

HOUSE BILL REPORT

HB 1089

As Reported by House Committee On:
Human Services, Youth, & Early Learning

Title: An act relating to supporting adults with lived experience of sex trafficking.

Brief Description: Supporting adults with lived experience of sex trafficking.

Sponsors: Representatives Orwall, Ortiz-Self, Leavitt, Reed, Berry, Peterson, Lekanoff, Goodman, Taylor, Doglio, Simmons, Timmons, Reeves, Wylie, Pollet, Davis, Santos and Ormsby.

Brief History:

Committee Activity:

Human Services, Youth, & Early Learning: 1/18/23, 1/27/23 [DP].

Brief Summary of Bill

- Creates a program for healing, support, and transition services for adults with lived experience of sex trafficking.

HOUSE COMMITTEE ON HUMAN SERVICES, YOUTH, & EARLY LEARNING

Majority Report: Do pass. Signed by 11 members: Representatives Senn, Chair; Cortes, Vice Chair; Taylor, Vice Chair; Eslick, Ranking Minority Member; Couture, Assistant Ranking Minority Member; Callan, Dent, Goodman, Ortiz-Self, Rule and Walsh.

Staff: Luke Wickham (786-7146).

Background:

Generally, human trafficking is the unlawful use of force, fraud, or coercion to cause a person to engage in labor, services, or commercial sex acts. Human trafficking is prohibited under both state and federal law. Provisions in state law prohibiting trafficking and

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protecting trafficking victims include:

- imposing criminal penalties on perpetrators of human trafficking;
- providing information on how to recognize victims of human trafficking to certain health professions; and
- providing disclosure statements to certain foreign workers on human trafficking.

Summary of Bill:

The Office of Crime Victims Advocacy (OCVA) must administer funds for healing, support, and transition (HST) services for adults who have been forced or coerced to perform certain commercial sex acts. The HST services funded by the program include advocacy, safety planning, housing, substance use disorder treatment, medical and behavioral health services, legal advocacy, translation and interpretation, education, job training, employment support, outreach, and emergency financial assistance.

The OCVA must issue a request for proposals (RFP) for HST service providers by September 1, 2023. The OCVA must include stakeholders in the development of the RFP, including diverse community representatives with lived experience transitioning out of sex trafficking and the Secretary of the Department of Children, Youth, and Families (DCYF).

Adults may self-refer for HST services or be referred by law enforcement service providers, the DCYF, or other state or local organizations. The OCVA must prioritize funding for HST service providers located in underserved areas of the state. At least one provider must be located west of the Cascade Mountains, and at least one provider must be located east of the Cascade Mountains.

An HST service provider funded by the OCVA must:

- offer HST services designed to enhance safety and reduce and prevent further trauma;
- provide ongoing services for adults with lived experience of sex trafficking;
- provide culturally, developmentally, and linguistically informed and responsive services with priority given to underserved populations in the region who are most impacted by sex trafficking;
- incorporate in the program leadership from communities with unique risk factors for sex trafficking, sex trafficking survivor leadership, survivor-informed services, and survivor mentorship;
- meet core needs, provide long-term services, and offer skill training to increase the range of options available to participants, including transition services;
- not require proof of identification;
- regularly participate in coordination meetings for HST providers;
- provide training and information on how to engage and refer individuals to HST services; and
- report quarterly data on outcomes of HST services to the OCVA (clients may be compensated for survey participation).

The OCVA must also provide funding to one statewide organization led by adults with lived experience of sex trafficking to provide coordinating support and to convene quarterly statewide coordination meetings for HST service providers and related service providers.

The OCVA must collect certain data, including nonidentifiable demographic client data (including whether clients are current or former foster youth), data on trafficking and trauma verification, data on the services provided to clients, and quarterly data on outcomes.

Beginning December 1, 2025, the OCVA must submit an annual report to the Legislature on the data the OCVA is required to collect on the program and recommendations for modification or expansion of HST services. Additionally, the OCVA must submit an annual report to the DCYF that includes data on current and former foster youth provided HST services. The DCYF must use these data for coordination with its liaisons for commercially sexually exploited children.

Appropriation: None.

Fiscal Note: Available.

Effective Date: The bill takes effect 90 days after adjournment of the session in which the bill is passed.

Staff Summary of Public Testimony:

(In support) Washington ranked eleventh as far as the number of people seeking help after being trafficked according to the national hotline. People are harmed by sex trafficking across the state.

This bill creates healing spaces for people that provides the needed support for victims of sex trafficking. This bill was designed by people with lived experience of sex trafficking.

As many as 17,000 people are estimated to be sex trafficked per year in the United States. It is estimated that the net profits from sex trafficking are nearly \$100 billion, with 70 percent of the victims being women, and 50 percent being children. Last year, the SeaTac Police Department responded to a number of allegations of sex trafficking and was asked to help support victims of these offenses. This bill would help provide this needed assistance. The translation and interpretation services and other services provided by this bill are critical.

It is known that of the vast majority of those involved in the sex trades, roughly 85 percent were exploited and drawn into sex trafficking as minors.

The sexual industrial complex is an industry which commodifies sex. Numerous people are trafficked inside and outside of Washington. It is important to interrupt the cycle of the people who support the sex industry. Forty-four percent of those who sought services based on sex trafficking were black women and girls. Black and brown women and girls are not protected the way others are protected. Black and brown women and girls are often blamed for their participation in the industry by accusations of gang involvement or being a runaway before being prioritized as missing.

There is a need to remember that some are still exoticized for skin tone, as are all women of color. It should also be remembered that 80 percent of sex buyers are white. Additionally 89 percent of those seeking services reported that again, they were a young person when starting, and 98 percent report using substances. Prostitution is not the oldest profession, it is the oldest oppression.

In 2022 nearly 400 indigenous people went missing in Washington. Missing indigenous people is a rampant issue throughout this state. Mothers and family members tell countless stories of their missing and indigenous family members. The transition to a life free of abuse is not possible without support.

The language in this bill is very inclusive. There has been a strong effort to receive and include feedback on this bill. Many people involved in sex work have a history of sex trafficking. The people served by direct service agencies have increased five times in the last few years.

Sometimes the only thing that service organizations can provide to sex trafficking victims is a tarp, tent, and a camping spot.

It takes many years for people with experience being trafficked to identify that the experience was something very intentional that happened to them. People come into this experience in many different ways. The sex trade is racist, deadly, and very lucrative. There cannot just be one service provided to people with lived experience of sex trafficking.

The job training provided in this bill will help support retail employers. Retail employers want to partner with people with lived experience of sex trafficking to help mentor and train individuals within the retail industry. This bill supports economic development and safety.

Exploiters often use parking lots to conduct illegal activity, including sex trafficking.

The provision of services in underserved areas that are struggling to provide services to those who experienced sex trafficking is a critical part of this bill. There has been a sharp increase in sex trafficking and violence since the onset of the COVID-19 pandemic. There needs to be a better way out of sex trafficking for individuals who feel the only way out is to commit suicide.

(Opposed) None.

(Other) Many people with lived experience of sex trafficking need nonjudgmental services. When the needs of those who consider themselves victims and those who have experience with the sex trade are the same, there should not be a false division of those white victims who need services and those "undeserving prostitutes" who are women of color, trans, those with untreated behavioral health conditions, and people with criminal records. Limiting services to trafficking victims poses a barrier to people with lived experience of sex trafficking who do not identify themselves as a trafficking victim. This molds the narrative to fit preconceived expectations. There is discussion about changes to this bill to be more inclusive.

Persons Testifying: (In support) Representative Tina Orwall, prime sponsor; Rose Gundersen, Washington Retail Association; Kyle Moore, City of SeaTac; Mar Brettmann, Businesses Ending Slavery and Trafficking; Mary Williams, Real Escape From the Sex Trade; Marissa Perez, Yarrow Project; Jeri Moomaw, Innovations Human Trafficking Collaborative; Tricia MacFarlan, Mirror Ministries; Robin Miller, Janus Youth; and Leah White, Washington State Women's Commission.

(Opposed) None.

(Other) Emi Koyama, Coalition for Rights and Safety for People in the Sex Trade; and Rick Torrance, Department of Commerce.

Persons Signed In To Testify But Not Testifying: None.