



National Council of Jewish Women

LOS ANGELES

HUMAN TRAFFICKING OUTREACH PROJECT

Implementation of Senate Bill 1193 in the City of Los Angeles: FINAL REPORT

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Maya Paley & Yvonne Winchell
National Council of Jewish Women, Los Angeles

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National Council of Jewish Women, Los Angeles
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Introduction

Since 2014, the National Council of Jewish Women | Los Angeles (NCJW | LA) and coalition partners have conducted the Human Trafficking Outreach Project (HTOP). The project was designed to increase awareness and implementation of Senate Bill 1193 (2012, Steinberg) (SB 1193) through a combination of advocacy, community organizing, and research. In 2016, NCJW | LA produced its first research reports to measure the impact of HTOP in Los Angeles City¹ and Los Angeles County.² This report has been prepared by the original authors as a follow-up to the Los Angeles City report, and as a final report for the project under NCJW | LA's leadership. After five years, NCJW | LA is transitioning HTOP to Journey Out, a Los Angeles-based anti-human trafficking organization.

In 2016 our report documented significant improvements in awareness and compliance as a result of HTOP, as well as the apparent limitations of community-level efforts to achieve a high level of compliance. We concluded that full implementation of SB 1193 would require a more robust approach for enforcement and “urged the Los Angeles Mayor, City Attorney, and City Council to take steps to implement an enforcement strategy for SB 1193.”³

Since that time, HTOP's community organizing measures have continued, including a coordinated effort to increase compliance by conducting outreach based on city council district and region. These efforts have substantially increased both initial and follow-up site visits to mandated establishments and have brought a significant number of businesses into compliance. Calls to the local Coalition to Abolish Slavery and Trafficking's (CAST) hotline, which is highlighted on the required posters, increased by 1000%, between 2013 and 2017, up from a 250% increase through 2015 as documented in our previous report

In order to achieve higher levels of compliance than those documented in this report, NCJW | LA recommends the passage of a State policy that would empower the City of Los Angeles, as well as all local municipalities in California, to actively enforce SB 1193 (see, e.g., SB 630, 2019 (Stern)).

This follow-up and final report addresses three main areas: 1) a review of SB 1193 requirements for posting of hotline numbers and changes made since 2016; 2) an updated analysis of the impact of HTOP in the City of Los Angeles; and 3) conclusions and recommendations regarding future efforts to increase compliance with SB 1193 in the City of Los Angeles.

Review of Hotline Poster Laws

In our 2016 report, we noted the following:

¹ [Paley, M. and Winchell, Y., Human Trafficking Outreach Project: Implementation of Senate Bill 1193 in the City of Los Angeles, 2016](#)

² [Paley, M. and Winchell, Y., Human Trafficking Outreach Project: Implementation of Senate Bill 1193 in the County of Los Angeles, 2016](#)

³ Paley, M. and Winchell, Y., Human Trafficking Outreach Project: Implementation of Senate Bill 1193 in the City of Los Angeles, 2016

A poster with information on human trafficking and hotline resources can be a lifeline. According to a Human Trafficking Legislative Issue Brief prepared by Polaris Project, ‘for victims, the public posting of the hotline is critical’ and ‘high visibility and awareness of the hotline increases the chances that human trafficking will be reported, victims will be rescued, and traffickers will be prosecuted.’ (P. Project, n.d.) The Polaris Project has made hotline poster laws one of their top legislative priorities for human trafficking advocacy and community-based organizations to work on passing and implementing in each state.

The Office of the Attorney General in the California Department of Justice has identified victim resources as a key component to addressing human trafficking. In 2012, Senate Bill 1193 (Steinberg) (SB 1193) added section 52.6 to the Civil Code, as part of ‘legislation [that has] taken a multi-faceted approach to providing victims with much needed support and resources.’ (A. General, 2012) The law mandates certain establishments to post local and national hotline information as a resource to report human trafficking and to seek help for victims, survivors, and witnesses.

Laws are effective only to the extent that they are enforced; to date, Civil Code §52.6 has not been the focus of specific enforcement measures by state officials. There has been some engagement with county and municipal elected officials since the passing of SB 1193, but engagement is minimal and enforcement has not yet been implemented.⁴

While there are coordinated efforts to increase implementation and compliance of the law through a partnership between HTOP and the Office of the Los Angeles City Attorney, which has sent out over 1,032 advisory letters to affected establishments to date, there is still no effective enforcement mechanism to ensure that these mandated establishments fully comply with the law. One reason is, while existing law requires a wide variety of establishments to post, there is no one municipal agency with jurisdiction over all such establishments. Another more fundamental reason is that existing law mandates enforcement be executed solely through civil lawsuits against non-compliers. This would require a municipality to file a civil lawsuit to obtain the penalty fee of \$500 for a first offense at thirty-day’s notice, and then to file follow-up lawsuits to obtain the penalty fee of \$1000 for each offense of non-compliance every thirty days thereafter. The burden on municipalities to enforce a law through this mechanism is cumbersome, time-consuming, and resource-draining.⁵

⁴ Ibid.

⁵ In 2017, a Motion was introduced in Los Angeles City Council by Councilmember Nury Martinez asking City Attorney Mike Feuer to “report on the feasibility of bringing civil enforcement actions for violations of Section 52.6, as well as any proposed legislative amendments to Section 52.6 to further promote the effectiveness and efficiency of obtaining compliance with human trafficking information postings.” The Motion was adopted in April 2017. City Attorney staff subsequently provided recommendations for the City to assign SB 1193 compliance checks to a specific city agency, as well as providing proposed legislative amendments to SB 1193. In January 2018,

In 2017, two new state bills affecting SB 1193 were signed into law: SB 225 (Stern), mandates a text line be included on the poster for victims, survivors, and witnesses to be able to access help and services through text technology; the second bill, AB 260 (Santiago), adds hotels, motels, and bed and breakfast inns to the list of businesses and establishments mandated to display the hotline poster in accordance with SB 1193. Both new laws amended Section 52.6 of the Civil Code and went into effect on January 1, 2019.⁶ HTOP was already in compliance with AB 225 as HTOP's poster always included the text line.

Since 2016, HTOP has included massage parlors in our outreach, both through letters sent to mandated businesses from the City Attorney's office in 2017 as well as through volunteer site visits.⁷ Through January of 2019, HTOP has not incorporated outreach to hotels, motels, or bed and breakfasts.

Updated Analysis of HTOP Impact

Survey Methodology and Design

The study methodology described in our initial report was continued without modification.

The list of mandated establishments in the City of Los Angeles was maintained by NCJW | LA and provided to the LA City Attorney. Letters and hotline posters were sent to mandated businesses by the City Attorney's office. The information on mandated businesses continued to be used to organize outreach site visits to mandated establishments with the directive of promoting awareness and improving compliance. NCJW | LA continued outreach efforts toward coalition-building, community awareness, volunteer recruitment, and community organizing. Our outreach volunteer training continued without significant updates and focused on the requirements of SB 1193, specific safety training, and standardized contact protocols aimed at encouraging mandated establishments to comply.

Volunteer Team Leaders were identified to organize teams of volunteers, and outreach visits were conducted by volunteers in pairs approaching owners and managers at mandated establishments, offering a copy of the original letter from the City Attorney, information about the law, assessing compliance or readiness to comply, and providing posters that could be put up immediately, as well as offering to put up the posters up themselves.

Councilmember Nury Martinez introduced a second Motion asking "the City Council to instruct the Los Angeles Police Department and request the City Attorney to report relative to the City's enforcement efforts associated with the implementation of California Civil Code Section 52.6 (SB 1193) related to human trafficking." This Motion has not yet been adopted by City Council.

⁶ Los Angeles City Attorney Mike Feuer worked with State Senator Stern's Office on SB 225 to include language empowering local municipalities to create procedures to actively enforce SB 1193 with methods that are effective and productive for each respective municipality, but that language was not introduced. Subsequently, in the most recent legislative cycle, State Senator Stern introduced that language in SB 630.

⁷ Before 2017, HTOP did not include massage parlors in its outreach in the City of Los Angeles due to changes regarding regulations of massage parlors in California, which caused confusion about whether or not SB 1193 included licensed massage parlors. In 2017, the Los Angeles City Attorney's office and HTOP began to include all massage parlors in our outreach, including both licensed and unlicensed massage parlors.

After each visit, the volunteer teams completed a survey data collection form, including the date of the visit, the visit team, the location of the establishment, yes/no questions measuring degree of knowledge and level of compliance, as well as comments. These data were entered into the relational database system designed by NCJW | LA for HTOP for tracking survey data, including compliance with the requirements of SB 1193, obtained during outreach visits to mandated establishments. These data were used to guide planning of ongoing visits and to assess the impact of the program.

Where applicable, differences between the categorical question variables were assessed for statistical significance using a χ^2 analysis, assigning significance at a level of $p < 0.05$.

Results

As a result of the continued efforts of the HTOP team, the total number of outreach visits has increased more than four-fold since 2015 (Figure 1).

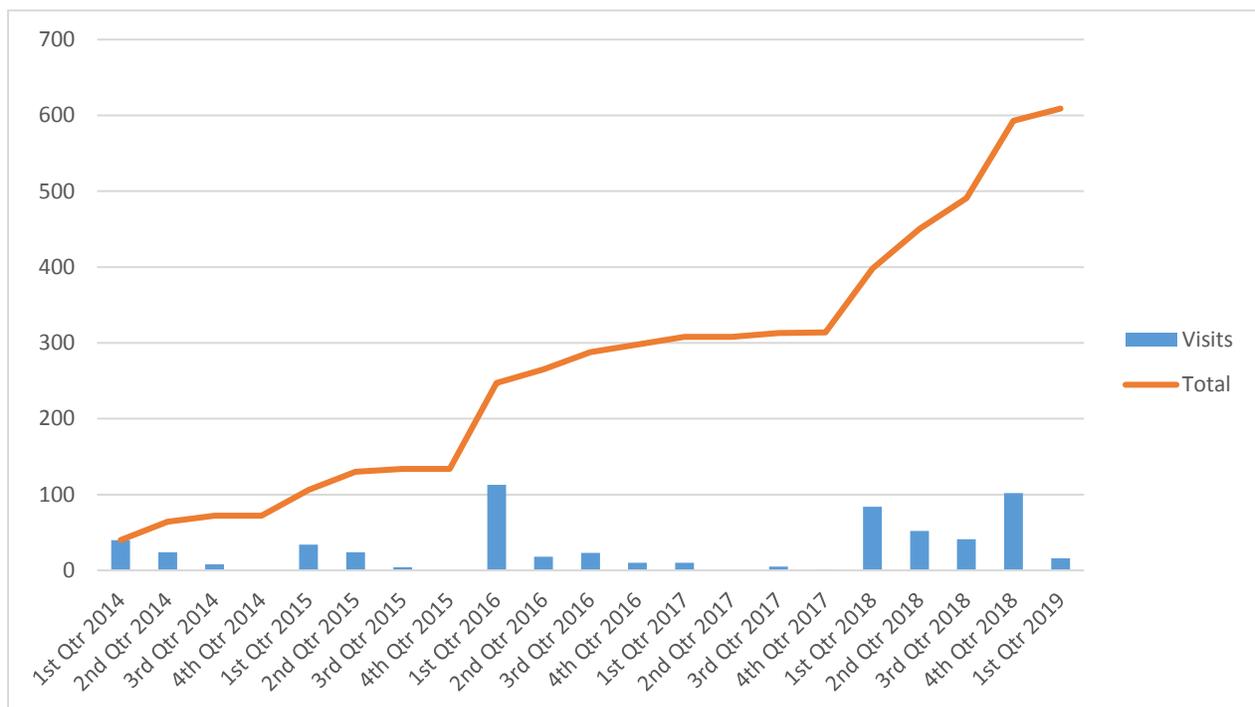


Figure 1: Total Cumulative Visits (2014-2019)

The number of mandated establishments identified doubled since the 2016 report, while the number of businesses visited by HTOP teams increased even more dramatically. The largest increase was seen in the number of establishments visited three or more times (Figure 2).

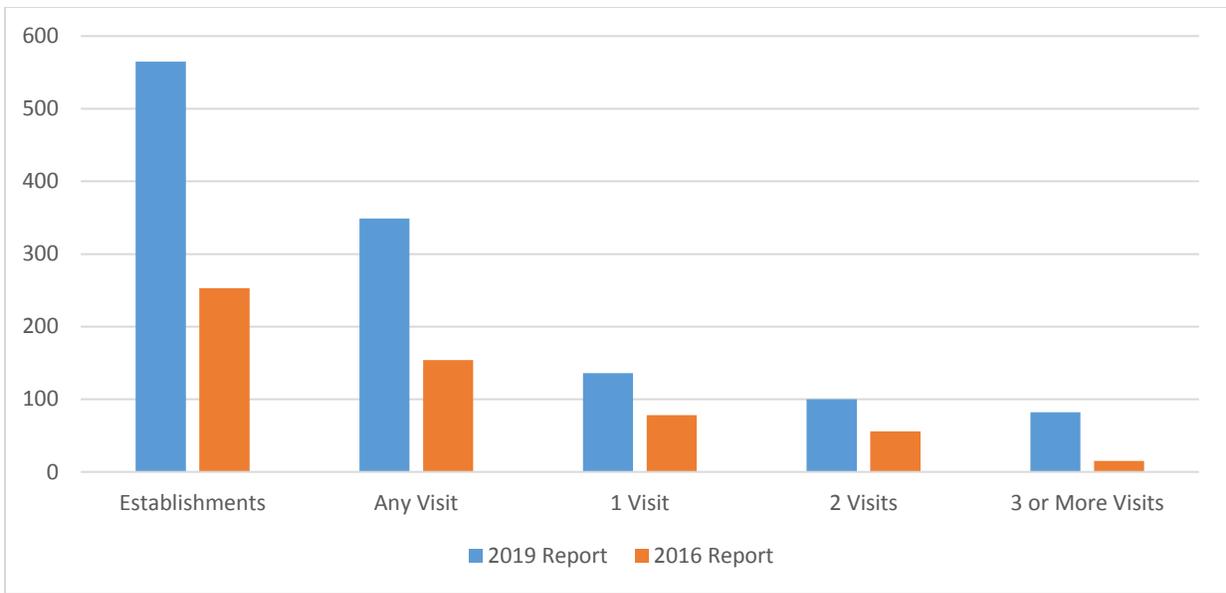


Figure 2: Establishments Visited

The total number of visits conducted more than tripled from that reported in 2016, with follow-up visits showing the largest increase (Figure 3).

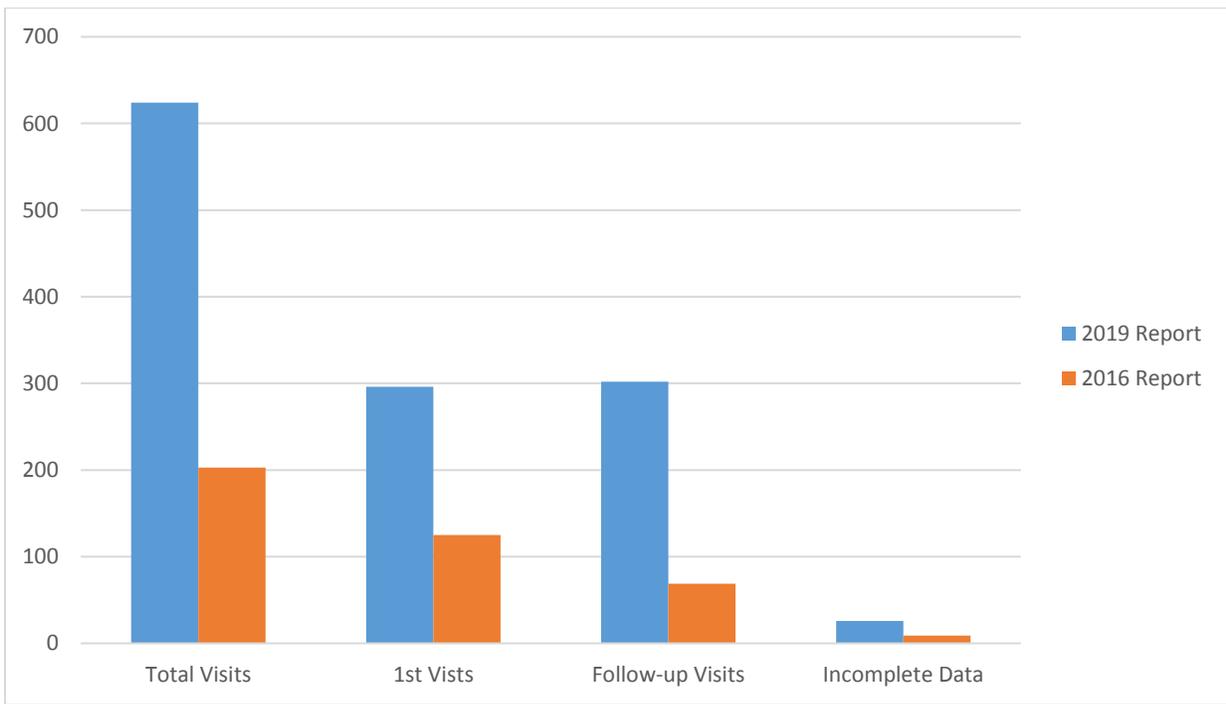


Figure 3: Visit Data Comparison

Visits were conducted in most Council Districts, but the focus of work in 2017 and 2018 was to complete as many visits as possible in Council Districts 1, 3, 5, 6, 9, 12, 13, and 14, as reflected in Figure 4.

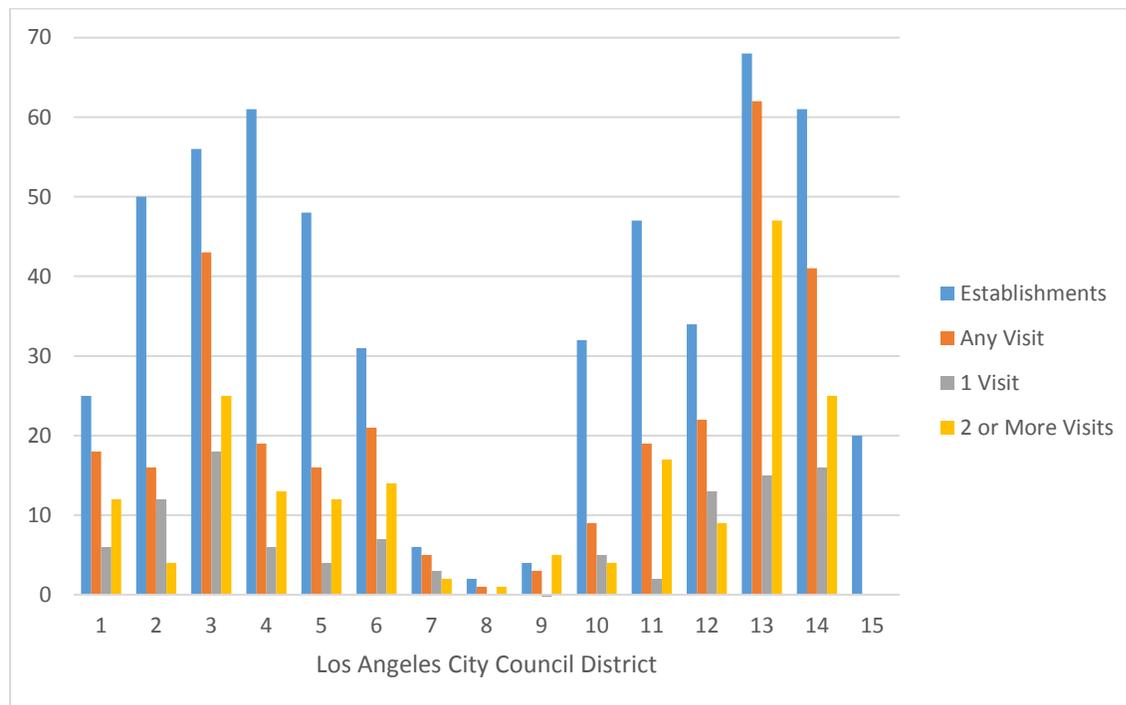


Figure 4: Visits by LA City Council District for the duration of HTOP 2014-2018

Continued measurement of the effects of HTOP demonstrates outreach visits resulted in a significant increase in the number of businesses across the city in compliance with SB 1193 (from 75 in 2016 to 242 in 2019) (Figure 5), yet the percentage of businesses in compliance at the most recent visit has not changed over the study period (44% in 2016 and 2019). (Figure 6)

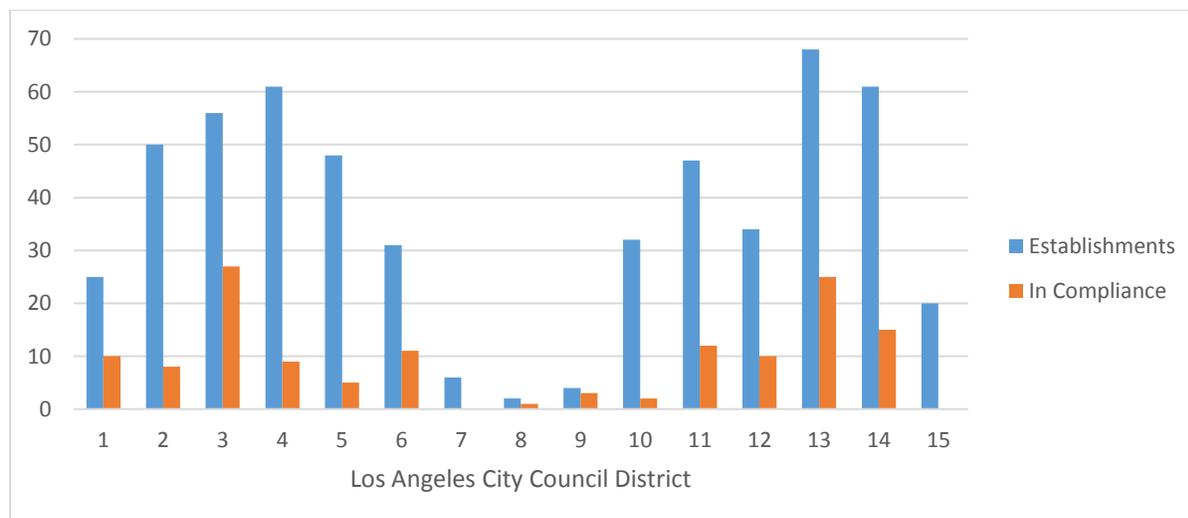


Figure 5: Establishments in Compliance by Council District from 2014-2018

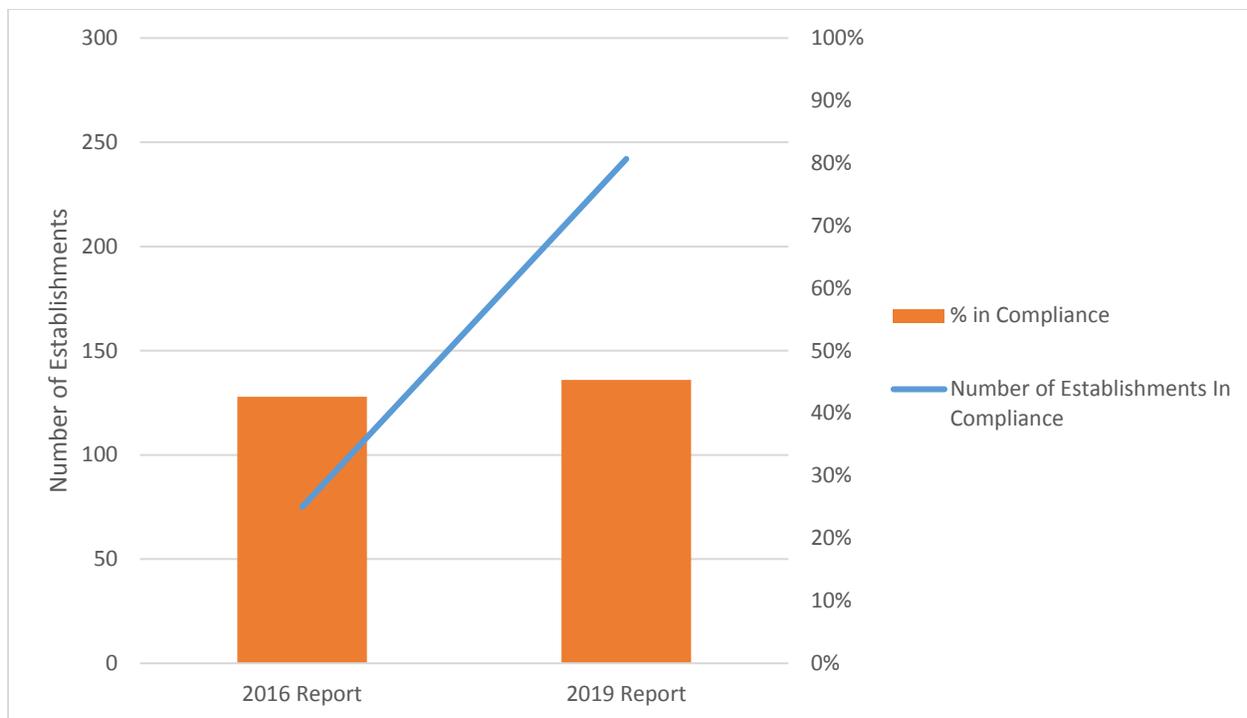


Figure 6: Total Number of Establishments versus of Percentage in Compliance

Detailed analysis of the results of individual site visits are compared between reporting years in Figure 7.

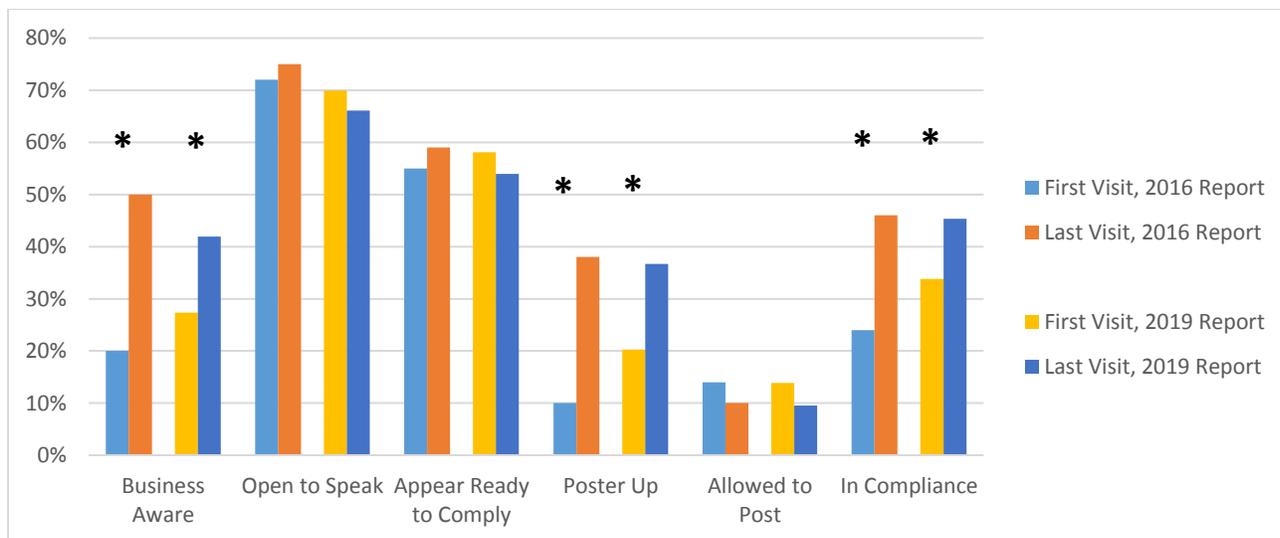


Figure 7: Field Questionnaire Site Visit Results with Results to Data Reporting Form Questions ⁸
 * indicates statistical significance at p < 0.05 by χ^2 analysis

⁸ See Addendum 1 for an updated version of the outreach survey data (Data Reporting Form).

Discussion

The data show that baseline awareness of and compliance with SB 1193 have increased over the five-year lifetime of the project, with nearly twice the percentage of businesses (20% vs. 10%) found to have the poster up on the first visit. However, seven years after the passage of SB 1193, an estimated 80% of mandated establishments in the City of Los Angeles remain out of compliance.

Notably, the percentage of businesses brought into compliance by repeat visits did not change, remaining constant at about 44%, even though there were many more follow-up visits conducted during the second reporting period, with some businesses visited up to six times. These findings strongly suggest there is a limit to what can be accomplished by HTOP measures alone. Our study indicates less than one half of mandated businesses can be brought into compliance by repeat HTOP site visits alone, and increasing compliance above 50% will require active intervention by an agency with authority to levy fines or employ other enforcement measures. For example, in the City of Santa Monica, enforcement of SB 1193 by the municipality sending investigators and threatening lawsuits resulted in full compliance (100%) among the mandated establishments. The lack of clear enforcement instructions and mechanisms written into the 2012 bill have created a situation in which there is no clear mandate for municipalities to enforce the law, and thus made it challenging for the City of Los Angeles to broadly enforce SB 1193.

Recommendations

After five years, our research indicates that community-based efforts like HTOP can be effective as a means to increase awareness and compliance with SB 1193; it also highlights the limits to what can be accomplished, even with a large-scale effort. Our experience shows that less than 50% of businesses are ultimately willing to comply based on information alone, even with repeated site visits that include offers of assistance. More active measures to enforce the law will be required to ensure broad compliance among the heterogeneous group of business establishments subject to its requirements. A clear state policy mandating and empowering local municipalities to actively enforce SB 1193, by using methods that are effective and appropriate for their own citizens, can be an effective pathway to achieve high levels of compliance. Senator Henry Stern's 2019 bill, SB 630, aims to amend Section 52.6 of the California Civil Code to ensure local governments are not prevented "from adopting and enforcing a local ordinance, rule, or regulation to prevent slavery or human trafficking" and that such policies will not be preempted or superseded by the state policy.

References

- General, A. (2012). *The State of Human Trafficking in California*.
- Project, T. P. (n.d.). Human Trafficking Legislative Issue Brief: Sex Trafficking of Minors and "Safe Harbor". Posting *The National Human Trafficking Resource Center Hotline*. Retrieved from <http://www.polarisproject.org/what-we-do/policy-advocacy/legislative-toolbox>
- An act to amend Section 52.6 of the Civil Code, relating to human trafficking, SB 630, California State Senate. (2019).

Appendix 1

NCJW/LA – Human Trafficking Outreach Project SB 1193 Public Posting Requirements – Data Reporting Form

Person(s) Reporting:

Name(s) _____

Main Contact's Email _____ Phone _____

Business _____ Contact Name/Position _____

Address _____ City _____ Zip _____

Date of Outreach _____ 1st Visit 2nd Visit

	<u>Yes</u>	<u>No</u>	<u>N/A</u>
Was the poster already posted?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
If yes, was it posted in a conspicuous place?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
If the poster was up, what was the reason for the business posting?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Volunteer Outreach _____ Letter from City/District Atty _____ Other _____			
Was the business open to speaking with you?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Was the business aware of the posting requirement?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Did the business appear to be ready to comply?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Did the business allow/or ask you to put up the poster on the spot?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

If a poster in a 4th language is needed, which language was requested?

Comments _____

Special Thanks

Special thanks to Human Trafficking Outreach Project Executive Committee Members Johanna Arias-Bhatia, Nancy Kless, Michelle Marshall, and Rosalyn Siegel. We would also like to thank Anh Truong, Director of Anti-Sex and Labor Trafficking, Los Angeles City Attorney's Office, and Rena M. Shahandeh, Deputy City Attorney, Deputy City Attorney, Los Angeles City Attorney's Office, Los Angeles City Councilmember Nury Martinez's Office, and the Coalition to Abolish Slavery and Trafficking

About National Council of Jewish Women | Los Angeles

The National Council of Jewish Women, Los Angeles (NCJW | LA) is a grassroots organization of volunteers and advocates committed to the welfare and well-being of the Los Angeles Community. Inspired by Jewish values, NCJW | LA strives for social justice by improving the quality of life for women, children, and families and by safeguarding individual rights and freedoms.

For more information, contact:

Maya Paley
Director of Advocacy and Community Engagement
National Council of Jewish Women | Los Angeles
543 N. Fairfax Avenue
Los Angeles, CA 90036
Tel: 323-852-8536
Email: maya@ncjwla.org

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