

ai. advocate

Educates everyday people on legislation relevant to them

Empowers everyday people to share their voice about what is being proposed

Employs everyday people to screen AI output and ensure it is culturally and experientially insightful



AI-Driven Bill Summarization

Utilize natural language processing (NLP) algorithms to analyze and break down complex government bills into easy-to-understand summaries and provide users the power to increase/decrease complexity.

Breaking Down Barriers

When the complexities of legislation are demystified individuals gain a newfound sense of agency.

Advocate Engagement

Provide a platform for advocates to contribute directly to their communities, bridging the gap between legal expertise and everyday understanding.

Survivor Panels

Review content & provide recommendations based on lived experience.

Credible ITBiz Data Analyst

Employed to document panel results and maintain AI Advocate application. (Future)

Community Education & Empowerment

Educate users about government bills, empowering them to make informed decisions and actively participate in civic processes.

Translate these summaries into multiple languages and complexity levels to cater to the diversity of underserved communities.

ai. advocate

CALIFORNIA SB1256 2023-2024



CALIFORNIA SB1256 2023-2024

SB1256 EXPANDS DNA COLLECTION TO PEOPLE CONVICTED OF SOLICITING OR ENGAGING IN PROSTITUTION WITH A MINOR. REQUIRES THESE INDIVIDUALS TO PROVIDE THE SAME SAMPLES AS THOSE CONVICTED OF FELONIES UNDER PROPOSITION 69. THIS WOULD IMPOSE ADDITIONAL DUTIES ON LOCAL LAW ENFORCEMENT TO COLLECT AND PROCESS THESE SAMPLES. (AI SUMMARY - FULL DESCRIPTION BELOW)

PANEL RESULTS

ON FRIDAY, APRIL 12, 2024 A PANEL OF SIX AI ADVOCATE COMMITTEE MEMBERS EVALUATED SB1256.

Love Never Fails' AI Advocate methodology was used to evaluate SB1256.

Our evaluation process started with the bill's Legislative Counsel's Digest and proposed legislation

https://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=202320240SB1256 .

We then evaluated the content using the following methodology:

1. Reviewed the Legislative Counsel's Digest, the current statute, and the proposed amendments.
2. Reviewed the Legislative Counsel's Digest, the current statute, and the proposed amendments using various AI versions.
3. Documented AI Advocate panel interpretation, evaluation, analysis, questions, and discussion of SB1256.

The AI Advocate Committee consisted of six human trafficking survivors ; the demographics of committee members can be found at the bottom of this brief.

Panel Interpretation, Evaluation, Analysis, Questions and Discussion Points

- **Committee not opposed to the bill, however would like some of the cons to be addressed. Also, we would like to know the cost impact in regards to funding/services survivors could receive.**
- What is the additional cost; would the cost of this take away from services that could go directly to the minors recovery
- At least one panel member in opposition
- What is the cost related to the fiscal year
- Will it already be done in the probation office, or add addition cost

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Pros

- DNA would be logged in system if offender reoffends
- High-risk offenders that are abusing other minors could be linked
- DNA can be used as a new form to collect Data as Sex Offender Registry
- Could help solve cold case

Cons

- Overwhelm systems that are already not processing rape kits do to backlog
- “While SB 1256 is premised on the belief that DNA collection protects public safety, the reality is increasing the size of DNA databases actually raises the likelihood of false hits. Recent studies have confirmed that erroneous matches between DNA profiles from different people, including close relatives, are far from impossible and can lead to false arrests and convictions. This is important because in California, inclusion in the database potentially subjects people’s family members to investigation, through a controversial technique called “familial DNA searching,” which extends the size and reach of the California database to effectively include the parents, children, and siblings of the millions of convicted and arrested people whose DNA profiles are stored in the database. This bill would vastly increase the number of people whose privacy is compromised and who are subject to potential false arrest.”

SB1256 CONTENT REVIEW

ORIGINAL LEGISLATIVE COUNSEL'S DIGEST

Introduced by Senator Glazer

February 15, 2024

An act to amend ~~Sections 290 and~~ *Section* 296 of the Penal Code, relating to crimes.

LEGISLATIVE COUNSEL'S DIGEST

SB 1256, as amended, Glazer. Crimes: prostitution: ~~sex offender registration and~~ DNA collection.

~~Existing law requires persons convicted of specified sex offenses, or attempts to commit those offenses, to register with local law enforcement agencies while residing in the state or while attending school or working in the state. Existing law establishes 3 tiers of registration based on specified criteria, for periods of at least 10 years, at least 20 years, and life, respectively, for a conviction of specified sex offenses. Willful failure to register, as required, is a misdemeanor, or a felony, depending on the underlying offense.~~

~~This bill would add the offense of soliciting, or agreeing to engage in, or engaging in, an act of prostitution with a minor in exchange for providing money or compensation to the~~

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~~minor, except as specified, to the list of offenses requiring registration as a tier one offender on the sex offender registry. By imposing additional duties on local authorities, and by expanding the scope of persons who would be committing a crime by failing to register as a sex offender, this bill would create a state mandated local program.~~

Existing law, as amended by the DNA Fingerprint, Unsolved Crime and Innocence Protection Act, Proposition 69, approved by the voters at the November 2, 2004, general election, requires a person who has been convicted of a felony offense to provide buccal swab samples, right thumbprints, and a full palm print impression of each hand, and any blood specimens or other biological samples required for law enforcement identification analysis. Existing law makes these provisions retroactive, regardless of when the crime charged or committed became a qualifying offense. The Legislature may amend Proposition 69 by a statute passed in each house by majority vote, as specified.

This bill would expand these provisions to require persons convicted of soliciting, agreeing to engage in, or engaging in, an act of prostitution with a minor in exchange for providing money or compensation to the minor to provide buccal swab samples, right thumbprints, and a full palm print impression of each hand, and any blood specimens or other biological samples required for law enforcement identification analysis. By imposing additional duties on local law enforcement agencies to collect and forward these samples, this bill would impose a state-mandated local program.

~~The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.~~

~~This bill would provide that with regard to certain mandates no reimbursement is required by this act for a specified reason.~~

~~With regard to any other mandates, this bill would provide that, if the Commission on State Mandates determines that the bill contains costs so mandated by the state, reimbursement for those costs shall be made pursuant to the statutory provisions noted above.~~

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to the statutory provisions noted above.

DIGEST KEY

Vote: majority Appropriation: no Fiscal Committee: yes Local Program: yes

BILL TEXT

BASIC ORIGINAL AI

This summary outlines a proposed bill in California that would expand DNA collection requirements. Here's a breakdown of the key points:

Current Law (Proposition 69):

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- Requires people convicted of felonies to provide DNA samples (buccal swabs), fingerprints, and potentially other biological samples for law enforcement identification.
- This applies regardless of when the crime occurred.

Proposed Bill:

- Expands DNA collection to people convicted of soliciting or engaging in prostitution with a minor.
- Requires these individuals to provide the same samples as those convicted of felonies under Proposition 69.
- This would impose additional duties on local law enforcement to collect and process these samples.

Financial Implications:

- Because this bill adds responsibilities to local law enforcement, it's considered a state-mandated local program.
- The California Constitution requires the state to reimburse local agencies for such mandated costs.
- The bill includes a provision for reimbursement following established procedures, contingent upon the Commission on State Mandates confirming these costs.

In simpler terms:

- California currently collects DNA from felons.
- This bill proposes to also collect DNA from people convicted of sex work with minors.
- The extra work for local law enforcement would be reimbursed by the state.

SIMPLER AI

California wants to take DNA from people who pay for sex with a minor, just like they take DNA from criminals. This would make more work for police, so the state would pay them extra.

MORE CASUAL AI

California is proposing a new law to collect DNA samples from people convicted of paying for sex with a minor. This is similar to the existing law for collecting DNA from felons. Local law enforcement agencies will be responsible for collecting and forwarding these samples, and the state will reimburse them for any mandated costs.

In essence, this bill expands the scope of a previous law to include people convicted of sex with a minor. The state will cover the costs associated with collecting and forwarding DNA samples from these individuals.

CURRENT STATUTE AND PROPOSED AMENDMENTS

SECTION 1. Section 296 of the Penal Code is amended to read:

296. (a) The following persons shall provide buccal swab samples, right thumbprints, and a full palm print impression of each hand, and any blood specimens or other biological samples required pursuant to this chapter for law enforcement identification analysis:

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(1) Any person, including any juvenile, who is convicted of or pleads guilty or no contest to any felony offense, or is found not guilty by reason of insanity of any felony offense, or any juvenile who is adjudicated under Section 602 of the Welfare and Institutions Code for committing any felony offense.

(2) Any adult person who is arrested for or charged with any of the following felony offenses:

(A) Any felony offense specified in Section 290 or attempt to commit any felony offense described in Section 290, or any felony offense that imposes upon a person the duty to register in California as a sex offender under Section 290.

(B) Murder or voluntary manslaughter or any attempt to commit murder or voluntary manslaughter.

(C) Commencing on January 1, 2009, any adult person arrested or charged with any felony offense.

(3) Any person, including any juvenile, who is required to register under Section 290 or 457.1 because of the commission of, or the attempt to commit, a felony or misdemeanor offense, or any person, including any juvenile, who is housed in a mental health facility or sex offender treatment program after referral to such facility or program by a court after being charged with any felony offense.

(4) Any person, excluding a juvenile, who is convicted of, or pleads guilty or no contest to, a violation of paragraph (3) of subdivision (b) of Section 647.

(5) The term "felony" as used in this subdivision includes an attempt to commit the offense.

(6) Nothing in this chapter shall be construed as prohibiting collection and analysis of specimens, samples, or print impressions as a condition of a plea for a nonqualifying offense.

(b) The provisions of this chapter and its requirements for submission of specimens, samples, and print impressions as soon as administratively practicable shall apply to all qualifying persons regardless of sentence imposed, including any sentence of death, life without the possibility of parole, or any life or indeterminate term, or any other disposition rendered in the case of an adult or juvenile tried as an adult, or whether the person is diverted, fined, or referred for evaluation, and regardless of disposition rendered or placement made in the case of a juvenile who is found to have committed any felony offense or is adjudicated under Section 602 of the Welfare and Institutions Code.

(c) The provisions of this chapter and its requirements for submission of specimens, samples, and print impressions as soon as administratively practicable by qualified persons as described in subdivision (a) shall apply regardless of placement or confinement in any mental hospital or other public or private treatment facility, and shall include, but not be limited to, the following persons, including juveniles:

(1) Any person committed to a state hospital or other treatment facility as a mentally disordered sex offender under Article 1 (commencing with Section 6300) of Chapter 2 of Part 2 of Division 6 of the Welfare and Institutions Code.

(2) Any person who has a severe mental disorder as set forth within the provisions of Article 4 (commencing with Section 2960) of Chapter 7 of Title 1 of Part 3 of the Penal Code.

(3) Any person found to be a sexually violent predator pursuant to Article 4 (commencing with Section 6600) of Chapter 2 of Part 2 of Division 6 of the Welfare and Institutions Code.

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(d) The provisions of this chapter are mandatory and apply whether or not the court advises a person, including any juvenile, that the person must provide the data bank and database specimens, samples, and print impressions as a condition of probation, parole, or any plea of guilty, no contest, or not guilty by reason of insanity, or any admission to any of the offenses described in subdivision (a).

(e) If at any stage of court proceedings the prosecuting attorney determines that specimens, samples, and print impressions required by this chapter have not already been taken from any person, as defined under subdivision (a) of Section 296, the prosecuting attorney shall notify the court orally on the record, or in writing, and request that the court order collection of the specimens, samples, and print impressions required by law. However, a failure by the prosecuting attorney or any other law enforcement agency to notify the court shall not relieve a person of the obligation to provide specimens, samples, and print impressions pursuant to this chapter.

(f) Prior to final disposition or sentencing in the case the court shall inquire and verify that the specimens, samples, and print impressions required by this chapter have been obtained and that this fact is included in the abstract of judgment or dispositional order in the case of a juvenile. The abstract of judgment issued by the court shall indicate that the court has ordered the person to comply with the requirements of this chapter and that the person shall be included in the state's DNA and Forensic Identification Database and Data Bank Program and be subject to this chapter.

However, failure by the court to verify specimen, sample, and print impression collection or enter these facts in the abstract of judgment or dispositional order in the case of a juvenile shall not invalidate an arrest, plea, conviction, or disposition, or otherwise relieve a person from the requirements of this chapter.

~~SEC. 3. No reimbursement is required by this act pursuant to Section 6 of Article XIII B of the California Constitution for certain costs that may be incurred by a local agency or school district because, in that regard, this act creates a new crime or infraction, eliminates a crime or infraction, or changes the penalty for a crime or infraction, within the meaning of Section 17556 of the Government Code, or changes the definition of a crime within the meaning of Section 6 of Article XIII B of the California Constitution.~~

~~However, if the Commission on State Mandates determines that this act contains other costs mandated by the state, reimbursement to local agencies and school districts for those costs shall be made pursuant to Part 7 (commencing with Section 17500) of Division 4 of Title 2 of the Government Code.~~

SEC. 2. *If the Commission on State Mandates determines that this act contains costs mandated by the state, reimbursement to local agencies and school districts for those costs shall be made pursuant to Part 7 (commencing with Section 17500) of Division 4 of Title 2 of the Government Code.*

BASIC ORIGINAL AI

This is a breakdown of Section 1 of the bill you requested:

Who Needs to Provide DNA Samples?

This section amends a California law (Penal Code Section 296) that requires certain people to provide DNA samples for law enforcement identification. The amended law applies to the following individuals:

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- **People convicted of or pleading guilty/no contest to felonies:** This includes adults and juveniles. It also covers those found not guilty by reason of insanity for a felony.
- **Adults arrested for specific felonies:** This includes felonies related to sex offenses (Section 290), murder/manslaughter, and any felony offense (starting in 2009).
- **People required to register as sex offenders:** This includes adults and juveniles who must register due to a felony or misdemeanor offense.
- **People in mental health facilities or sex offender treatment programs:** This includes adults and juveniles referred by courts after felony charges.
- **People convicted of soliciting or engaging in prostitution with a minor:** This is a new addition to the law proposed by this bill.

What Samples are Collected?

The required samples include:

- Buccal swab samples (cheek swabs for DNA)
- Right thumbprints
- Full palm prints of each hand
- Any additional blood or biological samples needed for identification

When are Samples Collected?

- The law requires collecting samples "as soon as administratively practicable."
- This applies regardless of the sentence or disposition in the case (e.g., probation, diversion, fine).
- It also applies to juveniles.

Where does this information go?

- The DNA samples and fingerprints are stored in the California DNA and Forensic Identification Database and Data Bank Program.

Key Points:

- This law is mandatory. People must provide samples regardless of being informed by the court.
- The prosecuting attorney is responsible for notifying the court if samples haven't been collected.
- The court must verify sample collection before final disposition or sentencing.

I hope this clarifies Section 1 of the bill.

SIMPLER AI

This law basically says whoever commits a serious crime, or something related to sex with a minor, has to give a DNA sample to the police. This sample is like a fingerprint, but made from your spit. The police then keep this information on file.

The law applies to adults and even some juveniles. The police have to collect this DNA as soon as possible, no matter what punishment the person gets.

MORE CASUAL AI

This law is basically saying anyone who commits a bad crime, or something creepy involving a minor, needs to give a DNA sample to the cops. It's like a super high-tech fingerprint, but from your spit, and the cops keep it on file. This applies to adults and

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some younger folks too. The cops gotta collect this DNA ASAP, no matter what punishment the person gets.