

300(b) Who?

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Petition #1

The child Marlene prostituted herself by engaging in sexual relations in exchange for money. The child's mother is unable to appropriately supervise and protect the child, due to the child running away and engaging in unsafe behaviors. Such inability to provide appropriate parental care and supervision for the child by the mother endangers the child's physical health and safety, placing the child and the child's siblings at risk of physical harm, damage, and sexual abuse.



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Petition #2

The child Joanna engaged in commercial sexual activity including acts of prostitution and solicitation as a result of exploitation by a pimp named Junior Jones. The child engaged in sexual acts in exchange for merchandise, food, and money. The child's mother is unable to appropriately supervise and protect the child, due to the child engaging in unsafe behaviors. Such inability to provide appropriate parental care and supervision for the child by the mother endangers the child's physical health and safety, placing the child and the child's siblings at risk of physical harm, damage, and sexual abuse.



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Petition #3

On numerous prior occasions, the child was a victim of commercial sexual trafficking as a result of exploitation and rape by a pimp. The child's mother is unable to supervise and protect the child in that she continues to leave the home and is then subject to further exploitation. The mother's inability to provide appropriate parental supervision for the child endangers the child's physical health and safety, placing the child at risk of serious physical harm, damage, and sexual abuse.



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Case Example #1: Kara D.

Kara D. case:

In April of 2015, a hotline referral was made regarding sexual exploitation of Kara D. age 15. Kara disclosed that she had run away from home because she was being sexually abused by her father. She was on the streets and a woman took her in. This woman coerced her into having sex with 2-3 men a day in exchange for money. The woman kept the money and provided Kara with food and shelter.



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Case Example #1: Kara D.

In addition to other counts, CPS filed the following count under WIC 300(b):

“In March of 2015, the Child Kara D. engaged in commercial sexual activity as a result of exploitation. The child’s father is unwilling and unable to supervise and/or protect the child. The child refuses to reside in the father’s home and care. Such unwillingness and inability to provide appropriate parental supervision for the child by the father endangers the child’s physical health and safety placing the child at risk of serious physical harm, damage and sexual abuse.”

This count was sustained as pled.

What is wrong with this language? What language would be better?



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Case Example #2: Karen T.

Karen T. case:

In January of 2015, law enforcement completed an undercover operation in which they responded to an online ad, went to the advertised hotel, and were offered sex in exchange for money. Karen, age 17, was one of the females in the hotel who was being offered for sex. The child Karen was interviewed and reported that her father had sold her for sex approximately two years ago and that her mother knew about it. Since then she had been trafficked by a number of pimps. Karen indicated that she was currently working for two pimps and that she had 24 clients and made up to \$800 a day, half of which she gave to her pimps. The day she was interviewed, Karen's pimps had forced her to get a tattoo of the word "queen" with a crown over it (a crown is a common symbol of human trafficking victims). Karen's mother knew that Karen was missing and never filed a missing persons report.



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Case Example #2: Karen T.

In addition to other counts, CPS filed the following count under WIC 300(b) and(d):

"On prior occasions in January of 2015, the child Karen T.'s father forced the child to engage in commercial sex acts. The mother, knew or reasonable should have been aware of the sexual exploitation of the child and failed to take action to protect the child. Such failure of the parents to provide appropriate parental supervision, resulting in the sexual exploitation of the child, endangers the child's physical health and safety placing the child at risk of physical harm, damage, danger, sexual abuse and failure to protect."

Is this general neglect or severe neglect?



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Should This Be a 300(b)(2)?

On prior occasions from 2014 to 2015, the child's father forced the child to engage in commercial sex acts that provided benefits to the father. The father posted nude provocative pictures of the child and the father, standing together, on various dating websites. The father was soliciting sex acts for himself and the child on the various websites. Such actions by the father and his failure to provide appropriate parental care and supervision resulting in the sexual exploitation of the child, endangers the child's physical health and safety and places the child at risk of serious physical harm, damage, danger, and sexual abuse.



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Sample #1: 300(b)(2) Language

On XX/XX/2015, the child was found to be a commercially sexually exploited child. The child's mother was unable to protect the child. Such inability to provide appropriate parental supervision for the child endangers the child's physical health and safety placing the child at risk of serious physical harm.



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Sample #2: 300(b)(2) Language

The child was the victim of commercial sex trafficking due to exploitation by a trafficker (pimp or purchaser). The trafficker and/or the child received money, food, clothing or shelter in the course of the exploitation.

The parents failed to or were unable to protect the child. Such failure or inability on the part of the parents to protect the child endangers the child's physical health or safety places the child at risk of serious physical harm, damage and sexual abuse.



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