



Alameda County  
District Attorney's Office  
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## Summary of CSEC Protocol Recommendations

The following are general protocol recommendations that are designed to enable key agencies responding to CSEC cases to consider necessary decisions and actions that will support the immediate and ongoing safety of identified CSEC while ensuring they receive necessary services that will decrease their continued risk of victimization and recidivism.

### A. Law Enforcement

Law enforcement agencies such as police and sheriff's departments are charged with responding to and investigating CSEC related crimes. Along with generating intelligence that results in criminal accountability for traffickers, law enforcement provides a necessary safety and recovery intervention for identified CSEC. Since many law enforcement agencies currently do not have designated staff or department protocol for responding to CSEC cases, each participating agency should consider the following issues for determining the most effective approach to proactively respond to CSEC activity that is specific to the jurisdiction:

- Whether agency will conduct CSEC specific investigations, including trolling expeditions, in their jurisdiction;
- Whether law enforcement will intervene with identified CSEC by taking them into protective custody and/or arresting them for prostitution-related offenses;
- The location where law enforcement interviews with CSEC for gathering intelligence against alleged traffickers will occur (police station or child advocacy interview center);
- Identification of victim advocacy organization (rape crisis, domestic violence, human trafficking, etc.) who will partner with law enforcement when CSEC is identified;
- Whether local juvenile hall will detain or release CSEC's who are transported by law enforcement to the facility;
- If identified CSEC is not taken into protective custody, whether minor can remain safe if they are referred to parent/guardian.

## **B. First Responder/Victim Advocacy Organizations**

Victim advocacy organizations can provide necessary advocacy, crisis counseling, and other trauma-informed services for CSEC. Advocates who are legally recognized/certified to respond to survivors of violence, especially those who have been trained to work effectively with CSEC, can provide CSEC with ongoing support throughout all interactions with the criminal justice system. Advocates who have recognized confidentiality with CSEC also provide a victim-centered response for traumatized youth that enables them to make well informed decisions regarding their healing process and participation in all decisions related to their current and ongoing safety. Advocacy services can also support necessary supplemental services provided by probation, social services and, community-based agencies providing case management to CSEC. The following protocols should be considered by victim advocacy agencies providing CSEC services:

- Ensure all identified staff or volunteers who will be providing victim advocacy services to CSEC are certified to work with the population **and** participate in specialized training for working with commercially sexually exploited youth;
- Ensure all approved staff have necessary supervision and support that addresses any vicarious trauma that may result from working with this population;
- Since many system-involved CSEC are detained in local juvenile halls, make arrangements with the Probation Department for a victim advocacy from the agency to be on sight for crisis counseling and education for detained youth;
- Since many CSEC are also dependency wards of the juvenile court, ensure agency is referred to by social services agency in the jurisdiction;
- Designate a point person from the agency to communicate with other identified victim advocacy organizations regarding advocacy needs of out of county CSEC who are detained in the jurisdiction's juvenile hall and will be returning to their County of origin;
- Ensure detained CSEC who are subpoenaed to testify against their pimp in another jurisdiction are connected with a victim advocate and have a verified safety plan (including transportation) for the proceeding;
- Coordinate with representatives from Probation, Juvenile Defense Counsel and, the District Attorney's Office to ensure detained youth who are victim witnesses in an adult human trafficking prosecution are given extra support when they are called to testify.
- Develop memorandum of understanding between identified victim advocacy organizations in neighboring jurisdiction to allow for confidential exchange of information for CSECs who are in need of multi-jurisdictional services.

### **C. District Attorney's Office**

The District Attorney's Office has multiple roles and responsibilities for ensuring there is a comprehensive and coordinated response for CSEC that results in both trafficker accountability and victim safety. Since CSEC cases will occur in the juvenile division, adult division, and victim witness services, protocols that enhance collaboration between these departments will ensure all identified victims receive necessary service and supports that aid in their safety and recovery while their alleged traffickers are held criminally responsible for their actions.

- A DDA from the Juvenile Division should be designated to handle CSEC cases that come through this division. If possible this person should also be responsible for all related charging and data collection related to these cases. Even if the current volume of CSEC cases does not support the appointment of a full-time attorney, the designated individual can serve as the point person on CSEC cases for the juvenile division.
- DDA from the adult division to be responsible for handling CSEC cases that come through this department. If possible this person should also be responsible for all related charging and data collection related to these cases. Even if the current volume of CSEC cases does not support the appointment of a full-time attorney, the designated individual can serve as the point person on CSEC cases for the adult division.
- Along with designated attorney's, all staff in the District Attorney' office who interface with CSEC cases (investigators, DDA's responsible for charging, victim witness) should be trained in best practices for prosecuting CSEC cases while ensuring CSEC victims receive necessary support and services which keep them safe and aid in their recovery.
- Designated point persons from each office (Juvenile, Adult, and Victim Witness) should create strong partnerships with their counterparts in other counties for cases that are multi-jurisdictional in nature.

### **D. Probation**

Probation has multiple roles related to law enforcement, service provision and quasi-legal guardianship for youth who are wards of the delinquency court. Like their counterparts in parole, they may also be supervising both juveniles and adults who are engaged in trafficking CSEC. Due to these multiple responsibilities, a coordinated CSEC response must exist for probation that addresses the needs of CSEC at all point in the system while ensuring alleged and identified traffickers are held criminally accountable for their actions and remain compliant with their conditions of probation. Due to probation's multiple roles regarding CSEC cases, clear protocols are also necessary to ensure communication and collaboration with other law enforcement, social services, and community-based providers regarding CSEC cases.

Since CSEC cases tend to be multi-jurisdictional in nature, it is not uncommon for youth from neighboring jurisdictions to be arrested and detained in local juvenile halls for CSEC related activity that either results in new charges and/or probation violations (running from group homes, curfew violations, truancy violations, etc.). Along with increasing communication and

collaboration between probation departments on a regional, state, and national level, the following recommendations should be considered to assist probation departments to improve their services and supports for CSEC:

- Determine current departmental data regarding the volume of youth on probation who are referred to probation for prostitution-related offenses.
- If data is available, determine how many of these youth as have involvement in the child welfare system.
- Confirm whether the juvenile hall will detain youth who are transported by law enforcement for prostitution-related offenses.
- If the juvenile hall facility will authorize a protective safety hold for CSEC, ensure there are detention-based services and protocols that ensure safety and stability for CSEC (see above protocol recommendations).
- Identify services in jurisdiction that could be provided to CSEC that can be offered as alternatives to detention, detention-based services, placements, and aftercare supports.
- Partner with other law enforcement agencies regarding sharing intelligence related to multi-jurisdictional cases that involve trafficker accountability and victim safety.

## **E. Child Welfare**

Since child welfare (CW) agencies across the Country are experiencing a significant increase of CSEC in their system, CW needs strategic partnerships with other system stakeholders from their own jurisdiction (law enforcement, probation, district attorney, CSEC specific service providers) as well as increased collaboration and communication with other social services agencies in neighboring jurisdictions. Since many foster care youth are either recruited and/or kidnapped by pimps from their foster care placements, there is a great need for increased regional communication between CW agencies when a foster care youth who is also a CSEC is placed in out of county group homes or foster care homes. The following protocol recommendations can support and improve child welfare's response to CSEC:

- CW should designate a point person for the department who can respond to and collaborative with other partner agencies regarding active CSEC cases in the jurisdiction.
- As stated in the above protocol recommendations for Probation, the designated CW representative should be notified when one their clients is detained at the JJC. The designated representative should also participate in any safety planning for the identified CSEC when they are released from custody.
- If an identified CSEC who has been detained at the JJC, has participated in a law enforcement investigation of an alleged pimp/trafficker, and is later released to foster care, CW should be specifically communicated with regarding this situation so it can

properly inform their placement decision and safety planning options. CW should also consider communicating this information to the home where the minor will be placed.

- Along with receiving training and support to effectively respond to CSEC in their care, all contracted foster care placements should be given specific training and support to utilize local law enforcement and other necessary safety strategies for CSEC that have participated in law enforcement investigations of traffickers who are then placed at their home.

## **E. Other Agency Recommendations**

Since creating a coordinated system and service response for CSEC requires the participation and partnership of multiple agencies, the following are general recommendations for agencies interfacing with CSEC. These recommendations should be expanded through future conversations with the identified agencies.

- All providers working with CSEC should provide information about their agency along with all specific services they provide CSEC. This information should be used by the jurisdiction to determine the scope of available CSEC services along with identifying gaps in existing services. This information should also be published in a resource guide and or database that can be used by system representatives, service providers, and other parties to refer youth.
- A method should be developed to determine how each service can be matched with the identified needs of each CSEC. For example, services should be categorized by either prevention or intervention capacity so that agencies are matched with CSEC who would benefit most from their level of care. As a best practice and in order to avoid potential recruitment in programs, youth who are at risk for becoming CSEC should not be mixed with youth who have significant CSEC histories.
- In order to increase collaboration and cross referrals between CSEC providers, agreements between referring agencies should be developed to address any confidentiality or other related concerns that could prevent agencies from working together.
- Increased communication and collaboration must occur between CSEC service providers and law enforcement regarding CSEC who are receiving treatment/programming who then run away and/or are kidnapped by traffickers and are at great risk for being further exploited. Protocols should be developed that respect an agency's confidentiality with their client, while promoting the safety and recovery of CSEC who go missing.
- A method should be developed to track the results of all referrals to providers working with CSEC. This method could inform the actual number of CSEC receiving services in the jurisdiction and the outcome of those services in decreasing their victimization and/or recidivism rates (both short and long term). Results can be collected through aggregate data to protect the confidentiality of youth receiving services who are not system involved (probation, social services, etc.).

## **1. Juvenile Court**

Since CSEC are trafficked to jurisdictions and throughout the state and country, increased communication and collaboration between juvenile courts are essential for determining both the current status and follow up stabilization for out-of-county CSEC who are arrested, detained, and processed through multiple juvenile justice systems. Other recommendations include the following:

- Juvenile Court representatives should keep track of data regarding youth with CSEC histories who come under the jurisdiction of both dependency and delinquency courts.
- Since exploiters may come to juvenile proceeding and falsely present themselves as family members of CSEC, information should be attained to confirm their identity and keep these proceedings as safe and confidential as possible.

## **2. Child Advocacy Centers (CAC)**

In partnership with local law enforcement, a criteria/method should be developed to enable forensic interviews of CSEC to occur at a CAC. The CAC should also sponsor trainings for law enforcement to CSEC forensic interview strategies that can increase utilization of CACs. Other recommendations include the following:

- A criteria should be developed which enables law enforcement to identify and refer youth who would be most amenable to a forensic interview;
- CAC agencies should assist in accessing VOC claims for identified CSEC who either currently and/or previously participating in a forensic interview.

## **3. Medical Services**

Since CSEC are at risk for significant health care problems that are directly related to their exploitation (STI, unwanted pregnancy, sexual assault, etc.), immediate and continued medical services must be considered part of a strategic system response for this population. Since many hospitals have a SART (Sexual Assault Response Team) model that includes medical, law enforcement, and advocacy agencies, this model should be considered for CSEC cases. Since CSEC who are detained in juvenile detention facilities have a legal right to medical services, juvenile hall medical clinics should also be considered a necessary partner for stabilizing detained CSEC and linking them with necessary medical services when they are released from custody. Medical services can also provide crucial information and data about this population that still respects all confidentiality rights between the client and their medical provider. Other protocol recommendations include:

- If a youth in custody discloses to a medical provider they are a victim of sex trafficking, an automatic referral should be made to a rape crisis center to provide immediate crisis counseling and stabilization while the youth remains in the facility and once they are released;

- When appropriate, communication with Probation to ensure youth who has been identified as CSEC through in-custody medical services has coordinated safety plan (complete with information related to individual/agency who will receive them) when they are released from custody;
- Medical services provided in custody and in the community should include services for sexually transmitted diseases, sexual assault, and pregnancy.
- Medical services should also compile aggregate data regarding the medical needs of identified CSEC that can be used to understand and respond to this population.

#### **4. Mental Health Services**

Since CSEC have significant histories of mental health issues that are the root causes and/ or results of their exploitation (PTSD, anxiety, depression, etc.), mental health providers play a necessary role in providing essential counseling, treatment, and recovery services for traumatized youth. Along with increasing the availability of mental health providers for CSEC at all point in the recommend system and service responses, mental health can play a key role in increasing access to victim witness funding for CSEC (in partnership with Victim Witness Programs) along with training all identified agencies in this protocol on how to be more trauma informed when working with CSEC. Other recommendations include:

- If a youth in custody discloses to a mental health provider they are a victim of sex trafficking, an automatic referral should be made to a rape crisis center to provide immediate crisis counseling and stabilization while the youth remains in the facility and once they are released;
- When appropriate, communication with Probation to ensure youth who has been identified as CSEC through in-custody medical services has coordinated safety plan (complete with information related to individual/agency who will receive them) when they are released from custody.

All the above protocol recommendations should be reviewed, expanded, and refined by all agencies who have partnered for this necessary endeavor. Once all participating agencies have vetted and approved their departmental responses to CSEC cases, it is recommended that all protocols be documented in a multi-agency agreement that is shared between partner agencies. For more information about developing, implementing, and evaluating CSEC protocol recommendations, please contact: [info@heat-watch.org](mailto:info@heat-watch.org).