

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, survivors of human trafficking face long-term barriers to employment or housing due to their criminal convictions for crimes they were forced to commit by their traffickers; and

WHEREAS, the National Survivor Network Survey (Survey) indicates that 80% of trafficking survivors lost or did not receive employment because of their criminal convictions; and

WHEREAS, the Survey also indicated that 50% of trafficking survivors suffered barriers to access housing, which has put many trafficking survivors at risk of homelessness; and

WHEREAS, criminal convictions prohibit trafficking survivors from moving forward with their lives and prevent them from recovering from their experiences; and

WHEREAS, currently pending before the State Assembly is AB 1762 (Campos) that would allow an individual convicted of a nonviolent crime that was committed while he or she was a human trafficking victim to apply to the court to vacate the conviction at any time after it was entered; and

WHEREAS, this bill also allows an individual adjudicated a ward of the juvenile court as a result of a nonviolent crime that was committed while he or she was a human trafficking victim to apply to have the petition dismissed; and

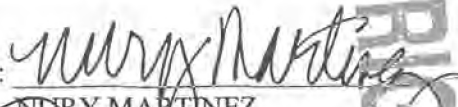
WHEREAS, this bill provides that if the court finds, by clear and convincing evidence, that the applicant's participation in the crime was a direct result of the applicant being a victim of human trafficking, the court shall grant the application and vacate the conviction, strike the adjudication of guilt, order the specified relief, and may grant additional relief as it deems appropriate; and

WHEREAS, AB 1762 would require the individual's criminal history information to exclude any charge or conviction if relief has been granted pursuant to the provisions of this bill; and

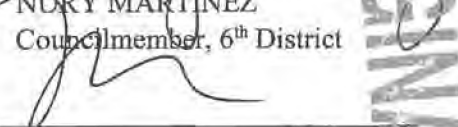
WHEREAS, supporters of this bill indicate that trafficking survivors should have an opportunity to fully expunge their criminal record of acts committed during their trafficking experience in order to facilitate healing and open the doors to economic self-sufficiency;

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 1762 (Campos) that would allow survivors of human trafficking who have been convicted of a nonviolent crime while he or she was a human trafficking victim to apply to the court to vacate the conviction at any time after it was entered or, in the case of a juvenile survivor of human trafficking, to have their petition dismissed.

PRESENTED BY:


NDRY MARTINEZ
Councilmember, 6th District

SECONDED BY:




APR 13 2016

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