

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\(a\)\(7\)](#);
 - 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\(1\)](#), [Tex. Penal Code § 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\(2\)](#), [Tex. Penal Code § 20A.01\(4\)](#), [Tex. Penal Code § 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\(1\)](#), [Tex. Penal Code § 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\(1\)\(L\)](#)

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.

Human Trafficking Checklist

continued

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.