



Ten Questions about Local Governments: A Primer for Anti–Human Trafficking Advocates

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Similar to most U.S. citizens, community advocates working to prevent or respond to human trafficking are likely to be mis- or uninformed about governmental functions, responsibilities, and lines of authority. That is understandable, given how complex and intertwined local, state, and federal programs and services can be.

Law enforcement agencies and departments of social services are two governmental departments likely to be involved in direct intervention efforts with victims of trafficking. People in other departments can play key roles as well, not only in identifying potential indicators of trafficking or in contributing services that enable the long-term recovery of victims, but also in informing or supporting change efforts.

The purpose of this publication is to provide anti–human trafficking advocates basic guidance in navigating city and county governments. Few answers would apply to all jurisdictions about who to contact with questions, or how processes work. Instead, this publication provides generic answers to beginning inquiries to help community advocates better understand government roles, functions, or procedures.

This project was supported by Grant No. 2015-VA-GX-0019, awarded by the Office for Victims of Crime, U.S. Department of Justice; Grant No. 90CA1822-01, awarded by the U.S. Department of Health and Human Services, Administration for Children and Families, Children’s Bureau; and the Governor’s Crime Commission.

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This publication is primarily based on the information contained within three publications from the School of Government:

- Lydian Altman-Sauer, Margaret Henderson, and Gordon Whitaker, *Twenty Questions Nonprofits Often Ask* (Chapel Hill: UNC Institute of Government, 2000), 6–7.
- Frayda S. Bluestein, ed., *County and Municipal Government in North Carolina*, 2nd ed. (Chapel Hill: UNC School of Government, 2014).
- Gordon Whitaker, *Local Government in North Carolina*, 4th ed. (Chapel Hill: UNC School of Government, 2012).

1. How do I distinguish one level of government from another?

Often when people speak about “the government,” they mean the U.S. government, but we have three distinct levels of government in this country: national, state, and local. Each level has its own areas of responsibility and authority. Each level of government has:

- the responsibility to serve the best interests of the people within its jurisdiction,
- the authority to make and enforce laws and to provide services to all those people, and
- the authority to tax to raise funds to support its work.

We are all subject to national and state laws. Depending on where we live, work, visit, or own property, we are also subject to city and county ordinances and policies as well.

North Carolina counties are geographical subdivisions of the state that date back to the 1600s. Townships exist primarily as geographical subdivisions of counties; they date back to the late 1800s and currently have no political authority. They primarily serve to organize voting or tax records.¹ “City,” “town,” and “village” are all terms for municipal governments. Each municipality is located in one or more counties.

In North Carolina, local governments (county and municipal) can do only what the state government gives them authority to do. Thus, the state government can also prevent local governments from acting in ways that conflict with state policy.

Local governments focus on local issues. There is often considerable overlap between local issues and broader interests. For that reason, local governments typically work closely together. Most participate in one of the sixteen regional Councils of Governments (COGs) in their areas.² While some services vary across COGs, advocates supporting regional efforts to address human trafficking should check with their local COG when seeking assistance in strategic planning, grant writing, or convening or facilitating meetings for collaborative problem-solving.

Other regional authorities address such concerns as transit, airports, mental health services, housing, or industrial development, to name a few. Regional authorities are established to focus on these specific programmatic areas when doing so creates greater efficiencies, better planning, or better quality of life for a geographically broad population of residents.

Local governments also cooperate directly with each other and often employ mutual aid agreements, such as to deploy equipment or other resources when responding to an emergency. In law enforcement, for example, adjacent sheriff or police department staff might work across geographical boundaries to conduct surveillance, investigate crimes, or make arrests.

Federal and state governments influence local governments in many ways. Examples include the following:

- Mandates require local governments to provide services in specified ways.
- Grants provide funding for locally administered programs.
- Decisions about the locations or operations of facilities (prisons, military bases, parks, hospitals, and so forth) can have a major impact on local economies, community dynamics, and local government services.

1. For an explanation of how townships evolved after the Civil War era, see Ben Steelman, “What Purpose Do Townships Serve?” (July 8, 2009), <http://www.myreporter.com/2009/07/what-purpose-do-townships-serve/>.

2. For more information about these regional councils, see The N.C. Association of Regional Councils, <http://www.ncregions.org/>.

Although some government services are available only to U.S. citizens or documented aliens, all levels of government are responsible for providing basic public services and protection to everyone in the jurisdiction. The well-being of the entire community is the concern of each local government.

Advice: In North Carolina, counties and municipalities—rather than townships or regions—are the local government entities that possess powers and authorities conferred by law. Where a person lives determines the county in which that person can access public services or vote. Counties hold the primary responsibilities for public health and social services.

2. Are all public boards created equal?

In North Carolina, there are three types of boards: elected, independent, and advisory. Elected boards in each county include the county board of commissioners and a school board for each school district.

Members of independent boards are appointed rather than elected. They play important roles in creating local policy. Two county human service departments—public health and social services—are still governed in most counties by independent boards. These independent boards are responsible for supervising their departmental directors and establishing local policies that are consistent with state and federal law. Since 2012, however, boards of county commissioners have had the option of consolidating human services into one department and eliminating the independent governing boards. Consolidated human service departments may be governed by an independent board or by the county commissioners.³

Only the county board of commissioners is authorized to levy local taxes and appropriate county funds. All independent boards and elected school boards must submit their budgets to the county commissioners for approval.

Many local governments also have appointed advisory boards intended to provide advice on a broad range of matters, from human relations to libraries to economic development, for example. If you are interested in being appointed to an advisory board, consult the local government's website for opportunities and applications, or contact the clerk's office for more information.

Advice: Different types of boards hold different types of responsibilities and authority. Participating in the activities of these boards can provide strategic opportunities for building community awareness about human trafficking and informing policy development at the local level.

3. For information about your local human services departments and their boards, explore your county's website or see Jill D. Moore, Maureen M. Berner, and Aimee N. Wall, "Types of Local Public Health Agencies: Consolidated Human Services Agencies," UNC School of Government, <https://www.sog.unc.edu/resources/faq-collections/types-local-public-health-agencies-consolidated-human-services-agencies>.

Table 1. Major Programs Provided by Counties and Municipalities in North Carolina

Reporting/Funding Relationship	County Only	Both County and Municipality	Municipality Only
Reports to and coordinates work through the city or county manager	Courts (construction and maintenance only) Tax assessment Youth detention facilities (construction and maintenance only)	Building inspections Buses/public transits Cable TV regulation Community and economic development Community appearance Elections Emergency management Environmental protection Fire protection Historic preservation Human relations Law enforcement Libraries Open space and parks Planning, land use regulation, and code enforcement Property acquisition, sales, and disposition Recreation programs Sewer systems Solid waste collection and disposal Storm drainage Tax collection Veterans' services Water and sewer enterprises	Cemeteries Electric systems Gas systems Sidewalks Street lighting Streets Traffic control Urban development
Coordinates with manager; reports to a board with required local government appointment authority; probable or required funding relationship	Mental health services ^a Public health services Social services ^b	Airports Industrial development Public housing Senior citizen programs	
Independent from manager except for budget coordination; reports to its own board; obtains some funding from county commission	Community colleges Cooperative extension		
Independent from manager except for budget coordination; reports to elected board or elected official; obtains some funding from county commission	Jails Public schools Register of deeds Sheriff Soil and water conservation		
May be conducted by government departments reporting to the city or county manager, by government departments that coordinate with the manager and report to a separate board, or by nonprofits under contract to local government		Ambulance services Animal shelters Art galleries/museums Auditoriums/coliseums Fire protection Rescue squads	

Source: Lydian Altman-Sauer, Margaret Henderson, and Gordon Whitaker, *Twenty Questions Nonprofits Often Ask* (Chapel Hill: UNC Institute of Government, 2000), 6–7.

a. North Carolina's mental health system is now organized under regional authorities, each serving a particular geographic region and governed by its own board. The regional authority is called a local management entity–managed care organization (LME–MCO). To learn about the organization that oversees your community, see <https://www.ncdhhs.gov/providers/lme-mco-directory>. Prior to 2001, these services were primarily organized and offered by county governments.

b. "In 2012, the North Carolina General Assembly enacted legislation that provided counties with new options for how they can organize and govern some local human services agencies, including local health departments and departments of social services. All counties are now allowed, but not required, to create consolidated human services agencies that are either governed by an appointed board or by the board of county commissioners. Counties are also now allowed to keep separate county public health and social services departments but abolish their appointed governing boards and have the elected board of county commissioners assume that role." "Consolidated Human Service Agencies," North Carolina Public Health Law, UNC School of Government, <https://www.sog.unc.edu/resources/microsites/north-carolina-public-health-law/consolidated-human-services-agencies-chsas>. To determine whether your county has a consolidated human services department, check the county's website or see <https://www.sog.unc.edu/sites/www.sog.unc.edu/files/CHSA%20map%2004.2018%20v2.pdf>. This document is updated periodically. Please note the date on the document you retrieve.

3. How do I figure out who does what between municipal and county governments?

Table 1 summarizes various authorities and responsibilities of county and municipal governments.

County services, such as public health clinics, are typically located within municipal boundaries. The physical site of an office does not necessarily determine which governmental entity is responsible for it or which residents might be eligible for its services. Building signage will usually clarify the governmental entity housed at any program site.

Assume a local advocate needs to find out who runs a particular public service or program. Local governments have central numbers to call for referrals. They can usually provide direct contact information, but it might take several calls to track down the exact office you seek. To expedite your process of inquiry, have information ready about the function, physical location, and population that are central to your concern:

- I need to contact the public transportation service that can take a low-income patient from [town] to the regional hospital.
- I need to report dangerous housing conditions at a farm labor camp in our county; children are living there.
- I need to learn if there are health services available for a county resident who is an undocumented immigrant.

Advice: Be patient as you follow the clues to determine where the appropriate oversight or support services are located. A complex situation might involve several different governmental departments and require varying levels of urgency in response time.

4. How can I get the attention of top local government officials?

While both managers and elected officials are very busy running complex organizations, they recognize that they serve the public. Consequently, they try to be available to community members and aware of what is happening in their jurisdictions. In general, local governments understand the important roles that nonprofit staff and volunteers perform in providing and informing community services. To build on this positive attitude, you may be able to supply new information that will help local officials better understand community challenges or to offer innovative solutions through collaborative efforts.

Take your idea or concern to the program or department level first. If you are not satisfied with that response, contact the manager or elected officials. Understandably, local government officials do not want to be surprised and are likely to be more cooperative before an issue is widely publicized or otherwise gets out of hand. Keep officials and directors informed of your regular daily work by sending them newsletters, inviting them to serve on your board of directors, or sharing information at public meetings.

Managers and elected officials must track progress on many different issues. Background documents for a single meeting can include hundreds of pages of relevant information. For that reason alone, you should organize your message into a format that is easy to comprehend and that relates to the work of local government. Be concise and unambiguous about your request for attention, resources, or change.

Most of us have to learn about an issue as complex as human trafficking incrementally, considering and seeking new information in multiple stages. Advocates likely will have more information—both conceptual and detailed—about the dynamics or presence of human trafficking

than an uninformed person can receive and process in one meeting. To enhance the success of any exchange of information and request for action, set specific goals for the communication and share your knowledge and expertise in a user-friendly way. For example, if you want to increase law enforcement attention to a particular location, do not begin a meeting with a lecture about how the intersectionality of race, class, and gender applies to human trafficking. Instead, begin with a description of what you have been seeing or hearing about the activities at that site, then explain why that is troubling and what you would like to see happen.

Advice: Request a meeting, then be strategic in exchanging information in a way that is user-friendly, specific, and respects the time constraints of the public official.

5. How are the perspectives of local government officials different from those of anti-human trafficking advocates?

Local government elected officials, as well as city or county managers, must address a broad range of issues, everything from public schools to traffic lights to voting, and beyond. Individual government departments and nonprofits have a relatively narrow focus—often related to a particular service for a specific population. Both the narrow and the broad perspectives are important to consider as we work to strengthen our communities. The “right” decision might be obvious to someone who wants to make a specific change for a singular purpose (for example, supporting a shelter for homeless trafficking survivors to improve the likelihood of their long-term success). But that decision making becomes more challenging when other equally compelling and competing interests are considered (for example, funding a shelter for trafficking victims versus reducing the class size in public elementary schools or supporting an economic development proposal that could bring well-paying jobs to the community). Community advocates should be aware and respectful of the competing interests that local government officials have to manage. Advocates’ focused expertise could be invaluable in any efforts addressing the local dynamics of trafficking or assisting its victims.

When assessing the flexibility of local governments, advocates might inquire about the source of any existing restrictions. In North Carolina, for example, all city, town, and county ordinances and policies must be authorized by the state and cannot conflict with state law and policies. Similarly, mandates created by both the federal and state governments specify how local governments can deliver certain services, especially in the area of human services. Although the federal rules may not make sense in some local situations, local governments are powerless to change the prescribed limits. In many instances, the gap between what a community needs and what the government can offer creates opportunities for a nonprofit to find its niche by providing the desired services.⁴

Advice: Governments and nonprofits play vital complementary roles in public service, ensuring that all voices are heard in the democratic process.

4. Altman-Sauer, Henderson, and Whitaker, *Twenty Questions*, 11.

6. Is it possible for local governments to financially support community work to address or prevent human trafficking?

The short answer is “yes,” although the available resources, funding processes, and motivation to do so can vary widely from place to place. If local governments are authorized by the state government to provide particular services or functions, they can choose to fund external organizations to meet those interests. Financial support for these organizations can come in three forms:

- A direct appropriation is approved by the governing board as part of the budget. These allocations might appear in websites or within budget documents as “community partners,” “outside agency funding,” or some similar phrase.
- Pass-through funds originate from state or federal sources. The local government must appropriate the funds and account for how they are spent.
- Service contracts are used when the local government chooses to engage an external organization to provide a service. This external business or nonprofit might possess unique expertise, equipment, or other resources that enable it to operate more effectively than the local government.

Governments can contract with faith-based organizations if the contract (1) has a secular purpose, (2) neither advances nor inhibits religion, and (3) does not create an excessive entanglement between the government and religion.⁵ There are no separate funding streams for faith-based groups. Instead, they are eligible to apply for governmental grants or contracts in the same way other non-governmental organizations would.

All local government funding must be accounted for in a local budget ordinance and is subject to a locally determined schedule of preparation and approval. Local governments initiate their planning processes in January or February as the elected officials set goals for the upcoming year or otherwise provide direction to the manager. Departmental directors present their projected budgets to the manager, who then prepares a recommended budget to present to the elected officials. Local governments usually receive and consider funding requests from nonprofits in mid-spring so that the manager’s recommendations for those requests can be included in the proposed budget. The elected officials then work through processes of public input, consideration, and negotiation before passing a final version of the budget by June 30.

Check with the manager’s office to learn about your local budget process. Many local governments have funding applications for nonprofits to complete if they want to be considered for appropriations or grants. To receive any type of funding, your organization must fulfill specific reporting and accounting requirements. Before you accept funds from any source, make sure you understand and can meet those expectations.

Whenever an organization contracts with a government, it will be subject to the terms of that contract. You must balance your desire for funds with the potential loss of flexibility or focus a service contract might involve.

Advice: Educate yourself about the funding process for outside agencies, and participate in its calendar of events and expectations. Table 2 provides a sample calendar for budget ordinance creation, consideration, and enactment.

5. Frayda S. Bluestein and Anita R. Brown-Graham, “Local Government Contracts with Nonprofit Organizations: Questions and Answers,” *Popular Government* 67, no. 1 (Fall 2001), 40, <https://www.sog.unc.edu/publications/articles/local-government-contracts-nonprofit-organizations-questions-and-answers>. For guidance on federal funding of faith-based organizations from the U.S. Department of Health and Human Services, see Health Resources and Services Administration, “Faith and Community-Based Organizations,” <https://www.hrsa.gov/grants/apply/eligibility/faith-and-community-organizations.html>.

Table 2. Local Government Budgeting Process

Event	From	To	When
Revenue forecasts	Finance/budget office	Manager	December/January
Budget directives or guidelines for preparing the budget	Board/council	Manager	December/January
	Manager	Departments	January/February
Funding applications submitted	Nonprofits (NPs) or outside agencies (OAs)	Departments Finance/budget office	February/March
Budget requests considered	Departments	Manager	March/April
	Independent boards	Manager	
	Elected officials	Manager	
	NPs/OAs	Departments or manager	
Negotiations/revisions	Manager	Departments NPs/OAs	March/April
	Departments	NPs/OAs	
	Independent boards	Departments	
Proposed budget	Manager	Board/council	May
Public hearings/budget work sessions	Board/council	Public/citizens NPs/OAs	May/June
Negotiations/revisions	Departments	Manager	May/June
	NPs/OAs	Departments or manager	
Annual budget ordinance	Recommended by manager	Adopted by board/council	June 30

Note: All dates are for illustration purposes only. Each jurisdiction sets its own schedule.

7. What do I need to know about how local government will respond to undocumented immigrants?

The federal government defines and enforces immigration law, but “the policies and practices of state and local governments throughout the country continue to shape the lived experience of the immigrants within their jurisdiction. Notwithstanding the letter of the law, federal immigration law is always mediated by powerful intervening forces at the state and local level.”⁶ Local practices might be affected by community values as well as by perceptions of potential repercussions of choosing not to enforce federal law.

A sanctuary city is one that limits its cooperation with the federal government’s efforts to enforce immigration law. Expectations for that limited cooperation vary from place to place. Similarly, key local government leaders (elected or appointed) within a single jurisdiction might hold different opinions or contradictory expectations for staff in regards to this issue. Due to these variations in local policies and practices, advocates working with undocumented immigrants should not assume that an action that is either safe or risky in one community will receive the same response in another.

6. Jennifer Chacon, “Who is Responsible for U.S. Immigration Policy?” American Bar Association, *Insights on Law & Society* 14, no. 3 (Spring 2014), https://www.americanbar.org/publications/insights_on_law_and_society/14/spring-2014/who-is-responsible-for-u-s-immigration-policy-.html.

Advice: Make local inquiries to assess which governmental services are available for undocumented immigrants and whether seeking those services might generate unintended consequences.

8. How can I work with local government to build public awareness about human trafficking?

Most local governments use multiple venues to exchange information with staff, volunteers, and citizens. Some of these might be appropriate for advocates to explore to meet goals of building awareness about human trafficking. The most effective communication strategy to employ depends on the target audience and message to be conveyed. Suggestions to foster community-wide awareness include the following:

- Ask local elected officials to sign proclamations in January for Human Trafficking Awareness Month. Arrange for publicity, and share photos of the ceremony in your newsletters.
- Ask your library to create book and audiovisual resource displays that relate to trafficking.
- Explore whether awareness messages could be shared through existing processes of citizen contact, such as sending inserts with water bills, creating posters for public transportation vehicles, and providing information through the government's social media platforms or listservs.

Some suggestions to target awareness to specific audiences include the following:

- Ask to make presentations through citizen academies sponsored by local governments or neighborhood watch groups connected with local law enforcement agencies.
- Ask to engage in problem-solving with or make presentations at meetings of governmental staff or independent or appointed boards of departments.
- Sign up to speak at the meetings of elected officials, either in connection with a specific agenda item or during the public input section of the agenda. Respect any specific rules that address who can speak at certain public hearings, when, and for how long. Come to share good news about and express appreciation for governmental efforts to address trafficking, not just to request support or change.
- Ask to post informational materials in the reception areas or break rooms of governmental departments.
- Offer training to local government staff.⁷

Advice: Be flexible in the formats or activities you use to share information with or through local government.

7. In January–March 2018, Margaret Henderson and Nancy Hagan, members of the Project NO REST team, conducted focus groups in two county and two municipal governments to assess which staff might be in positions to observe the indicators of twenty-five different business models of trafficking. Local government staff have reasons to be in or near both businesses and homes as they go about their work. Staff who respond to emergencies, conduct inspections of any kind, manage solid waste/recycling, or read public utility meters are prime audiences for such training.

9. How do I learn about existing ordinances or encourage a change in ordinances?

By state law, every governing board—city council, board of aldermen, or board of county commissioners—must appoint an attorney to be its legal advisor. That person might take the lead in drafting or editing new ordinances. Governing boards make changes to local ordinances by proposing and voting on amendments. Ideally the manager, the attorney, and the elected council or board members will work together to coordinate any changes in policy or law. Hence, you may need to work with all three of these offices to effect change.⁸

Ordinances cover a wide range of technical issues, from plumbing installation to zoning boundaries to traffic regulations, and beyond. The original interest in creating or changing ordinances can come from citizens, local government staff, elected or advisory boards, or external stakeholders, such as state government.

To learn about ordinances within a municipality or county, one option is to begin by contacting the city or county clerk. Clerks record the history of local governments and serve as custodians of those records. In general, clerks serve to provide information, connecting citizens and the media with the government. In addition to preparing the minutes of official meetings, clerks also maintain ordinance books. “If the city or county has adopted and issued a code of ordinances, it must index its ordinances and keep them in an ordinance book only until it codifies them.”⁹ Local governments can either maintain their code of ordinances in-house or engage a code-publishing company to do so. Some jurisdictions use American Legal Publishing Corporation¹⁰ to codify ordinances and provide online access to current laws.

Advice: Be aware that creating or changing ordinances are multi-step processes that can involve many members of elected or advisory boards, as well as staff, and create opportunities to provide input. When seeking information on existing ordinances, initiate your inquiry in the office of the city or county clerk.

10. What are the statewide professional associations of local government elected officials and key staff?

Most elected or professional affiliations have state associations that serve to strengthen the knowledge, skills, and opportunities of its members, as well as the impact of their work. Check the websites of these associations to see if they have strategic goals that align with anti-human trafficking efforts. For example, in 2017 the N.C. Association of County Commissioners began holding community meetings to address the opioid epidemic, which is intertwined with human trafficking. Some of these websites offer contact information for their members, insight about how they perform their duties, issues currently getting their attention, or the history of their public roles. Their annual meetings or conferences could provide strategic opportunities to educate and engage allies in anti-trafficking work. As one example, by participating in a meeting of the N.C. Library Association, advocates might encourage libraries across the state to set up a

8. Altman-Sauer, Henderson, and Whitaker, *Twenty Questions*, 11.

9. Fleming A. Bell, II, “City and County Clerks: What They Do and How They Do It,” *Popular Government* 61, no. 4 (Summer 1996): 3, <https://www.sog.unc.edu/publications/articles/city-and-county-clerks-what-they-do-and-how-they-do-it>.

10. See <http://www.amlegal.com/codes/nc/> for a list of North Carolina local governments that use this service.

display for January as Human Trafficking Awareness Month or to consider how they could build local awareness through outreach activities. Some of these associations, such as the Conference of District Attorneys, might have projects under way that address how that profession responds to trafficking. Advocates could benefit from understanding the intention of those projects, tracking progress, and contributing expertise when requested.

Finally, many of these associations publish newsletters or otherwise regularly connect with their members. These communications afford anti-trafficking experts an opportunity to share their expertise or success stories in ways that intersect with the specific interests of the group. A partial list of these organizations follows.

- North Carolina Association of County Commissioners (NCACC), ncacc.org
- North Carolina League of Municipalities (NCLM) (town councils, boards of aldermen or commissioners), nclm.org
- North Carolina Metro Mayors Coalition (mayors of the larger municipalities), ncmetromayors.com
- North Carolina City and County Management Association, <http://ncmanagers.org>
- North Carolina Association of County Directors of Social Services, ncacdss.org
- North Carolina Association of Local Health Directors, ncalhd.org
- North Carolina Conference of District Attorneys (elected district attorneys and staff), ncdistrictattorney.org
- North Carolina Sheriff's Association (chief law enforcement officers for counties), ncsheriffs.org
- North Carolina Police Executives Association (supervisory and command officers), ncpea.org
- North Carolina Association of Chiefs of Police, ncacp.org
- North Carolina Library Association (private and public librarians), nclaonline.org

Advice: Advocates interested in encouraging systemic change or broader awareness among individuals holding particular positions might be best served by contacting professional associations to exchange information and perspectives, whether in individual meetings or in larger events such as conferences.