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ENGROSSED SUBSTITUTE SENATE BILL 5884

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State of Washington

64th Legislature

2015 Regular Session

By Senate Law & Justice (originally sponsored by Senators Kohl-Welles, Darneille, Padden, Keiser, Conway, Chase, and Hasegawa)

READ FIRST TIME 02/20/15.

1 AN ACT Relating to the trafficking of persons; amending RCW  
2 7.68.350 and 7.68.801; adding a new section to chapter 7.68 RCW;  
3 adding a new section to chapter 47.38 RCW; creating a new section;  
4 providing an expiration date; and declaring an emergency.

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

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

13 Since 2002, the Washington state legislature has enacted thirty-  
14 eight laws to combat human trafficking. In 2013 and 2014, Washington  
15 received top marks from two leading nongovernmental organizations for  
16 the strength of its antitrafficking laws. The polaris project gave  
17 Washington a perfect score of ten and Washington received an "A"  
18 report card from shared hope international's protected innocence  
19 challenge. In light of the 2010 winter olympic games taking place in  
20 Vancouver, British Columbia, the legislature enacted RCW 47.38.080,  
21 permitting an approved nonprofit to place informational human

1 trafficking posters in restrooms located in rest areas along  
2 Interstate 5. Sporting events, such as the winter olympic games or  
3 the upcoming 2015 United States open golf tournament at Chambers Bay,  
4 provide lucrative opportunities for human traffickers to exploit  
5 adults and children for labor and sexual services. The legislature  
6 finds that an effective way to combat human trafficking is to  
7 increase awareness of human trafficking for both victims and the  
8 general public alike as well as who and how to contact for help and  
9 support services, for both victims and the general public alike.

10 (2) Human trafficking data are primarily obtained through a  
11 hotline reporting system in which victims and witnesses can report  
12 cases of human trafficking over the phone. Since 2007, there have  
13 been one thousand eight hundred fifty human trafficking calls made  
14 through the human trafficking victim hotline system in Washington  
15 state, and a total of four hundred thirty-two human trafficking cases  
16 reported. It is the intent of the legislature to facilitate an even  
17 wider scope of communication with human trafficking victims and  
18 witnesses by requiring human trafficking information to be posted in  
19 all public restrooms.

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

22 (1) The office of crime victims advocacy is designated as the  
23 single point of contact in state government regarding the trafficking  
24 of persons.

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

30 (a) Coordinating information regarding all statewide task forces  
31 relating to the trafficking of persons including, but not limited to,  
32 sex trafficking, commercial sexual exploitation of children, and  
33 labor trafficking;

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

36 (c) Providing a comprehensive directory of resources for victims  
37 of trafficking; and

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

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

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

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

9 ~~((a))~~ (i) One member from each of the two largest caucuses of  
10 the senate, appointed by the president of the senate;

11 (ii) One member from each of the two largest caucuses of the  
12 house of representatives, appointed by the speaker of the house of  
13 representatives;

14 (iii) The director of the office of ~~(community development)~~  
15 crime victims advocacy, or the director's designee;

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

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

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

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

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

26 (ix) The superintendent of public instruction or the  
27 superintendent of public instruction's designee;

28 (x) The director of the department of agriculture or the  
29 director's designee;

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

31 (xii) Eleven members, selected by the director of the office of  
32 ~~(community development)~~ crime victims advocacy, that represent  
33 public, community-based nonprofit, and private sector organizations  
34 ~~(that)~~, academic institutions, research-based organizations, faith-  
35 based organizations, including organizations that are diverse in  
36 viewpoint, geography, ethnicity, and culture, and in the populations  
37 served. The members must provide, directly or through their  
38 organizations, assistance to persons who are victims and survivors of

1 trafficking, or who work on antitrafficking efforts as part of their  
2 organization's work, or both.

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

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

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

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

16 (b) Identify available federal, state, and local programs that  
17 provide services to victims and survivors of trafficking that  
18 include, but are not limited to, health care, human services,  
19 housing, education, legal assistance, job training or preparation,  
20 interpreting services, English as a second language classes, and  
21 victim's compensation; ~~((and))~~

22 (c) Make recommendations on methods to provide a coordinated  
23 system of support and assistance to persons who are victims of  
24 trafficking; and

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

29 (5) The task force shall report its ~~((supplemental))~~ findings and  
30 make recommendations to the governor and legislature ~~((by June 30,~~  
31 ~~2004))~~ as needed.

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

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

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

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

3       (1) The commercially sexually exploited children statewide  
4 coordinating committee is established to address the issue of  
5 children who are commercially sexually exploited, to examine the  
6 practices of local and regional entities involved in addressing  
7 sexually exploited children, and to make recommendations on statewide  
8 laws and practices.

9       (2) The committee is convened by the office of the attorney  
10 general and consists of the following members:

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

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

15       (c) A representative of the governor's office appointed by the  
16 governor;

17       (d) The secretary of the children's administration or his or her  
18 designee;

19       (e) The secretary of the juvenile rehabilitation administration  
20 or his or her designee;

21       (f) The attorney general or his or her designee;

22       (g) The superintendent of public instruction or his or her  
23 designee;

24       (h) A representative of the administrative office of the courts  
25 appointed by the administrative office of the courts;

26       (i) The executive director of the Washington association of  
27 sheriffs and police chiefs or his or her designee;

28       (j) The executive director of the Washington state criminal  
29 justice training commission or his or her designee;

30       (k) A representative of the Washington association of prosecuting  
31 attorneys appointed by the association;

32       (l) The executive director of the office of public defense or his  
33 or her designee;

34       (m) Three representatives of community service providers that  
35 provide direct services to commercially sexually exploited children  
36 appointed by the attorney general;

37       (n) Two representatives of nongovernmental organizations familiar  
38 with the issues affecting commercially sexually exploited children  
39 appointed by the attorney general;

1 (o) The president of the superior court judges' association or  
2 his or her designee;

3 (p) The president of the juvenile court administrators or his or  
4 her designee;

5 (q) Any existing chairs of regional task forces on commercially  
6 sexually exploited children;

7 (r) A representative from the criminal defense bar;

8 (s) A representative of the center for children and youth  
9 justice;

10 (t) A representative from the office of crime victims advocacy;  
11 and

12 (u) The executive director of the Washington coalition of sexual  
13 assault programs.

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

15 (a) Overseeing and reviewing the implementation of the Washington  
16 state model protocol for commercially sexually exploited children at  
17 pilot sites;

18 (b) Receiving reports and data from local and regional entities  
19 regarding the incidence of commercially sexually exploited children  
20 in their areas as well as data information regarding perpetrators,  
21 geographic data and location trends, and any other data deemed  
22 relevant;

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

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

28 (e) Making recommendations regarding policy and legislative  
29 changes that would improve the effectiveness of the state's response  
30 to and promote best practices for suppression of the commercial  
31 sexual exploitation of children;

32 (f) Making recommendations regarding data collection useful to  
33 understanding or addressing the problem of commercially sexually  
34 exploited children; and

35 (g) Reviewing and making recommendations regarding strategic  
36 local investments or opportunities for federal and state funding to  
37 address the commercial sexual exploitation of children.

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

39 (5) The committee shall report its findings to the appropriate  
40 committees of the legislature and to any other known statewide

1 committees addressing trafficking or the commercial sex trade by June  
2 30(~~th of each year~~), 2017.

3 (6) This section expires June 30, (~~2015~~) 2017.

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

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

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

20 (b) The office of crime victims advocacy shall review and approve  
21 the initial form and content of the model notice to ensure the notice  
22 is appropriate for public display and likely to be an effective  
23 communication to reach human trafficking victims. The office of crime  
24 victims advocacy shall review the model notice on a yearly basis to  
25 ensure the information provided remains accurate.

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

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

32 NEW SECTION. **Sec. 6.** This act is necessary for the immediate  
33 preservation of the public peace, health, or safety, or support of  
34 the state government and its existing public institutions, and takes  
35 effect immediately.

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