

Communication from Public

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Council File No: 24-0446
Comments for Public Posting: Bet Tzedek Legal Services supports city council motion CF: 24-0446. Please see the attached document for our official position and reasoning. Very truly yours, Joseph B. Philipson, Esq. Fish & Richardson, P.C. and Microsoft Corp. Equal Justice Works Fellow Employment Rights Project BET TZEDEK LEGAL SERVICES Mary Tanagho Ross Directing Attorney, Economic Justice BET TZEDEK LEGAL SERVICES

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Via Electronic Submission

April 26, 2024

Los Angeles City Council
Los Angeles City Hall
200 North Spring Street
Los Angeles, CA 90015

Re: Support for CF 24-0446 – Human Trafficking Baseline Study / Sex and Labor Exploitation / National Human Trafficking Hotline

Dear Members of the Los Angeles City Council:

On behalf of Bet Tzedek Legal Services' Employment Rights Project (ERP), I write to express our full support of CF 24-0446 – Human Trafficking / Baseline Study / Sex and Labor Exploitation / National Human Trafficking Hotline, moved by Councilmember Marqueece Harris-Dawson (CD-08) and Councilmember Tim McOsker (CD-15), and seconded by Councilmember Imelda Padilla (CD-06). We are grateful to these councilmembers for their leadership in bringing this motion and appreciate the City Council's willingness to consider funding a city-wide human trafficking prevalence study that looks at both sex and labor trafficking.

Bet Tzedek's ERP has been involved in combatting human labor trafficking for more than two decades. The problem appears to have worsened over the last half-decade, and ERP recently joined a local Labor Trafficking Committee to address the matter. In October 2020, the Little Hoover Commission found that California's need for a structured and coordinated response to labor trafficking has increased in recent years and offered five recommendations for advocates to stop and reverse that trend.¹ In its February 2024 Implementation Report, the Commission concluded that progress had been made on only two of those

¹ LITTLE HOOVER COMM'N, LABOR TRAFFICKING: STRATEGIES TO HELP VICTIMS AND BRING TRAFFICKERS TO JUSTICE 3-4 (Oct. 2020).

recommendations since they were initially proposed.² Moreover, the Commission found in earlier reports that state resources are disproportionately focused on helping people who experience sexual—rather than labor-based—exploitation.³ Most importantly for the purposes of this motion, the Commission recommended that state and local agencies improve data collection, compilation, and sharing in order to better understand and combat labor trafficking.⁴

In 2019, Bet Tzedek ERP joined with the Coalition to Abolish Slavery and Trafficking (CAST) and state Assemblymembers Christy Smith and Lorena Gonzalez to sponsor AB 629 (Smith, 2019), which made human trafficking victims eligible to receive compensation from the California Victim Compensation Board for income lost while being forced into labor or services that amount to modern-day slavery. That effort was built on one from the previous year, AB 900 (Gonzalez, 2018), which was vetoed by then-Governor Jerry Brown despite unanimous support from both legislative chambers. Thanks to AB 629, labor trafficking survivors may now receive compensation for the value of the labor or services they were forced to provide on behalf of their traffickers.

These legislative efforts built on years of direct advocacy by Bet Tzedek ERP attorneys and pro bono partners in which we represented labor trafficking survivors in court and sought to prevent trafficking generally. In 2014, we worked with pro bono partners Jones Day, LLP and Arnold & Porter, LLP—along with CAST and Asian Americans Advancing Justice—to represent three victims of human trafficking and forced labor.⁵ In that case, plaintiffs obtained a restitution award for \$137,696 in connection with a criminal case against one of the traffickers.⁶ In 2011, then-directing attorney for Bet Tzedek ERP Kevin Kish (now director of the California Civil Rights Department) joined with the American Bar Association Rule of Law Initiative to conduct workshops on preventing, detecting,

² LITTLE HOOVER COMM’N, IMPLEMENTATION REVIEW: CALIFORNIA’S RESPONSE TO LABOR TRAFFICKING 7-9 (Feb. 2024).

³ See LITTLE HOOVER COMM’N, HUMAN TRAFFICKING: COORDINATING A CALIFORNIA RESPONSE 5-6 (June 2020) (noting that California’s “efforts have focused principally on sex trafficking rather than labor trafficking.”); see also LITTLE HOOVER COMM’N, LABOR TRAFFICKING STRATEGIES, *supra* note 1 at 5 (“[a]s noted in *Human Trafficking: Coordinating a California Response*, the fight against human trafficking has largely focused on sexual exploitation, particularly of minors.”).

⁴ LITTLE HOOVER COMM’N, LABOR TRAFFICKING STRATEGIES, *supra* note 1 at 13-15.

⁵ See generally, Press Release, Jones Day, LLP, Jones Day Secures \$137,696 Restitution Award in Human Trafficking and Forced Labor Pro Bono Matter (Mar. 2014), <https://www.jonesday.com/en/practices/experience/2014/03/jones-day-secures-137696-restitution-award-in-human-trafficking-and-forced-labor-pro-bono-matter>.

⁶ *Id.*

and redressing human trafficking in the Solomon Islands.⁷ In 2009, attorneys from Bet Tzedek ERP and O'Melveny & Myers, LLP, won a trial verdict on behalf of an Indonesian labor trafficking survivor.⁸ The jury awarded the survivor \$768,000, including \$500,000 in punitive damages, in what was understood to be the first-ever jury verdict under the California Trafficking Victims Prevention Act.⁹ Today, ERP has active cases representing human trafficking survivors, seeking redress for the harms they suffered at the hands of their traffickers.

Bet Tzedek ERP conducts anti-trafficking work in close partnership with institutional leaders in communities and industries where labor trafficking is particularly prevalent. Among our closest collaborators in this work are the Thai Community Development Center (Thai CDC) and the Garment Workers Center (GWC). Almost all of ERP's work with GWC—and much of our work to combat all kinds of labor exploitation in Los Angeles and throughout California—builds on the public consciousness that was raised nearly 30 years ago when 72 Thai people were discovered to have been working as slaves manufacturing garments in a trafficking operation in El Monte, California.¹⁰

As the motion states, the current research on the scope and scale of human trafficking in the City of Los Angeles is insufficient to fully inform our efforts to address the problem. The available data are often impacted by law enforcement priorities and does not accurately inform us about the problem. The only other reliable data point we have on human trafficking in Los Angeles is the alarming statistic from the 2022 Greater Los Angeles Homeless Count that 20% of unhoused people in the City of Los Angeles self-identified as victims of human trafficking.

⁷ Bet Tzedek Legal Services, *Bet Tzedek Contributes to Anti-Trafficking Efforts Worldwide*, Bet Tzedek Blog (Oct. 31, 2011), <https://bettzedek.org/bet-tzedek-contributes-to-anti-trafficking-efforts-worldwide/>.

⁸ Andrew Longstreth, *O'Melveny and Bet Tzedek Win \$768,000 Verdict for Alleged Human Trafficking Victim*, AM. LAWYER (Nov. 3, 2009), <https://www.law.com/americanlawyer/almID/1202435160076/>.

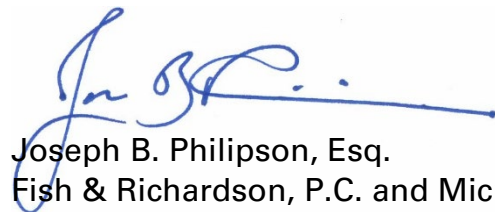
⁹ *Id.*

¹⁰ *See generally*, SCOTT L. CUMMINGS, AN EQUAL PLACE: LAWYERS IN THE STRUGGLE FOR LOS ANGELES 35 (2021); *see also, generally*, EDNA BONACICH & RICHARD P. APPLEBAUM, BEHIND THE LABEL: EXPLOITATION IN THE LOS ANGELES APPAREL INDUSTRY 19 (2000); *see also* Patrick J. McDonnell & Paul Feldman, *9 Indicted in Alleged Operation of Thai Sweatshop*, L.A. TIMES (Aug. 18, 1995), <https://www.latimes.com/archives/la-xpm-1995-08-18-me-36395-story.html>; Erin Blakemore, *20th Century Slavery Was Hiding in Plain Sight*, SMITHSONIAN MAG. (Jul. 31, 2020), <https://www.smithsonianmag.com/smithsonian-institution/20th-century-slavery-california-sweatshop-was-hiding-plain-sight-180975441/>.

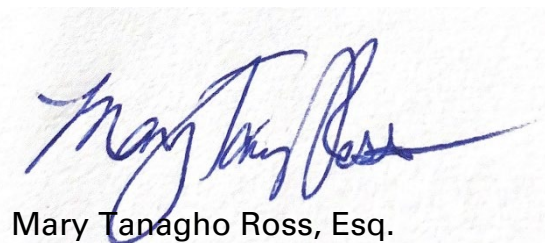
To effectively develop strategic policies and advocacy approaches on this issue, we need more precise and comprehensive holistic data. Bet Tzedek Legal Services' Employment Rights Project believes that the City's investment of \$1 million to fund a study is a critical step in the City's effort to understand and address the needs of all trafficking survivors in our community. The baseline data from this study will give Los Angeles the ability to invest appropriately in: (1) prevention strategies; (2) intervention and outreach strategies; and (3) meeting the specialized needs of human trafficking survivors. Thus, this prevalence study will be a crucial tool to ensure that the City deploys its resources strategically and effectively.

For the reasons discussed above and those shared by our partners and allies in the community, we urge the City Council to support this motion. Thank you for your consideration.

Very truly yours,



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