
SENATE BILL 5880

State of Washington 64th Legislature 2015 Regular Session

By Senators Padden, Kohl-Welles, Keiser, Conway, Chase, and Hasegawa

Read first time 02/09/15. Referred to Committee on Law & Justice.

1 AN ACT Relating to human trafficking; adding a new section to
2 chapter 9.68A RCW; creating new sections; prescribing penalties; and
3 providing an effective date.

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

5 NEW SECTION. **Sec. 1.** (1) The legislature finds that human
6 trafficking is a horrific problem in the United States and in the
7 state of Washington. Three hundred thousand people are sold in the
8 sex trade in the United States. It is estimated that five hundred
9 children are trafficked in the Seattle area alone. The victims of
10 trafficking live in constant terror and find it difficult to leave
11 for fear of being beaten, raped, or murdered. Children in the sex
12 trade have a forty times higher mortality rate and women have a
13 mortality rate two hundred times higher than nontrafficked
14 counterparts. There are few survivors of the trade.

15 (2) Although recent legislation has made improvements in the
16 tools afforded to law enforcement to arrest and prosecute offenders,
17 more should be done to identify and rescue survivors by those who may
18 have the opportunity to come into contact with those forced to engage
19 in the sex trade. These include those in the hospitality or specialty
20 industries, such as: Spas, hotels, bars, nightclubs, strip clubs,
21 tattoo parlors, truck stops, restaurants, retail stores in malls,

1 internet advertisement or dating services, and convenience stores. In
2 addition, those who serve as first responders or in medical or public
3 service, such as hospital staff, abortion clinics, schools, or child
4 protective services are also in the unique position to identify and
5 rescue victims. The legislature finds that those employed in such
6 industries or services should be required to receive training to
7 identify victims of human trafficking and then report to law
8 enforcement.

9 NEW SECTION. **Sec. 2.** A new section is added to chapter 9.68A
10 RCW to read as follows:

11 (1) Any person employed in the following industries or public
12 services are required to undergo training in identifying and
13 reporting victims of human trafficking:

14 (a) Spas, hotels, bars, nightclubs, strip clubs, tattoo parlors,
15 truck stops, restaurants, retail stores in malls, internet
16 advertisement or dating services, and convenience stores; and

17 (b) Hospital staff, abortion clinics, schools, or child
18 protective services.

19 (2) The training shall be provided by employers within thirty
20 days of hiring. A list of training providers including online options
21 shall be made available by the respective agency or political entity
22 with jurisdiction over the license or certification for the area of
23 employment. No initial or renewal license or certification may be
24 issued for a business or employee in the industry or public services
25 described in this section without written certification from the
26 applicant that the training requirement in this section has been met.

27 (3) When any person employed in an industry or public service
28 identified in this section has reasonable cause to believe that a
29 person is a victim of trafficking as defined in RCW 9A.40.100, he or
30 she shall report such incident, or cause a report to be made, to the
31 proper law enforcement agency or the department of social and health
32 services.

33 (4) An immediate oral report must be made by telephone or
34 otherwise to the proper law enforcement agency or the department of
35 social and health services and, upon request, must be followed by a
36 report in writing. The reports must contain the following
37 information, if known:

38 (a) The name, address, and age of the victim;

1 (b) The name and address of the victim's parents, stepparents,
2 guardians, or if the victim is a minor other persons having custody
3 of the child;

4 (c) The nature and extent of the alleged trafficking;

5 (d) The nature and extent of any alleged injuries;

6 (e) The nature and extent of any alleged sexual abuse;

7 (f) Any evidence of previous injuries, including their nature and
8 extent; and

9 (g) Any other information that may be helpful in establishing the
10 identity of the alleged perpetrator or perpetrators.

11 (5) Every person who is required to make, or to cause to be made,
12 a report pursuant to this section, and who knowingly fails to make,
13 or fails to cause to be made, such report, is guilty of a gross
14 misdemeanor.

15 NEW SECTION. **Sec. 3.** This act may be known and cited as the
16 Washington human trafficking reporting act.

17 NEW SECTION. **Sec. 4.** This act takes effect January 1, 2016.

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