

Senate Bill No. 1279

CHAPTER 116

An act to add and repeal Chapter 4.4 (commencing with Section 18259.7) of Part 6 of Division 9 of the Welfare and Institutions Code, relating to sexually exploited minors.

[Approved by Governor July 19, 2010. Filed with
Secretary of State July 19, 2010.]

LEGISLATIVE COUNSEL'S DIGEST

SB 1279, Pavley. Commercially sexually exploited minors.

Existing law, until January 1, 2012, authorizes the District Attorney of Alameda County to create a pilot project, contingent upon local funding, for the purposes of developing a comprehensive, replicative, multidisciplinary model to address the needs and effective treatment of commercially sexually exploited minors, as specified. Existing law authorizes the District Attorney of Alameda County, as part of the pilot project, to develop protocols for identifying and assessing minors, upon arrest or detention by law enforcement, who may be victims of commercial sexual exploitation, and to develop a diversion program reflecting the best practices to address the needs and requirements of those minors. The district attorney is also authorized to develop, offer, and provide a training curriculum that would provide training for certain county employees on the commercial sexual exploitation of minors in Alameda County, as specified.

This bill would authorize an identical pilot project for the County of Los Angeles. The bill would provide that if the county establishes this pilot project, the district attorney of the county would be required, contingent upon local funding, to submit a report to the Legislature summarizing the activities performed pursuant to the pilot project. These provisions would be in effect only until January 1, 2014.

The people of the State of California do enact as follows:

SECTION 1. It is the intent of the Legislature to encourage the development of a comprehensive, multidisciplinary model reflecting the best practices for the response of law enforcement and the criminal and juvenile justice systems to identify and assess commercially sexually exploited children who have been arrested or detained by local law enforcement.

SEC. 2. Chapter 4.4 (commencing with Section 18259.7) is added to Part 6 of Division 9 of the Welfare and Institutions Code, to read:

CHAPTER 4.4. SEXUALLY EXPLOITED MINORS PILOT PROJECT IN LOS ANGELES COUNTY

18259.7. (a) The County of Los Angeles, contingent upon local funding, may establish a pilot project consistent with this chapter to develop a comprehensive, replicative, multidisciplinary model to address the needs and effective treatment of commercially sexually exploited minors who have been arrested or detained by local law enforcement for a violation of subdivision (a) or (b) of Section 647 or subdivision (a) of Section 653.22 of the Penal Code.

(b) The District Attorney of the County of Los Angeles, in collaboration with county and community-based agencies, may develop, as a component of the pilot project described in this chapter, protocols for identifying and assessing minors, upon arrest or detention by law enforcement, who may be victims of commercial sexual exploitation.

(c) The District Attorney of the County of Los Angeles, in collaboration with county and community-based agencies that serve commercially sexually exploited minors, may develop, as a component of the pilot project described in this chapter, a diversion program reflecting the best practices to address the needs and requirements of arrested or detained minors who have been determined to be victims of commercial sexual exploitation.

(d) The District Attorney of the County of Los Angeles, in collaboration with county and community-based agencies, may form, as a component of the pilot project described in this chapter, a multidisciplinary team including, but not limited to, city police departments, the county sheriff's department, the public defender's office, the probation department, child protective services, and community-based organizations that work with or advocate for commercially sexually exploited minors, to do both of the following:

(1) Develop a training curriculum reflecting the best practices for identifying and assessing minors who may be victims of commercial sexual exploitation.

(2) Offer and provide this training curriculum through multidisciplinary teams to law enforcement, child protective services, and others who are required to respond to arrested or detained minors who may be victims of commercial sexual exploitation.

(e) The District Attorney for the County of Los Angeles shall, on or before April 1, 2013, submit a report to the Legislature that summarizes the activities performed by the district attorney pursuant to this section, so that the Legislature may determine whether the pilot project should be extended or expanded to other counties prior to the repeal of this chapter pursuant to Section 18259.10. The report shall, at a minimum, include the number of sexually exploited minors, if any, diverted by the program authorized in subdivision (c), and a summary of the types of services and alternate treatments provided to those minors. This report shall be contingent upon local funding, and shall be required only if the County of Los Angeles establishes a pilot project and the district attorney performs any of the activities of the pilot project authorized by this chapter. The report shall not

include any information that would reveal the identity of a specific sexually exploited minor.

18259.9. For purposes of this chapter, “commercially sexually exploited minor” means a person under 18 years of age who has been abused in the manner described in paragraph (2) of subdivision (c) of Section 11165.1 of the Penal Code, and who has been detained for a violation of the law or placed in civil protective custody on a safety hold based only on a violation of subdivision (a) or (b) of Section 647 or subdivision (a) of Section 653.22 of the Penal Code.

18259.10. This chapter shall remain in effect only until January 1, 2014, and as of that date is repealed, unless a later enacted statute, that is enacted before January 1, 2014, deletes or extends that date.