

SENATE BILL REPORT

SHB 2644

As of February 14, 2014

Title: An act relating to coercion of involuntary servitude.

Brief Description: Concerning coercion of involuntary servitude.

Sponsors: House Committee on Public Safety (originally sponsored by Representatives Ryu, Nealey, Moscoso, Sells, Appleton, Kagi, Haler, Gregerson, Orwall, Wylie, Roberts, Reykdal, Senn, Robinson, Farrell, Tarleton, Tharinger, Freeman, Walkinshaw, Jinkins, Morrell, Clibborn, Haigh, Pettigrew, Rodne, Moeller, Pollet, Bergquist, S. Hunt, Sawyer, Green, Stanford, Ormsby and Santos).

Brief History: Passed House: 2/12/14, 93-4; 2/12/14, 87-10.

Committee Activity: Law & Justice:

SENATE COMMITTEE ON LAW & JUSTICE

Staff: Tim Ford (786-7423)

Background: A person is guilty of coercion for the use of a threat to compel or induce a person to engage in conduct which the latter has a legal right to abstain from, or to abstain from conduct which the person has a legal right to engage in. Coercion is a gross misdemeanor. Involuntary servitude is when a victim is forced to work by the use or threat of physical restraint or physical injury, or by coercion through law or legal process.

A person is guilty of trafficking if the person:

- recruits, harbors, transports, transfers, provides, obtains, or receives by any means another person, knowing that force, fraud, or coercion will be used to cause the person to engage in forced labor, involuntary servitude, a sexually explicit act, or a commercial sex act, or that the person has not reached the age of 18 years and is caused to engage in a sexually explicit act or a commercial sex act; or
- benefits financially or receives anything of value from participation in a venture that has engaged in the above acts.

The offense is trafficking in the first degree if the acts involve kidnapping, sexual motivation, illegal harvesting of human organs, or result in a death; otherwise, the offense is trafficking in the second degree. Trafficking in the first degree is a class A felony, with a seriousness

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.

level of XIV. Trafficking in the second degree is a class A felony, with a seriousness level of XII.

Summary of Bill: A person commits coercion of involuntary servitude if that person coerces another person to perform labor or services by:

- withholding or threatening to withhold or destroy documents relating to a person's immigration status; or
- threatening to notify law enforcement officials that a person is present in the United States in violation of federal immigration laws.

A person may commit coercion of involuntary servitude regardless of whether the person provides any sort of compensation or benefits to the person who is coerced.

Reporting to law enforcement that a person is present in the United States in violation of federal immigration laws is not a threat for the purposes of this offense.

Coercion of involuntary servitude is an unranked class C felony.

Involuntary servitude means a condition of servitude in which the victim was forced to work by the use or threat of physical restraint or physical injury, by the use of threat of coercion through law or legal process, or through coercion of involuntary servitude.

Appropriation: None.

Fiscal Note: Available.

Committee/Commission/Task Force Created: No.

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