

AMENDED IN ASSEMBLY MARCH 26, 2015

CALIFORNIA LEGISLATURE—2015–16 REGULAR SESSION

ASSEMBLY BILL

No. 1475

Introduced by Assembly Member Cooper

February 27, 2015

An act to ~~amend Section 11164 of the Penal Code, add Chapter 12 (commencing with Section 13898) to Title 6 of Part 4 of the Penal Code, relating to child sexual abuse.~~

LEGISLATIVE COUNSEL'S DIGEST

AB 1475, as amended, Cooper. ~~Child Abuse and Neglect Reporting Act.~~ *Sexual assault response team.*

Existing law authorizes any county to establish and implement a sexual assault felony enforcement (SAFE) team program for the purpose of reducing violent sexual assault offenses in the county through proactive surveillance and arrest of habitual sexual offenders and strict enforcement of registration for sex offenders, and to provide community education about ways to protect individuals and families from sexual assault.

This bill would authorize each county to establish an interagency sexual assault response team (SART) program for the purpose of providing a forum for interagency cooperation and coordination to effectively address the problem of sexual assault. The members of the team would be representatives of specified public and private agencies and organizations. The bill would require each SART to, among other things, evaluate the effectiveness of individual agency and interagency protocols and systems by conducting case reviews involving sexual assault.

~~Existing law, the Child Abuse and Neglect Reporting Act, defines “sexual abuse” as sexual assault or sexual exploitation for purposes of mandating certain persons to report suspected cases of child abuse or neglect. The failure to report known or suspected instances of child abuse, including sexual abuse, under the act is a misdemeanor. Existing law provides that the intent and purpose of this act is to protect children from abuse and neglect, and requires all persons participating in the investigation of suspected child abuse or neglect to consider the needs of the child victim.~~

~~This bill would make technical, nonsubstantive changes to this statement of intent.~~

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. Chapter 12 (commencing with Section 13898) is
2 added to Title 6 of Part 4 of the Penal Code, to read:

3

4 CHAPTER 12. COUNTY SEXUAL ASSAULT RESPONSE TEAM
5 (SART) PROGRAM

6

7 13898. (a) Each county may establish and implement an
8 interagency sexual assault response team (SART) program for the
9 purpose of providing a forum for interagency cooperation and
10 coordination, to assess and make recommendations for the
11 improvement in the local sexual assault intervention system, and
12 to facilitate improved communication and working relationships
13 to effectively address the problem of sexual assault in California.

14 (b) Each SART program shall be established and implemented
15 pursuant to the provisions of this chapter.

16 13898.1. (a) Each SART may consist of representatives of the
17 following public and private agencies or organizations:

- 18 (1) Law enforcement agencies.
- 19 (2) County district attorneys’ offices.
- 20 (3) Rape crisis centers.
- 21 (4) Local sexual assault forensic examination teams.
- 22 (5) Crime laboratories.

1 (b) *Dependent upon local needs and goals, each SART may*
2 *include representatives of the following public and private agencies*
3 *or organizations:*

- 4 (1) *Child protective services.*
- 5 (2) *Local victim and witness assistance centers.*
- 6 (3) *County public health departments.*
- 7 (4) *County mental health services departments.*
- 8 (5) *Forensic interview centers.*

9 *13898.2. The program established pursuant to this chapter*
10 *shall have the following objectives:*

11 (a) *Review of local sexual assault intervention undertaken by*
12 *all disciplines to promote effective intervention and best practices.*

13 (b) *Assessment of relevant trends, including drug-facilitated*
14 *sexual assault, the incidence of predator date rape, and human*
15 *sex trafficking.*

16 (c) *Evaluation of the cost-effectiveness and feasibility of a per*
17 *capita funding model for local sexual assault forensic examination*
18 *teams to achieve stability for this component of the SART program.*

19 (d) *Evaluation of the effectiveness of individual agency and*
20 *interagency protocols and systems by conducting case reviews of*
21 *cases involving sexual assault.*

22 ~~SECTION 1. Section 11164 of the Penal Code is amended to~~
23 ~~read:~~

24 ~~11164. (a) This article shall be known, and may be cited, as~~
25 ~~the Child Abuse and Neglect Reporting Act.~~

26 ~~(b) The intent and purpose of this article is to protect children~~
27 ~~from abuse and neglect. In any investigation of suspected child~~
28 ~~abuse or neglect, all persons participating in the investigation of~~
29 ~~the case shall consider the needs of the child victim and shall do~~
30 ~~whatever is necessary to prevent psychological harm to the child~~
31 ~~victim.~~