

CalVCB Testimony Before the Little Hoover Commission
May 28, 2020

Good Morning, Chair Nava and Commissioners. My name is Lynda Gledhill and I am the Executive Officer of the California Victim Compensation Board, also known as CalVCB.

I would like to thank you for the opportunity to speak about the victims of labor trafficking in California and the services CalVCB provides in these instances.

Briefly, CalVCB is comprised of a three-member board, which includes the:

- Secretary of the Government Operations Agency,
- California State Controller
- And a member appointed by the Governor, who is currently Stockton Mayor Michael Tubbs.

Our primary mission is to provide compensation to victims of violent crime who are injured or threatened with injury.

Among the crimes covered by our program are domestic violence, child abuse, sexual and physical assault, homicide, human trafficking, robbery and vehicular manslaughter.

CalVCB is funded through restitution fines and penalty assessments levied on persons convicted of crimes and traffic offenses, and federal grant funds.

CalVCB is a payor of last resort, meaning that, if a person meets eligibility criteria, CalVCB provides compensation for certain services when the costs are not covered by other sources.

Eligible services include medical and dental care, mental health services, income loss, funeral expenses, relocation and residential security, among others.

The maximum reimbursement allowable under law is \$70,000 per application.

In the last fiscal year, we received nearly 53,000 applications and provided about \$62 million in compensation.

While this hearing is focused on labor trafficking, it is important to note that for purposes of eligibility, CalVCB does not delineate between victims of sex trafficking and labor trafficking.

Victims of both types of human trafficking are eligible for reimbursement.

Accordingly, the data trends presented today represent a broader human trafficking category.

Human trafficking was defined as an eligible crime for compensation by CalVCB beginning in 2006 after the enactment of AB 22.

Over the past three fiscal years, CalVCB has received an average of 170 applications per year from victims of human trafficking.

Of these, we were able to determine that an average of 81 applications per year were based on sex trafficking and 20 per year were based on labor trafficking.

The type of trafficking was not able to be determined for the remaining applications because the crime documentation received is not specified.

About 63 percent of the victims of human trafficking who apply are represented by advocates located in the county district attorney offices and 16 percent are represented by a community-based organization that specializes in assisting victims of human trafficking.

That means about 80 percent of the human trafficking victims who apply for compensation are connected to advocates, which is a tremendous support for them as they navigate the multitude of local services and state benefits.

Community-based organizations offer many services for the victims' immediate needs. CalVCB is typically used for services that other organizations do not offer or do not have the resources to provide.

Over the past three years, victims of human trafficking received a total of about \$90,000 per year in compensation from CalVCB. About 40 percent of the victims of human trafficking who submit applications access benefits from CalVCB.

The most commonly utilized benefits are mental health counseling and relocation expenses.

The utilization of mental health services nearly doubled last year for this population. This indicates that the benefit represents a key need for survivors.

At the beginning of this year, new legislation, AB 629, added income loss compensation for victims of human trafficking.

Compensation is based on the State's minimum wage rate, up to 40 hours per week, not to exceed \$10,000 per year, for a maximum of two years.

Prior to that legislation, the definition of income loss was limited to loss incurred during a period of physical or psychological disability suffered after the crime, which did not include the time that the victim was trafficked.

AB 629 also requires the Board, by July 1, 2020, to adopt regulations that allow it to rely on evidence other than official employment documentation in considering and approving an application for that compensation.

The CalVCB Board voted last week to adopt the proposed regulations, and they will be submitted to the Office of Administrative Law by the end of the month.

In our observation, the most significant barrier to providing compensation to victims of labor trafficking is lack of awareness. The field of victim services and victimology is ever evolving. It requires data-driven planning to successfully meet the needs of crime victims.

We would welcome more field information in this area.

What we see is that victims of labor trafficking are not always identified as such and are not always made aware of the services that may be available to them.

Most victims hear about financial assistance from a first responder.

CalVCB is mandated to work with law enforcement and other first-responders to help inform victims about available assistance.

Which is why we conduct proactive outreach to first responders, victim advocates and others who are likely to come into contact with victims of crime and educate them about the compensation that we provide.

Our current outreach efforts focus on bringing awareness to a recently launched online application system to ultimately better serve victims, providers and advocates.

We maintain visibility within local communities through various victim-related events and conferences and offer online and onsite training to stakeholders and advocates throughout the state.

We also cultivate a strong social media presence to share up-to-date program information, monitor public opinion and offer valuable resources that aid in victim recovery.

In response to the COVID-19 pandemic, CalVCB has transitioned to a telework environment, however, continuing to help victims of violent crimes remains our priority.

Our call center and claims processing staff are all working from home and while call volume has remained steady, wait times have dropped.

Compared to roughly this time last year, the number of applications has dropped but our processing has increased.

We have also noted an increase in the number of victims and victim advocates submitting applications online -- last month, nearly 50 percent of the applications submitted to CalVCB came through our online portal.

We anticipate that as more of California opens, application volume could increase. Our goal is to maintain our higher level of service as this happens.

We know that given shelter in place orders and the current economic downturn it is reasonable to anticipate that vulnerable populations may be targeted for human trafficking among other crimes.

CalVCB will continue to partner with those who serve human trafficking victims to ensure there is knowledge and awareness about our program and services.

In conclusion, we seek to deliver responsive and immediate service to victims, claimants, providers, advocates and other stakeholders.

Thank you again for this opportunity. I am happy to answer any questions you might have.