

Louisville Metro Police Department

<h2>Standard Operating Procedures</h2>	SOP Number: 8.48
	Effective Date: 12/07/13 Prv. Rev. Date: 08/06/18 Revised Date: 12/19/22
	Accreditation Standards: KACP: 30.3
Chapter: Field Operations	
Subject: Human Trafficking	

8.48.3 SIGNS OF HUMAN TRAFFICKING (CONTINUED)

- Is deprived of basic life necessities, such as food, water, sleep, or medical care.
- Suffers from verbal or psychological abuse designed to intimidate, degrade, and frighten the individual. Signs range from the more obvious, such as broken bones, to the more subtle, such as branding or tattooing.
- Is submissive or fearful in the presence of others.
- Does not control his/her schedule.
- Lacks concrete short-term or long-term plans.
- Lacks knowledge about the place where he/she lives.
- Appears to date much older, abusive, or controlling persons.
- May have post-traumatic stress or psychological disorders.
- Lacks money (e.g. little or no pocket money).

8.48.4 CHILD VICTIMS OF HUMAN TRAFFICKING

The main goal of the HTVRA of 2013 is to create a safe harbor to treat child victims of human trafficking as victims instead of criminals. All efforts should be made to provide suspected child victims of human trafficking with appropriate services. The following KRS pertain to child victims of human trafficking:

- KRS 620.030 states that anyone with a reasonable belief that child human trafficking is occurring is required to report it. Cases will be reported to the Department for Community Based Services (DCBS) at (502) 595-4550 or Intake.JSR@ky.gov.
- KRS 630.125 provides that if any child is reasonably believed to be the victim of trafficking, the child will not be charged with any status offense (e.g. runaway, truancy, etc.) for conduct arising from the human trafficking, unless it is determined, at a later date, that the child was not a victim of human trafficking at the time of the offense.
- KRS 529.120 gives protection to child victims of trafficking. It specifically provides that children suspected of prostitution or loitering for prostitution will be taken into protective custody and the Kentucky Cabinet for Health and Family Services (CHFS) will commence an investigation into possible dependence, neglect, or abuse, even if the person holding the child is not his/her custodial caregiver. It also states that a child suspected of prostitution or loitering for prostitution will not be prosecuted for these offenses.
- KRS 529.170 creates an affirmative defense to all but "violent crimes" if the individual asserts that he/she is a victim of human trafficking. Discretion may be used to not arrest a child for other public offenses since many traffickers will force victims to commit crimes such as shoplifting and drug use/trafficking.

8.48.5 INITIAL RESPONSE

If an officer suspects human trafficking, the officer will immediately notify his/her supervisor, who will contact the **Office of Sexual and Physical Investigations (OSPI) of the Special Victims Unit (SVU)**.

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8.48.5 INITIAL RESPONSE (CONTINUED)

Officers will determine if there is a language barrier. If there is a language barrier, a translator will be requested, via MetroSafe, to come to the scene (refer to SOP 3.10). Any translators already at the scene, who have not been contacted by MetroSafe, will not be used, as they may be influenced by the suspect(s).

If the **OSPI** Commander or detective determines the individual needs support and advocacy services, he/she can contact the Victim Services Unit to respond, as they provide a 24/7 crisis response.

Any tips of human trafficking that are received by the department or MetroSafe will be forwarded to the **OSPI** investigation.

Child Victims

In addition to the preceding procedures, all efforts should be made to respond to child victims in a trauma-informed manner so that the intervention does not worsen their trauma. For example, the following procedures should be taken:

- Officers should provide for the child victim's basic needs and include a support person;
- The child should not be handcuffed or restrained;
- An appropriate location for an interview should be chosen; and
- The interview of a child victim should only be performed by a certified forensic interviewer.

Certified forensic interviewers are trained in a specialized interview process that avoids asking a child victim direct/leading questions. This decreases the chances of a forensic interview being tainted by ideas unknowingly planted by officers who are not trained in forensic interviewing techniques.

The following notifications will be made by the detective:

- Child Protective Services (CPS), who should normally respond within one (1) hour (KRS 620.029; 620.030).
- The parent/legal guardian or caregiver of the child, unless he/she is the suspect.

If the child is in danger, the officer may:

- Take the child into protective custody (KRS 620.040) (refer to SOP 8.22).
- Transport the child to Norton Children's Hospital for a Sexual Assault Forensic Exam (SAFE) by a Sexual Assault Nurse Examiner (SANE). Approval must be obtained from a parent or legal guardian, unless he/she is the suspect, prior to conducting a SAFE. If approval cannot be immediately obtained, in addition to the child being taken into protective custody, the attempted contact will be documented, unless the parent or legal guardian is the suspect, and the information will be given to the **OSPI** detective. The **OSPI** detective will then follow-up to verify that the SAFE is completed, with proper approval, and evidence is collected in a timely manner, pursuant to SOP 8.50.