



Newport Beach Police Department

Jay R. Johnson *Chief of Police*

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September 18, 2012

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

Dear Judge Borris:

In compliance with California Penal Code §933.05 (a) and (b), the Newport Beach Police Department provides the following response to the 2011-2012 Orange County Grand Jury report, "**Sex Trafficking of Girls.**"

FINDINGS:

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

The Newport Beach Police Department agrees with this 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 unable to charge the trafficker/pimp with child related sex trafficking violations.

The Newport Beach Police Department agrees with this finding.

F4: Trafficked minors often flee non-secure shelters.

The Newport Beach Police Department agrees with this finding.

F5: Penal Code §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 Newport Beach Police Department agrees with this finding.

F7: Currently no database is available to law enforcement agencies to check and identify victims of sex trafficking.

The Newport Police Department partially disagrees with this finding.

While there is no dedicated database for this information, resources are available to determine and track victims of sex trafficking. Local databases, such as COPLINK and VISION, can be used to track victims, suspects, and County court cases. COPLINK is a regional database sharing information from many jurisdictions, including Southern California. NBPD Juvenile Detectives can access the National Center for Missing and Exploited Children, which can be used to identify child victims in these types of crimes as well as apprehend suspects. NBPD Juvenile Detectives also have access to the privately sponsored Internet Crimes Against Children (ICAC) database and Child Protection System, which was developed by TLO Online Investigative Systems to monitor and track child pornography. NBPD Detectives work closely with agents from the Department of Homeland Security (DHS) and have Juvenile Detectives assigned to the Orange County Child Exploitation Task Force. Resources from the DHS and task force elements are available through these contacts.

The Orange County Community Services Program (CSP) provides support and placement for victims of human trafficking/child exploitation and maintains its own database for cases. Many victims referred to this agency come from victim advocate groups or units and, as such, may be restricted due to California laws regarding the confidentiality of certain crime victims and juveniles.

The Orange County Intelligence Assessment Center (OCIAAC) is a local law enforcement intelligence "Fusion Center." OCIAAC, like many counterparts across the nation, was designed after September 11, 2001, to allow information sharing amongst all levels of law enforcement as well as other government entities. Fusion Centers were designed primarily to prevent or disrupt future acts of terrorism and, by design, have excellent networking resources within the law enforcement communities. As a case in point, many of the contacts consulted for this report were referred by OCIAAC.

The Federal Bureau of Investigation (FBI) operates a number of task forces, which operate under the Innocent Images National Initiative and Innocence Lost Initiative. The task forces primarily focus on the human trafficking of minors for sex. The FBI uses its own internal database as well as a system called "Law Enforcement Online" or LEO. LEO is a database system maintained by the FBI for use by law enforcement agencies nationwide. LEO can be used to access other national databases and Special Interest Groups or SIGs. A SIG is a subsystem of LEO that can be used for any law enforcement discipline, such as gambling, smuggling, and human trafficking. Several SIGs already exist for this interest and are listed below:

Law Enforcement Online (LEO) Special Interest Groups (SIGS)

SIG Name	Primary Agency/Jurisdiction	Function
Innocence Lost Initiative	FBI	Children for Prostitution
Lane County Human Trafficking Task Force (LCHTTF)	Oregon	Human Trafficking
Southwestern Pennsylvania Anti-Human Trafficking Coalition (SWPAAHTC)	Pennsylvania	Human Trafficking
Texas Human Trafficking Prevention Task Force (THPTF)	Texas	Human Trafficking
University of North Texas Center for Human Identification Forensic	University of North Texas	Missing Persons/Forensic

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.

The Newport Beach Police Department has begun implementation of this recommendation. Four Police Officers, three Sergeants, and one Lieutenant attended POST Human Trafficking of Minors training on September 12, 2012. Information obtained at this training will be used to develop department-wide training, which will be presented to all sworn officers prior to January 1, 2013.

R2: The Sheriff's Department, city police departments and responsible Orange County agencies should develop a database 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 a 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 cannot be implemented by this agency. Development of a database of this type requires multi-agency cooperation at the local, state, and federal levels. It is unclear if an existing database, such as described above, can be shared in a more broad and consistent manner or if a dedicated database should be created. Funding for the development, implementation, and operation of the database is also unknown. Development of this database should be part

of a comprehensive strategic plan, as outlined in Recommendation 4. This strategic plan should be established with timetables and funding options identified.

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

This recommendation will be implemented immediately and will be supported through the training discussed in Recommendation 1.

The Newport Beach Police Department is committed to the identification and safety of victims of human trafficking and sex trafficking of girls. We look forward to working with the Orange County Grand Jury, as well as other agencies and groups, to positively impact this growing issue.

Sincerely,



Jay R. Johnson
CHIEF OF POLICE

c: The Orange County Grand Jury