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June 2, 2025

To: Supervisor Kathryn Barger, Chair
Supervisor Hilda L. Solis
Supervisor Holly J. Mitchell
Supervisor Lindsey P. Horvath
Supervisor Janice Hahn

From: Michael Own 
Director

REPORT BACK ON PREVENTING HUMAN TRAFFICKING IN THE WAKE OF NATURAL DISASTERS MOTION (ITEM NO. 19, AGENDA OF APRIL 1, 2025)

On April 1, 2025, your Board adopted the [Preventing Human Trafficking in the Wake of Natural Disasters Motion](#) (Motion) to further strengthen protections and safeguard against human trafficking as the County of Los Angeles (County) moves forward in disaster recovery and rebuilding following the January 2025 wildfires. In furtherance of such efforts, your Board has called for a multifaceted approach to addressing the issue of human trafficking, including strengthening protections against trafficking through enhanced enforcement mechanisms, increased public awareness, and ensuring the County utilizes its purchasing power to protect workers from human trafficking. The Motion instructed the Director of the Internal Services Department (ISD), in consultation with County Counsel, to report back to your Board in writing within 60 days on the following:

Motion Directive Five

1. Recommended changes to the County's Board of Supervisors (Board) Policy Manual, to the extent legally feasible, to ensure County Contractors are not participating in human trafficking in their practices or supply chains. ISD should consider adding any reviewed suggestions to their *Compliance with the County's Zero Tolerance Policy on Human Trafficking* provision. The report should, at a minimum, consider incorporating the prohibition of specific trafficking-related activities, as identified in the Motion.

2. Review and consider similar standards of other jurisdictions, including but not limited to Title 48, Code of Federal Regulations, Subpart 22.17 – Combating Trafficking in Persons, and U.S. Federal Acquisition Regulation 52.222-50, Combating Trafficking in Persons.
3. Making the violation of any of the proposed trafficking-related prohibited activities or a finding that the contractor has participated in trafficking immediately grounds for contractor debarment.

To adequately and appropriately address the Board Motion directive, ISD conducted a review of existing County Board policies and contract provisions, researched other municipalities, and consulted with the Sunita Jain Anti-Trafficking Initiative at Loyola Law School, who assisted in coordinating input from local and national experts, and consulted with County Counsel on proposed changes to the County's Board Policy Manual and the County's *Compliance with County's Zero Tolerance Policy on Human Trafficking* provision. This report back addresses the specific Board directive (Directive Five) indicated above.

Research of Other Municipalities

Directive Five of the Motion tasked ISD with reviewing and considering similar standards from other jurisdictions. As such, ISD conducted research into other agencies/municipalities as follows:

Agency	Finding
County of Orange	ISD conducted a review of Orange County's 2024 Revised Contract Policy Manual and did not find any specific policies that explicitly prohibit the County of Orange's contractors or vendors from engaging in human trafficking. Orange County's Policy Manual, however, indicates that strict observance of all local, state, and federal laws is a minimal requirement in all aspects of vendor/contractor conduct. In addition, ISD contacted the County of Orange to confirm whether the municipality has existing trafficking-related policies and/or whether it includes trafficking-related contract provisions in its contracts with vendors; however, the municipality has not provided a formal response (a

	Procurement Manager with the County of Orange did however indicate that the department is looking into ISD's inquiry).
San Bernardino County	ISD contacted San Bernardino County to confirm whether the municipality has existing policies related to trafficking and/or whether it includes trafficking-related contract provisions in its contracts with vendors; however, the municipality has not responded. In conducting research, ISD found that San Bernardino County has taken active steps to combat human trafficking through the Coalition Against Sexual Exploitation (C.A.S.E.), a collaborative initiative led by the District Attorney's Office and local agencies. Since 2009, C.A.S.E. has focused on prevention, education, and support for victims, especially children involved in commercial sexual exploitation.
City and County of San Francisco	ISD contacted the City and County of San Francisco to confirm whether the municipality has existing policies related to trafficking and/or whether it includes trafficking-related contract provisions in its contracts with vendors. The municipality responded indicating that it is not aware of any standard contract provisions that address the prohibition of trafficking-related activities by City contractors or that specifically incorporate standards such as Title 48, Code of Federal Regulations, Subpart 22.17; however, its Office of Contract Administration (OCA) clarified that other departments may include this type of clause in their contracts if they are outside the Chapter 21 scope (the OCA only solicits for goods and general service contracts that fall under Chapter 21 of the San Francisco Administrative Code).
City of Los Angeles	ISD contacted the City of Los Angeles to confirm whether the municipality has existing policies related to trafficking and/or whether it includes trafficking-related contract provisions in its contracts with vendors. The City of Los Angeles responded by indicating that its Sweat-Free Procurement Ordinance Number 176291 prohibits trafficking-related activities (the ordinance requires contractors to comply with applicable wage, health, and labor laws and all human and labor rights and labor obligations). The municipality further indicated that its Standard Provisions require City contractors to abide by all federal, state, and local regulations. The ordinance provides that the City may terminate

	the contract for breach and pursue any remedies available under the law. Further, in September of 2024, the City of Los Angeles provided a summary of its Protocols Against Forced Labor in City Procurement and noted changes that could be made to better protect against forced labor and child labor, including expanding the requirements in its current ordinance, coordinating with other cities and counties to increase leverage and protections against forced labor and training city staff on forced labor. Given the City of LA's interest in also making changes to its standards, the County could coordinate its work in this area.
Alameda County	In conducting research, ISD found that Alameda County Behavioral Health (ACBH) adopted and approved a policy (Policy 350-2-1 : Protection of Trafficking Victims) on October 24, 2016, to ensure ACBH and its contractors comply with the Trafficking Victims Protection Act (TVPA) of 2000. The policy provides that the municipality is authorized to immediately terminate a contract, without penalty, if the contractor engages in non-compliance. Additionally, ISD contacted Alameda County to confirm its trafficking-related policies and contract provisions; however, the County has not responded.

Recommended Changes to the Board Policy Manual

ISD reviewed the County's Board Policy Manual and found that the County does not currently have a Board policy that explicitly prohibits its contractors from engaging in Human Trafficking. ISD recommends that the Board consider reviewing and adopting such a policy. ISD has taken steps to initiate the development of a Board policy for your consideration. Given the 60-day time constraint outlined in this Motion, ISD was unable to prepare a draft Board policy that the Audit Committee could review and then present to your Board for consideration by the time this report was due.

Although the County does not have a Board policy that explicitly prohibits contractors from engaging in trafficking, the County does include, as a standard provision in County service contracts, the *Compliance with County's Zero Tolerance Policy on Human Trafficking* provision; however, the provision does not incorporate the prohibition of specific "trafficking-related" activities, does not include Title 48, Code of Federal Regulations, Subpart 22.17 – Combatting Trafficking in Persons & U.S. Federal Acquisition Regulation

52.222-50 Combating Trafficking in Persons, and does not explicitly provide that a contractor's engagement in human trafficking activities will be immediate grounds for debarment. Additionally, ISD conducted a review of standard provisions included in contracts/purchase orders issued under the Purchasing Agent's authority (purchase orders issued for the acquisition of goods and/or certain services) and found that the County does not include the *Compliance with County's Zero Tolerance Policy on Human Trafficking* provision, or similar trafficking provisions, in such contracts/purchase orders.

To further efforts of your Board and address the Board Motion directive, ISD consulted with County Counsel and recommends, as previously discussed, the development of a new Board policy that will require County departments to include, as a standard provision in all County contracts, the County's *Compliance with County's Zero Tolerance Policy on Human Trafficking* provision, as modified and provided in the attached, and will provide that a contractor's violation of the policy be grounds for default of the County contract and a basis for contractor debarment. In addition, the Board policy could further require the inclusion of standard solicitation language that requires County contractors to certify to the County that they are in full Compliance with the County's Board Policy and Paragraph 8.54 (*Compliance with County's Zero Tolerance Policy on Human Trafficking*) of Appendix A (Contract) as a condition for being awarded a contract. ISD's Purchasing Agent will include the same or similar provisions as those contained herein for Countywide procurements.

In summary, ISD and County Counsel recommend the development of a new proposed Board Policy that will provide for the explicit prohibition of trafficking-related activities through the inclusion of required contract language and enhanced enforcement mechanisms, thereby furthering the efforts of your Board and our County to safeguard against human trafficking.

If you have any questions, please contact me at (323) 267-2101, via email at Mowh@isd.lacounty.gov, or your staff may contact Christie Carr at (323) 267-3101, via email at CCarr@isd.lacounty.gov.

MO:QH:LG:CC:cc

Attachment

c: Executive Office, Board of Supervisors
County Counsel

Contract Language**8.54 Compliance with County's Zero Tolerance Policy on Human Trafficking**

- 8.54.1 Contractor acknowledges that the County has established a Zero Tolerance Policy on Human Trafficking prohibiting contractors from engaging in human trafficking.
- 8.54.2 If the Contractor, a member of Contractor's staff, or its subcontractor(s) is convicted of a human trafficking offense, the County will not permit the Contractor, the Contractor's staff, or its subcontractor(s) to perform any further services and/or provide any more goods under the Contract.
- 8.54.3 Disqualification of any member of Contractor's staff or its subcontractor(s), pursuant to this Paragraph will not relieve Contractor of its obligation to complete all work in accordance with the terms and conditions of this Contract. However, if Contractor had knowledge of, engaged in, or approved of such human trafficking activities, then such will be grounds for contract termination, unless otherwise agreed to by County.
- 8.54.4 Contractor will not engage in, or benefit from, the use of forced labor in any aspect of its operations, including but not limited to the performance of this Contract, its subcontractors, its supply chain, or any related activities.
- 8.54.5 Contractor and its subcontractors will not destroy, conceal, confiscate, or otherwise deny access to the employee's identity or immigration documents, including but not limited to passports or driver's licenses.
- 8.54.6 Contractor and its subcontractors will not use deceptive, misleading or fraudulent practices during the recruitment of employees or offering of employment.
- 8.54.7 Contractor and its subcontractors will not charge employees or potential employees recruitment fees.
- 8.54.8 Contractor will not provide or arrange housing for employees that fails to meet the County's housing health, habitability, and safety codes as set forth in Chapter [11.20](#) in the Los Angeles County Code of Ordinances: Chapter [11.20](#) - Housing, which outlines requirements for the maintenance, sanitation, and essential services of residential properties.
- 8.54.9 If Contractor or its subcontractors has promised to pay for employee transportation for providing services under the Contract, the Contractor will not fail to provide or pay for the cost of return transportation upon the end of employment.
- 8.54.10 If Contractor provides employees with a written employment contract, recruitment agreement, or other work documents, it will be in a language the employee understands.

- 8.54.11 Contractor will cooperate fully with any audits, investigations, or other enforcement actions undertaken by the County or any governmental authority related to human trafficking or related violations.
- 8.54.12 Contractor will ensure that all subcontractors, or Agents, regardless of tier, comply with the provisions of this Paragraph 8.54, including by incorporating these requirements into all subcontracts.
- 8.54.13 Contractor will report any credible information regarding trafficking violations in connection with this Contract to the County Program Director and any other authority as required by applicable law or regulation within three (3) calendar days. Additionally, Contractor must take immediate corrective action, including rectifying, providing appropriate remuneration, and implementing measures to prevent future abuses, and report to the County a corrective action plan and those corrective actions taken where it became aware of, or should have known, human trafficking took place or is taking place.
- 8.54.14 In addition to any other remedies available to the County, if appropriate corrective action is not taken, the County may terminate this Contract for cause if the Contractor or any subcontractor is found to have violated any provision of this Paragraph 8.54. Such termination may be in addition to other consequences including suspension or debarment under applicable law.
- 8.54.15 For any portion of this Contract that is for supplies (other than commercially available off-the-shelf items) acquired outside the United States, or for services to be performed outside the United States, and has an estimated value exceeding \$500,000, Contractor will: a. Develop and maintain a compliance plan in accordance with applicable requirements; b. Provide trafficking awareness training to employees; c. Maintain procedures for employees to report violations without fear of retaliation; d. Take appropriate disciplinary action against employees or agents found to have violated this policy; e. Annually certify that due diligence has been conducted and annually certify that no violations have occurred or that appropriate corrective action has been taken.
- 8.54.16 In the event the Contractor breaches a requirement of this Paragraph (Compliance with County's Zero Tolerance Policy on Human Trafficking), the County may, in its sole discretion, bar the Contractor from the award of future County contracts for a period of time consistent with the seriousness of the breach, in accordance with [Los Angeles County Code, Chapter 2.202](#), Determinations of Contractor Non-Responsibility and Contractor Debarment.

8.54.17 Contractor must have a policy in place to ensure compliance with the provisions under Paragraph 8.54 in its entirety.

Definition:

Forced Labor is defined as any work or service that a person is compelled to perform against their will under threat of punishment, coercion, or intimidation. This includes situations where individuals are subjected to physical or psychological abuse, have their wages or identity documents withheld, are restricted in their movement, or are threatened with deportation or violence.