

ESSB 5884 - H COMM AMD

By Committee on Public Safety

ADOPTED AS AMENDED 4/9/2015

1 Strike everything after the enacting clause and insert the
2 following:

3 "NEW SECTION. **Sec. 1.** (1) The legislature has long been
4 committed to increasing access to support services for human
5 trafficking victims and promoting awareness of human trafficking
6 throughout Washington state. In 2002, Washington was the first state
7 to work on human trafficking by enacting new laws and by creating an
8 antitrafficking task force. In 2003, Washington was the first state
9 to enact a law making human trafficking a crime.

10 Since 2002, the Washington state legislature has enacted thirty-
11 eight laws to combat human trafficking. In 2013 and 2014, Washington
12 received top marks from two leading nongovernmental organizations for
13 the strength of its antitrafficking laws. The polaris project gave
14 Washington a perfect score of ten and Washington received an "A"
15 report card from shared hope international's protected innocence
16 challenge. In light of the 2010 winter olympic games taking place in
17 Vancouver, British Columbia, the legislature enacted RCW 47.38.080,
18 permitting an approved nonprofit to place informational human
19 trafficking posters in restrooms located in rest areas along
20 Interstate 5. Sporting events, such as the winter olympic games or
21 the upcoming 2015 United States open golf tournament at Chambers Bay,
22 provide lucrative opportunities for human traffickers to exploit
23 adults and children for labor and sexual services. The legislature
24 finds that an effective way to combat human trafficking is to
25 increase awareness of human trafficking for both victims and the
26 general public alike as well as who and how to contact for help and
27 support services, for both victims and the general public alike.

28 (2) Human trafficking data are primarily obtained through a
29 hotline reporting system in which victims and witnesses can report
30 cases of human trafficking over the phone. Since 2007, there have
31 been one thousand eight hundred fifty human trafficking calls made
32 through the human trafficking victim hotline system in Washington
33 state, and a total of four hundred thirty-two human trafficking cases

1 reported. It is the intent of the legislature to facilitate an even
2 wider scope of communication with human trafficking victims and
3 witnesses by requiring human trafficking information to be posted in
4 all public restrooms.

5 NEW SECTION. **Sec. 2.** A new section is added to chapter 7.68 RCW
6 to read as follows:

7 (1) The office of crime victims advocacy is designated as the
8 single point of contact in state government regarding the trafficking
9 of persons.

10 (2) The Washington state clearinghouse on human trafficking is
11 created as an information portal to share and coordinate statewide
12 efforts to combat the trafficking of persons. The clearinghouse will
13 include an internet web site operated by the office of crime victims
14 advocacy, and will serve the following functions:

15 (a) Coordinating information regarding all statewide task forces
16 relating to the trafficking of persons including, but not limited to,
17 sex trafficking, commercial sexual exploitation of children, and
18 labor trafficking;

19 (b) Publishing the findings and legislative reports of all
20 statewide task forces relating to the trafficking of persons;

21 (c) Providing a comprehensive directory of resources for victims
22 of trafficking; and

23 (d) Collecting and disseminating up-to-date information regarding
24 the trafficking of persons, including news and legislative efforts,
25 both state and federal.

26 **Sec. 3.** RCW 7.68.350 and 2003 c 266 s 1 are each amended to read
27 as follows:

28 (1) There is created the Washington state task force against the
29 trafficking of persons.

30 (2)(a) The task force shall consist of the following members:

31 ((+a)) (i) One member from each of the two largest caucuses of
32 the senate, appointed by the president of the senate;

33 (ii) One member from each of the two largest caucuses of the
34 house of representatives, appointed by the speaker of the house of
35 representatives;

36 (iii) The director of the office of ((community development))
37 crime victims advocacy, or the director's designee;

1 ~~((b))~~ (iv) The secretary of the department of health, or the
2 secretary's designee;

3 ~~((c))~~ (v) The secretary of the department of social and health
4 services, or the secretary's designee;

5 ~~((d))~~ (vi) The director of the department of labor and
6 industries, or the director's designee;

7 ~~((e))~~ (vii) The commissioner of the employment security
8 department, or the commissioner's designee;

9 ~~((f—Nine))~~ (viii) The attorney general or the attorney
10 general's designee;

11 (ix) The superintendent of public instruction or the
12 superintendent of public instruction's designee;

13 (x) The director of the department of agriculture or the
14 director's designee;

15 (xi) At least one member who is a survivor of human trafficking;

16 (xii) Eleven members, selected by the director of the office of
17 ~~((community—development))~~ crime victims advocacy, that represent
18 public, community-based nonprofit, and private sector organizations
19 ~~((that)), academic institutions, research-based organizations, faith-~~
20 based organizations, including organizations that are diverse in
21 viewpoint, geography, ethnicity, and culture, and in the populations
22 served. The members must provide, directly or through their
23 organizations, assistance to persons who are victims and survivors of
24 trafficking, or who work on antitrafficking efforts as part of their
25 organization's work, or both.

26 (b) Additional members may be selected as determined by the
27 director of the office of crime victims advocacy to ensure
28 representation of interested groups.

29 (3) The task force shall be chaired by the director of the office
30 of ~~((community—development))~~ crime victims advocacy, or the
31 director's designee.

32 (4) The task force shall ~~((carry—out))~~ determine the areas of
33 focus and activity including, but not limited to, the following
34 activities:

35 (a) Measure and evaluate the resource needs of victims and
36 survivors of human trafficking and the progress of the state in
37 trafficking prevention activities, as well as what is being done in
38 other states and nationally to combat human trafficking;

39 (b) Identify available federal, state, and local programs that
40 provide services to victims and survivors of trafficking that

1 include, but are not limited to, health care, human services,
2 housing, education, legal assistance, job training or preparation,
3 interpreting services, English as a second language classes, and
4 victim's compensation; (~~and~~)

5 (c) Make recommendations on methods to provide a coordinated
6 system of support and assistance to persons who are victims of
7 trafficking; and

8 (d) Review the statutory response to human trafficking, analyze
9 the impact and effectiveness of strategies contained in the current
10 state laws, and make recommendations on legislation to further the
11 state's antitrafficking efforts.

12 (5) The task force shall report its (~~supplemental~~) findings and
13 make recommendations to the governor and legislature (~~by June 30,~~
14 ~~2004~~) as needed.

15 (6) The office of (~~community development~~) crime victims
16 advocacy shall provide necessary administrative and clerical support
17 to the task force, within available resources.

18 (7) The members of the task force shall serve without
19 compensation, but shall be reimbursed for travel expenses as provided
20 in RCW 43.03.050 and 43.03.060, within available resources.

21 (~~(8) The task force expires June 30, 2004.~~)

22 **Sec. 4.** RCW 7.68.801 and 2013 c 253 s 1 are each amended to read
23 as follows:

24 (1) The commercially sexually exploited children statewide
25 coordinating committee is established to address the issue of
26 children who are commercially sexually exploited, to examine the
27 practices of local and regional entities involved in addressing
28 sexually exploited children, and to make recommendations on statewide
29 laws and practices.

30 (2) The committee is convened jointly by the office of the
31 attorney general and the department of commerce and consists of the
32 following members:

33 (a) One member from each of the two largest caucuses of the house
34 of representatives appointed by the speaker of the house;

35 (b) One member from each of the two largest caucuses of the
36 senate appointed by the speaker of the senate;

37 (c) A representative of the governor's office appointed by the
38 governor;

- 1 (d) The secretary of the children's administration or his or her
2 designee;
- 3 (e) The secretary of the juvenile rehabilitation administration
4 or his or her designee;
- 5 (f) The attorney general or his or her designee;
- 6 (g) The superintendent of public instruction or his or her
7 designee;
- 8 (h) A representative of the administrative office of the courts
9 appointed by the administrative office of the courts;
- 10 (i) The executive director of the Washington association of
11 sheriffs and police chiefs or his or her designee;
- 12 (j) The executive director of the Washington state criminal
13 justice training commission or his or her designee;
- 14 (k) A representative of the Washington association of prosecuting
15 attorneys appointed by the association;
- 16 (l) The executive director of the office of public defense or his
17 or her designee;
- 18 (m) Three representatives of community service providers that
19 provide direct services to commercially sexually exploited children
20 appointed by the attorney general;
- 21 (n) Two representatives of nongovernmental organizations familiar
22 with the issues affecting commercially sexually exploited children
23 appointed by the attorney general;
- 24 (o) The president of the superior court judges' association or
25 his or her designee;
- 26 (p) The president of the juvenile court administrators or his or
27 her designee;
- 28 (q) Any existing chairs of regional task forces on commercially
29 sexually exploited children;
- 30 (r) A representative from the criminal defense bar;
- 31 (s) A representative of the center for children and youth
32 justice;
- 33 (t) A representative from the office of crime victims advocacy;
34 ((and))
- 35 (u) The executive director of the Washington coalition of sexual
36 assault programs;
- 37 (v) A representative of an organization that provides in-patient
38 chemical dependency treatment to youth, appointed by the attorney
39 general;

1 (w) A representative of an organization that provides mental
2 health treatment to youth, appointed by the attorney general; and

3 (x) A survivor of human trafficking, appointed by the attorney
4 general.

5 (3) The duties of the committee include, but are not limited to:

6 (a) Overseeing and reviewing the implementation of the Washington
7 state model protocol for commercially sexually exploited children at
8 pilot sites;

9 (b) Receiving reports and data from local and regional entities
10 regarding the incidence of commercially sexually exploited children
11 in their areas as well as data information regarding perpetrators,
12 geographic data and location trends, and any other data deemed
13 relevant;

14 (c) Receiving reports on local coordinated community response
15 practices and results of the community responses;

16 (d) Reviewing recommendations from local and regional entities
17 regarding policy and legislative changes that would improve the
18 efficiency and effectiveness of local response practices;

19 (e) Making recommendations regarding policy and legislative
20 changes that would improve the effectiveness of the state's response
21 to and promote best practices for suppression of the commercial
22 sexual exploitation of children;

23 (f) Making recommendations regarding data collection useful to
24 understanding or addressing the problem of commercially sexually
25 exploited children; ((and))

26 (g) Reviewing and making recommendations regarding strategic
27 local investments or opportunities for federal and state funding to
28 address the commercial sexual exploitation of children;

29 (h) Reviewing the extent to which chapter 289, Laws of 2010
30 (Engrossed Substitute Senate Bill No. 6476) is understood and applied
31 by enforcement authorities;

32 (i) Researching any barriers that exist to full implementation of
33 chapter 289, Laws of 2010 (Engrossed Substitute Senate Bill No. 6476)
34 throughout the state;

35 (j) Researching, reviewing, and making recommendations regarding
36 the policy of eliminating prosecution of juveniles for prostitute and
37 prostitution loitering; and

38 (k) Researching, reviewing, and making recommendations regarding
39 the provision of services to juveniles suspected of prostitution and
40 prostitution loitering in lieu of prosecution.

1 (4) The committee must meet no less than annually.

2 (5) The committee shall report its findings to the appropriate
3 committees of the legislature and to any other known statewide
4 committees addressing trafficking or the commercial sex trade by June
5 30(~~th of each year~~), 2017.

6 (6) In addition to its report under subsection (5) of this
7 section, the committee shall report its findings regarding its duties
8 under subsection (3)(h) through (k) of this section to the
9 appropriate committees of the legislature by February 1, 2016.

10 (7) This section expires June 30, ((2015)) 2017.

11 NEW SECTION. Sec. 5. A new section is added to chapter 47.38
12 RCW to read as follows:

13 (1) Every establishment that maintains restrooms for use by the
14 public may voluntarily, upon availability of the model notice as
15 described in subsection (2) of this section, post a notice that
16 complies with the requirements of this section in a conspicuous place
17 within all restrooms of the establishment in clear view of the public
18 and employees. The office of crime victims advocacy may work with
19 businesses and other establishments and with human trafficking victim
20 advocates to adopt policies for the placement of such notices.

21 (2)(a) The model notice that may be voluntarily posted pursuant
22 to subsection (1) of this section may be in a variety of languages
23 and include toll-free telephone numbers a person may call for
24 assistance, including the number for the national human trafficking
25 resource center and the number for the Washington state office of
26 crime victims advocacy.

27 (b) The office of crime victims advocacy shall review and approve
28 the initial form and content of the model notice to ensure the notice
29 is appropriate for public display and likely to be an effective
30 communication to reach human trafficking victims. The office of crime
31 victims advocacy shall review the model notice on a yearly basis to
32 ensure the information provided remains accurate.

33 (3) The cost of production, printing, and posting of the model
34 notices shall be paid by a participating nonprofit at no cost to the
35 state.

36 (4) The office of crime victims advocacy must provide a report to
37 the appropriate committees of the legislature no later than December
38 31, 2016, regarding the voluntary participation in this effort.

1 NEW SECTION. **Sec. 6.** This act is necessary for the immediate
2 preservation of the public peace, health, or safety, or support of
3 the state government and its existing public institutions, and takes
4 effect immediately."

5 Correct the title.

EFFECT: (1) Provides that the Commercially Sexually Exploited Children Statewide Coordinating Committee (Committee) is to be convened jointly by the Attorney General and the Department of Commerce, rather than only by the Attorney General.

(2) Adds the following additional members to the Committee: A representative from an organization providing inpatient chemical dependency treatment to youth, a representative from an organization providing mental health treatment to youth, and a survivor of human trafficking.

(3) Adds the following to the duties of the Committee: Review the extent to which chapter 289, Laws of 2010 (Engrossed Substitute Senate Bill No. 6476) is understood and applied by enforcement authorities; research any barriers that exist to full implementation of chapter 289, Laws of 2010 (Engrossed Substitute Senate Bill No. 6476) throughout the state; make recommendations regarding the policy of eliminating prosecution of juveniles for prostitute and prostitution loitering; and make recommendations regarding the provision of services to juveniles suspected of prostitution and prostitution loitering in lieu of prosecution.

(4) Requires the Committee to report its findings regarding its new duties to the appropriate committees of the Legislature by February 1, 2016.

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