

Date of Hearing: July 12, 2023

ASSEMBLY COMMITTEE ON APPROPRIATIONS
Chris Holden, Chair
SB 236 (Jones) – As Amended April 11, 2023

Policy Committee: Public Safety Vote: 7 - 0

Urgency: No State Mandated Local Program: No Reimbursable: No

SUMMARY:

This bill establishes a program within the Office of Emergency Services (OES) to provide funding and technical assistance to county district attorney offices for vertical prosecution of human trafficking crimes and requires OES to report to the Legislature and Governor's office about the program's outcomes.

FISCAL EFFECT:

Costs likely in the millions of dollars (General Fund) in grant funds to be disbursed to counties and for OES administration of the grant program. The bill does not indicate whether grants would be one-time or ongoing, but OES estimates annual staffing costs of approximately \$85,000 to administer the program. The bill provides that no more than 10% of the funds appropriated by this program may be used for administrative costs. The author submitted a budget request for a one-time appropriation of \$2.6 million for this bill. At the time of this analysis, there is no appropriation for this program included in the 2023-24 budget agreement.

COMMENTS:

1) **Purpose.** According to the author:

Human trafficking is a modern form of slavery that exploits thousands of individuals each year within the United States. Vertical prosecution involves the use of specialized attorneys who follow the whole case, from inception to conclusion, instead of the standard practice of different attorneys handling individual stages of the case. The implementation of vertical prosecution has been highly successful and has contributed to increased conviction rates. Additionally, these programs ease strain on victims, as they are able to develop and maintain a relationship with a single prosecutor throughout the process as opposed to repeatedly redeveloping their relationship with a new attorney at each step of the way.

2) **Background.** Criminal cases are typically prosecuted horizontally or vertically. In horizontal prosecution, each stage in the case is handled by a different prosecutor, so different attorneys may handle the arraignment, preliminary hearings, and trial for a single case. In vertical prosecution, a single prosecutor handles a case from beginning to end. Advocates argue that vertical prosecution is preferable because if one prosecutor follows a

case from charging to sentencing, that prosecutor can become more knowledgeable about the details of the case, develop a comprehensive legal strategy for the matter, and establish a rapport with the victims. For these reasons, vertical prosecution is sometimes favored for cases involving particularly sensitive crimes like sexual offenses, hate crimes, and domestic violence crimes.

This bill establishes a program within OES to provide grant funding and technical assistance to up to 11 county district attorney offices with vertical prosecution units that handle human trafficking crimes. The bill establishes minimum requirements for grant funding recipients and requires OES to use a competitive process to select grant funding recipients. OES must submit a report to the Legislature and Governor by January 1, 2026, that provides information about the counties that received grant funding, and reports the number of cases they filed, number of convictions they obtained, and the sentences that were issued for human trafficking cases.

- 3) **Related Legislation.** AB 1739 (Sanchez) established a similar human trafficking vertical prosecution grant program within OES. AB 1739 was held on this committee's suspense file.

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