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**ENGROSSED SENATE BILL 5355**

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**State of Washington 68th Legislature 2023 Regular Session**

**By** Senators C. Wilson, Kuderer, Lovelett, Nguyen, Randall, Valdez, and Wellman

AN ACT Relating to mandating instruction on sex trafficking prevention and identification for students in grades seven through 12; adding a new section to chapter 28A.320 RCW; adding a new section to chapter 28A.300 RCW; and creating a new section.

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

NEW SECTION. **Sec.**  The legislature recognizes that:

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

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

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

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

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

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

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

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

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

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

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

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

(1) Beginning no later than the 2025-26 school year, school districts must provide instruction on sex trafficking prevention and identification at least once between grades seven and 12.

(2) The instruction may be integrated into other relevant courses, or an existing course may be repurposed to include this instruction depending on the school or school district funding and circumstances.

(3) The instruction required under this section must include the following:

(a) Information related to race, gender, and socioeconomic status in sex trafficking as it relates to both victims and perpetrators, including issues of intersectionality and legislative implications of these categories;

(b) Medically and legally accurate definitions of sex trafficking and information related to how terms become stigmatized, which in turn leads to a lack of reporting and difficulties with detecting and prosecuting the crime; and

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

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

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

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