



# Freedom Network USA

June 9, 2020

Administration for Children and Families  
Office of Planning Research and Evaluation  
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Washington DC 20201  
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**RE: Proposed Information Collection Activity; National Advisory Committee on the Sex Trafficking of Children and Youth in the United States (NAC) Recommendations and State Self-Assessment Survey (NEW), OMB No.: 0970-XXXX**

ACF Reports Clearance Officer:

The Freedom Network USA (FNUSA) commends the HHS Office on Trafficking in Persons for working diligently to support the National Advisory Committee on the Sex Trafficking of Children and Youth in the United States (NAC), and to comply with the responsibilities outlined in the Preventing Sex Trafficking and Strengthening Families Act. Providing guidance to states on addressing the sex trafficking of children and youth, and supporting their efforts to address and prevent such abuse, is a critical task. FNUSA is providing comments on the Recommendations and State Self-Assessment Survey from the perspective of service providers, survivors, and policy advocates from across the US who are committed to this shared goal.

FNUSA, established in 2001, is a coalition of 68 non-governmental organizations and individuals that provide services to, and advocate for the rights of, trafficking survivors in the United States. Our members include survivors themselves as well as former prosecutors, civil attorneys, criminal attorneys, immigration attorneys, and social service providers who have assisted thousands of trafficking survivors. Together, our members provide services to over 2,000 trafficking survivors each year.<sup>1</sup>

As a preliminary matter, FNUSA strongly objects to the release of this version of the NAC Recommendations and State Survey for public comment at this time. According to the NAC's February 20 Notification to State Governors and Child Welfare Agencies Regarding Implementation of Best Practice Recommendations<sup>2</sup>, HHS should have released the NAC's final

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<sup>1</sup> Freedom Network USA 2018 Member Report, available at <https://freedomnetworkusa.org/app/uploads/2018/04/FRN-Member-Report-Digital-FINAL.pdf>.

<sup>2</sup> National Advisory Committee on the Sex Trafficking of Children and Youth in the United States, *Notification to State Governors and Child Welfare Agencies Regarding Implementation of Best Practice Recommendations*,

report which includes definitions for Tier 1 and Tier 2, which are the ranking conventions used for the State Survey. Those were scheduled to be released in April 2020. "The Preventing Sex Trafficking and Strengthening Families Act of 2014 (P.L. 113-183) established the National Advisory Committee on the Sex Trafficking of Children and Youth in the United States. The Committee is responsible for two Congressional reports (42 U.S.C. § 1314b(d)(3)): • Two tiers of recommended best practices for States to follow in combating the sex trafficking of children and youth. The Committee released Preliminary Recommendations to Strengthen the Nation's Response to the Sex Trafficking of Children and Youth in the United States in January 2019. ***The Committee will release its full report of recommended best practices in April 2020.***"<sup>3</sup> (emphasis added)

What has been released for public comment is the form used to collect data from the states, without any of the substance regarding the recommendations of the metrics that the states will be instructed to use for their self-assessment. Without the detailed recommendations and definitions of Tier 1 and Tier 2, all that has been released for comment is a blank form. It is impossible to meaningfully comment on recommended practices and definitions without the actual practices and definitions.

***FNUSA strongly urges ACF to extend the comment period, or to begin a new comment period once the Final Report is released, to allow meaningful comment on the substance of the data collection, and not on the formatting.***

In the absence of the Final Report, FNUSA is providing comments on the Preliminary Recommendations released by the NAC on January 17, 2020.<sup>4</sup>

### **General Recommendations**

- FNUSA recommends that the NAC clearly identify that these recommendations are specifically related to trafficking of children and youth, and not trafficking survivors generally. This clarification should be made throughout the recommendations. Systems and services are often different for minors as opposed to adult. There are separate courts, service providers, and laws (child welfare) that are specific to minors and it is important that the NAC's recommendations be clear.
- **FNUSA strongly recommends that the NAC include labor trafficking in their recommendations.** Although we are sensitive to the fact that the Preventing Sex Trafficking and Strengthening Families Act of 2014 directed the NAC to focus on child

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February 20, 2020, available at [https://www.acf.hhs.gov/sites/default/files/otip/notification\\_to\\_state\\_governors\\_and\\_child\\_welfare\\_agencies\\_final.pdf](https://www.acf.hhs.gov/sites/default/files/otip/notification_to_state_governors_and_child_welfare_agencies_final.pdf).

<sup>3</sup> Id.

<sup>4</sup> National Advisory Committee on the Sex Trafficking of Children and Youth in the United States, *Preliminary Recommendations to Strengthen the Nation's Response to the Sex Trafficking of Children and Youth in the United States*, January 17, 2019, available at [https://www.acf.hhs.gov/sites/default/files/otip/preliminary\\_recommendations\\_to\\_strengthen\\_the\\_nations\\_response\\_to.pdf](https://www.acf.hhs.gov/sites/default/files/otip/preliminary_recommendations_to_strengthen_the_nations_response_to.pdf)

and youth sex trafficking, it did not preclude the NAC from also including recommendations regarding labor trafficking. By creating a system, policies and procedures, and data limited to sex trafficking, the NAC runs the risk of implying that labor trafficking of children and youth does not exist or is not important. The same systems must address all forms of trafficking, and FNUSA strongly recommends adding labor trafficking to all recommendations to ensure that all child and youth victims receive protection, services and support.

### **Recommendation 1. Multidisciplinary Team (MDT) Response**

Overall, FNUSA agrees that a multidisciplinary team can be a key anchor for responding to human trafficking. Survivors have diverse experiences, needs, and challenges which require a range of responses to fully address. FNUSA has some recommendations to improve this section:

- a. Training.
  - FNUSA supports the recommendations regarding training and agree that training should be broadly provided to all stakeholders and that training should be coordinated and collaborative.
- b. Policy and procedures.
  - FNUSA questions the recommendation to change state laws to ensure all MDT participants to respond to all cases of child and youth sex trafficking. There should be members of each MDT with a very specific focus, perhaps a specific age range or culturally specific community, and it is important to ensure that those organizations are able to retain their focus while collaborating with the MDT.
  - FNUSA questions the recommendation that child welfare be able to respond to trafficking cases in which the perpetrator is not a parent of caregiver. While FNUSA agrees that it is ideal that all social systems be made available to survivors, child welfare systems generally include mandated reporter laws that apply to all types of abuse that lead to child welfare involvement. Researchers have found that many youth do not disclose the abuse and exploitation that they experience in order to avoid being referred to the child welfare system. Therefore, FNUSA recommends that states consider the most effective way to increase availability of services and support for youth without pushing them away from those services.
  - FNUSA strongly recommends adding Runaway and Homeless Youth programs into the MDTs.
  - FNUSA recommends that states develop policies and procedures that support victim-centered, but not victim-dependent, investigations. This includes policies that focus on the development of evidence that independently proves the case without relying on victim testimony.
  - FNUSA recommends policies and procedures that ensure that victim cooperation with law enforcement does not impact access to services and support.
- c. Data and evaluation.
  - FNUSA recommends that all data and evaluation systems should protect the confidentiality of youth, including protocols for limited scope releases of information, sharing only the level of information needed for the purpose of the release, and sharing only aggregated data unless or until individual data is needed.

Youth should be included in all evaluation efforts, but should have complete autonomy in deciding whether or not to participate in the evaluation process and should be compensated fairly for their time and expertise.

### **Recommendation 2. Screening and Identification**

Overall, FNUSA agrees that improved screening and identification is a critical step toward increasing access to services and support for survivors. FNUSA agrees that proper training and guidance on the use of screening tools is critical to ensure that they are used appropriately and do not re-traumatize survivors. FNUSA has some recommendations to improve this section:

- a. Policy and procedures.
  - FNUSA questions the recommendation to include child trafficking in state mandatory reporting laws. While FNUSA agrees that it is ideal that all social systems be made available to survivors, researchers have found that many youth do not disclose the abuse and exploitation that they experience in order to avoid being referred to the child welfare system. Therefore, FNUSA recommends that states consider the most effective way to increase availability of services and support for youth without pushing them away from those services. Mandating reporting laws are only one approach, and are not the most effective way to ensure services are provided to survivors or that perpetrators are held accountable.
  - FNUSA strongly recommends adding Runaway and Homeless Youth programs into response protocols and screening efforts.
- b. Data and evaluation.
  - FNUSA recommends that all data and evaluation systems should protect the confidentiality of youth, including protocols for limited scope releases of information, sharing only the level of information needed for the purpose of the release, and sharing only aggregated data unless or until individual data is needed. Youth should be included in all evaluation efforts, but should have complete autonomy in deciding whether or not to participate in the evaluation process and should be compensated fairly for their time and expertise.

### **Recommendation 3. Service Provision**

Overall, FNUSA agrees that a coordinated response that provides immediate and sustained services to survivors and their families is critical. FNUSA has some recommendations to improve this section:

- a. Training.
  - FNUSA strongly recommends that training for service providers should not only be trauma-informed, but that it should include specific training on the neurobiology of trauma and the impact of trauma on survivors and their family members.
- b. Policy and procedures.
  - FNUSA questions the recommendation that child welfare be able to respond to trafficking cases in which the perpetrator is not a parent or caregiver. While FNUSA agrees that it is ideal that all social systems be made available to survivors, researchers have found that many youth do not disclose the abuse and exploitation that they experience in order to avoid being referred to the child welfare system.

Therefore, FNUSA recommends that states consider the most effective way to increase availability of services and support for youth without pushing them away from those services.

- FNUSA strongly recommends adding Runaway and Homeless Youth programs into response protocols.
- c. Data and evaluation.
  - FNUSA recommends that all data and evaluation systems should protect the confidentiality of youth, including protocols for limited scope releases of information, sharing only the level of information needed for the purpose of the release, and sharing only aggregated data unless or until individual data is needed. Youth should be included in all evaluation efforts, but should have complete autonomy in deciding whether or not to participate in the evaluation process and should be compensated fairly for their time and expertise.

#### **Recommendation 4. Caregivers**

Overall, FNUSA agrees that providing better and more comprehensive support for caregivers is a critical part of a comprehensive response to survivors. FNUSA has some recommendations to improve this section:

- a. Policy and procedures.
  - FNUSA recommends that training requirements should extend to all programs entering into any state or municipal contracts for services to child or youth trafficking survivors, those at high risk of trafficking, or their caregivers.
- b. Data and evaluation.
  - FNUSA recommends that all data and evaluation systems should protect the confidentiality of youth, including protocols for limited scope releases of information, sharing only the level of information needed for the purpose of the release, and sharing only aggregated data unless or until individual data is needed. Youth should be included in all evaluation efforts, but should have complete autonomy in deciding whether or not to participate in the evaluation process and should be compensated fairly for their time and expertise.

#### **Recommendation 5. Housing**

Overall, FNUSA agrees that providing better and more comprehensive housing support for trafficking survivors is a critical part of a comprehensive response. FNUSA has some recommendations to improve this section:

- a. Training.
  - FNUSA recommends clarification on the subject of these training efforts. FNUSA recommends that training should be required for all all programs entering into any state or municipal contracts for any type of housing services (including emergency, drop in, transitional, congregate, foster care, or other residential programs) for child or youth trafficking survivors, those at high risk of trafficking.
- b. Policy and procedures.
  - FNUSA strongly recommends adding Runaway and Homeless Youth programs and other independent living options as priority options, and developing policies and

- procedures to best integrate the RHY programs into a collaborative response.
  - FNUSA recommends that states work with child and youth trafficking programs and specialists to develop best practices for housing providers, including trauma-informed services that prioritize survivor autonomy and independence.
- c. Data and evaluation.
- FNUSA recommends that all data and evaluation systems should protect the confidentiality of youth, including protocols for limited scope releases of information, sharing only the level of information needed for the purpose of the release, and sharing only aggregated data unless or until individual data is needed. Youth should be included in all evaluation efforts, but should have complete autonomy in deciding whether or not to participate in the evaluation process and should be compensated fairly for their time and expertise.

### **Recommendation 6. Law Enforcement and Prosecution**

Overall, FNUSA agrees that the law enforcement and prosecution response is extremely complex and that a trauma-informed and victim-centered approach is critical to success. FNUSA has some recommendations to improve this section:

- a. Training.
- FNUSA agrees that foundational training should be provided for all sworn law enforcement officers and prosecutors, but recommends that foundational training should also be provided to dispatchers and civilian law enforcement staff.
  - FNUSA recommends that additional in-depth training should be provided to officers, investigators, and prosecutors more likely to encounter trafficking cases.
  - FNUSA urges the NAC to provide more explanation for the recommendation to provide training for defense attorneys and defense investigators to ensure that this training does not inadvertently equip the defense bar to better represent those accused of sex trafficking of minors.
- b. Policy and procedures.
- FNUSA recommends that law enforcement and prosecutors develop policies and procedures that support victim-centered, but not victim-dependent, investigations. This includes policies that focus on the development of evidence that independently proves the case without relying on victim testimony at trial.
  - ***FNUSA vehemently recommends the adoption of policies and procedures to ensure that trafficking survivors are not charged for crimes that they are forced to commit during or as a result of their trafficking experience.*** Law enforcement and prosecutors should never use the threat of criminal sanctions to compel testimony or assistance of survivors. Systems should be designed to ensure that children and youth can access the services and support that they need, without experiencing the trauma of arrest, incarceration, and system involvement. No jurisdiction should accept that the juvenile justice system is the primary source of services for victims of trafficking and exploitation.
  - FNUSA recommends that prosecutors develop policies and procedures to ensure that restitution is requested for every victim of trafficking, regardless of the charges brought against the perpetrator(s).

- c. Implementation.
  - FNUSA recommends that task force models should include NGO service providers.
- d. Data and evaluation.
  - FNUSA recommends that all data and evaluation systems should protect the confidentiality of youth, including protocols for limited scope releases of information, sharing only the level of information needed for the purpose of the release, and sharing only aggregated data unless or until individual data is needed. Youth should be included in all evaluation efforts, but should have complete autonomy in deciding whether or not to participate in the evaluation process and should be compensated fairly for their time and expertise.
- e. Funding and sustainability.
  - FNUSA disagrees strongly with the recommendation to use asset forfeiture for funding investigations and prosecutions. Asset forfeiture should be used to ensure victim restitution, and if additional funds are available they should be used to fund victim services, rather than law enforcement operations.

### **Recommendation 7. Judiciary**

Overall, FNUSA agrees that the judiciary has a unique position that can be used to convene collaborations and work across jurisdictions to improve support for trafficking survivors and their families. FNUSA has some recommendations to improve this section:

- a. Training.
  - FNUSA agrees that foundational training should be provided for all judicial staff and courthouse employees, but recommends that advanced training on the dynamics of trafficking, the neurobiology of trauma and the impact of trauma on survivors and their family members, and the elements of force, fraud and coercion employed by traffickers to force victims into committing criminal acts.
- b. Policy and procedures.
  - ***FNUSA vehemently recommends the adoption of policies and procedures to ensure that trafficking survivors are not charged, tried, or convicted for crimes that they are forced to commit during or as a result of their trafficking experience.*** The judiciary should not allow threat of criminal sanctions to be used to compel testimony or assistance of survivors. Systems should be designed to ensure that children and youth can access the services and support that they need, without experiencing the trauma of arrest, incarceration, and system involvement. No jurisdiction should accept that the juvenile justice system is the primary source of services for victims of trafficking and exploitation.
  - FNUSA recommends that the judiciary develop policies and procedures to ensure that restitution is ordered for every victim of trafficking, regardless of the charges brought against the perpetrator(s).
  - FNUSA questions the recommendation to establish specialized court practices to respond to sex trafficking. Jurisdictions should not accept that victims will be arrested. Courts should not accept that victims should be compelled into services. These practices reproduce the very power and control dynamics of the trafficking situation. Victims of trafficking should be provided with services and support

without threat of criminal sanctions.

c. Data and evaluation.

- FNUSA recommends that all data and evaluation systems should protect the confidentiality of youth, including protocols for limited scope releases of information, sharing only the level of information needed for the purpose of the release, and sharing only aggregated data unless or until individual data is needed. Youth should be included in all evaluation efforts, but should have complete autonomy in deciding whether or not to participate in the evaluation process and should be compensated fairly for their time and expertise.
- FNUSA recommends that data should be collected to measure the court's progress in removing child and youth trafficking victims from the juvenile justice system altogether. The current recommendations suggest that charging victims with crimes is acceptable as long as they are then provided with services. FNUSA strongly believes that the court should be working to ensure that victims of trafficking are provided with services and support through OTHER systems and that they work to ensure that victims are never charged with crimes that are incident or related to their trafficking situation.

### **Recommendation 8. Demand Reduction**

FNUSA strongly recommends that the NAC clarify that they are specifically referring to trafficking of children and youth throughout the document, but especially in this section. FNUSA suggests the renaming of this section. Demand reduction is a term generally associated with a strategy to eliminate the sex trade, which is not specific to sex trafficking of minors, is not effective, and in fact causes harm and puts people at increased risk of abuse and exploitation. For more information, please consult the FNUSA paper on End Demand.<sup>5</sup> The recommendations in this section are specifically related to the arrest and prosecution of those who commit sex trafficking of minors. Therefore, FNUSA recommends changing the title of this section to reflect those recommendations. If 'demand reduction' has some other meaning to the NAC, that definition needs to be clearly provided along with data to support the recommendations. FNUSA has some recommendations to improve specific recommendations within this section:

a. Training.

- FNUSA agrees that training should be provided for law enforcement, prosecutors, and judges on the legal definition of human trafficking. The NAC should clarify that these recommendations are specific to sex trafficking of minors, as there is a legal distinction that is relevant in this definition.
- FNUSA strongly recommends that the NAC remove the second recommendation in this section. Training should be effective, proven, and supported by data and analysis. States should not be encouraged to provide 'information' on all efforts taking place either locally or in other jurisdictions if there is no data to prove that they are effective. Efforts in different jurisdictions may not comply with local

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<sup>5</sup> FNUSA's End Demand Position Paper, available at <https://freedomnetworkusa.org/app/uploads/2018/07/End-Demand.pdf>.

policies, procedures, and statutes.

b. Policy and procedures.

- FNUSA strongly recommends that the NAC clarify throughout this sub-section that the recommendations are specific to trafficking of minors. Those who seek to trade something of value for sex with a minor are traffickers, and should not be referred to as buyers.
- FNUSA recommends deleting the second recommendation in this sub-section. Research does not support the assertion that there are increases in sex trafficking of minors related to so-called 'high-demand events.' Recommendations should be grounded in data. Data shows that sex trafficking of minors occurs year-round and needs to be met with comprehensive, effective, and data-driven collaborative approaches that provide children and youth with services and support instead of arrest and trauma.
- FNUSA recommends revising the third recommendation in this sub-section. States should review their legal obligations, policies and procedures regarding their state sex offender registries and ensure compliance with the law.
- FNUSA recommends deleting the fourth recommendation in this sub-section. This recommendation is unclear. Advertising sex trafficking of minors is already a federal crime. Instead, FNUSA recommends that states should align their laws with the federal statutes.
- FNUSA recommends deleting the fifth and sixth recommendations in this sub-section as they are so vague that they are impossible to implement. It is unclear what 'demand reduction enforcement' is other than arresting those who commit or attempt to commit sex trafficking of minors. It is also unclear what 'values to combat sex trafficking' are and how business should support those values or how such a climate would be fostered.
- FNUSA recommends deleting the seventh recommendation in this sub-section. 'Public awareness and outreach' are not policies and procedures, it is not clear what awareness and outreach activities, curricula, or materials the NAC is recommending that the States 'engage' with, or what that engagement should be.
- FNUSA recommends deleting the seventh recommendation in this sub-section. Prevention is addressed in Recommendation 9.

c. Implementation.

- ***FNUSA vehemently recommends the adoption of policies and procedures to ensure that trafficking survivors are not charged, tried, or convicted for crimes that they are forced to commit during or as a result of their trafficking experience, especially minors.*** States should not allow threat of criminal sanctions to be used to compel testimony or assistance of survivors. Systems should be designed to ensure that children and youth can access the services and support that they need, without experiencing the trauma of arrest, incarceration, and system involvement. No jurisdiction should accept that the juvenile justice system is the primary source of services for victims of trafficking and exploitation.
- FNUSA recommends that the second recommendation in this sub-section clarify that it specifically refers to targeting those who seek to purchase sex acts with minors.

FNUSA would rephrase this recommendation to read, “Stings should be limited to those that target those who seek to purchase sex acts with minors, and should never lead to the arrest of trafficking victims or persons engaged in prostitution activities.”

d. Data and evaluation.

- FNUSA recommends that all data and evaluation systems should protect the confidentiality of youth, including protocols for limited scope releases of information, sharing only the level of information needed for the purpose of the release, and sharing only aggregated data unless or until individual data is needed. Youth should be included in all evaluation efforts, but should have complete autonomy in deciding whether or not to participate in the evaluation process and should be compensated fairly for their time and expertise.

e. Funding and sustainability.

- FNUSA disagrees strongly with the recommendation to use asset forfeiture to support demand programs. Asset forfeiture should be used to ensure victim restitution, and if additional funds are available they should be used to fund victim services, rather than law enforcement operations.

### **Recommendation 9. Prevention**

FNUSA strongly recommends that the NAC develop more comprehensive recommendations to address primary, secondary, and tertiary prevention. FNUSA, the National Survivor Network, and HEAL Trafficking have released comprehensive human trafficking prevention recommendations which were developed and submitted to HHS previously.<sup>6</sup> The recommendations in this section are mostly related to secondary and tertiary prevention efforts, but primary prevention is lacking. FNUSA has some recommendations to improve specific recommendations within this section:

a. Training.

- FNUSA recommends including RHY providers in the training efforts.
- FNUSA recommends including information on root causes of human trafficking, including poverty, homelessness, discrimination, and other forms of abuse and neglect.

b. Policy and procedures.

- FNUSA strongly recommends adding recommendations regarding increased funding and support for programs that address poverty, hunger, homelessness, discrimination, and other forms of abuse and neglect. Addressing these root causes is the most effective primary prevention policies. The NAC should recommend that States ensure that their budgets reflect the prioritization of protecting minors from abuse and exploitation by strengthening their resilience and reducing their vulnerabilities.
- FNUSA recommends deleting the third recommendation in this sub-section. Demand reduction activities, as described in Recommendation 8, are arresting perpetrators of sex trafficking of minors. This is not primary prevention. The recommendation is

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<sup>6</sup> FNUSA, NSN, and HEAL Trafficking Prevention Recommendations, available at <https://freedomnetworkusa.org/app/uploads/2020/02/FNUSA-Recommendations-for-HHS-OTIP-Prevention.pdf>.

also unclear as to what the NAC expects the States to specifically do.

c. Implementation.

- FNUSA recommends amending the second recommendation in this sub-section. States should implement evidence-based prevention education curricula, not 'established' curricula which might have been used for many years but without being effective or accurate.
- FNUSA recommends including an additional recommendation to ensure that children and youth who have been put at highest risk of trafficking are provided with increased services and support to prevent trafficking. Simply providing them with education is not enough.

d. Data and evaluation.

- FNUSA recommends including RHY programs in the needs assessment and data gathering to measure the effectiveness of prevention efforts.
- FNUSA recommends that all data and evaluation systems should protect the confidentiality of youth, including protocols for limited scope releases of information, sharing only the level of information needed for the purpose of the release, and sharing only aggregated data unless or until individual data is needed. Youth should be included in all evaluation efforts, but should have complete autonomy in deciding whether or not to participate in the evaluation process and should be compensated fairly for their time and expertise.

e. Funding and sustainability.

- FNUSA recommends including RHY programs in the partnerships for prevention efforts.
- FNUSA disagrees strongly with the recommendation to use asset forfeiture to support prevention. Asset forfeiture should be used to ensure victim restitution, and if additional funds are available they should be used to fund victim services, rather than prevention.

### **Recommendation 10. Legislation and Regulations**

Overall, FNUSA agrees that administrative and legislative changes are needed to improve support for trafficking survivors and their families. FNUSA has some recommendations to improve this section:

a. Training.

- FNUSA recommends including information, data, and studies on root causes of human trafficking, including poverty, homelessness, discrimination, and other forms of abuse and neglect.

b. Policy and procedures.

- FNUSA questions the recommendation that child welfare be able to respond to trafficking cases in which the perpetrator is not a parent or caregiver. While FNUSA agrees that it is ideal that all social systems be made available to survivors, researchers have found that many youth do not disclose the abuse and exploitation that they experience in order to avoid being referred to the child welfare system. Therefore, FNUSA recommends that states consider the most effective way to increase availability of services and support for youth without pushing them away

- from those services.
- FNUSA strongly supports the third recommendation in this sub-section and suggests restating it to read, “Remove any crimes and penalties from all state and local codes related to minors engaged in acts of prostitution or related crimes.”
  - FNUSA strongly supports the fourth recommendation in this sub-section and suggests restating it to read, “Do not criminalize child and youth victims for acts committed as a result of their victimization, and create an affirmative defense for child and youth victims.”
  - FNUSA strongly supports the fifth recommendation in this sub-section and suggests restating it to read, “Provide criminal record relief for children and youth who are arrested, charged, and/or convicted of offenses committed as a result of their victimization.”
  - FNUSA strongly supports the spirit of the sixth recommendation in this sub-section and suggests further clarification from the NAC about what they are specifically recommending. Youth face barriers to housing before and after they are legal adults, and those barriers should be addressed for youth before they become legal adults.
  - FNUSA recommends deleting the tenth recommendation in this sub-section. This recommendation is unclear. Advertising sex trafficking of minors is already a federal crime. Instead, FNUSA recommends that states should align their laws with the federal statutes.
  - FNUSA recommends revising the eleventh recommendation in this sub-section. States should review their legal obligations, policies and procedures regarding their state sex offender registries and ensure compliance with the law.
  - FNUSA strongly supports the thirteenth recommendation in this sub-section and suggests specifically advising States to increase funding and support for programs that address poverty, hunger, homelessness, discrimination, and other forms of abuse and neglect. Addressing these root causes is the most effective primary prevention policies. The NAC should recommend that States ensure that their budgets reflect the prioritization of protecting minors from abuse and exploitation by strengthening their resilience and reducing their vulnerabilities. While also creating state funding for direct services programs for survivors and their caregivers.
  - FNUSA recommends an additional point. Service providers receiving state funds must be barred from discriminating on the basis of gender, gender identity, sexual orientation, race, religion, or other protected class and should be required to provide access to all legal and available medical care without limitation.
- c. Data and evaluation.
- FNUSA recommends that all data and evaluation systems should protect the confidentiality of youth, including protocols for limited scope releases of information, sharing only the level of information needed for the purpose of the release, and sharing only aggregated data unless or until individual data is needed. Youth should be included in all evaluation efforts, but should have complete autonomy in deciding whether or not to participate in the evaluation process and should be compensated fairly for their time and expertise.

**Recommendation 11. Data**

FNUSA agrees with these recommendations about data. FNUSA specifically applauds the recommendation to engage and compensate survivors.

I can be reached at [jean@freedomnetworkusa.org](mailto:jean@freedomnetworkusa.org) if you have any questions or need any further information or explanation.

Sincerely,

A handwritten signature in black ink that reads "Jean Bruggeman". The signature is written in a cursive style with a long, sweeping tail on the "n" at the end.

Jean Bruggeman  
Executive Director  
Freedom Network USA