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71037

**DATE:** April 29, 2014  
**TO:** Board of Supervisors  
**FROM:** Cindy Chavez, Supervisor  
**SUBJECT:** Human Trafficking Commission

**RECOMMENDED ACTION**

Direct Administration to create a Human Trafficking Commission. (Chavez)

**FISCAL IMPLICATIONS**

It is expected that any fiscal impact (for example, from additional staffing) will be presented by the Administration and considered by the Board in the 2014-15 budget process.

**REASONS FOR RECOMMENDATION**

The Human Trafficking Commission will 1) investigate the nature and scope of human trafficking in the County, including both labor and sex trafficking; 2) identify model victim-centered policies, services, and preventative measures to address this issue; 3) make legislative and policy recommendations to the Santa Clara County Board of Supervisors (Board); 4) support the apprehension and prosecution of traffickers; and 5) collaborate with partners regionally, nationally, and internationally to share information and strategies for ending human trafficking.

Human trafficking is a growing problem in Santa Clara County. Human trafficking denies many County residents basic human dignities and strains the County's safety net by increasing the need for law enforcement to combat the issue. Innovative solutions and improved collaboration between governmental entities and the community are sorely needed.

The San Jose Police Department has an aggressive human trafficking prevention unit which is funded by grants. This department has been responsible for arrests, investigations, and assistance in court room proceedings for the entire county. Unfortunately, these grants end this summer and will leave behind a large gap in police enforcement, law enforcement training, and assistance with prosecutions.

The District Attorney and Sheriff have recognized the need for enhanced focus upon Human Trafficking and would require resources to augment their existing efforts with more investigatory capacity.

Through the work of the San Jose Police Department and the South Bay Coalition to End Human Trafficking, the complexity of human trafficking within Santa Clara County has become clear. With the end of the grant money funding the work of the San Jose Police Department and the upcoming 2016 Super Bowl (Super Bowl events are known to cause a dramatic spike in human trafficking), now is the opportune time for the County to create a Human Trafficking Commission.

## **BACKGROUND**

The U.S. State Department defines trafficking as the “act of recruiting, harboring, transporting, providing, or obtaining a person for compelled labor or commercial sex acts through the use of force, fraud, or coercion.” Trafficking includes slavery, forced labor, debt bondage, and commercial sexual exploitation. Internationally, there are an estimated 20.9 million victims of human trafficking. As many as 100,000 American children are trafficked each year.

Most of the reporting calls to the National Human Trafficking Hotline come from California, and the Bay Area is said to be a top destination point for trafficked victims. The Bay Area’s major harbors and airports, its robust industries, increasing economy and population, and its large immigrant population make it an attractive place for human trafficking.

The Santa Clara County Human Trafficking Commission will: (1) investigate the nature and scope of human trafficking in the County, including both labor and sex trafficking; (2) identify victim-centered policies, services, and preventative measures to address this issue; (3) make legislative and policy recommendations to the Board; (4) support the apprehension and prosecution of traffickers; and (5) collaborate with partners regionally, nationally, and internationally to share information and strategies for ending human trafficking.

The Commission will meet at least six times a year for two years to address particular issues. The Commission will periodically report its progress to the Board through the Public Safety and Justice Committee. At the conclusion of those two years, the Board will determine whether to extend or revise the operations of the Commission based on the needs of the County.

The Commission is expected to call upon the existing policy and technical experts in the community to assist in furthering its objectives. Resources that the Commission might be expected to call upon for assistance include the South Bay Coalition to End Human Trafficking, Community Solutions, Katharine & George Alexander Community Law Center, AACI, YWCA, Bill Wilson Center, Catholic Charities and Maitri, along with survivors of sexual trafficking and labor trafficking.

In addition, the Commission may elect to call upon interested members of the community, philanthropic entities and other funding sources to seek private funding of program needs that are identified during its deliberations.

### **Initial Focus of the Commission**

Because of the broad scope of the problem, the Commission will focus on the following initial projects with the goal of completing them within six months. These projects target (1) known issues that need to be addressed and (2) the gathering of additional data that will focus future efforts. The Commission will determine its subsequent projects based on the data gathered.

#### *1. Sex Trafficking*

- Recognizing that an existing workgroup is drafting a protocol to guide local law enforcement in utilizing best practices when they encounter Commercial Sexual Exploitation of Children (CSEC) youth, the Commission may work to streamline the provision of services to CSEC youth through non-law-enforcement agencies, other County departments and community organizations.
- The Commission will work with the police departments and the Sheriff to develop a coordinated response to sex and labor trafficking. For instance, an influx is expected during the 2016 Super Bowl. Alternatively, the Commission will recommend that the Board of Supervisors provide funding to a non-profit organization to coordinate this response.

#### *2. Labor Trafficking*

- The Commission will partner with the San Jose Police Department, with local agencies, and federal agencies that inspect various businesses, and with victim service provider organizations to develop trainings for law enforcement and other public agencies designed to assist in identification of labor trafficking.
- The Commission will also create a community engagement plan directed towards prevention, to raise awareness, and to educate the public on labor trafficking.

#### *3. Prosecution*

- The Commission will collaborate with law enforcement and the District Attorney's office to marshal resources to facilitate the prosecution of human traffickers.
- The Commission will also identify innovative approaches to target individuals and entities that profit indirectly from human trafficking.

#### 4. *Data Gathering*

- The Commission will request data from County departments, service providers, and local law enforcement to determine the nature and scope of labor and sex trafficking in Santa Clara County, current resources available to trafficking victims, and the efficiency of current policies and programs. If data is limited or unavailable, the Commission will evaluate and improve the County's mechanisms for gathering data on trafficking within the County. This data will inform the Commission's future projects.

### **Staffing**

Primary staffing support for the work of the Commission will be the responsibility of the Office of Women's Policy (OWP). OWP will request funding for a temporary FTE to provide administrative and research support to the Commission. The Office of Supervisor Cindy Chavez will provide additional support as necessary. The Office of the County Counsel may facilitate discussion at Commission meetings and will oversee discrete projects.

### **Recommended Human Trafficking Commission**

#### *Co-Chairs*

- Supervisor Cindy Chavez
- District Attorney Jeff Rosen
- Sheriff Laurie Smith

#### *County Departments* (Department heads or their designee should attend.)

- Public Defender
- County Counsel
- Probation
- Social Services Agency
- Mental Health Department
- Office of Women's Policy

*Non-County Law Enforcement Representatives*

- Santa Clara County Policy Chief's Association Representative
- San Jose Police Chief
- Santa Clara Police Chief
- FBI Representative
- Federal Prosecutor

*Court System Representatives*

- Judge Tondreau
- Judge Pichon

*Community Representatives*

- 2 members nominated by the South Bay Coalition to End Human Trafficking
- 1 labor representative
- 1 business representative

*Other Advisors*

- Congressmember Zoe Lofgren
- Congressmember Anna Eshoo
- Congressmember Mike Honda
- Santa Clara Mayor Jamie Matthews
- San Jose Mayor Chuck Reed
- VTA General Manager Nuria Fernandez