

# HOUSE BILL REPORT

## SSB 5114

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**As Passed House:**

April 12, 2023

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

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

**Sponsors:** Senate Committee on Human Services (originally sponsored by Senators Wilson, C., Trudeau, Frame, Hasegawa, Kuderer, Lias, Lovelett, Nguyen, Nobles, Pedersen, Randall, Saldaña, Stanford, Valdez, Warnick and Wellman).

**Brief History:**

**Committee Activity:**

Human Services, Youth, & Early Learning: 3/14/23, 3/17/23 [DP];

Appropriations: 3/31/23, 4/3/23 [DP].

**Floor Activity:**

Passed House: 4/12/23, 94-1.

**Brief Summary of Substitute Bill**

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

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### 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).

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### HOUSE COMMITTEE ON APPROPRIATIONS

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*This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not part of the legislation nor does it constitute a statement of legislative intent.*

**Majority Report:** Do pass. Signed by 29 members: Representatives Ormsby, Chair; Bergquist, Vice Chair; Gregerson, Vice Chair; Macri, Vice Chair; Stokesbary, Ranking Minority Member; Chambers, Assistant Ranking Minority Member; Corry, Assistant Ranking Minority Member; Berg, Chopp, Connors, Davis, Dye, Fitzgibbon, Hansen, Harris, Lekanoff, Pollet, Riccelli, Rude, Ryu, Sandlin, Schmick, Senn, Simmons, Slatter, Springer, Steele, Stonier and Tharinger.

**Staff:** Jessica Van Horne (786-7288).

### **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 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.

#### *The Office of Crime Victim's Advocacy.*

The Office of Crime Victim's Advocacy (OCVA) is a state agency within the Department of Commerce that assists in planning and implementing services for crime victims, advocates on behalf of crime victims in obtaining services and resources, and advises local and state governments on practices, policies, and priorities that impact crime victims. The OCVA office also administers grant programs for services to victims of crime and prevention activities.

### **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. These HST services 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 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 or that an individual self-identify as a sex trafficking victim in order to initially access services;
- 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 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 (Human Services, Youth, & Early Learning):**

(In support) Studies have shown that about 70 percent of teen parents were victims of abuse

as young women. There are high incidents in this state of young men and women being trafficked. This is not just an issue in this state; it is a global issue. Some people are not ready to disclose that they are victims, and that is the reason for the amendment that is included in this version of the bill.

In 2020 Washington ranked eleventh in the nation for reported cases of human trafficking. In that same year, individuals were served for experiencing sex trafficking in counties across the state, including King, Pierce, Benton, Franklin, Clark, Snohomish, Spokane, and Thurston counties. This is not just a King County issue.

This bill creates a system of voluntary services across the state tailored to each individual need. This is the right thing to do to help people. The bill will also collect data that will help further efforts.

This bill is the first of its kind to create a network of services to support survivors of sex trafficking. Many people want to exit their trafficking situation but are prevented because of a lack of support. This bill will provide many different levels of support to provide viable options for freedom.

Over 800 persons sought services for their involvement with the sex industry, and 64 percent of those were adults. That is why there is a need for services for adults. Forty-four percent of those 800 were black women and girls. Eighty-nine percent began or were coerced to begin before the age of 18. Seven percent of Washingtonians are African American. It is important to protect people from this harm and interrupt the cycles perpetuated by the people who promote and benefit from the sex trade.

Black girls are adultified by treating them as adults when they are still children. Black and brown women are not protected or rescued in the same kinds of ways that other nationalities are. Eighty percent of sex buyers are white. Ninety-eight percent of sex survivors report using substances to cope with what they do or have done in the sex industry.

It takes many years to unwrap the work and layers of trauma created. Prostitution is not the oldest profession, it is the oldest oppression.

The change in the bill to not require that a person being served to self-identify initially as a victim of sex trafficking is appropriate because not everyone is ready to use that terminology at the time that those people appear for services.

(Opposed) None.

#### **Staff Summary of Public Testimony (Appropriations):**

(In support) Sex trafficking does not only occur in urban areas, but impacts the entire state. This bill would recognize that there are survivors of sex trafficking throughout the state who

need services. The bill was developed with input from people with lived experience of sex trafficking. Many current providers of services for survivors do not have sufficient funding to meet basic needs for those who need help, such as providing food, shelter, and clothing. The current lack of adequate funding endangers survivors and has resulted in preventable deaths. Providing funding will help prevent needless deaths.

(Opposed) None.

**Persons Testifying (Human Services, Youth, & Early Learning):** Senator Claire Wilson, prime sponsor; Tricia MacFarlan, Mirror Ministries; Mary Williams, Real Escape From the Sex Trade; and Robin Miller, Janus Youth.

**Persons Testifying (Appropriations):** Lonnie Johns-Brown; and Kyra Abrahamson, Washington Trafficking Prevention.

**Persons Signed In To Testify But Not Testifying (Human Services, Youth, & Early Learning):** None.

**Persons Signed In To Testify But Not Testifying (Appropriations):** None.