



Senator Susan Rubio

REPRESENTING SENATE DISTRICT 22



SB 998 (Rubio): Human Trafficking Child Protection Program

Bill Summary

SB 998 will protect victims of child labor trafficking by providing the same model of care and protections as other child survivors of human trafficking and child abuse.

Existing Law & Background

Under existing law, the definition of human trafficking includes both sex and labor trafficked victims. Yet California only recognizes sex trafficking as a form of child abuse, resulting in lack of procedural services and protections to children of labor trafficking.

Background

A report conducted by the United States Department of Labor in 2022 found that there has been a 69% increase in the number of minors who are illegally employed in the U.S. since 2018.¹ California, similar to the rest of the nation, has focused on combating commercially sexually exploited children, however it is still behind in identifying and supporting those who have been subjected to labor exploitation. In October 2023, poultry processing factories in La Puente and City of Industry were found to have employed young children working with dangerous machinery and excessive hours, which violated the federal child labor regulations. Additionally, these children were being threatened with retaliation if they cooperated with investigators by having their wages reduced².

A survey conducted by Annie Fukushima, Ph.D., found that child welfare workers in California cannot effectively identify child labor trafficking.³ A concern, considering that California makes up at least 39% of all reported human trafficking cases according to the Coalition to Abolish Slavery and Trafficking (CAST). As a result, many children who are at risk or are currently labor trafficked are unidentified, do not

receive services and thus remain unsupported and unable to leave abusive situations.

Details of the Bill

SB 998 amends the Welfare and Institutions Code relating to human trafficking and will do the following:

- Require a social worker not to separate a victim of human trafficking from their legal guardian as long as the guardian did not put the child in danger.
- Require county child welfare agencies and probation departments, to work in consultation with the CA Department of Education, State Department of Health Care Services, law enforcement, and experienced agencies serving children and youth to expand policies and procedures to apply to children who are, or will be at risk of being victims of labor trafficking.
- Requires the Child Welfare Services' Case Management System to collect data on children who are victims of human trafficking no later than June 1, 2025.

Support

The Sunita Jain Anti-Trafficking Initiative at Loyola Law School (**Sponsor**)

For More Information

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¹https://www.dol.gov/sites/dolgov/files/ILAB/child_labor_reports/tda2022/2022-Findings-on-the-Worst-Forms-of-Child-Labor.pdf

²<https://www.dol.gov/newsroom/releases/whd/whd20231204>

³ https://pact.cfpic.org/wp-content/uploads/2022/02/childwelfare_2020_whitepaper_afukushima-final-2.pdf