

SENATE BILL REPORT

SB 6652

As Reported By Senate Committee On:
Human Services & Corrections, February 1, 2006
Ways & Means, February 7, 2006

Title: An act relating to victims of human trafficking.

Brief Description: Protecting victims of human trafficking.

Sponsors: Senators Kohl-Welles, Kline, Fraser, Keiser and McAuliffe.

Brief History:

Committee Activity: Human Services & Corrections: 1/30/06, 2/1/06 [DPS].
Ways & Means: 2/7/06 [DPS(HSC)].

SENATE COMMITTEE ON HUMAN SERVICES & CORRECTIONS

Majority Report: That Substitute Senate Bill No. 6652 be substituted therefor, and the substitute bill do pass.

Signed by Senators Hargrove, Chair; Regala, Vice Chair; Stevens, Ranking Minority Member; Brandland, Carrell, McAuliffe and Thibaudeau.

Staff: Shani Bauer (786-7468)

SENATE COMMITTEE ON WAYS & MEANS

Majority Report: That Substitute Senate Bill No. 6652 as recommended by Committee on Human Services & Corrections be substituted therefor, and the substitute bill do pass.

Signed by Senators Prentice, Chair; Fraser, Vice Chair, Capital Budget Chair; Doumit, Vice Chair, Operating Budget; Zarelli, Ranking Minority Member; Brandland, Fairley, Kohl-Welles, Parlette, Pflug, Pridemore, Rasmussen, Regala, Roach, Rockefeller, Schoesler and Thibaudeau.

Staff: Kirstan Arestad (786-7708)

Background: Human trafficking generally involves the recruitment, transportation, or sale of persons for labor. Labor is forced and maintained through violence, threats, and coercion. A person may be trafficked for a number of reasons including forced prostitution, exploitative domestic service in private homes, and indentured servitude in sweatshops.

The Legislature has previously taken several actions to address the crime of human trafficking and provide assistance to victims.

- (2002) The Washington State Task Force Against the Trafficking of Persons was created, chaired by the Director of the Department of Community, Trade, and Economic Development (CTED). The task force identified federal and state programs

that provide services to victims of trafficking, made recommendations on methods to provide a coordinated system of support and assistance to victims of trafficking, and issued a final report to the Governor and Legislature in June, 2004, when the task force expired.

- (2002) The Mail Order Bride Act was passed, requiring international matchmaking agencies to provide criminal and marital background information on a person using the agency to meet prospective partners.
- (2003) Two crime definitions were created relating to the trafficking of persons. In addition, the definition of criminal profiteering in the Criminal Profiteering Act was expanded to include the crime of trafficking.
- (2005) SB 5127 created a work group, chaired by CTED, to develop written protocols for the delivery of services to victims of trafficking of humans. The work group was also required to establish an electronic database of agencies that provide services to victims. Final written protocols were due to the Legislature in January 2006.
- (2005) State funds are allowed to be used in providing legal aid to undocumented aliens who are victims of sexual assault, domestic violence, or human trafficking.

Summary of Substitute Bill: A task force is authorized through June 30, 2011, to provide guidance to state leaders in responding to the crime of human trafficking and provide services to human trafficking victims.

The task force is required to measure the state's progress in preventing human trafficking; identify programs that provide services to victims of human trafficking; make recommendations for a coordinated support system for victims; examine model state legislation; oversee the ongoing efforts of state agencies to develop human trafficking protocols; review mandatory reporting laws; and consider other relevant topics.

Task force membership is prescribed. The CTED is required to chair the task force and provide necessary administrative and clerical support. An interim report to the Governor and Legislature is required by January 1, 2008, and a final report by June 30, 2011. If funding for the task force is not provided by June 30, 2006 in the Omnibus Appropriations Act, the task force provisions are null and void.

A victim of human trafficking may apply to the Secretary of State for an alternate address for the receipt of service of process or mail if the victim believes the disclosure of his or her address would endanger the victim's safety.

Substitute Bill Compared to Original Bill: A catch-all provision is added to the task force's responsibilities to address and consider other relevant topics. Technical language is corrected in referring to CTED.

Specific task force activities are directed to be completed by January 1, 2008.

CTED is no longer required to staff the task force within existing resources and the provisions related to the creation of a task force are null and void if not funded by the Omnibus Appropriations Act by June 30, 2006.

Appropriation: Yes.

Fiscal Note: Requested on 1/27/06.

Committee/Commission/Task Force Created: Yes.

Effective Date: Ninety days after adjournment of session in which bill is passed.

Testimony For (Human Services & Corrections): Human trafficking victims are victims of modern day slavery and robbed of their soul and personal identity. Further, they have no means of helping themselves escape these situations. It is believed that there are way more victims of human trafficking than are known. Because of the state's proximity and port, this is a problem in our state. We need to know more, make sure agencies are knowledgeable about these victims, and know how to provide services. It is critical that the task force activities be funded. With the changing administration, there is no guarantee that federal funding will continue.

Testimony Against (Human Services & Corrections): None.

Who Testified (Human Services & Corrections): PRO: Senator Kohl-Welles, Emma Catague, Asian & Pacific Islander Women & Family Safety; Bev Emery, Office of Crime Victims Advocacy; Edgar Mason, Washington Anti-Trafficking Response Network.

Testimony For (Ways & Means): The bill authorizes a task force to address the issue of human trafficking and to provide services to victims.

Testimony Against (Ways & Means): None.

Who Testified (Ways & Means): PRO: Senator Kohl-Welles, prime sponsor.