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A Trafficking Intervention Docket in Every Courthouse

Helping the victim and pursuing the trafficker in the same courtroom, on the same day.

From Mary Flynn O'Neill, Founder and CEO, Born Between 2 Generals, LLC · Prepared for Ambassador Barbera Thornhill · October 2026

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The solution at a glance

- **The need.** Trafficked people are arrested for crimes they were forced to commit: prostitution, theft, drug possession, fraud. They leave with a record and go back to their controller, and the trafficker is never named.
- **The solution.** A trafficking intervention docket in every courthouse. One trained judge and one team hear every case where a defendant shows signs of being trafficked, using an existing courtroom and judge one or more days a week.
- **It is proven.** Drug courts and about 745 veterans treatment courts already work this way. New York has run Human Trafficking Intervention Courts statewide since 2013, covering about 95% of the state's prostitution-related cases.
- **Same-day help.** A vetted safe bed, therapy, medical care and legal help through GATEHOUSE before the person leaves the courthouse.
- **A clean record.** Completion ends in dismissal, sealing or vacatur. 47 states offer trafficking-specific record relief, and the federal Trafficking Survivors Relief Act became law January 23, 2026.
- **Pursue the trafficker.** Every lead goes the same day to the state lead office through SALLYPORT.
- **Children too.** A child exploitation docket in family court, with one judge and one team for every exploited child.
- **Built to replicate.** One staffing model, one screening tool, one docket console and one model court rule. No new buildings and no new judges.

How the docket works

1. Screening at first appearance

Everyone arraigned on a qualifying charge is screened by a trained advocate or pretrial officer: who holds your ID, who keeps the money you earn, do you owe a debt you can't pay, can you leave when you want, has anyone threatened you or your family. Police, prosecutor, defense or the judge can also refer a case at any point.

2. Transfer within 72 hours

A positive screen, or a request from the person's lawyer, moves the case to the next docket session within 72 hours. Bail is not used to hold anyone who screens positive on a nonviolent charge.

3. The team meets the person

The judge, a trafficking-trained prosecutor and defense attorney, an advocate, a case manager and an interpreter when needed. Joining is voluntary and never requires a guilty plea or testimony against the trafficker.

4. Help the same day

Before the person leaves the courthouse, the case manager places them in a vetted GATEHOUSE bed of the right type, schedules medical care and a trauma therapist, opens a LANDFALL plan for housing, ID, education and work, and connects foreign nationals to a vetted immigration attorney.

5. Status hearings

The same judge every two weeks at first, then monthly. The judge speaks to the person directly and recognizes progress in open court. A missed appointment means a phone call and a new plan, not a warrant. Typical length is 3 to 12 months.

6. Completion and a clean record

Dismissal, then sealing or vacatur under state law or the federal act. The defense also files to vacate earlier convictions from the same trafficking, so every related record is cleared.

7. The trafficker is pursued

With the survivor's knowledge, leads go the same day to the state lead office through SALLYPORT as a sealed record. Cooperation is welcomed and never required. Leads involving a minor go to the NCMEC CyberTipline the same hour.

Who qualifies

- Prostitution and loitering for prostitution
- Theft and shoplifting
- Drug possession
- Fraud and identity offenses
- Trespass and false identification
- Immigration-related offenses

The courtroom

- Separate waiting, so a trafficker or recruiter in the gallery cannot watch or signal
- A closed courtroom at the judge's option for sensitive testimony
- Restraints removed when safe
- No names called aloud in the hallway

- Any other charge the judge, prosecutor and defense agree arose from the exploitation
- Sex and labor trafficking both qualify; violent or weapon charges enter case by case
- Survivors and witnesses who are not charged can be referred to the same team for services and record relief
- An advocate beside the person at every appearance
- The words used are survivor and participant

The team

Role	What they do
Judge	Presides over every session, trained in trafficking and trauma, knows each person by name
Prosecutor	Agrees to the docket and the disposition, passes trafficker leads to the lead office
Defense attorney	Protects rights, explains every step, files to vacate past convictions
Advocate	Screens at arraignment, stays beside the person at every hearing, first call in a crisis
Case manager	Places the person in a vetted bed, builds the LANDFALL plan, reports progress
Treatment providers	Vetted therapists, addiction and medical providers from GATEHOUSE
Interpreter	Certified, vetted and present whenever needed
Immigration attorney	T-visa and other relief for foreign nationals

Every courthouse

Large county	One judge, one or two mornings a week, in place of part of the ordinary calendar
Mid-sized county	Every other week
Rural	A shared regional docket that rotates between courthouses or sits by secure video

What a court needs

- One volunteer judge who completes the training
- One assigned prosecutor and one assigned defense attorney
- An advocate and a case manager, often from a vetted partner NGO
- Access to GATEHOUSE beds
- The screening tool built into arraignment
- A local court rule or administrative order

The model court rule

Section 1. Establishment. There is established in this court a trafficking intervention docket to hear cases in which a defendant shows indicators of human trafficking.

Section 2. Screening. Every defendant arraigned on a qualifying offense shall be offered a screening by a trained advocate before the first appearance concludes. A defendant who screens positive, or whose counsel requests it, shall be transferred to the next session of the docket, to be held within 72 hours.

Section 3. Participation. Participation is voluntary, requires no plea of guilty, and is not conditioned on testimony or cooperation against any other person.

Section 4. Services. The court shall connect each participant on the day of transfer with safe housing, medical care, counseling and legal services through vetted providers.

Section 5. Disposition. On completion of the participant's plan, the court shall dismiss the charges and order the record sealed or vacated as permitted by law, and shall hear any motion to vacate prior convictions resulting from the same trafficking.

Section 6. Referral. Information concerning any person who trafficked a participant shall be referred, with the participant's knowledge, to the designated lead law enforcement office. Information concerning a minor shall be reported immediately to the National Center for Missing & Exploited Children.

Section 7. Reporting. The court shall publish an annual report of referrals, participants, completions and outcomes, without identifying any participant.

Family court child exploitation docket

- One judge for every exploited child: dependency, delinquency and custody cases go before one trained judge, so the child tells their story once and one plan follows them.
- A child bought for sex is never charged as an offender; delinquency charges tied to exploitation are diverted to services.
- Every child returning to care after running away is screened before the next hearing, closing the gap where the HHS Inspector General found 65% of returning children had no screening on file.
- The child's team: guardian ad litem, the child's attorney, caseworker, trauma therapist, a vetted therapeutic foster home or youth residential program, and SALLYPORT investigators delivering sealed findings.
- Every lead on an exploiter goes to the CyberTipline and the lead office the same hour.

The docket console

What it runs

- Screening at arraignment
- Transfer to the next session
- Each participant's team and plan
- The hearing calendar
- Progress notes
- Completion and record-relief filings

What it connects to

- GATEHOUSE: beds and providers
- LANDFALL: the recovery plan
- SALLYPORT: sealed trafficker leads
- CAPSTONE: grant reporting

What it measures

- Cases screened and referred
- Participants enrolled
- Survivors housed the same day
- Plans completed
- Records cleared
- New arrests within one and three years
- Trafficker leads referred
- Prosecutions that followed

Paying for it

Federal treatment court grants from the Bureau of Justice Assistance, OVC victim services and trafficking task force grants, state court budgets, and forfeited trafficker assets. The Whole Network Act sends forfeited assets to survivors first, so the docket sustains itself. CAPSTONE prepares each court's grant file and the console produces the reporting.

The first year

Days 1–30	Choose pilot courthouses in the priority states, one large county and one rural region in each. Recruit a volunteer judge, prosecutor and defense attorney.
Days 31–60	Train the teams through EXODUS, sign the rule or administrative order, open GATEHOUSE beds near each courthouse and install the docket console.
Days 61–90	Screening begins at arraignment and the first sessions are held.
Months 4–12	Open the family court child exploitation docket in the same counties, add courthouses and publish the first results.

The specialty courts this model sits beside

Court	Who it serves
Drug treatment courts	People whose charges are driven by addiction
Veterans treatment courts	Veterans, with mentors who served
Mental health courts	People whose charges are driven by mental illness
Family treatment courts	Parents in child welfare cases who need treatment to reunify
Juvenile drug and youth courts	Young people, with family and school involved
Domestic violence courts	Victim safety and offender accountability in one place
Opioid intervention courts	Treatment within hours of arrest
Emerging adult courts	Young adults aged about 18 to 25
DWI courts	Repeat impaired drivers
Human trafficking intervention courts	People charged with crimes connected to their own exploitation

Next step

Name the priority states and pilot courthouses, and BB2G prepares each court's team, training, rule and console.

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Sources

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