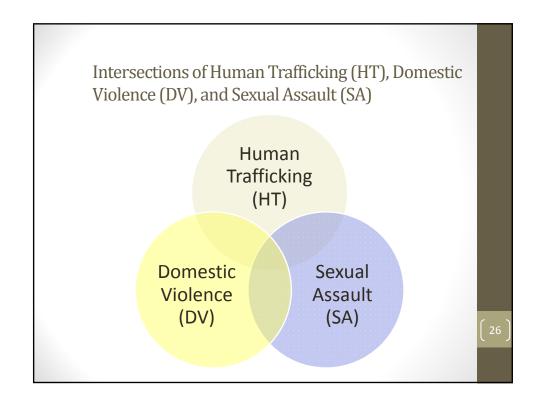
- a. Through your work
- b. Through your community
- c. Both
- d. None of the above

What are the <u>most</u> prevalent type of sex trafficking cases you are aware of?

- a. Sex trafficking of adults
- b. Sex trafficking of minors
- c. Mix of both

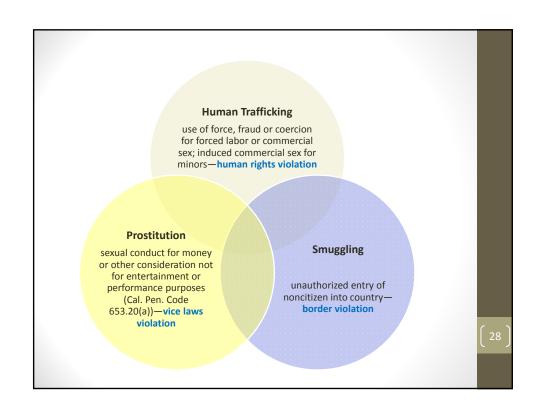
II. Analysis: Intersections of Abuse Melinda's Story: Intersection of domestic violence, sexual assault and trafficking

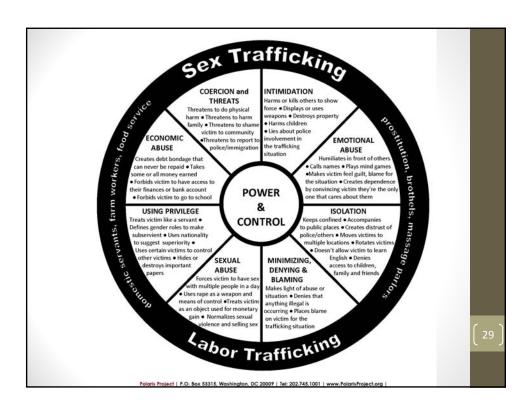
Melinda, <u>fearing that her abusive husband would kill her</u>, entered the United States by land with the hope of applying for asylum. She was caught at the border and was released on bond to Washington state, where she had friends. She was kidnapped 3 months later, held hostage at gunpoint and <u>raped many times</u> by her kidnapper. Her kidnapper <u>forced her to harvest apples</u> for over ten hours a day for two months and took all of her money.



II. Analysis: Intersecting Oppressions

- All forms of trafficking are rooted in oppression, power and control, and violence
- International and domestic trafficking victims can be subject to both labor and sex trafficking
- Domestic violence and trafficking can co-exist based on the same set of facts:
 - Servile marriage
 - Forced prostitution and sex work
 - Minors forced into sex work or other labor by family members
- Many trafficking survivors have previous family violence/domestic violence/sexual assault history

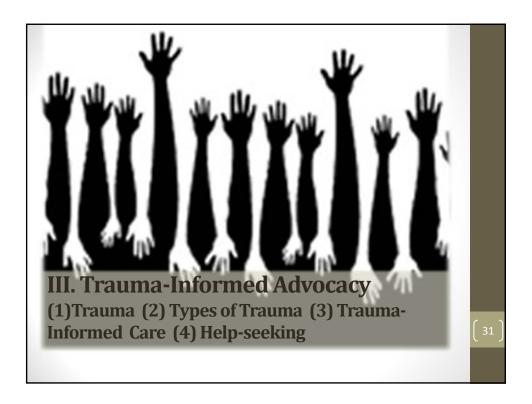




Polling Question

Based on your work or your community, in which setting is sex trafficking <u>most</u> prevalent:

- a. Massage parlor
- b. Street
- c. Brothel
- d. Hotel/motel



1. Trauma Is:

A deeply distressing or disturbing experience. Emotional shock because of:

- Catastrophic events
- Physical injuries
- Threats of harm
- Acts of violence
- Dislocation and loss of home, family, country, children

2. Our Understanding of Trauma Includes:

- PTSD: Post-Traumatic Stress Disorder
- Chronic Trauma: repetitive, prolonged
- Historical Trauma: inter-generational, trauma due to historical oppression
- Community, cultural and systems-inflicted trauma
- Insidious Trauma: causing harm gradually
- Secondary or Vicarious Trauma

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III. Trauma-Informed Advocacy

3. Trauma Can Compromise:

- Health (ACE studies)
- Mental health (severe childhood maltreatment raised risk of psychosis in adulthood three-fold
- Neurochemistry, neurobiology, brain architecture
- Coping strategies (e.g., substance abuse)
- Ability to heal from psychological & physical injuries
- Cognitive development, learning ability
- Attachment to, and relationships with children, adults
- Sexual pleasure, relationships to our bodies
- Sense of self, acculturation, belonging

4. Trauma-Informed Lens Involves:

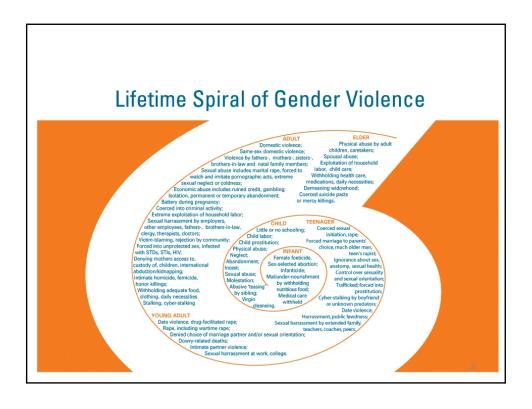
- A basic knowledge of trauma and its impact
- Understanding <u>trauma</u> <u>triggers</u> (victims' and one's own) to minimize re-traumatization
- Providing <u>information</u> about trauma to victims
- Helping survivors <u>manage feelings</u>, feel in <u>control</u> of situations, <u>give in put</u> on program/services
- Supporting <u>emotional</u> <u>safety</u> for victims and staff
- Philosophically, asking
 - "What has happened to you?"
 - Not "What's wrong with you?"

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III. Trauma-Informed Advocacy

5. Histories of Abuse over Lifecourse

- Physical and/or sexual abuses and neglect that can start early in the lifecourse
- Multiple types of victimization from various abusers
- Repeated victimization on a daily basis
- Dangers and threats of violence from traffickers, buyers, employers
- Failed attempts at help-seeking
 - ... But the vocabulary of victimization used by advocates or helpers may not be meaningful to them (e.g., sexual abuse)



6. Help-seeking in the present is affected & influenced by past help-seeking attempts. Consider some of the factors

Exposure to multiple forms of abuses by range of abusers

Shrinks the pool of notential helpers: income

potential helpers; increases danger

Contexts of societal oppressions e.g., against LGBTQ youth

Diminishes access, increases barriers to services;

increases abusers' impunity

Negative actions and attitudes of helpers

Colors ability to trust others and/or one's own judgment;

Victim-blaming, questioning veracity

Diminishes credibility, deepens internalized devaluation, causes confusion

7. Complex Traumas and Oppressions

Considerations about Trafficked Women & Girl's Lives

- Contexts of oppression, violence, ambivalence, conflict
- Internalized devaluation runs deeper in cultures, homes that devalue/abandon daughters, reject LGBTQ kids
- Victims from abusive homes/environments may flee traumatic family bonds: be angry, resigned, emotionally attached to "[pimp] daddy", decide to tolerate conditions
- These can be strengths, sources of resistance, selfprotectiveness
- In groups of survivors, there will be differing degrees of loyalty, attachment, sexual jealousy to traffickers/pimps, so some may be hostile witnesses
- Important to prepare for investigation and/or trial; and not to pathologize survivor

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III. Trauma-Informed Advocacy

7. Complex Traumas & Oppressions (cont.)

Considerations about Trafficked Women & Girl's Lives

- Behaviors are often based on extreme fear for self, kids, family in home country or in U.S.
- Returning home doesn't create safety; it can bring shame, scorn, danger
- Labels like 'child prostitute' 'sex slave' are stigmatizing and can hinder future integration into community/family
- Help-seeking is affected by attitudes of helpers
- Trauma of trafficked minors is severe given age & childhood history of physical and sexual abuse, neglect
- Urgent need to develop programs and tailored services that are both trauma-informed and offer trauma-specific interventions to promote healing.

"Tell me about the moment you knew you'd survive"



IV. Points of Contact: Collaboration to Provide Survivor-Centered, Trauma-Informed Advocacy

Anti-trafficking efforts should be victimcentered and culturally-relevant, holistic, comprehensive, evidence-based, genderresponsive, and trauma-informed.

Federal Strategic Action Plan

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Red Flags: Identifying Victims

- Evidence of abuse (physical, mental or sexual)
- Someone else is controlling identity and/or travel documents
- Working unusually long hours
- Unpaid or paid very little
- · Living at workplace or with employer
- Heightened sense of general fear (for self and family), unusual distrust of law enforcement and authority figures
- Minors and youth
 - Not in school or significant gaps in schooling in the US
 - Inability to speak to the minor/youth alone
 - Minors and youth engaged in prostitution or sex acts, especially in exchange for money, food, shelter, drugs, etc.

Questions for potential victims

- Recruitment (in U.S. or abroad)
- Manner of entry into U.S.
- Type and length of labor
- Amount of payment
- Deductions for cost of smuggling, transportation, housing, food, etc.
- Abuse/coercion (physical, sexual, psychological, legal process)
- Isolation from community
- Possession of identity/travel documents
- Living arrangements
- Heightened sense of fear

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Terminology

- Some people may not understand or may be put off by broad concepts like "rape," "abused," "battered," "domestic violence," or "trafficking"
- Confusing words and terms for "trafficking"
- Different understanding of the words "threat,"
 "isolation," and "movement"

Endangerment & Confidentiality

Considerations

- Endangerment increases based on complexity and extent of case and stage of the investigation; may depend on the stage at which victims escape; number of group victims
- Confidentiality and privilege can get compromised w/multiple systems involvement and need to preserve evidence and paper trail

Recommendations for All Parties

- Inter-agency collaboration is critical to avoiding misunderstandings and breaks in confidentiality.
- Differentiated safety planning is necessary when working with groups of trafficked women and girls.
- Careful consideration is needed when serving trafficked minors in foster/group home, or runaway homeless youth shelter.

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In the Chat...

Tell us about points of contact you see and how they provide an opportunity to assist and provide referrals

IV. Points of Contact (1) Raids

Considerations

- Raids traumatize victims (potential jail time, increased suicide risks, desire to repatriate immediately)
- · Identifying victims may be difficult
 - Most are coached to lie and not tell the truth
 - Some are former victims who have become middle management and/or traffickers
 - Some have broken the last act of trafficking and have willingly returned to sex work, not as victims
- Problems housing large group of victims at short notice; even co-locating them given collusion of facts, power dynamics

Recommendations for Advocates & Law Enforcement

- Both groups should develop protocol for coordinated response to go into effect after a raid to meet victim needs and separate out traffickers
- Have interpreters for police interviews and bilingual advocates for victim services available

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IV. Points of Contact: (2) Arrest Considerations

- Trafficked individuals typically get arrested so it takes time and astute questioning for police officers to determine that they are victims, not criminals.
- Some who appear as victims may in fact be traffickers

Recommendations for Advocates & Law Enforcement

- Sort out carefully who the victims are; advocate for them to be recognized as such by police, other govt. agencies
- If a program encourages unidentified victims to come forward, coordinate your strategy with the police department
- Allow for discretionary referral to juvenile justice for all minor sex and labor trafficking cases
- Trafficking survivors should not be considered criminals based on the illegal nature of their work (e.g. selling drugs), or on their immigration status

IV. Points of Contact: (3) Custody & Release

Considerations

- Where is the person being held? Arrested adults can be held at an ICE detention center or jail; minors may be in ICE juvenile detention, Juvenile Hall, foster home, in private home w/ real (if any) or fictitious relatives.
- Who will they be released to? If traffickers/pimps post bond, police or ICE may release victims, but into whose 'custody' or care?

Recommendations

- Assess safety of release plan to ensure victims are not picked up by traffickers, and stay connected to advocates
- Scrutinize who minor victim is released to. Traffickers
 may pose as relatives; and the victim may claim them as
 such. Trafficked minors are emotionally attached to their
 pimp who they refer to as "daddy" "boyfriend" "family".

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IV. Points of Contact: (4) Legal

Representation & Investigation

Considerations

- <u>Lawyers sent by traffickers</u> will claim to represent victims but in fact protect traffickers' interests
- <u>Systems and procedures</u> will be frightening, making victims seem 'uncooperative'

Recommendations for Attorney & Advocate Collaboration (more to follow in Legal Remedies)

- Assess for conflicts of interest in group cases to ensure traffickers/mid-managers are not inadvertently represented
- Investigation process questioning, testifying, who the players are, offices they represent, their roles in investigation and prosecution of case should be explained well and often, and remain present with the victim
- Ensure all parties obtain certified interpreters for all steps of investigation, trial, etc.

IV. Points of Contact: (5) Shelter

Considerations

- Many federal agencies are involved → confusion, chaos
- Detailed case info may be unknown to shelter staff because of investigation process → non-disclosure causes tension w/other residents; staff conflicts
- Trafficked residents don't participate in shelter activities or programs → resentment at 'special' treatment

Recommendations for Shelter & Systems Staff

- Assign lead advocate to coordinate with federal agencies who may have access to &/or know shelter's location
- Provide services that will help w/post-investigation integration & can be learnt at shelter –basic life skills, ESL
- Runaway Homeless Youth Shelters: Assess risk to and needs of DMST victims based on pimp-, family-, gang-, or trans-controlled trafficking.

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IV. Points of Contact: (6) Healthcare System

Health & Mental Health Problems

Train health care providers to identify trafficked individuals, whose symptoms/problems can include: ,

- Hunger, starvation, malnutrition, lack of food security;
- Rape, coerced initiation by buyers, pimps, traffickers;
- Multiple pregnancies, multiple abortions;
- HIV/AIDS, STIs and STDs in sex workers; day laborers; untreated children from infected mothers;
- Substance abuse: can be forced by pimps/traffickers
- Branding (by pimps);
- Untreated chronic, acute health problems;
- Exhaustion from working long hours (18-20 hours);
- Sleep deprivation from living on streets, homelessness;
- Urinary Tract Infections from lack of toilets for farmworkers, due to sexual exploitation/abuse;

Healthcare, cont.

Health & Mental Health Problems (cont.)

- Depression, anxiety, isolation
- Fight, Flight, Freeze; exaggerated startle response
- Gynecological: pregnancy-related, lack of periods due to repeated Depo Provera use, forced abortions, lack of access to contraception, fistulas
- Skin rashes for farm workers from pesticide exposure
- Diseases uncommon to the U.S. e.g., Multi Drug Resistant (MDR) or extra-pulmonary tuberculosis
- Injuries multiple, repeated, from attacks by buyers, pimps, employers, other girls in pimp's 'stable'.
- Other health/mental health issues? Use Chat!

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IV. Points of Contact: (6) Healthcare

6. Medical Records

Considerations

- Medical or psychological tests and evaluations may be ordered by Federal Prosecutor, others, to establish sexual abuse, psychological harm, pregnancy, etc.
- Confidentiality: who has access to medical/therapy filestrafficker lawyers, pimp, trafficked minor's parents?
- Consent, treatment decisions

Recommendations for Providers & Advocates

- Determine who owns, receives and has access to reports/results, <u>especially for minors</u>
- Ensure victims, including minors & non-English speakers, understand consent, especially for treatment
- Have a trained medical interpreter at all appointments and follow-up conversations



Immigration Goal: legalization, ability to work, access benefits, and reunify with family	Civil Remedies Goal: civil justice, damages (\$) or injunction for victim	Victims' Rights in Criminal Justice System Goal: ensure victim's rights through criminal justice process designed to punish trafficker
Family Law Goal: protect victim, best interests of child	Juvenile System Goal: protect the minor; deter juveniles from future illegal acts	Dependency System Goal: protect the minor; ensure that the minor is in a safe placement

The Importance of Immigration Status

- VAWA and TVPRA Remedies: T visa, U visa, VAWA, Asylum, Special Immigrant Juvenile Status
- Severs dependence on potential abusers
- Protection from detention and deportation
- Ability to work legally
- Improved access family law remedies, such as protection orders and custody
- Path to lawful permanent residency and ultimately citizenship
- Increased access to public benefits, including housing
- Ability to travel to and from the U.S. (with some exceptions)

From Legal Momentum's Presentation, "Freedom from Fear: Helping Undocumented Victim of Domestic Violence," October 11, 2010



Resources (Brief List)

- Federal Strategic Action Plan on Services for Victims of Human Trafficking in the U.S., 2013-2017
 - http://www.ovc.gov/pubs/FederalHumanTraffickingStrategicPlan.pdf
- DHHS: Commitments from Family and Youth Services Bureau (FYSB) Fact Sheet www.acf.hhs.gov/sites/default/files/fysb/fysb facts trafficking sap 20140122.pdf
- OVC: www.ovc/ncjrs.gov/topic.aspx?topicid=37 Anti-Trafficking Task Force Strategy and Operations e-Guide, U.S. Resource Map of Crime Victim Services & Information
- Fact Sheet: Efforts to Combat Human Trafficking
- http://www.whitehouse.gov/the-press-office/2012/09/25/fact-sheet-obamaadministration-announces-efforts-combat-human-trafficking
- Resource Guide for Social Service Providers (by ORR)
 - http://www.apiidv.org/files/ORR Trafficking Svcs 9 30 11.pdf
- Federal & State Agencies (Brief List):
 - Department of Health & Human Services (DHHS); FVPSA Office
 - Dept. of Justice (DOJ)
 - Department of Labor (DOL)
 - Department of State
 - Equal Employment Opportunity Commission (EEOC);
 - · Office for Victims of Crime (OVC)
 - Office Of Refugee Resettlement (ORR);
 - U.S. Citizenship and Immigration Services (USCIS), Immigration and Customs Enforcement (ICE);

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Anti-Trafficking Resources

- Hotline: 888-373-7888 <u>Text</u>: BeFree (233733) <u>Resource Center</u> www.polarisproject.org
- Anti-Trafficking Organizations | Networks:
 - Anti-Slavery International <u>www.antislavery.org</u>
 - Free the Slaves www.freetheslaves.net
 - Freedom Network www.freedomnetworkusa.org
 - Global Alliance against Traffic in Women www.gaatw.org
 - Human Rights Watch: Labor, Exploitation & Trafficking
 http://www.hrw.org/topic/migration/exploitation-forced-labor-trafficking
- Victim Assistance Translation: Audio Tool in 40 Languages
 - U.N. http://www.ungift.org/knowledgehub/en/tools/vita.html
- For DMST | CSEC:
 - Courtney's House http://www.courtneyshouse.org
 - GEMS: http://www.gems-girls.org/
 - OJJDP: Office of Juvenile Justice & Delinquency Prevention
 - Shared Hope International <u>www.sharedhope.org</u>; 866-HER-LIFE
- Domestic Violence Programs Serving Trafficked Women
 - Contact API Institute info@apiidv.org; 415.568.3315 for listings

