



COALITION TO
ABOLISH SLAVERY
& TRAFFICKING

September 28th, 2023

Re: Little Hoover Commission, Report Implementation Status Hearing

Dear Commissioners,

The Coalition to Abolish Slavery and Trafficking (Cast) is a Los Angeles–based nonprofit organization that is working to put an end to human trafficking through comprehensive, life-transforming services to survivors and a platform to advocate for groundbreaking policies and legislation. Over the past two decades, Cast has supported thousands of survivors through every phase of their journey to freedom, providing counseling, legal resources, housing, educational and leadership training and mentorship. Through these programs, Cast has helped empower survivors to overcome their traumatic pasts and become leading voices in shaping policy and public awareness to ultimately put an end to the fastest growing criminal enterprise of the 21st century.

The Commission's reports released in 2020 were part of its study examining California's response to labor trafficking. These reports made several recommendations to enhance California's efforts to combat trafficking, including creating a statewide human trafficking council, training officials to serve as first responders, legislative action, and empowering more state agencies to investigate labor trafficking cases. There has been moderate progress and substantial barriers to progress in these recommendations.

- Cast has sponsored legislative for two consecutive years to establish the California Multi-Disciplinary Alliance to Stop Trafficking. This Act would convene state agencies, survivors, and various human rights organizations to holistically examine human trafficking in our state by utilizing a multidisciplinary and collaborative approach. California MAST would bring critical support to the state in supporting comprehensive services to both labor and sex trafficking survivors, prosecuting traffickers, and ultimately preventing human trafficking through a coordinated, state-wide response. Without a state-wide response we cannot fully examine how policies and practices throughout California impact vulnerable communities and make recommendations to increase access to services and eliminate the continued criminalization of survivors. For two consecutive years Assemblymember Grayson and Cast have advocated for CA MAST alongside many other authors and non-profits. Unfortunately, in both years these bills did not pass out of appropriations.
- There have also been several attempts since the Commission's reports were published to legislatively empower more state agencies to investigate labor trafficking in California. This past year Cast and Assemblymember Rubio sponsored AB 235 which would establish the Labor Trafficking Unit within the Civil Rights Department to receive, investigate, and prosecute complaints alleging labor trafficking and take steps to prevent it. The Unit would also coordinate with the various state departments and follow

protocols to ensure survivors of labor trafficking are not victimized by the process of prosecuting traffickers and are informed of the services available to them. Despite high rates of human trafficking in our state, there is no specific California State entity that is responsible for responding to labor trafficking. Although certain State entities often respond to labor trafficking claims, jurisdictional issues or lack of communication occurs between the various entities and survivors are not protected while they navigate the criminal legal system. Human traffickers purposefully prey on vulnerable communities such as immigrants, undocumented or formerly incarcerated individuals, low-income workers, and people of color. This bill will position the state to take a coordinated approach to the prevention and investigation of labor trafficking while working to protect these survivors from criminalization by informing them of their rights and connecting them to appropriate social and legal services. Unfortunately, this bill also did not pass out of appropriations.

- Since 2019 Cast has advocated for a prevalence study that encompasses both sex and labor trafficking – something that California has never prioritized. Strong prevalence research is critical for the state of California in its fight against human trafficking. Prevalence data would support planning for service providers, government and law enforcement agencies, and community-based organizations, who deliver important prevention, identification, and response services across the state. In addition, comprehensive prevalence research can inform policy making on anti-trafficking at the local, state and federal levels, especially as California is the most populous state in the U.S. Finally, building a sustainable foundation to assess prevalence regularly can help to assess the statewide outcomes of anti-trafficking efforts, including whether human trafficking rates are changing over time. Currently the state is using anecdotal information and statistics from siloed organizations all using different definitions and identification methods to track and measure rates of human trafficking. This is unacceptable. Despite the consistent advocacy from Cast and the Commission, we have not yet been able to secure the necessary funding to move forward with a prevalence study. California cannot address human trafficking until we fully understand the scope of it.
- At this moment there is an impending services funding shortage coming toward California. The federal Victims of Crime Act (VOCA) is the largest funding source for victims services in California and throughout the country. Funded through criminal fines and fees rather than taxpayer funds, every year Congress releases a set amount to the states through a formula grant. California receives the largest share of VOCA funds and relies on these dollars to support over 380 organizations responding to crime survivors' needs. These programs serve victims of child abuse, elder abuse, human trafficking, domestic violence, sexual assault, and more. Organizations that receive VOCA funding provide counseling, housing services, crisis response, and direct legal services, along with a range of other responses to address trauma and support their healing. Deposits to the VOCA fund have not kept pace with the annual releases, and the annual releases have fluctuated and fallen far below the needed levels for several years now. FY 2024 there is an anticipated federal shortfall of \$700 million relative to fiscal year 2023. As a

result, CalOES projects that the amount California receives will drop to \$105-132 million, far below the \$262 million per year it needs to sustain current services. This shortfall would necessitate devastating across-the-board cuts of 30%-40% to all VOCA-funded grants and reducing the number of competitive grants by 50% at their next competitive cycle. If the state does not take action, thousands of survivors of violence in California will be left without access to vital services. Without this funding, nonprofits across the state will be forced to lay off staff, reduce their services, increase their wait times, or even close entirely. Organizations in rural areas and those that serve historically unserved/underserved communities will be the most impacted. Legislative solutions at the federal level are underway, but we do not anticipate that the VOCA fund will fully reach the funding levels that survivors need. California cannot rely on inconsistent federal funding to serve survivors and must maintain level funding through a state investment.

Since the Commissions reports have been published, there is still no prevalence data on labor trafficking in California, no state-wide coordinated anti-trafficking response, and no state agency tasked with investigating and coordinating all cases of labor trafficking. The primary barrier we have faced is the state's unwillingness to allocate funds to increase programs and services for survivors.

Despite inadequate funding from the state, the Commission's labor trafficking reports have contributed to Cast's successful efforts to raise awareness and address labor trafficking, specifically in the realm of training and outreach.

- In 2021 Cast began working with the Department of Consumer and Business Affairs to foster survivor-informed collaboration on the public facing outreach materials and training requirements for the Los Angeles Human Trafficking Ordinance. Alongside our survivor networks, Cast collaborated with the Department of Labor, the City and District Attorney's Office, and Los Angeles County Council when developing our training for county inspectors. In August of 2022 we trained approximately 50 Los Angeles County inspectors on the topic of human trafficking, forced criminality, and trauma-informed identification and outreach methods.
- Effective July 1, 2022 the Department of Fair Employment and Housing turned into the California Civil Rights Department (CRD). Since this change, the CRD has been working with Cast and other agencies that work with survivors of human trafficking to expand its outreach and the public's awareness of how the CRD can be utilized for and by survivors of human trafficking to access justice through civil litigation and civil law enforcement. Cast has been working with the CRD to train their investigators, attorneys and staff on identifying cases of human trafficking, both sex and labor trafficking, as well as understanding and identifying forced criminality as a form of labor trafficking. This is an important step towards implementation of a statewide human trafficking council, but it is one of many more that need to happen. Additional outreach is needed as many survivors and organizations are unaware of the CRD and their work in the realms of human trafficking.

- Cast works with the Los Angeles County Office of Child Protection Training Program on the Human Trafficking of Children. Through this program Cast has teamed up with the LA County Office of Child Protection to provide diverse trainings on Human Trafficking of Children to those throughout California working with minors and transition age youth. Through collaboration with Cast, the training includes specific courses on the labor trafficking of children and understanding forced criminality as a form of labor trafficking.

The Commission's reports have also recommended increased use of civil remedies for labor trafficking survivors. Cast's legal team has always emphasized the full scope of civil remedies available to survivors of human trafficking as we recognize that many survivors are retraumatized by engaging in the process of reporting within the criminal legal system. Cast's Impact Litigation Unit is dedicated to pursuing groundbreaking legal strategies that champion economic and social justice for survivors of human trafficking throughout California. Our team, consisting of skilled attorneys and lived experience experts, will spearhead transformative initiatives to combat trafficking violations within the agricultural sector. Key objectives of the unit include Filing First-of-Their-Kind Lawsuits, Empowering Survivors through workers' rights education and outreach, and Training Legal Professionals on civil remedies. Cast's impact litigation unit is designed to utilize the civil legal system through civil litigation rather than the criminal legal system as a form of justice for survivors and to hold corporate entities engaged in Human Trafficking accountable without further victimizing survivors. While the impact litigation unit is, in its first few years, focused on the agricultural industry, it is being designed to address all industries where human trafficking is occurring.

The need for policy reforms, such as those included in the Commission's reports, has continued to increase in recent years.

- 1 in 5 Cast clients who began services between July of 2022 and June of 2023 experienced labor trafficking.
- Cast saw a 14% increase in clients served within the last 2 years (21-22) compared to the 2 years prior (19-20).
- Cast provides emergency response services to survivors escaping their trafficking situation, who often need immediate support with shelter, food, medical care, and safety planning. In 2023, there has been a 15% increase in emergency responses at Cast, compared to the year prior.
- We currently have 28 individuals on the waitlist for legal services. Our legal services team is critical to our continuum of care for labor trafficking survivors, especially survivors who are eligible for T-visas. We are one of the only human trafficking service providers in the country who can offer in-house legal services.

Many of the issues that the Little Hoover Commission highlighted in their series of reports mirror Cast's experiences as one of the nation's oldest and largest human trafficking service providers. Labor trafficking is a heinous crime that affects individuals of all identities and

backgrounds throughout various industries in California. This requires action on socio-economic inequities, homelessness, racial disparities, gender violence, homophobia, ableism, immigration issues, political instability, environmental crises, & more. It is critical that the state work to meet the recommendations outlined in these reports and more to holistically address labor trafficking.

- Additionally, Cast recommends shifting from utilizing only the number of arrests and or convictions of labor trafficking as a measure of how effective the state is at addressing labor trafficking and instead utilizing the number of survivors accessing services and obtaining legal relief such as AB629 lost income relief, and/or T visa relief and/or civil litigation relief (monetary damages), etc.
- Labor trafficking as a whole is still under identified in California and we recommend a focus on understanding the role of forced criminality, in which survivors are forced to commit crimes by their traffickers, in labor trafficking cases. Traffickers rely on our systems to criminalize survivors. Criminal records create insurmountable barriers for survivors to access safe housing, employment, public benefits, and immigration services. We encourage the state to pursue policies that prevent survivors from being criminalized for forced criminality, including more policies of accountability of law enforcement when survivors are unjustly criminalized.
- Cast encourages the state to address labor trafficking through a human rights framework and a public health approach that is trauma-informed, evidence-based, and most importantly - meaningfully centers a diversity of survivor voices.

Thank you to the Commission for championing labor trafficking advocacy and allowing Cast to provide testimony to the states progress in these areas.

Sincerely,



Leigh LaChapelle.

Associate Director of Survivor Advocacy

Coalition to Abolish Slavery and Trafficking

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