

May 11, 2021

CALIFORNIA DEPARTMENT OF SOCIAL SERVICES

EXECUTIVE SUMMARY

ALL COUNTY INFORMATION NOTICE NO. 1-17-21

The purpose of this All County Information Notice is to introduce to county child welfare agencies the Child Labor Trafficking Brief, Online Toolkit, and Mini-Desk Guide created by the Child and Family Policy Institute of California in partnership with California Department of Social Services.



KIM JOHNSON
DIRECTOR

GAVIN NEWSOM
GOVERNOR

May 11, 2021

ALL COUNTY INFORMATION NOTICE NO. 1-17-21

TO: ALL COUNTY CHILD WELFARE DIRECTORS
ALL CHILD WELFARE SERVICES PROGRAM MANAGERS
ALL CHIEF PROBATION OFFICERS
ALL COUNTY PROBATION OFFICERS
ALL COUNTY BOARD OF SUPERVISORS
ALL TITLE IV-E AGREEMENT TRIBES
ALL COMMUNITY CARE PROVIDERS
ALL COUNTY MENTAL HEALTH PLANS

SUBJECT: INTRODUCTION OF THE CHILD LABOR TRAFFICKING BRIEF,
ONLINE TOOLKIT, AND MINI-DESK GUIDE

REFERENCE: SENATE BILL (SB) 855 (CHAPTER 29, STATUTES OF 2014);
PREVENTING SEX TRAFFICKING AND STRENGTHENING
FAMILIES ACT (PUBLIC LAW 113-183); SENATE BILL 794
(CHAPTER 425, STATUTES OF 2015): CHILD WELFARE
SERVICES; WELFARE AND INSTITUTIONS CODE (WIC)
SECTION 16501.35; WIC SECTION 16524.6

The purpose of this All County Information Notice (ACIN) is to introduce to county child welfare agencies the Child Labor Trafficking Brief, Online Toolkit, and Mini-Desk Guide created by the Child and Family Policy Institute of California (CFPIC) in collaboration with the California Department of Social Services (CDSS).

BACKGROUND

In 2014, the U.S. Department of Health and Human Services Administration for Children and Families (HHS-ACF) funded the *Preventing and Addressing Child Trafficking: A Multi-Disciplinary System to Address Trafficking within the Child Welfare Population (PACT)* project in California as one of their “Grants to Address Trafficking in the Child Welfare Population”. The CDSS was the awardee of this five-year grant with the Child and Family Policy Institute of California, Inc. (CFPIC) as the contracted administrator for the project. The PACT project’s mission was to implement a state and county level coordinated cross-system, interagency collaborative model that effectively serves children and youth who

have experienced, or at risk of, sex and/or labor trafficking. There were ten pilot counties including Alameda, Los Angeles, Madera, Riverside, Sacramento, San Bernardino, San Joaquin, San Luis Obispo, Santa Barbara, and Ventura who participated in the PACT cohort.

There were four distinct goals of the PACT project, including the goal to broaden the Commercially Sexually Exploited Children (CSEC) Program's collaborative structure, model, and protocols to serve children and youth who are at risk of or experiencing labor trafficking and/or the co-occurrence of commercial sexual exploitation and labor trafficking.

As the child welfare system is broadly charged with protecting children and youth from abuse and neglect, county child welfare agencies create a continuum of services designed to ensure children are safe and families have the necessary support to care for their children. Child labor trafficking or the commercial exploitation of a child for their labor or services is highly relevant to child welfare systems for several key reasons:

1. Child labor trafficking frequently intersects with commercial sexual exploitation;
2. Children with experience in foster care or the juvenile justice system are at a particularly high risk for labor trafficking;
3. Child labor trafficking may involve serious physical harm or a substantial risk of serious physical harm to a child resulting from the failure or inability of the parent or guardian to adequately supervise or protect the child [\[WIC Section 300\(b\)\(1\)\]](#). This includes, but is not limited to, children who were labor trafficked by a parent or guardian; and
4. Concerns around child labor or child labor exploitation do not need to rise to the level of child labor trafficking to be harmful to children.

The PACT'S Pilot model can serve as an initial roadmap for child welfare agencies and their partners to build capacity to prevent, early identify and serve labor trafficked children and youth.

As a part of accomplishing this goal, the PACT Project has developed the following tools:

CHILD LABOR TRAFFICKING BRIEF, ONLINE TOOLKIT, AND MINI- DESK GUIDE

1. [The Child Welfare Response to Labor Trafficking in California: A Ten-County Case Study on Integrating a Response to Child Labor Trafficking](#), (a research brief) was developed to serve as a resource for child welfare agencies,

advocates, and policymakers who are working to strengthen supports for victims of all forms of child trafficking. The brief highlights labor trafficking research and promising practices in establishing an integrated response to child sex and labor trafficking, with a focus on the work of a cohort of 10 California child welfare agencies.

The online report can be found here: [Child Labor Trafficking Brief](#)

2. The Child Labor Trafficking Brief is accompanied by a user-friendly online toolkit to provide easy access to valuable county, state and federal resources. It includes information on current research trends, policy and protocol templates, comprehensive screening tools, prevention and awareness materials, a matrix of specialized service providers in California and tools to ethically engage those with lived experience in county-level work.

The Toolkit can be found here: [Child Labor Trafficking Online Toolkit](#).

3. [The Child Labor Trafficking Mini-Desk Guide](#) is a resource for child welfare workers, probation officers, and their multi-disciplinary partners. It serves as an educational and awareness tool to increase basic understanding of child labor trafficking and the available resources to support survivors.

The guide can be found here: [Child Labor Trafficking Mini-Desk Guide](#)

CONTACT INFORMATION

If you have any questions or need additional guidance regarding the information in the attached Child Labor Trafficking Brief, Online Toolkit, and Mini-Desk Guide, please contact the Child Trafficking Response Unit within the Child Welfare Policy and Program Development Bureau at (916) 651-6160 or at CSECPprogram@dss.ca.gov.

Sincerely,

Original Document Signed By

CHERYL TREADWELL, Chief
Safety Prevention and Early Intervention Branch
Children and Family Services Division

C: County Welfare Directors Association

Attachments



Child Labor Trafficking

MINI-DESK GUIDE

CHILD LABOR TRAFFICKING MINI-DESK GUIDE

Produced by Child and Family Policy Institute of California (CFPIC), Preventing and Addressing Child Trafficking Project under Grant No. 2016-MU-MU-K153, awarded to California Department of Social Services (CDSS) by the Administration for Children and Families (ACF), 2020.

ABOUT CHILD AND FAMILY POLICY INSTITUTE & THE PREVENTING AND ADDRESSING CHILD TRAFFICKING PROJECT

Since 2014, the California Department of Social Services has contracted with the Child and Family Policy Institute of California (an organization dedicated to advance the development of sound public policy and promote program excellence in county Human Services Agencies), to administer the Preventing and Addressing Child Trafficking (PACT) Project.

PACT engages county child welfare agencies and their multidisciplinary partners as they implement a coordinated cross-system, inter-agency model with a mission to improve service delivery to children and youth at risk of or experiencing sex and/or labor trafficking in California.



CHILD LABOR TRAFFICKING

Every day children and youth are forced, tricked or coerced to work for little to no pay, in unsafe and abusive working environments. While it is a common belief that labor trafficking only occurs outside the United States or impacts immigrants, recent research demonstrates that the problem is more pervasive than we think and is occurring to both domestic and foreign-born children and youth in California. Traffickers specifically target individuals who are vulnerable to the promise of “easy money” or the lure of a “better future.” Youth with experience in foster care or the juvenile justice system are at a particularly high risk. Child welfare workers and probation officers are in a unique position to identify victims, provide specialized interventions and bridge the gap to local resources.

What is Child Labor Trafficking

Child labor trafficking is the use of force, fraud, or coercion, leading a child or youth to perform labor or services.¹ Work can include formal employment in various industries, informal services such as babysitting and housekeeping or may involve illegal activities such as drug cultivation or drug sales.

- Force involves physically restraining or harming a victim.
- Fraud deceives victims about aspects of their employment including job duties, work conditions, and payment.
- Coercion includes multiple ways a trafficker may control a victim.

Coercion may include threats of serious psychological/physical harm to the victim or a loved one; real or threatened abuse of the legal system (i.e., threatening youth with deportation or prosecution by the police), or any plan or scheme that causes someone to continue working for their trafficker. California law’s definition specifically includes facilitating drug use or drug dependency as a means of coercion.²

Youth are at an especially high risk of labor trafficking as they may lack the experience and knowledge to recognize abusive employment practices and suspicious job offers. Some youth feel the only way to support their families is to work, even when they do so illegally, making them susceptible to traffickers. These factors compound in situations where youth lack support networks or face additional barriers to employment, such as a criminal record.³

Work does not need to rise to the level of labor trafficking to be harmful to children. According to the International Labor Organization as children’s bodies and minds are still developing, children are more vulnerable than adults to workplace hazards, and the consequences of hazardous work are often more devastating and lasting. In recognition of these impacts, federal and state law provide specific protections for children in the workplace.

“As a child I felt invisible. My trafficker moved us frequently and I worked in the family business without pay. At home, I did all the housework and cared for five other kids. When I disobeyed, I was beaten; denied food and was isolated from the outside world. Now I’m free – I want others to know they aren’t alone and there is help out there.”

– *Anonymous Survivor*



LEGAL CHILD LABOR

As defined by Federal and State Employment Law.

Typically must be a minimum of 14 years of age and are required to have a permit to work.

Varies by state and industry.^{5,6}



CHILD LABOR

Minors under the legal working age are engaging in illegal work and/or work that is harmful to their health, development, or education.⁷



LABOR EXPLOITATION

Working legally but denied basic legal rights such as fair compensation, breaks, overtime pay, etc.⁸



LABOR TRAFFICKING

Often has components of Child Labor and Child Labor Exploitation. Force, Fraud or Coercion must be present.

Visit the [State of California, U.S. Department of Industrial Relations Website](#) to download the [California Labor Commissioner's Child Labor Law Booklet](#) to learn more information on minors and employment.

Prevalence of Child Labor Trafficking



According to the National Human Trafficking Hotline, which maintains one of the most extensive data sets on human trafficking in the U.S., California has experienced the highest number of trafficking cases each year since 2007, with nearly 29% of cases involving children or youth. While a majority of identified cases in California between 2016-2018 were instances of sex trafficking (78% to 84%); labor trafficking comprised approximately 8% to 12% of the totals, and an additional (3% to 6%) had elements of both sex and labor trafficking.⁹

Number of California Cases Reported where the Situation Involved Minors

	2016	2017	2018
Labor	39 (8%)	58 (12%)	39 (11%)
Sex	410 (83%)	412 (84%)	272 (78%)
Other/Not Specified	18 (4%)	7 (1%)	15 (4%)
Sex and Labor	26 (5%)	15 (3%)	21 (6%)
TOTAL	493	492	347

While research is limited, one recent study provides a detailed account of labor and sexual exploitation experienced by homeless youth in Covenant House's care - an organization providing housing and support services to young people in 31 U.S. cities and six countries since 1972. The study, revealed that one in five of the 641 youth interviewed were identified as victims of some form of human trafficking and 91% reported having been offered lucrative work opportunities that turned out to be fraudulent, scams or sex trafficking. Of the two California sites, in Oakland 60% of identified victims disclosed labor trafficking and in Los Angeles reports of sex and labor trafficking were equally disclosed. The vast majority (81%) of all reported labor trafficking cases were instances of forced drug dealing.

Due to limited data collection and a lack of awareness, the prevalence of child labor trafficking is likely likely much higher than documented.¹⁰

“Before you address trauma, you have to address basic needs. If housing isn’t stabilized, if someone hasn’t eaten, or slept well for a long time, or has medical issues, they can’t focus on doing any deeper healing.”

– *Anonymous Survivor*



Where Does Labor Trafficking Occur?

Labor trafficking occurs in communities of all sizes and in a variety of industries and locations. The National Human Trafficking Hotline reports the highest number of child labor trafficking cases involve peddling and begging, domestic work and traveling sales crews. Common settings where child sex and labor trafficking intersect are bars and clubs, illicit massage, health and beauty industries.¹¹ Urban counties may attract youth to work in sales or restaurant jobs, while rural areas may attract more agricultural workers.

Polaris, through analysis of calls/texts from the National Human Trafficking Hotline has identified over twenty-five types of trafficking and specific business model/recruitment strategies found in legal and illegal industries.¹²

TOP INDUSTRIES IDENTIFIED IN CHILD LABOR TRAFFICKING CASES BY THE NATIONAL HUMAN TRAFFICKING HOTLINE

Labor Trafficking Only

- Peddling and Begging
- Domestic Work
- Traveling Sales Crews
- Restaurants and Food Services
- Agriculture
- Construction

Labor and Sex Trafficking

- Bars, Clubs and Cantinas
- Illicit Massage, Health & Beauty
- Illicit Activities

Who are the Victims & Traffickers?

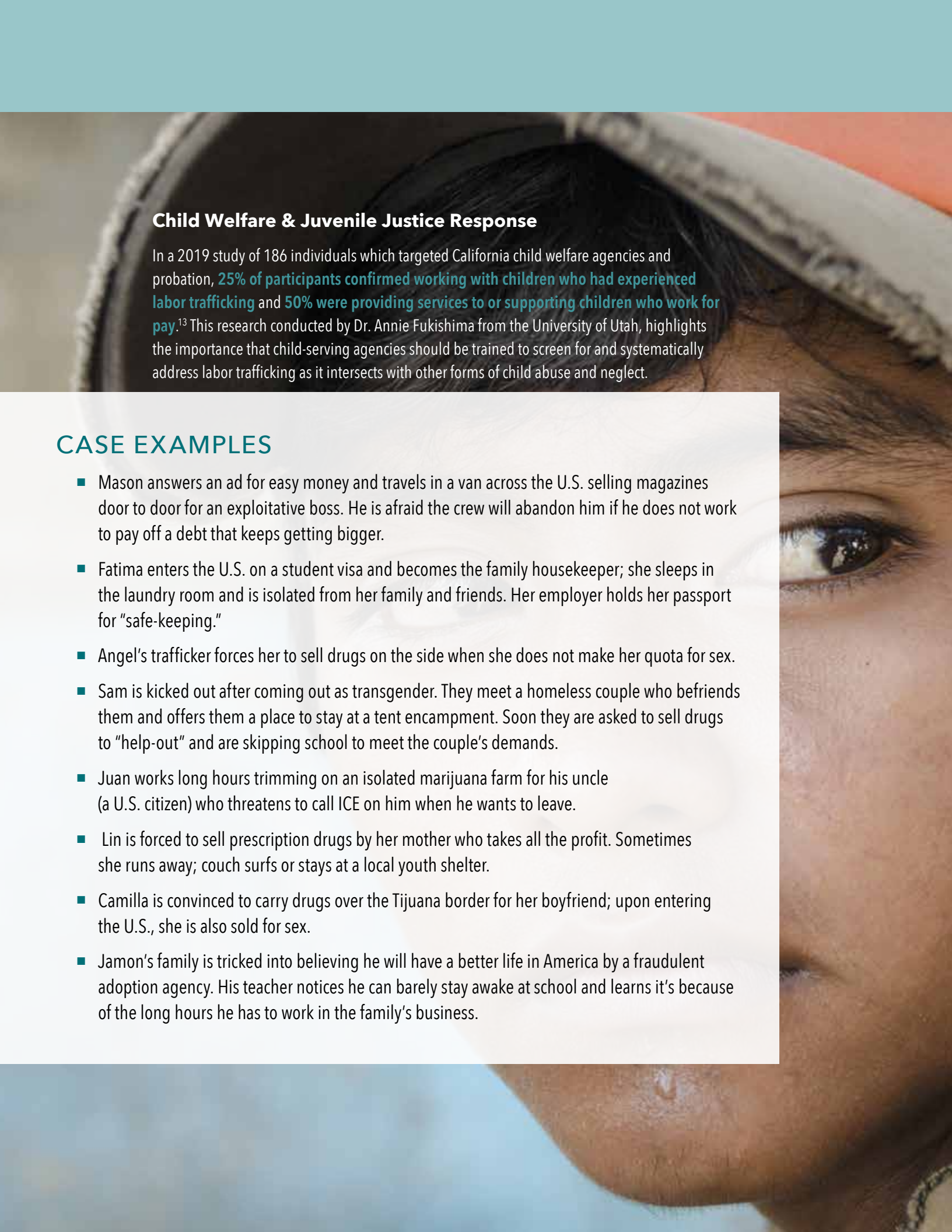


“A child doesn’t choose if they are sex or labor trafficked, or both. The commercial exploitation of a child is abuse, period.”

- *Human Trafficking Advocate*

Victims and traffickers can be from any background, race, gender, sexual orientation, and economic status. Traffickers prey on an individual’s vulnerabilities such as poverty, status as a runaway or homeless youth, criminal record, young age, disabilities, an unstable family environment, immigration status, chemical dependency and racial or ethnic marginalization. A child or youth may be the primary victim or secondary victim (in the case they are in the care of a parent or guardian who is being trafficked). Traffickers involved in child labor trafficking are most commonly employers or family members. In many scenarios, they are in a position to gain the victim’s trust—such as foster parents, intimate partners, employment recruiters, or landlords—although they may also be unknown to the victim.³ Particularly in cases of familial trafficking, children who are labor trafficked may present conflicting emotions of love and care for their trafficker while simultaneously experiencing extreme fear and abuse.

Victims of labor trafficking are often subjected to multiple forms of exploitation and may have a history of complex trauma. Labor and sex trafficking for instance, often co-occur or intersect when a child or youth is required to provide commercial sexual services and additional duties such as massage, housekeeping, or selling drugs.



Child Welfare & Juvenile Justice Response

In a 2019 study of 186 individuals which targeted California child welfare agencies and probation, **25% of participants confirmed working with children who had experienced labor trafficking** and **50% were providing services to or supporting children who work for pay**.¹³ This research conducted by Dr. Annie Fukushima from the University of Utah, highlights the importance that child-serving agencies should be trained to screen for and systematically address labor trafficking as it intersects with other forms of child abuse and neglect.

CASE EXAMPLES

- Mason answers an ad for easy money and travels in a van across the U.S. selling magazines door to door for an exploitative boss. He is afraid the crew will abandon him if he does not work to pay off a debt that keeps getting bigger.
- Fatima enters the U.S. on a student visa and becomes the family housekeeper; she sleeps in the laundry room and is isolated from her family and friends. Her employer holds her passport for "safe-keeping."
- Angel's trafficker forces her to sell drugs on the side when she does not make her quota for sex.
- Sam is kicked out after coming out as transgender. They meet a homeless couple who befriends them and offers them a place to stay at a tent encampment. Soon they are asked to sell drugs to "help-out" and are skipping school to meet the couple's demands.
- Juan works long hours trimming on an isolated marijuana farm for his uncle (a U.S. citizen) who threatens to call ICE on him when he wants to leave.
- Lin is forced to sell prescription drugs by her mother who takes all the profit. Sometimes she runs away; couch surfs or stays at a local youth shelter.
- Camilla is convinced to carry drugs over the Tijuana border for her boyfriend; upon entering the U.S., she is also sold for sex.
- Jamon's family is tricked into believing he will have a better life in America by a fraudulent adoption agency. His teacher notices he can barely stay awake at school and learns it's because of the long hours he has to work in the family's business.

IDENTIFYING CHILD LABOR TRAFFICKING

Early identification is key to establishing a collaborative response and connecting children and families to supportive services. In many cases, the trafficker's methods of controlling victims are not obvious to the outside observer. Victims are often coached to protect their exploiter, or may be fearful to disclose due to immigration status or forced involvement in criminal activities. Building trust takes time and information may be gathered over multiple encounters before an individual is ready to share. If you notice red flags, it can be helpful to have an open-ended conversation about your concerns. Child labor trafficking is a serious crime and can have physical, psychological and behavior health impacts. When identified consider immediate safety risks and cross report to law enforcement. As possible, collaborate with a local anti-trafficking organization specialized in providing trauma-informed services to address emergency, transitional and long-term needs to support recovery.

Screening and assessment tools can assist in identifying a child or youth who has experienced labor trafficking.

PACT's Identifying and Responding to Child Labor Trafficking document includes a two question tool that is intended for the screener, assigned worker or supervisor to review information known about a child who shows signs of labor trafficking prior to conducting an actual interview.¹⁴

Other validated tools such as the **Human Trafficking Interview and Assessment Measure (HTIAM-14)**, can identify if a youth has experienced force, fraud and/or coercion, related to their work history.¹⁵

RECOGNIZE THE RED FLAGS

- Can't move freely, not allowed to come and go at will.
- Living with or accompanied by people who are not their parents or guardians or whom their relationship is unclear.
- Someone else speaks for them.
- Not permitted to use phone or other communications, especially if restricted from contacting family.
- Someone may control their transportation.
- Unsure of day, date, month or year as developmentally appropriate.
- Frequent moves or uncertainty of address.
- Unusual living/work space (i.e. tinted windows, security cameras, barbed wire, sleeping/living at worksite).
- Wears the same clothes daily, or routinely wears clothes inappropriate for the weather conditions.
- Not in control of personal identification.
- Someone else controls their money or collects their earnings from work.
- Explanation of work situation doesn't make sense; seems scripted.
- Seems afraid to answer questions.
- Fearful of employer (may be formal employer or family member, boyfriend/girlfriend).
- Long work hours; exhausted; hungry.
- Missing school because has to "work".
- Owes a debt to employer (may be family member).
- Shows other signs of abuse or neglect.
- Arrested or criminal history for crimes such as stealing or drug sales; money goes to third party.¹³



EXAMPLE QUESTIONS FROM THE HUMAN TRAFFICKING INTERVIEW AND ASSESSMENT MEASURE (HTIAM-14)

FORCE

Have you ever worked in a place that made you feel scared or unsafe?

FRAUD

Have you ever been tricked or forced into doing any kind of work that you did not want to do?

COERCION

Have you ever worked for someone who did not let you contact your friends or family, or the outside world, even when you were not working?

Visit PACT's Website to learn more about the various tools that can assist in identification www.cfpic.org/projects/pact/screening-tools.

TRAUMA INFORMED SERVICES



Children and youth who have experienced any form of human trafficking may suffer from severe and complex trauma, which has a detrimental impact on physical, emotional and mental well-being. This can lead to barriers in attaining long-term recovery and stability. Supporting these needs requires a comprehensive, trauma-informed, culturally and linguistically appropriate service delivery. Developing a trusted team of key providers is essential to coordinate efforts and may include collaboration with between social services, health and mental health providers, attorneys, schools, law enforcement and local non-profits. Successful teaming engages the child and family/caregiver(s) as appropriate, encouraging youth participation at every stage of the case planning process. Services should be individualized to each child or youth's experience, address a wide range of short term, transitional and long-term needs and include ongoing safety planning to proactively plan for triggering events. If you are working with a foreign national minor (non-US citizen/legal permanent resident and currently under 18) and have concerns that they may have experienced forced labor or commercial sex at any point in their life, be aware they are eligible for additional benefits and services under the Trafficking Victims Protection Act. Federal, state and local officials are required to notify the Office on Trafficking in Persons within 24-hours of a suspected case to facilitate local assistance.

While not every county has an agency that specializes in serving victims of labor trafficking; regional, statewide and federal resources are available. Visit the PACT website for a list of California providers: www.cfpic.org/projects/pact/specialized-services

VICTIMS OF HUMAN TRAFFICKING HAVE A WIDE ARRAY OF NEEDS TO CONSIDER AND REQUIRES COLLABORATION WITH MULTIPLE CHILD-SERVING AGENCIES.

- Food/Clothing
- Shelter/Placement
- Safety Planning
- Medical & Dental Care
- Substance Abuse Treatment
- Counseling
- Victim Compensation
- Workers Right's Education
- Court Accompaniment
- Legal Assistance
- Immigration Relief
- Education & Job Training
- Spiritual/Faith Based Support
- Interpretation
- Cultural Orientation
- Family Reunification

ADDITIONAL RESOURCES

Preventing and Addressing Child Trafficking - PACT

PACT engages county child welfare agencies and their multidisciplinary partners as they implement a coordinated cross-system, inter-agency model with a mission to improve service delivery to children and youth at risk of or experiencing sex and/or labor trafficking in California. Learn more by visiting PACT's Website www.cfpic.org/projects/pact/childlabortrafficking to download a copy of our recent report: The Child Welfare Response to Child Labor Trafficking in California and explore our interactive Child Labor Trafficking Tool Kit, featuring tools, templates, training materials and other valuable resources.

National Human Trafficking Hotline

24-Hour Hotline & Tip Line: (888) 373-7888 | BeFree Textline Text "BeFree" (233733)

The National Human Trafficking Hotline is a national, toll-free hotline, available to answer calls, texts, and live chats from anywhere in the United States, 24 hours a day, 7 days a week, in more than 200 languages. The National Hotline offers round-the-clock access to a safe space to report tips, seek services, and ask for help.

Office on Trafficking In Persons

(202) 205-4582 | childtrafficking@acf.hhs.gov

If you are assisting a foreign national minor who may have experienced trafficking, contact OTIP Child Protection Specialists at (202) 205-4582 or childtrafficking@acf.hhs.gov during regular business hours to ask questions regarding the process or to discuss potential cases before submission of a mandated report.

Coalition to Abolish Slavery and Trafficking Los Angeles

24-Hour Hotline & Tip line: (888) KEY-2-FREE | (888) 539-2373

CAST's toll free hotline is available anywhere in the U.S. 24 hours a day, 7 days week with translators in multiple languages. CAST also provides immediate, short-term services in LA county to ensure the safety and well-being of victims when they first escape their trafficking situation, in addition to youth-focused programming and legal support.

YoungWorkers.org

The [Young Worker Health and Safety website](#) is a project of the California Partnership for Young Worker Health and Safety and has a goal to prevent California's young workers from being injured or killed on the job. The site hosts downloadable materials for teens, teachers, employers, parents and caregivers regarding employment for young workers.

International Rescue Committee - Sacramento Branch

(916) 482-0120

The International Rescue Committee serves a region in Northern California from San Joaquin to the Oregon border. By facilitating presentations, training, technical assistance, and offering comprehensive services to minor and adult victims of labor and sex trafficking, the HOPE Program aims to educate community members and train organizations to better respond to and serve survivors. In 2021, they will launch the first statewide conference on child labor trafficking.

REFERENCES

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- 3 Dykoshak, T., Lohman, M. & Prestholdt, J. (2019). *Labor trafficking protocol guidelines: Identifying and responding to victims of labor trafficking 24 years old and under*. The Advocates for Human Rights.
- 4 International Labour Organization. 2020. *Hazardous Child Labour*.
- 5 Donovan S., Shimabukuro J. (2016) *The Fair Labor Standards Act (FLSA) Child Labor Provisions*. Congressional Research Service.
- 6 The *Labor Commissioner's child labor law booklet* contains comprehensive information about child labor laws, school attendance, wage, hour, and age requirements, restrictions, employer requirements and work permits. It also includes references and links to the state *Labor Code*, the *Education Code* and other relevant laws and regulations.
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- 15 *Covenant House. Human Trafficking Interview and Assessment Measure*.



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