

HUMAN SEX TRAFFICKING IN OC



COUNTY OF ORANGE

Grand Jury 2022-2023

TABLE OF CONTENTS

SUMMARY	3
BACKGROUND	
REASON FOR THE STUDY	
METHOD OF STUDY	
INVESTIGATION AND ANALYSIS	
Orange County Human Trafficking Task Force	6
Countywide Data Collection and Data Sharing	8
Education and Prevention	9
CONCLUSION	10
COMMENDATIONS	10
FINDINGS	10
RECOMMENDATIONS	11
RESPONSES	12
RESPONSES REQUIRED	14
Findings – 90 Day Response Required	14
Findings – 60 Day Response Required	14
Recommendations – 90 Day Response Required	14
Recommendations – 60 Day Response Required	14
Findings – 60 Day Response Requested	14
Recommendations – 60 Day Response Requested	15
REFERENCES	16
APPENDIX	17
"Where to Find Help"	17
California Department of Justice	

SUMMARY

Human trafficking is a criminal enterprise. Vulnerable people are treated as possessions, are controlled, exploited, and forced into prostitution or involuntary servitude. Human sex trafficking is the illegal practice of procuring or trading individuals for the purpose of prostitution or other sex work for profit. Orange County is a high-demand area for sex trafficking due to its large population, affluence, thriving tourism, and convention industries. These conditions make Orange County fertile grounds for human sex trafficking.

This 2022-2023 Orange County Grand Jury report will review the major steps local agencies have taken in forming the Orange County Human Trafficking Task Force (OCHTTF) to combat sex trafficking. In this report, the Grand Jury makes several recommendations to improve law enforcement, prosecution, awareness, and support services for victims and survivors. Two major areas require immediate attention: consistent funding, and enhanced systems and databases to properly track traffickers and victims.

This report also evaluates the attempts being made to increase public awareness and educational steps being taken throughout Orange County that are underway or need to be enhanced. Education and prevention play a significant role in combating human sex trafficking.

BACKGROUND

In a previous study, the 2011-2012 Orange County Grand Jury investigated human sex trafficking in a report titled "Sex Trafficking of Girls". The report was aimed at creating awareness of sex trafficking of girls under the age of 18 in Orange County. In Southern California, like many other regions in the United States, sex trafficking continues to be a significant, pervasive issue. According to local law enforcement reports, sex trafficking continues to be a widespread criminal enterprise in Orange County.

The current Grand Jury recognizes that sex trafficking fundamentally undermines the safety and health of the community. Furthermore, prostitution and sex trafficking present complex moral issues for our community.

REASON FOR THE STUDY

The Orange County Grand Jury's investigative objective was to attain an accurate understanding of the facts related to sex trafficking in Orange County and of Orange County's agencies' efforts to address the problem. This report reviews the progress that law enforcement and government agencies have made since the last Grand jury report in 2011-2012.

Much has been accomplished by approaching human sex trafficking with aggressive prosecution of traffickers and a "victim centered" and "trauma informed" focus toward victims by creation of OCHTTF. While much has been achieved, more can and must be done.

This report reviews the long-term support available for the victims and survivors of this crime and the assistance available to learn skill sets necessary to reenter society and lead a productive life. Additionally, this report sets out specific findings and recommendations to enhance the effective prosecution of sex traffickers within Orange County.

This report's intent is to also serve as an informational tool for public awareness, bringing to light the complexity of sex trafficking and the harms that this criminal enterprise inflicts on its victims. Sex trafficking is a multidimensional and complicated issue, and ties together the profitability of supply and demand and the psychological and physical damage to vulnerable individuals.

METHOD OF STUDY

Information from this investigation was validated and verified through multiple sources and statements made during interviews. Only information that the Grand Jury could corroborate is included in the facts, findings, and recommendations of this report.

The Orange County Grand Jury's findings are based on research using the following methods:

Interviewed:

- Members of the Orange County Human Trafficking Task Force.
- Social service agency personnel who work with the victims of human sex trafficking.
- Representatives of the Orange County District Attorney's Office, Orange County Sheriff's Department, and municipal law enforcement agencies.
- Subject matter experts.

Reviewed:

- Policies, procedures, and other documents from the County of Orange, cities, and agencies working in the human sex trafficking field.
- Federal and State laws and statutes related to human sex trafficking.

Attended an Orange County Human Trafficking Task Force monthly meeting.

Researched scholarly reports, government white papers, statistical reports, and news articles.

INVESTIGATION AND ANALYSIS



What is Human Sex Trafficking?

The meaning of the term human sex trafficking can vary, but in essence it includes elements of coercion, exploitation, and transportation for the purpose of forced labor and/or sexual exploitation. Other terms used when describing sex trafficking are "sexual slavery," "forced labor," or simply "slavery."

Today, human sex trafficking also exists in a labyrinth of social media within the virtual world.

Human sex trafficking activity is no longer limited to street corner solicitations or houses of ill-repute. Today, human sex trafficking also exists in a labyrinth of social media within the virtual world. The internet has made human sex trafficking solicitation more accessible to a wider clientele from a variety of demographic, social, and economic backgrounds. Services are amplified with the internet's easy access to a multitude of platforms and avenues that support sex trafficking. Further, sex traffickers work a circuit, moving easily from one jurisdiction to another throughout the county and the state, making tracking, apprehension, and conviction more difficult for local law enforcement agencies.

Human sex trafficking is a complex crime:

- It is a secretive underground activity, yet the crime happens in plain sight.
- Its victims are voiceless and helpless.

- The crime is facilitated by the dark web, social media platforms, private chatrooms, and increased access to pornography.
- Cryptocurrency is being used more frequently, making criminal financial transactions virtually undetectable.
- There is little consequence to the clients who drive demand.
- Clients are unaware or unconcerned that the prostitute may be coerced.

Human sex trafficking cannot be addressed without examining the demand side of the equation. Clients are a significant factor in the vicious triangle of human sex trafficking. The emphasis has been on the punishment and prosecution of those who bring the victims to the market, the traffickers. Much less attention has been paid to the clients. Clients face misdemeanor charges – comparatively a "slap on the hand" merely involving minimal fines.

Sex trafficking statistics in Orange County are collected by individual agencies based on their individual practices of data collection. Data is compiled from arrests, prosecutions, victims, how and where victims receive support and services, and the continuity of the services for survivors.

OCHTTF states that because there is no "universal data collection tool" the collected statistics vary between agencies. The statistics that are available can be summarized as follows:

- During the two-year period of 2019-2020, two non-profit agencies, Waymakers and The Salvation Army, assisted 357 victims of which 174 (49%) were new victims.
 - 10% were labor trafficking victims, 88% were sex trafficking victims, and
 2% were both labor and sex trafficking victims.
 - o 28% were minors and 72% were adults.
 - 15% were foreign nationals and 85% were American citizens.
- Since 2012, OCDA has prosecuted 773 felony cases of human trafficking, pimping, and pandering.
 - During the period of 2012 to 2020, 94% of the cases reviewed by the Orange County District Attorney's office have gone to jury trial with 95% resulting in a guilty verdict.
- Between 2019 and early 2023, the Orange County Sheriff's Department Human Trafficking and Vice unit arrested approximately 77 traffickers and 251 clients.

Orange County Human Trafficking Task Force

The Orange County Human Trafficking Task Force (OCHTTF) was established in 2004 as a small group of leaders from different organizations who came together to deal with human trafficking through a victim-centered approach. In 2012, Proposition 35 was passed:

- Codifying the view that prostitution is often associated with human sex trafficking,
- increasing penalties on human sex traffickers,

- requiring that law enforcement be trained to identify and stop human sex trafficking, and
- prohibiting evidence that the victim engaged in sexual conduct from being used against them in court.

Subsequently, coerced prostitutes came to be viewed as victims, and support became a critical element in the comprehensive approach towards combating human trafficking.

Originally, the task force consisted of Waymakers, the Westminster Police Department, and researchers from the Social Services Department at the University of California, Irvine (UCI). Over time, OCHTTF evolved and expanded to include the Orange County District Attorney's Office, Orange County Probation Department, Orange County Social Services Agency, the Orange County Sheriff's Department, and additional local Orange County police departments. In 2010, Anaheim Police Department (APD) formally transitioned to become the lead law enforcement agency in the Task Force, and cochair of the task force with Waymakers.



Figure 1: OCHTTF mission page (https://www.ochumantrafficking.com/mission)

Currently, the Task Force is an Orange County multidisciplinary affiliation of law enforcement agencies, the District Attorney's office, the OC Social Services Agency, the OC Probation Department, and local non-profit organizations. The collaboration serves to enhance current efforts including: victim services, law enforcement, prosecution, social services, probation, and all disciplines that work with victims. This collaboration is a unified network of care for the victims of human trafficking, particularly human sex trafficking.

OCHTTF is now the primary communication vehicle to combat human trafficking in Orange County. It could benefit greatly from consistent funding to support the collaboration. The Task Force has been funded with a federal grant; however, federal grant money is competitive and not reliable. Because of funding challenges, some local police departments and the Orange County Sheriff's Department are no longer regular members of OCHTTF. Nevertheless, there is still open communication between active and former members.

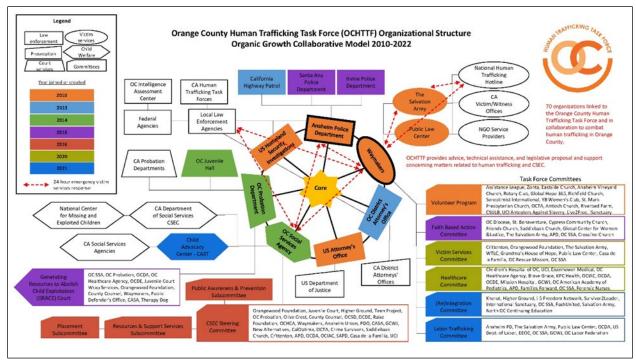


Figure 2: OCHTTF Organizational Structure

The organizational chart of the Task Force reflects its roundtable, non-hierarchical structure. The organization lacks formal structure. The Task Force has no bylaws or governance mechanism, and participation is not mandatory. The "core" of the chart reflects victims and their cases as the focal point of the collaboration. Participation in the Task Force is either by invitation or voluntary. Task Force participation by the various agencies is impacted by factors such as budget, personnel, and local priorities.

Countywide Data Collection and Data Sharing

Currently, county agencies and non-profits collect their own data on traffickers and victims, but data is not shared and there is no central repository of data. The absence of a centralized human trafficking database and data sharing apparatus creates a challenge to effective collaboration.

The 2011-2012 Grand Jury report included recommendations for creating a shared human trafficking database among local agencies. The Grand Jury's recommendations were not implemented, and to date no such database exists in Orange County. This Grand Jury report reinforces the need for a shared database specific to collecting and correlating information about the victims, traffickers, and clients to assist law enforcement and victim support organizations in coordinating their efforts.

During interviews, law enforcement personnel stated they collect crime data at the local, county, state, and federal law enforcement level. The information is shared through a centralized system accessible to all law enforcement. The database collects routine attributes about all criminal activities: the who, what (type of crime), when, and where of the crime. However, the database collects and reports data on human sex trafficking in

a fragmented manner that does not allow the information to be readily used to evaluate and address the nexus of human sex trafficking activities between victims, traffickers, and clients.

A specialized law enforcement human trafficking database is needed that can track the different, but correlated information on human trafficking. A database is an essential component to the fight against human trafficking. For example, such systems are in place to combat gang suppression and car theft activity in Southern California. A similar system should be in place to combat human sex trafficking.

County social services and non-profit organizations have no comprehensive means by which to share and track data and information about the victims they assist and help transition out of victimization. Without integrated data collection the agencies and organizations are limited in their ability to measure the effectiveness of their programs.

Many programs funded by local, State, and federal grants require organizations to report on current statistics, and in the case of ongoing grants, the performance of their current programs. Each grant has its own criteria for measuring success. Currently, organizations cobble together their statistics and reports from whatever limited data they have at their disposal to win the next grant. Organizations gather the statistics they require for their own immediate funding needs without a view toward understanding and broadly measuring their own success. Orange County would benefit from investing in a database not only to communicate the analytics of outcomes but also to provide performance metrics. Accountability for the money being spent on victim support is imperative.

Education and Prevention

Education plays a sizable role in the awareness and prevention of human sex trafficking in Orange County. Proposition 35, which mandated human trafficking training for law enforcement, led to a shift within law enforcement as agencies embraced the new standard of sex workers as possible sex trafficking victims. While Proposition 35 mandated education of all law enforcement, some OC law enforcement agencies have neglected or chosen not to participate in training. Until this occurs, much of the paradigm shift necessary to prevent victimization and provide support for victims will not occur.

California's Commission on Peace Officer Standards and Training (POST) created a human trafficking module available on its website. The module examines the traditional perception of human trafficking and compares that view with the reality of human trafficking under various scenarios, presenting factual insights and observations to peace officers in training.

In 2017, with the input of the Public Awareness and Prevention work group, the Orange County Social Services Agency took part in the "Be The One" campaign. This was in partnership with the Orange County District Attorney's office and other key community partners to raise awareness on human sex trafficking, its signs, and the risks of child sex trafficking. To date, the "Be The One" campaign is on display on social media

platforms, at John Wayne Airport, and on posters in over 100 public locations across the county. The Grand Jury encourages more campaigns of this nature to educate the community to prevent future exploitation of the victims of sex trafficking.

In Orange County, community groups and non-profits, faith-based organizations, the Orange County Department of Education, and others have developed awareness programs to educate their communities, schoolteachers, and health care providers to help identify current and potential victims. A new "Healthy Relationship" training program was developed by OCHTTF to prevent early victimization of middle school children. The program is taught in 3 modules by young college age students who are able to connect to that age group. It is critical to start early prevention; however, the program has not been widely adopted by the schools. OCHTTF is playing a vital role in coordinating this effort and maximizing the education and prevention efforts.

CONCLUSION

This report is meant to enhance public awareness, bringing to light the difficulty and complexity of human sex trafficking and the harms that this criminal enterprise inflicts on its victims in Orange County. Sex trafficking is a multidimensional crime of supply and demand that inflicts psychological and physical damage to vulnerable individuals.

Through the efforts of the OCHTTF and its various partners in law enforcement, the Orange County District Attorney's Office, various nonprofits, and County agencies engaged in victim support, these recommendations, if implemented, will serve to enhance efforts to combat this serious crime.

COMMENDATIONS

The following organizations are commended for their support of combatting Human Sex Trafficking in Orange County:

- Waymakers
- Anaheim, Irvine, and Santa Ana Police Departments
- Orange County District Attorney's Office
- Orange County Sheriff's Department

FINDINGS

In accordance with California Penal Code Sections 933 and 933.05, the 2022-2023 Grand Jury requires (or, as noted, requests) responses from each agency affected by the findings presented in this section. The responses are to be submitted to the Presiding Judge of the Superior Court.

Based on its investigation titled "Human Sex Trafficking in Orange County", the 2022-2023 Orange County Grand Jury has arrived at twelve principal findings, as follows:

- F1 Funding to combat human sex trafficking is both inconsistent and insufficient, resulting in less participation in the OCHTTF by law enforcement agencies.
- F2 Limited budgets, training, and hiring challenges constrain local law enforcement agencies' ability to devote significant resources toward combating human sex trafficking.
- F3 The victim support network is defined and well developed for underaged (minor) victims. However, long-term support for adults is voluntary and there is no actionable follow-up for adult victims of human sex trafficking.
- **F4** Education and prevention efforts have increased awareness of human trafficking but remain insufficient to create heightened awareness within the Orange County community.
- Agencies inadequately record, track, and coordinate their data collection to effectively measure their progress toward addressing human trafficking.
- There is no centralized, coordinated, and specialized database in Orange County that could be utilized across all affiliated agencies to track repeat victimization.
- F7 Orange County's wealth and tourist attractions make it a magnet for human sex trafficking.
- F8 Sex trafficking is an underground crime. Trafficked individuals are transient and mobile, making it difficult to discover and identify victims.
- F9 Law enforcement attitudes and methods have changed to a "victim centered trauma informed" approach, but more training is needed to identify, intervene on behalf of, and support victims.
- **F10** Law enforcement agencies do not focus enough on the demand side of human sex trafficking, and punishment of the clients is minimal.
- F11 Victims and survivors need complex ongoing social service support.

RECOMMENDATIONS

In accordance with California Penal Code Sections 933 and 933.05, the 2022-2023 Grand Jury requires (or, as noted, requests) responses from each agency affected by the recommendations presented in this section. The responses are to be submitted to the Presiding Judge of the Superior Court.

Based on its investigation titled, "Human Sex Trafficking in Orange County" the 2022-2023 Orange County Grand Jury makes the following six recommendations:

- By June 30, 2024, the City of Anaheim and the County of Orange should secure a stable source of annual funding to incentivize all city law enforcement agencies in Orange County to participate with dedicated law enforcement personnel on the OCHTTF. (F1, F2)
- R2 By June 30, 2024, the County Social Services Agency and Waymakers should develop a more robust victim assistance database to track victims to measure effectiveness toward reducing recidivism and re-victimization. (F3, F5, F6, F8, F11)
- R3 By June 30, 2024, the Orange County Social Services Agency should identify and implement additional long-term victim support programs with financial support for adults in order to enhance opportunities to remove sex trafficking adult victims from the street. (F2, F3, F5, F7, F8, F11)
- R4 By June 30, 2024, the City of Anaheim and the County of Orange should develop a database dedicated to Human Trafficking that specifically tracks Sex Trafficking networks and victims. (F1, F2, F5, F6, F10)
- R5 By June 30, 2024, the District Attorney should publicize successful prosecution of human trafficking cases. (F4, F7)
- By June 30, 2024, the County of Orange should fully fund Education and Prevention Programs to address Human Sex Trafficking. (F1, F2, F4, F6, F7, F8, F9, F11)

RESPONSES

The following excerpts from the California Penal Code provide the requirements for public agencies to respond to the Findings and Recommendations of this Grand Jury report:

Section 933

(c) No later than 90 days after the grand jury submits a final report on the operations of any public agency subject to its reviewing authority, the governing body of the public agency shall comment to the presiding judge of the superior court on the findings and recommendations pertaining to matters under the control of the governing body, and every elected county officer or agency head for which the grand jury has responsibility pursuant to Section 914.1 shall comment within 60 days to the presiding judge of the superior court, with an information copy sent to the board of supervisors, on the findings and recommendations pertaining to matters under the control of that county officer or agency head and any agency or agencies which that officer or agency head supervises or controls. In any city and county, the mayor shall also comment on the findings and recommendations. All of these comments and reports shall forthwith be submitted to the presiding judge of the superior court who impaneled the grand jury. A copy of all responses to grand jury reports shall be placed on file with the clerk of the public agency and the office of the county clerk, or the mayor when applicable, and shall remain on file in those offices.

One copy shall be placed on file with the applicable grand jury final report by, and in the control of the currently impaneled grand jury, where it shall be maintained for a minimum of five years.

Section 933.05.

- (a) For purposes of subdivision (b) of Section 933, 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) For purposes of subdivision (b) of Section 933, 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 timeframe for implementation.
- (3) The recommendation requires further analysis, with an explanation and the scope and parameters of an analysis or study, and a timeframe 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 timeframe 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) However, 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.
- (d) A grand jury may request a subject person or entity to come before the grand jury for the purpose of reading and discussing the findings of the grand jury report that relates to that person or entity in order to verify the accuracy of the findings prior to their release.
- (e) During an investigation, the grand jury shall meet with the subject of that investigation regarding the investigation, unless the court, either on its own determination or upon request of the foreperson of the grand jury, determines that such a meeting would be detrimental.
- (f) A grand jury shall provide to the affected agency a copy of the portion of the grand jury report relating to that person or entity two working days prior to its public release and after the approval of the presiding judge. No officer, agency, department, or governing body of a public agency shall disclose any contents of the report prior to the public release of the final report.

(Amended by Stats. 1997, Ch. 443, Sec. 5. Effective January 1, 1998.)

RESPONSES REQUIRED

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

Findings - 90 Day Response Required

OC Board of Supervisors: F1, F2, F3, F4, F5, F6, F7, F8, F9, F10, F11

City of Anaheim: F1, F2, F4, F5, F6, F7, F8, F9, F10, F11

City of Santa Ana: F1, F2, F4, F5, F6, F7, F8, F9, F10, F11

City of Irvine: F1, F2, F4, F5, F6, F7, F8, F9, F10, F11

Findings - 60 Day Response Required

OC Sheriff Department: F1, F2, F4, F5, F6, F7, F8, F9, F10, F11

OC District Attorney: F1, F2, F4, F5, F6, F7, F8, F9, F10, F11

Recommendations – 90 Day Response Required

OC Board of Supervisors: R1, R2, R3, R4, R6

City of Anaheim: R1, R4, R6

City of Santa Ana: R4, R6

City of Irvine: R4, R6

Recommendations – 60 Day Response Required

OC Sheriff Department: R4, R6

OC District Attorney: R4, R5, R6

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

Findings – 60 Day Response Requested

Anaheim Police Department: F1, F2, F4, F5, F6, F7, F8, F9, F10, F11

Santa Ana Police Department: F1, F2, F4, F5, F6, F7, F8, F9, F10, F11

Irvine Police Department: F1, F2, F4, F5, F6, F7, F8, F9, F10, F11

OC Probation Department: F1, F2, F4, F5, F6, F7, F8, F9, F10, F11

OC Social Services Agency: F1, F2, F3, F4, F5, F6, F7, F8, F9, F11

Waymakers: F1, F2, F3, F4, F5, F6, F7, F8, F9, F11

Recommendations - 60 Day Response Requested

Anaheim Police Department: R1, R4, R6

Santa Ana Police Department: R4, R6

Irvine Police Department: R4, R6

OC Probation Department: R4, R6

OC Social Services Agency: R2, R3, R6

Waymakers: R1, R2, R6

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APPENDIX

"Where to Find Help"

(https://humantraffickinghotline.org/en/get-help)

If you believe you have identified someone still in the trafficking situation, alert law enforcement immediately at the numbers provided below. It may be unsafe to attempt to rescue a trafficking victim. You have no way of knowing how the trafficker may react and retaliate against the victim and you. If, however, you identify a victim who has escaped the trafficking situation, there are a number of organizations to whom the victim could be referred for help with shelter, medical care, legal assistance, and other critical services. In this case, call the National Human Trafficking Hotline described below.

1-888-373-7888 National Human Trafficking Hotline

Call the National Human Trafficking Hotline, a national 24-hour, toll-free, multilingual anti-trafficking hotline. Call 1-888-373-7888 to report a tip; connect with anti-trafficking services in your area; or request training and technical assistance, general information, or specific anti-trafficking resources. The Hotline is equipped to handle calls from all

regions of the United States from a wide range of callers including, but not limited to: potential trafficking victims, community members, law enforcement, medical professionals, legal professionals, service providers, researchers, students, and policymakers.

The following statement is directly quoted from the National Human Trafficking Hotline is directly to assist with finding information that includes victim assistance and crisis center at the level of the city and the zip code in California and Orange County.

Find Local Services (https://humantraffickinghotline.org/en/get-help)

This online Referral Directory is made up of anti-trafficking organizations and programs that offer emergency, transitional, or long-term services to victims and survivors of human trafficking as well as those that provide resources and opportunities in the anti-trafficking field.

If you would like direct personal assistance, are having trouble accessing services, or cannot find what you are looking for, please contact the National Human Trafficking Hotline directly to speak with a hotline advocate 24/7:

1-888-373-7888 • Text "BEFREE" or "HELP" to 233733 • Chat

or email help@humantraffickinghotline.org

California Department of Justice

Department of Justice Victims' Services Unit

Call: (877) 433-9069

Email: victimservices@doj.ca.gov

National Human Trafficking Hotline

Call: (888) 373-7888 Text: 233-733 (Be Free)