



SUMMARY

The Human Trafficking Survivors Act of 2024 will implement policies to protect and lift up the voices of survivors of human trafficking.

BACKGROUND AND PROBLEM

Human trafficking has a strong presence in the United States. In 2021, the National Human Trafficking Hotline received 51,073 contacts about human trafficking and issues related to human trafficking across the United States. Contacts can include phone calls, texts, websites, online tip reports, or emails. Of those contacts, there were 10,360 human trafficking cases, and 16,710 victims involved in these cases. For California, the hotline received 5,257 contacts. Of those contacts, 1,334 human trafficking cases were identified with 2,122 victims involved in those cases.

Understanding the true scope of human trafficking is difficult because it is an underreported crime. Additionally, there are indicators that Latina and Black women and girls are disproportionately represented among human trafficking victims and survivors. However, there is a lack of nationwide data for people of color.

Despite the progress we have made in the United States in addressing human trafficking, California can continue to improve how we support and provide resources to survivors of human trafficking. We can ensure human trafficking survivors have opportunities for their voices and input to be heard. We can also continue to improve law enforcement interactions with survivors of human trafficking.

Survivors of trafficking frequently first engage with government through interactions with law enforcement. This means their encounters with law enforcement and their treatment in the overall justice system can have a big impact on their lives. According to a 2023 National Survivor Study, sixty-two percent of survivors reported being cited, detained, or arrested by law enforcement. Most of those survivors arrested were arrested, detained, or cited during their trafficking situation. A majority of those surveyed indicated that all or at least some of their criminal record was related to their trafficking victimization. Effectively identifying survivors and working with

them using a trauma centered approach, could make a critical difference for a survivor. While some law enforcement agencies may already have protocols and best practices in place when they interact with or interview human trafficking survivors, those protocols and best practices can be implemented at agencies across the state so that survivors are better identified and referred to services and the resources they need. These referrals could include referrals to community based organizations.

Additionally, we can work on eliminating barriers to survivors. A 2023 study indicated that our systems are failing human trafficking survivors. Survivors do not have access to services they may need such as mental health services, employment assistance, and help setting up accounts at banking institutions. In conversations with several organizations who work with human trafficking survivors, they uplifted the need to create a survivor board, so their voices are better heard by decision makers.

EXISTING LAW

Under California law, anyone who deprives or violates the personal liberty of another with the intent to obtain forced labor or services, deprives or violates the personal liberty of another with the intent to commit specified crimes including pimping, pandering, or child pornography, or causes a person who is a minor at the time of the commission of the offense to engage in a commercial sex act, is guilty of human trafficking. Unfortunately, existing law also does not account for systemic barriers that human trafficking victims may face, such as the need for identification documents. Existing law does not require all law enforcement agencies to have protocols in place when interacting with human trafficking victims. In order to better provide resources and support to human trafficking victims, our laws need to be strengthened.

SOLUTION

The Human Trafficking Survivors Act, centers the needs of human trafficking victims by doing the following:

1. Establishing survivor boards at the county level; and
2. Establishing protocols for law enforcement interactions with human trafficking survivors

SUPPORT

- California Catholic Conference
- Californians for Safety and Justice
- California Public Defenders Association
- Ella Baker Center for Human Rights
- Glide
- Initiate Justice
- National Association of Pediatric Nurse Practitioners
- Prosecutors Alliance of California
- Smart Justice California

FOR MORE INFORMATION

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