

5 MYTHS ABOUT HUMAN TRAFFICKING

Myth #1: Human trafficking always involves travel or transportation of the victim across borders.

Human trafficking does not require travel or transportation of the victim across local, state, or international borders. It can occur entirely within a single country, state, or city.

Myth #2: Trafficking victims are usually undocumented foreign nationals and girls or women.

There is no single profile of a trafficking victim. Victims include not only men and women lured into forced labor by the promise of a better life in the U.S., but also boys and girls who were born and raised here in California. Trafficking victims come from diverse backgrounds in terms of race, age, gender, and nationality, but one characteristic that they usually share is some form of vulnerability that a trafficker exploits.

Myth #3: Trafficking is always a violent crime.

Physical abuse is not always required to deprive a person of their liberty; traffickers often control their victims through fear or psychological manipulation. Many domestic victims of sex trafficking are runaway or homeless youth and/or come from backgrounds of sexual and physical abuse, incest, poverty, or addiction. Many others are undocumented immigrants hoping for a better life in a new country. Traffickers exploit these vulnerabilities, promising the victims love, a good job, or a more stable life. They isolate victims from their families and social networks, threatening to have them deported or telling them they will not be believed if they go to the authorities. Traffickers make them believe they have nowhere to run and no one to trust.

Myth #4: Trafficking only occurs in illegal or underground industries.

Traffickers operate out of both legitimate and illegitimate businesses. Often, victims can be hiding in plain sight in homes or workplaces — as agricultural growers, restaurant or hotel employees, construction or factory workers, domestic servants, or in other seemingly innocuous professions. They can also be involved in illegal enterprises, such as brothels, child pornography, pimping, gang networks, and organized crime.

Myth #5: Human trafficking is the same as smuggling.

Though they are often confused, human trafficking and smuggling are separate and fundamentally different crimes. Smuggling is the unauthorized crossing of borders with one person consenting to have another person help them cross the border. Human trafficking, on the other hand, occurs when an offender exploits another person by force, fraud, fear, or coercion for mandatory labor, domestic servitude, or commercial sex operations.

WHAT IS HUMAN TRAFFICKING?

Human Trafficking is the exploitation by force, fraud, fear, or coercion of people, for mandatory labor, domestic servitude, or commercial sex operations. In 2021, approximately 27.6 million people around the world were in forced labor at any given time.¹

According to the National Human Trafficking Hotline, there were more than 1,300 human trafficking cases reported in California in 2021. Attorney General Bonta has made it one of his top priorities to combat the pervasive issue of human trafficking in California.



TYPES OF HUMAN TRAFFICKING

Sex Trafficking

Sex trafficking occurs when an offender uses force, fraud, or coercion, requiring a person to engage in commercial sex acts. It can occur in residential brothels, massage businesses, strip clubs, and online through escort service advertisements and street prostitution. Exploitation of a minor for commercial sex is human trafficking, regardless of whether the trafficker uses any form of force, fraud, or coercion.

Labor Trafficking

Labor trafficking is the act of substantially restricting a person's liberty by force, fear, fraud, deceit, coercion with the intent of obtaining their forced labor. It can include forced labor in underground markets and sweatshops, as well as legitimate businesses such as hotels, factories, restaurants, construction sites, farming, landscaping, nail salons, and in traveling sales crews. Labor trafficking can arise in many situations, including domestic servitude, restaurant work, janitorial work, factory work, migrant agricultural work, and construction. It can be marked by unsanitary and overcrowded living and working conditions, nominal or no pay for work that is done, debt bondage, and government document servitude.

Domestic Servitude

A form of labor trafficking, domestic servitude often involves women who are forced to live and work in the homes of employers who confiscate their legal documents and prevent them from leaving. Workers in domestic servitude situations can be U.S. citizens, lawfully admitted foreign nationals, or undocumented immigrants.

¹ Global Estimates of Modern Slavery: Forced Labour and Forced Marriage https://www.ilo.org/global/topics/forced-labour/publications/WCMS_854733/lang--en/index.htm

ADDRESSING THE MISSING AND MURDERED INDIGENOUS PERSONS CRISIS

Native Americans across the country, including in California, have for decades suffered high rates of violence and abduction perpetrated on their loved ones — especially women and girls, with an overwhelming number of the cases of missing or murdered indigenous people lying unresolved. For instance, more than 4 in 5 American Indian and Alaska Native women¹ (84.3%) have experienced violence in their lifetime, including 56.1% who have experienced sexual violence, and nearly half (48.8%) who have experienced stalking. Furthermore, more than 1 in 3 American Indian and Alaska Native women (39.3%) have experienced violence in the past year including 14.4% who have experienced sexual violence and 8.6% who have experienced physical violence by an intimate partner. DOJ's Office of Native American Affairs (ONAA) works in partnership with California's Native American Tribes and tribal communities throughout the state, and in coordination with local, state and federal justice partners, to address the important issue known as the Missing and Murdered Indigenous Persons (MMIP) crisis by raising awareness about MMIP through first-of-their-kind initiatives such as:

- Holding state-tribal partnered events called *Missing in California Indian Country*. At these regional-based events local, state, tribal and federal justice partners come together to share critical information, resources, and partnership in addressing the MMIP crisis in California. These first-of-their-kind events allow MMIP survivors and family members to share their experience, report a loved one missing, receive an update on an active missing person's case, and/or provide a DNA sample for inclusion in the DOJ's Unidentified Persons Database. They also provide the opportunity for communities to get vital information from regional experts in combating human trafficking and victim services and learning about tribal, local, and state victim services.
- Publishing, maintaining, and updating information and culturally informed resources for Native American victims of crime on DOJ's website at oag.ca.gov/nativeamerican/victim-resources that provide opportunities for tribal citizens and justice partners alike to identify victim service programs that are culturally appropriate for their needs.
- Promoting communication and collaboration between federal, tribal, state, and local justice systems. The Attorney General has issued two Information Bulletins that provide our justice partners with guidance on the enforceability of tribal court protection orders in California and on the applicability of California's criminal trespass laws on Indian lands, two areas of concern raised by our tribal partners in justice in the fight against the MMIP crisis.
- Engaging directly with survivors, tribal community members and tribal government leadership about their experiences with human trafficking and MMIP, and public safety concerns in general, through in-person interviews, focus group discussions, and online surveys conducted in partnership with Dr. Blythe George, Yurok Tribal Citizen and expert in MMIP research and analysis, to uplift the voices of tribal communities and highlight their concerns.

1 André B. Rosay, "Violence Against American Indian and Alaska Native Women and Men," *NIJ Journal*, no. 277 (2016): 38-45, <http://nij.gov/journals/277/Pages/violence-againstamerican-indians-alaska-natives.aspx>.

WHAT DOJ IS DOING ABOUT HUMAN TRAFFICKING

Highlights from the Past Year

On April 22, 2023, and September 30, 2023, ONAA, in collaboration with tribal communities and law enforcement, sponsored and hosted *Missing in California Indian Country* events in Riverside County in partnership with the Soboba Band of Luiseno Indians and the Riverside County Sheriff's Office and in Humboldt County in partnership with the Blue Lake Rancheria and the Humboldt County Sheriff's Office, the Yurok Tribal Police and the Hoopa Valley Tribal Police. These events, developed and planned in collaboration with the regional tribal communities and governments, provided tribal community members with the opportunity to hear from tribal, state, local and non-profit entities that provide services to families and survivors of crime, as well as from expert prosecutors and investigators on how to identify if your loved one may be a victim of human trafficking and what to do if you suspect your loved one is being trafficked.

In April of 2023, ONAA published an updated Native American Marsy's Law Information Card. This card contains specific sections of the Victims' Bill of Rights Act of 2008 and provides critical information on national, statewide, regional, tribal, and local resources for Native American victims of crime. The card contains a QR Code that assists tribal citizens in locating culturally appropriate and informed services available to them statewide, by region, and by county. These combined resources are **the first-of-their-kind for tribal citizens in California**. The card was published on DOJ's website at oag.ca.gov/native-american-marsys-card and distributed to all tribal victim service providers in the state, as well as all local law enforcement agencies and victims services' agencies who have requested it.

MISSING AND MURDERED INDIGENOUS PERSONS LEGISLATION

Attorney General Bonta is supportive of legislation aimed at building trust and fostering relationships that address past wrongs and improve public safety for Native Americans on and off tribal lands, most recently as evidenced Assembly Bill 1314 (Ramos, 2022) (AB 1314) and Assembly Bill 44 (Ramos, 2023) (AB 44).

- **AB 1314**, also known as the Feather Alert, established California's missing indigenous person alert system and was the third-of-its-kind in the nation. The law aids in the location of an Indigenous person who have gone missing under suspicious circumstances, such as through abduction or kidnapping. It authorizes a law enforcement agency, after utilizing tribal resources, to request the Department of the California Highway Patrol (CHP) to activate a "Feather Alert," when an endangered indigenous person has been reported missing under unexplained or suspicious circumstances. Through the Attorney General's commitment, ONAA, in partnership with the CHP, participates in statewide Feather Alert through implementation community gatherings to educate local law enforcement and tribal communities about the Feather Alert.
- **AB 44** allows tribal law enforcement and tribal courts access to the California Law Enforcement Telecommunications System (CLETS), which provides qualified law enforcement agencies with ability to directly access information from various federal, state and local databases. With the Attorney General's support, California now allows for greater collaboration between tribal police and tribal courts to access the CLETS, which is anticipated to greatly assist in the investigation of MMIP and human trafficking cases.

HUMAN TRAFFICKING RESOURCES

If you or someone you know is being forced to engage in any activity against their will — whether it is commercial sex, housework, farm work, construction, factory, retail, or restaurant work, or more — and cannot leave, you can call the **National Human Trafficking Hotline** (<https://humantraffickinghotline.org/en>) at **1-888-373-7888** to access help and services. If you or someone else is in immediate danger, **call 9-1-1**.

It is also important to remember that California law prohibits law enforcement authorities from asking individuals, including those who are reporting or are victims of potential crimes, about their immigration status, unless the information is necessary to certify the victim for a U visa (victim of crime visa) or T visa (victim of human trafficking visa). If you need help, you can reach out to local authorities and various organizations, including:

The Victims of Crime Resource Center

- Find them online at <https://1800victims.org/> (Online Chat Available);
- Text or call 1-800-842-8467; or
- Email 1800VICTIMS@pacific.edu

The California Department of Justice's Victims' Services Unit

- Find them online at <https://oag.ca.gov/victimservices>;
- Call 1-877-433-9069; or
- Email VictimServices@doj.ca.gov

Additional Resources

Resources such as emergency food and shelter, legal services, and health services can be found on your city or county websites. For those who have been the victim of a violent crime, the [California Victim Compensation Board](#) can help cover related bills and expenses.

Additional information about resources regarding human trafficking is available on the California Department of Justice's website at oag.ca.gov/human-trafficking

California Department of Justice's Victims' Services Unit

 OAG.CA.GOV/VICTIMSERVICES

 **1-877-433-9069**

 VICTIMSERVICES@DOJ.CA.GOV

Office of Native American Affairs Missing and Murdered Indigenous Persons

 OAG.CA.GOV/NATIVEAMERICAN/VICTIM-RESOURCES

National Human Trafficking Hotline

 HUMANTRAFFICKINGHOTLINE.ORG

 **TEXT 233-733 (BE FREE)**

 **1-888-373-7888**

California Victim Compensation Board

 VICTIMS.CA.GOV

 INFO@VICTIMS.CA.GOV

 **1-800-777-9229**



WHAT DOJ IS DOING ABOUT HUMAN TRAFFICKING

ENFORCEMENT

In June 2021, Attorney General Bonta launched DOJ's two regional Human Trafficking / Sexual Predator Apprehension (HT/SPAT) Teams to help fight the hidden crime of human trafficking, alongside DOJ's San Diego Human Trafficking Task Force (SDHTTF). Together, these three teams partner with federal, state, and local law enforcement agencies throughout the state to disrupt and dismantle networks of human trafficking and the criminal exploitation of children by:

- Investigating cases and securing hundreds of arrests related to human trafficking and other violations of California's laws. **In 2023, the SDHTTF, and the HT/SPAT teams arrested a total of 197 traffickers and assisted or recovered 109 victims.**
- Carrying out hundreds of on-the-ground address checks of registered sex offenders and high-risk sex offenders.
- Providing guidance for law enforcement across the state, including by conducting trainings and issuing guidance to help law enforcement protect children who have been exploited through commercial sex from further harm.

Highlights from the Past Year

Operation Bad Barbie: This multiagency, four-day sexual predator apprehension operation was carried out in Kern County in August 2023, and resulted in the **arrests of 22 suspects**. The operation targeted child predators lurking on websites commonly accessed by youth, where the predators would try to lure victims for sex acts for pay.

Operation Better Pathways: As a result of this operation carried out in San Diego and National City in January and February 2023, **48 individuals were arrested** for human trafficking, sexual exploitation, and other criminal offenses, and two firearms were recovered, including a ghost gun. During the operation, law enforcement personnel conducted targeted surveillance to directly identify and stop alleged human trafficking and sexual exploitation in real time.

Operation White Elephant: This three-day multiagency operation in Fresno concluded on December 1, 2023, and resulted in the **arrests of 19 suspects**. The operation targeted adults seeking to sexually exploit children by using undercover agents and detectives posing as minors and offering sex for pay.

PROSECUTION

DOJ's Tax Recovery in the Underground Economy Criminal Enforcement (TRUE) Program plays an important role in holding perpetrators accountable for crimes in California's underground economy, including labor trafficking and wage theft. As part of the TRUE task force, DOJ's dedicated investigators, special agents, and prosecutors, as well as those from other agencies, including the California Department of Tax and Fee Administration, the California Franchise Tax Board, and the California Employment Development Department, work together to combat illegal business activities that rob California of public funds and subject its citizens to unlawful or inhumane working conditions. Additionally, the HT/SPAT task forces play an important role in the investigation and successful prosecution of sex and labor trafficking cases.

Highlights from the Past Year

Rainbow Bright case: In February 2023, DOJ's Special Prosecutions Section **secured prison sentences** for three members of the Gamos Family, operators of an adult residential and childcare company in the Bay Area named Rainbow Bright. The defendants targeted recent immigrants to the United States for human trafficking and labor exploitation, and coerced them using threats of arrest and deportation, false promises to assist with immigration, and by confiscating passports. The victims were required to work for hours far exceeding a normal workday, and forced to live in dismal conditions. This case is considered to be the largest state prosecution of labor trafficking in California history, and involved more than 100 potential vulnerable employee-victims who, after a decade of abuse and trauma, saw justice in the form of prison sentences for their traffickers.

Bay Area restaurant labor exploitation case: In November 2023, Attorney General Bonta announced **securing the guilty plea** of David Leung, the former owner of three seafood restaurants in the Bay Area, for a wage theft and tax evasion scheme. Leung exploited his employees and stole more than \$893,000 of their hard-earned wages for his own gain, in addition to defrauding the State of California through tax evasion. After an investigation by the TRUE Task Force, in partnership with multiple state agencies, and prosecution by the Special Prosecutions Section, Leung pled guilty to eight felonies, including six counts of labor exploitation, commonly referred to as wage theft, and was ordered to pay more than \$2.15 million in restitution, over \$1.7 million of which will be distributed to the victims.

Restitution for trafficking survivor: In October 2023, DOJ filed an amicus brief with the California Court of Appeal in support of a trafficking survivor's legal effort to receive restitution from her trafficker for the economic loss she suffered when he forced her to commit commercial sex acts. The Court of Appeal agreed and issued a landmark published opinion, relying on DOJ's arguments and supporting the trafficking survivor's case by ruling she was entitled to restitution.

WHAT DOJ IS DOING ABOUT HUMAN TRAFFICKING

SUPPORTING VICTIMS AND SURVIVORS

Empowering survivors and helping them regain their independence is at the heart of Attorney General Bonta’s fight against human trafficking. DOJ’s Victims’ Services Unit (VSU) works tirelessly alongside the enforcement and prosecution teams to ensure that the safety, recovery, and well-being of survivors remains a priority and that their rights are protected. Together, DOJ’s human trafficking task forces and VSU provide critical support to survivors by:

- Offering support to survivors, and connecting them with the help they need.
- Collaborating with local government and non-government victims’ services agencies to offer aid to trafficking survivors and their families by connecting them to the appropriate resources, and addressing short-term and long-term needs.
- Responding to requests for assistance through VSU’s public website contact form and toll-free hotline (877) 433-9069 to provide human trafficking survivors with support, information, safety planning, and referrals to relevant services.
- Collaborating with advocacy and nonprofit organizations to share resources, including by facilitating a quarterly roundtable called the Survivor Centered Action Team, aimed at discussing the challenges and solutions in serving victims and survivors.

Recent Highlights

On January 11, 2024, Attorney General Bonta announced the relaunch of Marsy’s Card, an important tool to empower victims of crime. The new card includes additional rights and resources to help, protect, and inform victims, and can be found at oag.ca.gov/victimservices/marsy

In 2023, a **total of 109 survivors of human trafficking were referred to, or connected with advocate and support services** by the HT/SPAT and SDHTTF teams as part of various enforcement operations. For example, Operation Better Pathways in February 2023 resulted in 41 individuals — including eight children — being offered support services, and Operation Home for the Holidays in December 2023 resulted in 12 individuals being offered support services.

On January 9, 2023, Attorney General Bonta released a [Vacatur Relief Toolkit](https://oag.ca.gov/vacaturtoolkit) that provides valuable guidance for trafficking survivors to get nonviolent arrests or convictions “vacated” from their records, if they committed those offenses as a result of being a victim of trafficking. Survivors of trafficking or other abuses often face barriers to employment, safe housing, and education due to criminal records caused directly by their past experiences as a victim. Vacatur relief eliminates these barriers and spares survivors from having to explain their traumatic past to future employers, housing managers, etc. The Toolkit can be found at oag.ca.gov/vacaturtoolkit

PROVIDING EXPERTISE AND TRAINING

DOJ has a designated human trafficking coordinator, who is an experienced criminal prosecutor and statewide expert in the investigation and prosecution of human trafficking cases. The human trafficking coordinator leads DOJ’s efforts in serving not only as a front-line prosecution agency, but also as coordinator, trainer and resource for federal, state, and local law enforcement and regulatory agencies by:

- Carrying out trainings for law enforcement and prosecuting agencies, as well as for community-based organizations.
- Serving on a number of regional task forces and working groups against human trafficking to share information and strengthen partnerships.
- Providing training and outreach to community-based organizations to help them identify, report, and prevent trafficking.