



CITY OF ORANGE

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September 6, 2012

The Honorable Thomas J. Borris
Presiding Judge of the Superior Court
Orange County Superior Court
700 Civic Center Drive West
Santa Ana, CA 92701

Re: The Orange County Grand Jury report on *Sex Trafficking of Girls*,

The Honorable Thomas J. Borris:

This is in response to the Orange County Grand Jury study and report on *Sex Trafficking and Girls*, dated June 19, 2012. My staff and I have reviewed the report's summary, findings, and recommendations. In compliance with Penal Code Section 933.05(a) and (b), I am providing the requested answers to the items listed in the *Response Matrix*.

Findings:

F1 The Human Trafficking Task Force (HTTF) recognized that more law enforcement training is needed in sex trafficking.

A1 The respondent agrees with the finding.

F3 Child victims of sex trafficking are often misidentified. Due to the lack of proper identification of the child's age, law enforcement agencies may be able to charge the trafficker/pimp with child related sex trafficking violations.

A3 The respondent agrees with the finding.

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F4 Trafficked minors often flee non-secure shelters. Law enforcement and prosecutors may request detention of a child to protect them from repeated exploitation by pimps.

A4 The respondent agrees with the finding.

F5 Penal Code Section 1275.1 allows the courts to set conditions on bail, including presenting probable cause that the bail money (or the security for the bond) was legally obtained. This provision allows law enforcement and the courts to hold the perpetrators, which may keep them from intimidating and victimizing young girls once released.

A5 The respondent agrees with the finding.

F7 Currently, no data base is available to law enforcement agencies to check and identify victims of sex trafficking.

A7 The respondent agrees with the finding.

Recommendations:

R1 Police and Sheriff Departments should provide additional training for all officers to clarify law enforcement's understanding and awareness of minor sex trafficking of girls.

A1 The recommendation requires further analysis. The City of Orange and its police department is derivative of state statute and the City's municipal code. The training of police officers falls within the scope and guidelines of the California Police Officer Standards of Training (P.O.S.T.). As such, all course material suggested for advanced officer training must be approved for content and a timeline for implementation. Although there are *Human Trafficking* courses offered, there are no courses specific to the *Sex Trafficking of Girls*. As such, P.O.S.T. should be tasked with developing a curriculum that provides consistency in training throughout the state.

R2 The Sheriff's Department, city police departments and responsible Orange County agencies should develop a data base using a single term such as "Minor Sex Trafficking" to allow the trafficked victims to be systematically tracked with the result of proper identification and status of a victim of a crime. A consistent label for the crime would allow multiple agencies, communities and regions to research and intervene in a single coordinated effort.

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A2 The recommendation will not be implemented because it is not warranted, or is not reasonable. The guidelines for this type of data base should be developed through a collaborative effort headed by the Department of Justice, Bureau of State Audits, and a committee of state and local agency chiefs. The utility of the recommendation must be clarified to address purpose and privacy issues as they relate to crime victims. As such, procedural policy can be established for the consistent tracking and retrieval of information as well as identifying funding sources to establish, maintain and update the system.

R3 Law enforcement agencies and district attorneys should consider using the provisions of California Penal Code Section 1275.1 more frequently if they have cause to believe that the source of bail money for a 'pimp' or 'john' was illegally obtained.

A3 The recommendation has been implemented. Pursuant to Penal Code 1275.1(2), anytime the source of bail money is suspect, a declaration to determine legitimacy of bail funds is submitted through the prosecuting attorney of the Orange County District Attorney's office.

Sincerely,



Robert H. Gustafson, Chief of Police
Orange Police Department