

Date of Hearing: March 3, 2026

Consultant: Jaleel Baker

ASSEMBLY COMMITTEE ON PUBLIC SAFETY

Nick Schultz, Chair

AB 1541 (Dixon) – As Amended February 9, 2026

SUMMARY: Requires the Department of Justice (DOJ) to publish more detailed human trafficking data on the OpenJustice web portal. Specifically, **this bill:**

- 1) Requires the DOJ to report, in addition to data on the number of arrests for and the number of reported victims of human trafficking, data on the number of convictions for human trafficking.
- 2) Requires the data on all of the above categories to be disaggregated by labor trafficking, sex trafficking, and trafficking of a minor.
- 3) Requires DOJ, in addition to data from the California Incident-Based Reporting System, to include data from state summary criminal history information.

EXISTING LAW:

- 1) States any person who deprives or violates the personal liberty of another with the intent to obtain forced labor or services, is guilty of human trafficking and shall be punished by imprisonment in the state prison for 5, 8, or 12 years and a fine of not more than \$500,000. (Pen. Code, § 236.1, subd. (a).)
- 2) Provides any person who deprives or violates the personal liberty of another with the intent to effect or maintain procurement for sex work, pimping, pandering, procurement of a child for prostitution, abduction of a minor for sex work, sale or production of child sexual assault material (CSAM), sexual exploitation of a child, employment of a minor for CSAM, promotion of CSAM, obscene live conduct, or extortion is guilty of human trafficking and shall be punished by imprisonment in the state prison for 8, 14, or 20 years and a fine of not more than \$500,000. (Pen. Code, § 236.1, subd. (b).)
- 3) States any person who causes, induces, or persuades, or attempts to cause, induce, or persuade, a person who is a minor at the time of commission of the offense to engage in a commercial sex act, with the intent to effect or maintain a violation of procurement for sex work, pimping, pandering, procurement of a child for prostitution, abduction of a minor for sex work, sale or production of CSAM, sexual exploitation of a child, employment of a minor for CSAM, promotion of CSAM, obscene live conduct, or extortion is guilty of human trafficking, as follows:
 - a) 5, 8, or 12 years and a fine of not more than \$500,000.

- b) Fifteen years to life and a fine of not more than \$500,000 when the offense involves force, fear, fraud, deceit, coercion, violence, duress, menace, or threat of unlawful injury to the victim or to another person. (Pen. Code, § 236.1, subd. (c)(1)-(2).)
- 4) Requires the DOJ to collect criminal justice data from designated state and local agencies and instructs agencies on proper data reporting and recordkeeping standards. The DOJ is required to process and analyze the specified data, share necessary information with federal authorities, and publish annual criminal statistics through its OpenJustice Web portal. The DOJ is also required to periodically review and improve criminal justice data systems, by specifically reporting on California's transition to incident-based crime reporting aligned with the National Incident-Based Reporting System. (Pen. Code, § 13010.)
 - 5) Requires the DOJ to maintain a data set that contains the number of crimes reported, number of clearances, and clearance rates in California, as provided by local law enforcement agencies. The data set is required to be published annually through the OpenJustice Web portal. (Pen. Code, § 13013.)
 - 6) Requires the information published on the OpenJustice Web portal to contain statistics showing, among other things, the following:
 - a) The amount and the types of offenses known to the public authorities;
 - b) The personal and social characteristics of criminals and delinquents;
 - c) The administrative actions taken by law enforcement, judicial, penal, and correctional agencies or institutions, including those in the juvenile justice system, in dealing with criminals or delinquents;
 - d) The administrative actions taken by law enforcement, prosecutorial, judicial, penal, and correctional agencies or institutions, including those in the juvenile justice system, in dealing with minors who are the subject of a petition or hearing in the juvenile court to transfer their case to the jurisdiction of an adult criminal court or whose cases are directly filed or otherwise initiated in an adult criminal court. (Pen. Code, § 13012, subd. (a)(1)-(4).)
 - 7) Mandates the annual report published by the DOJ, as specified, commencing with the report that includes data from 2022, to the extent the data is available, to include statistics on lewd or lascivious felonies consistent with those reported for rape, including the number of offenses reported and the rate per 100,000 population. (Pen. Code, § 13012.7, subd. (a).)

FISCAL EFFECT: Unknown.

COMMENTS:

- 1) **Author's Statement:** According to the author, "Human trafficking is a heinous form of modern-day slavery and has no place in the great state of California. It is the Legislature's responsibility to do everything it can in order to assist victims and families impacted by trafficking, because even one victim is too many. While we have made significant progress in raising awareness and punishing perpetrators, there is still work to do. One significant shortcoming that still exists is the startling lack of data on human trafficking within California. The most recent DOJ report on human trafficking was released in 2012, nearly 15 years ago. AB 1239 began the important process of increasing the amount of data available to the public about human trafficking and AB 1541 will expand that effort further."
- 2) **Current DOJ Information on Human Trafficking:** DOJ currently provides information about human trafficking, including national rates of trafficking. Human trafficking includes both labor trafficking and trafficking for commercial sexual exploitation. The existing DOJ website on human trafficking discusses the California law on trafficking and explains the different types of trafficking covered by both state and federal law.¹ According to the DOJ website on human trafficking:

The United States is widely regarded as a destination country for human trafficking. Federal reports have estimated that 14,500 to 17,500 victims are trafficked into the United States annually. This does not include the number of victims who are trafficked within the United States each year. According to the National Human Trafficking Hotline, 10,949 cases of human trafficking were reported in the United States in 2018. According to the hotline, California is one of the largest sites of human trafficking in the United States. In 2018, 1,656 cases of human trafficking were reported in California. Of those cases, 1,226 were sex trafficking cases, 151 were labor trafficking cases, 110 involved both labor and sex trafficking, and in 169 cases the type of trafficking was not specified. The victims of human trafficking are often young girls and women. Young girls and women are 57.6% of forced labor victims and 99.4% of sex trafficking victims.

California is one of the largest sites of human trafficking in the United States. In 2018, 1,656 cases of human trafficking were reported in California. Of those cases, 1,226 were sex trafficking cases, 151 were labor trafficking cases, 110 involved both labor and sex trafficking, and in 169 cases the type of trafficking was not specified.²

Given the prevalence of human trafficking in California, AB 1239 (Dixon), Chapter 393, Statutes of 2025, required the DOJ to begin tracking and reporting data on their OpenJustice web portal related to the number of individuals arrested for human trafficking and the number of individuals who are reported as victims of human trafficking. This bill would

¹ <https://oag.ca.gov/human-trafficking/what-is>

² *Ibid.*

expand these reporting requirements and provide additional, more granular, human trafficking data to the public. Specifically, this bill would require DOJ to report the total amount of arrests and convictions for each type of human trafficking offense, including labor trafficking, sex trafficking, and trafficking of a minor. The additional reporting requirements would provide more information to the public on the state of human trafficking crimes in California.

Currently, the OpenJustice web portal does not list separate data entries for human trafficking arrests or reported victims of human trafficking, as the DOJ has indicated that specialists are actively working to implement the increased data requirements required by AB 1239 (Dixon), Chapter 393, Statutes of 2025. The DOJ estimates that the additional data will likely become public in July 2026, which is standard given their internal timeline for incorporating any new data requests into their annual data reconciliation process.

- 3) **Significance of Additional Human Trafficking Data:** According to the USC Gould School of Law, International Human Rights Clinic’s 2021 report titled, “Over-Policing Sex Trafficking: How U.S. Law Enforcement Should Reform Operations,” it is recommended that federal and local law enforcement agencies require uniform data collection to promote information sharing and the evaluation of operations.³ The recommendations include a directive that federal and local law enforcement agencies record and publicly report a variety of different data points intended to offer more details on human trafficking crimes, such as whether the victims were foreign nationals or undocumented, the number of perpetrators identified during an investigation of a certain human trafficking offense, among others. Although this bill is limited in the type of additional data it would provide, it stands to bring California slightly more in-line with the national calls for additional human trafficking data.
- 4) **Victims of Human Trafficking:** Accurately tracking victims of human trafficking can be very challenging. In many instances, victims of trafficking, whether it is labor trafficking or trafficking for purposes of commercial sex exploitation, are too often unlikely to report due to several reasons. According to information provided by the US Department of Health and Human Services, Administration for Children and Families, in its one page summary entitled, “The Mindset of a Human Trafficking Victim”:

Victims of human trafficking are hesitant to come forward because of their fear of being deported. While many of these victims are women and children who have been beaten and/or raped, their current situation may still be better than where they came from. There may be significant cultural differences between the victim and U.S. law enforcement officials. Victims may be completely unaware of their rights or may have been intentionally misinformed about their rights in this country. Many victims do not self-identify as victims. The victims may fear not only for their own safety but also for that of their families in their home countries. Some traffickers threaten that they will harm their victims’ families if the victims report their situation to, or cooperate with, law enforcement.⁴

³ <https://humanrightsclicnic.usc.edu/2021/11/15/over-policing-sex-trafficking-how-u-s-law-enforcement-should-reform-operations/>

⁴ https://www.justice.gov/sites/default/files/usao-ndia/legacy/2011/10/14/law_mindset_victim%20%282%29.pdf

Under current law, it is possible that local law enforcement may be inaccurately reporting the victims of human trafficking statistics, since human trafficking is often reported as arrests for sex work or other offenses that are not viewed as human trafficking. In fact, law enforcement often misses signs of human trafficking. According to the National Institute of Justice in 2020, instances of human trafficking far exceed identification by law enforcement:

In two of the three study sites - jurisdictions with populations of 2.3 million and 600,000, respectively - researchers concluded that human trafficking incidents identified in law enforcement and social service agency records likely represented only a fraction of the actual incidence. The study found that the official trafficking numbers in one jurisdiction represented as little as 14% and at most 18% of the potential total trafficking victims. A common problem for officers is difficulty separating human trafficking from other offenses, such as prostitution, the researchers reported.

In some instances, specialized investigators said they only coded incidents as trafficking offenses if an individual was arrested and charged with a trafficking offense by a prosecutor. State law enforcement personnel interviewed in one jurisdiction said officers hesitate to report incidents as human trafficking when they involve juvenile victims, because of special victim information reporting requirements. In classifying offenses, officers often defer to the prosecutor. The researchers found that, across studied jurisdictions, officers lacked the ability to identify labor trafficking.⁵

This is significant research indicating that human trafficking victims, particularly those in the sex trade, are frequently arrested, charged, and convicted of prostitution-related offenses, effectively treating them as criminals rather than victims. As further evidenced by the U.S. Department of State, in their report titled, “Protecting Victims from Wrongful Prosecution and Further Victimization,” researchers found that, “Traffickers often compel victims to engage in criminal activities such as prostitution, but law enforcement authorities often fail to properly screen and identify victims of human trafficking.”⁶ This bill maintains that the DOJ report data on human trafficking victims from the California Incident-Based Reporting System, but there is no assurance from available data that it is accurately reflecting the reality of human trafficking victims in California.

- 5) **Limitations on Available Human Trafficking Data:** The DOJ indicates that they receive relevant human trafficking data from two active reporting systems: the California Incident-Based Reporting System and the state summary criminal history information maintained by DOJ. The DOJ relies on the California Incident-Based Reporting System to determine the number of reported victims of human trafficking, and relies on the state summary criminal history information to discern the number of convictions and arrests related to human trafficking. The DOJ indicates that it is feasible to disaggregate the data by type of human trafficking for its data points regarding convictions, arrests, and victims, but warns that it

⁵ <https://nij.ojp.gov/topics/articles/gaps-reporting-human-trafficking-incidents-result-significant-undercounting>

⁶ <https://www.state.gov/wp-content/uploads/2019/02/283800.pdf>

would be infeasible to determine any connection between the reported convictions or arrests, and how many reported victims resulted from a particular offense.

6) **Argument in Support:** According to the *California Tribal Business Association*, “Native American women and youth are disproportionately impacted by trafficking and exploitation, and more complete data will assist policymakers and law enforcement in identifying patterns, risk factors, and geographic trends that intersect with the Missing and Murdered Indigenous Persons (MMIP) crisis. Strengthened reporting also can support earlier intervention and more coordinated responses.”

7) **Related Legislation:**

- a) AB 1583 (Rogers), would make the jurisdiction of a criminal action for wage theft or labor trafficking also include the county in which the victim resided at the time of the wage theft or labor trafficking, as specified. AB 1583 is set for a hearing today in this committee.
- b) AB 1656 (Davies), would expand the list of crimes that may support a finding of good cause continuances to specifically include human trafficking, among other crimes. AB 1656 is pending a hearing in this committee.

8) **Prior Legislation:**

- a) AB 1239 (Dixon), Chapter 393, Statutes of 2025, required the DOJ to report information concerning arrests for human trafficking and the number of individuals reported as victims of human trafficking on the OpenJustice Web portal.
- b) SB 259 (Nielsen), Chapter 245, Statutes of 2020, required the DOJ to include disaggregated information on lewd or lascivious felonies in its annual statewide criminal statistics report, as specified.
- c) AB 2524 (Irwin), Chapter 418, Statutes of 2016, required the DOJ to make available to the public its mandatory criminal justice statistics reports through the OpenJustice Web Portal, to be updated at least yearly, and makes conforming changes to existing provisions related to criminal statistics.

REGISTERED SUPPORT / OPPOSITION:

Support

California Tribal Business Alliance
1 Individual Support

Opposition

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