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POLICE DEPARTMENT
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JACKIE GOMEZ-WHITELEY
Chief of Police

September 13, 2012

Mr. Thomas J. Borris, Presiding Judge
Superior Court
700 Civic Center Drive West
Santa Ana, CA 92701

Dear Honorable Thomas J. Borris:

We have completed the enclosed survey pursuant to your request relative to the subject of "Sex Trafficking of Girls."

Should you have any questions regarding these responses, please contact me at 714/229-6621.

Sincerely,

Steven Ramsey, Acting Chief of Police
For Jackie Gomez-Whiteley, Chief of Police
Cypress Police Department

Encl.

Cc: Mr. Roy B. Baker III, Foreman
Orange County Grand Jury

Doug Bailey, Mayor

Prakash Narain, M.D., Mayor Pro Tem **Phil Luebben**, Council Member

Leroy Mills, Council Member **Todd W. Seymore**, Council Member

SURVEY TO AGENCIES/DEPARTMENTS
REGARDING SEX TRAFFICKING OF GIRLS

FINDINGS

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

The Cypress Police Department **agrees** with this finding and supports the efforts of the Human Trafficking Task Force. The HTTF has been this department's primary training advisor and resource concerning this topic. The Cypress Police Department recognizes that further specialized training in the investigation of sex trafficking can only benefit law enforcement.

- 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 unable to charge the trafficker/pimp with child related sex trafficking violations.*

The Cypress Police Department **agrees** with this finding, and acknowledges that this could cause a significant problem. Age of the victim typically determines crime classifications and penalty enhancements in prosecutorial proceedings. Enhanced investigatory tools aiding in this endeavor would be beneficial to both the initial investigation itself, as well as the prosecution of the case.

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

The Cypress Police Department **agrees** with this finding. Any effort to protect and separate the victim from the pimp/trafficker/perpetrator is highly supported. This not only protects the victim, it also protects the integrity of the case which ideally leads to prosecution of the offender.

- 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 illegally 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.*

The Cypress Police Department **agrees** with this finding. This is a proven, effective measure that has been implemented and utilized for years in major narcotics trafficking investigations. Our system should not allow proceeds of illicit crimes to fund a suspect's release back into society. This affords the offender the opportunity to flee this country and ultimately to avoid prosecution. By

retaining the offender further victimization is prevented and the justice system can proceed in a timely manner.

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

The Cypress Police Department **agrees** with this finding. As human trafficking issues continue to increase, enhanced investigative processes should be implemented. This is not solely for the sake of the investigation, but primarily for the sake of the victims and their families. Anything that can be done to enhance identification in these investigations will only prove beneficial.

RECOMMENDATIONS

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

Accomplished. In July and August 2011, members of the Orange County Human Trafficking Task Force provided 30-minute briefing training sessions to our officers. This included awareness, recruiting methods, and trade background.

In July 2012, Casa Youth Shelter provided 30-minute training sessions to our officers on the topic of human/sex trafficking. This included background and awareness training to include trade operations. Factual data concerning the victims, how they are recruited and forced into the business, and how to identify such incidents were covered.

- 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 a proper identification and status as a victim of crime. A consistent label for the crime would allow multiple agencies, communities and regions to research and intervene in a single coordinated effort.*

This recommendation requires further analysis. The Cypress Police Department as a municipal law enforcement agency would welcome the development of such a system. A system of this type would likely need to be developed through the Human Trafficking Task Force on a county or state level with shared access by local agencies. This task force is the lead entity specifically charged with collecting intelligence information and with the investigation of these crimes; therefore, they would be the logical agency to facilitate this.

There may; however, be legal implications concerning the disclosure of information regarding victims of sex offenses and juveniles. Data access concerning these protected groups is restricted and systematic tracking and collection of this data could raise legal concerns. The task force would likely need to seek legal advice in addition to funding sources for such a project.

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

Accomplished. The Cypress Police Department has developed and distributed a formal training bulletin to all members of the Department outlining the use and application of Penal Code §1275.1 relative to trafficking and prostitution cases.

Historically our department has utilized this penal code section in narcotics trafficking cases where bail money is likely the proceeds of narcotics sales. Application of this penal code section will be expanded and emphasized on any and all prostitution and human trafficking cases pursuant to this recommendation.