

ASSEMBLY BILL

No. 2404

Introduced by Assembly Member Eggman

February 21, 2014

An act to amend Section 236.2 of the Penal Code, relating to human trafficking.

LEGISLATIVE COUNSEL'S DIGEST

AB 2404, as introduced, Eggman. Human trafficking.

Existing law provides that any person who deprives or violates the personal liberty of another with the intent to obtain forced labor or services or to effect or maintain a felony violation of offenses relating to prostitution, child pornography, as specified, or extortion, as defined, is guilty of human trafficking. Existing law requires law enforcement agencies to use due diligence to identify all victims of human trafficking, regardless of the citizenship of those persons.

This bill would make a technical, nonsubstantive change to that provision.

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. Section 236.2 of the Penal Code is amended to
2 read:
3 236.2. Law enforcement agencies shall use due diligence to
4 identify all victims of human trafficking, regardless of the
5 citizenship of ~~the person~~ *those persons*. When a peace officer
6 comes into contact with a person who has been deprived of his or

- 1 her personal liberty, a minor who has engaged in a commercial
2 sex act, a person suspected of violating subdivision (a) or (b) of
3 Section 647, or a victim of a crime of domestic violence or sexual
4 assault, the peace officer shall consider whether the following
5 indicators of human trafficking are present:
- 6 (a) Signs of trauma, fatigue, injury, or other evidence of poor
7 care.
 - 8 (b) The person is withdrawn, afraid to talk, or his or her
9 communication is censored by another person.
 - 10 (c) The person does not have freedom of movement.
 - 11 (d) The person lives and works in one place.
 - 12 (e) The person owes a debt to his or her employer.
 - 13 (f) Security measures are used to control who has contact with
14 the person.
 - 15 (g) The person does not have control over his or her own
16 government-issued identification or over his or her worker
17 immigration documents.