

# Sex Trafficking and Substance Use

## Identifying High-Priority Needs Within the Criminal Justice System

*Lynn Langton, Michael G. Planty, Duren Banks, Amanda R. Witwer, Dulani Woods, Michael J. D. Vermeer, Brian A. Jackson*

### EXECUTIVE SUMMARY

A better understanding of the intersections between sex trafficking victimization and substance use disorders (SUDs)<sup>1</sup> is critical to implementing victim-centered and trauma-informed approaches to identifying sex trafficking victims, holding perpetrators accountable, and ensuring that victims and survivors with SUDs can access services that are responsive to their needs. Law enforcement and prosecutors can face significant challenges in identifying sex trafficking victims and developing cases against traffickers when the victims have SUDs. For example, an SUD can make it difficult for a victim to recall events that are key to building a case against the trafficker in a detailed and consistent manner. Victims with SUDs who need services and support to separate from traffickers encounter additional barriers related to substance use. Shelters often have policies against substance use, and criminal convictions for drug offenses further hurt a survivor's chances of finding stable employment and housing. Stigma around substance use can limit the quality and type of assistance and services that survivors receive from criminal legal system agencies and from community providers.

On behalf of the National Institute of Justice, RTI International and the RAND Corporation convened a virtual workshop to develop a prioritized list of needs for addressing the intersections between sex trafficking and substance use, focusing on identification of and response to these problems by community members, victim service practitioners, law enforcement and first responders, and court practitioners in the United States. Through a series of individual interviews and virtual group discussions, the participants shared their experiences with responding to and serving victims of sex trafficking who also have co-occurring SUDs. Participants provided their perspectives on needs and opportunities for improving the identification of survivors involved in sex trafficking; reducing entry into sex trafficking; increasing the viability of exiting; and

### SELECTED PRIORITY NEEDS



#### RESULTS

##### Identification and screening

- Ongoing diversity and inclusion training and cultural competency training should be developed for communities, first responders, and those working in the criminal justice system.
- Training for law enforcement, medical providers, service providers, and other first responders on the impacts of trauma and on trauma-informed approaches to working with sex trafficking victims should be developed and implemented.

##### Treatment and services

- Strategies for providing victims with rapid access to SUD treatment should be developed.
- Long-term sustainable care plans, peer support, and survivor-led services should be developed that incorporate harm reduction strategies and recognize that relapse can be a part of the process of overcoming an addiction and exiting trafficking.

##### Criminal justice response

- Feedback and guidance should be sought from advocates, including those with lived experience, on how to make criminal justice practices and procedures more trauma-informed and victim-centered and provide commercial sexual exploitation education.
- The use of expert witnesses to educate the jury and court about the effects of trauma and substance use should be considered.
- Policies should be developed to ensure that services for victims are not tied to a requirement to participate in the criminal justice process.

reducing long-term consequences that hinder recovery, especially for persons who are highly dependent on drug use.

The participants identified and prioritized a total of 58 *needs*, or combinations of potential solutions that address 26 key problems or challenges. This report details the 21 needs deemed by participants to be the highest priority and provides additional context on these issues and solutions from workshop discussions. These high-priority needs relate to the identification of sex trafficking; the provision of services to victims and survivors; and the improvement of criminal justice approaches to serving and supporting persons involved in sex trafficking, including best practices related to the intersection of sex trafficking and substance use. Specifically, there is a need for better education, training, and tools to assist first responders and members of the community in recognizing and responding to a potential victim of sex trafficking. With regard to treatment and services, programs need to be better equipped to address both complex trauma and SUDs. Finally, the criminal justice response must recognize survivors' distrust of criminal legal system actors, address issues related to the perceived credibility of persons dealing with trauma and SUDs through the system, and develop innovative strategies for ensuring that trafficking offenders and their associates are prosecuted to the full extent of the law. Although the participants did discuss specific needs associated with juvenile victims, the top-tier needs and most of the report focus primarily on adult victims of sex trafficking.

## WHAT WE FOUND

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- The co-occurrence of sex trafficking victimization and victim SUDs creates challenges for the identification of victims, the provision of treatment and services for victims, and the criminal justice response to sex trafficking.
- Participants noted that considerable training and education are needed to change the stigmatization of SUDs and to

help community members, advocates, law enforcement and first responders, and other criminal justice practitioners recognize and identify trafficking victims as victims. This need to change mindsets regarding trafficking and SUDs is particularly important when it comes to communities of color, where systemic bias results in greater criminalization of behaviors associated with trafficking and substance use. Furthermore, sex trafficking awareness, training, and assistance capacity are often severely lacking in rural and other nonmetropolitan areas.

- Because victims of sex trafficking suffer from *complex trauma*, meaning that they have experienced multiple traumatic events, it is essential to have programs specifically to address these associated issues. These programs should use mentors with lived experience when possible; prioritize efforts to address SUDs, particularly ahead of participation in criminal justice processes; and “meet victims where they are” by using harm reduction approaches to providing services.<sup>2</sup>
- Trafficking victims with SUDs often distrust law enforcement and other criminal justice practitioners, particularly when they have experienced repeated arrests for offenses stemming from their victimization. To ensure that victims get help and traffickers are brought to justice, criminal justice practitioners must work with advocates in the community and engage in training and education to develop trauma-informed practices and procedures for engaging with sex trafficking victims.
- Finally, building cases against sex traffickers can be difficult, particularly because of the challenges in having victims with SUDs participate in the criminal justice process and be perceived as reliable witnesses. Successful prosecution of these cases requires coordination across agencies and jurisdictions and innovative strategies for building cases that do not center on trafficking victims' participation.

Trafficking victims with SUDs often distrust law enforcement and other criminal justice practitioners, particularly when they have experienced repeated arrests for offenses stemming from their victimization.

## INTRODUCTION

Victims of sex trafficking often experience a constellation of co-occurring problems and conditions. These include housing instability, unemployment, and mental health issues, which are often driven in part by underlying trauma and adverse childhood experiences (Judge et al., 2018; Price, Nelson, and Macias-Konstantopoulos, 2021; Stoklosa, MacGibbon, and Stoklosa, 2017). Such factors both contribute to vulnerability and risk for exploitation and entry into trafficking and create barriers to exiting. Substance use disorders (SUDs) are also common among sex trafficking victims and present additional complexity (Hopper, 2017; National Human Trafficking Training and Technical Assistance Center and Administration for Children and Families, 2018; Smith et al., 2016). Traffickers may use drugs or alcohol to lure, coerce, or control victims. SUDs, in turn, create issues in accessing and maintaining victim services and assistance from criminal justice agencies.

This report begins by describing the nexus between sex trafficking and substance use in the United States; summarizing what is known about the scope and extent of these overlapping problems; and elucidating the need for a workshop focused on the challenges and solutions to screening and identifying victims of sex trafficking, ensuring access to services and approaches that are based in harm reduction, and reducing long-term consequences. It then presents recommendations that resulted from the Priority Criminal Justice Needs Initiative (PCJNI) Sex Trafficking and Substance Use (STSU) Workshop, which was convened in April 2021 by RTI International and the RAND Corporation on behalf of the National Institute of Justice (NIJ) to investigate the needs surrounding co-occurring sex trafficking and substance use. The recommendations are organized around the major themes from the participants' discussions.

### Sex Trafficking and Substance Use

Sex trafficking is a chronic, pervasive problem in the United States. Given the hidden and stigmatizing nature of this crime, estimates are difficult to devise. In 2019, the U.S. National Human Trafficking Hotline received 8,753 reports of sex trafficking and another 505 reports involving both sex and labor trafficking (National Human Trafficking Hotline, undated). These reports involved approximately 14,597 potential sex trafficking victims and another 1,048 potential victims identified as having experienced both labor and sex trafficking. These types of trafficking involved escort services; illicit massage,

## PARTICIPANTS

### **Amie Ashcraft**

West Virginia University

### **Viann Barnett**

Cincinnati Union Bethel

### **Dawn Ferrer**

A Safe Place (North Carolina)

### **Theodore Limpert**

Central New York Human Trafficking Task Force

### **Nicole Mincey**

Cumberland County Sheriff's Office (North Carolina)

### **Janiece Mondale**

Washington State Fusion Center

### **Victoria Nevel**

New Hampshire Human Trafficking Task Force

### **Beth Roach**

Blue Ash Police Department (Ohio)

### **Heather Ross**

Sheehy, Furlong & Behm (Vermont)

### **Veronica Scherbauer**

Ohio Department of Public Safety

### **Keith Scott**

The Safe Center

### **Juliana Shaw**

Harris County District Attorney's Office (Texas)

### **Johna Stallings**

Harris County District Attorney's Office (Texas)

### **Alicia Tabliago**

Buffalo Human Trafficking Intervention Court

### **Glen Ujifusa**

Multnomah County District Attorney's Office (Oregon)

### **Ann Wilkinson**

My Life My Choice

### How Is Sex Trafficking Defined?

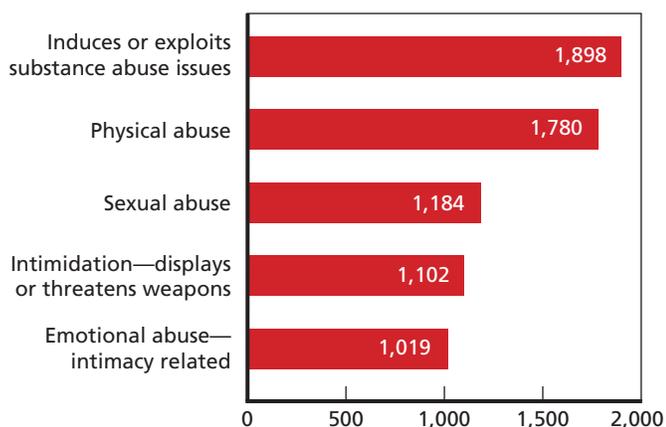
Federal law defines *sex trafficking* as “the recruitment, harboring, transportation, provision, or obtaining of a person for the purpose of a commercial sex act.” *Severe forms of trafficking in persons* encompasses “sex trafficking in which a commercial sex act is induced by force, fraud, or coercion, or in which the person induced to perform such act has not attained 18 years of age” (Public Law 106-386, 2000, Section 103(8 and 9)).

Traffickers use drugs and alcohol as tools to lure potential victims, groom them, and ultimately control them. They exploit individuals' opioid use or SUDs to coerce them into trafficking, knowing that they are more vulnerable than individuals without SUDs.

health, and beauty locations; and pornography. The primary risk factor identified for sex trafficking victims was an SUD.

The intersection between sex trafficking victimization and SUDs is common (see Figure 1). Several studies have found a strong association between SUDs and increases in the risk of being trafficked (Hopper, 2017; National Human Trafficking Training and Technical Assistance Center and Administration for Children and Families, 2018; Smith et al., 2016). The top form of force or coercion used against victims identified through the hotline was exploitation of an individual's SUD. Other studies suggest that the link is stronger. For example, Footer et al., 2019, found that 70 percent of sex workers engaged in daily heroin use and that 11.6 percent reported daily opioid pill use.<sup>3</sup> In another study, a service provider working with trafficking victims reported that 66 percent of victims had an SUD that led to their being trafficked, whereas only 4.5 percent reported that their addiction was a result of being trafficked (Smith et al., 2016). Although the evidence is mixed on whether substance use leads to trafficking or serves as a coping

**Figure 1. Sex Trafficking Statistics, 2019: Top Five Forms of Force, Fraud, and Coercion**



SOURCE: Polaris Project, undated.

mechanism after a person becomes involved, there is a strong connection between the two.

The intersection between trafficking and SUDs ebbs and flows with the changes in substance use across the nation. Over 90,000 overdose deaths occurred in the United States in 2020, up from 70,000 in 2019 (Hedegaard, Miniño, and Warner, 2020). In 2019, 1.6 million people were estimated to have had an opioid use disorder (Substance Abuse and Mental Health Services Administration, 2020). During this time, overdose deaths increased in almost every state, and, although sex trafficking has typically been identified as an urban problem, it is now becoming more prevalent in rural areas as addiction to opioids and other drugs becomes more widespread (Cole et al., 2016).

Traffickers use drugs and alcohol as tools to lure potential victims, groom them, and ultimately control them. They exploit individuals' opioid use or SUDs to coerce them into trafficking, knowing that they are more vulnerable than individuals without SUDs. Furthermore, traffickers use drugs and alcohol to maintain control over victims. After introducing drugs and creating dependency, they may further exploit victims by forcing them to use drugs or controlling their supply in order to maintain control over the victims. In other situations, substance use becomes a coping mechanism for victims to deal with the activities and trauma that they are forced to endure.

### Challenges to Effective Responses for Trafficking Victims with Substance Use Disorders

When victims of sex trafficking have SUDs, they often are not properly recognized as victims, have restricted or limited access to services and quality treatment, and receive unfavorable treatment within the criminal justice system (Farrell et al., 2019; Price, Nelson, and Macias-Konstantopoulos, 2019). If a victim does enter into a treatment program or seeks assistance

from the criminal justice system, the trafficker might limit or sabotage treatment efforts and influence the victim's decision to seek legal remedies.

Law enforcement preparedness for and recognition of sex trafficking remain low (Farrell, Owens, and McDevitt, 2014; Farrell and Pfeffer, 2014; Newton, Mulcahy, and Martin, 2008). Often, police are unaware that trafficking is active in their communities and fail to recognize the signs of trafficking when they encounter survivors (Farrell and Pfeffer, 2014). Therefore, these cases are rarely identified and classified as trafficking. Furthermore, even when trafficking is recognized, it is often easier to prosecute other, co-occurring crimes, such as drug trafficking or weapon-related crimes, for which concrete evidence is in hand. Victims' contributions to legal cases can be limited because of the SUDs, stigma, and trauma they experience. Additionally, victims often lack trust in law enforcement and fear retaliation or arrest because of prior negative experiences and interactions with the criminal justice system (Love et al., 2018). These concerns are more pronounced among sex trafficking victims with SUDs because both their engagement in commercial sex acts and their substance use may imply involvement or complicity with illegal behaviors. Subsequently, gaining victim cooperation is often difficult. Collectively, these factors can hinder prosecutors from developing and pursuing a trafficking case.

Challenges with accessing services can be significant when SUDs co-occur with sex trafficking victimization. Programs designed to address SUDs may fail to recognize and address the underlying trauma associated with sex trafficking and may impose requirements on participation that do not recognize the control that traffickers have over victims. Programs designed to address the trauma and other needs associated with trafficking, such as employment and housing, may require that participants do not use substances or may otherwise impose restrictions

### **Victim Versus Survivor**

We use the term *victim* throughout the report to describe individuals who are actively being trafficked. These individuals were the primary focus of the workshop. *Survivor* is used to describe people who have been previously trafficked and is meant to recognize the extensive trauma that these individuals have experienced. Still others might identify these experiences using different terms.

on participation that limit their ability to meet the needs of victims with co-occurring SUDs.

The intersection of sex trafficking and substance use presents many challenges to effective responses from the criminal legal system and victim services. Major challenges are associated with

- identification and screening:
  - Sex trafficking, particularly when it co-occurs with an SUD, is often not recognized by law enforcement and community members as a problem in many communities, particularly in more-rural areas.
  - Traditional approaches to addressing many historically marginalized populations, such as persons of color and lesbian, gay, bisexual, transgender, and undocumented persons, often lack a culturally competent or sensitive approach.
  - Victims with SUDs face stigmas from first responders, victim service providers, and prosecutors and the courts that may prevent them from being identified as trafficking victims and create significant barriers to accessing treatment and justice.
- treatment and services:
  - Sex trafficking victims often experience several co-occurring disorders and situations, including substance

Programs designed to address SUDs may fail to recognize and address the underlying trauma associated with sex trafficking and may impose requirements on participation that do not recognize the control that traffickers have over victims.

use, mental illness, and homelessness, that require comprehensive, trauma-informed services.

- A large percentage of victims have experienced significant adverse childhood experiences prior to trafficking that often go unrecognized in treatment and service programs.
- Some victims, particularly those with SUDs, require multiple engagements with service providers before they are able to successfully exit their trafficking situations.
- Providers need to implement more trauma-informed policies and practices in service provision. In many areas of the United States, there is limited or no availability of long-term and transitional housing designated specifically for victims of human trafficking with co-occurring disorders.
- Access to medication-assisted treatment and attention to substance use are needed before or concurrently with criminal legal responses to sex trafficking cases.
- the criminal justice response:
  - Police officers lack sufficient training to identify and approach sex trafficking victims through a victim-centered, trauma-informed lens.
  - Sex trafficking victims with SUDs are often arrested and charged with crimes related to their victimization.
  - Victims with SUDs often present problems with recall and cooperation necessary for developing trafficking cases.
  - Prosecutors and judges are often not trained to understand and address the full range of issues associated with working with victims of sex trafficking and SUDs, including the underlying and recurrent trauma associated with trafficking victimization.

## METHODOLOGY

As mentioned in the previous section, in April 2021, RTI International and RAND convened and facilitated the STSU Virtual Engagement to investigate the needs surrounding co-occurring sex trafficking and substance use. The workshop was part of the PCJNI, which is conducted by NIJ in partnership with the RAND Corporation, RTI, the Police Research Executive Forum, and the University of Denver. It brought together experts with diverse perspectives and experiences working with trafficking victims to develop a set of prioritized recommendations for addressing the complex needs of sex trafficking victims with co-occurring SUDs. The goal of the workshop was to identify the highest-priority needs for addressing the intersections between sex trafficking and SUDs in the United States, with an eye toward informing a research and policy agenda.

As an initial step in the development of the workshop, RTI staff reviewed relevant literature (e.g., scientific studies, technical reports) on sex trafficking and substance use. This review found that sex trafficking and SUDs commonly co-occur and that this co-occurrence takes many forms; whereas some individuals with SUDs are expressly targeted by traffickers, others are coerced into substance use while they are being trafficked or turn to substances to cope with the trauma of their trafficking and exploitation. These findings were used to structure the scope of the workshop to encompass the following topics:

- intersections between sex trafficking and substance use
- identification of sex trafficking victims with SUDs
- needs of sex trafficking victims with SUDs
- investigation and prosecution of cases involving sex trafficking victims with SUDs.

Sex trafficking and SUDs commonly co-occur, and this co-occurrence takes many forms; whereas some individuals with SUDs are expressly targeted by traffickers, others are coerced into substance use while they are being trafficked or turn to substances to cope with the trauma of their trafficking and exploitation.

The review of extant literature also informed the identification of the invited workshop participants. To foster dynamic and robust discussions, RTI staff sought the input and participation of experts from across the country who represent a broad spectrum of stakeholder voices, including survivors, victim service providers, members of law enforcement– and prosecution-based trafficking units, court program coordinators, judges, statewide trafficking task force members, and researchers. Several participants had lived experiences, enabling them to speak directly to the perspectives of sex trafficking victims with SUDs. All experts had a specific focus on sex trafficking. They hailed from agencies, organizations, and task forces across the United States that employ innovative, victim-centered, and trauma-informed approaches to serving victims and advancing criminal cases against traffickers and their associates.

Given the ongoing global coronavirus pandemic, the workshop was virtual and took place in three stages. During the first stage, participants took part in individual discussions with RTI staff that were designed to build an initial picture of participants' views regarding the nexus between sex trafficking and SUDs and associated needs. In the context of the PCJNI, a *need* refers to the pairing of a potential solution with a problem or opportunity for advancing promising innovations. Following each interview, RTI staff collaborated with interviewees to draft a list of specific challenges and potential solutions that arose during the conversation. During the second stage of the workshop, participants convened as a group for a series of three virtual sessions, each lasting 2.5 hours. The purpose of these interactive virtual sessions was to review, revise, and prioritize a consolidated list of needs (gleaned from the individual interviews) that was provided to participants prior to the first virtual session. In the third and final stage of the process, participants were asked to rank the needs on the finalized list on two dimensions: their importance and their probability of success. For a more detailed description of the methodology employed for this virtual workshop, see the technical appendix included with this report.

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## RESULTS

The primary output from the workshop was a prioritized list of 58 potential solutions to address key issues related to the nexus of sex trafficking and SUDs. These needs were primarily identi-

fied in the initial interviews but were refined and expanded by participants during the workshop. The needs were prioritized into three tiers based on their importance and the likelihood that they would successfully address the associated issues. The 21 Tier 1 needs, identified as highest priority by participants, are shown in Table 1. (The full list of needs and the methodology concerning prioritization are in the technical appendix.)

After the workshop, RTI sorted the needs into one of three categories based on the broad type of issue or opportunity they were intended to address:

1. identification and screening of sex trafficking victims with SUDs
2. treatment and services for sex trafficking victims with SUDs
3. the criminal justice response to sex trafficking victims with SUDs.

Of the 21 high-priority needs, five were related to better identification and screening of victims, including better education, training, and tools to assist first responders and members of the community on how to recognize and respond to a potential victim of sex trafficking. Four of the needs were related to improving treatment and services for victims and ensuring that programs are equipped to address both complex trauma and SUDs. Finally, 12 of the needs were related to improving the criminal justice response to victims, including addressing distrust of criminal justice system actors, addressing concerns related to the perceived credibility of persons dealing with trauma and SUDs, and developing innovative strategies for ensuring that trafficking offenders are prosecuted to the fullest extent of the law.

In several instances, multiple potential solutions were identified to address the same issue. Needs based on the same problem or opportunity could be ranked or categorized differently depending on their perceived impact and likelihood of success, meaning that not all needs associated with a certain issue were ranked in the same tier.

Although efforts were made to ensure equal representation of criminal justice and advocacy perspectives in the workshop, the high-priority needs might in part reflect the composition and focus of the workshop participants who were available to vote on the importance and feasibility of solutions in each of the three categories of needs.<sup>4</sup>

**Table 1. The 21 High-Priority Needs**

<b>Problem or Opportunity</b>	<b>Potential Solution</b>
<b>Identification and screening</b>	
There are disparities and systemic racism in the perceptions and recognition of sex trafficking victims, particularly in marginalized communities.	Develop ongoing diversity and inclusion training and cultural competency training for communities, first responders, and those working in the criminal justice system.
Particularly when victims have SUDs, the problem of sex trafficking is often not recognized by law enforcement, first responders, and other criminal justice system actors; other community service providers, such as teachers and school administrators, emergency department staff and other medical providers, and other community organizations; and other members of the community.	Develop and conduct education and training for law enforcement, medical providers, prosecutors, judges, correctional staff, teachers and school administrators, and other community organizations and community members to raise awareness of the nexus between sex trafficking and SUDs, what SUDs are, and how they should be treated; to increase the identification of trafficking victims; and to identify the steps that should be taken if someone is identified as a potential sex trafficking victim. These education and training programs are particularly important in communities of color and rural areas where trafficking victims are less likely to be identified.
Sex trafficking victims with SUDs are often frequent users of emergency services and are seen as hostile and uncooperative by first responders because of their addiction and trauma.	Develop and implement training for law enforcement, medical providers, service providers, and other first responders on the impacts of trauma and trauma-informed approaches to working with sex trafficking victims.
Not much is known about strategies for preventing sex trafficking.	Develop sex trafficking education for schools and other venues that target students, parents, and the larger community.
The co-occurrence of sex trafficking and other types of victimization makes it difficult to identify victims of trafficking.	Develop screening tools that allow first responders and service providers to identify when cases involving domestic violence, child abuse, drug, or other issues also involve sex trafficking.
<b>Treatment and services</b>	
Most trafficking victims have suffered complex trauma. They are targeted by traffickers because they are vulnerable and may engage in substance use to deal with their trauma.	Provide wraparound programs that are specific to trafficking and can address the full scope of trafficking victim needs, from SUD and mental health treatment to shelter, housing, and treatment of underlying trauma.
Without the ability to quickly access methadone or other medication-assisted treatment, victims may return to the trafficker for access to drugs or money for drugs.	Develop strategies for providing victims with rapid access to SUD treatment.
SUD relapse and re-trafficking are common among victims.	Develop long-term sustainable care plans, peer support, and survivor-led services for survivors that incorporate harm reduction strategies and recognize that relapse can be a part of the process of overcoming an addiction and exiting trafficking.
Many communities lack sufficient mental health services and housing for sex trafficking victims, both of which are critical for keeping victims off the streets.	Develop low-barrier programs, policies, and practices, including victim compensation programs, that increase the availability of and facilitate access to trauma-informed mental health services for sex trafficking victims.
<b>Criminal justice response</b>	
Trafficking victims might not report the trafficking or other victimizations they have experienced to law enforcement because they do not trust criminal justice actors—particularly after an arrest.	Develop and implement strategies and training to build trust and rapport between victims and criminal justice stakeholders. Criminal justice stakeholders need to develop relationships with confidential advocates who can be called upon to provide services and support, assist victims when needed, and help victims navigate processes.

Table 1—Continued

Problem or Opportunity	Potential Solution
Trafficking victims might not report the trafficking or other victimizations they have experienced to law enforcement because they do not trust criminal justice actors—particularly after an arrest.	Seek feedback and guidance from advocates, including those with lived experience, on how to make criminal justice practices and procedures more trauma-informed and victim-centered, and provide commercial sexual exploitation education.
Victims are often labeled and perceived to be problematic or complicit in their victimization.	Partner with members of the criminal justice community to train and educate them on issues related to understanding trauma and its impact.
Victims with SUDs and complex trauma might not be seen as credible witnesses by prosecutors, judges, and juries.	Educate and train criminal justice actors on the impacts of trauma and SUDs on victim recall and how challenges related to trafficking victim credibility and stigmatization should be addressed or framed.
Victims with SUDs and complex trauma might not be seen as credible witnesses by prosecutors, judges, and juries.	Consider using expert witnesses to educate the jury and court about the effects of trauma and substance use.
Traffickers are often not prosecuted or are prosecuted for lesser offenses, such as drug, gun, or soliciting charges, because of the challenges of prosecuting trafficking cases, collecting evidence, and building circumstantial cases.	Implement education programs for law enforcement and prosecutors on innovative approaches to evidence collection in trafficking cases, the importance of seeking trafficking charges when possible, and the development of other strategies for building strong trafficking cases.
Efforts to address trafficking are often siloed, which results in traffickers taking advantage of a lack of coordination between agencies or jurisdictions and victims being used as witnesses in multiple cases across multiple jurisdictions.	Establish regular lines of communication among law enforcement agencies and the judicial system through task forces, multidisciplinary teams, or other collaborative bodies that use best practices to routinely discuss cases involving traffickers; identify different strategies for building cases and holding traffickers accountable; and remove information-sharing barriers (following the models of gang, fraud, and drug task forces).
Particularly when SUDs are involved, sex trafficking victims might be unable to engage in traditional court or problem-solving courts.	Develop policies to ensure that services for victims are not tied to a requirement to participate in the criminal justice process.
Particularly when SUDs are involved, sex trafficking victims might be unable to engage in traditional court or problem-solving courts.	Develop and implement low-barrier diversion or non-diversion programs to address sex trafficking within the court system that provide a safe space for victims and can help address victim needs without setting them up for failure.
Trafficking victims often lack the stability for long-term participation in criminal justice cases, and traffickers use SUDs to manipulate victims and keep them from participating.	Establish training for all involved in the criminal justice process on trauma and SUDs and how they affect participation at different stages of the criminal justice system and beyond.
Trafficking victims often lack the stability for long-term participation in criminal justice cases, and traffickers use SUDs to manipulate victims and keep them from participating.	Devise and implement approaches to protect the privacy of victims and witnesses involved in court processes.

## DISCUSSION

SUDs occur frequently among victims of sex trafficking. Traffickers take advantage of the fact that persons with SUDs are more vulnerable to being trafficked. Regardless of the directionality of the relationship between sex trafficking and substance use, the two can quickly become intertwined in a hard-to-break cycle. Victims rely on the drugs to cope with the trauma of what they experience, and they rely on the trafficker to feed the addiction.

Because sex trafficking and SUDs are interconnected, any programs, policies, or practices geared toward helping victims of sex trafficking must also consider and address SUDs. This is a critical theme that resonates throughout all the high-priority needs identified by workshop participants. These needs provide a blueprint for improving the response to victims of both sex trafficking and SUDs.

This section provides further context from the workshop discussion on the high-priority needs. It is organized around three key areas at the intersection of sex trafficking and SUDs:

1. identification and screening of sex trafficking victims, particularly those suffering from SUDs
2. provision of treatment and services to victims
3. the criminal justice system response.

Statements in this section are derived from assertions made by the workshop participants and ensuing discussions.

There is a general lack of understanding from the public, law enforcement, and community service providers that sex trafficking is not a choice and that the victim is being forced to offend.

## Identification and Prevention

Workshop participants noted that stigmas and preconceived notions regarding SUDs and prostitution serve as barriers to sex trafficking victims being identified as victims by law enforcement, first responders, other community service providers, and members of the community. Participants noted that substance use is often viewed and stigmatized as a choice rather than a medical disorder and that sex trafficking victims with SUDs are viewed as complicit in their exploitation. There is a general lack of understanding from the public, law enforcement, and community service providers that sex trafficking is not a choice and that the victim is being forced to offend. As one participant noted, “You [the trafficking victim] do it or you deal with the consequences.” Other participants described the relationship between trafficking victims and the traffickers as a form of Stockholm syndrome.<sup>5</sup>

Participants noted that the failure to understand sex trafficking victims’ lack of choice is particularly problematic in communities of color, where systemic racism results in ever greater stigmatization and criminalization of behaviors associated with trafficking and substance use, such as petty theft, as well as failure to recognize black persons as trafficking victims. To address the systemic racism that makes victims from communities of color less likely to be identified as victims in the first place, all criminal justice actors and community-based service providers need training and education on diversity, inclusion, implicit bias, and cultural competency. Sex trafficking in rural or nonmetropolitan areas is also less likely to be identified as victimization. Criminal justice officials and providers in these areas often lack awareness and training to properly identify victims and the capacity to assist them.

Changing the mindsets of law enforcement, first responders, other criminal justice practitioners, and community service providers through training and education is a critical step to identifying sex trafficking victims as victims and getting them to needed support and services. Participants noted that it is necessary to educate and train criminal justice practitioners and service providers on SUD as a medical condition; on indications that a person might be a victim of trafficking; on the effects of trauma on the brain and how it manifests in the victim’s ability to recall information and timelines or to react to stimuli in a “typical” manner; and on the challenges of breaking the victim free from the trafficker. Participants explained that victims with SUDs are often well known to first responders as frequent users of emergency services. Because of the substance use, they might be seen as uncooperative or problematic

## Because sex trafficking victims have suffered complex trauma and often have SUDs, traditional victim service programs or substance use programs will not sufficiently address the full scope of victim needs.

patients rather than identified as victims who are suffering from trauma.

Another participant noted, “I find these conversations happen way too often—even sometimes in drug courts by judges overseeing these courts: ‘Well, how do I know they are really being trafficked?’” Mindsets like this one underscore the importance of developing standardized and objective screening tools that first responders, criminal justice practitioners, and service providers can use to identify when cases presenting as domestic violence, child abuse, drug, or otherwise also involve sex trafficking.

Training and education also are needed to change the mentality regarding trafficking and help members of the justice system and the community better understand the problem and the signs. Participants noted the value of partnering with bar associations, police academies, and court systems to conduct training for prosecutors, law enforcement, and judges, respectively. Others raised the point that trainings should not be developed to be administered at a single point in time or with a one-size-fits-all approach. Trainings need to be specific to the population they are geared toward, whether it is law enforcement, medical providers, victim service providers, teachers, or other members of service industries. There needs to be continuing education for these different groups that might come into contact with trafficking victims, and there needs to be evaluation of whether the training is making a difference. Participants noted that there are many trainings available that raise awareness of sex trafficking and SUDs, but these might be more or less effective for different audiences. It is important to consider the quality and content of the training and who is delivering the message. Additional work is needed to evaluate the effectiveness of different types of training for different audiences.

Finally, participants noted that, in addition to developing training and education programs to identify people who are already victims of sex trafficking, there is a need for programs geared toward preventing trafficking. Such programs should be developed, designed for, and implemented in such venues as

schools to help educate young people, parents, and members of the community on how to prevent someone from becoming a sex trafficking victim.

### Treatment and Services

Workshop participants highlighted the necessity of having programs specifically for sex trafficking victims. Because sex trafficking victims have suffered complex trauma and often have SUDs, traditional victim service programs or substance use programs will not sufficiently address the full scope of victim needs. Participants discussed the fact that traffickers are often fulfilling victims’ basic needs of shelter, food, transportation, and clothing and that some trafficking victims may even perceive this coercion to be a loving relationship. Services must be able to address those needs and replace what the trafficker was providing. More importantly, services for sex trafficking victims must include both substance use treatment and mental health treatment. Often, trafficking victims use substances to address the trauma they have experienced, and, if those substances are taken away, victims need mental health care to help cope with the trauma. According to workshop participants, in many areas of the United States, comprehensive services for sex trafficking victims are not currently available.

Participants noted the importance of “meeting victims where they are” and using harm reduction approaches to providing services. They noted that many victim service programs have thresholds or requirements for participation that trafficking victims are unable to meet. For example, if victims have used or are using drugs, they are ineligible to participate in certain housing programs, which results in those victims going back to their traffickers. One participant described a situation in which a victim was kicked out of a substance use program because they refused to reveal information in a group session about why they started using substances, fearing that what they said would get back to their trafficker. The workshop participant noted, “I know that there are certain thresholds they

[programs] have to have, but at the same time, if you're providing SUD treatment, you can't be so concrete and rigid."

When speaking about programs for victims of trafficking who are minors, a participant noted the importance of not emphasizing total abstinence from substances as the only solution:

A young person can't wrap their brains around that [the concept of abstinence forever]. They can't comprehend that. Be able to meet them where they are at and understand that treatment doesn't need to be all or nothing. For young people, it has to be a harm reductive type of approach.

Workshop participants also stressed the importance of using mentors with lived experience who can truly relate to victims, as well as empowering victims to make decisions about their own treatment.<sup>6</sup> One participant noted, "Our service is voluntary. Letting them decide what they want is empowering to them."

Participants also noted that meeting victims where they are often means recognizing that relapse and re-trafficking are common. One provider explained,

We call it a "relapse roller coaster." They may go back several times [to the drugs or the trafficker], until one day they don't. It's helping providers understand that success doesn't mean they [victims] never do drugs again or never go back. It's just that they will call again and we [providers] are there for them every single time.

Participants discussed the need for developing long-term sustainable care plans for trafficking victims that incorporate harm reduction strategies and include peer support and survivor-led services but that also recognize that relapse might be part of the recovery process. The participants noted the importance of not giving up on victims and recognizing that treatment will not happen overnight.

Because of the nexus between sex trafficking and substance use, workshop participants discussed the order in which services should be provided. While several participants noted the need for allowing diverse pathways to recovery, others expressed that the first priority should be to get victims medication-assisted treatment for SUDs. They explained that, because someone under the influence of drugs will not be able to make decisions about their treatment, addressing the SUD is a first step. Additionally, without methadone or other medication-assisted treatment, victims are likely to return to their traffickers for access to drugs or money for drugs. However, in many areas, the wait times to get medication-assisted treatment are

weeks or months long. Participants stressed the need to develop strategies for getting victims rapid access to treatment, including educating providers on the importance of prioritizing trafficking victims who are vulnerable and at risk of returning to their traffickers.

## Criminal Justice Response

Participants noted that one of the key hurdles in improving the criminal justice response to sex trafficking and SUDs is that trafficking victims often do not trust the criminal justice system and are unlikely to report their trafficking to police. This is particularly true among trafficking victims who have been previously arrested for prostitution, drugs, or related offenses. Often, these issues of distrust are systemic and deep-rooted among those communities with the greatest risk of trafficking victimization.

A key strategy for overcoming this lack of trust is for criminal justice entities to work with trusted advocates. Advocates, particularly those with lived experience, can provide guidance for criminal justice entities and actors on how to make practices and procedures more trauma-informed and victim-centered. Additionally, law enforcement should partner with advocates to ensure that when a trafficking victim is identified, there is an advocate who can provide a buffer between the victim and police and accompany the victim to the forensic interview. Participants stressed the need for law enforcement to work with advocates who have confidentiality protections to further increase victim trust.

Another challenge in the criminal justice response to sex trafficking is that SUDs and complex trauma can make victims seem less credible to prosecutors, judges, and juries. Both SUDs and trauma can affect the ability of victims to describe events chronologically or provide consistent statements and might make victims more likely to forget court appointments or come across as uncooperative. Participants noted the importance of educating and training members of the criminal justice community about the impacts of SUDs and trauma on recall and emotional reactions. They suggested that trafficking cases tried before judges and juries should utilize expert witnesses to educate the court about these impacts.

A related issue is that, because of the difficulties in prosecuting trafficking cases, including perceptions of victims as not being credible witnesses and challenges in collecting evidence, traffickers are often prosecuted for lesser offenses, such as drug, gun, and soliciting offenses. Often, these are minor charges that carry light sentences. Participants noted the need to imple-

ment training programs for law enforcement and prosecutors on innovative approaches to collecting evidence in trafficking cases, such as going to a hotel to interview staff members who were working when the victim was brought in and reviewing surveillance footage to corroborate the victim's statement. Additionally, participants highlighted the need to review state and local laws and close loopholes that make it difficult to hold trafficking offenders accountable. For example, one participant noted that, in some areas, certain trafficking laws can be enforced on the buyer side only if the person paying for sex is aware that the victim is being trafficked, which is difficult to prove.

The lack of coordination between agencies and jurisdictions can also be problematic for prosecuting trafficking cases. One participant noted that their state had regular coordination of state, local, and federal agencies for drug trafficking, fraud, and financial crimes, but not for sex trafficking. Regular information-sharing across agencies and jurisdictions is often critical for building strong cases against traffickers. Participants noted that multidisciplinary task forces are a good model for developing necessary relationships among key stakeholders in trafficking cases.

Finally, participants identified several needs related to enabling sex trafficking victims with SUDs to participate in criminal justice processes. Participants noted that, particularly when SUDs are involved, victims may be unable to participate, and traffickers may use substances to manipulate victims and physically keep them from being able to engage and participate. One solution to this issue is to develop procedures for safeguarding victims and witnesses involved in criminal justice processes to keep traffickers from having access to and intimidating them. Participants discussed ways that judges can keep traffickers from being present in court proceedings and ways that attorneys and advocates can help keep traffickers from communicating with victims as they enter or leave the

courtroom. Workshop participants also noted the need to meet victims where they are when it comes to participation in criminal justice processes. They identified the need for low-barrier, non-diversion sex trafficking programs within the court system that provide ways to assist victims without setting them up for failure with requirements that they will be unable to meet because of their SUDs. Particularly because of the strong overlap between sex trafficking and SUDs, participants noted the importance of not having criminal justice participation be a criterion for getting victims necessary support, services, and treatment.

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## CONCLUSION

Sex trafficking victimization and SUDs are often co-occurring. Traffickers may exploit individuals' existing SUDs to coerce them into sex trafficking, or they may facilitate SUDs to prevent them from exiting. Additionally, trafficking victims may use substances to cope with trauma. These intersections complicate the identification of sex trafficking victims and the legal and treatment responses to them. Victim SUDs can lead to challenges for law enforcement and prosecution in developing cases against traffickers. On the provider side, traditional victim services are often not sufficient for sex trafficking victims with SUDs, who need comprehensive, victim-centered, and trauma-informed responses.

The expert participants convened by RTI and RAND identified 21 high-priority needs to support the identification of, treatment of, and criminal justice response to sex trafficking victims who have SUDs. These needs provide a blueprint for research, practice, and policy changes that could be undertaken to better address the co-occurrence of sex trafficking and SUDs.

**Traffickers may exploit individuals' existing SUDs to coerce them into sex trafficking, or they may facilitate SUDs to prevent them from exiting. Additionally, trafficking victims may use substances to cope with trauma.**

## TECHNICAL APPENDIX

In this appendix, we present additional details on the workshop and our process for identifying and prioritizing research and technology needs and turning them into the research agenda that is presented in the main report. The descriptions in this appendix are drawn and adapted from those in previous PCJNI publications and reflect adjustments to the needs identification and prioritization process implemented at this workshop.

### Workshop Scope and Participant Selection

The topics for PCJNI workshops are selected by reaching a consensus among the action officers and subject-matter experts at NIJ and research staff at the organizations that will be facilitating the workshop. Multiple topic areas, accompanied by brief scoping descriptions, are typically suggested months before the workshop by one or more of the parties involved, and staff engage in group deliberations with NIJ to reach consensus on the topic. We then engage in further scoping of the workshop to craft a discussion agenda through literature review, informal discussions with other practitioners and subject-matter experts, or both. Once the topic and scope have been determined, we recruit participants by identifying knowledgeable individuals through existing professional and social networks (e.g., LinkedIn) and by reviewing literature published on the topic. We then extend an invitation to those individuals and provide a brief description of the workshop's focus areas.

The process of expert elicitation was designed to gather unbiased, representative results from experts and practitioners in the field. However, several limitations could affect the findings. The process typically elicits opinions from a relatively small group of experts. To limit the effect of group size on the representativeness of the results, we strive to make the group as representative as possible of different disciplines, perspectives, and geographic regions. However, the final output of the workshop likely is significantly influenced by the specific group of experts invited to participate. It is possible that the findings from the workshop would vary were a different group of experts selected. Moreover, although the discussion moderators make every effort to act as neutral parties when eliciting opinions from the collected experts, the background and experience of the moderators has the potential to influence which questions they pose to the group and how they phrase those questions. This could also introduce bias that could influence the findings.

### Identification and Prioritization of Needs

To develop and prioritize a list of technology and policy issues that are likely to benefit from research and investment, we followed a process similar to one that we used in previous PCJNI workshops (see, for examples, Jackson et al., 2015; Jackson et al., 2016, and references therein). Participants discussed and refined needs that could address each problem. In addition, needs could be framed in response to opportunities to improve performance by adopting or adapting a new approach or practice (e.g., applying a new technology or tool in the sector that had not been used before). After identifying and refining the needs, we used a voting process based on the Delphi Method, a technique developed at RAND, to elicit prioritization information from the group about the identified needs (RAND Corporation, undated).

Prior to the coronavirus disease 2019 pandemic, PCJNI workshops were conducted in person in a group setting. However, under the restrictions and mitigations implemented in response to the pandemic, our participants and staff were unable to travel. Our typical in-person format involves a two-day, 14-hour in-person meeting (eight hours the first day, six hours the second day). However, drawing on several organizations' and individuals' experiences in running and participating in high-intensity virtual events, we determined that it would not be advisable to try to directly replicate this meeting format using virtual conferencing tools. Instead, we prepared a multi-stage process:

1. interviews with each participant, either individually or in small groups, for approximately an hour to build an initial picture of their views and ideas
2. a set of shorter, more-focused virtual sessions to provide the group the opportunity to react to and shape the consolidated picture that came from our synthesis of the individual interview input
3. a final voting stage, after the last interactive session, in which participants provided their final assessment of the rankings of the different needs.

### Interviews

During the interviews, we asked practitioner participants to discuss the challenges that they or their colleagues have experienced. We asked participants who were not practitioners (e.g., academics) to speak from their experiences working with practitioners. We also asked them to identify areas in which

additional investment in research and development could help alleviate the challenges. During these discussions, participants suggested additional areas that were potentially worthy of research or investment. We consolidated and integrated the problems, opportunities, and potential solutions described by the participants in the separate interviews into a single summarized list. In advance of the first meeting of the virtual workshop, participants were provided with the list of issues and needs.

### Virtual Sessions

Once each participant had been interviewed and the needs were consolidated, we held three two-hour virtual meetings using Zoom, a virtual meeting platform. Although all of the interviewees were invited to participate in all three sessions, some had conflicts that prohibited participation in all of the virtual meetings, and two were not able to participate in any of the meetings. The meetings were configured such that the participants could see each other's video feeds and collaborate to refine and edit the consolidated needs.

At the end of the discussion of each group of needs, participants were given an opportunity to review and revise the list of problems, opportunities, and potential solutions that they had identified. The participants' combined lists for each topic were displayed one by one on the screenshare portion of Zoom using Microsoft PowerPoint slides that were edited in real time to incorporate participants' revisions and comments.

Once the group reached consensus on a group of needs, we conducted a real-time voting prioritization exercise using Delphi techniques. We asked the participants to anonymously vote using a web-based polling system (the Anywhere Polling feature from Turning Technologies). Each participant was asked to score each need and the associated strategies to address those needs using a 1–9 scale for two dimensions: importance and probability of success.

For the *importance* dimension, participants were instructed that 1 was a low score and 9 was a high score. Participants were told to score a need's importance with a 1 if it would have little or no impact on the problem and with a 9 if it would reduce the impact of the problem by 20 percent or more. Anchoring the scale with percentage improvements in the need's performance is intended to help make rating values comparable from participant to participant.

For the *probability of success* dimension, participants were instructed to treat the 1–9 scale as a percentage chance that

the need could be met and broadly implemented successfully. That is, they could assign the need's chance of success between 10 percent (i.e., a rating of 1) and 90 percent (i.e., a rating of 9). This dimension was intended to include not only technical concerns (i.e., whether the need would be hard to meet) but also the effect of factors that might cause practitioners to not adopt the new technology, policy, or practice even if it were developed. Such factors could include, for example, cost, effect on practitioner workloads, other staffing concerns, and societal concerns.

After the participants provided their individual ratings using the web-based polling system (i.e., for importance or probability of success), we displayed a histogram-style summary of participant responses within the polling system's interface. If there was significant disagreement among the participants, then they were asked to verbally discuss or explain their votes at one end of the spectrum or the other. (The degree of disagreement was determined by our visual inspection of the histogram.) If a second round of discussion occurred, participants were given an opportunity to adjust their rating on the same question. This process was repeated for each question and dimension at the end of each topic area. It should be noted that some participants chose not to cast votes for every need, and it was not possible to determine which participants voted on which needs.

### Post-Session Prioritization

Once the participants had completed this rating process for all of the topic areas, we put the needs into a single prioritized list. We ordered the list by calculating an expected value using the method outlined in Jackson et al., 2016. For each need, we multiplied the final (second-round) ratings for importance and probability of success to produce an expected value. We then calculated the median of that product across all of the respondents and used that as the group's collective expected value score for the need.

We clustered the resulting expected value scores into three tiers using a hierarchical clustering algorithm. The algorithm we used was the "ward.D" spherical algorithm from the "stats" library in the R statistical package, version 4.0. We chose this algorithm to minimize within-cluster variance when determining the breaks between tiers. The choice of three tiers is arbitrary but was done in part to remain consistent across the set of technology workshops we have conducted for NIJ. Also, the choice of three tiers represents a manageable system for policymakers. Specifically, the Tier 1 needs are the priorities

that should be the primary policymaking focus, the Tier 2 needs should be examined closely, and the Tier 3 needs are probably not worth much attention in the short term (unless, for example, they can be addressed with existing technology or approaches that can be readily and cheaply adapted to the identified need).

Because the participants initially rated the needs one topic area at a time, we gave them an opportunity at the end of the workshop to review and weigh in on the tiered list of all identified needs. The intention of this step was to let participants see the needs in the context of the other tiered needs and allow them to consider whether there were some that appeared too high or low relative to the others. To collect these assessments, we emailed the entire tiered list in a Microsoft Word document to the participants. This step allowed the participants to see all

of the ranked needs collected across all sessions, providing a top-level view that was complementary to the rankings provided session by session. Participants were then asked to examine where each of the needs landed on the overall tiered list and whether this ordering was appropriate or needed fine-tuning. Participants had the option to indicate whether each problem and need pairing should be voted up or down on the list. An example of this form is provided in Table A.1.

We then tallied the participants’ responses and applied those votes to produce a final list of prioritized and tiered needs. To adjust the expected values using the up and down votes from the third round of prioritization, we implemented a method equivalent to the one we used in previous work (Hollywood et al., 2016). Specifically, if every participant voted “up” for a need that was at the bottom of the list, then the collective

**Table A.1. Example of the Delphi Round 3 Voting Form**

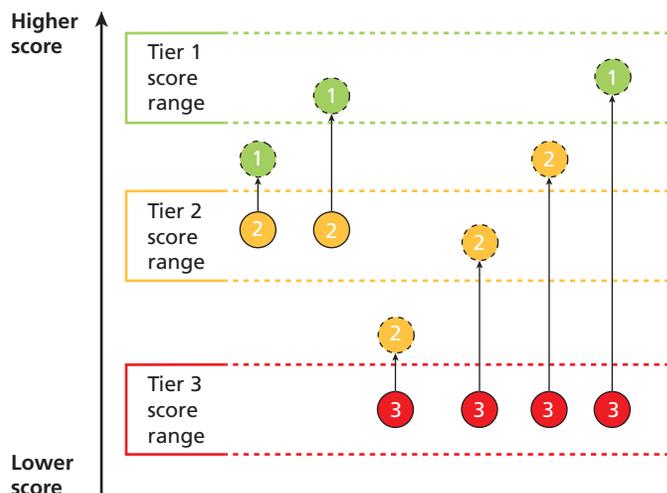
Question	Tier	Vote Up	Vote Down
<b>Tier 1</b>			
<p><b>Issue:</b> There are disparities and systemic racism in the perceptions and recognition of sex trafficking victims, particularly in marginalized communities.</p> <p><b>Need:</b> Develop ongoing diversity and inclusion training and cultural competency training for communities, first responders, and those working in the criminal justice system.</p>	1		
<p><b>Issue:</b> Victims with SUDs and complex trauma might not be seen as credible witnesses by prosecutors, judges, and juries.</p> <p><b>Need:</b> Consider using expert witnesses to educate the jury and court about the effects of trauma and substance use.</p>	1		
<b>Tier 2</b>			
<p><b>Issue:</b> Rural areas and other communities are limited by lack of public transportation and access to services.</p> <p><b>Need:</b> Develop alternative methods to access treatment, such as virtual services or telehealth.</p>	2		
<p><b>Issue:</b> Trafficked persons might not self-identify as victims, particularly when the trafficker is meeting their basic needs.</p> <p><b>Need:</b> Expand services to provide ongoing trauma-informed care and education on sexual exploitation.</p>	2		
<b>Tier 3</b>			
<p><b>Issue:</b> Victims are often labeled and perceived to be problematic or complicit in their victimization.</p> <p><b>Need:</b> Target education toward treatment and service providers and members of the criminal justice community to help reduce the notion that victims with SUDs are manipulative and to help with understanding the full impacts of trauma.</p>	3		
<p><b>Issue:</b> Certain businesses and individuals are incentivized to facilitate sex trafficking, and there are no sufficient legal consequences.</p> <p><b>Need:</b> Broaden the scope of investigations and prosecutions to address the larger network around the immediate trafficker.</p>	3		

effect of those votes should be to move the need to the top. (The opposite would happen if every participant voted “down” for a need that was at the top of the list.) To determine the point value of a single vote, we divided the full range of expected values by the number of participants voting.

To prevent the (somewhat rare) situation in which small numbers of votes have an unintended outsized impact—for example, when some or all of the needs in one tier have the same or very similar expected values—we also set a threshold that at least 25 percent of the workshop participants must have voted on that need (and then rounded to the nearest full participant). For this workshop, there were 17 participants, so, for any votes to have an effect on changing a need’s tier, at least four participants would have had to have voted to move the need up or down.

After applying the up and down vote points to the second-round expected values, we compared the modified scores with the boundary values for the tiers to see whether the change was enough to move any needs up or down in the prioritization. (Note that there were gaps between these boundaries, so some of the modified expected values could fall in between tiers. See Figure A.1.) As with prior work, we set a higher bar for a need to move up or down two tiers (from Tier 1 to Tier 3, or vice versa) than for a need to move to the tier immediately above or below. Specifically, a need could *increase by one tier* if its modified expected value was higher than the highest expected value score in its initial tier. And a need could *decrease by one tier* if its modified expected value was lower than the lowest expected value in its initial tier. However, to *increase or decrease by two tiers* (which was possible only for needs that started in Tier 1 or Tier 3), the score had to increase or decrease by an amount that fully placed the need into the range two tiers away. For example, for a Tier 3 need to jump to Tier 1, its expected value score had to fall within the boundaries of Tier 1, not just within the gap between Tier 1 and Tier 2. See Figure A.1, which illustrates the greater score change required for a need to move two tiers (one need on the far right of the figure) compared with one tier (all other examples shown).

**Figure A.1. How a Need’s Increase in Expected Value Might Result in Its Movement Across Tier Boundaries**



NOTE: Each example need’s original tier is shown by a circle with a solid border (the two needs starting in Tier 2 and the four needs starting in Tier 3). Each need’s new tier after the third-round score adjustment is shown by the connected circle with a dotted border.

Applying these decision rules to integrate the participants’ third-round inputs into the final tiering of needs resulted in numerical separations between tiers that were less clear than the separations that resulted when we used the clustering algorithm in the initial tiering. This can occur because, for example, when the final expected value score for a need that was originally in Tier 3 falls just below the boundary value for Tier 1, that need’s final score could be higher than that of some other needs in the item’s new tier (Tier 2). See Figure A.2, which shows the distribution of the needs by expected value score after the second-round rating process and then after the third-round voting process.

As a result of the third round of voting, 54 needs did not change position, two needs rose one tier, and no needs changed two tiers. The output from this process became the final ranking of the participants’ prioritized results.

The complete list of identified needs is shown in Table A.2, and the needs are sorted by tier and theme.

Figure A.2. Final Distribution of the Tiered Needs

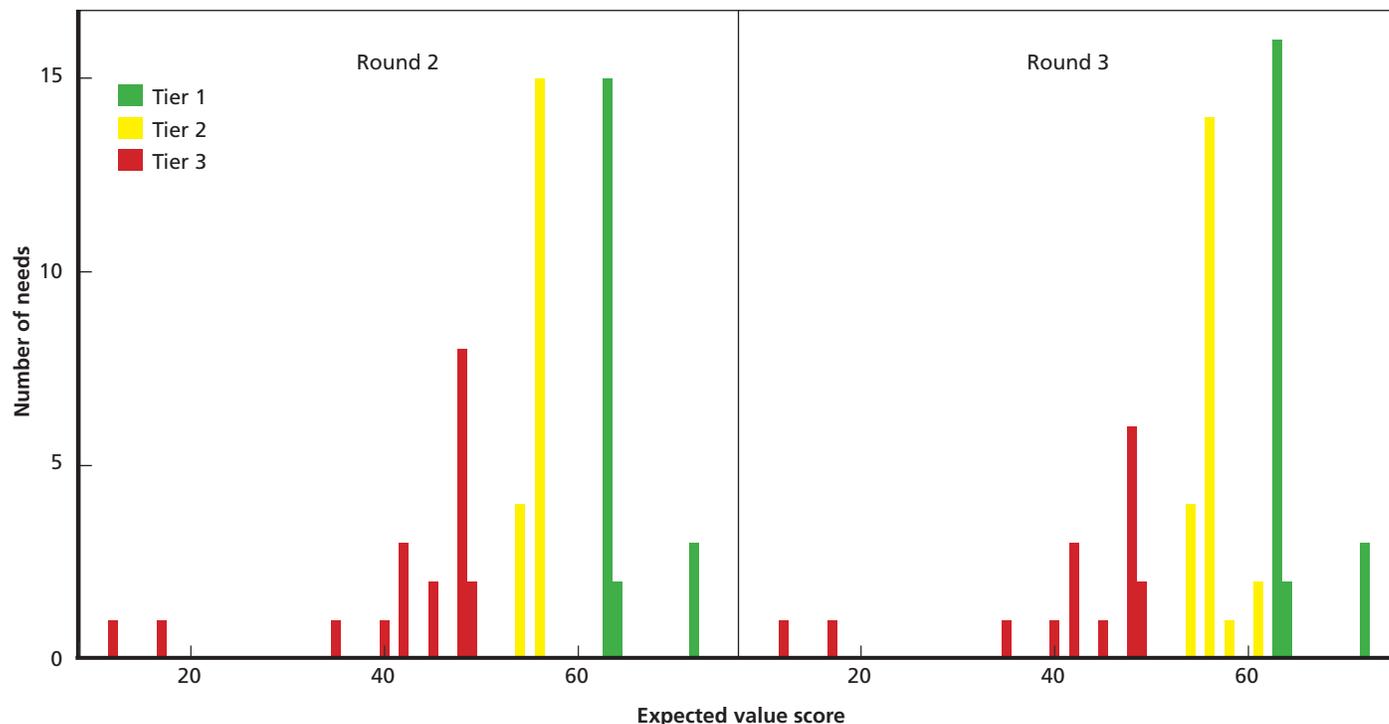


Table A.2. Complete List of Needs, by Tier

Problem or Opportunity	Potential Solution	Tier
Identification and screening		
There are disparities and systemic racism in the perceptions and recognition of sex trafficking victims, particularly in marginalized communities.	Develop ongoing diversity and inclusion training and cultural competency training for communities, first responders, and those working in the criminal justice system.	1
Particularly when victims have SUDs, the problem of sex trafficking is often not recognized by law enforcement, first responders, and other criminal justice system actors; other community service providers, such as teachers and school administrators, emergency department staff and other medical providers, and other community organizations; and other members of the community.	Develop and conduct education and training for law enforcement, medical providers, prosecutors, judges, correctional staff, teachers and school administrators, and other community organizations and community members to raise awareness of the nexus between sex trafficking and SUDs, what SUDs are, and how they should be treated; to increase the identification of trafficking victims; and to identify the steps that should be taken if someone is identified as a potential sex trafficking victim. These education and training programs are particularly important in communities of color and rural areas where trafficking victims are less likely to be identified.	
Sex trafficking victims with SUDs are often frequent users of emergency services and are seen as hostile and uncooperative by first responders because of their addiction and trauma.	Develop and implement training for law enforcement, medical providers, service providers, and other first responders on the impacts of trauma and trauma-informed approaches to working with sex trafficking victims.	
Not much is known about strategies for preventing sex trafficking.	Develop sex trafficking education for schools and other venues that target students, parents, and the larger community.	
The co-occurrence of sex trafficking and other types of victimization makes it difficult to identify victims of trafficking.	Develop screening tools that allow first responders and service providers to identify when cases involving domestic violence, child abuse, drugs, or other issues also involve sex trafficking.	

Table A.2—Continued

Problem or Opportunity	Potential Solution	Tier
Treatment and services		
Most trafficking victims have suffered complex trauma. They are targeted by traffickers because they are vulnerable and often continue to engage in substance use to deal with their trauma.	Provide wraparound programs that are specific to trafficking and can address the full scope of trafficking victim needs, from SUD and mental health treatment to shelter, housing, and treatment of underlying trauma.	1
Without the ability to quickly access methadone or other medication-assisted treatment, victims may return to the trafficker for access to drugs or money for drugs.	Develop strategies for providing victims with rapid access to SUD treatment.	
SUD relapse and re-trafficking are common among victims.	Develop long-term sustainable care plans, peer support, and survivor-led services for survivors that incorporate harm reduction strategies and recognize that relapse can be a part of the process of overcoming an addiction and exiting trafficking.	
Many communities lack sufficient mental health services and housing for sex trafficking victims, both of which are critical for keeping victims off the streets.	Develop low-barrier programs, policies, and practices, including victim compensation programs, that increase the availability of and facilitate access to trauma-informed mental health services for sex trafficking victims.	
Criminal justice response		
Trafficking victims might not report the trafficking or other victimizations they have experienced to law enforcement because they do not trust criminal justice actors—particularly after an arrest.	Develop and implement strategies and training to build trust and rapport between victims and criminal justice stakeholders. Criminal justice stakeholders need to develop relationships with confidential advocates who can be called upon to provide services and support, assist victims when needed, and help victims navigate processes.	1
Trafficking victims might not report the trafficking or other victimizations they have experienced to law enforcement because they do not trust criminal justice actors—particularly after an arrest.	Seek feedback and guidance from advocates, including those with lived experience, on how to make criminal justice practices and procedures more trauma-informed and victim-centered, and provide commercial sexual exploitation education.	
Victims are often labeled and perceived to be problematic or complicit in their victimization.	Partner with members of the criminal justice community to train and educate them on issues related to understanding trauma and its impact.	
Victims with SUDs and complex trauma might not be seen as credible witnesses by prosecutors, judges, and juries.	Educate and train criminal justice actors on the impacts of trauma and SUDs on victim recall and how challenges related to trafficking victim credibility and stigmatization should be addressed or framed.	
Victims with SUDs and complex trauma might not be seen as credible witnesses by prosecutors, judges, and juries.	Consider using expert witnesses to educate the jury and court about the effects of trauma and substance use.	
Traffickers are often not prosecuted or are prosecuted for lesser offenses, such as drug, gun, or soliciting charges, because of the challenges of prosecuting trafficking cases, collecting evidence, and building circumstantial cases.	Implement education programs for law enforcement and prosecutors on innovative approaches to evidence collection in trafficking cases, the importance of seeking trafficking charges when possible, and the development of other strategies for building strong trafficking cases.	
Traffickers are often not prosecuted or are prosecuted for lesser offenses, such as drug, gun, or soliciting charges, because of the challenges of prosecuting trafficking cases, collecting evidence, and building circumstantial cases.	Examine state and local trafficking laws to ensure that there are no loopholes that make it difficult to charge and hold traffickers accountable and to identify creative strategies for charging traffickers using existing laws.	

Table A.2—Continued

Problem or Opportunity	Potential Solution	Tier
Efforts to address trafficking are often siloed, which results in traffickers taking advantage of a lack of coordination between agencies or jurisdictions and victims being used as witnesses in multiple cases across multiple jurisdictions.	Establish regular lines of communication among law enforcement agencies and the judicial system through task forces, multidisciplinary teams, or other collaborative bodies that use best practices to routinely discuss cases involving traffickers; identify different strategies for building cases and holding traffickers accountable; and remove information-sharing barriers (following the models of gang, fraud, and drug task forces).	
Particularly when SUDs are involved, sex trafficking victims might be unwilling or unable to engage in traditional court or problem-solving courts.	Develop policies to ensure that services for victims are not tied to a requirement to participate in the criminal justice process.	
Particularly when SUDs are involved, sex trafficking victims might be unwilling or unable to engage in traditional court or problem-solving courts.	Develop and implement low-barrier diversion or non-diversion programs to address sex trafficking within the court system that provide a safe space for victims and can help address victim needs without setting them up for failure.	
Trafficking victims often lack the stability for long-term participation in criminal justice cases, and traffickers use SUDs to manipulate victims and keep them from participating.	Establish training for all involved in the criminal justice process on trauma and SUDs and how they affect participation at different stages of criminal justice system and beyond.	
Trafficking victims often lack the stability for long-term participation in criminal justice cases, and traffickers use SUDs to manipulate victims and keep them from participating.	Devise and implement approaches to protect the privacy of victims and witnesses involved in court processes.	
Identification and screening		
Particularly when the victims have SUDs, the problem of sex trafficking is often not recognized by law enforcement, first responders, and other criminal justice system actors; other community service providers, such as teachers and school administrators, emergency department staff and other medical providers, and other community organizations; and other members of the community.	Evaluate curricula for these training programs and provide recommendations on best practices for training programs and which programs and program durations work best for different audiences. Consider sustainability of training programs and how to ensure that long-term programs can continue.	
There is a lack of understanding of the dual status of trafficking victims as victims and offenders. Likewise, there is a lack of awareness of the use of drugs that increase victims' vulnerabilities to exploitation by themselves and others through coercion and control.	Increase awareness of the ways that drugs heighten vulnerabilities and increase the risk of exploitation by self and others.	2
Treatment and services		
Juvenile and adult victims present different challenges and require different services to treat SUDs and trauma (e.g., issues related to needing a guardian present to talk with the minor, length of exposure, being treated as a victim, and the steps that must be taken based on age).	Identify or develop effective strategies for working with minor victims of trafficking and ensuring the availability of programs and shelters for these victims.	2
Juvenile and adult victims present different challenges and require different services to treat SUDs and trauma (e.g., issues related to needing a guardian present to talk with the minor, length of exposure, being treated as a victim, and the steps that must be taken based on age).	Educate on the need to meet minors where they are and not set unreasonable expectations for them (e.g., use harm reduction treatment strategies, do not tell the victim they can "never" do something again).	

Table A.2—Continued

Problem or Opportunity	Potential Solution	Tier	
Most trafficking victims have suffered complex trauma. They are targeted by traffickers because they are vulnerable and may engage in substance use to deal with their trauma.	Develop trauma-informed, harm reduction approaches for service providers who work with trafficking victims with SUDs.	1	
Rural areas and other communities are limited by a lack of public transportation and access to services.	Work with transportation companies, such as Uber and Lyft, to develop innovative transportation solutions, and develop other ways that community members can assist with transportation needs.		
Rural areas and other communities are limited by a lack of public transportation and access to services.	Develop alternative methods to access treatment, such as virtual services or telehealth.		
Rural areas and other communities are limited by a lack of public transportation and access to services.	Identify service needs of rural communities and ways to address access challenges or other issues that prevent trafficking victims from getting services or employment.		
Substance use, especially opioids, can be severely debilitating to a victim’s ability to function.	Develop policies and programs for trafficking victims that recognize the need for immediate attention to victim-directed substance use treatment or medication-assisted treatment before proceeding with other aspects of the case and possibly other services.		
There is often a disconnect between what trafficking victims need and what is provided. Victims who turn down services are seen as complacent and passed up for other services.	Conduct and use survivor-focused research and evaluation on what victims perceive that they need. Victims should be compensated for their participation.		
There is often a disconnect between what trafficking victims need and what is provided. Victims who turn down services are seen as complacent and passed up for other services.	Develop and implement flexible approaches to “meeting victims where they are” that open the door for clear and effective communication, do not punish them for turning down services, and enable them to have options in the help that they get.		
Traditional shelters and SUD programs are often not equipped to address the full scope of trafficking victim needs and often set rules around participation that are difficult for victims with SUDs and complex trauma to meet.	Increase the availability of low-barrier, wraparound programs that are specific to trafficking victims and offer victims both choice and voice in the treatment and assistance that they receive.		
Traditional shelters and SUD programs are often not equipped to address the full scope of trafficking victim needs and often set rules around participation that are difficult for victims with SUDs and complex trauma to meet.	Increase the availability of shelters and SUD programs for victims and their children.		
Trafficked persons might not self-identify as victims, particularly when the trafficker is meeting their basic needs.	Expand services to provide ongoing trauma-informed care and education on sexual exploitation.		
Trafficked persons might not self-identify as victims, particularly when the trafficker is meeting their basic needs.	Identify resources, innovative strategies, and collaborations to fulfill the physical, material, and emotional needs that the trafficker, other unsafe people, or substances were meeting.		
<b>Criminal justice response</b>			2
Certain businesses and individuals are incentivized to facilitate sex trafficking, and there are no sufficient legal consequences.	Change laws or develop other innovative solutions to more easily shut down businesses that are identified as facilitating trafficking.		

Table A.2—Continued

Problem or Opportunity	Potential Solution	Tier
Efforts to address trafficking are often siloed, which results in traffickers taking advantage of a lack of coordination between agencies or jurisdictions and victims being used as witnesses in multiple cases across multiple jurisdictions.	Document best practices for the formation and operation of task forces, multidisciplinary teams, or other collaborative bodies focused on trafficking.	
SUD relapse and re-trafficking are common among victims.	Develop and evaluate model legislation and other policy measures that would increase the ease and availability of vacatur and record expungement options to ensure greater access to housing, self-empowerment, employment, child care, Medicaid, and other government benefits.	
There is a lack of understanding of the dual status of trafficking victims as victims and offenders. Likewise, there is a lack of awareness of the use of drugs that increase victims' vulnerabilities to exploitation by themselves and others through coercion and control.	Create legislation that protects those who experience sexual exploitation but not those who perpetrate the exploitation.	
There is a lack of understanding of the dual status of trafficking victims as victims and offenders. Likewise, there is a lack of awareness of the use of drugs that increase victims' vulnerabilities to exploitation by themselves and others through coercion and control.	Train criminal justice personnel to recognize the dual status and sentencing considerations when someone is initially identified as an offender.	
Trafficking victims often lack the stability for long-term participation in criminal justice cases, and traffickers use SUDs to manipulate victims and keep them from participating.	Implement training for prosecutors on how to build strong trafficking cases that do not rely heavily on the victims' testimony.	
<b>Identity and screening</b>		
There is a lack of understanding of the dual status of trafficking victims as victims and offenders. Likewise, there is a lack of awareness of the use of drugs that increase victims' vulnerabilities to exploitation by themselves and others through coercion and control.	Change the framework for how society and the criminal legal system handle sex trafficking cases (i.e., recognize that sex trafficking is one component of the totality of what a victim has experienced rather than handling it separately).	
Victims are often labeled and perceived to be problematic or complicit in their victimization.	Make efforts to change the societal mentality related to SUDs and sex trafficking and the associated stigma and blame.	3
<b>Treatment and services</b>		
Many communities lack sufficient mental health services and housing for sex trafficking victims, both of which are critical for keeping victims off the streets.	Develop innovative approaches to housing placement, such as priority lists, that do not involve hotels or motels for short- or long-term stays, and increase capacity for trafficking victims.	
Most trafficking victims have suffered complex trauma. They are targeted by traffickers because they are vulnerable and may engage in substance use to deal with their trauma.	Implement service approaches that incorporate mentors who have lived experience and can relate to victims.	3
Particularly when the victims have SUDs, the problem of sex trafficking is often not recognized by law enforcement, first responders, and other criminal justice system actors; other community services providers, such as teachers and school administrators, emergency department staff and other medical providers, and other community organizations; and other members of the community.	Identify best practices for ensuring that training programs are being administered to and prioritized for direct public service providers (across all fields).	

Table A.2—Continued

Problem or Opportunity	Potential Solution	Tier
Substance use, especially opioids, can be severely debilitating to a victim's ability to function.	Prioritize trafficking victims to ensure rapid access to SUD programs. This might involve education on the immediate safety concerns for trafficking victims.	
There is limited knowledge about the pros and cons of traditional versus alternative methods for providing services to victims of trafficking.	Evaluate and be willing to explore with trafficking victims and survivors the effectiveness of different service delivery approaches for justice- and community-based entities, in terms of the ability to address the nexus between trafficking and SUDs with survivor-centered, quality, timely, connected, safe, and accessible services.	
There is often a disconnect between what trafficking victims need and what is provided. Victims who turn down services are seen as complacent and passed up for other services.	Reduce time constraints that are often associated with services.	
Trafficked persons might not self-identify as victims, particularly when the trafficker is meeting their basic needs.	Develop strategies to help victims to address and understand the roots of their attachment to the trafficker, including different types of therapeutic care.	
Victims are often labeled and perceived to be problematic or complicit in their victimization.	Target education toward treatment and service providers and members of the criminal justice community to help eliminate the notion that victims with SUDs are manipulative and to help with understanding the full impacts of trauma.	
Without the ability to quickly provide victims with methadone or other medication-assisted treatment, victims may return to the trafficker for access to drugs or money for drugs.	Identify and educate on appropriate thresholds to remove barriers for trafficking victims and enable them to engage in programs.	
Without the ability to quickly provide victims with methadone or other medication-assisted treatment, victims may return to the trafficker for access to drugs or money for drugs.	Expand the use of recovery coaches to provide accompaniment and other support services to get victims consistent treatment that provides a sense of community.	
<b>Criminal justice response</b>		
Certain businesses and individuals are incentivized to facilitate sex trafficking, and there are no sufficient legal consequences.	Broaden the scope of investigations and prosecutions to address the larger network around the immediate trafficker.	3
Current processes, such as T-visas, are slow and do not sufficiently address the sex trafficking of undocumented victims.	Research is needed on identification of victims, access to and expedited delivery of services, and the larger criminal justice response to victims.	
There is a lack of understanding of the dual status of trafficking victims as victims and offenders. Likewise, there is a lack of awareness of the use of drugs that increase victims' vulnerabilities to exploitation by themselves and others through coercion and control.	Build a research and knowledge base on the benefits and drawbacks of different approaches to decriminalizing sexual exploitation.	
Trafficking victims often lack the stability for long-term participation in criminal justice cases, and traffickers use SUDs to manipulate victims and keep them from participating.	Develop quick sheets to assist prosecutors in arguing for limitations on what defense attorneys are able to do in terms of undermining or attacking victims' credibility. This could also increase victims' likelihood of participation in the long term.	

## NOTES

<sup>1</sup> The Substance Abuse and Mental Health Services Administration defines SUDs as occurring when the recurrent use of alcohol, drugs, or both causes clinically significant impairment (Substance Abuse and Mental Health Services Administration, 2020).

<sup>2</sup> Harm reduction approaches focus on reducing adverse consequences of substance use while recognizing that abstinence might not be realistic. In the context of programs for trafficking victims, this means not imposing stringent requirements for consistent participation in these programs, which trafficking victims with SUDs likely will not be able to meet.

<sup>3</sup> It is important to note that not all sex workers are trafficking victims.

<sup>4</sup> Because of the significant time requested of participants to engage in these discussions, not all participants were able to join each of the virtual convenings, vote for each of the needs, and engage in the final needs ranking exercise. Because the voting was anonymous, we are unable to detail the composition of participants in each of the ranking exercises.

<sup>5</sup> According to Encyclopedia Britannica, *Stockholm syndrome* is a “psychological response wherein a captive begins to identify closely with his or her captors, as well as with their agenda and demands” (Lambert, undated).

<sup>6</sup> Although the need for mentors with lived experience did not rise to the top of the priority needs list, it was a topic that came up throughout the discussion.

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## Justice Policy Program

RAND Social and Economic Well-Being is a division of the RAND Corporation that seeks to actively improve the health and social and economic well-being of populations and communities throughout the world. This research was conducted in the Justice Policy Program within RAND Social and Economic Well-Being. The program focuses on such topics as access to justice, policing, corrections, drug policy, and court system reform, as well as other policy concerns pertaining to public safety and criminal and civil justice. For more information, email [justicepolicy@rand.org](mailto:justicepolicy@rand.org).

## About the Authors

**Lynn Langton** is a senior research criminologist in the Division for Applied Justice Research at RTI International. Her research focuses on victimization, victim responses to crime, violence against women, victim services, police-community relations, and survey methodology. Prior to joining RTI, she was the chief of the Victimization Statistics Unit at the Bureau of Justice Statistics. She holds a Ph.D. in criminology, law, and society.

**Michael Planty** leads RTI's Center for Community Safety and Crime Prevention. Planty has led several projects for the U.S. Department of Justice and plays a key role in several ongoing studies related to school safety, criminal justice technology, incident-based crime statistics, and sexual assault. Before joining RTI, he served as deputy director at the Bureau of Justice Statistics, overseeing multiple national data collection projects on victimization and law enforcement issues.

**Duren Banks** is the division vice president for Applied Justice Research at RTI International. She conducts research on many aspects of the court system in the United States and on issues related to juvenile justice, school safety, and the interaction of law enforcement and community groups.

**Amanda R. Witwer** is a research analyst in the Division for Applied Justice Research at RTI International. She supports a variety of research projects evaluating innovative technologies, including school safety tip lines, treatment support texting systems, and web-based reentry planning tools. Before joining RTI, she served as a research assistant with the North Carolina Sentencing and Policy Advisory Commission. She holds a B.A. in public policy.

**Dulani Woods** is a quantitative analyst adept at data acquisition, transformation, visualization, and analysis. His research typically focuses on justice and homeland security policy. He began his career as a Coast Guard officer on afloat and ashore assignments in Miami, Florida; New London, Connecticut; and Baltimore, Maryland. He holds an M.S. in agricultural economics (applied economics).

**Michael J. D. Vermeer** is a physical scientist at the RAND Corporation. His expertise covers topics related to science and technology policy, criminal justice, national security, cybersecurity, and emerging technologies. His other work is related to development planning, defense modernization, program evaluation, and other analyses to guide strategic decisionmaking in the armed services and government agencies. He holds a Ph.D. in inorganic chemistry.

**Brian A. Jackson** is a senior physical scientist at the RAND Corporation. His research focuses on criminal justice, homeland security, and terrorism preparedness. His areas of examination have included safety management in large-scale emergency response operations, the equipment and technology needs of criminal justice agencies and emergency responders, and the design of preparedness exercises. He has a Ph.D. in bioinorganic chemistry.

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## About This Report

On behalf of the U.S. Department of Justice, National Institute of Justice, the RAND Corporation, in partnership with the Police Executive Research Forum, RTI International, and the University of Denver, is carrying out a research effort to assess and prioritize technology and related needs across the criminal justice community. This research effort, called the Priority Criminal Justice Needs Initiative (PCJNI), is a component of the Criminal Justice Requirements and Resources Consortium (RRC) and is intended to support innovation within the criminal justice enterprise. For more information about the RRC and the PCJNI, please see [www.rand.org/well-being/justice-policy/projects/priority-criminal-justice-needs](http://www.rand.org/well-being/justice-policy/projects/priority-criminal-justice-needs).

This report is one product of that effort. In April 2021, the RAND Corporation and RTI International conducted an expert workshop on sex trafficking and substance use disorders. This report presents the proceedings of that workshop, topics considered, needs that the workshop participants developed, and overarching themes that emerged from the participants' discussions. This report should be of interest to criminal justice practitioners, including law enforcement, prosecutors, judges, and correctional staff, who may encounter trafficking victims, as well as criminal justice-adjacent individuals and organizations, including those who provide services to trafficking victims, medical providers, teachers and school administrators, and other relevant community organizations. Other RAND research reports from the PCJNI that might be of interest are

- Sean E. Goodison, Michael J. D. Vermeer, Jeremy D. Barnum, Dulani Woods, and Brian A. Jackson, *Law Enforcement Efforts to Fight the Opioid Crisis: Convening Police Leaders, Multidisciplinary Partners, and Researchers to Identify Promising Practices and to Inform a Research Agenda*, Santa Monica, Calif.: RAND Corporation, RR-3064-NIJ, 2019.
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