

IN THE COURT OF COMMON PLEAS, FRANKLIN COUNTY, OHIO  
DIVISION OF DOMESTIC RELATIONS  
JUVENILE BRANCH

SAFE HARBOR AND EMPOWERMENT PROGRAM

POLICY AND PROCEDURES

POLICY

The Franklin County Juvenile Court will identify potential victims of human trafficking, make referrals for interviews and assessments, and respond with referrals to child welfare and treatment providers as appropriate. The Court will maintain an Empowerment Program to support potential juvenile victims of human trafficking who are facing delinquency and unruly charges.

PROCEDURES

1. The Franklin County Juvenile Court has developed an Empowerment Committee (EC) comprised of representatives from all relevant Court departments to oversee and implement the Empowerment Program procedures. The EC will meet on a monthly basis to address issues related to prevention, assessment, facilitation of the Empowerment Program, and best practices for working with potential juvenile victims of human trafficking.
  - a. Representatives from each Court department will be trained on identifying risk factors and red flags associated with identifying potential victims of human trafficking.
  - b. Representatives will discuss preventative measures that can be effective in responding to at-risk youth.
2. When a juvenile is identified by law enforcement as a potential victim of human trafficking, law enforcement will transport the child to the Children's Advocacy Center for an interview and assessment. Law enforcement will also contact Amy Gerstmeyer, the Care Coordination Supervisor.
3. When a juvenile has come to the attention of the Court as a potential victim of human trafficking, a referral will be made to the Care Coordination Supervisor. An attorney shall be appointed if the child does not already have one. The Court will provide the attorney with the Safe Harbor Referral to Magistrate Sanchez's docket, explaining the concerns present and the Safe Harbor option.
  - a. The Care Coordination Supervisor may refer the case to the Children's Advocacy Center (CAC) for an interview. Upon completion of the

interview, the CAC shall send the Care Coordination Supervisor the interview summary and treatment recommendations.

- b. The Care Coordination Supervisor will refer the case to Erin Caudill who will review any findings from the CAC and further investigate to determine whether the juvenile is a potential victim of human trafficking. Erin Caudill will be working from an approved list of human trafficking red flags and will include in her report a list of the indicators and circumstances present.
4. Based on the assessment, the interviewer will complete mandatory reporting obligations.
    - a. Reports will be made to the following as applicable:
      - i. Local law enforcement, as designated,
      - ii. Franklin County Children's Services.
    - b. If a report is made to FCCS or local law enforcement, the juvenile will be identified as a victim of human trafficking in the Court's case management system.
  5. If a local law enforcement agency transports a juvenile to the detention center with information identifying the juvenile as a potential victim, detention staff will promptly notify the Care Coordination Supervisor.
    - a. Care Coordination will assess and respond to the emotional and psychological needs of any suspected victim of human trafficking detained in the facility.
    - b. Care Coordination will document the date and time of the detention hearing for purposes of appointing an attorney and GAL, if appropriate.
    - c. If the juvenile is determined to be a potential victim, but also has unresolved unrelated charges, outstanding warrants, etc. that would otherwise require the Court to maintain custody of the juvenile, standard holding procedures will be followed.
    - d. If the juvenile is to be released from the detention center under standard protocol, the juvenile will not be held on the basis of his/her status as a potential victim of human trafficking.
    - e. The Juvenile Division Judge or Magistrate shall be advised of the juvenile's status as a potential victim of human trafficking and the case

and, if practicable, shall be transferred to Magistrate Sanchez's docket to be heard the following day.

6. Safe Harbor:

- a. If a juvenile is charged with solicitation, loitering to solicit, or prostitution, or if the Court has reason to believe that the juvenile is a victim of human trafficking and the charge is related to his/her victimization, the juvenile qualifies for action under Safe Harbor. In order to proceed under Safe Harbor, the juvenile must sign an agreement to participate.
  - i. Cases involving potential victims of human trafficking will be transferred to Magistrate Sanchez's docket.
  - ii. The Court will appoint a guardian ad litem for the juvenile. The juvenile's attorney cannot serve as the guardian ad litem.
  - iii. The Court will hold a hearing prior to adjudication to determine whether to hold the complaint in abeyance pending the juvenile's completion of the Empowerment Program plan, if the juvenile agrees to the hearing.
  - iv. If the Court decides to hold the complaint in abeyance, the Court may make any orders regarding placement, services, supervision, diversion actions, and conditions of abeyance, including but not limited to, engagement in trauma-based behavioral health services or educational activities, that the court considers appropriate and in the best interests of the juvenile. The complaint will be held in abeyance for 90 days.
  - v. The juvenile will be assigned to Care Coordination who will help develop and track the Empowerment Plan, make referrals for services, maintain contact with the juvenile for the duration of the case, and update the Court on the juvenile's progress at the monthly Empowerment Day.
  - vi. If the juvenile completes the Empowerment Plan to the Court's satisfaction, the complaint will be dismissed and the Court will order that records pertaining to the case be immediately expunged.
  - vii. If the juvenile fails to complete the Empowerment Plan to the Court's satisfaction, the Court may extend the orders for two additional ninety-day periods, at the Court's discretion. If the

juvenile still fails to complete the orders within the allotted time, the Court will proceed on the complaint.

7. Cases Not Safe Harbored:

- a. If the Court has a reason to believe that a juvenile is a victim of human trafficking, regardless of his/her participation in the Safe Harbor Empowerment Program, case management and referrals for services will be offered to the juvenile. Magistrate Sanchez will maintain the case on his docket.
- b. The Court may proceed on the delinquency or unruly complaint(s), or the Prosecutor may decide to dismiss the charge(s) and instead file a dependency action.
- c. If a juvenile's status as a human trafficking victim comes to the attention of the Court post-adjudication, the Court may utilize any applicable legal remedies to address the matter and/or provide case management and referrals for services.

8. Law Enforcement Interview:

- a. If a juvenile wishes to be interviewed by law enforcement, the juvenile's attorney or guardian ad litem shall accompany the juvenile to such interview.
  - i. Care Coordination will communicate with all parties to set up the interview with Law Enforcement.
  - ii. If possible, the juvenile's caseworker or social worker will attend the interview for support.
  - iii. The interview will be held in the Care Coordination office.