



AGENDA REPORT

TO: Honorable Mayor and Members of the City Council

FROM: Councilmember Charlene Wang

DATE: January 15, 2026

SUBJECT: ORDINANCE AMENDING OAKLAND MUNICIPAL CODE 9.08.260 (PROHIBITION OF PROSTITUTION AND PROSTITUTION RELATED OFFENSES) TO CONFORM TO STATE LAW

RECOMMENDATION:

ORDINANCE AMENDING OAKLAND MUNICIPAL CODE 9.08.260 (PROHIBITION OF PROSTITUTION AND PROSTITUTION RELATED OFFENSES) TO CONFORM TO STATE LAW (1) BY REPEALING THE OFFENSE OF LOITERING FOR THE PURPOSE OF ENGAGING IN PROSTITUTION; (2) ADDING LOITERING FOR THE PURPOSE OF PURCHASING COMMERCIAL SEX AS AN OFFENSE; (3) ALLOWING FOR THE ADMINISTRATIVE ASSESSMENT OF FINES AGAINST SEX-PURCHASERS, SEX-TRAFFICKERS, AND PROPERTIES USED FOR PROSTITUTION; AND (4) CREATING A HUMAN TRAFFICKING SURVIVOR SUPPORT FUND

SUMMARY:

The proposed amendments to **Oakland Municipal Code (OMC) 9.08.260** establish a comprehensive, dual-purpose framework for enhancing public safety and facilitating victim restoration. By modernizing this section of the code, the City of Oakland will transition from a punitive model that historically marginalized those being exploited to a "Demand Reduction" model that targets the financial drivers of the industry.

Specifically, the legislation will:

- **Impose Mandatory Fines:** Establish a tiered system of civil penalties for individuals arrested for solicitation or loitering with the intent to purchase sex (sex buyers), as well as increased penalties for those arrested for the exploitation or coercion of others (traffickers).
- **Accountability for Property Owners:** Extend these mandatory fines to businesses and property owners whose buildings or venues are knowingly used for the purpose of lewdness, assignation, or prostitution, addressing the logistical infrastructure of exploitation.
- **Create the Oakland Survivor Support Fund:** Formally earmark revenue generated from these fines for a dedicated fund managed by the City. These resources will be distributed to Oakland-based community organizations supporting sex-trafficking victims and survivors.

- **Prioritize Essential Services:** Ensure that funding is strictly utilized for the victim services and recovery of survivors, including emergency safe housing, specialized healthcare, mental health services, job training, and legal advocacy.

BACKGROUND:

The City of Oakland has historically stood at the epicenter of Northern California's sex trafficking crisis. For decades, the public and legislative focus has remained predominantly on the "supply side" of this industry—the exploited individuals visible on the streets of the International Boulevard corridor. This narrow focus has inadvertently allowed the primary drivers of this crisis—**sex buyers and traffickers**—to operate with relative anonymity and minimal financial or legal consequences.

- **Demand:** Human trafficking is an economic system fueled by demand. National and local studies indicate that the "market" for exploitation in Oakland is sustained by an influx of buyers, many of whom reside outside the city's most impacted neighborhoods.
- **The Buyer Profile:** Research by [Rights4Girls](#) and [Demand Abolition](#) highlights a significant demographic disparity: while victims are disproportionately women and girls of color, sex buyers are predominantly higher-income men who do not reflect the demographics of the East Oakland communities they frequent.
- **The "John" Multiplier:** [National data](#) suggests that for every one trafficker, there are dozens of buyers. By targeting the financial resources of these buyers through the amendment of **OMC 9.08.260**, Oakland shifts the burden of deterrence onto those who provide the capital that makes trafficking profitable.

OMC 9.08.260

Amending **Oakland Municipal Code 9.08.260** allows the City of Oakland to effectively "localize" the powers granted by [AB 379](#) – Survivor Support and Demand Reduction Act ([CA Penal Code Sections 647, 647.5 and 653.25](#)). While state law sets the floor, this local amendment allows Oakland to:

1. **Direct Revenue Locally:** While AB 379 creates a state fund, amending the OMC ensures that fines collected within Oakland city limits are prioritized for **Oakland-based** community organizations (like SHADE, Love Never Fails and Dream Youth Clinic) that understand the specific needs those being exploited as well as the survivors of sex trafficking.
2. **Increased Penalties for Recidivism:** The OMC amendment establishes a tiered fine system, creating a stronger local deterrent for repeat buyers who frequent "The Blade" which will have an impact on the demand side of sex trafficking.
3. **Coordinated Enforcement:** By aligning the OMC with AB 379, the City provides the City Attorney and OPD with a seamless legal framework to prosecute traffickers and buyers without the jurisdictional confusion that often hampers trafficking investigations.

Local Statistics and Urgency

- **Youth Exploitation:** Data from the WestCoast Children's Clinic indicates that [15.8% of screened vulnerable youth in Alameda County show signs of sex trafficking](#)—a rate more than [double the California state average](#).

- **Identification Gap:** While child welfare reports documented 103 allegations over five years, universal screening tools identified over 900 youth with possible or clear signs of exploitation.
- **The Demand Factor:** National studies indicate that for every one trafficker, there are dozens of buyers. By targeting the financial resources of these buyers through the amendment of OMC 9.08.260, the City can effectively disrupt the local "market" for exploitation.

Racial Equity and Impact

Impact on Exploited and Trafficked Individuals

- **International Boulevard Communities:** This legislation holds outside actors (predominantly higher-income buyers from outside the district) accountable for the disruption and trauma they bring to the predominantly Black and Hispanic residential areas of East Oakland.
- **Disproportionate Impact:** Black women and girls are at increased risk of being harmed and trafficked. The Congressional Black Caucus Foundation report on human trafficking, also found in a two-year study of human trafficking incidents across the country, 40% of sex trafficking victims were identified as Black women. Local data from a 2019 by Alameda County's H.E.A.T. Watch reveals that while Black residents make up roughly 20% of Oakland's population, Black women and girls represent over 60% of sex trafficking victims recovered locally.
- **Addressing Bias:** By focusing penalties on buyers and traffickers, we combat the systemic trend where Black and Brown girls have no agency or control, and their exploiters including purchasers are ignored.
- **Restorative Justice:** The fine revenue creates a direct transfer of wealth from those who cause harm (buyers/traffickers) to those who have been harmed (the exploited and the survivors), providing the capital needed to secure and provide services for those most harmed by prioritizing access to the **Survivor Support Fund**, regardless of their prior contact with the criminal justice system.

Impact on the Traffickers

Traffickers/exploiters rely on the anonymity and economic vulnerability of Oakland's youth.

- **Equity Goal:** By imposing heavy fines on traffickers, the City converts the profits of exploitation into a sustainable funding source for survivor restoration. This "Restorative Justice" model ensures that the individuals causing the most harm are the ones directly funding the services needed by the individuals the traffickers exploit and the survivors to exit the trade.

Impact on Communities along International Boulevard

The neighborhoods surrounding the International Boulevard corridor (East Oakland) are predominantly home to Black, Hispanic, and immigrant residents. These communities have historically suffered from a "dual harm":

- **Systemic Neglect:** High levels of open-air exploitation have led to decreased public safety, increased violence, and "neighborhood trauma" for families and children living near "The Blade."

- **Economic Displacement:** Small, minority-owned businesses along this corridor often face reduced foot traffic and higher insurance costs due to the violent and illegal activity associated with the sex trade.
- **Equity Goal:** This legislation restores equity by holding outside actors (buyers) accountable for the disruption they bring to these specific residential and commercial zones, reinvesting fine revenue directly back into East Oakland-based support services.

FISCAL IMPACT:

The implementation of the Sex Trafficking Fine is expected to be revenue-neutral for the City's General Fund, as all proceeds will be deposited into the dedicated Survivor Support Fund.

- **Projected Revenue:** [Based on current OPD arrest data](#) for solicitation, the fine could generate between \$250,000 and \$450,000 annually.
- **Administrative Costs:** Minimal administrative costs for processing fines will be absorbed by existing police and court budget allocations.
- **Long-Term Savings:** By investing in survivor services, the City anticipates a reduction in long-term social service costs related to chronic homelessness, substance abuse, and emergency medical response for victims of exploitation.

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