

★ ARGUMENT IN FAVOR OF PROPOSITION 35 ★

STOP HUMAN TRAFFICKING—YES on 35.

In California, vulnerable women and children are held against their will and forced into prostitution for the financial gain of human traffickers. Many victims are girls as young as 12.

Human trafficking is one of the fastest-growing criminal enterprises in the world, and it's happening right here on California's streets and online where young girls are bought and sold.

A national study recently gave California an "F" grade on its laws dealing with child sex trafficking.

That's why we need Proposition 35.

*Yes on 35 will:*

- Increase prison terms for human traffickers, to hold these criminals accountable.
- Require convicted human traffickers to register as sex offenders, to prevent future crimes.
- Require all registered sex offenders to disclose their Internet accounts, to stop the exploitation of children online.
- Increase fines from convicted human traffickers and use these funds to pay for victims' services, so survivors can repair their lives.

*Prop. 35 protects children from sexual exploitation.*

Many sex trafficking victims are vulnerable children. They are afraid for their lives and abused—sexually, physically, and mentally. The FBI recognizes three cities in California—Los Angeles, San Francisco, and San Diego—as high intensity child sex trafficking areas. That's why we need Prop. 35 to protect children from exploitation.

*Prop. 35 holds human traffickers accountable for their horrendous crimes.*

"Sex traffickers prey on the most vulnerable in our society. They get rich and throw their victims away. Prop. 35 will hold these criminals accountable. By passing 35, Californians will make a statement that we will not tolerate the sexual abuse of our children and that we stand with the victims of these horrible crimes."

—Nancy O'Malley, Alameda County District Attorney and national victims' rights advocate

*Prop. 35 helps stop exploitation of children that starts online.*

The Internet provides traffickers with access to vulnerable children. Prop. 35 requires convicted sex offenders to provide information to authorities about their Internet presence, which will help protect our children and prevent human trafficking.

*California's largest law enforcement groups urge YES on 35.*

"As those on the front lines in the fight against human trafficking, we strongly urge YES on 35 to help us prosecute sex traffickers and protect victims of sexual exploitation."

—Ron Cottingham, President, Peace Officers Research Association of California, representing 64,000 public safety members

*Crime victims and their advocates urge YES on 35.*

"Prop. 35 will protect children from human traffickers who profit from selling them on the street and online."

—Marc Klaas, crime victims' advocate and father of Polly Klaas, who was kidnapped and killed in 1993

"At 14, I ran away from a troubled home and into the clutches of a human trafficker. For years, I was trafficked and abused when I was still just a child. As a survivor of trafficking, I'm asking Californians to stand against sexual exploitation and vote Yes on 35."

—Leah Albright-Byrd, Human Trafficking Survivor  
PROTECT CHILDREN FROM SEXUAL  
EXPLOITATION. STOP HUMAN TRAFFICKERS.

YES on 35. [VoteYeson35.com](http://VoteYeson35.com)

**LEAH ALBRIGHT-BYRD**

Human Trafficking Survivor

**MARC KLAAS**, President

KlaasKids Foundation

**SCOTT R. SEAMAN**, President

California Police Chiefs Association

★ REBUTTAL TO ARGUMENT IN FAVOR OF PROPOSITION 35 ★

This measure allegedly aimed at human trafficking actually threatens many innocent people:

If Proposition 35 passes, anyone receiving financial support from normal, consensual prostitution among adults—including a sex worker's children, parents, spouse, domestic partner, roommate, landlord, or others—could be prosecuted as a human trafficker, and if convicted, forced to register as a sex offender for life!

"My son, who served our country in the U.S. military and now attends college, could be labeled a human trafficker and have to register as a sex offender if I support him with money I earn providing erotic services."—Maxine Doogan

Rather than working with sex worker communities to stop real human traffickers, far-left anti-sex feminists and far-right religious conservatives who back Proposition 35 hope voters who hear "trafficking" will be deceived into supporting their futile crusade against the "world's oldest profession" by further criminalizing people connected with consensual adult prostitution. Proponents' argument that California is a "high intensity area" for trafficking is suspiciously similar to debunked

claims made elsewhere: [http://www.oregonlive.com/portland/index.ssf/2011/01/portland\\_child\\_sex\\_trafficking.html](http://www.oregonlive.com/portland/index.ssf/2011/01/portland_child_sex_trafficking.html)

Proposition 35 would create a new unfunded liability for our state, just when California's government is in fiscal crisis and numerous cities have already filed for bankruptcy. A wealthy executive supplied over 90% of Proposition 35's campaign donations—[http://www.huffingtonpost.com/2012/07/07/californians-against-sexual-exploitation-act\\_n\\_1656311.html](http://www.huffingtonpost.com/2012/07/07/californians-against-sexual-exploitation-act_n_1656311.html)—but his money won't be there to fund enforcement. Traffickers footing the bill is wishful thinking—forfeiture hasn't paid for the "War on Drugs", and will never adequately fund a "War on Prostitution" either.

Vote NO on Proposition 35!

**MANUAL JIMENEZ**, CFO

Erotic Service Providers Legal,

Education, and Research Project, Inc.

**NORMA JEAN ALMODOVAR**

STARCHILD

★ ARGUMENT AGAINST PROPOSITION 35 ★

Proposition 35 falls short of its promise, and voters ought to send it back to the drawing board.

Criminalization does not bring protection.

If passed, California will be writing another blank check to the proponents of Proposition 35. This short-sighted ballot measure relies on a broad definition of pimping. This includes: parents, children, roommates, domestic partners, and landlords of prostitutes to be labeled as sex offenders. The real goal is to gain access to asset forfeiture to benefit the endorsing law enforcement agencies and non-profits. Proposition 35 has no oversight or accountability. This will open the door to corrupt practices we've seen before in drug enforcement.

[http://www.contracostatimes.com/news/ci\\_20549513/defendant-cnet-corruption-scandal-gets-federal-prison-sentence](http://www.contracostatimes.com/news/ci_20549513/defendant-cnet-corruption-scandal-gets-federal-prison-sentence)

If passed, Proposition 35 will have a detrimental effect on the state budget. This statute relies on resources that criminalize adults who are arrested for prostitution indiscriminately in prostitution stings performed under the guise of rescuing children. <http://www.sfgate.com/default/article/Bay-Area-sweep-nets-child-prostitute-pimp-suspects-3661229.php>

Research shows that most teens arrested for prostitution do not have pimps; thus the idea that this statute will pay for itself is not supported by the evidence. Lost Boys: New research demolishes the stereotype <http://www.riverfronttimes.com/2011-11-03/news/commercial-sexual-exploitation-of-children-john-jay-college-ric-curtis-meredith-dank-underage-prostitution-sex-trafficking-minors/>

Proposition 35 relies on failed polices that use criminalization as a means to arrest the under-aged all the while calling it "rescue".

UN Advisory group member, Cheryl Overs on Tackling Child Commercial Sexual Exploitation <http://www.plri.org/story/tackling-child-commercial-sexual-exploitation> Don't expand these already failed polices. <http://www.traffickingpolicyresearchproject.org/>

If passed, the state will likely be required to defend this statute in court as it will likely face legal challenges due to several questionable and possibly unconstitutional provisions including

the following: possibly unconstitutionally vague definition of "human trafficking" including the "intent to distribute obscene matter", possibly unconstitutionally "cruel and unusual" punishments including excessive prison terms and fines, possibly unconstitutionally inhibiting a defendant's right to introduce evidence in defense trials.

This Act will cost the state additional unspecified amounts: It would increase the workload to already over-burdened probation departments. Consider that case of Jaycee Dugard and the \$20,000,000 that California had to pay her for not protecting her against a violent sexual predator. It would require training of police officers to enforce the expanded provisions of the Act. <http://www.sfbg.com/politics/2012/06/16/bringing-heat>

This misguided Proposition uses fact-less fear mongering to goad voters into gambling on future fines and fees that risk redirecting scarce state resources away from existing social services intervention programs.

Laws are being enforced. <http://blog.sfgate.com/incontracostal/2012/06/25/concord-police-assist-with-multi-agency-operation-targeting-child-prostitution/>

The policy underlying Proposition 35 was created outside the affected populations. The Proponents stand to benefit financially by getting their salaries paid "to deliver services" to consensually working sex workers. Sex workers do not want to be forced out of work via criminal laws and forced into receiving services from the proponents. Sex workers demand a voice.

Let's be clear. Criminalization of prostitution is the condition that allows exploitation. Let us instead address that issue.

Vote No on these failed policies.

Vote No on Proposition 35.

**MAXINE DOOGAN**, President  
Erotic Service Providers Legal,  
Education, and Research Project, Inc.

**MANUAL JIMENEZ**, CFO  
Erotic Service Providers Legal,  
Education, and Research Project, Inc.

★ REBUTTAL TO ARGUMENT AGAINST PROPOSITION 35 ★

*"I was only 10 when I was first exploited by a trafficker. I suffered years of abuse, while the trafficker profited. Please stand up for women and children who are being trafficked on the streets and online. Vote Yes on 35 to stop human trafficking."*

—Withelma Ortiz, Human Trafficking Survivor

YES on 35 will FIGHT BACK AGAINST HUMAN TRAFFICKING and sexual exploitation of women and children.

A recent study gave California an "F" grade for its weak child sex trafficking laws. The FBI has designated San Francisco, Los Angeles, and San Diego as high-intensity child sex trafficking areas.

The average age when a girl is first trafficked is 12 to 14. These children should be thinking about their homework, not how to survive another night being sold.

Prop. 35 will protect children in California by increasing penalties against human traffickers, making convicted traffickers register as sex offenders, and requiring all registered sex offenders to provide information to the authorities about their Internet presence, in order to help prevent human trafficking online.

Prop. 35 helps victims put their lives back together by increasing fines against human traffickers and dedicating these funds for victims' services.

YES on 35 is SUPPORTED BY A BROAD COALITION, including:

- Children's and victims' advocates, such as KlaasKids Foundation and Crime Victims United
- California law enforcement organizations representing more than 80,000 rank and file law enforcement officers
- Survivors of human trafficking

VOTE YES on 35 to STOP HUMAN TRAFFICKING and SEXUAL EXPLOITATION OF CHILDREN.

**WITHELMA ORTIZ**  
Human Trafficking Survivor

**CARISSA PHELPS**  
Human Trafficking Survivor

**NANCY O'MALLEY**  
Alameda County District Attorney