

<b>SUBJECT:</b> Intake Process for Asylum-Seekers, Asylees, and Victims of Human Trafficking	<b>APPLICABLE TO:</b> All intake staff in the Division of Adult Services, Division of Family Services, and Street Homeless Solutions	<b>EFFECTIVE DATE:</b> March 10, 2023  <i>REPLACES DHS-PB 2022-013</i>
<b>ADMINISTERED BY:</b>  All intake staff in the Division of Adult Services, Division of Family Services, and Street Homeless Solutions	<b>APPROVED BY:</b>  Joslyn Carter, Administrator Department of Social Services/ Department of Homeless Services	

**■ INTRODUCTION**

This policy bulletin establishes a procedure for the Department of Homeless Services (DHS) and provider staff to identify individuals and families who are asylum-seekers, asylees, or victims of human trafficking for the purpose of directing clients to the appropriate intake facility and precluding investigation of out-of-country addresses or other unsafe addresses, including unsafe addresses in the United States (U.S.), for families with children and adult families.

Precluding investigation of addresses is warranted where persecution or trafficking has occurred or contact with perpetrators of persecution or trafficking jeopardizes an asylum-seeker’s, asylee’s, or trafficking victim’s safety. To ensure all potential asylum-seekers, asylees, and victims of human trafficking are correctly identified and appropriate addresses are precluded from investigation, staff must ask specific questions. As required by law, some clients may prefer to communicate with staff in a language other than English and must be provided free language interpretation services.

**■ POLICY**

The standard shelter application and eligibility process for families involves investigating prior addresses. Such investigations could pose a safety risk to certain populations, specifically:

- A. Asylum-Seekers: non-citizens in the U.S. seeking to remain in the U.S. due to persecution, or fear of persecution, in their home country on account of race, religion, nationality, membership in a particular social group, or political opinion. Some of these individuals may have been paroled into the U.S. temporarily or may have some other immigration status.

- B. Asylees: non-citizens in the U.S. who have been granted asylum in accordance with section 208 of the Immigration and Nationality Act.
- C. Victims of Human Trafficking: individuals who have experienced the use of force, fraud, or coercion to compel them to perform work or sex acts against their will. This can include, but is not limited to, commercial sex acts, involuntary or domestic servitude, debt bondage, and labor trafficking.

It is DHS's policy to provide additional safety protections during the application process for individuals who are seeking asylum, asylees, and victims of human trafficking.

- Clients presenting as asylum-seekers or asylees who have entered the United States since March 15, 2022, are referred to the Humanitarian Emergency Response and Relief Centers (HERRCs) for placement using the HERRC Outreach Script (Appendix F).
- Clients presenting as asylum-seekers or asylees who refuse the HERRC referral or who cannot be referred to the HERRC because of limited capacity are referred to the appropriate DHS intake for processing of placement at a sanctuary site, including investigation of U.S. addresses for those who have resided in the U.S. for at least 30 days and who are not reporting human trafficking issues.

## ■ BACKGROUND

The application and eligibility process for emergency shelter and sanctuary placement for individuals and families is determined according to State and Federal regulations. This process has several steps, which may include an investigation of previous addresses. However, investigation of addresses where persecution or trafficking may have occurred could jeopardize the safety of asylum-seekers, asylees, or victims of human trafficking. This safety concern may lead such clients to avoid shelter entry and may expose them to greater harm.

## ■ AGENCY REQUIREMENTS

To better assist and serve individuals, adult families, and families with children accessing emergency shelter or sanctuary placement, DHS is instituting a revised intake process for clients who appear to be asylum-seekers, asylees, or who are escaping human trafficking. Staff must follow several steps.

## I. **Ensure Language Access**

Consistent with the DHS procedure “DHS Language Access Policy” (**Procedure 09-001**), staff must:

1. ask in the preferred language (using a telephonic interpretation service, if necessary), if the client would like to use free interpretation services;
2. record the client’s preferred written and spoken languages in CARES; and,
3. provide interpretation services upon request or if the worker has difficulty communicating with the client.

*Note that clients have the right to request interpretation services at any point in the process, even if they turned them down earlier.*

Staff must tell clients, in their preferred language, that the information they provide during the application process will not be shared with federal immigration officials and that they may apply for temporary housing assistance regardless of immigration status.

## II. **Identify Asylum-Seekers/Asylum Applicants/Asylees**

Staff must ask the head of case the following questions upon application:

1. **“What is your country of nationality or last country of residence?”**
  - A. **If the U.S.**, proceed to “Identify Human Trafficking Victims” section.
  - B. **If outside of the U.S.**, proceed to Question 2. (The client may be eligible for HERRC or sanctuary placement.)
2. **“Do you have an upcoming appointment with ICE or a federal immigration court hearing?”** (Show sample USCIS Notice to Appear and ICE Call-in Letter for reference.) (**Attachment D**)
  - A. **If no**, proceed to Question 3.
  - B. **If yes and the client has a copy or photo of the notice or letter**,
    - a. scan and upload to the CARES document repository,
    - b. record the “A number,” if available,
    - c. proceed to Questions 4, and
    - d. refer to the HERRC for placement processing, if possible, or the appropriate DHS intake if referral to the HERRC is not feasible.
  - C. **If yes but the client does not have the document or evidence of it** (e.g., client attests to having a court appearance or interview date, but they misplaced the paperwork or it was taken from them),
    - a. proceed to Questions 4, and
    - b. refer to the HERRC for placement processing, if possible, or the appropriate DHS intake if referral to the HERRC is not feasible. (HERRC or DHS staff must refer to [ActionNYC](#) or other dedicated immigration legal assistance resources to obtain the appointment document.)

3. ***“Are you or any family members with you afraid to return to [country of nationality or last country of residence]?”***
  - A. **If yes**, accept the response, do not ask for a reason or record any related information and proceed to Question 4.
  - B. **If no**, proceed to “Identify Human Trafficking Victims” section.
  
4. ***“Have you been granted asylum in the United States?”***
  - A. **If yes and the client has a copy or photo of the notice, decision, or letter granting asylum**,
    - a. scan and upload to the CARES document repository,
    - b. record the “A number,” if available,
    - c. refer to the HERRC for placement processing, if possible, or the appropriate DHS intake if referral to the HERRC is not feasible. (HERRC or DHS staff must refer to [ActionNYC](#) or other dedicated immigration legal assistance resources), and
    - d. proceed to “Record Asylum-Seeker or Asylee Status” section and “Identify Human Trafficking Victims” section.
  - B. **If no**, proceed to Question 5.
  
5. ***“Have you applied for asylum in the United States?”***
  - A. **If yes and the client has a copy or photo of the asylum application, notice or record**,
    - a. scan and upload to the CARES document repository,
    - b. record the “A number,” if available,
    - c. refer to the HERRC for placement processing, if possible, or the appropriate DHS intake if referral to the HERRC is not feasible. (HERRC or DHS staff must refer to [ActionNYC](#) or other dedicated immigration legal assistance resources), and
    - d. proceed to “Record Asylum-Seeker or Asylee Status” section and “Identify Human Trafficking Victims” section.
  - B. **If yes but the client does not have the document or evidence of it** (e.g., client attests to having made an application, but they misplaced the paperwork or it was taken from them),
    - a. refer to the HERRC for placement processing, if possible, or the appropriate DHS intake if referral to the HERRC is not feasible. (HERRC or DHS staff must refer to [ActionNYC](#) or other dedicated immigration legal assistance resources), and
    - b. proceed to “Record Asylum-Seeker or Asylee Status” section and “Identify Human Trafficking Victims” section.
  - C. **If no**,
    - a. refer to the appropriate DHS intake, and
    - b. proceed to “Identify Human Trafficking Victims” section.

### **III. Record Asylum-Seeker or Asylee Status**

If the documentation provided by the client or the answers to the screening questions prompt staff to proceed to “Record Asylum-Seeker or Asylee Status,” staff must place a managerial flag in the client’s CARES home page, indicating one of the following as appropriate to the client’s circumstances: “The client may be seeking asylum; do not investigate any addresses outside of the U.S.” or “It is confirmed the client has been granted asylum; do not investigate any addresses outside of the U.S.” The Department of Social Services (DSS) Office of Legal Affairs (OLA) may be consulted if further guidance is needed.

For clients who reportedly entered the U.S. more than twelve months prior to the current application date, staff must notify the Manager/Supervisor on Duty and may consult with the DSS Office of Refugee and Immigrant Affairs (ORIA) for possible assistance determining the asylum-seeker status. To facilitate this consultation, staff must forward the case information, including any documentation demonstrating that the client may be seeking asylum to ORIA via email: [oria@dss.nyc.gov](mailto:oria@dss.nyc.gov). For a list of the documentation see **Documentation Demonstrating That a Person May Be Seeking or Has Been Granted Asylum (Attachment A)**.

If ORIA confirms that the client has been granted asylum, the Manager/Supervisor on Duty must edit the managerial flag in CARES to indicate: “It is confirmed the client has been granted asylum; do not investigate any addresses outside of the U.S.”

If ORIA confirms that the client has submitted an application for asylum, the Manager/Supervisor on Duty must edit the managerial flag in CARES to indicate: “It is confirmed the client has applied for asylum; do not investigate any addresses outside of the U.S.”

If ORIA cannot confirm the client has either been granted asylum or has applied for asylum, staff must provide the client with referrals to community or legal services organizations that can assist the client in applying for asylum. The flag in CARES will remain in place, and DHS staff will not investigate out-of-country addresses.

### **IV. Identify Human Trafficking Victims**

Staff must ask whether the client has experienced human trafficking or determine whether human trafficking is a potential issue that must be considered based on information provided by the client. Victims of human trafficking may have experienced significant trauma and may not be prepared to disclose that they are a victim of human trafficking, so it is important to ask whether it is safe to investigate prior addresses as well as directly inquire about whether the person may be a victim of human trafficking. Each adult must be interviewed separately. Staff must ask the following questions:

1. Have you been pressured to perform a job or sex act you didn’t want to through lies, violence, or threats of violence?

2. Have you been put in a position of owing money to another person who provided you with transportation, a place to stay, money, or something else you needed? Has that person ever demanded that you perform work or sex acts by using violence or threats in order to repay that debt?
3. Have you been forced to hand over your identification and/or travel documents to a person not involved in law enforcement?
4. Have you been forced to work, perform sex acts for someone, or spend time with someone who does not let you contact your family, spend time with your friends, or go where you want when you want?
5. If any of the circumstances described in the above questions occurred at any prior addresses, do you feel unsafe if those addresses are investigated?

If the answer is yes to any of the above questions, human trafficking may be indicated, and the client must be advised that they may be eligible for services in New York State that will assist with shelter, food, medical care, protection, and legal assistance.

If the client is a non-citizen and has experienced human trafficking, advise them that they may also be eligible for help from the federal government with adjusting their immigration status.

## V. **Record Human Trafficking Issues**

If safety issues tied to a specific address are reported, the staff must take the following steps:

1. Inform the client that no documentation is required at this point, but if the client has any paperwork demonstrating prior victimization due to human trafficking, they can submit it. Staff must remind the client that nothing they provide will be shared with federal immigration officials. If the client does not have any documentation related to their trafficking status, staff must provide appropriate referrals to assist the client in obtaining additional support services for trafficking victims and obtaining identification documents.
  - A. For more guidance refer to the New York State Office of Temporary and Disability Assistance (OTDA) resource, Human Trafficking: A Handbook for Social Service Providers and Victim Advocates. **(Attachment C)**
  - B. Learn more about [NYS OTDA Assistance for Victims of Human Trafficking](#).
  - C. View a list of [New York State Human Trafficking Providers](#).
  - D. Anyone who suspects they may be a victim or a witness to human trafficking is encouraged to call the Human Trafficking Resource Center at 1-888-373-7888, which will help with locating resources within their community. They can also text "HELP" to 233733 (BeFree).

2. Alert the Manager/Supervisor on Duty that the client may be a victim of human trafficking. The Manager/Supervisor on Duty must place a managerial flag in the client's CARES home page, indicating: "The client may be a victim of human trafficking; do not investigate addresses in housing history." DSS Legal may be consulted if further guidance is needed.
3. Staff must notify the Manager/Supervisor on Duty and may consult with ORIA for possible assistance determining the status of the human trafficking claim. To facilitate this consultation, staff must forward the case information, including any documentation demonstrating that the client may have been a victim of human trafficking (for a list of the documentation see **Attachment B**) to ORIA via email: [oria@hra.nyc.gov](mailto:oria@hra.nyc.gov).
4. If ORIA confirms the client has been determined to be a victim of human trafficking, the Manager/Supervisor on Duty must edit the managerial flag in CARES to indicate: "It is confirmed the client is a victim of human trafficking; do not investigate the following addresses," and provide a list of precluded addresses.
5. If ORIA cannot confirm the client has been determined to be a victim of human trafficking, staff must provide the client with referrals to community or legal services organizations that can assist the client in applying for victim of human trafficking status. The flag in CARES will remain in place, and staff will not investigate any addresses.
6. If the client reports that they do not have access to identification documents as a result of trafficking, staff must accept any of the documentation listed in **Attachment A** or **Attachment B** as proof of identity.
7. Staff must refer the client to HRA NoVA if domestic violence was reported.
8. Staff must ensure the client is provided placement pending further determination on their case.

#### **VI. *Reviewing Identification Documents for Asylees, Asylum-Seekers, or Human Trafficking Victims***

Any of the documents in attachments A and B serve to preclude investigation of prior residences and housing history in the client's home country or any other addresses that are not safe to investigate. This list does not contain every conceivable document that a client may have in their possession.

If the client reports that they do not have access to identification documents as a result of trafficking or challenges encountered enroute to New York City, staff must accept any of the documentation listed in **Attachment A** or **Attachment B** as proof of identity. Note, the documents do not provide actual proof of marriage or familial relationship and should not

be used as a vital record (e.g., marriage license, birth certificate, adoption record, divorce decree, etc.).

## **VII. Exploring Diversion Options**

**Staff must inquire with client: Is there someone – for example, a friend or family member – you can stay with in the U.S.?**

1. If diversion is possible (willing and able primary tenant and client), link to appropriate resources and exit from the system.
2. If diversion is not possible, proceed with the processing of placement.

## **VIII. Precluded Activities**

Based on the presence of a managerial flag indicating the client is either seeking asylum, is an asylee, or is a victim of human trafficking, staff must:

1. Not ask any questions about out-of-country addresses, unsafe addresses inside or outside of the U.S., reasons for seeking asylum, and details about human trafficking. If asylum-seekers or victims of human trafficking go through the diversion process, staff must focus their efforts on alternate viable and available housing in the U.S. and must also connect such clients with resources within the City (e.g., MOIA, HRA's contracted immigration service providers) or to an appropriate legal services organization within the community, as recommended;
2. Refrain from investigating housing history for any families who have resided in the U.S. less than 30 days.
3. Preclude from shelter eligibility investigation and recommendation any residences outside of the U.S., and/or any residences precluded due to human trafficking inside or outside of the U.S.;
4. Remove the flag indicating the client's asylum-seeking, asylee, or victim of human trafficking status only if the client affirmatively tells staff they are no longer seeking asylum, they are not an asylee, or they are no longer identify as a victim of human trafficking.

If a client reports at any point during the intake and eligibility process that they have a fear of returning to their home country or have a fear of returning to an address due to a trafficking history, staff must inform Managerial/Supervisory staff and may consult with DSS Legal.



**IX. Does Not Appear To Be Seeking Asylum / Not An Asylee and No Human Trafficking Issues**

If the client does not appear to be seeking asylum, is not an asylee, and does not report or appear to have experienced human trafficking, then staff must follow the standard intake process. If safety issues are confirmed, then staff must not investigate prior addresses in the U.S. or outside of the U.S., as appropriate.

*Effective Immediately*

■ **REFERENCES:**

[OTDA 09-ADM-01](#)  
[GIS 10/MA/002](#)  
[GIS 09 TA/DC022](#)  
 SSL 483-aa  
 18 NYCRR Part 765

■ **RELATED ITEMS:**

[PD #05-15-ELI](#)  
[PD #18-18-ELI](#)  
[DHS Procedure 09-001](#)

■ **ATTACHMENTS:**

<a href="#">Attachment A</a>	Documentation demonstrating that a person may be seeking or has been granted asylum
<a href="#">Attachment B</a>	Documentation demonstrating that an individual or a member of the family may be a victim of human trafficking
<a href="#">Attachment C</a>	OTDA Human Trafficking: A Handbook for Social Service Providers and Victim Advocates
<b>Attachment D</b>	Sample USCIS Notice to Appear and ICE Call-in Letter
<b>Attachment E</b>	HERRC Outreach Script
<a href="#">ORIA195 (E)</a>	Office of Refugee and Immigrant Affairs (ORIA) Clearance Request Form

## Attachment A

### Documentation demonstrating that a person may be seeking or has been granted asylum:

1. A USCIS Notice to Appear (Form **I-862**) in federal immigration court *may* indicate intent to apply for asylum. Individuals presenting themselves at a U.S. border crossing indicating a fear of return to their home country are put into removal proceedings and provided with an I-862 Notice to Appear typically indicating “You are an alien present in the United States who has not been admitted or paroled,” after which point, they may submit an asylum application.
2. A Call-in Letter (Form **G-56**) for an interview with ICE
3. The signature page from the official federal asylum application form (**I-589**);
4. An **I-797** Notice of Action showing that an asylum application (**I-589**) has been filed;
5. A notice from the Asylum Office or USCIS acknowledging a pending asylum application or scheduling an interview for an client;
6. Other official immigration documents such as Record of Determination/Credible Fear Worksheet (Form **I-870**);
7. Record of Determination/Reasonable Fear Worksheet (Form **I-899**);
8. Notice to Service Provider Agency or LDSS of a Victim of Human Trafficking;
9. Decision from an immigration judge reversing a negative credible fear or reasonable fear determination; or,
10. A signed letter or verifiable email from an attorney, social worker, legal services organization, or advocate indicating that the client has been screened for, and intends to apply for, asylum.
11. A letter from USCIS, a copy of an **I-94** form, or a decision from an Immigration Judge granting asylum or withholding of removal.

## Attachment B

**Documentation demonstrating that an individual or a member of the family may be a victim of human trafficking, which would serve to preclude investigation of addresses, includes:**

1. A Form **I-797C**, Notice of Action for a **T** Nonimmigrant Status application;
2. A Form **I-797C**, Notice of Action for a **U** Nonimmigrant Status application, accompanied by the applicant family's attestation that the underlying crime involved trafficking, prostitution or the slave trade;
3. A letter from the Department of Health and Human Services, or the Administration for Children's Services verifying the applicant is a victim of human trafficking;
4. A **NYCPL 440** Vacatur Motion verifying that the applicant is a victim of human trafficking;
5. A signed letter from an attorney, social worker, legal services organization or advocate indicating that the applicant or applicant family has been screened for, and is a survivor of human trafficking;
6. Any other documentation showing that the applicant is a victim of trafficking.



Office of Temporary  
and Disability Assistance

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# HUMAN TRAFFICKING: A Handbook for Social Service Providers and Victim Advocates

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# I. What is Human Trafficking

The purpose of this handbook is to provide resources to social service professionals, law enforcement liaisons and other advocates who work directly with victims of human trafficking.

Human trafficking is a global crisis. This heinous crime manifests itself in varying forms and occurs in urban, rural, and suburban communities alike. Victims are forced, defrauded, and coerced into labor, debt bondage, prostitution, and involuntary domestic work. Human trafficking victims include women, men, and children. They may be trafficked from underdeveloped or impoverished regions worldwide, but also from vulnerable populations in New York.

Trafficking has infiltrated an astounding number of modern industries, including agriculture, construction, mining, hospitality, food service and domestic work. Victims may be exploited by private or nefarious businesses, including massage parlors, nail salons, brothels, sweatshops, escort services and erotic dancing establishments. They may also be forced or coerced into fraudulent marriage or made to peddle or beg on the streets.

While the circumstances of human trafficking vary from case to case, there is consistency with the deeply harmful effect it has on victims. Traffickers use a variety of tactics to assert and maintain physical and psychological control over their victims to create fear and dependence. This control prevents victims from leaving the situation or reporting their victimization to law enforcement. Traffickers are adept at using ways to manipulate and intimidate victims without being obvious to outsiders. These deplorable human rights abuses are far too often undetected by law enforcement and governmental officials. Assessing the full scope of human trafficking is difficult because cases so often go undetected –something the United Nations refers to as the hidden figure of crime.

At its core, human trafficking is a crime and human rights abuse involving the use of force, fraud, or coercion to exploit an individual for the purpose of forced labor or commercial sex. This resource guide provides some basic information on the problem and some useful resources for providers. Thank you for your dedication to this work. We have included a list of frequently asked questions and answers in the appendix, along with specialized contacts should you require further assistance.

## 1. Identifying Victims of Trafficking

One of the most challenging aspects of working with trafficking victims is that many never come forward with their stories –even to those seeking to help them. Traffickers thrive on exploiting vulnerable populations because these victims tend to stay silent about their abuse.

Traffickers tend to target and exploit vulnerable populations, including:

- Individuals experiencing homelessness or housing instability
- Runaway youth and children experiencing homelessness
- Children in foster care
- Individuals without immigration status and/or with limited proficiency in English
- Low-wage workers
- Transient populations (i.e., guest workers)
- LGBTQ
- Individuals with a history of physical, sexual, or substance abuse
- Low-income individuals
- Those with little or no family or community supports

Victims may also be controlled by someone claiming to be a friend or employer, usually by threat of mental or physical abuse. They often have restrictions placed on their movement and may believe they are dependent on a trafficker for their physical, financial, and emotional well-being through traumatic



bonding. Victims may be any age or gender. It is helpful to try to talk with a potential victim alone. If a translator is needed, a neutral third party should be used to provide interpretation, not a “friend” who may be affiliated with the trafficker.

The New York State Office of Temporary and Disability Assistance has training available for those new to this issue, including one intended for individuals assigned as the [human trafficking liaison](#) in their county. For additional training on recognizing the signs of human trafficking, or how the New York State referral process works, please contact [bria.contact@otda.ny.gov](mailto:bria.contact@otda.ny.gov).

## 2. Screening Protocols and Questions

Screening and interviewing potential human trafficking victims are critical components of the confirmation process. This allows for a tailored and specialized approach to a victim’s needs. Screening helps trafficking victims obtain the services they need through trauma-informed interviewing practices.

There are several useful indicators in determining whether an individual is a victim of trafficking. Service providers should take care to ensure they are utilizing best practices when interviewing potential trafficking victims. Carefully crafted questions about their personal background will be helpful in determining their situation and whether they have been trafficked. This includes questions about their living and working conditions, as well as their immigration history if they are foreign-born.

The following screening questions and observations may be useful in determining whether someone meets the criteria of a trafficking victim:

- Is the individual from a vulnerable population? Some examples have been included in the “vulnerable populations” section above.
- Is the individual willing to be interviewed alone, or are they requesting the presence of someone who may be a potential trafficker? This is especially true for when a translator is needed. Take steps to use a neutral third-party, not a relative or “friend” that may accompany the victim to an appointment.
- What does the individual claim to do for work, and how do they pay for food, housing, and other items?
- Does it appear the individual has been physically or mentally abused? Signs of physical abuse, such as bruises or lacerations may be obvious, but signs of mental abuse may be identified by an individual being confused about what you may consider basic details about themselves, having episodes of paranoia, or being unusually fearful. Others may exhibit rage and lack of cooperation.
- Does the individual appear apprehensive or scared of authority figures? Traffickers often tell their victims to distrust anyone but the trafficker as a means of control. It may take multiple meetings to establish a trusting relationship with a potential victim.
- Does the individual exhibit any signs (physical or verbal/mental) of coercion by another? Some traffickers may require physical signs be put on their victim’s body to show loyalty, such as tattoos or branding. Others control their victims through more insidious means, such as requiring them to call at regular intervals, not allowing them to attend appointments by themselves, or being in possession of identity documents, bank and credit cards, or valuable personal items or pets.
- Is there an affiliation or suspected affiliation with gangs or gang activity?
- Does the individual have identification? If so, do they possess it or is it held by someone else?
- Is the individual in possession of items that may indicate a trafficking situation (i.e., hotel card keys, multiple cell phones, drugs)?

While these are suggested questions, providers should ensure they are up to date on all the best practices and training for trauma-informed interviewing methods before beginning an interview.

## 3. Assistance in Providing Trauma-Informed Care

Trauma-informed care is not just a best practice when working with human trafficking victims, but also vital to ensuring that a survivor is not re-victimized while seeking independence from their trafficker. It is critical that the survivor feel physically, emotionally, and psychologically safe when interacting

with staff members or law enforcement. Empathy and respect are the most important elements to establishing trust and a rapport with a survivor. Be aware that it may be in the survivor's best interest to have a general conversation first and return to the screening questions during a second meeting. Ultimately, trauma-informed care should create an environment where a survivor feels safe, accepted, and understood so that therapeutic work about the trauma can occur. Those who will be working with survivors on a regular basis are encouraged to be current with their training and cultural competency.

While there are many excellent resources available to assist in providing trauma-informed care, some recommended resources include:

- The state Office of Children and Family Services' [Responding to Commercially Sexually Exploited and Trafficked Youth: A Handbook for Child Serving Professionals](#).
- Vera Institute of Justice's [Screening for Human Trafficking: Guidelines for Administering the Trafficking Victim Identification Tool](#).

Basic guidelines for providing trauma-based care:

- When greeting the victim, be mindful of your surroundings, attire, and others who are present, either from your agency or accompanying the victim.
- Dress in plain, casual clothes. If your organization requires official uniforms –specifically law enforcement uniforms –keep in mind this attire may raise concern the interviewer is from immigration or other enforcement agencies.
- For situations involving law enforcement officials or settings, be mindful that victims may have had prior negative experiences specifically with law enforcement. Keep tactical gear, weapons, badges, and uniforms obscured from sight and convey a sincere, caring attitude.
- If possible, conduct the interview in a welcoming, non-threatening setting, with both parties seated at a comfortable distance.
- Before and during the interview process, provide the victim with adequate food, drink, and incidentals, such as tissues. Provide regular breaks and a place where they can gain their composure if they request a break from the conversation.
- Talk to the victim in private. If the victim arrives with a person exhibiting controlling behavior, be aware this could be the trafficker or someone working for the trafficker. Keep in mind some sex trafficking victims are reluctant to reveal the fact that they were prostituted or involved in the sex trade due to the dehumanizing stigma that attaches to having been exploited in this particular way.
- Minimize the number of staff in contact with the victim and ensure they understand the importance of confidentiality.
- Provide access to competent and trustworthy interpreters if the victim's first language is not English.
- When appropriate, develop trust and a rapport with the victim by relating prior experience with similar cases.
- Ask open-ended questions, rather than ones that prompt quick, one-word responses.
- Reassure victims that there are no right or wrong responses, and that the conversation can be paused at their discretion to be resumed later.
- Reassure the victim that they are not to blame and are not responsible for their abuse, exploitation, or inability to leave a trafficking situation.
- Express sorrow for what has happened to them, but do not appear judgmental or shocked by the details they reveal.
- Close in a manner that reassures the victim and encourages them to continue the discussion.

As you or members of your organization continue to work with trafficking survivors, use feedback from survivors to identify best practices and incorporate them into agency policies and procedures.



## II. Making a Referral in New York

### New York State Victim Referral Process

The confirmation process was established under New York State's 2007 anti-trafficking law to rapidly connect trafficking survivors with services. This process, outlined in Article 10-D of the Social Services Law, is jointly administered by the New York State Office of Temporary and Disability Assistance (OTDA) and the New York State Division of Criminal Justice Services (DCJS).

Referrals for confirmation can be made by law enforcement representatives and established legal or social services providers that reasonably believe a client is a human trafficking victim. This process is completed in a matter of days so that victims can access services in a timely manner. Those victims confirmed through the referral process may access state programs and other services to help them meet their needs.

Referrals are initially reviewed by DCJS, which assesses whether the individual meets the basic criteria for being a human trafficking victim. A person will be found to meet the basic criteria as a human trafficking victim if the facts described by the statutory referring source reasonably appear to meet the definition of a trafficking victim under either federal or New York State law. OTDA and DCJS will then discuss the facts and agree if the person may be confirmed. If confirmed, a confirmation letter is then sent to the referral source and other appropriate parties. If a referral is denied, the referral source will receive a notification from DCJS on behalf of the victim. OTDA and DCJS do not send confirmation letters directly to trafficking victims for safety reasons. Rather, a letter is provided to the referral source to relay to the victim. Notification may also be sent to the human trafficking liaison in the county where the referral is located if the victim appears to be eligible for assistance through their social services district. For more on the role of the district liaison, please see Part II of this handbook.

Through OTDA, New York State funds the Response to Human Trafficking Program (RHTP), which provides case management and referral services to New York State-confirmed trafficking victims. The focus is on those who would otherwise have no access to needed services. This includes individuals who have not yet been certified by the federal government and those who are beginning to work in coordination with an investigation or prosecution. Services may include shelter/rental assistance, health assessment, medical care, mental health counseling, legal services, food assistance and other identified service needs.

There are now two methods for making referrals:

- Using a [standardized form](#) online that can be printed and submitted by the referring source via a secure fax process.
- [Electronically](#) via Alchemer, a private platform hosted by DCJS, which allows the referring source to complete and submit the standardized form online. All information contained in the form is encrypted and protocols are in place to maintain confidentiality.

Both faxed and electronically submitted referrals are assigned a case-specific tracking number that anonymizes the survivor to maintain their safety and confidentiality. The survivor can provide this reference number to access services in another county or with another provider.

Referrals will be transitioned to electronic submissions only. An update on this change will be provided at some point in 2021.

### Confirmation Letters

Once a referral meets the criteria for a victim of human trafficking, three individual letters may be sent to their corresponding parties. Confirmation letters can usually be translated into the victim's preferred language. Samples of confirmation letters are included in the Appendix.

A confirmation letter for the victim is always sent to the referral source, which then provides it to the victim (Attachments B and C). These letters are not shared directly to trafficking victims for safety reasons. The referral source receives a second letter notifying them of the confirmation and with instructions on how to assist the victim, either by referring them to one of the Response to Human Trafficking Program providers or a district (Attachment B).

If the victim appears to be eligible for assistance through their social services district, a third letter is sent to the human trafficking liaison in the county where they are located (Attachment C).

### **Confirmation Letter Benefits**

In addition to providing victims personal validation, confirmation letters may be provided as part of the application process for social services and legal assistance. Likewise, these letters allow victims to participate in OTDA's Response to Human Trafficking Program. Confirmation letters can also be used as:

- Documentation to vacate certain criminal charges under CPL Section 440.10 (1) (i) associated with a victim's trafficking situation. Vacating these convictions can open a range of employment and housing opportunities for victims and assist them on a path to self-sufficiency.
- Proof the individual is a victim of crime if no police report is available. This proof is required when applying for assistance from the state Office of Victim Services (OVS).
- Supporting documentation when filing a civil lawsuit.
- Supporting documentation when the state Department of Labor is filing a wage and hour claim at the state or federal level.
- In support of United States Citizenship and Immigration Service (USCIS) Form I-914 "Supplement B, Declaration of Law Enforcement Officer for Victim of Trafficking in Persons" in instances when law enforcement is the referring party and one is requested by the victim or their agent.

For youth, confirmation letters can be used to document that they cannot return to their parent's home, which can help them apply for assistance programs on their own.

Examples of both the New York State and New York City human trafficking victim confirmation letters are available in the appendix.

## **III. Federal Certification**

The Trafficking Victims Protection Act (TVPA), as amended, outlines the federal certification process, which allows undocumented victims of severe forms of trafficking to access federally funded benefits, if otherwise eligible. This process is overseen by the U.S. Department of Health and Human Services (HHS) and its family of agencies, including the Office of Refugee Resettlement (ORR) and the Office of Trafficking in Persons (OTIP). U.S. citizens, lawful permanent residents, and others with satisfactory immigration status for purposes of program eligibility don't need to be certified as victims to access such benefits and services, if otherwise eligible.

To receive this federal certification, an individual who is 18 or older must be a victim of a severe form of trafficking and be willing to assist in the investigation and prosecution of their trafficker, with some exceptions. They also must have been granted Continued Presence by the Department of Homeland Security or have a bona fide T visa application that has not been denied. An example of a federal certification letter is included in the Appendix.

If a foreign-born victim is under 18, OTIP may issue an eligibility letter or interim assistance letter to the child upon receiving credible information that the child was subjected to a severe form of human trafficking. Child victims are not required to cooperate with law enforcement or receive Continued Presence or apply for a T visa in order to receive an eligibility letter.

Federal trafficking certification or eligibility letters do not confer an immigration status, but allow social services districts to provide the victim benefits to the same extent as a refugee. Certification and eligibility letters do not expire, although some benefits may be time limited. This federal law also provides protections for victims of trafficking and eligible family members, outlining immigration remedies for those without lawful immigration status. Certified victims of human trafficking may receive benefits and services necessary for their safety, protection, and basic well-being. These benefits include housing, food, employment services, health care, and English language assistance.

Any minor or adult with questions regarding their immigration status should consult with a qualified immigration attorney. Visit the [federal anti-trafficking program website](#) for more information on federal certification.

## IV. Information for Social Services Districts

### 1. Summary of Responsibilities

If confirmed through the New York State process, victims are then directed to either districts or the Response to Human Trafficking Program service provider network. Districts have various responsibilities under OTDA policy and Article 10-D of the Social Services law:

- Designating a human trafficking liaison
- Determining eligibility for assistance for state-confirmed trafficking victims
- Providing assistance to state-confirmed trafficking victims who are determined eligible
- Providing assistance to minors who are victims of human trafficking
- Facilitating the provision of services to state-confirmed trafficking victims by referrals to the regional case management agency under the Response to Human Trafficking Program when appropriate
- Reporting the outcomes of confirmed trafficking referrals received by the district to the New York State Anti-Trafficking Program coordinator at OTDA

### 2. Notification Process

Districts will be directly notified by OTDA when the confirmed victim is a U.S. citizen or may otherwise be eligible for benefits; or is a minor. Notification will come following confirmation of a referral via a letter sent in an encrypted email. Because all correspondences are sent electronically, it is important that OTDA maintains an accurate list of current liaisons for each county. Updates to this information may be made by emailing the OTDA human trafficking coordinator and/or program manager for the Response to Human Trafficking Program.

### 3. Human Trafficking Liaisons by County

OTDA maintains a list of human trafficking liaisons for each district, which is updated regularly. Please contact OTDA if there is a change in personnel.

## V. Response to Human Trafficking Program

The Response to Human Trafficking Program was established after the [New York State Human Trafficking Law](#) was adopted on June 6, 2007 (Chapter 74 of the Laws of 2007). This law established the crimes of sex trafficking and labor trafficking and provides a referral mechanism that allows confirmed victims to receive services through designated providers.

The state's Human Trafficking Law also amended Social Services Law by adding Article 10-D, entitled "Services for Victims of Human Trafficking," which allows victims to receive certain services. Section 483-bb provides a non-exhaustive list of these services, which include case management; emergency temporary housing; health care; mental health counseling; drug addiction screening and treatment;

language interpretation and translation services; English language instruction; job training and placement assistance, post-employment services for job retention; and services to assist the individual and any family members in establishing a permanent residence in New York State or in the United States.

Contracts with service providers for the Response to Human Trafficking Program are selected through competitive procurement. The following providers are approved through 2021:

#### **The International Institute of Buffalo**

**Executive Director:** Ms. Eva Hassett  
**Program Contact:** Ms. Amy Fleischauer  
864 Delaware Avenue  
Buffalo, NY 14209  
Phone: 716-883-1900, Ext. 304  
Email: [afleischauer@iibuff.org](mailto:afleischauer@iibuff.org)

#### **My Sisters' Place, Inc.**

**Executive Director:** Ms. Karen Cheeks-Lomax  
**Program Contact:** Ms. Cristina Tanzola  
3 Barker Avenue, Suite 575  
White Plains, NY 10601  
Phone: 914-683-1333, Ext. 140; 24-hour hotline: (800) 298-SAFE  
Email: [ctanzola@mspny.org](mailto:ctanzola@mspny.org)

#### **Sanctuary for Families**

**Executive Director:** Hon. Judy H. Kluger  
**Program Contact:** Jessica-Wind Abolafia  
P. O. Box 1406, Wall Street Station  
New York, NY 10268  
Phone: 212-349-6009  
Email: [jabolafia@sffny.org](mailto:jabolafia@sffny.org)

#### **Unity House of Troy, Inc.**

**Chief Executive Officer:** Mr. Christopher Burke  
**Program Contact:** Mr. David Warren, Esq.  
2431 Sixth Avenue  
Troy, NY 12180  
Phone: 518-274-2607  
Email: [dwarren@unityhouseny.org](mailto:dwarren@unityhouseny.org)

#### **Safe Horizon**

**Chief Executive Officer:** Liz Roberts  
**Program Contact:** Ms. Anita Teekah Esq.  
50 Court Street, Suite 811  
Brooklyn, NY 11201  
Phone: 718-943-8655  
Email: [anita.teekah@safehorizon.org](mailto:anita.teekah@safehorizon.org)

#### **Restore NYC**

**Executive Director:** Ms. Amanda Eckhardt  
**Program Contact:** Ms. Amanda Eckhardt  
PO Box 1003, Bowling Green Station  
New York, NY 10274  
Phone: 212-840-8484  
Email: [amanda.eckhardt@restoreny.org](mailto:amanda.eckhardt@restoreny.org)

These providers have responded to the COVID-19 public health crisis by offering resources such as remote case management options for clients. These resources are summarized in the Appendix.

## VI. New York State Interagency Task Force

The New York State Interagency Task Force on Human Trafficking coordinates all the state’s interagency activities regarding human trafficking. The commissioner or a designee from the state Division of Criminal Justice Services (DCJS) and the Office of Temporary and Disability Assistance (OTDA) co-chair the Task Force, which also has representation from the Department of Health (DOH), the Office of Mental Health (OMH), the Department of Labor (DOL), the Office of Children and Family Services (OCFS), the Office of Addiction Services and Supports (OASAS), the Office of Victim Services (OVS), the Office for the Prevention of Domestic Violence (OPDV), and the New York State Police (NYSP). Other agencies are invited to participate as needed.

Established in 2007, the Task Force emerged from state legislation enacted to target sex and labor trafficking and to support the victims of these crimes. The Task Force releases an [annual report](#) that includes statistics from the referral process for that year.

The Task Force is a critical component of the state’s response to human trafficking and plays an important role by sharing the best practices on serving vulnerable populations at risk of trafficking. Additionally, the Task Force supports the efforts of all state agencies involved in addressing human trafficking throughout the state. Efforts by the Task Force include the recent **#TruthAboutTrafficking** awareness campaign, which aims to correct misconceptions surrounding human trafficking and help the public recognize trafficking cases. The Task Force meets several times a year, and discusses topics ranging from enhanced responses to labor trafficking in New York State to developments in child sex trafficking. The Task Force welcomes proposals from potential guest speakers on topics of interest pertaining to trafficking.

## VII. Important Contacts

Resource	Phone	Email/Website
OTDA Trafficking Program	(212) 961-5688	<a href="mailto:Bria.contact@otda.ny.gov">Bria.contact@otda.ny.gov</a>
OTDA Trafficking Fax	(212) 961-4441	<a href="#">Electronic Referral Submission Form</a>
OTDA Refugee Services	(518) 402-3096	<a href="mailto:Bria.contact@otda.ny.gov">Bria.contact@otda.ny.gov</a>
DCJS Trafficking Director	(518) 485-7718	<a href="mailto:Dcjs.sm.legal@dcjs.ny.gov">Dcjs.sm.legal@dcjs.ny.gov</a>
State Department of Labor	(212) 775-3785	<a href="mailto:trafficking@labor.ny.gov">trafficking@labor.ny.gov</a>
State Office of Victim Services	(800) 247-8035	<a href="#">OVS Website</a>
State Office of Children and Family Services	(518) 473-7793	<a href="mailto:info@ocfs.ny.gov">info@ocfs.ny.gov</a>

## VIII. Acronyms/Terminology

<b>ADM</b>	Administrative Directive	<b>NYS</b>	New York State
<b>BRS</b>	Bureau of Refugee Services	<b>OCFS</b>	Office of Children and Family Services
<b>CIN</b>	Client Identification Number	<b>ORR</b>	Office of Refugee Resettlement
<b>CPS</b>	Child Protective Services	<b>OTDA</b>	Office of Temporary and Disability Assistance
<b>CWS</b>	Child Welfare Services	<b>OVS</b>	Office of Victim Services
<b>DCJS</b>	Division of Criminal Justice Services	<b>PINS</b>	Person in Need of Supervision
<b>DHS</b>	Department of Homeland Security (Federal)	<b>RHTP</b>	Response to Human Trafficking Program
<b>DVL</b>	Domestic Violence Liaison	<b>RHY</b>	Runaway Homeless Youth
<b>FVO</b>	Family Violence Option	<b>SNAP</b>	Supplemental Nutrition Assistance Program
<b>HHS</b>	Department of Health and Human Services (Federal)	<b>SSL</b>	Social Services Law
<b>HTV</b>	Human Trafficking Victim	<b>TILP</b>	Transitional Independent Living Program
<b>INF</b>	Informational Letter	<b>TVPA</b>	Trafficking Victim Protection Act
<b>LDSS</b>	Local Department of Social Service	<b>URM</b>	Unaccompanied Refugee Minor
		<b>USCIS</b>	United States Citizenship and Immigration Services

## IX. Appendix:

**Attachment A:** Fax Confirmation Form

**Attachment B:** Set of Sample Referral Letters (NYC)

**Attachment C:** Set of Sample Referral Letters (Rest of State)

**Attachment D:** Federal Certification Letter

**Attachment E:** Frequently Asked Questions

**Attachment A: Fax Confirmation Form**

**New York State Referral of Human Trafficking Victim**

**FAX TO 518-485-9611**

**Social Services Law § 483-cc requires that this form be completed and sent to the Division of Criminal Justice Services and the Office of Temporary and Disability Assistance as soon as practicable after a first encounter with a person who reasonably appears to be a human trafficking victim.**

Date Form Faxed: \_\_\_\_/\_\_\_\_/\_\_\_\_ Time Form Faxed: \_\_\_\_ : \_\_\_\_ a.m. / p.m. (circle one)

Victim's Name: \_\_\_\_\_ Victim's DOB: \_\_\_\_/\_\_\_\_/\_\_\_\_

Victim's Gender: \_\_\_\_\_

Was victim trafficked from another country? YES\_\_ NO\_\_ DON'T KNOW\_\_

Penal Law crime committed against victim: Sex Trafficking/Penal Law § 230.34 \_\_ Labor Trafficking/Penal Law § 135.35 \_\_

Incident number: \_\_\_\_\_

Date & Jurisdiction where Penal Law crime occurred: \_\_\_\_\_

Is victim willing to assist in investigation/prosecution of trafficker(s)? YES\_\_ NO\_\_

Was victim arrested? YES\_\_ NO\_\_ Court case is pending in: \_\_\_\_\_

Statutory Referral Source: \_\_\_\_\_

Contact person: \_\_\_\_\_

Telephone (\_\_\_\_\_) \_\_\_\_\_ E-mail \_\_\_\_\_

Address \_\_\_\_\_

If a service provider or local social services department is involved or has been contacted, please provide name or any other contact information. \_\_\_\_\_

Please indicate the facts and circumstances regarding Penal Law crime committed against victim and the victimization upon which this referral is based. Describe any force, fraud, or coercion used and be as specific as possible. Use additional sheets if necessary.

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## Attachment B: Set of Sample Referral Letters - NYC

### HTV Letter NYC HRA



## Office of Temporary and Disability Assistance

ANDREW M. CUOMO  
Governor

MICHAEL P. HEIN  
Commissioner

BARBARA C. GUINN  
Executive Deputy Commissioner

### NOTICE OF CONFIRMATION AS A HUMAN TRAFFICKING VICTIM IN NEW YORK STATE

[Date]

[Victim's name]  
c/o [Referring Source name]  
[ABC Referring Agency]  
123 Main St.  
New York, NY 10001

Re: OTDA Tracking Number **XXXXX**

Dear [Victim's name],

The New York State Division of Criminal Justice Services, in consultation with the New York State Office of Temporary and Disability Assistance has reviewed the information that the [ABC Referring Agency] supplied on [date] regarding your circumstances and have determined that you **MEET THE CRITERIA FOR CONFIRMATION** as a human trafficking victim in New York State.

Under New York State law, you may be entitled to assistance through the local Department of Social Services at the address below, as well as the New York State Office of Victim Services. We also encourage you to continue working with the [ABC Referring Agency].

New York City Human Resources  
Administration  
4 WTC-150 Greenwich Street  
New York, NY 10007  
Human Trafficking Liaison  
[Liaison's name]

New York State Office of Victim Services  
Alfred E. Smith State Office Building  
80 South Swan Street, 2nd Floor  
Albany, New York 12210  
1-800-247-8035  
[www.ovs.ny.gov](http://www.ovs.ny.gov)

Should you require further information, please contact the New York State Office of Temporary and Disability Assistance at 212-961-5688.

Best wishes,

Program Manager, Response to Human Trafficking Program

cc: Division of Criminal Justice Services



## Attachment B: Set of Sample Referral Letters - NYC

### HTV Letter NYC RHTP



## Office of Temporary and Disability Assistance

ANDREW M. CUOMO  
Governor

MICHAEL P. HEIN  
Commissioner

BARBARA C. GUINN  
Executive Deputy Commissioner

### NOTICE OF CONFIRMATION AS A HUMAN TRAFFICKING VICTIM IN NEW YORK STATE

[Date]

[Victim's name]  
c/o [Referring Source name]  
[ABC Referring Agency]  
123 Main St.  
New York, NY 10001

Re: OTDA Tracking Number **XXXXX**

Dear [Victim's name],

The New York State Division of Criminal Justice Services, in consultation with the New York State Office of Temporary and Disability Assistance has reviewed the information that the [ABC Referring Agency] supplied on [date] regarding your circumstances and have determined that you **MEET THE CRITERIA FOR CONFIRMATION** as a human trafficking victim in New York State.

Under New York State law, you may be qualified for assistance under New York State Response to Human Trafficking Program. We encourage you to seek assistance with the [Name and contact information of RHTP provider]. We also encourage you to continue working with [Referring Agency].

You may also be eligible for assistance from the New York State Office of Victim Services at Alfred E. Smith State Office Building, 80 South Swan Street, 2nd Floor, Albany, New York 12210; 1-800-247-8035; [www.ovs.ny.gov](http://www.ovs.ny.gov).

Should you require further information please contact the New York State Office of Temporary and Disability Assistance at 212-961-5688.

Under Section 483-DD of New York State Social Services Law, you or your representative may request that a law enforcement agency provide you with United States Citizenship and Immigration Services Form I-914, Supplement B – Declaration of Law Enforcement Officer for Victim of Trafficking in Persons. This document may assist you to obtain immigration status in the United States, if necessary, as well as assistance from the United States government.

Best wishes,

Program Manager, Response to Human Trafficking Program

cc: Division of Criminal Justice Services

## Attachment B: Set of Sample Referral Letters - NYC

### Referring Source Letter NYC



## Office of Temporary and Disability Assistance

**ANDREW M. CUOMO**  
Governor

**MICHAEL HEIN**  
Commissioner

**BARBARA GUINN**  
Executive Deputy Commissioner

### NOTICE TO STATUTORY REFERRAL SOURCE

[Date]

[Referring Source name]  
[ABC Referring Agency]  
123 Main St.  
New York, NY 10001

Re: OTDA Tracking Number **XXXXX**

Dear [Referring Source name]

The New York State Division of Criminal Justice Services (DCJS), in consultation with the NYS Office of Temporary and Disability Assistance (OTDA), has reviewed the information you supplied on [date] regarding the possible human trafficking of [Victim's name] and determined that she **MEETS THE CRITERIA FOR CONFIRMATION** as a human trafficking victim in New York State.

It appears that [Victim's name] may be able to access services through [Name and contact information of RHTP provider], one of the New York State Response to Human Trafficking Program service providers at [address]. We also encourage you to continue working together.

Also, please refer [Victim's name] to the New York State Office of Victim Services at:

New York State Office of Victim Services  
Alfred E. Smith State Office Building  
80 South Swan Street, 2nd Floor  
Albany, New York 12210  
1-800-247-8035  
[www.ovs.ny.gov](http://www.ovs.ny.gov)

Should you require further information please contact the New York State Office of Temporary and Disability Assistance at 212-961-5688. Thank you for your cooperation and your work to help these victims.

Best wishes,

Program Manager, Response to Human Trafficking Program

cc: Division of Criminal Justice Services

## Attachment B: Set of Sample Referral Letters - NYC

HRA Liaison NYC



### Office of Temporary and Disability Assistance

ANDREW M. CUOMO  
Governor

MICHAEL P. HEIN  
Commissioner

BARBARA C. GUINN  
Executive Deputy Commissioner

#### NOTICE TO SERVICE PROVIDER AGENCY OR LDSS OF A VICTIM OF HUMAN TRAFFICKING

[Date]

[Human Trafficking Liaison name]  
New York City Human Resources Administration  
4 WTC-150 Greenwich Street  
New York, NY 10007

OTDA Tracking number **XXXXX**

Dear [Human Trafficking Liaison name],

The purpose of this letter is to notify you that the New York State Division of Criminal Justice Services (DCJS), in consultation with the NYS Office of Temporary and Disability Assistance (OTDA) has determined that [Victim's name] **MEETS THE CRITERIA FOR CONFIRMATION** as a human trafficking victim in New York State.

OTDA has referred [Victim's name, gender, date of birth] to your office for assessment. His location may be known by:

[Referring Source name]  
[ABC Referring Agency]  
123 Main St.  
New York, NY 10001

Please be sure to consider all possible means of assistance for victims of human trafficking. Also, as per the OTDA administrative directive, 09 ADM 01, please report on services accessed by them.

Sincerely,

Program Manager, Response to Human Trafficking Program

cc: Division of Criminal Justice Services

## Attachment C: Set of Sample Referral Letters - Rest of State

### HTV Letter New York State



## Office of Temporary and Disability Assistance

**ANDREW M. CUOMO**  
Governor

**MICHAEL HEIN**  
Commissioner

**BARBARA GUINN**  
Executive Deputy Commissioner

### NOTICE OF CONFIRMATION AS A HUMAN TRAFFICKING VICTIM IN NEW YORK STATE

[Date]

[Victim's name]  
c/o [Referring Source name]  
ABC Referring Agency  
123 Main St.  
New York, NY 10001

OTDA Tracking Number: **XXXXX**

Dear [Victim's name],

The New York State Division of Criminal Justice Services, in consultation with the New York State Office of Temporary and Disability Assistance has reviewed the information that the [ABC Referring Agency] supplied on [Date] regarding your circumstances and have determined that you **MEET THE CRITERIA FOR CONFIRMATION** as a human trafficking victim in New York State.

Under New York State law, you may be qualified for assistance under New York State Response to Human Trafficking Program. We encourage you to seek assistance at the [Name and contact information of RHTP provider]. We also encourage you to continue working with [Referring Agency].

You may also be eligible for assistance from the New York State Office of Victim Services at Alfred E. Smith State Office Building, 80 South Swan Street, 2nd Floor, Albany, New York 12210; 1-800-247-8035; [www.ovs.ny.gov](http://www.ovs.ny.gov).

Should you require further information, please contact the New York State Office of Temporary and Disability Assistance at 212-961-5688.

Under Section 483-DD of New York State Social Services Law, you or your representative may request that a law enforcement agency provide you with United States Citizenship and Immigration Services Form I-914, Supplement B – Declaration of Law Enforcement Officer for Victim of Trafficking in Persons. This document may assist you to obtain immigration status in the United States, if necessary, as well as assistance from the United States government.

Best wishes,

Program Manager, Response to Human Trafficking Program

cc: Division of Criminal Justice Services

## Attachment C: Set of Sample Referral Letters - Rest of State

### HTV Letter New York State RHTP



## Office of Temporary and Disability Assistance

**ANDREW M. CUOMO**  
Governor

**MICHAEL HEIN**  
Commissioner

**BARBARA GUINN**  
Executive Deputy Commissioner

### NOTICE TO STATUTORY REFERRAL SOURCE

[Date]

[Referring Source name]  
[ABC Referring Agency]  
123 Main St.  
New York, NY 10001

OTDA Tracking Number: **XXXXXX**

Dear [Referring Source name]

The New York State Division of Criminal Justice Services (DCJS), in consultation with the NYS Office of Temporary and Disability Assistance (OTDA), has reviewed the information you supplied on [Date] regarding the possible human trafficking of [Victim's name] and determined that she **MEETS THE CRITERIA FOR CONFIRMATION** as a human trafficking victim in New York State.

It appears that [Victim's name] may be able to access services through the Erie County Department of Social Services. If still in your custody, please refer to the DSS office listed below as well as the New York State Office of Victim Services.

Erie County DSS  
95 Franklin Street Room 858  
Buffalo, NY 14202  
Human Trafficking Liaison  
[Liaison's name]

New York State Office of Victim Services  
Alfred E. Smith State Office Building  
80 South Swan Street, 2nd Floor  
Albany, New York 12210  
1-800-247-8035  
[www.ovs.ny.gov](http://www.ovs.ny.gov)

Should you require further information, please contact OTDA at 212-961-5688. Thank you for your cooperation and your work to help these victims.

Best wishes,

Program Manager, Response to Human Trafficking Program

cc: Division of Criminal Justice Services

## Attachment C: Set of Sample Referral Letters - Rest of State

### Referring Source Letter New York State



## Office of Temporary and Disability Assistance

**ANDREW M. CUOMO**  
Governor

**MICHAEL HEIN**  
Commissioner

**BARBARA GUINN**  
Executive Deputy Commissioner

### NOTICE TO STATUTORY REFERRAL SOURCE

[Date]

[Referring Source name]  
[ABC Referring Agency]  
123 Main St.  
New York, NY 10001

OTDA Tracking Number: **XXXXX**

Dear [Referring Source name]

The New York State Division of Criminal Justice Services (DCJS), in consultation with the NYS Office of Temporary and Disability Assistance (OTDA), has reviewed the information you supplied on [Date] regarding the possible human trafficking of [Victim's name] and determined that she **MEETS THE CRITERIA FOR CONFIRMATION** as a human trafficking victim in New York State.

It appears that [Victim's name] may be able to access services through the Erie County Department of Social Services. If still in your custody, please refer to the DSS office listed below as well as the New York State Office of Victim Services.

Erie County DSS  
95 Franklin Street Room 858  
Buffalo, NY 14202  
Human Trafficking Liaison  
[Liaison's name]

New York State Office of Victim Services  
55 Hanson Place, 10th Floor  
Brooklyn, NY 11217  
1-800-247-8035  
[www.ovs.ny.gov](http://www.ovs.ny.gov)

Should you require further information, please contact OTDA at 212-961-5688. Thank you for your cooperation and your work to help these victims.

Best wishes,

Program Manager, Response to Human Trafficking Program

cc: Division of Criminal Justice Services

## Attachment C: Set of Sample Referral Letters - Rest of State

### District Liaison Letter New York State



## Office of Temporary and Disability Assistance

**ANDREW M. CUOMO**  
Governor

**MICHAEL HEIN**  
Commissioner

**BARBARA GUINN**  
Executive Deputy Commissioner

### NOTICE TO SERVICE PROVIDER AGENCY OR LDSS OF A VICTIM OF HUMAN TRAFFICKING

[Date]

[Human Trafficking Liaison name]  
Human Trafficking Liaison  
Erie County DSS  
95 Franklin Street, Room 858  
Buffalo, NY 14202

OTDA Tracking number **XXXXX**

Dear [Human Trafficking Liaison name],

The purpose of this letter is to notify you that the New York State Division of Criminal Justice Services (DCJS), in consultation with the New York State Office of Temporary and Disability Assistance (OTDA) has determined that [Victim's name] **MEETS THE CRITERIA FOR CONFIRMATION** as a human trafficking victim in New York State.

OTDA has referred [Victim's name, gender, date of birth] to your office for assessment. Her location may be known by:

[Referring Source name]  
[ABC Referring Agency]  
123 Main St.  
Buffalo, NY 14201

Please be sure to consider all possible means of assistance for victims of human trafficking. Also, as per the OTDA administrative directive, 09 ADM 01, please report on services accessed by them.

Best wishes,

Program Manager, Response to Human Trafficking Program

cc: Division of Criminal Justice Services

## Attachment D: Sample Federal Certification Letter



### ADMINISTRATION FOR **CHILDREN & FAMILIES**

Office on Trafficking in Persons | 330 C Street, S.W., Washington, DC 20201  
www.acf.hhs.gov/programs/endtrafficking

HHS Tracking Number: [REDACTED]  
DOB: [REDACTED]

[REDACTED]  
Catholic Charities -  
Amityville 143 Schlegel  
Blvd. Amityville, NY 11701

#### CERTIFICATION LETTER

Dear [REDACTED]:

This letter confirms that we received notice from U.S. Department of Homeland Security that you were subjected to a severe form of trafficking in persons. In accordance with 22 U.S.C. § 7105(b)(1)(E), this HHS Certification Letter confirms that you are eligible to apply for benefits and services to the same extent as a refugee. This letter does not confer immigration status.

You can start applying for benefits and services on **April 3, 2020**.

If you wish to apply for benefits and services, it is important that you seek assistance as soon as possible because some of the benefits are time-limited and may expire. When you access benefits, bring the original copy of this letter to the benefit-issuing agency.

**See the attached packet for further information on accessing benefits and services, descriptions of the benefits and services you are eligible for, and information about the comprehensive case management services that are available to support you in this process.**

The National Human Trafficking Hotline at 1-888-373-7888 is also available 24 hours a day, 7 days a week to connect you with available services in your area.

Sincerely,

Katherine Chon  
Director  
Office on Trafficking in Persons

**Benefit-issuing agencies:** To verify the validity of this letter, you may call the toll-free HHS Trafficking Victim Verification Line at **1-866-401-5510** during regular business hours.



## **Attachment E: Frequently Asked Questions**

### **Where does human trafficking occur?**

Human trafficking unfortunately occurs everywhere—in the United States as well as internationally. It occurs in cities, suburbs, rural areas, rich and poor neighborhoods. Trafficking happens across New York State in many different industries.

### **What are the types of human trafficking?**

There are two types of trafficking – sex trafficking and labor trafficking. Sex trafficking is trafficking in which a commercial sex act is induced by force, fraud, or coercion, or in which the person induced to perform such act is younger than 18. Labor trafficking is a severe form of trafficking in persons under the federal Trafficking Victims Protection Act and includes “[t]he 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.” Individuals can be both victims of sex and labor trafficking depending on the facts and circumstances of the case.

### **What does it mean to be “trafficked?”**

Every trafficking situation is unique, but it typically means that a human trafficker—either acting alone or as part of a larger group or organization—reaps financial gain from their victim through force, fraud, or coercion.

### **Who are the typical victims of human trafficking?**

While there are many stereotypes and myths about human trafficking, anyone can become a victim. Traffickers, however, tend to prey on the vulnerability of marginalized communities. These groups include immigrants—particularly those who are undocumented—children, LGBTQ individuals, homeless or run-away youth, the mentally or physically disabled, survivors of sexual assault or domestic violence, and those living in poverty.

### **What protections exist for minors who are victims of sex trafficking?**

Under the federal and state law, anyone who is induced to perform commercial sex acts while under the age of 18 is automatically considered a victim of human trafficking. There is no need to prove force, fraud, or coercion in cases involving victims who are minors.

### **If I suspect someone is a victim of human trafficking, what should I do?**

If you have proper training and feel it is safe, you may assist a victim of human trafficking through your professional work. Remember the victim has likely been through an incredibly traumatic experience and may be in danger as a result. Carefully obtain as much relevant information about the victim and the trafficker as possible, utilizing best practices from trauma-informed care tactics. Use this information to complete the New York State Referral Form.

If you are acting outside your area of expertise, or are a concerned citizen, you may contact OTDA at **212-961-5688**; the National Human Trafficking Hotline at **1-866-373-7888**; or via text: **233733**.

## **What is the difference between the New York State Confirmation Process and the Certification Process through the federal Office of Trafficking in Persons?**

The confirmation process in New York is designed to provide immediate assistance to trafficking victims. State law requires a response from referral sources within three business days so that victims can receive timely assistance. With a confirmation letter, a confirmed survivor of trafficking has access to benefits through a provider with the Response to Human Trafficking Program, regardless of their immigration status or through their district.

The federal certification letter allows non-citizen victims to access benefits and resources to the same extent as a refugee. Federal certification does not follow a specific timeframe, though the process generally takes about 12 weeks and requires cooperation from law enforcement. Those victims who are U.S. Citizens or have otherwise qualifying immigration statuses to obtain public benefits do not require these certification letters.

**ATTACHMENT D**

DEPARTMENT OF HOMELAND SECURITY  
**CALL-IN LETTER**

To (Name, Address, City, State, Zip Code)

C/O 33 BEAVER ST  
NEW YORK, NY 10004  
212-361-0589

File Number

Date Jun 21, 2022

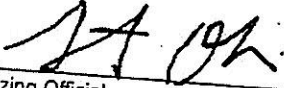
Please come to the office listed below at the time and place indicated in connection with an official matter.

Office Location	26 Federal Plaza, Room 9110, New York, NY 10278; 212-264-4213
Time and Hour	August 8, 2022, 11:00 AM
Ask For	An ICE Deportation Officer for your ATD enrollment
Reason for Appointment	You have been paroled into the United States and are required to attend your immigration court hearings and ICE appointments to ensure that your immigration case moves forward. Failure to report may lead to being taken into custody or placed on additional forms of supervision.
Bring With You	Identification documents (birth certificate, government-issued identity documents such as driver's license or ID) and all immigration documents.

It is important that you keep this appointment and bring this letter with you.  
If you are unable to do so, state your reason, sign below, and return this letter to this office at once.

S. Ohia, Jr., Deportation Officer

Name and Title of Authorizing Official



Signature of Authorizing Official

am unable to keep the appointment because:

Signature	Date
-----------	------

**ATTACHMENT D**

DEPARTMENT OF HOMELAND SECURITY  
CALL-IN LETTER

To (Name, Address, City, State, Zip Code)  
[REDACTED]  
C/O 151 E 151ST  
BRONX, NY 10451

File Number [REDACTED] ①  
Date Jun 22, 2022

Please come to the office listed below at the time and place indicated in connection with an official matter.

Office Location	26 Federal Plaza, Room 9110, New York, NY 10278: 212-264-4213 ③
Time and Hour	August 9, 2022, 11:30 AM ③
Ask For	An ICE Deportation Officer for your ATD enrollment
Reason for Appointment	You have been paroled into the United States and are required to attend your immigration court hearings and ICE appointments to ensure that your immigration case moves forward. Failure to report may lead to being taken into custody or placed on additional forms of supervision.
Bring With You	Identification documents (birth certificate, government-issued identity documents such as driver's license or ID) and all immigration documents.

It is important that you keep this appointment and bring this letter with you.  
If you are unable to do so, state your reason, sign below, and return this letter to this office at once.

Jonathan Norman Jr., Deportation Officer

Name and Title of Authorizing Official

Signature of Authorizing Official

I am unable to keep the appointment because:

Signature \_\_\_\_\_ Date \_\_\_\_\_

**ATTACHMENT D**

DEPARTMENT OF HOMELAND SECURITY  
**CALL-IN LETTER**

To (Name, Address, City, State, Zip Code)  
██████████  
C/O 151 E 151ST ST  
BRONX, NY 104515248  
917-521-3900

File Number ██████████  
Date Jun 23, 2022

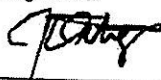
Please come to the office listed below at the time and place indicated in connection with an official matter.

Office Location	26 Federal Plaza, Room 9110, New York, NY 10278; 212-264-4213
Time and Hour	July 26, 2022, 10:30 AM
Ask For	An ICE Deportation Officer for your AFD enrollment
Reason for Appointment	You have been paroled into the United States and are required to attend your immigration court hearings and ICE appointments to ensure that your immigration case moves forward. Failure to report may lead to being taken into custody or placed on additional forms of supervision.
Bring With You	Identification documents (birth certificate, government-issued identity documents such as driver's license or ID) and all immigration documents.

It is important that you keep this appointment and bring this letter with you.  
If you are unable to do so, state your reason, sign below, and return this letter to this office at once.

Jose Ortega, Deportation Officer

Name and Title of Authorizing Official



Signature of Authorizing Official

I am unable to keep the appointment because:

Signature \_\_\_\_\_ Date \_\_\_\_\_



**ATTACHMENT D**

DEPARTMENT OF HOMELAND SECURITY  
**CALL-IN LETTER**

To (Name, Address, City, State, Zip Code)

██████████  
C/O, 701 FORT WASHINGTON AVE  
NEW YORK, NY 10040  
212-791-4590

File Number ██████████  
Date Jun 23, 2022

Please come to the office listed below at the time and place indicated in connection with an official matter.

Office Location	26 Federal Plaza, Room 9110, New York, NY 10278; 212-264-4213
Time and Hour	July 7, 2022, 11:30 AM
Ask For	An ICE Deportation Officer for your ATD enrollment
Reason for Appointment	You have been paroled into the United States and are required to attend your immigration court hearings and ICE appointments to ensure that your immigration case moves forward. Failure to report may lead to being taken into custody or placed on additional forms of supervision.
Bring With You	Identification documents (birth certificate, government-issued identity documents such as driver's license or ID) and all immigration documents.

It is important that you keep this appointment and bring this letter with you.  
If you are unable to do so, state your reason, sign below, and return this letter to this office at once.

Cory Baysinger, Deportation Officer  
Name and Title of Authorizing Official

CRB  
Signature of Authorizing Official

I am unable to keep the appointment because:

Signature \_\_\_\_\_ Date \_\_\_\_\_

**ATTACHMENT D**

DEPARTMENT OF HOMELAND SECURITY  
**CALL-IN LETTER**

To (Name, Address, City, State, Zip Code)  
[REDACTED]  
C/O 131 W 33RD ST  
NEW YORK, NY 10001  
212-627-2227

File Number [REDACTED]

Date Jun 24, 2022

Please come to the office listed below at the time and place indicated in connection with an official matter.

Office Location	26 Federal Plaza, Room 9110, New York, NY 10278; 212-264-4213
Time and Hour	August 9, 2022, 12:30 PM
Ask For	An ICE Deportation Officer for your ATD enrollment
Reason for Appointment	You have been paroled into the United States and are required to attend your immigration court hearings and ICE appointments to ensure that your immigration case moves forward. Failure to report may lead to being taken into custody or placed on additional forms of supervision.
Bring With You	Identification documents (birth certificate, government-issued identity documents such as driver's license or ID) and all immigration documents.

**It is important that you keep this appointment and bring this letter with you.  
If you are unable to do so, state your reason, sign below, and return this letter to this office at once.**

Erik Hickox, Deportation Officer

Name and Title of Authorizing Official



Signature of Authorizing Official

I am unable to keep the appointment because:

Signature \_\_\_\_\_ Date \_\_\_\_\_

**ATTACHMENT D**

U.S. Department of Homeland Security

**Order of Release on Recognizance**

File No: A [REDACTED]  
Date: April 26, 2022  
Event No: YUS [REDACTED]

Name: [REDACTED]

You have been arrested and placed in removal proceedings. In accordance with section 236 of the Immigration and Nationality Act and the applicable provisions of Title 8 of the Code of Federal Regulations, you are being released on your own recognizance provided you comply with the following conditions:

- You must report for any hearing or interview as directed by the Department of Homeland Security or the Executive Office for Immigration Review.
- You must surrender for removal from the United States if so ordered.
- You must report in (writing) (person) to NON-DETAINED UNIT 954-843-5800

(Name and Title of Case Officer)

at 2805 SW 145th Ave. Miramar, FL 33027 on 05/10/22 at 08:00 AM  
(Location of DHS Office) (Day of each week or month) (Time)

If you are allowed to report in writing, the report must contain your name, alien registration number, current address, place of employment, and other pertinent information as required by the officer listed above.

- You must not change your place of residence without first securing written permission from the immigration officer listed above.
- You must not violate any local, State, or Federal laws or ordinances.
- You must assist the Department of Homeland Security in obtaining any necessary travel documents.
- Other: Employment not authorized

See attached sheet containing other specified conditions (Continue on separate sheet if required)

**NOTICE: Failure to comply with the conditions of this order may result in revocation of your release and your arrest and detention by the Department of Homeland Security.**

[REDACTED]  
Date: 2022.04.26 16:46:17 -07:00  
0710884198.CBP

(Signature of DHS Official)

[REDACTED]  
ACTING PATROL AGENT IN CHARGE  
(Printed Name and Title of Official)

**Alien's Acknowledgment of Conditions of Release on Recognizance**

I hereby acknowledge that I have (read) (had interpreted and explained to me in the FRENCH language) and understand the conditions of my release as set forth in this order. I further understand that if I do not comply with these conditions, the Department of Homeland Security may revoke my release without further notice.

[REDACTED]  
(Signature of Immigration Officer Serving Order)

[REDACTED]  
(Signature of Alien)

4/27/22  
(Date)

**Cancellation of Order**

- I hereby cancel this order of release because:  The alien failed to comply with the conditions of release.  
 The alien was taken into custody for removal.

(Signature of Immigration Officer Canceling Order)

(Date)



DEPARTMENT OF HOMELAND SECURITY  
NOTICE TO APPEAR

In removal proceedings under section 240 of the Immigration and Nationality Act:

Subject ID: 3 [REDACTED]

FINS #: 1 [REDACTED]

File No: A [REDACTED]

In the Matter of:

DOB: [REDACTED]

Event No: YUS [REDACTED]

Respondent:

[REDACTED]

currently residing at:

[REDACTED] FLORIDA, 33064

(Number, street, city, state and ZIP code)

[REDACTED]  
(Area code and phone number)

- You are an arriving alien.
- You are an alien present in the United States who has not been admitted or paroled.
- You have been admitted to the United States, but are removable for the reasons stated below.

The Department of Homeland Security alleges that you:

1. You are not a citizen or national of the United States;
2. You are a native of JAMAICA and a citizen of JAMAICA ;
3. You arrived in the United States at or near SAN LUIS, AZ , on or about April 26, 2022 ;
4. You were not then admitted or paroled after inspection by an Immigration Officer.

On the basis of the foregoing, it is charged that you are subject to removal from the United States pursuant to the following provision(s) of law:

212(a)(6)(A)(i) of the Immigration and Nationality Act, as amended, in that you are an alien present in the United States without being admitted or paroled, or who arrived in the United States at any time or place other than as designated by the Attorney General.

- This notice is being issued after an asylum officer has found that the respondent has demonstrated a credible fear of persecution or torture.
- Section 235(b)(1) order was vacated pursuant to:  8CFR 208.30  8CFR 235.3(b)(5)(iv)

YOU ARE ORDERED to appear before an immigration judge of the United States Department of Justice at:

333 SOUTH MIAMI AVE., STE. 700 MIAMI, FL 33130

(Complete Address of Immigration Court, including Room Number, if any)

on January 03, 2025 at 08:30 AM to show why you should not be removed from the United States based on the

(Date)

(Time)

charge(s) set forth above.

[REDACTED]

Date: 2022.04.26 16:59:07:00  
Acting/Patrol Agent in Charge  
071088138 CBP

(Signature and Title of Issuing Officer) (Sign in ink)

Date: April 26, 2022

Yuma, Arizona

(City and State)

ORDER OF RELEASE ON RECOGNIZANCE

File No.: [REDACTED]

Name: [REDACTED]

Date: Jun 28, 2022

You have been arrested and placed in removal proceedings. In accordance with section 236 of the Immigration and Nationality Act and the applicable provisions of Title 8 of the Code of Federal Regulations, you are being released on your own recognizance provided you comply with the following conditions:

- You must report for any hearing or interview as directed by Immigration and Customs Enforcement or the Executive Office for Immigration Review.
- You must surrender for removal from the United States if so ordered.
- You must report in (writing) (person) to Duty officer at New York Field Office. on August 16, 2022, 1: as directed.

If you are allowed to report in writing, the report must contain your name, alien registration number, current address, place of employment, and other pertinent information as required by the officer listed above.

- You must not change your place of residence without first securing written permission from the officer listed above.
- You must not violate any local, State or Federal laws or ordinances.
- You must assist Immigration and Customs Enforcement in obtaining any necessary travel documents.
- Other: *Your release is contingent upon your enrollment and successful participation in an Alternatives to Detention (ATD) program as designated by the U.S. Department of Homeland Security. As part of the ATD program, you will be subject to electronic monitoring and may be subject to a curfew. Failure to comply with the requirements of the ATD program will result in a redetermination of your release conditions or your arrest and detention.*

*If fitted with a U.S. Immigration and Customs Enforcement GPS tracking ankle bracelet, do not tamper with or remove the device. Under federal law, it is a crime to willfully damage or attempt to damage property of the United States. Damaging or attempting to damage the GPS tracking ankle bracelet or any of its associated equipment (including, but not limited to, the charging station, batteries, power cords, etc.) may result in your arrest, detention, and prosecution under 18 U.S.C. § 1361 and/or 18 U.S.C. § 641, each punishable by a fine, up to ten years imprisonment, or both.*

- See attached sheet containing other specified conditions (Continue on separate sheet if required)

**NOTICE: Failure to comply with the conditions of this order may result in revocation of your release and your arrest and detention by Immigration and Customs Enforcement.**

[REDACTED] Supervisory Detention and Deportation Officer  
(Name and Title of ICE Official)

**Alien's Acknowledgement of Conditions of Release under an Order of Recognizance**

I hereby acknowledge that I have (read) (had interpreted and explained to me in the SPANISH language) the contents of this order, a copy of which has been given to me. I understand that failure to comply with the terms of this order may subject me to a fine, detention, or prosecution.

[REDACTED]

(Signature of ICE Official Serving Order)

(Signature of Alien)

Jun 28, 2022  
Date

I hereby cancel this order of release because:

- The alien failed to comply with the conditions of release.
- The alien was taken into custody for removal.

(Signature of ICE Official Cancelling Order)

Date

DEPARTMENT OF HOMELAND SECURITY  
U.S. Immigration and Customs Enforcement

**ORDER OF RELEASE ON RECOGNIZANCE  
(CONTINUATION PAGE)**

Alien Name [REDACTED]		Picture [REDACTED]	Right Index Print [REDACTED]
File Number [REDACTED]	Date Jun 28, 2022		
Alien's Signature			
Alien's Telephone Number (if any) [REDACTED]			
Alien's Address c/o [REDACTED]			

**PERSONAL REPORT RECORD**

Date	Officer	Comment/Changes
		26 Federal Plaza, Room 9110, New York, NY 10278, 212-264-4213

Signature [REDACTED]	Title [REDACTED] Deportation Officer
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**ATTACHMENT D**

DEPARTMENT OF HOMELAND SECURITY  
U.S. Immigration and Customs Enforcement

**ORDER OF RELEASE ON RECOGNIZANCE  
(ADDENDUM)**

Name: \_\_\_\_\_

File No.: \_\_\_\_\_

Date: Jun 28, 2022

- That you do not associate with known gang members, criminal associates, or be associated with any such activity.
- That you register in a substance abuse program within 14 days and provide ICE with written proof of such within 30 days. The proof must include the name, address, duration, and objectives of the program as well as the name of a counselor.
- That you register in a sexual deviancy counseling program within 14 days and provide ICE with written proof of such within 30 days. You must provide ICE with the name of the program, the address of the program, duration and objectives of the program as well as the name of a counselor.
- That you register as a sex offender, if applicable, within 7 days of being released, with the appropriate agency(s) and provide ICE with written proof of such within 10 days.
- That you do not commit any crimes while on this Order of Release on Recognizance.
- That you report to any parole or probation officer as required within 5 business days and provide ICE with written verification of the officer's name, address, telephone number, and reporting requirements.
- That you continue to follow any prescribed doctor's orders whether medical or psychological including taking prescribed medication.
- That you provide ICE with written copies of requests to Embassies or Consulates requesting the issuance of a travel document.
- That you provide ICE with written responses from the Embassy or Consulate regarding your request.
- Any violation of the above conditions will result in revocation of your employment authorization document.
- Any violation of these conditions may result in you being taken into ICE custody and you being criminally prosecuted.
- Other:

X \_\_\_\_\_  
(Signature of Alien)

DEPARTMENT OF HOMELAND SECURITY  
U.S. Immigration and Customs Enforcement

ORDER OF RELEASE ON RECOGNIZANCE

File No.: [REDACTED]

Name: [REDACTED]

Date: Jun 28, 2022

You have been arrested and placed in removal proceedings. In accordance with section 236 of the Immigration and Nationality Act and the applicable provisions of Title 8 of the Code of Federal Regulations, you are being released on your own recognizance provided you comply with the following conditions:

- You must report for any hearing or interview as directed by Immigration and Customs Enforcement or the Executive Office for Immigration Review.
- You must surrender for removal from the United States if so ordered.
- You must report in (writing) (person) to Duty officer at New York Field Office. on August 16, 2022, 1:00 as directed.

If you are allowed to report in writing, the report must contain your name, alien registration number, current address, place of employment, and other pertinent information as required by the officer listed above.

- You must not change your place of residence without first securing written permission from the officer listed above.
- You must not violate any local, State or Federal laws or ordinances.
- You must assist Immigration and Customs Enforcement in obtaining any necessary travel documents.
- Other: *Your release is contingent upon your enrollment and successful participation in an Alternatives to Detention (ATD) program as designated by the U.S. Department of Homeland Security. As part of the ATD program, you will be subject to electronic monitoring and may be subject to a curfew. Failure to comply with the requirements of the ATD program will result in a redetermination of your release conditions or your arrest and detention.*

*If fitted with a U.S. Immigration and Customs Enforcement GPS tracking ankle bracelet, do not tamper with or remove the device. Under federal law, it is a crime to willfully damage or attempt to damage property of the United States. Damaging or attempting to damage the GPS tracking ankle bracelet or any of its associated equipment (including, but not limited to, the charging station, batteries, power cords, etc.) may result in your arrest, detention, and prosecution under 18 U.S.C. § 1361 and/or 18 U.S.C. § 641, each punishable by a fine, up to ten years imprisonment, or both.*

- See attached sheet containing other specified conditions (Continue on separate sheet if required)

**NOTICE: Failure to comply with the conditions of this order may result in revocation of your release and your arrest and detention by Immigration and Customs Enforcement.**

[REDACTED] Supervisory Detention and Deportation Officer  
(Name and Title of ICE Official)

**Alien's Acknowledgement of Conditions of Release under an Order of Recognizance**

I hereby acknowledge that I have (read) (had interpreted and explained to me in the SPANISH language) the contents of this order, a copy of which has been given to me. I understand that failure to comply with the terms of this order may subject me to a fine, detention, or prosecution.

[REDACTED]  
(Signature of ICE Official Serving Order)

Jun 28, 2022  
Date

\_\_\_\_\_  
(Signature of Alien)

I hereby cancel this order of release because:

- The alien failed to comply with the conditions of release.
- The alien was taken into custody for removal.

\_\_\_\_\_  
(Signature of ICE Official Cancelling Order)

\_\_\_\_\_  
Date

## Attachment E

### HERRC Outreach Script

*Recently arrived asylum seekers as defined in the DHS Asylum Procedure are in need of specific assistance and supports as they determine the best location for them and their families which may be New York City or other parts of the United States. To assist and support these asylum seekers, the City has opened facilities called Humanitarian Emergency Response and Relief Centers (HERRCs). Because recently arrived asylum seekers may be better served at the HERRCs, the below script has been developed to give pertinent information about the HERRCs so that recently arrived asylum seekers can make an informed decision about where to seek services that best meet their needs. When applicants for shelter enter intake at DHS, whether at PATH, AFIC, or a Single Adult Intake, they begin the Temporary Housing Application (THA) for shelter services. Also, when clients are newly engaged by Street Homeless Solutions Outreach teams, they are engaged about services. At the point they identify themselves as an asylee, as defined in the Asylum Procedure, the following script should be read to the applicant:*

#### **Intro Script for Intake Sites**

We are here to help you and want you to know what services are available to you in New York City. Right now, you are at a NYC Department of Homeless Services (DHS) Intake Center. Intake is where individuals or families come to apply for shelter when they need a place to stay but have nowhere else to go.

#### **Intro Script for Street Homeless Solutions**

We are a Street Homeless Solutions Outreach team. We are here to help people that are experiencing street homelessness.

#### **HERRC Explanatory Script for All Clients**

To help asylum seekers newly arriving in New York City, the City has opened Humanitarian Emergency Response and Relief Centers (HERRCs). At the HERRCs, trained staff can help you identify the best place for you (and your family) to settle. HERRCs can assist you with connecting to family and friends in New York City or elsewhere in the United States. The HERRCs can also provide relocation transportation assistance such as bus tickets to connect you and your family to other parts of the United States where you may prefer to live. DHS helps with these things, too, but the HERRCs may be able to provide you and your family with more specific help. Staff at the HERRCs can also help connect you to resources in the community, like legal help, that can be beneficial. If you would like to go to one of the HERRCs, we can help you get there. Are you interested in going to a HERRC?

*For any recently arrived migrants that indicate they would like to go to one of the HERRCs, DHS staff must help get them there safely. If you have a client who would like to go to the HERRC, please alert your manager on duty, who will coordinate with the HERRC administering agencies.*



## **ATTACHMENT E**

### **Script for Families who Refuse HERRC Referral**

*If any recently arrived migrant families indicate they do not want to go to the HERRC, staff must read the following script:*

The HERRC facility that we are offering to connect you with allows the City to assign you to a hotel room where you can stay. Staff will be assigned to help you. You will be given food and will also receive help with your needs. There is an eligibility requirement for DHS shelter. If you decide that you don't want to go to the HERRC and want to go to DHS shelter, you will need to go through an eligibility screening. Do you want to go to the HERRC?

### **Script for Single Adults who Refuse HERRC Referral**

*If any recently arrived single adult migrants indicate they do not want to go to the HERRC, staff must read the following script:*

The HERRC facility that we are offering to connect you with allows the City to assign you to a bed where you can stay. Staff will be assigned to help you. You will be given food and will also receive help with your needs. The HERRCs are staffed and resourced to meet the specific needs of asylum seekers. Do you want to go to the HERRC?

### **Script for Clients (FWC and Single Adults) who Continue to Refuse HERRC Referral to Determine Potential Quarantine**

*If any migrant families or single adults refuse to go the HERRC, staff must ask:*

Did you stay at any of the HERRC sites over the past three weeks or have you had contact with anyone with chickenpox?

*Families and single adults who are refusing to return to the HERRC who stayed at one of the HERRC sites over the past three weeks or who had contact with someone with chickenpox must agree to quarantine, as outlined below. Intake staff must notify staff at the assigned shelter to ensure the assigned client quarantines.*

### **Quarantine**

- Contacts who have documented immunity do not need to quarantine.
- Documented immunity:
  - Adults: they say they had chickenpox, no document necessary
  - Children: proof of vaccination or proof of immunity from a medical provider needed
- For contacts without documented evidence of immunity:
  - For families: quarantine in their unit for 21 days
  - For singles: transfer to a private room for 21 days

### **Screening for Active Cases**

If a client presents with a rash, send the client to the on-site medical provider, community clinic, urgent care, or nearest hospital. If the client is acutely ill, call 911 as per usual procedure. Clients determined to have varicella must follow the protocol below for isolation.



## ATTACHMENT E

### Isolation

- Place the affected individual in an enclosed office and provide a surgical or KN95 mask while alerting your site director and PA.
- People with varicella should only be transferred from one shelter to another to provide them space to isolate. They must wear a tight-fitting mask during transfer. They should otherwise not be transferred while contagious.
- If a single adult client needs to be isolated, request transfer to a single room, with a private bath if possible, for the duration of the infectious period.
  - If the bathroom is shared, only clients who have documented immunity to varicella can share the bathroom or designate separate time for the varicella case to use the bathroom
- Adult families and families with children can isolate in their unit.
- The affected clients may leave for medical care and use a tight-fitting mask when doing so.
- Meals should be brought to the individual in his/her room by staff who have documented immunity.
- The resident with chickenpox should be asked to remain in his/her dorm and made as comfortable as possible there; he/she cannot spend time in any common areas, including dining halls, recreation rooms, hallways, etc.

## OFFICE OF REFUGEE AND IMMIGRANT AFFAIRS (ORIA) CLEARANCE REQUEST FORM

[ORIA@dss.nyc.gov](mailto:ORIA@dss.nyc.gov), ORIA (212) 331-4550

1. This form should be used for noncitizen/alien clearances.
2. All documents (all pages, front & back) should be scanned and indexed.
3. Documents not listed, should be included under *OTHER* and *additional notes* if relevant.

Date:

<b>Staff Information</b>	Name of Staff (Last, First): _____	Center #:	Contact Tel #:
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<b>Client Information</b>	Name of client including alias:	WMS case#:	Date of Birth:
	First: _____	_____	_____
	Last: _____	USCIS #:	Social Security number:
	Alias if any: _____	_____	_____
	Male <input type="checkbox"/> Female <input type="checkbox"/>		

Document information	Immigration document/Form title & number	Category Code	Required Additional information
Yes <input type="checkbox"/> No <input type="checkbox"/>	Permanent Resident Card (Green Card) form I-551:	e.g.: FX2, IR6, R8-6, CU-7, C09, CR6	Expiration date (if any)
	Employment Authorization Card form I-766 or I-688B:	e.g.: A09, (a)(9), C08, (c)(8),	Category code[e.g. A05, (a)(5)]  <b>OR</b> Provision of law (e.g. ["8 C.F.R. § 274a.12(a)(5)"])
Yes <input type="checkbox"/> No <input type="checkbox"/>	USCIS Notice of Action or Notice of receipt form I-797:	Receipt number: Starts with: MSC, ESC, LIN + 10 digits	_____
Requested: Yes <input type="checkbox"/> No <input type="checkbox"/> Scanned and Indexed: Yes <input type="checkbox"/> No <input type="checkbox"/> ----- SSA 40 Quarters match Yes <input type="checkbox"/> No <input type="checkbox"/>	SAVE Clearance (515WX)	Class of admission (COA) as well as any description of the client's immigration status indicated in SAVE:	
		COA (e.g. IR6, IR0, CR6) _____	
		Date of Entry: _____	
		Date of status: _____	

Additional comments:

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