



COALITION TO
ABOLISH SLAVERY
& TRAFFICKING

California Legislation Enacted in 2018 Impacting Survivors of Human Trafficking

AB 998 (Grayson) Multidisciplinary teams: human trafficking and domestic violence

An act to amend the heading of Title 5.3 (commencing with Section 13750) of, to add the heading of Chapter 1 (commencing with Section 13750) to Title 5.3 of, and to add Chapter 2 (commencing with Section 13752) to Title 5.3 of, Part 4 of the Penal Code

AB 998 authorizes specified nonprofit organizations to establish a domestic violence multidisciplinary personnel team and a human trafficking multidisciplinary personnel team consisting of two or more persons who are trained in the prevention, identification, management, or treatment of domestic violence or human trafficking cases and who are qualified to provide a broad range of services related to domestic violence or human trafficking. AB 998 further authorizes members of those personnel teams to share information with one another that may be confidential, but that are relevant to the prevention, identification, management, or treatment of those crimes.

AB 1735 (Cunningham) Protective orders: human trafficking: pimping: pandering

An act to amend Section 136.2 of the Penal Code

Currently, for a list specified crimes, courts must consider issuing a protective order restraining the defendant from contact with the victim for up to 10 years. AB 1746 adds the following two crimes to this list: (1) human trafficking with the intent to obtain forced labor or services to this list of specified crimes and (2) pimping and pandering without regard to whether the victim is a minor.

AB 1736 (Cunningham R) Evidence: Hearsay: Prior Inconsistent Statements

An act to amend Section 1294 of the Evidence Code

Existing law, known as the "hearsay rule," provides that, at a hearing, evidence of a statement that was made other than by a witness while testifying at the hearing and that is offered to prove the truth of the matter stated is inadmissible. Existing law provides exceptions to the hearsay rule to permit the admission of specified kinds of evidence. Among other exceptions, certain evidence of prior inconsistent statements of a witness in the form of a video recorded statement or transcript that is properly admitted in a preliminary hearing or trial of the same criminal matter is admissible if certain conditions are met. AB 1736 expands this exception to the hearsay rule to include audio recorded statements if the same conditions are met.

AB 1746 (Cervantes) Criminal procedure: jurisdiction of public offenses

An act to amend Section 784.7 of the Penal Code

Under existing law, if more than one violation of a list of specified offenses occurs in more than one jurisdictional territory, and the defendant and the victim are the same for all of the offenses, jurisdiction for any of those offenses and any other properly joinable offenses may be in any jurisdiction where at least one of the offenses occurred. AB 1746 adds sexual battery and unlawful sexual intercourse to this list of specified offenses.

AB 1861 (Rodriguez) Pupil instruction: human trafficking: use of social media and mobile device applications

An act to amend Section 51934 of the Education Code

School districts are currently required to ensure that all students in grades 7 to 12 receive information about human trafficking as part of their sexual health and HIV prevention education. AB 1861 requires that the information about human trafficking include information on how social media and mobile device applications are used for human trafficking.

AB 1868 (Cunningham) Pupil Instruction: sexual health education: sexually suggestive/explicit materials

An act to amend Section 51934 of the Education Code

AB 1868 authorizes a school district to provide optional instruction, as part of comprehensive sexual health education and HIV prevention education, regarding the potential risks and consequences of creating and sharing sexually suggestive or sexually explicit materials through cellular telephones, social networking Internet Web sites, computer networks, or other digital media.

AB 2034 (Kalra) Human Trafficking: notice

An act to amend Section 52.6 of the Civil Code

AB 2034 establishes a deadline of January 1, 2021 for specified businesses and establishments that operate an intercity passenger rail, light rail, or bus station to train their employees who may interact or come in contact with victims of human trafficking, on how to recognize the signs of human trafficking and how to appropriately report those signs to law enforcement agencies.

AB 2105 (Maienschein) Punitive damages: minors

An act to add Section 3345.1 to the Civil Code

AB 2105 adds provisions applicable to civil actions brought by, on behalf of, or for the benefit of, a minor or non-minor dependent, as defined, who is a victim of commercial sexual exploitation, as defined, against the person who committed the act and who is over 18 years of age, permitting imposition of a fine or penalty, payable to the victim, of up to 3 times greater than authorized by statute if specified findings are made by the trier of fact. AB 2105 also authorizes a court, if no civil penalty is authorized by statute, to award a civil penalty not exceeding \$50,000, and not less than \$10,000, for each act of commercial sexual exploitation committed by the defendant upon making a specified affirmative finding, as specified.

AB 2201 (Mayes) Court fees: name changes: exemption

An act to amend Section 1277 of the Code of Civil Procedure, and to add Section 70635 to the Government Code

When a petition for a change of name is filed, courts are currently required to issue an order reciting the filing of the petition, the name of the person by whom it is filed, and the name proposed. AB 2201 establishes that if petitioner seeks a name change to avoid human trafficking and petitioner participates in the state's address confidentiality program, the petition is exempt from this publication requirement. The bill further exempts a petition filed on behalf of a minor from court filing fees.

AB 2243 (Friedman) Evidence: admissibility

An act to add Section 1162 to the Evidence Code

Under current law, all relevant evidence submitted under the rules of the Evidence Code is admissible. However, AB 2243 prohibits the admissibility of evidence that a victim of, or a witness to, extortion, stalking, or a violent felony, has engaged in an act of prostitution at or around the time they were the victim of or witness to the crime in order to prove their criminal liability in a separate prosecution for the act of prostitution.

AB 2792 (Calderon) Termination of the parent and child relationship: severe sexual abuse

An act to amend Section 7823 of the Family Code

Abandonment of a child by a parent and the neglectful or cruel treatment of the child by a parent are currently considered circumstances under which a child under 18 years of age may be declared free from the custody and control of either or both parents. Under AB 2792, a finding that a parent committed severe sexual abuse against the child would establish that that parent neglected or cruelly treated the child, thereby terminating the parent-child relationship.

AB 2992 (Daly) Peace officer training: commercial sexual exploitation of children

An act to add Section 13516.5 to the Penal Code

AB 2992 requires the Commission on Peace Officer Standards and Training to develop a course on commercial sexual exploitation of children and victims of human trafficking. This course would be required to include topics such as recognizing indicators of commercial sexual exploitation, appropriate interviewing techniques, local and state resources available to first responders, and issues of stigma.

ACR 140 (Bonta) Human Trafficking Awareness Month

In order to encourage activities that promote human trafficking awareness, ACR 140 establishes January 2018 as Human Trafficking Awareness Month in California.

SB 820 (Leyva) Settlement agreements: confidentiality

An act to add Section 1001 to the Code of Civil Procedure

SB 820 prohibits a provision in a settlement agreement that prevents the disclosure of factual information relating to certain claims of sexual assault, sexual harassment, or harassment or discrimination based on sex, that are filed in a civil or administrative action. A settlement agreement that prevents the disclosure of factual information related to the claim, as

described in the bill, entered into on or after January 1, 2019, is void as a matter of law and against public policy.

SB 970 (Atkins) Employment: human trafficking awareness

An act to add Section 12950.3 to the Government Code

SB 970 amends the Fair Employment and Housing Act to require specified employers to provide at least 20 minutes of training and education regarding human trafficking awareness to employees who are likely to interact or come into contact with victims of human trafficking.

SB 1104 (Roth) Pupil safety: human trafficking prevention resources

An act to add Section 49381 to the Education Code

SB 1104 requires the governing board of a school district and the governing body of a charter school to work with their schools that teach any of grades 6 to 12 to identify the most appropriate methods of informing parents and guardians of students in those grades of human trafficking prevention resources. SB 1104 establishes January 1, 2020 as a deadline for these schools to implement these identified methods.

SB 1194 (Lara) Privacy: lodging and common carriers

An act to add Section 53.5 to the Civil Code

SB 1194 prohibits entities that offer lodging from disclosing, producing, providing, releasing, transferring, disseminating, or otherwise communicating all or any part of a guest record to a third party, other than a California peace officer, without a court-issued subpoena, warrant, or order.

SB 1232 (Bradford) Victims of crime: application for compensation

An act to amend Section 13953 of the Government Code

Existing law requires victims to file an application for compensation within three years of the date of the crime, within 3 years after the victim turns 18 years old, or within 3 years of the time the victim knew or should have known that injury or death had been sustained as a result of crime. SB 1232 changes the law to require victims to file an application for compensation within 3 years after the victim turns 21 years old, rather than 18 years old.

SR 76 (Skinner) Relative to Human Trafficking Awareness Month

In order to promote human trafficking awareness throughout the State of California, the United States, and internationally, SR 76 establishes January 2018 as Human Trafficking Awareness Month in California.

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Coalition to Abolish Slavery and Trafficking

Systemic change is at the core of CAST's mission. Taking a survivor-centered approach to ending modern slavery, CAST has a proven track record of working directly with survivors of human trafficking which builds an important bridge between practice and policy to inform effective policy initiatives. . By developing broad-based partnerships, CAST effectively advocates for policies that work to end human trafficking and help survivors rebuild their lives.

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