



Labor Trafficking: Strategies to Uncover this Hidden Crime

Report #251 | September 2020



Milton Marks Commission on California State
Government Organization and Economy

www.lhc.ca.gov

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The Little Hoover Commission, formally known as the Milton Marks "Little Hoover" Commission on California State Government Organization and Economy, is an independent state oversight agency.

By statute, the Commission is a bipartisan board composed of five public members appointed by the governor, four public members appointed by the Legislature, two senators and two assemblymembers.

In creating the Commission in 1962, the Legislature declared its purpose:

...to secure assistance for the Governor and itself in promoting economy, efficiency and improved services in the transaction of the public business in the various departments, agencies and instrumentalities of the executive branch of the state government, and in making the operation of all state departments, agencies and instrumentalities, and all expenditures of public funds, more directly responsive to the wishes of the people as expressed by their elected representatives...

The Commission fulfills this charge by listening to the public, consulting with the experts and conferring with the wise. In the course of its investigations, the Commission typically empanels advisory committees, conducts public hearings and visits government operations in action.

Its conclusions are submitted to the Governor and the Legislature for their consideration. Recommendations often take the form of legislation, which the Commission supports through the legislative process.

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Letter from the Chair

September 1, 2020

The Honorable Gavin Newsom
Governor of California

The Honorable Toni Atkins
Speaker pro Tempore of the Senate
and members of the Senate

The Honorable Anthony Rendon
Speaker of the Assembly
and members of the Assembly

The Honorable Shannon Grove
Senate Minority Leader

The Honorable Marie Waldron
Assembly Minority Leader

DEAR GOVERNOR AND MEMBERS OF THE LEGISLATURE:

Earlier this year the Little Hoover Commission initiated a review of the state's role in combatting labor trafficking in California, a form of human trafficking which involves obtaining labor through the use of force, fraud, or coercion. The following report, the second in our series, reviews resources currently available to detect this crime and offers recommendations for improvement.

Eradicating trafficking from our state must begin with effective detection – finding this crime wherever and whenever it occurs. Yet detecting labor trafficking can be particularly daunting, as few understand the nature of the crime and to the unsuspecting observer, the work itself may appear legitimate.

In this report, the Commission finds many obstacles stand in the way of detecting this crime. For various reasons, few victims come forward to report the circumstances of their labor. State funding and resources to combat human trafficking largely focus on sex trafficking. Few training opportunities are available for those who may encounter labor trafficking to know how to identify it and share that information with appropriate agencies. And, most disturbingly, no state agency is mandated to look for labor trafficking.

To effectively eradicate this crime in our state, California can no longer wait for victims to report their own exploitation. Instead, we must flip the script by proactively and strategically looking for traffickers and ensuring vulnerable workers know their rights. We examine strategies California should employ to more effectively use state resources – including personnel whose jobs regularly bring them into contact with workers in vulnerable industries – to ferret out this crime. We also consider options for expanding the ranks of those capable of looking, from public awareness campaigns that depict realistic labor trafficking scenarios, to training for employees in high-risk sectors and direct outreach to the most vulnerable workers.

Over the next several months, we will continue to examine strategies to strengthen our response to instances of labor trafficking once identified. We intend to issue a final report later this year.

The Commission respectfully submits this work and stands prepared to help you take on this challenge.

Sincerely,

Pedro Nava, Chair
Little Hoover Commission

■ Executive Summary

California must act aggressively to stop labor trafficking, a horrific crime in which workers are exploited by force, fraud, or coercion so that others may benefit from their labor.

The Little Hoover Commission began studying the state's response to labor trafficking last year. In the spring of 2020 we issued our first report on this topic, *Human Trafficking: Coordinating a California Response*, which called for the creation of an Anti-Human Trafficking Council to coordinate the state's work in this area. We reiterate that recommendation now.

This second report focuses on the state's efforts to identify human trafficking cases, and recommends steps to improve California's ability to do so. The Commission hopes that these recommendations can be implemented by a newly created Anti-Human Trafficking Council. In the meantime, the Commission urges lawmakers to pursue the changes outlined in this report as individual steps.

Obstacles to Identifying Labor Trafficking

Before victims can be rescued or traffickers brought to justice, authorities must locate labor trafficking. But doing so is often more difficult than identifying human trafficking for purposes of sexual exploitation. This is because commercial sex is generally understood as an inherently illegal activity. Labor trafficking, on the other hand, may be hidden in plain sight. Workers might, for example, be forced or coerced into working in a private home, or in an otherwise lawful business.

Other barriers also make it difficult to identify labor trafficking cases:

The lack of an aggressive state response. No state agency has a mandate to look for labor trafficking. Law enforcement officers receive minimal training in human trafficking, with the focus largely on sex trafficking. Training opportunities specific to labor

trafficking are negligible for other state officials, including those most likely to encounter victims.

Government agencies are siloed. Law enforcement agencies are often unfamiliar with the employment context of labor trafficking crimes. Issues related to labor exploitation in California fall under the jurisdiction of the Department of Industrial Relations, but that agency does not proactively look for labor trafficking cases, in part because it does not have the authority to investigate labor trafficking cases.

The primary focus is sex trafficking. The state's minimal funding of programs to combat human trafficking is largely focused on sex trafficking. That critical work must continue unabated, but relatively few resources are devoted to the fight against labor trafficking.

Many cases go unreported. Many victims may fear contacting authorities or think they are working for legitimate businesses, while many members of the public lack the knowledge to recognize labor trafficking.

Prevention through supply chain transparency law lacks enforcement. State law requires certain large businesses to publicly disclose information regarding efforts to eradicate trafficking from their supply chains. Advocates say the law could more effectively deter trafficking with enforcement and accountability mechanisms.

California Can Do Better: Strategies to Detect Labor Trafficking

Through training, public education, and other means, the state can improve its efforts against labor trafficking.

"Expanding the eyes and ears network." Many types of government officials, such as regulators or code inspectors, have access to businesses. They

should be trained in how to spot the signs of labor trafficking, and in what to do if they see something that should be reported. One official referred to this as “expanding the eyes and ears network.”

Training for first identifiers. California law enforcement officers and other government officials need better training about how to identify labor trafficking. The state should learn from similar materials by private organizations and other states.

Reporting protocols. California’s first responders need tools to know what to do – and not do – if they encounter labor trafficking victims. Victims have often suffered horrible trauma.

Better use of data and technology. California should use both state and federal data and advanced analytical tools to search for anomalies that might suggest the presence of labor trafficking in certain businesses, industries or regions.

Extend existing statutory protections. Existing efforts to combat child sex trafficking provide a strong foundation upon which to include provisions against all forms of child trafficking, including labor trafficking.

Education and outreach in high-risk communities. The state must increase awareness of this crime through a campaign for the general public, training for workers in high-risk industries, and direct worker outreach. Good models exist in other states and among local governments in California.

Recommendations

The report concludes with four specific recommendations to implement these changes:

1. California should ensure that a broad range of public officials are capable of detecting labor trafficking and serving as first identifiers.
2. California should conduct public education and

outreach campaigns to increase awareness of human trafficking.

3. California should study the effectiveness of the Transparency in Supply Chain Act and develop recommendations for lawmakers to enhance accountability through enforcement or other mechanisms.

4. Lawmakers should update existing laws that address human trafficking of commercially sexually exploited children to expand protections to children who are exploited for other forms of labor. Any new programs to combat human trafficking should equally address all forms of trafficking.

■ Introduction

This is the second in a series of Commission reports about combatting labor trafficking in California. Human trafficking involves the use of force, fraud or coercion to deprive a victim of his or her liberty for the purpose of obtaining labor or sexual services. Researchers typically divide human trafficking into cases of sex trafficking or labor trafficking or both (cases in which the victim is forced to provide both sex and non-sexual labor). California first introduced laws specifically banning human trafficking in all forms in 2005.

Our first report, *Human Trafficking: Coordinating a California Response*, described critical challenges to understanding the prevalence of this crime. We found that much research focuses on the circumstances under which sex trafficking occurs. By contrast, there is a dearth of authoritative data about the extent of labor trafficking. Available data suggests that labor trafficking occurs in communities across our state and in a vast range of industries, though is often found in domestic work, traveling sales crews, peddling or begging rings, and agricultural work.¹ Its victims may be men or women, young or old.

We highlighted resources our state government makes available to respond to this crime and found that California, like many other states, is still developing a systemic and holistic response to human trafficking. But we also found in other states models for engagement around all forms of human trafficking. Several states have formed organizations to centralize a statewide response to human trafficking. Though most use their coordinating efforts to focus primarily on curbing sexual exploitation, particularly of youth, some are beginning to use this foundation as a catalyst to learn more about how to identify and combat labor trafficking as well.

The Commission concluded there must be a hub to coordinate efforts, study prevalence, collect data, increase public awareness, and share strategies to

fight and prevent all forms of this heinous crime. To coordinate a strategic response to all forms of trafficking, the Commission recommended creation of the California Anti-Human Trafficking Council within the Governor's Office. The Council would:

- Build and enhance collaboration among communities throughout the state and provide statewide technical assistance and support for anti-trafficking activities.
- Study and improve comprehensive services for victims and survivors of all forms of human trafficking.
- Assist in the successful prosecution of human traffickers.

As noted in *Human Trafficking: Coordinating a California Response*, the fight against human trafficking has largely focused on sexual exploitation, particularly of minors. Going forward, the Commission encourages a balanced approach to combat all forms of this crime which will necessitate bringing acts of labor trafficking to light.

To that purpose, in this report the Commission considers strategies to augment the state's immediate response to labor trafficking. Going forward, more will be needed to address the inequalities and policies that put people at risk of labor trafficking and to prevent this type of crime from occurring in the first place.² However, countless individuals are harmed by this crime today, their traffickers left to operate without penalty or justice. In this report, the Commission will consider ways to address one of the greatest obstacles of rescuing human trafficking victims: identifying them. This report explores various challenges to identifying labor trafficking and discusses strategies to overcome those obstacles – through expanding the cadre of officials who are empowered to identify and assist trafficking victims, making better use of data, and engaging workers and the public as a first-line defense. The Commission's subsequent work will

address what must be done when labor trafficking is found.

We hope that the changes suggested in this report can be accomplished by a newly created Anti-Human Trafficking Council, as recommended in our first report. Alternatively, should policymakers decide not to create a Council immediately, we hope these reforms will be pursued as individual steps. Either way, the Commission believes the changes recommended in this report are critical to identifying the victims of an especially horrid crime.

Obstacles to Identifying Labor Trafficking

Unlike sex trafficking – where commercial sex is easily recognizable and broadly understood as an inherently illegal activity – labor trafficking can be hidden behind a façade of legitimacy. It may be buried beneath multiple layers of subcontractors and may even occur alongside or within otherwise lawful businesses. For example, “a restaurant worker is unlikely to draw the attention of law enforcement,” Los Angeles City Attorney Anh Truong explained, “nor is an ordinary citizen apt to report another person’s unsafe work conditions, or even be aware of payroll discrepancies, living conditions within the business, or other indicia of trafficking.”³

Successfully combatting labor trafficking begins with finding the crime wherever it occurs – within households, in farm fields or restaurants, on a construction site, in a nursing care home.

But finding labor trafficking can be daunting.

Many obstacles stand in the way: No one has responsibility to look for labor trafficking, state funding and resources largely focus on combatting sex trafficking, little to no training exists for those who might encounter the crime, few suspected labor trafficking cases make their way to hotlines or tip lines, and laws to deter trafficking in business supply

chains lack enforcement.

LACK OF AGGRESSIVE STATE RESPONSE

Fifteen years after California first enacted anti-trafficking laws, no state agency has a mandate to look for labor trafficking.

A variety of government officials *could* encounter labor trafficking victims or traffickers in the course of their day-to-day work, and some do. When investigators find labor trafficking, they “trip across” the evidence, rather than actively look for it, one labor investigator told Commission staff. For example, investigators researching claims of wage theft at a restaurant may notice mattresses on the floor of the business, indicating that some of the workers might live or sleep there. Child welfare officials who assist child victims of sexual exploitation may not realize that some of the youth they already serve also have experienced labor trafficking.⁴

To effectively serve as first identifiers, state investigators and other employees who interact with high-risk populations must be trained to recognize the signs of labor trafficking and to respond appropriately. Yet with few exceptions, most government officials have not received such training.

“Fifteen years after California first enacted anti-trafficking laws, no state agency has a mandate to look for labor trafficking.”

Police officers and public safety dispatchers currently receive minimal human trafficking training, with the focus largely on investigating sex trafficking cases. Human trafficking is tangentially mentioned in mandatory basic training for officers in the context of prostitution and domestic violence and

in an optional specialty 40-hour training course on human trafficking, according to officials from the Commission on Peace Officer Standards and Training.⁵ A two-hour online training course produced by the commission includes both commercial sex and forced labor in the definition of human trafficking, but only touches on labor trafficking in one case scenario that also includes a sexual component.⁶ However, a new 2-hour video course on human trafficking released this summer includes a labor trafficking scenario on a construction site where workers appear to live in a nearby encampment. The material describes a variety of potential labor trafficking venues and lists reasons why workers may be reluctant to interact with law enforcement.⁷ The California Specialized Training Institute, operated through the Governor's Office of Emergency Services, also offers a human trafficking training program to law enforcement, emergency responders, and victim service providers.⁸

Training opportunities specific to labor trafficking are negligible for other state officials, including those most likely to encounter victims. The Department of Industrial Relations partnered with the Department of Justice in 2018 to provide a training session on human trafficking to staff involved with multi-jurisdictional investigations and intends to schedule a similar training this year.⁹

Neither sworn investigators working with the Franchise Tax Board nor the Employment Development Department receive specific training on human trafficking though both groups investigate the types of financial crimes that could be inherent in a labor trafficking case.¹⁰ However, last year, the Employment Development Department issued policy guidelines for Local Workforce Development Areas on services and referrals to victims of human trafficking. The directive includes guidelines on how to recognize the characteristics of trafficking victims and a referral to the national human trafficking hotline.¹¹ To comply with federal requirements, the

department's agricultural outreach workers also received a four-hour training to identify and prevent sexual harassment and human trafficking, with an emphasis on sex trafficking.¹²

The Department of Social Services provides regular training in how to identify human trafficking, but the content is not specific to labor trafficking.¹³ The department's annual Human Trafficking Awareness Month training taught 180 department staff on how to identify and support potential human trafficking victims and survivors, using the federal SOAR (Stop, Observe, Ask, Respond) framework.¹⁴ The Immigrant Services Branch, which funds nonprofit organizations to provide legal services to immigrant communities, provides training for legal practitioners to represent T Visa applicants (T Visas provide immigration protection to victims of trafficking). The Refugee Programs Bureau conducts human trafficking trainings for county welfare departments that administer benefit programs for non-citizen human trafficking survivors. Most significantly, the department's child welfare program has partnered with the Child and Family Policy Institute of California to head a federally funded pilot project, Preventing and Addressing Trafficking, to address labor trafficking within the child welfare system. The project deliverables include development of a child labor trafficking brief and toolkit which will summarize data and research on child labor trafficking, describe experiences to address child labor trafficking in participating counties, and provide recommendations to more fully address child labor trafficking.

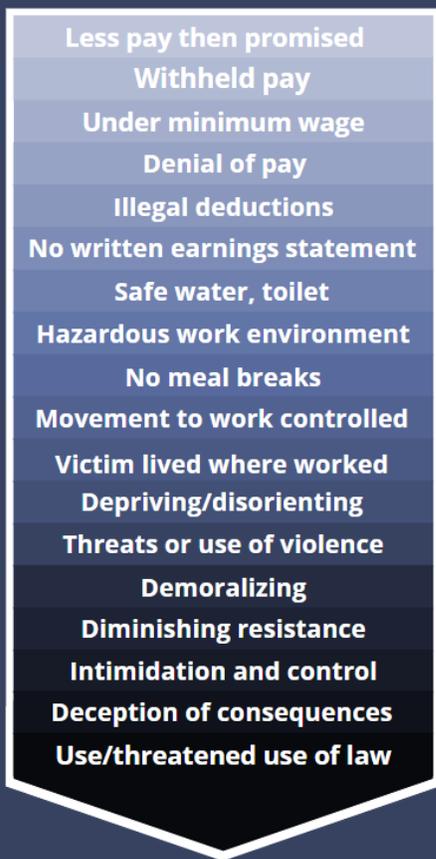
GOVERNMENT AGENCIES ARE SILOED

Labor trafficking crimes are complex and include elements of force, fraud, or coercion, but also may include lesser violations that could be characterized as labor exploitation, such as receiving less pay than promised or working in a hazardous environment. While both involve employers who profit from the

Labor Exploitation and Labor Trafficking

Labor trafficking is an often-misunderstood crime, at times conflated with labor exploitation. Both occur on a spectrum of abuse and involve employers who profit from the illegal treatment of their workers. However, labor trafficking happens when employers exert a level of control over the workers through force, fraud, or coercion that leaves them trapped in the situation. Labor trafficking victims frequently experience multiple forms of exploitation and labor traffickers often operate in industries with high rates of labor exploitation.¹⁵

LABOR EXPLOITATION



LABOR TRAFFICKING

illegal treatment of their workers, labor trafficking occurs when employers exert a level of control over the workers that leaves them trapped in the situation.¹⁶ Law enforcement agencies typically are responsible for addressing the criminal aspects of these crimes, while labor agencies typically have responsibility to address the civil elements related to labor exploitation.¹⁷

This report addresses ways in which the state should combat labor trafficking, rather than all forms of labor law violations. However, to find and prosecute labor trafficking, authorities often need to be familiar with the underlying elements of labor exploitation. Yet law enforcement agencies are largely unfamiliar with the employment context of labor trafficking crimes. Jean Bruggeman of Freedom Network USA told Commissioners that law enforcement officials generally “do not have the experience and connections developed from working on related employment violations or immigration violations that occur within workplaces” nor are they “conversant with the evidence of workplace abuse such as payroll records, personnel records, and injury and incident reporting forms.” This lack of training may make it easy for them to dismiss labor trafficking as an employment problem.

Some experts even suggest law enforcement is incentivized to focus anti-trafficking work on sex trafficking cases because the cases are easier to detect, the penalties are more severe than those for labor trafficking,¹⁸ and investigations are less time consuming and complex. Local law enforcement agencies tend to run anti-trafficking efforts through vice units, which are more familiar with the commercial sex industry. Officers generally are not trained to respond to labor trafficking or conduct investigations that might be inherent in a labor trafficking case, such as an analysis of an employer’s business records or financial transactions. “The end result is limited funding, less training, less experience, and lower overall prioritization,” Truong explained.¹⁹

Issues related to labor exploitation in California fall under the jurisdiction of the Department of Industrial Relations, which administers and enforces laws governing wages, hours and breaks, overtime, retaliation, workplace safety and health, and medical care and other benefits for injured workers.

Officials with the department testified that its investigators “often interact with workers who could be potential victims of labor trafficking” and have observed “there is a direct nexus between wage theft and labor trafficking.” However, the department “does not proactively look for labor trafficking cases because [it] does not have authority to investigate or prosecute these cases.” Yet, since 2018, members of the Labor Enforcement Task Force – a multi-agency effort led by the department to combat the underground economy – have observed signs of potential trafficking during onsite inspections or received labor trafficking complaints and made 11 referrals of potential cases to the Department of Justice to investigate.²⁰

PRIMARY FOCUS ON SEX TRAFFICKING

State funding is critical to combat human trafficking and protect victims, yet investment in labor trafficking-specific programs and services is significantly lacking. California currently funds a patchwork of programs to combat human trafficking, though these limited resources overwhelmingly target sex trafficking.

- The state allocates \$10 million annually to the California Governor’s Office of Emergency Services for the Human Trafficking Victim Assistance Program, which annually funds 21 community-based organizations across the state to help both sex and labor trafficking victims. The majority of individuals who receive help through this program are survivors of sex trafficking. (This office also administers the Human Trafficking Advocacy Program which provides approximately \$1.6

million annually in federal funds to local victim witness assistance programs in 11 counties).²¹

- The 2019-20 State Budget included \$4.2 million for the Department of Justice to establish two specialized Human Trafficking Task Forces focused on apprehending sex trafficking criminals and set ongoing funding at \$3.4 million annually.²²
- The state’s financial commitment to the Department of Social Services for child victims of sex trafficking has increased over the years, from \$5 million in 2014 to an ongoing \$14 million in 2015-16 and \$19 million in 2016-17.²³

MANY CASES GO UNREPORTED

Victims of labor trafficking often do not report their situation to someone who can help. Undocumented workers or those whose documents have expired may be distressed about coming forward for fear of deportation. Some workers may fear their traffickers will harm their families back home if they try to escape their situation. Still others may think they are working for a legitimate business doing legitimate work and not understand their rights and protections under U.S. and California law. Some may face language and cultural barriers that make it difficult to access services or communicate their situation to authorities.²⁴

Experts suggest reporting from members of the public is not common because many people lack the ability to recognize labor trafficking crimes. People who witness a victim’s exploitation may not be aware that what they saw was labor trafficking. This low level of public awareness means that potential tips are not being reported to law enforcement to investigate.²⁵

This under-reporting may be one reason why data from human trafficking hotlines and victim service providers suggests that labor trafficking is less common than sex trafficking. These statistics may obscure the extent of labor trafficking, experts say.

PREVENTION THROUGH SUPPLY CHAIN TRANSPARENCY LAW LACKS ENFORCEMENT

California set a national precedent when in 2010 lawmakers enacted innovative legislation to increase transparency for consumers about employers that use forced labor in their supply chains. Designed to empower consumers when making purchasing decisions, the Transparency in Supply Chains Act requires large retailers and manufacturers to publicly disclose certain information regarding efforts to eradicate slavery and human trafficking from their direct supply chains.²⁶

A decade, later, however experts told the Commission the law as first envisioned was flawed. It is not applied universally; it requires self-certification from certain, but not all, businesses. It lacks an enforcement mechanism, such as requiring companies to undergo audits and be certified as compliant. It does not specify which, if any, government agencies should be responsible for enforcing regulations. Nor does it require businesses take specific action to prevent human trafficking in their supply chains or to address any instances revealed through disclosures.

Victim advocates say California’s law could serve as a stronger deterrent for labor trafficking and could help identify hot spots if it included principles promoted by the United Nations: accountability measures to track violations, requirements for businesses to act on findings of violations, and mechanisms to follow-up to ensure violations are addressed.²⁷

California Can Do Better: Strategies to Effectively Detect Labor Trafficking

In the years since California criminalized all forms of human trafficking, the state has made important

progress in detecting and halting sex traffickers, particularly those who prey upon minors. It is time now to build on that foundation and bring similar awareness to other, equally egregious crimes that target vulnerable workers across the state.

Labor trafficking too often remains hidden in plain sight. Effectively combatting this crime will require a new approach that does not rely on vulnerable, and often fearful, workers coming forward to report their abuses. Rather, California must raise awareness of this crime so that officials can recognize trafficking and know what to do in response. Training must be improved. Data and technology can direct resources to areas where attention is most needed. The general public, and especially workers in high-risk industries and jobs, can help to recognize the signs of trafficking and report suspicious activity. Together, we can bring victims out of the shadows and their traffickers to justice.

“Labor trafficking too often remains hidden in plain sight. ... California must raise awareness of this crime so that officials can recognize trafficking and know what to do in response.”

This approach will require the state to break down traditional silos to operate in cross-agency, cross-jurisdiction partnerships that tap resources across all levels of government. The Commission reiterates its recommendation to create a multi-agency, multi-jurisdictional Anti-Human Trafficking Council, described in its June 2020 report, *Human Trafficking: Coordinating a California Response*. Consisting of representatives from law enforcement, health and human services, labor, academia, victim service providers, advocates, and victims themselves, this council would have the expertise necessary to

address the complexities inherent in labor trafficking crimes and inform and oversee specific strategies to identify cases and protect victims.

However, whether or not policymakers choose to create the Council, California must establish accountability mechanisms and strategies to better identify labor trafficking, so that victims may be rescued and traffickers may be targeted aggressively and with purpose. The Commission offers the following strategies to begin:

“EXPANDING THE EYES AND EARS NETWORK”

While law enforcement is limited in when and how it can enter a home or workplace to investigate a possible crime, many other types of government officials have regular access to places where people live and work, and where labor trafficking could occur. These officials are well positioned to spot the signs of labor trafficking and serve as first identifiers. With authority to investigate penal code and labor law violations, California’s specialized investigators are best equipped to affirmatively identify potential trafficking situations without need for a referral or complaint and should be on the front line of California’s defense against labor trafficking.

Los Angeles and Alameda offer two examples for expanding the ranks of those capable of identifying labor trafficking.

In Los Angeles, specialized prosecutors within the City Attorney’s Office and their partners within the regional human trafficking task force refer to this approach as “expanding the eyes and ears network.” They train regulators and code inspectors to properly recognize the signs of labor trafficking, and they partner with community organizations and businesses to distribute human trafficking hotline information that links callers to service providers.

The Alameda County United Against Human

Trafficking Labor Task Force conducts similar education and outreach about worker exploitation and labor trafficking to communities and workers, including those in jobs where intersection with a trafficked person would be likely. District Attorney Nancy O’Malley told Commissioners the task force has worked with hospital workers, social service workers, transit workers, as well as code enforcement officers, animal control officers, and environmental health inspectors. “All of whom have access to places law enforcement may not,” she noted.²⁸

California should replicate this model and expand its network of eyes and ears among government officials. Many state and local officials could encounter labor trafficking in the course of their work and should be included in the network. Examples include:

- Specialized investigators looking for employment tax violations who could encounter evidence of labor exploitation, such as a lack of earning statements for employees or evidence of withholding wages, that together signal the potential for more serious abuses.
- Inspectors responsible for licensing health care facilities, who may notice that workers keep their own personal belongings in patients’ rooms or sleep in the facility.
- Local environmental health inspectors who might notice sleeping or living areas in the back portion of a business or locked doors that seem out of place.
- Agricultural outreach workers who may learn laborers from a particular farm are consistently brought to and from the field by their employer, who also dictates where they live.
- Housing inspectors who might notice that a subcontractor’s team appears to sleep in unfinished homes.
- Officials operating refugee benefits programs or

those who provide legal services to immigrant communities do not yet screen for labor trafficking, but may already serve survivors of the crime.

CREATE LABOR TRAFFICKING TRAINING FOR FIRST IDENTIFIERS

California's network of first responders will need proper training to serve as a frontline defense in the state's fight against labor trafficking. Existing anti-trafficking curricula for public officials still largely conflate human trafficking with sex trafficking. Updating this curriculum to incorporate realistic examples of labor trafficking scenarios and more accurately encompass all forms of human trafficking abuses would be a good first step. However, experts suggest those state and local regulators who encounter potential or actual trafficking victims must have specific training to properly recognize signs of labor trafficking and report their findings to specially trained law enforcement officials for investigation.²⁹

Standardized training materials do not yet exist, but several organizations have developed toolkits to help workers in certain professions recognize the signs of abuse. For example, HEAL Trafficking identified the essential training for health care providers to be able to identify, assess, and respond to encounters with trafficking survivors.³⁰ HEAL also put together an assessment tool for health care providers to determine if their human trafficking training and education programs are comprehensive and trauma informed.³¹ The Vera Institute of Justice created a validated screening tool for social service providers and law enforcement to use when encountering someone who may be a trafficking victim.³² Other assessment tools designed to help investigators evaluate potential trafficking situations could also be used as training tools to explain what the various components of trafficking look like. One such tool is the Polaris Project's comprehensive human trafficking assessment, which includes questions

specific to domestic servitude, agricultural labor trafficking, trafficking among sales crews, and trafficking within the service industry at hotels, restaurants, and resorts.³³

Leaders in Washington and Minnesota have taken steps to develop specific training tools.

The Washington State Task Force Against the Trafficking of Persons identified several statewide goals in a 2018 strategic planning session, including developing a better response to labor trafficking. Though state officials appear to be in the process of developing strategies, recommendations included developing industry-specific training on both sex and labor trafficking.³⁴

Minnesota state health department officials partnered with a Minneapolis-based non-profit, Advocates for Human Rights, to develop protocol guidelines for a broad audience of state and local governments, service providers, community organizations and others, to identify and respond to child labor trafficking. The guidelines include both a universal protocol, what everyone needs to know when working with labor trafficking victims and high-risk populations, as well as sector-specific protocols for law enforcement, prosecutors, health care, victim advocates, the child welfare system and other sectors that regularly interact with victims or potential victims of labor trafficking.

At a minimum, Minnesota's guidelines suggest everyone who works in agencies or organizations that potentially interact with labor trafficking victims should receive basic training on how to identify the crime and how to refer victims to available services. It recommends additional training for direct service providers on the potential criminal and civil remedies, immigration relief, and best practices for interacting with victims. The guidelines recommend training should be provided regularly to both new and veteran staff, especially if workers do not regularly encounter labor trafficking cases.³⁵

“Increasing understanding and awareness about labor trafficking could help identify potential cases and develop new, collective strategies to combat labor trafficking,” officials from the Department of Industrial Relations told Commissioners. “We would recommend providing training on labor trafficking to other state agencies that have a role in interacting with workers that may be potential victims of labor trafficking.”³⁶

Like Washington and Minnesota, leaders in the Administration, ideally through the California Anti-Human Trafficking Council, should evaluate the existing toolkits and guidelines to develop training materials for California’s first responders to learn how to identify labor trafficking in the various sectors in which the crime is likely to occur. This training should be promoted broadly and conducted regularly for both employees who may frequently interact with victims or high-risk individuals and those who work in high-risk industries.

CREATE LABOR TRAFFICKING REPORTING PROTOCOLS FOR FIRST IDENTIFIERS

California’s network of first responders also will need tools to know what to do – and what not to do – when they encounter potential labor trafficking victims.

Labor trafficking victims endure great mental and physical abuse. Research shows survivors suffer from post-traumatic stress disorder, anxiety, depression, psychosis, suicidal ideation and attempts, fear, and difficulty forming trusting relationships as a result of their victimization.³⁷ Some fear the government for various reasons, including worry over their immigration status or simply because their trafficker told them they would be incarcerated as a control tactic.³⁸

Minnesota’s guidelines recognize that no single organization or entity can respond comprehensively to a labor trafficking victim’s complex needs – that individuals capable of responding to labor trafficking

may lack connections to vulnerable communities, and organizations based in those communities may not have capacity to address labor trafficking. This model suggests that first identifiers should be given guidelines to elevate situations to authorities capable of investigating cases through a trauma-informed lens, rather than trained to respond immediately themselves.³⁹

California currently lacks protocols to screen for labor trafficking and report it. For example, social service providers who work with refugees do not currently have tools – or a mandate – to screen for trafficking.⁴⁰ Employment tax investigators do not have a tool to assess cases and determine if trafficking is involved.⁴¹ Investigators probing tax evasion or fraud – crimes which could be components of labor trafficking – do not have a tool to assess cases for trafficking.⁴²

California needs better tools to screen for trafficking and procedures for how to report it if found. The California Anti-Human Trafficking Council should work with experts to identify evidence-based screening tools and strong procedures for reporting cases.

LEVERAGE DATA TO SYSTEMATICALLY DETECT LABOR TRAFFICKING

Instead of waiting for victims to come forward, California should promote systemic detection of labor trafficking. But because labor trafficking can and does occur in so many different industries and forms, looking for it without a strategy could be like searching for a needle in a haystack. We must use data and technology to narrow the focus and empower investigators.

The U.S. Department of Labor produces several datasets that could be useful. The OSHA Enforcement Data Set consists of inspection case details for thousands of OSHA inspections, including the resulting citations and penalty assessments.⁴⁷ The Wage and Hour Compliance Action Data Set contains

Using Data to Detect Labor Trafficking: Lessons From the Field



GEOGRAPHIC INFORMATION SYSTEMS

The Buffett-McCain Institute Initiative to Combat Modern Slavery demonstrates how analyzing employment and other data through Geographic Information System (GIS) technology can create powerful tools to home in on potential trafficking hot spots. Because agricultural work often occurs in remote, isolated locations and trafficking is a hidden problem particularly among farm laborers,⁴³ the project focused investigation on the state's agricultural fields.⁴⁴ Using publicly available data, researchers zeroed in on those parts of Texas that had the largest concentration of farmworkers and the areas where labor exploitation was already occurring. Overlaid with data about the state's anti-trafficking resources, researchers produced a series of heat maps that revealed high-risk areas that should be targeted for interventions.⁴⁵



SMART PHONE BASED APPLICATION

The United Nation University's Centre for Policy Research has brought together industry experts, anti-trafficking advocates and trafficking survivors to discuss the latest data and evidence about human trafficking and consider what it will take to effectively eradicate this crime. In one example, researchers developed a smart phone based application, Apprise, to enable officials who may encounter victims to proactively and consistently screen workers for signs of human trafficking. During screening interviews with frontline responders, workers use the app to listen and respond to questions intended to gauge their situation. Once complete, frontline responders can view a summary of the key indicators of exploitation and the worker's vulnerability rating. A machine learning component to help identify changes in patterns of exploitation, emerging hot spots, and vulnerable groups is forthcoming.⁴⁶

data on wage and hour violations and whether civil penalties were assessed.⁴⁸ Similarly, the Office of Foreign Labor Certification produces quarterly reports on guest worker visas granted through the H-2A (temporary agricultural worker) and H-2B (skilled and unskilled temporary or seasonal work) visa programs.⁴⁹ Because migrant and seasonal workers are known to be vulnerable to labor trafficking,⁵⁰ this data could be used to explore what employers and industries in California bring in

temporary workers and cross-referenced with wage and hour inspection data to determine if there are certain industries or employers that are frequent violators.

State data should also be used. The Employment Development Department collects data on California industries, occupations, and wages that could identify potential trafficking vulnerabilities.⁵¹ For example, unemployment claims analyzed by industry or region

could point to populations of workers vulnerable to wage theft or accepting work for low pay or in bad conditions.

This information could be compiled to create threat assessments for state and local communities to better understand the economic profile of their jurisdictions and identify industries vulnerable to labor trafficking.⁵² It also could be used to identify top industries or jobs vulnerable to trafficking, and direct training and inspection resources accordingly. The data also could be used to develop regional industry profiles to describe the laws that govern the largest industries in the region; discuss how businesses in each industry should work, including how contractors and subcontractors get paid; describe common violations; and explain what exploitation looks like in each industry. Erin Albright, a former fellow with the U.S. Department of Justice Office for Victims of Crime, suggested such profiles could be used to help inspectors, law enforcement, and businesses understand if labor law violations or other exploitative activity was occurring. Decisions could then be prioritized about where to direct inspections.⁵³

“...because labor trafficking can and does occur in so many different industries and forms, looking for it without a strategy could be like searching for a needle in a haystack.”

When available, information from labor trafficking survivors also can be culled to provide insight into the economics of trafficking in specific regions. The Coalition to Abolish Slavery and Trafficking recently hired an economic consulting firm to analyze data from case files the organization collected over a decade while assisting labor trafficking survivors

in Los Angeles County.⁵⁴ The analysis revealed demographic data about the victims, such as gender, age, and country of origin. It also exposed the industries most prone to trafficking, how victims were recruited and the forms of force, fraud, and/or coercion traffickers used to exploit their workers.

When combined with data analytic tools, including Geographic Information Systems (GIS) and Artificial Intelligence, these data sets can flag anomalies and help spot places or industries at risk of trafficking.

Relevant labor and employment data should be made available so researchers, ideally in partnership with the California Anti-Human Trafficking Council, can apply it to the fight against trafficking. The state should also incentivize victim service providers to collect relevant data from survivors so investigators, law enforcement, and victim advocates can understand the characteristics that lead to trafficking and how to prevent future workers from falling victim. Leveraging this data, the state should promote development of innovative analytical tools capable of trafficking hot spots and vulnerable populations.

EXTEND EXISTING STATUTORY PROTECTIONS

Existing efforts to prevent and combat child sex trafficking provide a strong foundation upon which to include provisions against all forms of child trafficking. Lawmakers have enacted various provisions to strengthen and expand protections for child victims of this crime:

- The Welfare and Institutions Code contains the specifics of the Commercially Sexually Exploited Children Program (CSEC), which funds county prevention and intervention services to children who are, or are at risk of becoming, victims of sex trafficking. The law directs child welfare agencies and probation departments to implement policies and procedures aimed specifically at identifying

and supporting child sex trafficking victims.⁵⁵

- The Penal Code directs the Commission on Peace Officer Standards and Training to inform and train officers on sex trafficking, covering the impact it has upon children, strategies to identify victims, mandatory reporting requirements, and appropriate interview and intervention techniques to use with child sex trafficking victims.⁵⁶
- The Civil Code details the enhanced monetary penalties imposed on those found guilty of sex trafficking involving minors; courts can triple fines on sex traffickers and place the funds in a trust for the victim, which is to be used exclusively for their benefit and well-being.⁵⁷

While California legislation has thus far focused primarily on child sex trafficking, the idea of equally fighting child labor trafficking is not new. Previous proposals have sought to include provisions to protect, find, and combat child labor trafficking alongside child sex trafficking, yet these references were removed. For example, legislation enacted in 2017 to require training for county workers to recognize sex trafficking and to provide educational activities to children at risk of sex trafficking initially proposed renaming and broadening the CSEC program to include funding and prevention efforts for all trafficked children.⁵⁸ Similarly, legislation enacted in 2019 to require counties to include information on caring for child victims of sex trafficking in their mandatory trainings for caregivers and new foster families initially required that foster families receive education on both sex and labor trafficking.⁵⁹

Other bill proposals have inclusively defined child victims so that all forms of trafficking applied. Legislation in 2013 sought cultural and sensitivity training requirements for caregivers of child trafficking victims and proposed requiring the Health and Human Services Agency to convene an interagency workgroup to enact the State Plan to Serve and Protect Sexually Exploited and

Trafficked Minors to serve victims of both sex and labor trafficking.⁶⁰ A current proposal seeks similar protections for child trafficking victims. It proposes renaming the CSEC program the Human Trafficked Children Program, reflecting the inclusion of labor trafficking, and seeks to expand the definition of child abuse to include child victims of labor trafficking, thereby matching the update provided in 2014 for child victims of sex trafficking.⁶¹

CONDUCT EDUCATION AND OUTREACH IN HIGH-RISK COMMUNITIES

Broadly increasing public awareness of labor trafficking may help improve both victim identification and crime prevention, experts told the Commission. “Government agencies cannot alone detect, report and investigate labor trafficking [and many] trafficking individuals do not realize their enslavement,” District Attorney Nancy O’Malley told Commissioners. “We need the general public to be educated, aware of the signs of trafficking and have a place for reports to be made,” O’Malley said. Options for increasing awareness of labor trafficking include general public education campaigns, training for employees in businesses or industries who may interact with trafficking victims, and direct outreach to workers in high-risk communities and industries.

General Public Education. California law already requires some public outreach around human trafficking. Businesses, transit hubs, emergency rooms, farm labor contractors, and other locations that are the most likely sites of sex and labor trafficking are required to post notices publicizing human trafficking resources, including the national hotline. Failure to comply with posting requirements may result in a fine for each offense.⁶²

Some jurisdictions have amplified efforts to ensure compliance. For example, Alameda County created a web-based app, “MAP1193,” that includes a database of businesses that fall under posting requirements of the law so that individuals can report compliance or

non-compliance when they move about the county.⁶³

**“Government agencies cannot alone detect, report and investigate labor trafficking ... We need the general public to be educated, aware of the signs of trafficking and have a place for reports to be made.”
- Alameda County District Attorney Nancy O’Malley**

In addition to required notices, general public awareness campaigns also can help bring attention to human trafficking. However, with some notable exceptions, labor trafficking is often neglected in these campaigns. To combat all forms of human trafficking, public awareness campaigns must include realistic depictions of labor trafficking victims and industries. One example: Ahead of the 2016 Super Bowl in Santa Clara, a multi-county coalition formed No Traffick Ahead to raise broad community awareness of all forms of trafficking occurring in the nine counties across the Bay Area.⁶⁴ The campaign put a spotlight on labor trafficking in various forms and included posters or billboards with images of rubber gloves that questioned, “Could these be shackles? Ask your janitor,” images of nail polish that questioned, “What color complements exploitation? Ask your manicurist,” or images of a wine glass that questioned, “Which wine pairs best with enslavement? Ask your bus boy.”⁶⁵

California should promote efforts to alert the public to the existence of human trafficking in various sectors and industries and incentivize compliance activities that engage the public in enforcement. Public education campaigns should be inclusive of all forms of trafficking and studied to understand

what messages result in improved awareness and increased reporting.

Employee Training in Targeted Industries.

Another public awareness strategy involves training employees in organizations who interact directly with workers, especially those in industries where trafficking is most likely to occur. Data from the National Human Trafficking Hotline suggests industries most at risk for labor trafficking include domestic work, traveling sales crews, peddling or begging rings, agriculture, food service, beauty service, retail, and construction.⁶⁶

In Texas, the state’s Alcoholic Beverage Commission launched a project to train employees of alcohol distributors to recognize common warning signs of human trafficking in the state’s more than 52,000 licensed bars, restaurants, and liquor stores.⁶⁷ Since 2017, the commission, which licenses alcohol retailers, has revoked 21 liquor licenses due to human trafficking-related charges.⁶⁸

California law already requires some industries – specifically hotels and motels⁶⁹ and mass transit centers⁷⁰ – to conduct human trafficking awareness training for employees. However, these requirements do not extend to other businesses likely to encounter those vulnerable to trafficking, including businesses licensed to sell alcohol, airports, emergency rooms or urgent care centers, farm labor contractors, privately operated job recruitment centers, or massage businesses. Human trafficking training requirements for school district personnel currently include prevention education related to child sexual abuse and trafficking but are silent on children whose labor is exploited.⁷¹

Victim service providers who already work with the Governor’s Office of Emergency Services to help trafficking victims report a need for more training to increase the ranks of those capable of identifying labor trafficking.⁷² California should begin by revising existing human trafficking training requirements

to encompass both sex and labor trafficking. The state also should expand training requirements to encompass businesses in industries where labor trafficking is known to exist so that employees most likely to encounter victims know how to identify the signs and report suspicious activities. Prevalence data should be examined regularly, ideally by teams within the California Anti-Human Trafficking Council, to track trends and target additional industries for training if necessary.

Direct Worker Outreach. Trafficking victims often feel trapped by threats, but many also lack knowledge about legal protections available to them, Jean Bruggeman told Commissioners. She said they need to know about worker protections, immigration protections, and available services and community support, but cautioned that poster campaigns are not enough. “A poster full of legal jargon,” she explained, “is not effective. It is more effective to provide know your rights presentations at neutral locations accessible by workers (not at the job site) in the language of the workers, by peers.”⁷³

This sort of targeted outreach to workers in high-risk communities and industries could help identify victims and connect them to services.⁷⁴

Some tools exist to help workers learn about labor trafficking. For example, the Advocates for Human Rights developed a labor trafficking self-assessment card, available in 10 languages, that contains questions workers can answer to evaluate their situation and determine if they need help. The card also publicizes the National Human Trafficking Resource Center’s 24-hour hotline, 888-373-7888, which directs callers to local service organizations.⁷⁵

Beyond providing workers with basic information about trafficking, victim advocates pointed to several worker outreach programs as models for preventing workplace abuse. The Coalition of Immokalee Workers’ Fair Food Program leverages partnerships among farmworkers, Florida tomato growers, and participating buyers to disrupt exploitative agricultural practices and prevent worker abuse in the fields. The program operates with zero tolerance for forced labor and includes training on the farms

The Advocates for Human Rights’ Labor Trafficking Self-Assessment Questions

1. Is someone holding your personal documents for you? (I.D., passport, or papers)
2. Does someone else control the decisions you make about your life? (Where you go; where you live; who you talk to; when you see your family; whether you take breaks at work; whether you work when you are sick or injured; or how you spend your money)
3. Do you owe money to your boss, the person who hired you, or the person who helped you find the job? (Money is taken directly from your pay to cover a debt or for travel; the amount you owe increases; or the amount you owe does not decrease)
4. Are you receiving all your pay? (Not paid at all; not paid on time; not paid as promised; or paid in housing, food, or other things but not money)
5. Are you afraid something bad will happen to you or someone else if you leave your work?⁷⁶

and on company time so that workers understand their rights and responsibilities.⁷⁷ The Buffett-McCain Institute has partnered with the Immokalee Workers to pilot the Fair Food Program in Texas and is building coalitions of local and federal law enforcement, prosecutors, academics, and victim service providers to enhance the state's capacity to respond to human trafficking cases.⁷⁸ Training by outreach workers placed at local food markets to educate agricultural workers about their rights has resulted in reports of labor abuses.⁷⁹

Experts also emphasized the importance of collaboration with culturally sensitive advocacy and service providers who deeply understand vulnerable communities in order to effectively reaching out to high-risk workers. In New York, workers' rights organizations like the Damayan Migrant Workers fill this role. The Damayan Migrant Workers conducts outreach and education to workers in high-risk occupations such as domestic service and other low-wage jobs. The organization meets with Filipino migrant workers in the community to share information about labor rights, immigrants' rights, and services and protections available for those who have survived labor trafficking or suffered other exploitation and abuse.⁸⁰

California workers in high-risk industries and vulnerable communities should be armed with the information they need to identify signs of potential trafficking and access resources. But the Administration cannot, and should not, attempt this work alone. California should borrow from the models of other states to promote outreach to workers by leveraging the expertise of service providers and community-based organizations through the state. Specifically, the Anti-Human Trafficking Council should identify victim service providers and community organizations across the state that are positioned to conduct education and outreach to vulnerable workers and formalize referral mechanisms for follow-up investigation.

Recommendations

1. California should ensure that a broad range of public officials, including inspectors with access to businesses and homes, are capable of detecting labor trafficking and serving as first identifiers.

- Identify both state- and locally-administered programs to determine which are likely to interact with labor trafficking victims or those vulnerable to the crime.
- Evaluate existing toolkits and guidelines to develop standardized human trafficking training materials for California's first responders. Training should address both general and industry specific audiences and include the definition of labor trafficking, common warning signs, and how and when to refer the situation for further investigation and response. Regularly provide training to all public employees who work in agencies or positions that potentially interact with labor trafficking victims.
- Identify evidenced-based tools for first responders to screen for labor trafficking and report suspicious activity. Develop policies, procedures, and protocols to track, record, and report suspicious activity.
- Beginning with existing publicly available data, build a dataset and analytical tools, including GIS, to hotspots in industries, professions, and communities across regions and statewide. To aid in prevention efforts, work with victim service providers to fill gaps in data collection and develop datasets that allow for a more complete analysis of the characteristics of traffickers and victims.

2. California should conduct public education and outreach campaigns to increase awareness of human trafficking.

- Public education campaigns produced with state funding should be inclusive of all forms of trafficking, and studied to understand what messages result in improved awareness and increased reporting.
- Policymakers should revise existing industry-specific human trafficking training requirements to encompass both sex and labor trafficking. Additionally, mandatory human trafficking training should be expanded to employees in industries where labor trafficking is known to exist.
- The state should establish partnerships with victim service providers and community organizations across California that are positioned to conduct education and outreach to vulnerable workers and formalize referral mechanisms for follow-up investigation.

3. California should conduct a study of the effectiveness of the Transparency in Supply Chain Act and develop recommendations for lawmakers to enhance accountability of the law through enforcement or other mechanisms.

4. Lawmakers should update existing laws that address human trafficking of commercially sexually exploited children to expand protections to children who are exploited for other forms of labor.

- Any new programs to combat human trafficking should equally address all forms of trafficking.

GET HELP

If you or someone you know is a victim of human trafficking, the National Human Trafficking Hotline can help. Call toll-free at 1-888-373-7888 or text at 233-733 (Be Free).

Notes

1. Polaris. National Human Trafficking Hotline and BeFree Textline. California Statistics. Accessed at www.humantraffickinghotline.org/state/california.
2. Note: For a discussion of strategies to begin to prevent labor trafficking and other harmful crimes, see Jean Bruggeman, Executive Director, Freedom Network USA. November 21, 2019. Written testimony to the Commission.
3. Anh Truong, Supervising Deputy City Attorney, and Rena Shahandeh, Deputy City Attorney, Office of the Los Angeles City Attorney. November 14, 2019. Written testimony to the Commission.
4. Kim Johnson, Director, California Department of Social Services. July 24, 2020. Written communication to the Commission.
5. Manny Alvarez, Executive Director, and Scott Loggins, Assistant Executive Director, Commission on Peace Officer Standards and Training. August 30, 2019. Personal communication with Commission staff.
6. Commission on Police Officer Standards and Training. POST Multimedia Products. Training Videos: Human Trafficking Identify Respond. Accessed July 14, 2020 at <https://post.ca.gov/POST-Multimedia-Products>.
7. Manny Alvarez, Executive Director, Commission on Peace Officer Standards and Training. July 14, 2020. Personal communication with Commission staff.
8. Gina Buccieri-Harrington, Assistant Director, Grants Management, California Governor's Office of Emergency Services. May 28, 2020. Written testimony to the Commission. Also, California Governor's Office of Emergency Services, California Specialized Training Institute. Terrorism & Criminal Justice Training Program: Human Trafficking Training Program. Accessed July 29, 2020 at <https://www.caloes.ca.gov/cal-oes-divisions/california-specialized-training-institute/training-exercise-programs/terrorism-criminal-justice-training-program>
9. Dominic Forrest, Chief, Labor Enforcement Task Force, Department of Industrial Relations. May 28, 2020. Written testimony to the Commission.
10. Lisa Gunson, Investigation Specialist, Criminal Investigation Bureau, Franchise Tax Board. July 15, 2020. Personal communication with Commission staff. David Montoya, Chief/Acting Deputy Director, Investigation Division, Employment Development Department. July 16, 2020. Personal communication with Commission staff.
11. Employment Development Department. Directive WSD 18-09. Services and Referrals to Victims of Human Trafficking. Accessed July 16, 2020 at https://edd.ca.gov/jobs_and_training/pubs/wsd18-09.pdf.
12. Cornelio Gomez, Group Manager, Foreign Labor and Farmworker Services Group. Employment Development Department. December 18, 2019. Personal communication with Commission staff.
13. Kim Johnson. See endnote 4.
14. Note: For more information, visit U.S. Department of Health and Human Services, Office on Trafficking in Persons. SOAR to Health and Wellness Training, at <https://www.acf.hhs.gov/otip/training/soar-to-health-and-wellness-training>.
15. The Advocates for Human Rights. Labor Trafficking Protocol Guidelines: Identifying and Responding to Victims of Labor Trafficking 24 Years Old and Under.

- Accessed September 9, 2019 at https://www.theadvocatesforhumanrights.org/uploads/labor_trafficking_protocol_guidelines_final.pdf. Also, Colleen Owens, founder and CEO of THE WHY and former Senior Research Associate, Urban Institute. November 21, 2019. Written testimony to the Commission.
16. The Advocates for Human Rights. Labor Trafficking Protocol Guidelines: Identifying and Responding to Victims of Labor Trafficking 24 Years Old and Under. Accessed September 9, 2019 at https://www.theadvocatesforhumanrights.org/uploads/labor_trafficking_protocol_guidelines_final.pdf.
 17. Colleen Owens. See endnote 15.
 18. California Penal Code, Section 236.1.
 19. Anh Truong and Rena Shahandeh. See endnote 3.
 20. Dominic Forrest. See endnote 9. Note: The Labor Enforcement Task Force focuses inspections on wage theft, health and safety issues, and licensing and workers compensation fraud and includes representatives from the Labor and Workforce Development Agency, Employment Development Department, Contractors State License Board, Department of Insurance, Department of Tax and Fee Administration, Bureau of Automotive Repair, Alcoholic Beverage Control, and the State Attorney General and District Attorneys.
 21. Gina Buccieri-Harrington. See endnote 8. Also, SB 74 (Mitchell), Chapter 6, Statutes of 2020.
 22. Chris Caligiuri, Director of Division of Law Enforcement Bureau of Investigations, Department of Justice. August 16, 2019. Personal communication with Commissions staff. Also, 2019-20 State Budget. Department of Justice. <http://www.ebudget.ca.gov/2019-20/pdf/Enacted/GovernorsBudget/0010/0820.pdf>.
 23. SB 855 (Committee on Budget and Fiscal Review), Chapter 29, Statutes of 2014. Also, Enacted Budget 2016-2017. Department of Social Services. Accessed July 14, 2020 at <http://www.ebudget.ca.gov/2016-17/pdf/Enacted/GovernorsBudget/4000/5180.pdf>.
 24. Anh Truong and Rena Shahandeh. See endnote 3. Also, Colleen Owens. See endnote 15.
 25. Colleen Owens. See endnote 15. Also, Nancy O'Malley, District Attorney, Alameda County. October 15, 2019. Personal communication with Commission staff.
 26. SB 657 (Steinberg), Chapter 556, Statutes of 2010.
 27. Kay Buck, Chief Executive Officer, The Coalition to Abolish Slavery and Trafficking. November 21, 2019. Written testimony to the Commission. Also, Human Rights Council. March 21, 2011. Report of the Special Representative of the Secretary General on the issue of human rights and transnational corporations and other business enterprises, John Ruggie. Accessed July 20, 2020 at <https://www.business-humanrights.org/sites/default/files/media/documents/ruggie/ruggie-guiding-principles-21-mar-2011.pdf>.
 28. Nancy O'Malley, District Attorney, Alameda County. November 21, 2019. Written testimony to the Commission.
 29. Jean Bruggeman, Executive Director, Freedom Network USA. November 21, 2019. Written testimony to the Commission.
 30. HEAL Trafficking Education and Training Committee. April 2018. Introductory Training on Human Trafficking for U.S. Health Care Professionals: Essential Content. Accessed July 28, 2020 at <https://healtrafficking.org/wp-content/uploads/2018/04/Essential-Components-for-a-Health-Professional-Trafficking-Training.pdf>.

31. HEAL Trafficking and the Laboratory to Combat Human Trafficking. Health Care Provider Human Trafficking Education Assessment Tool. 2018. Accessed July 28, 2020 at <https://healtrafficking.org/2018/12/assessment-tool-for-health-care-provider-human-trafficking-training/>.
32. The Vera Institute of Justice. June 2014. Screening for Human Trafficking: Guidelines for Administering the Trafficking Victim Identification Tool. Accessed July 28, 2020 at <https://www.vera.org/downloads/publications/human-trafficking-identification-tool-and-user-guidelines.pdf>.
33. Polaris Project, National Human Trafficking Resource Center. Comprehensive Trafficking Assessment. Accessed July 28, 2020 at <https://humantraffickinghotline.org/sites/default/files/Comprehensive%20Trafficking%20Assessment.pdf>.
34. Washington State Task Force Against the Trafficking of Persons. November 13, 2018. Meeting Materials. Accessed December 26, 2019 at <https://deptofcommerce.app.box.com/s/ci1zkrwff8h88i9jf6i2988m74h90bco/folder/54976966652>.
35. The Advocates for Human Rights. See endnote 15.
36. Dominic Forrest. See endnote 9.
37. Colleen Owens. See endnote 15.
38. Nancy O'Malley. See endnote 25.
39. The Advocates for Human Rights. See endnote 15.
40. Kim Johnson. See endnote 4.
41. David Montoya, Chief of Policy, Accountability, and Compliance, and Acting Deputy Director, Investigation Division, Employment Development Department. July 16, 2020. Personal communication with Commission staff.
42. Lisa Gunson, Investigation Specialist, Criminal Investigation Bureau, Franchise Tax Board. July 15, 2020. Personal communication to Commission staff.
43. Kelle Barrick, Research Criminologist, Center for Justice, Safety and Resilience, RTI International, et al. Labor Trafficking Victimization Among Farmworkers in North Carolina: Role of Demographic Characteristics and Acculturation. *International Journal of Rural Criminology*, Volume 2, Issue 2, June 2014. Accessed July 31, 2020 at https://kb.osu.edu/bitstream/handle/1811/61593/IJRC_Barrick_vol2-issue2_pp225-243.pdf?sequence=1.
44. McCain Institute and The Howard G. Buffett Foundation. Agricultural Labor Data. Accessed July 31, 2020 at <https://labordata.mccaininstitute.org/#/>.
45. Sarah Southey, Program Assistant, Buffett-McCain Institute Initiative to Combat Modern Slavery. June 19, 2019. Mapping Agricultural Labour Trafficking in Texas. Accessed July 31, 2020 at <https://delta87.org/2019/06/mapping-agricultural-labour-trafficking-texas/>.
46. Dr. Hannah Thinyane, Principal Research Fellow, and Francisca Sassetti, Research Assistant, United Nations University Institute in Macau. February 19, 2020. Strengthening Evidence to Tackle Labour Exploitation and Human Trafficking. Accessed July 31, 2020 at <https://delta87.org/2020/02/strengthening-evidence-tackle-labour-exploitation-human-trafficking/>.
47. U.S. Department of Labor. Data Enforcement. OSHA Enforcement Data. Accessed July 30, 2020 at https://enforcedata.dol.gov/views/data_summary.php.

48. U.S. Department of Labor. Data Enforcement. Wage and Hour Compliance Action Data. Accessed July 30, 2020 at https://enforcedata.dol.gov/views/data_summary.php.
49. U.S. Department of Labor. Employment and Training Administration. OFLC Performance Data. Accessed July 30, 2020 at https://www.foreignlaborcert.doleta.gov/performance_data.cfm#dis.
50. Jean Bruggeman. See endnote 29.
51. California Employment Development Department. Data Library. Accessed July 31, 2020 at <https://data.edd.ca.gov/>.
52. Colleen Owens. See endnote 15.
53. Erin Albright, former fellow, U.S. Department of Justice Office for Victims of Crime. October 31, 2019. Personal communication with Commission staff.
54. Philip Gnaedig, Coalition to Abolish Slavery and Trafficking. Barbara Kaleff and Elizabeth Newlon, NERA Economic Consulting. November 5, 2019. Labor Trafficking Cases 2008-2018: Data Analysis Report.
55. California Welfare and Institutions Code, Section 16524.6 and 16501.35. Also, Kay Buck. See endnote 27.
56. California Penal Code, Section 13516.5.
57. California Civil Code, Section 3345.1. Also, AB 2105 (Maienschein), Chapter 166, Statutes of 2018.
58. AB 1227 (Bonta), Chapter 558, Statutes of 2017. Version 2/17/17 – Introduced. Also, Assembly Human Services Committee Analysis. March 31, 2017. Also, Assembly Education Committee Analysis. April 25, 2017. Accessed August 26, 2020 at http://leginfo.legislature.ca.gov/faces/billTextClient.xhtml?bill_id=201720180AB1227.
59. AB 865 (Reyes), Chapter 810, Statutes of 2019.
60. SB 738 (Yee), 2013.
61. Coalition to Abolish Slavery & Trafficking. Fact Sheet: AB 1985. “Child Labor Trafficking and Child Welfare.” On file.
62. SB 1193 (Steinberg), Chapter 515, Statutes of 2012.
63. Nancy O’Malley. See endnote 28.
64. South Bay Coalition to End Human Trafficking. No Traffick Ahead. Accessed July 28, 2020 at <https://southbayendtrafficking.org/nta/>.
65. KQED. February 1, 2016. “Super Bowl Week Puts Spotlight on Human Trafficking.” Accessed July 28, 2020 at <https://www.kqed.org/news/10850616/super-bowl-week-puts-spotlight-on-increased-human-trafficking>.
66. Polaris. National Human Trafficking Hotline and BeFree Textline. California Statistics. Accessed at www.humantraffickinghotline.org/state/California.
67. Karen Robinson-Jacobs. February 8, 2018. The Dallas Morning News. “TABC taps alcohol distributors to help fight human trafficking at bars, restaurants, liquor stores.” Accessed July 20, 2020 at <https://www.dallasnews.com/business/local-companies/2018/02/08/tabc-taps-alcohol-distributors-to-help-fight-human-trafficking-at-bars-restaurants-liquor-stores/>.
68. Texas Alcoholic Beverage Commission. January 14, 2020. Press Release: TABC is on Front Lines of Combating Human Trafficking in Texas. Accessed July 20, 2020 at https://www.tabc.state.tx.us/home/press_releases/2020/20200114.asp.

69. SB 970 (Atkins), Chapter 842, Statutes of 2018.
70. AB 2034 (Kalra), Chapter 812, Statutes of 2018.
71. AB 1227 (Bonta), Chapter 558, Statutes of 2017.
72. Gina Buccieri-Harrington. See endnote 8.
73. Jean Bruggeman. See endnote 29.
74. Jamie Beck, President and Managing Attorney of Free to Thrive. November 21, 2019. Written testimony to the Commission.
75. The Advocates for Human Rights. Labor Trafficking Self-Assessment Card. Accessed July 21, 2020 at https://www.theadvocatesforhumanrights.org/labor_trafficking_self-assessment_card.html.
76. The Advocates for Human Rights. See endnote 75.
77. Coalition of Immokalee Workers. Fair Food Program. Accessed July 28, 2020 at <http://ciw-online.org/fair-food-program/>.
78. McCain Institute, Arizona State University. The Buffett-McCain Institute Initiative to Combat Modern Slavery. Accessed July 28, 2020 at <https://www.mccaininstitute.org/buffett-mccain-institute-initiative-combat-modern-slavery/>.
79. Jean Bruggeman. See endnote 29.
80. Jean Bruggeman. See endnote 29. Also, Damayan Migrant Workers Association. Baklas Campaign: End Labor Trafficking and Modern Day Slavery. Accessed July 28, 2020 at <https://www.damayanmigrants.org/baklas>.

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■ Little Hoover Commission Members

CHAIRMAN PEDRO NAVA | Santa Barbara

Appointed to the Commission by Speaker of the Assembly John Pérez in April 2013 and reappointed by Speaker of the Assembly Anthony Rendon in 2017. Government relations advisor. Former State Assemblymember from 2004 to 2010, civil litigator, deputy district attorney and member of the state Coastal Commission. Elected chair of the Commission in March 2014.

VICE CHAIRMAN SEAN VARNER | Riverside

Appointed to the Commission by Governor Edmund G. Brown Jr. in April 2016 and reappointed in January 2018. Managing partner at Varner & Brandt LLP where he practices as a transactional attorney focusing on mergers and acquisitions, finance, real estate, and general counsel work. Elected vice chair of the Commission in March 2017.

DION ARONER | Berkeley

Appointed to the Commission by the Senate Rules Committee in April 2019. Partner for Aroner, Jewel, and Ellis. Former State Assemblymember from 1996 to 2002, chief of staff for Assemblymember Tom Bates, social worker for Alameda County, and the first female president of Service Employees International Union 535.

DAVID BEIER | San Francisco

Appointed to the Commission by Governor Edmund G. Brown Jr. in June 2014 and reappointed in January 2018. Managing director of Bay City Capital. Former senior officer of Genentech and Amgen, and counsel to the U.S. House of Representatives Committee on the Judiciary.

CYNTHIA BUIZA | Los Angeles

Appointed to the Commission by Speaker of the Assembly Anthony Rendon in October 2018. Executive director of the California Immigrant Policy Center. Former policy director for the American Civil Liberties Union, San Diego, and policy and advocacy director at the Coalition for Humane Immigrant Rights of Los Angeles.

BILL EMMERSON | Redlands

Appointed to the Commission by Governor Edmund G. Brown Jr. in December 2018. Former senior vice president of state relations and advocacy at the California Hospital Association, State Senator from 2010 to 2013, State Assemblymember from 2004 to 2010, and orthodontist.

ASM. CHAD MAYES | Yucca Valley

Appointed to the Commission by Speaker of the Assembly Toni Atkins in September 2015. Elected in November 2014 to represent the 42nd Assembly District. Represents Beaumont, Hemet, La Quinta, Palm Desert, Palm Springs, San Jacinto, Twentynine Palms, Yucaipa, Yucca Valley, and surrounding areas.

SEN. JIM NIELSEN | Gerber

Appointed to the Commission by the Senate Rules Committee in March 2019. Elected in January 2013 to represent the 4th Senate District. Represents Chico, Oroville, Paradise, Red Bluff, Yuba City, and surrounding areas.

ASM. BILL QUIRK | Hayward

Appointed to the Commission by Speaker of the Assembly Anthony Rendon in 2017. Elected in November 2012 to represent the 20th Assembly District. Represents Hayward, Union City, Castro Valley, San Lorenzo, Ashland, Cherryland, Fairview, Sunol, and North Fremont.

SEN. RICHARD ROTH | Riverside

Appointed to the Commission by the Senate Rules Committee in February 2013. Elected in November 2012 to represent the 31st Senate District. Represents Corona, Coronita, Eastvale, El Cerrito, Highgrove, Home Gardens, Jurupa Valley, March Air Reserve Base, Mead Valley, Moreno Valley, Norco, Perris, and Riverside.

CATHY SCHWAMBERGER | Calistoga

Appointed to the Commission by the Senate Rules Committee in April 2018 and reappointed in January 2019. Associate general counsel for State Farm Mutual Automobile Insurance Company. Former board member of the Civil Justice Association of California and the Capital Political Action Committee.

JANNA SIDLEY | Los Angeles

Appointed to the Commission by Governor Edmund G. Brown Jr. in April 2016 and reappointed in February 2020. General counsel at the Port of Los Angeles since 2013. Former deputy city attorney at the Los Angeles City Attorney's Office from 2003 to 2013.

Full biographies are available on the Commission's website at www.lhc.ca.gov.

“DEMOCRACY ITSELF IS A PROCESS OF CHANGE, AND SATISFACTION AND COMPLACENCY ARE ENEMIES OF GOOD GOVERNMENT.”

By Governor Edmund G. “Pat” Brown,
addressing the inaugural meeting of the Little Hoover Commission,
April 24, 1962, Sacramento, California



Milton Marks Commission on California State
Government Organization and Economy

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