

AMENDED IN SENATE AUGUST 1, 2016

AMENDED IN SENATE JUNE 30, 2016

AMENDED IN ASSEMBLY MAY 27, 2016

CALIFORNIA LEGISLATURE—2015–16 REGULAR SESSION

ASSEMBLY BILL

No. 1730

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

January 28, 2016

An act to add and repeal Section 893.5 of 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, only until January 1, 2022, 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 the county would be required~~ Santa Clara. *The bill would authorize each county that elects to participate in the pilot project to determine whether that county's probation department or child welfare agency, or both, would participate in the pilot project. The bill would require the department or agency, or both, selected by each county to participate in the pilot project to create a program to provide services to youth within his or her that county's jurisdiction that address addresses the need for services relating to the commercial sexual exploitation of youth. The bill would state that the purpose of the pilot project is to test a service model that would produce improved outcomes for youth victims of human trafficking. The bill would authorize the participating county to determine whether the probation department, the county child welfare agency, or both the probation department and the county child welfare agency would participate in the pilot project. The bill would also require a county that establishes a pilot program pursuant to these provisions to conduct at least one evaluation of the program's impact and effectiveness and to submit that evaluation to the board. The bill would provide that 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. Section 893.5 is added to the Welfare and
- 2 Institutions Code, to read:
- 3 893.5. (a) The Board of State and Community Corrections
- 4 shall establish a pilot project in each of the Counties of Sacramento,
- 5 San Diego, and ~~Santa Clara, in which, if the county elects to~~
- 6 ~~participate in the pilot project, the chief probation officer of the~~

~~county Santa Clara. Each county that elects to participate in the pilot project may determine whether that county's probation department or child welfare agency, or both the county probation department and county child welfare agency, shall participate in the pilot project. The department or agency, or both, selected by each county to participate in the pilot project shall create a program to provide services to youth within his or her that county's jurisdiction that addresses the need for services relating to the commercial sexual exploitation of youth. The purpose of the pilot project is to test a service model that would produce improved outcomes for youth victims of human trafficking. The participating county may determine whether the probation department, the county child welfare agency, or both the probation department and the county child welfare agency shall participate in the pilot project.~~

(b) Programs that receive funding pursuant to this section shall ~~be utilize, for purposes of the program, only facilities that are licensed by the State Department of Social Services and Services.~~ Programs that receive funding pursuant to this section may include, but shall not be limited to, programs that do 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) A county that establishes a pilot program pursuant to this section shall conduct at least one evaluation of the program's impact and effectiveness. The evaluation shall include, but not be

1 limited to, monitoring the program's effect on youth being served,
2 if any, and its effectiveness with respect to program participants,
3 including outcome-related data for program participants compared
4 to youth who do not participate in the ~~pilot~~. *pilot project*. The
5 county shall submit the evaluation to the ~~board~~. *Board of State*
6 *and Community Corrections*.

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

11 (e) This section shall remain in effect only until January 1, 2022,
12 and as of that date is repealed, unless a later enacted statute, that
13 is enacted before January 1, 2022, deletes or extends that date.