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CITY ATTORNEY

May 26, 2020

Sent via U.S. Mail and Email: littlehoover@lhc.ca.gov

Mr. Pedro Nava, Chairman
Little Hoover Commission
925 L Street, Suite 805
Sacramento, CA 95814

RE: Labor Trafficking Report

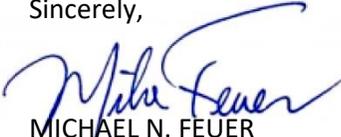
Dear Chairman Nava, Vice Chairman Varner, and members of the Little Hoover Commission ("Commission"):

It was my great pleasure to host the Commission's January 30, 2020 hearing in Los Angeles on labor trafficking. Thank you also for the opportunity to provide introductory remarks at that hearing to highlight some of the important work that my office is undertaking.

As you continue this critical work, and especially during these trying times during the COVID-19 pandemic, I want to share an important report on Labor Trafficking Strategy Development, which my office commissioned. Enclosed is the final report for your review and consideration as you proceed with the next hearing on labor trafficking on May 28, 2020 and in further developing your study.

We look forward to the Commission's findings and recommendations, and please do not hesitate to contact me if my office can be of any further assistance.

Sincerely,



MICHAEL N. FEUER

Los Angeles City Attorney

Office of Los Angeles City Attorney Mike Feuer: Labor Trafficking Strategy Development



Prepared by:

Resource Development Associates

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Office of Los Angeles City Attorney Mike Feuer: Labor Trafficking Strategy Development

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This report was developed by Resource Development Associates under contract with the Office of Los Angeles City Attorney Mike Feuer.

Resource Development Associates, 2020

About Resource Development Associates

Resource Development Associates (RDA) is a consulting firm based in Oakland, California, that serves government and nonprofit organizations throughout California as well as other states. Our mission is to strengthen public and non-profit efforts to promote social and economic justice for vulnerable populations. RDA supports its clients through an integrated approach to planning, grant writing, organizational development, and evaluation.





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Introduction

In February 2019, the Office of Los Angeles City Attorney Mike Feuer contracted Resource Development Associates (RDA) to provide policy and program services to inform and develop an anti-trafficking plan. This work was funded by a settlement between the Office of Los Angeles City Attorney Mike Feuer’s Sex and Labor Trafficking (SALT) Unit and Motel 6 in Sylmar. Since its inception in 2017, the SALT Unit’s multifaceted efforts to combat human trafficking span collaboration and relationship building with community-based service providers, advocates, researchers, and public agencies; education and awareness; program development; litigation; and legislation advocacy and development. In addition, the Unit has recently spearheaded two programs to identify and support sex trafficking victims. These include a pre-filing prostitution diversion program (Project Beacon) and a career and education program (Project Sustain) for diversion program participants.

This report presents a roadmap of anti-trafficking strategies and program recommendations for the Office of Los Angeles City Attorney Mike Feuer and anti-trafficking stakeholders across Los Angeles County and California to strengthen efforts to prevent labor trafficking and enforce anti-trafficking laws. The report focuses on labor trafficking due to a lack of awareness about its prevalence; the limited resources available to investigate and prosecute traffickers; its alarming prevalence in Los Angeles and across the country; and the Los Angeles City Attorney SALT Unit’s demonstrated leadership and expertise in labor trafficking. Due to the critical need to address labor trafficking, this report’s recommendations focus on combating labor trafficking, though many strategies are also applicable to sex trafficking.

To develop this report, RDA conducted a literature review of over 70 government reports, policy documents, and academic research on the detection and prevention of human trafficking and promising strategies to address human trafficking within Los Angeles, California, and the United States. The research team also interviewed 26 local and national anti-trafficking experts and stakeholders who work on anti-trafficking efforts to identify promising approaches and gaps in current anti-trafficking efforts (see Appendix A for a full list of interviewees). The report begins with an overview of human trafficking, its prevalence in California, and the prosecution of labor trafficking cases. It then presents best practices and strategies to combat human trafficking and recommendations for the Office of Los Angeles City Attorney Mike Feuer and Los Angeles County to strengthen and expand existing anti-trafficking efforts.



Human Trafficking Overview

Often described as an invisible epidemic, human trafficking is a fundamental violation of human rights and a form of modern-day slavery. Worldwide, the International Labour Organization estimates that human trafficking is a \$150 billion criminal industry.¹ The United States (U.S.) is a source, transit, and destination country for human trafficking of both United States citizens and foreign nationals.² In 2017, the National Human Trafficking Hotline received reports of 8,759 cases of potential human trafficking that involved a total of 10,615 victims of trafficking, 4,863 potential traffickers, and 1,698 trafficking businesses across the U.S.³ However, current data does not capture the full scope of human trafficking because it only includes *reported* cases. Due to the complexity and dynamics of human trafficking—and lack of resources dedicated towards addressing human trafficking—it is widely agreed this data is significantly underreported.

As one of the most populous and diverse states, California is one of the nation's top destination states for human trafficking. Across the country, more cases of human trafficking were reported from California (15% of all cases) than any other state,⁴ with 8,516 reported cases since 2007.⁵ Los Angeles is especially vulnerable to human trafficking due its nexus of major harbors, airports, and international borders as well as its rich economy. Social, economic, and geographic factors, such as its large informal economy and immigration population, increase the City's vulnerability to human trafficking.

What Is Human Trafficking?

Human trafficking is the use of force, fraud, or coercion with the intention of forced labor and/or sexual exploitation. The Trafficking Victims Protection Act of 2000 (TVPA), as amended (22 U.S. Code § 7102), provides the following definition of human trafficking:

- ❖ **Sex Trafficking:** The recruitment, harboring, transportation, provision, obtaining, patronizing, or soliciting of a person for the purpose of a commercial sex act, in which the commercial sex act is induced by force, fraud, or coercion, or in which the person induced to perform such act has not attained 18 years of age.
- ❖ **Labor Trafficking:** The recruitment, harboring, transportation, provision, or obtaining of a person for labor or services, through the use of force, fraud, or coercion for the purpose of subjection to involuntary servitude, peonage, debt bondage, or slavery.

California defines human trafficking in Penal Code § 236.1 which is similar to the TVPA definition. However, California Penal Code § 236.1 expands the definition of the use of force, fraud, and coercion to also include deceit, violence, duress, menace, threat, and fear. The California penal code's definition of duress includes possession or confiscation of an individual's passport or immigration documentation.



Who Is Most Vulnerable?

Human trafficking is not confined to any demographic or community and takes place everywhere from affluent urban cities to small towns across the country. However, social and economic vulnerabilities place some populations more at risk than others. At-risk populations include, but are not limited to, immigrants, runaway and homeless youth, individuals with physical or cognitive disabilities, LGBTQ+ individuals, individuals who have suffered from other types of abuse and exploitation, and individuals from economically strained and politically unstable communities.^{6,7}

Labor Trafficking Overview

As noted previously, labor trafficking relies upon exploitative practices such as force, fraud, and coercion, which may include psychological manipulation. Labor trafficking typically takes the following forms:

- ❖ **Bonded Labor:** Also known as debt bondage, bonded labor involves employers imposing what they portray as an employment agreement, but one in which the trafficked person starts with a debt to repay. Employers continue to add expenses, making it impossible for individuals who have been trafficked to pay off the debt.
- ❖ **Forced Labor:** Forced labor occurs when individuals are forced to work against their own free will, under the threat of violence, deportation, or some other form of punishment (e.g., threats against family members), with restricted movement and a degree of ownership exerted over the victim.⁸

According to the U.S. Administration for Children and Families, bonded labor is probably the least known form of labor trafficking, yet it is the most commonly used method to exploit people.⁹ Migrant communities and foreign nationals are particularly at-risk to bonded labor due to the legal and travel restrictions they face and the fear of deportation. Undocumented workers are especially vulnerable because they are less likely to report crimes when reporting requires interaction with law enforcement.

Which Industries Are At-Risk for Labor Trafficking?

Labor trafficking is particularly challenging to identify because it exists in both illicit and legal industries. Industries that are dependent on temporary and seasonal workers, especially migrant laborers, are prone to labor exploitation and trafficking. This is also true for unregulated and poorly regulated industries such as agriculture, personal care and domestic work, manufacturing, and industries with a high occurrence of outsourcing like hospitality and service (e.g., restaurants and hotels). Labor trafficking occurs in industries such as:

- ❖ Hospitality
- ❖ Traveling Sales Crew
- ❖ Agriculture
- ❖ Janitorial Services
- ❖ Forced Selling/Cultivation of Drugs
- ❖ Construction
- ❖ Restaurants
- ❖ Domestic Work
- ❖ Child Care
- ❖ Salon Services
- ❖ Care for the Elderly and/or Disabled
- ❖ Manufacturing



How Are Victims Trafficked Into the U.S.?

Victims of labor trafficking include both foreign nationals and U.S. citizens. Foreign nationals who are undocumented or documented have particular vulnerabilities. Reported cases show that traffickers leverage and use temporary work visas to recruit foreign nationals and legally bring them into the U.S., often charging workers exorbitant fees for visas. Most temporary work visas are tied to an employer; therefore, workers cannot leave their jobs without risking deportation and also fear being unable to pay off their visa debt. The threat of deportation may be used by traffickers to control victims and can also create a deterrent effect for victims to report crimes to law enforcement.

International human trafficking is often a process involving multiple stages and various types of criminal accomplices.¹⁰ To combat human trafficking, it is important to understand the structure of labor trafficking and its breadth. Reflective of a business model, human trafficking networks require financial enterprises and different levels of management and workers to place and maintain a victim in exploitative situations. The Enterprise Model is comprised of the following three stages:

- ❖ **Stage 1: Recruitment**—Traffickers recruit victims and take a number of steps including visa processing (or document forgery) and transportation.
- ❖ **Stage 2: Transportation and Conditioning**—As soon as victims leave their home countries, traffickers create conditions that make victims psychologically dependent on traffickers and/or their networks throughout the transportation.
- ❖ **Step 3: Work**—To harbor trafficked individuals, traffickers often isolate, confine, and monitor their movements, communications, and interactions with others. In every stage, traffickers employ an array of tactics to keep their victims in line, including physical force, threats of deportation, threats to the victims and/or their family and friends, and/or different forms of psychological pressure.

Prosecuting Labor Trafficking Cases

Due to the difficulty in identifying labor trafficking cases—and a lack of dedicated resources to addressing labor trafficking—a small number of labor trafficking cases are prosecuted across the country. In 2018, only 35 of the 680 active criminal human trafficking cases (5%) in federal court were for labor trafficking.¹¹ Though there were substantially fewer active civil suits from human trafficking than criminal prosecutions in federal court (91 cases compared to 680 cases) in 2018, the majority of civil suits (80 cases, 88%) were for labor trafficking.¹²

An array of local, state, and federal agencies have jurisdiction to pursue criminal, civil, and administrative remedies to hold traffickers accountable. The prosecution process is dependent on the remedy being pursued. Criminal prosecutions are typically managed by a collaboration of law enforcement agencies at the local, state, federal, and tribal level. In addition to criminal charges, labor traffickers can face civil and administrative investigations due to violations of civil protections and/or employment laws, as well as civil lawsuits for financial restitution for lost compensation and other related damages. Agencies outside of



law enforcement that are involved in these processes include departments in California that regulate labor, workplace safety, business taxation, fair housing, and employment. Criminal, administrative, and civil penalties can be concurrently pursued to hold traffickers accountable and compensate victims.

Criminal Penalties. Laws and statutes at the federal and state level establish human trafficking as a crime.¹³ The criminal prosecution of labor trafficking cases is challenging for a myriad of reasons, particularly regarding corroboration of force or coercion to substantiate a human trafficking charge.¹⁴ As such, law enforcement and prosecutors must consider numerous factors when pursuing cases, including available evidence for other criminal charges such as money laundering, criminal labor violations, fraud, or assault, if evidence is not strong enough for a trafficking case.¹⁵ Specialized techniques and knowledge are needed to investigate and prosecute labor trafficking cases.¹⁶ Agencies that can pursue criminal prosecutions include offices of the local District Attorney, state Attorney General, and the U.S. Attorney.

Civil & Administrative Remedies. In 2003, Congress passed the Trafficking Victims Protection Reauthorization Act,¹⁷ which allows victims to recover civil damages caused from trafficking through civil and administrative remedies. In California, Civil Code § 52.5 allows for civil actions for trafficking victims and, in 2010 and 2012, the California legislature in Senate Bill (SB) 677 and Assembly Bill (AB) 2212 strengthened civil nuisance abatement statutes to include human trafficking. In 2016, AB 1684 granted the California Department of Fair Employment and Housing the power to investigate, mediate, and prosecute human trafficking complaints and bring civil actions for victims of human trafficking, with damages awarded to the victim.

Violations of employment laws, such as wage and hour standards, occupational health and safety standards, and protections from discrimination and retaliation, can also be used to file civil and administrative lawsuits against traffickers. Such litigation is crucial to the protection of victims as it can help them recover financial compensation for the pain and suffering they endured. Agencies that can pursue civil and administrative remedies include offices of local City Attorneys, state agencies dedicated to enforcing civil rights and labor laws (e.g., California Department of Fair Housing and Employment, California Labor Commission), the U.S. Department of Labor, and the Equal Employment Opportunity Commission.

California Labor Trafficking Cases

These cases from 2019 highlight the range of industries within which labor trafficking takes place:

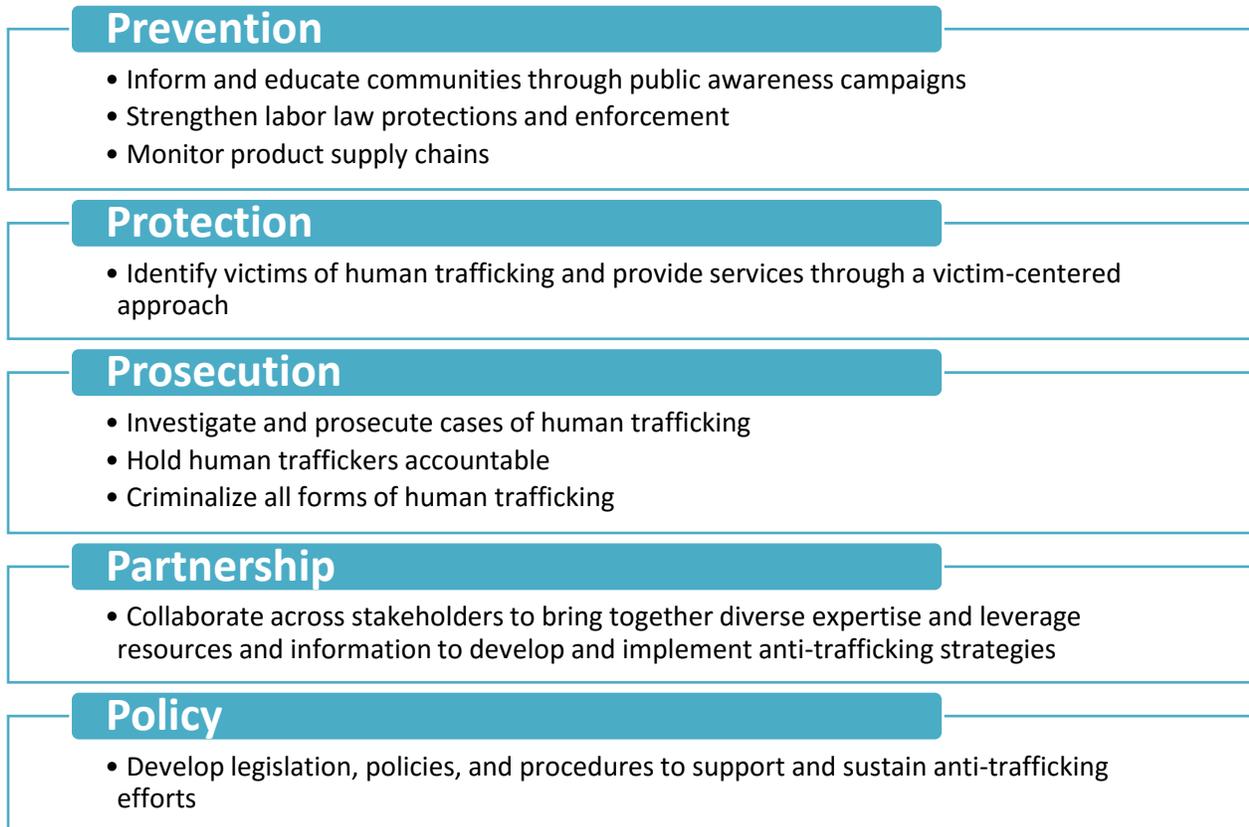
- ❖ In Fresno, an individual was convicted for labor trafficking of farm workers whose immigration documents were confiscated as they worked to pay off “debts” for housing and transportation.¹⁸
- ❖ In Southern California, leaders of a church ministry were indicted for coercing homeless individuals into panhandling to fundraise for the church and restricting victims’ movements.¹⁹
- ❖ In Stockton, a couple was convicted for the labor trafficking of domestic workers who were forced to work 18 hours a day in their home without pay.²⁰
- ❖ In Northern California, a construction company owner was convicted for recruiting workers from Mexico to whom he withheld pay and threatened with violence for going to authorities.²¹



Five “Ps” Framework

The Five Ps is the fundamental framework used by the U.S. Department of Justice, State Department, and many agencies across the world to fight human trafficking. Each of the five Ps—Prevention, Protection, Prosecution, Partnership, and Policy—includes an array of strategies and activities (see Figure 1) that can be designed and implemented by grassroots organizers, service providers, public agencies, law enforcement, advocates, non-governmental organizations, and policy makers.

Figure 1. Five Ps Framework²²





Anti-Trafficking Best Practices

Addressing labor trafficking requires a cross-sector, coordinated, and holistic approach that can be built on best practices from other fields. The following table provides an overview of best practices to strengthen anti-trafficking work.

Table 1. Anti-Trafficking Best Practices

<p>Trauma-Informed Approach</p>	<p>A trauma-informed approach considers how trauma manifests physically, socially, and emotionally and impacts victims’ response to services and the criminal justice process. Implementing law enforcement and service delivery responses and processes that incorporate a trauma-informed lens ensures victims’ well-being, strengthens case results, and acknowledges the vicarious trauma professionals may experience.</p>
<p>Victim-Centered Approach</p>	<p>A victim-centered approach centralizes victim needs and concerns in a compassionate manner. Adopting a victim-centered approach supports victims’ dignity and self-determination and gains their trust and cooperation. It seeks to minimize the re-traumatization associated with the criminal justice process by providing victims a continuity of services and prioritizes victims’ wishes, safety, well-being, and role in seeking justice.²³</p>
<p>Survivor-Informed Practices</p>	<p>Survivor-informed practices integrate survivor input and leadership to allow those who experienced human trafficking to be subject experts in the development, implementation, and evaluation of programs and services for victims.²⁴ To be survivor-informed, organizations must be intentional about organizational capacity, collaboration, and professional development with survivors to avoid tokenism and facilitate authentic partnerships.</p>
<p>Cultural and Linguistic Responsiveness</p>	<p>Cultural and linguistic responsiveness acknowledges and respects the cultural identity of victims and considers how cultural nuances influence how they navigate and respond to services and criminal justice processes. Nuances include perception of government entities, belief system, concepts of authority, and gender dynamics.</p>
<p>Public Health Approach</p>	<p>A public health approach employs strategies rooted in public health principles and incorporation of a socio-ecological framework which considers the complex interplay between individual, relationship, community, and societal factors.²⁵ Applying the public health approach to interventions and preventative efforts recognizes human trafficking as an interconnected issue to other forms violence and social inequities.²⁶</p>



Anti-Trafficking Strategies

A variety of strategies to combat labor trafficking have been recommended and implemented across the public, private, and nonprofit sectors. The following sections present a synthesis of these strategies, organized by Prevention, Protection, Prosecution, and Partnership. Each section includes specific tactics to support the strategy and, when applicable, examples of supporting policy and past or existing efforts relevant to Los Angeles and California.

The strategies are:

Prevention	Protection	Prosecution	Partnership
<ul style="list-style-type: none">• Public Awareness• Supply Chain & Finance Monitoring• Data & Research	<ul style="list-style-type: none">• Comprehensive Services• Targeted Outreach• Trainings & Protocols	<ul style="list-style-type: none">• Training & Resources• Victim & Prosecutorial Considerations	<ul style="list-style-type: none">• Taskforces





PREVENTION

Prevention efforts aim to support the recognition and reporting of trafficking activity and increase business accountability.

PUBLIC AWARENESS

The use of different mediums and strategies is essential to increase the public's understanding and awareness of human trafficking, as well as generate and increase political will to combat it. Demystifying labor trafficking is crucial to ensure the effectiveness of campaigns. Every public awareness campaign should include information about how to seek help if one is a victim or would like to provide a tip.



Public Campaigns: At the national level, the Department of Homeland Security's *Blue Campaign* runs public awareness campaigns in partnership with the private sector, non-governmental organizations, law enforcement, and local public agencies to increase public engagement on anti-trafficking efforts. Since 2016, Los Angeles has signed on to the national campaign.



Media Outreach: Common methods used to increase public awareness include running stories and editorials in English and non-English media platforms, billboards, and ads on public transportation. Any media strategy requires consultation and partnership from respective language/cultural representatives to ensure responsive messaging.



Hotlines: The national, toll-free hotlines administered by the nonprofit organization Polaris and the California Coalition to Abolish Slavery and Trafficking (CAST) connect human trafficking victims and survivors to support and services. Hotline numbers must be strategically publicized to reach victims.

Legislation and policy efforts can bolster public awareness efforts by requiring and enforcing the posting of information or providing education in schools. In California, SB 1193 was enacted in 2012 requiring the public posting of CAST's 24-hour hotline and Polaris's national hotline in liquor stores, airports, emergency rooms, truck stops, and other public areas. In 2019, SB 630 was passed by the California legislature to strengthen enforcement provisions by specifying that local governments may adopt and enforce local ordinances and rules to prevent human trafficking.²⁷ In 2018, AB 1227 required middle and high schools to provide students prevention education about labor and sex trafficking.

Human Trafficking Outreach Project, Los Angeles

Since 2014, the National Council of Jewish Women, Journey Out, CAST, the Office of Los Angeles City Attorney Mike Feuer, Los Angeles City Council President Nury Martinez's Office, and other partners conducted the Human Trafficking Outreach Project to increase awareness of SB 1193 by training volunteers to conduct outreach visits and document whether businesses are in compliance with SB 1193's posting requirements. Though compliance has increased, an estimated 80% of businesses are still non-compliant.²⁸ Other local public awareness campaigns include the Look Again program, a collaboration between the Los Angeles Police Department and Mayor Eric Garcetti's Commission on the Status of Women, in which public service announcements about child sex trafficking are posted across the city.



SUPPLY CHAIN & FINANCE MONITORING

Procurement departments, suppliers, purchasers, and businesses can implement regulatory and monitoring practices to facilitate the identification and prosecution of human traffickers. Compliance and monitoring efforts should also target business's subcontractors to ensure distributed liability across all business partners.



Supply Chain Monitoring: Companies can be incentivized to use strategies that ensure an ethical supply chain. Practices include reviewing contracts, commodities, and subcontractor information, which can be conducted internally or by external analysts. Businesses can join industry coalitions or initiatives that provide support. *KnowTheChain* provides assistance to businesses to understand whether direct and indirect suppliers in their global supply chain rely on forced labor. The U.S. Department of Labor's *Sweat and Toil* app provides information about goods produced with child or forced labor.



Financial Monitoring: Collaboration with government agencies (e.g., Department of Labor, IRS) and financial institutions (FIs) can support the detection of patterns of suspicious financial activity that may indicate labor trafficking. FIs can learn to detect and report suspicious activity (e.g., absence of normal business expenses, infrequent payroll processing, paychecks with low amounts) with support from the Financial Crimes Enforcement Network (FinCEN) or technological platforms such as Enigma's Standing Together Against Trafficking (STAT). STAT supports collaboration by sharing financial indicators of human trafficking across FIs, law enforcement, and nonprofit organizations.



Procurement Standards: The public and private sector can establish policies to prevent the purchase of goods and services produced by forced labor. In 2013, the federal government strengthened the Federal Acquisition Regulation to require that all government solicitations and contracts include language prohibiting government contractors, subcontractors, and agents from using forced labor, charging employees recruitment fees, or using misleading recruitment practices.

Legislation and policy efforts can provide labor protections and mandate business accountability. In California, SB 477 (2014) requires labor contractors to be registered with the Labor Commissioner and to comply with requirements designed to protect migrant workers, including a prohibition on charging worker recruitment fees. The California Transparency in Supply Chains Act (SB 657, 2010) requires retail sellers and manufacturers that do business in California and have annual gross profits that exceed \$100 million to publicly post information about the company's efforts to combat human trafficking in their supply chain. Additional language has been proposed to strengthen implementation and enforcement for both SB 477 and SB 657.

Sweat-Free Procurement, Los Angeles

The City of Los Angeles adopted the Sweat-Free Procurement Ordinance in 2004 in an effort to eliminate the use of sweatshop providers by requiring any bidder/contractor of equipment, goods, materials and supplies over \$25,000 to sign a contractor code of conduct that acknowledges their compliance with human and labor rights and labor obligations. In addition, all garment vendors are required to provide a living wage and benefits to employees who fulfill City contracts.



DATA & RESEARCH

Human trafficking takes a variety of forms and is constantly evolving to evade detection and increase profits. The ability to collect, analyze, report, and share data is essential to understand the size and scope of labor trafficking. Comprehensive data can highlight the prevalence of labor trafficking in a given industry or community, inform targeted strategies, and improve victim services.²⁹



Data Inventory: Data across government, business, and nonprofit partners can assist with understanding the demographics and experiences of victims, identifying victims and traffickers, and prosecuting traffickers. Data regarding businesses may include the proportion of employees with visas, debarment, safety or labor/wage violations, civil complaints and administrative actions, and financial records and reporting.



Cross-Sector Data Sharing: Engaging in data sharing across cross-sector partners supports the identification of traffickers in a timely manner. The development and utilization of a data sharing platform in which all stakeholders can input and receive real time data can support current investigations and inform future investigations. Cross-sector data sharing can assist with performing industry threat assessments to identify at-risk industries.



Prevalence Study: Current prevalence data is limited and only reflects an estimation of human trafficking. A prevalence study can help strengthen the understanding of the scope of human trafficking in a given area and improve services for those trafficked. An in-depth study can also support identifying underserved populations that otherwise go unnoticed.

Legislation and policy efforts include allocating funds to support data collection efforts such as prevalence studies. In 2019, CAST developed a one-time budget request for the California legislature which included \$3 million to fund a three-year, statewide prevalence study on both labor and sex trafficking.³⁰ This study would support both law enforcement and service providers to understand the scope and severity of human trafficking to better target both law enforcement and service provider efforts. Though this budget request was not approved, \$1.5 million in state funding was allocated to fund a prevalence study of sex trafficking in Sacramento. CAST estimates that \$1.5 million would fund a Los Angeles County prevalence study.

Prevalence Study: Trafficking of Migrant Laborers in San Diego County, 2012

In partnership with a local community-based organization, San Diego State University conducted a prevalence study to provide accurate estimates on the scope of labor trafficking in San Diego County. The study found that about a third (31%) of unauthorized migrant laborers in San Diego County have been victims of labor trafficking and over half (55%) have experienced abusive labor practices. The study looked at six labor sectors that commonly hire unauthorized immigrants: agriculture, construction, landscaping, janitorial and cleaning services, food processing, and manufacturing. The study found the highest rates of labor trafficking within janitorial and cleaning (36%), construction (35%), and landscaping businesses (27%).³¹



PROTECTION

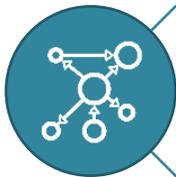
Victim identification and access to emergency assistance, long-term, and aftercare services are crucial to the protection of individuals who experience human trafficking. Victim protection efforts should be culturally responsive, victim-centered, and trauma-informed. Programs should be voluntary and access to services should not require cooperation with law enforcement.

COMPREHENSIVE SERVICES

Establishing and ensuring access to emergency and comprehensive long-term services for individuals who experience human trafficking is essential to ensure victim rehabilitation, safety, and stability. Victims should be able to access services and information in the language they speak.



Immediate & Long-Term Needs: Services should address immediate needs such as food, clothing, and shelter, as well as long-term needs and aftercare such as case management, employment/training, healthcare (including mental health), legal aid, and access to higher education opportunities. Emergency shelters, transitional housing, and long-term housing options are essential services for victims escaping trafficking.



Service & Resource Mapping: Identifying and documenting all existing services, access points, eligibility, resources, and competencies supports ease of navigation for trafficking victims. Service mapping can also strengthen the referral process and coordination among service providers and partners.³²



Gaps & Needs Assessments: Conducting local gaps and needs assessments of public and nonprofit services, informed by the expertise and input of survivors, ensures a comprehensive continuum of care. All assessments should include a plan to address identified gaps and needs using promising and evidence-based practices.

Legislation and policy efforts can ensure adequate funding is allocated for victim services, as a lack of funding is a significant barrier for programs to properly assist victims of human trafficking.³³ Funding allocations should take a long-term strategy to ensure the demand for services is met and services will be sustained over time. From 2014-2017, California dedicated \$25 million for the state's Human Trafficking Victim Assistance Fund to support qualified nonprofit organizations that provide services to victims. In 2018, the fund was augmented by an additional \$10 million, and in 2019, the \$10 million was made a continuing budget request. Additionally, AB 629 was passed in 2019, which enables trafficking victims to recover income they lost while being trafficked from California's Victim Compensation Board.

Los Angeles Service Providers

CAST, Thai Community Development Center, Advancing Justice, and Journey Out are four organizations at the forefront of providing comprehensive services in Los Angeles. These organizations offer a suite of services that include access to employment, mental health, shelter/housing, emergency response, and legal services. In addition, many provide training and advocate for legislation and policies to strengthen the protection and wellness of trafficking victims.



TARGETED OUTREACH

Labor trafficking victims often do not report the crimes they are experiencing due to fear of retaliation, distrust of law enforcement, and limited knowledge of their rights. Therefore, it is important to equip communities—especially those at-risk—with knowledge and resources to prevent, identify, and report human trafficking. Outreach and education through an empowerment lens aim to inform communities about signs of labor exploitation, risk factors of human trafficking, and available resources. Outreach strategies should be data-driven and updated based on new learnings to target the most vulnerable communities. Populations to consider include individuals with disabilities, migrant workers, immigrants, victims of crime, foster youth, runaway youth, LGBTQ+ individuals, and temporary visa holders.



Cultural & Linguistic Responsivity: Cultural and language responsivity is key to outreach effectiveness. Strategies include directing efforts through community-based organizations and community leaders who have rapport and trust with target communities, as well as peer-based outreach through partnerships with groups such as unions.³⁴



Worker & Immigrant Rights: Informing communities about workers' rights (regardless of immigration status), risks of forced labor, and access to legal services is crucial to protecting those at-risk and strengthening community resiliency.



Community-Specific Resources: Individuals working with vulnerable communities should be equipped to provide clients with information about how to access resources such as medical assistance, mental health services, clothing/food, and employment assistance.



Contact Point: Establishing a trusted contact person/organization for communities can increase the likelihood of reporting human trafficking activities. Typically, community-based service providers are best situated to play this role and can direct cases to designated contacts at law enforcement agencies.



Trust-Building with Law Enforcement: Many vulnerable communities—especially immigrant communities—do not engage with law enforcement due to mistrust and fear. Law enforcement agencies can build trust through community outreach, collaboration with community leaders and organizations, and upfront communication about their cooperation with immigration authorities.

Asian Pacific Islander Human Trafficking Task Force (APIHTTF)

Funded by a grant from the United States Department of Justice Office for Victims of Crime, APIHTTF launched an outreach campaign in January 2018 to educate and provide victim assistance to Los Angeles's Asian Pacific Islander (API) community. As a partnership across eight community-based organizations that provide specialized services to API human trafficking victims, the APIHTTF has conducted a press event with Asian media and developed brochures in eight languages, including English, Thai, Hindi, Korean, Chinese, Vietnamese, Khmer, and Tagalog. With the APIHTTF, the Los Angeles City Attorney's SALT Unit sent out letters to Asian-owned business owners with the brochures.



TRAINING & PROTOCOLS

Training and equipping professionals and community members who are likely to interact with individuals experiencing human trafficking with the proper information and tools to identify and report suspected human trafficking is fundamental to protect victims and at-risk populations. Ongoing training and system-wide response protocols can support the identification and reporting of human trafficking. These processes should include guidance about confidentiality and special considerations for victims who are minors, foreign nationals, or vulnerable adults.³⁵



System-Wide Screening Assessments & Protocols: Establishing standardized protocols and screening assessments for agencies can facilitate streamlined processes that identify victims and provide a coordinated response. Assessments and protocols should outline shared definitions and provide clear communication and referral guidelines. For example, two nonprofit organizations, HEAL Trafficking and Hope for Justice, developed a protocol toolkit to help health care professionals respond to potential victims.³⁶



Professional Trainings: Train the trainer models and cross agency trainings can be used to train professionals who are likely to interact with victims. Trainings should be trauma-informed and provide information to ensure the safety of the observer and victim. Trainings should be provided to individuals including, but not limited to, staff in health care, public transportation, airports, education, child welfare, and law enforcement. Coupling trainings with resource guides and materials can support ongoing learning. Businesses Ending Slavery and Trafficking (BEST) provides awareness, consultation, and training to employers and employees across sectors, including hospitality, information technology, oil and gas, and tourism.



Inspectors & Regulators: Establishing targeted, comprehensive training and reporting protocols for inspectors and regulators across various industries (e.g., fire marshals, code inspectors, and health inspectors) is vital due to their unique access to enter the workplace to observe specific industries.³⁷

Legislation and policy efforts can require individuals working in particular industries to complete human trafficking-related training courses. In 2018, California state legislation passed that requires hotel/motel and local transportation workers to receive 20 minutes of human trafficking awareness training (SB 970 and AB 2034). State legislation introduced in 2019, AB 757, would require all local public safety dispatchers to receive three hours of training to recognize the signs of human trafficking.³⁸

Los Angeles Regional Human Trafficking Task Force's Labor Trafficking Subcommittee Trainings

Representatives from the Los Angeles City Attorney's SALT Unit, CAST, and United States Department of Labor partnered to form a labor trafficking training team. This team tailors trainings based on the audience, which has included code enforcement, Department of Labor inspectors, law enforcement, and attorneys. The trainings include a Human Trafficking 101 presentation, which covers human trafficking definitions and trends, in addition to how to identify human trafficking and respond to potential survivors. The team has also offered more tailored trainings to Department of Labor inspectors that illustrates the three stages of the international labor trafficking model using a 2016 case study of labor trafficking on an Ohio egg farm.



PROSECUTION

Prosecution efforts focus on developing, implementing, and enforcing policies and laws that pursue the prosecution of human traffickers and seek justice for the victim.

TRAINING & RESOURCES

Investigative and prosecutorial efforts related to labor trafficking require intensive resources, dedication, content understanding, and streamlined processes. Due to the myriad of challenges present in investigating and prosecuting labor trafficking cases, educating and training law enforcement, prosecutors, defense attorneys, and judges on the laws and the characteristics of labor trafficking is crucial. Trainings should promote cross-sector coordination among partners, build cultural responsiveness, and support investigators and prosecutors in understanding the diverse victim populations.³⁹



Courts: To strengthen understanding of labor trafficking, judges and court clerks should be trained on how to identify cases of labor trafficking by understanding how force, fraud, and coercion are used against victims and other indicators of labor trafficking. In Ohio, the state Supreme Court and Criminal Sentencing Commission developed a bench card that details state and federal human trafficking laws for judges.⁴⁰



Prosecutors: Developing training programs and resources specific to labor trafficking for prosecutors is vital, as such trainings are not readily available. Training programs should cover human trafficking laws, previous investigations, adjudication, and at-risk populations to increase the successful prosecution of labor trafficking cases.⁴¹ Creating a directory of attempted and successful labor trafficking cases can help prosecutors identify innovative prosecution strategies.



Law Enforcement: Continuous training for field and investigative law enforcement staff should focus not only on understanding the traits, trends, and dynamics of labor trafficking, but also how to gather the necessary evidence and information to support prosecution, which differs from traditional vice unit tactics. Police officers should also be trained on indicators of labor trafficking to support victim identification while in the field.



Specialized Personnel: Agency buy-in is necessary to dedicate resources and staff focused on labor trafficking. Labor trafficking investigation and prosecution require a deep content knowledge and should be handled by specialized personnel and/or units. Specialized personnel should partner with key local, state, and federal agencies tasked with investigating labor abuses and financial crimes.⁴²

Legislation and policy efforts can require court personnel to receive human trafficking training. In 2015, Washington State passed SB 5933, which requires the establishment of a statewide training program on Washington's human trafficking laws for prosecutors, law enforcement and court personnel to "encourage interdisciplinary coordination among criminal justice personnel, build cultural competency, and develop understanding of diverse victim populations."⁴³ A report documenting the first two years of implementation recommended the development of a separate training focused only on labor trafficking due to the lack of knowledge about labor trafficking and the limited labor trafficking trainings available.⁴⁴

Los Angeles City Attorney's Office Trainings

The Los Angeles City Attorney's SALT Unit has developed trainings for attorneys about signs of human trafficking, state human trafficking legislation, and civil abatement causes of action and remedies.



VICTIM AND PROSECUTORIAL CONSIDERATIONS

Prosecutors should work with victims to identify what type of remedy (i.e., criminal, administrative, or civil) best meet victims' needs. Agencies that work on labor trafficking cases should hire investigators, prosecutors, and other staff with diverse linguistic capacities and cultural familiarity with immigrant and at-risk communities.⁴⁵ While developing a case, prosecutorial practices that promote trust and protect victims can increase victim participation in the process and support the autonomy, dignity, desires, and wellness of victims.



Administrative and Civil Remedies: Promoting awareness and understanding of administrative and civil remedies ensures victims have the opportunity to pursue financial compensation. Criminal, administrative, and civil penalties can be pursued independently or concurrently to hold traffickers accountable and compensate victims. Training victim service providers and law enforcement agencies about agencies who can pursue administrative civil remedies (e.g., U.S. Department of Labor, Equal Employment Opportunity Commission, City Attorney's Office) is crucial for a coordinated response to meet victims' needs.



Vertical Prosecution Model: Ensuring the same prosecutor works on a case from initial screening through disposition reduces the re-traumatization of victims, allows prosecutors to develop stronger relationships with victims and other stakeholders (e.g., service providers, police officers), and promotes subject expertise.^{46,47}



Affirmative Defense & Vacatur: Trafficking victims should have multiple pathways for judicial relief for crimes that were committed as a direct result of their trafficking. Implementing broad affirmative defense statutes that cover a breadth of crimes provides victims the opportunity for judicial relief. Vacatur statutes allow victims to file a motion with the court to have their past conviction removed. Allowing victims to vacate their convictions promotes a holistic, victim-centered approach by ensuring victims have maximum access to services and mitigates barriers and stigma associated with a criminal record.⁴⁸

Legislation and policy efforts should provide victims pre-conviction relief (affirmative defense) and post-conviction relief (vacatur) to promote victim protection.⁴⁹ In 2016, California passed AB 1761, which creates affirmative defense for human trafficking victims who have been charged for a non-violent, non-serious offense. Also passed in 2016, SB 823 allows human trafficking victims to file a petition to vacate a non-violent conviction if they can prove the crime was committed as a "direct result of being a victim of human trafficking." If approved, the petitioner's records are sealed and destroyed and the petitioner may lawfully state that he or she has never been arrested, convicted, or adjudicated.

Los Angeles County SB 823 Workgroup

The Los Angeles City Attorney's SALT Unit convened a workgroup that included representatives from the District Attorney's Office, Public Defender and Alternate Public Defender's Office, Attorney General, service providers, and court administrators. The workgroup was formed in order to develop solutions to address implementation challenges (e.g., consolidating cases from multiple jurisdictions), develop standardized and streamlined policies and processes around vacatur petitions, and provide feedback to the Judicial Council of California.



PARTNERSHIPS

Given the multi-jurisdictional nature of labor trafficking, strong collaborative partnerships are vital. Partnerships should take a trauma-informed and victim-centered approach, and should focus on prevention and protection, as well as prosecution.

TASKFORCES

As emphasized in the Department of Justice's Enhanced Collaborative Model, taskforces should be comprised of multi-disciplinary stakeholders to support strategic and collaborative partnerships. Labor trafficking taskforces should include local, state, and federal law enforcement agencies, civil and regulatory, victim services, and social services agencies, as well as local businesses, unions, healthcare providers, financial auditors/forensic accountants, and advocates. Taskforces may also include survivor advisory boards to guide and provide feedback on taskforce activities. Identifying a dedicated champion from each participating organization who can participate consistently over time supports buy-in and taskforce effectiveness. At the same time, processes should be institutionalized to live beyond current leadership and personalities that lead taskforces.⁵⁰



Purpose: Determining the purpose of a taskforce by defining the issue it aims to address and its mission and values provides clear direction for participants and assists with prioritization of activities. A defined purpose can also strengthen leadership buy-in.



Roles & Expectations: Establishing clear roles and expectations promotes effective communication and operations. Memorandums of understanding (MOU) among taskforce members can assist with defining roles and responsibilities and support accountability. The U.S. Department of Justice's Office of Justice Programs provides a sample comprehensive human trafficking task force MOU on its online Human Trafficking Task Force e-Guide.



Protocols & Procedures: Protocols and procedures should be developed for information sharing, communication, confidentiality, and administration (e.g., meetings, notes). Operational protocols should outline how partners will take a collaborative approach to conducting investigations, pursuing prosecutorial remedies, and providing victims services in order to enable a coordinated and efficient response.

Legislation and policy efforts can support the establishment of task forces. In California, AB 22 and SB 180 created the California Alliance to Combat Trafficking and Slavery Taskforce in 2005. In 2019, SB 35 reconvenes the task force to provide recommendations on a statewide prevalence study, collaborative governmental and nongovernmental models to protect trafficking victims, and strategies to strengthen efforts to address human trafficking for forced criminality. California's Little Hoover Commission is currently conducting a study of state efforts to combat labor trafficking and assist victims.

Los Angeles Regional Human Trafficking Task Force's Labor Trafficking Subcommittee

Chaired by the Office of Los Angeles City Attorney Mike Feuer, the Los Angeles Regional Human Trafficking Task Force's Labor Trafficking Subcommittee focuses on three primary aims: (1) expanding the "eyes and ears" to spread awareness and generate more leads; (2) developing a systematic approach to detect labor trafficking; and (3) advancing labor trafficking prevention, education, outreach, and training efforts. The group meets quarterly and includes a diverse membership base.



Recommendations

The following recommendations are intended to strengthen and expand Los Angeles’s anti-trafficking efforts. The recommendations are structured in four categories: (1) prevention, (2) protection, (3) prosecution, and (4) partnership, with policy recommendations incorporated throughout. The recommendations identify key focal areas, each of which will require dedicated resources, strong leadership, and collaborative partnerships to address.

PREVENTION

Supply Chain Monitoring. Both at the local and state level, procurement processes should provide protections against human trafficking and hold accountable businesses that engage in or are aware of human trafficking activities in their business supply chain. Legislation should be comprehensive and include subcontractors, as subcontractors generally have fewer labor protections and are therefore more vulnerable to human trafficking. At the local level, lawmakers and businesses can work together to strategize and develop viable policies that target at-risk industries (e.g., garment, agriculture, hospitality) and their procurement processes. At the state level, procurement legislation can strengthen existing legislation (i.e., California’s Sweat Free Bill, Transparency in Supply Chains Act of 2010) by extending protections and creating sanctions and/or adopt the federal government’s requirements that prohibit federal contractors, subcontractors, and their employees from engaging in trafficking-related practices.⁵¹

General Public Awareness Campaigns. Public awareness campaigns typically focus on sex trafficking, particularly the commercial sexual exploitation of children. Supplementing current human trafficking awareness efforts with a targeted focus on labor trafficking can help increase knowledge and awareness of labor trafficking.

Implementation & Enforcement of Hotline Poster Posting Requirements (SB 1193). Since the passage of SB 1193, calls to human trafficking hotlines have increased.⁵² Los Angeles should enhance efforts to identify businesses out of compliance with hotline posting requirements and develop enforcement mechanisms to increase compliance. To support identification, Los Angeles could utilize an app similar to one developed by the Alameda County District Attorney’s Office—Map1193—which volunteers can use to mark whether businesses are in compliance. Additionally, Los Angeles can ensure all relevant code inspection, licensing, and regulatory agencies assist and enforce hotline poster posting requirements.

Data & Research. Prevalence data is not available in Los Angeles to provide estimates of the numbers of individuals trafficked and the populations and industries at-risk of trafficking. Funding researchers to conduct a prevalence study for Los Angeles or the state to measure rates of labor trafficking across industries and communities would help target efforts and provide a baseline to measure effectiveness of efforts to combat labor trafficking. A number of community-based organizations, such as CAST and Thai CDC, collect data that could be

“We need to look at labor trafficking on an enterprise scale. Rarely are cases isolated, but rather they operate by networks with complex supply chains and supporting infrastructure. Having better stats and data can help us strategically focus our resources.”

– Paul Chang, U.S. Department of Labor



analyzed to provide a deeper understanding of the industries and populations experiencing labor trafficking in Los Angeles.

PROTECTION

Education & Training. To promote a systemic approach towards victim identification, agencies that interact with vulnerable populations should receive continuous education and training on what labor trafficking is and its indicators. A number of agencies currently provide human trafficking training through internal trainers or external experts (e.g., CAST’s Human Trafficking 101 training). Los Angeles should ensure that all agencies (e.g., service providers, code inspectors, schools, law enforcement) receive high quality, industry-specific training. In addition, targeted education and trainings should be provided to businesses in at-risk industries about the warning signs of trafficking within their subcontractors, business competitors, and business partners. Trainings can be mandated as part of the procurement and bidding process to ensure an array of business are engaged.

Protocols & Reporting. Developing protocols to flag potential labor trafficking victims across the various government and healthcare agencies that interact with at-risk populations can assist with the identification of potential labor trafficking victims. Labor trafficking survivors can provide unique insight and expertise to support the development of these protocols. Los Angeles can adapt existing protocols (e.g., HEAL Trafficking and Hope for Justice’s protocol for health care settings) and the system-wide commercial sexual exploitation of children (CSEC) protocol used by Los Angeles County law enforcement, social services, child and family services, and health services departments⁵³ to both identify victims and develop collaborative responses to addressing labor trafficking.

Business inspectors and regulators (e.g., code inspectors, fire marshal) should also have clear protocols to flag businesses that may be engaging in labor trafficking. A clear reporting mechanism should be in place to ensure that signs of potential labor trafficking are documented and addressed. Developing a mechanism in which businesses, unions, and code inspectors can report businesses with suspicious practices (e.g., underbidding contracts, which may be a sign that employees are not paid fair wages) can facilitate the identification of potential labor trafficking cases.

Community & Relationship Building. Community engagement is vital to developing trust. Law enforcement agencies should develop relationships with community leaders and victim service providers in communities at-risk for labor trafficking. Law enforcement agencies can build trust with immigrant communities if they can eliminate the risk of deportation if undocumented victims are to come forward. The Los Angeles Police Department has publicly and vocally stated that it is not working with Immigrations and Customs Enforcement (ICE) in an effort to ensure trust with undocumented populations. Additionally, developing opportunities for labor trafficking victims to receive services and obtain remedies without the involvement of law enforcement (e.g., civil and administrative penalties) may also encourage more labor trafficking victims to come forward. Finally, having protocols in place for local law enforcement agencies to support victims in obtaining immigration relief can help build trust.



Robust Prevention Model. Strengthening the resiliency of at-risk populations is crucial to the prevention of labor trafficking. Identifying and addressing key areas of vulnerability in at-risk communities (e.g., employment and housing insecurity) can address underlying risk factors to create a robust prevention model. Funding and supporting efforts driven by community-based organizations that provide worker and legal rights information to at-risk populations can strengthen the resiliency of these communities to not only labor trafficking, but other forms of exploitation and abuse. Regular training and technical assistance to educate providers about available services and best practices can build provider capacity.

PROSECUTION

Dedicated Staff & Training. Due to the myriad of challenges present in investigating and prosecuting labor trafficking cases, educating and training law enforcement, prosecutors, and court personnel on the laws and the characteristics of labor trafficking is crucial. All staff should be trained in how to identify labor trafficking cases and dedicated staff focused

on labor trafficking should receive more intensive training. Given the need for enhanced investigations, detectives should be trained on how to gather the necessary evidence to support prosecution, conduct deep investigations to disrupt sophisticated and complex criminal operations, and take a victim-centered approach.

Coordination. Criminal, administrative, and civil penalties can be concurrently pursued to hold traffickers accountable and compensate victims. Developing a toolkit that outlines each agency's resources, jurisdiction, standard of proof, and statute of limitations can assist with developing a collaborative approach that best meets victims' needs.

"LAPD (Los Angeles Police Department) should get one to two people focused full-time on labor trafficking."

–Captain Robert Long, Los Angeles Police Department

"We need more of an understanding of what everyone does and can do. And a plan that if something comes in, this is how we, as a taskforce, approach it."

–Anna Park, U.S. Equal Employment Opportunity Commission

PARTNERSHIP

Regional Taskforce. The Los Angeles Regional Human Trafficking Task Force can strengthen and expand its visibility to the general public and potential partners by providing accessible information, training, and resources on its website, in addition to a list of the different subcommittees and other taskforces and workgroups combatting labor trafficking. Recognizing the expertise held by individuals who have been trafficked, the taskforce should work with human trafficking survivors to inform its work.

Labor Trafficking Subcommittee. The Labor Trafficking Subcommittee of the Los Angeles Regional Human Trafficking Task Force should review its current membership and consider expanding to address any gaps, such as union representation. To support cross-agency collaboration, the subcommittee should identify a labor trafficking point person from all relevant county agencies

"I find the best way to implement [anti-trafficking strategies] is to make sure every department and agency that touches the issue is involved. I've seen things fail when you think you have the right group and you miss an entire component."

–Andrea Ross, Los Angeles County Counsel

to ensure partners have access to communication and resources as needed. The subcommittee has currently operated primarily in an education and information-sharing capacity. Given the high attendance



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and engagement of members, the subcommittee should consider conducting tactical strategies, such as developing an outreach plan for a specific industry, and continue leveraging the subcommittee's academics and researchers.



Appendix A. Interviewee List

RDA conducted 26 interviews with individuals from the following agencies.

Table 2. Affiliations of Interviewees

Local Agencies	Alexis Wesson, Los Angeles Council President Nury Martinez's Office	State Agencies	Amanda Plisner, California Office of the Attorney General
	City Attorney Mike Feuer and Mary Clare Molidor, Los Angeles City Attorney's Office	Federal Agencies	Devon Myers, Unites States Attorney's Office
	Andrea Ross, Los Angeles County Counsel		Paul Chang, Department of Labor
	District Attorney Nancy O'Malley and Bill Murphy, Alameda County District Attorney's Office		Anna Park, Marla Stern, and Nicole St. Germain, Equal Employment Opportunity Commission
	Susie Baldwin, Los Angeles County Department of Public Health		Amanda Detterline and Corrie Lyle, Federal Bureau of Investigations
	Paul Kim, Los Angeles County District Attorney's Office		Jennifer Reyes, Homeland Security Investigations
	Ray Bercini, Los Angeles County Sheriff's Department	Nonprofit Service Providers, Researchers, and Advocacy Organizations	Catherin Chen, Polaris
	Captain Robert Long, Los Angeles Police Department		Panida Rzonca, Thai Community Development Center
	Patrick Vanier, Josue Fuentes, and Clayton Le, Santa Clara County District Attorney's Office		Stephanie Richard, Philip Gnaedig, and Paula Tobler, Coalition to Abolish Slavery and Human Trafficking (CAST)
	Patricia Miranda, San Diego City Attorney's Office		Sandra Morgan and Derek Marsh, Vanguard University



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- ²¹ <https://www.justice.gov/usao-ndca/pr/hayward-man-convicted-forced-labor-and-harboring-illegal-aliens>
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