

SSB 5884 - S AMD 108

By Senators Padden, Kohl-Welles

ADOPTED 3/11/2015

1 Strike everything after the enacting clause and insert the
2 following:

3 "NEW SECTION. **Sec. 1.** (1) The legislature has long been
4 committed to increasing access to support services for human
5 trafficking victims and promoting awareness of human trafficking
6 throughout Washington state. In 2002, Washington was the first state
7 to work on human trafficking by enacting new laws and by creating an
8 antitrafficking task force. In 2003, Washington was the first state
9 to enact a law making human trafficking a crime.

10 Since 2002, the Washington state legislature has enacted thirty-
11 eight laws to combat human trafficking. In 2013 and 2014, Washington
12 received top marks from two leading nongovernmental organizations for
13 the strength of its antitrafficking laws. The polaris project gave
14 Washington a perfect score of ten and Washington received an "A"
15 report card from shared hope international's protected innocence
16 challenge. In light of the 2010 winter olympic games taking place in
17 Vancouver, British Columbia, the legislature enacted RCW 47.38.080,
18 permitting an approved nonprofit to place informational human
19 trafficking posters in restrooms located in rest areas along
20 Interstate 5. Sporting events, such as the winter olympic games or
21 the upcoming 2015 United States open golf tournament at Chambers Bay,
22 provide lucrative opportunities for human traffickers to exploit
23 adults and children for labor and sexual services. The legislature
24 finds that an effective way to combat human trafficking is to
25 increase awareness of human trafficking for both victims and the
26 general public alike as well as who and how to contact for help and
27 support services, for both victims and the general public alike.

28 (2) Human trafficking data are primarily obtained through a
29 hotline reporting system in which victims and witnesses can report
30 cases of human trafficking over the phone. Since 2007, there have
31 been one thousand eight hundred fifty human trafficking calls made
32 through the human trafficking victim hotline system in Washington
33 state, and a total of four hundred thirty-two human trafficking cases

1 reported. It is the intent of the legislature to facilitate an even
2 wider scope of communication with human trafficking victims and
3 witnesses by requiring human trafficking information to be posted in
4 all public restrooms.

5 NEW SECTION. **Sec. 2.** A new section is added to chapter 7.68 RCW
6 to read as follows:

7 (1) The office of crime victims advocacy is designated as the
8 single point of contact in state government regarding the trafficking
9 of persons.

10 (2) The Washington state clearinghouse on human trafficking is
11 created as an information portal to share and coordinate statewide
12 efforts to combat the trafficking of persons. The clearinghouse will
13 include an internet web site operated by the office of crime victims
14 advocacy, and will serve the following functions:

15 (a) Coordinating information regarding all statewide task forces
16 relating to the trafficking of persons including, but not limited to,
17 sex trafficking, commercial sexual exploitation of children, and
18 labor trafficking;

19 (b) Publishing the findings and legislative reports of all
20 statewide task forces relating to the trafficking of persons;

21 (c) Providing a comprehensive directory of resources for victims
22 of trafficking; and

23 (d) Collecting and disseminating up-to-date information regarding
24 the trafficking of persons, including news and legislative efforts,
25 both state and federal.

26 **Sec. 3.** RCW 7.68.350 and 2003 c 266 s 1 are each amended to read
27 as follows:

28 (1) There is created the Washington state task force against the
29 trafficking of persons.

30 (2)(a) The task force shall consist of the following members:

31 ((+a)) (i) One member from each of the two largest caucuses of
32 the senate, appointed by the president of the senate;

33 (ii) One member from each of the two largest caucuses of the
34 house of representatives, appointed by the speaker of the house of
35 representatives;

36 (iii) The director of the office of ((community development))
37 crime victims advocacy, or the director's designee;

1 ~~((b))~~ (iv) The secretary of the department of health, or the
2 secretary's designee;

3 ~~((c))~~ (v) The secretary of the department of social and health
4 services, or the secretary's designee;

5 ~~((d))~~ (vi) The director of the department of labor and
6 industries, or the director's designee;

7 ~~((e))~~ (vii) The commissioner of the employment security
8 department, or the commissioner's designee;

9 ~~((f—Nine))~~ (viii) The attorney general or the attorney
10 general's designee;

11 (ix) The superintendent of public instruction or the
12 superintendent of public instruction's designee;

13 (x) The director of the department of agriculture or the
14 director's designee;

15 (xi) At least one member who is a survivor of human trafficking;

16 (xii) Eleven members, selected by the director of the office of
17 ~~((community—development))~~ crime victims advocacy, that represent
18 public, community-based nonprofit, and private sector organizations
19 ~~((that)), academic institutions, research-based organizations, faith-~~
20 based organizations, including organizations that are diverse in
21 viewpoint, geography, ethnicity, and culture, and in the populations
22 served. The members must provide, directly or through their
23 organizations, assistance to persons who are victims and survivors of
24 trafficking, or who work on antitrafficking efforts as part of their
25 organization's work, or both.

26 (b) Additional members may be selected as determined by the
27 director of the office of crime victims advocacy to ensure
28 representation of interested groups.

29 (3) The task force shall be chaired by the director of the office
30 of ~~((community—development))~~ crime victims advocacy, or the
31 director's designee.

32 (4) The task force shall ~~((carry—out))~~ determine the areas of
33 focus and activity including, but not limited to, the following
34 activities:

35 (a) Measure and evaluate the resource needs of victims and
36 survivors of human trafficking and the progress of the state in
37 trafficking prevention activities, as well as what is being done in
38 other states and nationally to combat human trafficking;

39 (b) Identify available federal, state, and local programs that
40 provide services to victims and survivors of trafficking that

1 include, but are not limited to, health care, human services,
2 housing, education, legal assistance, job training or preparation,
3 interpreting services, English as a second language classes, and
4 victim's compensation; (~~and~~)

5 (c) Make recommendations on methods to provide a coordinated
6 system of support and assistance to persons who are victims of
7 trafficking; and

8 (d) Review the statutory response to human trafficking, analyze
9 the impact and effectiveness of strategies contained in the current
10 state laws, and make recommendations on legislation to further the
11 state's antitrafficking efforts.

12 (5) The task force shall report its (~~supplemental~~) findings and
13 make recommendations to the governor and legislature (~~by June 30,~~
14 ~~2004~~) as needed.

15 (6) The office of (~~community development~~) crime victims
16 advocacy shall provide necessary administrative and clerical support
17 to the task force, within available resources.

18 (7) The members of the task force shall serve without
19 compensation, but shall be reimbursed for travel expenses as provided
20 in RCW 43.03.050 and 43.03.060, within available resources.

21 (~~(8) The task force expires June 30, 2004.~~)

22 **Sec. 4.** RCW 7.68.801 and 2013 c 253 s 1 are each amended to read
23 as follows:

24 (1) The commercially sexually exploited children statewide
25 coordinating committee is established to address the issue of
26 children who are commercially sexually exploited, to examine the
27 practices of local and regional entities involved in addressing
28 sexually exploited children, and to make recommendations on statewide
29 laws and practices.

30 (2) The committee is convened by the office of the attorney
31 general and consists of the following members:

32 (a) One member from each of the two largest caucuses of the house
33 of representatives appointed by the speaker of the house;

34 (b) One member from each of the two largest caucuses of the
35 senate appointed by the speaker of the senate;

36 (c) A representative of the governor's office appointed by the
37 governor;

38 (d) The secretary of the children's administration or his or her
39 designee;

- 1 (e) The secretary of the juvenile rehabilitation administration
2 or his or her designee;
- 3 (f) The attorney general or his or her designee;
- 4 (g) The superintendent of public instruction or his or her
5 designee;
- 6 (h) A representative of the administrative office of the courts
7 appointed by the administrative office of the courts;
- 8 (i) The executive director of the Washington association of
9 sheriffs and police chiefs or his or her designee;
- 10 (j) The executive director of the Washington state criminal
11 justice training commission or his or her designee;
- 12 (k) A representative of the Washington association of prosecuting
13 attorneys appointed by the association;
- 14 (l) The executive director of the office of public defense or his
15 or her designee;
- 16 (m) Three representatives of community service providers that
17 provide direct services to commercially sexually exploited children
18 appointed by the attorney general;
- 19 (n) Two representatives of nongovernmental organizations familiar
20 with the issues affecting commercially sexually exploited children
21 appointed by the attorney general;
- 22 (o) The president of the superior court judges' association or
23 his or her designee;
- 24 (p) The president of the juvenile court administrators or his or
25 her designee;
- 26 (q) Any existing chairs of regional task forces on commercially
27 sexually exploited children;
- 28 (r) A representative from the criminal defense bar;
- 29 (s) A representative of the center for children and youth
30 justice;
- 31 (t) A representative from the office of crime victims advocacy;
32 and
- 33 (u) The executive director of the Washington coalition of sexual
34 assault programs.

35 (3) The duties of the committee include, but are not limited to:

36 (a) Overseeing and reviewing the implementation of the Washington
37 state model protocol for commercially sexually exploited children at
38 pilot sites;

39 (b) Receiving reports and data from local and regional entities
40 regarding the incidence of commercially sexually exploited children

1 in their areas as well as data information regarding perpetrators,
2 geographic data and location trends, and any other data deemed
3 relevant;

4 (c) Receiving reports on local coordinated community response
5 practices and results of the community responses;

6 (d) Reviewing recommendations from local and regional entities
7 regarding policy and legislative changes that would improve the
8 efficiency and effectiveness of local response practices;

9 (e) Making recommendations regarding policy and legislative
10 changes that would improve the effectiveness of the state's response
11 to and promote best practices for suppression of the commercial
12 sexual exploitation of children;

13 (f) Making recommendations regarding data collection useful to
14 understanding or addressing the problem of commercially sexually
15 exploited children; and

16 (g) Reviewing and making recommendations regarding strategic
17 local investments or opportunities for federal and state funding to
18 address the commercial sexual exploitation of children.

19 (4) The committee must meet no less than annually.

20 (5) The committee shall report its findings to the appropriate
21 committees of the legislature and to any other known statewide
22 committees addressing trafficking or the commercial sex trade by June
23 30(~~th of each year~~), 2017.

24 (6) This section expires June 30, (~~2015~~) 2017.

25 NEW SECTION. **Sec. 5.** A new section is added to chapter 47.38
26 RCW to read as follows:

27 (1) Every establishment that maintains restrooms for use by the
28 public may voluntarily, upon availability of the model notice as
29 described in subsection (2) of this section, post a notice that
30 complies with the requirements of this section in a conspicuous place
31 within all restrooms of the establishment in clear view of the public
32 and employees. The office of crime victims advocacy may work with
33 businesses and other establishments and with human trafficking victim
34 advocates to adopt policies for the placement of such notices.

35 (2)(a) The model notice that may be voluntarily posted pursuant
36 to subsection (1) of this section may be in a variety of languages
37 and include toll-free telephone numbers a person may call for
38 assistance, including the number for the national human trafficking

1 resource center and the number for the Washington state office of
2 crime victims advocacy.

3 (b) The office of crime victims advocacy shall review and approve
4 the initial form and content of the model notice to ensure the notice
5 is appropriate for public display and likely to be an effective
6 communication to reach human trafficking victims. The office of crime
7 victims advocacy shall review the model notice on a yearly basis to
8 ensure the information provided remains accurate.

9 (3) The cost of production, printing, and posting of the model
10 notices shall be paid by a participating nonprofit at no cost to the
11 state.

12 (4) The office of crime victims advocacy must provide a report to
13 the appropriate committees of the legislature no later than December
14 31, 2016, regarding the voluntary participation in this effort.

15 NEW SECTION. **Sec. 6.** This act is necessary for the immediate
16 preservation of the public peace, health, or safety, or support of
17 the state government and its existing public institutions, and takes
18 effect immediately."

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19 On page 1, line 1 of the title, after "persons;" strike the
20 remainder of the title and insert "amending RCW 7.68.350 and
21 7.68.801; adding a new section to chapter 7.68 RCW; adding a new
22 section to chapter 47.38 RCW; creating a new section; providing an
23 expiration date; and declaring an emergency."

EFFECT: The human trafficking task force members include one
appointed legislator from each chamber and at least one human
trafficking survivor. The office of crime victims advocacy director
may appoint additional task force members from public, private, and
community nonprofit organizations who either provide services to
trafficking victims and survivors or work on antitrafficking efforts
or both. The task force must evaluate needed resources for
trafficking victims and survivors and consider activities and
resources provided in other states. The task force must review the
effectiveness of Washington's antitrafficking laws and recommend
needed legislative changes. The model antitrafficking public restroom

notice is a voluntary effort. The OCVA must report the progress of voluntary notices efforts to the legislature by December 31, 2016.

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