

2013 JUN -6 PM 6:52

CITY ATTORNEY

OAKLAND CITY COUNCIL
RESOLUTION No. _____ C.M.S.

Resolution urging the City Council and Mayor in partnership with Oakland Unified School District, local law enforcement, the Department of Human Services, and community-based organizations that work with children, youth and families to prioritize the development and institutionalization of a comprehensive prevention model to eliminate the commercial sexual exploitation of children in Oakland.

WHEREAS, human trafficking and the commercial sexual exploitation of children (CSEC) is a form of modern day slavery and is a multi-billion dollar industry; and

WHEREAS, CSEC represent a growing segment of the US human trafficking population where victims - often ages 12-14 years old, both boys and girls, and members of the LGBTQ community - experience extreme forms of trauma, violence, manipulation and even death by the hands of their traffickers; and

WHEREAS, Sex Trafficking is defined as the recruitment, harboring, transportation, provision, or obtaining of a person for the purpose of a commercial sex act, in which a commercial sex act is induced by force, fraud, or coercion, or in which the person forced to perform such an act is under the age of 18 years; (22 USC § 7102; 8 CFR § 214.11(a)); and

WHEREAS, the Trafficking Victims Protection Act, a federal law passed in 2000, any child under the age of 18 years old that is used for the purpose of exploitation through sexual servitude (prostitution), regardless of the absence of economic leverage, manipulation, fraud, coercion, threats, force and violence is considered a commercially sexually exploited child (CSEC).

WHEREAS, according to H.E.A.T. Watch, Oakland is a thriving underage sex market, and is the epicenter of a trafficking triangle between San Francisco and Contra Costa counties highlighting the following facts:

- The Alameda County DA's office has tried 48% of all human trafficking cases in California.
- The majority of CSEC victims are US citizens, 13 to 15 years old, with some as young as 11.
- From 2006 to early 2011, Oakland Police Department:
 - Reported 1,782 sex trafficking cases
 - Rescued 191 children
 - Obtained CSEC related charges on 71 traffickers
 - Most cases involved multiple traffickers and child victims of CSE
 - Observed a nexus between exploitation & technology in virtually every case
 - Almost all cases involved victim and/or an offender utilizing Internet tools, most notably MyRedbook, Backpage and MySpace, to further the

exploitation; and

WHEREAS, Local law enforcement estimates that approximately 100 children are being sold for sex on Oakland streets each night. During 2011, Safety Net reviewed 179 separate cases. Of the 179 cases reviewed, 178 were girls, nearly three-quarters were African American, more than half of the children were on juvenile probation and had truancy history, and close to one-third were dependents under the state's child welfare system; and

WHEREAS, laws to prosecute perpetrators of human trafficking and to assist and protect victims of human trafficking have been enacted at the local, state and federal level, awareness of the issues surrounding human trafficking by those people most likely to come into contact with victims is essential for effective enforcement because the techniques that traffickers use to keep their victims enslaved severely limit self-reporting; and

WHEREAS, the Trafficking Victims Protection Act (2000) declares that a child victim of human trafficking does not have to prove that they were tricked or violently forced into sexual exploitation in order to be considered a victim of human trafficking under this federal law. This law applies to every child human trafficking victim in the United States, and

WHEREAS, California voters overwhelmingly approved Prop 35 Human Trafficking Penalties Initiative Statute which

- Increases prison terms for human traffickers, to hold these criminals accountable.
- Requires convicted human traffickers to register as sex offenders, to prevent future crimes.
- Requires all registered sex offenders to disclose their Internet accounts, to stop the exploitation of children online.
- Increases fines from convicted human traffickers and use these funds to pay for victims' services, so survivors can repair their lives.
- Prevents a victim's sexual conduct from being used to attack their credibility in court.

Requires human trafficking awareness and sensitivity training for law enforcement officers. (This training is commonly known as Prop 35 Training.)

WHEREAS, the California State Parent Teachers Association (PTA) urges its units, councils, and districts to promote programs that increase awareness of the prevalence of child trafficking in California and educate parents, guardians, and others responsible for the welfare of children and youth about child trafficking and ways to identify, prevent, and stop child trafficking and

WHEREAS, January is National Slavery and Human Trafficking month, Alameda County Board of Supervisors recognized January 2013 as Human Trafficking Awareness Month and the fourth week of April is Sexually Exploited Minors Awareness Week in Oakland; and

Whereas, members of the Oakland City Council and their staff, City staff, county agencies, OPD, and community based organizations have been working on the issues related to CSEC for sometime;

WHEREAS, historically the focus on CSEC has been on intervention and rehabilitation, moving forward Oakland also needs a comprehensive prevention program to eliminate the commercial sexual exploitation of children.

Now, therefore, be it resolved the Oakland City Council urges the Mayor and City Council to prioritize the prevention and early intervention of Commercial Sexual Exploitation of Children In Oakland;

Be It Further Resolved, the Oakland City Council requests that the Mayor and City Council convene a task force at least two times per calendar year and writes an Informational report on the status of CSEC in Oakland one time per year to be presented to the Life Enrichment Committee. The task force should have diverse representation that can include but is not limited to members from the City of Oakland, OUSD, Oakland Police Department, victims of CSEC, parents, and community-based organizations. The Task force would be charged with developing a comprehensive set of strategies that:

1. Support and educate OUSD students in grades 6-12 about CSEC
2. Engage families and communities in anti-trafficking efforts
3. Provide for ongoing training to law enforcement agencies for detecting and removing victims of CSEC
4. Raise awareness the issues of CSEC among the Oakland community
5. Promote wrap-around services for children who have been sexually exploited
6. Target pedophiles who purchase children for sex.

Be It Further Resolved, in the interim, the Oakland City Council encourages the Mayor and City Council to direct all city employees whom have regular interaction with children to participate in CSEC intervention training. Such staff could include but not be limited to the following: Oakland Police Officers, OPR recreation center staff, Measure Y Outreach Staff, etc.

IN COUNCIL, OAKLAND, CALIFORNIA,
PASSED BY THE FOLLOWING VOTE:

AYES – KALB, PRESIDENT KERNIGHAN, GIBSON MCELHANEY, SCHAAF, GALLO,
BROOKS, REID, AND KAPLAN

NOES –
ABSTENTIONS-
ABSENT-

ATTEST:

LATONDA SIMMONS