

Survivors, Caretakers, and Access to Survivor Care

According to the Centers for Disease Control and Prevention (CDC), approximately 1 in 4 girls and 1 in 13 boys experience sexual abuse at some point during childhood.¹ NCMEC statistics also reflect increasing volumes of child sexual exploitation. Between 2020 and 2021, reports of potential child sexual exploitation to the National Center for Missing & Exploited Children's (NCMEC) CyberTipline increased by 35%.²



Centers for Disease Control and Prevention, Preventing Child Sexual Abuse

Child sexual exploitation is a significant but preventable adverse childhood experience (ACE) and a public health problem that can affect how a person thinks, acts, and feels over a lifetime, resulting in short- and long-term physical and mental/emotional health consequences. The stress and trauma that result from ACEs, including child sexual abuse and exploitation, can damage a child's brain and severely interfere with their health and development, with effects lasting well into adulthood. There are decades of research linking ACEs to an increased risk of developing chronic diseases and behavioral challenges, including obesity, autoimmune disease, diabetes, heart disease, poor mental health, alcoholism, and even reduced life expectancy by as much as 20 years.³ Survivors of child sexual abuse also attempt suicide at rates that are six times higher for men and nine times higher for women.⁴

Child sexual abuse also increases a person's risk for future revictimizations. Women survivors are 2 to 13 times more susceptible to future sexual victimization, and male and female survivors have twice the risk of suffering non-sexual intimate partner violence.⁵

¹ <https://www.cdc.gov/violenceprevention/childsexualabuse/fastfact.html>

² <https://www.missingkids.org/gethelpnow/cybertipline#bythenumbers>

³ <https://www.cdc.gov/violenceprevention/childsexualabuse/fastfact.html>

⁴ *Id.*

⁵ *Id.*

Despite the prevalence of child sexual exploitation, it is well-known that child sexual exploitation incidents are significantly underreported.⁷ One study indicates that almost 90 percent of child rape incidents go unreported.⁸ Consequently, victim identification of child sexual exploitation largely relies on self-disclosure. Research on complex trauma and the dynamics of child sexual exploitation indicate most victims delay disclosure of abuse until adulthood.⁹ Age, gender, intellectual ability, fear/shame, embarrassment, cultural norms/race, family dysfunction, relationship to the perpetrator, and nature of the abuse impact the ability or willingness of victims to disclose abuse. As a result, many survivors of child sexual abuse and their caregivers do not receive timely or adequate resources and support from the institutions that are commissioned to help them.

The cumulative impact of the physical, mental health, and behavioral consequences from child sexual exploitation also creates a heavy economic toll on the United States. In 2015, the CDC estimated the total lifetime economic cost of child sexual abuse in the United States to be at least \$9.3 billion.¹⁰ One study estimated the costs to be \$283,000 over the lifetime of each female survivor, which was significantly higher than that attributed to victims of physical child abuse (\$77,000).¹¹ Lack of data and difficulty fully estimating the appropriate valuation of quality-of-life lost make it difficult to accurately quantify the economic burden resulting from child sexual abuse. However, given the underreporting of these offenses, these initial figures likely underestimate the true financial impact of the problem.¹²

What is Complex Trauma?

Complex trauma describes both an individual's exposure to multiple traumatic events—often of an invasive, interpersonal nature—and the wide-ranging, long-term effects of this exposure. These events are severe and pervasive, such as abuse or profound neglect. They usually occur early in life and can disrupt many aspects of the child's development and the formation of a sense of self. Since these events often occur with a caregiver, they can interfere with the child's ability to form a secure attachment, inhibiting the child's healthy physical and mental development by removing their primary source of safety and stability.⁶

Internet-facilitated and commercial child sexual exploitation create additional aggravating impacts on survivors. Children whose sexual abuse imagery still circulates online decades after their abuse, suffer repetitive victimization that does not end when the child is recovered or a

⁶ <https://www.nctsn.org/what-is-child-trauma/trauma-types/complex-trauma>.

⁷ Delayed Disclosure A Factsheet Based On Cutting-Edge Research On Child Sex Abuse, Child USA, March 2020 <https://childusa.org/wp-content/uploads/2020/04/Delayed-Disclosure-Factsheet-2020.pdf>

⁸ <https://pubmed.ncbi.nlm.nih.gov/10391513/>.

⁹ <https://childusa.org/wp-content/uploads/2020/04/Delayed-Disclosure-Factsheet-2020.pdf>.

¹⁰ *Id.* at 1.

¹¹ *The Economic Burden of Child Sexual Abuse in the United States*, Elizabeth LeTourneau et al, *Journal of Child Abuse and Neglect*, vol 79, 413-422, 2018.

¹² Male and LGBTQI+ youth, children of color and indigenous victims often are not identified due to a variety of factors including gaps in services and public awareness.

criminal investigation concludes.¹³ Children enticed online are often subjected to escalating threats that compound a child’s victimization and can lead to increased feelings of hopelessness and suicidal ideation.¹⁴ Lack of resources to prevent and respond to this victimization creates a gap for these victims, who may be at risk for self-harm.

Survivor Story

“In the early 2000s, when the internet was still new and starting to enter homes, there was no internet safety education. I was groomed online. I was 13 years old. I thought I was talking to a boy my own age, and after 8 or 9 months I agreed to meet this “boy” in person.”

“He took me from my home in Pennsylvania. He held me captive in a basement dungeon. I knew he was going to kill me, and I had to do what I needed to do to survive. I tried to fight back, and it did not work. I remembered reading something about that if you are ever a victim of a violent crime you should try to humanize yourself – it makes it harder for the predator to kill a person and not an object.”

“Miraculously, I was recognized because of my NCMEC poster. I would not be here today if that poster was not created. The offender was live streaming his torture of me—someone saw the live stream, saw the poster, and contacted law enforcement, who ultimately found me through the IP address.”

“After my rescue, I soon learned I was the first known case of internet child abduction and because of that there was a lot of victim blaming. I got no advocacy or services. They attacked my family. They attacked me. It went on for months and even up to today.”¹⁵

Child sexual exploitation impacts not only child victims, but also non-offending caregivers. Research indicates 91% of child sexual abuse is perpetrated by someone the child or their family knows.¹⁶ The impacts of familial abuse or abuse by a known offender can have additional traumatic impacts: the child may feel guilty because their exploitation has disrupted the family or that they are responsible for the arrest of the offender family member. An investigation and prosecution may end the abuse, but also upend a family’s financial and psychological stability and create divergent emotional and legal impacts as the family moves through recovery. For caregivers, realizing someone they know harmed their child can cause depression, guilt, and anger. With familial abuse, the non-offending caregiver may be blamed if their spouse or partner perpetrated the abuse and they failed to recognize or stop it. It is important to assess the caregiver’s mental health needs as that person works through the healing process with their child.

¹³ See Keller, M. H., & Dance, G. J. X. (2020, January 1). Child Abusers Run Rampant as Tech Companies Look the Other Way. *The New York Times*. <https://www.nytimes.com/interactive/2019/11/09/us/internet-child-sex-abuse.html> and <https://www.nytimes.com/interactive/2019/09/28/us/child-sex-abuse.html>

¹⁴ <https://www.missingkids.org/content/dam/missingkids/pdfs/ncmec-analysis/Online%20Enticement%20Pre-Travel1.pdf>.

¹⁵ This survivor story was shared with representatives from the Department of Justice during Listening Sessions conducted to inform the content of this report.

¹⁶ <https://www.cdc.gov/violenceprevention/childsexualabuse/fastfact.html>

Once a survivor has revealed exploitation, the long and arduous journey of healing begins, and access to support services becomes critical. While preventing ACEs from occurring in the first place is critical in protecting children, providing adequate care and support services to children that have been victimized by sexual abuse is also critical to mitigate these harmful outcomes.

Most service delivery is community-based, and standards of care vary across the country. DOJ's Office for Victims of Crime (OVC) and HHS's Office on Trafficking in Persons (OTIP) have recently launched a collaborative effort to develop joint Standards of Care for Anti-Trafficking Service Providers. As the two principal federal agencies supporting services and assistance to victims of human trafficking in the United States, OVC and OTIP have a unique role in collaborating on the development of standards that individuals who experience trafficking can expect to receive when seeking help from OVC and OTIP-funded programs.

There are several stages to the investigation and prosecution of child sexual exploitation, including a potential sexual assault forensic medical exam, interviews, court hearings, and possibly a trial. Child victims may need to be placed in out-of-home care and separated from offending or complicit family members for their own safety. Regardless of the circumstances, child victims and their non-offending families should receive equitable, comprehensive services to support them with every step of their recovery process.

While advances have occurred in the last 10 years, there remains a significant lack of trauma-informed, holistic survivor care programs for victims of child sexual exploitation and their caretakers, especially for CSAM, enticement, and sextortion offenses. Survivors benefit from services that are evidence-informed, culturally sensitive, gender-responsive, individualized, survivor-informed, and coordinated across systems, particularly the child welfare, juvenile justice, health, and mental health systems.

Limited Evidence Base and Research

Child sexual exploitation is a public health issue and should be treated as such to better develop evidence-based practices to help victims. In September 2020, the National Advisory Committee on the Sex Trafficking of Children and Youth in the United States said that “[a]s an issue that affects the health, safety, and well-being of individuals, families, communities, and societies, it is appropriate to consider human trafficking as a major public health problem.”¹⁷ The Committee's report suggested that a public health approach be adopted because it “emphasizes the use of rigorous scientific research to develop an evidence base that drives the development of policies, procedures, and programs.” There is evidence that advocacy-based models that respond to an individual child's need for access to resources may also be effective.¹⁸ In addition, programs based on and grounded in the experiences of other survivors may help sexually exploited

¹⁷ National Advisory Committee on the Sex Trafficking of Children and Youth in the United States. September 2020. *Best Practices and Recommendations for States*. Available at: https://www.acf.hhs.gov/sites/default/files/documents/otip/nac_report_2020.pdf.

¹⁸ New York University Steinhardt. 2021. Resilience, Opportunity, Safety, Education, Strength (ROSES). Available at: <https://steinhardt.nyu.edu/metrocenter/roses>.

children live a life free from exploitation, assisting them in rebuilding their lives and becoming future leaders.¹⁹

Existing research on the impacts of child sexual exploitation does not adequately address subtypes of child sexual abuse. Although research exists on the trauma effects of Adverse Childhood Experiences, and on the effects of other kinds of child abuse, there is limited research on child victims of CSAM, enticement, sextortion, and sex trafficking. There are few longitudinal studies designed to identify evidence-based therapeutic interventions and model programs for child sex trafficking and CSAM.

Therefore, service providers may have “preferred” or “promising” practices, but not “evidence-based” practices. Symptomology and treatment responses are applied based on best efforts rather than empirical research. Survivors report being treated as case studies by professionals who have never encountered their circumstances in practice. Because these crimes do not occur in isolation, treatment must better address long-term effects. Research must focus on effective treatment, brain/body connections, survivor exposure to images, survivor progress using standardized tools and individual developmental milestones, long-term physical/medical impact, and challenges for care during recovery.

The lack of accurate, comprehensive data on the scope of child sexual exploitation affects all cross-system work on this issue. Without the data, we cannot understand the extent or demographics of child sexual exploitation. A lack of data means a lack of public awareness. Even where there is data, the databases (e.g., child welfare, law enforcement, courts, public health) may not speak to each other either within states or among states.²⁰ Thus, a child who runs away from foster care in Washington, may be trafficked in Las Vegas, and get picked up for theft in Arizona, and the child welfare, juvenile justice, and health care databases for each state may not know about the history in the other states.

Strong evidence centered in the complex considerations related to child exploitation is needed to lay the foundation for effective services, trainings, screening tools, interventions, policies, and best practices. The Preventing Sex Trafficking and Strengthening Families Act requires the National Advisory Committee on the Sex Trafficking of Children and Youth to develop best practices recommendations for states “based on multidisciplinary research and promising evidence-based models and programs...”²¹ This requirement sets an important standard for survivor care programs, however, more work is needed both in building the evidence base on this issue and centering the development of these programs on research.

Components across the DOJ are partnering with one another, and with their counterparts in other agencies, to track victimization more accurately and build the evidence base for more effective interventions. OVC provides funding to the National Institute of Justice (NIJ) and the Bureau of Justice Statistics (BJS) to generate and analyze quantitative and qualitative data on victimization, victim services, and related critical topics. For example, in FY 2020, Northeastern University

¹⁹ My Life My Choice. 2019. Available at: <https://www.mylifemychoice.org/survivor-empowerment>.

²⁰ Washington State Supreme Court Gender and Justice Commission, 2021 Gender Justice Study (2021). <https://www.courts.wa.gov/?fa=home.sub&org=gjc&page=studyReport&layout=2&parent=study>.

²¹ <https://www.congress.gov/113/plaws/publ183/PLAW-113publ183.pdf>

received nearly \$1 million to enhance understanding of the short- and long-term physical and psychological health consequences of sex trafficking on minor victims, and the factors that facilitate and impede health care access. NIJ regularly publishes reports about services for minor victims of human trafficking. A March 2021 NIJ report found that safe harbor laws do in fact increase protections for sex-trafficked youth.²² These data points are important to improve our ability to help child and youth victims of sexual exploitation. Newly announced funding has been allocated to better understand trauma faced by child survivors of sexual exploitation. Specifically, the study will focus on the impact of abuse on child survivors of CSAM, as well as evaluate the effectiveness of current trauma treatment methods used by health care providers, law enforcement personnel and forensic interviewers.²³

It is important to recognize that some child sexual exploitation victims may not be identified based on current data collection mechanisms. For instance, if a child is sexually exploited by their family in their own home, or children in images are unidentified, it can be incredibly difficult to quantify the scope of the problem or identify trends for these most hidden forms of abuse. Importantly, the Centers for Disease Control and Prevention’s (CDC) Youth Risk Behavior Survey,²⁴ does not include any questions about trafficking or other forms of child sexual exploitation. CDC’s Violence Against Children and Youth Surveys (VACS) are population surveys that include data on all forms of violence against children and capture some information about child sexual abuse and exploitation. However, VACS have primarily been conducted globally, and only limited data collection from VACS has been conducted in the U.S. due to funding limitations. Filling these gaps represents a significant opportunity to capture information about child exploitation prevalence over time.

In 2020, the National Advisory Committee on the Sex Trafficking of Children and Youth recommended that states “Require state agencies, including child welfare, juvenile justice, law enforcement, and prosecutor’s offices, to collect and report aggregate data about the sex trafficking of children and youth and their agency’s response to the state legislature or governor’s office for public dissemination;” that states “Collect aggregate data about the number of children and youth who are screened, assessed, and provided services (including housing) related to sex trafficking;” “establish a system for monitoring and evaluating services and housing provided to known or suspected victims of sex trafficking;” and “develop a statewide system for gathering and disseminating data from agency reports on the implementation of state and federal laws that require the identification of and response to children and youth who have experienced sex trafficking.”²⁵ As discussed above, improved data will contribute to research on improved interventions.

²² National Institute of Justice. *Study Revealed Safe Harbor Laws Increased Protections for Sex-Trafficked Youth, Identified Needs for Agency Support and Judicial Training*. March 8, 2021. Available at: <https://nij.ojp.gov/library/publications/study-revealed-safe-harbor-laws-increased-protections-sex-trafficked-youth>.

²³ <https://www.shaheen.senate.gov/news/press/shaheen-leads-nh-delegation-in-announcing-nearly-15-million-heading-to-unh-to-support-research-to-address-trauma-faced-by-child-survivors-of-sexual-exploitation>

²⁴ <https://www.cdc.gov/healthyyouth/data/yrbs/index.htm>

²⁵ National Advisory Committee on the Sex Trafficking of Children and Youth in the United States. September 2020. *Best Practices and Recommendations for States*. Pgs. 81–83. Available at: https://www.acf.hhs.gov/sites/default/files/documents/otip/nac_report_2020.pdf.

Insufficient Funding

According to a 2016 GAO report, in Fiscal Years 2014 and 2015, there were 42 federal grant programs that could be used for the purpose of combating human trafficking or assisting victims of human trafficking in the United States.²⁶ Only two of those programs were specific to child sex trafficking. Since then, anti-trafficking funding has increased significantly, as has programming specifically focused on responding to minor victims of trafficking, but investment in preventing or treating other forms of child sexual exploitation, such as online child sexual exploitation and abuse, has lagged behind funding for human trafficking programs.

Similarly, while funding for services specifically for victims of child sex trafficking has increased in recent years, there has not been a commensurate increase in funding for victims of other forms of child sexual exploitation, including CSAM offenses, sextortion, enticement, livestreaming, etc. Over the past two years, reporting of child sexual exploitation and online abuse has reached its highest levels. This includes increases in online grooming, the volume of CSAM available online, the incidence of sharing and distribution of CSAM online, and livestreaming child sexual abuse for payment.²⁷ These continued increases in online victimization increases heighten the urgency to prioritize the development, research, and evaluation of resources and support services for victims of image-based online child sexual exploitation.

CSAM victims have unique needs that differ from those of child sex trafficking victims. There is little research on the ongoing trauma of knowing digital images depicting one's victimization are circulating endlessly, or the fear of encountering a visual record of the victim's own abuse. The traumatic impact of online exploitation is an emerging field, and no recognized behavioral health services have been developed to address these issues. This significant gap must be addressed. Organizations grappling with all forms of child exploitation still need more and dedicated funding streams that allow them to do more than identify or provide emergency response to victims. Funding opportunities should account for the different needs of the communities that organizations serve; the sustainability of long-term services; and the need for flexibility to serve specific populations while complying with civil rights nondiscrimination requirements.

In some cases, services are not lacking, but state budgets do not cover costs required to implement these specialized programs. Alternatively, survivors may have long term recovery needs that are not adequately covered by victim compensation benefits.²⁸ Increased funding for local nonprofits, child advocacy centers, and community-based services, as well as ongoing training, will help address mental health needs for survivors. Specialized mental health intervention can promote healing and break the cycle of revictimization.²⁹

²⁶ U.S. Government Accountability Office. GAO-16-555, HUMAN TRAFFICKING: Agencies Have Taken Steps to Assess Prevalence, Address Victim Issues, and Avoid Grant Duplication. June 2016. Available at: <https://www.gao.gov/assets/gao-16-555.pdf>

²⁷ Global Threat Assessment 2021. We Protect Global Alliance Available at: https://www.weprotect.org/global-threat-assessment-21/?utm_source=ActiveCampaign&utm_medium=email&utm_content=Global+Threat+Assessment+2021+launched+today&utm_campaign=Global+Threat+Assessment+2021#report.

²⁸ <https://www.missingkids.org/content/dam/missingkids/pdfs/Captured%20on%20Film.pdf>.

²⁹ <https://www.missingkids.org/content/dam/missingkids/pdfs/Captured%20on%20Film.pdf>.

Hurdles in Identifying Victims

Reliable data that identifies types of victimization, and research that supports the policies, procedures, and programs that most effectively meet survivors' needs, will improve delivery of services. All child sexual exploitation offenses, including sex trafficking, are underreported. This is due, in part, to a lack of understanding of scope and nature of the crime, of how and where the crimes occur, of inability to identify victims and survivors, and of related cultural issues.^{31,32} Many victims never come forward with their abuse due to fear of repercussions for themselves or their abuser, threats of violence if they ever disclose, shame and trauma stemming from their abuse, and other concerns.

What are hashes?

PhotoDNA is an image-identification technology that creates a unique digital signature (known as a “hash”) to represent each image, which can then be used to identify other instances of the image (matching hashes), even if the image has been recolored or resized.³⁰ The technology allows online service providers to detect, report, and remove child sexual abuse images shared on their sites, and the collective database of the images that have been found to date allows law enforcement to prioritize investigations into newly produced CSAM. Hash sharing and hash lists allow law enforcement, technology companies, and NGOs to proactively scan servers, report imagery to NCMEC, and quickly remove imagery to reduce online prevalence.

Identifying victims is a first step in connecting them with services, and far too many victims today are not receiving the care and services needed. However, access is expanding. Between 2015 and 2019, the number of OVC grantees who reported serving child and youth victims of sex trafficking victims nearly doubled, as did the number of victims served.

Currently, victim identification largely relies on self-disclosure reports of victims to law enforcement or to others who disclose to law enforcement. Family members also frequently report abuse to child protective agencies when abuse is discovered. Almost all states have laws requiring child-care professionals to report suspicions of child maltreatment, reports that are significant in identifying abuse. Under 42 U.S.C. § 13031, a provision of the Victims of Child Abuse Act of 1990, certain federal employees and contractors who learn of suspected child abuse while engaged in enumerated activities and professions on federal land or in federal facilities must report that abuse, regardless of where the suspected victim is cared for or resides.

Advances in technology have led to the development of digital tools that can analyze photos and videos and identify victims. For more than a decade, NCMEC and other non-profits have engaged with tech companies to encourage a survivor-focused approach to removal of child sexual exploitation content. NCMEC has expanded these initiatives to include hash sharing

³⁰ <https://www.microsoft.com/en-us/photodna>

³¹ Institute of Medicine and National Research Council. 2013. *Confronting commercial sexual exploitation and sex trafficking of minors in the United States*. Pg. 2. Washington, DC: The National Academies Press. Available at: <https://ojjdp.ojp.gov/sites/g/files/xyckuh176/files/pubs/243838.pdf>.

³² National Advisory Committee on the Sex Trafficking of Children and Youth in the United States. September 2020. *Best Practices and Recommendations for States*. Available at: https://www.acf.hhs.gov/sites/default/files/documents/otip/nac_report_2020.pdf.

initiatives, which provide tech companies with hash values of CSAM and sexually exploitative images to be used to proactively scan servers, report imagery to NCMEC, and quickly remove imagery to reduce online prevalence. In 2020, NCMEC added over 3.8 million hashes to its hash lists, and as of March 2021, hashes on this list represent over 360 additional identified child victims. Although technical innovations in computing and artificial intelligence improve automated identification processes, there are not enough resources to analyze these materials. The amount of online CSAM has grown exponentially making it impossible to keep up.

Because of the impacts of trauma, and the barriers to disclosure of abuse, professionals must be trained to identify and respond to signs of trauma and exploitation. Children who don't disclose need services as much as those who do. Systems create significant harm by failing to identify and provide services to all victims.

Lack of Training and Uniform Trauma-Informed Treatments and Standards of Care

Children and youth who have experienced sexual exploitation often encounter a variety of professionals, including law enforcement officers, attorneys, judges, child protective service providers, educators, and physical and mental health service providers. Many of these professionals lack the training needed to identify and respond to sexual exploitation and may unknowingly engage in harmful practices that further traumatize survivors. These may include practices that fail to adequately consider safety, trustworthiness, transparency, and empowerment in their relationships with survivors.

Evidence-informed professional development and training is essential to increase the likelihood that children and youth who have experienced or are at risk of experiencing sexual exploitation are identified and receive effective responses and services from professionals who have a shared understanding of protocols and victim resources.

Survivors require equitable, comprehensive, integrated services for optimal recovery. Implementing a continuum of care is essential for survivors to address the abuse they have suffered, resources they need, and healing processes they are undergoing as their recovery needs evolve. According to My Life My Choice, a program of the Justice Resource Institute, “evidence-informed professional development and training is essential to increase the likelihood that children and youth who have experienced or are at risk of experiencing sexual exploitation are identified and receive effective responses and services from professionals who have a shared understanding of protocols and victim resources.”³³

Uniform standards of care and training for people and programs that serve all sexually exploited children, and their non-offending caregivers, need to be developed, especially among law enforcement, prosecutors, and mental health professionals. More technical assistance on trauma-responsive care is needed for grantees and the field at large, especially for organizations new to serving child victims. These efforts should leverage existing and ongoing efforts to develop

³³ My Life My Choice. 2019. Available at: <https://www.mylifemychoice.org/survivor-empowerment>.

standards of care, such as the joint OVC and OTIP Standards of Care initiative,³⁴ as well as the work of the SAMHSA-funded National Center on Child Trafficking.³⁵

Lack of trauma-informed policing/prosecution standards

Law enforcement interactions with victims of child sexual exploitation and their caregivers can have a significant impact on investigation and prosecution of the case and can influence how a victim begins the healing process. Goals of policing and prosecution often focus on the offender first, sometimes at the expense of victims. Survivors have reported that policing techniques can exacerbate prior and create new trauma. Law enforcement policy makers should determine why many victims are uncomfortable disclosing their exploitation to police, understand those reasons, and should develop trauma-responsive, victim-centered practices, in service of both public safety and victim healing. Trauma-informed policing currently lacks appropriate training on traumatic memory functioning (e.g., why victims' memories may be unclear or inconsistent), gender/age/power dynamics, shaming or victim blaming, use of appropriate terminology, victim interrogation versus interview, recovery planning, and victimology.

Revising the Attorney General's Guidelines for Victim & Witness Assistance

On October 21, 2022, the Justice Department released revised Attorney General Guidelines for Victim and Witness Assistance. The revised guidelines updated, for the first time in a decade, when and how Department employees work with victims and witnesses of crime to ensure that their voices are heard and that they are protected during criminal justice proceedings. The guidelines apply to all department employees engaged in the investigative, prosecutorial, correctional, and parole functions within the criminal justice system. The update improves and expands the Department's policies for engaging with victims and witnesses of crime and will allow those affected by crime to be heard and protected throughout the criminal justice process.³⁶

Minimizing victim trauma is a critical priority for federal law enforcement. The *Attorney General Guidelines for Victim and Witness Assistance* reinforce that "department personnel should be aware of the trauma that child victims and witnesses may experience when they are asked to recount the crime during the investigation and prosecution of a criminal case, particularly when testifying in court. A primary goal of Department personnel, therefore, shall be to reduce the potential trauma to child victims and witnesses that may result from their contact with the criminal justice system."³⁷ OVC's suite of Child Victims and Witnesses Support Materials,³⁸ released between 2020 and 2022, was created to support children and youth during their involvement with the justice system as a victim or witness to a crime. State and local law enforcement agencies are also increasingly using a multi-disciplinary team (MDT) to deliver timely specialized

victim assistance and ongoing training for law enforcement. Multidisciplinary teams (MDTs) may include lawyers, healthcare providers, law enforcement, the judiciary, school counselors,

³⁴ <https://ovc.ojp.gov/program/human-trafficking/standards-of-care>

³⁵ See <https://ncct.gsu.edu/>

³⁶ <https://www.justice.gov/opa/pr/justice-department-updates-guidelines-victim-and-witness-assistance>

³⁷ https://www.justice.gov/d9/pages/attachments/2022/10/21/new_ag_guidelines_for_vwa.pdf

³⁸ <https://ovc.ojp.gov/child-victims-and-witnesses-support>

probation counselors, child welfare, therapists, or others working collaboratively to develop and implement protocols, policies, and standards of care, direct services and provide victims with essential trauma-informed support and individualized responses.

However, victims have reported that lack of services, trauma from disclosing, and negative contact with the criminal justice system, reinforces their decisions not to report sexual exploitation to the authorities. As a result, many victims do not receive timely, proper, and necessary services. It is of paramount importance that policymakers, law enforcement, and victim service providers work together to ensure disclosure of victimization is met with appropriate support services.

Lack of long-term, accessible, trained mental health services

Survivors overwhelmingly cite a lack of long-term, accessible mental health services with providers who specialize in child sexual exploitation. While some mental health practitioners are well-trained on traumatic sexual abuse, most have not been trained on the unique trauma needs of survivors of CSAM, child sex trafficking, online enticement, or sextortion.

What is polyvictimization?

Polyvictimization refers to having experienced multiple victimizations such as sexual abuse, physical abuse, bullying, and exposure to family violence. The definition emphasizes experiencing different kinds of victimization, rather than multiple episodes of the same kind of victimization.³⁹

An Attorney General Task Force report on children exposed to violence found that, “appropriately selected evidence-based treatments and services provided in a timely manner,” including, but not limited to, therapeutic medications and mental health services that continue for a sufficient duration “can mitigate the adverse effects of violence and psychological trauma and put children back on a healthy developmental course.”⁴⁰ Support services must meet victims where they are and address the unique dynamics of:

- **Geography:** The lack of trained providers makes local or regionalized accessible care challenging, especially in rural areas.
- **Diverse populations:** The lack of awareness and messaging for diverse and underserved populations⁴¹ can inhibit healing and exacerbate harm to victims.
- **Multiple victimization:** Child sexual exploitation encompasses a wide range of complex and interdependent crimes. While children are often subject to multiple forms of abuse,

³⁹ https://ojjdp.ojp.gov/sites/g/files/xyckuh176/files/programs/safestart/TipSheetFor_Polyvictimization.pdf

⁴⁰ *Report of the Attorney General's National Task Force on Children Exposed to Violence*. December 12, 2012. This project was supported by Grant No. 2011-DD-BX-K037 awarded by the Office of Juvenile Justice and Delinquency Prevention, Office of Justice Programs, U.S. Department of Justice. Available at: <https://www.justice.gov/defendingchildhood/cev-rpt-full.pdf>.

⁴¹ To include male, LGBTQI+ youth, children of color or indigenous children, and children with mental disabilities.

service delivery, funding for resources, and practitioner training rarely deals with polyvictimization.

- **Available financial resources:** Support services for these types of crimes tend to be more comprehensive and thus more costly than those typically available through child-serving agencies. Even if adequate resources exist, they may not be covered by traditional victim services funding mechanisms. Additionally, in some circumstances a child's failure to disclose abuse may be a barrier to accessing these financial resources.

Increased Need for Caregiver-Oriented Support Services

Greater consideration should be given to providing support to non-offending family members and a child victim's possible reintegration into safe family settings and educational life. The trauma caregiver's experience can significantly impact the child's healing, and more services are needed, both for the caregiver's sake and so that they are able to effectively take care of their child. Many children come from families who have experienced multigenerational trauma, with parents who have their own histories of trauma. It's important that professionals in the survivor care field recognize this when working with survivors and their families. Additionally, continuing with education after exploitation, whether returning to a previous school setting or enrolling in an alternative learning path, is critical because education is a strong protective factor against further exploitation.

Caretaker Story

"We adopted our kids after they were abused in the home with their biological parents. There were 6 of them in the home, including the biological father, who made videos of all of them, and an older brother who also participated in it. The brother eventually went back to live with the biological mother as an adult, which created issue between the children. They've cut ties with him."

"The father was initially sentenced to 45 years, but that was dropped to 40 years. We don't hear anything from law enforcement about it, so we were surprised to hear that it was lowered."

"I'm sure we have a victim advocate for the children because we adopted them through the foster care system. But I've never spoken to that person; they've never reached out to us. We had to find our own therapist. Our kids are all still minors, but our kids were made to act the abuse upon each other, and I do not see a lot of therapists who deal with that. The kids still have a lot of resentment and anger with each other. We did have a situation where one child had blocked out the abuse so much that she didn't realize her brother was partaking in sexual abuse. We had to let her know that, because she had all this anger towards him that she didn't understand."⁴²

⁴² This survivor caretaker story was shared with representatives from the Department of Justice during Listening Sessions conducted to inform the content of this report.

Shortage of Culturally Specific and Gender-Responsive Services

Services must be gender-responsive, as well as culturally responsive. According to the National Advisory Committee on the Sex Trafficking of Children and Youth, “research shows that lesbian, gay, bisexual, transgender, queer (or questioning), Two-Spirit, and other (LGBTQ2S+) children and Black, Latinx, and Native American children are disproportionately victimized by this crime.”⁴³ And yet, there is an acute shortage of culturally specific victim services for children in communities of color, indigenous populations, and in the LGBTQI+ community, and considerable need for programs developed and operated by and for these communities.

There is also a commonly perpetuated belief that victims of child sex trafficking are almost exclusively female. Though males may comprise a smaller proportion of victims, their numbers are significant nationally and internationally, yet there is a vast discrepancy in the services available for them.⁴⁴ Young males also share many of the risk factors for involvement in child sex trafficking as young females, such as child maltreatment and family violence.⁴⁵ However, resources and public awareness activities are focused largely on women and girls—many men and boys do not identify as victims or request services.⁴⁶

“Interventions, treatment and services before, during, and following court involvement” can vary in effectiveness by culture and gender.⁴⁷ Because of these differences, more funding is needed to support culturally specific and gender-responsive programs that acknowledge and respect a child’s sexual orientation, gender identity, and gender expression.

Boys and men comprise a significant portion of human trafficking victims nationally and internationally, but there is a vast discrepancy in the services available for them. Resources and public awareness activities are focused largely on women and girls—many men and boys do not identify as victims or request services.⁴⁸

⁴³ National Advisory Committee on the Sex Trafficking of Children and Youth in the United States. September 2020. *Best Practices and Recommendations for States*. Available at:

https://www.acf.hhs.gov/sites/default/files/documents/otip/nac_report_2020.pdf.

⁴⁴ An Analysis of Missing Male Victims of Child Sex Trafficking (CST), National Center for Missing & Exploited Children, https://www.missingkids.org/content/dam/missingkids/pdfs/nemec-analysis/Missing%20Male%20Victims%20of%20Child%20Sex%20Trafficking_EXTERNAL.PDF

⁴⁵ Commercial Sexual Exploitation of Children and Sex Trafficking, Office of Juvenile Justice and Delinquency Prevention, <https://ojjdp.ojp.gov/sites/g/files/xyckuh176/files/media/document/csecsextrafficking.pdf>

⁴⁶ United States Advisory Council on Human Trafficking Annual Report 2020, Office to Monitor and Combat Trafficking in Persons, U.S. Department of State, July 28, 2020 <https://www.state.gov/united-states-advisory-council-on-human-trafficking-annual-report-2020/>

⁴⁷ Coalition for Juvenile Justice. (n.d.). National Standards: Gender-Responsive Services. Available at: <https://www.juvjustice.org/our-work/safety-opportunity-and-success-project/national-standards/section-i-principles-responding-4>.

⁴⁸ United States Advisory Council on Human Trafficking Annual Report 2020, Office to Monitor and Combat Trafficking in Persons, U.S. Department of State, July 28, 2020 <https://www.state.gov/united-states-advisory-council-on-human-trafficking-annual-report-2020/>

Advancing Technology

The increasing number of social platforms, explosion of online access to children during COVID, lack of adequate online safety measures, and lack of robust reporting and response by technology companies has increased the risk of online child victimization. Recent increases in youth generated CSAM and the movement of child sex trafficking to new platforms during COVID also contribute to increases in online child sexual exploitation. Child survivors of online enticement have reported being subjected to escalating threats that compound their trauma and can lead to increased hopelessness and suicidal ideation. Insufficient resources exist to protect these victims, who may be at greater risk for self-harm.

End-to-end encryption threatens many established detection methods tech companies use to identify child sexual exploitation. Offenders increasingly use technological tools to hide their criminal online activity and identity. Survivors of online child sexual exploitation and abuse have been vocal in asserting the need for tech companies to balance the importance of child safety and online privacy when making business decisions about services offered to users.

The viral circulation of some CSAM makes it nearly impossible to remove the images from the internet. Survivors have reported that tech companies who use public reporting mechanisms for victims often lack transparency about their processes and are oblivious to the impacts of the trauma. Survivors are required to search for, review, document and submit their own CSAM material to the tech platform. In some instances, companies require legal action or proof of identity before removing a survivor's content. Trusted flagger programs, with robust identified hash value lists, and dedicated response pipelines for NGOs and others reporting on behalf of survivors should become standard industry practice.

Inaccurate public messaging

Public messaging often suggests survivors are broken or damaged or highlights survivors who have "overcome" abuse. However, the challenges and triumphs of survivors in between these two extremes are part of a multifaceted recovery process. Survivors talk about the benefits of public messaging that is survivor-informed and survivor-focused. They also acknowledge that the sexual nature of these crimes often prevents self-disclosure and leaves survivors feeling isolated, guilty, and ashamed. This can be especially challenging for LGBTQI+ victims and victims from communities of color. Public messaging and fundraising efforts tend to focus on young, white, cisgender victims. This can hinder victim identification and investigation efforts for the majority of victims who don't fit that narrow mold, including teenagers, people of color, indigenous people, LGBTQI+ youth, or victims whose offender wasn't an unknown third-party.

Significant Developments

Significant progress has been made in understanding and addressing the complex trauma survivors and their caregivers experience. However, survivors and caregivers report that trauma-informed practices are not consistently used. Survivors have recommended comprehensive, trauma-responsive victim assistance that addresses four essential components to meet the central needs of survivors and caregivers:

1. Financial resources;
2. Immediate and long-term therapeutic and mental health support;
3. Legal assistance; and
4. Technical support to mitigate long-term impacts of online crimes.

This comprehensive response is best accommodated by a multi-disciplinary recovery services team that can connect families and child survivors with multiple professionals. Survivors also note the importance of non-traditional therapeutic options, including survivor peers, group support, and life skills training. Because basic rights like choice, consent⁴⁹ or control are violated or denied by abusers, survivors suffer trauma when they feel these rights are ignored during support delivery. Having some control and choice in their support approach makes victims feel safer, helps with long-term recovery, and may facilitate cooperation during the investigation.

The U.S. has also made progress towards adopting safe harbor laws, improving restitution for survivors, increasing funding, improving coordination across systems that serve trafficking victims, developing focused research initiatives, providing immigration status for foreign victims, and better incorporating survivor perspectives into survivor care programs and services, from inception through development. The examples listed below demonstrate the progress achieved in addressing gaps in access to care for survivors of child sex trafficking as the result of focused efforts at the local, state, and national level.

Advancing the Work through Survivors' Expertise

Over the past 4 years, survivor advocacy has increased significantly, as shown by the increasing number of survivor advocates speaking publicly, and the favorable response to their advocacy. CSAM survivors face particularly unique challenges to public advocacy because offenders often try to locate and harass survivors whose imagery continues to circulate online. In 2018, a group of CSAM survivors came together publicly as the survivor advocacy group, the Phoenix 11, and brought a unified voice to the needs of CSAM survivors. For the first time, survivors and caregivers have participated in discussions relating to this National Strategy report, demonstrating both the availability and active participation of survivor voices. These courageous advocates have spoken to domestic and international governments, advised non-profit organizations, served in a variety of key roles at organizations across the country, and used their voices to send strong public messages of support and demands for change.

Survivor engagement is a central tenet of the federal government's approach to establishing effective anti-trafficking strategies. In furtherance of the federal government's commitment to ensuring survivors' role in shaping policy, the federal government has committed to supporting survivor leadership opportunities, including the following:

1. U.S. Advisory Council on Human Trafficking,⁵⁰

⁴⁹ The word "consent," as used here, does not imply the legal or statutory meanings of the word, but is used in a more general sense of giving a victim a chance to feel they are an active, not unwilling, participant in the process.

⁵⁰ <https://www.state.gov/united-states-advisory-council-on-human-trafficking-annual-report-2020/>.

2. Human Trafficking Leadership Academy;⁵¹ and
3. Human Trafficking Expert Consultant Network.⁵²

The Phoenix 11

The Phoenix 11 is a group of 11 female survivors whose childhood sexual abuse was recorded and distributed online. The group was formed through a series of survivor meetings organized by the Canadian Centre for Child Protection and the National Center for Missing & Exploited Children. In 2018, the Phoenix 11 issued a collective statement calling on the Canadian and U.S. governments to do more to end the spread of child sexual abuse imagery:

“For a long time we were afraid. We were afraid of the dark, we were afraid of the unknown, we were afraid of our past and what it meant for our future. Alone, isolated, yet exposed to the world, we knew there were others like us out there, yet we were scared to confront their pain because of what they understood about our pain.

Last year we all took a bold step to overcome the fears about ourselves, to band together to become a force for change. To speak for all those who cannot speak for themselves. To make the invisible visible. To make the two dimensional three dimensions.

We are the Phoenix 11. Sexually abused as children, reduced to child sex abuse images, and stripped of our dignity and humanity, we have risen together as powerful young women who are retaking our identities and self-worth.

No longer content to live in the shadows, we are redefining what it means to be victims who were powerless to stop the relentless onslaught of the technology of abuse.

We are survivors of sexual torture, child rape, erotic photoshoots, pedophile sleepovers, elementary school sex shows, streaming BDSM, and twisted sexual desires whose digital images are trafficked worldwide to fulfill the endless needs of an evil perverted community which takes pleasure from our pain.

Now we are putting the world on notice that we will no longer be a silent suffering collage of young girls and boys whose nameless and often faceless images and videos circulate worldwide in the internet cesspool of humanity.

We are the Phoenix 11. Hear our voice. See our strength. Answer our call. We will not be stopped. We will not be silent.”⁵³

The passage of the Amy, Vicky, and Andy Child Pornography Victim Assistance Act of 2018 created a new process for CSAM victims seeking restitution from defendants possessing, receiving, and distributing their sexual abuse imagery.⁵⁴ Specifically, the Act establishes the

⁵¹ <https://www.acf.hhs.gov/otip/training/nhttac/human-trafficking-leadership-academy>.

⁵² www.state.gov/humantrafficking-survivor-leadership/.

⁵³ <https://projectarachnid.ca/en/phoenix11-advocacy-statement/>.

⁵⁴ <https://www.congress.gov/bill/115th-congress/senate-bill/2152>.

Child Pornography Victims Reserve (“Reserve”) to provide restitution to eligible individuals who are depicted in CSAM. While the Reserve is not yet fully implemented, federal courts are already using the new law to levy monetary penalties against convicted defendants that will be utilized to support survivors. In 2015, the Child Abuse Prevention and Treatment Act’s (CAPTA)⁵⁵ expansion of the definition of “child abuse” to specifically include child sex trafficking, was a crucial shift toward ensuring child sex trafficking victims receive additional benefits.⁵⁶ Increased funding is necessary to support an already overburdened child welfare system. Child welfare agencies need resources to expand capacity and develop specialized programs to meet service needs in addressing complex trauma for survivors of these crimes. Some states have narrowly interpreted CAPTA’s revision to apply only to children trafficked by a family member or caregiver as defined under their state child abuse laws. This leaves limited response and resources for youth who are trafficked by a non-familial offender or gang or exploited directly by a buyer.

As stated by the Survivor-Informed Leadership Committee of the United States Advisory Council on Human Trafficking, “to empower survivors, federal agencies must engage them in meaningful collaboration, support their efforts to become self-sufficient, and promote the creation and sustainment of survivor-led organizations,” including those working with children and youth who are sexually exploited.⁵⁷ This Council was created by legislation in 2015 and has modeled the importance of a survivor-informed approach to anti-trafficking efforts. In its 2020 annual report, the Council highlighted multiple efforts by DOJ’s Office for Victims of Crime and HHS’s Office on Trafficking in Persons (OTIP) to increase capacity building for survivor-led organizations; offer compensated consulting or professional development roles to survivors; incorporate meaningful survivor engagement in program development-related activities in all applicable funding announcements; and implement leadership development programs. In fact, the TIP Office created a survivor consultant network to inform DOS anti-trafficking programming and policies.⁵⁸ Similarly, the Department of Homeland Security established the Blue Campaign, which engages survivors in the development of public awareness materials and trainings and compensates survivors for their time.⁵⁹ These efforts have contributed to healing and resilience for young survivors. Study of long-term benefits of these efforts could help to improve training and standards of care.

Recognition of Child Sex Trafficking Through Safe Harbor Laws

Law enforcement and criminal and juvenile justice systems have historically often viewed child and youth sex trafficking victims as offenders. In recent years, there has been widespread

⁵⁵ “CAPTA provides Federal funding and guidance to States in support of prevention, assessment, investigation, prosecution, and treatment activities and also provides grants to public agencies and nonprofit organizations, including Indian Tribes and Tribal organizations, for demonstration programs and projects. Additionally, CAPTA identifies the Federal role in supporting research, evaluation, technical assistance, and data collection activities; establishes the Office on Child Abuse and Neglect; and establishes a national clearinghouse of information relating to child abuse and neglect.” <https://www.childwelfare.gov/pubpdfs/about.pdf>

⁵⁶ <https://www.childwelfare.gov/pubs/factsheets/about/>.

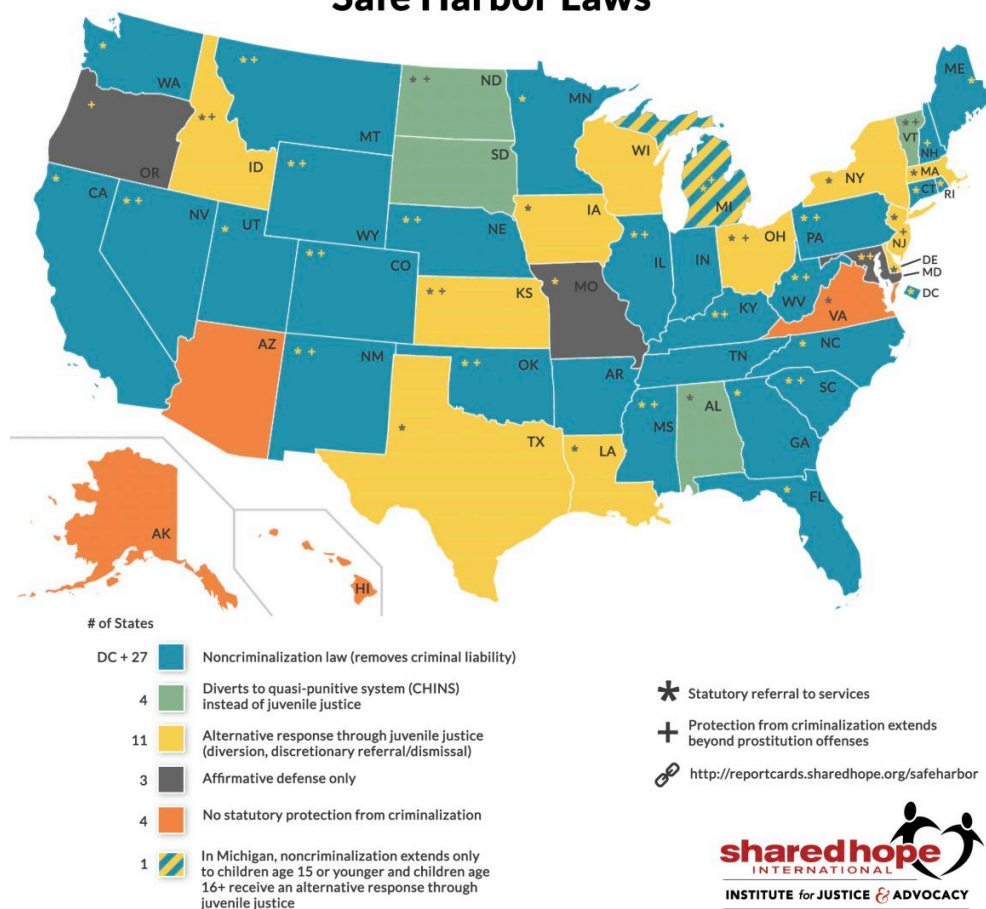
⁵⁷ United States Advisory Council on Human Trafficking. Annual Report 2020. Available at: <https://www.state.gov/united-states-advisory-council-on-human-trafficking-annual-report-2020/>.

⁵⁸ *Id.*

⁵⁹ *Id.*

recognition that trafficked children and youth are victims, not criminals. Recent federal and state laws, such as the Preventing Sex Trafficking and Strengthening Families Act⁶⁰ and Safe Harbor laws,⁶¹ have worked to ensure victims of child sex trafficking are not criminalized for crimes committed against them. These legislative and policy shifts are critical to a trauma-informed response. However, law enforcement, advocates, and survivors lament that successful, specialized, and appropriate services and support have not been fully developed within the child protective response.

Safe Harbor Laws



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State safe harbor laws prevent children and youth from being prosecuted for prostitution, and refer or divert victims to non-punitive specialized services, such as health care, trauma-informed treatment and therapy, emergency and long-term housing, education assistance, job training, language access, and legal services.⁶³ As of 2019, 30 states and the District of Columbia prohibit the criminalization of child sex trafficking victims for prostitution offenses.⁶⁴ However, state

⁶⁰ <https://www.congress.gov/bill/113th-congress/house-bill/4980>.

⁶¹ <https://www.ojp.gov/pdffiles1/ojdp/grants/253244.pdf>.

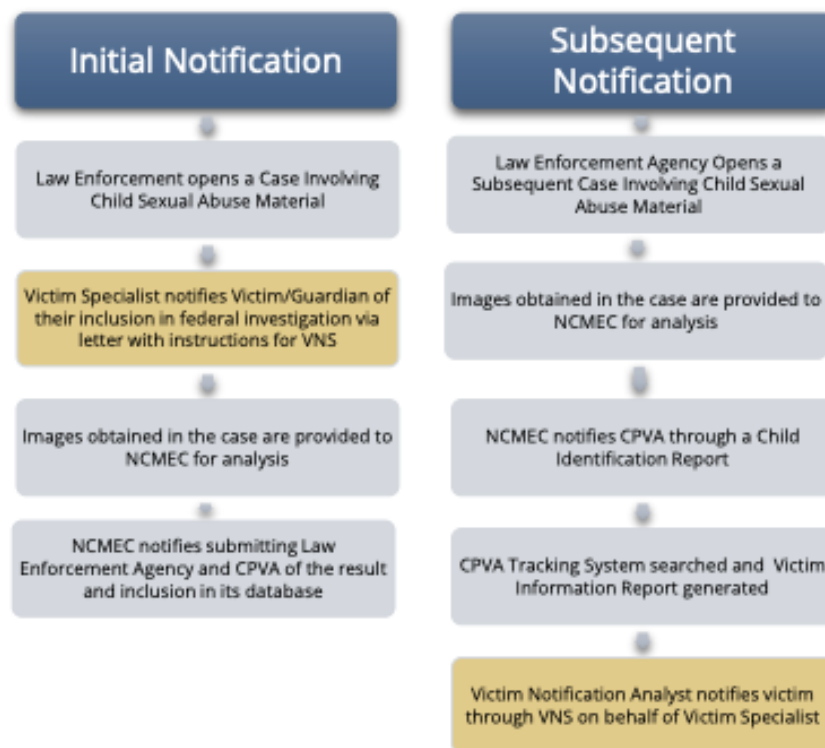
⁶² <https://reportcards.sharedhope.org/wp-content/uploads/2022/01/SafeHarborLawsMapRevD.pdf>

⁶³ National Council of Jewish Women. September 2016. Fact Sheet: Safe Harbor Laws. Available at: https://www.ncjw.org/wp-content/uploads/2017/07/Fact-Sheet_Safe-Harbor_Updated-2016.pdf.

⁶⁴ Shared Hope International. Protected Innocence Challenge Toolkit 2019: State Action. National Change. Available at: <https://sharedhope.org/PICframe9/2019ProtectedInnocenceChallengeToolkit.pdf>.

safe harbor laws vary and are applied inconsistently. Children and youth may be charged, detained, and prosecuted for other offenses related to or resulting from their exploitation, which impedes access to services. Although juvenile arrests have gone down in recent years, many young people, the majority of whom are girls, are still being arrested for trafficking-related crimes.⁶⁵ Additionally, the law may not require that the child be provided with appropriate services even when they are identified as a victim of sex trafficking by law enforcement or other professionals.

Notification Processes for FBI Investigative Cases Involving Child Sexual Abuse Material



Source: OIG Analysis

Improvements to Practices Related to Notifying CSAM Victims

Sadly, many victims depicted in CSAM may not be aware of the long-term implications surrounding the creation of sexual images and videos, let alone how pervasively the images and videos of their abuse are being shared online. Generally, child victims and their guardians are notified by investigators and victim specialists when their images or videos are first identified in a federal investigation involving CSAM. However, an audit conducted by the Department of Justice’s Office of the Inspector General found that, when CSAM involving the same victim was found in subsequent investigations, the FBI did not consistently notify the child victims and their guardians or advise them of their rights if their images or videos were in more than one

⁶⁵ Office of Juvenile Justice and Delinquency Prevention. May 2021. *Juvenile Justice Statistics National Report Series Bulletin*. NCJ 256032. Available at: <https://ojjdp.ojp.gov/publications/juvenile-arrests-2019.pdf>.

investigation.⁶⁶ Instead, victims were only notified again when the documentation material depicting their abuse was considered “actively traded.” Because of the actively traded threshold, an unknown number of victims have potentially been denied rights afforded to them under the law. Victims complete a Notification Preference Form (NPF) to opt in or out of notifications regarding any subsequent investigations related to their images. The tracking system used to support the FBI’s notification efforts only contained actively traded CSAM with a completed Notification Preference Form (NPF). Without completed NPFs, FBI victim assistance staff did not know victims’ or guardians’ notification preferences and were unable to notify all victims of actively traded CSAM properly and sufficiently. Some NPFs were outstanding or incomplete for as long as 6 years.

In response to these findings, the FBI’s Child Pornography Victim Assistance Program (CPVA), the unit responsible for notifying victims when their images and videos are found in an investigation, is adjusting its protocols to ensure victims can be informed and act when their images or videos are identified, should they choose. They are currently engaged in a multi-phased project to digitize and consolidate documentation related to all series. The project will also centralize the tracking of victim outreach efforts, enabling CPVA to serve as a comprehensive, reliable, and central repository for all victim information and the source of all reports regarding the status of victim notification information and preferences.

Increased Federal Funding for Services for Exploited Children and Youth

Child and youth survivors of sexual exploitation and their nonoffending caregivers require a multifaceted, multidisciplinary, and specialized response to support them in their healing journeys. Since 2016, Congress has increased funding for services for children and youth who are victims of child sex trafficking.

- In FY 2020, DOJ awarded nearly \$101 million in anti-trafficking funding, with much of it intended to enhance the quality and increase the quantity of services available to survivors of human trafficking, including children and youth.⁶⁷
- In FY 2020, OVC awarded over \$6 million to four grantees under the Services for Minor Victims of Sex Trafficking Program to achieve increased safety, self-sufficiency, and well-being for minor victims of sex trafficking.
- In FY2019, OVC awarded over \$15 million to 32 grantees under the Integrated Services for Minor Victims of Human Trafficking Program to provide minor victims with high-quality, developmentally appropriate services tailored to their individual needs.⁶⁸

⁶⁶ Audit of the Federal Bureau of Investigation’s Efforts to Notify Victims of Child Sexual Abuse Material, Office of the Inspector General, September 21, 2021 <https://oig.justice.gov/reports/audit-federal-bureau-investigations-efforts-notify-victims-child-sexual-abuse-material>

⁶⁷ U.S. Department of Justice. 2020. Justice Department Awards Nearly \$101 Million to Combat Human Trafficking and Assist Victims. Available at: <https://www.justice.gov/opa/pr/justice-department-awards-nearly-101-million-combat-human-trafficking>.

⁶⁸ U.S. Department of Justice. 2019. Department of Justice Awards More than \$100 Million to Combat Human Trafficking and Assist Victims. Available at: <https://www.justice.gov/opa/pr/department-justice-awards-more-100-million-combat-human-trafficking-and-assist-victims>.

- Between FY 2016 and FY 2020, OVC has awarded over \$20 million to 12 state organizations under the Improving Outcomes for Child and Youth Victims of Human Trafficking Program to foster greater collaboration at the state and tribal level. This program enhances coordinated, multidisciplinary, and statewide approaches to at-risk populations to improve outcomes for child and youth victims of human trafficking. Acknowledging that systems charged with caring for children and families exposed to human trafficking are fragmented, program grantees were able to provide trauma-informed and developmentally, culturally, and linguistically appropriate services for child and youth victims of sex and labor trafficking up to age 24 in every Nebraska county; strengthen data collection across multiple systems of care in New Mexico; and fund new Safe Harbor Coordinators to develop and implement safe harbor protocols in juvenile courts in Ohio.⁶⁹

What does it mean to be trauma-informed and victim-centered?

Trauma-informed approaches are delivered with an understanding of the vulnerabilities and experiences of trauma survivors, including the prevalence and physical, social, and emotional impact of trauma. A trauma-informed approach recognizes signs of trauma in staff, clients, and others and responds by integrating knowledge about trauma into policies, procedures, practices, and settings. Trauma-informed approaches place priority on restoring the survivor’s feelings of safety, choice, and control. Programs, services, agencies, and communities can be trauma-informed.

Similarly, a victim-centered approach places the crime victim’s priorities, needs, and interests at the center of the work with the victim; providing nonjudgmental assistance, with an emphasis on client self-determination, where appropriate, and assisting victims in making informed choices; ensuring that restoring victims’ feelings of safety and security are a priority and safeguarding against policies and practices that may inadvertently re-traumatize victims; ensuring that victims’ rights, voices, and perspectives are incorporated when developing and implementing system- and community-based efforts that impact crime victims.

During that same time period, Congressional funding for specialized grants providing services for minors depicted in CSAM lagged behind the increase in funding for trafficking victims.

The National Center for Missing & Exploited Children (NCMEC) recently launched the Child Sex Trafficking Recovery Services Team to “provide specialized technical assistance, support and resources to child welfare and other child-serving professionals working with missing children who are victims of sex trafficking,” including “case-based assistance in the development of trauma-informed and victim-centered recovery plans.”⁷⁰ State child welfare systems have also taken on additional responsibility with child sex trafficking emergency response, placement, and services. However, most child welfare agencies are already overburdened and under resourced.

⁶⁹ <https://ovc.ojp.gov/funding/opportunities/ovc-2020-18412>

⁷⁰ <https://www.missingkids.org/content/dam/missingkids/pdfs/NCMEC%20Child%20Sex%20Trafficking%20Recovery%20Services%20Team.pdf>

Limited resources delay responses and impose barriers to services immediately following the return of a child to care or recovery by law enforcement. These barriers were identified by survivors, advocates, and law enforcement as harming recovery efforts, causing survivors to distrust the system’s ability to meet their needs. A more informed, successful, and streamlined recovery is likely where child welfare and law enforcement agencies are engaged in a multi-disciplinary team to discuss needs and align recovery plans for a missing child.

Strategic Response

Short-Term Goals	Long-Term Goals
<p>Increase funding for holistic, child-centered survivor care programs, including for CSAM victims: While funding for services for survivors of child sex trafficking has increased since the last report, there remains a great need for services for survivors of other forms of child sexual exploitation, including CSAM. Survivors need tailored, comprehensive, appropriate short- and long-term survivor-informed services, coordinated by multidisciplinary teams. Service gaps in rural and Native American tribal areas and marginalized communities also need to be addressed. Programs and interventions should be culturally specific and gender responsive.</p>	<p>Improve victim identification with screening across health, social services, and juvenile justice systems: To identify potential victims of all forms of child sexual exploitation, universal screening procedures and consistent state-wide, trauma-informed responses are needed for children and youth who encounter the child welfare and juvenile justice systems. Program funding should additionally be coordinated across state and federal agencies and flexible, to allow organizations to serve specific populations while complying with civil rights nondiscrimination requirements. Stipends to support basic needs should be paid to youth transitioning out of the child welfare and juvenile justice system.</p>
<p>Enhance Access to Trauma-Informed Mental Health Treatment and Other Specialized Services for CSAM and Child Sexual Abuse Survivors: Increase availability and accessibility of services throughout a survivor’s recovery from child sexual abuse and constant re-victimization due to the circulation of CSAM.</p>	<p>Increase research on effective interventions for child victims of sexual exploitation: There are few best practices and longitudinal studies that focus on effective services for child victims of all forms of sexual exploitation, versus child abuse generally. More funding is needed to develop interventions that reflect best practices for these survivors.</p>
<p>Continue to support a survivor-informed response to delivering victim services: While survivor engagement and representation have grown in recent years, survivors should not just be consulted, but should continue to be involved in the design, implementation, and evaluation of victim service programs for children and youth. These survivors should include those who were victimized as children and youth. Children and youth receiving</p>	<p>Adopt a two- and three-generation/ whole-family approach to service delivery. Familial relationships, including extended family and other trusted, caring adults should be incorporated into support programs to prevent unaddressed trauma caused by sexual exploitation to manifest into larger issues that impact survivors and their families. Two- and three-generation approaches should focus on creating opportunities for and addressing the</p>

Short-Term Goals	Long-Term Goals
services should be provided the opportunity to have a voice in their services. Survivors should also be compensated for their time and expertise, whenever possible.	needs of children and youth survivors, the caring adults in their lives, and the survivors' children.
	<p>Create legislation to address barriers to financial compensation for survivors and address continued circulation of CSAM. Legislation is necessary to enable survivors to seek legal redress against all entities that facilitate distribution of their sexual abuse images and require providers to remove content upon request. Legislation should also remove barriers for victims to receive the full financial compensation owed.</p>

Increase Funding for Holistic, Child-Centered Survivor Care Programs

A holistic approach to survivor care focuses on the individual’s needs, recognizing that there may be many interrelated needs, such as housing, legal assistance, health care, and trauma-responsive treatment. In a victim-centered approach, the victim’s wishes, safety, and holistic well-being are prioritized in all matters and procedures.⁷¹

Funding for programs that serve children and youth victims of sexual exploitation is limited and competitive. Additional resources or funding streams are needed to offset the disproportionate impact of sexual exploitation on children and youth, especially those of color, including indigenous children and youth, and those in the LGBTQI+ community. More directed funding as well as legislative changes removing limitations on research funding are also needed to assess evidence-based interventions and promising practices for survivors and to conduct program evaluations. Greater flexibility should be built into how grants are awarded and allocated, since different communities have different service needs. Service providers need to have better, user-friendly access to potential funding streams, and Grants.gov must continue to improve as a centralized information source for funding opportunities.

Resources are also needed to increase the number of child forensic interviewers and victim advocates, which would reduce the potential harm of the criminal justice process to survivors and caregivers by prioritizing a trauma-responsive approach. Child forensic interviewers use “a developmentally sensitive and legally sound method of gathering information regarding allegations of abuse or exposure to violence. These interviews are conducted by a competently trained, neutral professionals using research and practice-informed techniques as part of the larger investigative process.”⁷² Currently, child forensic interviewers are not available in every local community, and interviews of children may be performed by law enforcement officers who

⁷¹ Office for Victims of Crime Training and Technical Assistance Center. Human Trafficking Task Force e-Guide. Available at: <https://www.ovcttac.gov/taskforceguide/eguide/1-understanding-human-trafficking/13-victim-centered-approach/>.

⁷² <https://oijdp.ojp.gov/sites/g/files/xyckuh176/files/pubs/248749.pdf>.

are not trained on trauma-informed or culturally competent practices. Additional funding should be provided to embed specialized child exploitation victim advocates within each Internet Crimes Against Children (ICAC) taskforce agency to provide specialized, individualized care plans and recovery services for victims in child sexual exploitation cases. Currently, victim advocates carry a wide range of cases; designating such professionals in each geographic area to specialize in child exploitation will improve support and services for these youth.

RETHINKING THE FRAMEWORK	
Medical Model	Advocacy Framework
<ul style="list-style-type: none"> ■ Concept of disease or pathology ■ Centrality of diagnosis ■ Need for symptom reduction ■ Doctor as "expert" ■ Patient as compliant ■ Location of the problem: the person 	<ul style="list-style-type: none"> ■ Concept of resource distribution ■ Centrality of rights ■ Need for strength enhancement ■ Advocate as collaborator ■ Patient as "expert" ■ Location of the problem: the context

The ROSES Program: Applying Evidence-Based Models of Advocacy Intervention with Girls
<https://www.bwjp.org/resource-center/resource-results/roses-advocacy-intervention.html>

Culturally specific and gender-responsive services should be available so that all survivors of sexual exploitation receive meaningful services. This means the organization that is providing services account for the culture, language, and background of the individuals it serves, helping to build trust with victims. Advocacy models should be designed to be accountable to the needs of a child or youth, rather than having a child be accountable to the program. The advocacy framework should look at the context and circumstances of the crime (e.g., what happened?) and focus on the strengths of children and the needs they define for themselves.⁷³

Funders should explicitly support, and organizations should be encouraged to apply for, culturally specific interventions in line with the Executive Order on Advancing Racial Equity and Support for Underserved Communities Through the Federal Government.⁷⁴ A centralized information source for all culturally specific funding across the federal government may also be needed.⁷⁵ Similarly, funding should support services that are gender-responsive and acknowledge and respect the gender identity and sexual orientation of the children and youth being served. Consistent with the Executive Order on Establishment of the White House Gender Policy Council, funders should advance equal rights and opportunities, regardless of gender or gender identity.⁷⁶

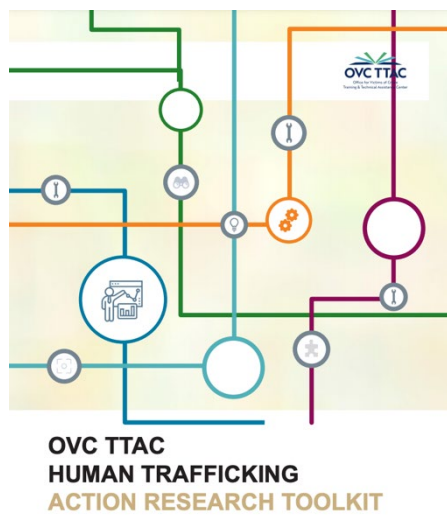
⁷³ Javdani, S. Avalon S. (editor). *The ROSES Program: Applying Evidence-Based Models of Advocacy Intervention with Girls*. June 2016. Battered Women’s Justice Project. Available at: <https://www.bwjp.org/resource-center/resource-results/roses-advocacy-intervention.html>.

⁷⁴ The White House. Executive Order On Advancing Racial Equity and Support for Underserved Communities Through the Federal Government. January 20, 2021. Available at: <https://www.whitehouse.gov/briefing-room/presidential-actions/2021/01/20/executive-order-advancing-racial-equity-and-support-for-underserved-communities-through-the-federal-government/>.

⁷⁵ Grants.gov currently serves as a primary centralized resource for many of the federal government’s grant programs.

⁷⁶ The White House. Executive Order On Advancing Racial Equity and Support for Underserved Communities Through the Federal Government. March 8, 2021. Available at: <https://www.whitehouse.gov/briefing-room/presidential-actions/2021/03/08/executive-order-on-establishment-of-the-white-house-gender-policy-council/>.

Improve victim identification with screening across health, social services, and juvenile justice systems



Organizations need to be able to screen for different types of victimization and polyvictimization to ensure there is no wrong door for services. Health care providers, educators, and others who have daily contact with children and youth should know how to identify symptoms of trauma and sexual abuse/exploitation. When youth are identified as abused or exploited, an MDT should be established to provide appropriate services. The team may include lawyers, health care providers, law enforcement, the judiciary, school counselors, probation counselors, child welfare, therapists, or others, depending on who is involved in the child’s life. OVC’s Linking Systems of Care for Children and Youth multi-site demonstration project is an excellent example of how a MDT, through communication, collaboration, and coordination of caregivers, service providers, policymakers, and other stakeholders can meet victims’ immediate and ongoing needs.⁷⁷

A linked systems of care approach should be broadly applied, including but not limited to within the child welfare and juvenile justice systems. The juvenile justice system can re-traumatize children and youth who have been sexually exploited, which can hinder their healing. Similarly, parents and caregivers involved with child welfare agencies see it as a punitive measure for parents, which may deter them from requesting the assistance they and the victims need. It is important to reframe child welfare services as a prevention measure and community engagement service that supports children and families holistically. The Family First Prevention Services Act of 2018 (FFPSA) was designed to keep children safe with their families, or in the least-restrictive, most family-like setting appropriate to their individual needs when child welfare systems become involved. Under the FFPSA, child welfare agencies offer families services (i.e., mental health, substance abuse, or in-home parenting skills training),⁷⁸ to try to prevent removal of minors from their homes. A linked systems of care approach would divert exploited children and youth to trauma-informed services and local programs that are alternatives to detention.

Survivors of sexual exploitation who are involved in the child welfare or juvenile justice systems need ongoing advocacy and support that assist them to transition successfully out of lives of trauma, and, where involved, out of these systems. This support should include employment assistance, and support for independent living, education, and basic needs. Some jurisdictions

⁷⁷ Office for Victims of Crime. Linking Systems of Care for Children and Youth. 2019. Available at: <https://ovc.ojp.gov/news/grantee-news/linking-systems-care-children-and-youth>.

⁷⁸ The Children’s Defense Fund, et al. *Implementing the Family First Prevention Services Act*. Updated February 18, 2020. Available at: <https://www.childrensdefense.org/wp-content/uploads/2020/07/FFPSA-Guide.pdf>.

offer stipends to pay for food, housing, and other basic expenses.⁷⁹ These supports, even if short-term, can have substantial life-changing results for children and youth exiting exploitation.

Enhance Access to Trauma-Informed Mental Health Treatment and Other Specialized Services for CSAM and Child Sexual Abuse Survivors

Survivors identified significant gaps in mental health and other services, noting the need for increasing availability and accessibility of services at the time child sexual exploitation is discovered and throughout a survivor's recovery and life if necessary. Of special note, a recommendation for a lifetime of mental health care can help survivors qualify for an expansion of subsidized therapy costs under crime victim compensation funds.

A mental health professional can make a lifetime of care recommendation based on an evaluation that determines future projected expenses the victim might incur as a direct result of the crime. Where offenders in CSAM cases continue to circulate images of child sexual abuse, it causes continuous and constant re-victimization, and significant psychological harm to the child.⁸⁰ In federal prosecutions and in many states, victims depicted in CSAM or subject to other forms of exploitation and their caretakers can submit victim impact statements relaying to the court the profound and enduring harm caused by the defendant, including a defendant who possessed CSAM depicting the victim. These statements can be considered in determining the appropriate sentence for the defendant, including the length of incarceration.

Knowing that such images exist on the internet, including receiving notices through the Victim Notification System,⁸¹ also can cause anxiety, dread, and shame. The costs of this additional harm can include long-term medical treatment; physical or occupational rehabilitation or therapy; mental health counseling or therapy; and time off from work to receive any of these treatments and services.⁸²

To determine lifetime of care costs, licensed psychologists perform a series of assessments of the individual, noting indicators through the ACES study,⁸³ family history, current victimization, and other indicators. These assessments result in a projection of the lifetime of care costs for that person and is submitted as part of court records. Full restitution should include all immediate and expected monetary costs of the crime to victims, including property loss, physical and mental health costs, and, when appropriate, education expenses and future vocational training.⁸⁴

⁷⁹ Newcombe, A., French, E., Walker Brown, K., & Guymon, M. Building Bridges: How Los Angeles County Came Together to Support Children and Youth Impacted by Commercial Sexual Exploitation (2020). Los Angeles County; National Center for Youth Law. Available at: <https://youthlaw.org/resources/building-bridges-how-los-angeles-county-came-together-support-children-and-youth-impacted>

⁸⁰ <https://dc.law.utah.edu/cgi/viewcontent.cgi?article=1140&context=scholarship>.

⁸¹ <https://www.missingkids.org/content/dam/missingkids/pdfs/Captured%20on%20Film.pdf>.

⁸² <https://ovc.ojp.gov/sites/g/files/xyckuh226/files/publications/infores/victims/victserv.pdf>.

⁸³ <https://pubmed.ncbi.nlm.nih.gov/33653771/>.

⁸⁴ https://www.ncjrs.gov/ovc_archives/directions/pdfxt/chap15.pdf. See also *United States v. Danser*, 270 F.3d 451, 455 (7th Cir. 2001) “In light of Congress's intent to make whole those victims of sexual exploitation, we find that [section 2259](#) allows for restitutionary damages for the future costs of therapy.”; *United States v. Doe*, 488 F.3d 1154, 1161 (9th Cir. 2007) “We likewise do not think it was an abuse of discretion to award costs for alternative education programs and vocational training in phone repair based upon this record.”

Survivors will require different services at different life stages (transition to adulthood, interpersonal relationships, becoming parents) which should allow for shifting service needs and a wider range of therapeutic modalities. For example, there is currently a lack of peer-based support for CSAM survivors/non-offending caregivers, who have knowledge and experience with underrepresented populations (boys, LGBTQI+, children of color, indigenous populations, foster care children, intergenerational abuse victims). Survivors want to connect with other survivors, but it is difficult to create a public, online space to do so without leading to threats from online stalking and public shaming from offenders or non-survivors. The sexual nature of these crimes creates a social stigma that silences discussion and leaves survivors feeling isolated, guilty, and ashamed. Peer-based services instill hope, dispel myths, provide education and resources, and break down barriers.

In addition, medical and mental health professionals need comprehensive standardized trauma-informed training on CSAM and child sexual abuse survivor issues. This can be accomplished by partnering with leading clinicians and professional organizations to develop training opportunities for mental health professionals, especially relating to continuum of care models.

A wide variety of organizations respond to child sexual trauma. Some have inadequate experience, lack trained or licensed staff, or may inadvertently engage in harmful practices that further traumatize survivors. Some programs screen out children and youth who are survivors of child sex trafficking because program staff do not feel equipped to deal with them, are concerned about recruiting members or disruption of therapy sessions or other operations (particularly in group settings) or want to make their programs look more effective by excluding victim populations that may require more tailored services or have more barriers to healing. Children and youth must have access to the services they need to exit exploitation and recover from trauma safely and successfully.

Certain principles should guide every provider of trauma-responsive services for children and their families. These include preserving safety, promoting choice, building resilience and inclusivity, empowering with knowledge and skills, fostering collaboration, sharing information transparently, moving beyond stereotypes, developing a support network for each client, and promoting nonviolence.⁸⁵ The National Children's Alliance (NCA) has established standards⁸⁶ to ensure all children across the United States who are served by Children's Advocacy Centers (CACs) receive interventions that help them heal. Uniform standards of care are provided and monitored through the Accreditation Standards under NCA to ensure that CACs function within a trauma-informed framework designed to reduce harm and support healing.⁸⁷ Further work is needed across CACs nationwide to increase the availability and access to mental health services. Beyond CACs, child victimization services in general need the ability to increase access to and deliver evidence-based mental health services and trauma-informed care so that all care provided

⁸⁵ *Report of the Attorney General's National Task Force on Children Exposed to Violence*. December 12, 2012. This project was supported by Grant No. 2011-DD-BX-K037 awarded by the Office of Juvenile Justice and Delinquency Prevention, Office of Justice Programs, U.S. Department of Justice. Available at:

<https://www.justice.gov/defendingchildhood/cev-rpt-full.pdf>

⁸⁶ National Children's Alliance. Standards for Accredited Members. 2017 Edition. Available at:

https://ovc.ojp.gov/sites/g/files/xyckuh226/files/media/document/os_nca_standards_child_advocacy_centers-508.pdf

⁸⁷ <https://www.nationalchildrensalliance.org/wp-content/uploads/2021/10/2023-RedBook-v5B-t-Final-Web.pdf>

is consistent with national standards of care such as those outlined in the NCA Standards as well as those provided by SAMHSA’s Concept of Trauma and Guidance for a Trauma-Informed Approach.⁸⁸

Increase Research on Effective Interventions

Action research is an effective complement to traditional research. Traditional research attempts to generate knowledge applicable to a variety of populations and contexts. Action research focuses on quickly finding solutions to specific problems in specific contexts. The OVC Training and Technical Assistance Center (TTAC) released a Human Trafficking Action Research Toolkit in FY 2020 to provide information, strategies, tools, and other resources to help organizations and programs understand and conduct action research.⁸⁹ Continued promotion of action research is important as a tool for stakeholders to confront challenges as they arise, while also encouraging traditional research studies when funding is available to determine best practices for treating child victims of sex trafficking and CSAM.

Additionally, the families of children who are sexually exploited are often economically disadvantaged. While offenders may sexually exploit children from every socioeconomic status and location, additional research is needed to determine how poverty drives exploitation. Robust, well-funded family support systems can help protect children from exploitation.

Continue to Support a Survivor-Informed Response to Service Delivery

One of SAMHSA’s six key principles to a trauma-informed framework is “Empowerment, Voice, and Choice,” giving survivors a voice in their treatment and ensuring they are supported by service providers in shared decision-making.⁹⁰ While some federal funders encourage this through training, technical assistance and direct service programs, this goal is still missing from some programs. At every step of the design, implementation, and evaluation of survivor care programs, a broad and

SAMHSA’s Six Principles of a Trauma-Informed Approach

According to the Substance Abuse and Mental Health Services Administration (SAMHSA), a trauma-informed approach focuses on six key principles, rather than a prescribed set of practices or procedures.

Those principles are:

1. Safety
2. Trustworthiness and Transparency
3. Peer Support
4. Collaboration and Mutuality
5. Empowerment, Voice, and Choice
6. Cultural, Historical, and Gender Issues

⁸⁸ Substance Abuse and Mental Health Services Administration. SAMHSA’s Concept of Trauma and Guidance for a Trauma-Informed Approach. HHS Publication No. (SMA) 14-4884. Rockville, MD: Substance Abuse and Mental Health Services Administration, 2014. <https://store.samhsa.gov/sites/default/files/d7/priv/sma14-4884.pdf>.

⁸⁹ Henninger, A. M., Lowry, S., & Tripathi, T. (2020). OVC TTAC human trafficking action research toolkit. Office for Victims of Crime Training and Technical Assistance Center, Washington, DC. Available at: https://www.ovcttac.gov/downloads/views/HowWeCanHelp/HT/OVC_TTAC_Human_Trafficking_Action_Research_Toolkit_Revised_Dec2020_FINAL_508c_011921_JE.pdf.

⁹⁰ Ibid.

diverse range of survivors should be consulted to inform overall program development, including men and women of color and LGBTQI+ survivors.

Soliciting feedback from children and youth must be done with care, but their perspective is essential. A good starting point for organizations to learn how to support and collaborate with survivors are the federally-funded Toolkit for Building Survivor-Informed Organizations, originally created in 2018 and updated in 2021-2022, and the Practical Guide: Survivor-Informed Services, released in 2020.⁹¹

Adopt a Two and Three Generation/Whole Family Approach to Service Delivery

Service providers should also adopt a whole-family, two- and three-generation approach to service delivery wherever possible. Many youth survivors of sexual exploitation are parents themselves, and some families have intergenerational histories of child sexual abuse trauma. This approach works with both the child and the non-offending parents, family members, and other safe adults in their lives⁹² in the delivery of services. It can provide families with holistic access to the services and resources they need to build health and well-being intergenerationally, including pre-natal care and care for infants born to young survivors.

Of course, not all child survivors should be reunited with their immediate families. When someone in the family is the offender, extended family members or other trusted, caring adults with whom the child feels safe can potentially be brought in to assist with a plan to help the victim. Appropriate residential placement of housing and shelter services for survivors, like so many aspects of survivor care, must be based on an individualized assessment.

Improve standards and transparency of internet platforms for detection and reporting of child sexual exploitation

In recent years, attention has been focused on the role of the technology industry in child sexual exploitation and on improving measures to address technology industry accountability. For example, the Five Country Ministerial (FCM) Digital Industry Roundtable issued eleven Voluntary Principles that were developed to counter online child sexual exploitation and abuse. The principles were designed to prevent CSAM, target online grooming and preparatory behavior, target livestreaming, address search results, use specialized approaches for children and survivors, and collaborate and respond to evolving threats. According to the statement issued by FCM, “[t]hese principles are intended to provide a consistent and high-level framework for industry actors that is flexible and can be applied across different services. Some companies have already implemented measures similar”⁹³ to these principles.

⁹¹ National Human Trafficking Training and Technical Assistance Center. Toolkit for Building Survivor-Informed Organizations. This publication was funded by contract no. HHSP233201500071I/HHSP23337011T awarded by the U.S. Department of Health and Human Services, Administration for Children and Families, Office on Trafficking in Persons. https://www.acf.hhs.gov/sites/default/files/documents/otip/toolkit_for_building_survivor_informed_organizations.pdf.

⁹² United States Advisory Council on Human Trafficking. Annual Report 2020. Available at: <https://www.state.gov/united-states-advisory-council-on-human-trafficking-annual-report-2020/>.

⁹³ <https://www.justice.gov/opa/pr/departments-justice-homeland-security-and-international-partners-announce-launch-voluntary>; <https://www.justice.gov/opa/press-release/file/1256061/download>

While the FCM statement provides a framework to discuss consistent prevention, detection, and transparency principles, more sustained and substantive industry efforts are needed. Specifically, many companies have internal policies on removing CSAM and child sex trafficking or grooming content, but they fail to address the full range of exploitative imagery, their algorithms may not catch the content, and they don't have enough analysts to do the work. This can range from non-CSAM imagery moments before or after the abuse, to predatory text or personally identifiable information of survivors, posted online, connecting them to the original exploitation. The industry should adopt best practices and standards on public reporting to improve survivor reporting experience is also needed. While some industry members are taking steps to create more transparency and substance in their detection and reporting functions, much remains to be done to move the entire industry forward and implement essential tools and processes to eliminate the circulation of CSAM online and to disrupt and prevent online grooming and recruiting of children for the purpose of sexual exploitation.⁹⁴

Create legislation to address barriers to financial compensation for survivors and address continued circulation of CSAM

Even after an offender is prosecuted for production and trafficking of CSAM, the distribution of those images continues, sometime for decades. The continual re-circulation of these images by new offenders in future cases creates a horrific situation for survivors. To address this, federal law must provide remedies to enable survivors to seek legal redress against all entities that facilitate distribution of their sexual abuse images. Such remedies would include revising Section 230 of the Communications Decency Act to enable survivors to pursue legal action against online providers that facilitate CSAM offenses and allow the Department to seek injunctive relief against online providers to stop online sharing of CSAM. Additionally, victims need a civil or administrative mechanism to require online providers to quickly remove content upon the request of the victim.

While restitution is mandatory for child exploitation victims in federal cases, many offenders lack resources to pay any restitution award. Even if some funds are available, it could be many years before any money goes to the victims, particularly if offenders are serving long sentences and not required to make significant payments during incarceration. Prosecutors need additional means of seizing non-liquid assets to ensure victims receive the restitution payments ordered.

A child's trauma from online sexual abuse is unique in that "rather than occurring in a single moment, the process of disclosure can take decades to come to fruition."⁹⁵ Therefore, it is important to remove barriers for victims of child sexual exploitation so they can pursue civil remedies when they are at the appropriate place in their recovery process. Legislation could also extend or delete statutes of limitations applicable to the rights of victims of CSAM trafficking offenses to seek compensation through civil lawsuits.

⁹⁴ Further information on supporting victims of child exploitation occurring overseas can be found in the Extraterritorial Child Sexual Abuse chapter.

⁹⁵ <https://childusa.org/wp-content/uploads/2020/04/Delayed-Disclosure-Factsheet-2020.pdf>.