



OFFICE OF THE DISTRICT ATTORNEY
COUNTY OF TULARE

Tim Ward, *District Attorney*

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“There can be no keener revelation of a society’s soul than the way in which it treats its children.” Nelson Mandela

Nothing gives a seasoned prosecutor or investigator more pause than a crime against a child. As a society we collectively believe children are our most precious and vulnerable citizens. It is difficult to accept the sad truth that children are often the victims of crime; however a Rand survey of children between 10 and 16 revealed that more than half had been victims of violence. It is impossible to watch the evening news or read the morning newspaper without seeing yet another horrific crime against a child or children.

As your District Attorney, one of the first objectives I put into place upon assuming the office was to establish the Crimes Against Children Division. The inspiration behind this decision was to apply the successful model of how we traditionally prosecute sexual assault crimes against children and apply those techniques and strategies to every crime involving a child. A team of highly trained prosecutors is dedicated to working each case from inception to trial. Some of the cases they are currently working include child molestation, online exploitation of children, child pornography, physical abuse and neglect, child abduction, and children who have been exposed to dangerous drugs.

Experienced and dedicated prosecutors are just one aspect in our team approach to helping children and families navigate the judicial system. Our prosecutors work closely with victim advocates, parents, and counselors to ensure that the unique needs of each child are met throughout the investigation, prosecution, and the subsequent recovery. There are several programs, both internally in my office and within our community that we use to serve our child victims and their families. Here is a brief overview of some of our collaboration and internal programs:

Crimes Against Children Division

This newly formed unit is made up of six prosecutors. A supervising attorney oversees one child homicide prosecutor, two child sexual assault prosecutors, and two child abuse prosecutors. The prosecutors work closely with our law enforcement agencies and medical professionals to accurately assess submitted cases. By having a dedicated team of deputy district attorneys, a parent or guardian of a child victim will immediately know who the prosecutor is on the case and that prosecutor will stay with the case until its resolution. The Crimes Against Children Division was created by realigning staff assignments, there is no addition cost to the County for this unit.

Child Abuse Response Team (CART)

A thorough interview with a child victim or witness requires several elements to ensure the facts of the crime are captured accurately. One crucial element is the location where the interview is held. We have an off-site location where our CART interviews are conducted. The waiting room is family-friendly with couches, games, and toys for children of all ages. The room where the interviews are conducted is designed with a child's comfort in mind, with smaller chairs and table along with other warm nuances, the room sends a message of security.

Historically, victimized children were interviewed repeatedly by first responders, detectives, prosecutors, other attorneys, social workers, and counselors. In the early 1990's it was estimated that a victimized child would tell his or her story 30-33 times prior to testifying in court. This method was not conducive for fact finding or for the well being of the child. Our CART specialist is trained in the linguistic complexities of interviewing children of every age. Our team listens in from another office and is able to forward questions to the CART specialist. By utilizing this method, we are able to afford the time necessary to build rapport, establish trust, and unravel the truth about the incident.

Sexual Assault Response Team (SART)

SART is composed of law enforcement officers, counselors, rape crisis advocates, child welfare workers, and forensic medical staff. SART members work together in an effort to share information, training, and expertise in specialized areas.

Child Abduction Unit

California law grants district attorneys the authority to use civil procedures to return abducted children and to enforce custody and visitation orders. When a child is abducted from California to another country, district attorneys' offices assist the left-behind parents in obtaining information about the Hague Convention application process and help with the preparation of applications, which are routed directly to the United States State Department and transmitted to the appropriate foreign Central Authorities.

The Tulare County District Attorney's Office regularly receives applications pursuant to the Hague Convention. The Hague Convention is a treaty that has been signed by more than 50 countries to expedite the return of children abducted to another country by a parent or other family member.

Once the District Attorney receives the application, an investigator will attempt to locate the child. If the child is found, the investigator recovers the child and the District Attorney files a petition under the Hague Convention in Superior Court. A hearing is then held, and a Superior Court judge decides whether the child should be returned to the child's country of habitual residence. At the hearing, the child's parents may be represented by private counsel. The District Attorney appears at all court hearings.

Depending on the circumstances of each case, the District Attorney may also file criminal charges as well. Prosecution of the abductor is considered on a case by a case basis. If the case

is prosecuted, the left behind parent or family member is considered the victim. The District Attorney's Office prosecutes the abductor parent on behalf of the State of California. California is the only state that assists parents in pursuing Hague Convention remedies. In the every other state, private attorneys assist the applicant parent on an ad hoc basis.

In the last six years, our Office has recovered 100 children and returned them to their custodial parent.

Kid's Court

Entering a courtroom to testify can be an intimidating prospect for adults, one can only image what the impact this has on a child. In an effort to familiarize our child victims and witnesses with the process, we hold a "Kid's Court" in an empty courtroom. The child is allowed to sit at the witness stand, ask questions, and acclimate to an environment that is completely foreign to his or her experience. Trained advocates and attorneys work with the children to make them feel as comfortable as possible.

Court Appointed Special Advocates (CASA)

Although a criminal case is eventually resolved, that is just one component in the healing process for a victim. Fortunately, there are agencies within our community that we can pass the torch to when our work is completed. CASA is one such supportive agency. Trained volunteers help abused and/or neglected children who are in the judicial system. CASA volunteers support and guide children through this difficult time in their lives with compassion and sensitivity.

Child Abuse Prevention Council (CAPC)

We strongly support and collaborate with CAPC. Their mission is one of child abuse prevention through advocacy and education. Communication and support are critical elements in the fight against child abuse.

As your District Attorney, and as a parent, I am deeply invested in securing a future which is safe for all of children. When a child is abused, mistreated, abandoned, or neglected, the journey towards justice and healing can seem daunting. By working with our partners in the community, by utilizing our own innovative programs, and by dedicating a team of deputy district attorneys solely to prosecuting crimes against children, we are do everything we can to illuminate the path to justice and healing for victimized children in Tulare County.

Tim Ward
District Attorney