

40th Annual InterCourt Conference



Session 2B:
Establishing Safe Harbor
Diversion Programs and
Multidisciplinary Response
Teams for Trafficked Youth

Presenters: *Chelsea Gaffey, Jodi
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March 14, 2024
1:15 - 2:45 p.m.



THE SUPREME COURT *of* OHIO
JUDICIAL COLLEGE

Establishing Safe Harbor Diversion Programs and Multidisciplinary Response Teams for Trafficked Youth

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Anna Travis, Delaware County Probate/Juvenile Court
Jodi Stanton, Hamilton County Juvenile Court



This project is supported by Cooperative Agreement No. 2017-VT-BX-K013 awarded by the Office for Victims of Crime, Office of Justice Programs, U.S. Department of Justice. The opinions contained herein are those of the author(s) and do not necessarily represent the official position or policies of the U.S. Department of Justice. References to specific agencies, companies, products, or services should not be considered an endorsement by the author(s) or the U.S. Department of Justice. Rather, the references are illustrations to supplement discussion of the issues.

OVC Improving Outcomes Grant

- ▶ In 2020, The Department of Public Safety, Office of Criminal Justice Services was awarded a competitive grant by the Department of Justice, Office for Victims of Crime.
- ▶ Funds are being utilized for the following:
 - ▶ Employing a grant coordinator at the Office of Criminal Justice Services
 - ▶ Consultation and training with subject matter experts
 - ▶ Employing a Safe Harbor Coordinator at two juvenile courts
- ▶ 3-year grant program focusing on:
 - ▶ Building Ohio's capacity to implement Safe Harbor law and adopt Safe Harbor protocols
 - ▶ Technical assistance to better serve youth victims



Objectives

- ▶ **Review Safe Harbor Laws**
 - ▶ What is Safe Harbor
 - ▶ Overview of Safe Harbor Law
- ▶ **Develop a Safe Harbor Response**
 - ▶ Screening tools
 - ▶ Identifying cases
 - ▶ Response
- ▶ **Establish a Multidisciplinary Team (MDT)**
 - ▶ Identifying MDT members
 - ▶ Building the MDT



Reviewing Safe Harbor Law



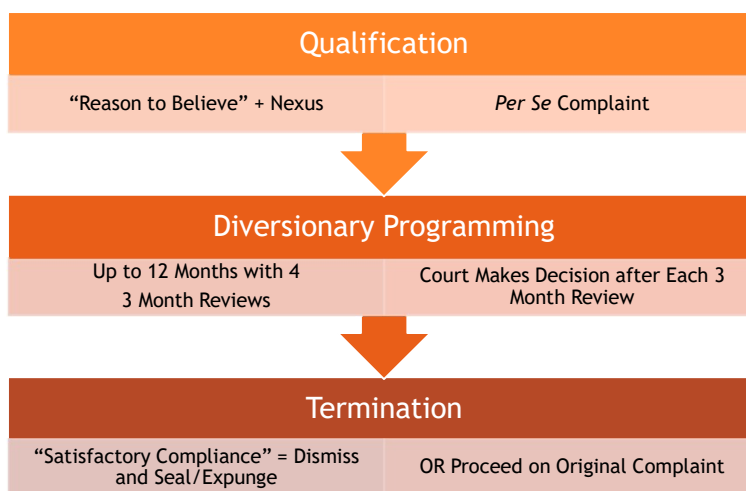
What is Safe Harbor?

A way for juvenile courts to intervene when trafficked youth are charged with complaints as a result of trafficking

- ▶ Diversion
- ▶ Abeyance
- ▶ Delinquency/Unruly
 - ▶ Statute does not speak to Abuse, Neglect, Dependency cases
 - ▶ Relevant AND/DNA cases should be connected to appropriate programming



Safe Harbor Diversion Overview



Developing a Safe Harbor Response



Developing a Safe Harbor Response

- IDENTIFYING CASES
- SCREENING TOOLS
- RESPONSE



Identification

- ▶ Prevention: Identify high-risk youth
- ▶ Reduce burden of disclosure for victims
- ▶ Prepare by assessing gaps and by developing comprehensive resources/services
- ▶ Utilize screening tool
- ▶ Be aware of risk factors if screening is not possible
- ▶ Safety plan to meet needs



Identifying Cases

Initial Identification (Hamilton County Juvenile Court)

- ▶ Three points of entry: (Initial Screening Questions)
 - ▶ Detention intake
 - ▶ Assessment center
 - ▶ Probation
- ▶ Other
 - ▶ Other Court Staff
 - ▶ i.e. Judges, Magistrates
 - ▶ Other Professionals
 - ▶ i.e. Defense Attorney, Prosecutor, GAL
 - ▶ Police



Initial Screening Questions

- ▶ Have you ever been asked to trade sex for something you need or want (like drugs, money, food, a place to stay, etc.)?
- ▶ Have you ever been forced or felt pressured to have sex with other people?
- ▶ Have you ever been forced to do work (whether it's an actual job, housework, selling drugs, stealing, etc.) that you didn't want to do?
- ▶ Have you ever had to provide for your own basic needs or support yourself financially?

****If the youth answers YES to any of the above questions, Safe Harbor Coordinator is notified



- ▶ Hamilton County Juvenile Court
 - ▶ Ohio Department of Youth Services- Human Trafficking Screening Tool (ODYS HTST)
 - ▶ Recently Validated
 - ▶ Conversational in Nature
 - ▶ Strength Based and Trauma Informed Approach
 - ▶ Allow Youth to Lead Direction of Conversation
 - ▶ Safe, Private Setting
 - ▶ Self Report

SCREENING TOOLS



▶ Delaware County

- ▶ In the process of adopting universal screening questions
 - ▶ May follow up with HTRISK Assessment Tool developed by Williamson and Andretta (2019)
- ▶ Concerns = Notification of Safe Harbor Coordinator
- ▶ Ohio Department of Youth Services Human Trafficking Screening Tool (ODYS HTST)

SCREENING TOOLS



Developing a Response- Hamilton County

TEAM APPROACH

- Salvation Army, GAL, HCJFS, Probation/Court Staff, Active Service Providers, Attorneys, etc.
- Coordinate Immediate Team Meeting

IMPLEMENTATION OF SERVICES

- Identify Needs
- Identify Service Referrals to be Made - Trauma Informed Care
 - Individual Therapy, Family Therapy, Substance Abuse, School / Vocational Needs, Housing,



Developing a Response- Hamilton County

COURT HEARINGS

- Safe Harbor Diversion (Legal Cases) - 30-45 Day updates
- Safe Harbor (Non-Legal Cases) - As Needed

CONTINUITY OF CARE

- If placed, will assist with continuity of care upon release back into the community



Case Study Examples- Hamilton

Hamilton County Case Studies

Youth #1 - A.C.

- 14 year old, Female
- Referral Source: GAL / Court Administrator (July 2022)
- Charge: Violation Court Order - Placement - Adjudicated Unruly
- Youth had gone AWOL from temporary placement through HCJFS. Had a history of multiple placements in shelters, group homes and CCHMC residential. Upon CCHMC discharge - group home (Feb 2023). AWOL from group home.
- I completed the HTST (July 2022)
- MDT Included: HCJFS, GAL, Salvation Army advocate, CCHMC, Ohio Rise

Youth #2 - L.W.

- 14 year old, Female
- Referral Source: Intake at Detention Center (March 2023)
- Charge: Runaway - DISMISSED
- Youth had gone AWOL from a group home with another female juvenile (Youth #1). They were both brought into the detention center on Runaway charges.
- I completed the HTST and was able to obtain enough information to involve local task force. Led to a federal indictment.
- Was reunited, placed back in the home of paternal Grandmother December 2023.
- MDT Included: Individual therapist, Group therapy, Salvation Army Advocate, GAL, HCJFS Case worker.



Developing a Response- Delaware County

Team Approach

- Court Staff, DCJFS, Service Providers, Attorneys, CASA GALs, School Staff/Faculty

Identify Needs

- Referrals for Mental Health and Substance Use Treatment Providers
- Educational/Vocational services, Housing, Food Scarcity, etc.



Developing a Response- Delaware County

Court Hearings

- Safe Harbor Diversion (Legal Cases) 30-60-day updates
- Safe Harbor (Non-Legal Cases) - Case by Case

Continuity of Care

- Review needs
- Individualized “case plan”



Developing a Response- Delaware County

- ▶ Keys to Successful Programs
 - ▶ Choice-driven
 - ▶ Supportive
 - ▶ Few barriers
 - ▶ Non-judgmental



Case Study Examples- Delaware

Establishing a Multidisciplinary Team



Establishing a Multidisciplinary Response Team

- ▶ What is a Multidisciplinary Team?
 - ▶ Coordinated response to a specific issue by a group of people
- ▶ Characteristics
 - ▶ Partnership
 - ▶ Decision-making
 - ▶ Interdependency
 - ▶ Balance of power
 - ▶ Procedure



FLEXIBILITY



Things to Consider

- ▶ Community partners
 - ▶ Who to invite to the table?
 - ▶ Core agencies
- ▶ Mission statement
 - ▶ States your goals
 - ▶ Expression of shared values



Our mission is to establish coordinated, compassionate and objective protocols for addressing trafficked youth in our community. We seek to utilize disciplines throughout our community to raise awareness, identify youth victimized by human trafficking and to maximize our community resources to adhere to all applicable laws, to provide due process and to make all services available to those identified persons.



Multidisciplinary Team for Delaware County

Collaboration

- Sexual Assault Response Team
- Multi-Agency Crisis Intervention Team

Resistance

- Reframe the message

Create the narrative



GC0

Protocols

Central Point of Contact

Flow Chart from referral to Understanding Safe Harbor Legislation

Define Roles and Responsibilities

Memorandum of Understanding

Identify target population

Define target outcome

Cultural humility standards

Conflict resolution policies

Set meeting times
• Annual or semi-annual review

Continuous Training



- ▶ Administrative Team
- ▶ Quarterly Meetings
- ▶ Professional/Community Members
 - ▶ Juvenile Court
 - ▶ Salvation Army
 - ▶ Public Defender's Office/Prosecutor's Office
 - ▶ GAL
 - ▶ CCHMC
 - ▶ MHAP
 - ▶ Service Providers (New Path, Child Focus, BLOC, TH-Passages)
 - ▶ Law Enforcement
 - ▶ Other

Multidisciplinary Team for Hamilton County



Challenges and Successes

Department of Youth Services



PROVIDES TECHNICAL ASSISTANCE
TO JUVENILE COURTS

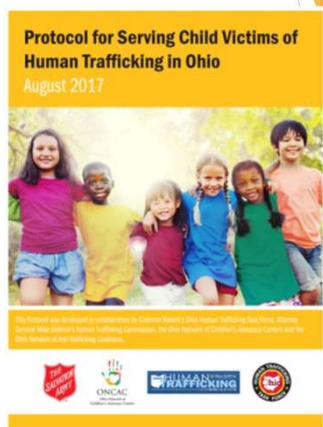


OFFERS TRAININGS- IDENTIFYING
AND RESPONDING, HT201, ODYS
HTST



Response Resources

- ▶ To create or strengthen your community response, consult existing resources:
 - ▶ Child Response Protocol Toolkit
 - ▶ Assists in developing community partnerships, provides a best practice model, offers strategies for survivor engagement
 - ▶ Ohio's Standards for Services to Trafficked Persons
 - ▶ Reviews ethical guidelines for serving survivors of trafficking in multiple capacities



*Both available at humantrafficking.ohio.gov/response.html



Questions?

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OHIO DEPARTMENT OF YOUTH SERVICES HUMAN TRAFFICKING SCREENING TOOL TRAINING

Complete the online training on
CE Broker and earn one free CEU!

ABOUT THE OHIO DEPARTMENT OF YOUTH SERVICES HUMAN TRAFFICKING SCREENING TOOL:

The Ohio Department of Youth Services Human Trafficking Screening Tool (ODYS HTST) is a non-proprietary resource intended to aid professionals in screening for high-risk indicators of sex and labor trafficking in youth. The screening instrument is available to view and download upon completion of this online training, which explores the legal definition of trafficking, the origins of the tool, strategies for effective interviewing, and a section-by-section review of the screening instrument.



ACCESS THE TRAINING - LICENSED PROFESSIONALS

1. Login to existing CE Broker account or create a new one at cebroker.com.
2. Search Course ID 20-1122242, entitled Ohio Department of Youth Services Human Trafficking Screening Tool.

ACCESS THE TRAINING - NON-LICENSED PROFESSIONALS

1. Visit the Ohio Department of Public Safety Training Campus: <https://learning.dps.ohio.gov/PSTC>
2. Create a free Training Campus account
3. Select "Public Safety" when asked for DPS affiliation
4. Select "Office of Criminal Justice Services" when asked for DPS Division
5. Search Course ID WBT799

SAFE HARBOR PROCEDURE

*ORC 2152.021 (F)

REFER



A referral of a youth is made to the court by **ANY** party, including the judge.

- The child has been charged with loitering, solicitation, or prostitution.
- OR
- There is **reason to believe** the child is a victim of human trafficking.
- *Purpose: to intervene, protect, and provide services immediately.*

APPOINT GAL



The court will immediately appoint a guardian ad litem (GAL) , **SEPARATE** from the child's attorney.

- Court sets the next hearing.
- Informs all parties of child's possible Safe Harbor status.
- GAL will begin an investigation.

INVESTIGATE



Child **IS** charged with loitering, solicitation, or prostitution: Child automatically qualifies for Safe Harbor Status (SHS); the charge is directly related to SHS.

Child is charged with **ANY** offense that is **NOT** loitering, solicitation, or prostitution: Is there reason to believe the child is a victim of human trafficking, and is the act charged related to the child's victimization?

DETERMINE



Parties agree or after a hearing, the court determines the child **DOES** qualify for Safe Harbor Status -- parties meet to discuss status and child's charges will be placed in abeyance until final determination is made.



Parties agree or after a hearing, the court determines the child **DOES NOT** qualify for Safe Harbor Status -- and the court agrees -- **case proceeds without Safe Harbor.**

RECOMMEND



GAL, prosecutor or defense counsel makes recommendation and/or moves for SHS.

- Court places child in Safe Harbor Diversion (SHD).
- Plan for assistance for child is created.
- 90-Day review hearing is set.

SERVICES

Services are coordinated for the child through the Multi-Disciplinary Team (MDT).

After 90 days, the court can dismiss charges if the child completes diversion to the court's satisfaction or renew diversion up to **THREE** times.



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