

ALPINE COUNTY WASHOE TRIBE CSEC RESPONSE

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TODAY'S PRESENTATION

- ❖ Background/context of relationship
- ❖ 2014 MOU
- ❖ CSEC Protocol Development
- ❖ Discussion: role of child welfare when confronting child sex trafficking



TIMELINE

- Since time immemorial – lived in the Sierra from Honey Lake down to Mono Lake – including Lake Tahoe – the center of the universe
- 1848 gold rush, 1860 Comstock Lode in Virginia City
- 1887 Dawes Act – individual allotments
- 1908 Douglas County enacts law declaring all native people in town limits after sundown to be a public nuisance unless they were servants. Law stayed on the books until 1974.
- 1917 Lands/colonies in Nevada established
- 1936 Indian Reorganization Act
- 1970 Hung a lel ti established in California
- 1996 Tribe resumes exclusive jurisdiction over child custody proceedings under ICWA – memo drafted
- 2007 Negotiations on collaboration begin – memo holding things up
- 2012 Change in County leadership
- 2014 MOU signed



❖ Recognized:

- ❖ The Tribe's jurisdiction over child dependency cases that arise in Washoe Indian Country
- ❖ That Alpine County HHS has delegated authority to provide public health and human services
- ❖ That Alpine County must investigate and respond to all allegations of child abuse and neglect
- ❖ That community members in the County are citizens of not just the tribe, but also that County, State and United States
- ❖ Affirmed the Tribe and HHS's commitment to a mutually supportive working relationship to provide supportive services

2014 MOU

The 'wherefores'



❖ Purpose of the MOU:

- ❖ Share resources and expertise, thereby increasing the provision of comprehensive child welfare services within the parties' service area
- ❖ To protect the health and safety of children
- ❖ To provide an array of services
- ❖ To promote cooperation and collaboration among all service providers
- ❖ To prevent the inappropriate cultural separation of children from their families
- ❖ To preserve the unique values and culture of the Tribe

2014 MOU

Purpose of the MOU



❖ Agree

- ❖ To work closely together
- ❖ To ensure compliance with the ICWA (federal and state version)
 - ❖ The county acknowledged the Tribe's sovereignty and explicitly stated that it respected the Tribe's laws
 - ❖ The County supported the Tribe's exclusive jurisdiction over Washoe children in the service area
- ❖ To open communication and information sharing with regard to accessing and making services available
- ❖ To obtain ROIs so information could be shared
- ❖ To maintain confidentiality
- ❖ Tribe granted County access to Washoe Indian Country to provide those services
- ❖ County agreed:
 - ❖ To accept referrals from the Tribe
 - ❖ To make foster care resources available
 - ❖ To authorize payments for children when eligible
- ❖ To structure case plans so as to make effective use of limited resources
- ❖ Dispute resolution
- ❖ Tightly limited waiver of sovereign immunity

2014 MOU

The Agreement



- SB 855 –Victims of CA/N- when parents failed or were unable to protect, including children who trade sex for survival, may be served through the child welfare system as victims of child abuse and neglect.
- SB 855 also created the state-funded CSEC Program. And set requirements for the opt-in program. The two major CSEC Program requirements include:
 - 1. Interagency protocol developed by Child Welfare (lead agency), Probation, Mental Health, Public Health and Juvenile Courts; and
 - 2. Use of a multidisciplinary team (MDT) approach to case planning with participation from, certain team (Child Welfare, Probation, Mental Health, Public Health, and Substance Abuse.
- SB 794 has requirements that match the federal requirements and makes probation responsible for having protocols as well.

NEW LEGAL REQUIREMENTS AND ISSUES (STATE)



- Policies and procedures apply to children receiving “child welfare services” . Child Welfare services includes: “emergency response services, family preservation services, family maintenance services, family reunification services, and permanent placement services, including supportive transition services.”
- For probation purposes, “child welfare services” includes services for candidates for foster care. It also includes foster care placements by probation.
- County child welfare and probation departments must develop policies and procedures related to children who go missing from foster care.

LEGAL REQUIREMENTS (STATE)



- Social Security Act:

Child Welfare agencies that receive IV-E are required to:

1. Include definitions in their plans;
2. To consult with others that have experience with at-risk youth;
3. To train their workers;
4. To detect when children are at risk or have been exploited/made victims (especially if they are foster care youth that have run away);
5. To find kids who have run away;
6. To determine appropriate services for those kids;
7. To cross-report, and
8. To collect data on the issue.

NEW LEGAL REQUIREMENTS

(FEDERAL)



- Train and engage Alpine County staff;
- Cross-train staff and stakeholders (especially tribal partners) about CSEC in Indian Country and about the tribal, state, and federal requirements that must be met;
- Discuss roles each party & stakeholder will play in identifying and reporting CSEC both when child is in care and when a child goes missing from care;
- Finalize screening tools that each party & stakeholder will use;
- Finalize cross-reporting protocols;
- To discuss data collection requirements and facilitate a discussion on roles/responsibilities for meeting those requirements. Facilitate discussion on data sharing with the Washoe Tribe and other partners;
- Create protocols to memorialize agreed upon roles and responsibilities;
- Train staff CSEC protocols and tools- walk through
- Develop awareness campaigns and prevention campaigns.
- To train/engage community
- Evaluate/CQI - loop back in a couple of months and see if the protocols are meeting your needs.

THE CSEC PROJECT

Objectives



- Alpine County Child Welfare – lead agency from the County (state law requirement)
 - Convenes steering committee and MDT meetings
 - Obligated to investigate all allegations of child sex trafficking
 - 2 hour response – if safety and placement at issue
 - 23 hour response – if placement at issue
 - 7 Day response – if neither at issue
- Alpine County Sheriff
 - Responds to allegations of CA/N because have removal authority – part of response team
 - Victim Advocate
- Live Violence Free
 - Provides DV/SA Services in Alpine County
 - Part of 2 hour response team
- Washoe Social Services, WPD, DV, Healing Center
 - Attends meetings
 - Works collaboratively with Alpine CWS
 - Loops in other tribal agencies as needed

THE CSEC PROJECT

Current form



- Appropriate role of child welfare agencies when CSEC at issue?
 - Provide prevention services to community
 - Provide support to families struggling to protect child?
- Role of law enforcement?
- Role of DV/SA agencies?

DISCUSSION

