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Community, Trade and
Economic Development

Washington State Task Force against the Trafficking of Persons

Prepared by the Office of Crime Victims Advocacy

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Report to the Legislature
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This report could not have been developed without the countless hours from the Washington State Task Force against the Trafficking of Persons. Their dedication and commitment are deeply appreciated (Appendix A).

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EXECUTIVE SUMMARY

ACCORDING TO THE
UNITED NATIONS, HUMAN
TRAFFICKING IS THE THIRD
MOST PROFITABLE
CRIMINAL INDUSTRY IN
THE WORLD TODAY, AFTER
DRUG AND ARMS
DEALING.¹

A budget proviso during the 2006 legislative session created the Washington State Task Force against the Trafficking of Persons. Previous statutory directives have resulted in a human trafficking task force, in one form or another, since 2002. These previous efforts have delivered recommendations for a response to the crime called human trafficking in Washington. Many of the policy recommendations made by past task forces have been enacted.

Thus, the focus of the 2006 Task Force has been to focus on developing recommendations to create a comprehensive statewide system of services to victims of human trafficking. These current recommendations are the next logical step of response, built upon the sound policy foundation now in place in Washington.

Task Force members, over the course of the past two years, developed, debated, and refined each recommendation contained in this report. These recommendations provide a framework for the creation of a comprehensive statewide system of service response to human trafficking in Washington.

The group worked diligently and creatively to make both short and long-term recommendations, to meet the significant needs of victims of trafficking. The Phase One recommendations embody short-term strategies, aimed at meeting the immediate health and safety needs of human trafficking victims, while Phase Two and Phase Three are long-term approaches that are critical to the lifelong health and safety of these same victims. The Task Force recommends focusing first on the provision of direct services to victims of human trafficking, as well as providing for education, training and outreach to communities, individuals, and organizations working to eliminate human trafficking in Washington.

Building upon the Phase One recommendations, the Task Force recommends such essential future services as increased civil legal aid, language interpretation, relocation services, and short-term and long-term housing options for victims of human trafficking.

The United Nations' International Labor Organization estimates 12.3 million people are in forced labor, bonded labor, forced child labor, or sexual servitude at any given time. Other estimates range from 4 million to 27 million people enslaved in the world today.²

The goal of the Task Force, in releasing this report, is to provide policy makers, local and state service providers, and Washington communities, their collective best thinking to develop a comprehensive statewide response to the crime of human trafficking. This report comes now as a contribution to the discussion as federal, state, and local agencies become increasingly aware of human trafficking and strive to investigate and prosecute perpetrators of this crime, and respond to the unique and complex needs of its victims.

I. The Issue of HUMAN TRAFFICKING

The Federal Bureau of Investigations estimates the global slave trade generates \$9.5 billion yearly.³

Annually, an estimated 14,500-17,500 foreign nationals cross our borders in the course of being trafficked in the United States.⁴

With the Emancipation Proclamation of 1862 and the 13th Amendment of 1865, the United States sought to end slavery within its borders. Yet in the ensuing 150 years, a different form of slavery has developed: human trafficking. This crime is occurring in a wide range of United States enterprises, including agriculture, manufacturing, hospitality, and the sex industry. The United States responded to this exponentially growing problem with the passage of the federal Trafficking Victims Protection Act of 2000. This landmark legislation explicitly criminalized modern slavery.

The engine driving human trafficking is the profit traffickers make by selling the services of victims and the goods produced using trafficked labor. In the United States, human trafficking thrives in both legal and illegal industries, and victimizes both United States citizens and non-citizens.

Trafficking victims can be men, women, or children, and they can be exploited for labor, sex, or both. Labor trafficking includes forced exploitation in small businesses as well as large-scale industries dominated by multinational corporations. Examples of such industries include textiles, timber, agriculture, tourism, and rubber. Labor trafficking victims include women who wed or find partners through international matchmaking organizations. Sometimes these women experience violence and threats which force them to provide domestic labor such as childcare, cleaning and cooking. Sex trafficking is forced exploitation in all sectors of the sex industry, including prostitution, stripping, exotic dancing, and pornography. It is important to note these situations are intended only to offer an idea of how some common trafficking operations work, and are not all inclusive. Trafficking situations vary widely, and each is unique.

Despite the connotation of movement implied by the word "trafficking," neither federal nor Washington State law requires transportation or border crossing for a person to be trafficked. Transportation or border crossing may be involved in trafficking, but they are not necessary elements of the crime.

Human trafficking victims are often impoverished, children, or those who have suffered crimes such as sexual violence or other abuse.

“Unless law enforcement is aware of the possibility that she is enslaved in the business, rather than employed she can be further victimized, jailed and deported.”

-Seattle Victim Advocate

Traffickers exploit people who are vulnerable regardless of nationality or legal residence. Often, traffickers promise their victims a better life through employment, marriage, educational opportunities, or life in a more prosperous country or region. In the United States, traffickers use these promises to draw both United States citizens and non-citizens into sex and labor trafficking. A trafficker who promises them love, safety from the streets, independence from their parents, or the opportunity to leave an abusive home often lures children in the United States into a trafficking situation. Internationally, some children are trafficked as a result of being given to a trafficker, often a relative, who promises the parents educational opportunities for the child and an escape from unending poverty. Instead, the child is sold into slavery.⁵

Traffickers hide or disguise their victims in order to avoid detection. Hiding victims can include trafficked farm workers who are frequently moved to avoid contact with law enforcement. Due to the tight control necessary to force victims into working against their will, the vast majority of trafficking victims never have an opportunity to go to a community service agency or talk to a law enforcement officer. Furthermore, largely due to the fact it is a newly recognized crime, human trafficking is rarely identified by members of the public or victims themselves. Even service providers and law enforcement often don't initially recognize when a person is being trafficked.

As in other countries, trafficking victims in the United States are often misidentified as perpetrators of illegal activity. This illegal activity often includes undocumented immigration and prostitution. Such misidentification is an issue faced by both United States citizens and non-citizen trafficking victims, including children. This illegal activity often included undocumented immigration and prostitution. For example, traffickers often confiscate non-United States citizen victims' documentation as a means of maintaining control. If trafficking victims can't produce this documentation for law enforcement, they may be deported if it is not recognized they are trafficking victims. Similarly, those forced to engage in illegal activity such as prostitution are often jailed and charged if their victimization is not recognized.

**HUMAN TRAFFICKING
IN WASHINGTON**

Washington has become a national leader in the efforts to end human trafficking. Washington was the first state to pass an anti-trafficking law (SHB 1175 [Chapter 267, Laws of 2003]), which criminalized human trafficking at the state level. The Legislature also took action to regulate the international matchmaking industry with the Mail Order Bride Act (SB 6412 [Chapter 115, Laws of 2002]) and HB 1826 (Chapter 268, Laws of 2003), which require international matchmaking agencies to notify foreign clients they can request a background check and other personal information about the Washington resident employing the agency to set up the match. This legislation was intended to help prevent the physical abuse and trafficking occurring in Washington as a result of international matchmaking between Washington residents and foreign born women.

The current Washington State Task Force against the Trafficking of Persons was funded through a 2006 budget proviso (Chapter 372, Laws of 2006), which directs the Task Force to make policy recommendations regarding human trafficking in Washington State. This report builds on the work of the previous Washington State Human Trafficking Task Forces, and is the first set of recommendations developed by the current Task Force which has been meeting since July 2006.

II. SUMMARY OF TASK FORCE RECOMMENDATIONS

When designing the following first step recommendations toward a comprehensive response to human trafficking in Washington, the Task Force took into account the fact that many victims of human trafficking experience particularly severe trauma due to the repeated and continual abuse usually necessary to force people to work against their will.

Phase I
recommendations are the most important and most urgently needed.

Phase II
recommendations build on and enhance the essential direct services identified in Phase I.

Phase III
recommendations support victims as they transition from recovery to self-sufficiency.

Historically, individuals and groups of people have experienced a lack of access to systems and institutions established to provide services and resources. Many victims of trafficking either arrive from foreign countries or are historically marginalized in the United States. This marginalization is based primarily on race, ethnicity, sexual orientation, age, class, or disability of the individuals victimized.

It is the intent of these recommendations to ensure trafficking victims in Washington have access to equitable, culturally competent and linguistically appropriate services.

To ensure a comprehensive, culturally competent coordinated system to serve victims of human trafficking, the Task Force was comprised of a diverse representation of state agency and community-based organizations (see Appendix A).

After much deliberation, discussion and thoughtful consideration, the Task Force voted to include the following recommendations in this report. These recommendations are the culmination of months of work, as well as the informed perspectives and expertise of many individuals from a wide variety of organizations. In order to leverage limited funding, the recommendations purposefully use existing systems and structures to maximize impact and minimize cost.

The Task Force has prioritized its recommendations into three categories:

- Phase I
- Phase II
- Phase III

**PHASE ONE
RECOMMENDATIONS**

- Educate Washington communities about human trafficking.
- Provide support to implement community-driven anti-trafficking strategies, including primary prevention efforts.
- Help victims escape their situations by making one-on-one contact with people who may be in trafficking situations.
- Provide comprehensive direct services to victims of human trafficking.
- Provide initial and ongoing yearly training for staff and volunteers providing direct services to trafficking victims.
- Train community service providers, upon request, to build skills necessary to effectively identify and serve trafficking victims.

**PHASE TWO
RECOMMENDATIONS**

- Provide any needed language interpretation to enable provision of the direct services recommendation.
 - A) Provide dedicated funding for trafficking victims through the state Office of Civil Legal Aid.
 - B) Amend RCW 2.53.030(5)(g) to authorize the use of state-appropriated civil legal aid funding to provide civil legal aid to undocumented trafficking victims.
- Expand existing transitional housing units to include individuals, families and unaccompanied minor victims of human trafficking, for a maximum of 18-month stay.

**PHASE THREE
RECOMMENDATIONS**

- Assist trafficking victims to enter existing low-income housing options by providing initial one-time financial assistance for first and last month rent payments.
- Create and implement a statewide campaign aimed at building political and social will to address the conditions that underlie trafficking in humans.
- Provide one-time relocation transportation assistance for victims of human trafficking. Such assistance includes airfare and per diem travel allowance for one day.

III. TASK FORCE RECOMMENDATIONS

PHASE ONE RECOMMENDATIONS

Washington has taken great policy strides against human trafficking through the passage of several laws intended to serve and protect victims of human trafficking. Phase One Recommendations are the highest priority, and are focused on providing direct services that meet the unique needs of trafficking victims across our state.

The Task Force made two recommendations which the Office of Crime Victims Advocacy is implementing within existing resources. Office of Crime Victims Advocacy staff are providing technical assistance to service providers and others working against human trafficking. The Office of Crime Victims Advocacy is also developing a web-based clearinghouse of information regarding anti-human trafficking efforts in Washington. This clearinghouse will include anti-trafficking resources and a listing of trafficking victim services providers.

COMMUNITY EDUCATION & ORGANIZING

Behind every successful social movement is a community, or a network of communities. These communities don't just happen, they must be organized. Community organizing involves building an enduring network of people who identify with common ideals, and who can engage in social action on the basis of those ideals.

One of the first key steps toward fighting any crime is helping communities become aware of it and to organize locally driven actions and education to prevent the crime from occurring.

Once community education materials have been developed, the next step is to create and support community-organizing efforts aimed at implementing community-driven anti-trafficking strategies. Strategies may include assessment of risk, development of strategies to reduce risk, primary prevention, personal and community safety planning, and community mobilization to change the actions and social norms that tolerate or contribute to human trafficking.

DIRECT OUTREACH

Direct outreach entails one-on-one interactions between outreach workers and those who may be victims of trafficking. It includes the provision of a crisis hotline number and information regarding available services.

Eight years after the passage of the federal Trafficking Victims Protection Act of 2000, identifying victims and linking them with services remains one of the most immediate challenges in the fight against human trafficking. One possible reason for this low level of trafficking victim identification is the extremely limited direct outreach done thus far by the fledgling anti-trafficking field in the United States.

Providing comprehensive direct outreach to those who may be victims of trafficking is one way to help victims exit trafficking situations and link them with available services.

**DIRECT SERVICES &
TRAINING**

Community education, organizing and outreach are the first steps in educating and organizing communities about human trafficking. The availability of direct services to serve victims of human trafficking is the next step in the battle against the crime.

Comprehensive direct services are essential to helping victims escape from their traffickers, recover, become self-sufficient, and avoid re-entry in to trafficking. In order to effectively serve trafficking victims, Washington must provide direct services that respond to their unique trafficking-related needs.

These needs stem largely from the level of trauma many trafficking victims experience. This trauma is often particularly severe due to the repeated and continual abuse usually necessary to keep people in labor and sex for profit situations against their will. In order to respond to these unique needs, there must be advocates who are trained on human trafficking and who specialize in serving trafficking victims. These trained trafficking advocates would serve as a trafficking victims' primary point of contact on the path to recovery. Trafficking advocates would help victims navigate the various systems necessary to obtain assistance such as federal and state trafficking victim services, medical care, legal aid, and employment assistance.

Initial and on-going yearly training for staff and volunteers providing direct services to trafficking victims is essential to ensure staff are informed about the latest news and resources available. Yearly on-going training makes certain advocates are highly trained to provide the following direct services 24 hours a day, 7 days a week, in person or by phone:

- Crisis Intervention
- Advocacy
- Legal Advocacy
- Medical Advocacy
- Support Groups
- Therapy and
- Systems Coordination

**COMMUNITY PROVIDER
TRAINING**

Training for community service organizations and state agencies will ensure service providers in Washington have access to the information they need in order to identify and assist human trafficking victims.

In order to identify and serve trafficking victims adequately, it is equally important that a wide range of service providers – including those with whom victims may make initial contact – are able to effectively respond to human trafficking victims. These service providers must be able to identify the signs of human trafficking, as well as provide information and referral to services that address the needs of the victim.

Further, there are federally funded services and immigration relief available solely to human trafficking victims. Service providers must be aware of these benefits in order to help victims access them. They must also be able to help victims access the state-funded benefits specifically for trafficking victims which these recommendations urge be created.

**PHASE ONE
IMPLEMENTATION**

After careful consideration, the Task Force made a conscious decision to recommend the use of an existing structure for implementation of the Phase One Recommendations. This existing system is the 13 regional Crime Victim Service Centers contracted by the Office of Crime Victims Advocacy to serve crime victims in Washington. This cost-effective approach takes advantage of existing infrastructure in that it utilizes the extensive direct service experience of Crime Victim Service Centers, takes advantage of the fact that Crime Victim Service Centers are already recognized, and are trusted in the communities they serve.

Implementing these Phase One recommendations, beginning with the 2009-2011 biennium, ensures a dedicated crime victim advocate in each of the 13 regions contracting with the Office of Crime Victims Advocacy. In addition to providing expert direct services to victims, these crime victim advocates would take the lead in organizing anti-human trafficking efforts in their respective regions. They would also be responsible for coordinating community education and organizing efforts, as well as providing training to other staff, service providers and community organizations.

Now is the time to fund services for victims of human trafficking. Prosecutors, law enforcement, service providers and legislative leaders have become increasingly aware of the human trafficking problem in Washington. Specific cases and media attention have brought to light both actual experiences and the vulnerabilities of our state to human trafficking. The sooner we begin to provide services related to victims of human trafficking, the sooner we will be able to address the increasing problem of human trafficking in our communities.

**PHASE TWO
RECOMMENDATIONS**

The following Phase Two Recommendations augment those identified in Phase One by expanding direct services to victims of trafficking. Funding these recommendations is the next step in supporting victims of human trafficking along their journey to health, safety and self-sufficiency.

**LANGUAGE
INTERPRETATION**

In order to ensure direct services are accessible to all trafficking victims, it is necessary to provide interpretation so advocates and victims can communicate in the victim's language.

Due to the global reach of human trafficking, non-United States citizen trafficking victims in Washington speak an extremely wide range of languages. Victims are in need of language interpretation services whether it's having forms available in a victim's language or having an interpreter available during interviews and court proceedings.

**CIVIL LEGAL AID &
REPRESENTATION**

Trafficking victims face a wide range of civil legal problems that present immense obstacles on the path to recovery and self-sufficiency. Obtaining legal aid is almost always the only way for trafficking victims to seek civil justice and overcome these obstacles. Civil action is also some trafficking victims' only recourse against their traffickers. Consequently, the Task Force recommends providing dedicated civil legal aid funding specifically for victims of human trafficking.

The civil legal obstacles faced by trafficking victims include employment law issues such as workplace injury or unpaid wages from a trafficker. They can also include family law issues such as those which arise when a trafficker is a family member. These issues are complex, and require legal aid in order for a trafficking victim to address them.

In addition to family and employment law, a vast majority of non-United States citizen trafficking victims need immigration relief, which requires legal aid to obtain. Despite the need for immigration relief, the vast majority of undocumented victims are unable to obtain this relief under recently adopted federal legislation protecting victims of trafficking. By funding legal aid to help undocumented victims obtain immigration relief, Washington would provide a key tool to help these victims recover and remain free of their traffickers.

In order for legal aid and representation to be accessible to those for whom it is intended, the current statute barring the use of state money to fund civil legal aid for undocumented people must be amended. Amending this law, and providing funding for civil legal aid and representation would allow

**TRANSITIONAL
HOUSING**

Washington to provide much-needed civil legal aid to undocumented trafficking victims in addition to United States citizen victims.

The Task Force recommends funding the expansion of existing transitional housing units to include individuals, families, and unaccompanied minor victims of human trafficking.

One of the most critical services to a trafficking victim's recovery is often housing. Housing provides a place where one can be off the streets, be relatively safe from the reach of one's traffickers, and begin the process of recovery and self-sufficiency through work. Due to the limited housing and shelter options available for single men, minors and families, housing is the most difficult assistance to obtain for victims of trafficking.

The difficulty trafficking victims face in finding housing assistance stems largely from the lack of existing housing available to meet their needs. It is extremely difficult to serve trafficking victims through housing assistance intended for other populations, as it is presently offered. The vast majority of current shelter programs in Washington are designed for domestic violence survivors and people who are homeless. Throughout the state, shelters are pushed to maximum capacity, with little ability to serve additional victims of human trafficking.

Further, it is often inappropriate or unsafe to house trafficking victims in shelters designed for others. For example, boys over 12 and men cannot be admitted to domestic violence shelters. Shelter available to men is usually in the form of homeless shelters, which are not designed to meet the specific and complex needs of trafficking victims. The Task Force therefore recommends funding to expand existing transitional housing units to include individuals, families and unaccompanied minor victims of human trafficking for a maximum of 18-months.

These Phase Two Recommendations, in conjunction with the Phase One Recommendations, will provide a comprehensive system of services for victims of human trafficking. Implementation of these Phase Two recommendations would ensure victims of human trafficking receive the civil legal aid, transitional housing and interpretation services necessary to address victimization.

**PHASE THREE
RECOMMENDATIONS**

Once Washington has stabilized funding for human trafficking victims and has fully implemented the recommendations described in the previous pages, we must turn our attention to the underlying conditions that allow the injustice of human trafficking to occur in our state.

Phase Three Recommendations request funding to relocate victims of human trafficking back home or to another safe end-point. For many victims, this is a key step towards safety and recovery. Finally, for victims who choose to become part of a Washington community, it is essential on the path to recovery, to assist victims of human trafficking gain independent housing. There are several factors that contribute to a victim's recovery and success, and for the purposes of this report, the Task Force has chosen to focus on the long-term housing needs of human trafficking victims.

**INITIAL INDEPENDENT
HOUSING ASSISTANCE**

The Task Force recommends funding for the purpose of helping victims of trafficking enter existing low-income housing options by providing initial one-time financial assistance for first and last month rent payment.

Permanent housing is the key to preventing homelessness and re-victimization, and supports trafficking victims as they move toward recovery and full self-sufficiency.

**SOCIAL MARKETING
CAMPAIGN**

The Task Force recommends the Creation and implementation of a statewide campaign aimed at building political and social will to address the economic, political, and social conditions that underlie trafficking in humans. Community-based social marketing emphasizes direct contact among community members to achieve specific behavioral goals for a social good.

**RELOCATION
ASSISTANCE**

A social marketing campaign would provide targeted communication through tools such as billboards, posters and public service announcements via TV and radio. The statewide campaign would educate Washingtonians about the existence of human trafficking, actions and attitudes that allow and perpetuate human trafficking, and how these actions and attitudes can be changed in order to prevent this crime from occurring in our state.

The Task Force recommends provision of one-time relocation transportation assistance for victims of human trafficking. Relocation assistance can be used to increase safety or to help meet physical and mental health needs, including but not limited to family reunification. Such assistance includes airfare and per diem travel allowance for one day.

While movement isn't a necessary element of the crime of human trafficking, the vast majority of trafficking victims escape from their traffickers at a point far from home. For those victimized in Washington, home could be another community in Washington, a different U.S. state, or abroad. In some situations trafficking victims have been kidnapped from their families or prevented from returning home. For victims who choose to return home or who need to improve their safety, the Task Force recommends providing one-time relocation transportation assistance.

Building upon the recommendations of the previous two phases, Phase Three would provide Washington's trafficking victims the necessary assistance to help them take the final step in becoming self-sufficient, and would allow Washington to take a leading role in moving beyond victim services to preventing this crime.

IV. Future Work of the TASK FORCE

The Work Plan provides a roadmap for the future work of the Task Force.

The work of the Task Force is far from complete. Hours of work have gone into the recommendations, and many more hours will be consumed as the future work of the Task Force unfolds. In determining which recommendations would be contained in this interim report, many others were left behind to be further refined and developed. The Task Force created a Work Plan so as not to lose the great work and ideas generated through this process. Several of the ideas contained in the Work Plan require a change to legislation such as the International Match Making Organization or the law requiring parental permission for an unaccompanied minor to seek refuge in a shelter. Other strategies address the need for a coordinated response to the discovery of large numbers of trafficking victims.

As the Legislature debates the future of these Interim Report recommendations, the Task Force will continue to meet, working to further develop the law changes and funding recommendations to ensure human trafficking victims everywhere receive the necessary services to meet their complex needs.

V. RECOMMENDATION DETAILS

PHASE ONE RECOMMENDATIONS

Provide funding for the Office of Crime Victims Advocacy to contract with Washington's 13 regional Crime Victim Service Centers for provision of the following:

Community Education

Develop materials and provide presentations about human trafficking. Materials and education developed shall be age appropriate and targeted to youth, at-risk adults, and the public at large.

Community Organizing

Create and support community-organizing efforts aimed at implementing community-driven anti-trafficking strategies. Strategies may include assessment of risk, development of strategies to reduce risk, primary prevention, personal and community safety planning, and community mobilization to change the actions and social norms that tolerate or contribute to human trafficking.

Direct Outreach

Provide comprehensive direct outreach services to those who may be victims of trafficking in an effort to help victims exit trafficking situations and link them with services. Direct outreach entails one-on-one interactions between outreach workers and those who may be victims of trafficking. It includes the provision of a crisis hotline number and information regarding available services.

Direct Services

Provide comprehensive direct services (crisis intervention, information and referral, advocacy, legal advocacy, medical advocacy, support groups, therapy, and system coordination¹) to human trafficking victims 24 hours a day, 7 days a week, in person or by phone.

Training for Trafficking Service Providers

Provide initial and ongoing yearly training for staff and volunteers providing direct services to trafficking victims.

Training for Community Service Providers

Train community service providers, upon request, to build skills necessary to effectively identify and serve victims of human trafficking. Training will meet the curriculum standards developed by the Office of Crime Victims Advocacy, in partnership with community experts in the anti-trafficking field.

PHASE TWO RECOMMENDATIONS

Language Interpretation for Provision of Direct Services

Provide any needed language interpretation to enable provision of the direct services recommendation.

Civil Legal Aid and Representation

a) Provide dedicated funding for trafficking victims through the state Office of Civil Legal Aid.

b) Amend RCW 2.53.030(5)(g) to authorize the use of state-appropriated civil legal aid funding to provide civil legal aid to undocumented trafficking victims.

Transitional Housing

Expand existing transitional housing units to include individuals, families, and unaccompanied minor victims of human trafficking, for a maximum of 18-month stays.

PHASE THREE RECOMMENDATIONS

Initial Independent Housing Assistance

Help trafficking victims enter existing low-income housing options by providing initial one-time financial assistance for first and last month rent payments.

Social Marketing Campaign

Create and implement a statewide campaign aimed at building political and social will to address the economic, political, and social conditions that underlie trafficking in humans.

Relocation Assistance

Provide one-time relocation transportation assistance for victims of human trafficking. Relocation assistance can be used to increase safety or to help meet physical and mental health needs, including but not limited to family reunification. Such assistance includes airfare and per diem travel allowance for one day.

**APPENDIX A: THE WASHINGTON STATE TASK FORCE AGAINST THE
TRAFFICKING OF PERSONS** (* INDICATES VOTING MEMBER)

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End Notes

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