OVC
Webinar Transcript

Human Trafficking, Domestic Violence, and Sexual Assault:
Strategies to Strengthen Community Collaboration to Respond to Survivors’ Needs

August 13, 2015
Welcome

Ivette Estrada: Good afternoon, everyone. And thank you very much for joining us today. I am Ivette Estrada, Program Specialist at the Office for Victims of Crime. Before we get started, I am going to go over some technical details. As a reminder, with all technology, we may experience a momentary lapse in the Webinar session. In the event of a problem, please be patient and remain on the line. The Webinar session will resume shortly. We are also encouraging you to keep a copy of the PowerPoint accessible during the presentation, in case of any technical difficulties. To access the PowerPoint, please refer to the reminder e-mail that was sent out to all participants this morning. Please note that these sessions are being recorded. Because we have such an incredible turnout for this series, the lines will be muted. We will only be taking questions via the chat box or through an e-mail address for those unable to access the Webinar platform. We will do our very best to respond to as many questions as we can today. There will be breaks during the Webinar to provide time to respond to questions. So, on that note, let us get started. Next slide, please.
Collaborating With Law Enforcement

Welcome!
Opening Remarks and Introductions

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Office of Justice Programs (OJP)
United States Department of Justice

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Ivette Estrada: I am honored to welcome you all today to this Webinar entitled, Working Together, Part I: Collaborating With Law Enforcement. This is the fourth Webinar that is part of a five-part series cosponsored by the Department of Justice Office for Victims of Crime, Office on Violence Against Women, OVC’s Training and Technical Assistance Center, the Department of Health and Human Services Family Violence Prevention and Services program, and the State Justice Institute’s Human Trafficking and State Courts Collaborative.

Ivette Estrada: The prevalence of human trafficking across the country is widespread, spanning small, rural jurisdictions to sprawling cities, and affects both the domestic and foreign-born children and adults. Because of the coercive and violent nature of human trafficking, it is common for victims to experience overlapping forms of victimization, particularly domestic violence and sexual assault. Yet, many survivors are unrecognized, criminalized, or do not receive adequate services to address their complex needs. Because of these challenges, we have partnered with our federal colleagues and TA providers to deliver this Webinar series. Next slide, please.
Learning Objectives for the Collaboration Series:

- Understand the overlap among human trafficking, domestic violence, and sexual assault;
- Explore ways to engage the justice system and community stakeholders, and sustain that involvement effectively;
- Consider examples of partnerships to build agency capacity and enhance victim identification;
- Explore strategies for promoting collaboration while protecting confidentiality;
- Identify effective collaboration strategies that leverage culturally specific resources on behalf of survivors;
- Learn about examples of successful law enforcement collaborations; and
- Identify court-based strategies to address the needs of trafficking victims and understand the role and significance of the court and judicial leadership in developing a response to human trafficking.

Ivette Estrada: This five-part Webinar series offers strategies, practical tips, case studies, and resources to help domestic violence and sexual assault service providers improve outcomes for human trafficking survivors. Each Webinar highlights models for potential replication and features local and national subject matter experts. The bolded objectives that are on this slide represent the outcomes that we will be discussing and trying to cover today during this 90-minute Webinar. So, the bottom line for today and for this entire series is to improve outcomes for human trafficking survivors in our communities today. Next slide.
Ivette Estrada: This series is part of the joint federal government’s Strategic Action Plan on the Services for Victims of Human Trafficking. This Plan is committed and structured to help all improve victim services and promote safety, healing, and justice for survivors. This Plan also makes a federal commitment to ensuring that trafficking programs and services are survivor-centered, are culturally-relevant, holistic, comprehensive, evidence-based, gender-responsive, and trauma-informed. There are some really important themes that the federal government has identified throughout all the ways in which we are working collaboratively to combat human trafficking and to identify and assist survivors. We have reviewed the common themes that came across from all of the organizations and are critical in implementing any response to crime victims, including human trafficking. Throughout each of these Webinars, these themes will be reinforced. There is a link on this slide to the entire Strategic Action Plan. What we will be doing over the course of today and this Webinar series is really looking at how do we implement these core themes in our day-to-day work with human trafficking survivors, as well as domestic violence and sexual assault survivors. Next slide, please.
Ivette Estrada: So in case you have not seen the rest of the schedule, here it is. The fifth and final Webinar in this series will take place next month the twenty-fourth at 2:30 p.m. Eastern Standard Time. We encourage you to register for these in advance, as they fill up quickly. Next.

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Ivette Estrada: So to get a better sense of who is participating today, I would like to ask all of you to please check the box that represents your role. So go ahead and identify where you see yourselves, and we will be able to see who is participating across the country on this call. And I think in a moment we will be able to see the full results. Okay, so we have here, let us see, 12 percent criminal justice, 10 percent sexual assault victim service providers, 9 percent domestic violence victim service providers. It seems like we have about 16 percent for other. Okay, well, thank you all for taking the time to do that. We will go ahead and move to the next slide.
Ivette Estrada: And we may be experiencing a little bit of delay.

Jenna: Hi, folks. Sorry about that. I am just checking in. This is Jenna, providing the tech logistics. Lita, are you on the line?

Lita Mercado: I am.

Jenna: Oh, great. Are you able to move the slide?

Lita Mercado: Yes.

Jenna: Perfect. All right.

Ivette Estrada: Jenna, so should we get started?

Jenna: Yes, you can take it away, Ivette.

Ivette Estrada: Okay, perfect. So, I would like to introduce our speakers today. Lita Mercado and Retired Deputy Chief Derek Marsh. Ms. Mercado is the Program Director for Community Service Programs, Inc. (CSP), located in Anaheim, California. She is responsible for the oversight of the human trafficking program and is the co-chair of the Orange County Human Trafficking Task Force, which is actually a task force that receives federal funding from OVC and the Bureau of
Justice Assistance. Ms. Mercado has her Master’s degree in sociology, with an emphasis in criminology, and has over 14 years of experience in anti-violent movement.

Ivette Estrada: Retired Deputy Chief Derek Marsh helped start the Orange County Human Trafficking Task Force in 2004, where he was co-chair from 2004 to 2012. During this time, he coordinated proactive steps in labor trafficking investigations. He teaches human trafficking at Vanguard University, and continues to train first responders throughout locally and internationally. Retired Deputy Chief Marsh has an MA in Human Behavior and an MPA in Police Leadership. So now, I would like to pass the floor over to them.

Webinar Objectives

Derek Marsh: Thank you so much. Derek Marsh here, obviously. I will start off the Webinar today by first thanking everyone for taking time out of their busy schedules to listen to what we have to present. Obviously, we are all still learning, and whatever you can take away, please let us know how it is valuable to you or not in the future.

Derek Marsh: For today, our Webinar objectives are pretty straightforward. We have two sections to our presentation. The first will cover the first two objectives, which are how to work effectively with law enforcement and victim resource providers, and how to work through the challenges of collaboration. We will break for questions at that point for about 5 to 10 minutes. Then we will move to our second section that will help—we hope—explain to you how to establish a sustainable task force leadership structure. We will also break for questions at that point, briefly discuss the handouts you have received if you were a registrant for the program, and we will give it back to OVC after that.
Human Trafficking Task Forces Model

Human Trafficking Task Forces Model

Victim-Centered Trauma Informed Approach

- **Prevention**
  - Outreach
  - Training
  - Education

- **Protection**
  - Rescue
  - Restore
  - Reintegrate

- **Prosecution**
  - Investigation
  - Punishment
  - Incarceration

**Goal:**
- Increase Identification & Awareness
- Sustain Personal Dignity
- Prosecute Human Rights Violations

**Agency Focus**

**GOAL:** Prioritize People over Process

**Partnership**
- Coordinate
- Collaborate
- Capacity Build

- **Goal:**
  - Share
  - Expertise
  - Resources

Derek Marsh: We start our presentation with what we call the Human Trafficking Task Force Model. This is our way of thinking of multidisciplinary teams here in Orange County. We have been using some form of this model since 2004. Our beginning, and we will talk more about this a little bit in future slides, and as far as our focus and our mission has been to use this model and implement it throughout our activities when dealing with anti-trafficking investigations, case development, and victim support. We believe in the victim-centered trauma informed approach, we believe that partnership is a fundamental cornerstone to making all of the other P’s possible. So prevention, protection, and prosecution all require effective partnerships to make them the most effective and efficient results you can get and have the most successful relationships and survivorship that you can achieve.
Section I: Collaborating With Law Enforcement (LE) and Victim Resource Providers (VRP)

Derek Marsh: So Section 1, working with [unclear] collaborating with law enforcement and victim resource providers. Lita, if you will take it to this slide for me?
Lita Mercado: Sure. So we are going to talk about the collaborative culture that victim service providers have, and then Derek will talk about the collaborative culture for law enforcement. And really, what we wanted to capture here is that victim service providers often have focused missions. Many of us are nonprofit or we are county-based. For example, our mission is to alleviate the trauma and devastating effects of crime on the lives of victims and their families, and we accept inherently that we are going to have to collaborate in order to be effective in providing victim services. So this is not something we have had to learn as we have moved into different types of response protocols. It is just innate often in victim service program culture that you must collaborate in order to be effective.

Lita Mercado: Certainly limited resources is something that is common for folks who are involved in victim services. Again, many of us are nonprofits, and are very familiar with how to do a lot with a little bit of money. Again, or we are county-specific and we have very, very limited scopes on how we can spend money.

Lita Mercado: And then, moving on to the multidisciplinary approach. We definitely appreciate the complexities of victimology, and do a lot of training around what a victim-centered approach is and what it means to be trauma informed. And again, just truly agree that in order for someone to move from a victim to a survivor, they are going to require more than us. They are not going to be able to be self-sufficient folks out in the world with only us as victim service providers to help. And so we really embrace multiple victim service providers and accessing social services and social support.
Derek Marsh: So, from a law enforcement collaborative culture perspective, we have plenty of collaborative efforts we have done and been part of over the years. Obviously, community-oriented policing, problem-oriented policing, even now with intelligence-led policing. I think our focus is a little bit different, obviously, coming from a criminal justice perspective. Now we are looking out for criminal enterprises or criminals, or serial criminals, as the case may be, and looking to solve these issues directly through arrests or through preventive measures, proactive patrol, things like that. In most of these groups you see described here, most of them deal with partnerships with other law enforcement agencies, whether they are state, local, or federal. We have, historically, in our department, we teamed with victim advocates and victim resource providers, more in vertical prosecution units. What I describe here is task teams, like domestic violence, fraud groups, sometimes our anti-gang task force, those types of issues.

Derek Marsh: And then, finally, when you have evolved now into the anti-human trafficking task force kind of mentality or multidisciplinary team, what we find ourselves doing is working much more closely with our victim advocates and our victim resource providers because, in this particular case, as opposed to having one kind of victimization or one instance of victimization, a lot of our victims have been victimized repeatedly every day for days, weeks, months, sometimes years, and usually start as victims of child exploitation, child sexual assault, in the home and with family and friends. So, walking into this from a collaborative perspective for law enforcement, especially when we first started the Task Force, the idea of a task force was considered multiple police agencies working together to solve a criminal enterprise issue or criminal activity, whereas task forces now, especially with the anti-human trafficking task forces, are much more focused on victim support, trauma-based approaches to dealing with our victims and making sure they are not retraumatized during interviews and through the court and prosecution and case development processes.
Collaboration Challenges

Conflicting or Complementary Mindsets?

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Derek Marsh: So, these challenges kind of meet face to face, and the question I have for you all, as we are talking about this back and forth between Lita and myself, are: Are these conflicting or complementary mindsets? For instance, on the law enforcement side, we have a strong feeling of suspect accountability. I hope I am not speaking for myself entirely, but part of why I became a police officer to begin with was to put bad guys or bad girls in jail. I did not like people being exploited. I wanted them held accountable, and I was writing my reports and doing my investigations and putting cases through for prosecution, so that suspect would be held accountable.

Lita Mercado: And for victim service providers, we are providing support to the client or to that victim or survivor because he or she needs it, not because they are witness to a crime that needs to be investigated, or in some cases they may not have even reported to law enforcement.

Derek Marsh: When you look at criminal justice, I spoke briefly about it just a slide or two ago, again, our focus, through training, experience, our expertise, again, we are focusing on crimes of people who commit those crimes and holding them accountable for it. So when we run across a victim or witness or someone who is related to the case, we see them more as a means to an end. They are going to provide us information, they are going to provide us evidence, they are going to provide us some kind of support along the way, that is going to push forward our investigation and hold that suspect accountable. And we do not tend to think of them all the time. And there are exceptions to the rule. I do not want to paint it with too broad a brush, but we do not always treat our victims as victims of exploitation, of assault, from a historical perspective. We are focused on the incident at hand or series of incidents that got us into contact with them to begin with.

Lita Mercado: And of course, for us, sometimes victims do not even have a priority on, quote, “justice” at all. Our services are available regardless of their willingness to cooperate with the
system, even if it is something as simple as providing emotional and moral support and offering resources. Our entire focus is the victim, regardless of anything else happening.

Derek Marsh: And we also focus, from law enforcement, on evidence-based investigations. Our evidence is from crime scenes, pictures, witness statements, victim statements, suspect statements, taking out our investigative folks from forensic services and looking for DNA, or fingerprints, or items of the crime left behind, so we can base a more full investigation and create a better package for our local district attorney or even federal prosecutors to push the case through. And so, again, our emphasis being on the case and the case development and getting it to prosecution, and not so much on the people who are victimized along the way, or even were witnesses to what occurred during the case investigation or during the criminal act or acts.

Lita Mercado: And for us, we need very little information. As a matter of fact, we do not even need, you know, a single detail about the crime in many instances. We really just need to help figure out where the client is right now, where they would like to go, or where they would like to be in the future, and it is not integral into our jobs to have the details or to ask a lot of questions about the actual criminal activity.

Derek Marsh: From an interrogation perspective, I remember being on the street and doing our basic interrogations of suspects and asking what is going on, trying to get them to confess, play the good cop/bad cop sometimes. Not because it was the right thing to do, but because that is what we see on TV or that is what we were trained to do by our FTOs (field training officers). Again, we are looking for information to find our elements so that we can determine what kind of crime we had. Whereas—and it did not matter if you were a victim or a suspect, we just wanted that information put in our report. We did not care about what that information or what that event caused you emotionally, psychologically, spiritually. We were more concerned with just the facts so we can move forward and do our job and get home on time and be safe.

Lita Mercado: And for us, we put interviews for some of us, we will refer to that as an intake process or our first meeting. And really what we are doing, again, is just trying to determine where is this client at, where do they want to be, what sort of social support and familial support that they already have, and really just trying to gather information towards their healing process with very little concern, unless it is the victim’s concern, but with very little concern about the criminal justice system or that process.

Derek Marsh: And our police culture really focuses on procedures. I would almost say a fundamental aspect of being a police officer is learning procedures. Straight from the Academy you are learning how to approach a car safely, what the tactical and strategic components are to make yourself safe and make sure that you affect an arrest without hurting yourself, other people, or causing further damage or criminal acts. We are out in the field, you worry about making sure how you handle domestic violence cases correctly, how you are dealing with mentally unstable people in the field, how you are just patrolling down the street or pulling people over, and how that process goes. You know, we are, of course, in this day and age, very lawsuit and very video-phobic or at least concerned, I will put it that way, and so these procedures we kind of rely on as they become more and more engrained into us over time, to make sure we do things the best way we can to, again, be safe, get home at the end of a shift, handle our areas responsibly, and put the people in jail we were hired to do. We basically hold people accountable for their criminal acts to create a safe environment for ourselves, our community, and our families.
Lita Mercado: And for us, process, it is really very fluid, it changes often as we learn. And we really honor that every situation and every victim or client is really unique. And sometimes part of our process is case-by-case basis, and we keep things open so that when exceptions, quote/unquote, “exceptions” occur, it is really not something that is going to rock the boat. We really have just this is how we approach a particular situation, this is what our process will be when we respond, but it is very, very fluid, and not necessarily codified.

Derek Marsh: And because of our collaborative history as law enforcement, when we posed the question, “Is this a conflicting or complementary mindset?” In individual situations I can see how it could be considered conflicting. One group has a different agenda or a different process over which they handle or prioritize the events in front of them. Whereas, I would say when it comes to collaboration of the multidisciplinary teams, these are complementary mindsets because they support each other, and then you do not have police officers trying to be psychologists or victim advocates, which we are not trained to do. And we do not put victim advocates or victim resource providers in the position of trying to enforce laws, push cases forward, or develop case information for further prosecution or identification of further suspects or criminal enterprises.

Collaboration Challenges?

Collaboration Challenges?

The Five Dysfunctions of a Team (Lencioni, 2002)

- Inattention to Results
  - Status & Ego (personal agenda over task force agenda)
- Avoidance of Accountability
  - Low Standards (no commitment to plan of action by group)
- Lack of Commitment
  - Ambiguity (people don’t buy in due to lack of open discussion)
- Fear of Conflict
  - Artificial Harmony (because there is not trust in sharing)
- Absence of Trust
  - Invulnerability (people not secure about opening up)

Derek Marsh: So, when we are talking about collaborative challenges more from a theoretical perspective, if you will, there was a book by Lencioni, in 2002, called The Five Dysfunctions of a Team. These are again, they are here on the slide, I do not want to read them to you per se. But basically, if you were to look at it from inner circles, the inner circle that we are looking at is an absence of trust. You know, I look at that as being pretty fundamental to anything you do. If you do not trust the person next to you to do their job, to be what they are going to be consistently, to have your back or to followup on things you cannot followup on, to a complete investigation or...
support for a victim, then you are going to have some troubles working with them from that moment on. And there is a few that we have, too, in law enforcement that I had when we first started where, “Hey, I am a trained law enforcement officer, I know what crimes are about, I can do an investigation. I do not need anyone else helping me.” And it is that kind of invulnerability where you think that you are like an island and you do not need other people. There really are first investigations were not all they could have been, and, frankly, were, in some senses, failures because we did not appreciate the victim responses and the victim advocacy and the survivorship needs of our victims.

Derek Marsh: There is also, up next, it would be kind of a fear of conflict. You know, I have no trouble, I never had, and I am assuming most law enforcement out there, if you have got to confront somebody, if you have got to assume command presence, if you have got to lay hands on people sometimes, that is not a problem. But frequently when we go back to the barn – I mean by the department – or when you are working with other people, there is sometimes a hesitance to confront people on issues, especially when they become more emotional or more intangible. And while you may think that everyone is getting along because they are not talking about these elephants in the room, in fact it is really undermining your team, and you really need to address those specifically. Not aggressively, but consistently and honestly, so everyone knows who is on the same page and where we are all coming from.

Derek Marsh: The next step of that would be a lack of commitment, in the sense that we might be committed to a short-term goal of putting bad guys in jail, or bad girls in jail, as the case may be. Or you might just be committed to helping victims and not wanting to do teamwork, or whatever, and not understanding what different roles there are and how you fit in the overall picture of the anti-trafficking movement. And with that lack of – with that ambiguity comes a lack of commitment, you are not sure where things are going. And, honestly, there is also a feeling that a lot of times you may have an individual commitment or an agenda that conflicts with your agency’s commitment or agenda, and that also is a cause that may interfere with your ability to commit completely to working in a multidisciplinary team.

Derek Marsh: The avoidance of accountability to me is probably one of the fundamental issues we deal with all the time. It reminds me of my children, and I ask, “Who knocked over this?” or, “Who broke that?” and fingers go a-flying, or they look at me and say, “I do not know.” And it is one of those things that drives me nuts. And we all have part of us that does not want to be held accountable for, you know, how things work. Things are so complicated and there are so many players involved, that how is it just my fault? Why is it not everyone else’s fault? But I think the sooner we accept accountability for our part in the overall mission, the quicker we can move on and adopt higher standards and hold each other to higher standards and better performance.

Derek Marsh: And, finally, there is a question of results. I think if we work together well as a team and we are moving forward and we are doing activities in the particular case of human trafficking, the work towards helping victims become survivors, putting suspects in jail, developing good cases, working well with our prosecutors, that that is sufficient for the purposes of what we are doing. However, above and beyond that, it is not so much that we are working well together, but that we have to show each other and celebrate the results that we have. We want to show that we are doing well, but it is not about our ego, it is not about the status within the organization or within the Task Force. It is about showing people we are a functional, move-forward unit that is, you know, if not bleeding edge, at least cutting edge, that is using best practices to make our world a better place and to minimize or eliminate human trafficking in our areas of responsibility.
Specific Collaboration Challenges

- Professional Misunderstandings
- Roles & Expectations of Members
- Information Sharing
- Managing Internal Conflict
- Awareness, Focus, and Purpose
- Buy-In, Recruitment, and Participation
- Limited Resources and Personnel Turnover

Derek Marsh: So, instead of talking philosophically, now we want to drop down to more specific examples, if you will. This slide is really just a placeholder, in the sense of giving you an overview of the different areas we are going to discuss right now.
Professional Misunderstandings

- Ego
  - Check it in at the door

- Agency agendas
  - Complicated due to political issues, agency leadership, changes in budget realities, etc.
  - Rotation of personnel problematic

- Address misunderstandings as soon as practical
  - Focus on the behavior, not the person
  - Written protocols come in handy at these times
    - The written protocols can come from the agency, not necessarily the task force group.

Derek Marsh: First, professional misunderstandings. I could tell you I have worked in a Type A environment for over 26 years, that there is a lot of ego that goes into any – wherever you go, and you [unclear] be the best at something that is this important or works along a mission where you are trying to help people stop being exploited and putting some pretty serious, bad characters away and holding them accountable. However, you have to think of the multidisciplinary team as a whole, you want to check your ego at the door, and do what is best for the group and best for the mission, vision, and values of your particular organization. And that can be hard to do. Everyone wants to be a hero and be acknowledged for what they are doing, and sometimes it is important to celebrate those successes, but it is also important to acknowledge challenges and to realize that everybody has agendas they need to achieve, and you may have to give up a little bit of yours, so that everybody else feels they are more a part, and get a better sense of cooperation and engagement with the multidisciplinary team that you are a part of.

Lita Mercado: Okay. And for us, I wanted to give an example of a professional misunderstanding. So, for the Orange County Human Trafficking Task Force, what we have is co-chairs. We are the lead victim service provider, and then we have a lead law enforcement provider. And so, my position is parallel to the Sergeant position at Anaheim Police Department. And the Sergeant and I had a really funny, I do not know, conversation when he first began and we attended a couple of meetings, and he kept introducing himself as the supervisor of the Orange County Human Trafficking Task Force. And after a few different presentations, I asked him, “Why do you say you are the supervisor of the Orange County Human Trafficking Task Force? It makes it sound like you supervise everything that happens. And we are co-chairs, and I think it might be a little bit confusing.” And we had a funny conversation about that, you know, that is not something he had thought of before, and he supervises the law enforcement component, and wanted to know if I thought that it was a big deal. And I said, “Well, you know, you handed me some things and I have...
to forward it to our funder or I hand in your bio to different trainers as we go and do different presentations, and I always change it, and I change it from supervisor to co-chair.” And then he asked me, “Well, why do you change it?” And I kind of yelled at him, and I said, “Because I am the supervisor of the Orange County Human Trafficking Task Force.”

Lita Mercado: So I mean, we were joking about it, but it does get a little bit confusing, and it can be hard to figure out when you work in a multidisciplinary team, quote, who is in charge. For victim service providers, often we do not have a really strict hierarchy that is important in our everyday movement, but for our law enforcement partners, it is extremely important. And I have had to learn really how to communicate with them through their ranks. There are times when I ask someone at a meeting, I have asked the Deputy Chief at a meeting if they could help me with a particular task, and then only to find that as soon as I get back to the office, I have an e-mail from the Captain saying, “Hey, why did you go above me and ask if you could give me a particular task?” Of course, I did not mean anything by that. I just, you know, the Deputy Chief was sitting right next to me, so I just took that opportunity to make the ask. But I had to learn very quickly that that is not really the preferred way to move communication with our law enforcement partners. And we just had to communicate and we figured it out, and now I know and it is important to them, so it is important to me.

Derek Marsh: So, we talked a little bit about agency agendas and misunderstandings. I would say, too, that just from an understanding perspective that things change, and people rotate, and we have different political agendas depending on how many chiefs. I have been through five different chiefs in my career, and so they each had different priorities of what was important. Different city council people have different priorities. Different city managers add to that complexity. Also, you have different groups of people promoted through the ranks, and that changes the dynamic of what is prioritized and what is not. And finally, your fiscal realities change, and that also determines where the priorities are. So, again, misunderstandings can come from a personal level, from an organizational level, from an agency agenda level. And the best way to deal with those is just face on. Be gentle, be kind, there is no reason to shout, no reason to be aggressive about it. And just state your case and work through it cooperatively, and I would say 99.9 percent of your issues can be solved that way, without any blood loss and without any, for the most part I should say, hurt feeling or misunderstandings along there.
Roles and Expectations of Members

- Roles & Expectations
  - Clarifying an agency’s role, and the expectations of the participating members of the task force, is one of the most critical issues a task force can address.
    - Initially, have the agency representative(s) explain what they can do.
    - If more is required, discuss it in the group.
  - A few suggestions:
    - Use the 4P(s) as your beginning and ending point.
    - Be clear what your agency expects from you as far as your performance and measures of success are concerned.
    - Active and engaged membership needs to include VRPs, LE, and prosecutors.
    - Align members according to agency performance and success expectations.
    - Trust members to perform according to their areas of expertise, and call them on issues if there are frustrations/confusions (be NICE).

Derek Marsh: I think another fundamental issue, when it comes to working well on a task force, is having clear roles and expectations. When we first started the Task Force in 2004, there may be four or five people sitting around in a circle, saying we care about human trafficking. So roles and expectations were really easy. I had a bunch of federal partners who knew what they were going to do if they had a case. And then there was me, who needed to find some cases, get something done. At that point, I was in charge of our detective bureau at Westminster, so I had some influence over that. And then I had victim advocates and victim resource providers looking to help victims without cases, and without reports from victims we had troubles trying to figure out how that was going to play. So, again, when we were talking about roles and expectations, we kind of had an understanding. But when you have 20 or 30 or 40 people in a room, or your core group is 10 or 12 people, you need to be much more specific about who is doing what, why you are doing it. Again, we anchored ourselves to those four P’s to make sure that we were not going too far astray from the federal model that we believed was a cornerstone of how we needed to respond, not just because it was a good and solid and best practices model, but because for funding purposes, if you want to get the money from the feds, you have got to follow their framework. And so there is a little self-motivation to go with that as well.

Derek Marsh: And obviously, as you get more success and you are moving forward with these successes, people begin to get a better feeling for how they fit in the group. And you begin to be able to identify where your gaps are and figure out what we need to supplement and fill in those gaps, besides our basic players, or besides perhaps some NGOs (non-governmental organizations), faith-based community members, that may feel a little undirected with the passions they have to help out along the way as well.
Lita Mercado: And so, part of what we have done, and we will talk about it again a little later, is we have established MOUs, memorandums of understanding, and we have used this, and I wanted to share this specific example. We do have a lot of partners as part of the Task Force, including faith-based organizations and other non-governmental agencies. And we had some folks who were very interested in doing what we called civilian investigations. So they put together investigative strategies and literally go out and do their own, quote/unquote, “investigations.” And so we wrote that into our memorandum of understanding that because that is not victim-centered and because that is not respecting the law enforcement role and partnership, and a number of other reasons – we tried to make it as succinct as possible – we specifically indicated that that type of activities were not condoned by the Orange County Human Trafficking Task Force. And when we did have an entity continue to do that type of function, we just gave them a call, asked for a meeting, and we sat down with them and said, “You know, we know we are not in charge of all things anti-human trafficking in Orange County, but you are a member of the Task Force, and as you can see here in our memorandum of understanding, we specifically indicated that this type of activity is not condoned by the Task Force. And so, we are concluding our memorandum of understanding with you and your entity,” and respectfully requested that they stop really sort of sharing with the world that they were part of the Task Force as they were doing this type of activity. And we were able to have a really, really amicable, let us just say, departure from each other. This entity still participates in our general public meetings. They still offer volunteers occasionally to some of our activities. We did not say you can never have anything to do with us. We just simply said, “We have roles and expectations for the Task Force. What you are doing does not play into that. So, go about doing your own thing and make sure that you know that we are here to support any victims that might be identified.” But it was not personal. We were able just to show them the piece of paper and say, “Because of this, because of this right here, we are going to have to separate” and nobody had hurt feelings and were able to continue to move together in the County doing our work.
Managing Internal Conflicts

A question of balancing multiple personal and agency agendas

Communication is Key
- Falls to the task force leadership to address (Core group)
- Clarify if conflict is the result of personality, agency, and/or behavior
- Decide if it is within your capacity to address/manage/resolve
- Be professional/use discretion
  - Praise in public, criticize in private
- Accept all conflict cannot (nor should) be “resolved”

Derek Marsh: It should be no surprise that, as things evolve and more people become involved, the chances for internal conflicts increase. And so, when you have multiple people with multiple personal agendas and multiple agency agendas, situations like what Lita just described do occur. And our perspective is basically communication is absolutely the key. And I am not talking about a dramatic airing of the grievances or anything along that line. But you do need to talk with people or groups, individually, separate them from the group so it is not a conflict in public, if you will, and respect their choices as long as they are legal and ethical and moral. But also understand that they may not be capable of being considered members of the Task Force because of the avenues or activities they are pursuing. And again, this should not just be one person making this decision. This is a core group decision that you make from the multiple state, federal, and local agencies that participate. Because it should not really be put on one person’s head, even though you have a co-chair from local law enforcement perspective, and a co-chair from the victim resource perspective.

Derek Marsh: I would say, overall, that the key to any kind of conflict, again, is keeping the conflict from not becoming a public display, and respecting the agency’s or the person’s position, and acknowledging that, “Hey, we do differ in our ways of approaching things. We all have the same passion. We have agreed as a group to work toward mutual mission, vision, and values. And if you want to go that direction, that is not our direction, and so we are going to have to separate ways when it comes from being a supported task force member.”

Lita Mercado: And so, an example of this is – well, we have many examples of this…

Derek Marsh: Very true.
Lita Mercado: But because we have a co-chair structure, which we will share and is on your handout, so I lead the victim service component, and the Sergeant leads the law enforcement component. And we recently had, for example, an incident where the victim advocates were asked not to be in the room with – when the D.A. investigator was interviewing one of our victims. And for a variety of reasons, the victim advocate at that moment decided not to say anything or do anything in the room and just simply stepped out. And so, this is a concern of ours, that is not our protocol or our process. We absolutely make sure all of our victims have the opportunity to have a victim advocate during all interviews. But what we decided to do, because again, there was a whole lot of activity that happened earlier that day that led us to believe perhaps there was more to the story. And so we graciously stepped out and I e-mailed the Sergeant just earlier this morning and said, you know, “When will we have the opportunity to touch base?” I have every intention of sitting in the space with him and getting a better understanding of what happened. I do think that there was some concerns about our victim advocate being subpoenaed as a witness and eventually being put on the stand. And so, because of that, is the reason why we sort of graciously stepped out and decided that we are just going to talk privately afterwards so we can all get on the same page.

Lita Mercado: And it has worked the other way. I have had the Sergeant call me and ask for a meeting, and sit down with me and say he did our process, he called the victim advocate when they had identified a human trafficking client, and that victim advocate did not pick up the phone, even though he called her several times. And so, he called me to say, “Hey, I do not know what I need to do to make this response protocol work, but I called the advocate and she did not appear. What is it that needs to be done, or what have I done wrong?” And that, too, was a good conversation because we could talk about a lot about how our on-call rotation works, and why it works this way. And I was able to share with him that the, quote, “mistake” that was made is he called the victim advocate directly, you know, at 8 o’clock at night, and she does not answer her work phone at 8 o’clock at night. We only answer the on-call phone. So he just called the wrong number, and that was the reason why she was not picking up. But instead of him getting angry and assuming this process does not work, he simply just gave me a call and said, “Hey, your girl did not pick up the phone. She did not show up. What is the deal and what can I do better?” And we had a really great conversation. And in sort of a funny side story, I was able to give him a little education on boundaries and why it is important for victim advocates not to be on call 24 hours all of the time. And he thought that was a really great information and has employed some of those tactics with his own team.
Derek Marsh: Excellent. So, I just brought up this slide in reference to information sharing. This is always going to be an issue to some degree. But the previous seminar and Webinar actually addressed this information quite thoroughly, talking about confidentiality versus privilege and the rest of it. I would only want to add, and not really add, but just reinforce that information sharing will be a challenge, that you do need to be aware of your agency’s boundaries, the Task Force’s boundaries, the State’s rules and laws regarding it, and keep that in mind before divulging too much information or too little information, depending on the group you are within. And especially not for your general audience, and with any kind of media relations you choose to pursue.
Buy-In, Recruitment, and Participation

- If you build it, they will come...
  - The longer a TF is around, and the more you do (cases, victim services, outreach), the more people/agencies you'll attract.
  - Do your best to align your messages/behavior with your vision, mission, and goals.

- The task force administrator and the core membership have to be task force cheerleaders
  - Give line-level personnel the space to do their jobs.

- Volunteer coordination is critical to successful awareness outreach
  - If you do not have specific tasks volunteers can perform, they will find something to do.

Derek Marsh: Buy-in, recruitment, and participation. Really, like I said, when we first started, we were like at five or six people sitting around the table. When we started getting funding, our participation dramatically increased. And so, the longer our Task Force existed, the more people came into play, and this was good. This is a good thing to have more people being engaged, being passionate about the issue. We have developed MOUs to help clarify roles for people where they were at. But part of this issue is also making sure that you have the right leadership structure, so that you can pass it down the line in case someone wants to be a member of the core group. Because everyone asks to be, and not everyone can be a member of that core group, or a member of whatever consensus group they need to be a part of to contribute meaningfully. Because one thing you can do to alienate a group of people or an individual quicker than anything is to give them a menial task where they feel they are not meaningfully contributing or significantly contributing to the effort against trafficking, which is where our volunteers’ work has really been, I think, exemplary – I do not want to toot our horn too hard – in the sense that we did write a grant for volunteers specifically. We were lucky to receive it from the BJA (Bureau of Justice Assistance), and we have had a volunteer coordinator for many years. And so we have developed a system over time where we identify people who are volunteers, they decide and help us work with what their strengths and weaknesses are. We discuss what our needs are and our gaps are, and we come to a mutual understanding of how best they can serve the Task Force, and it just does not involve filing papers in a file drawer or scanning documents. And above and beyond that, before we let them engage with our victims or engage with major task force activities, they go through a standardized training session to explain what their role is as a volunteer, what their limits are, and boundaries, and how much – we talk about appreciating them and what their contributions can be, and give examples of how meaningful contributions have been made before. And they do not all have to be investigators. They do not have to all go on ride-alongs. And they do not have to make arrests to be a meaningful contributor to this particular activity.
Limited Resources and Personnel Turnover

Derek Marsh: Limited resources and personnel turnover are fundamental to any government group or collaboration that involves government and non-government. And we talked a little bit before about how our NGOs and any non-government organization are always looking for funding. You know, funding is always the key to make sure any enterprise is viable. And recently in California, I can tell you that our funding here for local law enforcement has been quite the rollercoaster, most of which seems to be going down. And so whether it is from a city perspective, from the state perspective, there always seems to be these challenges that determine how many people could be dedicated to working with the Task Force, how many hours can be dedicated to followup investigations, and who really is going to be the people activating it.

Derek Marsh: Through promotions and transfer and personnel changes in different departments, we always have new people coming in who have not had the experience working in human trafficking before. And so we do have a kind of informal method of orienting them to make sure they understand where we are coming from, what the focus of the Task Force is. When possible, we do let them go on ride-alongs or sit-alongs, depending on what the issue is, so they can see us in action. We are blessed to have had some media coverage along the way, which allows them to see things that they normally would not be allowed to see, from a camera perspective, to see how we perform some of our investigations. And again, the idea being, trying to get people who are coming kind of from the dark into our world and get them oriented as quickly as possible so they can hit the ground running and mesh with our ongoing team. And it will be the minimum of conflict and confusion along the way.

Lita Mercado: And I think the only thing I want to add to that is sharing funding when possible. In Orange County, we are very lucky to be a really collaborative-friendly county, but we do share funding. As a matter of fact, right now the funding that we receive from OVC, my agency, CSP, is
the lead agency on that grant, and we have written in one of the case managers of our sister victim service provider. So, the Salvation Army also provides human trafficking victim services here in Orange County. And because we work so closely together, and because we value what they are able to do for the victims identified in Orange County, and because of just simply by the way it worked out with timing, etcetera, we sat with the Salvation Army and came up, hatched a plan, and so they have two case managers over there. And one of them is fully funded by a subcontract through our agency. So OVC gives us money to combat human trafficking, and we have contracted with the Salvation Army to fully support one of their case managers as part of the team.

Polling Question: Are you Part of a Federally Funded Task Force?

Polling Question –Are you part of a federally funded task force?

a) Yes
b) No, the task force is not federally funded.
c) No, I am not part of a task force.

Derek Marsh: At this time, we would like to take a quick opportunity for you – to ask a polling question of you and ask which of you are involved with active task forces currently, and who are not, just to get a feeling for who is working in our federally funded world and who is still working independently and being able to generate money independent of that federal commitment. We will give you a few seconds to respond, and then see how that response turns out.

Derek Marsh: So, what we are seeing right now is a majority of people are not part of a federally funded task force. Is that correct, Lita?

Lita Mercado: Yes.

Derek Marsh: And though some of you are. So, again, it is good to have you here, those who are federally funded, even those who are not. For many years, we were not federally funded so I can tell you that it sounds like an uphill struggle, but I can tell you that almost invariably how you set up your task forces now, or your groups that are working against trafficking, can really be the cornerstone on how you are able to accept federal funding, if you have that opportunity in the
future, and make your task force sustainable in the long run, if and when federal funding stops coming around and you have to find ways to sustain your efforts above and beyond the money that comes across the table.

**Working With Law Enforcement…**

Derek Marsh: And this is the last slide of this particular part of the presentation of this section, and then we are going to go to quick questions, and [unclear] will pop back into the presentation afterwards. Lita, please take it away.

Lita Mercado: So, the working with law enforcement slide, as Derek and I kid, this is our most controversial. And I actually just wanted to share with you all something that I do with my team, and it might start to answer some of the questions that I have seen come up. And so if you just looked at this slide without the title, I imagine if you are a victim service provider, you would recognize these bullet points. So, these are tools that all victim service provider agencies, victim service provider individuals, these are tools that we already have. And so, the part of the reason why I train my team like this, because it is not anything complicated.

Lita Mercado: We as victim advocates and case managers, we know the importance of building rapport with our clients, making sure to ask open ended questions, the importance of validating and supporting, etcetera. So, we do this every day, all day. And then we sit around and talk about how do we collaborate with law enforcement? How do we collaborate with faith-based agencies? And everyone kind of freaks out and does not know how to do it, what are the tools? And so I actually really simplify it and bring it back to the tools that we already have. Every single thing on this PowerPoint screen is exactly how you collaborate with law enforcement. It is exactly how you collaborate with faith-based agencies. You do need to build rapport. You are not going to have an
effective collaboration if you have not taken the time to build a relationship with those individuals and those agencies.

Lita Mercado: You do need to ask open ended questions. You need to ask things like, “What things would be helpful to you?” “How can I best support you?” “What do you need right now?” I mean, these are actual questions that we ask victims in crisis, but it is the same tool to allow people to share with you what it is that they need, so that you can best determine how to assist them.

Lita Mercado: You do need to validate and support our law enforcement. You need to explore options. And I wanted to give an example about exploration. As we all probably know on this call that not having a victim or a witness, not having a victim willing to testify, or having a victim who has totally disappeared, significantly impacts the ability to prosecute a case. And so, instead of just complaining about that as a truth, both the victim service provider, the District Attorney’s Office, and our law enforcement partners, we all got together and talked about that. We explored options together. And now, our DA’s Office will prosecute without a victim, and successfully. And the police department has actually come up with creative ways to do proactive investigations that do not even include a victim at all. They have moved into exploring doing social media, I will just call them stings, where they pose as vulnerable girls on the Internet, and sort of like a “catch a predator” sort of model, and have pimps and traffickers contact them. And they have been successful in investigating these cases and prosecuting traffickers who actually did not even do anything to a live person. And so, these were just different ways that we explored how we could be successful, given the fact that it is true, it is just a truth that it is possible that we may not have a victim willing to testify when it is all said and done.

Lita Mercado: And then, of course, you can see all the other bullet points. They are probably pretty self-explanatory. But we did want to put on there that you all already have the tools to be an effective collaborator.
Derek Marsh: So, we are going to move now to some questions from the group. Lita will be reading them, and we will answer them according to where they are addressed.

Lita Mercado: Okay. So, we are going to take a few minutes. I identified three questions so far, and I am going to just start backwards. The first question was asking about how we train victim advocates and if they are volunteers. And so, for us at the Task Force, our victim advocates are not volunteers. They are trained and employed staff. We train our victim advocates as sexual assault crisis counselor advocates, and we train them as domestic violence crisis counselor advocates. And we do a specific human trafficking victim advocate curriculum that they are required to attend. And we do use volunteers, but we use volunteers for what we are going to call aftercare. So after we have a client who, for lack of a better term, has been stabilized and simply has everyday needs, then we can make a match with our volunteers and set up like a mentorship where that volunteer can help them with sort of these aftercare activities. So, that is what we do for training.

Lita Mercado: The other question had to do with decriminalization, and I will offer this up to Derek Marsh as well. But I personally do not totally understand the differences between legalizing and decriminalizing either, as one of the participants had asked. Certainly from a victim-centered approach, the concept of decriminalizing minor sex trafficking is very attractive for us, because that is how we treat them. We are not treating them as criminals. We are treating them as victims from the word jump. So I am not even entirely sure how that would change us as victim service providers, because we already act as if. So we are unofficially in favor of that approach. But we have not had really lengthy conversations about if the county wants to take a stance on that one way or the other. I do not know. Derek, do you have anything to add to that?
Derek Marsh: Well, I know there is the model that decriminalizes prostitution. It has been working in other countries, but while still maintaining the criminalization of trafficking or pimping, or even looking to purchase sex. And so, I know those have been successful in those arenas and they might be applicable here. I think it would take a lot better minds than me to get together as a group and decide how that would be applied in the United States. The one challenge I think I identified is not so much decriminalizing the act of prostitution. It really would help, I think, in many ways to keep these people being prostituted from being held intentionally or unintentionally criminally responsible for acts that were forced upon them. However, I also worry about the impact of then the language starts moving from being prostituted to being a sex worker, and I think that confuses sex and labor trafficking. And I think it works against our victims and their potential survivorship if you only give them resources and allow them access to psychological services based on a labor trafficking model versus a sex trafficking model.

Lita Mercado: Okay. And I am going to answer one more question, and then the questions that have just come in, I am going to write those down for the end. But the last question, someone asked at the very beginning: How successful has our prosecution been, and has collaboration helped to increase that success? And so, I am happy to brag that the Orange County District Attorney’s Office, since they established a vertical unit, much like our sexual assault prosecution team and our domestic violence prosecution team, they established a vertical unit for our human trafficking, pimping, pandering, sex purchasing, all of those types of cases go to the same three people. And since the establishment of that vertical unit in April of 2013, we are 98 percent effective. We have successfully prosecuted everybody except for two. One, we ended up dropping the case before taking it to a preliminary hearing. And the second is, the defendant died on us, so we had to also dismiss that case. But short of that, we have been extremely successful.

Lita Mercado: And I honestly do not know the answer about has collaboration helped, because we did this backwards, but let us just call it a grassroots sort of effort. And the collaboration existed and had been in existence since 2004. And then in 2013, the DA’s Office jumped onboard and started prosecuting the cases. So, we were already collaborating before the DA’s Office sort of got onboard. So I cannot say if it increased it or not. But I think we feel very safe in saying that we are extremely confident that the model that we are currently using is extremely successful for both victim service provision and for the prosecution of cases.

Derek Marsh: And I would just simply add that I think any vertical prosecution unit, especially when you have law enforcement, federal law enforcement, state law enforcement, DA investigators, local prosecutors, AUSAs (Assistant U.S. Attorneys) available, as well as having victim advocates. We have a training coordinator available there. We have our task force administrator stationed there. When you are all sitting in the same bullpen and working on issues together, I cannot see it as being anything but greatly successful along the way. We are blessed with a lot of people who have significant compassion and commitment to the cause. And we also had some political things that worked in our favor. Our California law that came across a few years ago, Proposition 35, had 81 percent of our voters working towards increasing penalties against trafficking. I know that law and proposition are problematic, but I think it definitely increased the interest from the local DA’s perspective on prosecuting these cases. And I would say, from a prosecution perspective, that we were probably more successful – I will go out on a limb here where Lita would not – as far as prosecutions go and holding suspects accountable and closing out cases with years in jail or prison, as opposed to what we were doing more internationally based trafficking back in my heyday, if you will, from 2004 to around 2012. We are going to just stop the questions at this point.
Derek Marsh: We are going to move to Section 2, which is Working Through Challenges of Collaboration.
Derek Marsh: This is, I call it A Task Force Fable. This is really an oversimplification, another way of trying to communicate how our Task Force kind of evolved and some of the issues we had to address along the way and how we addressed them. I have oversimplified it and not given near enough credit to all the people who participated during that time. My apologies ahead of time. Please do not think I have forgotten you. I have not, but this is in the interest of communicating to a large group of people and keeping in our time limit and respecting all of your commitments to [inaudible] Webinar but having other commitments outside of the Webinar.
Derek Marsh: So I would say Chapter 1 of our Task Force Fable, if you will, is, again, we started in 2004. I attended a couple of monthly meetings to see what was going on. We had three or four members; if you add me, that is five. AUSA, ICE (Immigration and Customs Enforcement), which is now HSI (Homeland Security Investigations), Department of Labor, our community service program, and the Salvation Army, The Cambodian Family, Sisters of St. Joseph. These were members at that point here. And the person who was running it was from CSP. She got a job across the country running another NGO. They asked me to be the head of the Task Force at that point, not because of my incredible training, experience, and education, but because I was the only one wearing a local badge and they thought that would help bring more people and get them more involved. So I agreed. I had the time. I was in charge of the tech division at that point. I was a Lieutenant, or Commander as they call them now at WPD (Westminster Police Department).
Derek Marsh: And so right away, I wanted to figure out where we were. And so we did a close look at our federal model. The model, the picture we saw at the very beginning of the presentation. It was a three-team model back then, but we basically all decided that that was what we were focused on. We wanted to follow that federal framework. We wanted to create an effective multidisciplinary team that would be recognized at the federal level. And so we were all on the same page there. I looked at, and then from an analysis perspective, I looked at who our players were and could we make it happen. Me being in charge of the detective bureau made it much easier for me to look for local enforcement opportunities, case development, and look for prosecutable cases. CSP was our, at that point, 30-year county-authorized victim advocacy agency, and they have been embedded across the county, both at law enforcement departments, at the courts, at the DA’s Office, so they were our logical pick to be part of it, along with the Salvation Army. And, obviously, our federal groups that have participated as well made it possible for us to be able to prosecute these international cases, which at that point was our emphasis, as Westminster was, and still is, 30 percent Asian of our now 90,000 to 95,000 population. So, we decided we were going to do something. We started having the meetings.
A Task Force Fable: Chapter 2

- WPD is the only active, attending LLE member
- Except for one Egyptian girl case, no cases
- No plan for reaching out to engage more potential members
- No training or outreach component

So, how do we generate activity?

Derek Marsh: And the question is, I am the only – we are, WPD at that point was about the only active, consistently attending law enforcement member. We did have an Egyptian case, trafficking case. It was a labor case. It was out of Irvine. They did a great job working with the social workers, CSP, our Orangewood – which is our juvenile area, a kind of home away from home, if you will, before they put them into foster care – and with our AUSAs. But we really had no other plans as far as to get potential members and get other people to partner with us, and we had no training and outreach component. So basically, we were a group of people saying, “Hey, we like human trafficking,” but we were not advertising what we were, who we were, and deciding where we were going to go.
Derek Marsh: So, the first thing you need in a victim-centered approach is to have some victims. So I basically went with my Vice/Intel/Narc sergeant and asked if he thinks we have trafficking victims in the OC. He says, “No.” I cite cases. He says, “But none in the OC.” I say, “Prove it.” Finally, he says, “Fine!”

- We develop a residential brothel case.
  - We invite CSP, Inc., to come along (last time they ever go on a search warrant).
  - We find two Thai women, one claims she was sold into slavery by an uncle for a gambling debt.

Now members are interested and involved.
Derek Marsh: So, we are doing our cases, but we have got to figure out who we are going to work with, and how we are going to work with them. There is a lot of challenges along that way. We have got to figure out who is responsible for the victims and how that plays itself out. And we begin to have more members, not just from a federal perspective. We had a pretty good crew from the feds, but we also had to get local people who started wanting to become involved. We had the investigators starting to show up. We had a lot of nonprofit organizations starting to show up to our general meetings. And it was really important for us to start getting everyone on the same page to make sure we had a consistent treatment of our victims and consistent way that we handled cases and shared information across the board. So, as with anything, when you are part of a collateral task force, I had no leverage over anybody, as a Lieutenant, even then I had AUSA, again, state people, other local law enforcement, and NGOs, and victim resource providers.
Derek Marsh: And so we did a team building with an outside vendor who came in, brought us together. We came to a mutual understanding of what our mission, vision, and values were. We were going to go with a victim-centered approach, again, adopted the federal framework, and we created committees at that point that focused on basically our core group. We worked on our victim resource and victim advocacy group. And we had an outreach/volunteer group that actually did presentations and things like that. We also developed an MOU at that time. We were able to clarify our roles and expectations. So people would sign on to be a part of it, and we began to have a more consistent attendance at our meetings, and we began to have more cases. So it also helped working.
Derek Marsh: So here we are, Chapter 4. We have cases that we are working. We are finding victims along the way. Our partnerships are increasing. Our meetings are sometimes intermittent, but we have a much larger than four or five people showing up to these. But we still have members of the community that do not know what HT (human trafficking) is. They do not understand what the Task Force is about. And so we need to kind of announce ourselves to the OC (Orange County) and get everyone to understand what human trafficking is about and where we are going with it.
Derek Marsh: So we come up, and I air it basically to the whole group, and every group has their own version of a Human Trafficking 101 presentation they give to people. So we put them all together, kind of meshed them up, included information that was agreeable to our federal, our state, our local partners, both NGOs and law enforcement, and we had a standardized presentation we began to use. And we went everywhere we could go. From a law enforcement perspective, we started going to the sexual assault investigators’ meeting, to commanders’ luncheons, to captains’ luncheons, to the Chiefs of Police meeting. We went anywhere that they would allow us to come and talk for 5 or 10 or 15 minutes to explain what human trafficking was, what we were all about, and that we were a task force that we are working on investigating these things, and looking for anybody else who wanted to participate.

Derek Marsh: In addition, we began to work a little bit with the media. We had some reporters we had relationships with that we felt and were reliable as far as sending out a consistent message. They did not misquote us all too much, which was great. And we also began to have an Internet presence. So we began to refer people to a website, www.ochumantrafficking.org. I think it is dot.com now. We changed it. But basically, they would have resources there to look at, and could become partners with us or report things to us through that. Go ahead, Lita.

Lita Mercado: So, I just wanted to say something about presenting a presence. All of the things that Derek was talking about regarding trainings, I had already indicated on my notes that I wanted to share that I personally think that this is a great sort of non-crisis way to begin collaboration. And I am jotting down all of the questions, and there are a lot so I hope we get to all of them. But many of them do ask about how to sort of begin that relationship or, you know, what training can look like.
Lita Mercado: And so I do want to say, someone asked specifically: What is the best way for, you know, a rape crisis center to start building a relationship with law enforcement? And I do come from a rape crisis center in my past, and so I have had that experience myself. And I think this is one of those ways. Introducing yourself and putting together collaborative trainings. Going to your law enforcement partners and saying, “Because you do such a fantastic job in your response to sexual assault, you follow all the, you know, the legislative protocols, we were hoping that you would come with us and do a collaborative presentation to…” you know, and then fill in the blank, whoever it is that you want to present to. Because this gives you an opportunity to sit with that law enforcement officer in a space and start building a narrative, right? You are building a PowerPoint together, and you can have those moments privately where you have these conversations about why you think a response should go one particular way.

Lita Mercado: We have done a lot of trainings together as a Task Force over the more than 10 years that we have been in existence. We do trainings probably once a week, with a variety of different partners. We have right now, unlike before – before we had one PowerPoint presentation – right now we have got like 50. I am personally working with one of the Deputy District Attorneys right now in trying to come up with a presentation for the National Sexual Assault Conference coming up. And so this gives us an opportunity to sit down, again, in this non-crisis setting and have these sort of private arguments about how we think things work best and why. And I mean, it is a great sort of sneaky way to sit in the same space with someone, and literally get on the same page.

Derek Marsh: That is another reason why, when Lita and I agreed to do the Webinar, and we are very thankful for the opportunity to do it, we decided to do it together. Not one set of slides for me and one set of slides for Lita. You know, in our presentations, what we do here in Orange County, throughout the state, or wherever we go, we always have people from multidisciplinary groups sharing in the presentation to kind of reinforce the idea that without a collaboration, the topic cannot be completely discussed or understood. Oops, jumped ahead, sorry.
Derek Marsh: So, in Chapter 5 of our Task Force Fable, we are now very busy. We are giving out presentations. We are finding victims and going through that whole process of helping turn them into survivors and providing support for them. We are starting to get some prosecutions and punishment. Not always human trafficking prosecutions, sometimes for pimping and pandering, whatever, but we are getting prosecutions. And we really, I am the Task Force administrator. It is a collateral duty, I am also in charge of detectives, I am part of the command staff at the PD, and so I am being spread fairly thin. And a lot of this is being done, not necessarily on company time, but I have been given permission to wear the uniform when I give presentations when I am not on company time. So we are doing this collateral assignment mode, but we really need full-time staff.
Derek Marsh: And so that is where the money starts kicking in. Who can we get to get financing so we get full-time staff dedicated and do it right? And you know, basically, obviously the Federal Task Force model, in our mind, is a gold standard. I am the grant writer, too, for the Task Force up to 2012 or so, and wrote three Task Force federal grants that were completely ignored and not awarded, and instead of getting frustrated by that, which I was, you just keep powering through until you get it. And it turned out in the end that I was not even paying close enough attention but we had a representative from Congressman Loretta Sanchez’s office attending our meetings, and she was able to give us a subvention at that time, which was not a bad word then. I know it is now. And we were able to take that money and get a full-time task force administrator, pay for a full-time victim advocate, and also give some law enforcement overtime to work these cases. So, the benefit of having that subvention was free money, but that it also helped codify what we were doing, why we were doing it, and how we were going to be measured.
A Task Force Fable: Chapter 6

- We have money.
- We are busy.
  - Cases, victims, outreach opportunities
  - More grants, state and federal (overall ~ $3.8 million to date)
  - More staff
  - Meeting consistently (monthly) with a training component at each general meeting
- We think we are doing well, but how do we prove it?

*We need to measure our success.*

Derek Marsh: And finally, we have money, we are busy, and we think we are doing well. But here is the thing. Be careful what you wish for, because now how are we going to prove it? So, we have to measure our success.
Derek Marsh: And the reality is that you have really got to be adamant about making sure you count your victims appropriately, that the multiple agencies that are providing different services do not double count people, that the cases you are working are consistently reported across the path, whether you count one case only once, or they ask you to give you updates and monthly results, you know, reporting. And again, what we did is we focused on our crime analyst, we created some forms, we had consistent data collection, and we began to monitor that as well. I think that really, if you do not sell your success – not just to the government agency that is funding you, but to the people who are working in the middle of these activities that do not always get to see the big picture, and also to the county at large so that you can show that you are a functioning, producing task force – you are short-selling yourself, because you are missing a lot of opportunities to gain members who want to be meaningful contributors to the Task Force.
Derek Marsh: So, we have lessons learned here. I am going to go through those quickly, but basically you need a point of convergence. And again, that federal model is what it was for us. You want to make sure that you know what your strengths and weaknesses are, and play to your strengths, and find people who can minimize or mitigate those weaknesses. And you need to make a commitment. Not just as an individual, but get it from your agency as much as you can.

Derek Marsh: You are going to have to go out and do some work. It is not enough to talk about it. You are going to have to get people who can engage in the investigations, make arrests, find victims, and you are going to have to have some protocols in place to make it happen.

Derek Marsh: And again, I called it herding cats because everyone has, again, their own agenda, as well as agency agendas. It really was much easier than I make it sound. Everybody was on board. Once we decided we were going to go against trafficking and we had our federal partners, and our state partners, and our local partners started getting engaged, everybody knew their place. We rarely had people step on each other’s toes. There were some outliers, do not get me wrong, but for the most part we are very blessed, again, in the fact that everyone was getting together and focusing on finding these human trafficking situations, working cases on one side of it and helping victims on the other.
Derek Marsh: Again, we want to present your presence in the sense of making sure that the locals know who you are. It used to drive me nuts the first couple of years, they would go, “What is the Orange County Human Trafficking Task Force?” Or, “What is human trafficking?” I think we have settled most of that by this point, but we are, again, 11 years into it, right? So it definitely does not happen overnight. And again, you want to have the consistent, positive messages across the board.

Derek Marsh: And then, finally, with the money, you have got to be persistent. I have had probably more failures in grant writing in my career than successes, but we have been very fortunate with our Task Force in the multiple millions of dollars’ worth of success. And it is a little bit of a brag, but we would not be able to get those without all of the people working together to produce the results that we have been able to produce.

Derek Marsh: And, finally, be careful what you ask for. You have got to be able to show people what you are doing with the money you have, or with the efforts you are expending. And it is important that you make that happen, so that everyone can share in the success, celebrate those successes, celebrate your champions in that success, so that everyone can be onboard. And make sure when you celebrate those successes it goes on the law enforcement side of the house and the victim resource provider side of the house. Do not overemphasize one over the other, for obvious reasons.
Questions?

Derek Marsh: At this point, we are done with our formal presentation, but we do have questions we want to address. And we are going to spend the next, I think about 7 minutes, focusing on those.

Lita Mercado: Okay. So, we do have several, and I will just go through some of them. One of the questions was: Do our minor victims go into foster care or juvenile hall? And I will point you to one of our handouts, which is actually our Law Enforcement Response Protocol. And the answer is neither and both. So, we have our response protocol for responding to minor victims as a case-by-case basis. So, they do go to juvenile hall if they have a warrant in another county or a warrant in Orange County, then that is not an option and they have to go to juvenile hall. We do have a specific designated judge who sees all of our CSEC clients, and she is trained on CSEC, the commercial sexual exploitation of children, and treats our clients extremely victim centered and works very collaboratively. So even if we have clients who have a warrant and are going into juvenile hall, we are still able to provide services, and our victim advocates are on the approved visitors list, and we go and we visit our clients in juvenile hall. They only go to foster care if they are a dependent of a county. If they are a dependent of Orange County, or if they are a dependent of any other county, then again, we do not have an option and we have them go to our facility, which is called Orangewood. And there again, they have programs for CSEC and we are on the visitors list, and we can go visit our clients there. Our other options are to send them back home. So, we do send some of our clients back home, depending on the situation. And the other and final option is our youth shelters. We have two youth shelters in Orange County. Both are trained on CSEC as well. Both work collaboratively with us. And what we do is we get a client, and we figure out sort of her situation and all of the extraneous factors. And, as a team, we decide which one of those options to send our minor to.
Lita Mercado: The second question I would like to address will be fast. The success rate of social media prostitution. We have three Facebook cases that have come to a conclusion. All three of them were prosecuted. And as I mentioned before, where really the prosecution rate is quite high, the social media cases have been, quote, “easier” because everything is actual evidence. Everything is in writing, everything can be printed out, and they are almost slam-dunk cases.

Lita Mercado: And then there was a question about legislation regarding forfeitures and seizures of offenders’ monies and properties. I do not know if Derek has some additional information. I know for our sex trafficking cases, we really have not been talking about a lot of money. Just handfuls of money or money on cards, and there has not been anything to seize. There are legislation here in California that would allow that, but we just have not been able to leverage that sort of tactic. I do not know, Derek, do you have any experience with that?

Derek Marsh: I would just say, not in Orange County per se, but I know in San Diego County there was an Oceanside case in the last couple of years that used multidisciplinary teams, just about every agency in San Diego County was a part of it. And I know they did get the seizure of a motel as part of that case. But as far as my understanding is of it, locally that is the largest seizure we have had in the State of California. And I know that was a federally supported seizure as well.

Lita Mercado: So, there was another question on how do we involve victims or survivors, and I think that is a great question because we are young in the sense that our program has only been in existence since 2004. And, also, we did not discuss this today, but Orange County is really a destination location, and the vast majority of the human trafficking victims that we have identified are not from Orange County. So, they are either foreign nationals, or if they are U.S. citizens, almost always they are coming from a neighboring county or a completely different state. And so, we do not have a lot of, let us just say, long-term clients because when they achieve self-sufficiency or when they are ready, they want to go back home. And we, of course, support that and do a warm handoff for that process. That being said, we do have a handful of clients who have been with us for years. And I say that because, as a philosophy, we do not, quote, “use” victims or survivors in any of our programming at all unless they have asked us or expressed interest. So, we do not ask them, we just allow them to bring it up. And we have had folks who have brought it up to us. So, most recently, I have hired a young lady. She is a fantastic, 20-year-old, brilliant young lady who is a survivor of child sex trafficking and she is now a consultant with CSP. And she trains, she is a co-facilitator for My Life, My Choice at our group home facility in Orangewood. And she is just barely beginning to join us on our training team. So when we go and train law enforcement and other service providers, she is going to begin taking a component of the training so she can speak from personal experience about what worked when law enforcement dealt with her, and what did not work. So that is how we use victims and survivors.

Lita Mercado: And then, finally, someone asked about suggestions on sharing language access without overburdening some of our advocates. And I do not know what the laws or rules are across the country, but here – and maybe, Derek, you can speak to this – law enforcement are required to get their own interpreters or translators. The courts are required to get their own translators or interpreters. So, you know, we advocate on that behalf, and we do not translate for our law enforcement and we do not translate in court. We use our bilingual staff only when we are doing victim service provision, and we have a really big volunteer pool that are also trained on human trafficking and trained as interpreters. And we use them to help us when we do our victim service provision. But for law enforcement interviews and court proceedings, we advocate that all of our
partners follow the law with regard to that use of certified translators, if they are required to do so.
Derek, do you have any experience?

Derek Marsh: And I would only comment that I would say, from our experience, it is better to have
law enforcement translators when you can. We have actually borrowed people from the feds,
Department of Labor, IRS (Internal Revenue Service), HSI, FBI (Federal Bureau of Investigation),
depending on their expertise, and that has been by far more successful from our law enforcement
focused interrogations, if you will, in finding information out from there.

Wrap up and Conclusion

Derek Marsh: I think at that point, we are going to cease with the questions. I know there are more.
I think there is a method for us to answer them. We want to thank the OVC again for the opportunity
to present our information and present our Task Force to you all. We hope this provided some sort
of help or assistance, or pointed you the right way. If we can be of further service, please let us
know. We are happy to do so, and we wish you the best of luck, whether you are an ongoing task
force or a new task force in fighting human trafficking. And with that, I will pass it on to OVC.

Ivette Estrada: Thank you. And thank you both for a wonderful Webinar. On behalf of all of our
partners and colleagues, again, I want to thank you, Lita and Derek, for offering your expertise and
for providing some practical information from a real-life perspective. We truly appreciate you
making the time today to share this information. So, we will go to the next slide.
Ivette Estrada: For key toolkits and technical assistance resources, so for all of our participants, please know that we are recording this Webinar today. There are resources that we want to point you to before we close. They include some key toolkits and technical assistance resources. There is the National Human Trafficking Resource Center that is listed on this slide. They manage a 1–800 hotline for the federal government. You can call not only to report trafficking or to receive support from them, but also for great information.

Ivette Estrada: There is the *Human Trafficking Task Force E-Guide*, which is a very robust resource for building collaboration on human trafficking. It has a variety of resources available as well.

Ivette Estrada: There is the Human Trafficking and State Courts Collaborative that has tremendous resources as well, looking specifically at the nexus with the courts. And then there are some great special collections, specifically looking at trauma-informed domestic violence services, and runaway and homeless youth, all of which have a nexus to human trafficking. So, please check out some of these resources. Next slide, please.
Ivette Estrada: If you need additional help beyond what was included in the previous slide, we have highlighted here two specialized human trafficking training and technical assistance providers that are available. And it is OVC TTAC, and the Center for Court Innovation. The link to their website is provided on the slide. Next slide, please.
Ivette Estrada: Again, I want to remind you about the next Webinar. If you found this one helpful, this is really the foundation that sets up what the next Webinar will be about. The next one is looking at collaboration related to the courts. It is going to be an excellent presentation. We did receive a huge turnout for these Webinars, so please know that they are all recorded and available on the OVC TTAC website listed on the bottom of this slide. For today’s Webinar, just give us a few weeks, or maybe several weeks, so we can get the transcript up. But they will be available for everyone to see. Next slide, please.
Ivette Estrada: So, I want to thank our speakers again, and to all of our participants today. It is really important to us that we get your feedback. So, please take the time to fill out a brief survey so we can make sure that we are meeting your needs. When you exit the Webinar, the evaluation form should automatically load onto your browser. For those of you that have participated on the phone only, you can use this link on the bottom of the page to submit your feedback as well.

Ivette Estrada: So, on behalf of all of us hosting this series, thank you again. We will look forward to speaking with all of you on September 24 to talk about collaboration with the courts. Have a great day.

[End.]