

Good morning Chairman Dawkins, Chairman Mackenzie, and committee members. My name is Marisa McClellan and I am the Administrator for Dauphin County Social Services for Children and Youth. I have 18 years of experience in the child welfare system, the majority of which is with Dauphin County. I have been fortunate to hold different positions within the office of Children and Youth, including representing the Agency as the solicitor. I thank you for the opportunity to testify before this body and appreciate the efforts to examine the impact of labor trafficking and the child welfare system in the state.

The Children and Youth Agency is mandated to investigate all allegations of child abuse and neglect and provide services to families who are identified as in need of assistance. Within the mandates there is specific statutory language associated with children and youth who have been engaged in trafficking. The Pennsylvania Child Protective Services Law includes language as follows defining child abuse to include:

Engaging a child in a severe form of trafficking in persons or sex trafficking, as those terms are defined under section 103 of the Trafficking Victims Protection Act of 2000 (114 Stat. 1466, [22 U.S.C. § 7102](#)).

The Trafficking Victims Protection Act of 2000 defines severe forms of trafficking in persons as the following:

The term “severe forms of trafficking in persons” means--
(A) sex trafficking in which a commercial sex act is induced by force, fraud, or coercion, or in which the person induced to perform such act has not attained 18 years of age; or
(B) 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.

As such, County Children and Youth agencies serve youth who have experienced trafficking in the form of labor trafficking or otherwise. These youth have suffered from significant trauma due to the circumstances that necessitated agency involvement. Emotional, financial, or social supports are absent and youth often find themselves alone and confused. These youth are regularly exploited and abused.

In recent years my Agency has seen an increased number of unaccompanied youth entering the child welfare system due to having no parental support, no housing and no schooling. These youth have come from other countries without parents. Some of the youth have had engagement with a federal system and certain immigration proceedings have commenced. But others have not had any system involvement. Typically these youth are not enrolled in school and have been victims of labor or sex trafficking.

One of my first encounters with the federal system about a youth that had been involved in being trafficked was surprising. I reached out to the placement agent to inquire next steps for the youth as the resource the federal agency had identified for the youth had been arrested and the youth did not have any other resources within the United States. I was told that Children and Youth at the local level was the more appropriate office to handle the youth.

Another youth that our Agency became involved with was a teenage boy who went to an egg processing plant in New Jersey every day, where he would work 10 to 12 hours each day. He arrived in the Dauphin County area sometime in September 2021. At that time he was 16 years old. Subsequently he was somehow enrolled in a local school district. When he initially arrived in central Pennsylvania, he had family and a sponsor here, who allegedly registered him in the school. But those family members soon moved to a different area of Pennsylvania and the youth remained in Dauphin County. He did not really "attend" school, as he worked 6 days a week. But for a little while, he had Wednesdays off from work and he would show up to the school randomly on a Wednesday. Luckily there were some very caring school personnel who took an interest in him and attempted to help him. They attempted to learn why he only attended school a day here and there. A counselor even went to his residence to attempt to engage him and encourage him to attend school.

Children and Youth was contacted about the youth's situation. The youth had an immigration attorney who was attempting to get him the appropriate juvenile status to remain in the country. Multiple attempts were made by several entities to locate the youth unsuccessfully. This was because he was spending so much time in New Jersey. Subsequently his work schedule changed, and he no longer had Wednesdays off, he had Sundays off. He had stopped attending school altogether. He explained that his sole purpose in being in the area, was to earn money to pay off his coyote and then to send money to his family back in his home country. He said he had other debts through immigration. He further explained that there was a "debt on his head" to the people who got him into the United States and that if he was not working there would be consequences to his family members in his home country. He was not really interested in attending school but appreciated the counselor who was trying to help him. He did not want children and youth to place him, as he would no longer be able to work. But his attorney wanted children and youth involvement as that could assist in his immigration proceedings. We also learned that he had a stolen social security number so he could work. He had a real birth certificate and a fake birth certificate as well. He found his job in New Jersey through someone he knew from his home country. We learned that he had been apprehended at the border and placed in a refugee resettlement, then released to a sponsor in Harrisburg who had agreed to take care of him, but then did not.

He turned 17 years old in early 2022. He lost his employment with the egg plant and he was finally willing to connect with children and youth and we did place him in a foster home. He ran away at one point from his foster home, but we were able to locate him and place him in another foster home. There were issues with placement due to the language barrier. The language barrier also contributed to difficulties in assigning staff to work with him one on one and communicate. He also continued to run away from his foster family and then he would return days later. He wanted to start working again so he could send more money home to his family. He eventually was not permitted to return to the foster home and went into a shelter placement. He then was moved into an Independent Living program shortly before he turned 18. He did not remain dependent after turning 18. He left the children and youth system about a month after his 18th birthday.

He was all about work. One, pay off the coyote, and two, he had to send money back to his family. He had no interest in being a kid, he had no interest in school. He was only interested in earning fast hard cash and he would get in a car, and just take off to work wherever he could.

We attempted Older Youth programs (known as independent living) which worked for a short time. But then he refused to engage. He ran from his foster homes. He had an extra cellular phone. The foster family tried to keep up on his location. He then ran from that foster home. When he then returned to that home, he explained he had to work. After turning 18 he did stay at our SIL (Subsidized Independent Living) housing, but he then ran from that as well, and since he was over 18, we could not pursue or continue to maintain him as a dependent youth without his willingness.

The kids are coming here, for labor purposes, to send money back to their families. They either end up working, or they end up involved in sex trafficking. We are seeing youth who are working in clear violation of child labor laws and who are undocumented and unaccompanied.

Every single case that our agency has seen, the kids are brought here by coyotes. The coyotes require payment and threaten violence upon the youth or the youth's family if the kids do not pay.

We have seen minors from Guatemala, where previously we did not have dependent youth from Guatemala. While we are certain there are many other unaccompanied youth out in the community and probably working full time jobs, it is very difficult to locate these youth and even adults associated- and that these individuals scatter very quickly when a government agency does learn of their existence.

Some of the youth now in our system, were released to adults who had some connection to the youth but those adults were not vetted by the federal authorities to assure the safety of those children. And some of those adults subsequently trafficked the youth in labor or in the sex trade. I have asked other counties if they noticed an upswing in unaccompanied minors—it appears this occurs in pockets in the state, and that these youth show up in more populated metropolitan areas throughout the state.

A lot of immigration proceedings have been initiated for these youth, and now we are in a complicated area, where the youth do not have a legal status. They can remain in a foster home, and the foster family can receive a subsidy, but the foster family cannot adopt and continue to receive a subsidy based upon current federal law surrounding adoptions through county agencies. We can get some of these youth out of the dependency system and into adoptive homes, but the foster homes need the subsidies because a lot of these youth have severe trauma and needs and require services. It is a complex problem that is shifting to local governments and then local governments have the costs burden.

I want to thank this committee for giving me this opportunity to discuss this issue and to consider these concerns.

Thank you.