
HOUSE BILL 1989

State of Washington

67th Legislature

2022 Regular Session

By Representatives Orwall, Taylor, Berry, J. Johnson, Shewmake, Sutherland, and Pollet

Read first time 01/14/22. Referred to Committee on Children, Youth & Families.

1 AN ACT Relating to commercially sexually exploited children and
2 adults; amending RCW 7.68.380 and 43.185C.260; and adding a new
3 section to chapter 7.68 RCW.

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

5 NEW SECTION. **Sec. 1.** A new section is added to chapter 7.68 RCW
6 to read as follows:

7 (1) For the purposes of this section, the following definitions
8 apply:

9 (a) "Department" means the department of commerce.

10 (b) "Healing and transition center" or "center" means a safe,
11 trauma-informed location that provides healing services that meet the
12 multidisciplinary needs of commercially sexually exploited adults
13 ages 18 and older.

14 (c) "Healing services" means assistance or referrals for clients
15 with basic, ongoing needs such as chemical dependency assessment and
16 treatment, clothing, food, health care, housing, individual and group
17 counseling, legal advocacy, mental health assessment and treatment,
18 safety assessment and planning, translation services, and
19 educational, training, and employment opportunities.

20 (2) Subject to the availability of amounts appropriated for this
21 specific purpose, the department shall administer funding for healing

1 and transition centers for commercially sexually exploited adults. At
2 least one of the centers must be located east of the crest of the
3 Cascade mountains, and at least one of the centers must be located
4 west of the crest of the Cascade mountains. Law enforcement and
5 service providers may refer adults to the healing and transition
6 centers or adults may self-refer to the centers.

7 (3) The healing and transition centers receiving funding under
8 this section must:

9 (a) Offer healing services designed to intervene and prevent
10 further exploitation;

11 (b) Provide ongoing services for adults who are being served or
12 were served by the center;

13 (c) Provide culturally competent services to the underserved
14 populations in the region, which are most impacted by commercial
15 sexual exploitation. Depending on the region, underserved populations
16 may include people who are African American, Indigenous, LGBTQ2SIA+,
17 or Latinx;

18 (d) Incorporate leadership from communities with unique risk
19 factors for commercial sexual exploitation, survivor leadership,
20 survivor-informed services, and survivor mentorship into the program;

21 (e) Meet core needs, provide long-term services, and offer skill
22 training to provide an exit path from commercial sexual exploitation;

23 (f) Regularly participate in coordination meetings for healing
24 and transition centers; and

25 (g) Provide training and information to law enforcement officers,
26 other first responders, and communities with unique risk factors for
27 commercial sexual exploitation on how to engage and refer individuals
28 to these services.

29 (4) The department shall:

30 (a) Prioritize funding for centers located in underserved areas
31 of the state that have a need for healing services;

32 (b) Provide additional funding to one center for the purpose of
33 convening statewide coordination meetings no less than quarterly for
34 the centers and related service providers;

35 (c) Issue a request for proposals for healing and transition
36 centers by September 1, 2022;

37 (d) Include diverse community representatives who have lived
38 experience of exiting commercial sexual exploitation in the
39 development of the request for proposals and prioritization of
40 funding;

1 (e) Collect nonidentifiable demographic data, data on the entry
2 path to commercial sexual exploitation, and data on the exit path of
3 clients served by the centers, including whether clients are current
4 or former foster youth; and

5 (f) Beginning December 1, 2023, submit an annual report to:

6 (i) The relevant committees of the legislature that includes a
7 summary of the demographic data, data on the entry path to sexual
8 commercial exploitation, data on the exit path of center clients, and
9 any recommendations for modification or expansion of the centers; and

10 (ii) The department of children, youth, and families that
11 includes data on current and former foster youth served by the
12 centers. The department of children, youth, and families shall use
13 the data for coordination with its liaisons for commercially sexually
14 exploited children.

15 **Sec. 2.** RCW 7.68.380 and 2020 c 331 s 2 are each amended to read
16 as follows:

17 (1) Subject to the availability of amounts appropriated for this
18 specific purpose, the department of children, youth, and families
19 shall administer funding for ~~((two))~~ receiving center programs for
20 commercially sexually exploited children. ~~((One))~~ At least one of
21 these programs must be located west of the crest of the Cascade
22 mountains, and at least one of these programs must be located east of
23 the crest of the Cascade mountains. Law enforcement and service
24 providers may refer children to these programs or children may self-
25 refer into these programs.

26 ~~((The receiving center programs established under this
27 section shall:~~

28 ~~(a) Begin providing services by January 1, 2021;~~

29 ~~(b) Utilize existing facilities and not require the construction
30 of new facilities; and~~

31 ~~(c) Provide ongoing case management for all children who are
32 being served or were served by the programs.~~

33 ~~(3))~~ The receiving centers established under this section shall:

34 (a) Include a short-term evaluation function that is accessible
35 twenty-four hours per day seven days per week that has the capacity
36 to evaluate the immediate needs of commercially sexually exploited
37 children ages twelve through seventeen and either meet those
38 immediate needs or refer those children to the appropriate services;

1 (b) Assess children for mental health and substance use disorder
2 needs and provide appropriate referrals as needed; ~~((and))~~

3 (c) Provide individual and group counseling focused on developing
4 and strengthening coping skills, and improving self-esteem and
5 dignity;

6 (d) Provide shelter and services within the receiving center for
7 up to 30 days; and

8 (e) Provide ongoing case management for all children who are
9 being served or were served by the programs.

10 ~~((4))~~ (3) The department of children, youth, and families
11 shall:

12 (a) Collect nonidentifiable demographic data of the children
13 served by the programs established under this section;

14 (b) Collect data regarding the locations that children exit to
15 after being served by the programs; and

16 (c) Report the data described in this subsection along with
17 recommendations for modification or expansion of these programs to
18 the relevant committees of the legislature by December 1, 2022.

19 ~~((5))~~ (4) For the purposes of this section, the following
20 definitions apply:

21 (a) "Receiving center" means a trauma-informed, secure location
22 that meets the multidisciplinary needs of commercially sexually
23 exploited children ages twelve through seventeen located in a
24 behavioral health agency licensed or certified under RCW 71.24.037 to
25 provide inpatient or residential treatment services; and

26 (b) "Short-term evaluation function" means a short-term emergency
27 shelter that is accessible twenty-four hours per day seven days per
28 week that has the capacity to evaluate the immediate needs of
29 commercially sexually exploited children under age eighteen and
30 either meet those immediate needs or refer those children to the
31 appropriate services.

32 ~~((6(a)))~~ (5) The department of children, youth, and families,
33 the department of health, and the division of behavioral health and
34 recovery, shall meet to coordinate the implementation of receiving
35 centers as provided for in this section, including developing
36 eligibility criteria for serving commercially sexually exploited
37 children that allows referral from service providers and prioritizes
38 referral from law enforcement.

39 ~~((b) By December 1, 2020, and in compliance with RCW 43.01.036,~~
40 ~~the department of children, youth, and families shall submit a report~~

1 ~~to the governor and legislature summarizing the implementation plan~~
2 ~~and eligibility criteria as described in (a) of this subsection, and~~
3 ~~provide any additional policy recommendations regarding receiving~~
4 ~~centers as it deems necessary.))~~

5 **Sec. 3.** RCW 43.185C.260 and 2020 c 331 s 8 are each amended to
6 read as follows:

7 (1) A law enforcement officer shall take a child into custody:

8 (a) If a law enforcement agency has been contacted by the parent
9 of the child that the child is absent from parental custody without
10 consent; or

11 (b) If a law enforcement officer reasonably believes, considering
12 the child's age, the location, and the time of day, that a child is
13 in circumstances which constitute a danger to the child's safety or
14 that a child is violating a local curfew ordinance; or

15 (c) If an agency legally charged with the supervision of a child
16 has notified a law enforcement agency that the child has run away
17 from placement.

18 (2) Law enforcement custody shall not extend beyond the amount of
19 time reasonably necessary to transport the child to a destination
20 authorized by law and to place the child at that destination. Law
21 enforcement custody continues until the law enforcement officer
22 transfers custody to a person, agency, or other authorized entity
23 under this chapter, or releases the child because no placement is
24 available. Transfer of custody is not complete unless the person,
25 agency, or entity to whom the child is released agrees to accept
26 custody.

27 (3) If a law enforcement officer takes a child into custody
28 pursuant to either subsection (1)(a) or (b) of this section and
29 transports the child to a crisis residential center, the officer
30 shall, within twenty-four hours of delivering the child to the
31 center, provide to the center a written report detailing the reasons
32 the officer took the child into custody. The center shall provide the
33 department of children, youth, and families with a copy of the
34 officer's report if the youth is in the care of or receiving services
35 from the department of children, youth, and families.

36 (4) If the law enforcement officer who initially takes the
37 juvenile into custody or the staff of the crisis residential center
38 have reasonable cause to believe that the child is absent from home

1 because he or she is abused or neglected, a report shall be made
2 immediately to the department of children, youth, and families.

3 (5) Nothing in this section affects the authority of any
4 political subdivision to make regulations concerning the conduct of
5 minors in public places by ordinance or other local law.

6 (6) If a law enforcement officer has a reasonable suspicion that
7 a child is being unlawfully harbored in violation of RCW 13.32A.080,
8 the officer shall remove the child from the custody of the person
9 harboring the child and shall transport the child to one of the
10 locations specified in RCW 43.185C.265.

11 (7) If a law enforcement officer takes a juvenile into custody
12 pursuant to subsection (1)(b) of this section and reasonably believes
13 that the juvenile may be the victim of sexual exploitation, the
14 officer shall:

15 (a) Transport the child to:

16 (i) An evaluation and treatment facility as defined in RCW
17 71.34.020, including the receiving centers established in RCW
18 7.68.380, for purposes of evaluation for behavioral health treatment
19 authorized under chapter 71.34 RCW, including adolescent-initiated
20 treatment, family-initiated treatment, or involuntary treatment;
21 (~~or~~)

22 (ii) Another appropriate youth-serving entity or organization
23 including, but not limited to:

24 (A) A HOPE Center as defined under RCW 43.185C.010;

25 (B) A foster family home as defined under RCW 74.15.020;

26 (C) A crisis residential center as defined under RCW 43.185C.010;

27 or

28 (D) A community-based program that has expertise working with
29 adolescents in crisis; or

30 (iii) A parent or legal guardian; or

31 (b) Coordinate transportation to one of the locations identified
32 in (a) of this subsection, with a liaison dedicated to serving
33 commercially sexually exploited children established under RCW
34 74.14B.070 or a community service provider.

35 (8) Law enforcement shall have the authority to take into
36 protective custody a child who is or is attempting to engage in
37 sexual conduct with another person for money or anything of value for
38 purposes of investigating the individual or individuals who may be
39 exploiting the child and deliver the child to an evaluation and
40 treatment facility as defined in RCW 71.34.020, including the

1 receiving centers established in RCW 7.68.380, for purposes of
2 evaluation for behavioral health treatment authorized under chapter
3 71.34 RCW, including adolescent-initiated treatment, family-initiated
4 treatment, or involuntary treatment.

5 (9) No child may be placed in a secure facility except as
6 provided in this chapter.

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