

2013

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

Oklahoma



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Identification

Initial Custody

Process Following Initial Custody

Human Trafficking Victim

Authority for Initial Custody:

If child may be a victim of human trafficking or sexual abuse, law enforcement shall notify/remand custody to Dept. of Human Services

Placement:

- Appropriate housing
- No facilities inappropriate to status as crime victims

Where is child referred after initial custody?

Law enforcement provides victim with hotline number and notice of rights

When and how does court assume jurisdiction?

The case is referred to the court by the Department of Human Services

Deprived (Abused-Neglected) Child

Authority for Initial Custody:

Law enforcement may take a child into initial custody in cases where there is an imminent threat to the child's safety

Placement:

Preference is given to relatives or persons who have a kinship relationship with the child

Where is child referred after initial custody?

The Department will investigate allegations of abuse/neglect

When and how does court assume jurisdiction?

A petition must be filed within 5 days of initial custody, unless the DA finds compelling reason to extend for 15 days

Child in Need of Supervision

Authority for Initial Custody:

Law enforcement may take custody if the child is a runaway, or when the child is endangered by his or her surroundings.

Placement:

- Release to parent or other responsible adult
- Placement in custody of law enforcement
- Trafficking victims are placed in shelter care

Where is child referred after initial custody?

The child will be referred to the court, which will make a preliminary inquiry into the case

When and how does court assume jurisdiction?

A petition must be filed within 5 days of initial custody of a child

Delinquent Child

Authority for Initial Custody:

Law enforcement may take custody when the officer would be able to arrest an adult without a warrant in similar circumstances

Placement:

- Release to parent or other responsible adult
- Placement in custody of law enforcement

Where is child referred after initial custody?

The child will be referred to the court, which will make a preliminary inquiry into the case

When and how does court assume jurisdiction?

A petition must be filed within 5 days of initial custody of a child

Trafficking Victims in Oklahoma

Placement Process Pending Adjudication/ Investigation

When must placement hearing be held after initial custody?

Show cause hearing within 72 hours

What are the placement options?

The child remains in the Department's custody until the investigation is complete for the show-cause hearing (but can't be in custody for more than 72 hours)

Adjudication or Referral to Alternate Process

Adjudication:

The court will determine whether the child is a victim of human trafficking

Or Alternate Process

N/A

Placement Following Adjudication

Dispositional Outcomes

The child will be placed in a designated shelter, and provided with protective, legal, and medical services

Dispositional Outcomes

N/A

When must placement hearing be held after initial custody?

Within 2 days of initial custody

What are the placement options?

- Release to parent/guardian/custodian
- Placement in emergency custody, or continued placement in emergency custody

Adjudication:

The court will determine whether the child is deprived within 90 days of petition

Or Alternate Process

N/A

Dispositional Outcomes

- Placement with parent/relative/guardian under supervision
- Transfer of custody to child welfare

Dispositional Outcomes

N/A

When must placement hearing be held after initial custody?

Within 24 hours of initial custody.

What are the placement options?

- Release to parent, guardian, or other responsible adult
- Shelter care
- Detention

Adjudication:

The court will determine whether the child is in need of supervision as alleged

Or Alternate Process

- Informal adjustment may be offered as an alternative to a petition being filed
- An informal adjustment is a voluntary agreement entered into between the child and the judicial officer

Dispositional Outcomes

- Release to parent, guardian, or responsible adult with supervision
- Transfer custody to Juvenile Affairs

Dispositional Outcomes

An informal adjustment agreement may include programs and services for counseling, treatment, and restitution

When must placement hearing be held after initial custody?

Within 24 hours of initial custody.

What are the placement options?

- Release to parent, guardian, or other responsible adult
- Shelter care
- Detention

Adjudication:

The court will determine whether the child is delinquent as alleged

Or Alternate Process

Several diversionary processes are available, including deferral of delinquency proceedings, alternative diversion programs, and informal adjustments

Dispositional Outcomes

- To parent or responsible adult
- Transfer custody to Juvenile Affairs
- Detention

Dispositional Outcomes

Avoidance of adjudication, and access to treatment, services, and programs for community service and restitution