

AMENDED IN ASSEMBLY MAY 27, 2016

CALIFORNIA LEGISLATURE—2015–16 REGULAR SESSION

**ASSEMBLY BILL**

**No. 1730**

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**Introduced by Assembly Members Atkins and Eggman**  
*(Principal coauthors: Assembly Members Olsen and Quirk)*  
*(Coauthors: Assembly Members Burke, Campos, Chiu, Dodd,*  
*Cristina Garcia, Eduardo Garcia, Gonzalez, and Mark Stone)*

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 amended, 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~~ *require the Board of State and Community Corrections to establish a pilot project in each of the Counties of Sacramento, San Diego, and Santa Clara, in which, if the county elects to participate in the pilot project, the chief probation officer of a the county would be required 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 the pilot projects established pursuant to these provisions would be funded~~ 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

1 young people as victims who are subject to the cycle of commercial  
2 sexual exploitation. Although they are learning to identify victims,  
3 they do not yet have adequate service design, nor capacity, to  
4 provide specialized services. Integrated strategies are necessary  
5 in order to help child victims of sexual exploitation in California  
6 and to ascertain the service models and strategies that are effective  
7 in the recovery of the child and the child's future.

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

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

18 893.5. (a) The *Board of State and Community Corrections*  
19 *shall establish a pilot project in each of the Counties of*  
20 *Sacramento, San Diego, and Santa Clara, in which, if the county*  
21 *elects to participate in the pilot project, the chief probation officer*  
22 *of a county may the county shall create a program to provide*  
23 *services to youth within his or her jurisdiction that addresses the*  
24 *need for services relating to the commercial sexual exploitation*  
25 *of youth.*

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

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

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

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

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

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

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

8 (c) ~~Funding for the purposes described in~~ *The pilot projects*  
9 *established pursuant to* this section shall be *funded* contingent  
10 upon an appropriation in the annual Budget Act. Funds  
11 appropriated for these purposes shall be administered by the Board  
12 of State and Community Corrections.