



JIM DESMOND
SUPERVISOR, FIFTH DISTRICT
SAN DIEGO COUNTY BOARD OF SUPERVISORS

AGENDA ITEM

DATE: **January 28, 2026**

19

TO: Board of Supervisors

SUBJECT

**PROTECTING VICTIMS OF HUMAN TRAFFICKING BY REPEALING STATE
SENATE BILL 357 (DISTRICTS: ALL)**

OVERVIEW

In 2023, State Senate Bill 357 (SB 357), authored by Senator Scott Wiener, went into effect, repealing California Penal Code Section 653.22, which prohibited loitering with the intent to engage in prostitution. The stated intent of SB 357 was to reduce profiling and prevent discrimination. However, the law has had severe unintended consequences that have created a haven for human traffickers, hindered law enforcement's ability to intervene, and enabled the ongoing exploitation of vulnerable individuals, including minors, on public streets.

Across the state, local jurisdictions and law enforcement agencies have reported a rise in visible street prostitution, open exploitation, and human trafficking in the wake of the implementation of SB 357. Without this enforcement mechanism, law enforcement officers now lack the ability to intervene in suspected trafficking cases unless a more serious criminal offense has already taken place. This has significantly limited early intervention opportunities and allowed trafficking networks to operate more freely in public spaces, often without fear of consequence.

Particularly in urban corridors of California, children and adults are being trafficked in broad daylight with virtually no legal recourse for law enforcement to intervene. In many of these cases, the lack of proactive enforcement tools has resulted in missed opportunities to identify and support victims before they are further harmed. The inability to act preemptively has not only endangered those being exploited but has also contributed to deteriorating safety conditions, increased public concern, and strained the resources of local jurisdictions attempting to respond through non-criminal avenues.

Today's action directs the Chief Administrative Officer (CAO) to include in the County's Legislative Program direction to seek a change in State law to reinstate Penal Code Section 653.22 that would restore law enforcement's ability to act on visible signs of trafficking and coercion, and to help disrupt exploitation before it escalates further.

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RECOMMENDATION(S)

SUPERVISOR JIM DESMOND

Direct the Chief Administrative Officer to add a legislative proposal to the County's Legislative Program Sponsorship Proposals section, consistent with Board Policy M-1, that would seek a change in State law to reinstate Penal Code Section 653.22 or similar statutory authority prohibiting loitering with the intent to engage in prostitution.

EQUITY IMPACT STATEMENT

SB 357 was enacted with the goal of reducing profiling; however, it has disproportionately harmed the very populations it intended to protect. Survivors' advocates and law enforcement agencies have observed that the removal of loitering laws has allowed traffickers to act with impunity, particularly targeting vulnerable women and girls. Repealing SB 357 would restore a critical intervention point for law enforcement and social service providers to interrupt cycles of exploitation and offer victims a pathway to safety and services.

SUSTAINABILITY IMPACT STATEMENT

Repealing SB 357 aligns with the County's Sustainability Goals by promoting public health and safety, social well-being, and equitable access to services. Street-level trafficking and exploitation result in physical and psychological harm, increase strain on emergency services, and contribute to unsafe community environments. Empowering law enforcement and outreach providers to intervene proactively supports long-term health and safety outcomes, particularly in underserved neighborhoods disproportionately affected by trafficking and criminal exploitation.

FISCAL IMPACT

There is no fiscal impact associated with this recommendation. There will be no change in net General Fund cost and no additional staff years.

BUSINESS IMPACT STATEMENT

N/A

ADVISORY BOARD STATEMENT

N/A

BACKGROUND

California Penal Code Section 653.22 previously made it unlawful to loiter in a public place with the intent to commit prostitution. This statute served as a key tool for law enforcement to identify potential victims of human trafficking—particularly children and young adults—who were being coerced into commercial sexual activity. Officers often used this law to initiate welfare checks, refer individuals to services, and initiate investigations that uncovered trafficking operations.

State Senate Bill 357 (SB 357), enacted in 2022 and implemented in 2023, repealed that authority based on concerns about discriminatory enforcement practices. While the underlying intent of the legislation was to reduce the risk of profiling and protect marginalized individuals, its practical effect has been to eliminate a low-level enforcement mechanism that previously enabled early intervention in trafficking cases.

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STATE SENATE BILL 357 (DISTRICTS: ALL)**

Since the repeal, law enforcement agencies throughout the state have reported a resurgence in visible, open-air exploitation—often involving minors—with adequate legal means to intervene. Traffickers are operating more brazenly, knowing that officers no longer have authority to question or detain individuals solely based on suspected loitering for the purpose of prostitution. Public spaces and commercial corridors have been directly impacted, as business owners and residents contend with deteriorating safety conditions and increased exploitation in broad daylight.

Preventing law enforcement officers from being able to engage with this population has created a dangerous vacuum. Today's Board action represents a commitment to protecting vulnerable populations from human trafficking by sponsoring legislation that would reinstate Penal Code Section 653.22 or create a comparable statutory framework. This would give law enforcement and outreach partners the ability to safely disrupt trafficking networks, identify victims in need of services, and protect vulnerable individuals before more serious harm occurs.

LINKAGE TO THE COUNTY OF SAN DIEGO STRATEGIC PLAN

Today's proposed action supports the Community Safety and Quality of Life Initiative in the County of San Diego's 2026-2031 Strategic Plan by helping to ensure safe communities that improve the quality of life for all residents.

Respectfully submitted,



JIM DESMOND
Supervisor, Fifth District

ATTACHMENT(S)

N/A