



CITY OF  
*San Rafael*

MAYOR GARY O. PHILLIPS  
VICE MAYOR KATE COLIN  
COUNCILMEMBER MARIBETH BUSHEY  
COUNCILMEMBER JOHN GAMBLIN  
COUNCILMEMBER ANDREW CUYUGAN MCCULLOUGH

CITY CLERK  
415-485-3065

August 30, 2016

The Honorable Judge Kelly V. Simmons  
Marin County Superior Court  
P.O. Box 4988  
San Rafael, CA 94913-4988

John Mann, Foreperson  
Marin County Civil Grand Jury 2015/2016  
3501 Civic Center Drive, Room #275  
San Rafael, CA 94903

Honorable Judge Simmons:  
Mr. Mann:

RE: 2015/2016 Marin County Civil Grand Jury Report: "Marin's Hidden Human Sex Trafficking Challenge – It's Happening in our Backyard"

We are forwarding to you the following documents:

- A certified copy of Resolution No. 14182 adopted by the San Rafael City Council on August 15, 2016, approving and authorizing the Mayor to execute the City's response;
- Original of the "Response to Grand Jury Report Form," executed by Mayor Phillips on August 24, 2016;
- Copy of the City Council Staff Report dated August 15, 2016

Should you need further assistance, please contact me at (415) 485-3065.

Sincerely,

ESTHER C. BEIRNE  
City Clerk

cc: Gary O. Phillips, Mayor of the City of San Rafael  
Jim Schutz, City Manager  
Robert Epstein, City Attorney  
Diana Bishop, Chief of Police

**RESOLUTION NO. 14182**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN RAFAEL APPROVING AND AUTHORIZING THE MAYOR TO EXECUTE THE CITY OF SAN RAFAEL'S RESPONSE TO THE 2015-2016 MARIN COUNTY CIVIL GRAND JURY REPORT ENTITLED "MARIN'S HIDDEN HUMAN SEX TRAFFICKING CHALLENGE, IT'S HAPPENING IN OUR BACKYARD"**

**WHEREAS**, pursuant to Penal Code section 933, a public agency which receives a Grand Jury Report addressing aspects of the public agency's operations, must comment on the Report's findings and recommendations contained in the Report in writing within ninety (90) days to the Presiding Judge of the Superior Court with a copy to the Foreperson of the Grand Jury; and

**WHEREAS**, Penal Code section 933 specifically requires that the "governing body" of the public agency provide said response and, in order to lawfully comply, the governing body must consider and adopt the response at a noticed public meeting pursuant to the Brown Act; and

**WHEREAS**, the City Council of the City of San Rafael has received and reviewed the 2015-2016 Marin County Civil Grand Jury Report, dated June 16, 2016, entitled "Marin's Hidden Human Sex Trafficking Challenge, It's Happening In Our Backyard" and has agendized it at this meeting for a response.

**NOW, THEREFORE, BE IT RESOLVED** that the City Council of the City of San Rafael hereby:

1. Approves and authorizes the Mayor to execute the City of San Rafael's response, attached hereto and incorporated herein by reference, to the 2015-2016 Marin County Civil Grand Jury Report entitled "Marin's Hidden Human Sex Trafficking Challenge, It's Happening in Our Backyard."

2. Directs the City Clerk to forward the City's Grand Jury Report response to the Presiding Judge of the Marin County Superior Court and to the Foreperson of the Marin County Civil Grand Jury.

I, Esther Beirne, Clerk of the City of San Rafael, hereby certify that the foregoing Resolution was duly and regularly introduced and adopted at a regular meeting of the San Rafael City Council held on Monday, August 15, 2016 by the following vote to wit:

AYES: Councilmembers: Bushey, Colin, Gamblin, McCullough & Mayor Phillips  
NOES: Councilmembers: None  
ABSENT: Councilmembers: None

*Esther C. Beirne*  
\_\_\_\_\_  
ESTHER C. BEIRNE, City Clerk

## RESPONSE TO GRAND JURY REPORT FORM

Report Title: Marin's Hidden Human Sex Trafficking Challenge, It's Happening in Our Backyard

Report Date: June 16, 2016

Public Release Date: June 23, 2016

Response by: Mayor Gary Phillips and San Rafael City Council

### FINDINGS:

- We agree with the findings numbered: F7, F8, F12, F13
- We disagree partially with the findings numbered: F1, F4-F6, F9, F11  
(See Attachment A attached and incorporated herein by reference)
- We disagree wholly with the findings numbered: F2, F3, F10  
(See Attachment A attached and incorporated herein by reference)

### RECOMMENDATIONS:

- Recommendations numbered R1, R2 and R5 have been implemented.  
(See Attachment A attached and incorporated herein by reference)
- Recommendations numbered R3, R4, R6 and R7 require further analysis.  
(See Attachment A attached and incorporated herein by reference)

Date: 6/24/16

Signed: \_\_\_\_\_

Gary Phillips, Mayor

Attest: \_\_\_\_\_

Esther Beirne, City Clerk

Number of Pages Attached: 5

## ATTACHMENT "A"

### RESPONSE OF THE CITY OF SAN RAFAEL TO GRAND JURY REPORT

#### MARIN'S HIDDEN HUMAN SEX TRAFFICKING CHALLENGE:

#### IT'S HAPPENING IN OUR BACK YARD

##### Findings:

**F1. Human sex trafficking is mostly unrecognized, under-reported, and rarely subject to intervention in Marin.**

**Response: Disagree partially.**

Human trafficking is most certainly unrecognized and under-reported in Marin and throughout our country. However, when an instance is reported in Marin, officers and investigators work well with advocate groups and law enforcement partners to assist victims and to build a strong case against the perpetrator.

The San Rafael Police Department has experience in these investigations, an awareness of the crime, and a sergeant who is a recognized expert. Of the nine human trafficking cases reported to law enforcement in Marin County in 2015, seven were investigated by the San Rafael Police Department.

Marin County law enforcement also participates in "Operation Cross Country", an initiative led by the Federal Bureau of Investigation to combat the sexual exploitation of children.

**F2. A significant number of human sex trafficking victims are from Marin, not just transients imported from other areas.**

**Response: Disagree.**

There were nine human trafficking cases investigated in Marin County in 2015. One of the nine victims was from Marin County. The remaining victims were from Vallejo, Sacramento, San Francisco, Fresno, Oakland, and University Place, Washington.

**F3. Reports from two Marin County victim advocate organizations show that approximately 30% of victims they aid are under the age of 18.**

**Response: Disagree.**

Of the nine cases investigated in 2015, two involved victims under the age of 18, which is 22.22 percent. It is unknown if the statistic of 30% is from a different group of victims, not just those who have reported the crimes.

**F4. Some Marin County law enforcement officers still believe some human trafficking victims are criminals.**

**Response: Disagree partially.**

It is unknown what each Marin County law enforcement officer believes. Recognition of human trafficking victims as victims rather than suspects is growing. As more training is done, law enforcement professionals in Marin will better understand the difference between those who are forced into prostitution and those who choose to be sex workers.

**F5. State law mandates that officers receive two hours of training on human trafficking and some Marin agencies are not complying with this law.**

**Response: Disagree partially.**

The San Rafael Police Department has complied. What other Marin agencies have done is not known.

**F6. Training of Marin County law enforcement on the *Marin County Uniform Law Enforcement Protocol for Human Trafficking* has been inconsistent across agencies.**

**Response: Disagree partially.**

The San Rafael Police Department has provided the protocol to staff and provided training. What other Marin agencies have done is not known.

**F7. Law enforcement officers and others who are closest to human trafficking believe the California mandated two-hour POST training video on human trafficking is not sufficient.**

**Response: Agree.**

**F8. Marin County law enforcement agencies rarely use multidisciplinary training, incorporating collaboration between Children Family Services (CFS), the District Attorney, law enforcement experts, and possibly victims.**

**Response: Agree.**

**F9. Training for firefighters and EMS professionals in recognizing human trafficking victims and reporting the crime is inconsistent in Marin.**

**Response: Disagree partially.**

Training for firefighters and EMS professionals in Marin County in recognizing instances of human trafficking is important. San Rafael Fire Department personnel completed the Department of Homeland Security's Blue Campaign human trafficking awareness training in 2016. Department members were also issued "Blue Campaign" training cards to carry with them while on duty. It is unknown what training has been provided by other agencies.

**F10. It is difficult to determine the extent of human trafficking in Marin because of inconsistent classification and definitions of the crime, as well as the lack of a central clearinghouse for this data.**

**Response: Disagree.**

The municipal police agencies in Marin County and the Marin County Sheriff's Office share a Crime Analyst. All of the Records Management Systems (RMS) in the county are linked to a single database. The analyst has the ability to gather statistics county-wide on any crime type, including human trafficking. She is able to search by listed crime type as well as by key words. A sample of her work product relating to human trafficking is attached.

**F11. The Marin County school districts do not provide education on a systematic basis for students, parents and teachers in recognizing signs of human trafficking.**

**Response: Disagree partially.**

Training for school personnel in Marin County in recognizing signs of human trafficking is important. It is unknown what training has been done.

**F12. Human trafficking outreach has been fragmented and is currently insufficient in reaching critical audiences.**

**Response: Agree.**

**F13. The Marin County Coalition to End Human Trafficking Coalition needs dedicated resources to make it more effective.**

**Response: Agree.**

**Recommendations:**

**R1. All law enforcement officers should be consistently trained in the *Marin County Uniform Law Enforcement Protocol for Law Enforcement*.**

**Response: Has been implemented. (In San Rafael)**

This training was completed by the San Rafael Police Department in May of 2016.

**R2. All Marin law enforcement agency heads should insure their officers receive the California mandated two hour human trafficking training.**

**Response: Has been implemented.**

This training was completed by the San Rafael Police Department in May of 2016.

**R3. The Board of Supervisors should convene a local group of human trafficking experts (including CFS, law enforcement subject experts, FBI, victim advocates, DA's, and perhaps a victim) to create a multidisciplinary training presentation. This training should include the unique roles of all County personnel, resources, and processes, in addressing human trafficking. Additional resources will be needed to support this training as none are devoted to this task now. This training should include information on the trafficking of females and males, as well as LGBTQ.**

**Response: This recommendation requires further analysis.**

If and when the Board of Supervisors convenes the above group, the San Rafael Police Department will gladly participate.

**R4. Once this multi-disciplinary training package is completed, Marin County law enforcement agencies should ensure that all Marin law enforcement officers be trained.**

**Response: This recommendation requires further analysis.**

As we have recently completed the required POST training, the number of hours of any additional training would have to be considered in our already scheduled training cycle.

**R5. Marin County fire departments should ensure that all EMS personnel are trained in recognizing human trafficking and how to report it, and incorporate this in their annual training.**

**Response: Has been implemented.**

The recommendation has been implemented by the San Rafael Fire Department. SRFD personnel completed the Department of Homeland Security's Blue Campaign human trafficking awareness training in 2016. Department members were also issued "Blue Campaign" training cards to carry with them while on duty.

All Fire Department first responders will receive additional classroom training by the San Rafael Police Department and refresher training will be provided on an annual basis.

**R6. The Board of Supervisors should fund the creation of a database that systematically tracks adult and minor victims, using consistent classification and shared definitions to properly identify the victim and the crime, as well as document its prevalence. Data should be gathered from any organization dealing with trafficking victims, including law enforcement agencies, government agencies (e.g. Marin County Health and Human Services), civic organizations, and victim advocate organizations.**

**Response: This recommendation requires further analysis.**

If and when the Board of Supervisors allots funds for the above database, the San Rafael Police Department will provide data (within the requirements of the law).

**R7. Marin County Office of Education should work with the Marin County School/Law Enforcement Partnership to develop educational programs to ensure that students, parents, and teachers are trained in recognizing the signs of human trafficking and where they can find help.**

**Response: This recommendation requires further analysis.**

The San Rafael Police Department is an active member of the Marin County School/Law Enforcement Partnership. We are interested in working within this group to develop the above educational programs.

# MARIN COUNTY LAW ENFORCEMENT EFFORTS TO COMBAT HUMAN TRAFFICKING

**In 2015, Marin County law enforcement agencies took:**

**102** Cases Involving Prostitution and/or Human Trafficking

of the 102...

**9** Human Trafficking Cases Confirmed

Additionally...

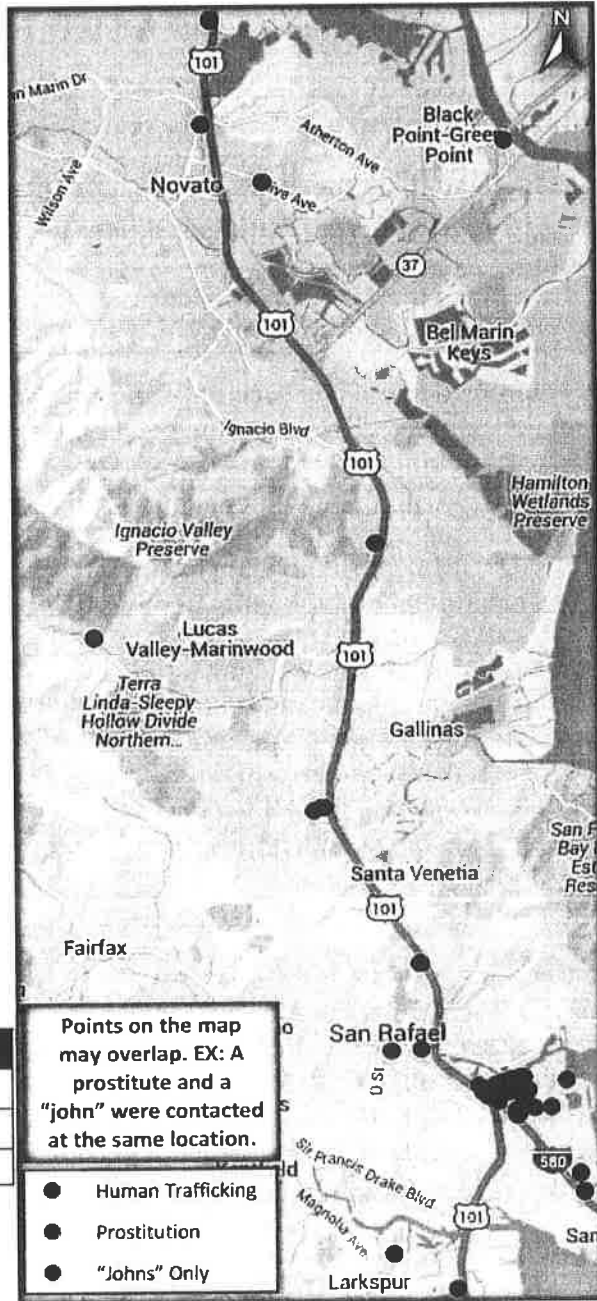
**19** Stings or Operations Conducted

Operations and stings are performed by an individual agency or several departments join together and conduct grant-funded operations. Locations of the events included *Novato, Mill Valley, and San Rafael.*

Where do the individuals involved in prostitution or human trafficking in Marin come from?

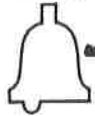
**TOP 2 CITIES OF ORIGIN FOR EACH INVOLVED PARTY**

PROSTITUTE	JOHN	PIMP / TRAFFICKER
SACRAMENTO (15)	SAN RAFAEL (25)	VALLEJO (3)
OAKLAND (9)	NOVATO (4)	RICHMOND (2)
Numbers may contain more than 1 contact with the same individual.		
<b>89</b> contacts	<b>38</b> contacts	<b>12</b> contacts



Not all instances of human trafficking in Marin County are reported to law enforcement. The above data is a representation of events reported to and investigated by law enforcement. Many cases go unreported, the victim may deny being trafficked, or the victim may go directly to a service provider for assistance.





## SAN RAFAEL CITY COUNCIL AGENDA REPORT

Department: Police/Fire

Prepared by: Diana Bishop  
Chief of Police

City Manager Approval: \_\_\_\_\_

**TOPIC:** Response to the Grand Jury Report on Human Sex Trafficking

**SUBJECT:** Consideration of a Resolution of the City Council of the City of San Rafael Approving and Authorizing the Mayor to Execute the City of San Rafael Response to the 2015-2016 Marin County Civil Grand Jury Report Entitled "Marin's Hidden Human Sex Trafficking Challenge, It's Happening in Our Backyard"

**RECOMMENDATION:**

Staff recommends that the City Council adopt the attached Resolution approving the proposed response to the Grand Jury report and authorizing the Mayor to execute the response.

**BACKGROUND:**

The 2015-2016 Marin County Civil Grand Jury has issued its report dated June 16, 2016 entitled "Marin's Hidden-Human Sex Trafficking Challenge, It's Happening in Our Backyard" (see Attachment B). The Grand Jury has requested a response from all the cities and towns in Marin and the Central Marin Police Authority. The City of San Rafael has been requested to respond to Findings F1-F13 and Recommendations R1-R7. The Grand Jury's findings and recommendations are set out on pages twenty-two and twenty-three (22 and 23) of the thirty-two (32) page report.

The Grand Jury recommends the following:

- All law enforcement officers should be consistently trained in the *Marin County Uniform Law Enforcement Protocol for Human Trafficking*.
- All Marin law enforcement agency heads should ensure their officers receive the California mandated two hour human trafficking training.
- The Board of Supervisors should convene a local group of human trafficking experts (including Children and Family Services (CFS), law enforcement subject experts, FBI, victim advocates, DAs, and perhaps a victim) to create a multidisciplinary training presentation. This training

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**FOR CITY CLERK ONLY**

**File No.:**

**Council Meeting:**

**Disposition:**

should include the unique roles of all county personnel, resources, and processes in addressing human trafficking. Additional resources will be needed to support this training as none are devoted to this task now. This training should include information on the trafficking of females and males, as well as Lesbian, Gay, Bisexual, Transgender, and Questioning (LGBTQ) persons.

- Once this multi-disciplinary training package is completed, Marin County law enforcement agencies should ensure that all Marin law enforcement officers be trained.
- Marin County fire departments should ensure that all Emergency Medical Services (EMS) personnel are trained in recognizing human trafficking and how to report it, and incorporate this in their annual training.
- The Board of Supervisors should fund the creation of a database that systematically tracks adult and minor victims, using consistent classification and shared definitions to properly identify the victim and the crime, as well as document its prevalence. Data should be gathered from any organization dealing with trafficking victims, including law enforcement agencies, government agencies (e.g. Marin County Health & Human Services), civic organizations, and victim advocate organizations.
- Marin County Office of Education should work with the Marin County School/Law Enforcement Partnership to develop educational programs to ensure that student, parents, and teachers are trained in recognizing the signs of human trafficking and where they can find help.
- The Board of Supervisors should provide the Marin County Human Trafficking Coalition with resources necessary to expand community outreach to schools, faith communities and the public. The Coalition should explore a grant for a dedicated position that supports coalition logistics and outreach campaigns.

**ANALYSIS:**

As more fully set forth in the proposed response to the Grand Jury (see exhibit to attached Resolution), Staff agrees with Grand Jury Findings F7-F8 and F12-13. Staff partially disagrees with Findings F1, F4-F6, F9, and F11. Staff disagrees wholly with Findings F2, F3 and F10. Staff has implemented Recommendations R1, R2 and R5. Recommendations R3, R4, R6 and R7 require further analysis.

The City is required to respond to the Grand Jury Report. Penal Code Section 933 states in part:

“No later than 90 days after the Grand Jury submits a final report...the governing body of the public agency shall comment to the presiding Judge of the Superior Court on the findings and recommendations...[contained in the report].”

To comply with this statute, the City’s response to the Grand Jury report must be approved by Resolution of the City Council and submitted to the Presiding Judge of the Marin County Superior Court and the Foreperson of the Grand Jury by September 14, 2016. A proposed Resolution is attached that would approve the City’s response (Attachment A).

**FISCAL IMPACT:**

None.

**OPTIONS:**

The City is required to respond, however, the Council could make changes to the proposed response and then adopt the Resolution and revised response. Alternatively, the Council could return the response to staff for further response and return to the Council at a later meeting.

**RECOMMENDED ACTION:**

Staff recommends that the City Council adopt the attached Resolution approving the proposed response to the Grand Jury report and authorizing the Mayor to execute the response.

**ATTACHMENTS:**

- A. Resolution with attached proposed response
- B. Grand Jury report dated June 16, 2016