To: Honorable Mayor and Members of the City Council

From: Peace and Justice Commission

Submitted by: Eric Brenman, Secretary, Peace and Justice Commission

Subject: Preventing Sex Trafficking and the Sexual Exploitation of Minors

RECOMMENDATION
Adopt a Resolution establishing a Task Force or Joint Subcommittee to develop strategies to prevent sex trafficking and the sexual exploitation of minors in Berkeley.

FISCAL IMPACTS OF RECOMMENDATION
None.

CURRENT SITUATION AND ITS EFFECTS
At its regular meeting on February 9, 2012, the Peace and Justice Commission unanimously adopted the following recommendation:

That Council adopt a Resolution establishing a Task Force or Joint Subcommittee to develop strategies to prevent sex trafficking and the sexual exploitation of minors in Berkeley.

M/S/C: (Bohn/Meola)

Ayes: Armendariz; Bohn; Gozal; Kenin; Lippman; Maran; Masri; Meola; Mundu; Nicely; Rueda; Sochet

Noes: None.

Abstain: Rabkin; Siegel (Basis for abstention: “Require more information.”)

Absent: None.

BACKGROUND
In 2000 the United States Federal government passed the Trafficking Victims Protection Act (TVPA). The TVPA defines severe forms of trafficking as:
(A) sex trafficking in which a commercial sex act is induced by force, fraud, or coercion, or in which the person induced to perform such act has not attained 18 years of age; or

(B) the recruitment, harboring, transportation, provision, or obtaining of a person for labor or services, through the use of force, fraud, or coercion for the purpose of subjection to involuntary servitude, peonage, debt bondage, or slavery.

The passage of the TVPA led to Health and Human Services being identified as the agency to provide services to victims of human trafficking. And in 2007, HHS launched its first campaign, the Rescue and Restore Campaign, to outreach to potential victims, service providers, and other stakeholders that are likely to interact with victims of human trafficking.

Although the human trafficking movement is a younger movement, the United States Department of Justice estimates that 80% of human trafficking victims in the United States are female and 50% are children. In a five state report conducted by Shared Hope International in 2009 that included the state of California as its research site, it was estimated, on the conservative side, that 100,000 minors are sex trafficked every year. Alameda County has high profile cases of sex offenders sexually exploiting minors. In 2002 Alameda charged a man with running an underage escort service from his home. Between 2006 and 2011, Alameda County District Attorney’s office charged 229 defendants on charges related to human trafficking and convicted 140.

Berkeley community members are concerned that without a strategic effort to address, educate, and raise awareness about human trafficking, this means that many victims of sexual exploitation and human trafficking may be unidentified and not connected to the services and support that they deserve. To date, mental health service providers, social service providers, and health care centers have responded to cases of exploitation that raise red flags that human trafficking and sexual exploitation are an issue in the Berkeley community. In 2000 Lakireddy Bali Reddy was convicted of sex trafficking minors from India. Although this case has led to victims and their families receiving compensation and a closure of the legal case, the conditions that allowed such a case to occur in the Berkeley community still need to be addressed.

On October 3, 2011, the Berkeley Commission on the Status of Women and the Peace and Justice Commission convened with a table of experts – academic, social services, and law enforcement – to begin a dialogue that brings the Berkeley community progressively into this national discussion that has local implications. To date Berkeley has no services that have been identified specifically to address issues of sexual exploitation and human trafficking. Victims of exploitation must seek out resources in neighboring communities – Oakland, Contra Costa County, and San Francisco. And, there is still a dire need to have ongoing opportunities of education to prevent exploitation.
RATIONALE FOR RECOMMENDATION
The Peace and Justice Commission, consistent with its mandate to promote peace and justice, locally, nationally and internationally, recommends that the Council support this Resolution to establish a Task Force or Joint Subcommittee to develop prevention strategies to address sex trafficking and the sexual exploitation of minors.

ALTERNATIVE ACTIONS CONSIDERED
None.

CITY MANAGER
See separate report.

CONTACT PERSON
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Attachments:
1. Resolution
RESOLUTION NO. –N.S.

ESTABLISHING A TASK FORCE OR JOINT SUBCOMMITTEE TO DEVELOP PREVENTION STRATEGIES TO ADDRESS SEX TRAFFICKING AND THE SEXUAL EXPLOITATION OF MINORS

WHEREAS, the Peace and Justice Commission advises the City Council on all matters relating to the City of Berkeley’s role in issues of peace and social justice (Berkeley Municipal Code (BMC) Chapter 3.68.070); and

WHEREAS, 43% of the human trafficking in California occurs in the Bay Area, which includes Berkeley, according to the San Jose Human Trafficking Task Force; and

WHEREAS, Berkeley minors are at high risk for being sexually exploited, because the average age of girls entering prostitution according to Alameda County services is 12 years-old (a.k.a. child abuse and human trafficking); and

WHEREAS, Berkeley is at the geographical center of major human trafficking activity which have been identified in Oakland, Richmond, and San Francisco; and

WHEREAS, Berkeley is home to a major thoroughfare, San Pablo Avenue, which is a known corridor of sexual exploitation, where Berkeley Police made 6 arrests in a single hour in 2008, all of which places minors in the Berkeley neighborhoods at risk for being recruited, coerced, forced, or vulnerable to exploitation; and

WHEREAS, known cases of sexual exploitation and human trafficking is only the tip of the iceberg of what is occurring in Berkeley neighborhoods; and

WHEREAS, Berkeley youth are experiencing sexual exploitation as identified by social service providers; and

WHEREAS, education and training should be available to Berkeley Middle School and High School students to identify and educate potential victims and prevent sexual exploitation; and

WHEREAS, education and training should be available to the Berkeley community, service provider network, educators, policy makers, legal community, and health/mental health care to increase identification to exploitation and enable a Berkeley response; and

WHEREAS, funding is available through the local groups, Motivating Inspiring Supporting and Serving Sexually Exploited Youth (MISSEY), Bay Area Women Against Rape (BAWAR), and Berkeley Women’s Daytime Drop-In Center; and

WHEREAS, Berkeley Commission on the Status of Women and Peace and Justice Commission support the facilitation of a task force that will coordinate efforts with current coalitions federally funded to address human trafficking and exploitation – the SAGE Project, Inc., MISSSEY, the Asian Anti-Trafficking Collaborative; and
WHEREAS, there is a need for the Commission on the Status of Women and Peace and Justice Commission to facilitate data collection on this issue because currently there is a lack of specific data providing clear information regarding sexual exploitation trends in Berkeley, California due to the lack of opportunities for data collection and research; and

WHEREAS, the Commission on the Status of Women and Peace and Justice Commission will continue to host public forums to raise awareness and increase opportunities for collaboration through annual events.

NOW THEREFORE BE IT RESOLVED by the Council of the City of Berkeley that a 9-person Task Force, or Joint Subcommittee is established to Combat Sexual Exploitation of Minors in Berkeley (“Task Force" or “Joint Subcommittee”).

The Task Force, or Joint Subcommittee, shall be composed of representatives from the following organizations: one representative from the Commission on the Status of Women, one representative from the Peace and Justice Commission, one representative from the Youth Commission, one representative from the Berkeley Unified School District or School Board, one representative from Berkeley Police Department, three representatives from direct services (e.g. MISSSEY (Motivating Inspiring Supporting and Serving Sexually Exploited Youth), BAWAR (Bay Area Women Against Rape), and Berkeley Women’s Daytime Drop-In Center), and a subject-matter expert.

The Task Force, or Joint Subcommittee, shall be charged with the following objectives:

1. To identify and define the problem of sexual exploitation of minors, and determine the scope and relevance of this problem to the Berkeley community.
2. To investigate the incidence of sexual exploitation and analyze already-existing data of sexual exploitation and underage sex trafficking in Berkeley by accessing records (redacted for personal information) of Berkeley Health and Human Services, Berkeley Unified School District, Berkeley Police Department, and others.
3. To meet monthly for a renewable term of twelve (12) months.
4. To draft a written report of their findings and recommendations for action to help the City of Berkeley in addressing the situation in consultation and collaboration with the Commission on the Status of Women, Peace and Justice Commission, and the Youth Commission.

Because the Task Force, or Joint Subcommittee, is not charged with holding public hearings or making regular submissions to City Council, it will not require a designated staff person to act as secretary. The Task Force, or Joint Subcommittee, will not require any staff support, other than the time required for city representatives to attend meetings and respond to inquiries for already-existing data relating to sexual exploitation of minors in Berkeley. Furthermore, no funding for meeting space will be required, as the Task Force, or Joint Subcommittee, can meet during business hours in a meeting space owned by the City of Berkeley. A record signature copy of said Resolution to be on file in the office of the City Clerk.