


# REPORT OF THE CHIEF LEGISLATIVE ANALYST

---

DATE: September 5, 2023

TO: Honorable Members of the Rules, Elections, and Intergovernmental Relations Committee

FROM: Sharon M. Tso   
Chief Legislative Analyst

Council File No. 23-0002-S81  
Assignment No. 23-08-0413

SUBJECT: Resolution (Park, Hutt – Lee) to SUPPORT SB 14 (Grove)

CLA RECOMMENDATION: Adopt Resolution (Park, Hutt – Lee) to include in the City’s 2023-2024 State Legislative Program, SUPPORT for SB 14 (Grove) to reclassify the human trafficking of a minor for commercial sex as a serious felony under California’s Penal Code and Three Strikes Law.

## SUMMARY

Resolution (Park, Hutt – Lee), introduced on August 4, 2023, states that human trafficking profits from the exploitation of vulnerable populations, including minors. The Resolution further informs that California consistently ranks first in the nation in the number of human trafficking cases reported to the National Human Trafficking Hotline. Currently pending before the State Senate is Senate Bill (SB) 14 (Grove), which would include the human trafficking of a minor within the definition of a serious felony under the California Penal Code and be considered a strike under the State’s Three Strikes Law. SB 14 would strengthen human trafficking prevention and support human trafficking victims. The Resolution therefore requests that the City support SB 14.

## BACKGROUND

Current State law defines human trafficking as a non-serious and non-violent crime and within the same category as other low-level felony crimes such as theft, vandalism, and drug dealing, that cannot be considered a strike under California’s Three Strikes Law. Under current law, human trafficking of a minor for purposes of commercial sex can incur sentences of up to 12 years in prison. Human trafficking of a minor is only considered a serious and violent crime if it involves force, fear, fraud, deceit, coercion, violence, duress, menace, or threat of unlawful injury to the victim or to another person and is punishable by imprisonment of 15 years to life.

SB 14 seeks to lengthen prison terms for offenders of human trafficking of minors and allow potential life sentences for repeat offenders under California’s Three Strikes Law. The Three Strikes Law, enacted in 1994, allows prosecutors to pursue prison sentences of 25 years to life for individuals who are convicted of a violent or serious felony offense, and who already have at least two prior convictions for violent or serious felony offenses.

Supporters of SB 14 argue that repeat sex traffickers are not held accountable in California and the bill could help strengthen protections for the thousands of victims of sex trafficking. Since 2007, State legislators have tried nine times to reclassify human trafficking of a minor as a serious felony, without success. In May 2023, SB 14 passed unanimously in the Senate, but in July was voted down by the Assembly Public Safety Committee. Opponents to the bill argued that it did nothing to prevent the

trafficking of minors, and could unintentionally penalize victims of human trafficking and exacerbate racial inequities in the prison system. The same bill passed in the Public Safety Committee without a debate two days later.

Opponents of SB 14 argue that reclassifying human trafficking as a serious felony will criminalize human trafficking victims and deter human trafficking victims from coming forward. Victims of human trafficking are often forced to commit many different crimes during the course of their exploitation. They are often arrested and convicted of vagrancy, loitering, and drug offenses, which limit their access to employment, housing, loans, financial aid, immigration relief, and other opportunities. Since 2017, victims of human trafficking under the age of 21 who have been arrested, convicted, or adjudicated in juvenile court for a non-violent offense as a result of being a victim, may petition the court to have their offense vacated. If the petition is granted, the offense records are sealed and destroyed, and the individual may lawfully state that they have never been arrested, convicted, or adjudicated.

The Los Angeles County District Attorney, Bureau of Specialized Prosecutions, Sex Crimes Division inform that the passing of SB 14 does not appear to affect the eligibility for human trafficking victims to request vacatur relief.

Support for SB 14 would be consistent with previous City efforts to protect and support young victims of human trafficking and strengthen human trafficking prevention.

DEPARTMENTS NOTIFIED

City Attorney  
Community Investment for Families Department

BILL STATUS

9/1/23	Passed, as amended
7/13/23	Passed, referred to Committee on Appropriations
7/11/23	Failed to pass
6/8/23	Referred to Committee on Public Safety
5/25/23	Passed, ordered to the Assembly
5/18/23	Passed
4/26/23	Amended, re-referred to Committee on Appropriations
4/26/23	Passed, re-referred to Committee on Appropriations
4/13/23	Amended, re-referred to Committee on Public Safety
2/23/23	Amended, re-referred to Committee on Public Safety
1/18/23	Referred to Committee on Public Safety
12/5/22	Introduced, referred to Committee on Rules



Susan Oh  
Analyst

Attachment: Resolution (Park, Hutt – Lee)

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 government body or agency must have first been adopted in the form of a Resolution by the City Council; and

WHEREAS, according to the 3Strands Global Foundation, California consistently ranks number one in the nation in the number of human trafficking cases reported to the National Human Trafficking Hotline; and

WHEREAS, the California Attorney General recognizes the magnitude of the problem and has referred to human trafficking as modern-day slavery; and

WHEREAS, human trafficking is among the world's fastest growing criminal enterprises and it profits from the exploitation of vulnerable populations including minors; and

WHEREAS, SB 14 (Grove), which is currently pending before the State Assembly, seeks to include human trafficking of a minor within the definition of a serious felony under the Penal Code, including for purposes of the Three Strikes Law; and

WHEREAS, SB 14 would strengthen prevention and give a voice to the millions of victims that have suffered from the abuses of human trafficking;

NOW, THEREFORE, BE IT RESOLVED, that by the adoption of this Resolution, the City of Los Angeles hereby includes in its 2023-2024 State Legislative Program SUPPORT for SB 14 (Grove) which would include human trafficking of a minor within the definition of a serious felony under the Penal Code, including for purposes of the Three Strikes Law.

PRESENTED BY:



TRACI PARK  
Councilwoman, 11<sup>th</sup> District



HEATHER HUTT  
Councilwoman, 10<sup>th</sup> District

SECONDED BY:



AUG 04 2023

ORIGINAL