



ASSEMBLY MEMBER — DISTRICT 57
Sade Elhawary

AB 2451: Protecting All Child Victims of Human Trafficking

SUMMARY

AB 2451 recognizes labor trafficking as a form of child abuse.

The bill extends the same care and protection currently provided to survivors of commercial sexual exploitation to children who are victims of labor trafficking.

BACKGROUND

Existing law defines human trafficking to include both sex trafficking and labor trafficking. Notwithstanding this definition of human trafficking, as set forth in Section 236.1 of the Penal Code, and the Legislature's broader intent to protect children from all forms of trafficking, child welfare practice and training has focused exclusively on sex trafficking as a form of child abuse, partly due to existing statutory limitations.

Additionally, existing law authorizes juvenile courts to adjudge children who are victims of sex trafficking to be dependent children of the court.

ISSUE

Children and youth who are victims of labor trafficking are often forced to commit crimes as part of their exploitation.

Because of this, they are frequently not identified as victims by child welfare agencies or mandated reporters and are instead treated as offenders.

Child victims of labor trafficking, particularly those exploited through forced criminal activity, are among California's most vulnerable children. Without clear direction in the Welfare and Institutions Code and proper training and protocols within county child protection systems, these children face increased risks of long-term system involvement, detention, family separation, and deportation.

Immigrant youth who are arrested or convicted for offenses they were forced to commit face additional risk of deportation, especially in light of increased federal enforcement.

SOLUTION

AB 2451 authorizes a child who is or was a victim of human trafficking, and whose parent or guardian has failed or is unable to protect them, to be considered a dependent of the juvenile court.

The bill expands the grounds for juvenile court dependency to explicitly include children who are victims of labor trafficking.

SUPPORT

Sunita Jain Anti-Trafficking Initiative (Sponsor)

STAFF CONTACT

Blas Guerrero
Blas.Guerrero@asm.ca.gov
(916) 319-205