
Public Safety Committee

HB 1139

Brief Description: Establishing a work group to study human trafficking of youth issues.

Sponsors: Representatives Orwall, Kochmar, Appleton, Tarleton, Ortiz-Self, Hayes, Zeiger, Gregerson, Bergquist, Ormsby, Senn, S. Hunt, Riccelli, Ryu, Fey and Santos.

Brief Summary of Bill

- Creates a work group, staffed by the Department of Commerce, to study the prosecution of juveniles for prostitution offenses and the provision of services to such juveniles.
- Requires the work group to meet twice annually and report its findings each year until June 30, 2017.

Hearing Date: 1/27/15

Staff: Cassie Jones (786-7303).

Background:

In 2010 chapter 289, Laws of 2010 (ESSB 6476) was enacted. This law contained the following provisions:

- Required the Department of Social and Health Services to connect a youth with services and treatment who has been diverted for a prostitution or prostitution loitering offense.
- Deemed a minor a victim of a criminal act for purposes of Crime Victims Compensation if the youth was identified as a "minor" in the charge of crimes such as Commercial Sexual Abuse of a Minor even if the youth was also charged with prostitution.
- Required prosecutors to divert a juvenile's first offense for prostitution or prostitution loitering.
- Allowed prosecutors to divert a juvenile's second or subsequent offense for prostitution or prostitution loitering if the offense was alleged to have occurred in a county which has a comprehensive program that provides safe and stable housing, comprehensive on-site

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case management, integrated mental health and chemical dependency services, education and employment training delivered on-site, and referrals to off-site specialized services.

In 2013 Chapter 121, Laws of 2013 (ESHB 1291) was enacted. This law created the Statewide Coordinating Committee on Sex Trafficking (SCC) to address issues of sex trafficking, to examine the practices of local and regional entities involved in addressing sex trafficking, and to develop a statewide plan to address sex trafficking. In December of 2013, the SCC recommended in its report to the Legislature that a work group be convened to examine the implementation of ESSB 6476, known as the Safe Harbor Law, and the issues and questions associated with a child welfare response to the commercial sexual exploitation of children. The SCC recommended that the work group review the implementation of ESSB 6467, the extent to which the law is understood and applied throughout the state, and any barriers that exist to its full implementation.

Summary of Bill:

A work group is created to study the implementation of ESSB 6476 throughout the state and report its findings and recommendations. The President of the Senate will appoint one member from each of the two largest caucuses of the Senate and the Speaker of the House of Representatives will appoint one member from each of the two largest caucuses of the House of Representatives. In addition, membership in the work group will be comprised of representatives from the following groups:

- the Washington State Patrol;
- the Washington Association of Sheriffs and Police Chiefs;
- the Washington Association of Prosecuting Attorneys;
- the Washington Defender's Association or Washington Association of Criminal Defense Attorneys;
- the Washington Coalition of Sexual Assault Programs;
- the Office of Crime Victims Advocacy;
- the Office of the Attorney General;
- the Washington State Criminal Justice Training Commission;
- community advocacy groups addressing issues of human trafficking of youth;
- community service providers that serve youth victims of human trafficking; and
- survivors of human trafficking.

The work group shall review the extent to which ESSB 6476 is understood and applied by enforcement authorities. The work group will also research any barriers that exist to full implementation of ESSB 6476. The work group will also make recommendations regarding the policies of eliminating prosecution of juveniles for prostitution offenses and providing services to juveniles in lieu of prosecution. The work group will report to the Legislature and Governor annually and expires on June 30, 2017.

Appropriation: None.

Fiscal Note: Requested on January 21, 2015.

Effective Date: The bill takes effect 90 days after adjournment of the session in which the bill is passed.