

2011 JUN -1 PM 1:12

# OAKLAND CITY COUNCIL

M. Morloni  
City Attorney

RESOLUTION NO. \_\_\_\_\_ C.M.S.

Introduced by Councilmember \_\_\_\_\_

**RESOLUTION IN SUPPORT OF AB 12 (SWANSON) INCREASING THE FINE AGAINST A PERSON ENGAGING IN COMMERCIAL SEX WITH A MINOR TO UP TO \$25,000 AND DISTRIBUTING THOSE FINES TO AGENCIES THAT SUPPORT COMMERCIAL SEXUALLY EXPLOITED MINORS**

**WHEREAS**, sexual slavery of minors through human trafficking is one of the most sophisticated forms of organized crime in the country and is now globally recognized as a modern day form of slavery. Child sex trafficking impacts 300,000-400,000 children in the United States every year, and California is a hub of trafficking activity; and

**WHEREAS**, children are not safe from trafficking and exploitation in California. The median age for the entrance of girls into prostitution is 12 years of age in California, younger than the international average age of 14. Some children trafficked are as young as four years old; and

**WHEREAS**, the business of the trafficking of children would not exist without the demand for the services of those children by the men and women who purchase those services on the streets. California needs to increase the fines against persons who engage children in these illicit activities; and

**WHEREAS**, Assembly Bill 12 or the Abolition of Child Commerce, Exploitation, and Sexual Slavery Act of 2011, introduced in December 2010 by Assembly Member Swanson (Alameda), would attempt to reduce trafficking by increasing the fine against a person engaging in commercial sex with a minor to up to \$25,000 and distributing those fines to agencies that support commercially sexually exploited minors; and

**WHEREAS**, AB12 states that any person convicted of seeking to procure or procuring the sexual services of a prostitute if the prostitute is under 18 years of age, shall be ordered by the court, in addition to any other penalty or fine imposed, to pay an additional fine not to exceed \$25,000; and

**WHEREAS**, AB12 specifies that, upon appropriation by the Legislature, the fine shall be available to fund programs and services for commercially sexually exploited minors in the counties where the offenses are committed; and

**WHEREAS**, the intent of the AB12 is to recast the state's laws relating to human trafficking and child sex slavery to treat the trafficked children as victims, rather than prostitutes. It is also the intent of AB12 to ensure that persons funding the illicit activities of human traffickers and paying for the services of child sex slaves are treated as severely under the law as an adult engaging in a sex-act with a minor. The predator should be dealt with the same, regardless of whether that person is paying for the sexual services of the minor he or she is abusing; and

**WHEREAS**, it is the intent of the AB12 to ensure that victimized children are given access to proper treatment and the resources to be safe from the men and women who exploit them commercially; now, therefore, be it

**RESOLVED**: that the Oakland City Council declares its support for AB 12 (Swanson) to increase the fine against a person engaging in commercial sex with a minor to up to \$25,000 and distribute those fines to agencies that support commercially sexually exploited minors; and, be it

**FURTHER RESOLVED**: that the Oakland City Council directs the City Administrator and the City's legislative lobbyist to advocate for the above position in the State Legislature.

IN COUNCIL, OAKLAND, CALIFORNIA, \_\_\_\_\_

PASSED BY THE FOLLOWING VOTE:

AYES - BROOKS, BRUNNER, DELA FUENTE, KAPLAN, KERNIGHAN, NADEL, SCHAAF and PRESIDENT REID

NOES -

ABSENT -

ABSTENTION -

ATTEST: \_\_\_\_\_

LaTonda Simmons  
City Clerk and Clerk of the Council  
of the City of Oakland, California