



July 20, 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 19, 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: Orinda partially disagrees with Finding #6. The City cannot speak to the practices of other entities, including whether or not other parties "are not implementing the CSEC Protocol because they have not yet seen it." However, Orinda Police officers are aware of the CSEC Protocol.

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: Orinda partially disagrees with Finding #7. The City of Orinda does not have knowledge of the practices of other entities, including the Contra Costa County Division of Children and Family Services (CFS).

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

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

Response: Orinda agrees with Finding #11. The City of Orinda is not aware of this specific 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: Orinda partially disagrees with Finding #12. While the City of Orinda is not aware 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: Orinda partially disagrees with Finding #13. The City of Orinda cannot speak to the practices of other entities, but does 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: Orinda partially disagrees with Finding #14. The City of Orinda cannot speak to the practices of other entities, including how other agencies deal with victims of CSEC. The Orinda Police Department does strive to work toward protecting and serving the victims of CSEC in a manner that is caring and trauma-informed. Orinda would support 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 Orinda 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.

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 Orinda 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 been implemented. The Orinda Police Department has and will continue to attend CSEC training programs formulated by CFS and other organizations.

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

Sincerely,

City of Orinda



Victoria A. Smith
Mayor