

# Church Executive

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## RELIEF FOR VICTIMS OF SEX TRAFFICKING:

New federal law — a new pathway  
for restoration

Presented by:

 **MinistrySafe**

# RELIEF FOR VICTIMS OF SEX TRAFFICKING

## New federal law — a new pathway for restoration

By Gregory Love & Kimberlee Norris, Guest Editors

Countless churches, ministries and nonprofits are committed to the mission of rescuing men, women and children from the sex trade — particularly those being trafficked. After surmounting the extraordinary challenge of rescuing a victim from enslavement in sex trafficking, the next step is restoration.

New federal law is a game-changer for the trafficking survivor — but churches, ministries and nonprofits can help to ensure that survivors actually receive the benefits of the new law.



### CHALLENGE — SIMPLY GETTING OUT

For the individual being trafficked, breaking free from trafficking takes great courage. After *breaking* free, the trafficking survivor is heavily dependent on *others* for shelter, clothing, medical attention, counseling and other life necessities. Ultimately, however, the survivor must move toward a life characterized by independence and stability. In this process, the survivor encounters additional obstacles that must be overcome: criminal records and negative credit reports.

### CRIMINAL RECORDS AND CREDIT REPORTS

While being trafficked, individuals commonly experience events and circumstances that give rise to criminal charges (i.e., prostitution, drug possession, fraud, theft, assault, loitering, indecent exposure), and financial failures related to actions *required* by the individual or entity trafficking the victim, such as requiring that the *victim* apply for multiple credit cards or loans, without intent to pay the resulting bills or repay the loans. These forced actions result in a poor payment history related to credit cards, rent or utilities attributed to the victim, yielding criminal and financial records known in financial and background check contexts as ‘adverse information’.

This *adverse information* presents an obstacle for the survivor in any attempt to obtain safe and affordable housing, employment, medical care, access to educational opportunities and/or student loans. Adverse information provided by background checks and credit reports effectively block a trafficking survivor’s pathway to financial stability and personal independence by inhibiting access to housing, employment and other fundamental services. Denied such access, the survivor is often forced back into unhealthy dependencies and lifestyles.

### NEW LAW CREATES *THE PATHWAY FORWARD*

Effective July 25, 2022, the Consumer Financial Protection Bureau finalized a rule designed to assist trafficking survivors in building or rebuilding financial stability and personal independence. Section 605C of the Fair Credit Reporting Act (FCRA) enables survivors to provide documentation to credit reporting agencies and background check providers (known as Consumer Reporting Agencies or CRAs) identifying adverse information stemming from the trafficking experience and prohibiting CRAs from providing reports containing this adverse information to housing authorities, prospective employers and others. Trafficking survivors now have a *pathway forward* to remove this significant obstacle to access to housing, employment and other fundamental services.

Section 605C provides a pathway to *block* the reporting of adverse information stemming from trafficking: the underlying records are not *expunged*, but simply *blocked*, if the appropriate process is followed.

### MINISTRYSAFE CREATES *THE PROCESS*

Section 605C became effective in July 2022. This federal law created a pathway forward for survivors, but no usable process. Alexis Clark, Director of Compliance for **MinistrySafe**, explains:

“I studied the new law [Section 605C] and was excited to see a legislative initiative aimed at supporting trafficking survivors. The law clearly outlines what Consumer Reporting Agencies must do to comply, but no practical process or application was outlined for the *actual survivors*. The whole purpose of this consumer protection law is to benefit *survivors*. How can it help survivors while providing no practical guidance concerning how to make use of the support offered by the new law? With the support of the founders of MinistrySafe, we committed to change that. *We would create the process.*”

MinistrySafe began creating the forms and processes for a trafficking survivor to access the benefits of the new law but needed a trafficking survivor to partner with them in testing the new process and forms.

### The Net FW

MinistrySafe reached out to **The Net Fort Worth**, an organization dedicated to the rescue and restoration of trafficking survivors, and met *Sandra*.\*

“I had been trafficked for 19 years before the beautiful people at The Net entered my life. I would have given up on me countless times, but Abby, Melissa, Jordan and Judge Carr would not. I cannot imagine being able to break out of that life without their help.”

Sandra now leads the program to rescue others.

### Sandra’s criminal and credit history

Notwithstanding her exit from the world of trafficking and employment at The Net since 2020, Sandra could not qualify for an apartment lease due to information reported on her background check (27 line items, with some felonies and misdemeanors reported more than once) and credit report (bankruptcy filing) — all direct ramifications of her trafficking experience.

This is a textbook example of what Section 605C intended to address and highlights a significant challenge for the trafficking survivor moving from *rescue* to *restoration*: overcoming adverse information. Now, with help from invested Christ-followers, *pathway meets process*.

## Sandra gets a HOME

With help from The Net and MinistrySafe, Sandra lives in an apartment she tried to obtain for months, without success. The apartment managers requested a new background check and credit report — both came back clear: 'no reportable records located'. The process worked: adverse information directly related to her trafficking experience was blocked, and Sandra qualified for the lease. For the first time in her life, she had her own HOME.

## THE PROCESS

Sandra needed help, and the Net FW and MinistrySafe stepped in.

Other trafficking survivors have ongoing need for support organizations like The Net, as well as the process created and tested by MinistrySafe. As a service to survivors, MinistrySafe is making all research, sample forms and step-by-step instructions available to all churches, ministries and nonprofits with a mission to rescue and restore individuals who have been trafficked.

The documents and research necessary to initiate this process are available at [MinistrySafe.com/NewStart](https://MinistrySafe.com/NewStart), including:

- Whitepaper providing legislative analysis
- Video and written instructions providing a step-by-step process, and
- Sample forms.

The steps taken by and on behalf of Sandra are outlined below.

### Step No. 1 — deep-dive criminal search

The ultimate goal is to request that background check and credit history providers (CRAs) block the reporting of adverse information directly related to trafficking. On behalf of the survivor, Step No. 1 is to identify ALL criminal and negative credit records attributable to the survivor's experience while being trafficked. MinistrySafe provides comprehensive resources for child sexual abuse prevention to churches and child-serving organizations, while likewise providing background check services in these contexts. MinistrySafe performed a deep-dive background search for Sandra, identifying 20 years of criminal records and a bankruptcy. With this information, the survivors and their advocates move to Step No. 2: completing the required forms.

### Step No. 2 — completing the required forms

Section 605C describes two required forms — MinistrySafe created a third.

## Section 605C Self-Attestation Form

The Section 605C Self-Attestation Form includes representations from Sandra and a staff member at The Net that Sandra was, indeed, a victim of sex or human trafficking. This document attests that Sandra is a victim of trafficking, therefore entitled to the benefits available under Section 605C.

This element of the process benefits from the ongoing assistance of ministries and nonprofits dedicated to survivor rescue and restoration. The Section 605C Self-Attestation Form must be signed by the survivor (Sandra) AND one of the following entities:

- A federal, state or tribal governmental entity; or
- A non-governmental organization (NGO) in association with a human trafficking task force.

If the Section 605C Self-Attestation Form is signed by an NGO (like The Net), the organization must be affiliated with an official task force authorized by a federal, state or tribal governmental entity.

*The Net FW is an official member of the Tarrant County 5 Stones Taskforce, a community network engaged in collaborative efforts to end sex trafficking in Tarrant County, Texas. Learn more about [The Net FW](#) and the [Tarrant County 5 Stones Taskforce](#).*

## Section 605C Consumer Submission Form

The Section 605C Consumer Submission Form, also described by the new law, constitutes the request to any CRA to *block* adverse information attributable to trafficking. The Consumer Submission Form should list all criminal and negative credit information revealed in the deep-dive background check referenced above, in Step One.

## NGO Affiliation Form

The third form, the NGO Affiliation Form, constitutes a representation from the NGO that it is, in fact, a non-governmental organization in association with an official trafficking task force created by a federal, state or tribal government.

### Step No. 3 — providing the forms

Under federal law, all CRAs are required to create a portal or intake system for trafficking survivors to submit the above-referenced forms. With help from The Net, Sandra submitted the forms to all three credit reporting entities: Equifax, Experian and TransUnion. After submitting these forms, Sandra's background check was run as a condition of her housing application. Sandra's bankruptcy is no longer reported, and her criminal history showed as clear — all 27 criminal convictions were blocked by the CRA.

The process worked! Sandra has moved into her new apartment; her pathway to restoration is no longer blocked.

## SPREADING THE WORD

By all accounts, Sandra is the *first* successful beneficiary of Section 605C. The Net is the *first* anti-trafficking organization to pursue the new process on behalf of a trafficking survivor; but do not expect them to stop there. Abby Phifer, Clinical Director at The Net, explains:

"For years, we have been walking alongside those who have experienced sexual exploitation and trafficking. For years, we have desired for them to have the opportunity to walk in healing and freedom. Unfortunately, for years, we have been struggling to help survivors overcome past criminal convictions to get housing and sustainable employment. This new federal law and the process created by MinistrySafe is a game-changer. We are thrilled for Sandra. You cannot understand the joy and freedom of having a home and knowing there is hope for *more*. At The Net, we plan on perfecting and pursuing the process for blocking adverse information on behalf of all those we serve. As well, we intend to teach this to countless other organizations, to better serve those seeking freedom from bondage and brokenness. This has lit a fire under us to continue the fight for women in our community!"

Churches, ministries and nonprofits committed to the rescue and restoration of trafficking victims have access to a very powerful tool through new federal law. The benefits of the new law are accessible to trafficking survivors, creating a pathway forward from rescue to *restoration*. Now the goal is to create widespread application of the tool, accelerating the pathway forward. [CE](#)

*\*Some names have been changed to address privacy and safety concerns.*

**Kimberlee Norris and Gregory Love** are partners in the Fort Worth, Texas law firm of **Love & Norris** and founders of **MinistrySafe**, providing child sexual abuse expertise to ministries worldwide. After representing victims of child sexual abuse for more than two decades, Love and Norris saw recurring, predictable patterns in predatory behavior. MinistrySafe grew out of their desire to place proactive tools into the hands of ministry professionals. Love and Norris teach the only graduate-level course on 'Preventing Sexual Abuse in Ministry Contexts' as Visiting Faculty at Dallas Theological Seminary. They are guest editors for Church Executive