An act to amend Section 1915 of the Welfare and Institutions Code, relating to juveniles.

LEGISLATIVE COUNSEL’S DIGEST

AB 1122, as introduced, John A. Pérez. Juvenile offenders: tattoo removal.

Existing law provides for the detention and confinement of youthful offenders by the Department Corrections and Rehabilitation, Division of Juvenile Facilities, and requires the department to purchase 2 medical devices that utilize a laser to remove a tattoo from a person’s skin. Existing law requires that a male candidate for tattoo removal have a tattoo on his lower arm, hand, neck, or head, while a female candidate for tattoo removal have a tattoo that would be visible in a professional work environment. Existing law requires that, after 2 years of operation, community groups that participate in this program and the operators of each site report to the Department of Corrections and Rehabilitation, Division of Juvenile Facilities on the number of tattoo removals performed by each device and the success of the program in assisting individuals to join the work force. Existing law further requires that by March 1, 2000, the Department of Corrections and Rehabilitation, Division of Juvenile Facilities report these findings to the Legislature.

This bill would provide that these provisions constitute the California Tattoo Removal Program. The bill would also expand the provisions relating to male candidates who are eligible for tattoo removal to include
those who have tattoos that would be visible in a professional work environment. The bill would also extend, until March 1, 2012, the period of time for the Department of Corrections and Rehabilitation, Division of Juvenile Facilities, to make the above-described report to the Legislature, and would make related technical changes.


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

SECTION 1. Section 1915 of the Welfare and Institutions Code is amended to read:

1915. (a) The California Tattoo Removal Program is hereby created in the Department of Corrections and Rehabilitation, Division of Juvenile Facilities. The Department of the Youth Authority, Department of Corrections and Rehabilitation, Division of Juvenile Facilities, shall purchase, after a competitive bidding process, two medical devices that utilize a laser to remove a tattoo from a person’s skin. The department shall determine, through a competitive bidding process, the placement of the two medical devices pursuant to the following guidelines:

(1) One of the medical devices shall be located within Los Angeles County and the other shall be located within one of the following counties: Alameda, San Francisco, San Mateo, Santa Clara, and Santa Cruz.

(2) Possible sites may include: a licensed health facility, a licensed health clinic, an educational institution, or a probation office. The department may enter into an agreement with a licensed health facility to permit the health facility to use the medical device when it is not needed for tattoo removal pursuant to this section if the health facility provides tattoo removal services pursuant to this section free of charge.

(3) The medical devices shall remain the property of the state. However, they shall be used in conjunction with the tattoo removal program pursuant to this section for the functional life of the medical devices.

(b) Candidates for tattoo removal shall be screened by community groups working collaboratively with the operators of the sites of the tattoo removal devices. A male candidate for tattoo removal shall have a tattoo on his lower arm, hand, neck, or head,
or any place that would be visible in a professional environment.

A female candidate for tattoo removal shall have a tattoo that would
be visible in a professional work environment. To be eligible for
participation, the presence of the tattoo must be deemed to present
either a threat to the personal safety of, or an obstacle to the
employability of, the candidate. Priority shall be given to
candidates who have a job offer that is contingent upon removal
of the tattoo. At the discretion of the organization that screens a
candidate, a candidate for this tattoo removal may be required to
complete 20 hours of supervised public service work or community
service in order to participate in this program. Parental consent
shall be required before the tattoo of any person under 18 years of
age is removed.

Community groups recommended pursuant to this subdivision
shall meet the following criteria:

1. Serve at-risk youth, exoffenders, exconvicts, or current and
   former gang members.

2. Possess an established record of providing community-based
   services for at least one year to the persons described in paragraph
   1.

(c) Community groups that participate in this program and the
operators of the sites of the tattoo removal devices shall solicit the
pro bono services of licensed health care providers to participate
in the program in order to increase the number of individuals
served.

(d) It is the intent of the Legislature that at least 200 tattoo
removals shall be performed at each tattoo removal site in its first
year of operation. After two years of operation, community groups
that participate in this program and the operators of each site shall
report to the Department of the Youth Authority Department of
Corrections and Rehabilitation, Division of Juvenile Facilities,
on the number of tattoo removals performed by each device and
the success of the program in assisting individuals to join the work
force. By March 1, 2000, the Department of the Youth
Authority Department of Corrections and Rehabilitation, Division
of Juvenile Facilities shall report these findings to the Legislature.

(e) It is the intent of the Legislature to expand these pilot
programs as rapidly as possible to other areas of the state where
there is gang violence and where there are active community-based
gang violence prevention programs.