

May 13, 2024

CALIFORNIA DEPARTMENT OF SOCIAL SERVICES

EXECUTIVE SUMMARY

ALL COUNTY INFORMATION NOTICE NO. I-16-24

This letter introduces the four new Statewide Special Project Codes available for use for the documentation of Labor Trafficking of children in the Child Welfare Services / Case Management System.



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DIRECTOR

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DEPARTMENT OF SOCIAL SERVICES
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GAVIN NEWSOM
GOVERNOR

May 13, 2024

ALL COUNTY INFORMATION NOTICE NO. I-16-24

TO: ALL COUNTY CHILD WELFARE DIRECTORS
ALL CHIEF PROBATION OFFICERS
ALL FOSTER CARE MANAGERS
ALL CHILD WELFARE SERVICES PROGRAM MANAGERS
ALL TITLE IV-E AGREEMENT TRIBES
ALL FEDERALLY RECOGNIZED TRIBES
ALL COUNTY BOARDS OF SUPERVISORS

SUBJECT: DOCUMENTATION OF LABOR TRAFFICKING OF CHILDREN IN
THE CHILD WELFARE SERVICES/CASE MANAGEMENT
SYSTEM

REFERENCE: [PENAL CODE SECTION 236.1\(h\)\(5\);](#)
[ALL COUNTY INFORMATION NOTICE NO. I-17-21;](#)
[WELFARE AND INSTITUTIONS CODE SECTION 300\(b\)\(1\)](#)

The purpose of this All County Information Notice (ACIN) is to provide all county child welfare agencies and probation departments, collectively referred to as Counties, information on four new Statewide Special Project Codes (SPCs) which can be utilized to document the labor trafficking of children in the Child Welfare Services/Case Management System (CWS / CMS).

BACKGROUND

The statewide system of child welfare services is intended to ensure children are safe and free from abuse and neglect. To this end, county child welfare agencies are charged with administering child welfare services, including through creating a continuum of services designed to ensure children are safe and families have the necessary support to care for their children.

This charge includes consulting and collaborating with Tribes in every aspect of a case involving an American Indian/Alaska Native (AI/AN) child, from screening and determination of appropriate services to subsequent delivery of those services.

In addition to children of color and Lesbian, Gay, Bisexual, Transgender, Queer, Intersex and Asexual (LGBTQIA) children, AI/AN women and girls experience an increased vulnerability as it relates to human trafficking and go missing and are trafficked at higher rates than others.¹ And as such, consultation with Tribes is critical to better understanding these children and their needs.

[Penal Code 236.1\(h\)\(5\)](#) defines “forced labor or services” as labor or services that are performed or provided by a person and are obtained or maintained through force, fraud, duress or coercion, or equivalent conduct that would reasonably overbear the will of the person. Child labor trafficking, the recruitment, harboring, transportation, provision, or obtaining of a person under the age of 18 for forced labor or services, is highly relevant to the child welfare system for several key reasons:

- Children with experience in foster care or the juvenile justice system are at a particularly high risk for labor trafficking;
- 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, which may be grounds for the child to be removed from the home and/or come under the jurisdiction of the juvenile court ([Welfare and Institutions Code section 300\(b\)\(1\)](#)). This may include children who were labor trafficked by a parent or guardian;
- Child labor trafficking frequently intersects with commercial sexual exploitation (CSE); children at risk of, or experiencing, CSE should also be screened for child labor trafficking; and
- 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. For more information on the spectrum of labor exploitation and child labor trafficking, refer to [The Child Welfare Response to Labor Trafficking in California: A Ten-County Case Study on Integrating a Response to Child Labor Trafficking](#) and [Child Labor Trafficking Mini Desk Guide](#), included in [ACIN I-17-21](#).

The four statewide special project codes described below have been created to allow counties to enter information regarding child labor trafficking into the CWS/CMS in a uniform manner.

¹ Urban Indian Health Institute, Seattle Indian Health Board (2018). [Missing and Murdered Indigenous Women & Girls](#)

INDICATORS AND RED-FLAGS

Child labor trafficking victims can be of any gender, and nationality, including U.S. citizens. Individuals who traffic children are typically in a position to gain trust, while exploiting a young person's existing vulnerabilities. Traffickers may be a family member, intimate partner, landlord, formal employer, a gang member, or a criminal organization. Work can be performed in a formal setting (i.e., a restaurant, retail business, construction), an informal setting (i.e., caregiving, domestic work in a home) and/or can involve criminal or illicit activities.

Not all child labor constitutes labor exploitation or labor trafficking. For further information about California's child labor protections and what can constitute legal work for a minor under the age of 18, refer to the [California Labor Laws - California Department of Labor Relations Division of Labor Standards Enforcement 2013](#).

In the document, [Identifying and Responding to Child Labor Trafficking](#), the Preventing and Addressing Child Trafficking Project (PACT) outlines several red flags that could indicate a child is experiencing labor trafficking or is vulnerable to labor trafficking or labor exploitation. This document also includes a short screening tool. PACT refers to a list of available screening tools/assessments, including the validated [Covenant House Human Trafficking Interview Assessment Measure \(HTIAM-14\)](#). The PACT Project also compiled the [Commercial Exploitation of Children Red Flags Indicator Chart](#), which lists red flags that can indicate Child Sex Trafficking, Exploiting a Child's Labor or Involving a Child in Criminal Activity.

FOUR SPECIAL PROJECT CODES

The SPCs in the tables below can be utilized to document children who are, or are alleged to be, experiencing, or at risk for experiencing, labor trafficking. These codes can be utilized with new and/or existing open cases in CWS/CMS. SPC number one is in the Special Project page of the referral notebook and SPCs numbers two through four are in the Special Project page of the client notebook in CWS/CMS system and are all active as of March 18, 2024. Refer to **Attachment A** for specific instructions on locating and entering these SPCs in the Referral or Case Notebook in CWS/CMS.

The following SPC Titles and Descriptions are held to a character limit (30 and 256 respectively), therefore they contain truncated and abbreviated words.

S – Labor Trafficking Exploiting Child's Labor (EL) / Involving Child in Criminal Behavior (IC) Referral:

1.	S-Labor Traf EL / IC Referral	Special Project Code to identify a child who is alleged to be a victim of exploiting a child's labor or involving a child in criminal behavior.
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- This special project code is utilized to identify a child who is alleged to be a victim of exploiting a child's labor or involving a child in criminal behavior. This will enable CWS/CMS to track any referral to the child welfare services agency alleging the child has been a victim of the exploitation of child's labor or involving a child in criminal behavior, regardless of the method of referral or disposition.
- The start date will be the date the referral was received. The end date will be assigned once the referral is investigated.

S – Labor Trafficking Exploiting Child's Labor

2.	S-Labor Traf Expl Child Labor	Special Project Code to identify a child who is a victim of exploiting a child's labor. Examples include, but are not limited to, domestic work, agriculture, construction, food service, hospitality, begging/peddling.
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- This special project code is utilized to identify a child who is a victim of exploiting a child's labor. Examples include employment in various workplaces (but may be present in any industry): agriculture, door to door sales, restaurants/bars, hotels, carnivals/amusement parks, construction, housekeeping, home health care, childcare, massage, nail salons and begging/peddling. This project code should be used for industries where the work or service is considered legal, or the child is not engaging in unlawful activities as a result of trafficking.
- The start date will be the date the child was identified as a victim of exploiting a child's labor as determined through the county screening process. The end date will be entered as the date the child no longer receives child welfare services.

S- Labor Trafficking Involving Child in Criminal Behavior:

3.	S-Labor Traf In Child Crim Beh	Special Project Code to identify a child who is a victim of involving a child in criminal behavior. Examples include but are not limited to, drug/weapon smuggling or sales, drug cultivation, theft, peer recruitment.
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This special project code is utilized to identify a child who is a victim of involving a child in criminal behavior, whereby a third party profits from the child's involvement in performing an illegal act on the third party's behalf. Examples include, but are not limited to, drug/weapon smuggling or sales, drug cultivation and/or sales, fraud/scams, theft, or other activities required by a gang, criminal organization, parent, or guardian or other third party. This can also include children who a trafficker forces or coerces to recruit, monitor, or facilitate the commercial sexual exploitation of other children. In instances of forced criminality, the child is a victim of a crime, rather than a perpetrator of the crime since they are under the coercion or control of a trafficker.

- The start date will be the date the child was identified as a victim of involving a child in criminal behavior, as determined through the county screening process. The end date will be entered as the date the child no longer receives child welfare services.

S – Labor Trafficking Exploiting Child's Labor (EL) / Involving Child in Criminal Behavior (IC) Concern:

4.	S-Labor Traf EL / IC Concern	Special Project Code to identify a child who exhibits risk factors/concerns for experiencing or being a victim of exploiting a child's labor or involving a child in criminal behavior.
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- This special project code is utilized to identify a child who exhibits risk factors/concerns for experiencing or being a victim of exploiting a child's labor and/or involving a child in criminal behavior. This code should be utilized if a child has a concern of being vulnerable to labor trafficking based on the county screening process. These indicators can be determined from a screening tool such as in [Identifying and Responding to Child Labor Trafficking](#), in which the Preventing and Addressing Child Trafficking Project (PACT) outlines several red flags that could indicate a child is experiencing labor trafficking or is vulnerable to labor trafficking or labor exploitation.

- The start date will be the date the child is identified as having a risk factor or concern of being vulnerable to labor trafficking based on the county screening process. The end date will reflect the date the child is no longer considered vulnerable to labor trafficking or no longer receiving child welfare services. If the child becomes a victim of labor trafficking after having been identified as being at-risk, the S-Labor Trafficking Exploiting a Child's Labor / Involving a Child in Criminal Behavior Concern should be end dated and S-Labor Trafficking Exploiting a Child's Labor and/or S-Labor Trafficking Involving Child in Criminal Behavior should be added to the case notebook.

If you have any questions or need additional guidance regarding the information in this letter, contact the Child Trafficking Response Team within the Family Centered Safety and Support Bureau at (916) 651-6160 or at CSECPprogram@dss.ca.gov.

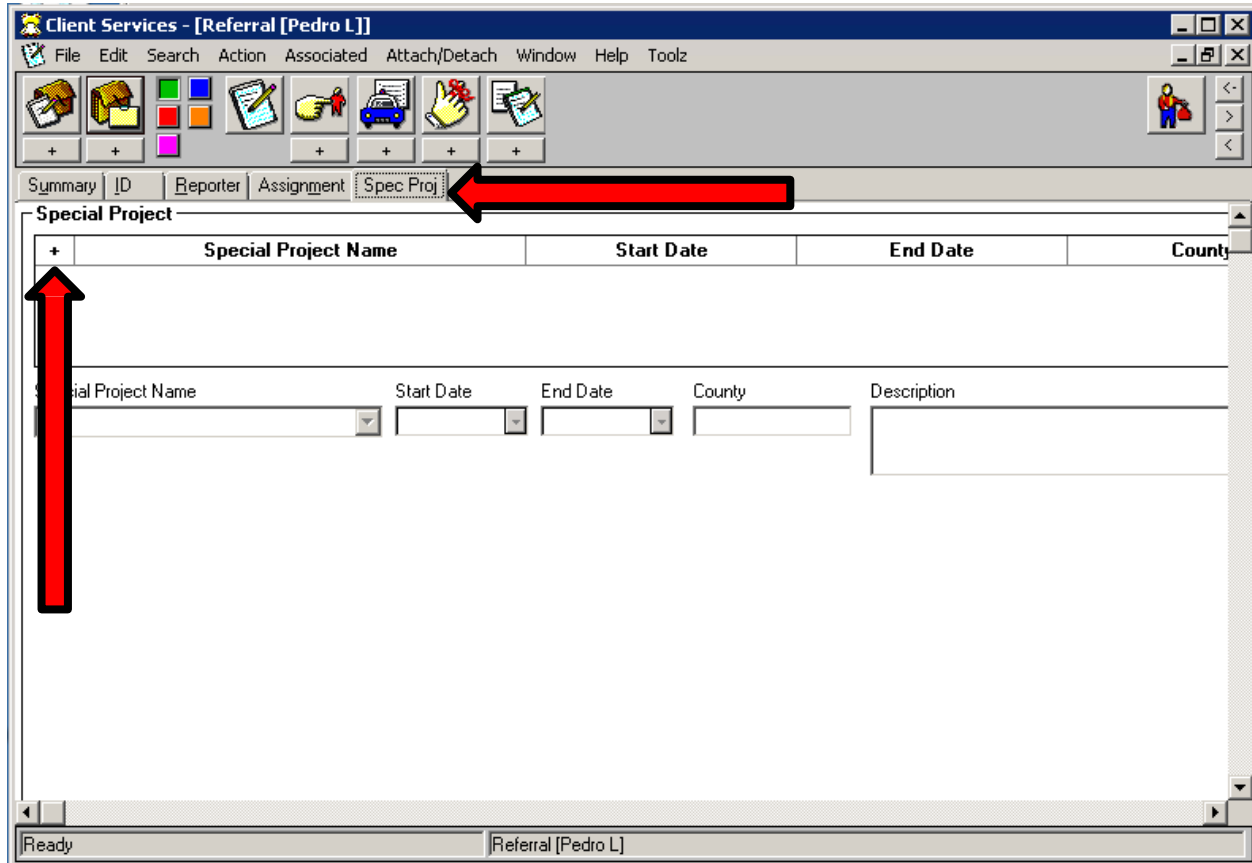
Sincerely,

Original Document Signed By

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

Attachment

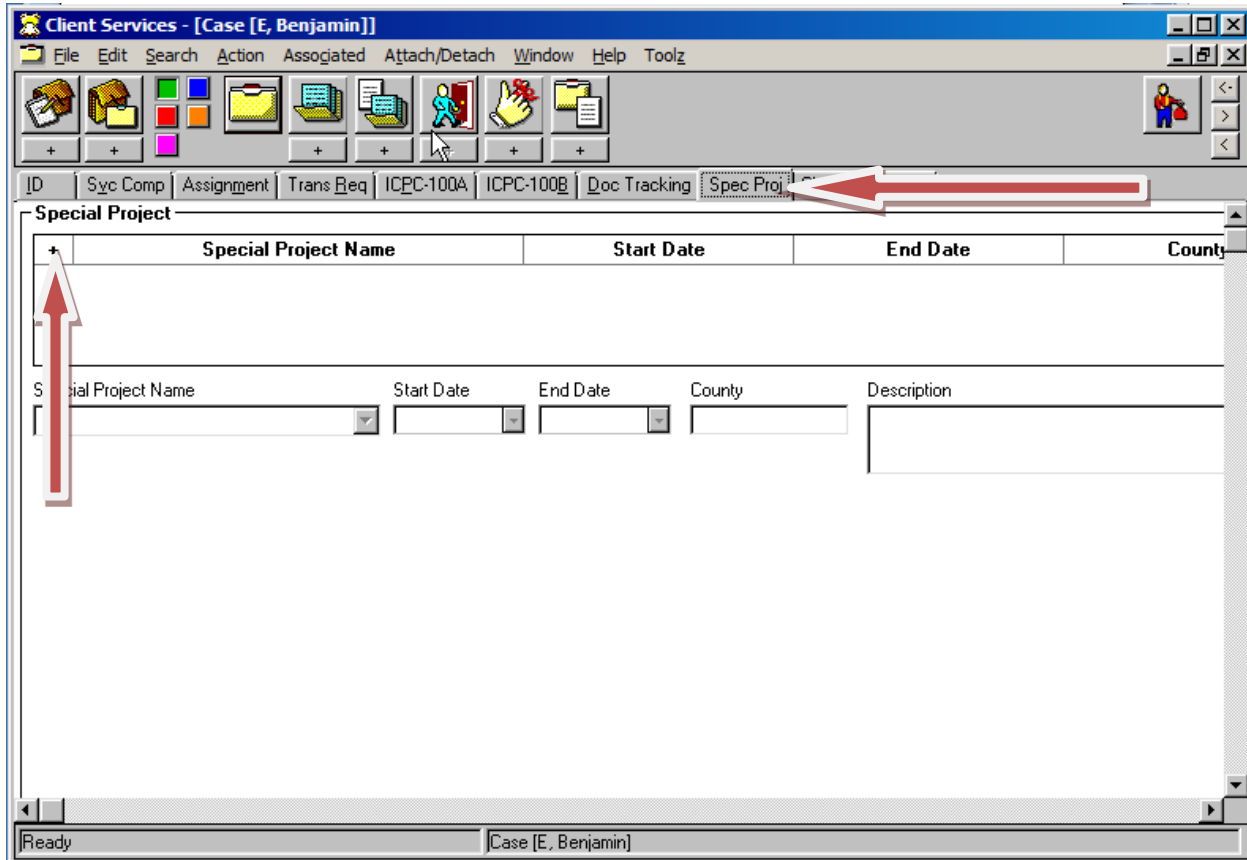
cc: County Welfare Directors Association
Chief Probation Officers of California

INSTRUCTIONS FOR ENTERING THE LABOR TRAFFICKING REFERRAL SPECIAL PROJECT CODE IN THE REFERRAL NOTEBOOK:

In the Client's **open Referral**:

1. Click on the **Special Projects** Page tab.
2. Click on the "+" in the Special Project grid and select **S-Labor Traf EL / IC Referral**.

INSTRUCTIONS FOR ENTERING THE LABOR TRAFFICKING SPECIAL PROJECT CODES IN THE CASE NOTEBOOK:



In the Client's **open Case**:

1. Click on the **Special Projects** Page tab.
 2. Click on the "+" in the Special Project grid and select the appropriate code (listed below).
- **S-Labor Traf Expl Child Labor**
 - **S-Labor Traf In Child Crim Beh**
 - **S-Labor Traf EL / IC Concern**