

AMENDED IN SENATE AUGUST 19, 2016

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, 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 up to 4 counties, including the Counties of Sacramento, San Diego, and Santa Clara. The bill would authorize each participating 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~~ *create and operate a program funded by 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 funded by the pilot project~~ *to provide services to youth within that county's jurisdiction that 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 also require a county that establishes a pilot elects to participate in the pilot project and establishes a 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 project 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 up to four counties that~~
- 5 *elect to participate in the pilot project, including the Counties of*
- 6 *Sacramento, San Diego, and Santa Clara. Each participating county*

1 ~~that elects to participate in the pilot project~~ may determine whether
2 that county's probation department or child welfare agency, or
3 both the county probation department and county child welfare
4 agency, shall ~~participate in~~ *create and operate a program funded*
5 *by the pilot project.* ~~The department or agency, or both, selected~~
6 ~~by each county to participate in the pilot project shall create a~~
7 ~~program to~~ *A program funded by the pilot project shall provide*
8 services to youth within that county's jurisdiction that addresses
9 the need for services relating to the commercial sexual exploitation
10 of youth. The purpose of the pilot project is to test a service model
11 that would produce improved outcomes for youth victims of human
12 trafficking.

13 (b) ~~Programs that receive~~ *A program that receives* funding
14 pursuant to this section shall utilize, for purposes of the program,
15 only facilities that are licensed by the State Department of Social
16 Services. Programs that receive funding pursuant to this section
17 may include, but shall not be limited to, programs that do the
18 following:

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

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

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

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

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

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

37 (c) A county that *elects to participate in the pilot project and*
38 ~~establishes a pilot program~~ pursuant to this section shall conduct
39 at least one evaluation of the program's impact and effectiveness.
40 The evaluation shall include, but not be limited to, monitoring the

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

7 (d) The pilot-projects *project* established pursuant to this section
8 shall be funded contingent upon an appropriation in the annual
9 Budget Act. Funds appropriated for these purposes shall be
10 administered 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.