



THE CITY OF
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CALIFORNIA

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July 27, 2016

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

Re: Response to Grand Jury Report - Marin's Hidden Human Sex Trafficking
Challenge: It's Happening In Our Backyard."

Dear Foreperson Mann:

At its regular meeting of July 26, 2016, the Novato City Council reviewed the above report which requests the City of Novato to respond to recommendations F1 through F13 and Recommendations R1 through R7, of the report. The City's response to all is attached.

If the members of the Grand Jury require additional information, please contact Interim City Manager Cathy Capriola at 415-899-8900 or ccapriola@novato.org.

We appreciate the work of the Grand Jury and thank you for your service to our residents and the Marin community.

Sincerely,

Pat Eklund
Mayor
City of Novato

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

RESPONSE TO GRAND JURY REPORT

Report Title: Marin's Hidden Human Sex Trafficking: It's Happening In Our Backyard

Report Date: 6/16/16

Agenda Date: 7/26/16

Response by: Mayor Pat Eklund and No Title: Mayor and Council Member

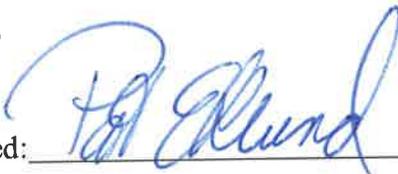
FINDINGS

- I (we) agree with the findings numbered: _____
- I (we) disagree *partially* with the findings numbered: _____
- I (we) disagree *wholly* with the findings numbered: _____

(Attach a statement specifying any portions of the findings that are disputed; include an explanation of the reasons therefor.)

RECOMMENDATIONS

- Recommendations numbered _____ have been implemented.
(Attach a summary describing the implemented actions.)
- Recommendations numbered R3 _____ have not yet been implemented, but will be implemented in the future.
(Attach a timeframe for the implementation.)
- Recommendations numbered _____ require further analysis.
(Attach an explanation and the scope and parameters of an analysis or study, and a timeframe for the matter to be prepared for discussion by the officer or director of the agency or department being investigated or reviewed, including the governing body of the public agency when applicable. This timeframe shall not exceed six months from the date of publication of the grand jury report.)
- Recommendations numbered _____ will not be implemented because they are not warranted or are not reasonable.
(Attach an explanation.)

Date: 7/26/16 Signed: 

Number of pages attached 5

FINDINGS

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

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

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

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

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

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

Response – I agree with the findings numbered **F1, F2, F3, F6, F10, F12, and F13.**

FINDINGS

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

Response: The City disagrees partially with this finding.

Prostitution is still a crime. In addition to prostitution, many other criminal violations bearing striking similarities to human trafficking can be committed by persons not victims of human trafficking. Persons committing these crimes are, by definition, criminals. Conversely, the veiled nature of human sex trafficking can make victim identification difficult, especially when overt criminal violations are present. Human trafficking victims that commit crimes may be the victim of another's criminal activity but are, nonetheless, responsible for the violations they have committed. Victimization and criminal activity are not mutually exclusive.

Further complicating enforcement of law and victim identification efforts are the conditions officers face when responding to calls for service. Officers in the field frequently find themselves in dynamic, constantly evolving situations working with limited information, time, and resources. Timely and well-reasoned decisions, without compromising officer safety tactics, must be made from the information immediately available. The information available, often provided by uncooperative subjects, is often vague, inaccurate, incorrect, and insufficient.

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

Response: The City disagrees partially with this finding.

While this might be true, I have no specific knowledge of procedures that other Marin County law enforcement agencies might have, nor have I been provided with any information that would substantiate this claim. The vast majority of Novato Police Department patrol personnel have received the state mandated human sex trafficking training. Officer hired after mid-2014 have not yet to receive the mandated human trafficking training. Full compliance is expected by the end of 2016 and presentation of this training has been incorporated into the orientation each new officer receives. Providing officers with the myriad training both required by law and desired by the organization remains a Departmental priority.

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: The City disagrees partially with this finding.

Subject matter experts from throughout the State of California have developed comprehensive curriculum in response to the statutory mandate. While the majority of training material is delivered via video vignette, Human Trafficking training further requires instructor facilitation and group discussion. While it is arguable that more of anything is better, the two-hour POST training related to Human Trafficking provides sufficient high quality training consistent with the multitude of other mandated training required by statute and developed by POST.

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

Response: The City disagrees partially with this finding.

While collaborative efforts related to Human Trafficking, as described in the finding, are in their infancy in Marin County, the multidisciplinary approach is not a foreign concept. Multidisciplinary training related to responding to Domestic Violence and responding to Child Abuse (to include Child Forensic Interview Training) are two examples of successful collaboration involving CFS, the District Attorney, and law enforcement subject matter experts that have been ongoing in Marin County. The Jeanette Prandi Children's Center (JPCC) has coordinated and hosted multidisciplinary training, of which our agency has actively participated, for many years.

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

Response: The City disagrees partially with this finding.

While this might be true, I have no specific knowledge of procedures that other Marin County law

enforcement agencies might have, nor have I been provided with any information that would substantiate this claim. This finding is best evaluated by the Novato Fire Prevention District. Logically, expanding training to other first responders in addition to law enforcement will increase the opportunity for detection and intervention.

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: The City disagrees partially with this finding.

Can neither agree nor disagree given the lack of specific information regarding school district training requirements. This finding is best evaluated by the Marin County Office of Education and various Marin County school districts.

RECOMMENDATIONS

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

Response: The recommendation has not yet been implemented.

Implementation that would fulfill this recommendation is beyond the independent control of the City of Novato and Novato Police Department. We would be agreeable to participating in countywide training that furthers the standardization of response to Human Sex Trafficking.

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

Response: This recommendation has not yet been implemented, but will be fully implemented in the next six months.

This training, along with numerous other mandated training demands, remains a Department priority. As an original content contributor to the Marin County Uniform Law Enforcement Protocol for Human Trafficking, the Novato Police Department has demonstrated leadership in addressing this complex community issue. While not currently successful in providing Human Trafficking training within six months to newly assigned officers, the vast majority of officers have been trained and we have identified a solution that will bring the Novato Police Department within full compliance by the end 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 will not be implemented because it is not reasonable.

This recommendation is directed at the Board of Supervisors and the Novato Police Department has the City of Novato has no authority over them. The Novato Police Department would be willing to participate, if asked if this group is convened.

Regardless of who takes the lead in developing and presenting training material, all law enforcement would benefit from the collective knowledge of Human Trafficking experts. Training should be tailored to address the specific needs of the diverse groups responding to this issue to ensure consistency of content (i.e. law enforcement, fire departments, EMS, medical practitioners, middle and high school staff, etc.). For law enforcement specifically, every effort should be made to incorporate the existing Marin County protocol AND content that would comply with the POST two-hour training mandate.

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: The recommendation has not yet been implemented.

Implementation that would fulfill this recommendation is beyond the independent control of the City of Novato and Novato Police Department. The Novato Police Department would be willing to participate, if asked if this group is convened.

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 & Human Services), civic organizations, and victim advocate organizations.

Response: This recommendation will not be implemented because it is not reasonable. This recommendation does not apply to the City of Novato or Novato Police Department.

Although the creation and development of a database to track incidences of Human Trafficking in Marin County would enable organizations to better respond to this emerging issue. The reality is creation of yet another database is fraught with cost, staffing, and confidentiality concerns. Integration of law enforcement sensitive data and non-law enforcement data into one database accessible by all would be problematic, if not impossible. While well intentioned, the creation of a new database would be cost prohibitive and of limited usefulness. A more reasonable and cost effective solution would involve the identification of consistent classifications and shared definitions to improve the quality of information stored in existing databases.

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 will not be implemented because it is not reasonable.

This recommendation does not apply to the City of Novato or Novato Police Department.

As an information network, the Marin County School/Law Enforcement Partnership (SLEP) should be utilized to inform and disseminate developed training material.