

FINAL BILL REPORT

SSB 6339

C 52 L 14
Synopsis as Enacted

Brief Description: Concerning coercion of involuntary servitude.

Sponsors: Senate Committee on Law & Justice (originally sponsored by Senators Fraser, Roach, Kohl-Welles, Benton, Hasegawa, Chase, Keiser and Kline).

Senate Committee on Law & Justice
House Committee on Public Safety

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

Summary: A person commits coercion of involuntary servitude by coercing 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.

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.

Coercion does not include a report to law enforcement that a person is present in the United States in violation of federal immigration status.

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. 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.

Votes on Final Passage:

Senate	48	0
House	83	15

Effective: June 12, 2014