

Assembly Bill No. 1730

Passed the Assembly August 31, 2016

Chief Clerk of the Assembly

Passed the Senate August 31, 2016

Secretary of the Senate

This bill was received by the Governor this _____ day
of _____, 2016, at _____ o'clock ____M.

Private Secretary of the Governor

CHAPTER _____

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, 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 up to 4 counties that elect to participate in the pilot project and would authorize the Counties of Sacramento, San Diego, San Joaquin, and Santa Clara to elect to participate in the pilot project. The bill would authorize each participating county to determine whether that county's probation department or child welfare agency, or both, would create and operate a program funded by the pilot project. The bill would require a program funded by the pilot project to provide services to youth within that county's jurisdiction that address 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 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 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.

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

SECTION 1. Section 893.5 is added to the Welfare and Institutions Code, to read:

893.5. (a) The Board of State and Community Corrections shall establish a pilot project in up to four counties that elect to participate in the pilot project. The counties that may elect to participate in the pilot project are the Counties of Sacramento, San Diego, San Joaquin, and Santa Clara. Each participating county may determine whether that county's probation department or child welfare agency, or both the county probation department and county child welfare agency, shall create and operate a program funded by the pilot project. A program funded by the pilot project shall provide services to youth within that county's jurisdiction that address 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.

(b) A program that receives funding pursuant to this section shall utilize, for purposes of the program, only facilities that are licensed by the State Department of Social 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 elects to participate in the pilot project and establishes a 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 limited to, monitoring the program's effect on youth being served, if any, and its effectiveness with respect to program participants, including outcome-related data for program participants compared to youth who do not participate in a program funded by the pilot project. The county shall submit the evaluation to the Board of State and Community Corrections.

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

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

Approved _____, 2016

Governor