



H.E.A.T.WATCH®

STOP HUMAN EXPLOITATION
AND TRAFFICKING

TOOLKIT



The Office of the District Attorney
Alameda County
Nancy E. O'Malley, District Attorney



Dear Valued Partner,

On behalf of the Alameda County District Attorney's Office, I welcome you as a partner in the fight against human trafficking. As the national dialogue builds, we are committed to engaging in conversation and expanding our partnerships to eradicate modern-day slavery. In the area of sex trafficking, I am pleased to provide you with this Toolkit. The Toolkit provides a guide and supporting written resources to stop the Commercial Sexual Exploitation of Children (CSEC). It is our hope that with these tools, you will be able to successfully educate, engage, and inspire law enforcement and communities to stand up against this national epidemic.

Since January 2006, the Alameda County District Attorney's Human Exploitation and Trafficking (H.E.A.T.) Unit has achieved tremendous success with over 325 human trafficking cases charged and an 86% overall conviction rate. According to a 2012 report by California Attorney General Kamala Harris, my office has prosecuted 46% of all cases prosecuted under California's human trafficking statute, Penal Code section 236.1. We have also utilized existing California Penal Code statutes to prosecute offenders for human trafficking, child sexual assault, kidnapping, and other serious crimes that are supported by the facts of the case.

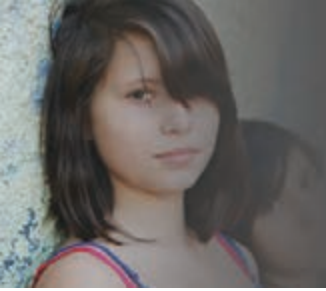
Out of our experience in leading the effort to combat human trafficking, we created and developed "H.E.A.T. Watch" which is much more than a prosecution strategy. H.E.A.T. Watch is a five-point collaborative strategy providing a comprehensive response to effectively combat human trafficking. It has been successfully implemented in the Bay Area and in communities across the state and country. The five components that are further outlined in this Toolkit include: 1) robust community engagement, with a new sub-set, the Youth Action Network; 2) training for and sensitization of law enforcement; 3) vigorous prosecution; 4) education of and advocacy to policy makers; and, 5) wrap around services for victim/survivors.

In this Toolkit, you will learn how to develop and customize your own H.E.A.T. Watch program. The toolkit contains templates, guides, resources, and training materials to kick-off or expand current efforts in your community.

I hope that you will find this information helpful in your own fight against human trafficking. I invite you to utilize my Office for further training and technical assistance by emailing us at info@heat-watch.org, visiting our website at www.heat-watch.org to our specialized Toolkit website at toolkit.heat-watch.org. I also encourage you to like us on Facebook (HEAT Watch) and follow us on Twitter (@HEATwatch).

Together we can move forward more effectively.

Nancy E. O'Malley
Alameda County District Attorney



Introduction

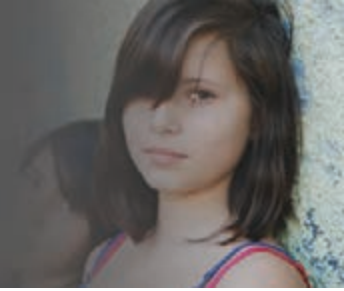
Human trafficking is modern-day slavery. It is a serious, psychologically destructive, crime. Victims of human trafficking face tremendous survival and recovery challenges. Being trafficked makes victims vulnerable to violent crime and exposes them to infectious disease and other long-term medical conditions. Human trafficking is a profitable criminal enterprise and industry. Unlike selling drugs, buying and selling human beings is a crime that can be endlessly repeated. It is estimated that every year approximately 300,000 American youth are at-risk for being sold for sex in the United States. Traffickers and exploiters who prey on children can be anywhere; near schools, shopping malls, parks, foster homes, and online. Traffickers do not discriminate when selecting their victims. Young people, regardless of race, class, gender, or sexuality, are in danger of being trafficked. This is happening now, throughout the United States, in every community, from urban to rural.

The Commercial Sexual Exploitation of Children (CSEC) is a form of child sexual abuse. It is a crime perpetrated against a minor by his or her trafficker. The trafficker forces the child to sell his or her body to another in exchange for cash or something else of value. Thus, in any given instance of human trafficking, there are at least three individuals involved: the exploiter/trafficker, the child victim and the purchaser of child sex. It is important to note that these terms are intentionally used over the more common terms of “pimp” “prostitute” and “john.” As we correct the perception of commercially exploited youth and those who sell or buy children for sex, we must necessarily pay particular attention to the language that we use. Describing the players as “pimp”, “prostitute”, and “john” glorifies the role of the exploiter, trivializes the victimization of the exploited child and minimizes the role of the purchaser of child sex. To change the way society looks at these crimes, and to more fully hold offenders accountable, we must use language that accurately describes the individual actors and the roles that they play.

Beginning in 1994, under the leadership of District Attorney Nancy E. O'Malley, then Head of the Sexual Assault Unit of the Alameda County District Attorney's Office, a dramatic increase in cases involving exploited youth was recognized. That led to a statewide pilot project focusing on sexually exploited minors which eventually expanded to virtually every prosecutor's office in the state. In 2005, the Alameda County District Attorney's Office created the Human Exploitation and Trafficking (H.E.A.T.) Unit which is believed to be the first in the country. The Unit includes prosecutors, investigators, and victim-witness advocates who are focused on the needs of sexually exploited youth, and aggressively prosecutes exploiters. In 2010, collaborating with health care, law enforcement and service providers, the Alameda County District Attorney's Office created H.E.A.T. Watch, a comprehensive Blueprint to guide communities, including Alameda County, in their efforts to combat and prevent the proliferation of human trafficking as a criminal enterprise. Alameda County is a leader in building awareness, responding to human trafficking, and creating collaborative programs among all disciplines that intersect with these at-risk children.

H.E.A.T. Watch is a five-point collaborative strategy – a Blueprint – providing a comprehensive response to effectively combating human trafficking. H.E.A.T. Watch has been successfully implemented in the Bay Area and in communities across the state and country. The five components are: 1) robust community engagement with a new sub-set, the Youth Action Network; 2) training for and sensitization of law enforcement; 3) vigorous prosecution; 4) education of and advocacy to policy makers; and, 5) wrap around services for victim/survivor. This strategic approach recognizes that the Blueprint is only as strong as the joint involvement and commitment of law enforcement agencies, service providers, prosecutors and the community. Critical to achieving successful outcomes is breaking down traditional silos and working collaboratively and comprehensively. It is

Introduction



abundantly clear that human trafficking is not limited to one area. By definition and practice, traffickers are highly mobile and victims of human trafficking are moved from community to community. Therefore, a regional approach to combating human trafficking is a critical strategy.

The District Attorney's Office, through H.E.A.T. Watch, created several innovative and effective programs.

One such program is the Bay Area H.E.A.T. Coalition (BAHC), which is a regional network of law enforcement, systems' responders (including but not limited to health care and social services), service providers (including faith communities, schools and community centers), community members, and elected officials who come together to share best practices and developments. Through BAHC, more than 2,000 professionals have been engaged in the process.

Another notable program that has provided invaluable information and aftercare for exploited youth is SafetyNet. SafetyNet is a weekly, multi-disciplinary case review of sexually exploited minors and at-risk youth following their initial involvement with the juvenile justice system. SafetyNet prevents victims from falling through the cracks that often exist.

Recognizing a gap in aftercare and youth development, the District Attorney's Office created the Young Women's Saturday Program (YWSP), a 12-week program that covers a wide range of issues. Participants in YWSP are young women who have been sexually exploited or are at-risk for exploitation. YWSP provides advocacy, case management, and life skills training to assist these young women to become self-reliant and self-assured as they move toward a life that is free of exploitation with a positive and healthy future.

H.E.A.T. Watch provides comprehensive law enforcement training for all agencies in Alameda County, the nine Bay Area Counties and beyond. H.E.A.T. Watch participants and the Alameda County

District Attorney's Office also offer technical assistance to other counties throughout California and the nation who strive to offer similar trainings.

Finally, H.E.A.T. Watch, through the Alameda County District Attorney's Office, collaborates with local, state, and national lawmakers to craft policies that support victims and hold their traffickers and purchasers accountable. Today, H.E.A.T. Watch is a nationally recognized, award-winning model for responding to the complex needs of human trafficking victims.

No one system, agency, or individual is capable of stopping child sex trafficking alone. In order to successfully combat this national crime, agencies as well as individuals must create strategic partnerships to respond to the issue on all levels. The programs and protocols designed by H.E.A.T. Watch can be replicated in your community. By leveraging existing resources and collaborating with dedicated partners, an effective response to human trafficking can be created.

Human Exploitation and Trafficking (H.E.A.T.) Watch Blueprint

What We Do



Five Point Strategy

Community Response



Commercial sexual exploitation of children happens in every community, and is everyone's problem. Human trafficking permeates our schools, businesses, hospitals, criminal justice system, and foster care system. While national research shows that many trafficked youth come from poverty and/or poor family structures, those characteristics are not universally true. Many youth are vulnerable to being "seduced" into a relationship with human trafficking at its core; many youth have experienced sexual and other forms of abuse as children; and, it is estimated that one in four youth were trafficked out of foster care. By learning how to identify the signs of child sex trafficking, the community can help law enforcement, service agencies, schools, and non-governmental organizations respond and prevent it from occurring in the first place. When the community understands the intricacies of this issue, it can play a crucial role in preventing local child sex trafficking before it begins.

An overarching goal is to empower communities to identify and respond to human trafficking by helping them create H.E.A.T. Watch Neighborhood programs throughout the nation. These programs act as protectors of our children who are at-risk. Participants in the programs use their eyes and ears to recognize human trafficking and take action to do something about it, such as calling the authorities who can rescue victims and the police who can arrest perpetrators. No one community or agency can do it alone, but there are various tools that have proven to be effective. With these tools, you can expand your outreach and awareness efforts to establish a cohesive community network.

Identifying Challenges

As one of the 5-points of H.E.A.T. Watch, community engagement is also one of the most important. Law enforcement cannot be everywhere at all times, so ensuring that the community is properly trained on issues regarding the commercial sexual exploitation of children is a necessary component to an effective response. H.E.A.T. Watch's training model includes dispelling myths and misconceptions, breaking down "the game", identifying risk factors and red flags, and providing local data on sexually exploited minors.

People learn and engage with one another differently. Therefore, to raise awareness and reach more individuals, H.E.A.T. Watch utilizes various platforms through our website, social media, newsletters, an online radio show, public service announcements, billboards, and our graphic novel series.

H.E.A.T. Watch strives to build a new community that empathizes and understands the victimology associated with human trafficking. Responsible community awareness depends on promoting a mindset that views and treats exploited youth as victims.

Identifying Solutions

The following strategies provide a basic foundation to create H.E.A.T. Watch Neighborhood Programs specific to your region:

Recognize stakeholders. One of the first steps your community can take is to find agencies, organizations, survivors, faith based organizations, and community advocates that are already working to combat human trafficking. If there is already a response network in place, see how you can join and provide assistance to support their efforts rather than duplicate them. If no such network exists, invite interested parties to come together to create a working group that opens up dialogue around child sex trafficking in your community. Meet and communicate regularly, and track progress in order to ensure the group's goals are being met.

Establish community goals. Upon convening a working group, establish your community's goals around addressing and talking about child sex trafficking. Ask your working group what they hope to accomplish, and define your short-term and long-term goals. Though some ideologies may differ amongst partners, come up with one to three similar objectives for the first year on which all partners can agree, with an understanding that these objectives are flexible. When you decide together on the direction, you allow all groups to take ownership of this collective effort that will facilitate a unified outreach effort.

Create awareness campaign. It is beneficial for the community and working group to come together and create a strategic campaign to raise awareness about child sex trafficking. It does not take marketing experts to develop an awareness campaign, though many experts will donate their time to help create effective messaging and publicity.



Community Response

- The first step is to identify what level of understanding your community has around the issue, and set expectations for how you hope they will respond to your efforts.
- The next step is to decide what message you want to communicate based on that information. Make sure the message is simple and straightforward so you do not confuse your audience. For example, do you want to communicate to the community that commercial sexual exploitation of children is happening on your streets? Do you want to focus on a particular aspect of trafficking, such as boys, exploiters, or the purchasers who buy victims?
- The third step is to find out if any national, state, and local efforts may coincide with your campaign, such as National Human Trafficking Awareness Month. By coordinating your campaign with larger strategies, you can leverage your efforts and maximize your campaign's exposure.
- The fourth step is to decide on the mode or medium for delivering your message. Will you be using billboards, social media, video, or in-person trainings? Companies that own billboards and bus shelters often provide free space for public awareness campaigns; media stations, both radio and television will provide free airtime for public service announcements. More often than not you'll use all of the above, but be as strategic as possible regarding campaign placement and the type of audiences who will see it.
- The fifth and final step is to bring resources together and make sure your message has a Call to Action (CTA) that directs the community to an action plan, website, phone number, or agency that can respond accordingly.

H.E.A.T. Watch Community Engagement Response

H.E.A.T. Watch raises awareness through the following programs and efforts:

Bay Area H.E.A.T. Coalition (BAHC). BAHC is a quarterly training and networking opportunity for law enforcement, service providers, government agencies, community members, and elected officials. During each BAHC training, H.E.A.T. Watch brings together experts in the field to highlight

a particular aspect of modern day slavery, such as the current state of human trafficking policy and law, how various disciplines come into contact and respond to the commercial sexual exploitation of children, and how to better serve exploited youth who have development or cognitive disabilities. The goal is to bring partners together, inform them of particular aspects of trafficking, and update them on local data on the population.

Social Media. The Alameda County District Attorney's Office created a specific H.E.A.T. Watch website with information and resources on human trafficking. Housed within the site is the online Toolkit for partners interested in creating their own H.E.A.T. Watch program. In addition to the website, H.E.A.T. Watch can be found on Facebook (HEAT Watch) and Twitter (@HEATwatch) where we share news stories, statistics, infographics, videos, and upcoming events. We also utilize social media tools like Prezi, SlideShare, Instagram, and Vine. For more information go to our website at www.heat-watch.org.

H.E.A.T. Watch Radio. H.E.A.T. Watch Radio is an online tool to reach audiences using audio messaging. The radio show highlights news stories, local events, and pressing issues. Interested listeners can find H.E.A.T. Watch Radio at www.heat-watch.org/blog.

H.E.A.T. Watch Newsletter. A quarterly newsletter is sent out to partners highlighting recent updates by H.E.A.T. Watch, major news stories, and local events. We also write about unique human trafficking efforts, such as a radio interview with a local pizza place committed to raising awareness about human trafficking, a short film about child sex trafficking in Oakland that won an international award, and a fair trade fashion show at a community college.

Trainings & Outreach Events. H.E.A.T. Watch has provided hundreds of trainings and outreach events, locally, statewide, and nationally. We train law enforcement, service providers, probation, social services, schools, hospitals, prosecutors, community members, labor unions, and elected officials, to name a few. We also provide webinars, attend local neighborhood watch meetings, and major outreach events like National Night Out. To request training by H.E.A.T. Watch, email us at info@heat-watch.org.

Community Response

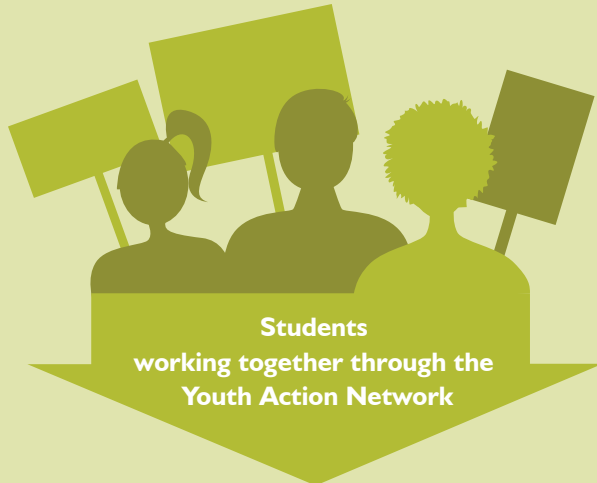


Youth Action Network (YAN). YAN provides human trafficking prevention education to Alameda County middle and high school students, staff, teachers, and parents. In addition to trainings, we work with local parents and service providers to create strategic awareness campaigns which include billboards, social media outreach, mailings and more. H.E.A.T. Watch also empowers students to become H.E.A.T. Watch Youth Ambassadors by creating clubs on school campuses, organizing events and fundraisers for victim-supported programs, and law enforcement trainings. Human trafficking of youth is not foreign to kids today. They have a keen awareness and many have taken charge to do something about it. Giving youth a vehicle for developing their own strategies to combat trafficking of their peers and youth in their communities is productive and action-oriented. Just as Students Against Drunk Driving (SADD) has become a nationally recognized, youth-driven initiative to stop teen driving under the influence, YAN has the potential to be as effective and as engaging as SADD.

The H.E.A.T. Watch Toolkit is designed to aid your efforts to combat human trafficking. This Toolkit contains guidelines and resources corresponding to the five points of H.E.A.T. Watch. We hope that the following information will inspire and assist you in your fight against child sex trafficking. Beyond the pages of this booklet, further information is available on our Toolkit website under the community section (toolkit.heat-watch.org), accompanied by templates, resources, and guides to support your own development of response to domestic minor sex trafficking. Additionally, H.E.A.T. Watch offers training and technical assistance to help you combat human trafficking in your community. To request further assistance, email us at info@heat-watch.org

Only by working together can we stop the commercial sexual exploitation of our children.

What Success Looks Like



As of March 15, 2013, 574 college campuses and organizations have raised \$96,698 for the International Justice Mission.



"After learning about human trafficking through the H.E.A.T. Watch Youth Action Network, some friends and I decided to organize a benefit concert at our high school to raise awareness and action around modern-day slavery. It was a huge success!

Now we have an anti-trafficking club at our school and we help support a shelter for victims of human trafficking."



Law Enforcement

Law enforcement faces a particularly difficult task when confronted with human trafficking. There is a developing consensus that most, if not all, youth who are engaging in commercial sex trade are victims of human trafficking. However, the number of rescued victims and arrested traffickers or purchasers does not reflect the size and scope of this growing criminal industry. Significant barriers continue to exist which impede law enforcement's effectiveness. In order for law enforcement to effectively respond to the exploited youth in their communities, it is important to understand who the victims are, their background and what unique challenges they have experienced.

According to data compiled by the H.E.A.T Watch's SafetyNet, 71% of the girls who have been identified as victims of or are at-risk for becoming victims of human trafficking are 18 years old or younger. However, these same girls will self-report that the average age of entry into the "life" is between 12-14 years of age. The age discrepancy between the two statistics of when victims are identified and when they first became victimized, supports the premise that minors are being sexual exploited for a significant period of time before they are ever identified by law enforcement.

Moreover, many sexually exploited youth come from dysfunctional homes with fractured familial structures where drug abuse, domestic violence, sexual assault, and child endangerment are all too common. Almost all the children referred to SafetyNet are runaways (83%) and a significant number have substance abuse issues (45%). A clear majority have trouble staying in school (63%). Most are active to or have been on probation (64%). Sadly, rare is the child who has had no contact with the criminal justice and/or social services systems (4%).

What emerges is an image of a victim of human trafficking who is young, comes from a dysfunctional and often dangerous home and has run away from that home. He or she has had prior contact with law enforcement and social service providers and is at-risk for substance abuse. Because predators prey on those they deem vulnerable, this demographic profile of a victim amounts to the perfect prey for an exploiter.

Traffickers and recruiters take advantage of the lack of structure, friends, and family in the child's life. The void of attention and affection is filled by the exploiter and is easily mistaken by the victim for "love." Thus it is common for victims of human trafficking to fail to perceive themselves as actual "victims." Rather, they view law enforcement with hostility and their exploiter, whom they commonly refer to as "Daddy" as the person who has their best interests in mind.

To ensure that exploited youth are no longer invisible, law enforcement must change the way it has traditionally viewed minors engaging in commercial sex acts. Our exploited youth must be seen for what they are, children who are victims of abuse in many different forms. Any commonly held myths or misconceptions, which marginalize exploited youth and shift responsibility for the conduct away from their traffickers and purchasers, must be discarded.

Once the philosophical shift has occurred, it is inevitable that a victim-focused response must be taken. Only in this way will the victims of human trafficking be identified and their cases properly investigated. Additionally, once the minor is identified as a victim of crime rather than a perpetrator, she or he is eligible for victim-focused services, including resources through the victims of crime programs, social service assistance and others.

To assist in this philosophical and institutional paradigm shift, H.E.A.T. Watch has developed a law enforcement curriculum for human trafficking investigations. This curriculum provides a detailed outline and training materials for first responders, patrol officers, and investigators. The curriculum includes the following:

1. The recognition of commercial sexual exploitation of children as child abuse;
2. The dispelling of myths and misconceptions;
3. A discussion of victimology of exploited youth;
4. The identification of at-risk and victimized youth;
5. The investigation of cases involving CSEC, including using forensic technology such as mobile devices and street cameras;

Law Enforcement



6. The interview of victims and witnesses;
7. The use of street stings and hotel operations;
8. The development of corroborating evidence;
9. The use of the Internet and other social media; and
10. The successful presentation of the case for charging.

There is a strong emphasis in the training material towards investigating and developing a case that can withstand the scrutiny of the court and defense counsel. Investigators are shown areas on which to focus their resources and attention in order to develop evidence that provides the factual basis to prove the essential elements of the crimes committed. These unique elements include but are not limited to proving the use of force, coercion and/or duress by the exploiter to manipulate the victim into engaging in commercial sex acts.

The H.E.A.T. Watch law enforcement curriculum also provides an overview of current federal and state law, including the recent change in law that occurred in California with the passage of Proposition 35, the Californians Against Sexual Exploitation (CASE) Act. Included in the materials is a “charging cheat sheet” that can assist prosecutors (and law enforcement) in moving the case forward in the criminal justice system.

The H.E.A.T. Watch team is also available for technical assistance, to provide individualized trainings, and for other technical or strategic advice. Information can also be found on our password-protected law enforcement section on our toolkit website (toolkit.heat-watch.org).



“Our police department worked with federal, state, and local law enforcement agencies to conduct an anti- human trafficking operation in our community. Our combined efforts resulted in the rescue of victims and the successful prosecution of traffickers.”



What Success Looks Like

As of 2013, the FBI reported that joint federal, state, and local law enforcement efforts, through Operation Cross Country, have recovered more than 2,700 children from the streets. The investigations and subsequent 1,350 convictions have resulted in lengthy sentences, including 10 life terms and the seizure of more than \$3.1 million in assets.



Prosecution

In 2005, the Alameda County District Attorney's Office formed the H.E.A.T. Prosecution Unit dedicated to rescuing victims and holding their exploiters accountable. The H.E.A.T. Prosecution Unit consists of a team of prosecutors, victim-witness advocates, and inspectors assigned to vertically prosecute adult human trafficking cases throughout the county. Working together, the Unit strives to establish a level of expertise within the field and continuity in the handling of cases. Consistent with its mission, the Unit provides strong advocacy for victims of crime to ensure that their rights are upheld throughout the criminal justice process. The Alameda County District Attorney's Office has an additional prosecutorial unit assigned to the Juvenile Justice Division who work with juvenile victims of human trafficking that enter the system as a result of detention but are identified as victims of human trafficking through intake. These two prosecution units on the adult and juvenile sides, provide a comprehensive response to victims and an effective enforcement of the laws against perpetrators.

Since its inception, the H.E.A.T. Unit has achieved a remarkable amount of success. According to the California Attorney General's 2012 report on The State of Human Trafficking in California, the H.E.A.T. Unit prosecuted 46% of all cases utilizing California's human trafficking statute, Penal Code section 236.1.

Domestic minor sex trafficking prosecutions are among the most challenging cases prosecuted in the adult criminal justice system. Achieving justice for exploited youth tests the knowledge, skills, and limits of even the most seasoned prosecutor. Some of the many issues that arise are: keeping witnesses and the victim(s) engaged; developing and providing corroborating evidence, which many judges and jurors want and need to convict; charging the case properly; and educating the judge and the jury about human trafficking. Victim safety issues are always of paramount concern.

Human trafficking cases have similar issues to those presented in domestic violence, sexual assault, child abuse, and neglect cases. What distinguishes the legal notion of "trafficking" is that, while other crimes usually involve a discrete number of incidents and injuries, victims of human trafficking are often

subjected to a wide array of criminal acts inflicted over a period of months or even years. Victims of human trafficking suffer in similar ways to victims of domestic violence. As with domestic violence, sex and violence are often used to break the "will" of the exploited minor victim, resulting in an unhealthy dependency by the victim on the trafficker. Like a batterer, traffickers will isolate victims by limiting or prohibiting them from having contact with family or friends. Traffickers go further by moving their victims from city to city, county to county, and from state to state in an effort to isolate and control them. This prolonged exposure to stress caused by violence, sexual assault, isolation, and living in a constant state of fear affects the ability of the victim to think, remember, and respond to stimulus. Exhaustion, malnutrition, and unhealthy living conditions further compromise the victim's well-being.

American culture outlaws prostitution generally and women involved in the commercial sex industry are considered criminals. Additionally, there is a socially negative judgment on sex workers and those who utilize the services of a sex worker. Traffickers capitalize on this social norm and exploit their victims' fear of being arrested or deported to keep them from seeking assistance from government officials. At the same time, victims of commercial sex trafficking often fail to perceive themselves as victims. Rather, victims readily "confuse" their exploiters attention for "love." Traffickers rely and capitalize on this confusion and target vulnerable youth, those who have a history of running away and those who have become "invisible" to society. Vulnerable girls and boys are perceived as "easy prey." Traffickers reinforce the "us vs. them" mentality between their criminal activity and the protective efforts of law enforcement. The traffickers train their victims to lie about their age, their identity, and the relationship between the victim, the purchaser, and/or the exploiter.

Many victims are reluctant to testify against their exploiters. Many see their exploiter as all-powerful and fear that the threatened retribution will be carried out. Many feel shame and often blame themselves. Many victims cannot see a way out of their situation. Many victims are unaware of the availability of resources to help them become independent

Prosecution



of their exploiters. Many victims of human trafficking suffer from a form of trauma bonding where they identify with and protect their exploiter.

Victim Centered Approach

In order to successfully prosecute a case, the cooperation of the victim is essential. However, keeping victims engaged with the investigation in and prosecution of the case can be challenging. Our experience has found that taking a victim-centered approach focusing on the victim's safety and well-being increases the likelihood that the victim will feel engaged in the process and, therefore, more likely to participate. By providing wrap around services in a coordinated fashion through law enforcement, prosecution and service providers, victims feel protected. By taking a victim-centered approach, the Alameda County District Attorney's H.E.A.T. Unit has achieved great success. Between 2006 and 2013, the H.E.A.T. Unit has charged 325 defendants for human trafficking related offenses. Eighty-six percent of those individuals were successfully prosecuted. This statistic is largely explained by the participation of victims at all stages of the prosecution.

Girls Court

Our commitment to the victims of human trafficking starts with the youth themselves. Because we know that many female minor victims of human trafficking will come into contact with the juvenile justice system, we identify those who are being trafficked or at-risk for becoming trafficked early on in the process in order to identify needs and provide services. Girls Court was established in 2011 as a gender-responsive approach to addressing the unique challenges faced by girls in the juvenile justice system. A dedicated prosecutor and public defender appear on every Girls Court case and have in-depth knowledge of the background of each girl. Girls Court is a partnership with the Court, the District Attorney's Office, Probation, the Public Defender's Office, and various other service providers to sustain a dedicated courtroom where the goal is consistency and a thorough understanding of the challenges, needs, and strengths of each girl. In addition, every individual is discussed at a multi-disciplinary

case management meeting (see SafetyNet) both before and after her court appearance in order to facilitate a better understanding of what the particular needs are and how the system can best provide services.

Young Women's Saturday Program (YWSP)

The Alameda County District Attorney's Office advocated for legislation that statutorily authorized the Office to design and create a Diversion Program for exploited youth who enter the juvenile justice system. From that law and in conjunction with the Court and the Public Defender's Office, the YWSP was born in 2011. Girls are referred to the program primarily from Girls Court and include girls who are currently exploited or who are at-risk for such exploitation. The YWSP meets on Saturdays for twelve weeks and participants are exposed to guest speakers who introduce them to entrepreneurship, financial literacy and building healthy relationships, to name a few topics. The goal is to provide the tools and necessary support for young women to make healthier choices. The girls give feedback to the facilitators as well as to the court when they appear on their cases. The program is responsive to feedback from the youth and as such, it is tailored to meet their interests and needs. In its efforts to expand, outreach has been made to various community supporters, including health care practitioners who can provide healthy exams and women in non-traditional careers who can talk to them about career options "outside of the box". For more information about the YWSP, go to the services section of this booklet.

SafetyNet

Recognizing a huge gap in the coordination of services provided to at-risk youth, the Alameda County District Attorney's Office established a multi-disciplinary working group known as SafetyNet. This organization is more fully described in the Services section of this publication. The purpose of SafetyNet, as the name implies, is to provide for the safety of the girls and boys who are identified exploited minors, at-risk for commercial sex trafficking or are involved in the prosecution of a case against a trafficker. The working group combines members of the District Attorney's Office,



Prosecution

H.E.A.T. Watch staff, defense counsel, Probation, Social Services, mental health providers, victim advocates, rape crisis counselors and others who meet on a weekly basis and discuss the handling of individual cases with a particular focus on healthy, safe aftercare.

SafetyNet reflects the cooperation and collaboration of the parties involved in their effort to seek positive outcomes for affected youth. Participation in the group is completely voluntary, yet the involvement of the partners is vigorous because everyone has the best interest of the child in mind.

By combining these multiple layers of support for minors, we have been able to secure their involvement, trust, and cooperation at a surprisingly high level. As of August 16, 2013, of the 325 defendants who had been charged with human trafficking related charges, only 4% of cases were dismissed because the victim was unavailable to testify. We are very proud of this statistic. We view it as the result of the collaborative nature, comprehensive response, authentic engagement, and caring for the youth as well as the hard work and dedication of the professionals and the many people who support the victims of human trafficking. For more information about the SafetyNet, go to the services section of this booklet.

Charging the Case

The H.E.A.T. Unit aggressively charges its cases. Figuring out what charges to level against a criminal defendant can be of critical importance. It is common to have other crimes such as witness intimidation, false imprisonment, battery, criminal threats, and kidnapping occurring in the context of human trafficking. The prosecution team should consider charging these crimes as well as the obvious crimes of pimping, pandering and human trafficking. Often, these factual conditions are presented but overlooked when deciding what charges, if any, will be filed in the accusatory document. By aggressively charging the case, not only does the potential criminal exposure increase but a more rounded story is developed for the jury or judge who will make the ultimate decision as to guilt.

Included in the Toolkit is a “charging cheat sheet” which explains charging strategies to maximize the defendant’s punishment and more fully capture the crimes committed against the victim.

Building a Winning Case

The breadth of your case is limited only by your creativity and time and, of course, the evidence that allows the prosecutor to prove the case beyond a reasonable doubt. While many states do not require corroboration of the victims’ testimony to sustain a conviction, there is nevertheless a tremendous need to corroborate your victims’ testimony. Fortunately, there are many ways to do so.

Our prosecutors’ curriculum explains many of the ways the H.E.A.T. Unit builds its cases, and develops corroboration of victim testimony to secure justice in the courtroom. Some of the methods include:

- Investigating prior contact with police by the victim and defendant;
- Capturing and listening to jail calls;
- Photographing the victims’ tattoos or victims’ “brandings” by the exploiter;
- Photographing the exploiters’ or purchasers’ tattoos as identifiers;
- Capturing and forensically analyzing cell phones and other computer forensics;
- Gathering hotel/motel receipts; and,
- Searching social media, Internet ads, etc.

All of these methods have been used in our Courts with great success. The Toolkit provides sample documents, legal memorandum, and proposed orders for recovery of this evidence.

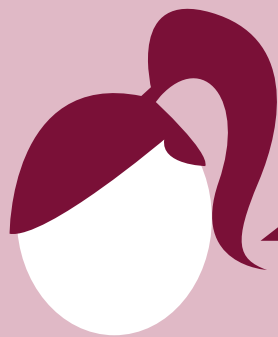
One of the keys to success at trial is the use of an expert to explain first to the judge and then to the jury the dynamic of human trafficking, as well as the victimology of a victim of human trafficking. In addition, expert witnesses can explain or dispel myths and misconceptions to the judge or jury. The Toolkit also provides a legal brief or memorandum for the admission of expert testimony at trial.

Prosecution



The H.E.A.T. Unit welcomes your calls and will gladly provide technical assistance, engage in trial strategy discussions, and will develop training or answer any specific questions. Please contact us at info@heat-watch.org. Furthermore, if you would like to access material from our prosecutor's curriculum, charging "cheat sheet", examples and more, go to the prosecutor section of our online Toolkit (toolkit.heat-watch.org).

What Success Looks Like



"With the help of my advocate, I found the courage to testify against my pimp. He got 15 years in state prison, and I got my freedom."



By providing wrap-around services to CSEC victims, the H.E.A.T. prosecution unit has been able to successfully prosecute 86% of its human trafficking cases.



Policy

Over the past several years, there has been a dramatic change in the way society recognizes and views domestic human trafficking. Much like the change that took place with respect to the victims of domestic violence and sexual assault, as a nation, we are developing a genuine understanding of human trafficking, and the phenomenon of the commercial sexual exploitation of children. Once this recognition has been made - that children are not “prostitutes” but rather victims of crime who have been forced to commit unspeakable acts against their will - the status quo is no longer acceptable and change must take place. The President of the United States and the United States Department of Justice are now involved in the fight against modern day slavery. It is in this context that we find ourselves with a unique opportunity to educate policy makers who are anxious to make change but who are also not clear as to what that change may look like.

H.E.A.T. Watch Legislation

While elected officials want to do the right thing and get involved in this issue, many are at a loss as to how to respond. Given their unique positions on the front lines of fighting human trafficking, District Attorneys, Public Defenders, Civil Law Practitioners, Family Law Practitioners, Judges, Probation Officers, Social Services, Child Protective Service Providers, Mental Health Providers, Victim-Advocates as well as community and faith-based organizations must coordinate efforts to identify areas for change in statewide and national policy. These same groups must work together to inform policymakers of their findings and suggest legislative changes. Thereafter, the emphasis must shift toward supporting the legislative effort.

The Alameda County District Attorney’s Office continues to be a national leader in the enactment and implementation of laws, and the education of lawmakers, decision makers and policy makers. The Alameda County District Attorney’s Office filed the first human trafficking case focusing on prosecuting traffickers. The following summarizes significant California legislation sponsored or supported by the Alameda County District Attorney’s Office that addresses human trafficking and more particularly, CSEC:

AB 22 (2005) Created a privilege for communications made by a trafficking victim to human trafficking caseworker. This privilege may be asserted by either the trafficking victim, the human trafficking caseworker or by a person authorized to act on behalf of the trafficking victim. A human trafficking caseworker is defined as a person who is employed by an organization for the purposes of rendering advice or assistance to victims of human trafficking. This person must receive specialized training in the counseling of human trafficking victims and meets other educational and training requirements. The holder of the privilege is the victim.

AB 499 (2008) and AB 799 (2011) Created a pilot program to develop a model addressing the needs and treatment of exploited youth, including the development of a protocol for identifying minors arrested or detained who may be exploited youth, a diversion program of best practices, and a training curriculum to be provided to county employees and law enforcement. The pilot project requires the District Attorney of Alameda County to submit a report by 2016 summarizing activities to determine if the pilot program should be extended and distributed to other counties in 2017.

AB 17 (2009) The Human Trafficking Penalties Act quadrupled fines against traffickers from \$5,000 to \$20,000 and enabled law enforcement to seize assets associated with the conviction. The bill also continuously directs 50 percent of those funds to community organizations serving underage victims of sexual exploitation.

AB 12 (2011) The Abolition of Child Commerce, Exploitation, and Sexual Slavery Act (ACCESS) required that a person convicted of seeking the services of a prostitute under the age of 18 be ordered to pay an additional fine not to exceed \$25,000. This money is used to fund programs and services for exploited youth in the counties where the offenses took place.

AB 90 (2011) This law expands the types of human trafficking crimes subject to the criminal profiteering asset forfeiture laws and makes the resulting funds available for minor victims of human trafficking through the Victim-Witness Assistance Fund.

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AB 764 (2011) AB 764 adds a new donation box to the state income tax form that allows taxpayers to donate to programs that provide assistance to exploited youth.

SB 130 (2013) This bill extends the law to allow a victim of human trafficking to have up to two support persons of his or her own choosing present during the giving of testimony at the preliminary hearing and at the trial or juvenile court proceeding.

Proposition 35 – The Californians Against Sexual Exploitation Act (CASE Act)

In 2012, California voters passed Proposition 35, the CASE Act through the Initiative Process – legislative changes brought by the People for the People of California. The CASE Act is by far the strongest legislative response to human trafficking to date in the state. It was passed by popular vote by an overwhelming 81%. The change in law dramatically increased punishments and fines for those convicted of human trafficking, redefined the conduct that constitutes human trafficking in California and required mandatory registration for those convicted of sex trafficking, to name a few components.

Protocol Recommendations

For the past several years, Oakland has been recognized as a local and national hub for child sex trafficking. In response, a Task Force was formed and CSEC Protocols were developed and adopted. The following Protocol recommendations were designed to enable public and private agencies that work with exploited youth to partner and respond to their specific needs while holding traffickers accountable. 1) A designated agency representative(s) who will serve as the point-person for communication with other partner agencies regarding commercial sexual exploitation of children cases; 2) Agency participation in CSEC related meetings and trainings; 3) Compilation of data related to commercial sexual exploitation of children which documents the agency's response to identified exploited youth.

District Attorney's Office. Prosecutors assigned to the Juvenile Division and prosecutors assigned to the Adult Prosecution Units should be designated to handle human trafficking and commercial sexual exploitation of youth cases, both in the

Juvenile and Adult Divisions. Prosecutors should build strong partnerships with counterparts in other counties for multi-jurisdictional cases. If possible, these designees should also be responsible for all charging and data collection related to these cases. It is the policy of the Alameda County District Attorney's Office that a victim-witness advocate should be assigned to the Prosecution Team to provide psycho-social and actual support to commercially sexually exploited youth and victims of human trafficking during the pendency of a case. Victim-Witness Advocates can also assist with the processing and approval of Victim of Crime (VOC) funds that can provide necessary resources and funds to support the victim's safety and continued recovery. All staff that interface with these cases should be trained in best practices for prosecuting commercial sexual exploitation of youth cases while ensuring the exploited youth receive necessary support.

Through the advocacy of the Alameda County District Attorney's Office, the California District Attorneys Association (CDAA) has created a Human Trafficking Committee which is made up of elected district attorneys from around California as well as deputy district attorneys from the various 58 counties. The Human Trafficking Committee will create statewide, multi-disciplinary training and will review and submit legislative ideas for law changes. The Human Trafficking Committee of CDAA is chaired by the Alameda County District Attorney and its creation raises the level of attention and importance of this area of the law among all of California's prosecutors.

Law Enforcement. Law enforcement can provide safety and recovery intervention for exploited youth by patrolling in known areas for domestic minor sex trafficking, by addressing immediate medical needs of exploited youth, by conducting thorough investigations and arresting exploiters and purchasers. The best practice of law enforcement CSEC protocol is to have a victim advocate, preferably a non-government advocate who can assure confidential communication with the victim of human trafficking, such as a rape crisis advocate or human trafficking advocate, present when a victim of human trafficking is identified. By having a partnership with and the presence of a victim advocate, the



Policy


victims' non-investigatory needs can be supported. If a victim advocate is unavailable, it is critical for law enforcement to refer the victim to a victim advocacy organization that provides services to trafficked youth. Having a victim advocate present during interviews with the victims can also be essential for the advancement of the case and the care and well-being of the victim.

First Crisis Response Organizations (FCR's). FCR's should provide victim/advocacy services as trafficked youth are identified and/or arrested. This may occur in the field at the time when exploited youth is detained by law enforcement or a juvenile justice center. These services should be immediate and ongoing. The goal is to stabilize the youth and then provide comprehensive services, such as crisis counseling, educational classes, service referrals, and victim advocacy. In addition the FCR will also provide ongoing support to the victim if and when he or she is involved in the adult prosecution of the trafficker. In so doing the FCR will work with law enforcement, defense counsel, and members of the district attorney's office to ensure the safety of the victim during the adult prosecution of the trafficker.

Probation Department. When an identified youth is taken into custody, Probation should consider the high risk factors in determining if detention is appropriate upon intake. In addition, Probation should refer the identified youth to comprehensive medical and mental health care services. Probation should contact the designated FCR's to ensure that their services are put into place. If the exploited youth remains in custody, Probation should take all reasonable steps to prevent the youth from engaging in communication with potential exploiters.

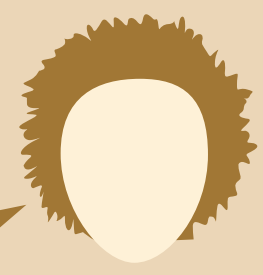
Juvenile Court. A gender-responsive approach should be taken by the court to address the unique challenges faced by girls in the juvenile justice system. To this end, a Girls Court should be established which has a dedicated prosecutor and public defender. A partnership should be formed between the Court, the District Attorney's Office, Public Defender's Office, Probation, and various service providers to sustain a dedicated courtroom where the goal is consistency and a thorough understanding of the challenges, needs and strengths of each girl referred to the court.

For more information and examples related to commercial sexual exploitation of youth policy and protocols, please see the policy section of our Toolkit website (toolkit.heat-watch.org).



As of July 31, 2013, 48 states in the U.S. and the District of Columbia have enacted sex trafficking laws. President Obama recently signed the reauthorization of the Trafficking Victims Protection Act.

What Success Looks Like



"I used to feel that the law wasn't there to support me. I felt like I was the criminal and nothing ever happened to him."

Services



Responding effectively to human trafficking requires a comprehensive continuum of services to assist victims of CSEC in their ongoing healing process. The first priority of any service provider is to stabilize the victim. Thereafter, attention shifts to providing ongoing coordinated support. Since child sex trafficking happens in every community, existing resources should be leveraged and if possible expanded to help our exploited youth. Emphasis should also be placed on building a coordinated response between service providers, community based organizations, and government agencies that come in contact with this population, to most efficiently use the services already in place. It is not a question of whether the victims of human trafficking have been and will be seeking services. Rather, the issue is how we respond to their needs in the most effective and efficient means possible.

One of the keys to success is training the community, law enforcement, government agencies, schools, and service providers to comprehend the victimization of exploited youth. Professionals need to identify and respond to warning signs, sometimes referred to as red flags. Professionals who would commonly intersect with exploited youth, such as teachers and school employees, health care providers, and social service professionals, should have an understanding of the myths and misconceptions of human trafficking, and learn the terminology and rules of “The Game.” Additionally, providers need to work in unison with outside partners to establish a coordinated service response that does not duplicate efforts unnecessarily or allow victims to slip through the institutional cracks. Finally, a continued emphasis on the well-being of victims must be maintained, whether or not they choose to participate in law enforcement investigations and/or the prosecution of their alleged trafficker.

In Alameda County, our coordinated system response takes place among three main programs: SafetyNet, Girls Court, and the Young Women’s Saturday Program (YWSP). Each program relies on the strength and coordination of multi-disciplinary partnerships, while ensuring their accountability through a victim centered approach. Following is an outline of SafetyNet and YWSP as they relate to services. For more information on Girls Court, see the prosecution section of this booklet.

Alameda County’s Response

SafetyNet. Prior to 2011, there was not a viable collaborative model in Alameda County to address the needs and safety concerns of commercially sexually exploited minors and those at-risk for such exploitation. The Alameda County District Attorney’s Office took the lead in forming SafetyNet, a weekly multi-agency approach to dealing with the complex needs of this population. Starting in 2011, the group began with representatives from five agencies: the District Attorney’s Office, the Public Defender’s Office, a forensic interview center, a rape crisis center, and a hired juvenile justice consultant. The first step in forming the group was to identify our purpose, as well as the population we wanted to discuss. It was determined that we would talk about those who were at-risk or were already exploited youth. Referrals came from many agencies including probation and law enforcement.

Throughout the course of the year, SafetyNet expanded its membership to include representatives from 11 additional agencies, including local hospitals, Social Services, various CBO’s and Probation, to name a few. A Memorandum of Understanding (MOU) and a confidentiality agreement were created so that all parties felt comfortable and safe sharing information.

Each week, the District Attorney’s Office and its partners convene the SafetyNet meeting. The District Attorney’s Office prepares a list of youths to be discussed. This list is provided prior to the meeting to the participants with a printout for each youth, containing background information, the status of any pending case, and any past or current safety concerns. Typically, 10-15 youths are discussed at the meeting. Each meeting is two hours long, and experience shows that any more than 15 youths does not allow for adequate discussion time. The SafetyNet meetings are led by the H.E.A.T Watch coordinator who is an employee of the District Attorney’s Office.

In addition, SafetyNet maintains a database of all participating youths. SafetyNet gathers data regarding the demographics, system involvement, risk factors, victimization history, and other data points. The data is localized and tells a story about



Services

the needs and behaviors of exploited youth. This is of critical importance because data collection best describes the nature and extent of the human trafficking and develops trends that would otherwise not be understood. As such, we have been able to analyze the data to inform SafetyNet members and the greater Bay Area of suggested policy and system changes for a stronger service response to sexually exploited minors.

SafetyNet allows partners to address the specific safety concerns they may have about a youth referred to the group. It allows agencies to discuss any issues affecting the youth, addressing policy considerations that may need to be addressed by an outside body. The overarching goal is to provide a collaborative approach to increase the positive outcome for the youth. We develop safety plans, make referrals to agencies, connect agencies who assist with Social Security or Medi-Cal, and discuss family dynamics that may affect a youth's success after his or her case is adjudicated. We also develop aftercare plans for the youth who are removed from their homes and sent to placement. SafetyNet partners can make recommendations to the court, assist the partners in court, and help the family with support and continuity of care.

Young Women's Saturday Program

The Alameda County District Attorney's Office advocated for legislation that statutorily authorized the Office to design and create a diversion program for exploited youth who enter the juvenile justice system. From that law and in conjunction with the Court and the Public Defender's Office, the YWSP was born in 2011. Girls are referred to the program primarily from Girls Court and include girls who are currently exploited or who are at-risk for such exploitation. The YWSP meets on Saturdays for twelve weeks and participants are exposed to guest speakers who introduce them to entrepreneurship, financial literacy and building healthy relationships, to name a few topics. The goal is to provide the tools and necessary support for young women to make healthier choices. The girls give feedback to the facilitators as well as to the court when they appear on their cases. The program is responsive to feedback from the youth and as such, it is tailored to meet

their interests and needs. In its efforts to expand, outreach has been made to various community supporters, including health care practitioners who can provide healthy exams and women in non-traditional careers who can talk to them about career options "outside of the box".

The working group met for five months to establish guidelines for eligibility, assist in curriculum development and discuss funding strategies. YWSP was initially funded through a national grant and has since been funded by a private grant. Funding can be from a private source, from Probation or District Attorney funding or from other public monies that are available for the treatment and development of system involved youth. In the two years since the program's inception, four sessions of the YWSP have been held. The most effective model is to engage an outside facilitator and a non-government advocacy program. In Alameda County, the District Attorney's Office has engaged JPG Consultants and the Bay Area Women Against Rape to facilitate the program. Both are trained to provide trauma informed care for this population. Depending on the resources in your jurisdiction, facilitators should be well-trained to work with the exploited population and have familiarity with the traditional challenges this group has, in terms of trauma, risk factors, histories of running away, and more.

Establishing Services in Your Community

We have found that it is necessary to have a full time H.E.A.T. Watch Program Coordinator to help facilitate efforts among law enforcement, service providers, government agencies and the community. This may or may not make sense for you depending on your resources and the nature and extent of the issue in your community. However, some level of coordination is essential. Hopefully, this role can be incorporated within your office to ensure coordination and training.

Moreover, some communities will not have service providers dedicated solely to helping sexually exploited minors. Again, agencies can use resources and programs already in place, if they are unable to create their own specific program.

Services



For example, most communities have their own rape crisis centers. These centers are ideally built to operate as first responders or case managers for exploited youth who are identified by law enforcement and hospitals. Local mental health facilities can also be trained to provide individual and family therapy for victims.

For more information, resources, and examples, go to the services section of our online Toolkit (toolkit.heat-watch.org). For training and technical assistance, email us at info@heat-watch.org.

What Success Looks Like



"I was fourteen when I ran away. My trafficker told me he loved me. He said he would take care of me, but instead he hit me and put me out on the street. I didn't think I could ever get out, but I got the help I needed. Now I'm free from him, living my own life."



75% of child victims forced into street prostitution are under pimp-control. These pimps may earn hundreds of thousands of dollars every year, from selling minors.



Conclusion

Although meaningful strides have already been made across the nation to eradicate the threat of child sex trafficking, there is still a long road ahead. The complexity and rapidly changing nature of this issue creates a variety of unforeseen challenges for those attempting to combat human trafficking. Yet, overall success comes from sharing information and resources, and applying them in the field. Our measured impact in the fight against human trafficking is dependent on the collaboration of all agencies dedicated to this issue.

When taking the first step towards developing a coordinated response, it is essential to collaborate and cooperate with multiple agencies from various disciplines. This level of cohesion allows for the free exchange of information, ideas, and practices between established organizations, regions, and states. Our ability to work together will promote learning and understanding that is crucial to handling child sex trafficking crimes. Cooperation may arise in the form of law enforcement trainings, task forces, and new programs geared towards the needs of exploited minors. In this way, favorable outcomes are viable when we open ourselves up to learning from and working with one another.

Whether you are developing your response to human trafficking from the ground up, or simply expanding upon existing programs, we hope that you will take advantage of the resources the agencies around you may offer. As mentioned throughout the Toolkit, its contents are intended to introduce you to the practices that have led to the success of H.E.A.T. Watch in Alameda County. Further information and in-depth resources are available on our online Toolkit at toolkit.heat-watch.org. If you require further assistance at any time, please do not hesitate to contact us directly at info@heat-watch.org. It is our goal to support you and empower you to create H.E.A.T. Watch in your community.

As H.E.A.T. Watch continues to raise awareness, support victims, and hold trafficker and purchasers accountable, we hope you will join us in whatever way you can. The Alameda County District Attorney's Office would like to thank you in advance for your involvement and dedication. We encourage you to continue to use H.E.A.T. Watch as a resource for training and technical assistance, and look forward to learning about your own practices and successes in the future. Only by working together, can we truly put an end to human trafficking.

National Human Trafficking Hotline 1-888-373-7888

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