

2014

**Statutory Responses to Domestic
Minor Sex Trafficking Victims**

New Jersey



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Identification

Initial Custody

Process Following Initial Custody

Abused or Neglected Child

Authority for Initial Custody:

- By police officer or court designated person if "imminent danger to life, safety, or health"
- By medical staff if serious, non-accidental injuries, which custodian most likely caused

Placement:

- Hospital
- Shelter care or child care institution

Where is child referred after initial custody?

A child is referred to the Division of Child Protection and Permanency, or another entity in the Department of Children and Families

When and how does court assume jurisdiction?

Any person with knowledge of abuse or neglect may file a complaint

Child in Juvenile-Family Crisis

Authority for Initial Custody:

- Law enforcement may take custody when:
- Health and safety of child is seriously in danger and taking the child is necessary
 - Child is absent from home without consent

Placement:

- Parent, relative or responsible adult
- Host shelter
- Resource family or group home
- County shelter care facility

Where is child referred after initial custody?

The Juvenile - Family Crisis Intervention Unit (CSEC included in definition)

When and how does court assume jurisdiction?

When the Juvenile - Family Crisis Intervention unit petitions the court

Delinquent Child

Authority for Initial Custody:

A law enforcement officer may take a child into custody for delinquency, pursuant to laws of arrest

Placement:

- Returned to home
- Detained only if necessary to secure presence at adjudication, or for community/property safety, or for serious crimes

Where is child referred after initial custody?

To Juvenile Justice Commission. DMST to the County Prosecutor's Human Trafficking Liaison.

When and how does court assume jurisdiction?

Once any person with knowledge of the facts files a petition charging the child with a delinquent act

Trafficking Victims in New Jersey

Placement Process Pending Adjudication/ Investigation

→ When must placement hearing be held after initial custody?

By the next court day

What are the placement options?

- Child may be released to a parent or guardian, or other suitable person
- Child may remain in care of DCPP and be placed at suitable facility

Adjudication or Referral to Alternate Process

→ Adjudication:

Safety of child is paramount concern, evaluate whether child's interests require protection

Or Alternate Process

N/A

Placement Following Adjudication

→ Dispositional Outcomes

- If no on-going risk to life, health, or safety, return to parent/guardian
- The child is placed with a permanency plan
- Therapeutic services

→ Dispositional Outcomes

N/A

→ When must placement hearing be held after initial custody?

No later than the morning following detention

What are the placement options?

- Return to family
- Host shelter
- Resource family or group home
- County shelter care facility
- Another suitable family setting.

→ Adjudication:

Court considers unit's claims and recommendations as well as family's evidence

Or Alternate Process

N/A

→ Dispositional Outcomes

- Placed in or out of the home
- Placed under care of DCF or CCF to receive services
- Ordered to academic or vocational training services

→ Dispositional Outcomes

N/A

→ When must placement hearing be held after initial custody?

No later than the morning following detention

What are the placement options?

- Released to a parent or guardian
- Placed on home detention
- Shelter care
- Detention facility

→ Adjudication:

Within 30 days of detention hearing. Human trafficking is an aff. defense to prostitution

Or Alternate Process

- A petition may be informally adjusted
- The determination for informal adjustment will be made by court intake services
- One of the possible criteria for determining whether informal adjustment is appropriate is whether the child is a victim of human trafficking

→ Dispositional Outcomes

- Released to the supervision of a parent
- Placed with a state agency or nonresidential work program
- Probation or incarceration

→ Dispositional Outcomes

The case may be disposed of as a Juvenile-Family Crisis complaint