

COUNTY OF LOS ANGELES
PROBATION DEPARTMENT

DIRECTIVE

No.:	1421
Issued:	2/26/19
Post Until:	3/26/19

SUBJECT: JUVENILE - COMMERCIAL SEXUALLY EXPLOITED CHILDREN (CSEC) AND RUNAWAY YOUTH

The purpose of this Directive is to establish Departmental policy and procedures for identifying, documenting, determining appropriate services for servicing probation youth who are, or are at risk of being, a victim of sex trafficking, and runaway provisions as it relates to the prevention of sex trafficking.

LEGAL BASIS

Senate Bill (SB) 855 (June - 2014) - amended Welfare and Institutions Code (WIC Section 300 to clarify under existing law, CSEC children whose parents or guardian failed or were unable to protect them may fall within the description of the WIC Section 300 (b) and be adjudged as a dependent of juvenile court.

Federal Preventing Sex Trafficking and Strengthening Families Act (H.R. 4980, September - 2014) required states to develop and implement policies and procedures related to CSEC and runaway or missing children and youth.

Senate Bill 794 (2016) – codified the requirements of the federal law through the addition of Welfare and Institutions Code WIC Sections 16501.1(f)(19), 16501.45 and Penal Code (PC) Sections 1165.1 and 11166(i)(2)-(3).

OVERVIEW

The following include the areas of responsibility as it relates to this policy (CSEC/Runaway Youth) and will provide detailed instructions for sworn staff (GSN, DSO, DPO, SDPO, etc.):

- **CSEC Identification** – identifying youth who are, or are at risk of becoming victims of Commercial Sexual Exploitation (CSE)
- **Documentation** – documenting in the Child Welfare Services/Case Management System (CWS/CMS) and the Probation Case Management System (PCMS)
- **Service Delivery** – determining appropriate services for youth/caregiver
- **Missing & Runaway Protocol Requirement** – implementing protocols to expeditiously locate missing and/or abducted youth

CSEC IDENTIFICATION

Sex Trafficking Victim Definition:

- Individual subject to the "recruitment, harboring, transportation, provision or obtaining a person for the purposes of a commercial sex act";
- Victim of a "severe form of trafficking in person" in which "a commercial sex act is included by force, fraud, or coercion, or in which the person induced to perform the act is under 18

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years of age.

Commercial Sexual Exploitation Definition:

- The sexual trafficking of a youth where anything of value is given or received by any person (PC Section 236.1);
- The provision of food, shelter or payment to a youth in exchange for the performance of any sexual act as specified in PC Section 111651.1 and 236.1 (c).

A youth may be identified as a CSEC victim or at risk of becoming a victim of CSE in a variety of ways, including but not limited to:

- Youth self-disclosing
- Risk/Warning Signs of CSE
 - Chronic truant / runaway / homeless youth;
 - Signs of branding (tattoos, jewelry);
 - Having expensive items with no known source of income (especially hair, manicures, cell phone, clothes);
 - Youth exhibits behaviors or otherwise indicates that she/he is being controlled or groomed by another person;
 - Youth spends time with people known to be involved in commercial sex;
 - Youth's use of Internet, cell phone, or social media involves social or sexual behavior that is atypical or his/her age;
 - Parent/Guardian statement that include activity as defined above.

DOCUMENTATION

For all youth identified as at risk of CSE, believed to be a victim or at risk of becoming a victim, sworn staff shall:

- File a Suspected Child Abuse Report (SCAR) with the Department of Children and Family Services (DCFS) Hotline at (800) 540-4000; document filing in PCMS>Case Notes>CSEC>Identification:

On (date), DPO filed a SCAR (CSE) with DCFS – (Report #)

- Notify the Child Trafficking Unit (CTU) via email at: childtrafficking@probation.lacounty.gov within one business day
- Document CTU Notification in PCMS>Case Notes>CSEC>Notification:

On (date), DPO sent CTU notification via email. Notification shall include the following:

- Youth's full name;
- Youth's date of birth;
- Probation Department Juvenile (PDJ) Number and;
- Any relevant information regarding the case.

**Upon receipt of the notification, the CTU will assign a specialized DPO to meet and assess the youth and case for possible transfer to the CTU within seven (7) business days. CTU will document case acceptance or rejection in PCMS. If case is accepted, case should be transferred to CTU within two (2) business days. The CTU DPO will be responsible for documenting the youths' status in the CSEC Data Grid in CWS/CMS. The CTU DPO will also document the youth's status in PCMS [Case Note Type>CSEC>Identification]*

SERVICE DELIVERY

The primary case carrying DPO shall determine appropriate services for all youth identified as a victim of at risk of CSE.

The DPO of Record is responsible for executing the following requirements:

- If the case is transferred to CTU, the CTU DPO will be responsible for meeting the remaining requirements as listed;
- If the case is not transferred to CTU, the primary DPO will be responsible for meeting the requirements as listed. CTU will be available for consultation and support, as needed;
- The CTU DPO, in collaboration with the DPO of Record (if different), will convene an initial Multi-Disciplinary Team (MDT) meeting within seven (7) days of identification to identify the support and/or service(s) needed to achieve positive outcomes for safety, permanency, and well-being of the youth. The CTU DPO will document in PCMS [Case Note Type> CSEC MDT] outcomes and recommendations of the MDT. The DPO of record must also document appropriate services in the youth's case plan;
- All probation-supervised CSE youth residing in Los Angeles County will be connected to a MDT convened and coordinated by the CTU DPO in accordance with SB 855.

The objectives of the MDT include:

- Developing the case plan and determining the case plan goals;
- Assessing the safety and well-being of the youth, including the youth's risk for being victimized, and gathering information about the youth at each visit to identify needed services to be included in the case plan;
- Engaging the youth and the parent(s) / guardian(s) in identifying support and services in the development of the case plan;
- Documenting in the case plan the services provided to address CSE;
- Considering the types of services that a CSE youth may need, including, but not limited to:
 - Specialized and safe housing;
 - Specialized counseling;
 - Specialized advocacy;
 - Medical treatment;
 - Reproductive health/healthy relationships education;
 - Pregnancy/parenting services;
 - Survivor peer groups;
 - Legal assistance;
 - Services addressing gang affiliation;
 - Tattoo removal;

- Financial education training;
- Vocational, life skills, and other trainings;
- Connections to cultural and identity-affirming communities and organizations;
- Other trauma-informed rehabilitation services.

For youth who are identified as at-risk of CSE, the CTU shall coordinate with the DPO of Record to determine appropriate services that will help to prevent that youth from later becoming a victim of CSE. These services may include, but are not limited to, the following:

- CSE prevention education;
- Specialized advocacy;
- Services that address the youth's specific circumstances or vulnerabilities that place them at risk of CSE, such as housing stability, employment assistance, or substance abuse counseling/services.

MISSING & RUNAWAY PROTOCOL REQUIREMENT

The DPO of Record shall notify the court via a request for a bench warrant, no later than 24 hours upon determining that the youth's whereabouts are unknown.

Reporting to Law Enforcement:

In the event a probation-supervised youth/ Non-Minor Dependent (NMD) is abducted or goes missing, the DPO of Record shall ensure that a missing person's report is made to the local law enforcement agency where the youth went missing, as follows:

- If the youth is home on probation (HOP), the parent(s) / guardian(s) is responsible for making the initial report to law enforcement.
- If the youth is in a foster care facility, the foster care provider is responsible for making the initial report to law enforcement.

The DPO of Record must contact the parent(s) / guardian(s) or foster care provider to verify the report was made, and document all reported information in PCMS. If the report has not been made within 72 hours business hours of notification that the youth is missing, it is the responsibility of the DPO of Record to make the report to law enforcement.

Referral to the Child Trafficking Unit:

After the DPO of Record confirms that a warrant request has been submitted, and a missing persons report to law enforcement was made, the DPO of Record shall notify the Child Trafficking Unit at, CSECLocateTeam@probation.lacounty.gov within 24 business hours.

The DPO of Record shall document in PCMS [Case Note Type>CSEC>Missing] that a referral to CTU was made and document in PCMS [Case Note Type>CSEC>Missing] all known information regarding the youth's disappearance including but not limited to:

- the date/time/location the youth went missing (if known);
- the missing person's information;
- who made the report to law enforcement;

- the law enforcement report number and contact information;
- the parent/guardian information; and
- any pertinent information regarding the youths' possible whereabouts.

CTU will assist the DPO of Record in expeditiously locating the youth and fulfilling the additional obligations outlined in the "Expeditiously Locate" section of this document.

A designated CTU DPO will confirm that the information has been entered by law enforcement into the Federal Bureau of Investigation (FBI) National Crime Information Center (NCIC) database, and will document the report information in PCMS under [Case Note Type> CSEC> Missing].

Reporting to the National Center for Missing and Exploited Children (NCMEC):

The designated CTU DPO will file a report with the NCMEC within 24 hours of receiving information that the youth is missing. When making the report to NCMEC, the CTU DPO should have the following information readily available in order to expedite the reporting process:

- Youth's full name;
- Youth's date of birth;
- Date and location the youth went missing;
- Name and contact of the investigating law enforcement agency;
- Law enforcement report/case number;
- Parent(s) / guardian(s) information (for NMDs, this will be the DPO);
- Recent photo of the missing youth.

After all reporting requirements are met, the CTU DPO shall document the following information in PCMS [Case Note Type> CSEC> Missing]:

- The law enforcement agency to which the report was made;
- The date the report to law enforcement was made;
- The missing person's report number;
- Verification that the law enforcement agency entered the youth's information into the NCIC database;
- Verification that a report was made to NCMEC; and
- The date the report to NCMEC was made.

Notification(s):

The DPO of Record shall immediately notify the youth's parent(s)/guardian(s), attorney, tribal representative, and Court Appointed Special Advocate, if applicable. The DPO of Record shall notify the court via a request for a bench warrant, no later than 24 hours upon determining that the youth's whereabouts are unknown.

For NMDs, the DPO of Record must reasonably determine that the youth is missing from care, in order for the above reporting and notification requirements to apply. It must be determined that the NMD suffers from competency issues, or the DPO must have a reasonable suspicion that the NMD is a victim of harm or foul play.

Expeditiously Locate:

When a youth goes missing, the Department is required to expeditiously locate the youth. On a monthly basis, the DPO of Record shall document efforts to locate the youth in PCMS [Case Note Type>CSEC>Missing] and CWS/CMS. The DPO of Record will work together with CTU to make additional efforts to locate the youth, which will at minimum include:

- Contacting the individual(s) who noticed the youth's disappearance;
- Contacting significant persons in the youth's life (parent(s)/guardian(s), siblings, relatives, friends, former caregivers, former/current schools, service providers, etc.);
- Requesting the caregiver and/or parent contact the above individuals and report additional information obtained or known whereabouts of the youth;
- Physically checking all places the youth is likely to be;
- Following up on leads received regarding the youth's whereabouts;
- Conducting visits to relevant addresses;
- Requesting law enforcement conduct a welfare check;
- Searching social media (if authorized to do so);
- Searching public locator databases (e.g. California Missing Child Clearinghouse, NCMECP other probation systems, etc.)

Responding to Youth Upon Return:

Report:

Once the DPO of Record is made aware that a youth previously reported as missing/abducted (to NCMEC and law enforcement) has been recovered/located, the DPO shall notify CTU within 1 business day. The CTU shall contact law enforcement and the NCMEC Case Manager assigned to the youth's case to inform them of the youth's recovery. The DPO of Record shall contact other relevant parties, including youth's parent (s) / guardian(s) and the court. The DPO of Record shall document this information in PCMS [Case Note Type>CSEC>Missing] and the CTU DPO will document in CWS/CMS.

Assess Needs

Youth detained in Juvenile Hall:

Upon recovery, missing and runaway probation, CSEC youth with an outstanding bench warrant will be detained in juvenile hall, pending court proceedings, to determine the course of action most supportive of the youth's safety and rehabilitative needs. The Detention Services Bureau along with co-located County Partners, as appropriate, will address the youth's immediate needs including medical care, mental health services, or law enforcement assistance (to address victimization / exploitation or exposure to or participation in criminal activity).

Youth returning Home or to a Short-term Residential Therapeutic Program (STRTP – formerly Group Home) or a Resource Family (formerly known as foster parent(s) (no warrant):

If the youth returns home or to a STRTP or a Resource Family before a bench warrant is requested or issued in the system, the DPO of Record shall conduct a face-to-face contact with the youth within 72 business hours. If the DPO of Record is unavailable, the unit Supervising Deputy Probation Officer (SDPO) will assign another DPO to conduct the face-to-face contact.

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The purpose of the face to face contact (or debrief interview – see requirements below) is to determine the immediate needs of the youth and to refer the youth to critical services such as medical, and/or mental health, foster youth services, or law enforcement assistance due to victimization/exploitation.

Debrief

For Juvenile Field staff, a debrief interview is required for youth upon being located/recovered including those who are considered runaways, missing or on a warrant status. For non-detained youth, the debrief interview and the youth's needs assessment can be conducted simultaneously, but must be completed within 72 business hours of notification of the youth's whereabouts.

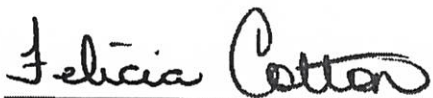
For missing/runaway youth who have been located and detained in juvenile hall, a debrief shall be completed within 24 hours of the youth being detained. For CSEC identified youth the debrief will be conducted by the CSEC Coordinator and for all other missing/runaway youth, the debrief shall be conducted by the Orientation Staff. See debrief requirements below.

When meeting with the youth, the staff shall:

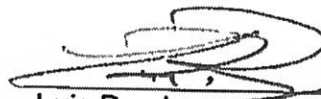
1. Determine the primary factors that contributed to the youth running away from home or being absent from care;
2. Respond to factors identified above in subsequent placements or when returning home, to the extent possible;
3. Learn about the youth's experiences while missing, including whether the youth is a possible victim of CSE, and where and with whom the youth may have stayed;
4. Document the activities and information described by the youth for federal reporting purposes by scanning the debrief form to the DPO of Record (if the debrief takes place in Juvenile Hall) to be placed in the youth's PDJ File, and note in PCMS [Case Note Type> CSEC>Missing] that the debrief was completed.

Refer to the Debrief Questionnaire (Attachment I) for more guidance regarding how to facilitate this conversation with the youth and to ensure necessary information is collected.

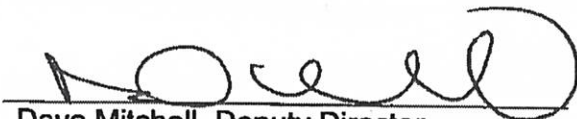
Questions or concerns regarding this Directive shall be directed to the CTU Director, at childtrafficking@probation.lacounty.gov.



Felicia Cotton, Deputy Director
Juvenile Field Services Bureau



Luis Dominguez, Deputy Director
Detention Services Bureau



Dave Mitchell, Deputy Director
Residential Treatment Services Bureau

Debrief Questionnaire

Date of Debrief: _____

Youth Name: _____

PDJ #: _____

1. What were some of the reasons you left your placement/home?
2. Tell me a little more about what was happening right before you left?
3. What was the first thing you did after you left - Where did you go?
4. If you were planning to go to specific place, did you go there? ☐ Yes ☐ No
5. Did anyone encourage you to leave? ☐ Yes ☐ No
6. Did you tell anyone you were leaving before you left? ☐ Yes ☐ No If so, who did you tell?
7. Where and with whom did you stay while you were gone?
8. Was there anything that placement staff/parent or your probation officer could have done to make it easier for you to stay in placement/home? ☐ Yes ☐ No If yes, explain:
9. Did you have a plan about how to take care of yourself while you were gone, and did it work out?
10. Did you have a plan in place before you left about places you could go / people you could contact if you were in trouble or needed help (i.e., a Safety and Support Plan)? ☐ Yes ☐ No
 - a. If yes, was it helpful (explain how it was helpful/ why it was not helpful):
11. Have you ever run away before? ☐ Yes ☐ No If yes, when and why?
12. Do you need any additional services or support, including medical care or mental health support at this time? ☐ Yes ☐ No If yes, explain
13. Do you want to return home/foster care placement? ☐ Yes ☐ No If no, explain (I will relay this information to the DPO of Record.):
14. Is there anything else you would like to share that has not been asked or that I can relay to your Probation Officer?