

REVISED MOTION BY SUPERVISORS MARK RIDLEY-THOMAS September 15, 2020 AND JANICE HAHN

Targeting Venues Where Human Trafficking Persists

Human trafficking, which includes both sex and labor trafficking, remains a significant problem throughout the State of California (State). Traffickers create a climate of fear to control their victims and lure or coerce people into various forms of work, including domestic, factory, farm, restaurant, and commercial sex. Due to under-reporting, under-identification, and the tactics of violence, stigmatization, and shame utilized by traffickers and predators, accurate and uniform statistics are difficult to compile, and many instances of victimization go undetected. Therefore, the County of Los Angeles (County) must constantly refine its knowledge of where these crimes happen and how to reach victims, as well as witnesses who have the means to intervene.

In 2012, the State adopted Senate Bill (SB) 1193 (Steinberg), codified as Civil Code Section §52.6 (Section §52.6), which affects locations where trafficking is known to occur (e.g., adult businesses and massage establishments), where trafficking victims seek services (e.g., hospitals and urgent care centers), and transit hubs. Section §52.6 requires these venues to post local and national hotline information as a resource to report human trafficking and to seek help for victims, survivors, and witnesses.

Because the State did not create a coordinated procedure for implementation, the law has been applied inconsistently from jurisdiction to jurisdiction, and usually through the coordination of local government agencies and community-based advocates. Within the County, the National Council of Jewish Women/Los Angeles (NCJW/LA) and the Coalition to Abolish Slavery and Trafficking (CAST) emerged as the lead advocacy groups.

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In February 2014, at the urging of these organizations, the County Board of Supervisors (Board) approved a motion ([“Implementing Senate Bill 1193,” Ridley-Thomas/Knabe](#)) to carry out the mandates. A survey undertaken by CAST had determined that the County was home to 800 businesses covered by these mandates, of which approximately 300 were located in the County’s unincorporated areas, and thus, subject to County oversight. Within weeks, the District Attorney had mailed the poster to each of these establishments, along with a letter explaining the requirements of the new law. NCJW/LA and CAST followed up by training volunteers and visiting hundreds of venues, often more than once. Despite this outreach, owners and managers of mandated establishments registered a significant level of resistance to displaying the poster. Advocates concluded that routine site visits conducted by an agency with the authority to levy fines or other enforcement measures would be more effective at increasing and maintaining compliance with the law.

Additionally, there appeared to be some glaring omissions from the list of establishments that could be cited under §Section 52.6. In March 2015, the Board approved a motion ([“Preventing Child Sex Trafficking at Motels/Hotels Receiving County Vouchers,” Ridley-Thomas/Knabe](#)) requiring motels that participate in the County’s Emergency Housing Program, to do the following:

- Sign a contract stating that they will not participate in or allow any form of sex trafficking to take place in their facilities or on their premises;
- Display the Section §52.6 poster;
- Agree to allow law enforcement to check guest registries at-will; and
- Compel motel staff to attend sex trafficking prevention training provided by the County.

These directives successfully addressed the dozens of motels participating in the Emergency Housing Program. There is a need to also include other forms of lodging in the nation’s sixth largest hotel market. Motels, hotels, and inns have repeatedly been identified as commercial sexual exploitation hubs by subject matter experts who lead the County’s various human trafficking collaboratives.

Massage establishments, when unregulated, can also be magnets for sex work and other vice crimes linked to human trafficking, so they were wisely included in Section §52.6. However,

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in 2015, existing laws were revised governing how massage therapy is regulated, inadvertently removing the exemption for certified massage practitioners from Section §52.6. This section now references a statutory provision that is no longer applicable. Fortunately, the County's Massage Establishment Ordinance, which was approved by the Board in February 2020, and resulted from a Board-approved November 2017 motion (["Massage Establishment Inspection Ordinance," Hahn/Solis](#)), provided a technical fix, along with imposing licensing and public health permit requirements. In January 2020, the Board also approved a companion motion to the Massage Establishment Ordinance, ("Providing Outreach to Workers in the Massage Industry," Hahn/Solis), that developed a strategy between County agencies to provide culturally and linguistically sensitive, targeted outreach, education, and linkage to services to massage industry workers.

In 2019, Governor Newsom signed SB 630 (Stern) into law, specifying that the provisions of Section §52.6 do not prevent local governments from enacting their own ordinances regarding the posting of human trafficking information and providing for various ~~administrative fines, criminal penalties, and civil penalties~~ to secure compliance. In other words, the County is free to establish an ordinance, in the same manner in which it enacted the Massage Establishment Ordinance, in order to conduct routine inspections, provide outreach and education, and levy fines and penalties on entities that are out of compliance with Section §52.6. Revenue that is generated should be invested in support and services for trafficking victims and survivors.

Since then, the County has engaged ~~regularly~~ with the City of Los Angeles (City) to ~~discuss the alignment of legal remedies~~. In January 2020, the City approved an ordinance stemming from a July 2019 motion authored by City Council President Nury Martinez. The ordinance added "hotels, motels, and bed and breakfast inns" to the list of locations subject to Section §52.6.

The County should enact its own ordinance adopting the posting requirements in Section §52.6 and any additional relevant regulations and legal remedies to prevent human trafficking. It should also consider including other locales such as sports and entertainment venues. According to the Institute for Sport and Social Justice, large-scale athletic competitions foster a culture of illegal activity, including engaging in paid sex activities. Organized criminal enterprises transport

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victims, many of whom are underage, to meet the demand of large sporting events. With the Super Bowl destined for Los Angeles in 2022 and the Summer Olympics in 2028, it is not too early to begin implementing protections from the depraved and, often, clandestine crime of human trafficking.

WE THEREFORE MOVE THAT THE BOARD OF SUPERVISORS:

1. Direct County Counsel, within 60 days, to:
 - a. Review existing state and local human trafficking laws and legal remedies and develop an outreach and enforcement plan to prevent human trafficking in the County of Los Angeles (County); and
2. Direct County Counsel, within 90 days, to:
 - a. Consult with community-based and County department subject matter experts who participate in the Commercial Sexual Exploitation of Children Integrated Leadership Team, Los Angeles Regional Human Trafficking Task Force, and SB 855 Steering Committee to create a list of businesses and other establishments where human trafficking is suspected for inclusion in the list of venues where human trafficking notices must be posted;
 - b. Prepare an ordinance aimed at preventing human trafficking in the County, including but not limited to the provisions of Civil Code Section §52.6; and
 - c. Develop a proposed protocol for enforcement of the ordinance, including initiating civil enforcement actions for violations.

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(ECW/PC/DBV)