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## **S. 2925 - A Bill to Establish Grant Programs For Victims of Sex Trafficking**

### **INTRODUCTION TO "THE TRAFFICKING DETERRENCE AND VICTIMS SUPPORT ACT OF 2009"**

**Official Title:** A Bill to establish a grant program to benefit victims of sex trafficking, and for other purposes.

**Overview:** This bill, S. 2925, has two main objectives. First, it would authorize large block grants to create a comprehensive, victim-centered approach to addressing sex trafficking, with a special focus on sex trafficking of minors. The grants would be used both for law enforcement activities and for direct services to survivors in six regionally diverse locations within the United States. The grants would be awarded through an application process to locations that have a multi-disciplinary plan to (1) provide services to sex trafficking victims; (2) train law enforcement; and (3) deter and prosecute sex traffickers.

Second, it would provide funding to implement improvements to the National Crime Information Center (NCIC) system, which is used by federal, state and local law enforcement to track information about missing and exploited children, including runaway children. Certain improvements to the NCIC are required in order to receive federal funding. The bill encourages states to track information about children who are at high risk for sex trafficking, with the goal of using that information to provide a more protective response to those children.

**Current Status:** Sens. Ron Wyden (D-Oregon) and John Cornyn (R-Texas) introduced the bill on December 22, 2009. Sen. Al Franken (D-Minnesota) has joined as a co-sponsor. The bill was referred to the Senate Judiciary Committee for review.

### **SEX TRAFFICKING BLOCK GRANTS**

The U.S. Department of Justice's Office of Justice Programs (OJP) is authorized to award six one-year block grants of \$2,500,000 each to "eligible entities" in different regions of the United States to combat sex trafficking. At least 25% of the funds must be used for shelter and services to sex trafficking victims, and at least 10% of each grant must be awarded to a subcontractor with annual revenues of less than \$750,000. A grant may be renewed for two one-year periods.

**Eligible Entity.** An “eligible entity” to apply for the block grants is a state or local government unit that: (1) has significant sex trafficking activity; (2) has demonstrated cooperation between state and local law enforcement agencies, prosecutors, and social service providers in addressing sex trafficking; and (3) has developed a multi-disciplinary plan to combat sex trafficking that includes:

- a shelter for sex trafficking victims;
- comprehensive services to domestic minor victims;
- specialized training for law enforcement officers and social service providers; and
- deterrence and prosecution of sex trafficking offenses.

**Allowed Uses of Grant Funds:** Grants may be used for the following purposes:

#### Victim Services

- temporary or long-term shelter for domestic minor trafficking victims;
- clothing and daily necessities for trafficking victims;
- counseling, substance abuse treatment, trauma care, and mental health services for victims of sex trafficking; and
- legal services for victims of sex trafficking.

#### Law Enforcement

- specialized training on sex trafficking;
- salaries for law enforcement officers (percentages of a salary paid for by grant funds shall be at least as high as the percentage of time dedicated to sex trafficking cases);
- salaries for state and local prosecutors; and
- investigation expenses and trial expenses.

#### Outreach and education programs

- deterrence and prevention of sex trafficking; and
- programs for treatment of those charged with solicitation of prostitution when treatment is an appropriate alternative to incarceration, which would not include those charged with solicitation of a minor.

**Evaluation of grant funded programs:** DOJ is directed to contract with an experienced academic or non-profit organization to conduct an annual evaluation of the programs’ effectiveness.

## **ENHANCEMENTS TO THE NATIONAL CRIME INFORMATION CENTER (NCIC) SYSTEM**

**Sense of the Senate.** This non-enforceable section of the bill encourages the Department of Justice (DOJ) to enhance the NCIC database system, so that children under the age of 18 who are reported missing three times in one-year are designated as endangered juveniles within the database. DOJ is encouraged to enhance the system to provide a visual cue, such as a color alert, to law enforcement encountering these victims, in order to assist them in immediately recognizing an endangered child and steering the child to appropriate care.

The bill also recommends that Byrne Grants, awarded under the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3750, et seq.), be awarded to programs related to sex trafficking education, training, deterrence, and prevention.

**Reporting requirements:** The bill amends the Social Security Act (42 U.S.C. 671(a)) to require state child welfare agencies to promptly report information on missing and abducted children to law enforcement for entry into the NCIC database. Federal funds are to be withheld from agencies which do not substantially comply with this requirement.

The bill amends the Crime Control Act of 1990 (42 U.S.C. 5780) to require that state law enforcement agencies enter, when available, photographs into the database within 60 days of first entering a record of a missing or exploited child. Agencies are also required to notify the National Center for Missing and Exploited Children whenever a child is reported missing from a foster care family or childcare institution.

An annual statistical summary is to be generated, comparing the number of reports received by the NCIC to the number of entries made to the database.

## **AUTHORIZATIONS**

For fiscal years 2011 to 2014, the bill would authorize \$45 million to fund the sex trafficking grant programs; \$1.5 million to conduct annual evaluations; and \$3.5 million to design and implement improvements to the NCIC database.

## **NOTE: TERMS USED IN THIS BILL**

The operative sections of this bill use the terms "victims of sex trafficking," "sex trafficking of a minor," and "domestic minor victims." In compiling this summary, care has been taken to reflect the language used by the bill in the relevant section.