



## FACT SHEET

October 2016

### HUMAN TRAFFICKING & CRIME VICTIMS ASSISTANCE PROGRAMS



**If you are a victim or to report suspected human trafficking, call local law enforcement or the National Human Trafficking Resource Center** Information and Referral Hotline toll-free at **1-888-373-7888**. This hotline can help identify social service organizations and other resources available in your community to help protect and serve victims.

#### Background

Human trafficking is a modern-day form of slavery. It is a crime that involves the use of force, fraud or coercion to recruit, harbor, transport, provide or obtain a person for the purposes of sexual or labor exploitation. It frequently involves the transportation of victims across international borders; however, persons can be trafficked within their own countries and even within their own communities. According to the United Nations, trafficking of humans is one of the largest and fastest growing international criminal activities.

The United States Department of State estimates between 17,500 and 18,500 victims are trafficked into the U.S. annually. Women and children comprise the largest group of victims but men are also subjected to trafficking. Many victims are forced to work in prostitution or in the sex entertainment industry; others are forced into indentured servitude in domestic, restaurant, janitorial, factory and migrant agricultural work. Traffickers employ various methods to instill fear in victims, to compel them to engage in activities against their will, and to keep them enslaved. These methods include debt bondage, threats, and physical violence against victims and/or their families.

#### Federal Legislation

In October 2000, the Trafficking Victims Protection Act of 2000 (TVPA), Public Law No. 106-386, made human trafficking a federal crime and made victims of a severe form of human trafficking eligible for federally-funded or administered benefits and services to the same extent as refugees. The TVPA subsequently has been reauthorized and amended in 2003, 2005, 2008, and most recently in 2013 by the Trafficking Victims Protection Reauthorization Act (TVPRA).

The TVPRA is primarily aimed to continue to fund the efforts in preventing human trafficking, protecting its victims, and prosecuting traffickers. The 2013 TVPRA strengthened the ability to prosecute traffickers, added provisions to protect unaccompanied youth, and

continued the independent child advocates program for child trafficking victims and other vulnerable unaccompanied alien children.

#### State Legislation

Effective January 1, 2006, Senate Bill 1569, (Chapter 672, Statutes of 2006) made human trafficking a crime in the State of California. The new legislation enacted a state-funded victim assistance program, the Trafficking and Crime Victims Assistance Program (TCVAP) and established the California Alliance to Combat Trafficking and Slavery (CA ACTS) Task Force. The Task Force included representatives from state and local government, law enforcement and stakeholder groups, and was chaired by a designee of the California Attorney General (AG).

The CA ACTS Task Force collected data on trafficking in California and developed recommendations to strengthen efforts to prevent trafficking, protect and assist victims, and prosecute traffickers. The findings and recommendations of the Task Force were released in a report titled *Human Trafficking in California*, dated October 2007. The report can be found at: [http://ag.ca.gov/publications/Human\\_Trafficking\\_Final\\_Report.pdf](http://ag.ca.gov/publications/Human_Trafficking_Final_Report.pdf). The Task Force disbanded on January 1, 2008.

In 2012, the California AG convened a new anti-trafficking workgroup to reassess the state of trafficking in California. Together they created an updated report titled *The State of Human Trafficking in California, 2012*. The updated report includes improved strategies to prosecute traffickers and assist victims.

The new report can be found here: <https://oag.ca.gov/human-trafficking/2012>

The California Department of Social Services (CDSS) implemented TCVAP at the local county level. The program became effective on January 1, 2007 and since has served over 18,000 non-citizen victims of human trafficking, domestic violence and other serious crimes and their eligible family members.

#### Benefits and Services

##### Federal Program Benefits and Services

To be eligible for federally-funded benefits and services, an individual must be certified as a victim of a severe form of human trafficking. The DHHS, Administration for Children & Families (ACF), Office of

Refugee Resettlement (ORR) is the federal agency responsible for certifying trafficking victims. The ORR provides information to state and local governments and service providers on the requirements for certification, the documents that victims of severe forms of trafficking are issued, and the procedures agencies should follow in confirming eligibility for benefits.

In order to receive certification, victims of trafficking must be willing to assist with the investigation and prosecution of traffickers. In addition, they must have completed a bona fide application for a T-Visa or they must have been granted continued presence status by the U.S. Citizenship and Immigration Services (USCIS) for the purpose of contributing to the prosecution of the traffickers. Children under 18 years of age who have been subjected to a severe form of trafficking do not need to be certified in order to receive benefits; however, ORR will issue them an eligibility letter declaring them victims of a severe form of trafficking.

Persons certified by ORR as trafficking victims are eligible to receive federally-funded benefits and services including: Refugee Cash Assistance, California Work Opportunity and Responsibility to Kids (CalWORKs), Refugee Medical Assistance, Medi-Cal, Refugee Social Services, SNAP/CalFresh benefits, and other services to assist victims with adjustment and facilitate self-sufficiency. Certified trafficking victims are required to meet each program's income, resource and other eligibility requirements.

For more information on federal programs and benefits and services for human trafficking victims, visit ORR's web page at: [www.acf.hhs.gov/trafficking](http://www.acf.hhs.gov/trafficking)

### **State Program Benefits and Services**

TCVAP provides critical benefits and services to non-citizen victims of human trafficking prior to receiving certification by ORR. Eligibility for state-funded benefits and services are extended to trafficking victims who:

- 1) Can make a sworn statement or have documentation showing that they are a victim of human trafficking; and
- 2) Meet the income and resource limitations; and
- 3) Have submitted, or are preparing to submit an application for a T-Visa to USCIS; have continued presence; or are otherwise taking steps to meet the eligibility conditions for federal benefits.

TCVAP also provides critical benefits and services to non-citizen victims of domestic violence and other serious crimes who:

- 1) Have filed for or been granted a U-Visa from USCIS; and
- 2) Meet the income and resource limitations.

State-funded benefits and services are equivalent to federally-funded benefits available to refugees and certified trafficking victims. Victims are required to meet all income, resource, and other program eligibility requirements.

To apply for benefits or services, contact your local County Welfare Department (CWD) in the county where you live. For a complete listing of CWDs, call (916) 443-1749 or visit the following website: <http://www.cwda.org/pod/apply-benefits-online>. Click on: [Apply for Medi-Cal, CalFresh, CalWORKs and County Medical Services Program](#) and select your county.

To find out more about Human Trafficking, visit the NHTRC website at: <http://www.polarisproject.org/human-trafficking/overview>

For more information on benefits and services available to human trafficking victims, visit the CDSS Human Trafficking webpage at: [www.cdss.ca.gov/inforesources/tcvap](http://www.cdss.ca.gov/inforesources/tcvap)

You may also contact the Refugee Programs Bureau by e-mail at [RPB@dss.ca.gov](mailto:RPB@dss.ca.gov), or by telephone at (916) 654-4356.