



Contact: Amy Alley, Communications/ Deputy Legislative Director (916-319-2016)

## AB 90 Fact Sheet

### Background

There are an estimated 800,000 human beings trafficked for domestic, labor, and sex slavery each year, both internationally and domestically. This number is ten times the number at the peak of the trans-Atlantic slave trade in the 1700s. People today are sold for a few hundred dollars, compared to the equivalent of up to \$30,000 in the 18<sup>th</sup> century. This cheap price for victims coupled with easy access and little chance of prosecution has made this modern day form of slavery one of the most lucrative of crimes.

Children are particularly vulnerable to this manipulative crime, sometimes being forced into sexual slavery through promises of work opportunities or through other forms of emotional bribery. Although California's prosecutors have been outraged over the blatant exploitation and abuse of minors, they are constrained by a limitation in California law. AB 90 will fix this problem.

### Issue

While federal law is clear that prosecutors do not have to prove force or coercion when a trafficking victim is under the age of 18, state law is vague regarding force or coercion. State law specifically states that it is intended to conform to federal law, but at the same time, state law requires a showing of force or coercion. This ambiguity hinders prosecutors from prosecuting traffickers to the fullest extent possible and also fails to recognize the role that mental manipulation plays in human trafficking.

### AB 90 Summary

AB 90 aligns state human trafficking laws with federal law by allowing prosecutors to try child trafficking cases without proving coercion. Where a person under 18 is involved, AB 90 will change the standard of proof to a showing that the defendant "caused, induced, encouraged, or persuaded the victim." This is consistent with federal law and the fact that minors are unable to legally consent to sexual acts.

This important change to the law recognizes the fact that many child victims of trafficking suffer from significant physical and mental health problems, including post-traumatic stress disorder, depression, and trauma bonding, which creates the same kind of confinement as physical coercion.

AB 90 will also allow prosecutors to implement the fines and forfeiture provisions passed in AB 17, providing funding to community-based organizations supporting sexually exploited minors.