

AMENDED IN SENATE JULY 10, 2008

AMENDED IN SENATE JUNE 17, 2008

AMENDED IN SENATE MAY 21, 2008

AMENDED IN ASSEMBLY JANUARY 29, 2008

AMENDED IN ASSEMBLY JANUARY 9, 2008

AMENDED IN ASSEMBLY JANUARY 7, 2008

CALIFORNIA LEGISLATURE—2007—08 REGULAR SESSION

---

---

**ASSEMBLY BILL**

**No. 499**

**Introduced by Assembly Member Swanson**

(Principal coauthor: Senator Romero)

(Coauthor: Senator Perata)

February 20, 2007

---

---

An act to add and repeal Chapter 4.3 (commencing with Section 18259) of Part 6 of Division 9 of the Welfare and Institutions Code, relating to sexually exploited minors.

LEGISLATIVE COUNSEL'S DIGEST

AB 499, as amended, Swanson. Commercially sexually exploited minors.

Existing law declares the findings of the Legislature that there is a need to develop programs to ameliorate, reduce, and ultimately eliminate the trauma of child sexual abuse, and that, for the purposes of developing and providing these programs and services, and for the training of, and providing information to, city and county personnel throughout the state, it is necessary to expand specified services.

This bill would, until January 1, 2012, authorize the District Attorney of Alameda County to create a pilot project, contingent upon local funding, for the purposes of developing a comprehensive, replicative, multidisciplinary model to address the needs and effective treatment of commercially sexually exploited minors, as specified. The bill would authorize the District Attorney of Alameda County, as part of the pilot project, to develop protocols for identifying and assessing minors, upon arrest or detention by law enforcement, who may be victims of commercial sexual exploitation, and to develop a diversion program reflecting the best practices to address the needs and requirements of those minors. The district attorney would also be authorized to develop, offer, and provide a training curriculum that would provide training for certain county employees on the commercial sexual exploitation of minors in Alameda County, as specified.

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

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

1 SECTION 1. It is the intent of the Legislature to encourage  
2 the development of a comprehensive, multidisciplinary model  
3 reflecting the best practices for the response of law enforcement  
4 and the criminal and juvenile justice systems to identify and assess  
5 commercially sexually exploited children who have been arrested  
6 or detained by local law enforcement.

7 SEC. 2. Chapter 4.3 (commencing with Section 18259) is added  
8 to Part 6 of Division 9 of the Welfare and Institutions Code, to  
9 read:

10  
11 CHAPTER 4.3. SEXUALLY EXPLOITED MINORS PILOT PROJECT  
12

13 18259. (a) The County of Alameda, contingent upon local  
14 funding, may establish a pilot project consistent with this chapter  
15 to develop a comprehensive, replicative, multidisciplinary model  
16 to address the needs and effective treatment of commercially  
17 sexually exploited minors who have been arrested or detained by  
18 local law enforcement for a violation of subdivision (a) or (b) of  
19 Section 647; *or* subdivision (a) of Section 653.22, ~~or subdivision~~  
20 ~~(a) of Section 653.23~~ of the Penal Code.

1 (b) The District Attorney of the County of Alameda, in  
2 collaboration with county and community-based agencies, may  
3 develop, as a component of the pilot project described in this  
4 chapter, protocols for identifying and assessing minors, upon arrest  
5 or detention by law enforcement, who may be victims of  
6 commercial sexual exploitation.

7 (c) The District Attorney of the County of Alameda, in  
8 collaboration with county and community-based agencies that  
9 serve commercially sexually exploited minors, may develop, as a  
10 component of the pilot project described in this chapter, a diversion  
11 program reflecting the best practices to address the needs and  
12 requirements of arrested or detained minors who have been  
13 determined to be victims of commercial sexual exploitation.

14 (d) The District Attorney of the County of Alameda, in  
15 collaboration with county and community-based agencies, may  
16 form, as a component of the pilot project described in this chapter,  
17 a multidisciplinary team including, but not limited to, city police  
18 departments, the county sheriff’s department, the public defender’s  
19 office, the probation department, child protection services, and  
20 community-based organizations that work with or advocate for  
21 commercially sexually exploited minors, to do both of the  
22 following:

23 (1) Develop a training curriculum reflecting the best practices  
24 for identifying and assessing minors who may be victims of  
25 commercial sexual exploitation.

26 (2) Offer and provide this training curriculum through  
27 multidisciplinary teams to law enforcement, child protective  
28 services, and others who are required to respond to arrested or  
29 detained minors who may be victims of commercial sexual  
30 exploitation.

31 18259.3. For purposes of this chapter, “commercially sexually  
32 exploited minor” means a person under 18 years of age who has  
33 been *abused in the manner described in paragraph (2) of*  
34 *subdivision (c) of Section 11165.1 of the Penal Code, and who has*  
35 *been* detained for a violation of the law or placed in civil protective  
36 custody on a safety hold based only on a violation of subdivision  
37 (a) or (b) of Section 647; *or* subdivision (a) of Section 653.22, ~~or~~  
38 ~~subdivision (a) of Section 653.23~~ of the Penal Code.

39 18259.5. This chapter shall remain in effect only until January  
40 1, 2012, and as of that date is repealed, unless a later enacted

- 1 statute, that is enacted before January 1, 2012, deletes or extends
- 2 that date.

O