

AB 1227 HUMAN TRAFFICKING THE FIGHT AGAINST CHILD TRAFFICKING

SUMMARY

In testimony before the US House of Representatives Rules Committee – Subcommittee on Legislative and Budget Process, the Executive Director of the *Just Ask Trafficking Prevention Foundation*, proclaimed, “Human trafficking has become an epidemic in the United States.”

“Most people do not believe that human trafficking will ever affect them directly, or that it is an international crime that does not have domestic victims—the ‘this does not happen here’ mentality. The unsettling truth is that every community and every home in America is at risk to falling victim to human trafficking; the most vulnerable group being our children.”

After drug dealing, human trafficking is among the world's fastest growing criminal enterprises. It is tied with the illegal arms industry as the second largest criminal industry in the world and estimated to be a \$150 billion-a-year global industry.¹ It is a form of modern-day slavery that profits from the exploitation of our most vulnerable populations.

Human trafficking can and does take place in every community, no matter the cultural make up, the affluence, or the location of a community. No community is immune from being affected by the exploitation of human beings for commercial sexual activity.² Victims can be any age, race, gender, or nationality, but it is particularly heinous when the victims are children. Certain children are especially vulnerable to being pulled into child sex trafficking, including those in the foster care system, runaways, and children recruited through social media platforms.

Some may argue that human trafficking has not yet reached epidemic levels, however, if your child, or someone you love falls victim, it quickly becomes a crisis of epidemic proportions.

The *San Diego Trafficking Prevention Collective* (SDPTC) reports that 90% of high schools they researched across San Diego County reported cases of sex trafficking.³ California AB 1227, the *Human Trafficking Prevention Education and Training Act*,⁴ which became law in 2017, turns the focus of the battle against human trafficking to the training of school administrators and teachers such that they can proactively recognize victims and assist them in receiving needed help.

More importantly, AB 1227 seeks to directly educate children to the threat of human trafficking by arming them with the knowledge to avoid falling victim to traffickers.

¹ California Office of the Attorney General, Rob Bonta, Attorney General, Human Trafficking, <https://oag.ca.gov/human-trafficking>

² The United States Attorney’s Office, <https://www.justice.gov/usao-ri/human-trafficking>

³ The San Diego Trafficking Prevention Collective (SDPTC) <https://www.sandiegotpc.org/>

⁴ AB 1227 Human Trafficking Prevention Education and Training Act, 2017
https://leginfo.legislature.ca.gov/faces/billTextClient.xhtml?bill_id=201720180AB1227

Now that the pandemic is behind us, educating our children to the risk of falling prey to human traffickers must be a primary goal of our collective education system. However, the 2022/2023 San Diego County Grand Jury (GJ) acknowledges that to be completely effective the fight must be a joint effort between educators and parents. After all, parents have the most vested interest in stopping the plight of children being trafficked in our County.

While there are many programs throughout San Diego County that support victims and prosecute human traffickers, there is still much that county-wide educators and the law enforcement community can do to expedite implementation of AB 1227.

The specific focus of the 2022/2023 GJ investigation is San Diego County Office of Education's (SDCOE) operational procedures concerning the AB 1227 requirement that all middle and high schools offer at least two courses regarding "Protection from Sex Trafficking" to all students during their 7-12 grade school career. AB 1227 serves as a foundation for accomplishing our goals. As Ben Franklin is credited with saying, "An ounce of prevention is worth a pound of cure."⁵

INTRODUCTION

The Department of Homeland Security (DHS)⁶ has addressed human trafficking with the following statement: "The United States has declared it a national priority to end human trafficking...and the DHS is on the frontlines of this fight, protecting the country and collaborating with our partners to stop these crimes. Human trafficking threatens our physical and virtual borders, our immigration and customs systems, our prosperity, our national security, and our personal and public safety."⁷

It should be noted that there was a Presidential Executive Order in 2017 that targeted "Enforcing Federal Law With Respect to Transnational Criminal Organizations and Preventing International Trafficking."⁸ Like many other laws relating to human trafficking, this Executive Order looked to "strengthen enforcement of Federal law in order to thwart transnational criminal organizations, including criminal gangs, cartels, racketeering organizations, and other groups engaged in illicit activities that present a threat to public safety and national security and that are related to... the illegal smuggling and trafficking of humans..."

On their website, the US State Department has stated: "Human trafficking, has no place in our world... It is a crime of exploitation. Traffickers profit at the expense of their victims by compelling them to perform labor or to engage in commercial sex in every region of the United States and around

⁵ The expression was popularized by Benjamin Franklin in the 1700s, though the sentiment dates to the thirteenth century in Jurist Henry De Bracton's work, *De Legibus*.

⁶ DHS includes U.S. Customs and Border Protection, U.S. Immigration and Customs Enforcement, and U.S. Citizenship and Immigration Services as component agencies.

⁷ *Human Trafficking*, Department of Homeland Security (DHS) <https://www.dhs.gov/topics/Human-Trafficking>

⁸ *Executive Order 13773 of February 9, 2017, Enforcing Federal Law With Respect to Transnational Criminal Organizations and Preventing International Trafficking*, A Presidential Document by the Executive Office of the President, <https://www.federalregister.gov/documents/2017/02/14/2017-03113/enforcing-federal-law-with-respect-to-transnational-criminal-organizations-and-preventing>

the world. With an estimated 27.6 million victims worldwide at any given time, human traffickers’ prey on people of all ages, backgrounds, and nationalities, exploiting them for their own profit.”⁹

While the crime of human trafficking has been endemic throughout our nation’s history, it is finally getting the visibility it deserves. The 2018/2019 GJ recognized how this problem affects San Diego County in a report titled: “*Human Trafficking: San Diego Needs Essential Services.*”¹⁰ That report focused on the human trafficking crises in San Diego County from the perspective of a lack of shelter beds in the County for victims of sex trafficking.

Their report detailed several recent legislative actions, including:

- SB 1193 (*Human Trafficking: Public Posting Requirements*)¹¹
- AB 1730 (*Human Trafficking: Minors*)¹²
- SB 1322 (*Commercial Sex Acts: Minors*)¹³
- SB 855 (*Health Coverage: Mental Health or Substance Use Disorders*)¹⁴
- AB 1227 (*Human Trafficking Prevention Education and Training Act*)¹⁵

That GJ report focused on the human trafficking crisis from the perspective of the above laws, including SB 1193, which provides some measure of proactiveness, by requiring businesses and other public agencies to display posters, in a conspicuous location, to provide resource information and phone numbers for victims of human trafficking.

For the current GJ, SB 1193, which is codified in California Civil Code § 52.6,¹⁶ is of particular interest, in that, it requires twelve specific types of businesses and establishments (e.g., premises licensed under the Alcoholic Beverage Control Act, adult or sexually oriented businesses, emergency rooms, urgent care centers, etc.) to post a notice (see Figure 1)¹⁷ informing the public and victims of human trafficking of telephone hotlines through which to seek help or report unlawful activity.

⁹ *Federal Response on Human Trafficking, About Human Trafficking*, United States Department of State, <https://www.state.gov/HumanTrafficking-about-Human-Trafficking/>

¹⁰ *Human Trafficking: San Diego Needs Essential Services*, 2018-2019 San Diego County Grand Jury Report, June 2019, <https://www.sandiegocounty.gov/content/dam/sdc/grandjury/reports/2018-2019/HumanTraffickingReport.pdf>

¹¹ SB 1193, Human Trafficking: Public Posting Requirements, 2012 https://leginfo.ca.gov/faces/billNavClient.xhtml?bill_id=201120120SB1193

¹² AB 1730, Human Trafficking: Minors, 2012 https://leginfo.ca.gov/faces/billNavClient.xhtml?bill_id=201520160AB1730

¹³ SB 1322 Commercial Sex Acts: Minors, 2016 http://www.leginfo.ca.gov/pub/15-16/bill/sen/sb_1301-1350/sb_1322_cfa_20160627_094145_asm_comm.html

¹⁴ SB 855 Health Coverage: Mental Health or Substance Use Disorders, 2019 https://leginfo.ca.gov/faces/billTextClient.xhtml?bill_id=201920200SB855

¹⁵ AB 1227 Human Trafficking Prevention Education and Training Act, 2017 https://leginfo.ca.gov/faces/billTextClient.xhtml?bill_id=201720180AB1227

¹⁶ California Code, Division 1 – Persons, PART 2 – Personal Rights, § 52.6 <https://law.justia.com/codes/california/2015/code-civ/division-1/part-2/section-52.6>

¹⁷ Stop Human Trafficking Poster, https://oag.ca.gov/sites/all/files/agweb/pdfs/ht/HTPoster_ENG.pdf

STOP Human Trafficking

If you or someone you know is being forced to engage in any activity and cannot leave – whether it is commercial sex, housework, farm work, construction, factory, retail, or restaurant work, or any other activity –

text 233-733 (Be Free)

or call the National Human Trafficking Hotline at 1-888-373-7888 or the California Coalition to Abolish Slavery and Trafficking (CAST) at 1-888-KEY-2-FRE(EDOM) or 1-888-539-2373 to access help and services.

Victims of slavery and human trafficking are protected under United States and California law.

The hotlines are:

- Available 24 hours a day, 7 days a week
- Toll-free
- Operated by nonprofit, nongovernmental organizations
- Anonymous and confidential
- Accessible in more than 160 languages
- Able to provide help, referral to services, training, and general information

Figure 1 Human Trafficking Hotline Poster

Ironically, while it requires businesses, and certain public agencies, to display posters, it does not require that these posters be placed in schools.

The 2022/2023 GJ discovered, SB 1193 has sporadic compliance and little to no enforcement in most areas of San Diego County. SB 1193 can, if fully implemented and enforced, help those who are trapped in human trafficking access much needed support and services.

The other measures that the 2018/2019 GJ investigated include AB 1730 which sets up temporary housing, trauma-informed mental health care, and mentoring services for children rescued from the sex trafficking industry; SB 1322 which amended the state Penal Code section on prostitution to render them inapplicable to people younger than eighteen;¹⁸ and SB 855 which further strengthened coverage for mental health or substance use disorders for victims of human trafficking.

In September of 2017, Assemblymember Rob Bonta authored and introduced to the Legislature, AB 1227. It was unanimously passed and became law the same year. It mandates that every middle school

¹⁸ Law enforcement could no longer arrest youth on prostitution charges.

and high school in California offer course content educating youth on how to identify the types of human trafficking and the solicitation techniques used by human traffickers.

AB 1227 was the first time California required education in our schools regarding human trafficking. It requires that pupils are provided human trafficking classes at least once in middle school and once in high school. While it's a step in the right direction, it should be noted that in 2019 Florida became the first state requiring human trafficking training at every grade level.¹⁹

At the Federal level, the *Victims of Trafficking and Violence Protection Act of 2000*²⁰ (VTVPA), equipped the U.S. Government with new tools and resources to mount a comprehensive and coordinated campaign to eliminate modern forms of slavery (under which human trafficking falls), domestically and internationally.²¹

VTVPA prohibits: (1) forced labor; (2) trafficking with respect to peonage, slavery, or involuntary servitude; and (3) sex trafficking of children or of others by force, fraud, or coercion and sets penalties for violations, including life imprisonment. This law was amended in 2003 with the *Trafficking Victims Protection Reauthorization Act of 2003*.²² This law made human trafficking a federal crime.

Until AB 1227 became law in 2017, the focus was on identifying and assisting those who already fell prey to human trafficking and/or exacting justice on the perpetrators of human trafficking. Little emphasis was placed on educating youth to prevent them from becoming victims of human trafficking.

That GJ did acknowledge the role the San Diego County Office of Education (SDCOE) was taking in the “standardization” of the rollout of the requirements into the curriculum used throughout the County, noting; “While it is too early to evaluate the overall implementation of AB 1227, the Grand Jury believes the outlook is promising.” The 2022/2023 GJ believes enough time has passed for the SDCOE and the 42 school districts in San Diego County to have acted on the law.

METHODOLOGY

The GJ interviewed nine San Diego County school districts, chosen such that the investigation included a sampling of large and small school districts from all geographic regions of the County. This ensured that a cross-section of elementary, middle, and high schools was investigated. These choices also

¹⁹ *A Case for State-Mandated Human Trafficking Education in Schools*, Human Trafficking Institute, Scotland Grace Pierce, April 12, 2021,

<https://traffickinginstitute.org/a-case-for-state-mandated-human-trafficking-education-in-schools/#:~:text=In%20September%20of%202019%2C%20Florida,12%20child%20trafficking%20prevention%20education>

²⁰ *Victims of Trafficking and Violence Protection Act of 2000*, Public Law No. 106-386

<https://uscode.house.gov/view.xhtml?path=/prelim@title22/chapter78&edition=prelim>

²¹ *Victims of Trafficking and Violence Protection Act of 2000 Fact Sheet*, U.S. Department of Health and Human Services, Administration for Children and Families

https://www.acf.hhs.gov/sites/default/files/documents/orr/orr_fact_sheet_victim_of_Trafficking.pdf

²² Trafficking Victims Protection Reauthorization Act of 2003, <https://www.congress.gov/bill/108th-congress/house-bill/2620>

provided an ethnic and socio-economic cross-section, as well as representation from all seven San Diego County Special Education Local Plan Areas (SELPAs).²³

The SELPA areas (and school districts that were interviewed) are:

- North Coastal Consortium (Oceanside School District)
- North Inland Special Education Region (Escondido Union School District)
- East County (Grossmont Union High School District and Cajon Valley Unified)
- South County (Sweetwater Union High School District and San Ysidro School District)
- San Diego Unified School District
- Poway Unified School District
- San Diego County Office of Education^{24,25}

The GJ also performed site visits to SDCOE specialty schools: San Pasqual Academy (serving county foster care youth), and Monarch School (serving San Diego's homeless population).

The GJ also interviewed representatives from eight County Departments that specialize in stopping human trafficking and/or human trafficking education.

The GJ researched methods used to recruit youth and keep them captive.

The GJ obtained and reviewed sample curricula from 9 of 42 school districts to learn about the human trafficking training being provided.

The GJ researched:

- Federal and State of California Legislation pertaining to human trafficking.
- California AB 1227 (Human Trafficking Prevention Education and Training Act)
- California SB 1193 (Human Trafficking: Public Posting Requirements)
- California AB 1730 (Human Trafficking: Minors)
- California SB 1322 (Commercial Sex Acts: Minors)
- California SB 855 (Health Coverage: Mental Health or Substance Use Disorders)
- California AB 2034 (Human Trafficking: Notice)^{26,27}
- Media reports, news articles and research studies to support the investigation.

²³ Understanding San Diego County's Six Special Education Local Plan Areas (SELPAs), San Diego County Office of Education, <https://www.sdcoe.net/special-populations/selpas>

²⁴ The San Diego County Office of Education is a stand-alone SELPA covering Juvenile Court, Charter and Community Schools that serve homeless and foster youth, those with disabilities and health impairments, and provides liaison with the county's military youth.

²⁵ The San Diego County Office of Education is the administrative unit for North Coastal, North Inland, East County, and South County SELPAS; the San Diego Unified School District is the administrative unit for its SELPA, as is the Poway Unified School District.

²⁶ Human Trafficking: Notice, AB 2034, (2018), https://leginfo.ca.gov/faces/billTextClient.xhtml?bill_id=201720180AB2034

²⁷ This bill requires specific businesses or establishments such as airports, bus stations, or truck stops to provide human trafficking training.

DISCUSSION

To fully understand the gravity of the epidemic one must understand what human trafficking is, how to identify it, and how children are drawn in by the traffickers. Human trafficking has been equated to, and is synonymous with, slavery and it specifically targets the young, innocent, and most vulnerable, trapping them into forced labor, drugs, and sex. While, statistically, the risk of any one child in San Diego County being exposed to and becoming a victim of human trafficking is small (3.8 cases per 100,000 children or less than 1 in 26,000 children),²⁸ the threat varies across the student population. There are regional, ethnic, and socio-economic hotspots in San Diego County that are hardest hit by human traffickers.

Around the country, and in San Diego County, human trafficking can be considered a quiet crisis. It is not usually part of our everyday vernacular, so may not be given the importance it deserves. However, in 2019 San Diego District Attorney, Summer Stephan, announced a new initiative for San Diego to bring this problem to the forefront. In her announcement, Stephan explains, “Combating human trafficking and protecting children from falling victim to this terrible form of modern-day slavery is one of my top public safety priorities. Human trafficking is the second largest criminal industry in the world in which traffickers’ profit by preying on unsuspecting children, luring them right out of their schools and homes with deception and lies.”²⁹

According to a Human Trafficking Search report, “*2017 Human Trafficking Statistics*”³⁰ published March 20, 2018, “Human trafficking occurs in every state. California, Texas, and Florida received the highest number of reported cases.” Stephan expanded on that by noting that in California, “San Diego, Los Angeles, and San Francisco are three of the ten worst child sex trafficking areas in the U.S. The large immigrant population in our state and the access to the U.S.-Mexico border are magnets for those looking to exploit people.”³¹

The National Human Trafficking Hotline (NHTH) reported that in 2021, California had 1,334 cases³² of human trafficking, of which 1,108 were female, 1,023 were sex related, and 246 were minors. This means approx. 18% of reported case involved minors. As with many crimes, it’s expected that not all

²⁸ 50+ *Staggering California Human Trafficking Statistics and Laws*, Etactics, Elia Meltzer, March 2022, <https://etactics.com/blog/california-human-trafficking-statistics>

²⁹ *DA Stephan Plans School Program to Fight ‘Modern-Day Slavery’*, Times of San Diego, Ken Stone, January 22, 2019 <https://timesofsandiego.com/crime/2019/01/22/da-stephan-plans-school-program-to-fight-modern-day-slavery/>

³⁰ *2017 Human Trafficking Statistics*, Human Trafficking Search, March 20, 2018, <https://HumanTraffickingsearch.org/Human-Trafficking-statistics-2017/>

³¹ *Human Trafficking Prevention to be Taught In Schools*, NBC 7, R. Stickney and Christina Bravo, January 2019, <https://www.nbcsandiego.com/news/local/san-diego-district-attorney-schools-education-Human-Trafficking/4534/>

³² The National Human Trafficking Hotline uses the word "case" to represent distinct situations of Trafficking reported to the hotline. A case can involve one or more potential victims of Trafficking and can be reported to the hotline through one or more conversations via call, text, email, online report, or webchat. The use of the word case is not an indication of law enforcement involvement in the situation. <https://HumanTraffickinghotline.org/state/california>

instances are reported, and so this number may be the tip of the iceberg.^{33,34} The San Diego Trafficking Prevention Collective (SDPTC) reports that 90% of high schools they researched across San Diego County reported cases of sex trafficking.³⁵

Human trafficking is increasingly becoming a crime against children, in particular girls, as young as 11 years old, with the largest age group being 16-year-olds. However, “the trafficking of boys is more common than the public may realize. National studies found that as many as half of commercially sexually exploited children in the United States are boys, and that the sexual exploitation of boys is underreported.”³⁶ “The share of children among detected trafficking victims has tripled while the share of boys has increased five times in the past 15 years. Girls are mainly trafficked for sexual exploitation, while boys are used for forced labor, according to the 2020 *Global Report on Trafficking in Persons*,³⁷ launched by the United Nations Office on Drugs and Crime (UNODC).”³⁸

“Of those targeted, runaways and those from broken families are especially vulnerable. Gang members seek them out at school and on social media, posing as boyfriends, and seek to coerce the girls – sometimes with gifts and other times through violence – into prostitution and then to use them to recruit others. Recruitment can and does occur everywhere – in school, at home, malls, sporting events, and parties; and in shelters and even detention facilities – and is conducted both in person and online.”³⁹

Special Needs Populations

There are some student groups who are at special risk, including those with a physical incapacity, mental health diagnosis, substance use disorder, or intellectual or developmental disability. While not a large population, the GJ felt it would be remiss to not specifically address human trafficking among these higher risk groups.

Multiple studies suggest sex trafficking is experienced at higher rates by those who are intellectually and physically challenged. An article in the Journal of Exploitation and Violence titled *Human Trafficking of*

³³ Dark or Hidden Figure of Crime, Shanell Sanchez, <https://openoregon.pressbooks.pub/ccj230/chapter/2-1-dark-figure-of-crime-or-unreported-crime/>

³⁴ Every year many crimes never come to the attention of the criminal justice system. There are various reasons, such as victims not reporting, victims not realizing they are victims, and offenders not getting caught. Research reveals, that on average, more than half of the nation’s victimizations per year, went unreported to the police.

³⁵ The San Diego Trafficking Prevention Collective (SDPTC) <https://www.sandiegotpc.org/>

³⁶ *County Launches Awareness Campaign of Boys’ Exploitation by Sex Traffickers*, 10 News, City News Service, Jan 04, 2023, <https://www.10news.com/news/local-news/san-diego-news/county-launches-awareness-campaign-of-boys-exploitation-by-sex-Traffickers>

³⁷ *Trafficking in Persons*, United Nations, Office on Drugs and Crime, <https://www.unodc.org/unodc/en/data-and-analysis/glotip.html>

³⁸ *Share of Children Among Trafficking Victims Increases, Boys Five Times; COVID-19 Seen Worsening Overall Trend in Human Trafficking, Says UNODC Report*, United Nations, February 2, 2021, <https://www.unodc.org/unodc/en/press/releases/2021/February/share-of-children-among-Trafficking-victims-increases--boys-five-times-covid-19-seen-worsening-overall-trend-in-Human-Trafficking--says-unodc-report.html>

³⁹ *Human Trafficking in America’s Schools*, National Center for Safe Supportive Learning Environments, [Child Sex Trafficking | National Center on Safe Supportive Learning Environments \(NCSSLE\) \(ed.gov\)](https://www.ncssle.org/)

People with a Disability: An Analysis of State and Federal Cases,⁴⁰ revealed that: “case records from Florida found that 28% of cases of girls who had experienced sex trafficking had an intellectual disability, while the national prevalence of intellectual disability is 1 to 3%.”

Social Media Plays a Major Role

A new 2022 Pew Research Center survey of American teenagers ages 13 to 17 titled, *Teens, Social Media, and Technology 2022*⁴¹ reports that, “97% of teens say they use the internet daily, and the vast majority have access to digital devices, such as smartphones (95%), desktop or laptop computers (90%) and gaming consoles (80%).”

Kids of all ages are spending more time than ever using the internet and social media, with the number of hours spent online having risen sharply during the pandemic. A survey, published by the nonprofit research organization Common Sense Media, found that, “from 2019 to 2021, media use grew by 17% for tweens and teens. This is a much faster increase in just two years than was seen in the previous four years.”

Of particular concern is an upswing in social media use among children ages 8 to 12 (tweens), on platforms such as Instagram, Snapchat, and Facebook. “Thirty-eight percent of tweens have used social media (up from 31% in 2019), and nearly one in five (18%) now say they use social media “every day” (up 5 percentage points since 2019).”⁴²

“Between 2019 and 2021, the total amount (in hours) of screen media used each day went from 4:44 to 5:33 among tweens, and from 7:22 to 8:39 among teens. This is a much faster increase in just two years than was seen in the previous four years.”⁴³

The report also found that boys spent more time on screens than girls because of their affinity for gaming. “Forty percent of all boys play console, portable, or computer-based video games “every day,” compared to just 10% of all girls.” Teen boys are increasingly being targeted in online “sextortion” schemes through a game app, where adult predators, pretending to be young girls, contact young males usually between the ages of 14 and 17 online and then use “deception and manipulation” to convince the young males to engage in explicit activity. The predator then reveals they have made a recording and threatens that the videos will be posted online if the victim doesn’t pay up. “Sextortion is a crime, yet the embarrassment children feel, from falling victim to these schemes, often prevents them from coming forward to a parent, teacher, caregiver or law enforcement.”⁴⁴

⁴⁰ *Human Trafficking of People with a Disability: An Analysis of State and Federal Cases*, Dignity: A Journal of Analysis of Exploitation and Violence, Vol. 7, Nichols, and Heil, 2022,

<https://digitalcommons.uri.edu/cgi/viewcontent.cgi?article=1302&context=dignity>

⁴¹ *Teens, Social Media and Technology 2022*, PEW Research Center, August 2022,

<https://www.pewresearch.org/internet/2022/08/10/teens-social-media-and-technology-2022/>

⁴² *The Common Sense Census: Media Use by Tweens and Teens*, 2021, Common Sense Media, March 9, 2022,

<https://www.common Sense Media.org/research/the-common-sense-census-media-use-by-tweens-and-teens-2021>

⁴³ Hours includes time spent watching television and online videos, playing video games, using social media, browsing websites, creating content, e-reading, and other digital activities.

⁴⁴ *Teen Boys Increasingly Targeted In Online Sextortion Schemes: FBI*, Danielle Wallace, Fox News, April 28, 2022,

<https://nypost.com/2022/04/28/teen-boys-increasingly-targeted-in-online-sextortion-schemes-fbi/>

According to the organization called: *Thankfully Helping Others' Real Needs* (THORN),⁴⁵ a nonprofit focused on preventing child sex trafficking, “Reports of child sexual abuse material (CSAM) online has increased 15,000% over the last 15 years and that more than 70% of sex trafficking happens online.” Predators target adolescents and teens on social media, chat rooms, and gaming websites. Common Sense Media⁴⁶ reports that “the chat feature of multiplayer games (like Minecraft, Clash of Clans, or World of Warcraft) is often a breeding ground for child predators. These predators may appear caring and considerate in efforts to seduce the vulnerable adolescents, a process called “grooming.” Sometimes, they will pose as other teens, to get the adolescent to send them sexual material.”

The Covid-19 pandemic, which led to school districts moving to distance learning and on-line learning platforms, increased access for predators. As a United Nations report in December 2021 notes: “Increased time spent online during solitary periods brought on by the pandemic heightened already alarming risks related to online human trafficking, such as online recruitment and anonymity.”⁴⁷

In December 2022, the Federal Bureau of Investigation (FBI) and the Department of Homeland Security (DHS) issued a national public safety alert, citing an "explosion" of online sextortion cases involving children. “At least 3,000 victims, primarily boys, have been identified as targets in operations largely originating outside the U.S., in which children are being coerced into sending explicit images online and then extorted for money,” using “a variety of online platforms, from gaming and social media sites to chatrooms.” They report the “number of incidents in the first six months of 2022 represented a 1,000% increase from the same period last year, adding “predators are often using fake female accounts to target boys, between 14 to 17 years old [and] some victims are as young as 10.”

Parents Role

In a written Statement to the US House of Representatives – Rules Committee, Bill Woolf, the Executive Director of the *Just Ask Trafficking Prevention Foundation* noted: “Often, we become reliant on law enforcement to fix criminal problems; however, the issue of human trafficking and on-line exploitation requires a multi-disciplinary, multi-sector, collaborative approach to truly be effective in preventing the crime.”⁴⁸ This is why educating our youth to these dangers is one of the most important aspects of the solution. This is also why more focus must be placed on how parents can become an integral part of the solution.

The school campus is not the venue of choice for traffickers to reach children. This is where the responsibility of the school administrators, teachers, and staff to safeguard students gets murky.

⁴⁵ <https://www.thorn.org/>

⁴⁶ Common Sense Media is an organization that reviews and provides ratings for media and technology with the goal of providing information on their suitability for children. <https://www.commonsensemedia.org/>

⁴⁷ *COVID-19 An Accelerator of Human Trafficking*, United Nations, 09 Dec 2021, <https://globalinitiative.net/analysis/covid-19-Human-Trafficking-un/>

⁴⁸ *Solving an Epidemic: Human Trafficking in America*, Just Ask Trafficking Prevention Foundation, Written Statement of Bill Woolf Executive Director Before the House Rules Committee Subcommittee on Legislative and Budget Process December 11, 2019

<https://www.congress.gov/116/meeting/house/110314/witnesses/HHRG-116-RU02-Wstate-WoolfB-20191211.pdf>

According to California Education Code § 44808:⁴⁹ “...no school district, city or county board of education, county superintendent of schools, or any officer or employee of such district or board shall be responsible, or in any way liable, for the conduct or safety of any pupil of the public schools at any time when such pupil is not on school property, unless such district, board, or person has undertaken to provide transportation for such pupil to and from the school premises, has undertaken a school-sponsored activity (extracurricular or co-curricular)⁵⁰ off the premises of such school, has otherwise specifically assumed such responsibility or liability, or has failed to exercise reasonable care under the circumstances.”

Many of today’s youth are involved in activities that fall outside school grounds. It is these environments which offer a unique opportunity for traffickers to identify those at higher risk – with histories of abuse and neglect, running away, mental health issues or a family member with substance abuse disorder.⁵¹

The GJ found that AB 1227, and other California laws that target human trafficking of children do not specifically address parents’ roles in educating and protecting their children from this threat. “Parental involvement in a child's education is an advantage that money cannot buy. All parents, regardless of economic status, race, or primary language, can do simple things like asking a child about school or attending a parent-teacher meeting. Being involved in [a]child's education not only helps [a] child to achieve more academically, but it also lifts teacher morale and provides [the parents] with the satisfaction of making a difference in [their] child's education.”⁵²

Thus, parents can play a critical role in protecting their children. The education system is not structured to bear full responsibility for the safety of children from human trafficking. There are limitations to reach and impact school officials and teachers have on keeping children safe, especially because off-school activities pose the biggest threat arena for human traffickers to operate.

AB 1227 specifies that human trafficking education should be included as part of a school’s sex education curriculum. However, parents can “opt-out” of having their children attend sex education at

⁴⁹ California Education Code, Title 2, Elementary and Secondary Education, Division 3, Local Administration, Part 25, Employees, Chapter 4, Employment Certificated Employees, Article 1, Rights and Duties, § 44808, - Conduct and Safety of Pupil When Pupil Not On School Property, <https://law.justia.com/codes/california/2021/code-edc/title-2/division-3/part-25/chapter-4/article-1/section-44808-5/#:~:text=%E2%80%99CSection%2044808.5%20of%20the%20Education,1976%2C%20Ch.5/>

⁵⁰ An "extracurricular activity" is defined as: a program that is supervised or financed by the school district; pupils participating in the program represent the school district; pupils exercise some degree of freedom in either the selection, planning, or control of the program; the program includes both preparation for performance and performance before an audience or spectators, and is not part of the regular school curriculum, is not graded, does not offer credit, and does not take place during classroom time. A "cocurricular activity" is defined as a program that may be associated with the curriculum in a regular classroom.

⁵¹ *After-school Youth Leaders Serve on Frontline of Domestic Youth Trafficking*, Sandra Morgan, March 23, 2020, [After-school Youth Leaders Serve on Frontline of Domestic Youth Trafficking | Youth Today](#)

⁵² Parental Involvement is Key to Student Success, Public School Review, Grace Chen, May 20, 2022, <https://www.publicschoolreview.com/blog/parental-involvement-is-key-to-student-success>

school.⁵³ The opt-out provision in California Code § 51950(c)⁵⁴ reads; “a parent or guardian of a pupil shall have the right to excuse his or her child from all or part of abuse, including sexual abuse, and human trafficking prevention education, and assessments related to that education.”

The GJ could not assess the percent of parents who opt out their children from sex education. Interviewing parents was not feasible, and privacy rules prevented schoolteachers and administrators from providing this information. AB1227 has a provision that bears highlighting; Education Code § 51950 (d)⁵⁵ states that school districts: “may make available on the [district’s] website information about the education described, resources on abuse, including sexual abuse, and human trafficking prevention for professional learning purposes, and relevant materials for parents, guardians, and other caretakers of pupils.”

Once a parent opts-out their child, they have precluded the school from ensuring their child receives the necessary training. In some instances, parents might not be aware that trafficking information is embedded in the sex education curriculum. Thus, it is critical for County educators to involve parents, especially those that have opted-out, in meaningful ways to provide information to their child. The resources are available for them to help educate their children – the Grand Jury understands that getting parents to use them is another issue.

In a 2021 study: “*Recommendations for Educating Youth About Sex Trafficking* published in the Journal of Human Trafficking,⁵⁶ Alexandria M. Lesak, et al, reported: “Experts⁵⁷ also recognized that parents may not be supportive of sex trafficking education. One expert noted, “[A parent might] hear the word sex and immediately shut down. [They] might be living in a bubble and [do] not want to admit it is something that can be happening here or in their home.”

In this article, experts discussed how educating parents on the topic of sex trafficking and sharing curriculum materials with parents might help improve parental buy-in. One expert stated: “[It is] important to convey that we are not condoning sex or showing them sexual acts or pornography, but helping kids understand what constitutes as sex trafficking [and] sexual exploitation.”

⁵³ *California State Parent And Student Opt-Out Notice*, <file:///C:/Users/Gj2022wlb/Downloads/California-State-Parent-and-Student-Opt-Revised-03-27-191.pdf>

⁵⁴ California Education Code, Title 2, Elementary and Secondary Education, Division 4, Instruction and Services, Part 28, General Instructional Programs, Chapter 5.8, Sexual Abuse and Sex Trafficking Prevention Education, § 51960 (c), https://leginfo.legislature.ca.gov/faces/codes_displaySection.xhtml?sectionNum=51950.&lawCode=EDC

⁵⁵ California Education Code, Title 2, Elementary and Secondary Education, Division 4, Instruction and Services, Part 28, General Instructional Programs, Chapter 5.8, Sexual Abuse and Sex Trafficking Prevention Education, § 51960 (d), https://leginfo.legislature.ca.gov/faces/codes_displaySection.xhtml?sectionNum=51950.&lawCode=EDC

⁵⁶ *Recommendations for Educating Youth about Sex Trafficking*, Journal of Human Trafficking, Alexandria M. Lesak, et al, July 2021, Funded by Grant awarded by the Office for Victims of Crime, U.S. Department of Justice.

<http://www.mscasa.org/wp-content/uploads/2021/08/Recommendations-for-Educating-Youth-about-Sex-Trafficking.pdf>

⁵⁷ Experts included: school personnel; anti-Human Trafficking advocates and service providers; leaders in the areas of education, anti-Human Trafficking, and/or sexual violence prevention; sexual violence providers/advocates/preventionists; law enforcement professionals; legal professionals; researchers in Human Trafficking; and engaged community members/parents.

[Further], “when asked about ways to engage parents to help schools teach youth about sex trafficking, the experts in this article discussed a variety of delivery formats for parent education ranging from sending a booklet home on how to engage their child in conversations about sex trafficking to providing a workshop, series, or multi-day training hosted by teachers or the PTA.”

All forty-two school districts in San Diego County and the schools operated by the County Office of Education should find ways to engage parents in being proactive in the fight against human trafficking. At the very least, school districts should find a variety of ways to reach out to parents and discuss alternative ways their children might be educated to the dangers of human trafficking. Educating and protecting children against human trafficking is as much the parents’ responsibility as it is that of the school district, and more so if children have been opted-out from the AB 1227 training. As District Attorney Summer Stephan warned; “[Human Traffickers] are luring [our children] right out of their schools and homes with deception and lies.”

The 2022/2023 GJ, through the implementation of the recommendations herein, believes that every school district in the County can ultimately educate our youth and provide parents with the education and tools necessary to help win the fight against child trafficking.

AB 1227 Actions Taken

Shortly after AB 1227 became law, the San Diego County District Attorney's Office announced⁵⁸ it would spend \$3 million to fund the San Diego Trafficking Prevention Collective (SDTPC).⁵⁹ “Schools have to be the place where we begin this fight,” District Attorney Summer Stephan said: “The programs will be funded through a private/public partnership involving the UBS Optimus Foundation.⁶⁰ This organization raised \$2.5 million in community donations and then matched 20 percent of those donations.”

Through this one-time donation, education about human trafficking was made available to students in the following districts: San Diego Unified, Sweetwater Union High School, Escondido Union High School, San Dieguito Union High School, Poway Unified and San Pasqual Union Elementary School. This proved a great start in the fight to prevent human trafficking of children, however it is not sufficient. The SDTPC had limited funds, which are now fully expended, and limited reach.

AB 1227 codifies into the California’s Education Code the requirement that all school districts include human trafficking prevention education in grades 7-12 at least once in middle school and once in high school as part of comprehensive sexual health education. Further, it requires training about human trafficking to be conducted periodically for all school district personnel, including teachers. It identifies the County Office of Education and the County Sheriff’s Department as key to developing the interagency protocol to be used in serving sexually exploited children.

⁵⁸ *New Initiative to Teach Kids How to Avoid Human Trafficking*, 10 News San Diego, Natay Holmes, Jan 22, 2019 <https://www.10news.com/news/local-news/new-initiative-to-teach-kids-how-to-avoid-Human-Trafficking>

⁵⁹ San Diego Trafficking Prevention Collective (SDTPC), <https://www.sandiegotpc.org/>

⁶⁰ UBS Optimus Foundation, <https://www.ubs.com/global/en/ubs-society/philanthropy/optimus-foundation.html>

As a result of AB 1227, California Education Code § 51934 (a)(10) now states: “(a) Each school district shall ensure that all pupils in grades 7 to 12, inclusive, receive comprehensive sexual health education and HIV prevention education from instructors trained in the appropriate courses. Each pupil shall receive this instruction at least once in junior high or middle school and at least once in high school. This instruction shall include all the following: Information about sexual harassment, sexual assault, adolescent relationship abuse, intimate partner violence, sexual abuse, and human trafficking. Information on human trafficking shall include information on the prevalence, nature, and strategies to reduce the risk of human trafficking, techniques to set healthy boundaries, and ways to safely seek assistance.”

Despite the law being five years old, the Grand Jury’s investigation revealed that the COVID pandemic slowed the AB 1227 implementation by San Diego County school districts. Of the school districts the GJ investigated, some have complied with the mandate and have comprehensive programs and curricula in place to meet the full intent of the law, while others have minimal programs in place thus only meeting the spirit of AB 1227.

The Grand Jury investigation revealed that while school administrators were aware of the law, many could not readily supply additional details, nor an implementation plan, or data as to when the training took place in their respective districts. From our sample of school districts, we thus concluded, by inference, compliance to AB 1227 throughout the County is sporadic and regional.

“Prevention, through education, should be the primary goal of the collaborative efforts to combat [human] trafficking. Often, we become reliant on law enforcement to fix criminal problems; however, the issue of human trafficking requires a multi-disciplinary, multi-sector, collaborative approach to truly be effective in preventing the crime. Prevention has often been overshadowed by protection and prosecution. Focusing solely on protection and prosecution assumes that a person has already been victimized.”⁶¹

Prevention is part of the “3P” paradigm—Prosecution, Protection, and Prevention which serves as the fundamental framework used around the world to combat human trafficking.⁶²

Prevention is the opportunity that AB 1227 provides for the San Diego County education system to take a focused, dedicated, and proactive, approach to educating our youth to identifying the warning signs and techniques used by traffickers to entice them into a life of exploitation.

⁶¹ *Solving an Epidemic: Human Trafficking in America*, Just Ask Trafficking Prevention Foundation, Bill Woolf Executive Director, 2019, Testimony Before the House Rules Committee Subcommittee on Legislative and Budget Process, <https://www.congress.gov/116/meeting/house/110314/witnesses/HHRG-116-RU02-Wstate-WoolfB-20191211.pdf>

⁶² 3Ps: Prosecution, Protection, and Prevention, Office to Monitor and Combat Trafficking in Persons, US Department of State, <https://www.state.gov/3ps-prosecution-protection-and-prevention/#:~:text=Prosecution%2C%20protection%2C%20and%20prevention%20efforts,the%20occurrence%20of%20human%20trafficking>

To echo the San Diego County District Attorney Summer Stephan: “Schools have to be the place where we begin this fight.”⁶³

Available Resources

The following organizations and programs are available for educational resources for human trafficking:

San Diego Trafficking Prevention Collective (SDTPC)

The San Diego Trafficking Prevention Collective (SDPTC)⁶⁴ is an end-to-end prevention education program that aims to protect every student from exploitation. They offer a multistage end-to-end educational program, at no cost, through in-person sessions, access to the *PROTECT*⁶⁵ online platform, and live webinars, which provide parents, guardians, caregivers, and other community members, human trafficking prevention training. The Collective is locally sponsored in partnership with the San Diego County District Attorney’s Office.

San Diego Human Trafficking Task Force (HTTF)

The mission of the San Diego Human Trafficking Task Force (HTTF)⁶⁶ is to proactively disrupt and dismantle human trafficking and child exploitation organizations through a comprehensive, collaborative, and regional law enforcement and prosecution response.

The HTTF is a cooperative partnership that has been in existence since 2008. It is a joint effort involving the California Department of Justice/Attorney General's Office (DOJ/AGO), California Department of Corrections and Rehabilitation (CDCR), California Highway Patrol (CHP), Federal Bureau of Investigation (FBI), Homeland Security Investigations (HSI), San Diego City Attorney's Office (SDCAO), San Diego District Attorney's Office (SDCDAO), San Diego County Probation Department (SDCPD), San Diego Sheriff's Department (SDSD), and the United States Attorney's Office, Southern District of California (USAO).

The Survivors Perspective

A Texas twelve-year-old⁶⁷ spent four years as a sex slave before escaping. She was lured away from her dysfunctional family by a 22-year-old man. "This person showed me a house, a car, like an elegant life full of money, full of luxuries," she said. "The first few months were the happiest of my life." Then the horror began when “her savior turned into her pimp. He told her how much to charge, how many men to sleep with, how long she had to be there.”

⁶³ *Human Trafficking Prevention to Be Taught in San Diego Schools*, News 7 San Diego, R. Stickney and Christina Bravo, January 22, 2019, <https://www.nbcsandiego.com/news/local/san-diego-district-attorney-schools-education-Human-Trafficking/4534/>

⁶⁴ The San Diego Trafficking Prevention Collective (SDPTC) <https://www.sandiegotpc.org/>

⁶⁵ *Human Trafficking Prevention Education & Training*, 3 Strands Global Foundation, <https://www.3strandsglobalfoundation.org/education#:~:text=Through%20PROTECT%20curriculum%20delivered%20by,keep%20themselves%20and%20others%20safe.>

⁶⁶ The San Diego Human Trafficking Task Force (HTTF) is a cooperative effort involving all the above major contributors plus, other local supporting law enforcement agencies. A list of all agencies can be found at: <https://oag.ca.gov/bi/httf>

⁶⁷ *Human Trafficking Victim Recounts Horrors of Life at the Mercy of Criminals*, Hannah Ray Lambert and Matt Leach, Fox News, February 3, 2023, <https://www.foxnews.com/world/human-trafficking-victim-recounts-horrors-life-mercy-criminals>

When she was fourteen, she became pregnant, but her captors keep her working throughout her pregnancy. Her abductors sent her back to work after her daughter was born, and three months later, they took her baby away. Her horror eventually ended when she was saved by a client.

While there are untold numbers of stories from victims who suffered and survived human trafficking, there are probably even more from victims who haven't yet been saved. However, one thing is certain: they were targeted at a young age and likely unaware of the methods and tactics that traffickers used to entice them.

To gain a firsthand perspective, the 2022/2023 GJ investigated the story of a San Diego County survivor of human trafficking – an adult who had been caught in this vicious lifestyle starting in her teenage years. She chronicled her experiences of her life of servitude at the hands of labor traffickers who exploited her, by paying her under the table, so that there was no traceability that she even existed to the rest of society. This placed her in an environment to be further sexually exploited which ultimately led to a life of prostitution. She learned that this life is hard to just walk away from as most victims are brainwashed into believing that there are no alternatives for them and that the traffickers are looking out for their best interest.

This human trafficking survivor started as a runaway from domestic sexual abuse, which is a common thread between victims. She managed to escape after years of exploitation. She told of her experiences with the infrastructure (both governmental and private) that is in place in the County to aid victims once they manage to escape the traffickers. Unfortunately, many victims are not saved until law enforcement intervenes.

Through this investigation, the GJ learned what it took to successfully escape exploitation and transition to a life where survivors can regain their self-esteem. Because many children are victimized by family or people they know, there is need for schoolteachers and administration staff to be trained in how to identify students suspected of being victims of domestic abuse. Abusive environments deprive a child from positive parental influence and makes them more vulnerable to the advances of traffickers.

San Diego County Office of Education Leadership

The San Diego County Office of Education (SDCOE) is in a unique position to spearhead ensuring all students in all school districts in San Diego County receive the necessary training to identify and protect themselves from becoming victims of human trafficking. The SDCOE Human Trafficking of Children webpage⁶⁸ is dedicated to this important issue. Under the Student Support Services Department, the webpage provides information on Community-Based Student Referrals for Services, School-Based Prevention Education Programs, and Additional Resources for schools and parents by detailing the SDCOE Project Safe From Exploitation (SaFE) Human Trafficking Prevention Education Program.⁶⁹

⁶⁸ <https://www.sdcoe.net/students/health-well-being/Human-Trafficking-of-children>

⁶⁹ Project Safe From Exploitation (SaFE) Human Trafficking Prevention Education Program, <https://www.sdcoe.net/students/health-well-being/Human-Trafficking-of-children>

The Project SaFE Advisory Council (PSAC) serves as the Project SaFE multi-disciplinary leadership team which consists of SDCOE staff, a Pre-College Institute (PCI)⁷⁰ Coordinator, a Survivor Leader, the District Attorney's (DA) Office, and a Human Trafficking Task Force (HTTF) representative.

Through the Project SaFE Grant, the SDCOE already has in place the vehicle that can ensure human trafficking prevention education is provided to educators, school staff, and more importantly, to deliver human trafficking education to all 7th and 9th grade students throughout the County of San Diego. Also, it trains qualified individuals to become Project SaFE Liaisons (PSL) who, work closely with the SDCOE Project SaFE Leadership Team.

Liaisons then serve as site-based leaders and subject matter experts to aid school districts that need help in creating a comprehensive human trafficking program, including compliance with the AB 1227 requirements. Project SaFE Liaisons are also in a unique front-line position to provide additional training and support to staff, students and, most importantly, parents.

Additionally, through the Human Trafficking School Safety Protocols (HTSSP),⁷¹ that align with state mandated laws, such as AB 1227, liaisons can ensure that at-risk, or actual victims, are referred to services or programs intended to reduce further victimization. A key element of the HTSSP calls for communication with parents, guardians, and caregivers when there are concerns that a child has experienced human trafficking.

Unfortunately, Project SaFE does not have visibility in all school districts in San Diego County. The 2022/2023 GJ hopes that the SDCOE can find the additional funding (from concerned businesses, the State of California, or the Federal Government) to expand Project SaFE to all school districts through the Project SaFE Grant program. Currently the Project SaFE Grant program is a three-year initiative that has two major school districts participating: Escondido Union High School District (EUHSD) with four (4) school sites, and Fallbrook Union High School District (FUSHD) with two (2) school sites and eleven (11) charter schools which include: the Altus Schools⁷² (a Multi-Site Charter School) and five (5) single-site charter schools.⁷³

To further assist San Diego County School Districts, the SDCOE has in place the San Diego Regional Human Trafficking & Commercial Sexual Exploitation of Children Advisory Council – Education

⁷⁰ SDSU Pre-College Institute (PCI) is a partnership between federally funded TRIO programs, public schools, and academic departments/research units at the University. Founded in 1983, PCI promotes college access and completion for underserved students. The Federal TRIO Programs (TRIO) are Federal outreach and student services programs designed to identify and provide services for individuals from disadvantaged backgrounds. TRIO (is not an acronym) refers to the three original programs that were funded under Title IV of the Higher Education Act, Upward Bound, Educational Talent Search, and Special Services (later named Student Support Services). serve underrepresented students and their teachers in low-income neighborhoods. <https://education2.sdsu.edu/pci>

⁷¹ *Human Trafficking School Safety Protocols*, SDCOE, <https://www.sdcoe.net/students/health-well-being/Human-Trafficking-of-children>

⁷² Altus Schools are nonprofit, state-funded, free public schools that share a common philosophy and approach that puts kids first. <https://www.altus4u.com/>

⁷³ The schools include City Heights Prep Charter, e3 Civic High Charter School, Helix High Charter, Motivated Youth Academy (MYA) and San Diego Global Vision Academy (SDGVA)

Subcommittee⁷⁴ which is dedicated to supporting Local Educational Agencies (LEAs)⁷⁵ in issues related to human trafficking. The Education Subcommittee created the Commercial Sexual Education of Children (CSEC)⁷⁶ Recommended Protocols for Schools.⁷⁷ These recommended protocols are provided as a tool to assist adoption by school districts. Each district can customize them to accurately reflect their specific circumstances.

When considering the education of the County's special needs population, the San Diego County *Special Education Local Plan Areas* (SELPA) network, has the infrastructure in place to ensure these high-risk children receive the necessary education they deserve. There are seven SELPAs in San Diego County.⁷⁸ Each SELPA receives funds and is responsible for seeing that every eligible child receives appropriate services.

The 2022/2023 GJ believes that the San Diego County Office of Education's SELPA network is uniquely positioned to ensure that all special needs children in the County receive the valuable education that AB 1227 promises.

While this Grand Jury Report is not making recommendations to the 42 San Diego County Districts, it does however, believe that the SDCOE is in a unique position to see that the recommendations in this report are taken seriously and to take demonstrable action to help all 42 San Diego County Districts become models in the fight against human trafficking of children.

While this GJ realizes that the SDCOE does not have legal jurisdiction over, or oversight of, the curriculum of the 42 school districts in the County, the GJ recommends the SDCOE take a more proactive role in ensuring that the requirements of AB 1227 are efficiently and effectively included in curricula across San Diego County.

The 2022-2023 Grand Jury references Education Code § 35160⁷⁹ which provides school districts, including the County Office of Education, with permissive authority to: "initiate and carry on any program, activity, or may otherwise act in any manner which is not in conflict with or inconsistent with,

⁷⁴ <https://www.sdcoe.net/students/health-well-being/Human-Trafficking-of-children>

⁷⁵ 20 U.S.C. § 7801 (26) (a) A Local Educational Agency (LEA) is a public board of education or other public authority legally constituted within a State for either administrative control or direction of, or to perform a service function for, public elementary schools or secondary schools in a city, county, township, school district, or other political subdivision of a State, or of or for a combination of school districts or counties that is recognized in a State as an administrative agency for its public elementary schools or secondary schools. <https://www.govinfo.gov/content/pkg/USCODE-2011-title20/html/USCODE-2011-title20-chap70-subchapIX-partA-sec7801.htm>

⁷⁶ Commercial Sexual Exploitation of Children (CSEC)

⁷⁷ CSEC Recommended Protocols for Schools, SDCOE,

<https://resources.finalsite.net/images/v1647994652/sdcoenet/zbvbiw2tagxenqntm06/CSECProtocols-Superintendents.pdf>

⁷⁸ The San Diego County Office of Education (SDCOE) functions as a stand-alone SELPA and serves as the administrative unit for the other County SELPAs.

⁷⁹ Enacted in response to Proposition 8, which was passed by the voters in 1972. The Legislature enacted Education Code § 35160 for the purpose of granting broad authority to school districts and county offices over education matters to be relieved of the necessity of granting specific authorization for every activity carried out by school districts and county offices of education.

or preempted by, any law and which is not in conflict with the purposes for which school districts are established.”⁸⁰

For school districts, there is no greater responsibility than safeguarding the well-being of our children. Ensuring the intent of AB 1227 is followed in every school within San Diego County is paramount to fulfilling this responsibility.

FACTS AND FINDINGS

Fact: California ranks number one of all US states, with the San Diego area ranking third within California, for the highest incidents of human trafficking.

Fact: The risk of San Diego County children being exposed to and becoming victims of human trafficking, while statistically low, knows no regional, ethnic, or socio-economic bounds.

Fact: In 2019, Florida became the first US state requiring human trafficking training in schools at every grade level.

Fact: AB 1227 The Human Trafficking Prevention Education and Training Act of 2017 is the first legislation of its kind in California targeting preventive measures in the fight against human trafficking.

Fact: AB 1227 adds human trafficking prevention education to the curriculum that all school districts within the County of San Diego must implement.

Fact: In 2017, California enacted AB 1227 which mandates school districts to provide human trafficking education, as part of the curriculum, to all students, once in middle school and once in high school (grades 7-12). Additionally, school districts shall educate teachers, staff, and administrators to the risks of Human Trafficking. This legislation builds on AB 329.

Fact: AB 329 (2015) requires school districts to ensure that all pupils in grades 7 to 12, inclusive, receive comprehensive sexual health education and HIV prevention education.

Fact: AB 1227 includes a provision that allows parents who object to their children receiving sex education (and thus human trafficking education) to “opt-out” their children from participation.

Fact: California SB 1193 requires twelve types of businesses and establishments to post the notice informing the public and victims of human trafficking of telephone hotlines through which to seek help or report unlawful activity.

Fact: California SB 1193 does not require human trafficking signage in schools.

⁸⁰ *Statutory Functions of County Superintendents of School & County Boards of Education*, California County Superintendents Educational Services Association (CCSESA), May 18, 2020, https://ccsesa.org/?wpfb_dl=7229

Fact: California Education Code § 44808 *et seq*, indemnifies a school district, or county board of education, county superintendent of schools, or any officer or employee of such district or board from responsibility, or liability for the conduct or safety of any pupil, at any time when not on school property, unless in the case of a school-sponsored activity (extracurricular or co-curricular).

Fact: Many students are involved in activities outside school campuses or district property.

Finding 01: County of San Diego school districts and administrators have no legal responsibility to protect, or liability for, students involved in off-campus activities being victimized by human traffickers.

Fact: Children engaged in non-school sponsored extracurricular activities at high-risk of being targeted by human traffickers.

Fact: Children of all ages are spending increasingly more time on social media, on-line chat rooms, and gaming platforms.

Fact: The preferred venue for solicitation of minors by human traffickers is on-line chat rooms, social media and gaming platforms that are not regulated by school administrators, nor under their specific responsibility.

Fact: Education Code § 35160 provides “school districts” with permissive authority to: “initiate and carry on any program, activity, or may otherwise act in any manner which is not in conflict with or inconsistent with, or preempted by, any law and which is not in conflict with the purposes for which school districts are established.”

Finding 02: Education Code § 35160 provides the SDCOE with a vehicle to guide all 42 school districts in incorporating AB 1227 training into their curricula.

Finding 03: The SDCOE has in place the framework with the Human Trafficking School Safety Protocols (HTSSP) to solicit more parent involvement.

Fact: The percentage of children that are special needs in California is approx. 12.5 %, with San Diego County at 14.8 %.

Fact: The Special Education Local Plan Areas (SELPA) network is a coalition of school districts with the goal of ensuring special needs children receive the necessary education they deserve. It is administered by the San Diego County Office of Education.

Fact: There are seven SELPA districts in San Diego County.

Finding 04: The San Diego County SELPA network is uniquely positioned to ensure that all special needs children in the County receive the valuable education that AB 1227 promises.

Fact: The Commercial Sexual Exploitation of Children (CSEC) Advisory Council developed *Recommended Protocols for Schools* and ensure all administrators, staff and teachers are trained in human trafficking.

Fact: The San Diego Human Trafficking Task Force (HTTF) is a cooperative of Law Enforcement Agencies and the District Attorney Office to proactively disrupt and dismantle human trafficking activities through a comprehensive and collaborative effort.

Fact: The HTTF has minimal visibility within school districts across the San Diego County.

Fact: The San Diego Trafficking Prevention Collective (SDTPC) provides teachers an end-to-end prevention education program that aims to protect every student from exploitation.

Fact: The SDCOE staff provides, through the Train the Trainers (TOT) program, training, technical assistance, and direct services to assist school districts in developing and supporting their Comprehensive School Safety Plans which include Active Shooter, Safety Planning, Threat Assessment, and Crisis Intervention and Recovery.

Finding 05: The SDCOE Train the Trainers (TOT) program currently does not specifically address human trafficking in the training curriculum.

Fact: The SDCOE *Expanded Learning and Community Engagement Program* works with all 42 school districts to develop and implement before and after school programs that entice students and parents to engage in extracurricular activities.

Finding 06: The SDCOE *Expanded Learning and Community Engagement Program* currently does not include human trafficking training as part of extracurricular programs.

RECOMMENDATIONS

The 2022/2023 San Diego County Grand Jury recommends the San Diego County Office of Education (SDCOE):

- 23-18:** Use Education Code § 35160 authority to take an active role in encouraging and guiding all 42 school districts within San Diego County, with the implementation of the requirements of the AB 1227 mandate into the curriculum.
- 23-19:** Use the framework of the Human Trafficking School Safety Protocols (HTSSP) to solicit more parent involvement through an outreach campaign to assist all 42 school districts, Parent Teacher Associations (PTA), Parent Teacher Organizations (PTO), Foundations, or other parent organizations, within the County to find ways to involve and educate parents in human trafficking and the need for them to take an active role in human trafficking education of their children.

- 23-20:** Develop a methodology to perform routine monitoring of all 42 school districts' compliance with the Human Trafficking School Safety Protocols (HTSSP).
- 23-21:** Develop a methodology to perform routine monitoring of all 42 school districts' compliance with the training of pupils, educators, and administrators' requirements of AB 1227.
- 23-22:** Consider adopting the framework of the Commercial Sexual Exploitation of Children (CSEC) Advisory Council *Recommended Protocols for Schools* and encourage all administrators, staff and teachers are trained in its use.
- 23-23:** Coordinate with the six SELPAs in San Diego County to address the curriculum necessary to comply with AB 1227 Human Trafficking to ensure all Special Education children in the County of San Diego receive this critical training.
- 23-24:** Seek additional grant funding, or earmark general operating funds, to continue *Project SaFE* and encourage all 42 school districts in San Diego County to participate in *Project SaFE*.
- 23-25:** Through the SDCOE *Expanded Learning and Community Engagement Program*, encourage all 42 school districts to develop and implement before and after school programs that entice students and parents to engage in understanding the risks human trafficking poses.
- 23-26:** Encourage all 42 school districts to develop and make available to parents, through each district's web portal, the tools and curriculum necessary for them to take an active role in educating their children on identifying and avoiding the dangers of human trafficking.
- 23-27:** Consider posting Human Trafficking Hotline Posters in each school.

The 2022/2023 San Diego County Grand Jury recommends – through the Human Trafficking Task Force (HTTF) – the San Diego County Sheriff:

- 23-28:** Work with the SDCOE and District Attorney's Office to make available, to all 42 school districts, human trafficking specific training (with a Law Enforcement focus) for administrators, staff, educators, and pupils, to reinforce the training provided through AB 1227.

The 2022/2023 San Diego County Grand Jury recommends – though the San Diego Trafficking Prevention Collective (SDTPC) – the San Diego County District Attorney:

- 23-29:** Work with the SDCOE and the 42 school districts to introduce the SDTPC "end-to-end training program" to reinforce the pupil training required by AB 1227.

- 23-30: Work with the SDCOE to develop the Train the Trainers (TOT) program for roll out to all 42 school districts to reinforce human trafficking specific training for administrators, staff, and educators.**
- 23-31: Take action to enforce the SB 1193 requirement for businesses, and public agencies, to display posters in a conspicuous location, that provide resource information and phone numbers for victims of human trafficking.**

REQUIREMENTS AND INSTRUCTIONS

The California Penal Code §933(c) requires any public agency which the Grand Jury has reviewed, and about which it has issued a final report, to comment to the Presiding Judge of the Superior Court on the findings and recommendations pertaining to matters under the control of the agency. Such comment shall be made *no later than 90 days* after the Grand Jury publishes its report (filed with the Clerk of the Court); except that in the case of a report containing findings and recommendations pertaining to a department or agency headed by an elected County official (e.g. District Attorney, Sheriff, etc.), such comment shall be made *within 60 days* to the Presiding Judge with an information copy sent to the Board of Supervisors. Furthermore, California Penal Code §933.05(a), (b), (c), details, as follows, the manner in which such comment(s) are to be made:

- (a) As to each grand jury finding, the responding person or entity shall indicate one of the following:
- (1) The respondent agrees with the finding
 - (2) The respondent disagrees wholly or partially with the finding, in which case the response shall specify the portion of the finding that is disputed and shall include an explanation of the reasons therefor.
- (b) As to each grand jury recommendation, the responding person or entity shall report one of the following actions:
- (1) The recommendation has been implemented, with a summary regarding the implemented action.
 - (2) The recommendation has not yet been implemented, but will be implemented in the future, with a time frame for implementation.
 - (3) The recommendation requires further analysis, with an explanation and the scope and parameters of an analysis or study, and a time frame for the matter to be prepared for discussion by the officer or head of the agency or department being investigated or reviewed, including the governing body of the public agency when applicable. This time frame shall not exceed six months from the date of publication of the grand jury report.
 - (4) The recommendation will not be implemented because it is not warranted or is not reasonable, with an explanation therefor.
- (c) If a finding or recommendation of the grand jury addresses budgetary or personnel matters of a county agency or department headed by an elected officer, both the agency or department head and the Board of Supervisors shall respond if requested by the grand jury, but the response of the Board of Supervisors shall address only those budgetary or personnel matters over which it has some decision-making authority. The response of the elected agency or department head shall address

all aspects of the findings or recommendations affecting his or her agency or department.

Comments to the Presiding Judge of the Superior Court in compliance with the Penal Code §933.05 are required from the:

<u>Responding Agency</u>	<u>Recommendations</u>	<u>Date</u>
San Diego County Office of Education	23-18 through 23-27	8/21/2023
San Diego County Sheriff's Department	23-28	7/21/2023
San Diego County District Attorney	23-29 through 23-31	7/21/2023