



Alameda County
District Attorney's Office
Nancy E. O'Malley, *District Attorney*

ALAMEDA COUNTY DISTRICT ATTORNEY'S OFFICE

H.E.A.T. Watch® Program Blueprint

Alameda County District Attorney Nancy E. O'Malley invites you to partner with her in the implementation of **H.E.A.T. Watch®**, the Alameda County District Attorney's Office's (A.C.D.A.O.) model program and innovative blueprint to combat Human Exploitation and Trafficking (H.E.A.T.) on a multi-disciplinary, multi-system collaborative basis.

H.E.A.T. Watch® is a joint effort of several agencies, disciplines, and individuals, facilitated by A.C.D.A.O. leadership. Under the **H.E.A.T. Watch®** umbrella, the District Attorney, Health Care, Law Enforcement, Non-Government Victim-Advocates, Probation, Courts, Social Services, Businesses, and the Community, partner to combat human trafficking and the commercial sexual exploitation of children (CSEC). **H.E.A.T. Watch®** supports an effective response by all those who interact with children who are victims of and/or are at-risk for commercial sexual exploitation (CSE). By joining forces, and leveraging financial resources, **H.E.A.T. Watch®** strives to address all aspects of CSEC, including providing victimized youth with resources they need to be safe and grow healthy and strong, by reaching out to those who can help rescue and protect them from abuse and by holding those who exploit them accountable.

The mission of the **H.E.A.T. Watch®** program is to build and increase the capacity of all child-serving professionals (CSP) and communities to effectively respond to and combat CSEC in their jurisdictions. The primary goals of **H.E.A.T. Watch®** are victim safety and trafficker accountability. **H.E.A.T. Watch®** provides law enforcement and community partners with effective and proven strategies to improve local, regional, and national capacity to identify, intervene in, investigate, and prosecute CSEC cases while supporting and protecting youth who are victims and/or are at-risk for CSE.

"It takes a village to rescue a child and prosecute a trafficker," says Sharmin Bock, Assistant District Attorney in Charge of Special Operations and Policy Development. Based on this reality, **H.E.A.T. Watch®** combats the CSEC epidemic from a collaborative and coordinated multi-system approach. Because H.E.A.T. knows no borders, **H.E.A.T. Watch®** reaches beyond the local jurisdictions that it serves to collaborate regionally and nationally, and enable partners who are combating CSEC, to replicate in their jurisdictions the successes **H.E.A.T. Watch®** has achieved in Alameda County.

"Our **H.E.A.T. Watch®** blueprint guides other communities in their effort to combat exploitation in their neighborhoods. This is more than geographic regionalization; this must be an organization of community partners cooperating for one common goal. We extend an invitation to our surrounding counties to participate in **H.E.A.T. Watch®**, and join our local, regional and national efforts to combat human trafficking," says O'Malley.

H.E.A.T. Watch® combines five successful strategies that collaboratively embrace and protect CSEC victims, enhance efforts to investigate and prosecute their traffickers, and stop H.E.A.T. The five components of **H.E.A.T. Watch®** are:

1. COMMUNITY EDUCATION, ENGAGEMENT, AND COLLABORATION

Based on the Neighborhood Watch model, **H.E.A.T. Watch®** educates and engages community members, from local businesses and groups to schools and faith based organizations, enabling them to serve as the eyes and ears of their neighborhoods to keep children safe. Just as Neighborhood Watch keep streets and neighbors safe from victimization, **H.E.A.T. Watch®** challenges businesses and communities to collectively open their eyes and ears, WATCH, and take ACTION to keep children safe from exploitation.

“Historically, we have looked at the buying and selling of children for sex as something that happens in other countries. The reality is that it’s a big problem in our own nation impacting our most vulnerable children and communities,” says Nola Brantley, Motivating, Inspiring, Supporting, and Serving Sexually Exploited Youth (MISSEY, Inc.), Executive Director. Raising community awareness about the CSEC epidemic, dispelling myths and misconceptions that perpetuate this form of child abuse, and teaching individuals to recognize and report exploitation, are critical building blocks to a successful collaborative effort to combat CSEC. **H.E.A.T. Watch®** recognizes that when community members are informed that CSEC is child abuse occurring before their very eyes, and they are taught what to look for and how to report it, they become essential and invaluable partners. Law enforcement can only be in so many places at one time, and the CSEC problem is too big for anyone agency to tackle alone.

“We are educating and engaging everyone to keep their eyes and ears open and tell us what they see on the street every day – in essence they are our Neighborhood Watch for human trafficking,” says O’Malley. “Sadly, many victims of human trafficking are children. It’s important to recognize that these children are all of our children, and they can be rescued when someone pays attention, and takes action.”

O’Malley has created a **H.E.A.T. Watch® Tip Line – (510) 208-4959** – and an email address **HEATWatch-DA@acgov.org** - for reporting suspected child commercial sexual exploitation and human trafficking. Requests for anonymity will be honored. “Give us the details and we will do the rest,” says O’Malley.

2. LAW ENFORCEMENT TRAINING, INTELLIGENCE SHARING AND COORDINATION

H.E.A.T. Watch® is committed, on a local, regional and national level, to enhancing law enforcement efforts to keep CSEC victims safe, and hold their traffickers accountable. To ensure the effectiveness of law enforcement responsiveness to CSEC, **H.E.A.T. Watch®** provides law enforcement with ongoing trainings, which promote: 1) the recognition of CSEC as child abuse by dispelling prevailing myths and misconceptions; 2) the identification of youth victimized and at-risk for CSEC, and reporting of CSEC cases; 3) the stabilization and well-being of CSEC victims through the delivery of essential support services; 4) the sharing of intelligence on multi-system and multi-jurisdictional cases as well as the coordination of joint operations; 5) the investigation, charging, and prosecution of CSEC cases; and 6) the collection of data and creation of a comprehensive multi-system database that tracks CSEC youth to measure outcomes and evaluate performance.

As a nationally recognized human trafficking expert, Bock trains and advises state and federal law enforcement agencies across the country and Hawaii. Her guidance resulted in the first ever closure of a massage parlor on the island of Oahu. Bock works closely with numerous local and regional law enforcement agencies as well several Federal Task Force Partners, providing training, case-by-case assistance, and investigative guidance. In conjunction with existing federal task force efforts, Bock will convene the Bay Area **H.E.A.T.** Coalition (BAHC), a multi-disciplinary, multi-jurisdictional working group of individuals and agencies, throughout the Bay Area, committed to stopping CSEC on a local, regional and national basis. In 2012, the A.C.D.A.O. will hold the bi-annual National **H.E.A.T. Watch** Training Conference, providing intensive CSEC training, with a practical focus, for law enforcement, lawyers, and CSP countrywide.

Parties interested in participating in BAHC, or attending the conference, should contact Maia Sciupac, the **H.E.A.T. Watch**® Coordinator, at maia.sciupac@acgov.org or 510-272-6301.

3. INNOVATIVE CHARGING OF CSEC CASES AND VIGOROUS PROSECUTION OF OFFENDERS

Vigorously prosecuting perpetrators, who financially benefit from the trafficking enterprise, and ensuring they receive the maximum sentence supported by the facts and law, is a key component of **H.E.A.T. Watch**®.

District Attorney O'Malley formed the H.E.A.T. Unit in 2005, prior to the passage of Penal Code Section 236.1, California's Human Trafficking Statute. In 2006, it is believed Bock was the first to file charges under the newly created Penal Code. In 2010, Bock requested imposition of the first human trafficking fine created under AB 17, a bill sponsored by the A.C.D.A.O. and signed by the Governor in 2009. The H.E.A.T. Unit also prosecutes traffickers under traditional pimping and pandering, sexual assault, kidnapping and burglary laws, which in some instances carry a life sentence. The net of human trafficking is cast broadly; those who solicit children under the age of 14 for sex, those who lure children into the commercial sex trade, and those who aid in the exploitation, are all prosecuted as felons. Enforcers, who act as security guards and conspire to exploit victims for financial gain, are also charged as traffickers.

The following statistics reflect H.E.A.T. Unit results from 1/1/2006, the effective date of section 236.1, through 7/19/2011. ¹

1/1/2006 - 7/19/2011	Defendants/Cases
Charged	229/180
Convicted	140
Pending	31
Probation Violation	11
Parole Violation	1
Forfeiture Proceedings	3
Dismissed	34 (includes 1 deceased defendant)
Acquitted	1
Outstanding Warrant	7
Deferred to Federal Prosecution	1

¹ These statistics do not differentiate between child and adult victims, though the majority of H.E.A.T. victims are minors and US citizens, who have been domestically trafficked. These statistics also do not include juveniles who have been arrested for trafficking in their capacity as pimp, bottom girl, or enforcer. The stats only track adult traffickers who have been charged with violating Penal Code Sections 236.1, 266h, 266i, 266j, and 209(a) where the purpose of the kidnap is the use of the female body for financial gain.

Recognizing that children who are exploited and trafficked are victims of child abuse, and not criminals, is another key component of **H.E.A.T. Watch®** prosecution efforts. Referring to these children as commercially sexually exploited youth, as opposed to prostitutes, acknowledges their victimization and instead shifts responsibility where it rightfully belongs – to the pimps, buyers and facilitators - the traffickers who facilitate and engage in sex with children. “For five years we have been fighting to shatter the perception of children as prostitutes and criminals undeserving of protection. These young people are victims of child abuse. We are committed to continue our ongoing efforts to educate the community, prosecute the offenders, and rescue these girls,” says O’Malley.

4. ENGAGE AND ENLIST POLICY MAKERS, LEGISLATORS & COMMUNITY DECISION MAKERS

H.E.A.T. Watch® recognizes that laws protecting CSEC, and facilitating the prosecution of their traffickers, have not adapted to the current and rapidly changing reality of CSEC. Before outdated human trafficking laws can be improved, elected officials, and key decision makers, must be educated about the true scope and dynamic of CSEC. After arming leaders with facts rather than fiction, **H.E.A.T. Watch®** challenges all leaders to recognize and respond to the reality of the problem and enlists their help to create laws in every state across the Nation to end the epidemic violating our youth.

Legislative changes are key. The A.C.D.A.O. continues to be a national leader in the enactment and implementation of laws, and the education of lawmakers. The H.E.A.T. Unit filed the first human trafficking case under section 236.1, which focuses on prosecuting traffickers. The A.C.D.A.O. drafted and sponsored three key pieces of CSEC legislation, all carried by Assembly Member Sandre Swanson: 1) AB 499, which recognizes victimization and provides resources to break the hold of traffickers; 2) AB 17, which hits traffickers in the pocketbook: increasing fines up to \$20,000 and forfeiting assets;² 3) AB 90, which clarifies the ambiguity of whether a showing of force or fear is required to establish a minor sex trafficking charge under section 236.1(c).³ “Because coercion eludes the coerced, many children do not even realize they are victims of exploitation,” explains Bock. **H.E.A.T. Watch®** recognizes that CSEC is child abuse, and modern day slavery, whether or not force is used. Bock has also worked with legislators in Georgia and Hawaii to develop effective legislation to combat trafficking, and has also testified at a US Senate hearing to inform federal legislative efforts.

5. COORDINATED DELIVERY OF ESSENTIAL CSEC SERVICES FOR STABILIZATION

H.E.A.T. Watch® recognizes that CSP outside of law enforcement, who provide specialized services to CSEC victims, represent important and necessary partners in the effort to recover, protect, and serve victimized youth. Sexually exploited children are particularly vulnerable, have specialized needs, and must be supported at every stage in the investigation and prosecution of these cases. **H.E.A.T. Watch®** links law enforcement with providers of essential services for stabilization, contributing to the safety and recovery of the child as well as the successful investigation and prosecution of the trafficker.

H.E.A.T. Watch® provides specialized, wrap around services, designed to meet the unique needs of sexually exploited minors. The A.C.D.A.O. supports victims of exploitation, who are often hard to locate or too fearful to cooperate. It can be said that the Stockholm Syndrome, where victims identify with their captors, is in full force and effect with this vulnerable population. The H.E.A.T. Unit provides a dedicated victim witness advocate, with specialized

² 50% of these funds will be directed to support services for sexually exploited minors.

³ AB 90 was previously submitted as AB 2319, which unanimously cleared the House Public Safety Committee, but got held up in Appropriations.

training and experience, to support CSEC victims prosecuting their traffickers.

The A.C.D.A.O. is a recognized leader in partnering with providers to create model support systems, such as the Alameda County Family Justice Center (FJC), the SPA (Safe Place Alternative), the SEM (Sexually Exploited Minor) Network, and New Day for Children, a regional CSEC safe house. Essential services are provided from point of first contact, on the street or at the SPA, and continue through the court process and beyond.

“One of the greatest challenges of prosecuting a trafficking case is making sure the victim is on the train when the train pulls into the courtroom. Without the victim’s participation in the prosecution, we don’t have a case,” says Bock. As a result of the collaborative and coordinated delivery of specialized services and programs, Alameda County CSEC feel supported, less vulnerable, and better able to face their exploiters in court. “I am proud of the leadership role my Office has taken, and I am committed to sharing the expertise of the A.C.D.A.O. in order to get the job done and end this least recognized form of child abuse in our country,” says O’Malley.

These services and service providers are:

Community based Gateways, which include outreach, education and prevention through partners including Covenant House, Family Violence Law Center, the District Attorney’s Office, CALICO, MISSSEY, Inc., Asian Health Services, CAL-PEP, UC Extension 4-H and ICPC and the Alameda County FJC.

Community based Health and Mental Health Programs, which include school-based health centers, Our Kids, the Alameda County FJC, and AC SBHC.

System imbedded services, including a program that diverts commercially sexually exploited minors away from the Juvenile Justice system and treats them as victims of child abuse. The systems and providers are through Social Services, the District Attorney, Probation, SACEY Program and the Alameda County Family Justice Center SPA, Behavioral Health, Children’s Hospital, EBAYC, EBAC, Youth Uprising, California Outreach, Bay Area Women Against Rape, West Coast Children’s Clinic, MISSSEY, Inc., Scotlan Center, the SEM Network, JPG Consultants and ICPC. Juvenile Court and legal providers including the Public Defender, Bay Area Legal Aid, National Center for Youth Law, RJOY and OUSD JJC Wrap-Around.

Safe providers for development include Willow Rock, a mental health assessment center run by Health Care Services Agency/Behavioral Health, Telecare and Seneca Center; Shelter Care include DreamCatcher, Alameda County Family Services, Group Homes and Foster Families including Buenas Vidas Ranch, Nu Waj of Life, and ultimately, a Safe House sponsored by the Alameda County Board of Supervisors and the City of Oakland.

H.E.A.T. Watch® is a program that can be replicated in any community.

For more information on **H.E.A.T. Watch®**, contact the **H.E.A.T. Watch®** Coordinator at 510-272-6301 or go to www.alcoda.org.