



July 26, 2016

Honorable John T. Laettner
Judge of the Superior Court
Contra Costa County Civil Grand Jury
725 Court Street
P.O. Box 431
Martinez, CA 94553-0091

Re: Contra Costa County Grand Jury Report No. 1605, "Caring for the Victims"

Dear Judge Laettner:

Pursuant to California Penal Code Section 933.05, this letter responds to Contra Costa County Grand Jury Report No. 1605, "Caring for the Victims: Commercial Sexual Exploitation of Children in Contra Costa County." This response was reviewed and authorized by the City Council at a duly noticed City Council meeting on July 26, 2016.

Grand Jury Findings

Finding #6: Many social workers in CFS, law enforcement, officers in Juvenile Hall and victim advocates in the DA's Office are not implementing the CSEC Protocol because they have not yet seen it.

Response: Hercules partially disagrees with Finding #6. The City cannot address the practices of other entities, including whether or not other parties "are not implementing the CSEC Protocol because they have not yet seen it." Specifically, the Hercules Police Department is aware of the CSEC Protocol document.

Finding #7: CFS, the leader of the Oversight Committee, has not followed up with its interagency partners that have signed off on the Protocol, but have not submitted their own CSEC department plan/protocols to the Oversight Committee.

Response: Hercules partially disagrees with Finding #7. The City cannot address the practices of other entities, including the Contra Costa County Division of Children and Family Services (CFS). Hercules is not a signatory on a CSEC Protocol.

Finding #9: Suspected CSEC victims are being arrested and booked into Juvenile Hall for their own safety pursuant to various statutes under the Welfare & Institutions Code,

relating to infractions and crimes committed by youth, while the County assesses the appropriate health and social services to provide.

Response: Hercules partially disagrees with Finding #9. The City cannot address the practices of other entities, including whether all suspected CSEC victims are being arrested and booked into Juvenile Hall for their own safety. In Hercules, suspected CSEC victims are not automatically arrested and booked into Juvenile Hall. The Hercules Police Department takes an approach to CSEC that is victim-centered and trauma-informed.

Finding #11: No single database covering all CSEC-related arrests, referrals and pending cases exist in the County.

Response: Hercules agrees with Finding #11. The City is not aware of the existence of a single database.

Finding #12: Due to the lack of a single database in the County covering all CSEC-related arrests, referrals and pending cases, the County does not know the number of victims of CSEC and where they are located.

Response: Hercules partially disagrees with Finding #12. While the City acknowledges that it is unaware of the existence of a single database in the County that covers all CSEC-related arrests, referrals and pending cases, The City cannot address whether or not the County knows the number of victims of CSEC or where they are located.

Finding #13: County personnel and law enforcement dealing with victims of CSEC are well-meaning, compassionate and dedicated people trying to make the best of a very difficult situation.

Response: Hercules partially disagrees with Finding #13. The City cannot address the practices of other entities, but does tend to agree that County personnel and law enforcement dealing with victims of CSEC are well-meaning, compassionate and dedicated people trying to make the very best of a very difficult situation.

Finding #14: Most County personnel and law enforcement dealing with victims of CSEC lack in-depth CSEC training, necessary facilities for temporarily accommodating the victims and a clear-cut plan of action, which lays out how to rescue, protect and serve the victims of CSEC in a manner that is caring and trauma-informed.

Response: Hercules partially disagrees with Finding #14. The City cannot address the practices of other entities, including how other agencies deal with victims of CSEC. The Hercules Police Department does work toward protecting and serving the victims of CSEC in a manner that is caring and trauma-informed. Additional in-depth training, facilities for temporary accommodations and a clear-cut plan of action at a countywide level could help improve conditions for the victims of CSEC.

Grand Jury Recommendations

Recommendation #2: The Board of Supervisors, City Councils and Sheriff's Department should consider recommending that all CSEC interagency partners, as listed in the CSEC Protocol, in Contra Costa County adopt their own CSEC protocols and submit them to CFS for approval.

Response: This recommendation will not be implemented because it is not warranted. The City of Hercules believes that public safety agencies should not adopt their own CSEC protocols and submit them to the Contra Costa County Division of Children and Family Services (CFS) for approval. Rather, CFS should work with all countywide public safety agencies to adopt a uniform CSEC protocol that would be consistent across the county. Hercules is not listed as an interagency partner.

Recommendation #9: The Board of Supervisors, City Councils, and Sheriff's Department should consider recommending that all first responders (usually law enforcement) refer suspected victims of CSEC to specialized and dedicated CSEC personnel, to be established within CFS.

Response: This recommendation will not be implemented because it is not warranted. While the recommendation may be an appropriate solution, the CSEC protocol should be determined at the county, not city level. Once a process has been identified, either within or outside of the CSEC protocol, the City of Hercules will follow appropriate protocols for referring suspected victims of CSEC to other personnel.

Recommendation #11: City Councils and Sheriff's Department should direct law enforcement to avail themselves of CSEC training programs formulated by CFS.

Response: This recommendation has not yet been implemented but will be implemented in the future. The Hercules Police Department will avail themselves of training when they become aware of training opportunities formulated by CFS that meet agency needs. The Hercules Police Department currently attends CSEC training programs formulated by other organizations.

The City appreciates the time and effort spent by His Honor and the Grand Jury in consideration of these matters.

Sincerely,

CITY OF HERCULES



Dan Romero
Mayor