



S.A.L.T.

**Sex & Labor Trafficking Program
Los Angeles City Attorney's Office**

Human Trafficking Victims in the Criminal Justice System

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Case Management – What needs do you
encounter?

Human Trafficking Victims in the Criminal Justice System

Case Management – What services do
you provide?

Human Trafficking Victims in the Criminal Justice System

Case Management – How does the
criminal justice system impact your client?

Prosecution of Prostitution Offenses

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Types of offenses:

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- Solicitation or agreement to acts of prostitution

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- Aiding prostitution (“Supervising”)

Prosecution of Prostitution Offenses

Types of offenses:

- Solicitation or agreement to acts of prostitution
- Aiding prostitution (“Supervising”)
- No “child prostitutes”

Penalties for Prostitution Offenses

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- Historical treatment of prostitution cases:

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 - Mandatory minimum jail terms for repeated offenses

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- Historical treatment of prostitution cases:
 - Mandatory minimum jail terms for repeated offenses
 - Typically higher penalties for sellers than buyers

Penalties for Prostitution Offenses

- Currently:

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 - No mandatory jail time even for repeat offenders

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 - Diversion available for first-time buyers

Penalties for Prostitution Offenses

- Currently:
 - No mandatory jail time even for repeat offenders
 - Diversion available for first-time buyers (“John School”)
 - Diversion available for first- and second-time sellers (“Prostitution Diversion Program”) following a guilty plea

Pre-Filing Diversion

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- PROJECT BEACON

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 - Limited pilot program in Hollywood area with Journey Out case managers
 - No limit on number of prior offenses
 - Goals:
 - Identify and help human trafficking victims;
 - Help clients leave “the life”

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- PROJECT SUSTAIN

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 - Enhances services to both Project Beacon and traditional PDP clients with workforce development partners

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 - Enhances services to both Project Beacon and traditional PDP clients with workforce development partners
 - Provides assistance with housing, education, and career training based on needs and preferences
 - Goal: help clients stay out of “the life”

Legal Remedies for Human Trafficking Victims

- Pen. Code, § 1203.49 (“Expungement”)
- Pen. Code, § 236.14 (Vacatur)

Vacatur

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- Allows victims of human trafficking to petition to vacate their records of arrests and convictions
- Means under California law, the arrest and/or conviction did not happen

Vacatur - Requirements

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- Petitioner is engaged in good faith effort to distance from trafficking scheme

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Court may grant petition if it finds:

- Petitioner was victim of HT at time nonviolent crime was committed
- Crime was direct result of being HT victim
- Petitioner is engaged in good faith effort to distance from trafficking scheme
- Best interest of petitioner and justice

Vacatur – Scope of Relief

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Order **shall** include that:

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Order **shall** include that:

- Petitioner may lawfully deny arrest, conviction or adjudication

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- Records shall not be distributed to any licensing board

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- Record of proceeding shall not disclose petitioner's name

Vacatur – Scope of Relief

Order **shall** include that:

- Petitioner may lawfully deny arrest, conviction or adjudication
- Records shall not be distributed to any licensing board
- Record of proceeding shall not disclose petitioner's name
- Records be sealed for 3 years then destroyed

Vacatur – Scope of Relief

Order **may** also include:

- “...any additional action as appropriate under the circumstances to carry out the purposes of this section...”

YOU CAN CHANGE A LIFE

Thank you for being an integral partner in the fight against human trafficking.



For More Information, Please Contact:

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