



SUMMER STEPHAN  
SAN DIEGO COUNTY DISTRICT ATTORNEY

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July 29, 2019

*Via Personal and U.S. Postal Delivery*

Presiding Judge Peter C. Deddeh  
San Diego County Superior Court  
1100 Union St  
San Diego, California 92101

RECEIVED  
JUL 29 2019

**Re: Response to 2018/2019 Grand Jury Report:  
"Human Trafficking-San Diego Needs Essential Services"**

Dear Judge Deddeh:

The 2018/2019 San Diego County Grand Jury investigated issues surrounding Human Trafficking in the County, and wrote a report detailing the facts developed in the investigation and making a series of 9 findings and 8 recommendations to various governmental entities, including the District Attorney. As required by Penal Code § 933, I write to respond to the Grand Jury's findings, Numbers 3, 6 & 7 and recommendations 19-34, 19-35 & 19-36, which involve matters under the control of the District Attorney.

**FINDINGS:**

**Finding 3:** SB 1193, requiring businesses to display human trafficking posters, is not being enforced in many areas of San Diego County.

The District Attorney agrees with this finding.

**Finding 6:** The RISE Court can be a significant step in transforming a victim, or potential victim, of human trafficking into a survivor.

The District Attorney agrees with this finding.

**Finding 7:** Having its own budget and performance outcome measurements would give the RISE Court and its participants a greater sense of sustainability.

The District Attorney agrees with this finding.

**RECOMMENDATIONS:**

**Recommendation 19-34:** In conjunction with the County of San Diego's Chief Administrative Officer, consider taking steps to ensure a method for enforcement of SB 1193.

The recommendation is not implemented but will be implemented in the future. Currently a working group including the hotel/motel industry and the San Diego Regional Human Trafficking Commercial Sexual Exploitation of Children Advisory Council exists to address this topic. The working group should have an action plan to report no later than November 30, 2019.

**Recommendation 19-35:** Consider establishing separate pro-rated funding for participating in the RISE Court.

The District Attorney is supportive of providing incentives for RISE court participants to stay engaged and reach their goals. This recommendation requires further analysis in order to refer to the County's budget process for funding considerations. This progress will be reported no later than November 30, 2019.

**Recommendation 19-36:** Consider taking steps to establish a process to develop performance indicators for RISE Court.

The recommendation has not been implemented but will be implemented in the future. Attached is a 2017-2018 RISE Court Annual Report that was not referenced by the Grand Jury in its recommendations. The Annual Report includes some data measurements and potential measurable outcomes along with goals which include continuing to define measurements for success. The RISE Court has been collecting data on its participants since 2018 and will form a workgroup tasked with 1) identifying and developing outcome measurements and 2) analyzing whether it would be beneficial to request Juvenile Justice Crime Prevention Act (JJCPA) monies to fund SANDAG to assist RISE Court with the data collection and outcome measurement process. A status report will be provided no later than November 30, 2019.

Sincerely,



SUMMER STEPHAN  
San Diego County District Attorney



## **R.I.S.E. Court Annual Report** **(Period covering October 16, 2017 through October 15, 2018)**

### **HISTORY OF RISE COURT:**

In 2015 Dr. Carpenter (USD) & Dr. Gates (PLNU) published a study on San Diego County's Sex Trafficking & gangs. During the same year, San Diego County's Child Welfare Services created a CSEC Steering Committee as part of CA Senate Bill 855. In 2016 the CSEC Steering Committee developed San Diego's CSEC Interagency Protocol & CSEC Response model. Around October 2016 then Juvenile Court Presiding Judge Carolyn Caietti formed a working group to explore creating CSEC collaborative court. The working group members included Juvenile Court, Behavioral Health Services, Child Welfare Services, County Counsel, Children's Legal Services, Dependency Legal Services, District Attorney, Probation, and Public Defender. Working group met monthly for one year prior to Court implementation

The group researched and gathered information from other existing CSEC courts. Several group members observed Los Angeles County's STAR (delinquency) & DREAM (dependency) Court and spoke with the attorneys and Probation department. Several team members attended a conference where Sacramento County's Dept 90 Court (delinquency) team members discussed how their court operate and why collaboration was key.

The working group also included survivor's voices in development meetings and survivors unanimously preferred "Resiliency is Strength and Empowerment" as the court's name over other suggestions. We had to evaluate each agency's ability to staff and commit to this new collaborative court and explore resources available for participants including direct victim service providers. Based on available resources and staffing, the working group decided to start by creating a CSEC delinquency court. The working group identified potential funding sources and successfully obtained money from JCCC (used within a fiscal year July 1<sup>st</sup> to following June 30th). The Juvenile Court, Probation, Public Defender, District Attorney, Behavioral Health Services, and Child Welfare Services committed personnel dedicated to staff R.I.S.E. Court despite Probation Department and Superior Court facing budget cuts. On October 16, 2017 RISE Court held its inaugural calendar by screening and accepting the first youth.

### **MISSION STATEMENT:**

RISE Court is a *collaborative*, engaged, and *trauma-informed* court that uses a multidisciplinary approach to address the needs of youth who may have a history of, or may be at risk for, commercial sexual exploitation.

### **GOALS STATEMENT:**

RISE Court aims to engage and support youth and their families to achieve their full potential by using the "Five Cs" model of positive youth development: competence, confidence, character, connection, and contribution (Pitmann, 2002).

### **ELIGIBILITY GUIDELINES:**

- Delinquency ward of the court.
- Minor has suspected or confirmed history of commercial sexual abuse/exploitation. Self-disclosure not necessary.
- Minor is not currently in other collaborative/specialty courts or a dependent of Juvenile Court.
- Probation social study in file.
- Recent psychological evaluation in file.
- Screened by the CSE-IT tool.
- Minor has custody time available.
- Not a documented gang member and does not pose an imminent threat to self or others.
- Minor & family/caregiver are willing to participate in RISE.
- Court eligible for female & male (including transgender)

### **PARTICIPATION IN RISE COURT IS VOLUNTARY:**

The Participant agrees to sign a contract agreeing to follow the rules and conditions. This empowers the participant to have a choice. The participant has an understanding about what they are embarking on and are more willing to engage in trauma therapy. RISE court team also wants the Parent/Guardian/Caregiver involved to create better outcomes and success.

### **FUNDING**

RISE Court received \$60,000 from the Juvenile Justice Crime Prevention Act (JJCPA) to be used during fiscal year July 1, 2017 through June 30, 2018 to purchase incentives for RISE court participants. JJCPA provided RISE Court with \$40,000 during fiscal year July 1, 2018 through June 30, 2019. The budget is used for on-going purchases for gift cards, food, event tickets, household items, and clothing. It also funds the empowerment activities for the minors.

### **RISE COURT TEAM MEMBERS:**

Permanent members of the team are Juvenile Court, Probation, District Attorney, Public Defender, Behavioral Health Services, and Child Welfare Services. Additional team members include Drug & Alcohol recovery specialist, Peer advocates, North County Life Line, San Diego Youth Services, Voices for Children (CASA), Paws'itive Teams therapy dog, wraparound services such as Fred Finch or Center for Children, and SD County of Education.

- Probation Department: 1 Supervising Probation Officer; 1 Senior PO, 2 case carrying supervision PO; and GRF Supervising PO



- DA's office: 2 dedicated DDAs
- Public Defender's office: 1 Supervising PD and 3 dedicated Deputy Public Defenders
- Behavior Health Services: 1 dedicated STAT team doctor
- Child Welfare Services: a protective services worker (PSW) dedicated as the RISE court liaison

In February 2018, Kathy Lam and therapy dog Poppy from Paws'itive Teams joined RISE team and attends all RISE court calendars to provide therapeutic support for our youths when they come to court. Participants and their families can interact with Poppy outside the courtroom while attorneys counsel their clients. Poppy can also sit next to the youth (if the youth chooses) inside the courtroom when their case is called. The participants and their families as well as members of RISE team report Poppy's presence as positive and reduces anxiety.

On March 2, 2018, Probation transferred RISE Unit to the Placement Unit.

Team members are paid through their respective agencies and not from a different funding source or additional budgeting.

#### **RISE Court Calendar:**

- Meets weekly
- Probation emails RISE team (1) agenda; (2) suitability reports; and (3) progress reports at least one court days prior to RISE Calendar
- Each calendar begins with team discussions off the record about the screening cases
- Team members next discuss other review or probation violation cases
- After discussion, defense counsels, POs, and victim services team meet with youth & caregiver
- Cases are called on the record and therapy dog Poppy sits next to youth (if requested)
- Judge allows time for youth to ask questions, discuss progress or challenges
- Team celebrate youth's birthdays, graduations, or other strengths with gifts & cards
- Youth can earn gift cards as incentives

#### **DIRECT VICTIM SERVICES PROVIDERS:**

When the court accepts a 602 ward into RISE the court will refer minor to either North County Lifeline's Project LIFE or San Diego Youth Services as the lead for direct victim services.

A. North County Lifeline's Project LIFE

- Serves juvenile & adult victims of Labor & Sex trafficking in North San Diego County region
- Case management
- Mental health counseling
- Peer advocates
- They do have a temporary safehouse

B. SDYS S.T.A.R.S.

- Serves youth ages 12-24
- Case management
- Therapy – individual, group, family
- Psychiatry/Medication management
- Peer mentoring
- Youth must meet federal definition of HT victim

C. SDYS ICare

- Serves youth ages 12-21
- Case management
- Therapy – individual, group, family
- Psychiatry/Medication management
- Drop in Center (365 days a year from 12pm-8pm)
- Peer mentoring
- Educational specialist
- Internship opportunities
- Parent/caregiver support group
- Youth does not need to disclose CSEC or meet federal definition

**INCENTIVES OR ENRICHMENT FOR MINORS:**

Minors receive various incentives or enrichment resources in RISE Court. Some examples include but are not limited to the following:

1. Welcome grace bag filled with hygiene products, stuffed animal, clothes, and other items
2. Birthday celebrations
3. Gift cards
4. Empowerment activities
5. Graduation gifts
6. School supplies
7. Clothing or necessary supplies if minor changed placements or have housing instability

## **EMPOWERMENT ACTIVITIES**

An empowerment activity subcommittee was formed in January 2018 consisting of a few team members (all team members are welcome to attend meetings). The subcommittee meets every three months to plan empowerment activities. The following is a list of RISE Court empowerment activities offered to participants in the first year.

- January 2018 – Murder Mystery 5K at Balboa Park (2 participants & 2 POs)
- February 2018 – Cal State San Marcos Women's Basketball Game & College Tour
- March 2018 – SDSU Women's water polo game & discussion with student athletes
- April 2018 – Scavenger Hunt at Balboa Park
- June 2018 – Paint Night @ SDYS
- July 2018 – Self-defense class @ ICare (reoccurs every 2 months)
- August 2018 – Mission Bay picnic & games
- September 2018 – Self-defense class & Cosmetology Workshop & City College Tour
- October 2018 – Haunted Trails at Balboa Park

**RISE COURT STATISTICS:** 30 screened; 6 not accepted; 24 accepted; and as of 10/16/18 RISE Court has 21 participating wards. (Based on information available between Oct. 16, 2017 to Oct. 15, 2018)

- Out of the 24 accepted cases – one was administratively discharged because she was made a DUAL status youth & placed out of state; one was transferred out of county per WIC750; and one was terminated without comment.

## **DATA COLLECTION** (information based on date range 10/16/17 to 10/15/18)

# of cases screened by RISE team – 30 cases (all female)

# of screened cases not accepted into RISE – 6 cases

# of cases accepted into RISE – 24 cases

# of cases terminated from RISE – 1 case (aged out)

# of cases administratively discharged – 2 case (one minor became a DUAL status youth with HHSA as lead agency and a second minor was transferred per WIC750 to LA County)

# of participating wards as of 10/16/18 – 21 cases (DPO Fahl has 11 cases and DPO Bennett has 10 cases)

## **DEMOGRAPHICS**

### A. Participant age when accepted into RISE: age range of 13-17YO

Age when accepted	# of participants
13YO	2 out of 24
14YO	1 out of 24