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SUPERIOR COURT OF THE STATE OF CALIFORNIA
COUNTY OF CONTRA COSTA
By _____

August 3, 2016

Michael Simmons, Foreperson
2015-2016 Contra Costa County Civil Grand Jury
725 Court Street
P.O. Box 431
Martinez, California 94553-0091

Re: Response to Grand Jury Report No. 1605 – “Caring for the Victims”

Dear Mr. Simmons,

This correspondence will serve as the City of Walnut Creek’s response to your June 2, 2016 letter regarding Grand Jury Report No. 1605 – “Caring for the Victims”.

FINDINGS:

- F6. 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 seen it.

Response: The City of Walnut Creek partially disagrees with this finding. The City of Walnut Creek has no record of the CSEC Protocol having been previously released or otherwise distributed to the City for review by the Contra Costa County Division of Children and Family Services (CFS). In connection with the City’s receipt of Grand Jury Report No. 1605, the Walnut Creek Police Department requested and received a copy of the CSEC Protocol dated October 1, 2015, from the Contra Costa County District Attorney’s Office. The City has not received any formal communication from CFS, or any other County department, regarding its anticipated role or responsibilities in connection with the CSEC Protocol. The City does not have any information regarding this finding as it pertains to other parties, and therefore is not in a position to provide an informed response as to those parties, including whether other parties have seen the CSEC Protocol.

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- F7. 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: The City of Walnut Creek partially disagrees with this finding. The City of Walnut Creek has no record of the CSEC Protocol having been previously released or otherwise distributed to the City for review by the Contra Costa County Division of Children and Family Services (CFS). In connection with the City's receipt of Grand Jury Report No. 1605, the Walnut Creek Police Department requested and received a copy of the CSEC Protocol dated October 1, 2015, from the Contra Costa County District Attorney's Office. The City has not received any formal communication from CFS, or any other County department, regarding its anticipated role or responsibilities in connection with the CSEC Protocol. The City does not have any information regarding this finding as it pertains to other parties and cannot address the practices of other parties, including whether the Contra Costa County Division of Children and Family Services (CFS) has "followed up" with other parties.

- F9. 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: The City of Walnut Creek partially disagrees with this finding. The City of Walnut Creek interacts with and provides services to suspected CSEC victims on a case-by-case basis depending upon the particular circumstances involved in each instance. The City of Walnut Creek is not aware of suspected CSEC victims being arrested and booked into Juvenile Hall for their own safety solely based upon their status as suspected CSEC victims. The City of Walnut Creek does not have any information regarding this finding as it pertains to other parties and cannot address the practices of other parties, including whether suspected CSEC victims are being arrested and booked into Juvenile Hall for their own safety by such other parties.

- F11. No single database covering all CSEC-related arrests, referrals and pending cases exists in the County.

Response: The City of Walnut Creek agrees with this finding. The City of Walnut Creek is unaware of any single database covering all CSEC-related arrests, referrals and pending cases.

- F12. 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: The City of Walnut Creek partially disagrees with this finding. While the City of Walnut Creek is unaware of the existence of a single database covering all CSEC-related arrests, referrals and pending cases in the County, the City does not have any information as to whether or not the County knows the number of victims of CSEC or where they are located.

- F13. 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.

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Response: The City of Walnut Creek partially disagrees with this finding. The City of Walnut Creek does not have any information regarding this finding as it pertains to other parties and cannot address the practices of other parties, but does tend to agree that County personnel and law enforcement dealing with victims of CSEC, including Walnut Creek Police Department personnel, are well-meaning, compassionate and dedicated people trying to make the best of a very difficult situation.

- F14. 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: The City of Walnut Creek partially disagrees with this finding. The City of Walnut Creek does not have any information regarding this finding as it pertains to other parties and cannot address the practices of other parties, including how other parties deal with victims of CSEC. The Walnut Creek 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, and action plans, including but not limited to those that may be established as part of the CSEC Protocol, may increase protection and improve service to the victims of CSEC.

RECOMMENDATIONS:

- R2. 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. While the recommendation may be an appropriate solution, the City of Walnut Creek has not received any formal communication from CFS, or any other County department, regarding its anticipated role or responsibilities in connection with the CSEC Protocol. A determination by the City as to whether individual public safety agencies should adopt their own CSEC protocols and submit them to the Contra Costa County Division of Children and Family Services (CFS) for approval cannot be made until the City has had an opportunity to further review CFS' countywide CSEC Protocol, and to formally engage with CFS regarding the City's anticipated role and responsibilities in connection with the CSEC Protocol.

- R9. 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 City of Walnut Creek has not received any formal communication from CFS, or any other County department, regarding its anticipated role or responsibilities in connection with the CSEC Protocol. A determination by the City as to whether first responders should refer suspected victims of CSEC to specialized personnel within Contra Costa County Division of Children and Family Services (CFS) cannot be made until the City has had an opportunity to further review CFS' countywide CSEC Protocol, and to formally engage with CFS regarding the City's anticipated role and responsibilities in connection with the CSEC

Protocol. Once a process has been identified, either within or outside of the CSEC Protocol, the City of Walnut Creek will follow all appropriate protocols for referring suspected victims of CSEC to other personnel.

- R11. 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 been implemented, but will be implemented in the future. The Walnut Creek Police Department is currently unaware of specific CSEC training programs formulated by the Contra Costa County Division of Children and Family Services (CFS) but is willing to have appropriate personnel attend any such future training opportunities, to the extent available. The Walnut Creek Police Department will contact CFS regarding future CSEC training opportunities on or before November 1, 2016.

The City Council approved this response at their August 2, 2016 regular meeting.

Sincerely,



Ken Nordhoff
City Manager