



March 30, 2021

Senator Claxton, Representative Meyer and Members of the Joint Standing Committee on Health and Human Services:

My name is Elizabeth Ward Saxl and I am submitting testimony today on behalf of the Maine Coalition Against Sexual Assault (MECASA), the organization which represents and serves Maine's [sexual violence prevention and response programs](#). MECASA initiates and advocates for victim-centered public policy; provides expert training, technical assistance, and resources for providers and partners; and funds the service providers in your communities.

We also oversee the [Maine Sex Trafficking and Exploitation Network](#) and the [Maine Network of Children's Advocacy Centers](#).

**We are here today in support of LD 837, "An Act To Ensure That Definitions in the Child and Family Services and Child Protection Act Comply with State and Federal Law."**

We want to begin by expressing our appreciation for all the hard work the Department of Health and Human Services has done related to their response to trafficking, as well as for Representative Meyer of introducing this bill.

The Preventing Sex Trafficking and Strengthening Families Act was signed into federal law in 2014. It requires that states engage in a range of steps to protect children experiencing sex trafficking, including creating policies and procedures to identify, document, and determine appropriate services for children who the state has reasonable cause to believe are, or who are in fact, being trafficked for sex. In 2015, MECASA worked with the Department to support their development of policies and trainings on responding to children suspected of being trafficked. This partnership continued in 2020 with MECASA contracting with the Cutler Institute at the University of Southern Maine to study how Maine had progressed toward fulfilling its obligations to support youth survivors of trafficking as laid out by H.R. 4980.

The study made a host of findings, including that improvement was needed to the DHHS policy and screening tool and implementation of those tools, that child welfare workers needed more training on commercial sexual exploitation of children, that the CAC response to CSEC was inconsistent, and that Maine's child welfare statute is not in alignment with the federal law.

The current scope of the Department's role does not permit intake and caseworkers to respond to cases of CSEC where the child is not being harmed or trafficked by a parent or caregiver. While we don't have data on this, we know that often commercial sexual exploitation of children cases do not involve family – leaving a significant gap in Maine's support of these kids.

Sexual assault advocates and child advocacy center staff have seen the challenges this gap in response poses for children who are being trafficked or who are suspected to be experiencing trafficking. We'll identify four of the main challenges with the current system that this bill would address.

1. **Cases fall through the cracks when there is confusion from mandated reporters about where to report CSEC.** Many mandated reporters believe that reporting suspicions of child sex trafficking to the Department will result in investigation and support for that child. However, by current statute, those reports should be made to the local district attorneys' offices who lack consistent systems to track or respond to these cases. In the current system, it is not clear if mandated reports made to the Department concerning child sex trafficking are, or are even required to be, shared with those district attorney's offices. At best, this challenge means delayed referrals of those case to Children's Advocacy Centers. At worst, this means reports of child sex trafficking are languishing, totally unaddressed by the current system. This bill would address this issue and make clear what agency is responsible for responding to concerns about that child.
2. **CSEC cases may not have known perpetrators, which further complicates where to make the report.** It is highly unusual for children experiencing sexual exploitation to disclose their experience as such. The way these cases are often identified is through adults observing complex indicators of trafficking in that child's life. Indicator-based identification means there is often little or no information about who the "perpetrator" of the crime is. This makes it even more unlikely that a child experiencing trafficking will fit squarely in the responsibility of an agency, so they instead get lost in the cracks.
3. **There are very limited services available for children experiencing CSEC, we need the Department's help.** Even in cases where it is known that a child is experiencing sex trafficking and a caregiver navigates the system to receive a proper referral to a Children's Advocacy Center, the services available to that child are still limited. The Department already has access to a vast network of resources at no cost to families that are used in addressing other cases of abuse and neglect. These resources could begin to address gaps in CSEC services statewide.
4. **DHHS involvement may be needed to encourage or mandate programming for kids.** One can imagine how difficult it would be to access services without the help of a competent, involved caregiver. Currently, there is no mechanism without the Department's

involvement to mandate those services when caregivers are not cooperating with the intervention deemed necessary. Youth should not be kept from services to support and empower them through what may be the most intense and traumatizing experience of their life. This bill would ensure that youth are able to engage in services necessary for their own safety and healing.

This bill alone will not solve the problem of CSEC in our state, nor will it be adequate to meet the many needs of these children and families. Yet, this bill is the start to much needed change in our state's response to CSEC. We fully support this initiative and believe it will greatly improve the consistency and quality of response to commercially sexually exploited youth in Maine.

Thank you for your time and consideration. I am happy to answer any questions you may have.

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### **Maine Sex Trafficking and Exploitation Network**

The Maine Sex Trafficking and Exploitation Network (Maine STEN) is Maine's statewide resource for trafficking-related training and technical assistance. Maine STEN's focus is on developing training, policy solutions, and best practices to support direct service providers and multidisciplinary teams respond to trafficking. Some of the key projects of Maine STEN include our statewide trafficking training curriculum, trafficking outreach materials for statewide use, and a statewide provider council, which helps set statewide priorities and develop resources for more effective provision of services to victims and those at risk of human trafficking. Maine STEN also houses the Maine Human Trafficking Survivor Fund which in FFY20 served 106 unique survivors of human trafficking and sex exploitation in Maine helping them meet 142 individual emergency needs. Maine STEN provides centralized online access ([www.mainesten.org](http://www.mainesten.org)) to Maine's anti-trafficking efforts and resources.

### **Maine's Sexual Assault Service Providers**

Maine's sexual violence service providers provide free and confidential services across the state to victims/survivors of sexual harassment and sexual assault and those close to them, as well as to individuals who wish to increase their understanding of the issues. Just some of the services include a 24-hour statewide sexual assault helpline (1-800-871-7741), crisis intervention and information, support groups, in-person accompaniment and advocacy through the medical and legal systems, and school- and community-based prevention education. Services are provided for a victim/survivor regardless of when they experienced sexual violence, and regardless of what type of sexual violence they experienced. Types of sexual violence include, but are not limited to, sexual harassment and gender-based bullying, child sexual abuse, elder sexual abuse, stalking, sex trafficking, and sexual violence within an intimate partner relationship.

### **The Maine Network of Children's Advocacy Centers**

The Maine Network of Children's Advocacy Centers is a membership organization committed to promoting Children's Advocacy Centers (CACs) and supporting existing and emerging centers. The Network promotes the development, growth, and utilization of CACs and multi-disciplinary teams

to more effectively respond to Maine's sexually abused children and their families. The Maine Network of Children's Advocacy Centers is a program of the Maine Coalition Against Sexual Assault and is an accredited member of the National Children's Alliance. The Network has seven members across Maine. The Maine Network of Children's Advocacy Centers provides statewide representation and support for Maine's local Children's Advocacy Centers including, resource sharing and mentoring, technical assistance, public policy advocacy, and statewide communication.