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# Safe Harbor Laws: Changing the Legal Response to Minors Involved in Commercial Sex

## Phase 3. The Qualitative Analysis

### Report
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# 1. Introduction

The Institute of Medicine (IOM) and the National Research Council (NRC) in 2013 called for a paradigm shift within the justice system toward treating minors involved in commercial sex as victims instead of criminals (Clayton, Krugman, and Simon, 2013). Their call ultimately led to the proliferation at the state level of safe harbor laws—laws designed to remove the punitive sanctions for young victims of commercial sexual exploitation.

In 2014 the U.S. Department of Justice's Office of Juvenile Justice and Delinquency Prevention awarded Development Services Group, Inc. (DSG), a grant to evaluate the impact of safe harbor laws on the commercial sexual exploitation of children (CSEC). DSG's evaluation, among the first to systematically evaluate safe harbor laws, was conducted in three phases, with the findings from each presented in overlapping and standalone reports.

Phase 1, a legal review, addressed the evolution of safe harbor laws in the United States. It provided an overview of CSEC, detailed the philosophy and conceptualization of safe harbor laws, and presented findings regarding state-level efforts to adopt safe harbor laws. This phase was completed in March 2018 (Gies, Bobnis, and Malamud, 2018).

Phase 2, a quantitative study, utilized elements of the legal review to conduct an assessment of safe harbor laws using a quasi-experimental, longitudinal design to compare counties that have and have not implemented safe harbor laws over an 11-year period (2005–15). This phase was completed in December 2018 (Gies et al., 2018).

Phase 3, the subject of this report, involves an in-depth qualitative assessment of two states: one that implemented safe harbor laws and demonstrated positive outcomes, and one that implemented safe harbor laws without demonstrating positive outcomes. The states were selected based on the outcomes identified in the Phase 2 analysis. The purpose of Phase 3 is to understand the implementation processes within each state to identify themes, gaps, key processes, and best practices associated with effective outcomes for safe harbor laws.

# 2. Background

## REFRAMING THE LEGAL STATUS OF PROSTITUTED AND TRAFFICKED MINORS

The United States government's foray into combating CSEC began with passage of the *Trafficking Victims Protection Act of 2000* (TVPA), the first comprehensive federal law to address trafficking in persons. Since enacted, Congress has reauthorized the TVPA five times (in 2003, 2005, 2008, 2013, and 2017). While the initial Act focused primarily on international trafficking and foreign victims who end up in the United States,[*] the language of the original TVPA was broad enough to extend its protective blanket to all trafficking victims, whether born abroad (including legal permanent residents) or in the United States (Adelson, 2008:102).

The second decisive step in reframing the legal status of prostituted and trafficked minors occurred in 2013 with the release of the IOM/NRC report on the commercial sexual exploitation and sex trafficking of children in the United States. The report, requested by the U.S. Department of Justice, was prepared by a committee of independent experts who reviewed the relevant research and practice-based literature to inform policy and practices regarding the commercial sexual exploitation and sex trafficking of children who are citizens or lawful permanent residents of the United States.

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[*]The 2005 reauthorization of the TVPA fully recognized and addressed U.S. victims of trafficking.

Building on the foundation put in place by the TVPA, the IOM/NRC report called for "a paradigm shift from treating victims and survivors of commercial sexual exploitation and sex trafficking of minors as criminals to understanding and recognizing commercial sexual exploitation and sex trafficking of minors as forms of child abuse" (Clayton, Krugman, and Simon, 2013:373).

The report concluded with many salient recommendations, including an emphasis on strengthening the law's response to minors who are victims of commercial sexual exploitation and sex trafficking. Part of this recommendation urged developing legislation to redirect the young victims away from formal processing in the juvenile justice system to state agencies that could provide supportive services (IOM and NRC, 2013). Specifically, the recommendation stated that

> All national, state, local, tribal, and territorial jurisdictions should develop laws and policies that redirect young victims and survivors of commercial sexual exploitation and sex trafficking from arrest and prosecution as criminals or adjudication as delinquents to systems, agencies, and services that are equipped to meet their needs. Such laws should apply to all children and adolescents under age 18. [Clayton, Krugman, and Simon, 2013:8]

This type of legislation was referred to as a "safe harbor law" to recognize the fact that minors involved in prostitution were not in violation of any rule or regulation but rather victims of abuse—an approach that is consistent with child protection principles and goals of federal and state laws regulating treatment of minors (Clayton, Krugman, and Simon, 2013).

## IMPLEMENTING SAFE HARBOR LAWS

The goal of all safe harbor laws is to repeal the punitive approach to minors who are victims of commercial sexual exploitation and sex trafficking (i.e., prostituted minors). As such, all safe harbor laws must redirect youth away from the justice system. This change in modus operandi can occur through immunity, diversion, mandatory referral, or a combination of these elements (see Table 2.1).

| Table 2.1. Basic Elements of a Safe Harbor Law | |
|---|---|
| **Element** | **Description** |
| **Immunity** | States can provide prostituted minors with immunity from arrest and prosecution. These laws make it a criminal offense for an adult to engage in sex with a minor, with the assumption that minors cannot consent to sex. The aim is "to protect minors from sexual intercourse" and "to protect minors below a certain age from predatory, exploitative sexual relationships" (Adelson, 2008:107). Proponents of immunity believe it is "logically inconsistent that minors of a certain age are incapable of consenting to sex, but that they simultaneously can be punished for prostitution. The only difference between the two scenarios is that when money exchanges hands, these same children turn from victim to offender" (Adelson, 2008:108). Proponents also maintain that finding prostituted youth criminally liable for engaging in prostitution further victimizes them and serves as an obstacle to restoration by burdening the victim with a criminal record (Dysart, 2014). Moreover, arresting, prosecuting, and detaining victims of commercial sexual exploitation and trafficking hinder law enforcement efforts to go after the real criminals—pimps and johns—and misses an important opportunity to rescue minors from a system ill equipped to help them (Geist, 2012). |
| **Diversion** | Through diversion, a prostituted minor is charged with a crime but redirected away from formal processing in the justice system; prosecution is deferred, pending completion of therapeutic treatment. Unlike immunity, diverted youth remain under the authority of the court, but they are treated as children in need of services, not as criminals or delinquents. The court has the power to |

| | |
|---|---|
| | coerce reluctant youth into treatment services or temporary custody to prevent their return to the street. In general, if a minor cooperates, the prostitution charge is dropped. Proponents often include prosecutors and juvenile court judges, who argue that this approach is necessary to keep victims from returning to prostitution and their pimps or traffickers, and to ensure that victims receive the services they need (Dysart, 2014). This sentiment is not unwarranted. Victims of commercial sexual exploitation frequently display elements of Stockholm Syndrome (Jülich, 2005), a condition often associated with kidnapped people who, over time, can develop an attachment to those who victimize and exploit them. Similarly, commercially sexually exploited youth, who are often vulnerable to start with, often view their pimps or traffickers more as boyfriends or father figures than as abusers, making it highly likely they will willingly return to them if not detained by the state. |
| **Mandatory Referral** | Like diversion, prostituted youth under mandatory referral are treated as children in need of services; however, mandatory referral does not come with the threat of formal processing in the justice system that is typical in diversion. This hybrid approach bridges immunity and diversion by completely removing the victim from the justice system and places him or her in a youth-serving agency. It is often, but not always, implemented in conjunction with immunity. |

Safe harbor laws may also include a variety of supplemental elements (e.g., specialized services, civil action, vacating convictions) designed to protect minors who are victims of commercial sexual exploitation (CSE) and sex trafficking. The combination of supplemental elements varies widely from state to state. Additional details about these classifications can be seen in the Phase 1 report (Gies, Bobnis, and Malamud, 2018).

In Phase 1, a comparative analysis found that, by the end of 2017, 35 states (70 percent) had enacted safe harbor statutes to remove the punitive sanctions for young victims of CSE (see Figure 2.1). The remaining 15 states did not have a safe harbor law (13 continued to treat these victims as criminals, and 2 states allowed for an affirmative defense).

## Immunity
Three states have enacted statutes providing immunity *only* to prostituted minors but do not mandate access to any specialized services: New Hampshire, South Dakota, and Tennessee.

## Immunity With Mandatory Referral
Sixteen states have statutes that provide prostituted minors with immunity from prosecution in association with mandatory referral to youth-serving agencies: Alabama, California, Connecticut, Florida, Illinois, Indiana, Kentucky, Michigan, Minnesota, Mississippi, Montana, Nebraska, North Carolina, North Dakota, Rhode Island, and West Virginia.

## Mandatory Referral
Four states—Arkansas, Colorado, Kansas, and Oklahoma—require law enforcement officers who detain prostituted minors to refer them to social services; however, they do not specifically provide immunity and thus do not prohibit the filing of criminal or delinquency charges**.**

# Figure 2.1. Safe Harbor Components Across the United States
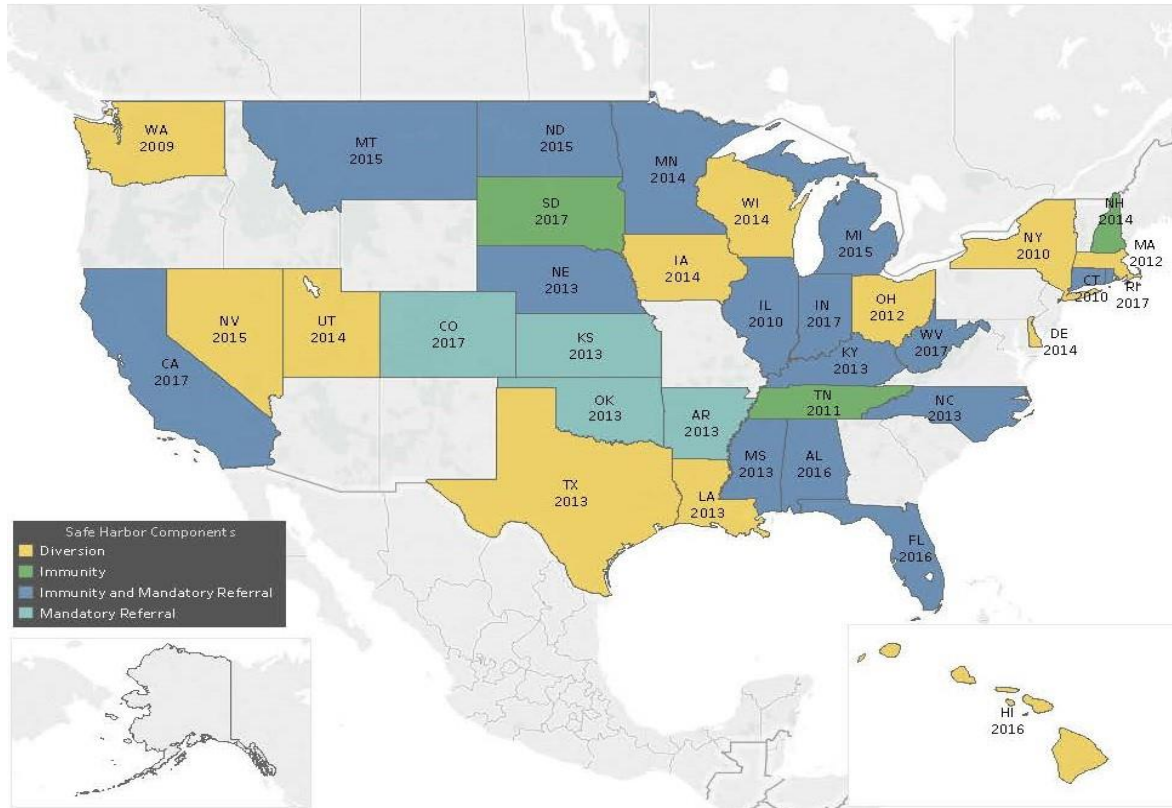


## Diversion

Twelve states have diversion statutes for prostituted minors: Delaware, Hawaii, Iowa, Louisiana, Massachusetts, Nevada, New York, Ohio, Texas, Utah, Washington, and Wisconsin. These states allow deferred prosecution for prostitution-related charges contingent on the completion of a therapeutic treatment program. In some cases, these treatment programs are optional or contingent on prior offenses and not mandatory, meaning that minors could still be prosecuted for prostitution and related offenses. Furthermore, states differ on whether diversion services are initiated by the court or the prosecutor. New York and Washington were the first to enact diversion statutes.

## EFFECTIVENESS OF SAFE HARBOR LAWS

Researchers are only beginning to systematically assess the effects of safe harbor laws, and these studies generally have been narrow in design and scope. For example, in a legislatively mandated evaluation of the Minnesota Safe Harbor law, researchers found that charges and convictions against sex traffickers increased since enactment of the safe harbor law (Minnesota Statistical Analysis Center, 2014). In addition, using data from an online survey of service providers (*N*=99) and law enforcement officers (*N*=187) across the state, the researchers noted that 74 percent of service providers had served at least one victim of human trafficking; and 21 percent of law enforcement respondents indicated their agency had had a sex trafficking arrest or investigation (Minnesota Statistical Analysis Center, 2014). In a more recent assessment of the Minnesota law, researchers

found that both the awareness of sexual exploitation and the number of services for exploited youth increased; the recipients were satisfied overall with the services (Schauben et al., 2017).

However, there were several limitations to these studies. First, the research did not assess the main point of the safe harbor law—that is, whether youth were redirected out of the justice system. In addition, the studies essentially used a pretest–posttest design with no comparison group, a methodological limitation that makes it difficult to assess whether the increase in charges and convictions was due to the enactment of the safe harbor law or to another, unidentified cause. Second, the survey data were based on yearly surveys that represent a cross-section of service providers and law enforcement officers, which makes yearly comparisons problematic. Moreover, with few exceptions, most respondents were asked to simply think over the past year and estimate whether they had served a client who met the legal definition of a trafficking victim. Thus, the veracity of the data is equivocal.

> **Researchers are only beginning to systematically assess the effects of safe harbor laws, and these studies have generally been narrow in design and scope.**

In a more expansive study, McMahon–Howard (2017) conducted exploratory research to examine whether there has been a change in the way law enforcement handles prostituted youth since the adoption of the 2000 TVPA. Data were collected from in-depth life-history interviews with former prostituted youth to compare the experiences of individuals involved in prostitution as minors before the adoption of the 2000 TVPA with the experiences of individuals involved in prostitution as minors after adoption. The findings indicated that changes in the law and other efforts to recast prostituted youth as victims of commercial sexual exploitation have had little effect on victims' interactions with law enforcement and service providers.

However, the author noted that these findings should be viewed with caution as the study relied on a small, convenience sample of individuals who were living in one metropolitan area in the southeast region of the United States. Therefore, the sample is not representative. Moreover, the participants were youth involved in prostitution before age 18 who received interventions from the criminal justice system. Thus, youth who received services from child welfare systems were less likely to be included in the sample. Finally, this study focused on the passage of the TVPA and not on the safe harbor laws of individual states.

Mehlman–Orozco's (2015) study of four states—Connecticut, New York, Texas, and Washington—came to a similar conclusion as McMahon–Howard's study. Using yearly count data from the FBI Uniform Crime Reporting Program, Mehlman–Orozco assessed the rate of commercially sexually exploited juveniles arrested for prostitution pre– and post–safe harbor law implementation. She found that the number of juveniles arrested for prostitution increased after passage of safe harbor laws in all states but Washington.

Similarly, Santos (2016) examined whether the passage of safe harbor laws in 18 states led to a decrease in the arrest of child victims of CSE. Also using yearly count data from the FBI Uniform Crime Reporting Program, she hypothesized that arrests would be inversely related to the number of provisions safeguarding children's rights. She too found "no credible evidence that safe harbor laws, in whatever format, are associated with lower average numbers of annual arrests of CSEC" (Santos, 2016:46). However, she noted that the inverse of that statement was also true, and she later asserted

that it was too early to gauge the effects of safe harbor laws; 8 of the 18 states examined had enacted their safe harbor laws in 2013.

These studies, too, suffer from methodological limitations. The Mehlman–Orozco (2015) study is limited by a small sample, a lack of appropriate control measures, and a mostly descriptive analytic strategy; and while Santos (2016) provides statistical pre-post comparisons using ordinary least squares regression (OLS), OLS is inappropriate for count data as the distribution is discrete rather than continuous in that it is limited to nonnegative values. Moreover, the Santos study also includes only states that have adopted safe harbor laws and thus does not incorporate a comparison condition.

Offering a stronger design when compared with previous research, Bouche, Farrell, and Wittmer (2016) included a comparison condition by classifying all state human trafficking laws enacted between 2003 and 2012 into three broad categories: *state investment, criminalization,* and *civil remedies* (which included safe harbor laws). To measure human trafficking arrest and prosecution outcomes they constructed a database of 3,225 human trafficking suspects who were identified in open-source information across all states from 2003 to 2012. Using a cross-sectional time-series multivariate regression analysis to assess the effectiveness of these legislative provisions, the authors found that safe harbor laws were strongly predictive of arrests and prosecutions of persons suspected of sex trafficking. But again, while the authors recognize safe harbor laws as statutes that either 1) grant immunity from prosecution to sexually exploited children younger than 18, or 2) divert these children out of the criminal justice system, they do not assess the laws' effectiveness in contributing to these outcomes.

Finally, in perhaps the most comprehensive evaluation of safe harbor legislation to date, Gies and colleagues (2018) used a quasi-experimental design to compare prostitution-related crime trends and sexual abuse maltreatment trends at the county-level in states that have implemented safe harbor laws with prostitution-related arrests and sexual abuse maltreatment trends in a control group of counties in states that have not implemented safe harbor laws. The analysis used multilevel Poisson regression models to analyze the change in prostitution-related crime and sexual abuse maltreatment trends in treatment and comparison counties over the 11-year observation period. The study confirmed the early evidence (Mehlman–Orozco, 2015; Coleman, 2016; Santos, 2016; McMahon–Howard, 2017) that generally found little effect on the behavior of law enforcement and service providers. However, contrary to previous research, the findings indicate that the passage of safe harbor laws was associated with a statistically significant decline in the number of prostitution-related arrests in counties that had enacted safe harbor legislation compared with those that had not.

It should be noted that Gies et al. examined the impact for both juvenile and adult arrest combined for each offense type and for juveniles only. Across both groupings, the number of juvenile prostitution-related arrests dropped in both safe harbor and non–safe harbor jurisdictions after the introduction safe harbor laws in 2009, but the decline was sharper for safe harbor jurisdictions. From 2009 through 2015, the number of juvenile prostitution-related arrests dropped 60 percent in safe harbor jurisdictions compared to 51 percent in non-safe harbor jurisdictions. Overall, these findings provide a striking insight into the current landscape of addressing the commercial sexual exploitation and sex trafficking of youth in the United States. That is, that the passage of safe harbor laws was associated with a statistically significant decline in the number of prostitution-related arrests (both juvenile-only and juvenile and adults combined) in counties that have enacted safe harbor legislation relative to those that have not.

Paradoxically, the most popular type of safe harbor laws, immunity with mandatory referral, appears to have the least impact on prostitution-related arrests (Gies, Bobnis, and Malamud, 2018).[*] Conversely, while current trends data show that states are moving away from the diversion models,[†] this approach appears to be more effective in reducing the number of prostitution-related arrests. This finding, however, is not unexpected. There is nothing about a safe harbor law that prevents these crimes from occurring, as they do not include efforts to curb demand. The intent of safe harbor laws, in any configuration, is to recognize that when these incidents occur the youth involved should be treated as the victims rather than as the criminals.

As noted in the Phase 1 review of implementation strategies and in other research studies (Hupe, 2014; Mehlman–Orozco, 2015; Roby and Vincent, 2017) the processes by which safe harbor laws are enacted within each state are likely to influence the effectiveness of the policies post-adoption as state statutes. Thus, there is a tremendous need to understand the mechanics of how safe harbor laws have been implemented, with particular attention on the interplay among law enforcement, nonprofits, state political leaders, advocacy organizations, and child and family services agencies, as collaboration among these entities is required for realizing the goals of the safe harbor legislation, regardless of the legislative structure within a specific state.

Implementation of policy, including safe harbor, occurs on multiple levels, across many actors; studies of the implementation process must try to account for, and identify, these various actors and influences (Saetren, 2014). Following standard conventions within implementation studies, our analysis includes comparisons of what happened both during the policy creation process and during the delivery of the subsequent services, using both organizational actors and clients as our unit of analysis (Barrett, 2004).

Based on our review of the literature, there has not yet been a study that investigates and attempts to model the implementation processes, challenges, and successes of safe harbor laws. In this report, we present the findings from a comparative case study of two states that adopted safe harbor laws. In Phase 2 of the DSG evaluation, one state was shown to have decreased the total number of prostitution-related arrests among minors, and the second state was shown not to have decreased the total number of prostitution-related arrests among minors.

A quote from one interviewee exemplifies the importance of understanding the implementation of these laws and reinforces the value of examining the processes between ratification and implementation:

> We're going to have all these laws on paper that make us look really awesome and that's kind of an easy thing to do. But then actually getting those laws, getting the boots on the ground to do the work to make those laws work for our state has been hard. [Nonprofit leader, state A]

# 3. Methods

Safe harbor laws are primarily designed to steer young victims of commercial sexual exploitation and sex trafficking away from juvenile justice system involvement by prohibiting their arrest and prosecution as criminals. Instead, these youth should be directed toward systems, agencies, and services that are equipped to provide supportive services.

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[*]Immunity laws are a more recent trend and thus not as well represented in the data.

[†]Since 2014, 13 states have enacted safe harbor laws. Of those 13 states, 10 (77 percent) have used immunity (nine combined with mandatory referral). Two states (15 percent) have used diversion, and one state (8 percent) has used mandatory referral only (Gies, Bobnis, and Malamud, 2018).

In Phase 3 of this project, the research team used a comparative case design (Creswell, 2017) to understand the implementation processes within two states that had different outcomes and different safe harbor law structures. The two states were selected based on matching criteria that allowed for a comparison of a state that demonstrated effective outcomes (state A) and a state that demonstrated ineffective outcomes (state B). An effective outcome was defined as a decrease in the number of prostitution arrests among individuals younger than 18 since the inception of safe harbor laws and policies. The researchers used the initial pool of state cases with effective and ineffective outcomes as identified in Phase 2 to develop the set of candidate states with effective and ineffective outcomes in Phase 3. To limit differences, they reviewed and matched these states on three criteria: *region of the country, structure of safe harbor laws,* and *timing of policy adoption.*

## SAMPLE

In each state, two categories of key informants were recruited by the lead researchers: those who contributed to constructing the safe harbor policies, and those who had been involved in the implementation of programs created by the policies. Interviewees were identified in two ways. For each state, an initial list of potential interviewees was created by the lead qualitative researcher, reviewed by the full research team, updated, and finalized. This intentional sampling frame produced 40 potential interviewees, 20 per state. The potential interviewee list included the primary bill sponsors, key legislative staffers, personnel from Child and Protective Services (CPS), law enforcement, the nonprofit sector, and researchers. The second method we used to identify potential interviewees was snowball sampling: at the conclusion of each interview we asked each interviewee if he or she could identify additional people we should contact. The snowball sampling method produced six additional interviewees. In total, this process yielded an interviewee sample of 46 individuals, 23 for each state.

### Recruitment

Potential interviewees were recruited in three waves. The first and second waves of candidate interviewees were contacted by telephone, the third wave by e-mail. Using this recruitment strategy, we obtained a 37-percent response rate, with a total of 17 interviews completed in this phase of the research: 11 completed interviews (47-percent participation) from state A and 6 completed interviews (26-percent participation) from state B.

## UNIT OF ANALYSIS

The unit of analysis for the case studies is a state. Because safe harbor policies are state-level policies, the research team identified two states for this study. As previously indicated, one state was assessed in the preliminary stages of the Phase 2 analysis as having produced effective outcomes associated with safe harbor law passage (state A). The second state was found to not have effective outcomes yet (state B). To limit variation attributable to geographical differences, we prioritized for selection those states that were in a similar region of the country. The final criterion for evaluation was similarity in the structure of the safe harbor policies. States selected for the analysis matched on 5 of the 11 criteria outlined in the Phase 1 report. The major policy difference is that the effective state had immunity but not mandatory referral, while the ineffective state had both immunity and mandatory referral.

## DATA COLLECTION AND CODING

All interviews were conducted over the telephone and recorded. Each interviewee provided informed consent at the time of the interview. Interviews ranged from 45 to 90 minutes long, with

the average interview lasting 60 minutes (The interview guide has been included in the Appendix of this report.) After the completion of each interview, members of the research team transcribed audio files. Transcript files are kept on a secure server without personally identifiable information.

Both deductive and inductive coding schemes were used to analyze the qualitative data. Deductive themes were based on a policy implementation framework developed by Andrews and Edwards (2004) that has been widely used to understand the implementation processes of policies brought forth by advocacy organizations. The Andrews and Edwards framework was appropriate for structuring this analysis because the safe harbor laws in each state were in some part supported and pushed by nonprofit advocacy organizations. Inductive codes were identified by the research team through the coding process, following the research method of emergent coding (Bazerly and Jackson, 2007). The inductive codes were identified by the lead qualitative researcher and reviewed by the project's principal investigator. All data analysis took place with the support of NVivo software, a database and analysis software program designed to enable the exploration and management of qualitative data (Bazerly and Jackson, 2007).

### Deductive Themes

As indicated above**,** the Andrews and Edwards policy implementation framework is a broadly used model for understanding the implementation processes of state-level policies advanced by advocacy organizations (Andrews and Edwards, 2004). As far as we have been able to determine, this model has not been applied to study safe harbor laws. The Andrews and Edwards framework uses five stages to understand policy implementation: 1) agenda setting, 2) access to decisionmaking arenas, 3) achieving favorable policies, 4) monitoring and shaping implementation, and 5) shifting long-term priorities and resource use. We chose these dimensions as the basis for a qualitative investigation into the implementation of safe harbor policies in two states.

Using the five deductive themes, the research team completed an initial wave of interview coding. For each interview, the lead researcher coded the data from each transcript into the predetermined deductive themes. Quotes from each transcript were identified, extracted, and grouped by state and implementation category. After the initial grouping, all quotes were reviewed in a second wave of coding and classified as either a positive or negative contributor to the implementation process. Finally, the implementation categories and the relative utility of each implementation element were compared to differentiate the processes by which each state produced different outcomes from a similar set of safe harbor policies.

### Inductive Elements

During the transcript analysis, additional implementation codes nested within the deductive themes were identified. These codes contributed to our understanding of the states' implementation processes by providing specific and contextual insight into the ways safe harbor laws are being enacted; they are, therefore, valuable sources of information. The inductive elements allowed the researchers to identify safe harbor-specific concepts and characteristics that were important points of comparison between the states.

## 4. Results

A comparison of implementation elements in the two states is depicted in Table 4.1, showing key points of overlap and difference between the implementation processes within the two study states. For each implementation category, the research team compared both the deductive themes and the inductive elements associated with each theme. (In the table, **pink** indicates that the element was a negative contribution to the implementation process within a state, and **blue** indicates that the

element was a positive contribution to the implementation process.) Categorization of negative/positive were made during the research process by the research team and based upon positive or negative statements made by interviewees. Unsurprisingly, some implementation elements that were described as positive in one state were identified as negative in the other, and vice versa. This section discusses differences and similarities between the states across each implementation category and highlights in greater detail some of the more noteworthy observations related to the specific elements.

| Table 4.1. Comparison of Implementation Elements | | | |
|---|---|---|---|
| Implementation Themes | Key Implementation Elements | State A (Effective Outcome) | State B (Ineffective Outcome) |
| **Agenda setting** | *Priority for legislation* | Alignment of penal code with state statutes | Expansiveness |
| | *Framing of the issue* | Victim instead of perpetrator | Victim in need of empathy |
| | *Lead agency* | State law enforcement | Nonprofit |
| | *Method to estimate burden of the problem* | Population estimates within counties | Service provider perspectives, state level |
| | *Problem awareness* | Participation in national meetings by legislators | Participation in national meetings by legislators |
| **Access to decisionmaking arenas** | *Courts* | Lack of engagement with court system | Early engagement with court system |
| | *Child Protective Services (CPS)* | Involved, but not expected to provide services | Involved, and expected to provide services |
| | *State task force* | Mandatory | Elective |
| | *Legislatures* | Republican lead with core set of champions who continued to introduce additional legislation | Bipartisan lead with core set of champions who continued to introduce additional legislation |
| | *Advocates* | Champion with legal expertise, knowledge about trafficking, and experience with legislature | Champion with legal expertise, knowledge about trafficking, and experience with legislature |
| | *Nonprofits* | Formalized involvement, key elements of service delivery, and organized regionally | Informal involvement, limited in size, high degree of involvement, and organized by community |
| **Achieving favorable policies** | *Sources of resistance* | Groups tangential to the topic | Groups tangential to the topic and gender discrimination within the legislature |
| | *Ongoing efforts* | Tension among nonprofits and authority | Renewed interest from law enforcement as the lead |
| | *Framing of the policy* | Ease of passing legislation about children, difficulty in transferring to adults | Ease of passing legislation about children, difficulty in transferring to adults |
| | *Enforcement of agenda* | Nonprofits had self-interest in execution | CPS could ignore mandates |

| Table 4.1. Comparison of Implementation Elements (continued) | | | |
|---|---|---|---|
| Implementation Themes | Key Implementation Elements | State A (Effective Outcome) | State B (Ineffective Outcome) |
| **Monitoring and shaping implementation** | *Service delivery* | Challenged by lack of resources within nonprofits | Challenged by lack of resources within CPS |
| | *Ongoing data collection* | Decentralized, by providers | Yearly reporting through state |
| | *Education* | Focused on law enforcement | Focused on public and nonprofits |
| | *Reporting* | Hotline and associated awareness campaign for 3 years | No hotline and associated awareness campaign |
| | *Identification* | Service providers, limited use of risk assessments | Risk assessments and screeners |
| | *Evidence-based programs* | Use of evidence-based curriculum | Use of evidence-based curriculum |
| **Shifting long-term priorities and resource use** | *Specialized services* | Lacking | Lacking |
| | *Transitions* | Concern about key staff leaders transitioning | Excitement about key staff leaders transitioning |
| | *Supplemental funding* | Private foundation | Legislative set-aside |
| | *Expertise for serving the population* | Resides in nonprofits, less present in CPS | Resides in nonprofits, less present in CPS |
| | *Additional legislation* | Ongoing, continued engagement | Ongoing, continued engagement |
| | *Increased capacity to investigate* | CPS changed definition of caregiver to include trafficker | CPS changed definition of caregiver to include trafficker |
| | *Enforcement* | Task forces and dedicated regional personnel in law enforcement | Recent increase with prioritization by attorney general |
| | *Expansion to private sector* | Collaboration with hotel industry and trucking industry | Collaboration with trucking industry |
| **Legend: Blue** = contributed **positively** to the implementation process **Pink =** contributed **negatively** to the implementation process | | | |

## AGENDA SETTING*

The construction of safe harbor laws in each study state was influenced by a similar set of organizational actors and experiences among key state legislators. In both states, original awareness of the issue was sparked by public speeches given at national conferences and heard by key legislators. Yet, as described below, the processes established by each state across each of the agenda-setting elements were quite different.

### Method To Estimate Burden of the Problem

After initial awareness was raised of the potential within the two states for the problem of sex trafficking of minors, each state initiated a study to understand the problem's scope and extent. One of the first key differences that emerged between the states was the amount of funding available for

*Andrews and Edwards (2004:492) defined agenda setting as follows: "Through demonstration, educational campaigns, [and] lobbying, organizations attempt to bring greater attention, raise awareness, and create urgency around a topic."

the study. State A researchers received financial support from the state legislature to complete a full and robust research study in coordination with the state bureau of investigation. In state B, researchers received less funding, which necessitated a less comprehensive research design. State A's more extensive funding resulted in a survey with a total sample of 4,461 people (929 completed surveys). In comparison, state B conducted a similar study based on a sample of 162 people (140 completed surveys). Both states based their statewide estimation on survey responses. The more complete geographic coverage in state A allowed for a much larger estimate of problem prevalence: the state A researchers concluded that "68 counties reported at least 1 case of minor sex trafficking with 4 counties reporting more than 100 cases," while the state B researchers indicated that "respondents described about 69 different cases of human trafficking." Both states were keenly aware of the need for adequate data, as illustrated by the following comments:

> So people like data. And data is persuasive because you can argue with a rhetoric and you know with all kinds of things, but it's hard to argue with data. So, the bureau and the flagship university produced a study that paved the way for all of the work that we did for the next like, jeez, 5 years or more, and that study looked at human trafficking in a quantitative way. They asked the question, how severe is human trafficking... and where can we find it? [Advocate, state A]

> So I say the data has been essential because honestly at that time we had legislators who said this is not an issue here. [State agency official, state B]

## Legislative Priority, Framing of the Issue, and Lead Agency

These three elements are related, as they all reflect an initial set of strategies around how best to advance the safe harbor policy goals. State B pursued an "include everything but the kitchen sink" approach to the policies, wanting to create the most expansive and extensive set of policies addressing sex trafficking of minors. In contrast, state A bill supporters constructed a policy around aligning the penal code, which at the time supported the arrest of child trafficking victims as prostitutes, with state and federal statutes that conceived of this population as victims. State A's approach led to the early and central involvement of the state law enforcement agency, and a narrative framed around how absurd it was to think of children as sellers of sex.

> At the state level, it shifted attention to who is actually committing the crime then if these people are victims, then who are the criminals and how do we deal with the criminals and that set us up to deal with what really drives human trafficking, right? [Advocate, state A]

Although state A interviewees reported that this narrow focus on penal code alignment may have limited their ability to include treatment services in the original legislation (a negative), they still viewed the trade-off as helping them achieve positive implementation of their particular policy structures.

The central role of the state law enforcement agency in state A as an educator and advocate for the new approach to the problem of minors involved in CSE and sex trafficking proved to be a very important strategy for implementation.

> Well, it just commands the respect and knowing that the money is going to be accounted for as opposed to giving it to a not-for-profit who may or may not spend it out correctly. The overreach of the bureau of investigation is over the whole state, and every region, every county will all be treated the same. [Legislator, state A]

## ACCESS TO DECISIONMAKING ARENAS*

The coalitions that formed in the two states to develop and advance the safe harbor legislation were rather similar, with the same types of key actors being discussed by interviewees from each state. There were subtle differences, some of which interviewees identified as negatively influencing implementation; other differences were viewed as effective within the state's own context.

### State Task Force and Nonprofits

In state A, serving on the task force and attending meetings were mandatory, as it was classified as an advisory council to the governor. In state B, serving on the task force and meeting attendance were elective. Although there was central involvement from the key nonprofit, that organization was unable to compel the continued and meaningful participation from key state agencies necessary for the task force to have ongoing access to, and influence on, decisionmakers. This produced contrasting systems of influence and access through coordinated meetings in the two states. Interviewees in both states reported that two elements are essential to inform continued adaptation of safe harbor policies and laws: 1) access to decisionmakers, and 2) a regular forum in which the agencies responsible for implementation can work with the decisionmakers on identifying structural challenges and possible solutions. State B's task force did not provide these two elements, whereas state A's advisory council did. In state B, safe harbor implementers had to develop other strategies for influencing decisionmakers, which proved to be less effective.

The requirement to attend advisory council meetings in state A preserved decisionmaker access and provided nonprofit leaders with a formal method for holding state agencies accountable. The ongoing mandatory meetings increased the likelihood of collaboration in state A, while tension about overlapping responsibilities was present in state B, where task force participation and meeting attendance were voluntary. The most dramatic example of the challenge of accountability was the relationship with the CPS agency in each state. State B is a mandatory reporting

> **Both states had strong support from a key set of state legislators, across party lines and over time.**

state; thus, CPS is involved in every case, which increases both the burden on CPS and the frequency of interaction with other actors in the delivery system. In state A, nonprofits serve as a network of care support, thereby easing the burden on CPS and allowing for less antagonism. This tension about nonprofits that serve victims needing to be able to provide feedback and oversight to state agencies also engaging with victims is depicted in the following observation from a state B interviewee:

> I think there needs to be additional resources available for the child welfare folks who are expected to handle these cases. So, I'm not just talking about money but understanding they need to have support, and be able to systematically change how they respond to these cases. And that's going to be internal on their part, I guess, because even a state law may make a bunch of stuff now, but still haven't promulgated regs. [Nonprofit leader, state B]

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*Andrews and Edwards (2004:495) define access to decisionmaking arenas as "the proximate mechanisms of influence that derive from the decisionmaking process."

### Advocates and Legislators

Both states had strong support from a key set of state legislators, across party lines and over time. Sustained support and interest in the topic, along with availability and regular engagement with nonprofits and state agencies involved in addressing and serving child victims of sex trafficking, were reflected in interviews in both states. Also vital to success in both states was the continued involvement with advocates, especially advocates who have expertise in the law and know how to work within the structures of the legislature to advance policy goals.

## ACHIEVING FAVORABLE POLICIES[*]

Despite some resistance, both states achieved favorable safe harbor policies by framing the issue in terms of protecting children. However, the two states differed in their ongoing efforts to adapt and adjust these policies to address new challenges and gaps in their systems.

### Framing

Interviewees in both states reported that there was overall little resistance to the idea of protecting *children* who have been identified as victims of sex trafficking. The ease of advancing this legislation was in part due to the social pressures that made it unlikely traffickers would engage in a policy setting.

> Right. There's not like you've got these traffickers that have this union and they've got people up on the hill. They're not like, well, hold on, "it's all about" trafficker rights. [Advocate, state A]

### Resistance

In contrast, interviewees in both states experienced resistance to advancing more expansive legislation despite consistency with the safe harbor approach. In both states, advocates and policymakers have attempted to extend the logic of safe harbor to *adult victims* of sex trafficking and to labor trafficking victims. In both states, it has been more difficult to extend the logic of a victim to these populations and issues, as exemplified in the following passage from an interview in state B:

> Absolutely, I think public's perception very much is if they're [a] child, they're a victim, if they're an adult, this is their choice. I had a woman go to my face, tell me there's [no] such thing as sexual assault, but it's just women who make stupid decisions. [State agency official, state B]

Overall, explanations across sites were similar, in that the failure to advance more expansive legislation was due either to ancillary concerns that a safe harbor–related policy may set a precedent for other populations, or concern about extension of the safe harbor concept beyond the boundaries of CSE minors. Pushback and active resistance that undermined the advancement of ancillary legislation was due to broader concerns, such as the burden a new policy would put on prosecutors.

> We would get push-back from interest groups that don't want anything to do with human trafficking. [Legislator, state B]

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[*]Andrews and Edwards (2004:497) define achieving favorable policies as follows: "The most visible and celebrated indicator of influence in the policy process is the achievement of favorable policies."

## Ongoing Policy Efforts and Agenda Enforcement

The policy processes in each state did not stop with the passage of the landmark legislative packages that they identified as their safe harbor laws. Bill supporters continue to advance the goals of decreasing the involvement of trafficked minors and victims of commercial sex exploitation in the criminal justice system and linking victims with services. However, in each state, the structure of the implementation process has resulted in different opportunities and challenges for realizing these continued goals.

For example, in state A, there were repeated mentions of power dynamics among the large nonprofits that are the substrate for service delivery and problem awareness in the state. In contrast, control over who gets to provide services, what appropriate services look like, and how coordination among nonprofits should be organized were themes absent from the interviews in state B.

In state B, the mandatory reporting requirements and comparatively smaller involvement from nonprofit actors resulted in ongoing tension with the state CPS agency. Interviewees in state B repeatedly identified failures of the agency to adopt policies and procedures and obtain specialized expertise that would allow for the successful delivery of services to trafficking victims. This question about service delivery is not unique to these two states, as prior research has shown the difficulty and challenges of serving child trafficking victims through the state CPS (O'Brien, White, and Rizo, 2017; Roby and Vincent, 2017).

> Just like in the other state, they have the authority to take care of these kids. They also don't have the expertise, and you have sort of a broken CPS system. That they don't have the 10 years of human trafficking survivor knowledge that some of our nonprofits do in the state. [Advocate, state A]

## MONITORING AND SHAPING IMPLEMENTATION*

Despite some significant similarities across the states (e.g., lack of resources for service delivery, use of risk assessment tools for identifying potential victims, use of evidence-based practices), the elements within the monitoring and shaping theme include differences between the two states in how they deliver services, collect data, educate key constituents, and report on the effects of the policies.

## Education and Reporting

Implementation in state A was led by the state law enforcement agency, which allowed state law enforcement agency personnel to provide educational opportunities and training to local law enforcement agents. They made this a top priority, noting that their policy concentrated on identifying the "real bad guys" and shifting local practice when they encountered minors being trafficked for sex. The effectiveness of this approach is exemplified in the following quote from a lead law enforcement agent in state A:

> We ran all of these operations with local police departments and in conjunction with local police departments. And so, once we taught them how and gave them a taste of it, they were like: "Yeah, I like that better. That makes me feel better." I mean big, hard cops are not going to tell you that in those words. But that's what happened. It felt better. It felt like you were saving somebody, felt like you were actually doing something. [Law enforcement agent, state A]

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*Andrews and Edwards (2004:498) define monitoring and shaping implementation as "the extent to which the ongoing implementation of policies is favorable to the goals and broader constituency of the group."

In contrast, nonprofit leaders in state B reported that they struggled in their attempts to get support and active engagement for implementation from both CPS and law enforcement. During the interviews in state B, nonprofit staff and state agency officials reported a general dismissal of their legitimacy among local law enforcement, based both on gender and status as a nonprofit.

> I have to make sure that one of my male board members, who is a police officer with the police department, will go and meet because they won't listen to me because I'm some young little girl that doesn't know what she's talking about. I think there's a lot of that with kind of getting the local law enforcement and the local districts and the district attorney right on board with utilizing the laws that we have and that it's easier for the legislator, legislature to say, "Oh sure, that's such a great idea." [Nonprofit leader, state B]

In concert with state A law enforcement playing a leadership role, surveillance and public reporting through a hotline were supported by a foundation for the first 3 years of implementation. The hotline initiative included strategic and sustained advertising campaigns to raise awareness about both the topic and the hotline. When coupled with buy-in from law enforcement, interviewees in state A identified the hotline and awareness campaign as essential to their early success and sustained momentum regarding identifying victims and helping them access services.

## SHIFTING LONG-TERM PRIORITIES AND RESOURCE USE[*]

Commitments to long-term and sustained engagement with safe harbor were consistent across sites, with minor differences related to supplemental funding sources and the shifting priority being given to enforcement in state B with the recently appointed attorney general. Overall, long-term priorities and resource use were similar, with both states indicating a need for more funding and expertise in specialized services; the previously identified challenge of working with CPS in state B surfaced as one difference and as a potential continued barrier.

## INDUCTIVE THEMES

Thematic coding of qualitative data allows for the emergence of key themes and ideas during the analytical process. In this section, we summarize results that emerged from the inductive coding of the interviews. These results reflect patterns identified across respondents and across states.

### Did Not Wait for the Perfect Legislation

Interviewees in both states discussed how they were advised by outside consultants and leading thinkers on safe harbor policies to get something on the books and continue to tweak and adjust the suite of policies over time. This broader observation is reflected in the following quote from a nonprofit leader in the state that had less positive outcomes:

> And she said, it's almost like getting married. If you're going to wait until all the *t*'s are crossed, and *i*'s are dotted, you're never going to get married. Because you'll never feel like I'm quite there yet. I don't have enough money saved, and I don't have this and I don't have that. If you do that with safe harbor, you'll never pass safe harbor. [Advocate, state A]

### Expanded Responsibility of State Agencies

The changes brought about through the passage of safe harbor laws required adjustments by the courts, law enforcement, and CPS systems within the states. Across states, CPS agencies are still

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[*]Andrews and Edwards (2004:498) define shifting long-term priorities and resource use as follows: "The broader influence on the resources and priorities of political institutions reflects the cumulative influence of the policy process as a whole."

trying to adjust to the effect that passing safe harbor laws had on the state CPS agencies. In both states, interviewees consistently and repeatedly discussed how incapable CPS agencies are at serving victims of sex trafficking. This was true even though one state had mandatory referral to CPS and the other did not. In the state without mandatory referral, a nonprofit infrastructure has grown to support victims and to advocate for safe harbor policies. And yet, across both types of policy contexts, and in both states, interviewees shared how central CPS continued to be, and how this expanded role created tension and limited effectiveness. The basic points were consistent across both states: CPS personnel are not trained to provide services to this population and CPS departments are under-resourced. The following quote from a law enforcement agent in the effective state illustrates these findings:

> Just like in the other state, they have the authority to take care of these kids. They also don't have the expertise, and you have sort of a broken DCS system. That they don't have the 10 years of human trafficking survivor knowledge that some of our nonprofits do in the state. [Advocate, state A]

## Continued Need for Specialized Services

A retired law enforcement agent commented on the importance of offering services tailored to the needs of child sex trafficking victims:

> They want to treat a trafficking victim in the same way they would treat a 12-year-old who, you know, maybe was raped by her uncle a couple of times. It is not the same thing. A meth-addicted 13-year-old who's been trafficked for 3 months has not got the same level of trauma as a 12-year-old girl who has been raped by her uncle a couple of times. They're both terrible. Don't get me wrong. They're both horrific. But it is different, and their care probably looks different. [Law enforcement agent, state A]

This theme, less graphically, was echoed by almost every interviewee. Individuals actively engaged in providing care to this population indicated that not enough is known about the models of care needed to ensure positive outcomes. This lack of understanding is due both to a lack of research and to a recognition that discovering and implementing the answers are likely to be resource intensive and therefore harder to sell to state legislatures seeking to minimize costs.

**Not enough is known about the models of care needed to ensure positive outcomes.**

## Continued Challenge of Identification

Exacerbating the difficulty of linking victims with services is the basic challenge of identification. Multiple interviewees shared how the implementation of safe harbor laws has made the identification of child sex trafficking victims more complicated because child victims are no longer easily singled out through the charge of prostitution. In both states, risk assessment tools are being deployed with varying degrees of success. The major challenge is trying to ask questions that are detailed enough to allow the making of a clear decision about trafficking status, while knowing that these detailed questions are invasive and likely to receive false responses from a population that distrusts institutional authority. This issue of unidentified child victims is highlighted succinctly in this quote from a service provider:

> And so our fear is that a number of trafficked kids—primarily girls, because you know a lot of the runaways are girls—are still being held as runways or for other crimes. So we still are concerned about a lack of appropriately identifying kids as victims. I say that just to say that was another big gap. [Nonprofit leader, state B]

Second, a state coordinating body must be empowered with functional influence. For example, compared with the elective nature of the state coordinating body in state B, the mandatory nature of the state coordinating body in state A proved to be a very important element in the implementation process. State A's mandatory advisory council was more effective as a forum for the continued coordination among policymakers, nonprofits, advocates, and state agencies. The use of a governor's commission or other state-level mechanism to compel participation among key implementation partners proved to be essential to the ongoing adjustments to state policies associated with addressing the needs of minors who are victims of sexual exploitation and sex trafficking.

Third, it was very important to frame the public dissemination of the policy changes around a new and consistent definition of the victim. This was shown in state A to be particularly effective at motivating local and state law enforcement to take action. State B, in contrast, used the framing of empathy for victims, without clearly articulating a redefinition of the concept of victim. According to interviewees, this led to a continued need to debate and negotiate with those who wanted to view unwitting purchasers of minors for sex as victims.

Fourth, securing financial resources to fund organizations that can fill the gaps between the intent of the legislation and the real-world practical solutions are critical to success. For example, state A had early buy-in from a state-level foundation that was willing to provide financial resources to fund a hotline for the identification of victims. The hotline in state A was supported, staffed, and advertised with financial support from a private source for the first 3 years after safe harbor laws were implemented. This continued emphasis on pushing the hotline and the issue into the public sphere was identified as being key to building the movement against sexual exploitation of minors and toward one of identifying victims and linking them with supports.

> **Everyone involved in implementation, across both states, feels safe harbor laws have made a difference in the lives of children in their state.**

Future work could expand to additional states to see how common these observations are across more sites. It may also be useful to continue to study the implementation of these laws. State B proved to be a good example of the ever-evolving nature of safe harbor law implementation, as the renewed focus on the issue by the attorney general is likely to result in different levels of engagement and, hopefully, better outcomes.

Finally, it is important to recognize that everyone involved in implementation, across both states, feels safe harbor laws have made a difference in the lives of children in their state and among those who are tasked with enforcement and care provision. This final quote from an interviewee suggests a set of positive changes that are, in some places, contributing to vastly better outcomes for victims:

> I think the impact of what we've done is almost immeasurable. And I say "we" because it was a great collective effort. We have sort of fundamentally changed the way both law and the public thinks about women and children who are engaged in the commercial sex industry. We are redefining the roles between the victim and the perpetrator. We are putting in place systems that can potentially reverse the long-term impact of this type of crime on victims. [Law enforcement agent, state A]

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# Safe Harbor Key Informant Question Guide

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## RESPONDENT BACKGROUND

1.  *To start, I'd like to ask some basic background information about you and your involvement with the passage of these laws?*

    **1.1.**    What is your current position?

    **1.2.**    Where did you go to school?

    **1.3.**    What is your degree?

    **1.4.**    What was your position in 20XX?

    **1.5.**    What was your involvement in the **passage of (add specific act title for each state)?**

    **1.6.**    How did you become interested in human trafficking and the commercial sexual exploitation of children?

    **1.7.**    Would you consider yourself an expert in human trafficking and the commercial sexual exploitation of children?

## AGENDA SETTING

2.  *Please tell me about the legislation that was introduced in 20XX to address this issue.*

    **2.1.**    What were the main factors that led up to the introduction of the bill?

    > **2.1.1.**    Was human trafficking a priority issue?

    > **2.1.2.**    Was there a significant event that made this issue important?

    > **2.1.3.**    Where did you get background information or research on the issue?

    > **2.1.4.**    When did this process start?

    **2.2.**    Who were the key actors in the creation and passage of this legislation?

    > **2.2.1.**    What were their roles?

    **2.3.**    How were the specific interventions that formed the bill selected?

    > **2.3.1.**    How was the *immunization* intervention selected?

**2.3.2.**     How was the *mandatory referral* intervention selected?

**2.3.3.**     How was the *diversion* intervention selected?

## ACCESS TO DECISION-MAKING

*3.  I'm now going to ask a series of questions about the process of trying to create and pass the bill.*

**3.1.**     As much as you can remember, was there a lead agency or person who pushed for the pursuit of this legislation? Did that party work to create a coalition to support the work? If so, are these coalition members still actively involved with the work?

**3.2.**     Are there specific conflict points or key decisions made during the initial bill creation process that you still remember as being very important for how the bill was constructed? If so, can you tell me a little bit about these discussions?

**3.2.1.** Did you need to change anything about the legislation during the legislative process to accommodate these competing interests? If so, what?

**3.3.**     Looking back, when compared with other legislation you have worked on, would you say this process was easier? Was it more complicated? If so, why?

## ACHIEVING FAVORABLE POLICIES

*4.  I'm now going to ask a few questions about how additional legislation has been passed to support the enactment of the Safe Harbor legislation.*

**4.1.**     Are there additional pieces of legislation you have been involved in that are related to the Safe Harbor laws?

**4.1.1.** If this effort has raised awareness in your state about sexual exploitation of minors, has it made any impact on other human service systems? For example, has it affected the foster care system or the homeless care system for youth? Schools?

**4.2.**     If the current response of the state must be strengthened, are there ways that it can be?

**4.2.1.** What do you think must be done from a policy perspective to improve the response?

**4.3.**     Can you give some examples of how the laws are being implemented in local communities?

**4.3.1.** If not, what has prohibited the implementation of the law at the local level?

## MONITORING AND SHAPING IMPLEMENTATION

5. *We're now going to move on to your observations about the implementation of the policies and how this has unfolded since 20xx.*

   5.1. Do you know whether your state, or any of the organizations involved with the implementation of Safe Harbor Laws, has been collecting information about the effectiveness of the law? If not, do you think that data collection and research could be helpful? If so, what type?

   5.2. What are the organizations or who are the key actors in the ongoing implementation of the laws?

      5.2.1. Have these shifted over time? Is it a group that can be adjusted or changed as needed?

      5.2.2. Do you think anyone important was left out of the process of enacting the legislation?

   5.3. What are the key agencies and organizations that are doing the work outlined in the original legislation? Do you sense that they are getting the level of support that they need?

   5.4. Have there been competing interests or challenges that have affected the implementation of the legislation? Why?

   5.5. How have local law enforcement officials been informed about the laws? Did anyone provide trainings or engage in outreach to help them learn about the new procedures?

   5.6. Have you observed, or heard about, efforts to work around the policies (for example, by charging a youth engaging in sex work with vagrancy instead of prostitution)?

   5.7. Would you say that the laws and policies have been fully implemented? If so, how would you describe the process of implementation?

   5.8. Is there anything you are looking to do in the future to shape or adjust the implementation of the policies? If so, what?


## INFLUENCE ON LONG-TERM PRIORITIES

6. *Thank you, again, for taking the time to talk with me. I have only four more questions.*

   6.1. Do you think that the passage of the Safe Harbor laws has made a lasting impact in your state? If so, how?

   6.2. Have there been adequate financial resources provided to support agencies responsible for implementation of the policies?

   6.3. Is there anything you would change about how the implementation of the laws has unfolded?

## CLOSING

7.  *Is there anything else you would like to add that you think would enhance our understanding of human trafficking and commercial sexual exploitation in your state?*

*THANK YOU SO MUCH FOR YOUR TIME TODAY.*