

SECTION 1.15
MANDATORY REPORTING/HUMAN TRAFFICKING

A. MANDATORY REPORTING

Delegate agencies must be compliant with all applicable state laws regarding the mandatory reporting of child abuse, child molestation, sexual abuse, rape, incest, or domestic violence. Agencies must have written procedures in place demonstrating compliance.

Requirements of the Family Planning Program Staff

Family Planning Coordinators must assure that all staff members are trained and familiar with Colorado law regarding mandatory reporting / human trafficking (summarized below). At the end of the following excerpts from the Colorado Revised Statutes, there are summary tables outlining: who is required to report, to whom the report is made, and what the penalties are for failure to report.

Family Planning agencies must develop written internal procedures for staff on how to address mandatory reporting incidents. It is expected that the Family Planning Coordinator will solicit input from local agencies involved in the issue before writing up a local procedure. Local agencies include law enforcement, child protective services, etc. Your clinic's procedure must detail how you will respond to any reportable or potentially reportable situation as outlined in this policy. All Family Planning Program staff must be familiar with the policy and procedures outlined in this section.

Applicable statutes:

Colorado Revised Statutes (CRS)

(A complete statute is not reproduced here if "In part" is noted after the statute title. Statute language may be amended or repealed at times. Statute language noted in these policies may not be the most current language. Please consult the Colorado Revised Statutes for current language.)

CRS §18-3-402. Sexual assault. (In part)

- (1) Any actor who knowingly inflicts sexual intrusion or sexual penetration on a victim commits sexual assault if:
 - (a) The actor causes submission of the victim by means of sufficient consequence reasonably calculated to cause submission against the victim's will; or
 - (b) The actor knows that the victim is incapable of appraising the nature of the victim's conduct; or
 - (c) The actor knows that the victim submits erroneously, believing the actor to be the victim's spouse; or
 - (d) At the time of the commission of the act, the victim is less than fifteen years of age and the actor is at least four years older than the victim and is not the spouse of the victim; or
 - (e) At the time of the commission of the act, the victim is at least fifteen years of age but less than seventeen years of age and the actor is at least ten years older than the victim and is not the spouse of the victim...

CRS §18-6-401. Child abuse. (In part)

- (1)(a) A person commits child abuse if such person causes an injury to a child's life or health, or permits a child to be unreasonably placed in a situation that poses a threat of injury to the child's life or health, or engages in a continued pattern of conduct that results in

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malnourishment, lack of proper medical care, cruel punishment, mistreatment, or an accumulation of injuries that ultimately results in the death of a child or serious bodily injury to a child.

- (b) (I) Except as otherwise provided in subparagraph (III) of this paragraph (b), a person commits child abuse if such person excises or infibulates, in whole or in part, the labia majora, labia minora, vulva, or clitoris of a female child. A parent, guardian, or other person legally responsible for a female child or charged with the care or custody of a female child commits child abuse if he or she allows the excision or infibulation, in whole or in part, of such child's labia majora, labia minora, vulva, or clitoris.
- (II) Belief that the conduct described in subparagraph (I) of this paragraph (b) is required as a matter of custom, ritual, or standard practice or consent to the conduct by the child on whom it is performed or by the child's parent or legal guardian shall not be an affirmative defense to a charge of child abuse under this paragraph (b).

CRS §19-1-103. Definitions. (In part)

As used in this title or in the specified portion of this title, unless the context otherwise requires:

- (1)(a) "Abuse" or "child abuse or neglect", as used in part 3 of article 3 of this title, means an act or omission in one of the following categories that threatens the health or welfare of a child:
 - (I) Any case in which a child exhibits evidence of skin bruising, bleeding, malnutrition, failure to thrive, burns, fracture of any bone, subdural hematoma, soft tissue swelling, or death and either: Such condition or death is not justifiably explained; the history given concerning such condition is at variance with the degree or type of such condition or death; or the circumstances indicate that such condition may not be the product of an accidental occurrence;
 - (II) Any case in which a child is subjected to unlawful sexual behavior as defined in section 16-22-102 (9), C.R.S.;
 - (III) Any case in which a child is a child in need of services because the child's parents, legal guardian, or custodian fails to take the same actions to provide adequate food, clothing, shelter, medical care, or supervision that a prudent parent would take. The requirements of this subparagraph (III) shall be subject to the provisions of section 19-3-103.
 - (IV) Any case in which a child is subjected to emotional abuse. As used in this subparagraph (IV), "emotional abuse" means an identifiable and substantial impairment of the child's intellectual or psychological functioning or development or a substantial risk of impairment of the child's intellectual or psychological functioning or development.

CRS §19-3-304 Persons required to report child abuse or neglect.

- (1) (a) Except as otherwise provided by section 19-3-307 and sections 25-1-122 (4) (d) and 25-4-1404 (1) (d), C.R.S., and paragraph (b) of this subsection (1), any person specified in subsection (2) of this section who has reasonable cause to know or suspect that a child has been subjected to abuse or neglect or who has observed the child being subjected to circumstances or conditions which would reasonably result in abuse or neglect shall

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immediately upon receiving such information report or cause a report to be made of such fact to the county department or local law enforcement agency.

- (b) The reporting requirement described in paragraph (a) of this subsection (1) shall not apply if the person who is otherwise required to report does not:
 - (I) Learn of the suspected abuse or neglect until after the alleged victim of the suspected abuse or neglect is eighteen years of age or older; and
 - (II) Have reasonable cause to know or suspect that the perpetrator of the suspected abuse or neglect:
 - (A) Has subjected any other child currently under eighteen years of age to abuse or neglect or to circumstances or conditions that would likely result in abuse or neglect; or
 - (B) Is currently in a position of trust, as defined in section 18-3-401 (3.5), C.R.S., with regard to any child under eighteen years of age.
- (2) Persons required to report such abuse or neglect or circumstances or conditions shall include any:
 - (a) Physician or surgeon, including a physician in training;
 - (b) Child health associate;
 - (c) Medical examiner or coroner;
 - (d) Dentist;
 - (e) Osteopath;
 - (f) Optometrist;
 - (g) Chiropractor;
 - (h) Podiatrist;
 - (i) Registered nurse or licensed practical nurse;
 - (j) Hospital personnel engaged in the admission, care, or treatment of patients;
 - (k) Christian science practitioner;
 - (l) Public or private school official or employee;
 - (m) Social worker or worker in any facility or agency that is licensed or certified pursuant to part 1 of article 6 of title 26, C.R.S.;
 - (n) Mental health professional;
 - (o) Dental hygienist;
 - (p) Psychologist;
 - (q) Physical therapist;
 - (r) Veterinarian;
 - (s) Peace officer as described in section 16-2.5-101, C.R.S.;
 - (t) Pharmacist;
 - (u) Commercial film and photographic print processor as provided in subsection (2.5) of this section;
 - (v) Firefighter as defined in section 18-3-201 (1), C.R.S.;

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(w) Victim's advocate, as defined in section 13-90-107 (1) (k) (II), C.R.S.;

(x) Licensed professional counselors;

(y) Licensed marriage and family therapists;

(z) Unlicensed psychotherapists;

(aa) (I) Clergy member.

(II) The provisions of this paragraph (aa) shall not apply to a person who acquires reasonable cause to know or suspect that a child has been subjected to abuse or neglect during a communication about which the person may not be examined as a witness pursuant to section 13-90-107 (1) (c), C.R.S., unless the person also acquires such reasonable cause from a source other than such a communication.

(III) For purposes of this paragraph (aa), unless the context otherwise requires, "clergy member" means a priest, rabbi, duly ordained, commissioned, or licensed minister of a church, member of a religious order, or recognized leader of any religious body.

(bb) Registered dietitian who holds a certificate through the commission on dietetic registration and who is otherwise prohibited by 7 CFR 246.26 from making a report absent a state law requiring the release of this information;

(cc) Worker in the state department of human services;

(dd) Juvenile parole and probation officers;

(ee) Child and family investigators, as described in section 14-10-116.5, C.R.S.;

(ff) Officers and agents of the state bureau of animal protection, and animal control officers;

(gg) the child protection ombudsman as created in article 3.3. of this title.

(hh) Educator providing services through a federal special supplemental nutrition program for women, infants, and children, as provided for in 42 U.S.C. sec. 1786.

(2.5) Any commercial film and photographic print processor who has knowledge of or observes, within the scope of his or her professional capacity or employment, any film, photograph, video tape, negative, or slide depicting a child engaged in an act of sexual conduct shall report such fact to a local law enforcement agency immediately or as soon as practically possible by telephone and shall prepare and send a written report of it with a copy of the film, photograph, video tape, negative, or slide attached within thirty-six hours of receiving the information concerning the incident.

(3) In addition to those persons specifically required by this section to report known or suspected child abuse or neglect and circumstances or conditions which might reasonably result in abuse or neglect, any other person may report known or suspected child abuse or neglect and circumstances or conditions which might reasonably result in child abuse or neglect to the local law enforcement agency or the county department.

(3.5) No person, including a person specified in subsection (1) of this section, shall knowingly make a false report of abuse or neglect to a county department or local law enforcement agency.

(4) Any person who willfully violates the provisions of subsection (1) of this section or who violates the provisions of subsection (3.5) of this section:

(a) Commits a class 3 misdemeanor and shall be punished as provided in section 18-1.3-501, C.R.S.;

(b) Shall be liable for damages proximately caused thereby.

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CRS §19-3-307 REPORTING PROCEDURES.

- (1) Reports of known or suspected child abuse or neglect made pursuant to this article shall be made immediately to the county department or the local law enforcement agency and shall be followed promptly by a written report prepared by those persons required to report. The county department shall submit a report of confirmed child abuse or neglect within sixty days of receipt of the report to the state department in a manner prescribed by the state department.
- (2) Such reports, when possible, shall include the following information:
 - (a) The name, address, age, sex, and race of the child;
 - (b) The name and address of the person responsible for the suspected abuse or neglect;
 - (c) The nature and extent of the child's injuries, including any evidence of previous cases of known or suspected abuse or neglect of the child or the child's siblings;
 - (d) The names and addresses of the persons responsible for the suspected abuse or neglect, if known;
 - (e) The family composition;
 - (f) The source of the report and the name, address, and occupation of the person making the report;
 - (g) Any action taken by the reporting source;
 - (h) Any other information that the person making the report believes may be helpful in furthering the purposes of this part 3.
- (2.5) Notwithstanding the requirements set forth in subsection (2) of this section, any officer or employee of a county, district or municipal public health agency or state department of public health and environment who makes a report pursuant to section 25-1-122 (4) (d) or 25-4-1404 (1) (d), C.R.S., shall include only the information described in said sections.
- (3)
 - (a) A copy of the report of known or suspected child abuse or neglect shall be transmitted immediately by the county department to the district attorney's office and to the local law enforcement agency.
 - (b) When the county department reasonably believes a criminal act of abuse or neglect of a child in foster care has occurred, the county department shall transmit immediately a copy of the written report prepared by the county department in accordance with subsection (1) of this section to the district attorney's office and to the local law enforcement agency.
- (4) A written report from persons or officials required by this part 3 to report known or suspected child abuse or neglect shall be admissible as evidence in any proceeding relating to child abuse, subject to the limitations of section 19-1-307.

CRS §19-3-309. Immunity from liability - persons reporting.

Any person, other than the perpetrator, complicitor, coconspirator, or accessory, participating in good faith in the making of a report, in the facilitation of the investigation of such a report, or in a judicial proceeding held pursuant to this title, the taking of photographs or X rays, or the placing in temporary protective custody of a child pursuant to section 19-3-405 or otherwise performing his duties or acting pursuant to this part 3 shall be immune from any liability, civil or criminal, or termination of employment that otherwise might result by reason of such acts of participation, unless a court of competent jurisdiction determines that such person's behavior was willful, wanton, and malicious. For the purpose of any proceedings, civil or criminal, the good faith of any such person reporting child abuse, any such person taking photographs or X rays, and any such person who has legal authority to

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place a child in protective custody shall be presumed.

CRS §12-36-135. Injuries to be reported - penalty for failure to report - immunity from liability.

- (1) (a) It shall be the duty of every licensee who attends or treats a bullet wound, a gunshot wound, a powder burn, or any other injury arising from the discharge of a firearm, or an injury caused by a knife, an ice pick, or any other sharp or pointed instrument that the licensee believes to have been intentionally inflicted upon a person, or an injury arising from a dog bite that the licensee believes was inflicted upon a person by a dangerous dog, as defined in section 18-9-204.5 (2) (b), C.R.S., or any other injury that the licensee has reason to believe involves a criminal act, including injuries resulting from domestic violence, to report the injury at once to the police of the city, town, or city and county or the sheriff of the county in which the licensee is located. Any licensee who fails to make a report as required by this section commits a class 2 petty offense, as defined by section 18-1.3-503, C.R.S., and, upon conviction thereof, shall be punished by a fine of not more than three hundred dollars, or by imprisonment in the county jail for not more than ninety days, or by both such fine and imprisonment.
- (b) When a licensee performs a forensic medical examination that includes the collection of evidence at the request of a victim of sexual assault, not in connection with a referring or requesting law enforcement agency, and the licensee's employing medical facility knows where the crime occurred, the facility shall contact the law enforcement agency in whose jurisdiction the crime occurred regarding preservation of the evidence. If the medical facility does not know where the crime occurred, the facility shall contact its local law enforcement agency regarding preservation of the evidence.
- (1.5) As used in subsection (1) of this section, unless the context otherwise requires:
- (a) "Domestic violence" means an act of violence upon a person with whom the actor is or has been involved in an intimate relationship. Domestic violence also includes any other crime against a person or any municipal ordinance violation against a person when used as a method of coercion, control, punishment, intimidation, or revenge directed against a person with whom the actor is or has been involved in an intimate relationship.
- (b) "Intimate relationship" means a relationship between spouses, former spouses, past or present unmarried couples, or persons who are both the parents of the same child regardless of whether the persons have been married or have lived together at any time.
- (2) Any licensee who, in good faith, makes a report pursuant to subsection (1) of this section shall have immunity from any liability, civil or criminal, that might otherwise be incurred or imposed with respect to the making of such report, and shall have the same immunity with respect to participation in any judicial proceeding resulting from such report.
- (3) Any licensee who makes a report pursuant to subsection (1) of this section shall not be subject to the physician-client relationship described in section 13-90-107 (1) (d), C.R.S., as to the medical examination and diagnosis. Such licensee may be examined as a witness, but not as to any statements made by the client that are the subject matter of section 13-90-107 (1) (d), C.R.S.

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MANDATORY REPORTING

Child Abuse

Statute: C.R.S. §19-1-103, §§19-3-304, 307, and 309

| Definition | Required Reporters | To Whom is Issue Reported | What is Reported | Penalties for Failure to Report |
|--|---|--|--|---|
| <p>§19-1-103 Definitions. (1) (a) "Abuse" or "child abuse or neglect", as used in part 3 of article 3 of this title, means an act or omission in one of the following categories that threatens the health or welfare of a child:</p> <p>(I) Any case in which a child exhibits evidence of skin bruising, bleeding, malnutrition, failure to thrive, burns, fractures of any bone, subdural hematoma, soft tissue swelling, or death and either: Such condition or death is not justifiably explained; the history given concerning such condition is at variance with the degree or type of such condition or death; or the circumstances indicate that such condition may not be the product of an accidental occurrence.</p> <p>(II) Any case in which a child is subjected to unlawful sexual behavior as defined in section 16-22-102 (9), C.R.S.;</p> <p>(III) A case in which a child is a child in need of services because the child's parents, legal guardian, or custodian fails to take the same actions to provide adequate food, clothing, shelter, medical care or supervision that a prudent parent would take...</p> <p>§18-6-401. A person commits child abuse if such person causes injury to a child's life or health, or permits a child to be unreasonably placed in a situation that poses a threat of injury to the child's life or health, or engages in a continued pattern of conduct that results in malnourishment, lack of proper medical care, cruel punishment, mistreatment, or an accumulation of injuries that ultimately results in the death of a child or serious bodily injury of a child.</p> | <p>§19-3-304 A physician or surgeon (includes in-training), child health associate; medical examiner or coroner; dentist; osteopath; optometrist; chiropractor; or podiatrist; registered nurse or licensed practical nurse; hospital personnel engaged in the admission, care, or treatment of patients; Christian Science practitioner; public or private school official or employee; social worker or worker in a any facility or agency that is licensed or certified pursuant to part 1 of article 6 of title 26, C.R.S.; mental health professional; dental hygienist; psychologist; physical therapist; veterinarian; peace officer; pharmacist; commercial film and photographic print processor; firefighter; victim's advocate; licensed professional counselors; licensed marriage and family therapists; unlicensed psychotherapists; clergy; registered dietician; worker in the state department of human services; juvenile parole and probation officers; child and family investigators, as described in section 14-10-116.5, C.R.S.; officers and agents of the state bureau of animal protection, and animal control officers; the child protection ombudsman as created in article 3.3 of this title.</p> | <p>§19-3-307 County department of Human services or local law enforcement agency.</p> <p>Report known or suspected child abuse or neglect immediately and follow with a written report</p> <p>Third party abuse (see definition bottom of page) is reported to law enforcement <i>where the crime occurs.</i></p> <p>Intrafamilial abuse is reported to the department of Human services <i>where the victim lives.</i></p> | <p>§19-3-307 When possible include: Name, address, age, sex, and race of child; name and address of person responsible for suspected abuse or neglect; nature and extent of child's injuries, including previous cases of known or suspected abuse or neglect of the child or the child's siblings; names and addresses of the persons responsible for the suspected abuse or neglect, if known; the family composition, the source of the report and the name, address and occupation of the person making the report; any action taken by the reporting source; any other information the person making the report believes may be helpful.</p> | <p>§19-3-309 grants immunity to those persons who have made a report of child abuse or neglect, thereby protecting the reporting person from civil and criminal liability as well as termination of employment...</p> <p>Failure to report constitutes a class 3 misdemeanor.</p> <p>Punishment is up to six months in prison and up to \$750 fine.</p> <p>Additionally, the person shall be liable for damages proximately caused by failure to report.</p> |

GLOSSARY: Third Party Abuse is by any person who is not a parent, stepparent, guardian, legal custodian, spousal equivalent... or any person who is not included in the definition of Intrafamilial abuse. Intrafamilial Abuse occurs within a family context by a child's parent, stepparent, guardian, legal custodian, or relative, by a spousal Equivalent..or by any other person who resides in the child's home or who is regularly in the child's home for the purpose of exercising authority over or care for the child...except if the person is paid for such care and is not related to the child.

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MANDATORY REPORTING

Domestic Violence

Statute: C.R.S. §12-36-135

| Definition | Who Reports | To Whom is Issue Reported | What is Reported | Penalties for Failure to Report |
|---|---|--|---|---|
| <p>§12-36-135 Any injury arising from the discharge of a firearm, or an injury caused by a knife, an ice pick, or any other sharp or pointed instrument that the licensee has reason to believe to have been intentionally inflicted, or an injury arising from a dog bite that the licensee believes was inflicted upon a person by a dangerous dog, as defined in §18-9-204.5, or any other injury that the licensee has reason to believe involves a criminal act, including injuries resulting from domestic violence.</p> | <p>§12-36-135 Every licensee who attends or treats any injury that the licensee has reason to believe is the result of domestic violence.</p> <p>When setting your agency's policy, it is our recommendation that you consult with your county District Attorney regarding how broadly to interpret "licensee." It should include anyone licensed to practice such as RN, NP, PA, MD, DO, etc.</p> | <p>§12-36-135 (1)(a) Police of the city, town, or city and county or sheriff of the county in which the licensee is located.</p> <p>(b) If forensic medical exam that includes collection of evidence at request of sexual assault victim ...and licensee's employing medical facility knows where the crime occurred, the facility shall contact law enforcement agency in whose jurisdiction the crime occurred regarding preservation of evidence.</p> | <p>§12-36-135 Name and address of the victim. Name and address of the perpetrator, if known. Where the crime occurred.</p> | <p>§12-36-135 grants immunity from any liability, civil or criminal to any licensee who, in good faith, makes a report...</p> <p>Failure to report constitutes a class 2 petty offense. (Defined in §18-1.3-503)</p> <p>A fine of not more than three hundred dollars and/or imprisonment in the county jail for not more than ninety days.</p> |

Glossary: Domestic Violence means an act of violence upon a person with whom the actor is or has been involved in an intimate relationship. Domestic violence also includes any other crime against a person or any municipal ordinance violation against a person when used as a method of coercion, control, punishment, intimidation or revenge directed against a person with whom the actor is or has been involved in an intimate relationship. Intimate relationship means a relationship between spouses, former spouses, past or present unmarried couples, or persons who are both the parents of the same child.

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MANDATORY REPORTING

Sexual Assault and Sexual Assault on a Child

Statute: C.R.S. §18-3-402 and 405; C.R.S. §§19-3-304, 307, and 309

| Definition | Who Reports | To Whom is Issue Reported | What is Reported | Penalties for Failure to Report |
|--|---|--|---|---|
| <p>§18-3-402 Sexual contact by someone not the spouse where “..the victim is less than fifteen years old and the actor is at least four years older...” (also contained in 18-3-405, Sexual Assault on a Child)</p> <p>or</p> <p>“...the victim is at least fifteen years of age but less than seventeen years of age and the actor is at least ten years older than the victim and is not the spouse of the victim...”</p> <p>(Bold added)</p> <p>This includes sexual contact, sexual intrusion, and sexual penetration as defined in C.R.S. §18-3-401 Definitions.</p> | <p>§19-3-304 A physician or surgeon (includes in-training), child health associate; medical examiner or coroner; dentist; osteopath; optometrist;</p> <p>chiropractor; or podiatrist; registered nurse or licensed practical nurse; hospital personnel engaged in the admission, care, or treatment of patients; Christian Science practitioner; public or private school official or employee; social worker or worker in any facility or agency that is licensed or certified pursuant to part 1 of article 6 of title 26, C.R.S.; mental health professional;</p> <p>dental hygienist; psychologist; physical therapist; veterinarian; peace officer; pharmacist; commercial film and photographic print processor; firefighter; victim’s advocate; licensed professional counselors; licensed marriage and family therapists; unlicensed psychotherapists; clergy; registered dietician; worker in the state department of human services; juvenile parole and probation officers; child and family investigators, as described in section 14-10-116.5, C.R.S.; officers and agents of the state bureau of animal protection, and animal control officers; the child protection ombudsman as created in article 3.3 of this title.</p> | <p>§19-3-307 County department of social services or local law enforcement agency.</p> <p>Third party perpetrators (see definitions at bottom of page) are reported to law enforcement <i>where the crime occurs</i>.</p> <p>Intrafamilial cases are reported to the department of social services <i>where the victim lives</i>.</p> | <p>§19-3-307 Name, address, age, sex, and race of child; name and address of person responsible for suspected abuse or neglect; nature and extent of child’s injuries, including previous cases of known or suspected abuse or neglect of the child or the child’s siblings; names and addresses of the persons responsible for the suspected abuse or negligence, if known; the family composition, the source of the report and the name, address and occupation of the person making the report; any action taken by the reporting source; any other information the person making the report believe may be helpful.</p> | <p>§19-3-309 Grants immunity to those persons who have made a report of child abuse or neglect, thereby protecting the reporting person from civil and criminal liability as well as termination of employment...</p> <p>Failure to report constitutes a class 3 misdemeanor.</p> <p>Punishment is up to six months in prison and up to \$750 fine.</p> <p>Additionally, the person shall be liable for damages proximately caused by failure to report.</p> |

GLOSSARY: Third party abuse is by any person who is not a parent, stepparent, guardian, legal custodian, spousal equivalent...or any person who is included in the definition of intrafamilial abuse. Intrafamilial abuse occurs within a family context by a child’s parent, stepparent, guardian, legal custodian, or relative, by a spousal equivalent...or by any other person who is regularly in the child’s home for the purpose of exercising authority over or care for the child...except if the person is paid for such care and is not related to the child.

SECTION
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B. Human Trafficking

- 1. Family Planning Coordinators must assure that all staff members are familiar with Federal and Colorado human trafficking law summarized below. Family Planning agencies must develop written internal procedures for staff on how to address human trafficking incidents. It is expected that the Family Planning Coordinator will solicit input from various agencies and entities before writing a procedure regarding support and resources for victims of human trafficking.**
- 2. Federal anti-trafficking laws include Victims of Trafficking and Violence Protection Act of 2000 and Trafficking Victims Protection Reauthorization Acts of 2003 and 2005, and the William Wilberforce Trafficking Victims Protection Reauthorization Act of 2008.**
- 3. Human trafficking is defined as the recruitment, harboring, transportation, provision, or obtaining of a person for labor or services, through the use of force, fraud or coercion for the purpose of subjection to involuntary servitude, peonage, debt bondage, or slavery; or sex trafficking in which a commercial sex act is induced by force, fraud, coercion, or in which the person induced to perform such act has not attained 18 years of age.**
- 4. Colorado Revised Statutes also contain the following criminal statutes related to human trafficking. Please consult the Colorado Revised Statutes for the most current language.**

- 18-1.8-101 Interagency task force on trafficking in persons**
- 18-3-411 Sex offenses against children – “unlawful sexual offence” defined – limitation for commencing proceedings – evidence –statutory privilege**
- 18-3-412 Habitual sex offenders against children – indictment or information – verdict of the jury**
- 18-3-501 Trafficking in adults**
- 18-3-502 Trafficking in children**
- 18-3-503 Coercion of Involuntary servitude**
- 18-6-404 Procurement of a child for sexual exploitation**
- 18-13-128 Smuggling of humans**
- 18-17-103(5) Definitions (Colorado Organized Crime Control Act): 18-3-501—503 constitute “Racketeering activity”**

- 5. Mandatory reporting laws also apply for minor victims of human trafficking. Child abuse or neglect includes unlawful sexual behavior as defined in CRS 16-22-102 (9) and includes trafficking in children, sexual exploitation of children, procurement of a child, procurement of a child for sexual exploitation, and inducement of child prostitution.**

SECTION
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CRS §19-1-103. Definitions. (In part)

As used in this title or in the specified portion of this title, unless the context otherwise requires:

- (1)(a) "Abuse" or "child abuse or neglect", as used in part 3 of article 3 of this title, means an act or omission in one of the following categories that threatens the health or welfare of a child:
 - (II) Any case in which a child is subjected to *unlawful sexual behavior* (italics added) as defined in section 16-22-102 (9), C.R.S.;

CRS 16-22-102 Definitions (in part)

.....

(9) "Unlawful sexual behavior" means any of the following offences or criminal attempt, conspiracy, or solicitation to commit any of the following offences:

- (j) Trafficking in children, in violation of section 18-3-502, CRS;
- (l) Procurement of a child for sexual exploitation, in violation of section 18-6-404, CRS;
- (n) Soliciting for child prostitution, in violation of section 18-7-402, CRS;
- (o) Pandering of a child, in violation of section 18-7-403, CRS;
- (p) Procurement of a child, in violation of section 18-7-403.5, CRS;
- (q) Keeping a place of child prostitution, in violation of section 18-7-404, CRS;
- (r) Pimping of a child, in violation of section 18-7-405, CRS;
- (s) Inducement of child prostitution, in violation of section 18-7-405.5, CRS;
- (t) Patronizing a prostituted child, in violation of section 18-7-406, CRS;
- (bb) Second degree kidnapping, if committed in violation of section 18-3-302 (3)(a), CRS.

6. Resources for staff and victims of human trafficking:

a. Colorado Resources:

Colorado Organization for Victim Assistance (COVA)

<http://www.coloradocrimevictims.org/index.html> manages the Office for Victims of Crime (OVC) federal human trafficking grant for the state of Colorado. Through this grant, COVA provides case management support for pre-certified international human trafficking victims in Colorado and manages a statewide network of community-based service providers – the Colorado Network to End Human Trafficking (CoNEHT). COVA also works with domestic victims of human trafficking, mostly adults. COVA manages the CoNEHT Hotline, a 24/7 statewide hotline dedicated to providing crisis support for trafficking victims, referrals for victims and service providers and relays tips of suspected trafficking-related activities to appropriate law enforcement. COVA is one of the leading anti-human trafficking agencies in Colorado and sits on the steering committee of CoNEHT.

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Email: Annaken@coloradocrimevictims.org

Phone numbers: 303-996-8087; 303-861-1160

Colorado Network to End Human Trafficking (CoNEHT)

http://www.coloradocrimevictims.org/human_trafficking.html

CoNEHT represents a statewide network of service providers who work with human trafficking victims, foreign and domestic, and collectively provide an array of case management, interpreting/translation services, food, clothing, shelter, medical/dental services, legal advocacy, immigration services, mental health treatment, and transportation. CoNEHT will also provide information regarding training for clinic staff related to human trafficking. For more information call the CoNEHT Hotline at 1-866-455-5075 (toll-free, 24 hours/day, 7 days/week).

Laboratory to Combat Human Trafficking

<http://www.combathumantrafficking.org/>

Provides training and educational sessions on the issue of human trafficking for law enforcement personnel, service providers, community members, and other potential first responders across Colorado.

Email: info@combathumantrafficking.org Phone number: 303-295-0451

Lutheran Family Services Rocky Mountains (LFS)

<http://www.lfsrm.org/>

LFS provides services to international adult and minor human trafficking victims who have received their Office of Refugee Resettlement (ORR) Certification Letter if an adult or an Eligibility Letter if a minor. Victims of Human Trafficking (VOTs) can receive services up to 5 years after the date of their certification/eligibility letter. Depending on need and eligibility, services provided to clients may include: case management, employment placement services, health case management, pre-employment training, cash assistance, basic needs, and ESL, public assistance, physical and mental health and other referrals as needed. Services for adults are managed through the Refugee and Asylee Programs and services for minors are managed through the Unaccompanied Refugee Minor program. LFS also is a subcontractor to the National Human Trafficking Victim Assistance Project through the U.S. Committee for Refugees and Immigrants (USCRI) and can provide supplemental assistance to VOTs through this program as needed. LFS sits on the steering committee for CoNEHT. For more information please call (303) 225-0191.

Prax(us) <http://www.praxus.org/> 720-317-7009

Serves victims of domestic trafficking, particularly homeless youth.

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b. National Resources:

National Human Trafficking Resource Center

<http://www.polarisproject.org/what-we-do/national-human-trafficking-hotline/the-nhtrc/overview>

24 hour Hot Line 1-888-373-7888

Email: nhtrc@polarisproject.org

The National Human Trafficking Resource Center (NHTRC) is a national, toll free call center that is operated by the Polaris Project and funded by the Department of Health and Human Services and other supporters. Services provided include victim assistance through urgent and non-urgent referrals within the anti-trafficking and related fields.

Polaris Project <http://www.polarisproject.org/>

The Polaris Project provides human trafficking victim assessment tools for health care providers entitled “Identifying Victims of Human Trafficking – What to Look for During a Medical Exam/Consultation” and “Medical Assessment Tool” at <http://www.polarisproject.org/resources/tools-for-service-providers-and-law-enforcement>

The Polaris Project also provides a range of social services to survivors of human trafficking including emergency services, comprehensive case management, group therapy, transitional housing, and victim outreach.

Email: info@polarisproject.org Telephone: 1 (202) 745-1001

US Department of Health and Human Services, Administration for Children and Families, the Campaign to Rescue and Restore Victims of Human Trafficking.

<http://www.acf.hhs.gov/trafficking/index.html>

The National Human Trafficking Victim Assistance Project (NHTVAP) provides services to foreign national victims of trafficking to 29 different states, including the states in Region 8. The Project does not work with clients directly but coordinates with local organizations to provide services to victims of trafficking. In Colorado, the Project currently has two service providers: Lutheran Family Services Rocky Mountain <http://www.lfsrm.org/> and Colorado Organization for Victim Assistance <http://www.coloradocrimevictims.org/>. These organizations will be able to take referrals and identify local resources for clients. If the client is eligible for the Project, the service providers will enroll them, but they also may have access to other programs that will benefit victims of trafficking. If you need to get assistance for clients that are outside of the areas for these two organizations, NHTVAP can be contacted directly and they will outreach to organizations close to the client who may be able to provide assistance.

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For more information: <http://www.refugees.org/> Telephone: 1 (800) 307-4712

Email: traffickingvictims@uscrdc.org