

AMENDED IN SENATE MAY 2, 2011  
AMENDED IN SENATE APRIL 25, 2011  
AMENDED IN SENATE APRIL 5, 2011

**SENATE BILL**

**No. 557**

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**Introduced by Senator Kehoe**  
(Coauthors: Assembly Members Atkins and Fletcher)

February 17, 2011

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An act to add Title 5.3 (commencing with Section 13750) to Part 4 of the Penal Code, relating to family justice centers.

LEGISLATIVE COUNSEL'S DIGEST

SB 557, as amended, Kehoe. Family justice centers.

Existing law provides for various services and programs to assist victims of crime, including grants to proposed and existing child sexual exploitation and child abuse victim counseling centers and prevention programs, and the establishment of a resource center to operate a statewide, toll-free information service consisting of legal information for crime victims and providers of services to crime victims.

This bill would authorize a city, county, or city and county to establish a multiagency, multidisciplinary family justice center to assist victims of domestic violence, officer-involved domestic violence, sexual assault, elder abuse, stalking, cyberstalking, cyberbullying, and human trafficking, to ensure that victims of abuse are able to access all needed services in one location and to enhance victim safety, increase offender accountability, and improve access to services for victims of crime, as provided. The bill would permit the family justice centers to be staffed by law enforcement, medical, social service, and child welfare personnel, among others.

~~The bill would provide that all information and documents provided to a family justice center by a victim are confidential and would authorize a family justice center to share information pursuant to an informed consent process, as provided. The bill would authorize the National Family Justice Center Alliance, subject to certain limitations, to maintain nonidentifying, aggregate data on victims receiving services from a family justice center and the outcomes of those services. The~~

*The bill would prohibit victims of crime from being denied services at a family justice center solely on the grounds of criminal history and would prohibit a criminal history search from being conducted during the client intake process. The bill would require each family justice center to develop policies and procedures to ensure coordinated services are provided and to enhance the safety of victims and professionals at the family justice centers, as specified. The bill would require each family justice center to maintain an informed consent policy in order to authorize the sharing of confidential, privileged, or protected information among individuals or agencies working within a center and require that the informed consent procedures be in compliance with all state and federal laws protecting the confidentiality of the types of information and documents that may be in a victim's file. The bill would require, if a city, county, or city and county establishes a family justice center, each family justice center to maintain a formal training program with mandatory training for all staff members, volunteers, and agency professionals, as specified.*

Vote: majority. Appropriation: no. Fiscal committee: no.  
State-mandated local program: no.

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

1 SECTION 1. Title 5.3 (commencing with Section 13750) is  
2 added to Part 4 of the Penal Code, to read:

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TITLE 5.3. FAMILY JUSTICE CENTERS

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6 13750. (a) A city, county, or city and county may establish a  
7 multiagency, multidisciplinary family justice center to assist  
8 victims of domestic violence, officer-involved domestic violence,  
9 sexual assault, elder abuse, stalking, cyberstalking, cyberbullying,  
10 and human trafficking to ensure that victims of abuse are able to  
11 access all needed services in one location in order to enhance

1 victim safety, increase offender accountability, and improve access  
2 to services for victims of domestic violence, sexual assault, elder  
3 abuse, and human trafficking. Family justice centers, if established  
4 in a city, county, or city and county, may include community-based  
5 domestic violence, officer-involved domestic violence, sexual  
6 assault, elder abuse, stalking, cyberstalking, cyberbullying, and  
7 human trafficking agencies in partnership with survivors of  
8 violence and abuse in the planning and operations process of a  
9 family justice center, and may establish procedures for the ongoing  
10 input, feedback, and evaluation of the family justice center by  
11 survivors of violence and abuse and community-based crime victim  
12 service providers.

13 (b) For purposes of this title, the following terms have the  
14 following meanings:

15 (1) “Abuse” has the same meaning as set forth in Section 6203  
16 of the Family Code.

17 (2) “Domestic violence” has the same meaning as set forth in  
18 Section 6211 of the Family Code.

19 (3) “Sexual assault” means an act or attempt made punishable  
20 by Section 220, 261, 261.5, 262, 264.1, 266c, 269, 285, 286, 288,  
21 288.5, 288a, 289, or 647.6.

22 (4) “Elder abuse” means an act made punishable by Section  
23 368.

24 (5) “Human trafficking” has the same meaning as set forth in  
25 Section 236.1.

26 (6) “Victim of crime,” “crime victim,” or “victim” means a  
27 victim of domestic violence, officer-involved domestic violence,  
28 sexual assault, elder abuse, stalking, cyberstalking, cyberbullying,  
29 or human trafficking.

30 (c) For purposes of this title, family justice centers shall be  
31 defined as multiagency, multidisciplinary service centers where  
32 public and private agencies assign staff members on a full-time or  
33 part-time basis in order to provide services to victims of crime  
34 from one location in order to reduce the number of times victims  
35 must tell their story, reduce the number of places victims must go  
36 for help, and increase access to services and support for victims  
37 and their children. Staff members at a family justice center may  
38 be comprised of, but are not limited to, the following:

39 (1) Law enforcement personnel.

40 (2) Medical personnel.

- 1 (3) District attorneys and city attorneys.
- 2 (4) Victim-witness program personnel.
- 3 (5) Domestic violence shelter service staff.
- 4 (6) Community-based rape crisis, domestic violence, and human
- 5 trafficking advocates.
- 6 (7) Social service agency staff members.
- 7 (8) Child welfare agency social workers.
- 8 (9) County health department staff.
- 9 (10) City or county welfare and public assistance workers.
- 10 (11) Nonprofit agency counseling professionals.
- 11 (12) Civil legal service providers.
- 12 (13) Supervised volunteers from partner agencies.
- 13 (14) Other professionals providing services.

14 (d) Victims of crime shall not be required to participate in the  
 15 criminal justice system or cooperate with law enforcement in order  
 16 to receive counseling, medical care, or other services at a family  
 17 justice center.

18 ~~(e) Each family justice center shall offer victims the choice to~~  
 19 ~~interact with criminal justice professionals, if present at the center,~~  
 20 ~~and the ability to receive services only from noncriminal justice~~  
 21 ~~professionals, if the victims choose to do so. Victims should not~~  
 22 ~~be denied services solely on the grounds of criminal history. No~~  
 23 ~~criminal history search of the victim may be conducted without~~  
 24 ~~the victim's consent.~~

25 ~~(f) Each family justice center shall develop a process to ensure~~  
 26 ~~that services are provided to victims and to enhance the safety of~~  
 27 ~~all clients and professionals located at a center, in collaboration~~  
 28 ~~with local community-based crime victim service providers and~~  
 29 ~~local survivors of violence and abuse who may participate in~~  
 30 ~~survivor-centered support or advocacy groups affiliated with the~~  
 31 ~~family justice center.~~

32 ~~(g) Information and documents provided by a victim to a family~~  
 33 ~~justice center are confidential. Each family justice center shall~~  
 34 ~~maintain an informed client consent policy in order to authorize~~  
 35 ~~the sharing of confidential, privileged, or protected information~~  
 36 ~~among individuals or agencies working within a center. The policy~~  
 37 ~~may be developed in collaboration with local community-based~~  
 38 ~~crime victim service providers and local survivors of violence and~~  
 39 ~~abuse who may participate in survivor-centered support or~~  
 40 ~~advocacy groups affiliated with the family justice center. The~~

1 informed consent procedures shall be in compliance with all state  
2 and federal laws protecting the confidentiality of the types of  
3 information and documents that may be in a victim's file, including,  
4 but not limited to, medical and legal records.

5 (h) A victim's consent to share information pursuant to the client  
6 consent policy shall not be construed as a waiver of any  
7 confidentiality or any privilege held by the victim or family justice  
8 center professionals.

9 13751. (a) The National Family Justice Center Alliance  
10 (NFJCA) may, subject to authorization from each individual victim,  
11 maintain nonidentifying, aggregate data on victims receiving  
12 services from family justice centers and the outcomes from the  
13 services provided. The NFJCA may, for evaluation and monitoring  
14 purposes, report to the Legislature annually by April 30th of each  
15 year on the findings and outcomes documented by each center in  
16 the preceding year. Any report submitted by NFJCA to the  
17 Legislature shall be submitted pursuant to Section 9795 of the  
18 Government Code.

19 (b) Any family justice center may, subject to authorization from  
20 each individual victim, provide nonidentifying, aggregate data on  
21 victims receiving services and the outcomes from services provided  
22 to the NFJCA by February 28th of each year for all victims  
23 receiving services in the preceding year.

24 (c) Confidential records maintained by the NFJCA shall not be  
25 subject to disclosure to any third party without the written  
26 authorization by the victim who originally provided the information  
27 to a particular family justice center. Under no circumstances shall  
28 any identifying information or confidential personal information  
29 about a victim be disclosed by the NFJCA, unless required by  
30 federal law.

31 (e) *Victims of crime shall not be denied services solely on the*  
32 *grounds of criminal history. No criminal history search shall be*  
33 *conducted during a client intake process at a family justice center*  
34 *as a condition of receiving services within a family justice center*  
35 *or without the victim's consent.*

36 (f) *Each family justice center shall develop policies and*  
37 *procedures, in collaboration with local community-based crime*  
38 *victim service providers and local survivors of violence or abuse,*  
39 *to ensure coordinated services are provided to victims and to*  
40 *enhance the safety of victims and professionals at a family justice*

1 center who participate in affiliated survivor-centered support or  
2 advocacy groups. All family justice centers shall maintain a formal  
3 client feedback, complaint, and input process to address client  
4 concerns about services provided or the conduct of any family  
5 justice center professionals, agency partners, or volunteers  
6 providing services in a family justice center.

7 (g) Each family justice center shall maintain an informed client  
8 consent policy in order to authorize the sharing of confidential,  
9 privileged, or protected information among individuals or agencies  
10 working within a center. The policy shall be developed in  
11 collaboration with local community-based crime victim service  
12 providers and local survivors of violence or abuse who may  
13 participate in survivor-centered support or advocacy groups  
14 affiliated with the family justice center. However, at no time shall  
15 a victim be required to sign a client consent form to share  
16 information in order to access services. The informed consent  
17 procedures shall be in compliance with all state and federal laws  
18 protecting the confidentiality of the types of information and  
19 documents that may be in a victim's file, including, but not limited  
20 to, medical and legal records.

21 (h) A victim's consent to share information pursuant to the client  
22 consent policy shall not be construed as a waiver of confidentiality  
23 or any privilege held by the victim or family justice center  
24 professionals.

25 13752. Each family justice center established pursuant to  
26 subdivision (a) of Section 13750 shall maintain a formal training  
27 program with mandatory training for all staff members, volunteers,  
28 and agency professionals of not less than eight hours per year on  
29 subjects including, but not limited to, confidentiality, information  
30 sharing, risk assessment, safety planning, victim advocacy, and  
31 high-risk case response.

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