

RESOLUTION

WHEREAS, any official position of the City of Los Angeles with respect to legislation, rules, regulations or policies proposed to or pending before a local, state, or federal governmental body or agency must have first been adopted in the form of a Resolution by the City Council with the concurrence of the Mayor; and

WHEREAS, in 2014, the Los Angeles County District Attorney reported that there were 29 confirmed cases of child sex trafficking in Los Angeles County in the first quarter of 2014, which is approximately 120 minors sold for sex annually; and

WHEREAS, it has been recognized that the statistics on sex trafficking, particularly when it relates to minors, falls short of reality because these instances are often never reported; and

WHEREAS, existing law defines "prostitution" to include any lewd act between persons for money or other consideration and that a person who solicits or agrees to engage in or engages in any act of prostitution is guilty of disorderly conduct, a misdemeanor, which is punishable by imprisonment in the county jail, paying a fine, or both; and

WHEREAS, currently pending before the State Assembly is AB 1708 (Gonzalez) that would amend the California Penal Code Sections related to prostitution and disorderly conduct to distinguish between a person who commits prostitution by providing money or other consideration and a person who commits prostitution by receiving money or other consideration; and

WHEREAS, this bill provides that prostitution committed by a person under 18 years of age is not a crime and that being a victim of human trafficking is an affirmative defense to the offense of prostitution; and

WHEREAS, AB 1708 will expand the scope of prostitution involving soliciting a minor to include a situation where the person solicited is posing as a minor and the person engaged in the solicitation had a specific intent to solicit a minor; and

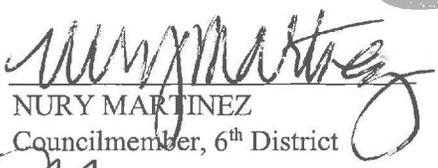
WHEREAS, AB 1708 would also impose harsher penalties for a person who solicits a minor, including a minimum fine of \$1,000 and requires that the person serve a period of at least 72 hours in the County jail; and

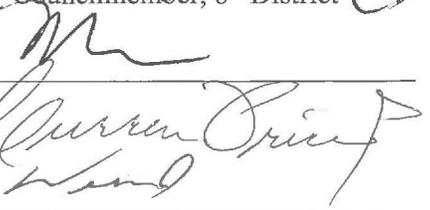
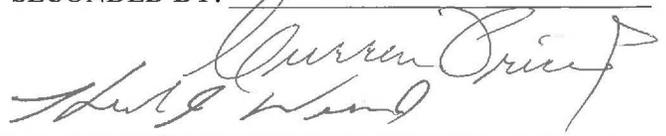
WHEREAS, this bill, in addition to any other penalty imposed by various State and Federal laws for human trafficking offenses, would require punishment of one year in State prison; and

WHEREAS, the City of Los Angeles should support AB 1708 to stop criminalizing minors who are victims of sex trafficking and to impose harsher penalties for those who engage in sexual exploitation of minors;

NOW, THEREFORE, BE IT RESOVLED, with the concurrence of the Mayor, that by adoption of this Resolution, the City of Los Angeles hereby includes in its 2015-2016 State Legislative Program support of AB 1708 (Gonzalez) that would amend the California Penal Code Sections related to prostitution and disorderly conduct to distinguish between a person who commits prostitution by providing money or other consideration from a person who commits prostitution by receiving money or other consideration and provides that prostitution committed by a person receiving money or other consideration is not a crime for a person under 18 years of age and that being a victim of human trafficking is an affirmative defense to the offense of prostitution.


MAR 30 2016

PRESENTED BY: 
NURY MARTINEZ
Councilmember, 6th District

SECONDED BY: 


ORIGINAL