
SUBSTITUTE HOUSE BILL 1989

State of Washington

67th Legislature

2022 Regular Session

By House Children, Youth & Families (originally sponsored by Representatives Orwall, Taylor, Berry, J. Johnson, Shewmake, Sutherland, and Pollet)

READ FIRST TIME 02/03/22.

1 AN ACT Relating to commercially sexually exploited children and
2 adults; amending RCW 7.68.380 and 43.185C.260; and adding a new
3 section to chapter 7.68 RCW.

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

5 NEW SECTION. **Sec. 1.** A new section is added to chapter 7.68 RCW
6 to read as follows:

7 (1) For the purposes of this section, the following definitions
8 apply:

9 (a) "Commercial sexual exploitation of an adult" means another
10 person or circumstance such as systematic discrimination, poverty,
11 prior victimization or trauma, substance abuse, lack of housing,
12 education, health care or any other basic need or vulnerability that
13 compels the adult to enter or remain in the sex trade.

14 (b) "Department" means the department of commerce.

15 (c) "Healing and transition center" or "center" means a safe,
16 trauma-informed location that provides healing services that meet the
17 multidisciplinary needs of commercially sexually exploited adults
18 ages 18 and older.

19 (d) "Healing services" means assistance or referrals for clients
20 with basic, ongoing needs such as chemical dependency assessment and
21 treatment, clothing, food, health care, housing, individual and group

1 counseling, legal advocacy, mental health assessment and treatment,
2 safety assessment and planning, translation services, and
3 educational, training, and employment opportunities.

4 (2) Subject to the availability of amounts appropriated for this
5 specific purpose, the department shall administer funding for healing
6 and transition centers for commercially sexually exploited adults. At
7 least one of the centers must be located east of the crest of the
8 Cascade mountains, and at least one of the centers must be located
9 west of the crest of the Cascade mountains. Law enforcement and
10 service providers may refer adults to the healing and transition
11 centers or adults may self-refer to the centers.

12 (3) The healing and transition centers receiving funding under
13 this section must:

14 (a) Offer healing services designed to enhance safety to reduce
15 and prevent further exploitation;

16 (b) Provide ongoing services for adults who are being served or
17 were served by the center;

18 (c) Provide culturally competent services to the underserved
19 populations in the region, which are most impacted by commercial
20 sexual exploitation. Depending on the region, underserved populations
21 may include people who are African American, Indigenous, LGBTQ2SIA+,
22 or Latinx;

23 (d) Incorporate into the program leadership from communities with
24 unique risk factors for violence and exploitation in the commercial
25 sex trade, survivor leadership, survivor-informed services, and
26 survivor mentorship;

27 (e) Meet core needs, provide long-term services, and offer skill
28 training to increase the range of options available to participants,
29 including an exit path from the commercial sex trade;

30 (f) Regularly participate in coordination meetings for healing
31 and transition centers; and

32 (g) Provide training and information to law enforcement officers,
33 service providers and other first responders, and communities with
34 culturally specific risk factors for commercial sexual exploitation
35 on how to engage and refer individuals to these services.

36 (4) The department shall:

37 (a) Prioritize funding for centers located in underserved areas
38 of the state that have a need for healing services;

1 (b) Provide additional funding to one center for the purpose of
2 convening statewide coordination meetings no less than quarterly for
3 the centers and related service providers;

4 (c) Issue a request for proposals for healing and transition
5 centers by September 1, 2022;

6 (d) Include diverse community representatives who have lived
7 experience of exiting commercial sexual exploitation in the
8 development of the request for proposals and prioritization of
9 funding;

10 (e) Collect nonidentifiable demographic data, data on the entry
11 path to commercial sexual exploitation, and data on the exit path of
12 clients served by the centers, including whether clients are current
13 or former foster youth; and

14 (f) Beginning December 1, 2023, submit an annual report to:

15 (i) The relevant committees of the legislature that includes a
16 summary of the demographic data, data on the entry path to sexual
17 commercial exploitation, data on the exit path of center clients, and
18 any recommendations for modification or expansion of the centers; and

19 (ii) The department of children, youth, and families that
20 includes data on current and former foster youth served by the
21 centers. The department of children, youth, and families shall use
22 the data for coordination with its liaisons for commercially sexually
23 exploited children.

24 **Sec. 2.** RCW 7.68.380 and 2020 c 331 s 2 are each amended to read
25 as follows:

26 (1) Subject to the availability of amounts appropriated for this
27 specific purpose, the department of children, youth, and families
28 shall administer funding for ~~((two))~~ receiving center programs for
29 commercially sexually exploited children. ~~((One))~~ At least one of
30 these programs must be located west of the crest of the Cascade
31 mountains, and at least one of these programs must be located east of
32 the crest of the Cascade mountains. Law enforcement and service
33 providers may refer children to these programs or children may self-
34 refer into these programs.

35 ~~((The receiving center programs established under this
36 section shall:~~

37 ~~(a) Begin providing services by January 1, 2021;~~

38 ~~(b) Utilize existing facilities and not require the construction
39 of new facilities; and~~

1 ~~(c) Provide ongoing case management for all children who are~~
2 ~~being served or were served by the programs.~~

3 ~~(3))~~ The receiving centers established under this section shall:

4 (a) Include a short-term evaluation function that is accessible
5 twenty-four hours per day seven days per week that has the capacity
6 to evaluate the immediate needs of commercially sexually exploited
7 children ages twelve through seventeen and either meet those
8 immediate needs or refer those children to the appropriate services;

9 (b) Assess children for mental health and substance use disorder
10 needs and provide appropriate referrals as needed; ~~((and))~~

11 (c) Provide individual and group counseling focused on developing
12 and strengthening coping skills, and improving self-esteem and
13 dignity;

14 (d) Provide shelter and services within the receiving center for
15 up to 30 days; and

16 (e) Provide ongoing case management for all children who are
17 being served or were served by the programs.

18 ~~((4))~~ (3) The department of children, youth, and families
19 shall:

20 (a) Collect nonidentifiable demographic data of the children
21 served by the programs established under this section;

22 (b) Collect data regarding the locations that children exit to
23 after being served by the programs; and

24 (c) Report the data described in this subsection along with
25 recommendations for modification or expansion of these programs to
26 the relevant committees of the legislature by December 1, 2022.

27 ~~((5))~~ (4) For the purposes of this section, the following
28 definitions apply:

29 (a) "Receiving center" means a trauma-informed, secure location
30 that meets the multidisciplinary needs of commercially sexually
31 exploited children ages twelve through seventeen located in a
32 behavioral health agency licensed or certified under RCW 71.24.037 to
33 provide inpatient or residential treatment services; and

34 (b) "Short-term evaluation function" means a short-term emergency
35 shelter that is accessible twenty-four hours per day seven days per
36 week that has the capacity to evaluate the immediate needs of
37 commercially sexually exploited children under age eighteen and
38 either meet those immediate needs or refer those children to the
39 appropriate services.

1 ~~((6)(a))~~ (5) The department of children, youth, and families,
2 the department of health, and the division of behavioral health and
3 recovery, shall meet to coordinate the implementation of receiving
4 centers as provided for in this section, including developing
5 eligibility criteria for serving commercially sexually exploited
6 children that allows referral from service providers and prioritizes
7 referral from law enforcement.

8 ~~((b) By December 1, 2020, and in compliance with RCW 43.01.036,
9 the department of children, youth, and families shall submit a report
10 to the governor and legislature summarizing the implementation plan
11 and eligibility criteria as described in (a) of this subsection, and
12 provide any additional policy recommendations regarding receiving
13 centers as it deems necessary.))~~

14 **Sec. 3.** RCW 43.185C.260 and 2020 c 331 s 8 are each amended to
15 read as follows:

16 (1) A law enforcement officer shall take a child into custody:

17 (a) If a law enforcement agency has been contacted by the parent
18 of the child that the child is absent from parental custody without
19 consent; or

20 (b) If a law enforcement officer reasonably believes, considering
21 the child's age, the location, and the time of day, that a child is
22 in circumstances which constitute a danger to the child's safety or
23 that a child is violating a local curfew ordinance; or

24 (c) If an agency legally charged with the supervision of a child
25 has notified a law enforcement agency that the child has run away
26 from placement.

27 (2) Law enforcement custody shall not extend beyond the amount of
28 time reasonably necessary to transport the child to a destination
29 authorized by law and to place the child at that destination. Law
30 enforcement custody continues until the law enforcement officer
31 transfers custody to a person, agency, or other authorized entity
32 under this chapter, or releases the child because no placement is
33 available. Transfer of custody is not complete unless the person,
34 agency, or entity to whom the child is released agrees to accept
35 custody.

36 (3) If a law enforcement officer takes a child into custody
37 pursuant to either subsection (1)(a) or (b) of this section and
38 transports the child to a crisis residential center, the officer
39 shall, within twenty-four hours of delivering the child to the

1 center, provide to the center a written report detailing the reasons
2 the officer took the child into custody. The center shall provide the
3 department of children, youth, and families with a copy of the
4 officer's report if the youth is in the care of or receiving services
5 from the department of children, youth, and families.

6 (4) If the law enforcement officer who initially takes the
7 juvenile into custody or the staff of the crisis residential center
8 have reasonable cause to believe that the child is absent from home
9 because he or she is abused or neglected, a report shall be made
10 immediately to the department of children, youth, and families.

11 (5) Nothing in this section affects the authority of any
12 political subdivision to make regulations concerning the conduct of
13 minors in public places by ordinance or other local law.

14 (6) If a law enforcement officer has a reasonable suspicion that
15 a child is being unlawfully harbored in violation of RCW 13.32A.080,
16 the officer shall remove the child from the custody of the person
17 harboring the child and shall transport the child to one of the
18 locations specified in RCW 43.185C.265.

19 (7) If a law enforcement officer takes a juvenile into custody
20 pursuant to subsection (1)(b) of this section and reasonably believes
21 that the juvenile may be the victim of sexual exploitation, the
22 officer shall:

23 (a) Transport the child to:

24 (i) An evaluation and treatment facility as defined in RCW
25 71.34.020, including the receiving centers established in RCW
26 7.68.380, for purposes of evaluation for behavioral health treatment
27 authorized under chapter 71.34 RCW, including adolescent-initiated
28 treatment, family-initiated treatment, or involuntary treatment;
29 (~~(e)~~)

30 (ii) Another appropriate youth-serving entity or organization
31 including, but not limited to:

32 (A) A HOPE Center as defined under RCW 43.185C.010;

33 (B) A foster family home as defined under RCW 74.15.020;

34 (C) A crisis residential center as defined under RCW 43.185C.010;

35 or

36 (D) A community-based program that has expertise working with
37 adolescents in crisis; or

38 (iii) A parent or legal guardian; or

39 (b) Coordinate transportation to one of the locations identified
40 in (a) of this subsection, with a liaison dedicated to serving

1 commercially sexually exploited children established under RCW
2 74.14B.070 or a community service provider.

3 (8) Law enforcement shall have the authority to take into
4 protective custody a child who is or is attempting to engage in
5 sexual conduct with another person for money or anything of value for
6 purposes of investigating the individual or individuals who may be
7 exploiting the child and deliver the child to an evaluation and
8 treatment facility as defined in RCW 71.34.020, including the
9 receiving centers established in RCW 7.68.380, for purposes of
10 evaluation for behavioral health treatment authorized under chapter
11 71.34 RCW, including adolescent-initiated treatment, family-initiated
12 treatment, or involuntary treatment.

13 (9) No child may be placed in a secure facility except as
14 provided in this chapter.

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