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WELFARE AND INSTITUTIONS CODE - WIC

DIVISION 15. Survivors of Human Trafficking Support Act [23020 - 23026] (*Division 15 added by Stats. 2024, Ch. 615, Sec. 1.*)

CHAPTER 1. Law Enforcement Collaboration [23020 - 23026] (*Chapter 1 added by Stats. 2024, Ch. 615, Sec. 1.*)

23020. By no later than December 1, 2026, each law enforcement agency shall establish and maintain a written policy regarding interactions with survivors of human trafficking based on the guidelines developed by the commission pursuant to Section 23024.
(*Added by Stats. 2024, Ch. 615, Sec. 1. (AB 2020) Effective January 1, 2025.*)

23022. (a) A policy established pursuant to this chapter shall, without limitation, include all of the following:

- (1) A requirement that an officer contacting a survivor of human trafficking inform them that they have the right to have an advocate present during any interviews with law enforcement and other subsequent examinations and proceedings.
- (2) A requirement that the officer explain the benefits of being represented by an advocate, including, without limitation, confidentiality and evidentiary privilege, emotional support, assistance in accessing resources, and assistance with understanding their legal rights.
- (3) A requirement that, if the survivor requests an advocate, the officer contact the rape crisis center or another appropriate organization, such as an immigrant services organization, and arrange for an advocate to be present for any further interviews or examinations.
- (4) A requirement that an officer obtain a waiver in writing if a survivor refuses an advocate, and inform them that they may revoke their waiver at any time and request an advocate.
- (5) A requirement that the officer provide referrals to organizations that provide services to survivors of human trafficking, including, but not limited to, immigrant services organizations.
- (6) A requirement that a law enforcement agency, in collaboration with community-based organizations, establish a process for referrals of human trafficking victims to the county social services department.
- (7) A requirement that a law enforcement agency work with community-based organizations to provide referrals to services that are consistent with a survivor's culture, sexual orientation, and gender identity.

(b) Each law enforcement agency shall also create a standardized written waiver of advocacy or may use the waiver developed by the commission pursuant to Section 23024.

(*Added by Stats. 2024, Ch. 615, Sec. 1. (AB 2020) Effective January 1, 2025.*)

23024. (a) By no later than June 1, 2026, the Commission on Peace Officer Standards and Training shall develop and promulgate minimum guidelines for law enforcement personnel interactions with survivors of human trafficking. A law enforcement agency shall use these guidelines as a resource in creating the policy required under Section 23020 to establish procedures for law enforcement interactions with survivors of human trafficking.

(b) The guidelines shall, without limitation, meet the requirements of a policy described in Section 23022.

(c) (1) In developing the guidelines, the commission shall collaborate with appropriate groups and individuals having an interest and expertise in human trafficking. This shall include, but is not limited to, all of the following:

- (A) Community-based organizations providing services to survivors of human trafficking.

(B) Organizations with experience supporting survivors of labor trafficking, including, but not limited to, immigrant legal service providers.

(C) Human trafficking victim service organizations, as defined in subdivision (d) of Section 1038.2 of the Evidence Code, and domestic violence victim service organizations, as defined in subdivision (b) of Section 1037.1 of the Evidence Code, and rape crisis centers, as used in Section 13837 of the Penal Code.

(2) When collaborating with organizations pursuant to paragraph (1), the commission shall prioritize organizations that have been providing services for at least five years.

(d) The commission shall also develop and promulgate a standardized written waiver of advocacy, as described in Section 23022.

(Added by Stats. 2024, Ch. 615, Sec. 1. (AB 2020) Effective January 1, 2025.)

23026. As used in this chapter, the following terms are defined as follows:

(a) "Commission" means the Commission on Peace Officer Standards and Training.

(b) "Law enforcement agency" means any department or agency of the state or any political subdivision thereof that employs any peace officer, as described in Section 830 of the Penal Code, and that provides uniformed general law enforcement services to the public. "Law enforcement agency" includes, without limitation, any municipal police department, county sheriff's department, the California Highway Patrol, and the University of California and California State University police departments.

(Added by Stats. 2024, Ch. 615, Sec. 1. (AB 2020) Effective January 1, 2025.)