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The Role of Specialty Courts in Addressing Human Trafficking Cases: A Policy Evaluation

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A Policy Evaluation



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The Role of Specialty Courts in Addressing Human Trafficking Cases:

A Policy Evaluation

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Specialty Courts for Trafficking Victims: Considerations for Nebraska

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Specialty Courts for Trafficking Victims: Considerations for Nebraska

Executive Summary

Although trafficking victimization has received increasing levels of attention, there are still concerns that many victims are not being identified or being misclassified as offenders. The growing recognition that trafficking victims are being detained by the criminal justice system has prompted an additional layer of complexity for the agents who work in the field.

In response, some jurisdictions have implemented trafficking specialty courts to account for the unique needs of these victim-defendants. Trafficking specialty courts are problem-solving courts that use treatment-oriented protocols to address the offenses committed by the individual and the trauma experienced from their exploitation (Office for Victims of Crime, n.d.). The ultimate goal of these efforts is (1) to identify and divert potential trafficking victims out of the traditional justice system, (2) deliver appropriate trauma-informed responses, and (3) to address the underlying root causes of vulnerability that could prevent future victimization (Liles, Blacker, Landini, & Urquiza, 2016; Office for Victims of Crime, n.d.).

Although there have been efforts to create and, at times, evaluate trafficking specialty courts and dockets, there has not been a systematic review of all trafficking courts to date. In this context, the current study seeks to organize knowledge on trafficking specialty courts in the United States and to evaluate existing models to inform best practices when addressing trafficking victims in a criminal justice

Summary of Findings

- There were 38 trafficking courts identified across the United States between 2009 and 2018
- A majority of these courts are located in four states (79%): New York, California, Ohio, and Texas
- There has been a steady increase in the implementation of specialty trafficking courts over the last decade
- Although some courts note that they address “human trafficking” cases, most if not all of the courts are heavily focused on identifying sex trafficking cases only
- Only 11 court systems have completed any type of evaluation on their effectiveness:
 - Five courts have *quantitative* evaluations
 - Four courts have *qualitative* evaluations
 - Two courts have *mixed-methods* evaluations
- Collectively, the evaluations suggest that trafficking courts could be a promising strategy to address trafficking victim-defendants’ vulnerabilities, but more research is needed to confirm what courts should target for intervention
- Any new specialty courts should incorporate an evaluation component to assess whether the initiative is able to identify and address victim-defendants’ needs effectively

setting. Thus, this proposal seeks to organize knowledge surrounding the creation, implementation, effectiveness, and limitations of such an endeavor at the national level. Given the goals noted above, the current study had two main objectives: (1) conduct a systematic review of all existing human trafficking specialty courts and dockets in the United States and (2) examine any existing evaluations conducted on these courts and dockets to determine best practices for court initiatives.

For this study, the systematic review of specialty courts was conducted in four phases. In the first phase, relevant search terms and search engines were used to identify trafficking-related courts. More specifically, the following search terms were used in various combinations to search through Google, LexisNexis, and individual state court websites: “trafficking,” “prostitution,” “exploitation,” “docket,” “court,” “problem-oriented,” and “specialty” between October 2018 and June 2019. Details on the identified courts were then systematically coded.

The current review identified 38 trafficking-related courts across 10 states including California, Delaware, Florida, Illinois, Michigan, New York, Ohio, Pennsylvania, Tennessee, Texas, and in the District of Columbia. Evaluations on trafficking specialty courts and the effectiveness of these initiatives were sparse, with only 11 court systems having some level of evaluation completed. The term “evaluation” is broadly defined here to capture the various ways in which courts are reviewed—including overviews of programs that are relatively new without empirical data. The types of evaluations identified can be divided into three categories: (1) quantitative ($n = 5$); (2) qualitative ($n = 4$); and (3) mixed-methods ($n = 2$).

Although the evaluations were assessed using different methods and types of data, there were three key takeaway points gleaned from these efforts. First, court actors—and sometimes court participants—struggled at times to identify and label individuals engaging in commercial sex as victims (Global Health Justice Partnership, 2018b; Miner-Romanoff, 2017). Second, very little is known about the outcomes of these courts, even for the evaluations that were reviewed. Third and relatedly, evaluations of problem-solving trafficking courts consistently noted the need to better evaluate victim-defendant outcomes. As more court evaluations are completed, more details can be uncovered on how best to respond to trafficking victims who are identified by the justice system.

Preliminary evidence suggests that specialty trafficking courts could be beneficial for assisting trafficking victims. With that noted, there are three recommendations based on the current review that should be considered prior to implementing such an initiative in Nebraska. First, any new courts should have clear guidelines and criteria for who will be diverted to these programs (e.g., risk assessments, charges, age requirement, type of trafficking), how they can successfully “graduate,” and what the consequences will be if they start the program and never finish. Second, it is important to account for the individual’s perspective when identified as a potential trafficking victim. Third, any new initiative should plan for an evaluation component to be integrated with the court from the beginning to ensure any treatment interventions are assessed and adjusted as needed.

Specialty Courts for Trafficking Victims: Considerations for Nebraska

Human trafficking is broadly defined as the use of force, fraud, or coercion to exploit another individual, commonly through commercial sex or involuntary servitude (Victims of Trafficking and Violence Protection Act of 2000). Although the prevalence of these events is difficult to ascertain (Finkelhor, Vaquerano, & Stranski, 2017), trafficking is considered an underreported crime due to the clandestine and oftentimes violent nature of these offenses (e.g., Bailey & Wade, 2014; Farrell & Reichert, 2017; Logan, Walker, & Hunt, 2009; McGaha & Evans, 2009). For example, trafficking victims—that is, those who are being trafficked—are exposed to numerous negative experiences while they are being exploited, including isolation, starvation, torture, manipulation, coercion, and physical and sexual abuse (e.g., Lederer & Wetzel, 2014; Sukach, Gonzalez, & Pickens, 2018). These experiences also reduce the likelihood that victims will come forward or seek help (Logan et al., 2009). Despite these reporting issues, there is a general consensus that trafficking is a real crime that requires a multidisciplinary and comprehensive response (e.g., Hodge, 2008; Savona & Stefanizzi, 2007).

As part of the response in the United States, there have been updates to legislation (U.S. Department of State, n.d.), efforts to train first responders on these crimes (Grubb & Bennett, 2012; Renzetti, Bush, Castellanos, & Hunt, 2015; Rollins, Gribble, Barrett, & Powell, 2017), and funding to provide a wider array of services for victims (U.S. Department of Justice, 2017). However, a high priority has been to increase the ability to identify trafficking events as such to ensure that these crimes do not continue to go undetected (Clawson & Dutch, 2008). In this way, the criminal justice system has been used as one of the major ways to accomplish this goal.

Of course, those who perpetrate trafficking are subjected to arrest and prosecution in a traditional criminal court if they are caught. A more perplexing issue, however, is that victims of trafficking are themselves engaged in what would normally be defined as a criminal offense, such as prostitution. In the past, these victims—who were originally classified as offenders (also known as “victim-defendants”)—were themselves treated as criminals and punished. As knowledge about the complex nature of trafficking has become known, jurisdictions around the United States have begun to create separate courts to address this issue. The purpose of such trafficking specialty courts has been (1) to identify victims, (2) to divert them from the traditional criminal justice system, and (3) to ensure that they receive appropriate services to address their vulnerability to trafficking and the trauma that they may have experienced. It should be noted that specialty courts—also known as “problem-oriented” or “problem-solving” courts—have been introduced as a way of handling the unique needs of a variety of offenders. Thus, there are now courts designed to process those who are addicted to drugs, drink and drive due to alcohol addiction, have engaged in domestic violence, and are military veterans (e.g., Marlowe, Hardin, & Fox, 2016).

In this context, this project seeks to organize knowledge on trafficking specialty courts in the United States and use those findings to inform anti-trafficking policies on courts in Nebraska. As such, the following sections will provide an overview of the intersection between human trafficking and the criminal justice system, review the purpose of specialty courts, discuss how

Nebraska has responded to this crime, and present the proposed contribution of the current project.

Human Trafficking and the Criminal Justice System

Although trafficking has received increasing levels of attention, the ability to identify victims and investigate cases has remained elusive for three reasons. First, victims may not come forward or seek assistance while they are being exploited (Newton, Mulcahy, & Martin, 2008). For example, trafficking victims are exposed to numerous negative experiences while they are being exploited including isolation, starvation, torture, manipulation, coercion, and physical and sexual abuse (e.g., Lederer & Wetzell, 2014; Sukach et al., 2018). Even when victims are interacting with first responders, they are often hesitant to divulge their experiences for various reasons including being fearful, not speaking the language, or distrusting law enforcement officials.

Second, identifying victims is further complicated when law enforcement officials and other first responders are not sufficiently trained to identify potential trafficking victims in the field (Farrell, McDevitt, & Fahy, 2010). In particular, police who are not able to recognize possible indicators of trafficking can end up treating victims as offenders—and arresting these individuals—rather than offering them services. These negative interactions with law enforcement agents can further foster mistrust and subsequently reduce the likelihood that victims will self-identify as such.

Third, discrepancies in legislation across jurisdictions for minors result in inconsistent legal practices. More specifically, federal legislation specifies that minors who are induced to engage in commercial sex should be classified as trafficking victims (Victims of Trafficking and Violence Protection Act of 2000). However, states can have varying criteria for minors who engage in commercial sex to be categorized as victims (Polaris Project, 2014; Reid & Jones, 2011). These inconsistencies across jurisdictions lead to discrepancies when considering whether to rescue a minor as a victim or arrest a minor as an offender. Similar issues arise when identifying adults who are involved in commercial sex as trafficking victims—where some level of force, fraud, or coercion generally needs to be proven (Rieger, 2007).

For these reasons, trafficking victims have historically been overlooked or misclassified by first responders and the criminal justice system. For example, victims are often induced to engage in a variety of offenses during their exploitation (e.g., prostitution, substance use, theft). Thus, victims of human trafficking can be initially identified or treated as offenders due to the activities that they are engaging in at the time of arrest—oftentimes as a direct result of being trafficked (Adelson, 2008; Love, Hussemann, Yu, McCoy, & Owens, 2018; Williamson & Prior, 2009; Wilson & Dalton, 2008).

The growing recognition that trafficking victims are being detained by the criminal justice system has prompted an additional layer of complexity for the agents who work in these fields. In many cases, the realization that victims are being classified as offenders has resulted in frustration among agencies and actors on how to address these events because they are generally

limited in their responses. For example, Anderson, England, and Davidson (2017) completed interviews with juvenile court practitioners to determine how they viewed females who entered the justice system and were also involved in or suspected to be involved in commercial sex. Researchers observed staffing where there was a discussion on the lack of options that the court had in addressing a case with multiple risk factors:

She's going to be placed as a delinquent, not as a victim. This, to me, is magnified huge because you don't often staff a case where a girl admits excitedly that she's had sex with 150 men in 30 days. But looking at the fact that she's similar to the girls we have placed—inability to self-control to stay home, high risk behavior, and just magnified. On this issue alone she's going to be placed as a delinquent. (Anderson et al., 2017, p. 671)

In another interview with a court practitioner, an agent illustrated the aggravation felt when exploited minor females are placed in residential facilities rather than being identified as victims:

We get these girls who have been victimized, I would say pimped out, I would say exploited. But then we treat them as delinquent youth. And that's, in my personal opinion, that's a problem. I think you heard me say, so how do we get this girl to recognize that she's a victim and move past that, and treat this as her being a victim by being exploited by these older people, if we are placing her as a juvenile delinquent? I think if there was some sort of way, and I don't even know because one doesn't exist, to place her as a victim of sex trafficking. Because then she can say, well I was a victim, I was out here partying and having sex with boys and it was all being arranged. I was being exploited by these three people who are sitting in jail. But we don't do that. She's a juvenile delinquent. It doesn't matter what we call her. She needs help. Right now, because there's no other way to get her the help she needs, the court is willing to step up. But then that affects our budget. We're going to place that girl as a juvenile delinquent. She is going to be one of the two or three girls that we have in placement. And she is there as a delinquent and not a victim, which is crazy to me. (Anderson et al., 2017, p. 672)

Charging and incarcerating victims who are identified as offenders also means that these individuals are subjected to criminal records that can limit living arrangements and make finding gainful employment difficult (Smith, Vardaman, & Snow, 2009). Furthermore, many victims of trafficking suffer from a variety of issues that make them vulnerable to potential revictimization (e.g., homelessness, substance abuse, lack of supportive relationships, post-traumatic stress disorder, suicidal ideation, financial instability) (Busch-Armendariz, Nsonwu, Heffron, Hernandez, & Garza, 2009; Edinburgh, Pape-Blabolil, Harpin, & Saewyc, 2015; Reid, 2010). Unless resolved, these issues can impede successful outcomes and integration back into the community (Shigekane, 2007).

The Purpose of Specialty Courts

As trafficking has received increasing levels of attention, individuals have become more educated on the reality of these offenses and the overlap of victims entering the criminal justice

system. In response, some jurisdictions have implemented trafficking specialty courts to account for the unique needs of these victim-defendants. Trafficking specialty courts are problem-solving courts that use treatment-oriented protocols to address the offenses committed by the individual and the trauma experienced from their exploitation (Office for Victims of Crime, n.d.). The ultimate goals of these efforts are to (Liles et al., 2016; Office for Victims of Crime, n.d.):

1. Identify and divert potential trafficking victims out of the traditional justice system;
2. Deliver appropriate trauma-informed responses; and
3. Address the underlying root causes of vulnerability to prevent future victimization

Because these courts seek to reduce the likelihood of subsequent exploitation, cases can involve known and potential victims who are at risk for trafficking—that is, individuals who have a number of risk factors associated with trafficking but who have not been trafficked (e.g., history of abuse, chronic runaways) (Liles et al., 2016). Additionally, both sex and labor trafficking cases can be filtered into specialty courts. Most courts today, however, only focus on addressing sex trafficking victim-defendants (Office for Victims of Crime, n.d.).

Depending on the jurisdiction, trafficking-related procedures can be created in a separate trafficking court, incorporated into existing problem-solving or community courts, or added on as a specialized docket. Accordingly, there is not a single, universally applicable framework that can be implemented across jurisdictions (Center for Court Innovation, 2015). To help facilitate the creation of these courts, the Office for Victims of Crime (n.d.) recommends that courts encompass six characteristics:

1. Specify who will be responsible for the identification and assessment of potential victims;
2. Use trauma-informed courtroom protocols;
3. Establish referrals to community-based services (e.g., counseling, housing, legal, substance use);
4. Monitor judicial compliance to ensure regular updates;
5. Collaborate with local task forces and service providers; and
6. Evaluate the court, create performance indicators to monitor, and assess goal achievement of the court

By creating a systematic response to these cases through courts, it is expected that jurisdictions can better understand trafficking in the region and determine the most effective way to respond to victim-defendants.

Human Trafficking in Nebraska

Again, although the prevalence of trafficking is difficult to determine, there are some indicators that trafficking is also an ongoing problem in Nebraska. For example, there were 82 human trafficking cases reported to the National Human Trafficking Hotline (NHTH) in

Nebraska in 2018. There have been 282 total cases identified in Nebraska by the NHTH since 2007. However, these are only reported cases and do not capture those individuals who never came to the attention of the NHTH. Other research suggests that, every month, there are 900 individuals sold for sex in Nebraska based on online advertisements for sex—15% of these individuals are considered to be high risk for trafficking (Price & Clark, n.d.). Interviews with sex trafficking survivors in Nebraska further confirm that vulnerabilities such as substance use and unstable home lives can create opportunities for traffickers to exploit individuals (Rajaram & Tidball, 2016).

Given the emerging social concern surrounding human trafficking, Nebraska has taken a number of steps to address these offenses. More specifically, efforts in the state include the creation of the Nebraska Human Trafficking Task Force (2018), the development of the Demand an End campaign and videos to increase public awareness (Nebraska Attorney General, 2018; Tobias, 2017), updates to legislation to provide more comprehensive legal responses to these offenses and the classification of minors as victims (e.g., Nebraska Revised Statute 28-831), and funding opportunities to inform society's understanding and response to trafficking (e.g., Rajaram & Tidball, 2016).

Still, there are no specialty courts or dockets dedicated to victims of trafficking in Nebraska who may originally be identified as offenders for engaging in crimes while they are being exploited (e.g., prostitution, substance use). Although all minors are now considered to be trafficking victims if they are recruited, enticed, harbored, transported, provided, or obtained for of the purpose of forced labor, services, commercial sex, sexually explicit performances, or the production of pornography, exploited adults would have to prove that they were compelled to engage in these behaviors. Thus, trafficked individuals over the age of 18 in Nebraska could still be arrested as offenders for criminal actions that they are engaging in during their exploitation (e.g., prostitution, substance use). In this way, Nebraska may benefit from evaluating whether the creation of specialty courts could assist with the state's broader anti-trafficking initiative. Reviewing the prevalence and effectiveness of these courts is thus the purpose of the current study.

Current Study

Although there have been efforts to create and, at times, evaluate trafficking specialty courts and dockets, there has not been a systematic review of all trafficking courts to date. In this context, the current study seeks to organize knowledge on trafficking specialty courts in the United States and to evaluate existing models to inform best practices when addressing trafficking victims in a criminal justice setting. Thus, this proposal seeks to organize knowledge surrounding the creation, implementation, effectiveness, and limitations of such an endeavor at the national level. The results of these efforts will then be applied to the anti-trafficking response in the state of Nebraska to illuminate potential policy directions.

Objectives

Given the goals noted above, the current study had two main objectives:

1. Conduct a systematic review of existing human trafficking specialty courts and dockets in the United States
2. Examine any existing evaluations conducted on these courts and dockets to determine best practices for court initiatives

Methodology

For this study, the systematic review of specialty courts was conducted in four phases. In the first phase, relevant search terms and search engines were used to identify trafficking-related courts. More specifically, the following search terms will be used in various combinations to search through Google, LexisNexis, and individual state court websites: “trafficking,” “prostitution,” “exploitation,” “docket,” “court,” “problem-oriented,” and “specialty” between October 2018 and January 2019. A second round of searches were conducted between February and June 2019 to ensure as many courts were identified as possible. Four additional trafficking specialty courts were identified in the supplemental search; one “court” that was originally identified was replaced because additional sources indicated it was the service provider program—not the court itself—that assisted the trafficking victims within the court system in the same county (i.e., Resiliency Interventions for Sexual Exploitation [RISE] Program was replaced with Helping Achieve Resiliency Treatment [HART] Court in Santa Barbara County, CA).

To be as comprehensive as possible, prostitution courts and reviews on prostitution diversion programs were examined due to the potential overlap between prostitution-related offenses and sex trafficking (e.g., Amara Legal Center, 2018). Because the purpose of the current review is to examine the existence of trafficking courts in particular, prostitution only courts that were identified were excluded from the review (see Appendix A for prostitution courts that were identified during the search, the location of the program, and the year it was created). Courts that served prostitution offenders *and* trafficking victims were included due to the trafficking component. Each state’s name was then included in separate searches in Google and LexisNexis to assist in finding courts and dockets (e.g., trafficking specialty court Nebraska; trafficking specialty court Ohio). As a final step, separate state court websites were identified and the terms noted above were searched in the internal website system.

The second phase of the study focused on organizing all relevant details about the specialty courts that were identified from phase one. More specifically, the following 14 details were coded for each specialty court or docket:

1. Court name
2. Location
3. Year court was created
4. Population served (i.e., minors, adults)
5. Type of crime addressed in court (i.e., sex or labor trafficking)

6. Whether the court is still operating
7. Mission of the court
8. Details on how individuals are diverted/referred to this court and any additional stipulations for court enrollment
9. How services are determined for each victim-defendant
10. Services that are provided or mandated by the court (e.g., substance, mental health)
11. Overview of how an individual successfully exits or “graduates” from the court
12. Overview of what happens if an individual does not successfully exit or “graduate” from the court (e.g., if the individual does not complete the mandates as required or violates rules)
13. Other notes on the court and its process (e.g., guiding frameworks or theories)
14. Whether an evaluation was completed on the court

In the third phase, the researchers contacted specific courts or dockets to obtain additional information as needed to complete the details from phase two. Because every court is unique, there could be details that are not readily available on websites or in publications. In these instances, supplemental inquiries were made to individual court offices when possible.

Finally, the fourth phase of the study was to conduct additional searches in Google and Google Scholar for any evaluations that were not initially identified for each specialty court and docket. The names of each identified court and docket were searched with the additional terms of “evaluation” and “report” to identify supplemental evaluations that have been completed.

There were two instances where trafficking-related programs were identified but not included. First, initiatives that focused on pre-charge diversions were excluded due to their emphasis on preventing formal charges through the justice system (see Global Health Justice Partnership, 2018a). For example, Project Reaching Out to the Sexually Exploited (ROSE), which was started in 2011 and subsequently ended in 2015, had police officers pick up sex workers in stings and bring them to a church where they were offered services (e.g., health care, shelter, substance abuse counseling) (Amara Legal Center, 2018; Cassidy, 2014). The sex workers were then allowed to choose between potential criminal charges or participation in the rehabilitation program—they were not arrested if they accepted the program. Second, courts that could not be independently verified as addressing trafficking or commercial sexual exploitation were not included in the current review. For example, some existing reviews on prostitution diversion programs labeled certain courts as addressing prostitution and commercial sexual exploitation/trafficking (e.g., ESTEEM Prostitution Prevention Court Program; Amara Legal Center, 2018). Unless the court specified “trafficking” in the name or corroborating evidence was gathered to specify that trafficking victims were included, these courts were excluded.

Because courts are being developed across the country, it is possible that there are additional courts or evaluations not identified in this review. We made an effort to identify as many courts and evaluations as possible to provide a representative overview of these programs. However, it is likely that some problem-solving courts are labeled as prostitution diversion programs, which may or may not also address trafficking. Again, only courts that specifically

discussed or identified trafficking victims as part of their initiative were included. The findings from this review are discussed in the following section.

Findings

Descriptive Overview of Court Systems

The current review identified 38 trafficking-related courts across 10 states including California, Delaware, Florida, Illinois, Michigan, New York, Ohio, Pennsylvania, Tennessee, Texas, and in the District of Columbia. Table 1 provides an overview of each of the courts identified (alphabetized by location), including the name of the court, the court's location, the date the court was created, the population the court serves (i.e., juveniles, adults), and the type of court (i.e., prostitution, trafficking). However, because New York State's Human Trafficking Intervention Courts (HTIC) are located in multiple counties ($n = 11$), Table 1 only shows 28 separate court names.

The information on the courts came from a broad range of sources, including newspaper articles, press releases, court webpages, evaluation reports, government publications, brochures, journal articles, videos, and personal communications with court actors. A complete list of references for the courts is available upon request.

Trafficking Court Model. A review of specialty trafficking courts illuminated the diversity in how these programs operate. Although each court has unique qualities, similarities do exist. Due to the number of courts, it is not possible to review all aspects of each operation. Thus, the following section will provide an overview of overlapping and divergent trends to illustrate how these types of reforms function. A more detailed overview of each court's characteristics is provided in Appendix B for coding categories #6 through #14 as outlined in the methods section.

Trafficking courts are often created due to some interest by a judge who agrees to preside over the cases (e.g., Sampedro-Iglesia, 2018). As previously noted, these courts generally seek to identify known victims and at-risk individuals with the goal of rehabilitation (e.g., California Courts, 2014). Given the intersection with the justice system, it is not surprising that many courts rely on legal actors (e.g., Appleton, 2017) or trafficking-related charges (e.g., prostitution; California Courts, 2014) to identify victim-defendants. Some courts allow participants to apply for court diversion rather than automatically enroll them (e.g., "Specialty Programs," n.d.), whereas others use trafficking risk assessment tools to screen for potential participants (e.g., Eleventh Judicial Circuit of Florida, 2017; Liles et al., 2016). Depending on the court, having serious felony convictions or violent histories could disqualify victim-defendants from participating (e.g., Read, 2016).

Once eligible victim-defendants are identified, they often have to meet certain stipulations for court enrollment. For example, victim-defendants may have to consent to participate in the program (e.g., Luminais & Lovell, 2018), plead guilty to their original charges (e.g., Parker & Pizzio, 2017), cooperate with law enforcement in the prosecution of their traffickers (e.g.,

Table 1. Trafficking Specialty Courts in the United States (N = 38)

Court Name	Location	Created	Population	Type^a
1. Girls' Court	Alameda County, CA	2011	Juveniles	ST
2. Friday Court	Fresno County, CA	2014	Juveniles	ST
3. Dedication to Restoration through Empowerment, Advocacy, and Mentoring (DREAM) Court	Los Angeles County, CA	2016	Juveniles	ST
4. Succeeding Through Achievement and Resilience (STAR) Court	Los Angeles County, CA	2012	Juveniles	P; ST
5. Commercial Sexually Exploited Children (CSEC) Court	Sacramento County, CA	2014	Juveniles	ST
6. Reducing Sexually Exploited and Trafficked (RESET) Court	Sacramento County, CA	2015	Adults	P; ST
7. Resiliency is Strength and Empowerment (RISE) Court	San Diego County, CA	2017	Juveniles	ST
8. Helping Achieve Resiliency Treatment (HART) Court	Santa Barbara County, CA	2015	Juveniles	ST
9. Trauma-Informed Probation (TIP) Court (also known as Human Trafficking Court)	New Castle County, DE	2012	Adults	P; ST
10. Growth Renewed through Acceptance, Change, and Empowerment (GRACE) Court	Miami-Dade County, FL	2016	Juveniles	HT
11. Chicago Prostitution and Trafficking Intervention Court	Cook County, IL	2015	Adults	P; ST
12. Phoenix Court	Ingham County, MI	2017	Juveniles	ST
13. Human Trafficking Court	Washtenaw County, MI	2014	Adults	ST
14. Human Trafficking Intervention Courts (HTIC)	Multiple counties, NY ^b	2013	Juv./Adults	P; ST
15. Human Trafficking Specialized Docket	Cuyahoga County, OH	2014	Adults	HT
16. Safe Harbor Docket	Cuyahoga County, OH	2015	Juveniles	HT
17. Changing Actions to Change Habits (CATCH) Court	Franklin County, OH	2009	Adults	P; ST
18. Empowerment Program	Franklin County, OH	2012	Juveniles	HT
19. Changing Habits And setting New Goals is Empowering (CHANGE) Court	Hamilton County, OH	2014	Adults	P; ST
20. Restore Court	Summit County, OH	2015	Juveniles	HT
21. Restore Individual Self-Empowerment (RISE) Program	Summit County, OH	2018	Adults	P; HT
22. Working to Restore Adolescents Power (WRAP) Court	Philadelphia County, PA	2015	Juveniles	ST
23. Cherished Healing Enslaved and Repressed Trafficking Survivors (H.E.A.R.T.S.) Specialty Docket	Davidson County, TN	2016	Adults	HT
24. Restore Court	Bexar County, TX	2013	Juveniles	ST
25. Growing Independence and Restoring Lives (GIRLS) Court (renamed Creating Advocacy, Recovery, and Empowerment [CARE] Court in 2017)	Harris County, TX	2011	Juveniles	ST
26. Reaching Independence through Self-Empowerment (RISE) Program	Tarrant County, TX	2013	Adults	P; ST
27. Phoenix Court	Travis County, TX	2015	Juv./Adults	P; ST
28. Here Opportunities Prepare you for Excellence (HOPE) Court	District of Columbia	2018	Juveniles	ST

Notes: HT = Human Trafficking; ST = Sex Trafficking (includes descriptions of commercially sexually exploited individuals); P = Prostitution.

^aType of court based on descriptions from sources. ^bBronx County (Bronx Criminal Court); Erie County (Buffalo City Court); Kings County (Brooklyn Criminal Court); Monroe County (Rochester City Court); Nassau County (Nassau District Court); New York County (Midtown Community Court); Onondaga County (Syracuse City Court); Queens County (Queens County Criminal Court); Richmond County (Richmond County Criminal Court); Suffolk County (Suffolk District Court); Westchester County (Yonkers City Court).

California Courts, 2014), or agree to attend frequent court appearances (e.g., Liles et al., 2016). Should victim-defendants meet all stipulations, they are then offered some level of services to address their vulnerabilities and risk factors for trafficking.

Services are generally determined by multidisciplinary teams and are frequently specific to each victim-defendant (e.g., Bruchmiller, 2018; H.E.A.T. Watch, n.d.). The courts offer or facilitate services to address body image issues, mental health, housing, medical care, job placement, parenting skills, substance abuse, resiliency, mentoring, or prosocial relationships (e.g., Appleton, 2017; Bell, 2016; Brown, 2014; Galindo, 2015; Human Trafficking Interagency Coordinating Council, 2018; Miner-Romanoff, 2017; Specialty programs, n.d.). A number of programs also emphasize the use of gender-responsive or trauma-informed care as core components of services (e.g., H.E.A.T. Watch, n.d.; Liles et al., 2016; Sampedro-Iglesia, 2018; Superior Court of California, 2017). How those trauma- and gender-responsive services are actually carried out for each victim-defendant, however, is less clear.

Victim-defendants who complete all requirements of the court and successfully receive services are usually considered “graduates” and have their charges dismissed or expunged (e.g., Alvarez, Evans, & Campanelli, n.d.; Luminais & Lovell, 2018; Superior Court of California, 2018). As another perk, individuals who complete the required curriculum might have their court costs or fines forgiven (e.g., Fishman, 2018). By contrast, victim-defendants who do not successfully complete programs could be placed on probation (Read, 2016), returned to traditional court (e.g., Luminais & Lovell, 2018), or given an alternative sentence if they had originally pleaded guilty (Hosseini, 2015). In this way, victim-defendants are only treated as “victims” as long as they conformed to court expectations; failure to do so could, in certain courts, result in potential or known victims being treated as offenders only.

Location. Although implemented across multiple jurisdictions, some states developed more courts than others (see Table 1). New York had the greatest number of trafficking courts when the HTIC were implemented in 11 counties in 2013 (New York State Unified Court Systems, 2014). These efforts were followed by California and Ohio with eight and seven courts and dockets each, respectively. Texas had four programs. Thus, even though there are 38 total courts, four states accounted for approximately 79% ($n = 30$) of these initiatives. Based on the concentration of courts across these four states, it is evident that specialty courts are adopted in some areas more so than others.

Year Created. The earliest court listed in Table 1 is the Changing Actions to Change Habits (CATCH) Court in Franklin County, Ohio, which was created in 2009 (Miner-Romanoff, 2015). However, an earlier trafficking pilot court was developed in Queens, New York in 2004 (Etehad, 2015; Lancman, 2015). The Queens program was noted as being a success—in addition to other pilot programs in midtown Manhattan and Nassau County—and was used to support the statewide HTIC initiative that was developed in 2013 (Center for Court Innovation, 2013; Lancman, 2015). Because the HTIC were created as a more formal response to trafficking in New York, all HTIC programs are listed in Table 1 as starting in 2013. Other courts were created in 2011 ($n = 2$), 2012 ($n = 3$), 2013 ($n = 13$; includes all HTIC programs), 2014 ($n = 5$), 2015 ($n = 7$), 2016 ($n = 3$), 2017 ($n = 2$), and 2018 ($n = 2$). Although there have been few

identified courts created in the last several years, the trend seems to indicate a steady increase of specialized courts over the past decade.

Population Served. The breakdown of court populations is outlined in Table 1. There were 16 courts that served juveniles only, 10 that served adults only, and 12 that served a combination of adults and juveniles (includes all HTIC programs). Given the broader push to specifically address minors who are trafficked for sex (e.g., Swaner, Labriola, Rempel, Walker, & Spadafore, 2016; Wasch, Wolfe, Levitan, & Finck, 2016), it is informative that a number of courts also specified their role to identify and serve adult victims.

Type of Trafficking Addressed. Based on descriptions from court sources, each program was labeled as addressing prostitution and sex trafficking ($n = 19$; includes all HTIC programs), sex trafficking ($n = 12$), human trafficking ($n = 6$), or sex and human trafficking ($n = 1$). “Sex trafficking” type combines courts that were described as addressing “commercial sexual exploitation” in addition to courts that specifically noted serving sex trafficking victims.

Given the emphasis on sex trafficking programs in this review, it is important to highlight that some of the courts emphasized “human trafficking” in the type or in the name. Nevertheless, courts that were described as addressing “human trafficking” tended to focus on identifying and diverting sex trafficking victims. For example, the Washtenaw County Human Trafficking Court uses “human trafficking” in the title but only focuses on sex trafficking cases as described by Campbell (2015, p. 103, footnote 23):

Although the Court is not intended to address severe forms of trafficking in persons outside of the commercial sex context, otherwise known as labor trafficking, the planning team agreed that any training on behalf of the Court should address all forms of severe trafficking in persons.

In another example, the Ohio Safe Harbor Docket uses the language of assisting victims of “human trafficking” while emphasizing the definitions and actions of youth involved in the sex trade (Luminais & Lovell, 2018). Additionally, Restore Court in Ohio is noted as serving victims of “human trafficking.” Although there are instances of identified youth being trafficked for labor (e.g., to sell drugs), most youth are identified as sex trafficking victims (personal communication with Restore Court Coordinator, April 27, 2018). So, even though trafficking specialty courts can serve sex and labor trafficking victims, the existing courts primarily diverted victims who were trafficked for sex.

Evaluation Studies

Evaluations on trafficking specialty courts and the effectiveness of these initiatives were sparse, with only 11 court systems having some level of evaluation completed. The term “evaluation” is broadly defined here to capture the various ways in which courts are reviewed—including overviews of programs that are relatively new without empirical data. The types of evaluations identified can be divided into three categories: (1) quantitative ($n = 5$); (2) qualitative ($n = 4$); and (3) mixed-methods ($n = 2$). Even with only 11 court types represented, it is not

possible to review each evaluation in detail. Thus, Table 2 and the following section provide an overview of evaluations, including some highlights from each of the systems.

Quantitative Evaluations. There were five courts that had some level of quantitative analysis on outcomes of the victim-defendants served (see Table 2). The information on each of these courts is discussed below. Note that only limited details were available. Reports that only provided estimates of the number of individuals served by the court were not included.

First, the Dedication to Restoration through Empowerment, Advocacy, and Mentoring (DREAM) court (Los Angeles County, California) has had 200 participants as of 2018 (Kuehl, 2018). Outcomes of this court were noted as improved relationships with staff, decreased frequency of runaways, and improved case planning through multidisciplinary teams (Los Angeles County CSEC, 2017). Additional details on these outcomes, however, were not provided.

Second, between 2012 and 2014, the Succeeding Through Achievement and Resilience (STAR) Court had 222 youths participated in Los Angeles County, California—113 girls completed the program and 109 were still active (Baldwin & Haberman, 2014). As specified in an American Public Health Association meeting presentation on STAR Court outcomes, time spent in detention decreased from an average of 35 days to 25 days, 73% of participants had not been re-arrested since starting the program, and of the girls with closed cases, 25% still communicated with someone from the STAR Court team (Baldwin & Haberman, 2014).

Third, the effect of the REducing Sexually Exploited and Trafficked (RESET) Court (Sacramento County, California) on participants' knowledge and attitudes regarding prostitution was evaluated using a pre- and post-test survey. Thirty-six court participants who were part of the program between June 2016 and January 2017 were included in the study (Parker & Pizzio, 2017). RESET participants who were White or Black, who graduated high school, who were not homeless, who had four or fewer arrests for prostitution, and who were 29-years-old or younger had significant improvements at the post-test survey.

Fourth, as of 2015, the Reaching Independence through Self-Empowerment (RISE) Court in Tarrant County, Texas program had served 35 women, with four being terminated and 13 withdrawing from the program (Global Health Justice Partnership, 2018a, p. 23). No other publicly available data were identified to elaborate on why some women did not complete the program.

Fifth, the Phoenix Court in Travis County, Texas was noted as successfully graduating three women (Amara Legal Center, 2018, p. 93). A more detailed account of these estimates, however, could not be located.

Table 2. Trafficking Specialty Court Evaluations

Court Name	Evaluation	Highlights
1. Dedication to Restoration through Empowerment, Advocacy and Mentoring (DREAM) Court <i>Los Angeles County, CA</i>	Quantitative	<ul style="list-style-type: none"> • 200 CSEC participants as of 2018^a • Improved relationships and communication with Court and DCFS staff^b • Decreased frequency of runaways^b • Improved case planning through Multi-Disciplinary Team Meetings^b
2. Succeeding Through Achievement and Resilience (STAR) Court <i>Los Angeles County, CA</i>	Quantitative	<ul style="list-style-type: none"> • 113 girls have completed the program^a • Time spent in detention decreased from an average of 35 to 25 days^{b, c} • 73% of participants have not been re-arrested since starting the program^c • Among girls with closed cases, 25% voluntarily communicated with STAR Court team members^c • 100 CSEC participants in year 1; 425 CSEC participants and 115 active cases as of 2017^b • Participants are seen about every 4-6 weeks (compared to 1-2 times per year for other youth on probation)^b • 60% of the participants graduated high school on time in 2015/2016 (10% higher than the national average for foster youth)^b • Youths participating in the court had more stability, as indicated by decreased substantiated child welfare allegations, fewer running away episodes, fewer placements, and less criminal involvement^d
3. Commercial Sexually Exploited Children (CSEC) Court <i>Sacramento County, CA</i>	Qualitative	<ul style="list-style-type: none"> • Increased trust between children and professionals^a • Respondents believed the multidisciplinary, victim-centered approach was working well, as was the identification of youth and the diversion options^e • Challenges identified included more safe, stable and positive placement options that are not detention, more funding for a full-time case manager, and better access to inpatient drug treatment^e
4. REducing Sexually Exploited and Trafficked (RESET) Court <i>Sacramento County, CA</i>	Quantitative	<ul style="list-style-type: none"> • Significant improvement in post-test survey on knowledge and attitudes about prostitution for individuals who were White or Black, who graduated high school, who were not homeless, who had four or fewer arrests for prostitution, and who were 29 years old or younger^f
5. Chicago Prostitution and Trafficking Intervention Court <i>Cook County, IL</i>	Qualitative	<ul style="list-style-type: none"> • Shorter program, which can create challenges when incentivizing participation and having a significant impact on outcomes^g • Focuses on sex work and drug abuse education as harm reduction strategies^g
6. Human Trafficking Court <i>Washtenaw County, MI</i>	Qualitative	<ul style="list-style-type: none"> • Increased self-sufficiency, high compliance rates, few absconders or re-arrests, and cost savings^h • Recommendations for new courts based on experience: gain support of service providers and attorneys, secure consistent funding, and realize that courts are likely not “catching” all victims before they are convictedⁱ
7. Human Trafficking Intervention Courts (HTIC) <i>Multiple counties, NY</i>	Mixed	<ul style="list-style-type: none"> • Criticisms include no state-wide data collection efforts, dehumanizing language by court actors, large volume of cases, disagreement over definition of consent, and implementation of trafficking protocols^{j, k} • Strengths include ongoing trainings, successful collaborations, proportionality in mandate-length, and voluntary cooperation in prosecutions^k
8. Safe Harbor Docket <i>Cuyahoga County, OH</i>	Qualitative	<ul style="list-style-type: none"> • Issues included the role of assessments in identification, inconsistencies in defining success, court rewards versus punishments, disruption of services, and facility restrictions for placements^l • Strengths include consistently using a trauma-informed approach, offering trainings to staff, and facilitating support systems for participants^l

Table 2. Trafficking Specialty Court Evaluations

Court Name	Evaluation	Highlights
9. Changing Actions to Change Habits (CATCH) Court <i>Franklin County, OH</i>	Mixed	<ul style="list-style-type: none"> • Between 2009 and 2013, participants who successfully discharged spent fewer days in jail, had fewer arrests, and had lower recidivism rates than those with other discharge types^m • Participants enjoyed the program and credited the staff and structure of court for successes^m
10. Reaching Independence through Self-Empowerment (RISE) Program <i>Tarrant County, TX</i>	Quantitative	<ul style="list-style-type: none"> • As of 2015, of 35 women participants, four were terminated and 13 withdrew from the programⁿ
11. Phoenix Court <i>Travis County, TX</i>	Quantitative	<ul style="list-style-type: none"> • Three women have graduated the program^o • Program strengths: “the provision of case management, wrap-around care, individualized service plans,” staff is passionate, committed, and “recognize the importance of building trusting relationships with clients,” staff “respect one another” and “strive toward program improvement,” “Phoenix Court can save money and save families”^p • Program Challenges: “clients are high need and have complex, compound trauma that is difficult to treat,” clients are “inconsistent in behavior and needs,” “Housing is in demand and can be difficult to obtain,” aspects of the program feel “unpredictable or inconsistent,” “clients leaving before graduation is common,” “Measuring success can be difficult.”^p

^aKuehl (2018); ^bLos Angeles County CSEC (2017); ^cBaldwin & Haberman (2014); ^dBath et al. (2016, pp. 242-243); ^eParker & Pizzio (2017, pp. 71, 80); ^fGlobal Health Justice Partnership (2018a, pp. 36, 38); ^hAmara Legal Center (2018, p. 57); ⁱCampbell (2015); ^jGlobal Health Justice Partnership. (2018b); ^kWhite et al. (2017); ^lLuminais & Lovell (2018); ^mMiner-Romanoff (2017); ⁿGlobal Health Justice Partnership (2018a, p. 23); ^oAmara Legal Center (2018, p. 93); ^pCamp, Zoutewelle, Youmans, Howarth, & Hairston (2018, p. 7).

Qualitative Evaluations. An additional four courts were examined using qualitative methods that relied heavily on interviews with court actors (see Table 2). Courts with qualitative evaluations were included as part of a broader understanding of how the courts operate and the strengths and limitations of these initiatives.

First, the Commercially Sexually Exploited Children (CSEC) Court in Sacramento County, California was evaluated using interviews with staff and advocates (Liles et al., 2016). The participants in the study reported that the program had improved the collaboration and strengthened the relationships between court actors and the children who were served. This improved trust was attributed to the consistent assignment of the same “judge, public defender, and district attorney” to the court (Liles et al., 2016, p. 242). Additionally, respondents reported that the multidisciplinary, victim-centered approach was working well, and so too were the practices of identifying youth and the diversion options available. However, the respondents also noted the need to establish more placement options aside from detention and for more inpatient drug programs.

Second, the Chicago Prostitution and Trafficking Intervention Court was created in Cook County, Illinois. This reform was described as a shorter program that can create challenges when incentivizing participation and having a significant impact on outcomes (Global Health Justice Partnership, 2018a, p. 36). However, this program also seeks to use harm reduction methods for sex work and drug use through education (Global Health Justice Partnership, 2018a, p. 38). In this way, the court attempts to address some underlying risk factors associated with trafficking and prostitution.

Third, the Human Trafficking Court in Washtenaw County, Michigan was noted as having “concrete success” as indicated by “self-sufficiency of participants, high compliance rates, few absconders or re-arrests, and significant cost savings” to the county (Amara Legal Center, 2018, p. 57). Even though the court is relatively new, the preliminary evidence suggests that it may be effectively assisting trafficking victims. Based on the experiences of the stakeholders involved in this initiative, there were several important factors that were highlighted when developing a court including gaining support of service providers and attorneys, securing consistent funding, and realizing that courts are likely not “catching” all victims before they are convicted (Campbell, 2015).

Fourth, the Safe Harbor Docket in Cuyahoga County, Ohio was reviewed using qualitative methods. Luminais and Lovell (2018) provided a rich overview of the program and identified key findings from the initiative. For example, in addition to known trafficking victims, the docket also keeps a list of at-risk victims based on assessments. The youth who are at-risk for trafficking do not participate in the docket, which could indicate the need to expand the court’s population. When examining success, the authors noted that different stakeholders used different definitions to measure outcomes—ranging from graduation rates only to the frequency and duration of running away. Additional issues included the types of rewards and punishments promoted by the court (e.g., records expunged if complete time-intensive program successfully), disruption in services due to funding or supervision days being maxed out, and restrictions on placements by facilities. Alternatively, the docket was noted as offering trainings on trafficking, having staff

who consistently used a trauma-informed approach, and facilitating support systems for participants.

Mixed-Method Evaluations. The most detailed reviews tended to employ mixed-methods techniques. Two courts had evaluations that relied on this type of procedure (see Table 2).

First, New York’s Human Trafficking Intervention Courts (HTIC) had a number of reports examining the implementation of these efforts (e.g., Amara Legal Center, 2018; Dank, Yahner, Yu, Mogulescu, & White, 2017; Global Health Justice Partnership, 2018a, 2018b; Gruber, Cohen, & Mogulescu, 2016; Ray & Catherine, 2014; White et al., 2017). Because the reports discuss HTIC as an overall initiative, these courts are viewed as one court system (as opposed to 11 separate courts). Importantly, even though there were some reported data on populations often served by HTIC (e.g., White et al., 2017), there has not been a coordinated state-wide data collection effort to evaluate these programs (Global Health Justice Partnership, 2018b, p. 51). The information that is presented, however, tends to illuminate some issues with the initiative. For example, one evaluation noted that “dehumanizing language or conduct on the part of judges or court staff frequently undermine the broader mission of the HTICs” such as one court officer’s disclosure that “other court officers...would refer to HTIC court dates as ‘hoe day’” (Global Health Justice Partnership, 2018b, p. 48). Other criticisms of the court included the volume of cases, disagreement on the definition of consent, and whether there should be trafficking identification protocols, to name a few (White et al., 2017). Conversely, the court was commended for having ongoing trainings, successful collaborations, proportionality in ensuring that the participant’s responsibility to the court did not outweigh alternative sanctions, and making victim cooperation with prosecution voluntary instead of a condition of non-criminal dispositions (White et al., 2017).

The other court that employed mixed-methods techniques was the Changing Actions to Change Habits (CATCH) Court in Franklin County, Ohio. Miner-Romanoff (2015, 2017) analyzed five years of retrospective quantitative data (2009-2013; $N = 130$) from the court and conducted interviews with current and former participants in a focus group. Participants who successfully discharged the program spent fewer days in jail, had fewer arrests, and had lower recidivism rates than those with an unsuccessful or neutral discharge (Miner-Romanoff, 2017). Of the individuals who successfully discharged the program ($n = 22$), a majority had successfully gained employment, volunteered, or enrolled in an educational or vocational training program. The qualitative interviews also provided insights into helpful components of CATCH Court. Participants credited caring, supportive, and non-judgmental CATCH staff members as central factors to their success. The respondents also noted that the court contributed to their self-esteem, assisted with physical and emotional needs, improved family relationships, and gave them the ability to make lasting changes in their lives. Overall, the evaluation findings indicated that CATCH court was valuable to participants (see also Begun & Hammond, 2012).

Summary. Although the evaluations were assessed using different methods and types of data, there were three key takeaway points gleaned from these efforts. First, court actors—and sometimes court participants—struggled at times to identify and label individuals engaging in commercial sex as victims (Global Health Justice Partnership, 2018b; Miner-Romanoff, 2017). Depending on the definitions that were used, this inconsistency could result in potential victims

being “missed” by the court and treated as offenders or in victims being dehumanized. It is also possible that individuals who do not consider themselves to be victims are classified as such regardless of their perspective (e.g., Ray & Catherine, 2014). Second, very little is known about the outcomes of these courts, even for the evaluations that were reviewed. It is unclear if court actors do not collect data on outcomes, if data are not made available for analysis, or some combination of factors. Third and relatedly, evaluations of problem-solving trafficking courts consistently noted the need to better evaluate victim-defendant outcomes. This improvement should include developing clearly stated outcomes and goals, collecting data on a broader range of outcomes that reflect “any positive change,” and conducting in-depth interviews with participants and court staff to gain a better understanding of court processes and victims’ needs (Luminais & Lovell, 2018, p. 11; see also Miner-Romanoff, 2017). As more court evaluations are completed, more details can be uncovered on how best to respond to trafficking victims who are identified by the justice system.

Conclusion

In conclusion, there are two main takeaways from the findings in this review. First, specialty trafficking courts are continuing to be developed across the United States, with some states favoring this approach more than others (e.g., California, New York, Ohio). The courts that are in existence tend to focus on victims of sex trafficking, which neglects those individuals who may be exploited for labor. Although individuals being trafficked for labor may or may not be more likely to come into contact with the justice system, courts that are not aware of or attempting to identify such cases could be missing an opportunity to intervene. The larger point here is that trafficking courts are likely to continue to be implemented as part of a broader anti-trafficking initiative across jurisdictions.

Second, and as previously noted, there are very few evaluations assessing the effectiveness of these programs. Specialty trafficking courts were originally created to address the specific needs of trafficking victims who are also identified as engaging in criminal behavior (generally during their exploitation). Given that trafficking courts are continuing to be implemented, the lack of evaluations on their effectiveness is a concern about how to best intervene in the lives of vulnerable individuals. Without a comprehensive theory or supporting evidence to guide court initiatives on what factors are most important to target, the interventions may or may not be effective. Importantly, without an evaluation component attached to the court programs, the effectiveness of what treatments are being implemented cannot be adequately assessed. Overall, these key insights have implications for the state of Nebraska.

Recommendations for Nebraska

Preliminary evidence suggests that specialty trafficking courts could be beneficial for assisting trafficking victims. With that noted, there are three recommendations based on the current review that should be considered prior to implementing such an initiative in Nebraska.

First, it was not always clear how or why some individuals were diverted into a trafficking court. Although each court likely has their own set of criteria that they use, it would be important to clearly indicate if a risk assessment tool was used or if only charges were used to identify potential victims. In the former case, scholars have worked extensively to create tools or provide recommendations to identify potential trafficking victims across a variety of settings (e.g., Center for Court Innovation, 2014). In the latter case, only using certain charges (e.g., prostitution) could mean that some victims without those charges are missed. Additionally, individuals who are trafficked for labor and who become involved in the justice system may also be overlooked or misclassified. Related to this point, it is also important to specify what someone needs to do to “graduate” from a specialty court and what the consequences would be if the individual did not “graduate.” As previously noted, some individuals who were trafficked are effectively treated as offenders for not completing the court’s requirements—this is likely an ineffective strategy for reducing vulnerabilities for subsequent trafficking.

Second, in considering the effectiveness of these reforms, it is necessary to recognize that the victim-defendants that are identified by trafficking courts are still, to an extent, offenders. Only after these individuals complete the required curriculum mandated by the courts can they have their charges dismissed or expunged (e.g., Luminais & Lovell, 2018; Superior Court of California, 2018). Depending on the victim-defendant, it is possible that some individuals will “buy” into these types of programs more than others. For example, victim-defendants who see their trafficker as a caretaker or love interest might view a trafficking court differently (e.g., as being coercive) than someone who was physically forced to engage in commercial sex (e.g., rescuing them and offering support). It is likely that victim-defendants’ perspectives of their circumstances will affect how amenable and responsive they are to treatment. Thus, it is important for any new court system to have a clear understanding about what goal they are trying to accomplish and effectively communicate that with legal actors and potential participants. Depending on the goals of the court, there could be different “tracks” for victim-defendants depending on their amenability to services. In this way, these goals should consider victim-defendants’ perspectives surrounding their case to maximize resources.

Third, an evaluation component needs to be a key element for any future specialty court system. It is important to include an evaluation because any court system wants to ensure the intervention or services they are implementing are effective. In this way, if an evaluation is prioritized and integrated from the beginning, then data management systems and milestones can be planned in advance. This preparation can ensure that employees are trained on how to properly record data points, document progress, and follow-up on questions about the system. Researchers could then track the participants’ progress, identify patterns and strategies that are effective at addressing vulnerabilities, and provide feedback on whether interventions need to be adjusted or altered to benefit the court and the participants. Overall, the goal of this initiative

would be to conduct real-time assessments on the progress of the court and to ensure that resources are being maximized and targeting the most pressing needs of victims.

Summary of Recommendations

- Recommendation 1:** Have clear guidelines and criteria for who will be diverted to these programs (e.g., risk assessments, charges, age requirement, type of trafficking), how they can successfully “graduate,” and what the consequences (if any) will be if they start the program and never finish.
- Recommendation 2:** Account for victim-defendants’ perspective when addressing needs to maximize efforts and resources based on the circumstances surrounding the case.
- Recommendation 3:** Budget and plan for an evaluation component to be integrated with the court from the beginning to ensure any treatment interventions are assessed and adjusted as needed.

In sum, specialty trafficking courts are likely to continue to be implemented as part of broader anti-trafficking initiatives. The effectiveness of these programs, however, is less certain. Although some research suggests that these courts can have promising outcomes, more research is needed to better understand what strategies are most effective and why. In this context, specialty courts may be a worthwhile investment but require the resources and support to evaluate any interventions being implemented.

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Appendix A
Excluded Prostitution Specialty Courts Identified During Search

Court Name	Location	Year Established
1. City of Phoenix Prostitution Diversion Program	Phoenix, AZ	Piloted 1997; established 2001
2. Project Responsible Alternatives to Incarceration for the Sexually Exploited (RAISE) - City of Tucson Prostitution Diversion Program	Tucson, AZ	2013
3. Phoenix Program	DeKalb County, GA	Graduated first class in 2012
4. Women in Need of Gender Specific Services (WINGS) project	Cook County, IL	2011
5. Feathers	Cook County, IL	Opened 2011; Overflow court for WINGS
6. Women Surviving Prostitution (WSP) Court	Clinton County, IL	2011
7. Kane County Deferred Prosecution Program	Kane County, IL	2002
8. Crossroads Diversion Program	New Orleans, LA	2012
9. Specialized Prostitution Diversion Program (SPD)	Baltimore, MD	2009
10. Phoenix Court	Ingham County, MI	2017
11. GIFT Court	Hennepin County, MN	2009
12. Women in Need (WIN) Court	Las Vegas, NV	2007
13. Program for the Re-Integration, Development, and Empowerment (PRIDE) Court	Allegheny County, PA	2005
14. Project Dawn Court	Philadelphia, PA	2010
15. Esperanza Court	Bexar County, TX	2014
16. Positive Recovery Intensive Divert Experience (PRIDE) Court	Dallas County, TX	2009
17. Strengthening Transition and Recover (STAR) Court	Dallas County, TX	2008
18. Effective Services to Empower Educate and Mentor (ESTEEM) Prostitution Program	El Paso County, TX	2014
19. Galveston County Commercially Sexually Exploited Persons Court	Galveston County, TX	Court was proposed but never opened due to lack of funding
20. Survivors Acquiring Freedom and Empowerment (SAFE) Court	Harris County, TX	2015
21. Helping Offenders Promoting Education (HOPE) Hidalgo County Prostitution Prevention Court Program	Hidalgo County, TX	2014
22. The Phoenix Court Prostitution Prevention Program	Travis County, TX	2015
23. Prostitution Court Program	Webb County, TX	2013
24. Salt Lake City Prostitution Diversion Program	Salt Lake City, UT	2001
25. Women's Empowerment and Addiction Recovery (W.E.A.R.) Program	Cabell County, WV	2015

Appendix B.
Overview of Trafficking Specialty Court Characteristics and Processes

Court Name (*Location, Still Operating as of 2019, Mission Statement*)

1. Girls' Court

Alameda County, CA

In Operation: Yes

Mission: “*The mission of the*

Girls' Court is to provide a non-adversarial, trauma-informed courtroom that is focused on addressing the trauma, healing, and empowerment of young women through comprehensive case plans that address each young woman's unique challenges.”

Court Referral: Girls who are being trafficked are identified early in the judicial process; “Treatment program for girls adjudicated of prostitution offenses”

Service Determinations: “Every individual is discussed at Safety Net (a weekly multi-disciplinary case management meeting), both before and after her court appearance to discuss and examine her particular needs and how the different agencies can best provide services to her”; Uses “comprehensive case plans that address each young woman’s unique challenges.”

Services Provided/Mandated: Out-of-state residential treatment programs; “Informal Saturday sessions on everything from body image to legal jargon”; Foster care; Community-based service providers; Wrap-around services; Typically, girls in this program remain in their communities, attending school and receiving services locally. As part of their case plans, they may be required to receive mental health services, such as assessments, or ongoing therapy.

Successful Completion of Requirements: Minimal details provided; Successful completion will allow charges to be erased.

Failure to Complete Requirements: No details provided.

Other Notes: Non-adversarial; Trauma-informed approach; Gender-responsive approach

Evaluation of Court: No

2. Friday Court

Fresno County, CA

In Operation: Yes

Mission: “*...to serve a growing number of youth trafficked throughout Fresno County.*”

Court Referral: Most clients are brought to court by police officers. “A youth is eligible to apply for this program at any point during their case”; Few are charged with a crime.

Service Determinations: The Fresno County District Attorney office, the public defender and the juvenile court work together to “Figure out what’s best” for the client. Unique services to address individual needs; Electronic trafficking dashboard allows for coordination of services/appointments across service providers and court actors.

Services Provided/Mandated: Mental health care; Live-in facilities; Housing; Substance abuse; Counseling; Mentoring

Successful Completion of Requirements: No details provided.

Failure to Complete Requirements: No details provided.

Other Notes: No details provided.

Evaluation of Court: No

Court Name (*Location, Still Operating as of 2019, Mission Statement*)

3. Dedication to Restoration through Empowerment, Advocacy, and Mentoring (DREAM) Court

Los Angeles County, CA

In Operation: Yes

Mission: “*The purpose of the recommended action is to support CSEC [commercially sexually exploited children] and promote changes to view and treat CSEC as victims who are in need to protective services rather than criminals in Los Angeles County.*”

Court Referral: “Case Criteria”: “All new CSEC filed petitions with a WIC 300(b)(2) count will be assigned to DREAM Court... Additionally, existing cases involving commercially exploited youth that are not currently assigned to the DREAM court may be transferred to the DREAM court at any Status Review Hearing. Any involved party may request the transfer, e.g., Hearing Officer, child’s attorney, DCFS, or parent’s attorney. Additionally, any involved party may request the court not transfer the case and that a hearing be set to determine whether the case will transfer or remain in the court of the original assignment. The assigned Hearing Officer makes the final recommendation as to whether or not the case should be transferred to the DREAM Court in Department 417.”

Children’s services should consider the following when assessing whether a case should be transferred to DREAM Court: “1.) Would the child and family agree to the transfer? 2.) Does the child have a relationship with their current CLC attorney such that it would be detrimental to the child if the case is transferred? (while the CSW will remain the same, the child may have a new a CLC attorney assigned); 3.) Is the child safe and stable and therefore not in need of the CSEC expertise of DREAM Court; 4.) Are there siblings on the case who have a relationship with their existing attorney? (The family’s entire case will be transferred to DREAM Court and not just the CSEC portion of the case; 5.) Is the child AWOL? 6.) Other psychosocial factors that would impact youth’s progress.”

Service Determinations: “Upon assignment of the case to DREAM Court, a MDT [Multidisciplinary Team Meeting] will take place the Wednesday week before the scheduled court hearing, CSEC cases in the DREAM Court will be scheduled on the Thursdays following the MDT. MDTs will include all or some of the following: the CLC attorney, DCFS, Department of Mental Health (DMH), Department of Health Services, Probation Department, an assigned child advocate, and Alliance for Children’s Rights education advocate (when there is an education issue). DCFS CSEC trained staff from the Runaway Outreach Unit (ROU) will facilitate the MDTs and will invite the case carrying CSW and SCSW to participate in the MDT. A MDT Action Plan will be developed at the MDT meeting, which will be written up by the CSEC ROU representative and shared with the DREAM Court Judge and other team members prior to the hearing. The Action Plan will outline the case plan and objectives as well as next steps and responsible parties; the MDT write-up is NOT to be attached to the court report.”

Services Provided/Mandated: The court sees CSEC victims as in need of “protective services”; Participants see the judge “at least every three months, [and] sometimes more often than that.”

Successful Completion of Requirements: No details provided.

Failure to Complete Requirements: No details provided.

Other Notes: “All staff within the court are trained on CSEC so they have an understanding of the needs of the youth...[and] they’re a little more compassionate to what’s going on than a typical courtroom”

Evaluation of Court: Yes

Court Name (Location, Still Operating as of 2019, Mission Statement)

4. Succeeding Through Achievement and Resilience (STAR) Court

Los Angeles County, CA

In Operation: Yes

Mission: "...the STAR court aims to educate and support the young woman's efforts to move away from exploitation, criminal activity, and further incarceration. The goal is to return her to school, to physical health, and emotional stability so that she can make a productive, healthy, and satisfying life for herself."

Court Referral: "On its docket are young women who have been arrested and found to have engaged in prostitution or who have disclosed involvement in prostitution after arrest on other charges." Participation is voluntary; "These young women have been arraigned and their cases adjudicated with a finding sustaining the criminal charges in their Petition." Other eligibility requirements: Under 17 years; "Likely to testify against his/her trafficker in other court proceedings." "One of more arrests for prostitution, or disclosure of sex trafficking involvement in the course of supervision by probation on unrelated charges." "Geographically near the Court and able to participate in services in Compton, Watts, Willowbrook or Carson areas." The youth may be required to testify against their trafficker.

Service Determinations: Services are determined by "a multidisciplinary team composed of the youth's lawyer, the Asst. District Attorney, a probation officer dedicated to supervision of the youth on this docket, and advocates from several community based organizations which work with sex trafficked youth on an ongoing basis." "Works with Probation and Department of Child and Family Services, group home providers, community advocates." "Court appearances for the youth will be scheduled approximately every 3-5 weeks, depending on the circumstances of the case and the child's progress." Individualized case plans are developed by the multidisciplinary team and the youth must agree to abide by the case plan and is made aware of the consequences of failure to comply; The multidisciplinary team discusses and decides on actions for any probation violations, new arrests/charges, placement failure, or other issue.

Services Provided/Mandated: Intensive supervision by specially trained Domestic Minor Sex-Trafficking Department of Probation Officers; "placement in group homes (local and out-of-state) that provide victim-centered services, with advocacy and mentoring services provided by survivors of trafficking." "STAR Court aims to ensure that girls have a secure place to live, are enrolled in school, receive adequate medical care and mental health services, and receive ongoing supervision from a treatment team. This treatment team provides the youth counseling, drug treatment (if required), and services to parents."

Successful Completion of Requirements: "Minor will continue [to] be supervised by the treatment team and STAR court for 18 months or until the curriculum has been successfully completed." "In practice, the youth's probation officer is tasked with supervising the youth and gathering information about the youth's progress from caregivers, school representatives, therapists, and other service providers." No other details.

Failure to Complete Requirements: All issues are discussed by the multidisciplinary team on a case-by-case basis.

Other Notes: The goal is rehabilitation; Court goals for participants: Secure and safe housing, enrolled in school, adult support, access to "counseling by professionals who are licensed and experienced in treating trauma victims," receiving medical and dental care, aware of status of legal proceedings and prepared to participate in proceedings, possesses essential government documentation (e.g., birth certificate)

Evaluation of Court: Yes

Court Name (*Location, Still Operating as of 2019, Mission Statement*)

5. Commercial Sexually Exploited Children (CSEC) Court

Sacramento County, CA

In Operation: Yes

Mission: "This court addresses concerns that children who are being commercially sexually exploited have specific safety, accountability, mental health stability, and enroll in school or find employment."

Court Referral: Youth who are charged with prostitution or, who have previous prostitution charges, or any known history of sexual exploitation are identified and then complete an assessment screening tool called the Commercial Sexual Exploitation-Identification Tool (CSE-IT) which includes a checklist of indicators of risk for sexual exploitation. "After youth are identified and moved to the specialized court docket, they are required to have more frequent court appearances. They could be required to attend as soon as 2 weeks or up to 60 days after their last court appearance depending on their needs, behaviors, and length of time in the specialized court."

Service Determinations: "Approximately 2 days before each designated specialized court docket, the multidisciplinary team holds a meeting with the purpose of staffing cases in order to identify any needs and gather opinions regarding a plan for the youth in an efficient way." This team includes the "public defender, district attorney, CPS social worker, youth's dependency attorney, court probation officer, and therapist/case manager for the youth" The team develops a plan for youth's supervision and services as well as probation requirements. A trauma-informed assessment is completed by a trauma-informed mental health service provider. This involves a "clinical and psychosocial interview to determine a client's basic needs, family history, background of system involvement, trauma history, and strengths."

Services Provided/Mandated: Trauma-Focused Cognitive Behavioral Therapy; Seeking Safety; Integrated Treatment for Complex Trauma; Drug and alcohol counseling; "Dialectical Behavioral Therapy for high risk behaviors"; "Multisystemic Therapy for oppositional- or delinquent-type behaviors"; An 8-week survivor advocates group at UC Davis that "focuses on safety planning, psycho education and trauma bonding, and skills to develop healthy relationships."; Assistance with enrolling in school and finding employment; Parent support group

Successful Completion of Requirements: No details provided.

Failure to Complete Requirements: No details provided.

Other Notes: Trauma-informed approach—this involves training for court actors and service providers on trauma symptoms and effects and on CSEC issues. The court also strives for "meaningful engagement and relationship[s]" between the youth, court actors, and service providers.

Evaluation of Court: Yes

6. REducing Sexually Exploited and Trafficked (RESET) Court

Sacramento County, CA

In Operation: as of 2018

Mission: "... will provide wrap around trauma based services, life skills and peer mentoring that will give women real life skills and options to better their current circumstances."

Court Referral: "Adult females charged with prostitution or prostitution-related offenses [are eligible]; may have other misdemeanor charges." Participants must plead guilty.

Service Determinations: "The [Community Against Sexual Harm] CASH RESET program works with the Sacramento Superior Court, District Attorney's office, and the Office of the Public Defender to provide" the 8-week diversion program; It is unclear whether additional services are provided to all participants or on a case-by-case basis.

Services Provided/Mandated: Health and wellness education; HIV testing; Group and individual counseling; Trauma based therapy wraparound, life skills and peer mentoring services; Participants attend one 2.5 hour class each week. "The classes focus on data around sexual exploitation, healthy coping skills, healthy interpersonal relationship skills (including boundaries and self-esteem), and helps the students identify and live by their personal value systems."

Successful Completion of Requirements: "Upon completion, the initial plea is withdrawn and the case is dismissed." Charges are not expunged.

Failure to Complete Requirements: "Those who fail RESET's diversion programs are on the hook for 'alternative sentences' that they accepted when they originally pleaded guilty."

Other Notes: Program lasts 3-6 months OR program lasts 8 consecutive weeks; Capacity is 100-120 cases; Agencies involved include "Court, Attorneys, [and] Community Against Sexual Harm (CASH)." This program is free for participants; Services are trauma-based.

Evaluation of Court: Yes

Court Name (Location, Still Operating as of 2019, Mission Statement)

7. Resiliency is Strength and Empowerment (RISE) Court

San Diego County, CA

In Operation: Yes

Mission: "RISE Court is a collaborative, engaged, and trauma-informed court that uses a multidisciplinary approach to address the needs of youth who may have a history of, or may be at risk for, commercial sexual exploitation."

Court Referral: "Any party may initiate a referral in the Juvenile Court home department by setting a special hearing or by making the request at a regularly scheduled hearing." Eligibility guidelines:

1. "Jurisdiction has been taken pursuant to Welfare and Institutions Code section 602."
2. "The minor has suspected or confirmed history of sexual abuse and/or exploitation."
3. "The minor's risk for exploitation has been confirmed by the WestCoast Children's Screening Tool (CSE-IT = Commercial Sexual Exploitation Identification Tool)."
4. "The minor does not pose an imminent and credible threat of harm to self or others."
5. "The minor voluntarily agrees to participate in RISE Court."
6. "The minor is not already participating in JFAST, Drug Court, or Dual Status Court."

"All minors will be assessed on a case-by-case basis. Possible disqualifying factors are significant violent history, significant gang involvement, pimping recruiting, and/or the commission of an offense listed in WIC § 707(b). Minimum custody time is not a requirement." "The referral may be made at any time after jurisdiction is taken by way of admission or true finding on a petition pursuant to Welfare and Institutions Code section 612."

Service Determinations: "The following partners will make up the RISE Court Team: Juvenile Probation Department, Juvenile Court, Primary Public Defender, District Attorney, HHSA Behavioral Health Services, HHSA Child Welfare Services." The following agencies and individuals may be added to the RISE Court Team: Community treatment providers, School District representative, Other mental health professionals, Other community representative, Voices for Children." "Each partner will have a designated member assigned to the RISE Court Team. It is anticipated that each RISE Court probation officer will have a maximum 20:1 caseload ratio." "The team, presided over by a Juvenile Court Judge, will meet prior to each calendar to: (1) screen candidates for the program; (2) develop service plans; (3) review participants' progress in the program; and (4) determine advancement and graduation from the program."

Services Provided/Mandated: "The Team will use a combination of empowerment activities, incentives, and accountability to address the behaviors and motivate compliance with the program requirements." "After adoption of the service plan, the case will be calendared for a review hearing at least once each month or more frequently if necessary." "The overall goal for RISE Court is to create a nonadversarial, supportive service plan for each participant utilizing a community approach and positive youth development framework, including case management, wraparound services, education assistance, individual/family therapy, and empowerment activities, while addressing safety, security, physical, social, and emotional health, shelter/placement and basic needs"

Successful Completion of Requirements: "Each participant must successfully comply with program requirements as defined in the service plan. The team will develop and adopt and aftercare program for the graduate." "The following incentives may be used by the Team to address target behaviors and motivate compliance with the program requirements: Recognition from the court, including a Certificate of Achievement, Removal of consequences, Monetary incentives/gift cards, Empowerment activities, Shortened probation period, Graduation, Successful termination of probation, Dismissal of charges, Sealing of records."

Failure to Complete Requirements: "The following accountability measures may be used by the Team to address target behaviors and motivate compliance with the program requirements: Admonishment from the court, Detention, Extended probation period, Modification of service plan, Community service, Home supervision and/or electronic surveillance, Written essay(s), Adjustment of curfew, Modification of probation condition, Loss of personal privileges, Termination from the RISE program"

Other Notes: The court follows the Six Principles of Positive Youth Development.

Evaluation of Court: No

Court Name (Location, Still Operating as of 2019, Mission Statement)

8. Helping Achieve Resiliency Treatment (HART) Court

Santa Barbara County, CA

In Operation: Yes

Mission: "The program,

Helping Achieve Resiliency in

Treatment, or

HART, seeks to identify youth

involved in or at risk of

becoming involved in

trafficking and

have their needs addressed in

a collaborative court

environment."

Court Referral: On its docket are youth who have been arrested and found to have engaged in prostitution, who have disclosed commercial sexual exploitation after arrest on other charges or are highly suspected to be victims of sex trafficking. The HART Court-involved young people have sustained criminal charges and are on, or subject to, a form of probation supervision.

Service Determinations: The District Attorney, Probation, Behavioral Wellness, and various community agencies collaborate to identify those at high risk. The HART team meets regularly to staff cases in a cross-discipline setting, and works to identify community resources that may best serve the needs of a particular youth. Youth in the HART program appear every other week before the juvenile court to discuss their needs, progress, and the course of their case. Participants receive services specific to their unique needs under supervision of the Santa Maria Juvenile Court.

Services Provided/Mandated: Probation participates in the HART Court and the task force, and regular refers youth to the RISE program. "The RISE Program provides clinical, medical, and peer support for sexually exploited children and their families throughout the county."

Successful Completion of Requirements: No details provided.

Failure to Complete Requirements: No details provided.

Other Notes: No details provided.

Evaluation of Court: No

9. Trauma-Informed Probation (TIP) Court (also known as Human Trafficking Court)

New Castle County, DE

In Operation: No

Mission: "The goal is to

provide trauma informed care

to help improve outcomes for

the TIP participants and to

reduce recidivism rates."

Court Referral: Prostitution or prostitution-related offenses; "Individuals are generally referred to the Trauma Informed Probation Court once on probation, through identification by Commissioner McDonough or one of the five other judges within the court system, public defenders, probation officers, or TASC worker (a behavioral health treatment case manager); "Women with any drug charge qualify for the program, but they might be disqualified if they have a felony conviction or if they have a violent history, depending on the circumstances." Participants must be on probation and have pleaded guilty or no contest; Participants cannot have any pending felonies to be eligible; Participants must voluntarily agree to participate.

Service Determinations: The court worked with Women in Support of Health (WISH) and Victim Awareness and Safety Enhancement (VASE) to coordinate individual's needed services. "Commissioner McDonough, public defender, prosecutor's office, probation, TASC worker, and care advocates are included in case review meetings." During these meetings the participants' "needs, progress, and violations" are discussed.

Services Provided/Mandated: "The Court...utilized the Seeds of Change gardening program, which allowed participants to work off past fines from their previous charges and citations"; Free haircuts; Education; Job training; Temporary housing; Mental health treatment; Trauma counseling; "Crest, a prison-based substance abuse treatment program"; Substance abuse treatment; Job placement; Workshops on self-advocacy; Help getting GED

Successful Completion of Requirements: Graduation requirements: "three months of sobriety, three months of compliance with probation, and no new criminal charges"; Must show that they've made progress in the program (no explanation of what exactly "progress" means); Upon graduation, "their court costs and fines were forgiven, but they still had to pay off restitution and Victims' Compensation fund obligations"

Failure to Complete Requirements: If participants are non-compliant, the court may impose a curfew, inpatient substance abuse treatment, secure facilities, or termination from the program. If terminated from the program, the participant remains on probation.

Other Notes: Program is about one year long, but can be longer; Program begins with appointments at least weekly for the first three months and for the rest of the program the appointments are at least monthly.

Evaluation of Court: No

Court Name (Location, Still Operating as of 2019, Mission Statement)

10. Growth Renewed through Acceptance, Change, and Empowerment (GRACE) Court

Miami-Dade County, FL

In Operation: Yes

Mission: "The mission of the Human Trafficking Court is to serve young victims of human trafficking who enter the court under the a Chapter 39 and/or Statute 61, 397, 741, and 985 petitions (Dependency, Family, Marchman Act, Domestic Violence, Juvenile Delinquency). This specialized court system will provide

victims with comprehensive services and support in order to recover from the life they have been exposed to, have a successful transition to independence, and begin to lead a healthy life; physically, mentally and emotionally. It is hoped that the services and support will also reduce any further victimization or involvement in the Child Welfare and Juvenile Justice Systems."

Court Referral: "If a child with a dependency, delinquency, family, or substance-use disorder 'Marchman' case is identified as a victim of human trafficking, that child is transferred to GRACE Court, and all those matters are heard there." Youths may also be referred to GRACE Court if they have a dependency or delinquency case and are suspected to be engaging in "survival sex"; Judges are given information to help them identify human trafficking victims in their courts. The G.R.A.C.E. Benchmark also includes a Human Trafficking Screening Tool (HTST) for Child Protective Investigators and Case Managers to use when they suspect CSEC. There are no stipulations for court enrollment. The aim of the court is to provide services to any youths at risk for sexual exploitation. Youths do not necessarily have to be petitioned to the juvenile court for a delinquency case, they can enter the court if they have an open or new dependency case as well.

Service Determinations: "When a child is accepted into G.R.A.C.E. Court, the court evaluates his or her needs and ensures that the child is referred to appropriate service providers." A multi-disciplinary team meets to discuss the services the youth needs. The youth is also able to take part in determining services, as they can tell court officials or service providers what services they need or what services they will or will not be likely to comply with.

Services Provided/Mandated: Trauma-informed counseling which can involve cognitive behavioral treatment and motivational interviewing. "The core services and provisions available to CSEC victims are: food and clothing, housing, medical care, counseling, substance abuse treatment, education and vocational support, employment opportunities, mentoring, and intensive case management." Court-Mandated Services target psychological, emotional, social, spiritual, and physical impacts of commercial sexual exploitation of children. One of the main service providers is the Citrus Helping Adolescents Negatively Impacted by Commercial Exploitation (CHANCE) program. The CHANCE program provides clinical treatment psychiatric services, and life coaching (from a human trafficking survivor). Clinicians from CHANCE are MA or PhD psychologists with extensive training on CSEC. Clinicians may be present in court hearings and/or at multidisciplinary team meetings where services are determined for youth.

Successful Completion of Requirements: The child is involved in the court until the case closes. The case may be closed if the youth's parent achieves reunification or if it has been determined that the child is going to remain in the foster care system. The child can continue to receive services as long as they want, even after their case is closed or after they turn 18 (extended foster care).

Failure to Complete Requirements: No details provided.

Other Notes: "The GRACE Court approach, although at times a traditional adversarial approach, is first and foremost trauma informed." This includes giving children stress balls and having therapists and therapy dogs accompany children in court. The court Benchmark also describes the Clinical View of CSEC. The G.R.A.C.E. Court Benchmark provides flowcharts for dependency case management (see pp. 13-15) Yimay Ruiz, who is the program manager of the Miami CARES Project and helped develop GRACE Court, stated that one strength of the program is that youths have the same judge for both cases they may be involved in (delinquency and/or dependency). This allows the child to develop a relationship with the judge. The child can also have a one-on-one meeting with the judge. These one-on-one meetings remain on the record, but the judge tries to keep anything the child tells them as confidential as possible from those present in the court. This helps the child feel like they have a voice and they have a say in what happens in their case. Ruiz said that most successful children are those who guide the process and say what they are willing to comply with. Ultimately, the court takes a victim-centered approach. There is currently an ongoing evaluation of the Citrus Helping Adolescents Negatively Impacted by Commercial Sexual Exploitation (CHANCE) program, which includes interviewing participants in GRACE court. However, the pilot study progress report of the CHANCE evaluation does not mention GRACE Court

Evaluation of Court: No

Court Name (*Location, Still Operating as of 2019, Mission Statement*)

11. Chicago Prostitution and Trafficking Intervention Court

Cook County, IL

In Operation: Not specified
Mission: “The program will herald a new approach to those engaged in prostitution by combining successful alternative prosecution models with trauma-based services and a trafficking-oriented response. The unique program design, with tailored services, multi-agency cooperation, expert technical assistance, and a contained court-based environment will yield positive results for participants, public safety, and the criminal justice system as a whole.”

Court Referral: Qualifying charges include prostitution or a prostitution-related “pedestrians seeking rides or business” charge. Ineligible if they have a recent criminal history of significant violence. “Most individuals are referred to the program after arrest through sting operations.” This is a deferred prosecution program, so the defendant is not required to plead guilty *unless* they fail to comply with the graded programming.

Service Determinations: “Most defendants will be offered ‘deferred prosecution’” which involves “graded levels of programming.” Services are determined based on criminal background and current needs. Service providers also screen for trafficking and provide/refer services that address trafficking. “Defendant/participants are required to set four goals for the court of treatment...and the number of goals increases by two if the defendant/participant is arrested again.” “One goal is a mandatory class called ‘Unhooked’, which is a full day long and covers a wide range of health- and sex work-related topics, including needle sharing and the impact of drug use on decision making and negotiation with clients. The other three goals are decided based on the defendant/participant’s needs and can incorporate their input.”

Services Provided/Mandated: Services include: Individual needs assessment, HIV testing and treatment referral, individual counseling, goal-oriented case management, evidence-informed group counseling, after care planning, entitlement assistance/health care insurance options, medical referrals, housing, legal advocacy, drug and alcohol treatment, educational referral

Successful Completion of Requirements: Once an individual meets the program requirements, their charges are dismissed. “Getting one’s arrest record expunged is a harder and more costly process.”

Failure to Complete Requirements: “Offenders who fail to respond to the graded deferred prosecution interventions will receive an ‘alternative sentencing’ offer that will make an intensive program available as an alternative to incarceration but part of a guilty plea deal.”

Other Notes: The program combines “successful alternative prosecution models with trauma-based services and a trafficking-oriented response.” The program lasts a few months; The program also uses a harm-reduction approach (i.e., with the “Unhooked” program); The program also makes a point to be secular. The court’s funding “requires the use of a human trafficking narrative.”

Evaluation of Court: Yes

12. Phoenix Court

Ingham County, MI

In Operation: Yes
Mission: “To partner with our youth offering services and opportunities that foster: Healing and Resiliency, Empowerment and Stability, Value in relationships that are Secure, Trustworthy and Enriching.”

Court Referral: “Families can come into Phoenix Court through such traditional means, like its first participant last week, but could also come in through a referral by schools, parents or others.” The law allows that judges can “take jurisdiction over a family” without the juvenile nor the parents charged with criminal charges or an abuse/neglect petition; “All kids at the Ingham County juvenile detention facility are also screened for signs they’re at risk for being trafficked, such as a history of sexual abuse or if they’re frequent runaways.” Serves both male and female victims; Participants do not have to plead guilty, and some participants may not have even been charged with a crime/violation. “The court may help victims reach out to police if they want, but they’re not pressured to do so”

Service Determinations: No details provided.

Services Provided/Mandated: Parenting classes (for youths’ parents); Residential treatment; Alternative high school; “Participants must appear in Baird’s courtroom in downtown Lansing once a week”; Therapy and counseling.

Successful Completion of Requirements: No details provided.

Failure to Complete Requirements: No details provided.

Other Notes: No other details provided.

Evaluation of Court: No

Court Name (*Location, Still Operating as of 2019, Mission Statement*)

13. Human Trafficking Court

Washtenaw County, MI

In Operation: as of 2016

Mission: “*The Court aims to identify adult victims of sex trafficking, divert them from jail, and instead offer them services via probation.*”

Court Referral: “The Court has broad eligibility requirements—any person arrested for prostitution and related crimes is eligible for the Court.” Participants can “come to the attention of the Coordinator because of the criminal charge, and others are referred to the Coordinator because of a known involvement with commercial sex. This knowledge usually originates with an arresting officer, probation agent, judge, criminal defense attorney, or service provider...[or] after the arrest, including those already on probation.” The Human Trafficking Clinic assesses potential participants to identify whether they are victims of trafficking. Participants may be ineligible if they have a felony charge, if they are a violent offender, or if they have a severe mental health diagnosis; “Once deemed eligible, the participant is sentenced to probation after either pleading to or being found guilty of the charge.”

Service Determinations: “The participant and service provider develop an individualized plan that addresses trauma, addiction, independence, and stability. The plan identifies frequency, treatment modalities, and goals.” “All participants are offered individual and group therapy.” Additional requirements include: “regular meetings with the Coordinator, engagement with the local recovery community, review hearings with the Judge, employment or school enrollment, and periodic drug and alcohol testing.”

Services Provided/Mandated: Three months of free public transportation, case management, help applying for public benefits, help getting valid identification, help applying for employment or educational opportunities, help identifying stable housing.

Successful Completion of Requirements: The Court has three phases and the oversight of the participant decreases after they complete each stage. “Completion of the program takes approximately eighteen to twenty-four months and culminates in a formal graduation. In order to graduate from the Court and be released from probation, a participant must have paid all mandatory fines and fees, and have been sober and sanction-free for ninety days immediately prior to graduation.” Records are not expunged.

Failure to Complete Requirements: Participants are “sanctioned for failure to comply with their plan. Sanctions are minimal assuming the participant remains engaged with the Court.”

Other Notes: The court takes a holistic, trauma-informed approach; One agency that the court subcontracts with follows the Recovery Oriented system of Care (ROSC) model “which is a coordinated network of community-based services and supports that is person-centered and builds on the strengths and resiliencies of individuals, families, and communities to achieve abstinence, improved health, wellness, and quality of life for participants”

Evaluation of Court: Yes

Court Name (*Location, Still Operating as of 2019, Mission Statement*)

14. Human Trafficking Intervention Courts (HTIC)

Multiple counties, NY

In Operation: Yes

Mission: "The Human Trafficking Courts, in urban, suburban, and rural areas throughout the state, will

identify appropriate defendants charged with prostitution and related offenses and provide linkages to services that will assist them in pursuing productive lives rather than sending them right back into the grip of their abusers."

Court Referral: The courts "identify appropriate defendants charged with prostitution and related offenses"; "All cases involving prostitution-related offenses will be identified at arraignment and, if not resolved there, be transferred to the local Human Trafficking Intervention Court"; Cases are then evaluated by the judge, prosecutor, and defense attorney to develop consensus on whether the case "involves a victim in need of services"; Must be older than 21 and charged with misdemeanor prostitution or related offense; Ineligible if charged with a felony; The program is pre-plea diversion, so no plea is entered.

Service Determinations: Court actors determine services and refer participants to services based on their individual needs. "In general, HTICs require that defendants enter into a pre-plea agreement that prescribes them to a set of services to complete, i.e., a 'mandate,' the scope and intensity of which vary according to defendants' criminal record, service provider capacity, and individual jurisdiction's practices." These can vary from one to ten sessions, depending on the court location.

Services Provided/Mandated: "Individual, peer, and/or group counseling, case management, crisis intervention, and referrals"; "service providers focus on providing one-on-one trauma-based psychotherapy to defendants, while others provide group therapy, art therapy, life skills workshops, and yoga."

Successful Completion of Requirements: "Those who comply with the mandated services will have the opportunity to receive non-criminal dispositions or dismissal of their case"; "In most cases, HTICs will offer an ACD [adornment in contemplation of dismissal] upon successful completion of the required services." "Pursuant to a typical ACD, the charge is automatically dismissed and sealed if a defendant goes six months without being rearrested and no request is made to put the case back on the docket." "Charges may be dismissed or reduced contingent upon compliance with the court-mandated services/programs."

Failure to Complete Requirements: "HTIC judges and prosecutors try to exhibit flexibility and leniency in dealing with non-compliance; they will generally overlook failure to complete services in a timely manner and will issue bench warrants only if a defendant consistently fails to appear in court... [and] rarely give jail time and discourage criminal convictions, even for those with longer criminal backgrounds or who are continually noncompliant." "Upon a failure to appear in court, the criminal charges against the participant may proceed."

Other Notes: The courts refer participants to culturally-responsive and trauma-informed services. "Program characteristics (length of mandate, number of required sessions, ACD offer, etc.) can vary court-by-court depending on the county and prosecutor"

Evaluation of Court: Yes

Court Name (Location, Still Operating as of 2019, Mission Statement)

15. Human Trafficking Specialized Docket

Cuyahoga County, OH
In Operation: Yes

Mission: "The Human Trafficking Specialized Docket was established...as an alternative to traditional case processing to address the needs of adult victims of human trafficking who are forced, compelled, or coerced to engage in criminal activities that result in their involvement with the city of Cleveland, Ohio's criminal legal system."

Court Referral: "The Human Trafficking Specialized Docket was established...as an alternative to traditional criminal case processing to address the needs of adult victims of human trafficking who are forced, compelled, or coerced to engage in criminal activities that result in their involvement with the city of Cleveland, Ohio's criminal legal system." "In collaboration with community agencies and Case Western Reserve University, a screening process was developed to assist the court with appropriately identifying trafficking victims." No information in sources, but it seems that participants do not have to plead guilty because it is described as "an alternative to traditional criminal case processing."

Service Determinations: "The special court meets twice a month and attendance is mandatory for those under its supervision. Before each court session, Cassidy meets with a team of counselors, prosecutors and other staff to get an update on each defendant's progress."

Services Provided/Mandated: "Gender-specific and trauma informed recovery housing"; "mental health, substance abuse treatment, emergency housing, wellness and trauma services"; Referrals to the Save Our Adolescents from Prostitution (S.O.A.P.) program at Case Western Reserve School of Law; "Cassidy says the docket acts as an alternative to traditional criminal proceedings by 'providing them the drug treatment, the trauma counseling and all of the support systems, specifically safe housing. Then we provide employment skills.'"

Successful Completion of Requirements: "When these women complete the court's program, there's a graduation ceremony to celebrate their accomplishment."

Failure to Complete Requirements: No details provided.

Other Notes: Development involved visiting the Franklin County Municipal Court's CATCH program; "Completing the Human Trafficking Specialized Docket program can take longer than their actual sentence or probation might have, but the women walk away drug-free, with the soft skills to find a job and a shot at rebuilding their lives." "The Cleveland Municipal Court in partnership with the Hitchcock Center for Women will provide gender-specific and trauma informed recovery housing for participants of the Human Trafficking Docket."

Evaluation of Court: No

Court Name (Location, Still Operating as of 2019, Mission Statement)

16. Safe Harbor Docket

Cuyahoga County, OH

In Operation: Yes

Mission: "The Safe Harbor

Program provides intensive

services to youth that are

victims of Human

Trafficking...the treatment is

critical to ensure that proper

services are provided to break

the cycle of abuse...Safe

Harbor offers specialized

treatment, assistance and

support for victims, and a new

chance for them to find

success in life."

Court Referral: "Referrals come from multiple sources and are handled differently depending on the level of guardian and court involvement." These sources include (but are not limited to) probation officers, Department of Child and Family Services, Cleveland Rape Crisis Center, jurists, arresting officers. If youth is in detention: youth must consent to participate. If youth is identified by probation officer or other source (i.e., is not in detention): guardian, probation officer (if on probation), and youth must consent to participation. If youth consents, they are assessed by the clinical team and then the judge and the clinical team determine if they are eligible.

Service Determinations: Services are determined based on individual needs.

Services Provided/Mandated: "Trauma-informed treatment provides therapy and intensive case management services to aid in the development of life skills and/or employability skills, assist the youth in enrollment in an educational program, assist in the development of a healthy support network, and link the youth to needed health services."

Successful Completion of Requirements: If participant is "in compliance at subsequent hearings" until the final hearing then they successfully graduate. The measures of the goals at the graduation stage are whether the case/youth is "resolved without criminal conviction," "resolved with non-jail disposition," "held in DH [detention center]," "admitted to DH during enrollment in SH [Safe Harbor]," and "charges sealed and expunged."

Failure to Complete Requirements: If participant does not "graduate" they are returned to traditional court. This may be "due to extended AWOL or other reasons."

Other Notes: Court service providers use trauma-informed treatment approach.

Evaluation of Court: Yes

Court Name (*Location, Still Operating as of 2019, Mission Statement*)

17. Changing Actions to Change Habits (CATCH) Court

Franklin County, OH

In Operation: Yes

Mission: "CATCH Court exists to break the cycle of abuse for victims of human trafficking, prostitution, and sexual exploitation by providing resources, community, and accountability."

Court Referral: Those "charged in the Franklin County Municipal Court with prostitution, solicitation, loitering to solicit, or other offenses if the defendant has a history of being a victim of human trafficking." "At referral to the program by one of several court professionals, the request for entry is explained by the defense counsel and must be signed by the referring judge and/or administrative judge." "Defendants must satisfy certain legal and clinical eligibility criteria to be admitted into the program, such as one or more of the following: arrest for prostitution/solicitation, with a primary Axis I diagnosis (e.g., major depressive or anxiety episodes; American Psychiatric Association, 2013), drug or alcohol dependence, a history of being a human trafficking victim, and willingness to participate in treatment that addresses behavioral healthcare diagnoses."

Service Determinations: "Each participant receives an Individual Treatment Service Plan, developed by CATCH staff, and a copy of the participant handbook, outlining all requirements and listing community resources to which assignments may be made." Three phases:

"Phase I: Stability and Compliance, requires participants to attend court appointments, status review hearings, and treatment appointments...Phase I typically takes 6 months"

"Phase II, Movement and Connection, recommends to participants services such as social welfare, educational institutions, family services, and housing. They must follow and complete recommendations for such services and treatment...Phase II [takes] 3 to 6 months"

"Phase III, Sustain and Thrive, requires participants to complete all requirements of Phases I and II in their individual plan as well as to complete two volunteer activities and lead four sober support meetings...Phase III [takes] 12 months."

Services Provided/Mandated: "The 2-year intensive program emphasizes treatment for drug addiction, depression, and posttraumatic stress disorder by connecting defendants to appropriate substance abuse and mental health facilities and social services resources and by teaching healthy lifestyle choices, including stable housing, supportive interpersonal relationships, and education."

Successful Completion of Requirements: "Graduation from the CATCH program occurs when participants successfully complete all three phases." Successful completion is based on the following guidelines:

- 1) Successful completion of mental health and substance abuse treatment
- 2) Verified period of abstinence from alcohol and drugs
- 3) Completion of community service hours as directed
- 4) Attendance at Alcoholics Anonymous support group meetings as directed
- 5) Identification and maintenance of positive and supportive relationships
- 6) Identification and elimination of criminal thinking patterns
- 7) Payment of fines, court costs, restitution, and/or treatment costs
- 8) Completion of a physical examination
- 9) Completion of a writing assignment about a recovery-related topic
- 10) Completion of any required term of incarceration and/or home incarceration with electronic monitoring for the current offense"

"For participants who complete the program and meet all requirements, the case against them is dismissed"

Failure to Complete Requirements: If participants do not consistently meet all requirements or violate probation, they may be dismissed from the program and incur additional charges." "Reasons why a participant might be sanctioned include but are not limited to:

- 1) Failing to attend status review hearings, probation appointments, or treatment appointments
- 2) Failing to cooperate with the CATCH staff

Court Name (*Location, Still Operating as of 2019, Mission Statement*)

- 3) Failing to comply with the treatment plan
 - 4) Failing to provide required documentation, receipts, or paperwork
 - 5) Possessing or using drugs or alcohol
 - 6) Continued criminal activity or new charges”
- “Sanctions include, but are not limited to:
- 1) A verbal reprimand in court
 - 2) Additional writing assignments
 - 3) Denial of additional or expanded privileges, or the revocation of privileges already granted
 - 4) Additional community service hours
 - 5) Extended time in the appropriate Phase of treatment or demotion to a prior phase
 - 6) Electronic monitoring
 - 7) Issuance of an arrest warrant
 - 8) Incarceration
 - 9) Termination from the CATCH program The CATCH program is always voluntary. The participant’s actions direct the response from the treatment team and the judge.”

Participants may also receive a “neutral termination” where “...the CATCH judge will retain the case on his or her individually assigned docket and enforce the original sentence or sentence the defendant as deemed appropriate by the judge.”

Other Notes: Non-adversarial approach.

Evaluation of Court: Yes

18. Empowerment Program

Franklin County, OH

In Operation: Yes

Mission: “to support potential juvenile victims of human trafficking who are facing delinquency and unruly charges.”

Court Referral: The Empowerment Committee has representatives from “all relevant Court departments” who are “trained on identifying risk factors and red flags associated with identifying potential victims of human trafficking”; Participants may be referred to the Care Coordination Supervisor of the program by an arresting officer and by detention centers. “If a juvenile is charged with solicitation, loitering to solicit, or prostitution, or if the Court has reason to believe that the juvenile is a victim of human trafficking and the charge is related to his/her victimization, the juvenile qualifies for action under Safe Harbor.” Youth must consent to participate.

Service Determinations: “Care Coordination, rather than probation, will monitor the progress of the participating juvenile.”

Services Provided/Mandated: No details provided.

Successful Completion of Requirements: Violations are held in abeyance until program is completed. “The program requires the juvenile present him/herself every 3 Thursday of every month at 1:30 p.m. for approximately 90 days to monitor their progress. The court can modify this requirement if it is in the best interest of the child.” “The Empowerment Program affords the juvenile the opportunity to have the complaint dismissed and the charge expunged.”

Failure to Complete Requirements: No details provided.

Other Notes: The program was developed as a diversion program for youth who automatically qualify for diversion under Ohio’s Safe Harbor statute.

Evaluation of Court: No

Court Name (*Location, Still Operating as of 2019, Mission Statement*)

19. Changing Habits And setting New Goals is Empowering (CHANGE) Court

Hamilton County, OH

In Operation: Yes

Mission: "The CHANGE

Court is a specialized docket in Hamilton County Municipal Court which encourages and assists prostitutes to leave prostitution and addiction."

Court Referral: "To be eligible for CHANGE Court, an individual must be charged with prostitution, loitering to solicit, or soliciting prostitution. A person may also have additional charges and still be eligible for the program." "Must be a resident of Ohio at time of residential treatment. Must be competent, Must have the cognitive ability to understand and voluntarily participate in CHANGE Court. Must be appropriate for intensive supervision probation and case management services and treatment." Potential participants usually identified by police officers or Pretrial Services. "Participation is strictly voluntary."

Service Determinations: "A team of professionals assesses the individual and a treatment plan is put in place to assist the individual through the process."

Services Provided/Mandated: "The treatment team will address many potential issues including addiction, mental health, trauma, education, homelessness, and family issues."

Successful Completion of Requirements: "Participants may be eligible for expungement after successful completion of the program. (Final decision rests with the Prosecutor)."

Failure to Complete Requirements: No details provided.

Other Notes: "The entire stay in the program is typically [a] 2 year process."

Evaluation of Court: No

20. Restore Court

Summit County, OH

In Operation: Yes

Mission: "The mission of

Restore Court is to empower youth involved with human trafficking and those who are at high risk, to achieve successful lives by providing appropriate support. This is accomplished in a variety of ways emphasizing the importance of wrap-around-services for holistic help."

Court Referral: "[Juvenile] Court staffers evaluate new cases, looking for warning signs of human trafficking"; Two tracks:

Safe Harbor track: "Certain crimes, such as solicitation, qualify the youths for 'Safe Harbor' under state law, which means they are entitled to a nine-month diversion program"

Traditional track: "youths identified as human-trafficking victims who committed crimes that don't fall under Safe Harbor designation also are given the opportunity to participate. They don't have a set time frame for completion"

Service Determinations: It seems that the phases of the court are standard but specific services can be individualized: "The first phase of the program involves the youths getting counseling, drug treatment, mentoring, and other services to help them. The second involves continuing those services while also meeting goals such as attending school, not using drugs or alcohol, staying at home and avoiding contact with certain people. In the last phase, the court relies on a counselor and mentor to prepare the participants and their families to flourish on their own."

Services Provided/Mandated: Regular meetings with the presiding judge, program coordinator, case manager, intake officer or probation officer (if applicable), Guardian ad Litem (if applicable), Counselor, and Mentor; "Treatment requirements may include: counseling, substance abuse treatment (residential or intensive outpatient), mentoring, group work, education, and employment assistance"

Successful Completion of Requirements: If in the Safe Harbor Track, "According to Ohio Law, if a participant meets certain legal criteria, s/he may have the charge(s) dismissed and immediately expunged upon graduation from the program." "Participants graduate the program based on demonstrated ability and responsibility at home, school, and in the community with adherence to all Restore Court guidelines"; Youths in the traditional track "may or may not have the charges against them dropped" if they complete the program.

Failure to Complete Requirements: No details provided.

Other Notes: "The program consists of 3 phases- phase movement is determined by the youth's progress."

Evaluation of Court: No

Court Name (Location, Still Operating as of 2019, Mission Statement)

21. Restore Individual Self-Empowerment (RISE) Program

Summit County, OH

In Operation: Yes

Mission: "RISE Court was created to help adult female victims of human trafficking, prostitution and sexual exploitation."

Court Referral: "Judge Cable began the program to identify and help human trafficking victims and lead them as they create a new, positive path for themselves." "Since the start of the RISE program, Judge Cable said the court has been working closely with the Akron Municipal Court Probation Department to identify potential participants." Female victims only. "To be eligible for RISE, the women must have pleaded guilty to their charges and be a victim of human trafficking." Participation is voluntary.

Service Determinations: Trauma therapy; Drug rehabilitation; Safe housing; Mentoring; Employment Services

Services Provided/Mandated: "Through the Akron Municipal Court's partnerships with outside agencies, RISE provides services such as trauma therapy, drug rehabilitation, housing, vocational sessions and other community support."

Successful Completion of Requirements: "Ohio law provides for expungement for victims of human trafficking." After pleading guilty and beginning the program "The women are granted probation for their criminal offenses and volunteer to participate in the program."

Failure to Complete Requirements: No details provided.

Other Notes: "This program is modeled after the Franklin County Municipal Court's CATCH (Changing Actions To Change Habits) Court"; "The program officially began October 2018 and there are eight women currently enrolled." 24-month program; "Since [the program] began we have served 111 cases by providing participants with mentoring, counseling, case management, supervision and accountability."

Evaluation of Court: No

22. Working to Restore Adolescents Power (WRAP) Court

Philadelphia County, PA

In Operation: Not specified

Mission: "The Working to

Restore Adolescents Power (WRAP) Court is a court program of the First Judicial District Family Court Division

that seeks to provide alternatives to criminalization for minor victims of sex trafficking by providing specialized trauma-informed treatment to victims in the least restrictive and most holistic environment."

Court Referral: "Children who are arrested and identified as victims of sexual trafficking are offered an opportunity to participate in WRAP through a pre-trial diversion program." "Identified by various criminal justice partners as being a victim of commercial sexual exploitation/human trafficking." "Pre-trial diversion program"; "the WRAP program diverts the child from the adjudicatory system into the child welfare system, empowering them to move away from their trauma"; "Components of the WRAP program include: Diversion of delinquent petitions of all but the most serious felonies through reporting consent decree on new arrests."

Service Determinations: "This collaborative problem solving court is designed to address the specialized needs of trafficked children in an individualized trauma informed manner."

Services Provided/Mandated: "Community-based services from providers with experience in trauma-based treatments for victims of human sexual trafficking; A team approach to problem solving including frequent informal conversations with the child; Dependent (child welfare) services provided as opposed to delinquent system treatment whenever possible; and an approach where children receive treatment in the least restrictive setting available."

Successful Completion of Requirements: "Early expungement of delinquent records after program completion."

Failure to Complete Requirements: No details provided.

Other Notes: Trauma informed treatment.

Evaluation of Court: No

Court Name (*Location, Still Operating as of 2019, Mission Statement*)

23. Cherished Healing Enslaved and Repressed Trafficking Survivors (H.E.A.R.T.S.) Specialty Docket

Court Referral: “Both programs [pretrial diversion and judicial diversion] are open to individuals who gradually have a clean record and have not participated in either diversion program previously.” The program encourages “police and prosecutors to work harder to identify trafficking victims during prostitution arrests.” Includes a pretrial diversion program and a judicial diversion program; “In order to participate in judicial diversion, the defendant must enter a conditional plea and the court withholds sentencing.” “The program is voluntary and runs 6 to twelve months as a deferred plea.”

Davidson County, TN

Service Determinations: There are two phases:

In Operation: Yes

Phase one: “the program victims attend court weekly and complete any substance abuse and mental health treatment.”

Mission: “The court was created in response to a clear social issue where victims of human trafficking were caught in a criminal cycle due to their traumatic experience, criminal records, and for some, substance abuse disorder.”

Phase two: “victims attend court bi-weekly and gain employment while continuing to move toward independent living and continue mental health treatment and their substance abuse recovery.”

Services Provided/Mandated: Trauma and mental health treatment; Substance abuse treatment; Safe housing; Medical treatment; Assistance in receiving government aid; Employment assistance; “End Slavery Tennessee provides clothing, bedding, toiletries, and food and coordinates with the TBI should the victim decide to prosecute their trafficker”

Successful Completion of Requirements: “With pretrial diversion, if the conditions are successfully met, then the charges are dropped.” “When the victim completes the program successfully their charge may be dismissed and expunged at no expense.”

Failure to Complete Requirements: With pretrial diversion, if the conditions are not successfully met, “prosecution may continue”; “If the participant does not complete the conditions [of judicial diversion] as ordered, the court may enforce the original sentence.”

Other Notes: Provides trauma treatment; recognizes defendants as victims.

Evaluation of Court: No

Court Name (Location, Still Operating as of 2019, Mission Statement)

24. Restore Court

Bexar County, TX

In Operation: No

Mission: Not specified

Court Referral: Qualifications: “male or female, 13-16 years old, has been adjudicated (on probation), identified as DMST [by Gang Unit Interview or Rape Crisis Center Evaluation], Case by case review”; Exclusions: “Violent offenses, Drug dealer, Drug manufacturer”; “According [to] Restore Court documents, girls go through three levels of screenings and assessments [with] a number of intensely personal questions. They begin with frontline probation officers, then the gang unit is consulted to see if the young women were gang affiliated. Gangs across the country have been increasingly active in the sex trade. They are then referred to the Rape Crisis Center, if trafficking or trauma is identified. Before 2009, they didn’t conduct these screenings.” The court begins post-adjudication, once a youth has been placed on probation. “Parents and kids voluntarily join Restore Court but both are required to sign a contract. Among the more than 15 things they pledge to do, parents abstain from drugs and ensure their child follows the rules.” One youth is described as having “pledged to continue going to therapy, eliminate all social media, and submit to drug testing” but it is unclear whether this is required for all youth or whether these pledges vary depending on circumstances.

Service Determinations: No details provided.

Services Provided/Mandated: “100% of Restore Court participants received placement services while on probation”; Youth are placed in the Mission Roads Center residential treatment program once they have been identified and agreed to participate in Restore Court; “Extended one on one time between judges and juveniles”; “Specially trained probation workers” work with the girls while they are in residential treatment and when they return home. “They check in with teachers monitoring grades and visiting the home.” Services include counseling and drug treatment.

Successful Completion of Requirements: “Upon graduation the juvenile’s record is sealed, avoiding an expensive process in Texas.”

Failure to Complete Requirements: No details provided.

Other Notes: “While the [Mission Roads Center residential treatment program] helps young women with intensive therapy, Restore Court builds on that therapy.” “Restore court has graduated 5 juveniles from its program and expects another to complete it soon.” Average time in program is 10 months, but can last longer depending on youth’s needs.

Evaluation of Court: No

Court Name (Location, Still Operating as of 2019, Mission Statement)

25. Creating Advocacy,

Recovery, and

Empowerment (CARE)

Court (formerly named

Growing Independence and

Restoring Lives [GIRLS]

Court, renamed in 2017)

Harris County, TX

In Operation: Yes

Mission: "Provide children who have a history of sexual exploitation or trafficking the opportunity to reclaim their lives through prevention, effective interventions and protection."

Court Referral: The CARE Court works with juveniles who are adjudicated on various offenses (often theft, failure to identify, or drugs) but have been victims of sexual abuse"; "Potential candidates are considered to participate pre- and post-adjudication, and the court team reviews each to see if the program is a good fit. Reasons for denial into the program include severe cognitive impairment, significant gang involvement, and being current recruiters for trafficking." Unclear, but it seems that the court starts post-adjudication.

Service Determinations: "This court works with 15-25 participants to provide a tailor made approach to each youth." "The court employs a clinically driven multi-disciplinary team to effectively address the underlying trauma associated with the participants' at-risk behaviors and related delinquent conduct."

Services Provided/Mandated: "Residential placement facility designed specifically for victims of trauma." "A highly structured residential treatment center." "A comprehensive care facility for victims of trafficking."

Successful Completion of Requirements: "Once someone graduates from court, the child's criminal record is eligible for sealing at no cost to the family." "CARE Court provides successful graduates the opportunity to seal their juvenile records and develop the skills necessary to change their lives."

Failure to Complete Requirements: No details provided.

Other Notes: "CARE Court utilizes a comprehensive strength-based approach in working with youth who are actively engaged in or at risk of becoming involved in commercial sexual exploitation."

Evaluation of Court: No

Court Name (Location, Still Operating as of 2019, Mission Statement)

26. Reaching Independence through Self-Empowerment (RISE) Program

Tarrant County, TX

In Operation: Yes

Mission: "The mission of [RISE program] is to identify vulnerable women with extensive histories of

prostitution or prostitution-related offenses, expedite them through the criminal justice system and help them achieve abstinence from all mood altering substances, mental stability, permanent housing and educational work opportunities that provide them with the legal means to maintain a healthy, productive lifestyle."

Court Referral: "The probation department in Texas works directly for the criminal judges, whether felony or misdemeanor. The judge makes the choice of placing them on probation and into the program. While they do not officially transfer the case, they informally give control over [to] their colleague, Judge Carr." Only women are eligible; Women are also eligible if they have a "felony case that can be placed on probation" or if they have "substance abuse issues and history of sexual trauma"; "Disqualified if they have the '3g' offenses—assault (especially aggravated assault), robbery, or murder." Some exceptions are made. "With consent of an individual's attorney, the person is contacted by a member of the RISE staff. Program prospects are then evaluated through the use of validated assessment instruments and a clinical interview. The goal is to identify individuals who possess the greatest likelihood of achieving positive lifestyle change through participation in counseling and treatment. If selected, the person is offered admission." Post-conviction/plea; "Defendants are placed on probation for the duration of the program"; "If the person chooses to participate, she will enter a plea of guilty."

Service Determinations: "An individual treatment program is designed to meet the individual's needs." Monitored by a case manager.

Services Provided/Mandated: "Additional support received includes: mental health, medical, mentorship, housing, job training, education, life skills, etc. The participants report to court twice a month where they appear before the judge and give an account of their progress." "Instead of prison, we offer a path to stable housing, steady income and a successful lifestyle." Phases:

- (1) "Post Jail Release Residential Drug Rehabilitation"
- (2) "Supportive Housing" (restricted)
- (3) "Supportive Housing" (community adjustment)
- (4) "Supportive Housing" (maintenance phase)
- (5) "Independent Living"
- (6) "Confirmation and Graduation"

Successful Completion of Requirements: "Completion of the program is rewarded by early release (after an additional 6 months of supervision)." Once they plead guilty, participants "receive a probated or deferred sentence with the requirement that she enter and successfully complete the RISE program." "Successful Completion (measurable):

- A. Mode of transportation, income stream, safe housing and employment.
- B. No return to criminal activity.
- C. Mental health stability.
- D. Alcohol and substance abuse abstinence."

Failure to Complete Requirements: "Violations are initially dealt with in a phased manner (e.g., requiring increased reporting to the court, verbal admonishment, loss of privileges at the residential facility, phase demotion). Eventually, if the participant continues to violate terms of supervision court action may be warranted. In that case, they are discharged from the program and their probation is revoked, and their original case proceeds to sentencing." "As this is a success-oriented program, we recognize there will be some amount of noncompliance with program requirements. If the treatment team believes the individual is continuing to make strong overall progress, and continues an attitude compatible with program goals, the program is willing to work through these issues. However, there are limits, and individuals who are persistently noncompliant have been and will be terminated and sent back to the originating court for further proceedings."

Other Notes: "RISE court operates on a post-conviction, drug court model... Typically, the program takes 2 years, although some women take closer to 3-4 years. [the Program Manager] typically asks judges to do a five-year probation term so the women have plenty of time to complete the program." "Program length will vary depending on the needs of the individual. A person who has many prior convictions can expect to be in the program two or more years."

Evaluation of Court: Yes

Court Name (*Location, Still Operating as of 2019, Mission Statement*)

27. Phoenix Court

Travis County, TX

In Operation: Yes

Mission: "The purpose of Phoenix Court is to assist commercially sexually exploited persons who are considered victims of abuse."

Court Referral: "Those charged with prostitution will have the option of rehab instead of jail time." "Defense attorneys refer clients to the prosecutor, and then the case gets sent to the program manager, who interviews the individual and then finds out if the individual want[s] to participate." Only "cis- and trans-gender women are eligible"; "Case-by-case assessment with regard to charges; the program will take people with loitering, trespassing, theft, [and other] charges (not just prostitution)"; Pre-adjudication program.

Service Determinations: "The program assesses participants' needs, then the program makes referrals if the individual needs in-patient or outpatient therapy, and continues to make referrals to community partners."

Services Provided/Mandated: Drug treatment; Parenting classes; Trauma counseling; Case management; Mental health care; Job placement; Assistance with applying for government benefits

Successful Completion of Requirements: "A certain number of counseling classes and other standards must be met for graduation" Terms for graduation may be evaluated on an individual basis; No other information about outcomes for graduation.

Failure to Complete Requirements: "If an individual absconds, a bench warrant is issued and they go back to the original court."

Other Notes: Takes a holistic approach.

Evaluation of Court: Yes

Court Name (*Location, Still Operating as of 2019, Mission Statement*)

28. Here Opportunities Prepare you for Excellence (HOPE) Court

District of Columbia
In Operation: Yes
Mission: "HOPE Court is a trauma informed court that follows a treatment-court philosophy. The goal of the court is to: Enhance youth involvement in treatment planning at court... Celebrate youth successes... Create an atmosphere where youth feel empowered to troubles/hoot situations with their team...Ensure youth are supported by team members who are trained/educated on the unique needs, realities, and resilience of CSEC survivors...Foster faster connection to services...Improve communication and accountability amongst the youth's team members."

Court Referral: "When a new NEG [neglect] or existing NEG case is a confirmed Commercial Sexual Exploitation of Children (CSEC) youth, the case will be referred to HOPE Court, post disposition." Beginning of the "typical life cycle of HOPE Court cases":

"CFSA [Child and Family Services Agent] or CSSD [Court Social Services Division] receives referral that a youth maybe eligible for HOPE Court"

"Youth is screened (STAR [Sex Trafficking Assessment Review] or CFSA screening)"

"Multi-Disciplinary Team (MDT) reviews screening to determine eligibility and make initial recommendations for evaluations or services"

"Youth with PINS [persons in need of supervision]/DEL [delinquency] cases are presented with HOPE Court as a diversion program."

"Youth with abuse/neglect cases are transferred to HOPE court."

"First HOPE Court Staffing is held with supervising agencies, attorneys, service providers, and judge."

"Intake Hearing is held immediately after first HOPE Court Staffing. Youth and attorney decide whether to accept HOPE Court at the Intake Hearing."

Service Determinations: "Given the particular needs of CSEC involved youth, HOPE Court provides an opportunity for tailored planning and services"; "ONCE YOUTH ACCEPTS HOPE COURT:"

"1. Treatment Case Review Committee (TCRC) reviews evaluations and makes recommendations."

"2. Youth makes HOPE Court Power Plan with Courtney's House or Fair Girls"

"Subsequent staffings, hearings, and MDT meetings are held to monitor and celebrate progress on the HOPE Court Power Plan (HCPP) and make changes as needed."

The case plan is based on recommendations from the Office of Well Being, the Multi-Disciplinary Team, the youth, and the TCRC.

Services Provided/Mandated: Counseling and mentorship; Safe housing; Trauma Focused- Cognitive Behavioral Therapy; Community Based Intervention; Community Support Worker; Family Functional Therapy; Multi-systemic Therapy; Office of Youth Empowerment Services; Grief Counseling; Educational Advocate; Placement Services; Tutoring.

Successful Completion of Requirements: "Conditions: Curfew, Frequency of Custody Order Request, Attendance and Report Card, Youth Transition Plan Engagement Mental Health Treatment, Other requirements set by court"; "A case will close when permanency is achieved or when the youth turns 21 and ages out of care. Prior to achieving permanency and closing a case, the youth's goals and accomplishments will be acknowledged. The court may have a case closure hearing to celebrate as applicable to the achievements of the youth and permanency."

Failure to Complete Requirements: "If a dual jacketed youth is unsuccessful in accordance with the HOPE Court Protocol for Person in Need of Supervision and Delinquency, the youth will remain in HOPE Court pursuant to the HOPE Court Protocol for Neglected Children."

Other Notes: "HOPE Court is a trauma informed court that follows a treatment-court philosophy."

Evaluation of Court: No

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