

**2014**

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

**Tennessee**



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## Identification

## Initial Custody

## Process Following Initial Custody

### Dependent or Neglected Child

#### Authority for Initial Custody:

- Police or department may take custody if:
- A court order authorizes custody
  - Reason to believe child is abused/neglected.

#### Placement:

- Shelter care, if there's probable cause to believe the child is abused or neglected.

#### Where is child referred after initial custody?

To the court, and to a medical facility if child is believed to suffer from a physical condition or illness requiring prompt treatment.

#### When and how does court assume jurisdiction?

Petition within 2 days of initial custody made by any person.

### Unruly Child (truancy, runaway, status offenses)

#### Authority for Initial Custody:

- Police may take custody if:
- Court order or under the laws of arrest for an unruly act
  - Reason to believe the child is runaway

#### Placement:

- A licensed foster home
- Licensed child care agency facility
- A juvenile detention home or center
- Court-designated "suitable place or facility"

#### Where is child referred after initial custody?

To the court, and to a medical facility if child is believed to suffer from a physical condition or illness requiring prompt treatment

#### When and how does court assume jurisdiction?

A petition shall be made promptly and presented to the court.

### Delinquent Child (Child cannot be considered delinquent for prostitution)

#### Authority for Initial Custody:

By police officer if child committed a delinquent act. If suspected of prostitution, child is immune; must be provided with the NHTRC hotline and released to parent.

#### Placement:

- A licensed foster home
- Licensed child care agency facility
- A juvenile detention home or center

#### Where is child referred after initial custody?

To the court, and to a medical facility if child is believed to suffer from a physical condition or illness requiring prompt treatment

#### When and how does court assume jurisdiction?

A petition shall be made promptly and presented to the court.

# Trafficking Victims in Tennessee

## Placement Process Pending Adjudication/ Investigation

→ **When must placement hearing be held after initial custody?**

Within 72 hours

**What are the placement options?**

- Foster home
- Child care agency facility

## Adjudication or Referral to Alternate Process

→ **Adjudication:**

Court determines if child is dependent, neglected or abused.

**Or Alternate Process**

N/A

## Placement Following Adjudication

→ **Dispositional Outcomes**

- Residential treatment placement
- Returned to parent
- Transferred to department of children's services

→ **Dispositional Outcomes**

N/A

→ **When must placement hearing be held after initial custody?**

Within 24 hours unless court is closed; then within 72 hours.

**What are the placement options?**

- Foster home
- Child care agency facility
- Detention home
- Center for delinquent children

→ **Adjudication:**

Court determines whether child is delinquent/unruly & not neglected/dependent

**Or Alternate Process**

If the court desires to commit an unruly child to the custody of the department of children's services, it shall, prior to ordering commitment, refer such child to the department's juvenile-family crisis intervention program.

→ **Dispositional Outcomes**

- Residential treatment placement
- Returned to parent
- Custody to children's services
- Probation, community service or fine

→ **Dispositional Outcomes**

Court may commit child to the depart. after juvenile-family crisis intervention program certifies to court that no other less drastic measure is appropriate.

→ **When must placement hearing be held after initial custody?**

Within 72 hours

**What are the placement options?**

- Foster home
- Child care agency facility
- Detention home
- Center for delinquent children
- Detention facility separate from adults under limited circumstances

→ **Adjudication:**

Court determines if child is dependent and if delinquent act/unruly conduct happened.

**Or Alternate Process**

N/A

→ **Dispositional Outcomes**

- Probation
- Any option avail. to dependent child
- Placement in institution, camp or other facility for delinquent children
- Fine or community service

→ **Dispositional Outcomes**

N/A