



County of Los Angeles CHIEF EXECUTIVE OFFICE

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WILLIAM T FUJIOKA
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Second District

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Third District

DON KNABE
Fourth District

MICHAEL D. ANTONOVICH
Fifth District

April 3, 2014

To: Supervisor Don Knabe, Chairman
Supervisor Gloria Molina
Supervisor Mark Ridley-Thomas
Supervisor Zev Yaroslavsky
Supervisor Michael D. Antonovich

From: William T Fujioka
Chief Executive Officer

MOTION TO ASK THE BOARD TO SUPPORT THE "WAR ON CHILD SEX TRAFFICKING" LEGISLATIVE PACKAGE AND TO DIRECT THE CHIEF EXECUTIVE OFFICER AND THE SACRAMENTO ADVOCATES TO PURSUE SPONSORSHIP AND/OR SUPPORT OF SB 939 (BLOCK) (ITEM NO. 4, AGENDA OF APRIL 8, 2014)

Item No. 4 on the April 8, 2014 Agenda is a motion by Supervisors Knabe and Ridley-Thomas for the Board to:

- Support the "War on Child Sex Trafficking" Legislative Package which includes **SB 473 (Block), SB 955 (Mitchell), SB 982 (Huff) and SB 1388 (Lieu, Hill and Mitchell)**; and
- Direct the Chief Executive Officer and the Sacramento advocates to pursue sponsorship and/or support **SB 939 (Block)**.

Background

Over the last two years, there have been many efforts to strengthen State law to combat human and sex trafficking, particularly of minors, and to bolster services and programs for victims of these crimes.

"To Enrich Lives Through Effective And Caring Service"

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One effort took shape in November 2012 with overwhelming voter approval of **County-supported Proposition 35, the Californians Against Sexual Exploitation Act**. This statewide ballot initiative strengthened California law against human trafficking and the sexual exploitation of minors. In addition, on March 5, 2013, the Board adopted a motion to co-sponsor **SB 473 (Block)** which would add pimping, pandering and human trafficking to the list of felony offenses that may be used to establish a pattern of criminal gang activity pursuant to Proposition 21 of 2000, and which would make offenders eligible for enhanced criminal sentences and penalties.

On September 3, 2013, the Board took further action and adopted a motion to direct the Chief Executive Officer (CEO) to add policy to enhance penalties for consumers who sexually exploit children to the 2013-14 County's State Legislative Agenda. The motion also directed the CEO to work with the District Attorney and the Sheriff's Department on legislative changes to increase penalties associated with consumers who pay for sex with individuals under 18 years of age.

County-Sponsored Child Sex Trafficking Legislation

As directed by the Board and consistent with approved policy, the Sacramento advocates approached a bi-partisan group of legislators to carry the County's package of sex trafficking legislation. The following measures are currently being considered by the Legislature:

County-co-sponsored SB 473 (Block), which as amended on September 3, 2013, would add human trafficking to the list of felony offenses that may be used to establish a pattern of criminal gang activity pursuant to Proposition 21 of 2000 and make an individual eligible for enhanced criminal sentences and penalties. SB 473 is pending consideration on the Assembly Floor.

County-sponsored SB 955 (Mitchell), which as introduced on February 6, 2014, would add human trafficking to the list of offenses for which interception of electronic communications (wiretaps) may be ordered. SB 955 is scheduled for hearing in the Senate Public Safety Committee on April 8, 2014.

County-sponsored SB 982 (Huff), which as amended on March 17, 2014, would make it either a misdemeanor punishable by not more than one year in county jail or a felony punishable in a county jail for 16 months, two or three years, for individuals who seek to procure, or procure, the sexual services of a prostitute if she or he is under 18 years of age. SB 982 would make a second and subsequent violation for that offense a felony punishable in a county jail for up to three years. SB 982 is scheduled for hearing in the Senate Public Safety Committee on April 22, 2014.

County-sponsored SB 1388 (Lieu, Hill and Mitchell), which as introduced on February 21, 2014, would set the minimum fine for conviction of pimping of a minor at \$5,000, maintains the maximum fine of \$20,000, and would establish a fine of not less than \$1,000 but not more than \$10,000 for anyone convicted of soliciting a minor. This measure specifies that funds collected from these fines would be directed to a county victim services fund to provide support services for child sexual exploitation and child sexual abuse victim counseling services and programs for child victims of human sex trafficking. Additionally, SB 1388 would make a person who seeks to purchase, or who purchases a commercial sex act, guilty of a misdemeanor punishable in a county jail for at least 48 hours, but not more than six months, and by a fine of at least \$1,000 and not more than \$50,000. SB 1388 is scheduled for hearing in the Senate Public Safety Committee on April 22, 2014.

Approval of the “War on Child Sex Trafficking” Legislative Package, which includes SB 473 (Block), SB 955 (Mitchell), SB 982 (Huff) and SB 1388 (Lieu, Hill and Mitchell), as noted above, is consistent with previous Board action and approved policy.

Sponsorship and/or Support of SB 939 (Block)

SB 939 (Block), which as introduced on February 3, 2014, would include human trafficking, pimping, and pandering to the specified offenses to which certain jurisdictional requirements apply.

Existing law allows the consolidation of charges originating from multiple jurisdictions into one jurisdiction with consent of all district attorneys from counties with jurisdiction. Those charges can include assault with intent, rape, aggravated sexual assault of a child, sodomy, lewd or lascivious acts with a child under 14, oral copulation, among others.

SB 939 would add the charges of human trafficking, pimping and pandering to these offenses and allow for the consolidation of multiple charges of these crimes from multiple jurisdictions into a single trial if all district attorneys in counties with jurisdiction agree to the venue. According to the author, SB 939 would streamline prosecution of human trafficking and pimping cases and eliminate the need for victims and witnesses to travel to multiple counties to testify in court proceedings, helping victims avoid the trauma of testifying in multiple jurisdictions against their trafficker or pimp.

SB 939 is co-sponsored by the District Attorneys of Riverside, San Diego, Alameda and Orange counties and is supported by District Attorney Jackie Lacey.

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SB 939 is scheduled for hearing in the Senate Public Safety Committee on April 8, 2014.

As there is no specific Board-approved policy related to consolidation of multiple criminal charges from multiple jurisdictions into one jurisdiction with consent of all district attorneys, **support and/or sponsorship of SB 939 is a matter of Board policy determination.**

We will continue to keep you advised.

WTF:RA
MR:KA:ma

c: Executive Office, Board of Supervisors
County Counsel