

Juvenile Services: Commercially Sexually Exploited Children (CSEC) After Hours Response

635.1 PURPOSE AND SCOPE

The Probation Department recognizes the widespread and serious social issue of human trafficking. The Probation Department acknowledges human trafficking is a crime that penetrates the community at various levels. Further, the commercial sexual exploitation of a child is a form of child abuse and causes multiple levels of trauma. Youth who experience such trauma may exhibit many behaviors and choices that are a manifestation of such trauma, which puts them at increased risk of entering the Juvenile Justice System. The physical, psychological, emotional, and social harms of sexual exploitation require a range of victim-centered and trauma-informed services, which build upon a youth's strengths. The Probation Department is committed to providing services to such youth in a manner that is trauma-informed, specific to the needs of each youth, and flexible. This continuum of services will address criminogenic needs through the use of victim-centered practices in an effort to reduce harm and re-traumatization. Through this emerging body of work, the Probation Department is committed to enhancing staff awareness, knowledge, response to behaviors, and training.

In 2014, Senate Bill (SB) 855 amended state law to clarify that commercially sexually exploited children (CSEC) whose parents or guardians failed or were unable to protect them may fall within the description of Section 300(b) of the Welfare and Institutions Code and potentially be adjudged as dependents of the juvenile court. The legislature established a state-funded County CSEC Program, which the County of Santa Clara opted into.

The two primary requirements of the CSEC Program, established by SB 855 are as follows:

- (a) Development of an interagency protocol developed by representatives from the Department of Family and Children's Services (DFCS), Probation, Behavioral Health, Public Health, and Juvenile Courts.
- (b) Use of a multidisciplinary team (MDT) approach to case planning with participation from, at a minimum, representatives from DFCS (lead agency), Probation, Behavioral Health, and Public Health.

635.2 POLICY

It is the policy of this Department to work in accordance with the COUNTY OF SANTA CLARA PROTOCOL AND MEMORANDUM OF UNDERSTANDING FOR COMMERCIALY SEXUALLY EXPLOITED CHILDREN, and respond on-site, within departmental guidelines, if youth are contacted by law enforcement or another agency and an Immediate/Crisis Response (ICR) MDT is warranted.

635.3 REFERENCES

Refer to the Juvenile Services: Commercially Sexually Exploited Children (CSEC) After Hours Response Procedure in the **Administration and Field Services Procedure Manual**.

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Administration and Field Services Policy

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635.1 INTRODUCTION

The following provides guidelines for Immediate/Crisis Response (ICR) for youth who are identified as Commercially Sexually Exploited Children (CSEC).

635.2 PROCEDURE

The COUNTY OF SANTA CLARA PROTOCOL AND MEMORANDUM OF UNDERSTANDING FOR COMMERCIALY SEXUALLY EXPLOITED CHILDREN provides a structure for county agencies to collaboratively work with youth identified as CSEC. If youth are contacted by law enforcement or another agency and an Immediate/Crisis Response (ICR) multidisciplinary team (MDT) is warranted, a Deputy Probation Officer (DPO) will respond on-site within two (2) hours when appropriate.

- (a) This protocol would be applicable to:
 - 1. Santa Clara County youth who are Juvenile Court Wards pursuant to Section 602 of the Welfare and Institutions (WIC) Code.
 - 2. Youth assigned to the Dually Involved Youth Unit, including Section 602 WIC Juvenile Court Wards, Dual Status Youth (when Juvenile Justice is the Lead Agency), and non-Wards pursuant to Sections 654 WIC, 654.2 WIC, 725 WIC or 790 WIC.
- (b) In order to meet this need, a CSEC Response Team will be created, which will be comprised of:
 - 1. Deputy Probation Officer (DPO) volunteers who choose to participate.
 - 2. Volunteers must have at least two years of experience as a DPO.
 - 3. DPO must respond within 2 hours of being notified to the youth's location when an Immediate/Crisis Response (ICR) MDT is required.
 - 4. DPO who has received specialized training specific to CSEC after-hours response protocols (this training will be offered if all other criteria is met).
 - 5. DPO agrees to respond via telephone or in person in the field after hours as outlined below.
 - 6. The CSEC Coordinator can be designated as an alternative to the CSEC Response Team member.

635.2.1 RESPONSE TEAM

The CSEC Response Team will be specifically trained to respond to CSEC cases. It is expected that the DPO in the Team will be in alignment with the philosophical and practical approach to CSEC youth to providing immediate alternatives to Juvenile Hall.

- (a) On-Call Screening CSEC Response Team

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1. The On-Call Screening DPO will respond to CSEC calls via telephone or in person during the hours of 11:00 p.m. and 7:00 a.m., Monday-Sunday.
2. When the On-Call Screening DPO receives a telephone call from the Juvenile Hall Intake Counselor regarding CSEC, the On-Call DPO will call the main contact person (Law Enforcement Officer or Emergency Response Worker) in the field to confirm:
 - (a) If a telephone call response is sufficient; -OR-
 - (b) If an in-person response is necessary. The On-Call Screening DPO or CSEC Coordinator must respond to the youth's location within two hours of being notified, when practicable.
- (b) Voluntary Overtime CSEC Response Team
 1. The CSEC Response Team DPO responds to CSEC calls via telephone or in person during the hours of 5:00 p.m. and 11:00 p.m. Monday-Friday, and during the hours of 7:00 a.m. and 11:00 p.m. on Saturday, Sunday, and Holidays.
 2. The list will rotate as the members are called out to respond.
 3. This Overtime list of CSEC Response Team Members will be created and maintained in the Screening Unit.
 4. The Screening Desk On-Duty DPO will receive a telephone call from either a Law Enforcement Agency or the Child Abuse and Neglect (CAN) Center.
 - (a) The Screening Desk On-Duty DPO will determine if an immediate response is necessary.
 - (b) If a response is required, they will contact the first member of the CSEC Response Team on the Voluntary Overtime list.
 1. A member has 5 minutes to respond to the Screening Desk On Duty DPO.
 2. If a member of the CSEC Response Team does not answer the call, the next person on the list will be contacted.
 3. If CSEC Response Team DPO does not answer the call within 5 minutes, they will be moved to the bottom of this list.
 4. If CSEC Response Team DPO answers the call, but is not able to respond, they will be moved to the bottom of the list.
 5. If all CSEC Response Team DPOs do not answer and the list is exhausted, then the On Duty Probation Manager will be called to respond.
 6. A member may request to be removed from this list at anytime.
- (c) Response
 1. If an in-person response is required, the CSEC Response Team DPO or CSEC Coordinator may choose to report to Juvenile Hall to:

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- (a) Obtain keys to a County vehicle, which will be parked in a designated location in front of Juvenile Hall.
 - (b) Inform the JH Control Supervisor of the designated location of where they will be responding.
2. If the CSEC Response Team DPO chooses to respond to the designated location from their residence, they must inform the JH Control Supervisor of the response (location, start time and end time).
3. The CSEC Response Team DPO will then respond to the designated location.
4. The CSEC Response Team DPO and/or CSEC Coordinator may be called upon to participate in scheduled "sweeps" or task force activities specific to CSEC. Participating staff will be identified prior to the designated activity. Participation will be voluntary.
5. CSEC Response Team DPO's responsibilities include, but are not limited to, the below, when responding to the designated location, and most often will include participation in an emergency MDT:
 - (a) Decide on a temporary placement, if needed;
 - (b) Be a resource of information for officers and other partners on site if needed;
 - (c) Work with the CSEC Response Team to facilitate the transportation of the youth to the temporary placement, if necessary;
 - (d) Create a safety plan or confirm with the youth advocate that a safety plan has been created;
 - (e) Engage the youth by utilizing trauma-informed methods and supportive measures consistent with their needs and strengths.

635.2.2 DOCUMENTATION REQUIREMENTS

- (a) The CSEC Response Team DPO will be required to complete and submit an Incident Report (IR) and appropriate case notes entered into the case management system by 5:00 p.m. the following business day.

The Incident Report shall include:

- (a) date responded;
- (b) start time responded;
- (c) end time responded;
- (d) activity (in person response or telephone response);
- (e) a summary of what occurred.

635.2.3 ON-CALL AND VOLUNTARY OVERTIME COMPENSATION

- (a) The CSEC Response Team DPO will submit an Overtime Memo to the Screening SPO to approve.

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- (b) Time worked will be reflected on their timesheet for that pay period.
- (c) If telephone contact is the only response required, the CSEC Response Team DPO will be paid overtime, but the tenth of an hour.
- (d) If in-field/in person response is required, CSEC Response Team DPO will be paid pursuant to call-back pay as outlined in Section 8.5 of the Memorandum of Agreement between County of Santa Clara and Santa Clara County Peace Officer's Union Local 1587.
- (e) On-Call DPO will be paid \$30 per shift as outlined in Section 8.11 of the Memorandum of Agreement between County of Santa Clara and Santa Clara County Peace Officer's Union Local 1587.
- (f) If the responding CSEC Response Team DPO wishes to use their own vehicle, they may do so and submit a mileage reimbursement form provided they are in compliance with County vehicle policy.

635.3 REFERENCES

[County of Santa Clara Probation Department Forms Repository](#)

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