

2014

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

Pennsylvania



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Identification

Child Identified as Dependent, Runaway, Abused and Neglected

Initial Custody

→ Authority for Initial Custody:

Law enforcement officer or duly authorized officer if:

- Child is in imminent danger from his/her surroundings
- There are reasonable ground to believe the child has run away from his/her parents or guardian

Placement:

- Department of Public Welfare approved shelter care facility, including hospital, relative's house, foster family home, residential child care facility
- No placement in a jail or other facility intended for adults

Process Following Initial Custody

→ Where is child referred after initial custody?

Law enforcement must:

- Notify parents of child's detention
- Deliver the child to the court of to the detention location designated by the court

When and how does court assume jurisdiction?

The county agency has 48 hours to petition with the court under the Juvenile Act alleging that the child is a dependent child

Child Identified as Delinquent

→ Authority for Initial Custody:

Law enforcement officer or duly authorized officer:

- Pursuant to the laws of arrest
- If child has violated conditions of probation
- If a commercially sexually exploited minor was placed on probation the probation officer may take the minor back into custody

Placement:

- Licensed foster home
- Child welfare agency facility
- Detention home, camp, center or other facility for delinquent children
- Any other suitable place or facility, designated or operated by the court and approved by the Department of Public Welfare

→ Where is child referred after initial custody?

Law enforcement must:

- Notify parents of child's detention
- Deliver the child to the court of to the detention location designated by the court

When and how does court assume jurisdiction?

If the child is not released, a petition must be presented to the court within 24 hours or the next court business day of the admission of the child to detention or shelter care

Trafficking Victims in Pennsylvania

Placement Process Pending Adjudication/ Investigation

Adjudication or Referral to Alternate Process

Placement Following Adjudication

When must placement hearing be held after initial custody?

Within 72 hours of interviewing the subject, the county agency shall have a hearing

What are the placement options?

- Emergency and planned temporary placement services
- Foster family care
- Residential child care

Adjudication:

Clear & convincing evidence is required for dependency ruling

Or Alternate Process

N/A

Dispositional Outcomes

- Returned to parents
- Continued in foster care
- Prepared for transition to independent living, if 16 years of age or older
- Permanency plan
- Visitation schedule
- Child's placement

Dispositional Outcomes

N/A

When must placement hearing be held after initial custody?

-The child's first review shall occur no later than 6 months from the date of placement.
-Subsequent periodic reviews—shall be held no later than 6 months from the date of the previous periodic review.

What are the placement options?

- Returned to parents
- Licensed foster home
- Child welfare agency facility
- Detention home, camp, center or other facility for delinquent children
- A commercially sexually exploited child may not be detained in jail

Adjudication:

Once the court has ruled on the offenses, the court shall conduct a hearing to determine if the juvenile is in need of treatment, supervision, or rehabilitation.

Or Alternate Process

N/A

Dispositional Outcomes

- Any disposition permitted for a dependent child
- Probation
- Committing the child to an institution, youth development center, camp, or other facility for delinquent children

Dispositional Outcomes

N/A