

*Affiliate
Organizations*

Justice for Children

*Leadership Council
on Child Abuse &
Interpersonal
Violence*

*California
Protective Parents
Association*

*Center for Judicial
Excellence*

Child Justice

*Stop Abuse
Campaign*

*Battered Mothers
Custody Conference*

*Child Abuse
Solutions*

*Distinction in
Family Courts*

*Incest Survivors
Speakers Bureau*

*Courageous Kids
Network*

*Mothers of Lost
Children*

June 22, 2016

California State Legislature
State Capitol Building
Sacramento, CA 95814

RE: ACES Report Card

Dear Legislators:

Advocates for Child Empowerment and Safety (ACES) is a 501(c)(4) organization dedicated to raising the voices of children to empower them and ensure their safety from physical abuse, sexual abuse and unsafe environments.

We would like to take a moment to acknowledge our 2015 Child Safety Champions. These are our top legislators who took leadership to author and vote for bills to protect California kids.

Our 2015 champions are **Senators Holly Mitchell, Jim Beall, Ricardo Lara, Bill Monning** and **Bob Wiekowski** and **Assembly members Richard Bloom, Chris Holden** and **Brian Maienschein**. We want to publicly honor them for their work to make children's lives safer and allow them to thrive.

We are pleased to bring our champions for child safety to your attention. In 2014, the California Legislature passed Assembly Concurrent Resolution 155 urging the Governor to reduce children's exposure to Adverse Childhood Experience (ACEs) in California, to address the impacts of those experiences, and to invest in preventive health care and mental health and wellness interventions. Children's basic right to pursue and obtain safety is protected by the California Constitution. These Legislators have carried out the spirit of ACR 155 with their legislative efforts.

This is our inaugural report card. We look forward to issuing future report cards on bills on protecting children.

Thank you for caring about child safety.



ACES 2015 LEGISLATIVE REPORT CARD BILL SUMMARIES

The ACES 2015 Legislative Report Card describes several child-safety measures considered by the California Legislature during the 2015 legislative session and presents each legislator’s votes on these bills.

This Report Card is intended to educate and inform you about your legislators’ actions on a number of bills that would benefit children if enacted. We encourage you to use this report card to better understand the political positions of your elected representatives, engage in meaningful dialogue and demand substantive policy solutions to ensure the health and safety of children in the state of California.

About ACES

Advocates for Child Empowerment & Safety (ACES) is a 501c(4) organization dedicated to raising the voices of children to empower them and ensure their safety from physical abuse, sexual abuse and unsafe environments. We use advocacy, organizing and research to help educate people and urge our elected leaders to take action on policies that will keep kids safe. We believe that if we educate, engage and mobilize people who care about child safety, we can make our state and our country a safer place for children – a place that empowers kids and allows them to thrive.

How We Work

- Developing and advocating for policies, regulations, and government programs to improve child safety.
- Conducting research and publicizing the positions of elected officials and institutions concerning issues and legislation pertaining to child safety.
- Hosting community outreach/education events to educate and mobilize the public about issues regarding child safety.
- Hosting fundraisers and charitable events to provide the necessary revenue to execute our mission of protecting children from abuse.
- Making contributions to organizations, committees and foundations with similar missions and purposes.

About This Report Card

This Report Card reflects the grades attributed to members of the California State Legislature for their votes on child safety-related bills during the first year of the 2015-2016 legislative session. The grades you will see reflect each legislator’s vote on eight (8) child safety bills that were introduced in 2015. Each bill reflected in this Report Card received at least one floor vote in the chamber in which it was introduced.

Our grading system contains the following parameters:

- +10: Legislative author
- +5: Principal co-author
- +3: Co-author
- +1: Yes Vote
- +5: not elected yet
- 1: Absent, No vote recorded
- 3: No Vote

- 20+ points = A+
- 17-19 points = A
- 12-16 points = B
- 7-11 points = C
- 4-6 points = D
- 0-3 points = F

The Bills

1. AB 439

Author: Assemblymember Richard Bloom

Co-Authors: None

AB 439 requires that attendance records from court-ordered batterer intervention program be made available to the court and the protected party. AB 439 also requires that a restrained party who is ordered to participate in a batterer program registers for the program by a specific deadline.

Courts do not always get accurate participation or attendance information on a restrained party's 52-week batterer intervention program. Information about the restrained party's attendance in batterer intervention program, including termination, is highly relevant to custody determinations in family court. Currently, the court and the protected party must rely on the restrained party to bring in these records. Often, restrained parties fail to provide records, or may even bring in falsified records. AB 439 ensures that information regarding restrained party's attendance in batterer program is provided to the court, which will allow the court to make a more informed decision when it comes to child custody and domestic violence matters in family court.

2. AB 365

Author: Assemblymember Cristina Garcia

Co-Authors: None

AB 365 requires the courts to allow any detained or deported parent to present testimony and evidence by electronic means in court-ordered child custody mediations upon request.

Teleconferencing and other electronic means are permitted during child custody proceedings when a party is in another state or a party's military deployment impacts their ability to appear in person. However it is not currently done across the state for detained or deported parents. AB 365 helps ensure that detained and/or deported parents are able to participate in custody proceedings and mediation by allowing them to participate by electronic means.

3. SB 594 ~CJE-Sponsored Bill

Author: Senator Bob Wieckowski

Co-Authors: None

SB 594 specifies that a child custody evaluation, investigation, or assessment, and any resulting report, may only be considered by the court if the evaluation, investigation, or assessment, and any resulting report, is conducted in accordance with the minimum requirements set forth in state law.

State-mandated uniform standards of practice and procedure designed to ensure the safety of families in general, and domestic violence and child sexual abuse victims in particular, are not always being fully implemented by professionals. This can often lead to confusion or lack of knowledge about those standards and result in a lack of uniform application of the law by the courts, which have no efficient way to determine whether child custody professionals have complied with state-mandated practices and procedures. SB 594 takes us one step closer towards standardizing custody evaluation reports and protecting our state's most vulnerable children whose divorcing parents are challenged by domestic violence and child sexual abuse.

4. SB 14

Author: Senator Ricardo Lara

Co-Authors: Senators Anderson, Vidak and Mitchell; Assemblymembers Chavez, Cooper, Gonzalez, Lopez, Maienschein, Olsen, Rodriguez, M. Stone and Steinorth

SB 14 prevents an adult in a position of authority who sexually abuses a child from claiming that the child consented or from using that child's sexual history in defense of a civil claim for damages.

Protections that exist in the civil and penal code regarding consent are different. Civil code currently allows defendants to argue that a minor consented to sexual activity with an adult to avoid liability. Additionally, the law allows defendants to use a minor's sexual history as evidence against the minor. Ultimately, this bill will ensure that minors who are sexually abused are able to get the help they need to recover from trauma inflicted by an adult who was supposed to take care of them.

5. SB 238

Authors: Senators Holly Mitchell and Jim Beall, Jr.

Co-Authors: Assemblymembers Chiu, Gatto, Gordon and Rodriguez

SB 238 requires specified certification and training programs for group home administrators, foster parents, child welfare social workers, dependency court judges and court appointed council to include training on psychotropic medication, trauma and behavioral health for children receiving child welfare services.

Explosive exposés in the news media have suggested that children in foster care may be in danger of over medication. Reports provided by the Department of Health Care Services (DHCS) and the Department of Social Services (DCSS) provide limited information needed to determine how psychotropic medicine is administered to foster youth. SB 238 provides child welfare services social workers with the data, information and tools needed to provide appropriate oversight of mental health treatments for the children in their care.

While the following bills did not become law, we view each one as important child safety legislation that deserves to be recognized and included.

6. AB 1051

Author: Assemblymember Brian Maienschein

Co-Authors: Assemblymembers Atkins, Baker, Bonilla, Chavez, Gonzalez, Jones, Jones-Sawyer, Lackey, Steinorth and Waldron; Senators Anderson, Bates, Block and Hueso

AB 1051 seeks to: 1) add human trafficking to the list of crimes constituting a pattern of gang activity; and 2) enact a new one-year prison enhancement if the defendant's underlying offense is either human trafficking involving a minor, or abduction of a minor for purposes of prostitution, and the offense was committed on the grounds of a school, or within 1,000 feet of a school while the school is open for classes or programs, or minors are using the facility.

Penal Code 186.22 defines a criminal gang and lists 33 offenses that are associated with gang activity. Currently that list does not include human trafficking, a practice that many gangs engage in. Additionally, the problem of human trafficking and the use of schools to recruit victims is growing across the country. AB 1051 would ensure that human trafficking is added to the list of crimes constituting "gang related activity" and adds additional penalties, if convicted.

7. SB 253

Author: Senator Bill Monning

Co-Authors: Assemblymember Chiu (Principal Co-Author), Senators Leno and Beall; Assemblymember Gatto

SB 253 provides that an order of the juvenile court authorizing psychotropic medication shall require clear and convincing evidence of specified conditions. This bill prohibits the authorization of psychotropic medications without a second independent medical opinion under specified circumstances. It also prohibits the authorization of psychotropic medications unless the court is provided documentation that appropriate lab screenings, measurements, or tests have been completed.

Nearly one in four children placed in foster care receive powerful psychotropic drugs, and of these children, 52 percent are given antipsychotics, drugs that include risk factors that can lead to lifelong such as tremors, obesity, and diabetes. Additionally, 48 percent of foster children are given antidepressants that include an FDA black box warning for use by children. SB 253 would create higher standards for courts in authorizing the use of psychotropic drugs and better protect children from overmedication.

8. SB 316

Author: Senator Holly Mitchell

Co-Author: Assemblymember Marc Levine (Principal Co-Author)

SB 316 prohibits counsel that is representing a child or nonminor dependent in dependency proceedings from having a caseload that exceeds a certain number of clients.

Under current law, dependency counsel has no limit on caseloads, leading to lawyers in some counties with caseloads exceeding 300 child or non-minor clients. This leads to counsel not being able to fully represent a child solely because he or she has too many clients and not enough time. SB 316 ensures better representation for children and nonminor dependents in dependency proceedings.

9. AB 526

Author: Assemblymember Christopher Holden

Co-Author: None

AB 526 increases the fine for any person convicted of abducting a minor, without their consent, for the purpose of prostitution.

For more than 30 years, the penalty for committing abduction for the purposes of prostitution has not been increased to match the growing criminal enterprise of human trafficking. AB 526 increases the penalty threshold of committing abduction for the purposes of prostitution from up to a \$2,000 fine to up to a \$5,000 fine.

CONTACT US

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	AB 439	AB 365	SB 594 Two Sen votes		SB 14	SB 238 Two Sen votes		AB 1051 Asm Vote Only	SB 253 Sen Vote Only	SB 316 Sen Vote Only	AB 526 Asm Vote Only	TOTAL	GRADE
Allen	✓	✓	✓	✓	✓	✓	✓		✓	✓		9	C
Anderson	✓	✓	✓	✓	✓	✓	✓		✓	✓		15	B
Bates	✓	✓	✓	✓	✓	✓	✓		✓	✓		12	B
Beall	A	✓	✓	✓	✓	✓	✓		✓	✓		20	A+
Berryhill	✓	✓	A	✓	✓	✓	✓		✓	✓		7	C
Block	✓	✓	✓	✓	✓	✓	✓		✓	✓		12	B
Cannella	✓	✓	✓	✓	✓	✓	✓		✓	✓		9	C
De León	✓	✓	✓	✓	✓	✓	✓		✓	✓		9	C
Fuller	✓	✓	✓	✓	✓	✓	✓		✓	✓		9	C
Gaines	✓	✓	✓	✓	✓	✓	✓		✓	✓		9	C
Galgiani	✓	✓	✓	✓	✓	✓	✓		✓	✓		9	C
Glazer	✓	✓	V	✓	✓	✓	✓		✓	✓		8.5	C
Hall	✓	✓	A	✓	✓	✓	✓		✓	✓		7	C
Hancock	✓	✓	✓	✓	✓	✓	✓		✓	✓		9	C
Hernandez	✓	✓	✓	✓	✓	✓	✓		✓	✓		9	C
Hertzberg	✓	✓	✓	✓	✓	✓	✓		✓	✓		9	C
Hill	✓	✓	✓	✓	✓	✓	✓		✓	✓		9	C
Hueso	✓	✓	✓	✓	✓	✓	✓		✓	✓		12	B
Huff	✓	✓	✓	✓	✓	✓	✓		✓	✓		9	C
Jackson	✓	✓	✓	✓	✓	✓	✓		✓	✓		9	C
Lara	✓	✓	✓	✓	✓	✓	✓		✓	✓		19	A
Leno	✓	✓	✓	✓	✓	✓	✓		✓	✓		12	B
Leyva	✓	✓	✓	✓	✓	✓	✓		✓	✓		9	C
Liu	✓	✓	✓	✓	✓	✓	✓		✓	✓		9	C
McGuire	✓	✓	✓	✓	✓	✓	✓		✓	✓		9	C
Mendoza	✓	✓	✓	✓	✓	✓	✓		✓	✓		9	C
Mitchell	✓	✓	✓	✓	✓	✓	✓		✓	✓		32	A+
Monning	✓	✓	✓	✓	✓	✓	✓		✓	✓		19	A
Moorlach	✓	✓	✓	✓	✓	✓	✓		✓	A		7	C
Morrell	✓	✓	✓	✓	✓	✓	✓		✓	✓		9	C
Nguyen	✓	✓	✓	✓	✓	✓	✓		✓	✓		9	C
Nielsen	✓	✓	✓	✓	✓	✓	A		✓	✓		7	C
Pan	✓	✓	✓	✓	✓	✓	✓		✓	✓		9	C
Pavley	✓	✓	A	✓	✓	✓	✓		✓	✓		7	C
Roth	✓	✓	✓	✓	✓	✓	✓		✓	✓		9	C
Runner	A	A	✓	A	A	✓	✓		✓	✓		1	F
Stone	✓	✓	✓	✓	✓	✓	✓		✓	✓		9	C
Vidak	✓	✓	✓	✓	✓	✓	✓		✓	✓		12	B
Wieckowski	✓	✓	✓	✓	✓	✓	✓		✓	✓		19	A
Wolk	A	A	✓	✓	✓	✓	✓		✓	✓		5	D

SENATORS

- +1: Yes Vote (✓)
- +5: not elected yet (V)
- 1: Absent, No vote recorded (A)
- 3: No Vote (X)

- +10: Lead Author ■
- +5: Principal Co-Author ■
- +3: Co-Author ■
- A-Rated Child Advocates ■

Highest Score Given: 32

Lowest Score Given: 2

Baseline Score: 9

*Special Notes

There are four bills in this report card – two from each chamber – that only received floor votes in their chamber of origin. Some members of the chamber that did not vote on those bills still received points for their co-authorship of them.

SB 238 and SB 595 received two votes in the State Senate. For the purposes of this report card, each vote was scored individually as two separate votes. This resulted in senators having two more opportunities to vote - and to be scored upon - than members of the State Assembly.

	AB 439	AB 365	SB 594	SB 14	SB 238	AB 1051 Asm Vote Only	SB 253 Sen Vote Only	SB 316 Sen Vote Only	AB 526	TOTAL	GRADE
Achadjian	✓	✓	✓	✓	✓	✓			✓	7	C
Alejo	✓	✓	✓	✓	✓	✓			✓	7	C
Allen	✓	✓	✓	✓	✓	✓			✓	7	C
Atkins	✓	✓	✓	✓	✓	✓			✓	10	C
Baker	✓	✓	✓	✓	✓	✓			✓	10	C
Bigelow	✓	✓	✓	✓	✓	✓			✓	7	C
Bloom	✓	✓	✓	✓	✓	✓			✓	17	A
Bonilla	✓	✓	✓	✓	✓	✓			✓	10	C
Bonta	✓	✓	✓	✓	✓	✓			✓	7	C
Brough	✓	A	✓	✓	✓	✓			✓	5	D
Brown	✓	✓	A	A	✓	✓			✓	3	F
Burke	✓	✓	✓	✓	✓	✓			✓	7	C
Calderon	✓	✓	✓	✓	✓	✓			✓	7	C
Campos	A	A	✓	✓	✓	✓			A	1	F
Chang	✓	✓	✓	✓	✓	✓			✓	7	C
Chau	✓	✓	✓	✓	✓	✓			✓	7	C
Chávez	A	✓	✓	A	A	A			A	3	F
Chiu	✓	✓	✓	✓	✓	✓			✓	15	B
Chu	✓	✓	✓	✓	✓	✓			✓	7	C
Cooley	✓	✓	✓	✓	✓	✓			✓	7	C
Cooper	✓	✓	✓	✓	✓	✓			✓	10	C
Dababneh	✓	✓	✓	✓	✓	✓			✓	7	C
Dahle	✓	✓	✓	✓	✓	✓			✓	7	C
Daly	✓	✓	✓	✓	✓	✓			✓	7	C
Dodd	✓	✓	✓	✓	✓	✓			✓	7	C
Eggman	✓	✓	✓	✓	✓	✓			✓	7	C
Frazier	✓	✓	✓	✓	✓	✓			✓	7	C
Gaines	✓	A	✓	✓	✓	✓			✓	5	D
Gallagher	✓	✓	✓	✓	✓	✓			✓	7	C
E. Garcia	✓	✓	✓	✓	✓	✓			✓	7	C
C. Garcia	✓	✓	✓	A	✓	✓			✓	15	B
Gatto	✓	✓	✓	✓	✓	✓			✓	13	B
Gipson	✓	✓	✓	A	✓	✓			✓	5	D
Gomez	A	✓	✓	✓	✓	✓			✓	5	D
Gonzalez	✓	✓	✓	A	✓	✓			✓	11	C
Gordon	✓	✓	✓	✓	✓	✓			✓	10	C
Gray	✓	✓	✓	✓	✓	✓			✓	7	C
Grove	✓	✓	✓	✓	✓	✓			✓	7	C
Hadley	✓	✓	✓	✓	✓	✓			✓	7	C
Harper	✓	✓	✓	✓	✓	✓			✓	7	C

ASSEMBLY MEMBERS

+1: Yes Vote (✓)
-1: Absent, No vote recorded (A)
-3: No Vote (X)

+10: Lead Author ■
+5: Principal Co-Author ■
+3: Co-Author ■

A-Rated Child Advocates ■

Highest Score Given: 20
Lowest Score Given: 1
Baseline Score: 7

	AB 439	AB 365	SB 594	SB 14	SB 238	AB 1051 Asm Vote Only	SB 253 Sen Vote Only	SB 316 Sen Vote Only	AB 526	TOTAL	GRADE
Hernández	✓	✓	✓	✓	A	✓			✓	5	D
Holden	✓	✓	✓	✓	✓	✓			✓	17	A
Irwin	✓	✓	✓	✓	✓	✓			✓	7	C
Jones	✓	A	✓	✓	✓	✓			✓	8	C
Jones-Sawyer	✓	✓	✓	✓	✓	✓			✓	10	C
Kim	✓	✓	✓	✓	✓	✓			✓	7	C
Lackey	✓	✓	✓	✓	✓	✓			✓	10	C
Levine	✓	✓	✓	✓	✓	✓			✓	12	B
Linder	✓	✓	✓	✓	✓	✓			✓	7	C
Lopez	✓	✓	✓	✓	✓	✓			✓	10	C
Low	✓	✓	A	✓	✓	✓			✓	5	D
Maienschein	✓	✓	✓	✓	✓	✓			✓	20	A+
Mathis	✓	✓	✓	✓	✓	✓			✓	7	C
Mayes	✓	✓	✓	✓	✓	✓			✓	7	C
McCarty	✓	✓	✓	✓	✓	✓			✓	7	C
Medina	✓	✓	✓	✓	✓	✓			✓	7	C
Melendez	✓	A	✓	✓	✓	✓			✓	5	D
Mullin	✓	✓	✓	✓	✓	✓			✓	7	C
Nazarian	✓	✓	✓	✓	✓	✓			✓	7	C
Oberholte	✓	A	✓	✓	✓	✓			✓	5	D
O'Donnell	✓	✓	A	✓	✓	✓			✓	5	D
Olsen	✓	✓	✓	✓	✓	✓			✓	10	C
Patterson	✓	✓	✓	✓	✓	✓			✓	7	C
Perea	✓	✓	A	✓	✓	✓			✓	5	D
Quirk	✓	✓	✓	✓	✓	✓			A	5	D
Rendon	✓	✓	✓	✓	✓	✓			✓	7	C
Ridley-Thomas	✓	✓	✓	✓	✓	✓			✓	7	C
Rodriguez	✓	✓	✓	✓	✓	✓			✓	13	B
Salas	✓	A	✓	✓	✓	✓			✓	5	D
Santiago	✓	✓	✓	✓	✓	✓			✓	7	C
Steinorth	✓	✓	✓	✓	✓	✓			✓	13	B
Mark Stone	✓	✓	✓	✓	✓	✓			✓	10	C
Thurmond	✓	✓	✓	✓	✓	✓			✓	7	C
Ting	✓	✓	✓	✓	✓	✓			✓	7	C
Wagner	✓	✓	✓	✓	✓	✓			✓	7	C
Waldron	✓	✓	✓	✓	✓	✓			✓	10	C
Weber	✓	✓	✓	A	✓	✓			✓	5	D
Wilk	✓	✓	✓	✓	✓	✓			✓	7	C
Williams	✓	✓	✓	✓	✓	✓			✓	7	C
Wood	✓	✓	✓	✓	✓	✓			✓	7	C

ASSEMBLY MEMBERS

- +1: Yes Vote (✓)
- 1: Absent, No vote recorded (A)
- 3: No Vote (X)

- +10: Lead Author ■
- +5: Principal Co-Author ■
- +3: Co-Author ■

A-Rated Child Advocates ■

Highest Score Given: 20
 Lowest Score Given: 1
 Baseline Score: 7