RESOLUTION - ACTION REQUESTED 2017-466

MEETING: July 11, 2017

TO: The Board of Supervisors

FROM: Chevon Kothari, Human Services Director

RE: Commercial Sexually Exploited Children County Wide Protocol

RECOMMENDATION AND JUSTIFICATION:
Approve the CSEC County Wide Protocol among the various Mariposa County departments, Mariposa Safe Families, Alliance for Community Transformations, Sierra Quest Human Services Foundation, First Step Incorporated, and Mariposa County Unified School District/Mariposa County Office of Education; and Authorize the Board of Supervisors Chair to Sign the Protocol.

The Human Services Department, Probation Department, the Sheriff’s Department and other local community partners have been working on a county wide Protocol to address the state and Federal mandates for Commercially Sexually Exploited Children (CSEC).

BACKGROUND AND HISTORY OF BOARD ACTIONS:
The Board typically approves protocols of this nature when it involves county departments and community agencies.

ALTERNATIVES AND CONSEQUENCES OF NEGATIVE ACTION:
This protocol was developed in order to comply with the Federal and State mandates.

FINANCIAL IMPACT:
There will be no financial impact.

ATTACHMENTS:
CSEC Screening Tool Protocol (PDF)

CAO RECOMMENDATION
Requested Action Recommended

Rene LaRoche, Clerk of the Board 7/6/2017
RESULT: ADOPTED [UNANIMOUS]
MOVER: Merlin Jones, District II Supervisor
SECONDER: Rosemarie Smallcombe, District I Supervisor
AYES: Smallcombe, Jones, Long, Cann, Menetrey
COMMERCIAL SEXUAL EXPLOITATION OF CHILDREN (CSEC) PROTOCOL FOR MARIPOSA COUNTY

Created by CSEC Implementation Team

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I. **INTRODUCTION**

The Commercial Sexual Exploitation of Children (CSEC) Implementation Team of Mariposa County, which commenced on February 26, 2016, is made up of the following community partners: Child Welfare Services (CWS), the Probation Department, the Sheriff’s Office, Behavioral Health and Recovery Services, Mariposa County Educators, Mountain Crisis Services (MCS), Court Appointed Special Advocates (CASA) and Ethos Youth Center (Ethos).

The Implementation Team is taking a victim centered approach to ensure that youth who are sexually exploited get the support and services they need. The primary goal is to help victims of CSEC heal, address their trauma, build skills to enter adulthood and contribute to society regardless of race, citizenship, sexual orientation, religion, gender, or age.

The purpose of this protocol is to ensure that victims of CSEC are successfully placed in a protective environment that offers therapeutic programming, specific to their trauma, in order to best stabilize them during this most critical time.

It is the County's desire to strategically respond to existing gaps in knowledge and practice around CSEC in order to help agencies who have direct contact with victims of CSEC understand the extreme physical, psychological, emotional, and social harms associated with CSEC. This will include a range of victim services across a number of agencies that will provide a continuum of care model to fully address the needs victims of CSEC. In addition, an interagency collaborative approach will be utilized to outreach to the victims of CSEC and at-risk youth population so they can better protect themselves from CSEC and recognize risky situations.

This protocol will be reviewed and updated annually as needed.

A. **Protocol**

This protocol is between the Mariposa County Human Services Department, the Mariposa County Probation Department, the Mariposa County Sheriff’s Office, and other community partners identified on pages 7-9. This protocol, hereinafter referred to as "the CSEC Protocol", shall stand as evidence that the parties agree to participate in an exchange of services, by coordinating services provided by the CSEC Response Team as identified under section 4. Intervention.

The crime of human trafficking requires a comprehensive and collaborative response between the Sheriff’s Office, service providers, and the community. The CSEC Protocol sets out the mutual understanding of the principles underlying the relationship between the parties in matters concerning the planning and delivery of Sheriff’s investigations, victim-centered services and promoting public awareness. All parties have agreed to the interventions and services of the CSEC Protocol and signed by their directors.
B. **Legislation**
The United States passed its first comprehensive human trafficking bill in 2000, the Victims of Trafficking and Violence Protection Act, since renamed the Trafficking Victims Protection Act (TVPA). The TVPA has long focused on the three P’s: Prevention, Protection, and Prosecution. More recently, a fourth P, Partnership, was added. Under the current version of the TVPA, all minors who engage in commercial sex acts are victims of trafficking, period. The TVPA treats sex trafficking as a severe form of human trafficking, carrying increased penalties for perpetrators. The TVPA now clearly states that “the trafficking of a minor does not require proof of force, fraud, or coercion of a minor.”

California Legislation (AB 2035) addressing CSEC amended the Welfare & Institutions Code §300(b), by addressing subdivision 3, which states, “The Legislature finds and declares that a child who is a victim of human trafficking, as described in Section 236.1 of the Penal Code, and whose parent or guardian failed to, or was unable to, protect the child, is within the description of this subdivision, and that this finding is declaratory of existing law.” Mariposa County has addressed this statute and has proceeded with this CSEC Protocol to meet the needs of CSEC and at risk youth.

C. **Background**
Historically, the Sheriff’s Office has been the first agency to interact and respond to victims of CSEC. The Sheriff’s Office determines whether to release or arrest the minor. When appropriate, the Sheriff’s Office would contact CWS and complete a Suspected Child Abuse Report (SCAR). If the minor is arrested, the Sheriff’s Office transports the minor to the Juvenile Detention Facility. Once the minor is released to the custody of the Probation Department, the Probation Officer determines the need for continued detention and if the matter required a referral to the District Attorney’s Office for charges to be filed. Formal collaboration efforts with multi-agencies have not existed in the past in response to CSEC.

D. **Glossary**
- **CSEC (Commercial Sexual Exploitation of Children) or CSE (Commercial Sexual Exploitation):** The sexual abuse of a minor for financial or other economic reasons. The economic exchanges involved may be monetary or non-monetary (i.e., for food, shelter, drugs, etc.).
- **SART (Suspected Abuse Response Team):** Provides forensic medical exams for residents of Mariposa County, state agencies, and other counties upon request. SART brings together specifically trained forensic doctors and nurses with the Sheriff’s Office, CWS, and advocates in a multi-disciplinary team approach to provide compassionate, comprehensive, and culturally sensitive treatment for sexual assault victims.
- **SART Exam**: An exam performed by a SART physician and/or nurse for victims of suspected sexual abuse/sexual assault.
- **SCAN Exam**: An exam performed by a SART physician for victims of suspected child abuse and neglect (SCAN), as well as for drug-endangered children (DEC).
- **SCAR (Suspected Child Abuse Report)**: Suspected Child Abuse Report (Form SS 8572) This form is for use by mandated reporters, as defined in PC section 11165.7. to notify a reporting agency (local law enforcement, county probation or county child welfare department) about suspected cases of child abuse.

II. **TRAINING AND PREVENTION**

A. **Practices**

The CSEC Implementation Team will provide training for all professionals working with youth in child-serving systems, as well as provide annual training. Agencies will include, but are not limited to, CWS, the Sheriff’s Office, Probation, Mental Health, Family Resource Centers, and Mariposa County Educators and Nonprofit Organizations who work with children and families. The training will bring awareness to help identify sexually exploited and at-risk youth, provide service and support for victims of CSEC, as well as educate on the use of culturally competent and trauma-informed practices.

B. **Prevention Efforts**

Prevention efforts are designed to utilize outreach and education. Prevention begins with identifying youth who are at risk for exploitation and connecting them with services and support before victimization occurs.

C. **Target Population**

The purpose of identifying Mariposa’s target population is to make CSEC training available to the Sheriff’s Office, CWS, Probation and to all community partners that directly work with youth. This population can assist with identifying and providing services to victims of CSEC and at-risk youth. The identified target population includes:

- Animal Control
- Mariposa County K-12 School Sites/Home School Program Employees
- Court Appointed Special Advocate (CASA)
- Columbia College/Merced College/UC Merced
- Drug and Alcohol Programs
- Emergency Medical Services Providers
- Faith based Communities
- Fire Department
- Foster parents
- Homeless Shelters
- Independent Living Program (ILP)
• Sheriff’s Office
• Mental Health
• Nurses and Doctors
• Parents/Guardians
• Parks and Recreation
• Yosemite National Park
• Probation
• Public Health Department
• Mariposa County Child Abuse Prevention Council
• Valley Children’s Hospital
• Women’s Shelter Program

III. IDENTIFYING COMMERCIAL SEXUALLY EXPLOITED AND AT-RISK YOUTH

A. Identification

In order to understand the scope and nature of the problem in Mariposa County and provide appropriate services, appropriate professionals will screen youth and assess their related needs on an ongoing basis.

B. Risk Factors

The following CSEC risk factors have been identified by the Community Partners as being the most prevalent for youth in Mariposa County:

• Child Welfare history*
• Cutting / self-harm
• Developmental delays
• Drug or substance use
• Entertainment and modeling profession (interest or participation)
• Gang affiliation*
• High number of moves in placement
• History of criminal record/ arrest history/ probation*
• History of pregnancy or childbirth
• Knows someone who has had sex for drugs, shelter, goods, or money.
• Lack of permanency – no adult or mentor they trust in their life
• Lesbian, Gay, Bi-Sexual, Transgender, Questioning, Queer, Intersex (LGBTQQI)
• Low attendance / truancy
• Low self-esteem
• Migrant workers
• Multiple incidents of running away
• Poor school performance
• Suicidal thoughts
• Tattoos
*Generational history if applicable

C. Mariposa County Screening Tool
The West Coast Children’s Clinic Screening Identification Tool (CSE-IT) will be used amongst local agencies to identify victims of CSEC or at-risk youth, and be utilized to inform and improve service delivery. The agencies that complete the tool (not in the presence of the youth) will need to determine the level of risk the youth is at based on the number total from the questions that were answered by the screener. Some of the risk factors have a higher ranking number than others, but it is up to the screener on how they are answered. The screener at the agency can refer the youth to services in the community that will meet their needs or continue providing services for them. There are certain questions on the CSE-IT tool that, if marked, will require submitting an immediate SCAR to CWS.

D. Mariposa County CSE-IT Tool User Guide
The purpose of the CSE-IT Tool User Guide is to expand and clarify items on the CSE-IT Tool. This allows the screener to have a better understanding of what to look for when screening a possible victim of CSEC or at-risk youth. Sample questions are provided to help guide the screener on how to approach the youth, when the screener does not know the answer to a CSE-IT question or needs further clarification on what the youth disclosed. In addition, the CSE-IT Tool User Guide indicates certain information that, if disclosed, will require submitting an immediate SCAR to CWS.

IV. INTERVENTION
A. Mariposa CSEC Response Team Roles
The following agencies are identified as the primary CSEC Response Team:
• Sheriff’s Office – If Sheriff’s personnel are the first on the scene when a victim of CSEC is identified, their role is to contact CWS and Mountain Crisis Services.
• SART – Following the current SART MOU between the Sheriff’s Office and the Human Services Department, the nurse or physician will engage the youth in receiving a medical exam and/or for gathering forensic evidence only if the youth approves.
• CWS – CWS will respond to all CSEC referrals from the Sheriff’s Office, Probation, MCS and Community Partners, and complete their investigation of the allegations of CSEC. CWS will attend CSEC Multidisciplinary Team (MDT) meetings.
• MCS – Upon the victim’s first point of contact, MCS will contact the Sheriff’s Office and CWS and will provide services if needed per the request of the Sheriff’s Office and/or CWS. MCS will provide advocacy for the victim and his
or her family. MCS will provide safe housing and will follow up with the victim and his or her family for continued services. MCS will refer the victim to other services if needed. MCS will attend CSEC MDT meetings.

B. Mariposa Community Partners and Other Agency Roles

- **Department of Homeland Security (DHS)** – Referrals can be made to DHS when victims of CSEC are identified as being undocumented.

- **Federal Bureau of Investigations (FBI)** – The FBI will assist the Sheriff’s Office. Through the use of two national initiatives, the FBI investigates crimes against children and civil rights violations involving the alleged human trafficking of adult and minor individuals. These federal investigations may involve U.S. citizens or individuals from other countries, including persons who are undocumented. The FBI, through its Child Exploitation Task Forces and collaborative partnerships with local Sheriff’s Offices assist ‘locally led’ efforts to investigate human trafficking, criminal activity of pimps and traffickers for the recovery of child victims. The FBI’s Victim Assistance Program works with federal and local Sheriff’s Offices, CWS and other local government and nonprofit agencies to assist identified victims of trafficking with a multitude of services including, but not limited to: crisis intervention, specialized referrals, and legal or immigration remedies (as appropriate). Cases investigated by the FBI may be referred to the U.S. Attorney’s Office for federal prosecution or to the local district attorney for state prosecution.

- **Mariposa County Probation Department** - Assess any youth booked into the Juvenile Detention Facility during the admission process. If the youth be determined to meet CSEC criteria based on either the booking charge, or admission investigation process, a SCAR will be submitted to CWS and the Sheriff’s Office will also be contacted. If the victim of CSEC requires any medical or therapeutic services while detained, the juvenile detention facility where the youth is being held, will ensure that the appropriate services are provided. Probation will collaborate with other agencies to ensure that a service plan is in place prior to the youth’s release from custody. Probation will attend CSEC MDT meetings.

- **Behavioral Health (BH) of Mariposa County** - BH staff will assess victims of CSEC for mental health needs and make recommendations for services. BH will coordinate specialized mental health services for victims of CSEC. BH will attend CSEC MDT meetings.

- **Alliance for Community Transformation (Alliance)** - The Alliance serves many populations throughout its five programs in Mariposa: CASA, the Center for Opportunity, Re-entry and Education (CORE), Ethos, Mariposa Heritage House, and MCS. Each of these programs are committed to following the CSEC Protocol.
The Alliance is an active partner in ensuring that youth who are sexually exploited get the support and services they need to heal, address their trauma, and build skills to enter adulthood and contribute to society. The Alliance will attend CSEC MDT meetings.

- **Sierra Quest Group Home** - Sierra Quest will screen all newly placed youth for CSEC upon initial intake. If the youth is a victim of CSEC then appropriate referrals are arranged and counseling services are arranged for the youth. Sierra Quest will attend CSEC MDT meetings.

- **Quest Community Counseling Services** - Trauma informed care trained staff would screen for victims of CSEC and work to minimize current and future trauma due to placement and past incidents. Quest will attend CSEC MDT meetings.

- **First Step Group Home** - First Step will screen all newly placed youth for CSEC upon initial intake. If the youth is a victim of CSEC then appropriate referrals are arranged and counseling services are arranged for the youth. First Step will attend CSEC MDT meetings.

- **Mariposa County Unified School District (MCUSD) and Mariposa County Office of Education (MCOE)** - District staff will be informed of the existence of the CSEC Protocol and the risk factors of CSEC youth as identified by the local CSEC Implementation Team. Identified youth will be referred to the appropriate school staff who are identified as the CSEC representative who will further assess and refer to the appropriate community services for CSEC. MCUSD/MCOE will attend CSEC MDT meetings.

- **CASA** - When reasonable means of transport by Sheriff's Office or CWS personnel are not available or appropriate, CASA may transport children to medical appointments, counseling and other therapeutic services and evaluations within Mariposa County and outside of Mariposa County. CASA will attend CSEC MDT meetings.

- **Ethos** - If Ethos staff and volunteers should determine a youth to meet CSEC criteria based on either the CSE-IT tool or other knowledge, a SCAR will be completed and submitted to CWS. Ethos will contact the Sheriff's Office if appropriate. Ethos will collaborate with other agencies to help youth navigate local resources. Ethos will attend CSEC MDT meetings.

- **Mariposa Safe Families (MSF)** - Should the staff at MSF feel a youth meets the CSEC criteria based on the CSE-IT tool a, SCAR will be submitted to CWS. MSF will work with each individual to find and obtain available resources within the community and refer as appropriate. MSF will attend CSEC MDT meetings.

- **Yosemite National Park (YNP)** - YNP will make CSEC referrals to CWS and cross report to the Sheriff’s Office.
C. **County Jurisdiction**

When victims of CSEC are taken into protective custody by the Sheriff’s Office or CWS, CWS will determine the county of jurisdiction. If the county of jurisdiction is Mariposa, the CWS social worker will assess the youth for placement needs and ongoing services.

If the youth has come from another county and that county has jurisdiction, then the social worker will communicate with the other county while transportation and placement arrangements are made. The social worker will attempt to have services in place for the youth when they return to their county of residence.

If a youth from another county is placed in Mariposa County, and is already identified as a victim of CSEC, or at risk youth, the youth will be referred for services provided by one of the Community Partners or Mariposa County Behavioral Health.

D. **Placement**

CWS will establish safe and secure emergency transitional placements for victims of CSEC. Based on the situation, emergency placement may include the hospital, parents/guardians, or foster homes or group homes. CWS is committed to providing the youth with services in their placement based on the youth’s needs.

V. **CSEC AND AT-RISK YOUTH CONTINUUM OF CARE**

A. **Key Principles to serving CSE youth:**

The Community Partners will collectively stress the importance of providing a continuum of care to CSE youth which will include public health, harm reduction, and mental health re-programming. Key principles include:

- Safety planning for both the youth and the service providers
- Collaboration across all agencies
- Trust and relationship building to foster consistency
- Culturally competent and appropriate service provision
- Trauma-informed interventions
- Hold MDT meetings regularly to discuss youth cases, evaluate services provided, data collection and the CSEC Protocol.
This Protocol has been established and agreed upon with all Community Partners identified below:

Marshall Long, Supervisor – District III
Mariposa County Board of Supervisor

Chevon Kothari, Director
Mariposa County Department of Human Services

Doug Binnewies, Sheriff
Mariposa County Sheriff's Department

Pete Judy, Chief Probation Officer
Mariposa County Probation Department

Robin Hopper, Superintendent
Mariposa County School District Mariposa County of Education

Alison Tudor, Director
The Alliance

Mariah Lord, Director
Mariposa Save Families

Jeni Emmers, Owner
First Step, Inc.

Scott Seymour, Owner
Sierra Quest Humans Services Foundation

APPROVED AS TO FORM:

STEVEN W. DAHLEM
COUNTY COUNSEL