



To: Mayor and City Council
From: Chief Manjit Sappal
Subject: Response to Grand Jury Report No. 1605, "Caring for Victims", by the 2015 Contra Costa County Grand Jury
Date: July 12, 2016

Recommendation

Approve and authorize the Mayor to sign the attached response letter to the Contra Costa County Grand Jury Report No. 1605 outlining specific findings and recommendations on "Caring for Victims: Commercial Sexual Exploitation of Children in Contra Costa County."

Background

Each year the Contra Costa County Grand Jury selects issues to research and analyze on behalf of the citizen's of the County. Their reports typically include research, analysis, findings, and recommendations on government related issues. The reports created identify public agencies that are required to respond to the findings and recommendations in the report.

The California Constitution established Grand Juries in each County. With respect to public agencies, Grand Juries are authorized to, "investigate and report upon operations, accounts and records of officers, departments, functions, and the method of performing the duties of any such city and make such recommendations as it may deem proper." A governing body has 90 days to respond to the presiding Judge of the Superior Court on findings contained in a Grand Jury Report.

The responses for this Grand Jury report are due by August 17th and they were sent to several other public agencies in the County.

Discussion

The topic of the Grand Jury Report and the recommended responses, on behalf of the City of Martinez, are attached to this staff report. The responses are specific to the City of Martinez as the City does not have any direct knowledge of the responses from other organizations listed in the report.

The format of the response to the findings and recommendations are prescribed in the cover letter of the report; the Grand Jury Report No. 1605 has been attached. The response to the findings in the report must be one of the following:

- The respondent agrees with the finding.
- The respondent disagrees with the finding.
- The respondent partially disagrees with the finding.

In regard to the recommendations, the Grand Jury requires a response with any of the following actions:

- The recommendation has been implemented, with a summary describing the implemented actions.
- The recommendation has not yet been implemented, but will be implemented in the future, with a time frame for implementation.
- The recommendation requires further analysis. This response should explain the scope and parameters of the analysis or study, and a time frame for the matter to be prepared for discussion. This time frame shall not exceed six months from the date of the publication of the Grand Jury Report.
- The recommendation will not be implemented because it is not warranted or is not reasonable, with an explanation thereof.

Grand Jury Report No. 1605, "Caring for the Victims: Commercial Sexual Exploitation of Children in Contra Costa County."

As stated in Contra Costa County Grand Jury Report No. 1605, "Caring for the Victims: Commercial Sexual Exploitation of Children in Contra Costa County," the Interagency Protocol for Serving Commercially Sexually Exploited Children in Contra Costa County has not been fully implemented throughout the county. The report not only identifies some of the causal factors for this failure in implementation, it also provides recommendations on how the protocol can be fully implemented in order to bring collaboration among public agencies to this important issue that is present in our communities. The City of Martinez, and all public safety agencies in Contra Costa County, was asked to respond to this report.

Fiscal Impact

There is no fiscal impact incurred by responding to Grand Jury Reports other than staff time.

Attachments

1. Grand Jury Report No. 1605, "Caring for the Victims: Commercial Sexual Exploitation of Children in Contra Costa County."
2. The draft response to the findings and recommendations contained in the report by the City of Martinez.

APPROVED BY:



Brad Kilger, City Manager



May 11, 2016

Mayor Rob Schroder
City of Martinez
525 Henrietta Street
Martinez, CA 94553



Dear Mayor Schroder:

Attached is a copy of Grand Jury Report No. 1605, "Caring for the Victims" by the 2015-2016 Contra Costa Grand Jury.

In accordance with California Penal Code Section 933.05, this report is being provided to you at least two working days before it is released publicly.

In accordance with Section 933.05(a), the responding person or entity shall report one of the following actions in respect to each finding:

- (1) The respondent agrees with the finding.
- (2) The respondent disagrees with the finding.
- (3) The respondent partially disagrees with the finding.

In the cases of both (2) and (3) above, the respondent shall specify the portion of the finding that is disputed, and shall include an explanation of the reasons thereof.

In addition, Section 933.05(b) requires that the respondent reply to each recommendation by stating one of the following actions:

1. The recommendation has been implemented, with a summary describing the implemented action.
2. The recommendation has not yet been implemented, but will be implemented in the future, with a time frame for implementation.
3. The recommendation requires further analysis. This response should explain the scope and parameters of the analysis or study, and a time frame for the matter to be prepared for discussion. This time frame shall not exceed six months from the date of the publication of the Grand Jury Report.
4. The recommendation will not be implemented because it is not warranted or is not reasonable, with an explanation thereof.

Please be aware that Section 933.05 specifies that no officer, agency, department or governing body of a public agency shall disclose any contents of the report prior to its public release. Please ensure that your response to the above noted Grand Jury report includes the mandated items. We will expect your response, using the form described by the quoted Government Code, no later than **August 17, 2016.**

Please send a copy of your response in hard copy to the Grand Jury, as well as a copy by e-mail in Word to cpant@contracosta.courts.ca.gov.

Please confirm receipt by responding via e-mail to cpant@contracosta.courts.ca.gov.

Sincerely,

Michael Simmons, Foreperson
2015-2016 Contra Costa County Civil Grand Jury

A REPORT BY
THE 2015-2016 CONTRA COSTA COUNTY GRAND JURY
725 Court Street
Martinez, California 94553

Report 1605

Caring for the Victims

Commercial Sexual Exploitation of Children in Contra Costa County

APPROVED BY THE GRAND JURY:

Date: May 10, 2016



MICHAEL SIMMONS
GRAND JURY FOREPERSON

ACCEPTED FOR FILING:

Date: May 6, 2016



JOHN T. LAETTNER
JUDGE OF THE SUPERIOR COURT

Contra Costa County Grand Jury Report 1605

Caring for the Victims

Commercial Sexual Exploitation of Children in Contra Costa County

**TO: Contra Costa County Board of Supervisors
Contra Costa County Sheriff
The City Councils for the following cities: Antioch, Brentwood,
Clayton, Concord, Danville, El Cerrito, Hercules, Lafayette,
Martinez, Moraga, Oakley, Orinda, Pinole, Pittsburg, Pleasant
Hill, Richmond, San Ramon, San Pablo, Walnut Creek**

SUMMARY

Human trafficking is a nationwide problem. In Contra Costa County, law enforcement and other agencies identified at least 108 victims of human trafficking from June 2014 through June 2015; of those cases, thirty-nine involved minors exploited for sex.

The County organized its official response to the problem of human trafficking by organizing a "Coalition of Zero Tolerance for Human Trafficking Summit" in January 2015. The Coalition set up a broad framework for understanding and dealing with human trafficking, which began with training two hundred employees of the Employment & Human Services Department (EHSD) and its interagency partners (County agencies and non-government organizations). EHSD assigned the more difficult problem of caring for commercial sexual exploitation of children (CSEC) to Children and Family Services (CFS), a bureau of EHSD.

CFS started work on a protocol to establish a comprehensive system of care for victims of CSEC, a system that did not previously exist in the County (the "CSEC Protocol"). By October 2015, the CSEC Protocol was complete and submitted to the California State Department of Social Services. However, by March 2016, more than a year after the Coalition Summit, the CSEC Protocol was yet to be fully communicated throughout the County, much less implemented. Many of the interagency partners who are to assist in implementing the Protocol (particularly the police departments of the cities, victim advocates in the District Attorney's (DA) Office and Juvenile Hall) were unaware of their

part in the Protocol and the role of the other agencies.

Until the Protocol is fully implemented, Contra Costa County still does not have a comprehensive system of care for victims of CSEC.

METHODOLOGY

In its 7-month investigation, the Grand Jury:

- Reviewed the pertinent legal statutes on human trafficking and CSEC, both California and Federal,
- Researched State and County documents and reports on the issue,
- Joined meetings of the Coalition for Zero Tolerance for Human Trafficking and the CSEC Steering Committee,
- Visited Juvenile Hall, the Family Justice Center and Calli House for discussions,
- Interviewed representatives and social workers at the Employment & Human Services (EHS) Department, including the Children & Family Services (CFS) bureau,
- Interviewed Probation Department personnel,
- Interviewed police officers from several cities, who worked directly on sex crimes, drugs, domestic violence and human trafficking,
- Interviewed personnel from non-governmental organizations (NGOs) dealing with sexual violence and CSEC victims,
- Interviewed victim advocates from various agencies.

BACKGROUND

Human trafficking exists in Contra Costa County as it does throughout the United States. It is today's version of slavery. Its victims are exploited due to their lack of resources and sophistication, and treated as commodities rather than as human beings.

Human trafficking exists in four forms:

- Labor trafficking,
- Adult sex trafficking,
- Commercial sexual exploitation of children (CSEC),
- Domestic servitude.

The citizens of Contra Costa County are living with this form of slavery hidden in their midst.

In 2012, California Attorney General Kamala Harris released her report - "The State of Human Trafficking in California" (the AG Report). In the AG Report, Ms. Harris states that human trafficking as a criminal business enterprise (\$32 billion globally) is second only to the drug trade in annual revenues. The AG Report's most important recommendation is that government agencies and the community should take a victim-centered approach in dealing with this crime.

Perhaps the most appalling category of human trafficking is the sexual exploitation of children. Children sexually exploited for commercial reasons cannot legally consent to sex and, therefore, are not willing prostitutes. Victims of CSEC are initiated into sexual slavery between 12 to 14 years old on average. The majority of these children are American citizens according to the County Coalition's Human Trafficking summit report. Typically, they are victims of physical abuse, sexual assault, and psychological and emotional manipulation by adults, i.e., the pimps and the johns. The trauma, stemming from months or years of sexual abuse and emotional manipulation is complex and extensive. For this reason, the County Coalition against Human Trafficking suggests County personnel (law enforcement and social workers) who interact with the CSEC children should be trauma-informed, i.e., properly trained and aware of the complex trauma that the children have undergone.

This Grand Jury report concentrates on the County's efforts to identify, rescue and care for these children and to restore to them a life that is safe, secure and productive.

DISCUSSION

Prior to the AG Report and the first County summit meeting in January 2015, the County had no formal plan or protocol to address CSEC.

County agencies began to develop that protocol by focusing on the applicable law. Section 236.1 of the California Penal Code addresses human trafficking (including CSEC). With respect to CSEC victims, it provides:

- *“Any person who causes, induces, or persuades a person who is a minor to engage in a commercial sex act is guilty of human trafficking.”*
- *“Consent by a victim of human trafficking who is a minor at the time of commission of the offense is not a defense to a criminal prosecution under this section.”*

The following two provisions on CSEC are set forth in the Welfare and Institutions Code:

- Section 300. *“... a child who is sexually trafficked as described in 236.1 of the Penal Code or who receives food and shelter in exchange for, or who is paid to perform sexual acts described in Section 236.1 or 11165.1 of the Penal Code, and whose parent or guardian failed to, or was unable to, protect the child... is within the jurisdiction of the juvenile court which may adjudge that person to be a **dependent child of the court** These children shall be known as commercially sexually exploited children.”* (Emphasis added.)
- Section 300.2 *“... the purpose of the provisions of this chapter relating to dependent children is to provide maximum safety and protection for children who are currently being physically, sexually, or emotionally abused, being neglected, or being exploited, and to ensure the safety, protection, and physical and emotional well-being of [such] children.”*

In January 2015, three years after the AG Report, the Contra Costa County District Attorney called for a summit on human trafficking. Chaired by a senior manager from EHSD, a multi-disciplinary coalition was formed called the Coalition for Zero Tolerance for Human Trafficking.

In June 2015, the Coalition Chair issued a memo to the Board of Supervisors stating that a comprehensive system of care for victims of CSEC does not exist in Contra Costa County. The memo also said that the best practice for care of victims of CSEC might be the Family Justice Centers in Richmond and Concord. These are multiservice centers – “one-stop-shops” – for victims of domestic violence.

Under state law, EHSD is designated as the lead agency for setting up a system of care for the victims of human trafficking in Contra Costa County. In March 2015, the Coalition tasked CFS, a division of EHSD, with organizing a CSEC Steering Committee.

The Committee was to prepare an interagency protocol (the "CSEC Protocol") for the care of victims of CSEC in Contra Costa County.

In developing a protocol, the Committee acted in accordance with Welfare and Institutions (WIC) Code sections 16524.6– 16524.11, These WIC sections provide, in part:

- 16524.6 *"...in order to adequately serve children who have been sexually exploited, it is necessary that counties develop and utilize a multidisciplinary approach to case management, service planning and provision of services."*
- 16524.6 *"... that counties develop and utilize interagency protocols to ensure services are provided as needed to this population."*
- 16524.7. (a) (1) *"There is hereby established the Commercially Sexually Exploited Children Program. This program shall be administered by the State Department of Social Services."*
- 16524.7. (a) (2) *"The department, in consultation with the County Welfare Directors of California, shall develop an allocation methodology to distribute funding for the program. Funds allocated shall be utilized to cover expenditures related to the costs of implementing the program, prevention and intervention services, and training related to children who are victims of commercial sexual exploitation."*
- 16524.7. (a) (4) *"Funds provided to the counties electing to participate in the program shall be used for prevention activities, intervention activities and services to children who are victims, or at risk of becoming victims, of commercial sexual exploitation."*
- 16524.7. (a) (4) (D) [A key mandate to the funding allocation is] *"hiring county staff trained and specialized to work with children who are victims of commercial sexual exploitation to support victims and their caregivers, and to provide case management interagency and cross-departmental response."* (Emphasis added.)

In October 2015, the CSEC Steering Committee was renamed CSEC Protocol Oversight Committee. The Committee submitted the "Interagency Protocol for Serving Commercially Sexually Exploited Children in Contra Costa County" (the "CSEC Protocol") to the State Department of Social Services. This move allowed the County to participate in California's CSEC Program, thereby qualifying for funds to support victims of CSEC.

The State Department of Social Services initially released \$25,000 to the County for CSEC planning. In early 2016, the State then released \$277,628 as a Tier II grant for training and actual services for victims of CSEC. The State also earmarked \$82,107 as "Augmentation for Federal CSEC activities."

The CSEC Protocol sets up the framework for collaboration and coordination among County agencies, cities and NGOs providing rescue, protection and care for victims of CSEC.

The Protocol states, in part:

- *"This Protocol has been created and adopted by the CSEC Protocol Oversight Committee."*
- *"Contra Costa County Children & Family Services (CFS) will be responsible for providing leadership and staff support for the CSEC Protocol Oversight Committee."*
- *"[The Committee, led by CFS,] will implement and oversee the Interagency Protocol."*
- *"Additionally, the [interagency] partners will create protocols (within their own agencies or NGOs) to aid in the identification, assessment and delivery of services to CSEC youth in the community."*
- *Mental Health, under County Health Department should "perform assessment of a CSEC victim's mental health and recommend services."*

The Protocol also contains a flow chart that shows the coordinated response for a victim of CSEC from the community, law enforcement and CFS. At all of the major decision points, referrals to CFS and hotline calls to CFS are the key initial action points. In essence, CFS is the proposed hub and navigator for care of victims of CSEC.

To date, over 200 CFS personnel have received basic training, a starting point for training staff to care for victims of CSEC. Additional training is necessary for the specialization of certain personnel to act as the "navigators" for the victims of CSEC within Child Welfare. This carries out the mandate of Section 16524.7 of the Welfare & Institutions Code, which requires *"hiring county staff trained and specialized to work with children who are victims of commercial sexual exploitation."* (Emphasis added.)

Because Contra Costa County lacks foster parents with specialized training to handle victims of CSEC, social workers often must place these children in foster homes outside of the County. Although a concern and a cause of additional expense to the County, the benefit may be that it puts more distance between the victim of CSEC and his or her exploiters.

Training for law enforcement personnel (police officers and deputy sheriffs) in interviewing victims of CSEC needs to be more victim-centered and trauma-informed. Many officers do not have even basic CSEC training, only a short briefing on the

subject. This lack of training may contribute to the unwillingness of a majority of suspected victims of CSEC to name their pimp exploiters or to accept needed social services and mental health appraisal/therapy. These youths are usually distrustful of police. Estimates of cooperation by victims of CSEC are uniformly low. Such estimates run from a high of 2 out of 10, to 2 out of 100, with one estimate of "zero cooperation." The non-cooperation behavior may also be due to the coercion and manipulation practiced by the children's exploiters.

Perhaps indicative of the lack of CSEC training for law enforcement first responders, the DA's Office has prosecuted fewer cases of CSEC pimps in 2015 than it has in previous years.

The current typical referral practice among law enforcement personnel (city police, the DA's Office and Juvenile Hall) who encounter CSEC youth is to call in Community Violence Solutions (CVS), a non-government organization (NGO) specializing in domestic violence, sexual assault and trafficking victims. Although well regarded in its area of expertise, CVS has limited resources. Whether future referrals to CVS will continue remains unknown, since the new Protocol proposes that the hub of care for victims of CSEC should be CFS, not CVS.

Law enforcement also calls in the victim advocates from the DA's Office. These advocates navigate victim assistance for the law enforcement community. Victim advocates respond first by keeping the victims of CSEC safe, usually within Juvenile Hall, and providing them with therapy, using non-Health Department therapists, who are paid for by victim compensation funds.

As a pragmatic measure, law enforcement sometimes books suspected victims of CSEC into Juvenile Hall under various statutes in the Welfare and Institutions Code dealing with crimes committed by youth. Such bookings allow authorities to keep victims of CSEC under protective custody, away from their exploiters. It also provides Probation and CVS time to assess the situation and to give these youth access to therapy and social services. However, Juvenile Hall rarely consults CFS social workers in these situations. Due to this lack of consultation with CFS, a non-criminal hold order for the child is seldom requested. Placing the child in Juvenile Hall on a criminal charge runs the risk of exposing the child to criminal behavior. Once in Juvenile Hall, most victims of CSEC are uncooperative and ultimately released back to their next of kin where they will likely walk back to their exploiters. Return of these children to an unsafe situation conflicts with the mandate of Section 300 of the Welfare & Institutions Code, which is *"to provide maximum safety and protection to children who are currently being physically, sexually, or emotionally abused."*

Calli House, part of the Contra Costa Health Department's Homeless Youth Services, is another facility, separate from Juvenile Hall and CVS, which is available for CSEC support services. Calli House provides temporary health, therapy and housing assistance to runaway minors in the County. Occasionally, upon request by CVS or CFS, it takes in suspected victims of CSEC who are not booked into Juvenile Hall. CFS

does not have an equivalent county-funded temporary housing facility for victims of CSEC.

The County lacks a centralized database covering all CSEC arrests, referrals and pending cases. Such data would be extremely valuable both in assisting law enforcement in tracking down the exploiters, as well as providing a broader and more complete picture of the victims of CSEC and treatment options with the highest chances of success. Some city police departments share CSEC data with the FBI and the DA's Office. Juvenile Hall shares resident data with CVS when called in to assist on suspected victims of CSEC. The DA's Office shares CSEC data with CVS, when utilizing the Children Interview Center for forensic interviews with suspected victims. CFS has its own CSEC data for its child welfare cases. However, such departmentalized data tracking is no substitute for a comprehensive and centralized database open to all agencies within the County.

FINDINGS

- F1 A comprehensive system of care for victims of CSEC still has not been fully implemented in Contra Costa County.
- F2 The County is now 15 months into developing and implementing this comprehensive system of care for victims of CSEC that it began developing in January 2015.
- F3 A CSEC Protocol, which provides a comprehensive system of care for victims of CSEC, was prepared under the leadership of CFS.
- F4 The CSEC Protocol provides the framework for cooperation and coordination among the County, its cities and NGOs.
- F5 The State Department of Social Services has released Contra Costa County's allocations of CSEC monies under the Commercially Sexually Exploited Children Program administered by the State Department of Social Services.
- F6 Many social workers in CFS, law enforcement, officers in Juvenile Hall and victim advocates in the DA's Office are not implementing the CSEC Protocol because they have not seen it.
- F7. CFS, the leader of the Oversight Committee, has not followed up with its interagency partners that have signed off on the Protocol, but have not submitted their own CSEC department plan/protocols to the Oversight Committee.
- F8 CFS lacks personnel who can act as the hub of all CSEC referrals from law enforcement by assessing the health, psychiatric and physical needs of victims of CSEC and who can navigate these services for them.
- F9. Suspected CSEC victims are being arrested and booked into Juvenile Hall for their own safety pursuant to various statutes under the Welfare & Institutions Code, relating to infractions and crimes committed by youth, while the County assesses the appropriate health and social services to provide.
- F10. The County has not provided funding to CFS for temporary housing facility for victims of CSEC.
- F11. No single database covering all CSEC-related arrests, referrals and pending cases exists in the County.
- F12. Due to the lack of a single database in the County covering all CSEC-related arrests, referrals and pending cases, the County does not know the number of victims of CSEC and where they are located.

- F13. County personnel and law enforcement dealing with victims of CSEC are well-meaning, compassionate and dedicated people trying to make the best of a very difficult situation.
- F14. Most County personnel and law enforcement dealing with victims of CSEC lack in-depth CSEC training, necessary facilities for temporarily accommodating the victims and a clear-cut plan of action, which lays out how to rescue, protect and serve the victims of CSEC in a manner that is caring and trauma-informed.

RECOMMENDATIONS

- R1 The Board of Supervisors should review the Interagency Protocol for Serving Commercially Sexually Exploited Children in Contra Costa County finalized in October 2015.
- R2 The Board of Supervisors, City Councils and Sheriff's Department should consider recommending that all CSEC interagency partners, as listed in the CSEC Protocol, in Contra Costa County adopt their own CSEC protocols and submit them to CFS for approval.
- R3 The Board of Supervisors should consider directing CFS, as the lead implementing bureau, to follow up on the required plans and protocols from the interagency partners, as listed in the CSEC Protocol, implementing the CSEC Protocol.
- R4 The Board of Supervisors should consider directing CFS to expand its CSEC Response Flow Chart to include all critical steps to be taken for the welfare of the child victim, including mental health evaluation by the Health Department and child Welfare hold requests by the social workers.
- R5 The Board of Supervisors should consider directing CFS to train or hire specialized CSEC personnel who will serve as points of primary referral and assist in navigating the services provided to victims of CSEC utilizing funds provided by the State Department of Social Services.
- R6 The Board of Supervisors should consider directing CFS to follow the model of the Family Justice Centers in assisting victims of CSEC navigate the multitude of available services.
- R7 The Board of Supervisors should consider seeking funds to acquire or lease a physical facility to temporarily house victims of CSEC, which would allow suspected victims of CSEC to be placed in a legal, non-criminal temporary hold, rather than having law enforcement book the child into Juvenile Hall with a criminal charge.
- R8 If the County secures funding to construct or lease a CFS physical facility, the Board of Supervisors should consider housing specialized CSEC navigators at the facility, similar to the model used by the Calli House.

R9 The Board of Supervisors, City Councils, and Sheriff's Department should consider recommending that all first responders (usually law enforcement) refer suspected victims of CSEC to specialized and dedicated CSEC personnel, to be established within CFS.

R10 The Board of Supervisors should direct CFS to formulate CSEC training programs, containing different emphases for different County departments, interacting with victims of CSEC.

R11 City Councils and Sheriff's Department should direct law enforcement to avail themselves of CSEC training programs formulated by CFS.

REQUIRED RESPONSES

	<u>Findings</u>	<u>Recommendations</u>
Contra Costa County Board of Supervisors	F1-14	R1-10
Contra Costa County Sheriff's Department	F6, F7, F9, F11-F14	R2, R9, R11
City of Antioch	F6, F7, F9, F11-F14	R2, R9, R11
City of Brentwood	F6, F7, F9, F11-F14	R2, R9, R11
City of Clayton	F6, F7, F9, F11-F14	R2, R9, R11
City of Concord	F6, F7, F9, F11-F14	R2, R9, R11
City of Danville	F6, F7, F9, F11-F14	R2, R9, R11
City of El Cerrito	F6, F7, F9, F11-F14	R2, R9, R11
City of Hercules	F6, F7, F9, F11-F14	R2, R9, R11
City of Lafayette	F6, F7, F9, F11-F14	R2, R9, R11
City of Martinez	F6, F7, F9, F11-F14	R2, R9, R11
City of Moraga	F6, F7, F9, F11-F14	R2, R9, R11
City of Oakley	F6, F7, F9, F11-F14	R2, R9, R11
City of Orinda	F6, F7, F9, F11-F14	R2, R9, R11
City of Pinole	F6, F7, F9, F11-F14	R2, R9, R11
City of Pleasant Hill	F6, F7, F9, F11-F14	R2, R9, R11

City of Pittsburg	F6, F7, F9, F11-F14	R2, R9, R11
City of Richmond	F6, F7, F9, F11-F14	R2, R9, R11
City of San Pablo	F6, F7, F9, F11-F14	R2, R9, R11
City of San Ramon	F6, F7, F9, F11-F14	R2, R9, R11
City of Walnut Creek	F6, F7, F9, F11-F14	R2, R9, R11

These responses must be provided in the format and by the date set forth in the cover letter that accompanies this report. An electronic copy of these responses in the form of a Word document should be sent by e-mail to epant@contracosta.courts.ca.gov and a hard (paper) copy should be sent to:

Civil Grand Jury – Foreperson
725 Court Street
P.O. Box 431
Martinez, CA 94553-0091



July 20, 2016

Michael Simmons, Foreperson
2015-2016 Contra Costa County Grand Jury
725 Court Street
PO Box 431
Martinez, CA 94553-0091

RE: Grand Jury Report No. 1605, "Caring for Victims, Commercial Sexual Exploitation of Children in Contra Costa County"

Dear Mr. Simmons:

On behalf of the Martinez City Council, this letter responds to Contra Costa County Grand Jury Report: "Caring for Victims, Commercial Exploitation of Children in Contra Costa County" (Report 1605). The City Council authorized this response at its meeting on July 20, 2016. According to page 11 of the Report, the City of Martinez is required to respond to Findings F6, F7, F9, F11-F14 and Recommendations R2, R9, and R11. Pursuant to California Penal Code Section 933.05, the City will respond to each finding and to each recommendation individually.

CITY'S RESPONSES TO GRAND JURY FINDINGS 6, 7, 9, 11-14

GRAND JURY FINDING #6

"Many social workers in CFS, law enforcement, officers in Juvenile Hall and victim advocates in the DA's Office are not implementing the CSEC Protocol because they have not seen it."

City Response:

The City of Martinez agrees with this finding.

GRAND JURY FINDING #7

"CFS, the leader of the Oversight Committee, has not followed up with its interagency partners that have signed off on the Protocol, but have not submitted their own CSEC department plan/protocols to the Oversight Committee."

City Response:

While difficult to answer, as we do not know the practices and protocols of CFS in this matter, we would agree with this finding based on the Grand Jury report.



GRAND JURY FINDING #9

"Suspected CSEC victims are being arrested and booked into Juvenile Hall for their own safety pursuant to various statutes under the Welfare & Institutions Code, relating to infractions and crimes committed by youth, while the County assesses the appropriate health and social services to provide".

City Response:

The City partially disagrees with this finding. The City of Martinez makes every effort to treat suspected CSEC victims as true victims that need assistance. If no other option is available through CFS or a non-profit entity such as Community Violence Solutions, with expertise in assisting CSEC victims, as a last resort and in order to preserve the safety of the victim, the victim may be booked into Juvenile Hall. The practice of booking CSEC victims into Juvenile Hall is discouraged, however, even when making such a decision we would collaborate with CFS or CVS.

GRAND JURY FINDING #11

"No single database covering all CSEC-related arrests, referrals and pending cases exists in the County."

City Response:

The City of Martinez agrees with this finding.

GRAND JURY FINDING #12

"Due to the lack of a single database in the County covering all CSEC-related arrests, referrals and pending cases, the County does not know the number of victims of CSEC and where they are located."

City Response:

The City of Martinez agrees with this finding.

GRAND JURY FINDING #13

"County personnel and law enforcement dealing with victims of CSEC are well-meaning, compassionate and dedicated people trying to make the best of a very difficult situation."

City Response:

The City of Martinez agrees with this finding.

GRAND JURY FINDING #14

"Most County personnel and law enforcement dealing with victims of CSEC lack in-depth CSEC training, necessary facilities for temporarily accommodating the victims and a clear-cut plan of action, which lays out how to rescue, protect and serve the victims of CSEC in a manner that is caring and trauma-informed."



City Response:

The City of Martinez agrees with this finding.

CITY'S RESPONSES TO GRAND JURY RECOMMENDATIONS 2, 9, 11

GRAND JURY RECOMMENDATION #2

"The Board of Supervisors, City Councils and Sheriffs' Department should consider recommending that all CSEC interagency partners, as listed in the CSEC Protocol, in Contra Costa County adopt their own CSEC protocols and submit them to CFS for approval."

City Response:

The City of Martinez disagrees with this recommendation and will not implement it because it is not reasonable. Our explanation now follows: If each entity involved in treating the symptoms and root causes of human trafficking create their own protocols, there will not be a unified approach to solving this complex and disturbing problem. If all agencies within this County are involved in creating, vetting, and approving a protocol that not only refers suspected victims of CSEC to specialized and dedicated CSEC personnel, but identifies who these personnel are and, specifies a protocol for initiating case management for a victim we would whole heartedly support the recommendation.

We would recommend that CFS work with (Community Violence Solutions) CVS and the Contra Costa County Chief's Association to establish a protocol that can be adopted by every agency that works with CSEC victims and cases. To create multiple and independent CSEC protocols would potentially result in victims receiving different degrees of service and assistance by different agencies that need to collaborate in order to be effective.

GRAND JURY RECOMMENDATION #9

"The Board of Supervisors, City Councils, and Sheriff's Department should consider recommending that all first responders (usually law enforcement) refer suspected victims of CSEC to specialized and dedicated CSEC personnel, to be established within CFS."

City Response:

In theory, the City of Martinez agrees with the recommendation; however, several key areas need to be assessed including:

- the composition of the specialized and dedicated personnel;
- The protocols that must be in place for case management, referrals (both day and night) of victims, and for follow through tasks for each case. This recommendation can be tied into an overall protocol that can be crafted as mentioned in our response to recommendation number 2.



While we agree with the recommendation, further analysis is needed to identify how the different agencies will need to make referrals for victims, especially after business hours. Creating a County-wide protocol to address CSEC could help refine who first responders should call for assistance when encountering a CSEC victim.

GRAND JURY RECOMMENDATION #11

"City Councils and Sheriff's Department should direct law enforcement to avail themselves of CSEC training programs formulated by CFS."

City Response:

The City of Martinez supports this recommendation.

Respectfully,

Robert Schroder
Mayor

C: City Council
Manjit Sappal, Chief of Police
Jeffrey Walter, City Attorney