

ABUSE IN FOSTER CARE: A DEEPER LOOK

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ABUSE IN FOSTER CARE: A DEEPER LOOK

MONDAY, NOVEMBER 6, 2023

UNITED STATES SENATE,
SUBCOMMITTEE ON HUMAN RIGHTS AND THE LAW,
COMMITTEE ON THE JUDICIARY,
Atlanta, Georgia.

The Subcommittee met, pursuant to notice, at 11 a.m., in Room 041, Georgia State University College of Law, Hon. Jon Ossoff, Chair of the Subcommittee, presiding.

Present: Senator Ossoff [presiding].

OPENING STATEMENT OF HON. JON OSSOFF, A U.S. SENATOR FROM THE STATE OF GEORGIA

Chair OSSOFF. The Subcommittee on Human Rights and the Law will come to order. Thank you, all, for joining us.

Eight months ago, the Subcommittee opened a bipartisan inquiry into the safety and human rights of children in foster care because protecting America's most vulnerable children from abuse and neglect is a moral imperative.

Please remember, we are talking about the most vulnerable children in the United States and the most vulnerable children in the State of Georgia: children who have faced abuse, children who have been trafficked, children who have faced neglect and who have been orphaned.

For these children here in Georgia, the Georgia Division of Family and Children Services, or DFCS, is meant to be a sanctuary.

But watchdogs, oversight bodies, and advocates have been sounding the alarm for years about alleged systemic failures at DFCS, which receives hundreds of millions of dollars in Federal funding each year and which is subject to Federal child welfare standards.

According to the Georgia Office of the Child Advocate, or OCA, in 2021, DFCS received reports of failures directly from several local child advocacy centers and from the statewide organization, Child Advocacy Centers of Georgia.

OCA characterized these reports as evidence of, quote, "systemic threats to children who are victims of physical and sexual abuse."

The following year, in 2022, OCA issued their own report outlining 15 breakdowns within DFCS, and OCA described them as, quote, "systemic" and reported that in all cases they reviewed to produce their investigation, quote, "DFCS failed to take adequate steps to respond to allegations of physical and sexual abuse." They went on to say that OCA itself encountered those same systemic failures, quote, "consistently throughout the State through OCA's day-to-day investigative work."

In response to this OCA investigation, Georgia DFCS denied OCA's findings. OCA stood by its report.

These allegations of widespread failures that leave Georgia's foster children vulnerable to abuse and neglect demand investigation, and Georgia, as a case study informing our Subcommittee's inquiry, will yield crucial insights about threats to the health and safety of foster children nationwide.

To date, the Subcommittee has interviewed over 100 witnesses and sources and has reviewed thousands of pages of records.

The Subcommittee has already held two hearings where we have heard from former foster youth, from a Georgia mother whose child was murdered after being placed with unfit caregivers, from experts and practitioners in child welfare law, and from juvenile court judges who interact with children in Georgia's foster care system, and with Georgia DFCS.

In between those hearings, we also discussed analysis conducted by the Center for Missing & Exploited Children, or NCMEC, which found that 1,790 children in DFCS care were reported missing to NCMEC between 2018 and 2022.

As a reminder, the Federal Preventing Sex Trafficking and Strengthening Families Act, signed into law in 2014, requires State agencies to report a missing child to both law enforcement and to NCMEC within 24 hours of receiving information about a missing child under their care.

NCMEC was designated by Congress to serve as the national clearinghouse on issues relating to missing and exploited children. NCMEC is funded partially by a mandatory Federal grant from the Department of Justice and serves as a reporting and case management center for issues related to the prevention of and recovery from child victimization.

Our investigation continues today with a third public hearing. We will hear from and about children subjected to the worst forms of abuse, including sex trafficking, exploitation, and sexual abuse.

This is an investigation about children, the most vulnerable children in the Nation. The investigation is active and ongoing, and I believe it can and must spur the long-overdue reform that these children deserve.

First, we will hear from Tiffani, a young woman from Georgia who will testify today about her experience within the Georgia foster care system.

And after Tiffani, we will have an opportunity to hear directly from the National Center for Missing & Exploited Children on their findings as well as further experts on the challenges and risks facing foster children here in Georgia.

I will now introduce Tiffani, and, Tiffani, thank you, again, for joining us today. Tiffani McLean-Camp will be our witness on our first panel, and, Tiffani, if you would please rise and raise your right hand.

Do you solemnly swear that the testimony you are about to give before the Subcommittee is the truth, the whole truth, and nothing but the truth, so help you God?

Ms. McLEAN-CAMP. Yes.

Senator OSSOFF. Let the record note that the witness answered in the affirmative.

Tiffani, please take your seat. I will ask your colleague to ensure that your microphone is enabled with the red light showing, and whenever you are ready, Tiffani.

With gratitude from the Subcommittee for your courage in coming forward and speaking with us today, you may offer your opening statement.

**STATEMENT OF TIFFANI MCLEAN-CAMP, NINETEEN-YEAR-OLD
WITH EXPERIENCE IN FOSTER CARE SYSTEM, SAVANNAH,
GEORGIA**

Ms. McLEAN-CAMP. Thank you. My name is Tiffani McLean-Camp. I am 19 years old.

I first entered foster care in Georgia when I was 15, but that is not where my story begins.

I was born in Detroit and removed from my biological mother when I was 2 years old. At the age of 3, I was adopted.

From the age of 3 until I was 15, I was physically abused and neglected by my adoptive parent and sexually abused by a family friend. My adopted parents were involved in 23 Child Protective Services reports.

While living in Michigan, at one point I was removed from my adopted parents and placed in foster care. We moved to Georgia in 2019, but that—but the abuse did not end there.

One day I told the teacher that I was afraid to go home, and they called DFCS. A case manager came out to our home and asked me a question right in front of my parents. I was afraid I would get in trouble, so I said everything was okay.

When no one protected me, I tried to protect myself. I tried to run away and tried to fight back, anything I could to escape.

I was arrested for trying to protect myself from my father's abuse. He was never arrested, and DFCS said that I was the problem.

No one listened to me. No one believed me. When I was put in foster care, DFCS didn't believe that I had been abused or neglected even after I told them. To them, I was unruly, a runaway, and a behavior problem.

I was in DFCS custody until I was 18. While in DFCS custody, I experienced abuse, medical neglect, educational neglect, and was even sexually assaulted and trafficked.

I moved placements more than 20 times. I was put in group homes, detention centers, and foster homes.

Like Mon'a, I was in—I was at Devereaux. For the nearly 8 months I was there, I don't remember my case manager coming to see me once in person.

Like Mon'a, I remember the barbed wire fence, being overmedicated and put in isolation. I remember staff forcing my pants down and forcing me to get a shot on my bottom and then feeling drowsy. They treated me like I wasn't human.

I was placed in a few different group homes that were supposed to be safe houses for girls who was trafficked. At one of these placements, I witnessed the staff fighting with the other girls in the home that was smoking marijuana, and not being allowed to go to school in person, not for my protection, but to protect group homes and staff's other children.

Staff would call me and the other girls the “B” word. One time I even heard the staff call other girls in the home a “slut.”

When I was 18, I signed myself out of care but then found out I was pregnant. I called my case manager to tell her to get what I needed to prepare myself for motherhood. For example, DFCS still had my social security card and birth certificate. I needed information about transportation.

My son was born premature and was in the NICU for 3 weeks. Foster care left me without housing or assistance. I needed to take care of myself and my child. I wanted a better life for my son, so I called DFCS to sign back into care.

DFCS couldn’t find a placement for us, so my son and I had to spend the first 6 weeks of his life in an emergency shelter. Then I was placed in a group home for teen moms. A staff member falsely accused me for neglecting my son, and DFCS took him from me for a month.

The court ordered DFCS to find a placement for me and my son to be together, and if they couldn’t find somewhere for us, that I get to see him 3 times a week. But I didn’t get to see him 3 times a week, and we weren’t placed together.

For a month, three bonds was broken: the bond between a mother and her child; the bond we were building for the first 3 months of his life while I was breastfeeding; the bond created through skin-to-skin and other interactions important for his development.

Instead, DFCS tried to force me to sign myself out of foster care and kept me and my child apart. After 1 month of being apart, my son returned to me. The court found that DFCS did not have any evidence that I was abusing or neglecting my son.

During all of this, DFCS was neglecting me as I signed myself back into care. I had been asking for therapy to help my—help me with the past and trauma and postpartum depression. I asked to see a doctor for infections I had related to past abuse. In my pregnancy, I had an infection caused by pieces of leftover placenta. I didn’t see an OBGYN until more than 6 months after giving birth to my son.

Despite how DFCS has treated me, I am still here because I have to focus on what is best for my son. I am working on getting my GED and planning on going to nursing school.

Because I have an attorney at CASA who will fight for me and listen to me and believe me, my son and I are now living in a foster home where we feel safe and supported.

I have a new case manager who listens to me and asks me what I need.

For the first time since I was 15, I hope—I have hope.

I hope through my testimony, other children won’t have to go through what I went through. Thank you.

[The prepared statement of Ms. McLean-Camp appears as a submission for the record.]

Senator OSSOFF. Tiffani, thank you for sharing your story with us. No child should have to go through the experiences that you’ve survived.

And I know it must be painful to revisit and to relive these things, but the public and the Senate are grateful to you for having the courage to speak out.

You testified that you were trafficked while in DFCS care. Trafficking while in foster care represents one of the worst ways that the State can fail a young person.

I also understand that there is or will be a criminal case against those who attacked you, so I'm not going to ask you to talk about that experience in more detail, given the other ongoing legal matter.

But I do want to ask you some questions to understand your experiences in foster care.

You testified that when you moved to Georgia, you tried to report abuse in your home to a teacher. But when DFCS interviewed you, they did so right in front of your parents. Did you feel like you could tell DFCS about the abuse you were experiencing in that setting?

Ms. McLEAN-CAMP. Honestly, no. I felt like I couldn't tell them because it was my parents that I—that they interviewed me in front of. And then I knew that my siblings was there. So it's, like, I couldn't explain or show how I really felt inside because I felt like if I did, I was going to be—hold accountability with my parents of, like, anger and hatred toward me, or they would look at me a different way—me, you know, reporting them.

So I tried to, like, tell them it's okay or I'm okay, I'm going to get through it, I'm fine. And I just remember my case manager was like, "Well, you can say what you have to say."

But I was, like, "No, it's okay." And I kept saying I was okay because I didn't want to get in trouble by my parents, so I tried to hide everything with, "No, I'm okay," and tried to change the subject to, like, "Oh, I'm doing this in school," "I'm working on a project"—so trying to hide all that dark moment inside because I didn't want to deal with consequences with my parents.

Senator OSSOFF. And, Tiffani, I can hear you fine. I want to make sure that everybody can. Ma'am, if you wouldn't mind perhaps just moving the microphone a little bit closer to Tiffani, I'd be grateful to you.

Now, Tiffani, I can only imagine, again, how challenging it is to speak publicly about these things, and so if at any time you need a break, you just let me know. We're all grateful to you for speaking today.

You testified that when you did eventually enter foster care, you had 20 placements.

Ms. McLEAN-CAMP. Yes.

Senator OSSOFF. What was it like to move around so often?

Ms. McLEAN-CAMP. To move around so often, it was scary, especially because they was all in—located in different areas that I have never been to, so it was like—it was scary.

And then being in different settings with other youths that been through what I went through and then dealing with staff. It was hard because you had staff that was rude to the girls, judging them, making us, like, make them feel like they wasn't worth being, you know, being part of this world.

Like, you had staff like, "Oh, why are you wearing that—that's not cute," or, "Why you do your hair like that?", or, "Oh, you think that perfume smells good on you?" And it was like, I felt like that

wasn't appropriate because it's, like, everybody should feel comfortable in their skin.

And it was a group home where they didn't even let us go to school. So it's, like, how are we supposed to learn when we're locked down 24/7? You rarely even—you don't go outside. You're just trapped.

So it's like, how are we supposed to learn any type of life skill or education skills or just different activities in the community when you have no skill or you don't have no mindset to even do anything where you're not taught mind skills or life skills.

You don't have that type of skill because imagine being in a group home with 6 to 10 girls, and we're like, you know, what are we supposed to do? Like, are we learning anything today, or can we go outside, and staff's like, "Oh no, you can't go outside.", "You can't do this." So it's like, well, what is there to do?

And when I asked about more toward going to school, I was like, why are we not going to school? "Oh, we're just trying to protect you guys from going out to the community and interacting with other kids."

Well, I didn't really understand what she meant by that, so I was like, "What do you mean about, like, protecting us from, like, other kids?"

It was a cover-up, as in, staff was doing things they shouldn't have been doing in the group home. So they really was trying to protect themselves from us telling, like, other kids or teachers, even if we went to school, to not to say anything.

So they will punish us as though, "Oh, you have to do school inside the group home." But we was barely even doing schooling inside the group home. It was a lack of education to even learn any type of skills.

Like, you had some youth, even including me, like, how are we supposed to learn how to do math when we don't know no skills? How we supposed to learn how to read? How we supposed to do anything because your education is going to take you so far in life. It's going to get you where you need to be.

So it's like, if this is supposed to be a setting for young females, and then not only just that, the staff's you're all, women, too, to like, help us, help each other to get better—and it wasn't no support or care in there.

It was like, "Well, we're the staff, you're all locked down, you all can't do what you all want to do. You all can watch TV, and that's it."

So it—it felt like being in prison, like you're in a jail cell, but you've just been locked down forever, and, it's like, when are—when am I going to get out? Because, like, you had other young ladies, including me, want to run away from the problem because it is like, why be stuck and why are we stuck when I can just run?

But even when you try to run away, they punish you for that, too. But I just never got the understanding of, like, why are we being treated like that when we all come from different backgrounds? We all come from different traumas?

So it's like, where is that therapy, support? Where is that caring, loving support? Where is just any type of support? Where—just, there's—where's there any type of—sorry—any communication

skills? Where—where is it? And I just feel like—it made me feel like I wasn't human. It just made me feel like an animal that's locked up in a cage.

Senator OSSOFF. You testified about your experience at Devereaux.

Ms. MCLEAN-CAMP. Yes.

Senator OSSOFF. What was Devereaux like?

Ms. MCLEAN-CAMP. It was like jail. I remember the first time I came in, it was around June, and you just see a gate and barbed wires, and I'm like, what is this place?

They was like, "This is your new group home." But I'm like, this don't look like no group home. This look like jail.

They was like, "No, it's not jail. It's friendly here. You're going to like it."

So the two first months that I have been there, I'm like, this is not okay.

You have staff abusing young men and young females. You have staff body slamming them, choking them, injecting them with medication, over drugging them.

And it's like, this is what we came here to be treated for?

And it just feel horr—it felt like a horror movie that you're just stuck in, like, you can't never get out of.

And you have kids that been there for 2 years and dealing with that. You have kids that been there for 4, 5 years, and it's like, that time—that they've been here for years, what are you guys doing to help them? What are you guys doing to better them?

And it's like, you just see kids crying, begging to go home, or "Can I talk to my caseworker?", "Can I talk to somebody?", "I want to leave."

And it's like, "Oh, well, you are not going to leave.", "You're not going to see your family, your friends.", "You're here to get treatment."

But it's like, how are we here to get treatment if you're all abusing us and just drugging us? That's not the right treatment.

I feel like, in a youth—the youth in a group home, the treatment that we needed was love and care and a support system. And it should've been more support because they'll try to say, "Well, you know, sometimes you guys push out—your own selves in situations that you shouldn't have put yourself in the situation."

But it's like, no child asks to be put in care to be neglected. And I feel like there is no such thing as a behavior child or—or a bad or a terrible child because, well, if it came down to it, it's a lot of kids—I'm not going to say "kids"—a lot of youths that's been in care.

It's over a thousand of us in care, and for all these cases to have been looked at as neglect? Abuse?

You have kids that went through trauma where they're not eating—being trafficked, being abused, have no support system—then be in a group home setting.

If you know these backgrounds with these youths, why not help them if that is your job, to help us get better? You're saying that, "Oh, I'm working here because I love children. I want to help you guys get better."

You can't say you love and you want to help somebody when you're—you're abusing them.

Senator OSSOFF. Do you remember, Tiffani, your DFCS caseworker coming to visit you while you were at Devereaux?

Ms. MCLEAN-CAMP. No. I never—the whole entire time I've been there—I've been there for half a year. I have received no phone calls from my case manager. No visit. The only phone calls I've been getting was, like, maybe from, like, family members and maybe a friend, but besides the case manager. I never had that support from her.

And it's like, all this time, I'm like, I'm in care, and you're supposed to be my case manager, you know—you're supposed to help me with my needs, whether it's emotional needs, physical needs, mentally.

It was no support with her, and it made me feel like less of a human because it's like, I've been through so much, and you're not even realizing that this—the trauma and everything I went through from the age of 3 to 15—even now, you never—you never helped me get better. You never helped me get past of the things that I need to get past.

Senator OSSOFF. You have a baby boy. Right?

Ms. MCLEAN-CAMP. Yes.

Senator OSSOFF. I have a 2-year-old daughter.

How old is your son now?

Ms. MCLEAN-CAMP. My son is 8 months and a half.

Senator OSSOFF. Eight months and a half? You described how you left foster care at age 18, but you signed back in or extended services after having your son—

Ms. MCLEAN-CAMP. Right.

Senator OSSOFF [continuing]. That it took 6 weeks for DFCS to find a placement for you, and that while you waited, you were living in an emergency shelter with your baby. Did I understand you correctly?

Ms. MCLEAN-CAMP. Yes.

Senator OSSOFF. What was it like being in an emergency shelter with a newborn baby?

[Pause.]

Senator OSSOFF. Take your time, Tiffani.

Ms. MCLEAN-CAMP. You know, I had so many thoughts and worries my being in that shelter. My son was a preemie. I had my son at 34 weeks, and I signed back into care to get that extra help, right, because I'm a young single mother, so I needed the help.

So I was like, you know, maybe if I sign back into care, they might actually care this time and, you know, help me and my son. So maybe it might change a little different since I have a plus-one.

So I remember my caseworker and DFCS came out, like, 2 days after I had my son to the hospital. And they was like, "Oh hey, is your name Tiffani?" I was like, yes, and I was scared at first because I'm like, who are you people?

So they came in, and I was like, oh, I'm Tiffani. She's like, "Are you wanting to sign back in care?" I was like, yes. So they went over paperwork with me, and they was like, "Okay. I'll return back to you when I hear anything." I was like, okay.

And the whole entire time, just being in the hospital for a month, and you just see your bundle of joy just connected to wires—it—it—it broke me inside because it was like, still, my case manager was not there to even see me.

Well, when we went to the shelter at the time, in the beginning of March, she came, she dropped my belongings off, and made me sign papers to get back into care. After that, she took off. She left in her car, and I'm like, what is it I'm supposed to do now?

And just being there and you just see different families, and then you just see yourself with your newborn child and other families, it kind of broke my heart because it's like, what—like, I just had different thoughts of, like, okay, what happens if I can only stay in this shelter for this much of time? Where is me and my baby supposed to go afterwards? What are we supposed to do next?

It literally took a month for me to even get into another placement after the shelter. And even being in the shelter, I just feel like—it made me hurt inside because I just wished I had the skills to be more at a stable mindset, in a stable position for me and my child. I just wished things was differently.

I wish I would've been—you know, had a house or a car, you know, more to offer for my child. But I just feel like being in a shelter and you just have your 6-week-old newborn in there with you, it feels bad because it's, like, I have thoughts like, dang, like, I'm a bad mother. I wish I would've—I would've changed. I wish I could've did this.

I don't—like, I have thoughts like, maybe I should run away from here or should I just stay put because I don't want to run away from the shelter and have nowhere to go. So I'm like, I just try to work it out.

And then not even just that, being in a shelter, you kind of had to buy your own food. You don't buy your own food, you're not eating. So thank God at the time I had WIC where I can supply my son with formula and groceries for myself. But after that, you're still going to be hungry.

And then it was hard enough being in the shelter and having lack of transportation being in a shelter because I'm, like, just having thoughts. Like, my mind is racing, my thoughts racing. I feel like I'm losing it. So I'm like, how am I supposed to take my newborn to his doctors' appointments? How am I supposed to get back here to the shelter? How am I supposed to get back to the doctors, back and forth? It was hard.

So like, I had a couple times where I remember one person from DFCS reached out and took me to my son's appointments.

But after that time when it was time to—like, "Okay, Tiffani, you know, you and your child are going to have to go."

And I'm like, we don't have nowhere else to go. So I'm, like, begging. I'm like, you know, can we just stay here a little longer? I'll try to get a job in the meantime and find a babysitter. I will try to do anything, you know, just for us to stay here.

And he was like, "Well, this is only a temporary shelter." And I'm like, okay, so I'll try to call my case manager.

It was no phone calls from her, no texts, no emails. It was just like, she went ghost on me. Like she disappeared.

And at that time, I mean, it was just—it was depressing. And then having depression on top of postpartum depression, it was hard enough.

It felt like my heart was sinking. It felt like my heart was ripping into pieces. It felt like my mind was, like, going crazy. It felt like I was losing myself, like, I didn't feel normal. I didn't know what to do.

Senator OSSOFF. Tiffani, you mentioned that you had some complications after delivery and an infection associated with leftover placenta, but you had to wait nearly 6 months to see an ob-gyn? Is that right?

Ms. MCLEAN-CAMP. Yes. Dealing with—dealing with that, I was—it made me feel like I had no rights as a human or even as a mother in the care of me and my child because my pregnancy—I had a rough pregnancy.

And then with my son being premature, having him—having him at 34 weeks and then me being sick in my pregnancy. I had lost 26 pounds in my pregnancy being sick.

I was dealing with kidney problems—I was having kidney problems. They was trying to tell me that I might—I'm not—I'm not—I'm almost close enough to having kidney failure in pregnancy. I was at high risk of having high blood pressure and diabetes being pregnant.

It was a lot. Having to have a lot of IVs connected to you to have enough fluids for you to stay hydrated. I was—it was just—it was just—it just felt like a nightmare during the time.

And then they was telling me the time that I had my son I was losing a lot of blood. It was times that I didn't eat because I was so sick. And they was talking about, "Oh, well, you lose more blood than what you lose, then, you know, we might have to give you surgery to, you know, give you more blood."

And I'm like—I'm like, this can't be true. Like, this can't be happening because, God forbid, what happen if I did have surgery and I didn't make it out the right way in surgery? Who's going to take care of my child?

So like, I would try to think, like, no, we can't do that. I have to stay here for him because I'm his number one protector. I'm his—I'm his—I'm his savior. I'm his mother. I'm his—I'm his everything. I can't afford you for you guys to do surgery on me, and I just had him and I don't even know what was going to happen with us—so I can't afford that. And they was like, "I understand." And I'm like, okay.

So when they run a couple tests on me, everything came out okay. So, they told me I had a kidney infection, so I had to get, like, a lot of medication. I'm still sick. And then after losing 26—I lost, and I was like, I can't believe I lost 26 pounds. I was 154 pounds when I was pregnant.

Before I even got pregnant, I used to weigh 123 pounds. From 123 pounds to 154 pounds, that's a lot of weight, and then closer to me having him, I was almost 200 pounds.

So imagine all that weight, being sick, throwing up, you can barely move, you feel weak—and it's like you're trying to force yourself to eat because you're trying—you're trying to make sure that your child has all the nutrients for them to grow and develop

inside. And it's like, you can't because you just feel so—you feel gross, so.

And then not even having that medical care of being, you know, treated with me being sick and having to wait 6 months from my son being born, it made me feel—it made me feel less of a woman and as a mother because I had thoughts like, well, if I can't get the medical needs that I need, how am I supposed to get my child's medical needs if I'm not getting—if I'm not receiving care?

Well, I tried to tell DFCS about it, and like, "Oh, okay, you—you"—they say, "You've been seen. You've been checked out."

I have not, and I used to beg—like, beg them, like, I need to be checked. I have not been seen.

I haven't been to a dentist in half a year and from the time of being 15 to now, I have got no—no help from you guys. I got no help. I have no—I haven't got help when it comes to life skills, medical, mentally—help with support and skills. I have not got no help from it.

From the time of 15 and 18 being in their care, I had to learn everything on my own. I had to teach myself. I had to go around and ask people, you know, how do you do this and this. How do you fill out a housing application? How do you fill out a job application? How do you do this, and how you do this? It was a lot, but I learned from people that I didn't even know.

And it's like—I, like, told DFCS one time, I'm like, so what do—what's my—what's my purpose even being in care? What's my purpose even working with you guys if you're all not even helping me? What's the point?

"Well, you know you can just sign yourself out."

So you're giving me an option of signing out, but you give me no options of the help and skills that I need.

Senator OSSOFF. Mm-hmm.

Ms. McLEAN-CAMP. So I'm like—I thought about it, and I was like, no, you know why I'm not going to sign out? Because people that went through things I went through, we got so far where we needed to be, even without your guys' help.

But one thing I will say to DFCS: You all failed the system real bad. You failed youths of the caring, the support that they needed—especially knowing everything they went through—trauma, family background, situations where they needed help, and not even just that, the lack of guidance.

Senator OSSOFF. Tiffani, thank you so much for sharing your story and your testimony with the Subcommittee today. And the public and the Senate are grateful to you for speaking out about what you have been through.

And I wish you and your baby son all the best. And we'll check up on you. Okay?

Ms. McLEAN-CAMP. Thank you.

Senator OSSOFF. Thank you.

We will now take a moment and pause and bring our second panel to testify. Thank you.

Ms. McLEAN-CAMP. Thank you.

[Pause.]

Senator OSSOFF. Okay. We're reconvening now for Panel Two, and I will now introduce our witnesses. Thank you so much for joining us today.

We will hear this morning from Dr. Samantha Sahl. Dr. Sahl is the supervisor of the Child Sex Trafficking Recovery Services Team at the National Center for Missing & Exploited Children, or NCMEC.

We'll hear from Deputy District Attorney Earnelle Winfrey. District Attorney Earnelle Winfrey oversees the Special Victims Division, Human Trafficking and Child Exploitation Unit at the Fulton County District Attorney's Office.

And we'll hear from Brian Atkinson. Mr. Atkinson is staff attorney and adjunct instructor at the Wilbanks Child Endangerment and Sexual Exploitation, or CEASE, Clinic at the University of Georgia School of Law.

Before opening statements, we'll swear in our witnesses. So if you'd all please rise and raise your right hand.

[Witnesses are sworn in.]

Senator OSSOFF. Thank you. You may be seated, and please note for the record that all witnesses answered in the affirmative. Dr. Sahl, you may now begin with your opening statement.

STATEMENT OF SAMANTHA SAHL, DSW, SUPERVISOR OF CHILD SEX TRAFFICKING RECOVERY SERVICES TEAM, NATIONAL CENTER FOR MISSING & EXPLOITED CHILDREN, ALEXANDRIA, VIRGINIA

Dr. SAHL. Good morning, Senator Ossoff. My name is Dr. Samantha Sahl, and I am honored to be here today on behalf of the National Center for Missing & Exploited Children, NCMEC.

For those of you who are less familiar with NCMEC, we are a private nonprofit organization that was created in 1984 by John and Revé Walsh after the tragic disappearance and murder of their 6-year-old son, Adam.

NCMEC has grown over the years to become the Nation's largest and most influential child protection organization. NCMEC serves as a national clearinghouse and resource center to fulfill its congressionally authorized mission to help find missing children, reduce child sexual exploitation, and prevent future victimization.

I have had the privilege of working directly with at-risk youth and survivors of child sex trafficking for the past decade as a forensic interviewer and advocate, and a coordinator of a multidisciplinary response team.

Within my current role at NCMEC, I supervise the Child Sex Trafficking Recovery Services Team, the team that was created specifically to address the topic of this hearing: a significant intersection between foster care, missing youth, and child sex trafficking.

Thank you for hosting this hearing to raise awareness about this very important issue.

In 2014, as you mentioned, the Preventing Sex Trafficking and Strengthening Families Act was passed. This law required child welfare agencies to report children missing from foster care placements to NCMEC after reporting them missing, to law enforcement.

NCMEC is grateful for this legislation as it ensures that children missing from care and the child welfare professionals responsible for their well-being receive the resources available through NCMEC to support their location and recovery.

Between 2018 and 2022, NCMEC received over 2,400 reports of children missing from care in Georgia involving 1,790 children, many of whom went missing several times throughout the year. Four hundred and ten of these children were identified as likely child sex trafficking victims.

Trends show us that when children run away frequently or for long periods of time, they tend to be running from an unsafe situation or to an unsafe situation.

As you heard from Tiffani this morning, children in foster care have already experienced significant trauma which led to child welfare intervention.

When children are then placed in foster homes or group homes that don't have the resources, training, or support necessary to meet their needs for love, belonging, and self-exploration, running away from their—these placements often becomes their effort to problem solve to meet these needs.

This creates a perfect storm that traffickers are skilled at taking advantage of. We know we have an urgent issue when children feel better on the streets or with a trafficker than they do in their foster care placements. This is a national crisis that we must devote additional Federal and State resources to address.

My team at NCMEC has the important task of offering individualized coaching and support to foster care workers while children are missing to support them in meeting some of these needs.

Every day we hear foster care workers express how overwhelmed they feel trying to navigate systems that are overstretched, under-resourced, and ill-equipped to meet the needs of the children that they serve. Child welfare agencies can play a crucial role in the prevention, intervention, and response to child sex trafficking.

While significant legislative progress has made a shift from a juvenile justice to a child welfare response to child sex trafficking, we now must ensure the child welfare systems have the support, the resources, and the practices necessary to meet the needs of our most vulnerable youth.

Many States have developed innovative responses to attempt to address these issues. I would be remiss if I didn't highlight the State of Georgia as an innovative and proactive leader in the child sex trafficking response.

NCMEC works closely with the Georgia Division of Family and Children Services when children go missing from care. And I have personally participated in a monthly statewide call that is co-facilitated by Children's Healthcare of Atlanta and Children's Advocacy Centers of Georgia that brings together key stakeholders, including law enforcement, child welfare, and victim service providers, to increase coordination and information sharing. It truly takes a village and cross-system collaboration to meet the needs of youth.

In closing, the issues of missing children from care and child sex trafficking are complex and multifaceted. Successful solutions cannot fall solely at the feet of a single agency.

Like the hope that Tiffani expressed this morning, despite experiencing so much hardship, hope is what keeps us going at NCMEC. We hope that children in foster care will have the opportunities for healing, self-exploration, and caring relationships that we know all children so desperately need in order to thrive.

But today we must move beyond hope and into action. NCMEC looks forward to linking arms and developing innovative, collaborative, and system-shifting solutions. Thank you for the opportunity to represent NCMEC at this hearing, and I look forward to your questions.

[The prepared statement of Dr. Sahl appears as a submission for the record.]

Senator OSSOFF. Thank you, Dr. Sahl. We will turn now to Ms. Winfrey and then Mr. Atkinson. Ms. Winfrey.

STATEMENT OF EARNELLE WINFREY, DEPUTY DISTRICT ATTORNEY, SPECIAL VICTIMS DIVISION, HUMAN TRAFFICKING AND CHILD EXPLOITATION UNIT, FULTON COUNTY DISTRICT ATTORNEY'S OFFICE, ATLANTA, GEORGIA

Ms. WINFREY. Good morning, Chairman Ossoff.

Senator OSSOFF. Just making sure your microphone is on and the red light is on. Okay.

Ms. WINFREY. Good morning, again. My name is Earnelle Winfrey. I am the deputy district attorney and lead prosecutor for the Human Trafficking and Internet Child Exploitation Unit at the Office of the Fulton County District Attorney.

I've been practicing law for 22 years, and for the last 6 years, I've been prosecuting human trafficking and sex abuse cases.

As a prosecutor and expert in this field, I have the privilege of serving as an advocate for survivors of commercial sexual exploitation by giving them a voice in the courtroom while also holding the traffickers accountable.

The views I express today are my personal ones. They should not be construed as a representation of the various statewide committees and multidisciplinary teams and task forces on which I have the privilege to serve.

In my work as a human trafficking prosecutor, I'm seeing about 80 percent to 90 percent of CSEC survivors we serve. They've been sexually abused and enter the life of commercial sex with this type of adverse childhood trauma, which increases their vulnerability of exploitation.

Approximately 40 percent to 50 percent of the CSEC survivors we serve have either been in foster care or they have some sort of CPS history. Many CSEC survivors in the foster care system present with complex trauma, and with no real support to facilitate healing while in DFCS care.

Sexual abuse causes feelings of shame, guilt, low self-esteem, and low self-worth, and over time, victims that we see, they see themselves as damaged goods.

Not addressing this complex trauma while in care increases their likelihood and entrance into the commercial sex trade or reentry after recovery. And most of these children survive as merely bones, shells of their former selves.

Several CSEC survivors I encounter report negative experiences while in foster care. Most express a lack of trust and faith in the system, as we heard from Miss Tiffani this morning.

Children in State care are far more vulnerable to trafficking than those with similar risk factors. Youth in foster care do not have ties to their biological families in many cases. It is hard for them to feel secure and to develop a sense of identity.

When in care, routines change with each placement, and many have been susceptible to what we can call “motel warehousing,” in the absence of qualified caregivers. At times it can be inefficient, and at its worst time, it can aid in the exploitation of young children and feed them to the machine of forced labor and sex trafficking.

We must dispel the youth—excuse me—the myth that human trafficking involves a stranger riding around in a white van kidnapping children off the street and selling them into a life of sexual servitude. Most survivors were trafficked by someone they knew or someone even in their own family.

Please understand that traffickers practice tactical warfare. In creating victims, sometimes their weapons of choice are kind words or alleviating an immediate need.

Many times, those needs are for food, appropriate clothing, even sleep and drugs. Other times, it’s a sense of belonging and security and acceptance.

A child with their hope and trust intact in a world with no support is ripe for the picking. They are deceived into a life of sexual servitude, and it creates a world for them that they only know and understand while with the trafficker. There are casualties and discasualties always, and sometimes it’s their innocence that’s lost. It’s their spirit that’s lost.

I had an occasion where—and we’re seeing the trend—where there are inappropriate placements for CSEC youth. There was an example of young girls running away from a placement and finding themselves in the jaws of commercial exploitation.

And when they were recovered, they disclosed the horrific experiences and heinous acts of violence committed against them while in the streets.

It came to my attention that following their return from the—being exploited, they were instructed not to sit on the furniture of the group home. They were made to leave their clothing on the outside. Sources close to this group home placement say the home was sorely lacking in quality food, personal care items, and cleaning supplies. In this home, enrichment activities were nonexistent.

Did the system fail them by not regularly investigating the placement that housed these young girls? Did the department ensure that the placement was proper for CSEC youth?

Some of the children placed in care are labeled unruly, bad kids, recruiters, runaways, delinquent. Terror and sadness often wear the mask of anger and show up in various stages of acting out. If they’re running away from care, what are they running from?

We must take time to listen to their back story. Why don’t we train caregivers to look for and understand the trauma they suffered prior to entering into care? Can we get past the perception of foster youth as unwanted throw-aways? How will we address the

underlying trauma and the root causes so that these children may heal?

If we are to be responsible for children in foster care, it is necessary to establish better safety measures and require placements to be trauma-informed and trained. The current protocol is not working like we thought it would. So it's time to reassess, not just investigate, but we must seal up the cracks that allow for further traumatization perpetuated by those in positions of authority and trust.

Another example I had was a case with a CSEC youth that was recovered during an operation targeted at recovering missing kids. And when she was taken in for medical care, the detective noted that she was aware of her history in the foster care system as a habitual runaway.

With this knowledge, they reached out to DFCS and requested that they take custody of her pursuant to [Georgia] Senate Bill 158. This CSEC youth had nowhere to go, and she had been trafficked and had a history of past sexual abuse by a family member.

DFCS did not send anyone to the medical facility, nor did they begin the process of exercising their authority under [Georgia] Senate Bill 158. In fact, because this child was known to be a runaway, the detective was advised to detain her and place her into a detention center.

DFCS informed the detective they had no place for this CSEC youth to go. The detective informed them that she could not detain the CSEC youth because the youth did not do anything to warrant charges for placement into a detention center.

Consequently, the detective, in collaboration with a Federal agency partner, located an out-of-State placement for this child for her to go in and get immediate care and emotional support.

Under these emergency circumstances, DFCS did not act in a timely manner, and the out-of-State placement was lost for this child. Shortly after being returned to her family, the CSEC youth ran away again. And she was exploited again.

The question is, do we have a crisis in housing? This is not to disparage caseworkers that work tirelessly in ensuring the safety of children in care. Caseworkers often do many interviews daily. They write report after report, respond to child abuse calls, and investigate claims.

Caseworkers consistently whisper that they're lacking support. For example, caseworkers must get approval for decisions from equally overworked supervisors as opposed to a review team or a case reader.

Can we restore the system in a way that's fair and place the needs and interests of our children in the forefront? Who will hear their voices and their cries?

No child deserves to live in a life of exploitation. They do not deserve to be labeled with negative words like "delinquent," "recruiter," or the like, if there is no evidence to substantiate it.

Who will have the courage to say, "If it's broken, it's just broken, let's do something to change it"?

We should include everyone in this solution, especially those in the health and human services. The department will not benefit from policies written for them by those who are not in the field. In

my closing arguments to juries, I always say that it's their job to not look for doubt—it is to look and to seek and see the truth.

It is my hope and prayer that through this investigation, the Subcommittee will seek and see the truth, and will be able to work through the problems to end the trends that I've spoken about.

Again, thank you for this opportunity to share my experiences as a prosecutor in this field. And I hope and pray that we will have real answers to fix the system and make it work at optimal performance.

[The prepared statement of Ms. Winfrey appears as a submission for the record.]

Senator OSSOFF. Thank you, Deputy District Attorney. Mr. Atkinson.

STATEMENT OF BRIAN ATKINSON, STAFF ATTORNEY, WILBANKS CHILD ENDANGERMENT AND SEXUAL EXPLOITATION CLINIC, UNIVERSITY OF GEORGIA SCHOOL OF LAW, ATHENS, GEORGIA

Mr. ATKINSON. Good morning, Chairman Ossoff. I want to thank you, and Ranking Member Blackburn, and Members of the Subcommittee for the opportunity to testify today.

My name is Brian Atkinson, and I'm the staff attorney for the Wilbanks Child Endangerment and Sexual Exploitation Center—or Clinic, also known as the CEASE Clinic, at the University of Georgia School of Law.

The views that I express today are my own and do not represent the University of Georgia or the other committees, teams, or task forces on which I have the privilege to serve.

I am testifying today in my personal capacity as the lead attorney at the CEASE Clinic, an expert in sex crimes and trafficking against children, and an advocate for children in foster care who have been sexually abused, exploited, or trafficked.

Last month, the Subcommittee heard from the director of the CEASE Clinic, Emma Hetherington. And I'm here today to provide additional context and information based on my experience representing youth in foster care.

As CEASE's staff attorney, I provide direct representation to survivors and supervise legal fellows and law students in representing child survivors in foster care dependency cases, adult survivors in civil litigation against their abusers, and survivors of trafficking in post-conviction relief cases who were convicted as a result of, or while they were being trafficked.

Prior to joining the CEASE Clinic, I was the chief assistant D.A. in Georgia's Northern Judicial Circuit where I prosecuted offenses, including child sexual abuse. My responsibilities included serving on multidisciplinary teams to discuss the investigation, prosecution, and response to instances of child abuse and maltreatment. I have had a firsthand view of how survivors are treated within various systems as well as the barriers survivors can face in accessing justice.

While CEASE's child clients may at first appear dissimilar to the majority of children in foster care, the reality is that every child in foster care starts on the same path. And the final trajectory depends in large part on the State's response.

Risk factors with the highest correlation to child trafficking include running away, homelessness, sexual abuse, a history of abuse or neglect, and entry into foster care.

If a child's caregivers, families, friends, communities, and then the State aren't there to provide for their basic needs of food, shelter, safety, security, love, and belonging, their survival instincts kick in, and they seek out other ways to have those needs met, heightening their risk of landing straight in the hands of traffickers, buyers, or those who will exploit them.

Since I have been at the CEASE Clinic, and as Dr. Sahl noted, I have noticed a concerted effort in Georgia to update policies and practices to attempt to better respond to the realities of trafficked youth.

However, these efforts are slow to be incorporated into everyday practice. Most significant is the movement to change the conversation so that these young people can be better identified as victims and survivors and treated as such, rather than criminalized and punished for their abuse and for their responses to that abuse.

Regrettably, I've not seen a change in how that's impacting the day-to-day treatment of children.

Specifically, I have observed progress in how we talk about the population as victims and survivors and saying that certain negative behaviors are likely trauma responses, and agreeing that victims and survivors should be supported and not blamed for their victimization.

But when that conversation shifts from talking about the population generally to discussing individual children, they're often labeled as at fault and are blamed for their victimization. Within the foster care system, this hinders efforts to secure appropriate placements for youth.

The placement applications for my clients emphasize their flaws rather than their strengths, and that's the first piece of paper that a placement often receives—the first information they get about a child.

So while DFCS says it's hard to find placements, it's harder still when they are painting incomplete pictures of these kids that accentuate their flaws, minimize their strengths, and paint a misleading picture of who these children really are.

It also informs how the placements will treat these kids because they never got a second chance or really even a first chance to make a first impression. That first impression was made for them.

The portrayal of these children as being at fault or sharing the blame in their own abuse or exploitation also hinders their opportunity to seek justice.

The State of Georgia has a robust network of child advocacy centers throughout the State that are available as tools for both DFCS and law enforcement to identify and respond to child abuse and maltreatment.

However, when children are not seen as victims, they are less likely to be referred to those organizations when either they report abuse or when abuse is otherwise suspected. Not fully investigating those instances leaves both the foster care system and our communities less safe and denies those children the opportunity to seek justice.

I have seen that when our clients reach out to DFCS to tell them about their experiences in placement about feeling unsafe, about the need for therapeutic or other services, they're met with disbelief, dismissiveness, and often no response, at all.

At the end of the day, DFCS is the legal guardian for these children, and it is their responsibility to make sure that these kids are given spaces that are safe and comfortable.

These children were removed from their families, which we know is a traumatic event regardless of how a child is treated within that home. But we—that being the system, courts, DFCS, others involved—have collectively decided that the cost of removal is worth the benefit of being in the State's protective custody.

But then, these children aren't protected. We wouldn't and we don't put up with similar treatment of children by their parents, and we should hold ourselves, and especially the State, to a higher standard.

Thank you, again, for the opportunity to testify, and I look forward to answering any questions you may have.

[The prepared statement of Mr. Atkinson appears as a submission for the record.]

Senator OSSOFF. Thank you, all, for your powerful testimony, your expertise, and your service, each in your way, to those most vulnerable kids in Georgia and nationwide.

Dr. Sahl, I'd like to begin by diving into some of the numbers and to ensure the public fully understands your methodology.

In the testimony that you submitted, you described an analysis that NCMEC performed at the request of the Human Rights Subcommittee, which found that since 2018, 410 children who were reported missing from the State's care in Georgia were likely trafficked, and that some of these children were assessed to have likely experienced trafficking multiple times—a total of 624 episodes of trafficking. We'll dig into exactly how you arrived at those numbers in a moment.

First, let's just establish the baseline. Federal law requires foster care agencies to report missing children to NCMEC within 24 hours. Why is it so critical that children missing from foster care be reported to NCMEC, as required by Congress?

Dr. SAHL. Absolutely. So we know that any time a child goes missing, whether they are missing for a couple hours or days or weeks, they are not under the care and supervision of the agency that they were in the care of, and they're then vulnerable to experiencing any number of endangerments, including child sex trafficking. We have found that the longer a child is missing from care or the more frequent the missing episodes become, that risk increases exponentially.

Senator OSSOFF. We've heard from multiple former foster youth through these hearings. We heard from Mon'a several weeks ago. This morning we heard from Tiffani about their experiences, for example, in group homes.

In the written testimony that you submitted, you stated that, "Children in foster care often run away because their placements are unable to meet their needs" and that they're—and this is affirmed by guidance from the Department of Health and Human

Services at the Federal level—“are highly vulnerable to trafficking.”

Can you elaborate on how foster care placements may fail to meet the needs of a child and, thereby, increase their risk of running away, and of trafficking?

Dr. SAHL. Absolutely. I do want to mention that any child, by nature of being a child, is vulnerable to experiencing child sex trafficking.

But in the testimony that I have heard from my colleagues this morning, we know that children who are in foster care, often entering the system after experiencing early childhood abuse and neglect—which we know can have a lasting impact on their brain development, on their self-perception, their self-worth, on the way that they interact with or engage with others, their ability to form trusting relationships—if they are then placed in placements where their needs for love and belonging and connection aren’t met or placements that are not equipped to support them through their trauma processing or trauma responses, we find that youth are often running away from those placements—in effect, in order to meet those needs.

So we also see that sometimes placements might not have the ability to create for children the normalcy that other children might have. So the ability to engage in normal adolescent activities, the ability to engage in self-exploration, so—and figuring out who they are, what they enjoy, what they’re good at.

And so sometimes they’re leaving out of a sense of boredom. Sometimes it becomes a trauma response. Something might trigger them in a placement.

And if they haven’t learned coping strategies or they don’t have, for example, a safe adult that they feel they can reach out to who will consistently pick up the phone to say, hey, something isn’t working well for me here, running, again, becomes their effort to problem solve.

And traffickers are really skilled at identifying youth with those unmet needs.

And they may come in and say, “You’re looking for love and belonging? I can provide that to you.” For youth, you know, for example, who are LGBTQ+ and they’re looking for acceptance, a trafficker will say, “I accept you for who you are.”

Traffickers are often creating this illusion of love, belonging, voice and choice for youth—creating this promise that might lure a child out of their placement.

Senator OSSOFF. Let’s talk about the numbers and the methodology a bit. First, what does it mean for a child to be reported missing from care?

Dr. SAHL. So, like you mentioned, Federal legislation in the Preventing Sex Trafficking and Strengthening Families Act and the Trafficking Victims Protection Reauthorization Act of 2022 require that a child be reported immediately or within 24 hours to law enforcement and NCMEC.

So missing from care just means they are—have left their placement without the permission of their caregiver and their whereabouts are unknown.

Senator OSSOFF. And how do you assess—how does NCMEC assess whether a child who has been reported missing from care is likely a victim of trafficking?

Dr. SAHL. So we screen every child who's reported missing to us for child sex trafficking. As it's been mentioned, being missing from care is the number one endangerment for experiencing child sex trafficking.

So at the time of intake, we are asking a number of screening questions to really look at the accumulation of risk factors or endangerments that that child may have already experienced.

We know that the person reporting them missing might have a different definition of child sex trafficking. So instead of just asking if there are concerns, we're really looking at the whole picture that we're seeing.

We also collect information—while that child is missing—from law enforcement, child welfare, other victim service providers. We have incredible teams of analysts that are digging through social media, that are trained at identifying the signs or indicators of child sex trafficking. And sometimes they might identify an online escort ad that's been posted on a child, as well.

Senator OSSOFF. In the testimony you submitted to the Subcommittee, Dr. Sahl, you noted, quote, "It is a national crisis when children feel like being on the streets or with a trafficker is a better place for them than to be with their foster care placement."

I couldn't agree more. I think you put it very well, and this is a national crisis.

You also urged Congress to pursue legislation to improve protections for vulnerable children in foster care. In your opinion, what are the most impactful measures that Congress should consider to address this crisis?

Dr. SAHL. It's a great question. I don't have all the answers. I can say there are some incredible people in child welfare, both on the front line and at the State level, who work in this field every day who really contribute to meaningful solutions.

The one thing that I will share and what we have heard consistently from survivors of child sex trafficking, as well as what is clear in the research, is that the number one protective factor that can keep a child safe, that can prevent child sex trafficking, or prevent revictimization is relationships.

I don't know how you legislate that, and maybe—maybe you might. But I think also, as we've heard from Tiffani and Mon'a in the previous hearing, that it was that person who came into their life, whether it was a CASA or a child welfare professional, who truly listened to them, who showed up for them, who fought for them, who drove 5 hours to visit them in their placement, that was able to turn their life around. Right?

And a system—a child welfare system, I don't think it can ever be an adequate replacement for a parent. Right?

It's really the layers of people that are involved in that child's life, whether it is their CASA, their foster care worker, their attorney, nonprofit service providers, anyone else that comes into their life, a teacher at school, right, that show up for them, believe in them consistently that I think can make a difference.

We know that the caseworkers that we talk to every day entered the field of child welfare out of a desire to be that person for the children that they serve. And we hear that they're then faced with policies, culture expectations, lack of resources, so many systemic challenges that we've heard about through the hearings that ultimately prevent them from being that person for so many children.

Senator OSSOFF. And I think you make a point that that several panelists have made, that as shocking as this crisis is and as shocking as these numbers are, here in Georgia, by your analysis, hundreds of likely trafficking victims nationally, many thousands, we do have to acknowledge the hard work that caseworkers on those front lines are doing under very difficult circumstances, and not fail to express our appreciation and our recognition of the difficulties under which these folks are doing a very difficult job.

And by no means do I interpret any of the testimony that you've offered today as condemning those who are working hard, often without enough, in order to try to save these children's lives and their futures.

I would like to turn, Ms. Winfrey, to your testimony. You raised concerns that survivors of sexual exploitation are being placed in group homes that are inappropriate for them. Can you elaborate on what makes those group homes inappropriate?

Ms. WINFREY. Yes, and thank you. Group homes that house youth, specifically children who have been trafficked, and I know I've said the acronym CSEC, which means children—a child—excuse me—children who have been sexually exploited, basically, a CSEC.

Those caregivers who are in group homes have to be trained with a trauma-centered focus. I think the issue becomes, if we have a group home and you have children that are running away, why are they running away?

And what we're finding is that the underlying trauma that those children enter that group home with, it's not being addressed—isn't being addressed because we don't have caregivers that have been fully trained with a trauma-centered focus and understanding of CSEC youth. And I think the issue becomes that we have to look at that.

Handling children who are CSEC who have been trafficked, you have to deal with them a little bit different. The risk factors for them are a little bit different.

And I think that, in my experience with kids who run, there's always an underlying issue, and what I'm seeing is that most of them have been sexually abused. And so if you're not dealing with that sexual abuse, them getting help with that, and getting emotional support for that, it's like you're pouring kerosene on a fire. It just makes it worse because that child is going to look for a way to run or someone to love them or to be there for them or to understand them.

And I think that group homes and that the placement has to be appropriate. I mean, are we really looking into the background of these placements? Do they have adequate resources? Do they have people who are actually trying to work with the children that are CSEC?

And I'm finding that that's a question that needs to be really looked into and answered.

Senator OSSOFF. You mentioned a law known as S.B. 158 in your testimony. Can you explain what powers and responsibilities DFCS has under that State law?

Ms. WINFREY. Yes, [Georgia] Senate Bill 158, codified in our Code, talks about several things. One is to hold—it's to hold people accountable or anyone involved with the trafficking of a kid, or trafficking or exploitation of a child. Specifically as it relates to DFCS, DFCS can take emergency custody of a child who has been trafficked, and they have 7 days to do whatever care they need to do without a court order.

So it also requires that DFCS refer that child to trauma-informed placement, meaning they have to make sure that an organization that's assisting—that's assisting that child to heal, they are, one, certified by the Criminal Justice Coordinating Council of Georgia, and two, they are equipped to give trauma-informed care to that child.

And so that's the responsibility of DFCS. They even have the obligation—if they have or suspect that a child has been trafficked or is actually trafficked—to remove a child from the situation and place them into a better placement, that where they have trauma-informed care.

So I think that that's a very important legislation because oftentimes for us who are on the front lines of this, we see kids where we go in and have to recover through an undercover operation or such.

And we need immediate help and need immediate assistance, meaning the department can step in, take custody of that child, and make sure that child is in a safe place where they're receiving trauma-informed care, and so, without a court order. And we need that oftentimes.

Senator OSSOFF. You testified about an incident where, as I understand it, DFCS declined to exercise their authority under S.B. 158 of a child who had been trafficked, and that DFCS' failure to act quickly resulted in the loss of a placement that the detective involved in Federal law enforcement then had to scramble to address, and that, as I understood your testimony correctly, that it was proposed that, instead, that child, who was a victim of trafficking, be placed in detention.

Did I understand your testimony correctly, and can you just recap that case for us, please?

Ms. WINFREY. Yes, and you did understand that. We were actually involved in an operation, and this particular youth was recovered and was placed in a medical facility. At that time, she wanted to talk about what happened to her body.

And what you learn in this area is that victims talk when they want to talk and when they're ready, and many times they're not ready to talk. This particular youth was ready to talk, and we knew that we needed to get her into care.

At that moment, detectives called DFCS, asked them to get involved, to send a caseworker to the hospital to ensure that the child would be cared for.

They didn't send anyone. They actually said, "Well, she has a history of running away—we're looking at her CPS history, she has a history of running away, detain her, place her in a local detention center for youth."

That officer that I was working with said, I can't do that. I won't do that. That child has no reason to be placed into a detention center. She's done nothing to warrant charges.

At that time, we were told, well, we don't have a place for her at this time. And when our detective worked with Federal law enforcement partners to find housing, they actually located housing out of State, which we thought would be best for this particular youth because she did not need to be in the Atlanta area because that's where she had been exploited. We felt like her recovery would be better suited out of the State.

And when we did that, there was a lot of calls back and forth of having to get approvals, go up the chain of command to try to get someone from the department to approve this movement. And as a result, time passed and we lost that placement out of State for this child.

Senator OSSOFF. Where was this child during this time while you were working to find a place?

Ms. WINFREY. In the hospital. In the hospital.

Senator OSSOFF. So there was a child who'd been a victim of sex trafficking who was hospitalized, and DFCS' proposal was to place them in a juvenile detention facility for lack of placement.

Ms. WINFREY. That's correct.

Senator OSSOFF. You testified that the crisis in housing—or lack of appropriate placements in foster care is a major issue. And I think we just heard a story about what that can mean, in this case, a trafficking exploitation victim where it was proposed to place them in a detention facility.

Please speak more broadly to what you're seeing in terms of the lack of adequate placements in housing and how that impacts particularly vulnerable youth, both those who have faced exploitation and trafficking and those who, in the future, as we heard from Dr. Sahl, may be at even higher risk because they are placed in an inadequate or improperly constructed situation.

Ms. WINFREY. Sure. In the case that I was just talking about, the child involved in that case ran from placement. Okay? And they ran from their home because they were being molested in their home.

The tragedy of that case is that because we had no placement for this child and we did not move in a fast enough pace to make sure this child was adequately placed, she's now placed back into a home where she was abused.

And so now she is there for maybe not even a week, and now she runs again, and now she's involved again in sexual exploitation. She's trafficked, again. So now you've not taken an opportunity because we don't have adequate placement.

Senator OSSOFF. Again, after the initial hospitalization.

Ms. WINFREY. Correct.

Senator OSSOFF. So let me just make sure I understand this case.

Ms. WINFREY. Right.

Senator OSSOFF. A child is trafficked and exploited, hospitalized. Because of inadequate placements, DFCS proposes to place the child in detention. The detective says we're not going to do that, seeks other placement.

Because of the lack of available placement, an appropriate placement, this child winds up once again facing sexual exploitation?

Ms. WINFREY. Yes.

Senator OSSOFF. Thank you, Ms. Winfrey.

Mr. Atkinson, you testified that children who survive sexual exploitation and trafficking often do not receive appropriate treatment or services from DFCS. What services do they not receive, and how, instead, are they treated?

Mr. ATKINSON. Sure. I think—speaking broadly, I think there's a tendency to define these children solely as CSEC and then providing services that flow from that, rather than ensure that survivors get services that are—that are specifically tailored to their individual needs, experiences, and desires.

So not only are they receiving services that are recommended for them, like the trauma therapy that Ms. Winfrey described, as being necessary to process and confront and deal with and move past some of the underlying traumas that these children have experienced and continue to affect them.

But they're not receiving services that they feel will benefit them or in ways that they feel will benefit them, leading to them potentially not engaging in any services that are offered, but not receiving the services that they want, not receiving the services that they feel would be beneficial in their recovery.

Additionally, we've heard from, as Tiffani described, the number of placement changes in her case, and at the rate placement disrupts for some of our clients, they don't receive any therapeutic services before they're moved to a new placement because of that disruption.

And the referral process of trying to find services starts anew, creating substantial gaps in therapeutic treatment that is necessary for these children.

In addition, as we heard from Tiffani, I think that our clients have difficulty, in general, receiving gynecological care. I think it's kind of illogical, like I said, that one area of need that all these CSEC youth, especially CSEC girls, do share that relates to their experiencing some level of sexual trauma is one that's not routinely provided to all survivors.

Senator OSSOFF. A crucial issue that requires deeper inquiry. Fully agree with you, Mr. Atkinson.

And I want to talk about education for a moment because Tiffani discussed how she was prevented from going to school while in a group home. Have you encountered other cases like that? What is driving this policy or this practice, at least at some group homes, of preventing children from accessing education?

Mr. ATKINSON. Yes. We have had clients placed in very restrictive placements where their educational needs were supposedly being met by programs administered by the placement.

However, my clients, when they do participate in some of those educational programming, aren't receiving credit for the school work that they're doing at those placements because of issues

transferring those credits to other school districts when they re-enroll throughout the State, being enrolled in classes that they've already taken and already have credit for, or simply the programs that are being administered being unaccredited and them not being able to receive any educational credit.

I think it's well understood, like Tiffani said, that educational achievement is one of the biggest foundations of their success in adulthood.

So not only does that prevent children from graduating on time, but many of these children get discouraged altogether and abandon their education, even when they had initially and previously prioritized getting that high school diploma and pursuing postsecondary education.

Senator OSSOFF. Mr. Atkinson, you mentioned in your testimony you're a former prosecutor. From that perspective, have you observed issues with the way DFCS responds to disclosures or reports of abuse that can impede a child's opportunity to seek justice for sexual exploitation?

Mr. ATKINSON. Yes. It is frustrating to see situations that may be slipping through the cracks. When children disclose abuse or exploitation, whether that's physical or sexual or something else, there needs to be an appropriate response to that disclosure.

Like I said in my testimony, Georgia has a network of child advocacy centers around the State that are available as resources for both law enforcement and DFCS to utilize in assisting and responding to those disclosures. They allow for children to tell their story of abuse or neglect once to a trained interviewer who knows how to talk with children about those incidences in a way that minimizes the risk of re-traumatization and encourages full and complete disclosures.

Those forensic interviews, what they're called, often form the basis for law enforcement investigations that can lead to the discovery of corroborating evidence, supporting witnesses, and sometimes additional victims.

Senator OSSOFF. In a letter to the Georgia DFCS commissioner—excuse me—the Georgia DFCS director and DHS commissioner, Georgia's Office of the Child Advocate alleged systemic failures in how DFCS treated children who had faced sexual abuse.

One of the issues they reported was that DFCS had allegedly adopted a view that children over a certain age could engage in, quote, "self-protection" against abuse in their own homes.

Have you experienced challenges in getting attention and care for your clients—and I want to remind everyone, again, we're talking about clients, these are children who are your clients—because of an attitude that they can self-protect or that above some age, they can take care of themselves, even facing abuse like this?

Mr. ATKINSON. Yes. I think I have seen DFCS generally adopt the view that teenage children are in less need of protection because of the attitude that they can protect themselves.

I've seen resistance to intervene in circumstances where a child or their parent or guardian aren't engaging in necessary or recommended services, which ultimately leaves those children less safe. That can lead to situations where more emergent and drastic intervention becomes necessary, potentially after additional victim-

ization when a less intrusive intervention could have prevented that, if it had occurred sooner.

Senator OSSOFF. You testified that DFCS has, quote, "labeled children in ways that make it harder to find placements for them."

Can you please explain the kinds of labels that you've seen DFCS use to describe children and how this complicates finding them placements in an environment where, as we've already discussed, adequate and appropriate placements, particularly for children with the greatest need, are so scarce?

Mr. ATKINSON. Yes. I've seen, specifically in the placement applications that I talked about when DFCS is looking for placement for children, my clients being described as promiscuous, as prostitutes, as placing themselves in dangerous situations, as children with sexual problems who are defiant, don't do what they're told, and leave without permission.

Senator OSSOFF. These are on documents submitted by DFCS describing the children in their care in those terms?

Mr. ATKINSON. Yes. That's how DFCS has described them.

Senator OSSOFF. I thank all three of you for lending your experience and expertise.

[Video access is terminated.]

[Whereupon, the hearing was adjourned.]

[Additional material submitted for the record follows.]

A P P E N D I X

**United States Senate Committee on the Judiciary
Subcommittee on Human Rights and the Law
Hearing on “Abuse in Foster Care: A Deeper Look”
November 6, 2023**

**Statement of Brian Joseph Atkinson
Staff Attorney, Wilbanks Child Endangerment and Sexual Exploitation (CEASE) Clinic
University of Georgia School of Law**

Chairman Ossoff, Ranking Member Blackburn, and members of the Subcommittee, thank you for the opportunity to testify today.

My name is Brian Atkinson, and I am the staff attorney for the Wilbanks Child Endangerment and Sexual Exploitation Clinic, also known as the CEASE Clinic, at the University of Georgia School of Law. The views I express today are my own and do not represent the University of Georgia or the other committees, teams, or task forces on which I have the privilege to serve. I am testifying today in my personal capacity as the lead attorney at the CEASE Clinic, expert in sex crimes and trafficking against children, and advocate for children in foster care who have been sexually abused, exploited and trafficked. Last month, the Subcommittee heard from the Director of the CEASE Clinic, Emma Hetherington, and I am here today to provide additional context and information based on my experience working with children in foster care.

As CEASE’s Staff Attorney, I provide direct representation to survivors, and also supervise legal fellows and law students in representing child survivors in foster care dependency cases; adult survivors in civil litigation against their abusers; and survivors of trafficking in post-conviction relief cases who have adult criminal convictions as a result of their being trafficked, or while they were being trafficked.

Prior to joining the CEASE Clinic, I was the Chief Assistant District Attorney in Georgia’s Northern Judicial Circuit, where I prosecuted offenses involving child sexual abuse. My responsibilities in that job included serving on multidisciplinary teams to discuss the investigation, prosecution, and response to situations involving child abuse and maltreatment, and supervising ADAs in the circuit prosecuting crimes against women and children.

I have had a firsthand view of how survivors are treated within various legal, social services, and other systems, as well as the barriers survivors face in accessing justice.

While CEASE’s child-clients may at first appear dissimilar to the majority of children in foster care, the reality is that every child in foster care starts on the same path and their final trajectory depends in large part on the State’s response.

Victims of child sex trafficking are 70 to 90% more likely than nonexploited youth to have been victims of child abuse and neglect.¹ And as reported by Rights4Girls and Georgetown Law’s Center on Gender Justice & Opportunity, “where children are poorly cared for, the child welfare system inadvertently plays a part in making [children] vulnerable to exploitation.”²

Risk factors with the highest correlation to child trafficking include running away, homelessness, sexual abuse, a history of abuse and neglect, and foster care entry.³ What we have seen is a clear path to a heightened risk for trafficking victimization. If a child’s caregivers, families, friends, and communities fail to provide for their basic needs—food, shelter, safety, security, love, and belonging—their survival instincts kick in and they seek out another way to have their needs met. And when the State also fails to provide for those needs, children are at a much higher risk of landing straight in the hands of traffickers, buyers, and exploiters.

All of our child-clients experienced early childhood maltreatment, and all but one had prior child protective services involvement.

I would like to share some statistics about our clients.

- 86% of our clients have a history of running away.
- 80% have been detained by the age of 17, with 89% of those detentions occurring following a runaway incident.
- 82% of our clients who have been detained were detained following a suspected incident of child sexual abuse or CSEC.
- 54% have been in 5 or more placements, and 40% in more than 10.
- 80% of our clients have been placed in group homes.
- 34% have been placed in a psychiatric residential treatment facility, or PRTE, or have been hospitalized for an acute psychiatric crisis.

Since I have been at the CEASE Clinic, I have noticed a concerted effort in Georgia to update policies and practices to attempt to better respond to the realities of trafficked youth. However, those efforts have yet to be fully incorporated into regular practice. Most significant is the movement to change the conversation so that these young people can be better identified as victims and survivors and treated as such, rather than criminalized and punished for the abuse

¹ DEVELOPMENT SERVICES GROUP, INC., *Commercial Sexual Exploitation of Children/Sex Trafficking: Literature review*, OFFICE OF JUVENILE JUSTICE AND DELINQUENCY PREVENTION (2014), <https://www.ojjdp.gov/mpg/litreviews/CSECSEXtrafficking.pdf> (last visited Nov. 5, 2023), citing MIRIAM GOODMAN & JULIE LAURENCE, *Child Trafficking Victims and the State Courts*, Ch. 4, HUMAN TRAFFICKING AND THE STATE COURTS COLLABORATIVE, https://litcourts.org/wp-content/uploads/2023/01/Ch-4-140725_NACM_Guide_onlineV_v01.pdf (last visited Nov. 5, 2023).

² MALIKA SAADA SAAR, ET AL., THE SEXUAL ABUSE TO PRISON PIPELINE: THE GIRLS’ STORY (2015), <https://genderjusticeandopportunity.georgetown.edu/wp-content/uploads/2020/06/The-Sexual-Abuse-To-Prison-Pipeline-The-Girls%E2%80%99Story.pdf> (last visited October 23, 2023).

³ BRIAN ATKINSON & EMMA HETHERINGTON, *Child Trafficking*, CHILD WELFARE LAW AND PRACTICE: REPRESENTING CHILDREN, PARENTS, AND AGENCIES IN NEGLECT, ABUSE, AND DEPENDENCY CASES, at 527 (Josh Gupta-Kagan et al. eds., 4th ed. 2023).

they have suffered, and their responses to that abuse. Regrettably, I have not seen a change in how that is impacting the day-to-day treatment of these children.

Specifically, I have observed progress in how we talk about the population, as victims and as survivors. In saying that certain negative behaviors are likely trauma responses and agreeing that victims and survivors should be supported and not blamed for their victimization. But when that conversation shifts from talking about this population generally, to discussing individual children, they are labeled as at fault and are blamed for their victimization.

Within the foster care system, this impedes efforts to secure appropriate placements for youth. The placement applications for my clients emphasize their flaws rather than their strengths. They are described as promiscuous, as prostitutes, as placing themselves in dangerous situations, as children with sexual problems, who are defiant and don't do what they are told and who leave without permission. That is the first piece of paper a placement sees about the child, so while the Georgia Division of Family & Children Services, or DFCS, says it is hard to find placements, it's harder when they are painting misleading pictures of these kids that accentuate their flaws rather than their strengths. This also informs how the placements will treat these kids because they never get a second chance to make a first impression.

The portrayal of these children as being at fault or sharing in the blame for their own abuse or exploitation also hinders their opportunity to seek justice. The State of Georgia has a robust network of child advocacy centers throughout the state available to serve as tools for both DFCS and law enforcement to identify and respond to child abuse. However, when children are not seen as victims, they are less likely to be referred to those organizations when they report abuse or when abuse otherwise becomes suspected. That leads to those instances not being fully understood or investigated which leaves both the foster care system and our community less safe, and denies the opportunity to seek justice for these children.

Another trend that I have noticed is DFCS being reluctant to collaborate with other stakeholders on individual cases, opting instead to ignore or resist attempts at collectively meeting the needs of children in care. I've also seen our clients reach out to DFCS to tell them about their experiences in placements or need for therapeutic and other services, but are met with disbelief, dismissiveness, and often no response at all.

At the end of the day, DFCS is the legal guardian for these children and it is their responsibility to make sure that these kids are given spaces that are physically, emotionally, mentally, and spiritually safe and comfortable. They were removed from their families, which we know is a traumatic event regardless of the child's treatment within the home, but we – the system, courts, DFCS, and others involved, collectively decide that cost of removal is worth the benefit of being within the protective custody of the State. But then they are not protected, but are instead subjected to further harm.

We wouldn't, and don't, put up with similar treatment of children by parents, and we should hold ourselves, the State, to a much higher standard.

Thank you again for the opportunity to testify. I look forward to answering your questions.

**United States Senate Committee on the Judiciary
Subcommittee on Human Rights and the Law**

**Hearing on “Abuse in Foster Care: A Deeper Look”
November 6, 2023**

Written Testimony of Tiffani McLean-Camp

Chairman Ossoff, Ranking Member Blackburn, and members of the Subcommittee.

My name is Tiffani McLean-Camp. I am 19 years old and in extended foster care here in Georgia. I first entered foster care in Georgia when I was 15, but that’s not where my story begins.

I was born in Detroit and removed from my biological mother when I was 2 years old. At the age of 3 I was adopted. From the age of 3 until I was 15 I was physically abused and neglected by my adoptive parents, and sexually abused by a family friend.

My adoptive parents were involved in 23 child protective services reports while living in Michigan. At one point I was removed from my adoptive parents and placed in foster care.

We moved to Georgia in 2019, but the abuse did not end there. One day I told a teacher that I was afraid to go home and they called DFCS. A case manager came to our house and asked me questions right in front of my parents. I was afraid I would get in trouble so I said everything was ok.

When no one protected me, I tried to protect myself. I tried to run away and to fight back, anything I could to escape. I was arrested for trying to protect myself from my father’s abuse. He was never arrested, and DFCS said that I was the problem. No one listened to me. No one believed me.

In February 2020 I was put in foster care. DFCS didn’t believe that I had been abused or neglected, even after I told them. To them I was unruly, a runaway, and a behavior problem.

I was in DFCS's custody until I turned 18 in May 2022. While in DFCS's custody, I experienced abuse, medical neglect, educational neglect, and was even sexually assaulted and trafficked.

I moved placements more than 20 times. I was put in group homes, detention centers, and foster homes. Like Mon'a, I was at Devereux. For the nearly 8 months I was there, my case manager didn't come to see me once. Like Mon'a, I remember the barbed wire fences, being overmedicated, and put in isolation. I remember staff forcing my pants down and forcing me to get a shot on my bottom and then feeling drowsy. They treated me like I wasn't a human.

I was also placed in group homes that were supposed to be safe houses for girls who were trafficked. Instead, I witnessed staff fighting with the other girls in the home, staff smoking weed, and not being allowed to go to school in person—not for my protection, but to protect group home staff other children.

When I turned 18 I signed myself out of care. When I found out I was pregnant, I called my case manager to tell her. DFCS still had my social security card and birth certificate. I needed information about transportation

But then I gave birth to my son. He was born premature and spent three weeks in the NICU. Foster care left me without housing or assistance I needed to take care of myself and my child. I wanted a better life for my son, so I called DFCS and signed back into care. DFCS couldn't find a placement for us, so my son and I had to spend the first 6 weeks of his life in a homeless shelter.

Then we were placed in a group home for teen moms. A staff member falsely accused me of neglecting my son and DFCS took him from me for a month. The court ordered DFCS to find a placement for me and my son to be together, and if they couldn't find somewhere for us that I'd get to see him 3 times week. But I didn't get to see him 3 times a week and we weren't placed together. For a month three bonds were broken—the bond between a mother and their child, the bond we were building for the first 3 months of his life while I was breastfeeding, and the bond created through skin to skin and other interactions important for his development. Instead, DFCS tried to force me to sign myself out of foster care.

On June 29th my son was returned to me. The court found that DFCS did not have any evidence that I was abusing or neglecting my son.

During all of this, DFCS neglected me. Since March I had been asking for therapy to help me with past trauma and postpartum depression. I asked to see a doctor for infections I had related to past abuse and pregnancy, including an infection caused by pieces of leftover placenta. I didn't see an OB-GYN until more than 6 months after giving birth to my son.

Despite how DFCS has treated me, I am still here because I have to focus on what is best for my son. I am working on getting my GED and plan on going to nursing school. Because I have an attorney and CASA who fight for me, listen to me, and believe me, my son and I are now living in a foster home where we feel safe and supported. I have a new case manager who listens to me and asks me what I need. For the first time since I was 15, I have hope.

I hope that through my testimony, other children won't have to go through what I did.



United States Senate Committee on the Judiciary

Subcommittee on Human Rights and Law

“Abuse in Foster Care: A Deeper Look”

November 6, 2023

**Testimony of Samantha Sahl, DSW, LCSW,
Supervisor, Child Sex Trafficking Recovery Services Team
National Center for Missing & Exploited Children**

I. NCMEC Background

The National Center for Missing & Exploited Children (NCMEC) is a private, non-profit organization that serves as the congressionally designated clearinghouse and national resource center to help find missing children, reduce child exploitation, and prevent child victimization. In 1981, 6-year-old Adam Walsh was with his mother, Revé, in a Florida shopping mall when he vanished without a trace. Revé and John Walsh endured 10 days searching for Adam before he was found murdered 100 miles away. Three years later, in 1984, John and Revé Walsh, alongside other child advocates directly impacted by the tragedy of child abduction and child sexual exploitation, created NCMEC.

In the nearly 40 years since its founding, NCMEC has grown to become the nation’s largest and most influential child protection organization on missing and exploited children issues. With increased public awareness, consistent training, and enhanced use of technology, NCMEC has been able to help bring more missing children home and prevent the sexual exploitation of children. To fulfill its mission, NCMEC performs five main programs of work relating to: (1) missing children; (2) exploited children; (3) community outreach; (4) educational and professional resources; and (5) family support. NCMEC fulfills its unique mission through coordination with the Department of Justice, law enforcement, support from Congress, cooperative private-public partnerships, and community engagement.

II. NCMEC’s Work to Address Children Missing from a Child Welfare Placement and the Unique Endangerments, Including Child Sex Trafficking, They Face

Since NCMEC was first established in 1984, we have worked to help find missing children. The past decade has demonstrated that children who are missing from a child welfare placement are uniquely vulnerable to life-threatening endangerments, including gang violence, mental health concerns, and sex trafficking. The issues relating to children missing from care and child sex trafficking are complex and multi-faceted. Law enforcement, child welfare agencies, educational systems, social service

support systems, medical institutions, and nonprofit service providers all play a role in addressing why children go missing from care and how they can be recovered quickly and safely and placed in an appropriate and supportive living environment. Successful solutions to these problems cannot fall solely at the feet of any single institution. There are many improvements that must be made to address this problem and these efforts require systemic changes that ensure children who are missing from care can receive the resources, opportunities, support and love that every child deserves to have a safe childhood.

A. NCMEC's Resources to Support Recovery of Missing Children who are Victimized by Sex Trafficking

When NCMEC receives reports of missing children, we work to help locate and support the recovery of the missing child by providing a range of programs and services, including: (1) a 24/7 Call Center (1-800-THE-LOST); (2) case management support for parents, child welfare agencies, and law enforcement; (3) forensic services on long-term missing child cases and cases of unidentified deceased children; (4) analytical resources to develop leads and assist in recovering missing children and those exploited through sex trafficking; (5) family and peer support for families experiencing a missing or exploited child; and (6) a Child Sex Trafficking Recovery Services Team to provide specialized technical assistance and resources to child welfare professionals.

NCMEC's Child Sex Trafficking Team leverages donated analytical resources and specialized technology tools to identify missing children in online escort advertisements and provide law enforcement with information that can assist in the location and recovery of the missing child. In 2020, NCMEC realized that many missing children, including especially children who were missing from a child welfare placement, were vulnerable to being victimized by sex traffickers. In response, NCMEC created a unique Child Sex Trafficking Recovery Services Team in 2020 to provide specialized technical assistance and resources to child welfare professionals in cases where a missing child was likely a victim of child sex trafficking.

In these cases, it can be difficult to identify the appropriate support and resources to aid in the recovery of the child. NCMEC's Child Sex Trafficking Resource Specialists provide the following unique services: (1) individualized case support to triage the push and pull factors that led a young person to leave their placement; (2) introduction to promising practices around youth voice and engagement, safety planning, and relationship building to work to change those circumstances; (3) assistance in resource coordination to connect case workers to local resources in their community that offer specialized services for survivors of child sex trafficking. NCMEC collaborates with our Child Sex Trafficking Survivor Expert Working Group to ensure that its approach and program offerings are informed by those with lived experiences.

B. Children Missing from Care

In 2014, Congress passed the Preventing Sex Trafficking and Strengthening Families Act (P.L. 113-183), which required child welfare agencies to report children who go missing from foster care placements to NCMEC, in addition to reporting them missing to law enforcement. This new reporting requirement was essential because up to that time too often children who went missing from child welfare placements were not reported to NCMEC as a missing child. The passage of the Preventing Sex Trafficking and Strengthening Families Act ensured a better national understanding of this issue and called attention to the need for more appropriate resources to be dedicated to children who go

missing from state care. In December 2022, subsequent guidance was issued by the Health and Human Services (HHS) detailing specific information that child welfare agencies should report.¹

In 2022, to further assist the recovery of children missing from care, NCMEC advocated for additional federal statutory language to be passed to improve reporting of children missing from state foster care. While many state welfare agencies had made improvements, there was a large discrepancy in the quality and content of reports NCMEC was receiving. Some reports contained so little information that they were unactionable, often missing even basic information such as child endangerments and a photo of the child. To address this issue the Trafficking Victims Prevention and Protection Reauthorization of 2022 contained language encouraging state welfare agencies to include, when available: a photo of the missing child; a description of the child; and endangerment information of the child.² The inclusion of this language has led to some improvements in the reporting of missing children to NCMEC, but more changes are still needed.

Since passage of these laws relating to reporting children missing from care the number of cases of children missing from child welfare placements reported to NCMEC has increased exponentially. Of the 27,644 cases of missing children NCMEC assisted law enforcement with in 2022, 21,494 were children reported missing from foster care.³ Through its cross-divisional work on missing and exploited children cases, NCMEC has long been aware of the vulnerabilities that missing children face. The risks from these vulnerabilities are especially heightened when a child goes missing⁴ from a child welfare placement.

NCMEC has worked closely with state child welfare agencies to ensure child welfare professionals know that reporting a child missing from care to NCMEC opens the door to a variety of resources that can assist in the quick and safe recovery of the child. NCMEC has created a unique online reporting form for child welfare agencies to use in reporting children missing from care to NCMEC and has a number of staff who are devoted to collaborating with child welfare agencies around cases and NCMEC resources. In 2017, NCMEC convened a roundtable discussion to address the rise of missing children from state care. The roundtable focused on the intersecting issues of children missing from care and child sex trafficking and helped establish potential solutions. In 2023, NCMEC launched three on-demand modules to provide child welfare professionals with an overview of important legislation related to child sex trafficking and children missing from care, provide guidance on reporting children missing from care to NCMEC, and outline NCMEC resources that could support locating and recovery planning for missing youth. While we are better equipped to support child welfare services and aid in recovering children missing from care, much work remains to be done.

¹ Responding to Human Trafficking among Children and Youth in Foster Care and Missing from Foster Care *available at* <https://www.acf.hhs.gov/policy-guidance/responding-human-trafficking-among-children-and-youth-foster-care-and-missing>

² Trafficking Victims Prevention and Protection Reauthorization Act of 2022, Pub. L. No. 117-348, § 137, (last visited at Nov. 4, 2023) *available at* <https://www.congress.gov/117/plaws/publ348/PLAW-117publ348.pdf>.

³ Our 2022 Impact, National Center for Missing & Exploited Children, 2023, (last visited Nov. 3, 2023) *available at* <https://www.missingkids.org/ourwork/impact#findmissingchildren>.

⁴ NCMEC defines a child missing from care as a child who is missing from the legal guardianship of a child welfare agency. The child could be missing from a foster home, a group home, a residential placement, a psychiatric residential placement, a kinship placement, or may have run away from a child welfare office or hotel placement.

III. Children Missing from Care and Child Sex Trafficking

NCMEC's data consistently shows that child sex trafficking often arises in a situation where a child has gone missing. In 2022, 1 in 6 of the children reported missing to NCMEC were identified as likely victims of child sex trafficking. This number is closer to 1 in 5, for children reported missing to NCMEC from foster care. The trends NCMEC has evaluated over the past four decades reveal that when children run away frequently or for long periods of time, they tend to be running from an unsafe situation or to an unsafe situation. These vulnerable children are frequently mislabeled as "runaways" or "habitual runners," terms that place stigma and blame on children as opposed to recognizing that they are leaving their placements for a reason. NCMEC works to combat these harmful stereotypes by providing psychoeducation in case-based consultations we have with law enforcement, child welfare, and parents, as well as by providing live and on-demand trainings to help professionals understand running behavior. In 2023, NCMEC launched a free, online training entitled, "Child Sex Trafficking: Understanding Running Behavior and Trauma-Informed Youth Engagement," to provide on-demand instruction and skill-building for youth serving professionals to better understand the reasons why young people may run away or go missing from care.

While any child can be targeted by a trafficker, data, research, and testimony from individuals with lived experience inform us that traffickers often target youth who have already experienced abuse or neglect, lack strong support or family systems, and feel disconnected or rejected from their home or community. Unfortunately, children in child welfare placements often meet this definition due to the abuse and neglect they have often experienced prior to coming into care coupled with the ongoing struggle that child welfare agencies nationwide face in supporting foster home placements that can support youth who are experiencing trauma.

Children in child welfare placements often come into care due to early childhood abuse or neglect, trauma that can impact both their self-worth and the way they relate to others. They are often placed in foster homes or congregate care settings that may not have the training, policies, or tools to support youth in processing and healing from their trauma. These placements are also often under-resourced and fail to provide children with opportunities to engage in normal adolescent activities, opportunities for self-exploration, exploring their goals and interests, and making connections that can foster love and belonging. For many children, running away from their placements can be an attempt to keep themselves safe, to meet unmet needs, or as a trauma response.

It is a national crisis when children feel like being on the streets or with a trafficker is a better place for them to be than their foster care placement. Today, NCMEC is handling 6,910 active cases of missing children nationwide. While not every one of those children will experience child sex trafficking, each day they are gone they are at an increased risk for experiencing a number of adverse childhood experiences that can have a lasting impact on their physical and mental health, as well as their future wellbeing. NCMEC has seen these negative impacts firsthand, including increased risk for sex trafficking and abuse, teen pregnancy, sexually transmitted infections, mental health conditions, substance abuse, self-harm, and suicide.

NCMEC is committed to continuing our support of child welfare by offering specialized training, including through NCMEC Connect, a free training platform with specific trainings and technical assistance geared towards state welfare agencies, such as foster care placements, run prevention, and child sex trafficking. NCMEC also offers one-on-one consultations and personalized assistance to child welfare workers when a child is missing from their care. NCMEC partners with child welfare

workers to support them in developing trauma-informed and victim-centered plans for children that work to address the root cause of why that child is running from care.

IV. Conclusion

NCMEC applauds Chairman Ossoff and Ranking Member Blackburn's continued dedication to the safety of our children and their focus on the unique vulnerabilities that children missing from care face.⁵ Since the passage of the Strengthening Families and Preventing Sex Trafficking Act, it has become apparent that children go missing from child welfare placements at an alarming rate. NCMEC's work on these cases also demonstrates that many of these children run repeatedly, often do not receive the recovery services or appropriate placements they need and are incredibly vulnerable to endangerments when they run from state care. This situation is not limited to any one state or child welfare system – it is a national epidemic that requires continued examination and evaluation of potential solutions, including new laws, that can support child welfare agencies, law enforcement, NCMEC, and victim service providers to reduce the number of children missing from care and provide better opportunities for their safe recovery. If the United States is going to commit to protecting vulnerable children, legislation is a critical step on the path forward. NCMEC urges Congress to prioritize legislation focused on children missing from care as legislators craft their ongoing agendas for the 118th session of Congress and beyond.

Hope is what keeps NCMEC striving to achieve its mission. We hope that every missing child will be found and safely recovered. We hope that children in foster care will be surrounded by caring and compassionate adults and that they will have opportunities for healing, self-exploration, and caring relationships that we know all children need in order to thrive.

⁵ Attached below are Charts 1-2; they contain relevant NCMEC data relating to children missing from care in Georgia and their victimization through sex trafficking.

CHART 1⁶
CHILDREN MISSING FROM CARE: GEORGIA
INTAKED BETWEEN 1/1/2018 AND 12/31/2022

The data provided in this report is for all children reported to NCMEC who went missing from care (CMFC) in Georgia. The individual counts of missing children represent each unique child reported to NCMEC. The total number of missing episodes includes every missing incident reported to NCMEC. Some children might be represented in this count more than once because they had multiple missing incidents during this time frame.

Year	Children Missing from Care:	
	Count of Individual Children	Total Number of Missing Episodes
2018	318	419
2019	356	476
2020	431	599
2021	366	512
2022	319	430
TOTAL	1,790	2,436

⁶ Disclaimer and Definitions: The information provided in this report does not reflect all cases of missing or abducted children, only those reported to NCMEC. As the national clearinghouse for missing and exploited children, NCMEC will assist in any missing-child case at the request of law enforcement. (Prepared by Missing Child and Data Analytics Team).

CHART 2⁷

**CHILDREN MISSING FROM CARE AND LIKELY CHILD
SEX TRAFFICKING VICTIMIZATION: GEORGIA
INTAKED BETWEEN 1/1/2018 AND 12/31/2022**

The data provided in this report is for all children reported to NCMEC who went missing from care (CMFC) in Georgia and were likely victims of child sex trafficking (CST). The individual counts of missing children represent each unique child reported to NCMEC that was missing from care and likely a victim of CST. The total number of missing episodes includes every missing incident reported to NCMEC that involved a child missing from care and was likely a victim of CST. Some children might be represented in this count more than once because they had multiple missing incidents during this time frame.

Year	Missing from Care: Likely Child Sex Trafficking Victims	
	Count of Individual Children	Total Number of Missing Episodes
2018	75	109
2019	72	117
2020	91	149
2021	84	129
2022	88	120
TOTAL	410	624

⁷ Disclaimer and Definitions: The information provided in this report does not reflect all cases of missing or abducted children, only those reported to NCMEC. As the national clearinghouse for missing and exploited children, NCMEC will assist in any missing-child case at the request of law enforcement. (Prepared by Missing Child and Data Analytics Team).

***Opening Statement of
Earnelle P. Winfrey, Deputy District Attorney
Human Trafficking & Internet Child Exploitation Unit
Office of the Fulton County District Attorney***

Monday, November 6, 2023

Who will answer their call? Who will hear their cries? The voices of children neglected, abused and abandoned. So, we establish a system designed to care for them – charged to hear their cries for help and to answer their call. We establish a system designed to care for the orphan; charged to care for the most vulnerable among us. A system initiated out of an act of love with best intentions but is broken.

Some of the children placed in this system are labeled unruly, runaway, delinquent. But who will take the time to understand their backstory- where they came from and how they got to be where they are? Who will take the time to understand the trauma they suffered that brought them into care? When their trauma makes them act out in a way that causes them to be labeled unruly, runaway, delinquent – a “bad kid”, who will address the underlying trauma and the root cause so that they may heal and become productive citizens? The system that we put in place to help address the orphan is not functioning at optimal performance. At times it can be inefficient and at its worst time, add to the perpetuation of young children being sexually exploited and trafficked.

Good morning, Chairman Ossoff, Ranking Member Blackburn and members of the Subcommittee. My name is Earnelle P. Winfrey. I am the Deputy District Attorney and lead prosecutor of the Human Trafficking and Internet Child Exploitation Unit at the Office of the Fulton County District Attorney. I have been a practicing attorney for twenty-two (22) years with the last six (6) years serving as a prosecutor in the area of human trafficking and sexual abuse. As a prosecutor and expert in the field human trafficking, I have the privilege of serving and advocating for survivors of commercial sexual exploitation by giving them a voice in the courtroom and by holding their traffickers accountable.

Thank you for the opportunity to share my experiences in working with CSEC youth impacted by the foster care system.

The views I express today are my personal ones and should not be construed as a representation of the various statewide committees, multidisciplinary teams or task forces on which I have the privilege to serve.

As a human trafficking prosecutor, I am seeing that approximately 80% to 90% of the CSEC survivors we serve have been sexually abused as a child and enter the life of commercial sex with this type of adverse childhood experience which increases their vulnerability of exploitation. Approximately 40% to 50% of the CSEC survivors we serve had either been in foster care and/or had documented CPS history. I am seeing that many CSEC survivors in the foster care system present with complex trauma with no real support to facilitate healing while in DFACS care. By not addressing this complex trauma while in care, it increases their likelihood and risk of being trafficked. Sexual abuse causes the feeling of low self-worth and low self-esteem, shame and guilt. These feelings cause them to adopt the notion that selling their bodies is all they are worth because they see themselves as damaged goods. Several CSEC survivors report negative experiences while in foster care and express a lack of trust and faith in the system.

We have to dispel the myth that human trafficking involves a stranger riding around in a white van, kidnapping children off the street and selling them into a life of sexual servitude. Most of our survivors were trafficked by someone they knew, even family members.

For example, in one case, a CSEC youth was recovered during an operation targeted at recovering missing children. When she was taken in for medical care, the detective noted that she was aware of her history in the foster care system as a habitual runaway. With this knowledge, they reached out to DFACS and requested they take custody of her pursuant to SB158. This CSEC youth had nowhere to go as she had been trafficked and had history of

past sexual abuse by a family member. DFACS did not send anyone to the medical facility, nor did they begin the process of exercising their authority under SB158. In fact, because this child was known to be a runaway, the detective was advised to detain her and place her into a detention center. DFACS informed the detective that they did not have a place for this CSEC youth to go. The detective informed them that she could not detain this CSEC youth because the youth did not do anything to warrant charges and placement into a detention center. Consequently, the detective, in collaboration with a federal law enforcement partner, located an out-of-state placement facility that could take her immediately and get her the care and counseling she needed. Under these emergency circumstances, DFACS did not act in a timely manner and the out-of-state placement that was found for this CSEC youth was lost. Eventually, DFACS sent this CSEC youth back to her family. Shortly after being returned to her family, this CSEC youth ran away and was sexually exploited again. The question here is do we have a crisis in housing?

Another trend we have seen is inappropriate placements for CSEC survivors in certain group homes. There are examples of young girls running away from a placement and finding themselves in jaws of commercial sexual exploitation. When they were recovered, they disclosed the horrors of their experiences in the streets. Did the system fail them by not investigating the placement facility housing these young girls prior to their placement? Did the system ensure that the placement was proper for CSEC youth? Are they training care givers and placement facilities on the care of CSEC youth?

If the foster care youth are running away, they are running from something. Again, have we to investigate and address the root issue.

This is not to disparage case workers that work tirelessly in ensuring the safety of children in care. Case workers are in interview after interview, writing report after report, and responding to child abuse calls. But case workers are also whispering that they have a lack of personnel and are understaffed. They are constantly seeking approval from supervisors to make certain decisions about the care of the children under their watch.

We must understand that traffickers target vulnerabilities. The main vulnerability of our youth is their age and lack of life experiences. The second main vulnerability of youth is their need for belonging, love and acceptance. Traffickers hone in on these vulnerabilities and exploit them for financial gain. The area of vulnerability for CSEC foster care youth is that they are in the foster care system and do not have roots and ties to their biological family where they can feel secure and know who they are in this world. They have no safe place where they can figure it all out.

So, my question to all involved in this process is who will hear their cries? Who will respond? Who will take action? Who will look into this in a way that is fair and places the best interest of our children in the forefront? Who will have the courage to say, "if it is broken, it is broken? If it needs to be fixed, then let us fix it?" Our children do not deserve to live a life of exploitation. They do not deserve to be labeled with such negative words like unruly or delinquent if there is no evidence to substantiate it.

In my closing argument to juries, I tell them that their job is not to look for doubt, but to seek and look for the truth. It is my hope and prayer that through this investigation into the foster care system, this subcommittee will seek and look for the truth. When we honestly look for the truth, we will find that truth. Then we will be able to fix the problems we are seeing and end the trends that we are talking about and actually hear and respond to the cries of these children.

I applaud this committee for having the courage to investigate the system that serves and works with our greatest commodity, our children

Thank you for giving me the opportunity to share the experiences I have had as a human trafficking prosecutor working with CSEC survivors in the foster care system. It is my hope and prayer that there will be real answers and real solutions to help ensure this system is functioning at optimal performance as it works to take care of the orphan because it is our responsibility.