



Identifying & Responding to Human Trafficking in New York Courts

Trafficking victims are unlikely to self-identify or ask for help, especially in open court. When exploitation is not apparent, the following red flags may help identify someone who should be screened further by a Human Trafficking Intervention Court (HTIC). This is not an exhaustive list but represents a compilation of indicators found in research and validated by experiences of court professionals and social service providers. The presence of multiple indicators may alert the court of the need to refer the defendant to an HTIC.



APPEARANCE/ BEHAVIOR

- Inappropriately dressed for weather, location, or age
- Branding or tattoos, e.g., boyfriend/girlfriend or friend's name, gang, or other symbol as if indicating ownership
- Non-verbal communication with an unrelated adult, e.g., seeking approval before answering questions
- Presence of an overtly controlling or concerned male or female friend
- Signs of trauma
- Unusually paranoid or fearful
- Emotional extremes, such as numbness, dulled affect, depressed, low self-esteem or submissive, angry, defiant, belligerent, or defensive
- Unusual behavior, e.g., falling asleep in public, overtly sexual, preoccupied with money
- Hanging around known exploiters and/or trafficking victims
- Private attorney representing more than one individual especially from a single location arrest



CURRENT/PAST CHARGES

- Prostitution, solicitation, or loitering to engage in prostitution
- Theft of necessities, e.g., food, clothing, hair, condoms, or personal hygiene products
- Drug offense



FAMILY/HOME

- Multiple reported residences with minimal social support
- Does not possess identifying documentation
- Homelessness
- Disconnected from family
- Accountable to unrelated adult or male/female friend
- Family history of prostitution or solicitation
- History of physical or sexual abuse or neglect
- History of domestic violence or family dysfunction
- Unsure or unwilling to give "home" address or names of other household members
- Fearful of consequences for not following rules, e.g., returning "home" at set times
- Lives in a hotel or reports frequent travel to other cities
- Concerned about immigration documents or status



HEALTH

- Unexplained bruises or injuries, e.g., broken bones, burns, or cuts
- Signs of extreme malnourishment or excessive hunger
- Signs of extreme fatigue or exhaustion
- Substance use
- Chronic dental problems

HTIC Screening Tool

This Screening Tool is **NOT** a questionnaire! **DO NOT** ask the individual any of the following questions. Instead, the answers to these questions should be obtained through observation of the individual, a review of his/her case file, and/or information obtained from his/her counsel or the prosecutor's office.

SECTION 1

If the answer to any **SINGLE** question in **Section 1** is "**YES**", the case should be referred to the nearest HTIC for further screening.

1. Does the individual have a current or prior arrest for a prostitution-related offense (including unlicensed massage) in New York or any other state?
2. Is there anyone who believes the individual is a victim of sex trafficking?
3. Based on a review of the red flags on the other side of this page, do you believe the individual should be screened by a Human Trafficking Intervention Court?

SECTION 2

If the answer to any **TWO** questions in **Section 2** is "**YES**", the case should be referred to the nearest HTIC for further screening.

1. Was the individual arrested inside of an exploitation hotspot such as a hotel, motel, park, car, massage parlor, brothel or known prostitution location, etc.?
2. Does the individual have any tattoos that show, imply, or suggest branding or ownership by another?
3. Does there appear to be anyone overly invested in the individual and/or in control of his or her funds or identification, etc. (i.e., non-family members posting a high bail amount, providing unlimited resources such as money or a place to stay, or retaining an attorney)?

SECTION 3

If the answer to any **THREE** questions in **Section 2 and 3** is "**YES**", the case should be referred to the nearest HTIC for further screening.

1. Does the individual appear to be suffering, emotionally or physically, from long-term drug addiction?
2. Does the individual have difficulty providing a home address or appear to be chronically homeless (i.e., can't return to family home or moves frequently)?
3. Does the individual appear to be hyper-vigilant or engage in non-verbal communication with someone in the courtroom?
4. Does the individual appear to be the victim of physical or psychological abuse (i.e., bruising, lacks self-esteem/self-worth, or appears very anxious)?