
Public Safety Committee

SSB 6339

Brief Description: Concerning coercion of involuntary servitude.

Sponsors: Senate Committee on Law & Justice (originally sponsored by Senators Fraser, Roach, Kohl-Welles, Benton, Hasegawa, Chase, Keiser and Kline).

<p>Brief Summary of Substitute Bill</p> <ul style="list-style-type: none">• Creates the offense "Coercion of Involuntary Servitude."

Hearing Date: 2/19/14

Staff: Sarah Koster (786-7303).

Background:

"Involuntary servitude" means a condition of servitude in which the victim was forced to work by the use or threat of physical restraint or physical injury or by the use of threat of coercion through law or legal process.

A person is guilty of Coercion if, by use of a threat, he or she compels or induces a person to engage in conduct which the latter has a legal right to abstain from, or to abstain from conduct which he or she has a legal right to engage in.

Coercion is a gross misdemeanor.

A person is guilty of Trafficking if he or she:

1. recruits, harbors, transports, transfers, provides, obtains, or receives by any means another person, knowing that force, fraud or coercion, will be used to cause the person to engage in forced labor, involuntary servitude, a sexually explicit act or a commercial sex act, or that the person has not reached the age of 18 years and is caused to engage in a sexually explicit act or a commercial sex act; or

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2. benefits financially or receives anything of value from participation in a venture that has engaged in the above acts.

The offense is Trafficking in the first degree if the acts involve kidnapping, sexual motivation or illegal harvesting of human organs, or result in a death. Otherwise, the offense is Trafficking in the second degree.

Trafficking in the first degree is a class A felony, with a seriousness level of XIV. Trafficking in the second degree is a class A felony, with a seriousness level of XII.

Summary of Bill:

A person commits Coercion of Involuntary Servitude if he or she coerces another person to perform labor or services by:

1. withholding or threatening to withhold or destroy documents relating to a person's immigration status; or
2. threatening to notify law enforcement officials that a person is present in the United States in violation of federal immigration laws.

A person may commit Coercion of Involuntary Servitude regardless of whether the person provides any sort of compensation or benefits to the person who is coerced.

Coercion does not include reports to law enforcement that a person is present in the United States in violation of federal immigration laws.

Coercion of Involuntary Servitude is an unranked class C felony.

"Involuntary servitude" means a condition of servitude in which the victim was forced to work by the use or threat of physical restraint or physical injury, by the use of threat of coercion through law or legal process, or through Coercion of Involuntary Servitude.

Appropriation: None.

Fiscal Note: See fiscal note for House Bill 2644.

Effective Date: The bill takes effect 90 days after adjournment of the session in which the bill is passed.