

AMENDED IN ASSEMBLY JULY 7, 2011  
AMENDED IN ASSEMBLY JUNE 15, 2011  
AMENDED IN SENATE MAY 27, 2011  
AMENDED IN SENATE MAY 17, 2011  
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 and repeal Title 5.3 (commencing with Section 13750) of 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 the Cities of San Diego and Anaheim, and the Counties of Alameda and Sonoma, until January 1, 2014, to establish a multiagency, multidisciplinary family justice center to assist victims of domestic violence, officer-involved domestic violence, sexual assault,

elder or dependent adult 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. *This bill would require each family justice center to consult with community-based crime victim agencies, survivors of violence and abuse, and their advocates in the operation of the family justice center and to develop a procedure for input, feedback, and evaluation of the family justice center.*

The bill would prohibit victims of crime from being denied services at a family justice center on the grounds of criminal history and would prohibit a criminal history search from being conducted without the victim's written consent, unless the criminal history search is pursuant to an active criminal investigation. 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 and to 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 the family justice centers to submit a report to the Office of Privacy Protection for review and comment~~ *the National Justice Center Alliance, with private funds, to contract with an independent organization to conduct an evaluation and prepare a report on the family justice centers, as specified. The bill would require the independent organization to submit the report to the Office of Privacy Protection and the National Family Justice Center Alliance for review and comment, and then submit the report to the Assembly Committee on Judiciary, the Senate Committee on Judiciary, the Assembly Committee on Public Safety, and the Senate Committee on Public Safety, no later than January 1, 2013, as specified. This bill would allow the National Justice Center Alliance to submit recommendations for statewide legislation, best practices, and model policies and procedures in its comments to the independent evaluation organization.* The bill would require 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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13750. (a) The City of San Diego, the City of Anaheim, the  
County of Alameda, and the County of Sonoma are each hereby  
authorized to create a two-year pilot project for the establishment  
of a family justice center in accordance with the provisions of this  
section and Section 13751.

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(b) The City of San Diego, the City of Anaheim, the County of  
Alameda, and the County of Sonoma may each establish a  
multiagency, multidisciplinary family justice center to assist  
victims of domestic violence, officer-involved domestic violence,  
sexual assault, elder or dependent adult abuse, stalking,  
cyberstalking, cyberbullying, and human trafficking, depending  
on the availability of services, to ensure that victims of abuse are  
able to access all needed services in one location in order to  
enhance victim safety, increase offender accountability, and  
improve access to services for victims of domestic violence, sexual  
assault, elder or dependent adult abuse, *stalking*, *cyberstalking*,  
*cyberbullying*, and human trafficking. ~~Family justice centers, if  
established in the City of San Diego, the City of Anaheim, the  
County of Alameda, and the County of Sonoma, may include  
community-based domestic violence, officer-involved domestic  
violence, sexual assault, elder or dependent adult abuse, stalking,  
cyberstalking, cyberbullying, and human trafficking agencies in  
partnership with survivors of violence and abuse in the planning  
and operations process of a family justice center, and may establish  
procedures for the ongoing input, feedback, and evaluation of the  
family justice center by survivors of violence and abuse and  
community-based crime victim service providers.~~

(c) For purposes of this title, the following terms have the  
following meanings:

- 1 (1) “Abuse” has the same meaning as set forth in Section 6203  
2 of the Family Code.
- 3 (2) “Domestic violence” has the same meaning as set forth in  
4 Section 6211 of the Family Code.
- 5 (3) “Sexual assault” means an act or attempt made punishable  
6 by Section 220, 261, 261.5, 262, 264.1, 266c, 269, 285, 286, 288,  
7 288.5, 288a, 289, or 647.6.
- 8 (4) “Elder or dependent adult abuse” means an act made  
9 punishable by Section 368.
- 10 (5) “Human trafficking” has the same meaning as set forth in  
11 Section 236.1.
- 12 (6) “Victim of crime,” “crime victim,” or “victim” means a  
13 victim of domestic violence, officer-involved domestic violence,  
14 sexual assault, elder or dependent adult abuse, stalking,  
15 cyberstalking, cyberbullying, or human trafficking.
- 16 (d) For purposes of this title, family justice centers shall be  
17 defined as multiagency, multidisciplinary service centers where  
18 public and private agencies assign staff members on a full-time or  
19 part-time basis in order to provide services to victims of crime  
20 from one location in order to reduce the number of times victims  
21 must tell their story, reduce the number of places victims must go  
22 for help, and increase access to services and support for victims  
23 and their children. Staff members at a family justice center may  
24 be comprised of, but are not limited to, the following:
- 25 (1) Law enforcement personnel.
- 26 (2) Medical personnel.
- 27 (3) District attorneys and city attorneys.
- 28 (4) Victim-witness program personnel.
- 29 (5) Domestic violence shelter service staff.
- 30 (6) Community-based rape crisis, domestic violence, and human  
31 trafficking advocates.
- 32 (7) Social service agency staff members.
- 33 (8) Child welfare agency social workers.
- 34 (9) County health department staff.
- 35 (10) City or county welfare and public assistance workers.
- 36 (11) Nonprofit agency counseling professionals.
- 37 (12) Civil legal service providers.
- 38 (13) Supervised volunteers from partner agencies.
- 39 (14) Other professionals providing services.

1 (e) Victims of crime shall not be required to participate in the  
2 criminal justice system or cooperate with law enforcement in order  
3 to receive counseling, medical care, or other services at a family  
4 justice center.

5 (f) Victims of crime shall not be denied services on the grounds  
6 of criminal history. No criminal history search shall be conducted  
7 of a victim at a family justice center without the victim's written  
8 consent unless the criminal history search is pursuant to an active  
9 criminal investigation.

10 (g) (1) *Each family justice center shall consult with*  
11 *community-based domestic violence, officer-involved domestic*  
12 *violence, sexual assault, elder or dependent adult abuse, stalking,*  
13 *cyberstalking, cyberbullying, and human trafficking agencies in*  
14 *partnership with survivors of violence and abuse and their*  
15 *advocates in the operations process of the family justice center,*  
16 *and shall establish procedures for the ongoing input, feedback,*  
17 *and evaluation of the family justice center by survivors of violence*  
18 *and abuse and community-based crime victim service providers*  
19 *and advocates.*

20 ~~(g)~~  
21 (2) Each family justice center shall develop policies and  
22 procedures, in collaboration with local community-based crime  
23 victim service providers and local survivors of violence or abuse,  
24 to ensure coordinated services are provided to victims and to  
25 enhance the safety of victims and professionals at a family justice  
26 center who participate in affiliated survivor-centered support or  
27 advocacy groups. All family justice centers shall maintain a formal  
28 client feedback, complaint, and input process to address client  
29 concerns about services provided or the conduct of any family  
30 justice center professionals, agency partners, or volunteers  
31 providing services in a family justice center.

32 (h) (1) Each family justice center shall maintain an informed  
33 client consent policy and shall be in compliance with all state and  
34 federal laws protecting the confidentiality of the types of  
35 information and documents that may be in a victim's file, including,  
36 but not limited to, medical and legal records. Each family justice  
37 center shall have a designated privacy officer to develop and  
38 oversee privacy policies and procedures consistent with state and  
39 federal privacy laws and the Fair Information Practice Principles.

1 At no time shall a victim be required to sign a client consent form  
2 to share information in order to access services.

3 (2) *Each family justice center is required to inform the victim*  
4 *that information shared with staff members at a family justice*  
5 *center may, under certain circumstances, be shared with law*  
6 *enforcement professionals. Each family justice center shall obtain*  
7 *written acknowledgment that the victim has been informed of this*  
8 *policy.*

9 (3) *Information obtained from victims in family justice centers*  
10 *shall be privileged and confidential to the extent it is protected*  
11 *from disclosure under existing California law. Nothing in this title*  
12 *related to confidentiality and client-authorized information sharing*  
13 *is intended to change existing state law.*

14 (i)

15 (4) A victim's consent to share information pursuant to the client  
16 consent policy shall not be construed as a waiver of confidentiality  
17 or any privilege held by the victim or family justice center  
18 professionals.

19 ~~(j) The four pilot centers, the National Family Justice Center~~  
20 ~~Alliance, and relevant stakeholders, under the advisement of the~~  
21 ~~Office of Privacy Protection, shall provide an evaluation report~~  
22 ~~that includes outcomes and evaluation data from the four family~~  
23 ~~justice centers, recommended best practices to ensure the privacy~~  
24 ~~of all family justice center clients, and recommendations for future~~  
25 ~~state legislation. The family justice centers shall submit the report~~  
26 ~~to the Office of Privacy Protection for review and comment, and~~  
27 ~~then to the Assembly Committee on Judiciary, the Senate~~  
28 ~~Committee on Judiciary, the Assembly Committee on Public~~  
29 ~~Safety, and the Senate Committee on Public Safety, no later than~~  
30 ~~January 1, 2013, with their recommendations.~~

31 (i) (1) *The National Family Justice Center Alliance shall, with*  
32 *private funds, contract with an independent organization to conduct*  
33 *an evaluation and prepare a report on the four pilot centers. The*  
34 *independent organization conducting the evaluation shall submit*  
35 *the report to the Office of Privacy Protection and the National*  
36 *Family Justice Center Alliance for review and comment, and then*  
37 *to the Assembly Committee on Judiciary, the Senate Committee*  
38 *on Judiciary, the Assembly Committee on Public Safety, and the*  
39 *Senate Committee on Public Safety, no later than January 1, 2013.*  
40 *The independent organization conducting the evaluation shall, in*

1 *consultation with the four pilot centers, the National Family Justice*  
2 *Center Alliance, groups that advocate on behalf of victims,*  
3 *community-based crime victim service provider representatives,*  
4 *including one person recommended by the federally recognized*  
5 *state domestic violence coalition, privacy rights organizations,*  
6 *and other relevant stakeholders, develop evaluation criteria, which*  
7 *shall include, but not be limited to, all of the following:*

8 (A) *The number of clients served, number of children served,*  
9 *reasons for seeking services at the center, services utilized, and*  
10 *number of returning clients.*

11 (B) *Filing, conviction, and dismissal rates for misdemeanor and*  
12 *felony criminal cases handled at the center.*

13 (C) *Subjective and objective measurements of the impacts of*  
14 *co-located multiagency services for victims and their children*  
15 *related to safety, empowerment, and mental and emotional*  
16 *well-being, and comparison data from victims, if any, on their*  
17 *access to services outside the family justice center model.*

18 (D) *Barriers, if any, to receiving needed services, including*  
19 *access to services based on immigration status, criminal history,*  
20 *or substance abuse/mental health issues, and potential ways to*  
21 *mitigate any identified hurdles to accessing needed services.*

22 (E) *Whether privacy, immigration status, or other barriers*  
23 *prevented victims from utilizing a family justice center and, if so,*  
24 *recommendations to improve utilization rates.*

25 (F) *Compliance by the four pilot centers, with the service*  
26 *delivery requirements set forth in subdivisions (e), (f), (g), and (h).*

27 (G) *Recommended best practices and model protocols, if any.*

28 (2) *The independent organization conducting the evaluation*  
29 *shall gather the evaluation data from preservices victim*  
30 *information, postservices exit interviews, victim focus groups,*  
31 *partner agency focus group data, and other evaluation criteria*  
32 *necessary to conduct the evaluation under paragraph (1).*

33 (3) *The National Family Justice Center Alliance may include*  
34 *any recommendations for statewide legislation, best practices, and*  
35 *model policies and procedures in the comments submitted to the*  
36 *independent evaluation organization and the Legislature under*  
37 *paragraph (1).*

38 13751. Each family justice center established pursuant to  
39 subdivision (a) of Section 13750 shall maintain a formal training  
40 program with mandatory training for all staff members, volunteers,

1 and agency professionals of not less than eight hours per year on  
2 subjects including, but not limited to, *privileges and* confidentiality,  
3 information sharing, risk assessment, safety planning, victim  
4 advocacy, and high-risk case response.

5 13752. This title shall remain in effect only until January 1,  
6 2014, and as of that date is repealed, unless a later enacted statute,  
7 that is enacted before January 1, 2014, deletes or extends that date.

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