



Office of Temporary
and Disability Assistance

HUMAN TRAFFICKING: A Handbook for Social Service Providers and Victim Advocates

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I. What is Human Trafficking

The purpose of this handbook is to provide resources to social service professionals, law enforcement liaisons and other advocates who work directly with victims of human trafficking.

Human trafficking is a global crisis. This heinous crime manifests itself in varying forms and occurs in urban, rural, and suburban communities alike. Victims are forced, defrauded, and coerced into labor, debt bondage, prostitution, and involuntary domestic work. Human trafficking victims include women, men, and children. They may be trafficked from underdeveloped or impoverished regions worldwide, but also from vulnerable populations in New York.

Trafficking has infiltrated an astounding number of modern industries, including agriculture, construction, mining, hospitality, food service and domestic work. Victims may be exploited by private or nefarious businesses, including massage parlors, nail salons, brothels, sweatshops, escort services and erotic dancing establishments. They may also be forced or coerced into fraudulent marriage or made to peddle or beg on the streets.

While the circumstances of human trafficking vary from case to case, there is consistency with the deeply harmful effect it has on victims. Traffickers use a variety of tactics to assert and maintain physical and psychological control over their victims to create fear and dependence. This control prevents victims from leaving the situation or reporting their victimization to law enforcement. Traffickers are adept at using ways to manipulate and intimidate victims without being obvious to outsiders. These deplorable human rights abuses are far too often undetected by law enforcement and governmental officials. Assessing the full scope of human trafficking is difficult because cases so often go undetected –something the United Nations refers to as the hidden figure of crime.

At its core, human trafficking is a crime and human rights abuse involving the use of force, fraud, or coercion to exploit an individual for the purpose of forced labor or commercial sex. This resource guide provides some basic information on the problem and some useful resources for providers. Thank you for your dedication to this work. We have included a list of frequently asked questions and answers in the appendix, along with specialized contacts should you require further assistance.

1. Identifying Victims of Trafficking

One of the most challenging aspects of working with trafficking victims is that many never come forward with their stories –even to those seeking to help them. Traffickers thrive on exploiting vulnerable populations because these victims tend to stay silent about their abuse.

Traffickers tend to target and exploit vulnerable populations, including:

- Individuals experiencing homelessness or housing instability
- Runaway youth and children experiencing homelessness
- Children in foster care
- Individuals without immigration status and/or with limited proficiency in English
- Low-wage workers
- Transient populations (i.e., guest workers)
- LGBTQ
- Individuals with a history of physical, sexual, or substance abuse
- Low-income individuals
- Those with little or no family or community supports

Victims may also be controlled by someone claiming to be a friend or employer, usually by threat of mental or physical abuse. They often have restrictions placed on their movement and may believe they are dependent on a trafficker for their physical, financial, and emotional well-being through traumatic

bonding. Victims may be any age or gender. It is helpful to try to talk with a potential victim alone. If a translator is needed, a neutral third party should be used to provide interpretation, not a “friend” who may be affiliated with the trafficker.

The New York State Office of Temporary and Disability Assistance has training available for those new to this issue, including one intended for individuals assigned as the [human trafficking liaison](#) in their county. For additional training on recognizing the signs of human trafficking, or how the New York State referral process works, please contact bria.contact@otda.ny.gov.

2. Screening Protocols and Questions

Screening and interviewing potential human trafficking victims are critical components of the confirmation process. This allows for a tailored and specialized approach to a victim’s needs. Screening helps trafficking victims obtain the services they need through trauma-informed interviewing practices.

There are several useful indicators in determining whether an individual is a victim of trafficking. Service providers should take care to ensure they are utilizing best practices when interviewing potential trafficking victims. Carefully crafted questions about their personal background will be helpful in determining their situation and whether they have been trafficked. This includes questions about their living and working conditions, as well as their immigration history if they are foreign-born.

The following screening questions and observations may be useful in determining whether someone meets the criteria of a trafficking victim:

- Is the individual from a vulnerable population? Some examples have been included in the “vulnerable populations” section above.
- Is the individual willing to be interviewed alone, or are they requesting the presence of someone who may be a potential trafficker? This is especially true for when a translator is needed. Take steps to use a neutral third-party, not a relative or “friend” that may accompany the victim to an appointment.
- What does the individual claim to do for work, and how do they pay for food, housing, and other items?
- Does it appear the individual has been physically or mentally abused? Signs of physical abuse, such as bruises or lacerations may be obvious, but signs of mental abuse may be identified by an individual being confused about what you may consider basic details about themselves, having episodes of paranoia, or being unusually fearful. Others may exhibit rage and lack of cooperation.
- Does the individual appear apprehensive or scared of authority figures? Traffickers often tell their victims to distrust anyone but the trafficker as a means of control. It may take multiple meetings to establish a trusting relationship with a potential victim.
- Does the individual exhibit any signs (physical or verbal/mental) of coercion by another? Some traffickers may require physical signs be put on their victim’s body to show loyalty, such as tattoos or branding. Others control their victims through more insidious means, such as requiring them to call at regular intervals, not allowing them to attend appointments by themselves, or being in possession of identity documents, bank and credit cards, or valuable personal items or pets.
- Is there an affiliation or suspected affiliation with gangs or gang activity?
- Does the individual have identification? If so, do they possess it or is it held by someone else?
- Is the individual in possession of items that may indicate a trafficking situation (i.e., hotel card keys, multiple cell phones, drugs)?

While these are suggested questions, providers should ensure they are up to date on all the best practices and training for trauma-informed interviewing methods before beginning an interview.

3. Assistance in Providing Trauma-Informed Care

Trauma-informed care is not just a best practice when working with human trafficking victims, but also vital to ensuring that a survivor is not re-victimized while seeking independence from their trafficker. It is critical that the survivor feel physically, emotionally, and psychologically safe when interacting

with staff members or law enforcement. Empathy and respect are the most important elements to establishing trust and a rapport with a survivor. Be aware that it may be in the survivor's best interest to have a general conversation first and return to the screening questions during a second meeting. Ultimately, trauma-informed care should create an environment where a survivor feels safe, accepted, and understood so that therapeutic work about the trauma can occur. Those who will be working with survivors on a regular basis are encouraged to be current with their training and cultural competency.

While there are many excellent resources available to assist in providing trauma-informed care, some recommended resources include:

- The state Office of Children and Family Services' [Responding to Commercially Sexually Exploited and Trafficked Youth: A Handbook for Child Serving Professionals](#).
- Vera Institute of Justice's [Screening for Human Trafficking: Guidelines for Administering the Trafficking Victim Identification Tool](#).

Basic guidelines for providing trauma-based care:

- When greeting the victim, be mindful of your surroundings, attire, and others who are present, either from your agency or accompanying the victim.
- Dress in plain, casual clothes. If your organization requires official uniforms –specifically law enforcement uniforms –keep in mind this attire may raise concern the interviewer is from immigration or other enforcement agencies.
- For situations involving law enforcement officials or settings, be mindful that victims may have had prior negative experiences specifically with law enforcement. Keep tactical gear, weapons, badges, and uniforms obscured from sight and convey a sincere, caring attitude.
- If possible, conduct the interview in a welcoming, non-threatening setting, with both parties seated at a comfortable distance.
- Before and during the interview process, provide the victim with adequate food, drink, and incidentals, such as tissues. Provide regular breaks and a place where they can gain their composure if they request a break from the conversation.
- Talk to the victim in private. If the victim arrives with a person exhibiting controlling behavior, be aware this could be the trafficker or someone working for the trafficker. Keep in mind some sex trafficking victims are reluctant to reveal the fact that they were prostituted or involved in the sex trade due to the dehumanizing stigma that attaches to having been exploited in this particular way.
- Minimize the number of staff in contact with the victim and ensure they understand the importance of confidentiality.
- Provide access to competent and trustworthy interpreters if the victim's first language is not English.
- When appropriate, develop trust and a rapport with the victim by relating prior experience with similar cases.
- Ask open-ended questions, rather than ones that prompt quick, one-word responses.
- Reassure victims that there are no right or wrong responses, and that the conversation can be paused at their discretion to be resumed later.
- Reassure the victim that they are not to blame and are not responsible for their abuse, exploitation, or inability to leave a trafficking situation.
- Express sorrow for what has happened to them, but do not appear judgmental or shocked by the details they reveal.
- Close in a manner that reassures the victim and encourages them to continue the discussion.

As you or members of your organization continue to work with trafficking survivors, use feedback from survivors to identify best practices and incorporate them into agency policies and procedures.

II. Making a Referral in New York

New York State Victim Referral Process

The confirmation process was established under New York State's 2007 anti-trafficking law to rapidly connect trafficking survivors with services. This process, outlined in Article 10-D of the Social Services Law, is jointly administered by the New York State Office of Temporary and Disability Assistance (OTDA) and the New York State Division of Criminal Justice Services (DCJS).

Referrals for confirmation can be made by law enforcement representatives and established legal or social services providers that reasonably believe a client is a human trafficking victim. This process is completed in a matter of days so that victims can access services in a timely manner. Those victims confirmed through the referral process may access state programs and other services to help them meet their needs.

Referrals are initially reviewed by DCJS, which assesses whether the individual meets the basic criteria for being a human trafficking victim. A person will be found to meet the basic criteria as a human trafficking victim if the facts described by the statutory referring source reasonably appear to meet the definition of a trafficking victim under either federal or New York State law. OTDA and DCJS will then discuss the facts and agree if the person may be confirmed. If confirmed, a confirmation letter is then sent to the referral source and other appropriate parties. If a referral is denied, the referral source will receive a notification from DCJS on behalf of the victim. OTDA and DCJS do not send confirmation letters directly to trafficking victims for safety reasons. Rather, a letter is provided to the referral source to relay to the victim. Notification may also be sent to the human trafficking liaison in the county where the referral is located if the victim appears to be eligible for assistance through their social services district. For more on the role of the district liaison, please see Part II of this handbook.

Through OTDA, New York State funds the Response to Human Trafficking Program (RHTP), which provides case management and referral services to New York State-confirmed trafficking victims. The focus is on those who would otherwise have no access to needed services. This includes individuals who have not yet been certified by the federal government and those who are beginning to work in coordination with an investigation or prosecution. Services may include shelter/rental assistance, health assessment, medical care, mental health counseling, legal services, food assistance and other identified service needs.

There are now two methods for making referrals:

- Using a [standardized form](#) online that can be printed and submitted by the referring source via a secure fax process.
- [Electronically](#) via Alchemer, a private platform hosted by DCJS, which allows the referring source to complete and submit the standardized form online. All information contained in the form is encrypted and protocols are in place to maintain confidentiality.

Both faxed and electronically submitted referrals are assigned a case-specific tracking number that anonymizes the survivor to maintain their safety and confidentiality. The survivor can provide this reference number to access services in another county or with another provider.

Referrals will be transitioned to electronic submissions only. An update on this change will be provided at some point in 2021.

Confirmation Letters

Once a referral meets the criteria for a victim of human trafficking, three individual letters may be sent to their corresponding parties. Confirmation letters can usually be translated into the victim's preferred language. Samples of confirmation letters are included in the Appendix.

A confirmation letter for the victim is always sent to the referral source, which then provides it to the victim (Attachments B and C). These letters are not shared directly to trafficking victims for safety reasons. The referral source receives a second letter notifying them of the confirmation and with instructions on how to assist the victim, either by referring them to one of the Response to Human Trafficking Program providers or a district (Attachment B).

If the victim appears to be eligible for assistance through their social services district, a third letter is sent to the human trafficking liaison in the county where they are located (Attachment C).

Confirmation Letter Benefits

In addition to providing victims personal validation, confirmation letters may be provided as part of the application process for social services and legal assistance. Likewise, these letters allow victims to participate in OTDA's Response to Human Trafficking Program. Confirmation letters can also be used as:

- Documentation to vacate certain criminal charges under CPL Section 440.10 (1) (i) associated with a victim's trafficking situation. Vacating these convictions can open a range of employment and housing opportunities for victims and assist them on a path to self-sufficiency.
- Proof the individual is a victim of crime if no police report is available. This proof is required when applying for assistance from the state Office of Victim Services (OVS).
- Supporting documentation when filing a civil lawsuit.
- Supporting documentation when the state Department of Labor is filing a wage and hour claim at the state or federal level.
- In support of United States Citizenship and Immigration Service (USCIS) Form I-914 "Supplement B, Declaration of Law Enforcement Officer for Victim of Trafficking in Persons" in instances when law enforcement is the referring party and one is requested by the victim or their agent.

For youth, confirmation letters can be used to document that they cannot return to their parent's home, which can help them apply for assistance programs on their own.

Examples of both the New York State and New York City human trafficking victim confirmation letters are available in the appendix.

III. Federal Certification

The Trafficking Victims Protection Act (TVPA), as amended, outlines the federal certification process, which allows undocumented victims of severe forms of trafficking to access federally funded benefits, if otherwise eligible. This process is overseen by the U.S. Department of Health and Human Services (HHS) and its family of agencies, including the Office of Refugee Resettlement (ORR) and the Office of Trafficking in Persons (OTIP). U.S. citizens, lawful permanent residents, and others with satisfactory immigration status for purposes of program eligibility don't need to be certified as victims to access such benefits and services, if otherwise eligible.

To receive this federal certification, an individual who is 18 or older must be a victim of a severe form of trafficking and be willing to assist in the investigation and prosecution of their trafficker, with some exceptions. They also must have been granted Continued Presence by the Department of Homeland Security or have a bona fide T visa application that has not been denied. An example of a federal certification letter is included in the Appendix.

If a foreign-born victim is under 18, OTIP may issue an eligibility letter or interim assistance letter to the child upon receiving credible information that the child was subjected to a severe form of human trafficking. Child victims are not required to cooperate with law enforcement or receive Continued Presence or apply for a T visa in order to receive an eligibility letter.

Federal trafficking certification or eligibility letters do not confer an immigration status, but allow social services districts to provide the victim benefits to the same extent as a refugee. Certification and eligibility letters do not expire, although some benefits may be time limited. This federal law also provides protections for victims of trafficking and eligible family members, outlining immigration remedies for those without lawful immigration status. Certified victims of human trafficking may receive benefits and services necessary for their safety, protection, and basic well-being. These benefits include housing, food, employment services, health care, and English language assistance.

Any minor or adult with questions regarding their immigration status should consult with a qualified immigration attorney. Visit the [federal anti-trafficking program website](#) for more information on federal certification.

IV. Information for Social Services Districts

1. Summary of Responsibilities

If confirmed through the New York State process, victims are then directed to either districts or the Response to Human Trafficking Program service provider network. Districts have various responsibilities under OTDA policy and Article 10-D of the Social Services law:

- Designating a human trafficking liaison
- Determining eligibility for assistance for state-confirmed trafficking victims
- Providing assistance to state-confirmed trafficking victims who are determined eligible
- Providing assistance to minors who are victims of human trafficking
- Facilitating the provision of services to state-confirmed trafficking victims by referrals to the regional case management agency under the Response to Human Trafficking Program when appropriate
- Reporting the outcomes of confirmed trafficking referrals received by the district to the New York State Anti-Trafficking Program coordinator at OTDA

2. Notification Process

Districts will be directly notified by OTDA when the confirmed victim is a U.S. citizen or may otherwise be eligible for benefits; or is a minor. Notification will come following confirmation of a referral via a letter sent in an encrypted email. Because all correspondences are sent electronically, it is important that OTDA maintains an accurate list of current liaisons for each county. Updates to this information may be made by emailing the OTDA human trafficking coordinator and/or program manager for the Response to Human Trafficking Program.

3. Human Trafficking Liaisons by County

OTDA maintains a list of human trafficking liaisons for each district, which is updated regularly. Please contact OTDA if there is a change in personnel.

V. Response to Human Trafficking Program

The Response to Human Trafficking Program was established after the [New York State Human Trafficking Law](#) was adopted on June 6, 2007 (Chapter 74 of the Laws of 2007). This law established the crimes of sex trafficking and labor trafficking and provides a referral mechanism that allows confirmed victims to receive services through designated providers.

The state's Human Trafficking Law also amended Social Services Law by adding Article 10-D, entitled "Services for Victims of Human Trafficking," which allows victims to receive certain services. Section 483-bb provides a non-exhaustive list of these services, which include case management; emergency temporary housing; health care; mental health counseling; drug addiction screening and treatment;

language interpretation and translation services; English language instruction; job training and placement assistance, post-employment services for job retention; and services to assist the individual and any family members in establishing a permanent residence in New York State or in the United States.

Contracts with service providers for the Response to Human Trafficking Program are selected through competitive procurement. The following providers are approved through 2021:

The International Institute of Buffalo

Executive Director: Ms. Eva Hassett
Program Contact: Ms. Amy Fleischauer
864 Delaware Avenue
Buffalo, NY 14209
Phone: 716-883-1900, Ext. 304
Email: afleischauer@iibuff.org

My Sisters' Place, Inc.

Executive Director: Ms. Karen Cheeks-Lomax
Program Contact: Ms. Cristina Tanzola
3 Barker Avenue, Suite 575
White Plains, NY 10601
Phone: 914-683-1333, Ext. 140; 24-hour hotline: (800) 298-SAFE
Email: ctanzola@mspny.org

Sanctuary for Families

Executive Director: Hon. Judy H. Kluger
Program Contact: Jessica-Wind Abolafia
P. O. Box 1406, Wall Street Station
New York, NY 10268
Phone: 212-349-6009
Email: jabolafia@sffny.org

Unity House of Troy, Inc.

Chief Executive Officer: Mr. Christopher Burke
Program Contact: Mr. David Warren, Esq.
2431 Sixth Avenue
Troy, NY 12180
Phone: 518-274-2607
Email: dwarren@unityhouseny.org

Safe Horizon

Chief Executive Officer: Liz Roberts
Program Contact: Ms. Anita Teekah Esq.
50 Court Street, Suite 811
Brooklyn, NY 11201
Phone: 718-943-8655
Email: anita.teekah@safehorizon.org

Restore NYC

Executive Director: Ms. Amanda Eckhardt
Program Contact: Ms. Amanda Eckhardt
PO Box 1003, Bowling Green Station
New York, NY 10274
Phone: 212-840-8484
Email: amanda.eckhardt@restorenyc.org

These providers have responded to the COVID-19 public health crisis by offering resources such as remote case management options for clients. These resources are summarized in the Appendix.

VI. New York State Interagency Task Force

The New York State Interagency Task Force on Human Trafficking coordinates all the state’s interagency activities regarding human trafficking. The commissioner or a designee from the state Division of Criminal Justice Services (DCJS) and the Office of Temporary and Disability Assistance (OTDA) co-chair the Task Force, which also has representation from the Department of Health (DOH), the Office of Mental Health (OMH), the Department of Labor (DOL), the Office of Children and Family Services (OCFS), the Office of Addiction Services and Supports (OASAS), the Office of Victim Services (OVS), the Office for the Prevention of Domestic Violence (OPDV), and the New York State Police (NYSP). Other agencies are invited to participate as needed.

Established in 2007, the Task Force emerged from state legislation enacted to target sex and labor trafficking and to support the victims of these crimes. The Task Force releases an [annual report](#) that includes statistics from the referral process for that year.

The Task Force is a critical component of the state’s response to human trafficking and plays an important role by sharing the best practices on serving vulnerable populations at risk of trafficking. Additionally, the Task Force supports the efforts of all state agencies involved in addressing human trafficking throughout the state. Efforts by the Task Force include the recent **#TruthAboutTrafficking** awareness campaign, which aims to correct misconceptions surrounding human trafficking and help the public recognize trafficking cases. The Task Force meets several times a year, and discusses topics ranging from enhanced responses to labor trafficking in New York State to developments in child sex trafficking. The Task Force welcomes proposals from potential guest speakers on topics of interest pertaining to trafficking.

VII. Important Contacts

| Resource | Phone | Email/Website |
|--|----------------|--|
| OTDA Trafficking Program | (212) 961-5688 | Bria.contact@otda.ny.gov |
| OTDA Trafficking Fax | (212) 961-4441 | Electronic Referral Submission Form |
| OTDA Refugee Services | (518) 402-3096 | Bria.contact@otda.ny.gov |
| DCJS Trafficking Director | (518) 485-7718 | Dcjs.sm.legal@dcjs.ny.gov |
| State Department of Labor | (212) 775-3785 | trafficking@labor.ny.gov |
| State Office of Victim Services | (800) 247-8035 | OVS Website |
| State Office of Children and Family Services | (518) 473-7793 | info@ocfs.ny.gov |

VIII. Acronyms/Terminology

| | | | |
|-------------|---|--------------|--|
| ADM | Administrative Directive | NYS | New York State |
| BRS | Bureau of Refugee Services | OCFS | Office of Children and Family Services |
| CIN | Client Identification Number | ORR | Office of Refugee Resettlement |
| CPS | Child Protective Services | OTDA | Office of Temporary and Disability Assistance |
| CWS | Child Welfare Services | OVS | Office of Victim Services |
| DCJS | Division of Criminal Justice Services | PINS | Person in Need of Supervision |
| DHS | Department of Homeland Security (Federal) | RHTP | Response to Human Trafficking Program |
| DVL | Domestic Violence Liaison | RHY | Runaway Homeless Youth |
| FVO | Family Violence Option | SNAP | Supplemental Nutrition Assistance Program |
| HHS | Department of Health and Human Services (Federal) | SSL | Social Services Law |
| HTV | Human Trafficking Victim | TILP | Transitional Independent Living Program |
| INF | Informational Letter | TVPA | Trafficking Victim Protection Act |
| LDSS | Local Department of Social Service | URM | Unaccompanied Refugee Minor |
| | | USCIS | United States Citizenship and Immigration Services |

IX. Appendix:

Attachment A: Fax Confirmation Form

Attachment B: Set of Sample Referral Letters (NYC)

Attachment C: Set of Sample Referral Letters (Rest of State)

Attachment D: Federal Certification Letter

Attachment E: Frequently Asked Questions

Attachment A: Fax Confirmation Form

New York State Referral of Human Trafficking Victim

FAX TO 518-485-9611

Social Services Law § 483-cc requires that this form be completed and sent to the Division of Criminal Justice Services and the Office of Temporary and Disability Assistance as soon as practicable after a first encounter with a person who reasonably appears to be a human trafficking victim.

Date Form Faxed: ____/____/____ Time Form Faxed: ____ : ____ a.m. / p.m. (circle one)

Victim's Name: _____ Victim's DOB: ____/____/____

Victim's Gender: _____

Was victim trafficked from another country? YES__ NO__ DON'T KNOW__

Penal Law crime committed against victim: Sex Trafficking/Penal Law § 230.34 __ Labor Trafficking/Penal Law § 135.35 __

Incident number: _____

Date & Jurisdiction where Penal Law crime occurred: _____

Is victim willing to assist in investigation/prosecution of trafficker(s)? YES__ NO__

Was victim arrested? YES__ NO__ Court case is pending in: _____

Statutory Referral Source: _____

Contact person: _____

Telephone (_____) _____ E-mail _____

Address _____

If a service provider or local social services department is involved or has been contacted, please provide name or any other contact information. _____

Please indicate the facts and circumstances regarding Penal Law crime committed against victim and the victimization upon which this referral is based. Describe any force, fraud, or coercion used and be as specific as possible. Use additional sheets if necessary.

referral form 12-03-15

Attachment B: Set of Sample Referral Letters - NYC

HTV Letter NYC HRA



Office of Temporary and Disability Assistance

ANDREW M. CUOMO
Governor

MICHAEL P. HEIN
Commissioner

BARBARA C. GUINN
Executive Deputy Commissioner

NOTICE OF CONFIRMATION AS A HUMAN TRAFFICKING VICTIM IN NEW YORK STATE

[Date]

[Victim's name]
c/o [Referring Source name]
[ABC Referring Agency]
123 Main St.
New York, NY 10001

Re: OTDA Tracking Number **XXXXX**

Dear [Victim's name],

The New York State Division of Criminal Justice Services, in consultation with the New York State Office of Temporary and Disability Assistance has reviewed the information that the [ABC Referring Agency] supplied on [date] regarding your circumstances and have determined that you **MEET THE CRITERIA FOR CONFIRMATION** as a human trafficking victim in New York State.

Under New York State law, you may be entitled to assistance through the local Department of Social Services at the address below, as well as the New York State Office of Victim Services. We also encourage you to continue working with the [ABC Referring Agency].

New York City Human Resources
Administration
4 WTC-150 Greenwich Street
New York, NY 10007
Human Trafficking Liaison
[Liaison's name]

New York State Office of Victim Services
Alfred E. Smith State Office Building
80 South Swan Street, 2nd Floor
Albany, New York 12210
1-800-247-8035
www.ovs.ny.gov

Should you require further information, please contact the New York State Office of Temporary and Disability Assistance at 212-961-5688.

Best wishes,

Program Manager, Response to Human Trafficking Program

cc: Division of Criminal Justice Services

Attachment B: Set of Sample Referral Letters - NYC

HTV Letter NYC RHTP



Office of Temporary and Disability Assistance

ANDREW M. CUOMO
Governor

MICHAEL P. HEIN
Commissioner

BARBARA C. GUINN
Executive Deputy Commissioner

NOTICE OF CONFIRMATION AS A HUMAN TRAFFICKING VICTIM IN NEW YORK STATE

[Date]

[Victim's name]
c/o [Referring Source name]
[ABC Referring Agency]
123 Main St.
New York, NY 10001

Re: OTDA Tracking Number **XXXXX**

Dear [Victim's name],

The New York State Division of Criminal Justice Services, in consultation with the New York State Office of Temporary and Disability Assistance has reviewed the information that the [ABC Referring Agency] supplied on [date] regarding your circumstances and have determined that you **MEET THE CRITERIA FOR CONFIRMATION** as a human trafficking victim in New York State.

Under New York State law, you may be qualified for assistance under New York State Response to Human Trafficking Program. We encourage you to seek assistance with the [Name and contact information of RHTP provider]. We also encourage you to continue working with [Referring Agency].

You may also be eligible for assistance from the New York State Office of Victim Services at Alfred E. Smith State Office Building, 80 South Swan Street, 2nd Floor, Albany, New York 12210; 1-800-247-8035; www.ovs.ny.gov.

Should you require further information please contact the New York State Office of Temporary and Disability Assistance at 212-961-5688.

Under Section 483-DD of New York State Social Services Law, you or your representative may request that a law enforcement agency provide you with United States Citizenship and Immigration Services Form I-914, Supplement B – Declaration of Law Enforcement Officer for Victim of Trafficking in Persons. This document may assist you to obtain immigration status in the United States, if necessary, as well as assistance from the United States government.

Best wishes,

Program Manager, Response to Human Trafficking Program

cc: Division of Criminal Justice Services

Attachment B: Set of Sample Referral Letters - NYC

Referring Source Letter NYC



Office of Temporary and Disability Assistance

ANDREW M. CUOMO
Governor

MICHAEL HEIN
Commissioner

BARBARA GUINN
Executive Deputy Commissioner

NOTICE TO STATUTORY REFERRAL SOURCE

[Date]

[Referring Source name]
[ABC Referring Agency]
123 Main St.
New York, NY 10001

Re: OTDA Tracking Number **XXXXX**

Dear [Referring Source name]

The New York State Division of Criminal Justice Services (DCJS), in consultation with the NYS Office of Temporary and Disability Assistance (OTDA), has reviewed the information you supplied on [date] regarding the possible human trafficking of [Victim's name] and determined that she **MEETS THE CRITERIA FOR CONFIRMATION** as a human trafficking victim in New York State.

It appears that [Victim's name] may be able to access services through [Name and contact information of RHTP provider], one of the New York State Response to Human Trafficking Program service providers at [address]. We also encourage you to continue working together.

Also, please refer [Victim's name] to the New York State Office of Victim Services at:

New York State Office of Victim Services
Alfred E. Smith State Office Building
80 South Swan Street, 2nd Floor
Albany, New York 12210
1-800-247-8035
www.ovs.ny.gov

Should you require further information please contact the New York State Office of Temporary and Disability Assistance at 212-961-5688. Thank you for your cooperation and your work to help these victims.

Best wishes,

Program Manager, Response to Human Trafficking Program

cc: Division of Criminal Justice Services

Attachment B: Set of Sample Referral Letters - NYC

HRA Liaison NYC



Office of Temporary and Disability Assistance

ANDREW M. CUOMO
Governor

MICHAEL P. HEIN
Commissioner

BARBARA C. GUINN
Executive Deputy Commissioner

NOTICE TO SERVICE PROVIDER AGENCY OR LDSS OF A VICTIM OF HUMAN TRAFFICKING

[Date]

[Human Trafficking Liaison name]
New York City Human Resources Administration
4 WTC-150 Greenwich Street
New York, NY 10007

OTDA Tracking number **XXXXX**

Dear [Human Trafficking Liaison name],

The purpose of this letter is to notify you that the New York State Division of Criminal Justice Services (DCJS), in consultation with the NYS Office of Temporary and Disability Assistance (OTDA) has determined that [Victim's name] **MEETS THE CRITERIA FOR CONFIRMATION** as a human trafficking victim in New York State.

OTDA has referred [Victim's name, gender, date of birth] to your office for assessment. His location may be known by:

[Referring Source name]
[ABC Referring Agency]
123 Main St.
New York, NY 10001

Please be sure to consider all possible means of assistance for victims of human trafficking. Also, as per the OTDA administrative directive, 09 ADM 01, please report on services accessed by them.

Sincerely,

Program Manager, Response to Human Trafficking Program

cc: Division of Criminal Justice Services

Attachment C: Set of Sample Referral Letters - Rest of State

HTV Letter New York State



Office of Temporary and Disability Assistance

ANDREW M. CUOMO
Governor

MICHAEL HEIN
Commissioner

BARBARA GUINN
Executive Deputy Commissioner

NOTICE OF CONFIRMATION AS A HUMAN TRAFFICKING VICTIM IN NEW YORK STATE

[Date]

[Victim's name]
c/o [Referring Source name]
ABC Referring Agency
123 Main St.
New York, NY 10001

OTDA Tracking Number: **XXXXX**

Dear [Victim's name],

The New York State Division of Criminal Justice Services, in consultation with the New York State Office of Temporary and Disability Assistance has reviewed the information that the [ABC Referring Agency] supplied on [Date] regarding your circumstances and have determined that you **MEET THE CRITERIA FOR CONFIRMATION** as a human trafficking victim in New York State.

Under New York State law, you may be qualified for assistance under New York State Response to Human Trafficking Program. We encourage you to seek assistance at the [Name and contact information of RHTP provider]. We also encourage you to continue working with [Referring Agency].

You may also be eligible for assistance from the New York State Office of Victim Services at Alfred E. Smith State Office Building, 80 South Swan Street, 2nd Floor, Albany, New York 12210; 1-800-247-8035; www.ovs.ny.gov.

Should you require further information, please contact the New York State Office of Temporary and Disability Assistance at 212-961-5688.

Under Section 483-DD of New York State Social Services Law, you or your representative may request that a law enforcement agency provide you with United States Citizenship and Immigration Services Form I-914, Supplement B – Declaration of Law Enforcement Officer for Victim of Trafficking in Persons. This document may assist you to obtain immigration status in the United States, if necessary, as well as assistance from the United States government.

Best wishes,

Program Manager, Response to Human Trafficking Program

cc: Division of Criminal Justice Services

Attachment C: Set of Sample Referral Letters - Rest of State

HTV Letter New York State RHTP



**Office of Temporary
and Disability Assistance**

ANDREW M. CUOMO
Governor

MICHAEL HEIN
Commissioner

BARBARA GUINN
Executive Deputy Commissioner

NOTICE TO STATUTORY REFERRAL SOURCE

[Date]

[Referring Source name]
[ABC Referring Agency]
123 Main St.
New York, NY 10001

OTDA Tracking Number: **XXXXX**

Dear [Referring Source name]

The New York State Division of Criminal Justice Services (DCJS), in consultation with the NYS Office of Temporary and Disability Assistance (OTDA), has reviewed the information you supplied on [Date] regarding the possible human trafficking of [Victim's name] and determined that she **MEETS THE CRITERIA FOR CONFIRMATION** as a human trafficking victim in New York State.

It appears that [Victim's name] may be able to access services through the Erie County Department of Social Services. If still in your custody, please refer to the DSS office listed below as well as the New York State Office of Victim Services.

Erie County DSS
95 Franklin Street Room 858
Buffalo, NY 14202
Human Trafficking Liaison
[Liaison's name]

New York State Office of Victim Services
Alfred E. Smith State Office Building
80 South Swan Street, 2nd Floor
Albany, New York 12210
1-800-247-8035
www.ovs.ny.gov

Should you require further information, please contact OTDA at 212-961-5688. Thank you for your cooperation and your work to help these victims.

Best wishes,

Program Manager, Response to Human Trafficking Program

cc: Division of Criminal Justice Services

Attachment C: Set of Sample Referral Letters - Rest of State

Referring Source Letter New York State



Office of Temporary and Disability Assistance

ANDREW M. CUOMO
Governor

MICHAEL HEIN
Commissioner

BARBARA GUINN
Executive Deputy Commissioner

NOTICE TO STATUTORY REFERRAL SOURCE

[Date]

[Referring Source name]
[ABC Referring Agency]
123 Main St.
New York, NY 10001

OTDA Tracking Number: **XXXXX**

Dear [Referring Source name]

The New York State Division of Criminal Justice Services (DCJS), in consultation with the NYS Office of Temporary and Disability Assistance (OTDA), has reviewed the information you supplied on [Date] regarding the possible human trafficking of [Victim's name] and determined that she **MEETS THE CRITERIA FOR CONFIRMATION** as a human trafficking victim in New York State.

It appears that [Victim's name] may be able to access services through the Erie County Department of Social Services. If still in your custody, please refer to the DSS office listed below as well as the New York State Office of Victim Services.

Erie County DSS
95 Franklin Street Room 858
Buffalo, NY 14202
Human Trafficking Liaison
[Liaison's name]

New York State Office of Victim Services
55 Hanson Place, 10th Floor
Brooklyn, NY 11217
1-800-247-8035
www.ovs.ny.gov

Should you require further information, please contact OTDA at 212-961-5688. Thank you for your cooperation and your work to help these victims.

Best wishes,

Program Manager, Response to Human Trafficking Program

cc: Division of Criminal Justice Services

Attachment C: Set of Sample Referral Letters - Rest of State

District Liaison Letter New York State



Office of Temporary and Disability Assistance

ANDREW M. CUOMO
Governor

MICHAEL HEIN
Commissioner

BARBARA GUINN
Executive Deputy Commissioner

NOTICE TO SERVICE PROVIDER AGENCY OR LDSS OF A VICTIM OF HUMAN TRAFFICKING

[Date]

[Human Trafficking Liaison name]
Human Trafficking Liaison
Erie County DSS
95 Franklin Street, Room 858
Buffalo, NY 14202

OTDA Tracking number **XXXXX**

Dear [Human Trafficking Liaison name],

The purpose of this letter is to notify you that the New York State Division of Criminal Justice Services (DCJS), in consultation with the New York State Office of Temporary and Disability Assistance (OTDA) has determined that [Victim's name] **MEETS THE CRITERIA FOR CONFIRMATION** as a human trafficking victim in New York State.

OTDA has referred [Victim's name, gender, date of birth] to your office for assessment. Her location may be known by:

[Referring Source name]
[ABC Referring Agency]
123 Main St.
Buffalo, NY 14201

Please be sure to consider all possible means of assistance for victims of human trafficking. Also, as per the OTDA administrative directive, 09 ADM 01, please report on services accessed by them.

Best wishes,

Program Manager, Response to Human Trafficking Program

cc: Division of Criminal Justice Services

Attachment D: Sample Federal Certification Letter



ADMINISTRATION FOR **CHILDREN & FAMILIES**

Office on Trafficking in Persons | 330 C Street, S.W., Washington, DC 20201
www.acf.hhs.gov/programs/endtrafficking

HHS Tracking Number: [REDACTED]
DOB: [REDACTED]

[REDACTED]
Catholic Charities -
Amityville 143 Schlegel
Blvd. Amityville, NY 11701

CERTIFICATION LETTER

Dear [REDACTED]:

This letter confirms that we received notice from U.S. Department of Homeland Security that you were subjected to a severe form of trafficking in persons. In accordance with 22 U.S.C. § 7105(b)(1)(E), this HHS Certification Letter confirms that you are eligible to apply for benefits and services to the same extent as a refugee. This letter does not confer immigration status.

You can start applying for benefits and services on **April 3, 2020**.

If you wish to apply for benefits and services, it is important that you seek assistance as soon as possible because some of the benefits are time-limited and may expire. When you access benefits, bring the original copy of this letter to the benefit-issuing agency.

See the attached packet for further information on accessing benefits and services, descriptions of the benefits and services you are eligible for, and information about the comprehensive case management services that are available to support you in this process.

The National Human Trafficking Hotline at 1-888-373-7888 is also available 24 hours a day, 7 days a week to connect you with available services in your area.

Sincerely,

Katherine Chon
Director
Office on Trafficking in Persons

Benefit-issuing agencies: To verify the validity of this letter, you may call the toll-free HHS Trafficking Victim Verification Line at **1-866-401-5510** during regular business hours.

Attachment E: Frequently Asked Questions

Where does human trafficking occur?

Human trafficking unfortunately occurs everywhere—in the United States as well as internationally. It occurs in cities, suburbs, rural areas, rich and poor neighborhoods. Trafficking happens across New York State in many different industries.

What are the types of human trafficking?

There are two types of trafficking – sex trafficking and labor trafficking. Sex trafficking is trafficking in which a commercial sex act is induced by force, fraud, or coercion, or in which the person induced to perform such act is younger than 18. Labor trafficking is a severe form of trafficking in persons under the federal Trafficking Victims Protection Act and includes “[t]he recruitment, harboring, transportation, provision, or obtaining of a person for labor or services, through the use of force, fraud or coercion for the purpose of subjection to involuntary servitude, peonage, debt bondage or slavery.” Individuals can be both victims of sex and labor trafficking depending on the facts and circumstances of the case.

What does it mean to be “trafficked?”

Every trafficking situation is unique, but it typically means that a human trafficker—either acting alone or as part of a larger group or organization—reaps financial gain from their victim through force, fraud, or coercion.

Who are the typical victims of human trafficking?

While there are many stereotypes and myths about human trafficking, anyone can become a victim. Traffickers, however, tend to prey on the vulnerability of marginalized communities. These groups include immigrants—particularly those who are undocumented—children, LGBTQ individuals, homeless or run-away youth, the mentally or physically disabled, survivors of sexual assault or domestic violence, and those living in poverty.

What protections exist for minors who are victims of sex trafficking?

Under the federal and state law, anyone who is induced to perform commercial sex acts while under the age of 18 is automatically considered a victim of human trafficking. There is no need to prove force, fraud, or coercion in cases involving victims who are minors.

If I suspect someone is a victim of human trafficking, what should I do?

If you have proper training and feel it is safe, you may assist a victim of human trafficking through your professional work. Remember the victim has likely been through an incredibly traumatic experience and may be in danger as a result. Carefully obtain as much relevant information about the victim and the trafficker as possible, utilizing best practices from trauma-informed care tactics. Use this information to complete the New York State Referral Form.

If you are acting outside your area of expertise, or are a concerned citizen, you may contact OTDA at **212-961-5688**; the National Human Trafficking Hotline at **1-866-373-7888**; or via text: **233733**.

What is the difference between the New York State Confirmation Process and the Certification Process through the federal Office of Trafficking in Persons?

The confirmation process in New York is designed to provide immediate assistance to trafficking victims. State law requires a response from referral sources within three business days so that victims can receive timely assistance. With a confirmation letter, a confirmed survivor of trafficking has access to benefits through a provider with the Response to Human Trafficking Program, regardless of their immigration status or through their district.

The federal certification letter allows non-citizen victims to access benefits and resources to the same extent as a refugee. Federal certification does not follow a specific timeframe, though the process generally takes about 12 weeks and requires cooperation from law enforcement. Those victims who are U.S. Citizens or have otherwise qualifying immigration statuses to obtain public benefits do not require these certification letters.