

Chapter 558: California’s Fight Against Modern Day Slavery

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Code Sections Affected

Education Code §§ 51934 and 51950 (amended); Welfare and Institutions Code §§ 16524.6, 16524.7, 16524.8, 16524.9 (amended). AB 1227 (Bonta and Low); 2017 STAT. Ch. X.

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I. INTRODUCTION

On December 28, 2016, Keith Avila, an Uber¹ driver, picked up three customers—two women and a young girl—in Oak Park, a neighborhood in Sacramento.² They requested to be dropped off at the Holiday Inn in Elk Grove, about 20 minutes away.³ During the ride, Avila began to feel uncomfortable about the situation.⁴ He noticed the young girl was not dressed appropriately for her age.⁵ But the discussion between the women and the girl made him even more suspicious.⁶ The women coached the girl to “pat [the guy] down and get the donation first.”⁷ They continued to impress upon the young girl to get the “donation” first before “[she] started touching him.”⁸ Avila knew something was wrong, so he called the police immediately after he dropped the women and young girl off.⁹

The police arrived at the hotel and detained the two women.¹⁰ They discovered a man, Disney Vang, in the hotel room with the young girl involved in “unlawful sexual activity” with her.¹¹ Vang was 20 years old and the young girl, who had already been reported missing, was only 12 years old.¹² The authorities arrested the two women, who had arranged for the victim to meet Vang at the hotel.¹³ They were charged with felony child abuse, pimping and pandering, soliciting an act of prostitution, human trafficking, and conspiracy.¹⁴ The authorities and community commended Avila for trusting his instincts and taking action.¹⁵

Similar stories of local community heroes reporting suspicious activity to authorities have flooded recent news.¹⁶ Citizens throughout the country are

1. Uber Technologies Inc. is a company headquartered in San Francisco, CA. It provides transportation and ride-sharing services to customers who have an Uber account on their smartphone. Max Resnik, *How an Uber Driver Stopped Child Sex Trafficking in Elk Grove*, KCRA 3 (Dec. 28, 2016), <http://www.kcra.com/article/uber-driver-stops-child-sex-trafficking-in-elk-grove/8544016> (on file with *The University of the Pacific Law Review*).

2. *Id.*

3. *Id.*

4. *Id.*

5. *Id.*

6. *Id.*

7. *Id.*

8. *Id.*

9. *Id.*

10. *Id.*

11. *Id.*

12. *Id.*

13. *Id.*

14. *Id.*

15. *Id.*

16. See Nancy Dillon, *Flight Attendant Rescues Teen Girl From Human Trafficking*, N.Y. DAILY NEWS

becoming more aware of human trafficking and the many forms it can take.¹⁷ California lawmakers are trying to capitalize on society's increased awareness and pass legislation to directly combat the pandemic.¹⁸ The proposed legislation increases preventative measures by spreading human trafficking awareness and education throughout the community.¹⁹ Chapter 558, in particular, aims to decrease the possibility of human trafficking by directly targeting the most vulnerable segment of the population.²⁰ The Article also details the different approaches that California and the federal government have taken to prevent human trafficking.²¹ This article discusses the important role that increased community awareness plays in stopping human trafficking.²² Finally, this Article examines whether educating grade-school children on the signs and dangers of human trafficking will accomplish Chapter 558's ultimate goal of reducing the possibility of human trafficking among the most vulnerable population.²³

II. LEGAL BACKGROUND

Human trafficking is a \$32 billion global industry.²⁴ It is the "fastest growing and second largest" enterprise in the world after drug trafficking.²⁵ California is "one of the largest sites of human trafficking in the United States."²⁶ This is perhaps due to California's vast size, expansive population, and international border.²⁷ According to the National Human Trafficking Resource Center, California has the highest number of reported victims.²⁸ In 2016 alone, there

(Feb. 6, 2017), <http://www.nydailynews.com/news/national/flight-attendant-rescues-teen-girl-human-trafficking-article-1.2965478> (on file with *The University of the Pacific Law Review*) (discussing a story where a flight attendant, Shelia Fedrick, became suspicious after she noticed a young girl traveling with an older man, and helped the rescue the girl when the plane touched down in San Francisco).

17. Kalhan Rosenblatt, *What Happens to Foreign Human Trafficking Victims in the United States?*, NBC NEWS (July 30, 2017), <http://www.nbcnews.com/news/us-news/what-happens-foreign-human-trafficking-victims-united-states-n770041> (on file with *The University of the Pacific Law Review*).

18. Memorandum from Assembly Member Rob Bonta on AB 1227 (May 3, 2017) (on file with *The University of the Pacific Law Review*).

19. *Id.*

20. *Id.*

21. *See infra* Part II.

22. *See infra* Part IV.

23. *See infra* Part IV.

24. *Foster Care & Human Trafficking*, CAS RES. & EDUC., http://www.casre.org/our_children/fcht/ (last visited June 6, 2017) (on file with *The University of the Pacific Law Review*).

25. *Id.*

26. *What is Human Trafficking?*, ST. CAL. DEP'T JUST., <https://oag.ca.gov/human-trafficking/what-is> (last visited June 6, 2017) (on file with *The University of the Pacific Law Review*).

27. *Id.*

28. Joseph Serna, *Dozens of Women and Children Rescued in Human-Trafficking Sweep in California that Nets 474 Arrests*, L.A. TIMES (Feb. 2, 2017), <http://www.latimes.com/local/lanow/la-me-ln-human-trafficking-sweep-arrests-20170202-story.html> (on file with *The University of the Pacific Law Review*).

were 1,322 reported cases of human trafficking.²⁹ In February 2017, San Diego law enforcement conducted a sting operation—they arrested 474 people involved in the trafficking and rescued 35 people, 28 of which were children.³⁰

In response to growing nationwide concerns about human trafficking, lawmakers around the country are ready to address human trafficking head-on.³¹ California, in particular, has enacted legislation that increases punishments for human traffickers and attempts to increase awareness among law enforcement and public officials.³² California’s human trafficking laws classify human trafficking as a felony, impose mandatory increased fines for convicted human traffickers, require training programs for law enforcement officials, and provide safety provisions for minors under the age of 18.³³ California’s legislative efforts are “focused largely on after-the-fact services for victims;” Chapter 558 presents a unique breakthrough approach to impose preventative measures.³⁴

A. California’s Current Human Trafficking Education Programs

Under California Education Code section 51950, school districts are allowed, although not required, to “provide sexual abuse and sex trafficking prevention education.”³⁵ This training includes instruction on “prevention and nature of sexual abuse and sex trafficking, strategies to reduce risk, techniques to set healthy boundaries, and how to safely report an incident.”³⁶ The current educational training in schools was a step in the right direction because “education is one key to preventing the sexual exploitation of minors.”³⁷ California is home to “three of the FBI’s 13 ‘High Intensity Child Prostitution’ areas: San Francisco, Los Angeles, and San Diego.”³⁸ This, combined with an

29. *Id.*

30. *Id.*

31. *A Look Back: Building a Human Trafficking Legal Framework*, POLARIS PROJECT, <https://polarisproject.org/sites/default/files/2014-Look-Back.pdf> (last visited July 5, 2017) (on file with *The University of the Pacific Law Review*) (“There was an early recognition that individual states have a significant role to play in combating human trafficking.”).

32. *Human Trafficking Legislation*, ST. CAL. DEP’T JUST., <https://oag.ca.gov/human-trafficking/legislation>. (last visited June 6, 2017) (on file with *The University of the Pacific Law Review*).

33. *Id.*

34. *Hearing on AB 1227 Before the S. Comm. On Educ.*, 2017 Leg. 2017–2018 Sess. (Cal. 2017) [hereinafter 1227 Education Hearing] (on file with *The University of the Pacific Law Review*).

35. CAL. EDUC. CODE § 51950(a) (enacted by 2014 Stat. Ch. 713).

36. *Id.* § 51950(b).

37. Brittany Patterson, *Fits and Starts: Two School-Based Approaches to Prevent Sex Trafficking*, CHRON. SOC. CHANGE (Feb. 18, 2015), <https://chronicleofsocialchange.org/featured/fits-and-starts-two-school-based-approaches-to-prevent-sex-trafficking> (on file with *The University of the Pacific Law Review*).

38. *Id.*

increased number of reported sex trafficking cases, prompted California lawmakers to act quickly and more zealously.³⁹

Education initiatives that “allow” school districts to provide sexual abuse and sex trafficking prevention education have been fairly successful.⁴⁰ Schools face several problems—scarce curriculum and reluctant administrators who fail to “acknowledge the need to present information about this traumatic crime.”⁴¹ Every night, approximately 100 children are “sold for sex in Oakland.”⁴² In May 2012, the Alameda County Board of Supervisors responded to these reports and “allocated \$60,000 to Love Never Fails, a non-profit dedicated to the prevention, rehabilitation, and education of youth involved in human trafficking.”⁴³ Further, students “at greater risk for exploitation” were eligible for a six to eight week program that included individual mentoring.⁴⁴ Across California, several school districts in Oakland, Long Beach, and Dublin provided some education for sixth-grade girls on healthy relationships.⁴⁵ The program creators hoped that if “young girls knew what a healthy relationship looked like, they would be less likely to fall into a relationship that could lead to sex trafficking.”⁴⁶

These grassroots initiatives have been somewhat successful.⁴⁷ School districts have partnered with more than “80 organizations, workshops and speakers” to implement these initiatives and create an open dialogue with parents, students, and members of local communities.⁴⁸ To date, just how effective the trainings have been is unclear; however, the creators of the programs believe that the “increased reports of violence associated with sex trafficking over the last few years might have sparked more openness from parents on the subject.”⁴⁹ Parents that oppose these programs generally do not believe human trafficking happens in their neighborhoods.⁵⁰ They often think my “kid does not run around with those types of people.”⁵¹ The trainings help open parents’ eyes to the reality of human trafficking.⁵²

39. *Id.*

40. EDUC. § 51950(a); Patterson, *supra* note 37.

41. Patterson, *supra* note 37.

42. *Id.*

43. *Id.* (describing the non-profit is Love Never Fails. The Oakland Unified School District began teaching a program called Love Never Hurts to seventh graders. The program teaches students about healthy relationships and exploitation.).

44. *Id.*

45. *Id.*

46. *Id.*

47. *Id.*

48. *Id.*

49. *Id.*

50. *Id.*

51. *Id.*

52. *Id.*

B. California's Other Human Trafficking Legislation

In 2005, California imposed mandatory training courses and guidelines for law enforcement dealing with human trafficking cases and victims.⁵³ Then, in 2007, California passed a resolution designating January 11th as the National Day of Human Trafficking Awareness.⁵⁴ This resolution was passed amidst rampant introduction of legislation regarding human trafficking in California.⁵⁵ Previously, Law enforcement officials interact with human trafficking victims on a regular basis, because the officials are on the streets and are most likely to come into contact with the victims and their traffickers.⁵⁶ As such, it is essential that law enforcement officials are aware of any warning signs that indicate a minor may be involved in a human trafficking operation.⁵⁷

California has several laws tailored to aid human trafficking victims.⁵⁸ These laws focus on protecting victims by keeping names and information confidential and providing rehabilitation and treatment centers.⁵⁹ For example, the Commercially Sexually Exploited Children Program (CSECP) provides counties with funds to offer prevention and intervention services and trainings for children who are victims of commercial sexual exploitation.⁶⁰ California has also modified its Penal Code by increasing fines and punishments for those convicted of human trafficking and expunging victims records of prostitution.⁶¹ In 2011, California amended the Penal Code to authorize a court to seal records that pertain to the prostitution offenses for those who were “adjudicated a ward of the court for the commission of a violation of . . . prostitution offenses.”⁶² Unlike other states that automatically expunge a minor’s record, in California, the minor must first petition a court to have the record expunged.⁶³ States have taken

53. SB 180, Leg. 2005, 2005–2006 Sess. (Cal. 2005).

54. Assemb. Con. Res. 28, 2007 Leg., 2007–2008 Sess. (Cal. 2007).

55. See e.g. SB 180, Leg. 2005, 2005–2006 Sess. (Cal. 2005) (requiring the commission to develop a course for peace officers related to human trafficking).

56. *Human Trafficking Issue Brief: Training*, POLARIS PROJECT, <http://polarisproject.org/sites/default/files/2014%20Training%20Issue%20Brief%20Final.pdf> (last visited July 5, 2017) (on file with *The University of the Pacific Law Review*).

57. *Id.*

58. SB 597, Leg. 2017, 2017–2018 Sess. (Cal. 2017) (“expand[s] the protections. . .to include victims of human trafficking, as well as members of the victim’s household”).

59. See *Human Trafficking Legislation*, *supra* note 32 (discussing a bill, AB 2810, which requires any person who claims to have been forced to prostitute to have names kept confidential).

60. CAL. DEP’T SOC. SERVS., COMMERCIALLY SEXUALLY EXPLOITED CHILDREN PROGRAM, available at http://www.cdss.ca.gov/cdssweb/entres/pdf/legislature/CSEC_Summary.pdf (on file with *The University of the Pacific Law Review*).

61. AB 1844, 2009 Leg., 2009–2010 Sess. (Cal. 2009); AB 2040, Leg. 2011, 2011–2012 Sess. (Cal. 2011).

62. AB 2040, Leg. 2011, 2011–2012 Sess. (Cal. 2011).

63. *Id.*

different approaches to combatting human trafficking, but every state recognizes that “new laws at the state level [are] needed to provide the foundation for anti-trafficking efforts to grow.”⁶⁴

C. States Outside of California Tackle Human Trafficking

Human trafficking occurs in many towns and cities across the country – “no part of the country is immune to sex trafficking.”⁶⁵ In response, many states across the nation are working to combat human trafficking by increasing awareness.⁶⁶ A common course of action that states take is increasing training for law enforcement officials and increasing the penalties and punishments for offenders.⁶⁷ These initiatives are essential to combatting human trafficking because many “victims are conditioned to remain loyal to the trafficker and to distrust law enforcement.”⁶⁸ Traffickers target vulnerable children as young as nine years old from every “race, socioeconomic class, and sexual orientation.”⁶⁹ But particular groups, like children that are homeless or in the foster care system, are more vulnerable to being lured into human trafficking rings.⁷⁰ Traffickers target these groups because they are able to manipulate and condition the children.⁷¹ In addition, victims are more likely to avoid law enforcement officials because they fear being booked for prostitution and charged with a crime.⁷² Legislatures hope to facilitate cooperation between law enforcement and victims by imposing mandatory training courses for law enforcement officials, so that officers can recognize the signs of human trafficking and victims will feel comfortable being rescued.⁷³

64. *A Look Back: Building a Human Trafficking Legal Framework*, *supra* note 31.

65. *Children: Not For Sale*, NAT'L CONF. ST. LEGISLATURES, <http://www.ncsl.org/bookstore/state-legislatures-magazine/state-lawmakers-attack-sex-trafficking-on-several-fronts.aspx> (last visited June 6, 2017) (on file with *The University of the Pacific Law Review*).

66. *A Look Back: Building a Human Trafficking Legal Framework*, *supra* note 31.

67. Neena Satija, *Lawmakers Agains Focus on Criminals More Than Sex-Trafficking Victims*, TEX. TRIB. (May 31, 2017), <https://www.texastribune.org/2017/05/31/trafficking-legislation-and-budget/> (on file with *The University of the Pacific Law Review*) (describing the 2017 Texas Legislature's “largely continued trend of focusing on criminals more than victims”).

68. *Children: Not For Sale*, *supra* note 66.

69. *Id.*

70. *Id.*; see also *Human Trafficking Education*, ERASE CHILD TRAFFICKING, <https://www.erasechildtrafficking.org/human-trafficking-education/> (last visited July 5, 2017) (on file with *The University of the Pacific Law Review*) (discussing the prevalence of homeless children who are victims of human trafficking).

71. *Children: Not For Sale*, *supra* note 66; see also *Human Trafficking Education*, *supra* note 70 (discussing the prevalence of homeless children who are victims of human trafficking).

72. Priscilla Alvarez, *When Sex Trafficking Goes Unnoticed in America*, ATLANTIC (Feb. 23, 2016), <https://www.theatlantic.com/politics/archive/2016/02/how-sex-trafficking-goes-unnoticed-in-america/470166/> (on file with *The University of the Pacific Law Review*).

73. *ERASE Brings Human Trafficking Investigations Course to N.C.*, ERASE CHILD TRAFFICKING (June 26, 2017), <https://www.erasechildtrafficking.org/human-trafficking-investigations-course/> (on file with *The*

D. Federal Human Trafficking Laws

In 2000, Congress enacted the Trafficking Victims Protection Act (TVPA).⁷⁴ The TVPA defines a human trafficking victim as “a person induced to perform labor or commercial sex act through force, fraud, or coercion.”⁷⁵ The TVPA defines a victim as any person younger than eighteen who “performs a commercial sex act is considered a victim.”⁷⁶ Among other things, the TVPA promotes policies—prosecution, protection, and prevention—that seek to combat human trafficking.⁷⁷ To achieve these goals, Congress passed laws that criminalize and punish traffickers, provide medical care and shelter for victims, and raise human trafficking awareness.⁷⁸ Over the past 17 years, Congress has worked toward enacting legislation that helps to protect victims and prevent human trafficking.⁷⁹ Congress has reauthorized the TVPA four times, expanding and improving human trafficking laws each time in response to “new information about the nature of human trafficking in the United States, the tools required to fight it, and the needs of those impacted by the crime.”⁸⁰ The construction of a “comprehensive legal framework [is an] important foundational step in moving towards [the] ultimate goal or eradication.”⁸¹

III. CHAPTER 558

As part of a nationwide and statewide push to combat human trafficking, California introduced several pieces of legislation in 2017, including Chapter 558.⁸² One of Chapter 558’s authors, Assembly member Rob Bonta, declares that Chapter 558 “will address the vital aspect of prevention by educating our young people to identify the dangers and avoid becoming exploited in the first place.”⁸³ He, along with his co-author, Assembly member Evan Low, partnered with PROTECT Coalition, “a leader on educating students on the issues associated

University of the Pacific Law Review).

74. H.R. 3244, 106th Cong. (2000).

75. *Trafficking Victims Protection Act*, FIGHT SLAVERY NOW! (July 14, 2011), <https://fightslaverynow.org/why-fight-there-are-27-million-reasons/the-law-and-trafficking/trafficking-victims-protection-act/trafficking-victims-protection-act/> (on file with *The University of the Pacific Law Review*).

76. *Id.*

77. *Id.*

78. *Id.*

79. *A Look Back: Building a Human Trafficking Legal Framework*, *supra* note 31.

80. *Id.*

81. *Id.*

82. *Bonta Authors Human Trafficking Curriculum Bill*, ASSEMBLYMEMBER ROB BONTA (Feb. 21, 2017), <https://a18.asmdc.org/press-releases/bonta-authors-human-trafficking-curriculum-bill> (on file with *The University of the Pacific Law Review*).

83. *Id.*

with human trafficking.”⁸⁴ Together they authored Chapter 558, requiring public schools across California to offer “age-appropriate curriculum that will provide a holistic view of the problem.”⁸⁵ They are “attack[ing] the [human trafficking] problem at the root” by increasing prevention methods and helping identify children who are at high risk of being trafficked.⁸⁶ Since children ages nine to eighteen are most at risk,⁸⁷ the authors determined it is essential to implement “comprehensive prevention education and training procedures” in public schools to directly reach the children who are most vulnerable.⁸⁸

This Part discusses how Chapter 558 amends the California Education Code and Welfare and Institutions Code to develop a curriculum that will be taught in California’s public middle schools and high schools. It will also examine Chapter 558’s mission of spreading human trafficking awareness and educating young children on the warning signs in an effort to reduce child vulnerability and increase prevention efforts.⁸⁹

A. Prevention Education and Training: A Step in the Right Direction

Chapter 558 is one of several human trafficking bills introduced into the California legislature this year.⁹⁰ Its goals are to develop comprehensive prevention education and training procedures that will train the local community, including county leadership, administrators, educators, and the school-age population, to recognize human trafficking signs and identify children who are at a risk for being exploited.⁹¹ Chapter 558 changes classroom curriculum in public middle schools and high schools and adds human trafficking to the existing sexual education framework.⁹² Parents, however, do have the right to excuse their child from the education.⁹³ Chapter 558 requires “school districts to include human trafficking prevention education in grades 7–12 as part of a comprehensive sexual health education.”⁹⁴ The education must be taught to the

84. *Id.*

85. *Id.*

86. AB 1227, 2017 Leg., 2016–2017 Sess. (Cal. 2017).

87. *Children: Not For Sale*, *supra* note 65.

88. AB 1227, 2017 Leg., 2016–2017 Sess. (Cal. 2017).

89. *Bonta Authors Human Trafficking Curriculum Bill*, *supra* note 82.

90. *See Senate Passed Leyva Bill Protecting Victims of Human Trafficking*, HIGHLANDNEWS.NET (June 1, 2017), http://www.highlandnews.net/senate-passes-leyva-bill-protecting-victims-of-human-trafficking/article_8605b6e6-46f7-11e7-b6dc-3f5c723d3c03.html (on file with *The University of the Pacific Law Review*) (detailing SB 597, which was sponsored by Sen. Connie M. Leyva and sponsored by California Secretary of State, Alex Padilla. SB 597 makes human trafficking victim’s eligible for the state’s Safe at Home confidential address program. This bill has already passed through the Senate with unanimous support).

91. Memorandum from Assembly Member Rob Bonta, *supra* note 18.

92. AB 1227, 2017 Leg., 2016–2017 Sess. (Cal. 2017).

93. *Id.*

94. Memorandum from Assembly Member Rob Bonta, *supra* note 18.

students at least once in middle school and once in high school, and school district personnel must receive periodic continuation training.⁹⁵

B. Changes to the Commercially Sexually Exploited Children Program

Chapter 558's objective is to strengthen California's ability to recognize and fight human trafficking by targeting and educating the most vulnerable population groups.⁹⁶ It attempts to accomplish this by "expand[ing] the scope of the [Commercially Sexually Exploited Children Program (CSECP)] to include human trafficking."⁹⁷ Chapter 558 also amends the California Educational Code to include "references to human trafficking and the need for early identification and prevention education."⁹⁸ Further, CSECP will be required to allocate funding for prevention and intervention trainings for children who are, or who may become, victims of commercial sexual exploitation.⁹⁹ Additionally, Chapter 558 includes mandatory trainings for educators and some county workers regarding educating children to "help recognize and avoid human trafficking."¹⁰⁰

The California Assembly believes Chapter 558 provides the right balance between maintaining a high level of academic curriculum, and providing important education regarding human trafficking.¹⁰¹ Chapter 558 provides the first step towards educating those sections of the population who are most susceptible to human trafficking.¹⁰² Chapter 558 highlights California's dedication to combating the horrid enterprise that is sweeping across state lines and borders.¹⁰³

IV. ANALYSIS

Federal and state legislators are constantly trying to develop new solutions to combat human trafficking.¹⁰⁴ Chapter 558 presents a solution that will directly address and educate the group that is most vulnerable to being trafficked—grade-school children.¹⁰⁵ The 2017 California legislature unanimously supports Chapter

95. *Id.*

96. AB 1227, 2017 Leg., 2016–2017 Sess. (Cal. 2017) (as amended on May 3, 2017, but not enacted).

97. *Hearing on AB 1227 Before the S. Comm. On Educ.*, 2017 Leg. 2017–2018 Sess. (Cal. 2017) [hereinafter 1227 Education Hearing] (on file with *The University of the Pacific Law Review*).

98. *Id.*

99. AB 1227, 2017 Leg., 2016–2017 Sess. (Cal. 2017) (as amended on May 3, 2017, but not enacted).

100. *Id.*

101. *Id.* The bill passed through the Assembly on May 30th with a unanimous vote. *Id.*

102. Memorandum from Assembly Member Rob Bonta, *supra* note 18.

103. *Id.*

104. *Trafficking Victims Protection Act*, *supra* note 75.

105. Memorandum from Assembly Member Rob Bonta, *supra* note 18.

558.¹⁰⁶ This Part analyzes whether Chapter 558 will succeed in its mission to prevent human trafficking by educating grade-school children. It also describes Chapter 558's impact on society and similar industries like drug trafficking. Finally, this Part discusses potential obstacles that Chapter 558 might face and potential repercussions that will result from Chapter 558's implementation.

A. Will Chapter 558 Meet the Legislature's Expectations?

Chapter 558 will provide comprehensive human trafficking education for California's middle schools and high schools.¹⁰⁷ The curriculum will be taught to school administrators, educators, and the students themselves.¹⁰⁸ Chapter 558 is the first law of its kind in California.¹⁰⁹ It will expand a previous law passed in September 2014 that "authorize[d] a school district to provide sexual abuse and sex trafficking prevention education."¹¹⁰ Although the previous law, SB 1165, did not require training, it provided that a school district "may provide sexual abuse and sex trafficking prevention education."¹¹¹ The University of San Diego Center for Education Policy and Law touted SB 1165 as a "big step forward" and proclaimed that "education is the twin pillar to tougher legislation [because] both are required to shift the general acceptance and acquiescence that characterizes public attitudes toward prostitution."¹¹²

1. Trafficking Occurs in California Schools

Chapter 558 was authored on the heels of an eye-opening 2015 study by Point Loma Nazarene University and University of San Diego.¹¹³ The study was conducted in San Diego over three years and exposed the prevalence of human trafficking solicitation in middle schools and high schools.¹¹⁴ Twenty high schools participated in the study and every participant confirmed that their

106. 1227 Education Hearing, *supra* note 97.

107. AB 1227, 2017 Leg., 2016-2017 Sess. (Cal. 2017) (as amended on May 3, 2017, but not enacted).

108. *Id.*

109. 1227 Education Hearing, *supra* note 97.

110. SB 1165, 2013 Leg., 2013-2014 Sess. (Cal. 2014).

111. *Id.*

112. AMI C. CARPENTER, MELANIE DELGADO & ROBERT C. FELLMETH, UNIV. OF SAN DIEGO CTR. FOR EDUC. POL'Y & LAW, THE STATE OF HUMAN TRAFFICKING LAW, POLICY AND EDUCATION 4 (2016), *available at* <https://www.sandiego.edu/soles/documents/cepal/cepal-human-trafficking-2016.11.02-release-final-5.pdf> (on file with *The University of the Pacific Law Review*).

113. *University of San Diego Release New Study on Sex Trafficking*, POINT LOMA NAZARENE U. (Nov. 6, 2015), <http://nazarene.org/article/plnu-university-san-diego-release-new-study-sex-trafficking> [hereinafter Point Loma Study] (on file with *The University of the Pacific Law Review*).

114. *Id.*

students were being recruited by sex traffickers.¹¹⁵ The study interviewed incarcerated sex traffickers and 30% reported participating in or witnessing sex trafficking within middle and high schools.¹¹⁶ One hundred and forty-one participating high school staff members reported 81 victims and 54 suspected victims in the past five years, along with 17 recruiters targeting the school campuses.¹¹⁷

Human trafficking's prevalence on school grounds is alarming and frightening.¹¹⁸ Chapter 558 is unique because it directly addresses the young students are who a targeted group for recruiters.¹¹⁹ The curriculum is vital to California's middle schools and high schools because human traffickers target these locations.¹²⁰ The schools provide a ripe hunting ground for recruiters, so it is essential that school officials are aware of the warning signs and know what suspicious activity to look for.¹²¹ Chapter 558 increases the number of watchful eyes in schools, provides a mechanism to report suspicious activity, and gives victims a safe place to come forward and report a current situation or incident.¹²²

2. Chapter 558's Impact on Human Trafficking Stereotypes

"[H]uman trafficking victims are bound by invisible chains" and are controlled through "physical, psychological, and emotional coercion."¹²³ Along with the many long-term physical and psychological effects comes a tainted self-image and a stereotyped societal perception.¹²⁴ Often, victims lack trust or confidence, or have been brainwashed into "believing they deserve what is happening to them."¹²⁵ Society views them as prostitutes or criminals rather than victims.¹²⁶ Chapter 558 teaches students and educators how to recognize the signs

115. CARPENTER, *supra* note 112.

116. *Id.*

117. *Id.*

118. *Id.*

119. 1227 Education Hearing, *supra* note 97.

120. Point Loma Study, *supra* note 113.

121. *Id.*

122. 1227 Education Hearing, *supra* note 97.

123. Wendy L. Patrick, PhD, *Human Trafficking: Psychology of Recruitment*, PSYCHOL. TODAY (Jan. 13, 2014), <https://www.psychologytoday.com/blog/why-bad-looks-good/201401/human-trafficking-psychology-recruitment> (on file with *The University of the Pacific Law Review*).

124. Mariah Long, *Visual Stereotypes for Human Trafficking*, END SLAVERY NOW (Oct. 22, 2015), <http://www.endslaverynow.org/blog/articles/visual-stereotypes-for-human-trafficking> (on file with *The University of the Pacific Law Review*).

125. *Id.*

126. Malika Saada Saar, *U.S. Should Stop Criminalizing Sex Trafficking Victims*, CNN (Feb. 7, 2011), <http://www.cnn.com/2011/OPINION/02/05/saar.ending.girl.slavery/index.html> (on file with *The University of the Pacific Law Review*).

of victimization and how to seek help.¹²⁷ Its holistic view of human trafficking will educate the students and teachers about where traffickers find their victims and why the victims agree to work for the trafficker.¹²⁸ As a result, society may develop a new understanding and perception of these victims and begin to view them as victims rather than criminals or prostitutes.¹²⁹

Many victims fear reporting their situation to law enforcement because they fear being viewed as a felon or delinquent.¹³⁰ Thus, many victims remain stuck, and those who are arrested are bailed out by their traffickers.¹³¹ Chapter 558 could help break down the barrier between trafficking victims and seeking help.¹³² The curriculum will be taught to school officials, including school administrators and teachers.¹³³ Victims may feel safer seeking help from a trusted teacher or administrator than a law enforcement official.¹³⁴ Further, since the teachers will also learn the material, they will be more alert to potential victims in their own classrooms.¹³⁵ The teachers will be specially trained on how to handle delicate and sensitive situations, like approaching a potential victim.¹³⁶ The victims understandably fear law enforcement officials because they are often taught to “distrust law enforcement and are coached about what to say to police.”¹³⁷ If the victims feel comfortable with their teachers or fellow students, however, they may be more forthcoming about their situation and seek help.¹³⁸

B. Chapter 558 Joins the Trend of Educating Professionals Who Often Interact With Victims

Groups that advocate for human trafficking victims stress the importance of educating the public and spreading awareness.¹³⁹ Certain sectors of society are more likely to interact with human trafficking victims than others.¹⁴⁰ For

127. 1227 Education Hearing, *supra* note 97.

128. *Id.*

129. Saar, *supra* note 126.

130. Alvarez, *supra* note 72.

131. *Id.*

132. 1227 Education Hearing, *supra* note 97.

133. *Id.*

134. *Human Trafficking Issue Brief: Training*, *supra* note 56.

135. 227 Education Hearing, *supra* note 97.

136. *Id.*

137. John Meekins, *Human Trafficking Thrives Because Officers Don't Know What it is*, PUB. SAFETY (Aug. 5, 2014), <http://inpublicsafety.com/2014/08/human-trafficking-thrives-because-officers-dont-know-what-it-is/> (on file with *The University of the Pacific Law Review*).

138. 1227 Education Hearing, *supra* note 97.

139. Letter from Jaida Im, Founder and Exec. Dir. of Freedom House, to Assembly Member Lorena S. Gonzalez Fletcher, Chair Assemb. Appropriations Comm. (May 9, 2017) (on file with *The University of the Pacific Law Review*).

140. *Human Trafficking Issue Brief: Training*, *supra* note 56.

example, healthcare professionals, law enforcement, and educators are in a “unique position to identify and rescue victims of human trafficking.”¹⁴¹ Because human trafficking is a “complex crime” and victims are “hesitant or unable to report” the crime, it is vital that professionals in these industries are trained on how to identify and respond to victims and their needs.¹⁴²

Chapter 558 will likely help prevent some instances of human trafficking in schools because the industries that have received similar training have already made progress.¹⁴³ For example, a hospital in Pennsylvania trained the entire staff on proper protocol and identifying factors.¹⁴⁴ Before the training, “no human trafficking victims had ever been identified before,” but after training, the team identified 38 potential victims in just five months.¹⁴⁵ Twenty percent of those victims actually accepted rescue.¹⁴⁶ Additionally, “75% of the participating [emergency department] personnel reported that the education improved their competence level in recognizing victims of human trafficking.”¹⁴⁷

The Pennsylvania study demonstrates the power of knowledge and the importance of spreading awareness.¹⁴⁸ Both healthcare professionals and school officials are likely to have contact with victims.¹⁴⁹ Unlike emergency room doctors, however, teachers will likely see the children one-on-one and not with their captors.¹⁵⁰ Therefore, the teachers may have a better opportunity to speak with the victims and directly assist them.¹⁵¹ The study provides that the more those who frequently interact with trafficking victims become educated, the more potential victims will be rescued.¹⁵² Accordingly, Chapter 558 is a step in the

141. *Study Highlights Need for Education and Training to Help Human Trafficking Victims*, EUREKALERT (June 26, 2017), https://www.eurekaalert.org/pub_releases/2017-06/m-shn062217.php (on file with *The University of the Pacific Law Review*).

142. *Human Trafficking Issue Brief: Training*, *supra* note 56.

143. *See Study Highlights Need for Education and Training to Help Human Trafficking Victims*, *supra* note 141 (discussing the success with identifying human trafficking victims in hospitals).

144. *Id.*

145. *Id.*

146. *Id.*

147. *Id.*

148. *Id.*

149. *Id.* (88% of the victims “seek medical treatment during captivity and 68% of them are seen in the emergency department”).

150. *Id.*

151. *See generally Human Trafficking Education*, *supra* note 70 (providing training for school administrators, school staff, and educators).

152. *Study Highlights Need for Education and Training to Help Human Trafficking Victims*, *supra* note 141; *but see* Karen Wiley, *Saving Victims Hiding in Plain Sight: Why Nurses Need Mandatory Training in Human Trafficking*, HILL (July 4, 2017), <http://thehill.com/blogs/pundits-blog/civil-rights/340593-saving-victims-hiding-in-plain-sight-why-nurses-need> (on file with *The University of the Pacific Law Review*) (describing a story where a nurse did not recognize a young victim’s “subtle cry for help” when the girl showed the nurse her arm with a barcode tattooed on it).

right direction because educators have a “unique opportunity to safeguard ... students from trafficking.”¹⁵³

Chapter 558 provides a different approach to human trafficking training in schools.¹⁵⁴ Instead of confining the training to school personnel, Chapter 558 includes the potential victims in the conversation.¹⁵⁵ Unfortunately, human trafficking often goes unnoticed, “even by an individual interacting with a victim on a regular basis.”¹⁵⁶ Chapter 558 supporters recognize that the school district’s priority is “not only to protect, but also keep these victims [and] students in school.”¹⁵⁷ Teachers across California commend Chapter 558 for “educat[ing] and training youth and others who may come into contact with commercially exploited children.”¹⁵⁸ Moreover, Chapter 558 goes further and protects potential victims under every aspect of human trafficking, labor and sex, and ensures that “all forms of child trafficking are addressed.”¹⁵⁹ Chapter 558 adds another layer to spreading awareness and creates “a nationwide network of watchful eyes.”¹⁶⁰

C. Chapter 558’s Impact on Drug Trafficking and Immigration

California’s “extensive international border, airports and harbors, large native and immigrant populations and strong economy make it a prime location for human traffickers.”¹⁶¹ Human trafficking is largely tied to the drug trade because traffickers use their victims to smuggle drugs and guns across the border.¹⁶² Many of the victims that are involved in drug smuggling, however, are

153. *Human Trafficking*, KY. DEP’T OF EDUC. (June 26, 2017), <http://education.ky.gov/school/sdfs/Pages/Human-Trafficking.aspx> (last visited July 5, 2017) (on file with *The University of the Pacific Law Review*).

154. *See, e.g., Human Trafficking of School-Aged Children*, TEX. EDUC. AGENCY, http://tea.texas.gov/About_TEA/Other_Services/Human_Trafficking_of_School-aged_Children/ (last visited July 5, 2017) (on file with *The University of the Pacific Law Review*) (requiring school personnel to be trained on risk factors and indicators of trafficking).

155. Memorandum from Assembly Member Rob Bonta, *supra* note 18.

156. *Child Human Trafficking*, FLA. DEP’T OF EDUC., <http://www.fldoe.org/core/fileparse.php/5411/urlt/HumanTraffickingToolkit.pdf> (last visited July 5, 2017) (on file with *The University of the Pacific Law Review*).

157. Letter from Seth Bramble, Legis. Advoc. For Cal. Teacher’s Ass’n, to Patrick O’Donnell, Chair, Assembly Educ. Comm. (May 4, 2017) (on file with *The University of the Pacific Law Review*).

158. Letter from Kay Buck, Exec. Dir. of Coalition to Abolish Slavery & Trafficking (CAST), to Patrick O’Donnell, Chair, Assembly Educ. Comm. (Mar. 20, 2017) [hereinafter CAST Letter] (on file with *The University of the Pacific Law Review*).

159. *Id.*

160. *Human Trafficking Education*, *supra* note 70.

161. CTR. FOR PUB. POLICY STUDIES, CALIFORNIA HUMAN TRAFFICKING FACT SHEET 2 (2013), available at <http://www.htcourts.org/wp-content/uploads/CA-HT-Fact-Sheet-2.27.13.pdf?Factsheet=HT-CA> (on file with *The University of the Pacific Law Review*).

162. *Id.*

Mexican citizens.¹⁶³ Therefore, although the two industries are closely tied and involve many of the same players, Chapter 558 could only have a limited impact.¹⁶⁴ For example, Chapter 558 may help some school children that were illegally trafficked or smuggled into California.¹⁶⁵ If the children attend school, then school officials will be alert to the warning signs and may provide help.¹⁶⁶ Further, the children may not be aware that they are victims, so, after receiving the education in school, they may feel compelled to speak out.¹⁶⁷ Unfortunately, however, Chapter 558 likely will not be as effective for these this category of victims because most of the people who traffic drugs across the borders are older and therefore not in school.¹⁶⁸

1. Chapter 558's Labor Trafficking Obstacles

Human trafficking is comprised of two main subsets: labor trafficking and sex trafficking.¹⁶⁹ Chapter 558 will mostly impact sex trafficking victims because “the average age for a sex trafficking victim is between eleven to fourteen years old.”¹⁷⁰ Conversely, the majority of labor trafficking victims are adults.¹⁷¹ Since Chapter 558 is focused on educating grade-school children, it will likely not have a large impact on labor trafficking victims because they are not enrolled in middle school or high school.¹⁷² If the students have parents or family members who are labor trafficking victims, Chapter 558, may residually impact victims by spreading the information through word-of-mouth.¹⁷³

Chapter 558 may experience additional obstacles when dealing with immigrants.¹⁷⁴ “[M]igration and human trafficking go hand-in-hand” because

163. *Id.* (estimating 800,000 adults and 20,000 children are victims of human trafficking in Mexico).

164. *Human Trafficking and Drugs*, NAT'L INST. ON DRUG ABUSE FOR TEENS (June 19, 2017), <https://teens.drugabuse.gov/blog/post/human-trafficking-and-drugs> (on file with *The University of the Pacific Law Review*).

165. 1227 Education Hearing, *supra* note 97.

166. *Id.*

167. *See generally* 1227 Education Hearing, *supra* note 97 (on file with *The University of the Pacific Law Review*) (providing training for all children in California public middle schools and high schools).

168. CALIFORNIA HUMAN TRAFFICKING FACT SHEET 3, *supra* note 161 (estimating 800,000 adults and 20,000 children are victims of human trafficking in Mexico).

169. IRIS JOVEL, STANFORD MED. SCH. HEALTH EVAL. & RESEARCH, LABOR TRAFFICKING IN CALIFORNIA (2013), *available at* http://schoolhealtheval.stanford.edu/files/IrisJovel_Humbio122final.pdf (on file with *The University of the Pacific Law Review*).

170. Memorandum from Assembly Member Rob Bonta, *supra* note 18.

171. *Labor Trafficking*, HUM. TRAFFICKING HOTLINE, <https://humantraffickinghotline.org/type-trafficking/labor-trafficking> (on file with *The University of the Pacific Law Review*).

172. 1227 Education Hearing, *supra* note 97.

173. *Id.*

174. JOVEL, *supra* note 169.

many California immigrants are vulnerable to labor trafficking recruitment.¹⁷⁵ Some immigrants lack the proper documentation, so they are unwilling and have little incentive to “come forward or seek help from authorities” because they fear deportation.¹⁷⁶ Also, many immigrants who are recruited for trafficking often “do not know others, do not speak the language, and do not know what resources they have or who can help them.”¹⁷⁷ As a result, many victims go unreported and suffer devastating consequences.¹⁷⁸

Although Chapter 558 may help identify victims in schools, some victims may not feel safe coming forward to authorities.¹⁷⁹ Chapter 558’s authors will need to find a solution to bridge the gap between educating and identifying victims and actually having the victims report their abusers.¹⁸⁰ Currently, human trafficking victims can be granted a T visa, which is a “sole visa specially designated for victims of human trafficking.”¹⁸¹ The younger victims may not be aware of T visas, therefore the curriculum should include some guidance and information for both the school officials and the students.¹⁸² Immigration is a controversial topic in today’s political climate, so it is unknown whether the current safeguards for trafficking victims will remain in effect; for now, the visas mean “the difference between building a new life in the United States and falling back into slavery.”¹⁸³

D. Chapter 558 Receives Almost Unanimous Support

Chapter 558 received almost unanimous support and consequently passed in the Assembly.¹⁸⁴ Among the supporters are groups dedicated to eradicating human trafficking, like the Coalition to Abolish Slavery & Trafficking (CAST).¹⁸⁵ Many teacher groups also support Chapter 558, recognizing that “[s]tudents, teachers, and administrators all need to be aware of the impact human trafficking is having on our school-age population and what resources are

175. *Id.*

176. *Id.*

177. *Id.*

178. *Id.*

179. Erica Pearson, *Deportation Fear Stops Trafficking Victims From Reporting Crimes*, N.Y. DAILY NEWS (Mar. 28, 2012), <http://www.nydailynews.com/new-york/fear-deportation-stops-immigrants-reporting-crimes-article-1.1051967> (on file with *The University of the Pacific Law Review*).

180. *See generally Id.* (“Fear of deportation stops many immigrants who are victims of crimes or trafficking from reporting to authorities what happened.”).

181. Rosenblatt, *supra* note 17.

182. *Id.*

183. *Id.*

184. *AB 1227 Receives Full Bi-Partisan Support in California Assembly Moves to the Senate*, BUS. WIRE (May 31, 2017), <http://www.businesswire.com/news/home/20170531006448/en/AB-1227-Receives-Full-Bi-Partisan-Support-California> (on file with *The University of the Pacific Law Review*).

185. CAST Letter, *supra* note 158.

available.”¹⁸⁶ Following the release of the Point Loma Nazarene University study, groups in San Diego emphatically supported the bill.¹⁸⁷ These groups praise Chapter 558’s service to the members of the community to “protect our most vulnerable population, by teaching school-age children how to avoid becoming victims of exploitation, help them understand the problem of human exploitation, and provide them ways to address the problem.”¹⁸⁸ Overall, the groups commend Chapter 558’s effort to identify, address, and educate the most vulnerable section of the population.¹⁸⁹

Chapter 558’s supporters also praise its comprehensive curriculum.¹⁹⁰ Chapter 558 teaches children and educators red flags and warning signs to spread human trafficking awareness.¹⁹¹ Human trafficking victims exhibit many behavioral indicators.¹⁹² Some common signs include: frequently running away from home; an inability to attend school on a regular basis; unexplained absences; a “boyfriend” or “girlfriend” who is significantly older; a sudden change in attire, behavior, and relationships; and an attempt to conceal scars, tattoos, or bruises.¹⁹³ Chapter 558 will teach students and school officials to recognize these signs so children can “ask for help if they require it.”¹⁹⁴ If more students are asking for help and more people are on the lookout, human trafficking recruitment around schools may decrease.¹⁹⁵ Ultimately, this increased awareness will expand to family and friends, creating a community “network of watchful eyes.”¹⁹⁶

186. Letter from Erika K. Hoffman, Legis. Advoc., for Cal. School Boards Ass’n., to Benjamin Allen, Chair, Sen. Educ. Comm. (June 15, 2017) (on file with *The University of the Pacific Law Review*).

187. See Letter from Bonnie M. Dumanis, San Diego County District Att’y, to Rob Bonta, Assembly Member, Cal. State Assembly (Apr. 3, 2017) (on file with *The University of the Pacific Law Review*) (praising Chapter 558 and its mission to combat human trafficking); see also Letter from Rachel Thompson, President of the Junior League of San Diego, to Rob Bonta, Assembly Member, Cal. State Assembly (June 6, 2017) (on file with *The University of the Pacific Law Review*) (discussing its support for Chapter 558).

188. *Id.*

189. See generally CAST Letter, *supra* note 158 (discussing the importance of Chapter 558).

190. 1227 Education Hearing, *supra* note 97.

191. *Id.*

192. OHIO ATT’Y GEN. HUMAN TRAFFICKING COMM., HUMAN TRAFFICKING PREVENTION EDUCATION: GUIDANCE FOR IMPLEMENTATION OF YOUTH PROGRAMS (2016), available at <http://www.ohioattorneygeneral.gov/getattachment/b9c18117-5136-4538-b115-b5105a550fdf/Human-Trafficking-Prevention-Education-FINAL.aspx> (on file with *The University of the Pacific Law Review*).

193. *Id.*

194. Letter from Susan Wu, M.D., Fellow of the American Academy of Pediatrics, to Rob Bonta, Assembly Member, Cal. State Assembly (Mar. 27, 2017) (on file with *The University of the Pacific Law Review*).

195. CARPENTER, *supra* note 112.

196. *Human Trafficking Education*, *supra* note 70.

E. The Lone Opposition to Chapter 558

Although Chapter 558 received a lot of support, the County Welfare Directors Association of California (CWDA) opposes the bill unless amended.¹⁹⁷ The CWDA is a nonprofit association that advocates, educates, and “collaborates with human service agencies, state and federal government entities[,] and community-based organizations [to] protect vulnerable children and adults from abuse and neglect.”¹⁹⁸ The CWDA has two major concerns, both relating to the allocation of monetary funds within the CSECP.¹⁹⁹ The CWDA is concerned about Chapter 558’s financial impact.²⁰⁰ The CWDA calls the education provisions “admirable,” but worries that “including this expansive education mission ... and tasking county child welfare agencies with protecting every child in California from sex trafficking is overbroad.”²⁰¹ The CWDA does not believe that these tasks can be “accomplished within the limited resources currently provided to the CSECP.”²⁰²

The CSECP is administered by the Department of Social Services and creates a “multidisciplinary team approach to case management, service planning, and provision of services to commercially sexually exploited youth.”²⁰³ Chapter 558 seeks to “expand[] the scope” of the CSEC program and will allocate funding for “prevention education and training.”²⁰⁴ The CWDA is concerned about costs because this new allocation of funding will adversely affect the CSEC’s ability to provide care and services to victims.²⁰⁵ In particular, the CWDA states that “adding these more general requirements is confusing and dilutes the mission of both the CSECP and child welfare agencies in general.”²⁰⁶

The CWDA instead proposes that the education-related requirements, like the curriculum development and training provided to teachers and children, be “pulled out of the CSECP code sections.”²⁰⁷ These sections should “be put into a new, separate section tasking the California Departments of Social Services and

197. Letter from Cathy Senderling-McDonald, Deputy Exec. Dir., County Welfare Directors Ass’n of Cal. (CWDA), to Benjamin Allen, Chair, Sen. Educ. Comm. (June 13, 2017) [hereinafter CWDA Letter] (on file with *The University of the Pacific Law Review*).

198. *Mission*, COUNTY WELFARE DIRECTORS ASSOCIATION CAL., <https://www.cwda.org/mission> (last visited Aug. 5, 2017) (on file with *The University of the Pacific Law Review*).

199. CWDA Letter, *supra* note 197.

200. *Id.*

201. *Id.*

202. *Id.*

203. 1227 Education Hearing, *supra* note 97.

204. *Id.*

205. CWDA Letter, *supra* note 197.

206. *Id.*

207. *Id.*

Education with the development of the training.”²⁰⁸ The CWDA believes this method would be “more appropriate” and “result in better outcomes.”²⁰⁹ Until the author makes the changes the CWDA requested, it will continue to oppose unless amended.²¹³

F. But How Much Will it Cost?

The Assembly Appropriations Committee made several findings regarding costs associated with implementing AB 1227.²¹⁴ First, it will cost approximately \$20,000 to develop the training curriculum and approximately \$5 million to administer the training.²¹⁵ Once the curriculum is developed, funding will be allocated toward the initial training to the 110,000 school staff and 1.9 million students statewide.²¹⁶ There are a few unknown costs related to the incorporation of the prevention education into the mission statement.²¹⁷ The bill passed through the Assembly unanimously.²¹⁸ There does not appear to be any pushback regarding excessive costs from either side because both parties are committed to combatting human trafficking.²¹⁹

Some parents, however, express concerns regarding the “millions of dollars” it would cost to provide the training.²²⁰ The parents believe that teacher’s job is to teach academics, so the additional curriculum will take away academic time in the classroom.²²¹ The training will take away minimal class time, however, because the educational trainings for students will be given “at least once in middle school and once in high school.”²²² Therefore, the bulk of the student’s class time will not involve human trafficking education.²²³

Some parents may be concerned about the teaching material itself.²²⁴ In *Citizens for Parental Rights v. San Mateo County Board of Education*, the

208. *Id.*

209. *Id.*

213. *Id.*

214. 1227 Education Hearing, *supra* note 97.

215. *Id.*

216. *Id.*

217. *Id.*

218. *Id.*

219. *Id.*

220. Lemor Adams, *Bill Would Require Students Learn Warning Signs of Human Trafficking*, CBS (June 2, 2017), <http://sacramento.cbslocal.com/2017/06/02/human-trafficking-warning-signs/> (on file with *The University of the Pacific Law Review*).

221. *Id.*

222. Memorandum from Assembly Member Rob Bonta, *supra* note 18.

223. *Id.*

224. *See generally* *Citizens for Parental Rights v. San Mateo County Bd. Of Educ.*, 51 Cal. App. 3d 1 (1st. Dist. 1975) (describing a case where parents objected to the children being taught, among other things, about sexual behavior, orientation, and appropriate relationships).

California Court of Appeal held that “the state’s interest in the health of its children outweighs claims based upon religious freedom and the right of parental control.”²²⁵ The court further stated that “[a]bsent some serious contention of harm to the mental or physical health of the children of this state or to the public safety, peace, order or welfare, a mere personal difference of opinion as to the curriculum which is taught in our public school system does not give rise to a constitutional right in the private citizen to control exposure to knowledge.”²²⁶ Therefore, should any parent object to this curriculum being taught in schools, the court has long held that no private citizen or parents may control the curriculum being taught.²²⁷ Instead, the parents have the ability to excuse their child from the training.²²⁸ Chapter 558 helps protect grade-school children throughout California against human trafficking—a heinous crime that requires community support, education, and widespread awareness to fight.²²⁹

V. CONCLUSION

California is fully behind eradicating modern-day slavery.²³⁰ Since human trafficking is “one of the fastest growing crimes in California and the nation,” it is essential to “arm students and instructors with the tools to combat this horrible plague.”²³¹ Now is the time to fight this vicious crime as more and more stories come to light regarding human trafficking.²³² It begins with educating and empowering everyday citizens²³³ because “recognizing the signs is the first step in identifying potential victims.”²³⁴ By increasing the number of people who know about human trafficking, the number of watchful spies and potential reporters increases as well.²³⁵ Anti-trafficking efforts require training because “it ensures that victims are identified, cases are brought to justice, and that anti-

225. *Id.* at 27.

226. *Id.*

227. *Id.*

228. *Id.* at 28.

229. Memorandum from Assembly Member Rob Bonta, *supra* note 18.

230. *Bonta Authors Human Trafficking Curriculum Bill*, ASIAN J. (Feb. 22, 2017), <http://asianjournal.com/news/bonta-authors-human-trafficking-curriculum-bill/> (on file with *The University of the Pacific Law Review*).

231. *Id.*

232. See Bob Bringham, *These Pimps Are Ruining These Kids’ Lives: 18-year-old California Woman Sentenced for Pimping Teen Girls*, RAW STORY (July 4, 2017), <https://www.rawstory.com/2017/07/these-pimps-are-ruining-these-kids-lives-18-year-old-california-woman-sentenced-for-pimping-teen-girls/> (on file with *The University of the Pacific Law Review*) (describing an eighteen-year old who was sentenced for pimping young girls).

233. *Human Trafficking Education*, *supra* note 70.

234. *Child Human Trafficking*, *supra* note 156.

235. *Human Trafficking Education*, *supra* note 70.

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trafficking laws are actually implemented.”²³⁶ Chapter 558 represents the next step toward increasing community awareness and ensuring that the most vulnerable sections of the population are educated and protected.²³⁷ Chapter 558 ensures school officials have the knowledge, means, and ability to recognize a suspicious situation and ultimately save potential and current victims.²³⁸

236. *Human Trafficking Issue Brief: Training*, *supra* note 56.

237. Memorandum from Assembly Member Rob Bonta, *supra* note 18.

238. *Id.*