

**ASSEMBLY BILL**

**No. 2393**

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**Introduced by Assembly Member Davis**

February 24, 2012

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An act to amend Section 13879.80 of the Penal Code, relating to law enforcement.

LEGISLATIVE COUNSEL'S DIGEST

AB 2393, as introduced, Davis. Law enforcement: drug-endangered children.

Existing law encourages every law enforcement and social services agency to develop, adopt, and implement written policies and standards for their response to narcotics crime scenes where a child is present or where there is evidence that a child lives, by January 1, 2005.

This bill would make a technical, nonsubstantive change to these provisions.

Vote: majority. Appropriation: no. Fiscal committee: no.  
State-mandated local program: no.

*The people of the State of California do enact as follows:*

- 1 SECTION 1. Section 13879.80 of the Penal Code is amended  
2 to read:  
3 13879.80. (a) Every law enforcement and social services  
4 agency in this state is encouraged to develop, adopt, and implement  
5 written policies and standards for their response to narcotics crime  
6 scenes where a child is either immediately present or where there  
7 is evidence that a child lives, by January 1, 2005. These policies  
8 shall reflect the fact that exposing a child to the manufacturing,

1 trafficking, and *the* use of narcotics is criminal conduct, and that  
2 a response coordinated by law enforcement and social services  
3 agencies is essential to the child's health and welfare.

4 (b) The needs of a drug endangered child are best served with  
5 written policies encouraging the arrest of an individual for child  
6 endangerment where there is probable cause that an offense has  
7 been committed coordinated with an appropriate investigation of  
8 the child's welfare by child protective agencies. Protocols that  
9 encourage a dependency investigation contemporaneous with a  
10 law enforcement investigation at a narcotics crime scene, when  
11 appropriate, are consistent with a child's best interest.