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March 15, 2010

The Hon. Fran Pavley
Senator, 23rd District
State Capitol, Room 4035
Sacramento, CA 95814

VIA FAX: (916) 324-4823

Re: SB 1279 (Pavley) – Support and Sponsorship

Dear Senator Pavley:

The Children Advocacy Institute (“CAI”), which works to improve the well being of children in California through regulatory, legislative, and judicial advocacy, is pleased to support and sponsor your SB 1279.

SB 1279 will provide Los Angeles County an opportunity to correct a devastating but legally sanctioned wrong against our children. When an adult has consensual sex with a minor, the adult is subject to criminal prosecution. As a matter of law, no matter how superficially mature the minor might appear, we deem the minor too young to consent to such relations with an adult. The minor – even if willing – is by law a victim. The adult is the criminal.

But, if the same adult and the same minor were to engage in the same sexual acts consensually, but the adult pays the minor afterward, we sometimes treat the minor as a criminal; a prostitute. This unjust double standard makes no sense. The minor cannot consent to sex without money; she is too immature. Yet she somehow becomes so mature that we might hold her criminally liable for her choices when money is involved.

Many states and counties have created programs aimed at re-connecting sexual trafficking minors with their families and communities. These programs have been successful and represent a more cost effective and successful solution than incarcerating the youth-victims.

Explicitly authorizing District Attorneys to engage directly and collaboratively with community organizations and relevant law enforcement and social service entities to develop programs for sexually exploited minors is a significant step toward restoring a normal and healthy life for such minors.

Your SB 1279 would give statutory authority to the Los Angeles County District Attorney to develop a pilot project, contingent upon local funding, for the purposes of developing a

comprehensive, multidisciplinary model to address the needs and effective treatment of commercially sexually exploited minors. Having this pilot program in code will help the County leverage funding for these efforts, including federal grants designated for these purposes which may require a local framework to be in place.

This bill is similar to AB 499 (Swanson, 2008) which authorized an identical pilot project in Alameda County following very successful collaborative diversion efforts in that county. It is likewise inspired by New York State's "Safe Harbor for Exploited Children Act" in 2007, requiring local districts to provide crisis intervention services and community based programming for commercially sexually exploited minors.

Thank you for your efforts on behalf of sexually exploited children.

Sincerely,

A handwritten signature in black ink, appearing to read "Ed Howard", written over a faint yellow horizontal line.

Ed Howard
Senior Counsel,
Children's Advocacy Institute