# Human Trafficking Checklist

## Has child been a victim of sex trafficking?

- ☐ A person knowingly transported, enticed, recruited, harbored, provided, or otherwise obtained the child by any means Tex. Penal Code § 20A.01(4); AND
  - Caused the child to engage in, or become the victim of, an enumerated sex offense Tex. Penal Code § 20A.02(a)(7); or
  - Received a benefit from participating in a venture that involves an enumerated sex offense or engaged in sexual conduct with a trafficked child. Tex. Penal Code § 20A.02(a)(8)
- ☐ Child under 18 years of age, regardless of trafficker's knowledge of child's age. Tex. Penal Code §§ 20A.01(1), 20A.02(b)(1)
- ☐ Violations that occur within 1000 feet of a school, juvenile detention facility, a children's shelter, or an RTC are subject to a first-degree felony enhancement. Tex. Penal Code § 20A.02(b-1)

## Has child been a victim of labor trafficking?

- ☐ A person knowingly:
  - Trafficked child with intent that the child engages in forced labor or services Tex. Penal Code §§ 20A.01(2), (4), 20A.02(a)(5); OR
  - Received a benefit from participating in a venture that involves forced child labor or services including knowingly receiving forced child labor or services. Tex. Penal Code § 20A.02(a)(6)
- ☐ Child under 18 years of age, regardless of trafficker's knowledge of child's age. Tex. Penal Code §§ 20A.01(1), 20A.02(b)(1)
- ☐ Violations that occur within 1000 feet of a school, juvenile detention facility, a children's shelter, or an RTC are subject to a first-degree felony enhancement. Tex. Penal Code § 20A.02(b-1)

## Under what circumstances will DFPS investigate trafficking?

- ☐ If a person traditionally responsible for child's care, custody, or welfare Tex. Fam. Code § 261.001(5):
  - Compelled or encouraged the child to engage in sexual conduct including child sex trafficking, prostitution, or compelling prostitution; Tex. Fam. Code § 261.001(1)(G);
  - Knowingly caused, permitted, encouraged, engaged in, or allowed a child to be trafficked for sex or labor; OR
  - Failed to make a reasonable effort to prevent the child from being trafficked for sex or labor. Tex. Fam. Code § 261.001(1)(L)

# Human Trafficking Checklist

*continued*

## If a child has been missing from foster care, were the following steps taken?

Tex. Fam. Code § 264.123

- ☐ DFPS made report to law enforcement and the National Center for Missing and Exploited Children (NCMEC) no later than 24 hours after learning a child is missing or abducted. 42 U.S.C. § 671(a)(35)
- ☐ Within 24 hours of learning child missing or after a missing child returned to care, DFPS notified law enforcement, court, child's AAL and GAL, and parents (unless no known location, TPR, or relinquishment).
- ☐ While a child is missing, DFPS made continuing efforts to locate the child including monthly contacts with law enforcement and former caregivers. Supervisory-level reviews were conducted quarterly for children 15 years and older.
- ☐ After a missing child returns to care, DFPS completed a recovery interview to determine any victimization that may have occurred during a missing event.

## Are there any red flags to help identify child trafficking victims?

***Note*** that this list is non-exhaustive

- ☐ Multiple missing episodes from placement;
- ☐ Changes in school attendance habits, appearance, socio-economic status and possessions, friend groups, interests, school activities, vocabulary, demeanor, attitude, and sexual behavior;
- ☐ Unexplained injuries such as bruising, swelling, redness, cigarette burns;
- ☐ Tattoos or branding; and/or
- ☐ Hotel key cards or refillable gift cards.
- ☐ *See further* Office of Attorney General Signs of Trafficking.

## Has commercial sexual exploitation screening occurred for child entering conservatorship?

- ☐ Effective September 1, 2025, all children in DFPS conservatorship within 45 days of entering care must receive a screening for risk of commercial sexual exploitation using a validated, evidence-informed tool if validation guidelines based on the child's age indicate the screening is appropriate or concerns of commercial sexual exploitation exist. Tex. Fam. Code § 266.012
- ☐ DFPS will use a Commercial Sexual Exploitation-Identification Tool that is validated for children 10 years and older, and may be utilized with younger children, if suspicion of commercial sexual exploitation exists.