



Date: July 31, 2015

To: Patrick H. West, City Manager *T. West*

From: Charles Parkin, City Attorney *CP*
Robert G. Luna, Chief of Police *R. Luna*
John Gross, Director of Financial Management *J. Gross*

For: Mayor and Members of the City Council

Subject: Report on SB 1193 – Human Trafficking Public Posting Requirements

This information is provided in response to Agenda Item #5, from the January 20, 2015 City Council meeting, regarding Human Trafficking Public Posting Requirements under SB 1193. City Council requested the creation of a citywide enforcement plan to ensure compliance with SB 1193, which was approved by governor Brown in September 2012, and requires specified businesses and other establishments to post a notice that contains information related to slavery and human trafficking, including information on specified non-profit organizations that provide services in support of the elimination of slavery and human trafficking. It also requires the establishments to post the notice in a conspicuous place near their entrance or in another location in clear view of the public and employees where similar notices are customarily posted. In addition, the City Council requested the City Attorney to report back to the City Council on the legality of going a step further with enforcement by including motels in the business categories, and requested the addition of Khmer language translation be added to the required signage.

SB 1193 did not include motels. Research indicated that the first version of the bill included all businesses. After rejection by the Governor, SB 1193 was presented and passed in its current form.

SB 1193 requires that signs are posted in three languages, English, Spanish, and the third most common language in the county, which, in Los Angeles County, is Chinese. Businesses in Long Beach are required to post in these three languages; however, the inclusion of Khmer as a fourth language could be encouraged. A City ordinance would be needed to require additional business types or languages beyond those required by the State legislation.

An implementation and enforcement plan (attached) is currently underway and addresses both new and existing businesses specified by the legislation. City websites and social media will be utilized to run an educational campaign about SB 1193 for business compliance and community awareness. In addition, the Long Beach Human Trafficking Task Force has volunteered outreach assistance to businesses in Long Beach.

HONORABLE MAYOR AND CITY COUNCIL

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Should you require any additional information, please contact Commander Lisa Lopez at extension 8-7301

RGL:LL

MEMO – SB1193 UPDATE

ATTACHMENT

Cc: Doug Haubert, City Prosecutor
Laura Doud, City Auditor
Tom Modica, Assistant City Manager
Arturo M. Sanchez, Deputy City Manager
Jyl Marden, Assistant to the City Manager
Amy Bodek, Director, Development Services

**Long Beach Police Department
Senate Bill 1193 Enforcement Plan
2015**

I. Introduction

Human trafficking is a modern form of slavery and it is the second most profitable criminal enterprise in the world. The nature of this crime allows it to go undiscovered and unreported. In an effort to educate the public and local businesses about the resources available to victims of this crime, as well as ways to report suspected human trafficking activity within the City of Long Beach, the Police Department will be taking the lead on enforcing SB 1193, Section 52.6 (2012). The primary purpose of this program is to educate the public on the problem of human trafficking, not to penalize business owners. Every effort will be made to assist businesses with information or posters to bring them into compliance.

Section 52.6 of SB 1193 reads, in part:

- (a) *Each of the following businesses and other establishments shall, upon the availability of the model notice described in subdivision (d), post a notice that complies with the requirements of this section in a conspicuous place near the public entrance of the establishment or in another conspicuous location in clear view of the public and employees where similar notices are customarily posted:*
- (1) *On-sale general public premises licensees under the Alcoholic Beverage Control Act (Division 9 (commencing with Section 23000) of the Business and Professions Code).*
 - (2) *Adult or sexually oriented businesses, as defined in subdivision (a) of Section 318.5 of the Penal Code.*
 - (3) *Primary airports, as defined in Section 47102(16) of Title 49 of the United States Code.*
 - (4) *Intercity passenger rail or light rail stations.*
 - (5) *Bus stations.*
 - (6) *Truck stops. For purposes of this section, "truck stop" means a privately owned and operated facility that provides food, fuel, shower or other sanitary facilities, and lawful overnight truck parking.*
 - (7) *Emergency rooms within general acute care hospitals.*
 - (8) *Urgent care centers.*
 - (9) *Farm labor contractors, as defined in subdivision (b) of Section 1682 of the Labor Code.*
 - (10) *Privately operated job recruitment centers.*
 - (11) *Roadside rest areas.*

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(12) Businesses or establishments that offer massage or bodywork services for compensation and are not described in paragraph (1) of subdivision (b) of Section 4612 of the Business and Professions Code.

II. Enforcement

Violators will be discovered through random inspections from one of the various City departments or through citizen complaints.

Violators will initially be educated about the mandated posting requirements, language requirements, and the penalties for failure to post. The Police Department will provide the business or establishment with reasonable notice of noncompliance, which will inform the business or establishment that it is subject to a civil penalty if it does not correct the violation within 30 days from the date the notice is sent. The Police Department will verify that the violation was corrected within the 30-day period.

III. Civil Action

Violators will not be issued a citation; instead, a police report will be filed. The Police Department will then report violations to the City Attorney, who will review the case and file charges, as appropriate.

IV. Penalties

The statute imparts the duties of enforcement on local government agencies that have authority to regulate the particular businesses that are required to comply with the statute. A business or establishment that fails to comply with the requirements of this section will be liable for a civil penalty of five hundred dollars (\$500) for a first offense and one thousand dollars (\$1,000) for each subsequent offense. According to SB 1193, the penalty money acquired will go to the City as the local jurisdiction conducting the enforcement.