



Westminster Police Department

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Kevin Baker, Chief of Police

September 18, 2012

Roy B. Baker III, Foreman et al
2011-2012 Orange County Grand Jury
700 Civic Center Drive West
Santa Ana, CA 92701

Re: 2011-12 Grand Jury Report, "Sex Trafficking of Girls"

Dear Foreman Baker & Jury Members:

Please accept this letter and enclosed document as Westminster Police Department's response to the 2011-2012 Grand Jury report, "Sex Trafficking of Girls." We are pleased to provide you with our response to your findings per *California Penal Code Sections 933 and 933.05*.

Best regards,

Kevin Baker
Chief of Police

Service with Integrity

GRAND JURY FINDINGS

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

- A. The Westminster Police Department agrees with the finding.
- B. Between 2010 and 2012, the OCHTTF via the Westminster Police Department conducted briefing and detective/investigator trainings between 15 minutes to an hour on human trafficking for law enforcement throughout the county (e.g. Sheriff's Department, local police departments, probation department, DA investigators). Training was not sex trafficking or sex trafficking of girls specific instruction, but general human trafficking. Distribution of resource cards for assistance and information was included.

In addition, the OCHTTF administers an 8-hour Human Trafficking of Minors course that is POST & STC certified for the state of California as a continual curriculum for law enforcement, but is not obligatory. The training course is designed to provide a comprehensive and collaborative approach to address the trafficking of minors. Along with the course, a corresponding website will be available September 30, 2012, for law enforcement and first responders to access more information, resources and training information. Since the grand jury report, the 8-hour training course was implemented in Orange County on September 12, 2012, held at the Westminster Police Department.

F2—Child victims of sex trafficking require special shelter.

- A. The Westminster Police Department 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 unable to charge the trafficker/pimp with child related sex trafficking violations.

- A. The Westminster Police Department agrees with the finding.
- B. Assessing the age of a girl being prostituted is often difficult when only relying on facial features as "age appropriate" and without identification it would be difficult for law enforcement to make appropriate arrests or detainment. However, anyone who looks young and suspected of engaging in commercial sex acts should be stopped and run

through the system whether a physical or verbal ID is provided. If false ID comes up, it warrants further questioning of age and reasoning behind providing false ID.

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.

- A. The Westminster Police Department agrees with the finding.
- B. Minors who have been prostituted are migratory for two reasons: 1.) a history of being a runaway from an abusive or neglectful home environment 2.) being continuously on the move from different cities and states is part of “the life”. In combination with their emotional connection to their pimps who they identify frequently as a boyfriend, rather than an abuser, victims will often reach out to their pimp and return to them.

Law enforcement and prosecutors may request detention of a child if there is strong cause for concern for her safety either returning back into the pimp’s hands or unsafe environment back home. However, due to the nature of human trafficking and exercising control and behavior of a victim, a victim-centered approach from the task force model would include victim service providers’ involvement to help support the child through the decision making process and understanding of the housing choices, rather than reinforcing the same stereotypical image that they are criminals requiring automatic incarceration.

F5 – Penal Code Section 1275.1 allows the courts to set conditions on bail, including presenting probably 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 [the young girls] are released.

- A. The Westminster Police Department agrees with the finding.

F6 – No safe group home currently exists in Orange County to shelter the victim from a trafficker or pimp and provide for stabilization.

- A. The Westminster Police Department is unsure what the Grand Jury finding means by “safe.” If “safe” refers to a facility that can secure a juvenile without concern for them running away, then we believe this is accurate. However, Orangewood Children’s Home

has been a place where juvenile victims of trafficking have gone and received appropriate and successful treatment.

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

- A. The Westminster Police Department agrees with the finding.

GRAND JURY 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.

- A. The Westminster Police Department has implemented this recommendation since 2004, when it began to actively participate in the Orange County Human Trafficking Task Force. Members of the department have been trained in basic identification of potential trafficking situations, advanced investigative techniques, and have proactively pursued human trafficking investigations for several years. In addition, we have participated in the state-wide, non-mandatory 8-hour POST and STC certified human trafficking training offered by the Orange County Human Trafficking Task Force around the state since 2010.

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.

- A. All police departments will implement this recommendation this year as a result of the Uniform Crime Report requiring unique identification of cases involving human trafficking. Through the task force and grant requirements, the Westminster Police Department has been tracking and reporting about human trafficking victims served in a federal database developed by the Office of Victims of Crimes as of 2009, and a state database developed by the California Emergency Management Agency effective in 2009. The Westminster Police Department, as part of our grant responsibilities, has tracked and reported all human trafficking cases we have been aware of into both databases.

Due to the privacy requirement required by victims of crimes, and the additional privacy concerns related to juvenile victims of crimes, we have had to develop unique identifiers to effectively track and label our victims. We suggest continuing to include Community Service Programs, Inc., the Salvation Army and the Public Law Center as victim advocates in human trafficking cases in order to provide consistent victim services and centralized tracking of victims in Orange County. These agencies are familiar with the proper reporting of trafficking victims of all ages, and can provide and/or coordinate needed resources and support to transition HT victims into becoming survivors.

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.

- A. The Westminster Police Department agrees with the recommendation and will consider suggesting this in current and any future cases involving human trafficking.

R4 – The County Executive Officer should direct responsible agencies to develop a strategic plan to eliminate the growing problem and meet the immediate need for food, shelter, treatment and protection from exploitation. The establishment of a safe group home in Orange County would be instrumental in meeting this need.

- A. The Westminster Police Department defers to the County Executive Officer for implementing this recommendation.