

**ASSEMBLY BILL**

**No. 1730**

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**Introduced by Assembly Members Atkins and Eggman**

January 28, 2016

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An act to add Section 893.5 to the Welfare and Institutions Code, relating to human trafficking.

LEGISLATIVE COUNSEL'S DIGEST

AB 1730, as introduced, Atkins. Human trafficking: minors.

Existing law proscribes the crime of human trafficking, as defined. A person who causes, induces, or persuades, or attempts to cause, induce, or persuade, a person who is a minor at the time of commission of the offense to engage in a commercial sex act, with the intent to effect or maintain a violation of any of specified sex offenses, is guilty of human trafficking. Existing law also proscribes the crime of prostitution.

Existing law authorizes or requires, as specified, the probation officer of a county to exercise various duties with respect to a minor who has been found to be within the jurisdiction of the juvenile court on the ground that he or she has violated a law or statute, or that he or she has suffered, or there is a substantial risk that he or she will suffer, abuse or neglect.

Existing law establishes the Board of State and Community Corrections to provide statewide leadership, coordination, and technical assistance to promote effective state and local efforts and partnerships in California's adult and juvenile criminal justice system.

This bill would authorize the chief probation officer of a county to create a program to provide services to youth within his or her jurisdiction that address the need for services relating to the commercial sexual exploitation of youth. The bill would provide that funding for

these purposes shall be contingent upon an appropriation in the annual Budget Act. The bill would provide that funds appropriated for these purposes shall be administered by the Board of State and Community Corrections.

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

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

1 SECTION 1. The Legislature finds and declares all of the  
2 following:

3 (a) Worldwide, human trafficking is a \$32,000,000,000 per year  
4 industry.

5 (b) After drug trafficking and counterfeiting, it is the world's  
6 most profitable criminal activity.

7 (c) Although this issue was previously believed to be an  
8 international problem, current statistics show that human trafficking  
9 is increasingly a domestic issue.

10 (d) According to estimates by the Federal Bureau of  
11 Investigation (FBI), human trafficking or the commercial sexual  
12 exploitation of children in the United States currently involves  
13 over 100,000 children. The San Francisco Bay area, Los Angeles,  
14 and San Diego metropolitan areas comprise three of the nation's  
15 13 areas of "high intensity" child exploitation in this country, as  
16 defined by the FBI.

17 (e) Studies have estimated that anywhere from 50 percent to 80  
18 percent of victims of commercial sexual exploitation are, or  
19 previously were, involved with the child welfare system.

20 (f) Law enforcement, probation, education, mental health, and  
21 public health systems, as well as nonprofit organizations, currently  
22 serve these victims, but often lack coordination in providing  
23 services. These systems do not yet consistently recognize these  
24 young people as victims who are subject to the cycle of commercial  
25 sexual exploitation. Although they are learning to identify victims,  
26 they do not yet have adequate service design, nor capacity, to  
27 provide specialized services. Integrated strategies are necessary  
28 in order to help child victims of sexual exploitation in California  
29 and to ascertain the service models and strategies that are effective  
30 in the recovery of the child and the child's future.

(g) According to the Child Welfare Council, there is a dearth of specialized placements and services to help youth and their families when commercial sexual exploitation occurs. Although legislation has recently been enacted to permit these victims to enter the child welfare system in order to facilitate placements and the provision of other essential services to these victims, and other important implementation efforts are underway, specially attuned services do not yet exist.

SEC. 2. Section 893.5 is added to the Welfare and Institutions Code, to read:

893.5. (a) The chief probation officer of a county may create a program to provide services to youth within his or her jurisdiction that addresses the need for services relating to the commercial sexual exploitation of youth.

(b) Programs that receive funding pursuant to this section may include, but shall not be limited to, programs licensed by the State Department of Social Services that do any of the following:

(1) Assess the youth victim's condition, including a review of the extent of trauma suffered, physical and mental health, and the status of age-appropriate developmental factors, such as educational status.

(2) Serve exploited youth in a services-rich environment, including trauma-informed counseling services.

(3) Research options, make recommendations, and work to find solutions to provide specialized services and permanent placement solutions for the youth.

(4) Provide staff who are trained to work with, and experienced in working with, child sex trafficking victims.

(5) Include peer mentors in the design and provision of service delivery.

(6) Provide a plan for how to structure a protective setting secluded from the victim's trafficking environment, which could include strategies such as a geographically remote location, staff protective presence, delayed egress, or any combination of strategies intended to protect the victim.

(c) Funding for the purposes described in this section shall be contingent upon an appropriation in the annual Budget Act. Funds

- 1 appropriated for these purposes shall be administered by the Board
- 2 of State and Community Corrections.

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