

# SAFE HARBOR PROCEDURE

\*ORC 2152.021 (F)

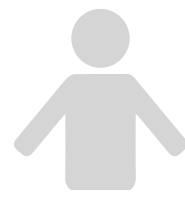
## REFER



A referral of a youth is made to the court by **ANY** party, including the judge.

- The child has been charged with loitering, solicitation, or prostitution.
- OR
- There is **reason to believe** the child is a victim of human trafficking.
- *Purpose: to intervene, protect, and provide services immediately.*

## APPOINT GAL



The court will immediately appoint a guardian ad litem (GAL), **SEPARATE** from the child's attorney.

- Court sets the next hearing.
- Informs all parties of child's possible Safe Harbor status.
- GAL will begin an investigation.

## INVESTIGATE



Child **IS** charged with loitering, solicitation, or prostitution: Child automatically qualifies for Safe Harbor Status (SHS); the charge is directly related to SHS.

Child is charged with **ANY** offense that is **NOT** loitering, solicitation, or prostitution: Is there reason to believe the child is a victim of human trafficking, and is the act charged related to the child's victimization?

## DETERMINE



Parties agree or after a hearing, the court determines the child **DOES** qualify for Safe Harbor Status -- parties meet to discuss status and child's charges will be placed in abeyance until final determination is made.

Parties agree or after a hearing, the court determines the child **DOES NOT** qualify for Safe Harbor Status -- and the court agrees -- **case proceeds without Safe Harbor.**

## RECOMMEND



GAL, prosecutor or defense counsel makes recommendation and/or moves for SHS.

- Court places child in Safe Harbor Diversion (SHD).
- Plan for assistance for child is created.
- 90-Day review hearing is set.

## SERVICES

Services are coordinated for the child through the Multi-Disciplinary Team (MDT).

After 90 days, the court can dismiss charges if the child completes diversion to the court's satisfaction or renew diversion up to **THREE** times.



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