



City of Needles, California Request for City Council Action

☒ CITY COUNCIL ☐ NPUA ☐ HACN ☒ Regular ☐ Special

Meeting Date: September 12, 2023

Title: Support Shannon Grove Petition Senate Bill 14 (SB 14)

Background: On February 14, 2023, the City Council approved a letter from the Mayor in support of legislation SB 14 (see attached). On August 29, 2023, City staff received an email to join in the fight against human trafficking and requested the City sign the petition for support of Senate Bill 14 (SB 14). On September 1, 2023, Senator Grove's human trafficking bill passed the Assembly Appropriations Committee. Senate Bill will next be heard by the full Assembly sometime before the legislature adjourns for the year on September 14.

SB 14 would include human trafficking in the lists of crimes that are defined as serious and violent under California law, making the crime a strike under the Three Strikes law. Currently human trafficking is defined as a non-serious and non-violent crime. If passed, SB 14 will help strengthen protections for the millions of victims of sex and labor trafficking.

SB14 amends the Penal Code to add human trafficking to the list of both serious and violent crimes under California law. SB 14 also classifies human trafficking as a strike offense and makes those convicted of this crime subject to the same penalties that apply to all serious and violent crimes. It is about time that California starts to prosecute these horrendous acts as serious and violent crimes.

Recommended Action: Approve Signing the Petition for support of Senate Bill 14 (SB 14)

Submitted By: Patrick Martinez, Assistant City Manager

City Management Review: Kick

Date: 9/7/23

Approved: ☐

Not Approved: ☐

Tabled: ☐

Other: ☐

Agenda Item: 110



City of Needles

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Mayor, Janet Jernigan
Vice Mayor Kirsten Merritt
Councilmember Tona Belt
Councilmember Ellen Campbell
Councilmember Jamie McCorkle
Councilmember JoAnne Pogue
Councilmember Henry Longbrake

City Manager Rick Daniels

February 22, 2023

Senator Shannon Grove
1021 O Street, Room 7150
Sacramento, CA 95814

Dear Senator Grove:

The City of Needles write in support of your legislation, SB 14, as amended, to include human trafficking in the lists of crimes that are defined as serious under California law, making the crime a strike under the Three Strikes law. It will also help strengthen protections for the millions of victims of sex and labor trafficking.

California consistently ranks number one in the nation in the number of human trafficking cases reported to the National Human Trafficking Hotline. The California Attorney General notes that California is one of the largest sites for human trafficking in the United States, recognizes the serious nature of this crime, and has defined it as "modern day slavery." Human trafficking is among the world's fastest growing criminal enterprises and is estimated to be a \$150 billion-a-year global industry. It is a form of modern day slavery that profits from the exploitation of our most vulnerable populations.

SB 14 will give a voice to the millions of victims that have suffered from this horrific abuse. This bill will fight to protect victims, strengthen prevention, and increase the prosecution of those who buy and sell human beings. It is about time that California starts to prosecute these horrendous acts as a serious crime.

For all of the reasons stated above, the City Council of the City of Needles support SB 14.

Sincerely,

Janet Jernigan
City of Needles, Mayor

Enclosure: Council Action

CC: Rick Daniels, City of Needles City Manager
CC: Patrick Martinez, City of Needles Assistant City Manager

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CALIFORNIA STATE SENATOR

SHANNON GROVE

REPRESENTING THE 12TH DISTRICT

Sign the Petition for SB 14! Earlier this year, I introduced [Senate Bill 14 \(SB 14\)](#), to combat human trafficking. This bill will hold sex traffickers of minors accountable by classifying this crime as a serious felony. **Shockingly, the sex trafficking of a minor is not listed as a serious crime under California law.**

Thankfully, the entire California State Senate is on board with this proposed law. It passed unanimously out of the Senate and more than half of the State Legislature has co-sponsored this bill. However, our fight is not over. This Friday SB 14 faces a key vote in the Assembly Appropriations Committee.

That's where you come in. [SIGN THIS PETITION TODAY](#) in support of SB 14 and to show that you're standing up against human trafficking.

Thank you for your support of California's children.

-Shannon



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SB-14 Serious felonies: human trafficking. (2023-2024)

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CORRECTED SEPTEMBER 05, 2023

AMENDED IN ASSEMBLY SEPTEMBER 01, 2023

AMENDED IN SENATE APRIL 27, 2023

AMENDED IN SENATE APRIL 13, 2023

AMENDED IN SENATE FEBRUARY 23, 2023

CALIFORNIA LEGISLATURE—2023–2024 REGULAR SESSION

SENATE BILL

NO. 14

Introduced by Senators Grove, Caballero, and Rubio

~~(Coauthors: Senators Alvarado-Gil, Dahle, Glazer, Jones, Newman, Nguyen, Niello, Ochoa-Bogh, Seyarto, and Wilk)(Coauthors: Assembly Members Alanis, Bains, Chen, Megan Dahle, Davies, Dixon, Essayli, Flora, Vince Fong, Garcia, Lackey, Low, Mathis, Joe Patterson, Ramos, Rodriguez, Blanca Rubio, Sanchez, Ta, and Waldron)(Principal coauthor: Assembly Member Santiago)~~

(Coauthors: Senators Alvarado-Gil, Archuleta, Ashby, Bradford, Dahle, Glazer, Hurtado, Jones, Laird, Newman, Nguyen, Niello, Ochoa Bogh, Seyarto, Wahab, and Wilk)

(Coauthors: Assembly Members Addis, Alanis, Arambula, Bains, Boerner, Calderon, Wendy Carrillo, Cervantes, Chen, Megan Dahle, Davies, Dixon, Essayli, Flora, Vince Fong, Gallagher, Garcia, Gipson, Grayson, Hoover, Irwin, Lackey, Low, Maienschein, Mathis, Stephanie Nguyen, Ortega, Pacheco, Jim Patterson, Joe Patterson, Pellerin, Petrie-Norris, Quirk-Silva, Ramos, Luz Rivas, Rodriguez, Blanca Rubio, Sanchez, Soria, Ta, Villapudua, Waldron, Wallis, Wilson, and Zbur)

December 05, 2022

An act to amend Sections 667.1, 1170.125, and 1192.7 of the Penal Code, relating to felonies.

LEGISLATIVE COUNSEL'S DIGEST

SB 14, as amended, Grove. Serious felonies: human trafficking.

Existing law defines the term "serious felony" for various purposes, including, among others, enhancing the punishment for felonies pursuant to existing sentencing provisions commonly known as the Three Strikes Law.

This bill would include human trafficking of a minor within the definition of a serious felony for all purposes, including for purposes of the Three Strikes ~~Law. Law, except as specified.~~ By expanding the scope of an enhancement, this bill would impose a state-mandated local program.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

Vote: majority Appropriation: no Fiscal Committee: yes Local Program: yes

THE PEOPLE OF THE STATE OF CALIFORNIA DO ENACT AS FOLLOWS:

SECTION 1. The Legislature finds and declares all of the following:

(a) California consistently ranks number one in the nation in the number of human trafficking cases reported to the National Human Trafficking Hotline.

(b) The Attorney General notes that California is one of the largest sites for human trafficking in the United States and recognizes the serious nature of this crime.

~~(c) Human trafficking is among the world's fastest growing criminal enterprises and is estimated to be a \$150,000,000,000 a year global industry.~~

(c) Minorities make up a high percentage of trafficking victims across the United States.

(d) According to a 2013 Department of Justice study examining the race of sex trafficking victims, 40.4 percent were Black, 23.9 percent were Hispanic, and 4.3 percent were Asian.

~~(d)~~

(e) Native American women and girls are victims of human trafficking at a much higher rate compared to the overall population.

~~(e) California has the sixth highest death rate of indigenous women in urban cities.~~

~~(f) California was chosen to be the first pilot location for the United States Department of Justice Missing and Murdered Indigenous Persons Initiative.~~

(f) It is the intent of the Legislature to protect victims of human trafficking and ensure they are not themselves criminalized.

SEC. 2. Section 667.1 of the Penal Code is amended to read:

667.1. (a) Notwithstanding subdivision (h) of Section 667, for all offenses committed on or after November 7, 2012, but before January 1, 2024, all references to existing statutes in subdivisions (c) to (g), inclusive, of Section 667, are to those statutes as they read on November 7, 2012.

(b) Notwithstanding subdivision (h) of Section 667, for all offenses committed on or after January 1, 2024, all references to existing statutes in subdivisions (c) to (g), inclusive, of Section 667, are to those statutes as they read on January 1, 2024.

SEC. 3. Section 1170.125 of the Penal Code is amended to read:

1170.125. (a) Notwithstanding Section 2 of Proposition 184, as adopted at the November 8, 1994, statewide general election, for all offenses committed on or after November 7, 2012, but before January 1, 2024, all references to existing statutes in Sections 1170.12 and 1170.126 are to those sections as they read on November 7, 2012.

(b) Notwithstanding Section 2 of Proposition 184, as adopted at the November 8, 1994, statewide general election, for all offenses committed on or after January 1, 2024, all references to existing statutes in Sections 1170.12 and 1170.126 are to those sections as they read on January 1, 2024.

SEC. 4. Section 1192.7 of the Penal Code is amended to read:

1192.7. (a) (1) It is the intent of the Legislature that district attorneys prosecute violent sex crimes under statutes that provide sentencing under a "one strike," "three strikes" or habitual sex offender statute instead of engaging in plea bargaining over those offenses.

(2) Plea bargaining in any case in which the indictment or information charges any serious felony, any felony in which it is alleged that a firearm was personally used by the defendant, or any offense of driving while under the influence of alcohol, drugs, narcotics, or any other intoxicating substance, or any combination thereof, is prohibited, unless there is insufficient evidence to prove the people's case, or testimony of a material witness cannot be obtained, or a reduction or dismissal would not result in a substantial change in sentence.

(3) If the indictment or information charges the defendant with a violent sex crime, as listed in subdivision (c) of Section 667.61, that could be prosecuted under Sections 269, 288.7, subdivisions (b) through (i) of Section 667, Section 667.61, or 667.71, plea bargaining is prohibited unless there is insufficient evidence to prove the people's case, or testimony of a material witness cannot be obtained, or a reduction or dismissal would not result in a substantial change in sentence. At the time of presenting the agreement to the court, the district attorney shall state on the record why a sentence under one of those sections was not sought.

(b) As used in this section, "plea bargaining" means any bargaining, negotiation, or discussion between a criminal defendant, or their counsel, and a prosecuting attorney or judge, whereby the defendant agrees to plead guilty or nolo contendere, in exchange for any promises, commitments, concessions, assurances, or consideration by the prosecuting attorney or judge relating to any charge against the defendant or to the sentencing of the defendant.

(c) As used in this section, "serious felony" means any of the following:

(1) Murder or voluntary manslaughter; (2) mayhem; (3) rape; (4) sodomy by force, violence, duress, menace, threat of great bodily injury, or fear of immediate and unlawful bodily injury on the victim or another person; (5) oral copulation by force, violence, duress, menace, threat of great bodily injury, or fear of immediate and unlawful bodily injury on the victim or another person; (6) lewd or lascivious act on a child under 14 years of age; (7) any felony punishable by death or imprisonment in the state prison for life; (8) any felony in which the defendant personally inflicts great bodily injury on any person, other than an accomplice, or any felony in which the defendant personally uses a firearm; (9) attempted murder; (10) assault with intent to commit rape or robbery; (11) assault with a deadly weapon or instrument on a peace officer; (12) assault by a life prisoner on a noninmate; (13) assault with a deadly weapon by an inmate; (14) arson; (15) exploding a destructive device or any explosive with intent to injure; (16) exploding a destructive device or any explosive causing bodily injury, great bodily injury, or mayhem; (17) exploding a destructive device or any explosive with intent to murder; (18) any burglary of the first degree; (19) robbery or bank robbery; (20) kidnapping; (21) holding of a hostage by a person confined in a state prison; (22) attempt to commit a felony punishable by death or imprisonment in the state prison for life; (23) any felony in which the defendant personally used a dangerous or deadly weapon; (24) selling, furnishing, administering, giving, or offering to sell, furnish, administer, or give to a minor any heroin, cocaine, phencyclidine (PCP), or any methamphetamine-related drug, as described in paragraph (2) of subdivision (d) of Section 11055 of the Health and Safety Code, or any of the precursors of methamphetamines, as described in subparagraph (A) of paragraph (1) of subdivision (f) of Section 11055 or subdivision (a) of Section 11100 of the Health and Safety Code; (25) any violation of subdivision (a) of Section 289 where the act is accomplished against the victim's will by force, violence, duress, menace, or fear of immediate and unlawful bodily injury on the victim or another person; (26) grand theft involving a firearm; (27) carjacking; (28) any felony offense, which would also constitute a felony violation of Section 186.22; (29) assault with the intent to commit mayhem, rape, sodomy, or oral copulation, in violation of Section 220; (30) throwing acid or flammable substances, in violation of Section 244; (31) assault with a deadly weapon, firearm, machinegun, assault weapon, or semiautomatic firearm or assault on a peace officer or firefighter, in violation of Section 245; (32) assault with a deadly weapon against a public transit employee, custodial officer, or school employee, in violation of Section 245.2, 245.3, or 245.5; (33) discharge of a firearm at an inhabited dwelling, vehicle, or aircraft, in violation of Section 246; (34) commission of rape or sexual penetration in concert with another person, in violation of Section 264.1; (35) continuous sexual abuse of a child, in violation of Section 288.5; (36) shooting from a vehicle, in violation of subdivision (c) or (d) of Section 26100; (37) intimidation of victims or witnesses, in violation of Section 136.1; (38) criminal threats, in violation of Section 422; (39) any attempt to commit a crime listed in this subdivision other than an assault; (40) any violation of Section 12022.53; (41) a violation of subdivision (b) or (c) of Section 11418; (42) human trafficking of a minor, in violation of subdivision (c) of Section ~~236.1~~; *236.1, except, with respect to a violation of paragraph (1) of subdivision (c) of Section 236.1, where the person who committed the offense was a victim of human*

trafficking, as described in subdivision (b) or (c) of Section 236.1, at the time of the offense; and (43) any conspiracy to commit an offense described in this subdivision.

(d) As used in this section, "bank robbery" means to take or attempt to take, by force or violence, or by intimidation from the person or presence of another any property or money or any other thing of value belonging to, or in the care, custody, control, management, or possession of, any bank, credit union, or any savings and loan association.

As used in this subdivision, the following terms have the following meanings:

(1) "Bank" means any member of the Federal Reserve System, and any bank, banking association, trust company, savings bank, or other banking institution organized or operating under the laws of the United States, and any bank the deposits of which are insured by the Federal Deposit Insurance Corporation.

(2) "Savings and loan association" means any federal savings and loan association and any "insured institution" as defined in Section 401 of the National Housing Act, as amended, and any federal credit union as defined in Section 2 of the Federal Credit Union Act.

(3) "Credit union" means any federal credit union and any state-chartered credit union the accounts of which are insured by the Administrator of the National Credit Union administration.

(e) The provisions of this section shall not be amended by the Legislature except by statute passed in each house by rollcall vote entered in the journal, two-thirds of the membership concurring, or by a statute that becomes effective only when approved by the electors.

SEC. 5. No reimbursement is required by this act pursuant to Section 6 of Article XIII B of the California Constitution because the only costs that may be incurred by a local agency or school district will be incurred because this act creates a new crime or infraction, eliminates a crime or infraction, or changes the penalty for a crime or infraction, within the meaning of Section 17556 of the Government Code, or changes the definition of a crime within the meaning of Section 6 of Article XIII B of the California Constitution.

CORRECTIONS:

Heading—Lines 3 and 7.
