

ESB 5355 - H COMM AMD  
By Committee on Education

ADOPTED AND ENGROSSED 04/10/2023

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

3 "NEW SECTION. **Sec. 1.** The legislature recognizes that:

4 (1) The United States has the second largest concentration of  
5 past and current trafficking victims, and Washington state is  
6 currently the sixth largest epicenter of sex trafficking in the  
7 United States.

8 (2) More than 45 percent of all sex trafficking victims are  
9 minors and attending our nation's schools every day.

10 (3) Currently, most trafficking avoids detection, with one study  
11 from the national institute of justice finding that "fewer than half  
12 of all suspected traffickers in the United States had been arrested."  
13 Recent national institute of justice supported research reveals that  
14 labor and sex trafficking data appearing in the federal bureau of  
15 investigation's national uniform crime reporting program may  
16 significantly understate the extent of trafficking crimes in the  
17 United States.

18 (4) The undefined nature of human trafficking contributes to  
19 widespread ignorance for public agencies in a position to address the  
20 crime. Sixty percent of state and local prosecutors nationwide "do  
21 not consider trafficking a problem in their jurisdictions," and over  
22 70 percent of local, state, and county law enforcement agencies  
23 wrongly "view human trafficking as rare or nonexistent" in their  
24 local communities.

25 (5) Nearly half of prosecutors and law enforcement agencies  
26 across the country are unaware of specific existing antitrafficking  
27 laws or definitions that constitute acts of human trafficking, which  
28 manifests in current ineffective mitigation strategies.

29 (6) Child sex trafficking survivors are disproportionately girls  
30 of color. In King county, 52 percent of all child sex trafficking  
31 victims are black and 84 percent of youth victims are female, while  
32 black girls comprise 1.1 percent of the population.

1 (7) Sex traffickers are not overgeneralized to any demographic  
2 but are disproportionately white men. In King county, 80 percent of  
3 sex traffickers are white men.

4 (8) Females of color bear the brunt of prostitution imprisonment  
5 as a result of sexual violence in sex trafficking due to mandatory  
6 arrests. For example, Latinx women account for nearly 61 percent of  
7 juvenile prostitution arrests. By contrast, sex traffickers face  
8 little to no consequences for their role in exploitation.

9 (9) Twenty-five service agencies participated in a 2007 survey.  
10 Nineteen of these agencies provided information that aligned with  
11 what are understood to be "red-flag" indicators of trafficking  
12 situations. Victimization and human trafficking are considerable  
13 concerns for eastern Washington, particularly Spokane, and there is a  
14 wide spectrum of trafficking activities that include sex slavery,  
15 forced prostitution, forced panhandling, farm labor, janitorial work,  
16 and domestic servitude.

17 (10) On any given day, between 300 and 500 people, some as young  
18 as 11 years old, are trafficked in the Puget Sound area for labor or  
19 sex.

20 (11) Intersectional, accurate, and actionable sex trafficking  
21 education is necessary to enable all students to break down  
22 stereotypes of affected parties in sex trafficking and provide them  
23 with tools for identifying and combatting this crime.

24 NEW SECTION. **Sec. 2.** A new section is added to chapter 28A.320  
25 RCW to read as follows:

26 (1) Beginning no later than the 2025-26 school year, school  
27 districts must offer instruction in sex trafficking awareness and  
28 prevention. The instruction may be offered beginning in grade seven,  
29 but each student must be offered the instruction at least once before  
30 completing grade 12. The instruction, at the discretion of the school  
31 or school district, may be integrated into a relevant course or a  
32 course may be repurposed to include the instruction.

33 (2) Subject to the availability of amounts appropriated for this  
34 specific purpose, on or before June 30, 2024, the office of the  
35 superintendent of public instruction must review curricula related to  
36 the awareness and prevention of sex trafficking.

37 (3) To the extent practicable, the office of the superintendent  
38 of public instruction must make available in the library of openly  
39 licensed courseware under RCW 28A.300.803, curricular resources

1 related to the awareness and prevention of sex trafficking that  
2 include:

3 (a) Information about the race, gender, and socioeconomic status  
4 of sex trafficking victims and perpetrators;

5 (b) Medically and legally accurate definitions of sex  
6 trafficking, and information about term stigmatization and how it may  
7 reduce reporting and increase the difficulty of detecting and  
8 prosecuting sex trafficking crimes;

9 (c) Information about reporting systems and community engagement  
10 opportunities with local, state, or national organizations against  
11 sex trafficking, and basic identification training to determine if an  
12 individual is at risk of or has been sex trafficked; and

13 (d) Information to help students recognize the signs and behavior  
14 changes in others that may indicate grooming for sex trafficking or  
15 other unlawful, coercive relationships.

16 (4) This section governs school operation and management under  
17 RCW 28A.710.040 and 28A.715.020, and applies to charter schools  
18 established under chapter 28A.710 RCW and state-tribal education  
19 compact schools established under chapter 28A.715 RCW to the same  
20 extent as it applies to school districts.

21 NEW SECTION. **Sec. 3.** A new section is added to chapter 28A.300  
22 RCW to read as follows:

23 The child sexual abuse and sex trafficking prevention and  
24 identification public-private partnership account is created in the  
25 custody of the state treasurer. All receipts from gifts, grants, or  
26 endowments from public or private sources, federal funds, and any  
27 appropriations made by the legislature or other sources must be  
28 deposited into the account. Expenditures from the account may be used  
29 only for curriculum and professional development to support  
30 instruction on child sexual abuse and sex trafficking prevention and  
31 identification. Only the superintendent of public instruction or the  
32 superintendent's designee may authorize expenditures from the  
33 account. The account is subject to allotment procedures under chapter  
34 43.88 RCW, but an appropriation is not required for expenditures."

35 Correct the title.

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