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**SENATE BILL 5880**

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**State of Washington 64th Legislature 2015 Regular Session**

**By** Senators Padden, Kohl-Welles, Keiser, Conway, Chase, and Hasegawa

AN ACT Relating to human trafficking; adding a new section to chapter 9.68A RCW; creating new sections; prescribing penalties; and providing an effective date.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

NEW SECTION. **Sec.**  (1) The legislature finds that human trafficking is a horrific problem in the United States and in the state of Washington. Three hundred thousand people are sold in the sex trade in the United States. It is estimated that five hundred children are trafficked in the Seattle area alone. The victims of trafficking live in constant terror and find it difficult to leave for fear of being beaten, raped, or murdered. Children in the sex trade have a forty times higher mortality rate and women have a mortality rate two hundred times higher than nontrafficked counterparts. There are few survivors of the trade.

(2) Although recent legislation has made improvements in the tools afforded to law enforcement to arrest and prosecute offenders, more should be done to identify and rescue survivors by those who may have the opportunity to come into contact with those forced to engage in the sex trade. These include those in the hospitality or specialty industries, such as: Spas, hotels, bars, nightclubs, strip clubs, tattoo parlors, truck stops, restaurants, retail stores in malls, internet advertisement or dating services, and convenience stores. In addition, those who serve as first responders or in medical or public service, such as hospital staff, abortion clinics, schools, or child protective services are also in the unique position to identify and rescue victims. The legislature finds that those employed in such industries or services should be required to receive training to identify victims of human trafficking and then report to law enforcement.

NEW SECTION. **Sec.**  A new section is added to chapter 9.68A RCW to read as follows:

(1) Any person employed in the following industries or public services are required to undergo training in identifying and reporting victims of human trafficking:

(a) Spas, hotels, bars, nightclubs, strip clubs, tattoo parlors, truck stops, restaurants, retail stores in malls, internet advertisement or dating services, and convenience stores; and

(b) Hospital staff, abortion clinics, schools, or child protective services.

(2) The training shall be provided by employers within thirty days of hiring. A list of training providers including online options shall be made available by the respective agency or political entity with jurisdiction over the license or certification for the area of employment. No initial or renewal license or certification may be issued for a business or employee in the industry or public services described in this section without written certification from the applicant that the training requirement in this section has been met.

(3) When any person employed in an industry or public service identified in this section has reasonable cause to believe that a person is a victim of trafficking as defined in RCW 9A.40.100, he or she shall report such incident, or cause a report to be made, to the proper law enforcement agency or the department of social and health services.

(4) An immediate oral report must be made by telephone or otherwise to the proper law enforcement agency or the department of social and health services and, upon request, must be followed by a report in writing. The reports must contain the following information, if known:

(a) The name, address, and age of the victim;

(b) The name and address of the victim's parents, stepparents, guardians, or if the victim is a minor other persons having custody of the child;

(c) The nature and extent of the alleged trafficking;

(d) The nature and extent of any alleged injuries;

(e) The nature and extent of any alleged sexual abuse;

(f) Any evidence of previous injuries, including their nature and extent; and

(g) Any other information that may be helpful in establishing the identity of the alleged perpetrator or perpetrators.

(5) Every person who is required to make, or to cause to be made, a report pursuant to this section, and who knowingly fails to make, or fails to cause to be made, such report, is guilty of a gross misdemeanor.

NEW SECTION. **Sec.**  This act may be known and cited as the Washington human trafficking reporting act.

NEW SECTION. **Sec.**  This act takes effect January 1, 2016.

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