

ESSB 5884 - H COMM AMD

By Committee on Public Safety

ADOPTED AND ENGROSSED 4/9/15

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 by the office of the attorney  
31 general (~~and~~) with the department of commerce assisting with agenda  
32 planning and administrative and clerical support. The committee  
33 consists of the following members:

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

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

38 (c) A representative of the governor's office appointed by the  
39 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.

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