



CITY OF SALINAS COUNCIL STAFF REPORT

DATE: APRIL 8, 2025

DEPARTMENT: ADMINISTRATION

FROM: RENÉ MENDEZ, CITY MANAGER

TITLE: LETTER OF SUPPORT FOR CALIFORNIA ASSEMBLY BILL 63
(RODRIGUEZ)

RECOMMENDED MOTION:

A motion to approve a Resolution authorizing the Mayor to sign a letter on behalf of the City of Salinas in support of California State Assembly Bill 63 (Rodriguez).

EXECUTIVE SUMMARY:

California Assembly Bill 63, introduced by Assemblymember Michelle Rodriguez, will reinstate language into the California Penal Code prohibiting loitering in a public place with the intent to commit prostitution and make that crime a misdemeanor. This restores language eliminated by the passage of SB 357 in 2022. Assembly Bill 63 will allow law enforcement to more effectively address sex trafficking and prostitution in our community, while providing a mechanism for police officers to approach potential human trafficking victims to provide outreach and offer resources and services. Staff recommends that City Council approve the attached letter of support for California Assembly Bill 63.

BACKGROUND:

Prostitution enforcement in the City of Salinas has evolved significantly over the years, shaped by legislative changes, law enforcement strategies, and community efforts aimed at addressing the complex challenges surrounding this issue.

In the 1990s, Salinas, along with many other California cities, experienced a noticeable increase in street-level prostitution. In response, California State Senator Charles Calderon introduced Senate Bill 1378 in 1995. The bill was signed into law by Governor Pete Wilson and went into effect on January 1, 1996, establishing California Penal Code 653.22. This statute addressed loitering with the intent to solicit prostitution, providing law enforcement with a proactive tool to address suspected activity before a transaction occurred. It also served as a means for officers to engage with individuals involved in sex work and connect them with available resources and services.

In 2022, California State Senator Scott Wiener introduced Senate Bill 357, known as the Safer Streets for All Act. The bill was signed into law by Governor Gavin Newsom. It went into effect on January 1, 2023, and deleted loitering in a public place with the intent to commit prostitution from the California Penal Code. The intent of SB 357 was to address discriminatory enforcement of loitering laws and improve protections for marginalized communities, including sex workers, transgender individuals, and people of color. Since the passage of SB 357, cities have been hindered in their ability to combat sex trafficking and prostitution on their streets, and sex workers are in further danger due to the limited ability for police to provide outreach to that population. Although well intentioned, SB 357 has made police enforcement and victim recovery efforts more difficult. It has resulted in patrol level officers within the department having little ability to act.

California Assembly Bill 63, introduced on December 2, 2024 by Assemblymember Michelle Rodriguez, will reinstate language to the California Penal Code prohibiting loitering in a public place with the intent to commit prostitution and make that crime a misdemeanor. The bill also maintains protections by prohibiting law enforcement from making an arrest solely based on an individual's gender identity or sexual orientation. The bill would provide a mechanism for police officers to approach potential human trafficking victims to offer resources and services. In fact, the bill would require law enforcement, prior to making an arrest, to document their attempts to offer services to the individual who is suspected of loitering with intent to commit prostitution.

As AB 63 will provide a mechanism for public safety officers to combat prostitution and sex trafficking in their communities, we have drafted the attached letter of support for your review and approval. Staff recommends that City Council approve the letter of support for California Assembly Bill 63.

CEQA CONSIDERATION:

Not a Project. The City of Salinas has determined that the proposed action is not a project as defined by the California Environmental Quality Act (CEQA) (CEQA Guidelines Section 15378).

CALIFORNIA GOVERNMENT CODE §84308 APPLIES:

No.

STRATEGIC PLAN INITIATIVE:

Approving the proposed Resolution will support the City Council's Strategic Plan Goals of Public Safety and Effective and Culturally Responsive Government.

DEPARTMENTAL COORDINATION:

Administration staff worked with the City Attorney to write this Letter of Support.

FISCAL AND SUSTAINABILITY IMPACT:

There is no fiscal impact attached to this request.

ATTACHMENTS:

Resolution
AB 63 (Rodriguez)
Letter of Support