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Children's Advocacy Institute



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Reply to: San Diego Sacramento

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April 7, 2010

The Honorable Tom Ammiano
California State Capitol, Room 4005
Sacramento, CA 95814

VIA Fax: 916-319-2113

Re: AB 2319 (Swanson) Human Trafficking: Minors – Support

Dear Assemblyman Ammiano:

The Children's Advocacy Institute (CAI), founded in 1989 as part of the University of San Diego School of Law, seeks to improve the health, safety, and well-being of children. CAI is an academic center and statewide advocacy group representing the interests of California's children. We are directly involved in the juvenile court system, operating a law school clinic in which our students assist in the representation of minors in delinquency and dependency court proceedings in San Diego County.

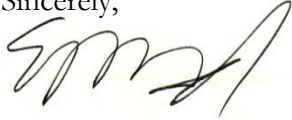
In our 20 years of working with children in the juvenile court system we are extremely aware of the impact commercial sexual exploitation has on the children in our community. We are writing this letter in support of AB 2319 (Swanson). This bill is vital in bringing California law in line with the federal definition of human trafficking, recognizing anyone who trafficks a child for commercial sex as a human trafficker. Current Penal Code Section 236.1 states that the "Legislature finds that the definition of human trafficking in this section is equivalent to the federal definition." Despite the fact that the federal definition clearly states that prosecutors do not have to prove "force" or "coercion" when the victims are children, the ambiguity in the state law may result in the misconception that force or coercion must be proven when trafficking victims are under 18.

This bill would not only give prosecutors the ability to try these perpetrators under the human trafficking statute but it would also open up the door to civil remedies for the children who suffer the worst form of exploitation at their hand. These funds can be used to provide much needed education, counseling, health care and mentoring to these child victims.

The sexual exploitation of children for money is one of the worst crimes an adult can commit. We should give prosecutors as many tools as possible to prosecute these perpetrators and provide services to their victims. This bill does just that and for this reason we strongly urge you and the

Committee on Public Safety to support this bill. Please do not hesitate to call or email me if you have any questions or if we can be of assistance in any way. I can be reached at eh4@sbcglobal.net or 916.844.5646.

Sincerely,

A handwritten signature in black ink, appearing to read 'Ed Howard', written in a cursive style.

Ed Howard
Senior Counsel
Children's Advocacy Institute

Cc: Members and Consultant of the Assembly Public Safety Committee
Assemblyman Sandré Swanson