

Developments since the Veto of AB 2035 in 2014

New Data and Recent Studies Show that Trafficking in the Child Welfare Systems Includes Both Sex and Labor Trafficking:

- A. CAST analysis of its database of 1,800+ clients through March 2019 —
- 48% of trafficking cases involve labor trafficking in California
 - 37.5% of trafficking cases involve minors and transitional-age youth
 - Numerous clients involved in child labor trafficking that includes forced criminality
- B. National Human Trafficking Hotline Data through June 2018¹ —
- California leads the U.S. with 15% of all cases of trafficking
 - More than 30% of trafficking in California involves children
- C. Covenant House studies of 911 homeless youth (2016)² —
- 45% (74 of 166) trafficked for labor, or sex plus labor
 - 23% of youth with “foster care history” were trafficked
 - In California (Los Angeles and Oakland), labor trafficking was more prevalent than sex trafficking
 - “The vast majority (81%) of labor trafficking cases reported in this study was instances of forced drug dealing”
- D. Florida Dep’t of Children & Families Study of 1+ million youths in foster care³
- Child welfare youths found to be involved in labor trafficking
 - Being missing from foster care is a strong risk factor for trafficking
- E. The “3rd Human Trafficking In San Francisco Report” (2018)⁴ —

¹ “Hotline Statistics,” National Human Trafficking Hotline, <https://humantraffickinghotline.org/states>.

² Murphy, Laura, “Labor and Sex Trafficking Among Homeless Youth: A 10-City Study,” Loyola University New Orleans Modern Slavery Research Project (2016), <https://static1.squarespace.com/static/5887a2a61b631bfbbc1ad83a/t/5a7490fdc8302508d6b76f1c/1517588734590/Labor+and+Sex+Trafficking+Among+Homeless+Youth.pdf>.

³ Gibbs, Deborah et al, “Sex and Labor Trafficking and the Child Welfare Population in Florida,” presentation at International Family Violence and Child Victimization Research Conference, July 2018.

⁴ <https://sfgov.org/dosw/sites/default/files/3rd%20Human%20Trafficking%20Report.pdf>.

- Trafficking cases reported from 18 agencies operating in San Francisco
 - 529 cases — 42% labor; 46% sex; 12% unknown
 - Steady rise in the labor trafficking percentage over the previous 3 years.
- F. Central Valley Against Human Trafficking Statistics for 2010-17⁵ —
- 480 victims served; 25% labor (including labor + sex); 30% children
- G. Ohio 2019 Human Trafficking Prevalence Study⁶ —
- Includes data from child welfare system and juvenile justice system
 - 1,032 trafficking victims and 4,209 at-risk individuals; 85.5% are minors
 - Labor trafficking was 14%; includes trafficking in the child welfare system

CONCLUSIONS:

- (a) Child labor trafficking exists among children who are part of the child welfare and juvenile justice systems**
- (b) Labor trafficking is almost as prevalent as sex trafficking in California**
- (c) Child labor trafficking is strikingly similar to child sex trafficking in terms of the recruitment of vulnerable persons, harsh maltreatment, and forced criminality**

Child Labor Trafficking is a Serious Problem in California — One That Affects A Substantial Number of Child Victims, Including Within The Child Welfare System

⁵ <http://fresnoeoc.org/cvaht/stories/post/Current-Central-Valley-Human-Trafficking-Statistics>.

⁶ Anderson, Valerie, et al, "Estimating the Prevalence of Human Trafficking in Ohio," Feb. 1, 2019; https://humantrafficking.ohio.gov/links/Ohio_Human_Trafficking_Prevalence_Study_Full_Report.pdf.

How California Has Fallen Behind Other States in Serving All Child Trafficking Victims:

- A. AB 2035 would have clarified that the definition of child abuse in CA includes both child labor and child sex trafficking — but it was vetoed and the subject has not been revisited
- B. At least 13 other states include child labor trafficking in the definition of child abuse⁷
- C. California and its Counties have moved forward with studies, “action teams,” training, and protocols that address only child sex trafficking and exclude child labor trafficking⁸
- D. The AB 2035 Veto Message acknowledged the “tragedy” of child labor trafficking and the “suffering” of its victims, and called for further “investigation” — yet no study on child labor trafficking in California has been initiated

CONCLUSION: Child Labor Trafficking has become an afterthought in California, which has fallen far behind other states in addressing this tragedy.

What needs to be done in California:

- A. Immediately initiate a prevalence study of human trafficking — including the understudied subset of child labor trafficking — in California
- B. Include child labor trafficking, alongside child sex trafficking, in definitions of “trafficking” embedded in legislative, statutory, and regulatory frameworks
- C. Include child labor trafficking in the State’s and Counties’ “CSEC Action Teams”
- D. Enact legislation putting child labor trafficking on an equal footing with child sex trafficking, including in the definition of child abuse in Welf. & Inst. Code §300
- E. Agencies and personnel working with children — including in the juvenile justice system and the child welfare system — should be trained to identify child labor trafficking, respond correctly, collect data, treat victims as victims, and provide services

CONCLUSION: The time has come for California to Fight Child Labor Trafficking As Aggressively As It Fights Child Sex Trafficking.

⁷ Research to date indicates that at least the following states have enacted such laws: Connecticut, Hawai‘i, Illinois, Indiana, Kansas, Kentucky, Louisiana, Massachusetts, Mississippi, North Carolina, North Dakota, Texas, and Utah.

⁸ E.g., the Child Welfare Council’s “CSEC Action Team;” the Commercial Sexual Exploitation – Identification Tool (CSE-IT); the Los Angeles County First Responder Protocol for Commercially Sexually Exploited Children; and the Los Angeles County Innovative Model For Serving Commercially Sexually Exploited Youth.