



## Safe Harbor for All

STATEWIDE SEX TRAFFICKING VICTIM/SURVIVORS STRATEGIC PLAN

January 2019

## Safe Harbor for All: Statewide Sex Trafficking Victim/Survivors Strategic Plan

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*Protecting, Maintaining and Improving the Health of All Minnesotans*

January 3, 2019

The Honorable Michelle Benson, Chair  
Health and Human Services Finance  
and Policy Committee  
Minnesota Senate  
3109 Minnesota Senate Building  
Saint Paul, MN 55155-1606

The Honorable Tony Lourey, Ranking Member  
Health and Human Services Finance  
and Policy Committee  
2211 Minnesota Senate Building  
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The Honorable Warren Limmer, Chair  
Judiciary and Public Safety Finance  
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The Honorable Ron Latz, Ranking Member  
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The Honorable Jim Abeler, Chair  
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The Honorable Jeff Hayden, Ranking Member  
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The Honorable Carlos Mariani, Chair  
Public Safety and Criminal Justice Reform  
Finance and Policy Division  
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The Honorable Joe Schomacker, Ranking Member  
Health and Human Services Finance Committee  
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The Honorable Tina Liebling, Chair  
Health and Human Services Finance Committee  
Saint Paul, MN 55155-1606

The Honorable Brian Johnson, Ranking Member  
Public Safety and Criminal Justice Reform  
Finance and Policy Division  
Saint Paul, MN 55155-1606

Dear Senators Benson, Abeler, Limmer, Lourey, Hayden and Latz, and Representatives Liebling, Mariani, Schomacker, and Johnson:

Human trafficking is a significant public health and human rights issue in Minnesota. The State has taken considerable initiative to address this crime and the needs of victim/survivors over the past decade. In 2011, the legislature passed the Safe Harbor for Sexually Exploited Youth law with an effective date of 2014. Minnesota is recognized as a leader in the nation for its collaborative response to human trafficking and investment in the Safe Harbor system. In 2017, the legislature directed the

Minnesota Department of Health, in consultation with the Minnesota Department of Human Services and Office of Justice Programs in the Minnesota Department of Public Safety, to develop a strategic plan to expand the Safe Harbor system to address the needs of all victim/survivors, regardless of age. This initiative recognizes that the harms of sex trafficking and exploitation extend beyond youth.

Pursuant to Minn. Laws 2017, 1<sup>st</sup> Special Session, chap. 6, art. 10, sec. 145, the Minnesota Department of Health submits the enclosed report, *Safe Harbor for All: Statewide Sex Trafficking Victim/Survivors Strategic Plan*. The “MDH Strategic Plan” draws from legislatively-directed research, findings, and recommendations presented by The Robert J. Jones Urban Research and Outreach-Engagement Center at the University of Minnesota, The Advocates for Human Rights, and Rainbow Research in their resulting report “*Safe Harbor for All: Results from a Strategic Planning Process in Minnesota*”. The resulting “MDH Strategic Plan” and the partner’s research, findings, and recommendations, represent vital steps towards building health and safety for all Minnesotans.

If you have additional questions or comments, please contact Caroline Palmer, JD, Safe Harbor Program Director (651.201.5492) or Beatriz Menanteau, JD, Violence Prevention Programs Unit Supervisor, Injury & Violence Prevention Section, Minnesota Department of Health (651.201.4154).

Sincerely,

A handwritten signature in black ink, appearing to read "Jan K. Malcolm". The signature is fluid and cursive, with a long horizontal stroke at the end.

Jan K. Malcolm  
Commissioner  
Minnesota Department of Health  
P.O. Box 64975  
Saint Paul, MN 55164-0975

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# Minnesota Department of Health Strategic Plan Executive Summary

Over the past decade Minnesota's response to sex trafficking and exploitation has developed into a significant statewide effort focused primarily on youth. In 2017, the Minnesota State Legislature, in response to stakeholder requests for an enhanced vision of the Safe Harbor system, directed the Minnesota Department of Health (MDH), in consultation with the Minnesota Department of Human Services (DHS) and Office of Justice Programs (OJP) in the Minnesota Department of Public Safety (DPS), to develop a strategic plan that expands the existing Safe Harbor system to address the needs of all victim/survivors<sup>1</sup> of sex trafficking and exploitation, regardless of age.<sup>2</sup>

MDH, through a competitive process, contracted with The Robert J. Jones Urban Research and Outreach-Engagement Center at the University of Minnesota, The Advocates for Human Rights, and Rainbow Research to design and implement a community engagement process involving stakeholders statewide, including persons most impacted by sexual exploitation and trafficking.

The resulting document, *Safe Harbor for All: Results from a Strategic Planning Process in Minnesota* (hereinafter referred to as *Results from a Strategic Planning Process*),<sup>3</sup> represents yet another significant step in Minnesota's comprehensive response to sex trafficking and exploitation, one that has grown extensively over just a decade's time thanks to the active support and engagement of the legislature.

This "MDH Strategic Plan" described herein offers support for the public policy vision of expanding the Safe Harbor response for all victim/survivors of sex trafficking and exploitation while incorporating the expertise of those individuals with lived experience<sup>4</sup> and furthering liability for buyers and exploiters. Further, this "MDH Strategic Plan" addresses the conditions necessary for successful implementation of the recommendations made by the research partners in the *Results from a Strategic Planning Process* report.

The "MDH Strategic Plan" encompasses a multidisciplinary development and implementation process for broadening Safe Harbor protections through robust public health, public safety and human services strategies, expanded supportive services, focused prevention planning, increased training and accountability for all professionals, culturally-responsive and equitable approaches, removal of stigma, and ongoing evaluation of progress. This new process, which must center victim/survivors and other persons with lived experience in the planning, could be similar to the three-year process that led to the development of the No Wrong Door Model (described below), which in turn informed the current statewide Safe Harbor system.

The recommendations outlined in the *Results from a Strategic Planning Process* report are recognized below as part of the "MDH Strategic Plan." The goal of MDH and its consulting partners is to provide guidance for the legislature regarding the creation of an expanded, well-planned multidisciplinary statewide system that considers an array of possible options, as well as unintended consequences, and is ready to meet the needs of victim/survivors from all generations.

# Background

## Sex Trafficking and Exploitation System Response in Minnesota: 2006-18

In 2006 the legislature established the Statewide Human Trafficking Task Force under the auspices of DPS, after anti-trafficking laws were passed in 2005.<sup>5</sup> OJP issued its first report to the legislature on human trafficking in 2007 and a year later The Advocates for Human Rights published its *Sex Trafficking Needs Assessment for the State of Minnesota*.<sup>6</sup> The needs assessment concluded that, “The extent of sex trafficking in Minnesota is difficult to assess due to its clandestine nature and lack of awareness of the issue.”<sup>7</sup>

Over the subsequent three-year period the legislature passed significant changes to the sex trafficking statutes, including increased penalties for trafficking crimes against adults and youth. Additional reports issued by the Minnesota Indian Women’s Resource Center and the Minnesota Indian Women’s Sexual Assault Coalition highlighted the disproportionate impact of sex trafficking and exploitation on American Indian women and girls in the state.<sup>8</sup> Another report analyzed the benefits and costs of an improved public policy approach.<sup>9</sup>

In 2011, the legislature passed the Safe Harbor for Sexually Exploited Youth law with an effective date of 2014, allowing sufficient time for a statewide multidisciplinary planning process to implement a service delivery model known as No Wrong Door.<sup>10</sup> Also in 2011, the Statewide Human Trafficking Task Force law sunset and its management transitioned from DPS to MDH.

Minnesota has invested approximately \$13.2 million between FY 2014-19 in its Safe Harbor system and is recognized as a national leader for its response. The state’s comprehensive approach decriminalizes prostitution offenses for youth under age 18.<sup>11</sup> In addition, Safe Harbor provides access to trauma-informed, strengths-based and culturally responsive assistance for at-risk, exploited and trafficked youth through age 24.<sup>12</sup> An image in Appendix B illustrates the history of the Safe Harbor program.

Minnesota is the only state in the nation to center its Safe Harbor response in a public health agency, recognizing the public health nature of the issue, prioritizing prevention, and facilitating collaboration with multiple stakeholders. The statewide Safe Harbor Director is housed at MDH. Safe Harbor is coordinated by MDH in partnership with DHS and DPS. MDH, in recognition of the far-reaching impact of trafficking and exploitation, funds regional navigators and community-based service providers statewide and incorporates sex trafficking and exploitation into its prevention strategies.<sup>13</sup> DHS directs the housing, community outreach, child welfare and adult protection response, with its most recent efforts focused on implementing state and federal laws that require a child protection response to all reports of child sex trafficking.<sup>14</sup> DPS funds law enforcement training and the Bureau of Criminal Apprehension (BCA) within DPS leads a statewide trafficking investigation task force.<sup>15</sup>

In addition, under a grant from the Office for Victims of Crime in the Office of Justice Programs within the United States Department of Justice, MDH and DHS are using federal funds to respond to the often overlapping issues of sex and labor trafficking affecting youth (up to age 24). This grant supports several community-based services and partners with nine of the sovereign tribal nations located in Minnesota.<sup>16</sup>

In 2017, through legislative funding as well as support from MDH, the Ramsey County Attorney's Office and Minnesota Coalition Against Sexual Assault (MNCASA) published the *Safe Harbor Protocol Guidelines* that now inform the work of multidisciplinary response teams in the state as well as nationally.<sup>17</sup> MDH currently funds protocol development through five pilot sites trained by MNCASA. All Safe Harbor efforts are evaluated regularly to ensure effectiveness.<sup>18</sup>

Charts in Appendix C show more than 2,500 victim/survivors of sex trafficking and exploitation served through Safe Harbor through October 2018.

## Approaching a Safe Harbor for All Model

Recognizing that the harms of sex trafficking and exploitation are not limited to youth, in 2017 the legislature directed MDH, in consultation with DHS and OJP in DPS, to develop a strategic plan that would expand Safe Harbor services to all victim/survivors, regardless of age.<sup>19</sup>

Through a competitive process, MDH awarded \$67,000 to the Robert J. Jones Urban Research and Outreach-Engagement Center at the University of Minnesota, The Advocates for Human Rights, and Rainbow Research to design and implement a community engagement process involving stakeholders statewide, including those populations most impacted by sexual exploitation and trafficking.

The community engagement process was designed specifically to receive input on how Minnesota should respond to adult victim/survivors of sex trafficking and exploitation. Under the enacting legislation, stakeholders included, but were not limited to, sex trafficking victim/survivors and their family members, statewide crime victim service coalitions, victim service providers, nonprofit organizations, task forces, prosecutors, public defenders, tribal governments, public safety and corrections professionals, public health professionals, and affected community members.<sup>20</sup> In total, 294 stakeholders contributed to help create a comprehensive community engagement process.

The legislature and MDH sought several outcomes through this community engagement process and strategic plan development, including recommendations for the legislature and other systems that address the following areas:

1. Prevention and intervention services for adult victim/survivors of sexual exploitation and trafficking.
2. The intersections of sex trafficking and exploitation with overt and underlying forces of oppression.
3. The impact of criminal liability on individuals engaging in prostitution, including charges of prostitution or other related offenses such as possession of drugs, theft, etc., as well as criminal liability for buyers who purchase individuals for commercial sex. This analysis includes a range of approaches to changing the legal system including "partial decriminalization," which refers to decriminalization for providers of commercial sex.

*Results from a Strategic Planning Process* is the work of the research partners and MDH is basing the recommendations in its strategic plan for the legislature on the partners' findings.

# Core Principles of Minnesota Department of Health Strategic Plan

The “MDH Strategic Plan” is driven by several core principles. First, the three lead state agencies (MDH, DHS and DPS) agree with the research partners that persons with lived experience, representing all genders, must play a central role in any planning process, as stated in Recommendation 1 of *Results from a Strategic Planning Process*. Further, the Safe Harbor system has focused primarily on the needs of women and girls but must also grow to become more robust in its supports for men and boys as well as individuals who are lesbian, gay, bisexual, transgender, or gender nonconforming.

Second, this plan balances prevention and intervention approaches while focusing on removing the societal conditions such as racism, sexism, heterosexism and economic disparity that enable trafficking and exploitation to flourish. Significant shifts within systems and as well as in broader cultural attitudes are necessary to change engrained perspectives, remove stigma, prioritize prevention, advance health equity, integrate harm reduction strategies, avoid unintended negative consequences when possible, meaningfully implement cultural responsiveness, and engender a more welcoming response to all victim/survivors and other individuals with lived experience, regardless of their circumstances.

Finally, the plan affirms the sovereignty of the 11 tribal nations located in Minnesota by funding development and implementation of plans by and for American Indians, in agreement with Recommendations 13 through 15 of *Results from a Strategic Planning Process*. Efforts must address the historic and continuing disproportionate impact of system practices on American Indians as well as other racial or cultural groups in the state.

In the event the legislature decides to move forward with a development and implementation process for an expanded Safe Harbor system that integrates progressive prevention and intervention tactics, or goes even a step further to explore partial decriminalization policies, then MDH suggests the steps described below.

## Minnesota Department of Health Strategic Plan

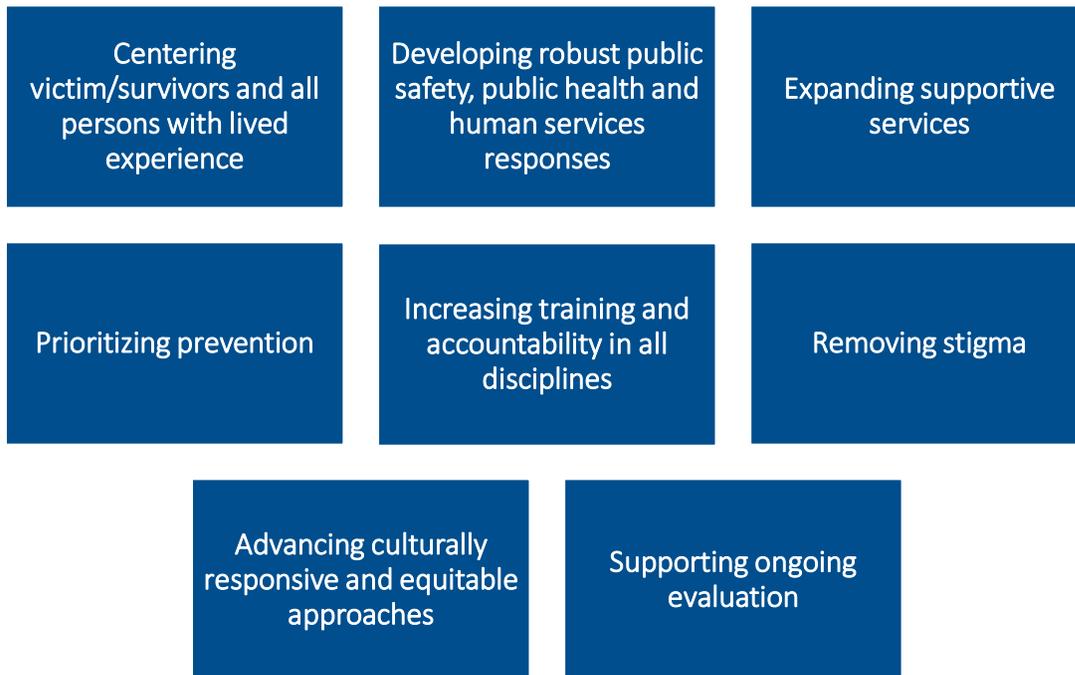
In preparing this strategic plan, MDH is guided by the comprehensive and well-informed set of recommendations from the *Results from a Strategic Planning Process* report. There are some recommendations that flow naturally from the work that has already been done in Minnesota, and there are others that represent a significant shift in policy that will be up to the legislature to decide, specifically, partial decriminalization of prostitution crimes.

The strategic plan includes recommendations on a planning and implementation process for expanding the Safe Harbor system that: (1) integrates progressive prevention and intervention tactics, and (2) outlines the necessary framework for planning of supports and system changes should Minnesota move toward an approach that includes partial decriminalization. All efforts should be supported by rigorous evaluation as noted in Recommendation 19 of *Results from a Strategic Planning Process*.

## Recommendations Related to Prevention and Intervention

The *Results from a Strategic Planning Process* report sets forth several recommendations encompassing resource development and policy reform, which MDH, in consultation with DHS and OJP, embrace. These recommendations have been consolidated below as part of the “MDH Strategic Plan” and reflect the following shared goals:

### Image of Shared Goals in Strategic Planning Process and Strategic Plan Described in Recommendations



The recommendations described below, if adopted by the legislature, have the potential to enhance the statewide Safe Harbor system, increase participation by a wider range of stakeholders in policy reform, and further strengthen collaboration within the existing multidisciplinary response.

The prevention and intervention aspects of an enhanced state response, if pursued by the legislature, should include the following approaches:

1. **Funding:** Funding for a planning process for adults similar to the planning process that resulted in the No Wrong Door Model (without reducing existing resources for youth). The planning process should focus on removing age limits for services, increased housing and community-based supports that meet the specific needs of adults who are victim/survivors or have other lived experience. All efforts should support a fully-integrated statewide prevention plan. (See Recommendations 10 through 12 of *Results from a Strategic Planning Process*.)

2. **Terminology:** Removal of the terms “prostitute” and “patron” from Minnesota statutes. This step will require extensive revision of the definition and sentencing statutes for sex trafficking, along with several other areas of the statutes that reference this crime. MDH does not recommend any specific replacement terminology at this time in recognition that new language should be developed through an inclusive process involving input from victim/survivors and other individuals with lived experience, as well as representatives from different disciplines who engage with the practical application of the laws. (See Recommendation 2 of *Results from a Strategic Planning Process*.)
3. **Added Avenues of Redress:** Improve access to new and existing approaches that reduce the collateral consequences of having a criminal record for victim/survivors of sex trafficking and exploitation. Suggested approaches include:
  - a. Expanding affirmative defenses for criminal acts resulting from being a sex trafficking victim;<sup>21</sup>
  - b. Improving access to expungement remedies for sealing court records as provided in Minnesota Statute Chapter 609A (including waiver of petition filing fees for victim/survivors and consolidation of multiple expungement petitions from different jurisdictions to eliminate need for several court filings and appearances);
  - c. Passing “vacatur” statutes to remove criminal records of victim/survivors;<sup>22</sup> and
  - d. Using diversion options on a limited basis.These approaches can assist victim/survivors in alleviating barriers to employment, housing and other needs that support stability. (See Recommendation 9 of *Results from a Strategic Planning Process*.)
4. **Agency Self-Examination:** Review of harmful policies and practices by state agencies and other institutions, particularly those that create disproportionate impacts for specific populations. This may require temporary funding for the agencies and institutions charged with review. The partners’ research identifies several policies within the criminal justice and child protection systems with historic and current implications for victim/survivors as well as their families. MDH encourages all relevant agencies in state, county, local and tribal governments to engage in auditing processes with internal and external stakeholders with the goal of creating more equitable policies and practices. (See Recommendation 17 of *Results from a Strategic Planning Process*.)
5. **Accountability Measures:** Develop and fund accountability measures for the criminal justice system (law enforcement, prosecutors, public defenders, courts, corrections, probation) as well as the child welfare and other human services systems. The report from the research partners identifies several areas of need for “checks” on the system response including clear complaint processes, opportunities for advocacy and legal representation when victim/survivors and other persons with lived experience engage with systems, and meaningful responses that not only recognize when ethical and legal obligations have not been met but also support reform of the status quo. (See Recommendations 17 and 18 of *Results from a Strategic Planning Process*.)
6. **Fund Training:** Fund ongoing, comprehensive and multidisciplinary training for professionals in the system and community-based response networks. This includes training about the needs of victim/survivors and other persons with lived experience as well as investigative and prosecution

approaches that are victim-centered, trauma-informed and culturally inclusive. Protocol development across systems is necessary to improve response, as are multijurisdictional agreements between state, local and tribal governments. (See Recommendation 16 of *Results from a Strategic Planning Process*.)

## Recommendations Related to Partial Decriminalization

Should the legislature decide to expand the Safe Harbor system by pursuing partial decriminalization, efforts should build upon the needs assessment provided in the *Results from a Strategic Planning Process* report and employ the following approaches:

### Image Showing Approaches Related to Partial Decriminalization Described in Recommendations



1. **Planning Process:** Direct stakeholders to engage in an appropriately organized and funded planning process to weigh partial decriminalization of prostitution offenses for the individual being bought or sold and the necessary government and community system supports. A well-considered process will be multi-year and multidisciplinary and must examine the benefits as well as the negative unintended consequences addressed in the report from the research partners. It also must examine how a variety of sectors will play a role and what funding will be needed to build a comprehensive response to exploited and trafficked victim/survivors. Finally, it must acknowledge and value the contributions of persons with lived experience who contributed their perspectives to the report and support their continued engagement in the development of any policy changes addressing partial decriminalization. (See Recommendation 5 of *Results from a Strategic Planning Process*.)

2. **Criminal Penalties:** Maintain penalties for sex trafficking offenses. In addition, keep purchase of sex illegal (including related offenses such as running a brothel, solicitation of a minor, etc.) and continue to focus on the needs of trafficking victim/survivors. (See Recommendations 6 and 7 of *Results from a Strategic Planning Process*.)
3. **Continued Support of Safe Harbor for Youth:** Keep building the Safe Harbor for Youth system approach through increased funding and broader service provision statewide in recognition that availability of supports and services prior to turning 18 may help more individuals separate from continued exploitation into adulthood.
4. **Increased Protections:** Focus on charging and prosecuting crimes perpetrated against victim/survivors of trafficking and exploitation or persons with lived experience. This approach includes comprehensive evaluation of laws that disproportionately affect exploited individuals, including those who have engaged in survival sex. Working together, service providers, law enforcement, prosecutors and judges can help determine when and how arrests, charges and convictions can be re-directed instead toward services and other supports. (See Recommendations 6 and 7 of *Results from a Strategic Planning Process*.)

## Conclusion

The Minnesota State Legislature set forth a bold vision to explore the expansion of Safe Harbor for All. MDH responded to this vision by contracting with The Urban Research and Outreach-Engagement Center at the University of Minnesota, The Advocates for Human Rights, and Rainbow Research who designed and implemented a community engagement process involving stakeholders statewide, including those populations most impacted by sexual exploitation and trafficking. This comprehensive and ground-breaking state-commissioned report is unlike any other in the nation, placing Minnesota, once again, in a leadership role on the research and policy of preventing sex trafficking and exploitation.

The “MDH Strategic Plan” synthesizes the findings and recommendations of the research partners and promotes action steps. MDH describes expanded prevention and intervention approaches that the legislature can act on immediately to reduce the burden of criminalization. Further, if the state decides to pursue potential adoption of a partial decriminalization model, MDH promotes long-term collaboration and careful consideration by multiple disciplines. Now that the “MDH Strategic Plan,” as well as the *Results from a Strategic Planning Process* report are complete, the department looks forward to continued engagement with all stakeholders through what will surely be an intensive statewide development and implementation process. We all share the goal of ensuring positive health and safety outcomes for individuals and communities impacted by trafficking and exploitation.

# Appendices

## Appendix A

### 2017 MN Session Laws

#### Chapter 6, Article 10, Health Department sec. 145.

##### SAFE HARBOR FOR ALL: STATEWIDE SEX TRAFFICKING VICTIMS STRATEGIC PLAN.

(a) By October 1, 2018, the commissioner of health, in consultation with the commissioners of public safety and human services, shall adopt a comprehensive strategic plan to address the needs of sex trafficking victims statewide.

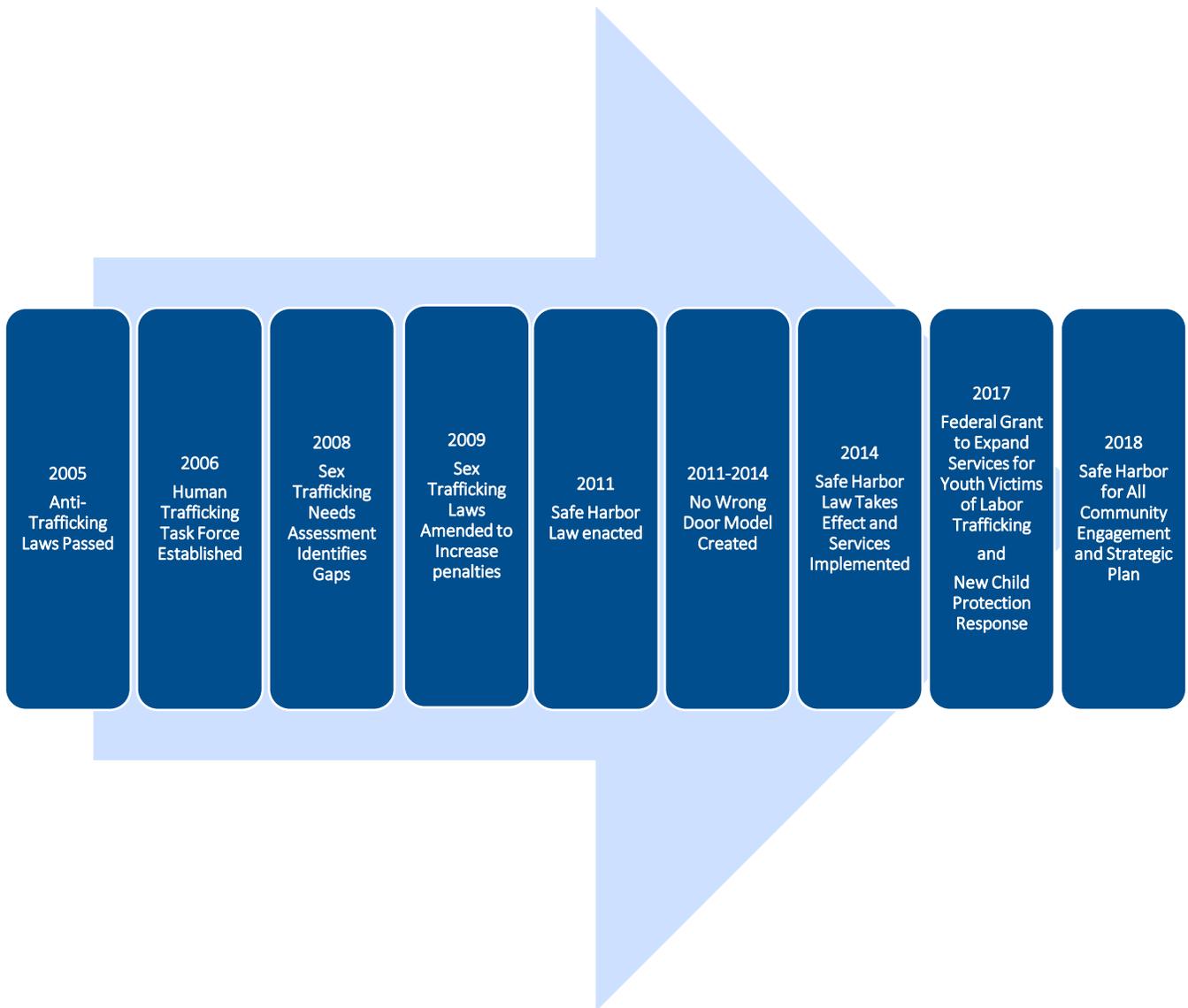
(b) The commissioner of health shall issue a request for proposals to select an organization to develop the comprehensive strategic plan. The selected organization shall seek recommendations from professionals, community members, and stakeholders from across the state, with an emphasis on the communities most impacted by sex trafficking. At a minimum, the selected organization must seek input from the following groups: sex trafficking survivors and their family members, statewide crime victim services coalitions, victim services providers, nonprofit organizations, task forces, prosecutors, public defenders, tribal governments, public safety and corrections professionals, public health professionals, human services professionals, and impacted community members. The strategic plan shall include recommendations regarding the expansion of Minnesota's Safe Harbor Law to adult victims of sex trafficking.

(c) By January 15, 2019, the commissioner of health shall report to the chairs and ranking minority members of the legislative committees with jurisdiction over health and human services and criminal justice finance and policy on developing the statewide strategic plan, including recommendations for additional legislation and funding.

(d) As used in this section, "sex trafficking victim" has the meaning given in Minnesota Statutes, section 609.321, subdivision 7b.

## Appendix B

Chart Showing Stages of Safe Harbor History Described in Background Section of Strategic Plan



## Appendix C

### Number of victim/survivors of sex trafficking and exploitation served through Safe Harbor through October 2018

Total number of unique clients served since 1/1/2015: 2086

The following tables and charts explore the number of client enrollments between 1/1/2015 and 10/31/2018. Safe Harbor clients often leave and then reenter Safe Harbor programs over the course of their Safe Harbor eligibility. Clients may also enter multiple forms of programming between Safe Harbor Regional Navigators, Supportive Services, and Housing. The data below reflects this in that total client enrollments year over year are higher than total unique clients tracked in Apricot, the Minnesota-funded Safe Harbor Data tracking system. The data listed below controls for duplication if a client enters the same type of program (Regional Navigator, Supportive Service, or Housing) within a single quarter, but allows for duplication if the client enters different types of programs within a single quarter or reenters the same type of programming between quarters. Client enrollment counts are not analogous to counts of clients served since clients may remain in services with the same agency and program between quarters and years.

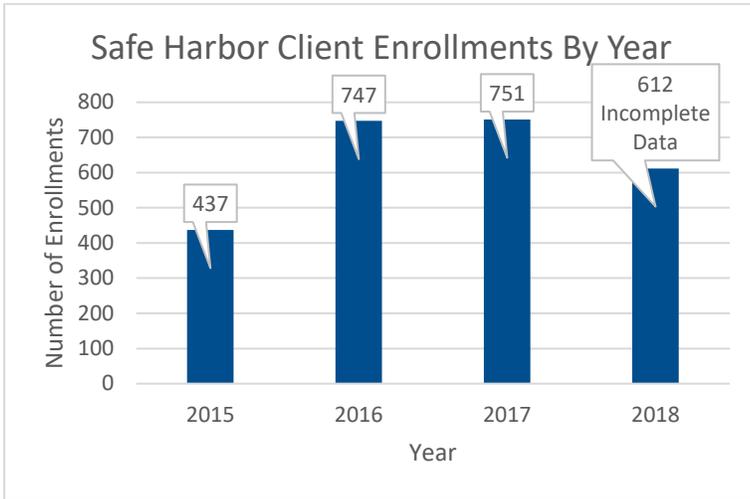
Note: Client data for 2018, Quarter 4 includes counts through October 31<sup>st</sup>, 2018.

**Table 1: Client Enrollments by Year and Quarter**

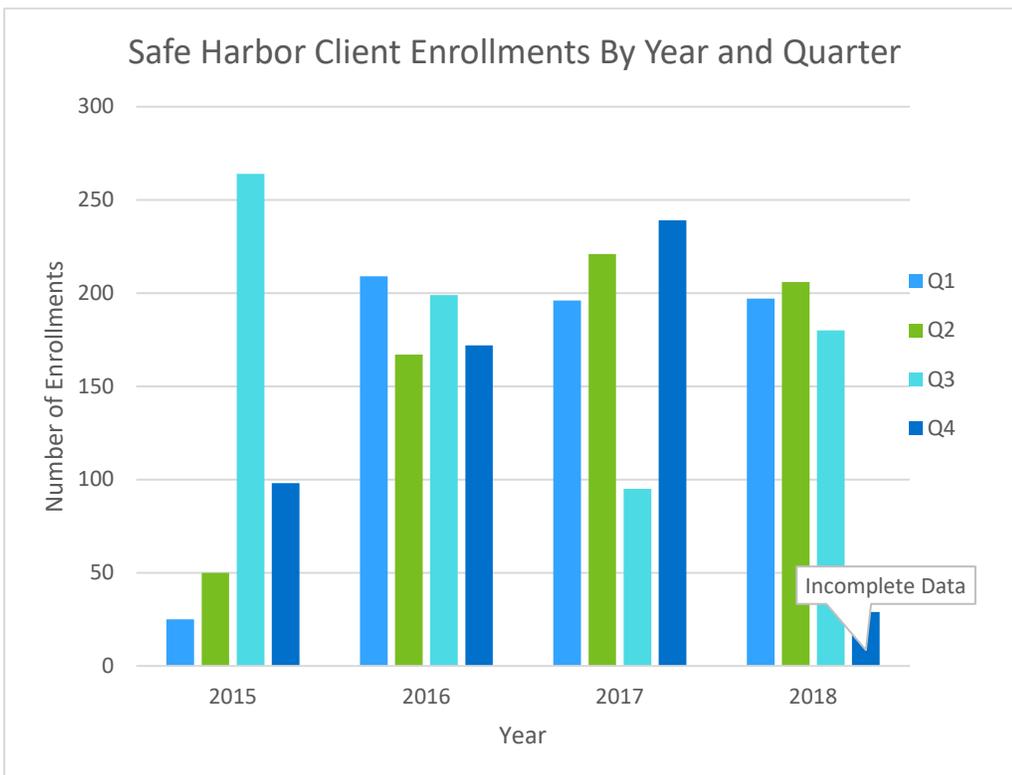
	Q1	Q2	Q3	Q4	Grand Total
2015	25	50	264	98	437
2016	209	167	199	172	747
2017	196	221	95	239	751
2018	197	206	180	29	612
Grand Total	627	644	738	538	2547

**\*Note:** Clients may re-enroll across quarters

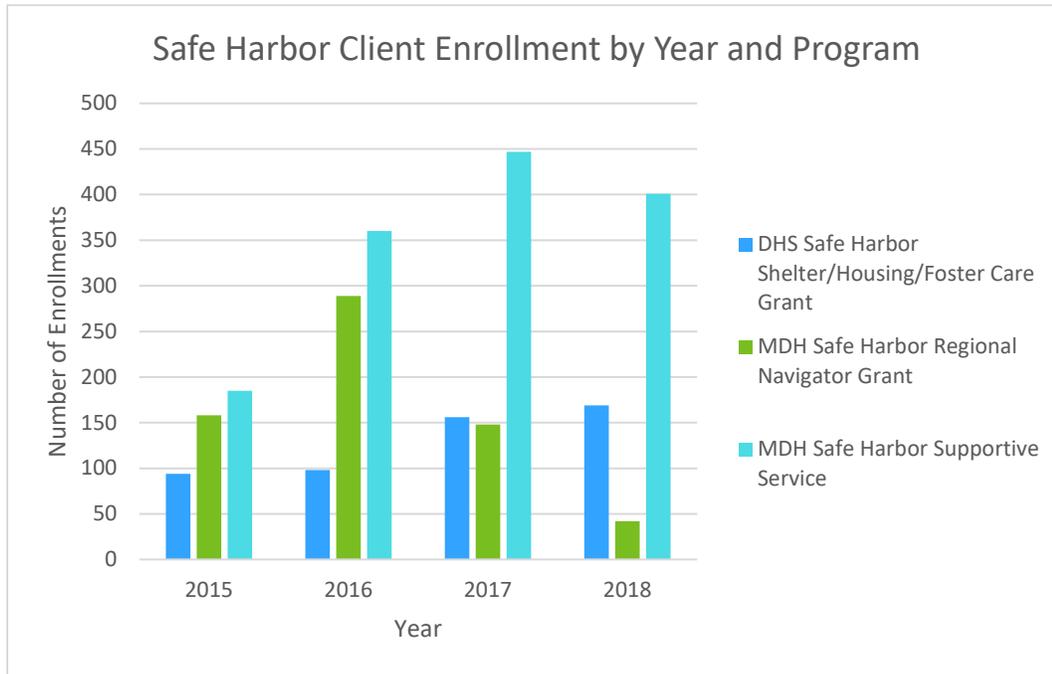
**Chart 1: Safe Harbor Client Enrollments by Year**



**Chart 2: Safe Harbor Client Enrollments by Year and Quarter**



**Chart 3: Safe Harbor Client Enrollments by Year and Program\***



**\*Note:** In 2017 the role of Regional Navigator was changed to specifically limit their involvement in long-term direct service provision and to direct their focus more on community assessments/resource identification, trainings, case consultations, protocol development, referrals and short-term direct services when no other service provider is available. This change is reflected in the decreased number of enrollments under the MDH Safe Harbor Regional Navigator grant in 2017 and 2018. However, it has increased the number of enrollments with supportive service providers and allowed regional navigators to incorporate more prevention activities in their work.

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## Endnotes

- <sup>1</sup> The term “victim/survivors,” as used in this strategic plan, “recognizes both the harms involved in trafficking and exploitation as well as the strength that it takes to overcome those harms.” Individuals choose what they would like to be called, and that choice “may or may not change over time.” See Ramsey County Attorney’s Office and Sexual Violence Justice Institute, *Safe Harbor Protocol Guidelines*, 22 (2017), [https://www.mncasa.org/wp-content/uploads/2018/07/Safe\\_Harbor\\_Protocol\\_Guidelines.pdf/](https://www.mncasa.org/wp-content/uploads/2018/07/Safe_Harbor_Protocol_Guidelines.pdf/) (hereinafter referred to as *Protocol Guidelines*). “Victim” also has a specific meaning in the context of the criminal justice system.
- <sup>2</sup> 2017 Minn. Laws Chap. 6, Art. 10 §145, 1<sup>st</sup> Special Session (see Appendix A).
- <sup>3</sup> Urban Research and Outreach Center University of Minnesota, The Advocates for Human Rights, Rainbow Research, *Safe Harbor for All: Results from a Strategic Planning Process in Minnesota* (October 2018) (hereinafter referred to as *Safe Harbor for All*).
- <sup>4</sup> The term “lived experience” encompasses “the wide range of lived experiences of people who provide sex, sexual activity, or sexual services to a person who purchases sex or provides something of value in exchange for sex or sexual activity.” *Id.* at 13. Participants in the community engagement process “self-identified their preferred terms to describe their experiences and perspectives.” *Id.* at 115. Persons with lived experience may include victim/survivors. *Id.* at 13.
- <sup>5</sup> Minn. Stat. § 299A.79 (2006).
- <sup>6</sup> Minnesota Office of Justice Programs and Minnesota Statistical Analysis Center, *Human Trafficking in Minnesota: A Report to the Legislature* (Sept. 2006), <https://dps.mn.gov/divisions/ojp/forms-documents/Documents/FINAL%20HUMAN%20TRAFFICKING%20REPORT%202006.pdf>. For all reports through 2016 see <https://dps.mn.gov/divisions/ojp/statistical-analysis-center/Pages/human-trafficking-reports.aspx>. The Advocates for Human Rights, *Sex Trafficking Needs Assessment for the State of Minnesota* (Oct. 2008), [https://www.theadvocatesforhumanrights.org/uploads/report\\_final\\_10\\_13\\_08.pdf](https://www.theadvocatesforhumanrights.org/uploads/report_final_10_13_08.pdf) (hereinafter referred to as *Sex Trafficking Needs Assessment*).
- <sup>7</sup> *Sex Trafficking Needs Assessment*, *supra* note 7, at 21.
- <sup>8</sup> Minnesota Indian Women’s Resource Center, *Shattered Hearts: The Commercial Exploitation of American Indian Women and Girls in Minnesota* (2009), <https://www.miwrc.org/publications/shattered-hearts>; Minnesota Indian Women’s Sexual Assault Coalition and Prostitution Research and Education, *Garden of Truth: The Prostitution and Trafficking of Native Women in Minnesota* (2011), [http://www.prostitutionresearch.com/pdfs/Garden\\_of\\_Truth\\_Final\\_Project\\_WEB.pdf](http://www.prostitutionresearch.com/pdfs/Garden_of_Truth_Final_Project_WEB.pdf).
- <sup>9</sup> Minnesota Indian Women’s Resource Center, the Nathan Cummings Foundation and Urban Research and Outreach Center University of Minnesota, *Early Intervention to Avoid Sex Trading and Trafficking of Minnesota’s Female Youth: A Benefit-Cost Analysis* (2012), <https://uoc.umn.edu/sites/uoc.umn.edu/files/Benefit-Cost-Study%20Full.pdf>.
- <sup>10</sup> 2011 Minn. Laws Chap. 1, Art. 4, 1<sup>st</sup> Special Session.
- <sup>11</sup> Minn. Stat. § 260B.007, subd. 6(c) (2018).
- <sup>12</sup> 2017 Minn. Laws Chap. 6, Art. 18, 1<sup>st</sup> Special Session.
- <sup>13</sup> Minn. Dept. of Health, Safe Harbor Minnesota, <http://www.health.state.mn.us/injury/topic/safeharbor/>.
- <sup>14</sup> Minn. Dept. of Human Services, Safe Harbor/No Wrong Door, <https://mn.gov/dhs/partners-and-providers/program-overviews/child-protection-foster-care-adoption/safe-harbor/>.
- <sup>15</sup> Bureau of Criminal Apprehension, Minn. Dept. of Public Safety, Human Trafficking, <https://mn.gov/dhs/partners-and-providers/program-overviews/child-protection-foster-care-adoption/safe-harbor/>.
- <sup>16</sup> Minn. Dept. of Health, Safe Harbor Project Expansion Grant, <http://www.health.state.mn.us/injury/topic/safeharbor/grants.html>.
- <sup>17</sup> *Safe Harbor Protocol Guidelines*, *supra* note 1. See also, Hennepin County No Wrong Door Initiative, Paula Schaefer & Associates, Ramsey County Attorney’s Office and Sexual Violence Justice Institute at Minnesota Coalition Against Sexual Assault, *Voices of Safe Harbor: Survivor & Youth Input for Minnesota’s Model Protocol on Sexual Exploitation and Sex Trafficking of Youth* (Dec. 2015), <https://www.hennepin.us/-/media/hennepinus/your-government/projects-initiatives/documents/no-wrong--door-voices.pdf?la=en>.
- <sup>18</sup> Wilder Foundation, <https://www.wilder.org/wilder-research/research-library/safe-harbor>.
- <sup>19</sup> 2017 Minn. Laws Chap. 6, Art. 10 §145, 1<sup>st</sup> Special Session (see Appendix A).
- <sup>20</sup> *Id.*
- <sup>21</sup> Minn. Stat. § 609.325, subd. 4 (2018).
- <sup>22</sup> See e.g. N.Y. Crim. Proc. L. 440.10(1)(i).