HUMAN TRAFFICKING

CASE WORKER DECLARATION

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California Victim Compensation Board (CalVCB) / Assembly Bill 629

A caseworker declaration is a written statement from a qualified human trafficking caseworker explaining that an applicant has experienced human trafficking. CalVCB may accept this declaration as evidence when reviewing an application for compensation.

Important Distinction: Declaration vs. Income Loss

A caseworker declaration helps establish that trafficking occurred. An income loss statement documents lost wages, including the trafficking dates and approximate hours worked. An income loss statement may be provided under penalty of perjury by the survivor, a human trafficking caseworker, an attorney, or a witness.

A caseworker declaration is not the only way to establish that trafficking occurred. CalVCB may also consider other evidence, including certain immigration documents and law enforcement records.

Who Can Sign a Caseworker Declaration?

Under California Evidence Code § 1038.2, a qualified human trafficking caseworker must work or volunteer for an eligible human trafficking victim service organization and meet **one** of the following requirements:

Education and Experience

An advanced degree or license, such as a master's degree in social work, counseling, or a related field, and at least one year of direct casework experience with trafficking survivors.

Training and Supervision

At least 40 hours of training on topics identified in the law, including human trafficking, crisis intervention, and victim advocacy, plus supervision by a qualified caseworker who meets the education and experience requirement above.

Additional Supervision Requirement: Caseworkers who have worked for a human trafficking service organization for less than six months must be supervised by a qualified human trafficking caseworker with at least one year of experience working with trafficking survivors.

Requirements for the Organization

- Provides services to trafficking survivors and their children
- Operates a publicly advertised crisis hotline
- Offers psychological support and peer counseling
- Has staff available during regular business hours
- Employs staff who meet the legal qualifications for human trafficking caseworkers
- Is a nongovernmental organization

What Should the Declaration Include?

- Caseworker's name, title, and organization
- Relevant training, education, and experience
- Professional relationship with the survivor
- Explanation of the caseworker's basis for identifying the applicant as a trafficking survivor
- Statement signed under penalty of perjury, with date and signature

The points above are recommended to help prepare a declaration. California regulations do not provide a specific template or an exhaustive checklist.

A Police Report is Not Required

Sources: California Evidence Code § 1038.2 • California Code of Regulations, Title 2, § 649.48 • CalVCB Human Trafficking Compensation Guidance