



AB-380 CALIFORNIA LABOR TRAFFICKING PREVENTION ACT

GOALS

In 2019 the Little Hoover Commission documented that California has done little to protect labor trafficking in our state. In 2023 California is still failing to protect some of its most vulnerable victims and communities. AB 380 will create statutory authority for the creation of a Labor Trafficking Unit within the California agency most equipped to protect vulnerable workers and prevent labor trafficking. This targeted approach is long overdue.

HOW WIL AB 380 HELP LABOR TRAFFICKING SURVIVORS?

AB 380 aims to:

- 1) Create a Labor Trafficking Unit within the Department of Industrial Relations (DIR)
- 2) Requires the Labor Trafficking Unit to coordinate with the Labor Enforcement Task Force and Criminal Investigation Unit;
- 3) Grants the Labor Trafficking Unit authority to receive, investigate, and prosecute complaints alleging labor trafficking;
- 4) Prevents labor trafficking through coordination with current systems to identify opportunities for early identification of trafficking victims;
- 5) Creates protocols to ensure survivors are not further victimized by the process of prosecuting traffickers and are informed about available services;
- 6) Requires the Labor Trafficking Unit to coordinate, as necessary, with the Department of Justice (DOJ) and the Civil Rights Department (CRD) to combat labor trafficking.

NEED FOR ACTION

The passing of this bill is crucial to safeguarding the rights of all workers, including victims of labor trafficking. Now is the time for action as we are seeing numerous cases of labor trafficking coming to light in California across a wide range of industries. The LA Times recently highlighted that many farm workers in the cannabis industry are being forced to work and not being paid for their labor, which is labor trafficking.¹ In 2018, a decades long scheme of labor trafficking was discovered at numerous elder and child care facilities named Rainbow Bright that were operated by the Gamos Family. The Gamos family would require their workers, mostly Filipino immigrants, to live and work in the care homes and would confiscate their passports and threatened to turn them over to U.S. immigration officials.²

¹ [L.A. Times Article: “Lawmakers want investigation, hearings into ‘Wild West’ of California cannabis and farm work”](#)

² <https://oag.ca.gov/news/press-releases/attorney-general-bonta-announces-sentences-rainbow-bright-defendants-bay-area>

California has the highest number of human trafficking cases in the nation reported to the National Human Trafficking Hotline.³ Despite its prevalence victims who toil in our fields, our restaurants and care for our family members are a “hidden crime.” Additionally, many victims do not self-identify or self-report, and many do not even recognize they are being trafficked.

As many as 7,300 labor trafficking victims sought help from one of only two human trafficking grant programs administered by the California Governor’s Office of Emergency Services between 2015 and 2019.⁴

Fifteen years after California first enacted anti-trafficking laws, no state agency has a mandate to look for labor trafficking. Thus, providing authority to DIR, which seeks to improve working conditions, enforces laws governing labor law, to actively fight labor trafficking would fill a current gap to ensure the state is proactively in preventing labor trafficking, prioritize identifying current victims and ensure coordination with local governments and other state agencies.

The current limited initiatives address labor trafficking in California are fragmented at best and there is a lack of coordination between agencies such as the California Department of Justice and DFEH to stop trafficking before it starts. Currently, two state agencies have jurisdiction to prosecute trafficking crimes, DOJ and CRD. Adding DIR whose sole mission is to protect vulnerable workers will provide needed expertise to addressing labor trafficking. Additionally, providing authority to DIR, which seeks to improve working conditions, facilitates the enforcement of labor laws and thus DIR’s ability to combat labor trafficking.

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ABOUT SJI

Sunita Jain Anti-Trafficking Policy Initiative (SJI) is an evidence-based and community-informed think tank that intentionally fills gaps in human trafficking prevention with an intersectional approach through systemic change and policy innovation.

³ <https://oag.ca.gov/human-trafficking/what-is>

⁴ [Little Hoover Commission Report “Human Trafficking: Coordinating a California Response,” June 2020, Pg. 11](#)