



Department of Commerce
Innovation is in our nature.

Statewide Coordinating Committee on Sex Trafficking

*Report on Committee Activities and Plan to Address Sex Trafficking
(RCW 43.280.091)*

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Report to the Legislature
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Acknowledgements

Washington State Department of Commerce

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Executive Summary

Overview

In 2013, Governor Jay Inslee signed into law ESHB 1291, which established the Statewide Coordinating Committee on Sex Trafficking (“Committee”) to be administered by the Department of Commerce. By bringing together experts on the topic of human trafficking, the Committee examined the practices of local and regional entities involved in addressing sex trafficking, and developed a statewide plan to address sex trafficking in Washington.

The Committee was required to meet twice and by December 2014 produce a report on its activities, together with a statewide plan to address sex trafficking in Washington. This report summarizes the Committee’s activities, provides information about sex trafficking in Washington, details the response of the criminal justice system and victims’ services organizations, and provides a framework for what is known about the best practices to reduce the demand for sex trafficking. Finally, the report lists the Committee’s recommendations to better serve victims and to reduce, and ultimately eliminate, sex trafficking in Washington.

Recommendations

The Coordinating Committee on Sex Trafficking recommended steps that should be taken, including policy changes and updates to statutes, to address the findings about sex trafficking detailed in this report, reduce the demand for commercial sex, and better serve victims through a coordinated system of response. The Committee’s recommendations begin on page 43 of this report.

Introduction

Background

At its core, human trafficking is the illegal trade in human beings for the purpose of exploitation. Under U.S. Criminal Code, human trafficking crimes focus on the act of compelling or coercing a person's labor, services, or commercial sex acts. Human trafficking crimes do not require any smuggling or movement of the victim.

Under Washington State law, sex trafficking is the recruitment, harboring, transportation, provision, or obtaining of a person for the purposes of a commercial sex act, in which the commercial sex act is induced by force, fraud, or coercion.¹ If the victim is under 18 years old, fraud, force, or coercion are *not* necessary elements of the offense, and it does not matter whether the juvenile consented or appeared to consent to the sexual act.

The *2013-2017 Federal Strategic Action Plan on Services for Victims of Human Trafficking in the United States* explains the tactics perpetrators use to traffic their victims:

*Prosecutors have successfully demonstrated that someone can be enslaved without chains and that traffickers often go beyond physical abuse and use extreme forms of psychological abuse that exploit vulnerabilities to prevent victims from escaping. To achieve their ends, traffickers instill fear of arrest or deportation, use threats of harm to a family member, perpetuate shame or guilt about what is happening, and warn of financial ruin. These experiences are traumatizing and often manifested through psychological dissociation, distrust, and gaps in the victim's memory that make recounting a clear and complete story difficult. In addition, traffickers are known to promote drug dependencies among their victims, keeping the victims reliant upon the trafficker for access to the substances that fuel addiction. Law enforcement officers, prosecutors, and victim advocates have learned that the unique and complex abuses inflicted upon these victims demand a comprehensive and sustained trauma-informed approach.*²

Washington State has been described as high-risk for sex trafficking, due in part to its abundance of ports, proximity to an international border, and robust tourism sector.³ However, the state is also considered a national leader in combating the crime, becoming the first state to pass a law criminalizing human trafficking in 2003.

¹ RCW 9A.40.100.

² <http://www.ovc.gov/pubs/FederalHumanTraffickingStrategicPlan.pdf>.

³ Washington State Department of Commerce, *Human Trafficking: Present Day Slavery*, (June 2004).

Since then, over 30 other pieces of legislation have been signed into law, addressing various aspects of labor and sex trafficking. These include:

- Mail order bride legislation (ESSB 6412, 2002, and SHB 1826, 2003), establishing protections for prospective foreign spouses of Washington residents brokered online.
- Prohibiting so-called “sex tourism,” becoming the second state in the country to do so (SB 6731, 2005).
- Creating new felony and misdemeanor crimes for commercial sexual abuse of a minor (SSB 5718, 2007). Additional penalties and classifications of crimes related to child sexual exploitation have been enacted since then.
- Making it a crime to coerce someone to perform labor or services by withholding or threatening to withhold or destroy someone's immigration status papers (SB 6339, 2014).
- Creating the presumption that a juvenile arrested for prostitution or prostitution loitering meets the federal criteria for a “victim of a severe form of trafficking in persons” and is a victim of commercial sex abuse of a minor (ESSB 6476, 2010).
- Placing information posters about sex and labor trafficking in highway rest stops, which include a toll-free number to call for help or report tips (SB 6330, 2010).
- Levying an additional \$5,000 fine, on top of other criminal penalties, for using online advertisements to facilitate commercial sexual abuse of a minor (SB 5488, 2013).
- Expanding the definition of “sex offense” to include sex trafficking, so offenders are required to register as sex offenders (SHB 1791, 2014).
- Allowing a victim of trafficking, promoting prostitution in the first degree, or commercial sexual abuse of a minor to have their related conviction for prostitution vacated from their criminal record (SHB 1292, 2014).

In 2013, the Polaris Project published its annual *Analysis of State Human Trafficking Laws*, and Washington and New Jersey were the only states to receive a perfect score on the 10 categories on which the states were graded.⁴ Those categories include having training for law enforcement, having a human trafficking task force or commission, and having a statute requiring that a hotline for human trafficking be posted in public locations.

⁴ <http://www.polarisproject.org/what-we-do/policy-advocacy/national-policy/state-ratings-on-human-trafficking-laws>.

Committee Activities

ESHB 1291, which created the Statewide Coordinating Committee on Sex Trafficking, became effective July 28, 2013. The law was intended to encourage collaborations between law enforcement and organizations that serve victims. According to the report, *Developing a National Action Plan to End Sex Trafficking*,⁵ public health and public safety interventions are less productive when operating in isolation. The more effective model is collaborative, where police, public health, social service, community groups, and businesses contribute to proactive problem-solving and system improvement interventions.

The legislation directed the committee to:

- Gather and assess service practices from diverse sources regarding service demand and delivery.
- Analyze data regarding the implementation of sex trafficking legislation passed in recent years by the Legislature, and assess the efficacy of such legislation in addressing sex trafficking, as well as any obstacles to the impact of legislation on the commercial sex trade.
- Review reports, recommendations, and statewide protocols as implemented in the pilot sites selected by the Center for Children and Youth Justice regarding commercially sexually exploited youth.
- Gather and review existing data, research, and literature to help shape a plan of action to address human trafficking in Washington, including strategies to end sex trafficking and necessary data collection improvements.

The Department of Commerce's (Commerce) Office of Crime Victims Advocacy (OCVA), which has been involved with and led anti-trafficking efforts since 2002, was tasked with administering the Committee. In August 2013, OCVA contracted with Commerce's Research Services unit to staff the Committee.

ESHB 1291 specified that two members of the House of Representatives, one from each caucus, and two members of the Senate, one from each caucus, be appointed to the Committee. The bill directed 19 agencies and organizations to designate representatives to serve on the Committee, and additionally directed OCVA to appoint representatives of community advocacy groups and service providers that serve victims of human trafficking. OCVA appointed an additional 18 representatives from 16 organizations to serve on the committee. The members represented a broad swath of state agencies, nonprofits, and representative organizations.

⁵ <http://www.demandabolition.org/research-and-publications/developing-a-national-action-plan-for-eliminating-sex-trafficking/>.

The full membership of the Committee, along with legislative staff and other observers, first met on December 5, 2013. That meeting included an overview of past legislation, a discussion about victims' services, and a panel of demand reduction strategies. The Committee also reached consensus about creating subcommittees based on policy areas.

The five subcommittees established by the members were Victims' Services, Demand Reduction, Research, Community Mobilization, and Criminal Justice. Two persons from each committee volunteered to be conveners and represent their subcommittee on an Executive Committee. The conveners of each subcommittee were:

- Victims Services: Leslie Briner (YouthCare) and Lindsay Cortes (Cocoon House)
- Demand Reduction: Robert Beiser (Seattle Against Slavery) and Peter Qualliotine (Organization for Prostitution Survivors)
- Research: Dr. Debra Boyer (Organization for Prostitution Survivors) and Cassie Franklin (Cocoon House)
- Community Mobilization: Nature Carter (People of Color Against AIDS Network), Sheila Houston (Rare Coins Ministry), and Emma Catague (API/Chaya)
- Criminal Justice: Chief Colleen Wilson (Washington Association of Sheriffs and Police Chiefs), Matt Baldock (Washington Association of Prosecuting Attorneys), and Linda Smith (Shared Hope)

The legislators also participated on the Executive Committee. The Executive Committee met monthly through phone conferences to discuss committee progress, resolve questions or obstacles, and check in our timeline.

The subcommittees were responsible for consulting with experts, sharing knowledge, and devising strategies to gather information necessary to formulate recommendations. Some examples of subcommittee activities include:

- The Community Mobilization subcommittee met several times with the members of the Survivors Network, a Seattle-based organization for women who have survived trafficking and prostitution. The Survivors Network was consulted about how to ensure the voices of marginalized persons were included in the discussion about strategies to end trafficking.
- The Victims Services subcommittee conducted an online survey about service practices and delivery, which was broadly distributed to over 200 organizations in the state. The subcommittee also conducted interviews with survivors of trafficking, focused on which services they had been most in need of as they struggled to escape their circumstances.

- The Criminal Justice subcommittee conducted a survey of law enforcement officers and prosecutors to determine the extent to which they were aware of sex trafficking and the criminal penalty fines that could be levied and accessed to support investigations and prevention.
- The Research subcommittee reviewed reports and recommendations from the Commercially Sexually Exploited Children Statewide Coordinating Committee, established by SSB 5308 (2013). The subcommittee further reviewed data from the Federal Bureau of Investigations (FBI) and the Polaris Project, a national advocacy organization that promotes a victim-centered approach to serving trafficking victims.
- The Demand Reduction subcommittee consulted with the content developer for the Family Life and Sexual Health (FLASH) curriculum, used in ninth grade health classes in Washington. The subcommittee researched evidence-based curriculum shown to reduce teen dating violence and sexual assault, for guidance on ways to evaluate curriculum developed to prevent trafficking.

The full Committee met a second time on September 8, 2014, to discuss and reach consensus on the recommendations and plan to address sex trafficking.

ESHB 1291 additionally tasked Commerce with reporting annually on the amount of revenue collected by local jurisdictions for certain criminal penalties levied for prostitution and commercial sexual exploitation charges, and the expenditure of that revenue. That report will also be submitted to the Legislature in December 2014.

Committee Members and Organizations

The members of the Statewide Coordinating Committee on Sex Trafficking are:

- Senator Jeanne Kohl-Welles, 36th Legislative District, Washington State Senate
- Senator Pam Roach, 31st Legislative District, Washington State Senate
- Representative Tina Orwall, 33rd Legislative District, Washington State House of Representatives
- Representative Linda Kochmar, 30th Legislative District, Washington State House of Representatives
- Danielle Pugh-Markie, Manager, Supreme Court Commissions, Administrative Office of the Courts
- Pam Dittman, Program Coordinator, Administrative Office of the Courts
- Emma Catague, API/Chaya
- Jason Hearn, City of Lacey Deputy Mayor, Association of Washington Cities
- Brian Enslow, Senior Policy Director, Washington State Association of Counties
- Darwin Roberts, Deputy Attorney General, Attorney General's Office

- Justice Bobbe Bridge, Founding President and CEO, Center for Children and Youth Justice
- Cassie Franklin, CEO, Cocoon House
- Kim Foley, Program Manager, Comprehensive Mental Health
- Cletus Nnanabu, Program Manager, Crime Victims Compensation Program
- Patti Toth, Child Abuse Program Manager, Criminal Justice Training Commission
- Keli Drake, Child Protective Services Program Manager, DSHS Children's Administration
- Jeff Patnode, Administrator for Sexual Offender Programs and Interstate Compact for Juveniles Commissioner, DSHS Juvenile Rehabilitation Administration
- Mozhddeh Oskouian, Lead Attorney, Violence Against Women Act Unit, Northwest Immigrant Rights Project
- Connie Burk, Executive Director, Northwest Network
- Shannon Perez-Darby, Youth Services Program Manager, Northwest Network
- Seth Kirby, Executive Director, Oasis Youth Center
- Peter Qualliotine, Co-Founder and Director of Men's Accountability, Organization for Prostitution Survivors
- Dr. Debra Boyer, Executive Director, Organization for Prostitution Survivors
- Mike Donlin, Program Supervisor, The School Safety Center, Office of the Superintendent of Public Instruction
- Nature Carter, Program Manager, People of Color Against AIDS Network
- Azra Grudic, Victim Advocate, Providence Intervention Center for Abuse and Assault
- Sheila Houston, Founder, Rare Coins Ministries
- JoDee Garretson, Executive Director Support, Advocacy and Resource Center (Tri-Cities)
- Robert Beiser, Executive Director, Seattle Against Slavery
- Laurie Schacht, Director, Sexual Assault Program, YWCA Clark County
- Linda Smith, Founder and President, Shared Hope International
- Matt Baldock, Snohomish County Deputy Prosecutor, Washington Association of Prosecuting Attorneys
- Kathleen Morris, Program Manager, Washington Anti-Trafficking Response Network (WARN)
- Cody Benson, Executive Director, Washington Coalition of Crime Victim Advocates
- Chief Colleen Wilson, Port of Seattle Police Department, Washington Association of Sheriffs and Police Chiefs
- Ankita Patel, Crossing Borders Program Coordinator, Washington State Coalition Against Domestic Violence
- Rose Gundersen, Executive Director, Washington Engage
- Andrea Piper-Wentland, Executive Director, Washington Coalition of Sexual Assault Programs
- Dee Koester, Executive Director, Washington State Native American Coalition Against Domestic Violence and Sexual Assault

- Dawn Lewis, Associate Director, Washington State Native American Coalition Against Domestic Violence and Sexual Assault
- Melinda Giovengo, Executive Director, YouthCare
- Leslie Briner, Commercial Sexual Exploitation Training and Policy Coordinator, YouthCare

What is Known About Sex Trafficking in Washington State

Key Findings

- Accurate data on sex trafficking is difficult to obtain because many cases go undetected, law enforcement data systems have only recently been updated to track cases, and many victims may seek services for domestic violence or sexual assault, and may not categorize their own experience as one of trafficking.
- Examining what is known about the illicit commercial sexual economy provides insights into the prevalence of sex trafficking of both adults and minors.
- Washington’s Safe Harbor Law (ESSB 6476, 2010), directed that a minor arrested for a first violation of prostitution should have his or her case diverted; subsequent offenses can also be diverted at the discretion of the prosecutor. Despite this, there is still significant variation across the state in the response to minors who are arrested for or suspected of prostitution.

Sex trafficking occurs at massage parlors, residential brothels, nail salons, and hotels, among other locations. Increasingly, the Internet is used to facilitate sex trafficking. It can occur in combination with labor trafficking. For instance, undocumented workers forced to supply both labor and sex to “pay off” debts accrued during their transport into the country. All underage victims of prostitution meet the state and federal definitions for sex trafficking, regardless of where the crime takes place.

Because victims of sex trafficking are forced into an illegal work sector, they often live in fear of law enforcement raids and arrests, and this is especially the case for those who are undocumented workers and may fear deportation. Traffickers will frequently exploit the fear of arrest or deportation to prevent victims from escaping their circumstances. Traffickers may also instill a fear of retribution against either the victims or their families, if the victims reveal to law enforcement the circumstances of their exploitation. For these reasons, it is particularly challenging to get accurate counts of the number of persons experiencing sex trafficking in Washington State.

Human trafficking was only classified as a crime in 2013 in the national Uniform Crime Report (UCR) crime-reporting system. In Washington, the National Incident-Based Reporting System (NIBRS) is used by local law enforcement agencies and feeds data into the UCR. As such, up until recently local law enforcement lacked a standard method for reporting human trafficking arrests and investigations.

Even when victims are identified, their cases often do not progress through stages of the criminal justice system because victims who are traumatized or are fearful of retaliation by their traffickers may be reluctant to cooperate with law enforcement investigations.

Official data on human trafficking arrests or prosecutions is unreliable since it represents the tip of the iceberg for a largely hidden crime and it is not collected systematically.

Adults

Data to evaluate the extent of sex trafficking of adults in Washington are limited. According to the Polaris Project's *National Human Trafficking Resource Center Washington State Report*, 633 phone calls, 30 emails, 32 online tip forms, and 14 text threads were submitted from persons reporting human trafficking from our state in 2013. This represented the 11th highest call volume of all states.

Of the Washington reports assessed by the Polaris Project to be highest risk, 97 cases were suspected sex trafficking, 23 were labor trafficking, 10 were not specified, and four were both sex and labor. Ninety-three reports were in regards to adults and 36 were in regards to minors. The majority, 86 percent, were women or girls. Lastly, of the suspected victims whose nationality was known, 56 were U.S. citizens and 34 were foreign nationals.⁶

In a recent national effort to assess the scope of sex trafficking, researchers at Northeastern University, Abt Associates, and the Urban Institute analyzed data from 207 identified technical reports, published studies, and scholarly articles about populations that have been trafficked or are at risk for human trafficking. The researchers found that weaknesses and inconsistencies in the methods and data used prohibited the creation of a reliable estimate. The study found that estimates of the minimum number of victims of trafficking vary considerably. National data collection and survey studies produce a median estimate of the minimum number of victims each year as low as 3,817 victims, whereas the median estimate of the minimum number of victims produced by economic modeling studies is as high as 22,320.⁷

OCVA requires all of its contracting community-based programs to utilize InfoNet, an online program which aggregates information about the types of advocacy services provided to survivors. InfoNet includes a field to record whether the person receiving services is a victim of trafficking. However, the field is not mandatory. Additionally, many victims may not initially disclose that they have experienced trafficking, or they may not understand that their experience constituted trafficking. And lastly, some advocates are more experienced than others in detecting subtle signs indicating sex trafficking and ask the follow-up questions needed to allow a victim to disclose.

⁶ <http://www.polarisproject.org/state-map/washington>.

⁷ <http://www.urban.org/UploadedPDF/412593-State-and-Local-Human-Trafficking-Cases.pdf>.

The Underground Commercial Sexual Economy

One way to assess the extent of sex trafficking is to examine what is known about the commercial sex economy. We cannot make a clear distinction between prostitution and sex trafficking for several reasons: First, because adult women and men who are currently involved in prostitution in many cases began as children. Multiple studies have found the median age of entry into prostitution to be between 12 and 15,⁸ meaning that prostitution-involved adults began as trafficked youth. Second, persons involved in prostitution may be coerced or compelled by pimps, especially if they have drug or alcohol dependencies (which is true for the majority) and do not have control over their own financial resources, limiting their options for escape. (Please see the section on Prostitution-Involved Persons beginning on page 23 for further discussion.)

The 2014 report, *Estimating the Size and Structure of the Underground Commercial Sexual Economy in Eight Major US Cities*,⁹ found that Seattle was one of two cities out of the eight the researchers studied in which the underground commercial sexual economy (UCSE) grew during the last decade. The report defines the UCSE as the market for sex acts that state or federal laws have deemed illegal, including adult prostitution, sex trafficking of adults and children, and child pornography. The researchers did not attempt to differentiate between sex trafficking and other forms of commercial sexual exploitation.

Seattle's UCSE grew over 200 percent from 2003 to 2007, from \$50.3 million per year to \$112 million per year, which represented a 123 percent increase. This was significantly greater than the only other city in which the UCSE increased. In comparison, Atlanta's UCSE increased by about 20 percent during that same time period.

The researchers found a large increase in the number of "erotic Asian massage parlors and spas" opening up in and around Seattle over the last 10 years. They additionally found that the Seattle UCSE operated in a circuit that runs between Everett, Seattle, and Tacoma. There is additional out-of-state travel to Portland, northern California, and Las Vegas.

Washington has seen an increase in Internet-based prostitution over the last decade, largely attributed to the ease of using sites like Backpage and Craigslist, as well as due to the success of law enforcement efforts to crack down on visible street prostitution. This shift has paradoxically made sex trafficking and prostitution both less visible to most people, while increasing the availability of online commercial sex and underage trafficking victims to buyers.

A Seattle law enforcement official explained that the UCSE has grown "all because of the Internet. . . . It's kind of like our society has an out of sight, out of mind mentality – as long as I don't see it, I'm good with it. We always get people saying, 'You've got to do something about

⁸ <http://www.justice.gov/oig/reports/FBI/a0908/chapter4.htm>.

⁹ <https://www.ncjrs.gov/pdffiles1/nij/grants/245295.pdf>.

these prostitutes, it's hurting my business.' But we've never had someone call and say something about prostitution online, because they don't see it, it doesn't affect them, so they don't care. . . . It's just really exploded."¹⁰

Washington law enforcement officers report that gangs are increasingly playing a central role in sex trafficking. Human trafficking is viewed as less risky than selling drugs, which carry mandatory sentencing requirements and are enforced by dedicated narcotics task forces around the state. As one law enforcement agent explained, "A lot of these gang members are getting into the commercial exploitation of children because it is very low risk, very high return. If I catch a gang member with guns or money on him, you can't explain that away. . . . But people, women, children, they are a reusable commodity."¹¹

Trafficking victims are more likely to have drug dependencies and to commit -- or be forced to commit -- other types of crime, putting them at greater risk of arrest. Therefore, many victims of human trafficking frequently first come into contact with the criminal justice system when they are arrested. Rather than being recognized as victims, many are then prosecuted and convicted for prostitution and other related crimes.

Children

Commercial sexual exploitation of children is a type of child abuse and is never consensual. Children do not enter into prostitution or pornography of their own volition; instead, the process inevitably requires the involvement of adults -- as abusers, as recruiters into prostitution and, in time, as pimps, traffickers and sexual "customers." Commercial sexual exploitation and sex trafficking of minors refer to a range of crimes of a sexual nature committed against children and adolescents, including:

- Recruiting, enticing, harboring, transporting, providing, obtaining, and/or maintaining (acts that constitute trafficking) a minor for the purpose of sexual exploitation.
- Exploiting a minor through prostitution.
- Exploiting a minor through survival sex (exchanging sex/sexual acts for money or something of value such as shelter, food, or drugs).
- Using a minor in pornography.
- Exploiting a minor through sex tourism, mail order bride trade, and early marriage.

¹⁰ <http://www.urban.org/UploadedPDF/413047-Underground-Commercial-Sex-Economy.pdf>.

¹¹ Ibid.

- Exploiting a minor by having her or him perform in sexual venues such as strip clubs.¹²

In the 2001 report, *The Commercial Sexual Exploitation of Children in the US, Canada and Mexico*,¹³ researchers at the University of Pennsylvania explain the connection between a robust UCSE and child sexual exploitation:

Without equivocation, the investigators can confirm that the presence of pre-existing adult prostitution markets contributes measurably to the creation of secondary sexual markets in which children are sexually exploited. Indeed, in every community we visited in which a substantial adult prostitution markets exists... we also found substantial numbers of young people being sexually exploited—often alongside older prostituted women and men soliciting sex on the same streets and pursuing the same clients. Adult prostitution markets contribute to [commercial sexual economy] in several ways: 1) the markets already are well known to local and transient males that frequent prostituted women; 2) they exist in communities where young people easily can find other similarly situated youth, cheap hotel rooms and, not infrequently, cheap drugs; 3) police retain a relative low presence in many of these areas, typically, responding only to emergency calls; and 4) anonymity for both youth and their adult exploiters is all but assured. Ironically, many drop in programs, free health clinics and other human service agencies also are found in these communities—all services on which many street youth depend for food, a place to shower, relief from the pressures of the street. Most of these services, though, are severely under-funded and under-staffed with the result that comparatively few can respond comprehensively to the complex outreach and service needs of the many street youth that move in and out of these communities.

The limited data available suggest that a large majority of victims of sex trafficking are young people. A Baylor University study of known cases of sex trafficking of minors in the United States from 2000 to 2009 found that the victims were as young as five years old, and the mean victim age was 15 years old. A review of sex-trafficking cases reported to the Human Trafficking Reporting System, or HTRS, between January 2008 and June 2010 found that 85 percent of confirmed victims of sex trafficking were under age 25, and 54 percent were age 17 or younger. Of the approximately 2,500 suspected labor and sex trafficking incidents investigated during those three years, 40 percent involved allegations of trafficking or the sexual exploitation of children.¹⁴

¹² Institute of Medicine and National Research Council, 2013. *Confronting commercial sexual exploitation and sex trafficking of minors in the United States*. Washington, DC: The National Academies Press.

¹³ <http://www.hawaii.edu/hivandaids/Commercial%20Sexual%20Exploitation%20of%20Children%20in%20the%20US,%20Canada%20and%20Mexico.pdf>.

¹⁴ <http://www.americanprogress.org/issues/lgbt/report/2014/04/08/87293/3-key-challenges-in-combating-the-sex-trafficking-of-minors-in-the-united-states/>.

Given the clandestine nature in which sex trafficking is conducted, it is impossible to determine an exact number of prostituted youth. In a 2008 report¹⁵ contracted by the City of Seattle, Dr. Debra Boyer and colleagues found the following when they examined the commercial sexual economy for youth in the Seattle area:

- An estimated 250 youth are involved in prostitution annually.
- Law enforcement reports likely underreport youth involvement in prostitution, and trafficked youth are often arrested for other charges and their prostitution histories may not be known.
- Young women of color are overrepresented in samples of prostitution-involved youth.
- Youth with prostitution convictions reoffend and are seen repeatedly in the court system; 31 youth with prostitution convictions from 2004-2006 had an average of seven additional court referrals.

If we extrapolate the estimates for Seattle to the population of the state, we arrive at an estimate of approximately 2,700 sex-trafficked youth each year. However, there are many reasons that this number, along with similar estimates of the nationwide extent of trafficking, is not reliable. Police reports, social service observations, and victims' testimony reveal a wide disparity in estimates of trafficking. However, there is general agreement that many, if not most, juvenile victims go unidentified.

¹⁵ http://www.seattle.gov/humanservices/domesticviolence/report_youthinprostitution.pdf.

Populations Targeted by Sex Traffickers

Key Findings

- Sex traffickers target youth who are vulnerable due to being estranged from their families and support networks.
- Homeless youth are particularly vulnerable to tactics used by pimps and traffickers, due to their need for shelter, food, and a sense of belonging.
- Prostitution-involved adults often began as trafficked youth. Most are trapped by dependencies, including on drugs and alcohol, and economic dependence on their pimps.
- Immigrant victims face the increased hurdles of fear and confusion related to their immigration status, and need specialized assistance to learn what options are available to them.

There is no single factor that defines trafficking victims. Individuals of any race, national or ethnic origin, gender identity, sexual orientation, or age can be affected by trafficking. However, traffickers often target individuals who are vulnerable due to poverty and who belong to marginalized groups. Gender-based discrimination and violence place women, girls and transgender youth and adults at heightened vulnerability to trafficking. Other factors that increase an individual's risk are age, prior experiences of physical or sexual abuse, and alienation from one's family.

While traffickers may use overt force or abduction to capture victims, more frequently, they recognize and prey on the factors that make individuals vulnerable to trafficking. Traffickers often recruit victims by offering them a better job, security, or love.

Child and teenage victims of sex trafficking are often minorities. A review of cases in the federally funded Human Trafficking Reporting System (HTRS) found that 35 percent of confirmed victims of sex trafficking were African American, and 21 percent were Hispanic.¹⁶

Additionally, available data indicates that the victims of sex trafficking are overwhelmingly female. Ninety-four percent of the confirmed sex-trafficking victims identified by the HTRS between January 2008 and June 2010 were female. A review of hotline calls received by the Polaris Project showed that 85 percent of sex-trafficking cases reported to the national trafficking hotline between 2007 and 2012 involved female victims.¹⁷

¹⁶ Ibid.

¹⁷ <http://www.polarisproject.org/resources/hotline-statistics/human-trafficking-trends-in-the-united-states>.

The following categories represent what is known about other population groups targeted by sex traffickers.

Youth in Foster Care

Foster care children are targeted by traffickers because of their need for love, affirmation, and protection. The long-term risks for youth in foster care are well documented, but it is only in recent years that the prevalence of sex trafficking among youth in foster care has been more widely recognized.

Any child may be vulnerable to someone who promises to meet their emotional or physical needs, but children with no permanent home are particularly vulnerable. These children are the most susceptible to the manipulation and false promises that traffickers use to secure their trust and dependency.

Multiple studies have found that many child victims of trafficking had previous involvement in the child welfare or foster care system. Sixty percent of child sex-trafficking victims recovered during an FBI Innocence Lost operation, spanning 72 U.S. cities in 2013, had previously been in foster care or group homes. Reviews of child sex-trafficking cases by law enforcement in other jurisdictions reveal similar numbers: Between 55 percent and 98 percent of child sex-trafficking cases involved children who had prior involvement in the child welfare system.¹⁸

While the percentage of Washington State foster youth who are trafficked or at risk for trafficking is not known, three studies conducted in California found that approximately half of trafficked youth were in foster care or had been in the past in that state.¹⁹ A Los Angeles County Superior Court Commissioner explained:

*“One recovered youth told me that, ‘being in foster care was the perfect training for commercial sexual exploitation. I was used to being moved without warning, without any say, not knowing where I was going or whether I was allowed to pack my clothes. After years in foster care, I didn’t think anyone would want to take care of me unless they were paid. So, when my pimp expected me to make money to support ‘the family,’ it made sense to me.”*²⁰

The harm and neglect that lead children into foster care are exacerbated by the conditions of unstable placement and the high incidence in which youth, and teenagers in particular, run away from care. The combination of fractured family ties, a need for love and attention, and

¹⁸ <http://www.americanprogress.org/issues/lgbt/report/2014/04/08/87293/3-key-challenges-in-combating-the-sex-trafficking-of-minors-in-the-united-states/>.

¹⁹ http://www.casre.org/our_children/fcht/.

²⁰ <http://www.chhs.ca.gov/CWCDOC/Ending%20CSEC%20-%20A%20Call%20for%20Multi-System%20Collaboration%20in%20CA%20-%20February%202013.pdf>.

few economic resources make these youth especially vulnerable to the tactics used by traffickers and pimps.

Children Who Have Been Abused

Multiple studies have documented that individuals who as adults or as teens become involved in prostitution have a high frequency of childhood sexual and physical abuse.²¹ Studies indicate that between 55 and 90 percent of prostituted individuals report a history of child sexual and/or physical abuse.²²

Children who have been or are being abused are more likely to run away from their family or foster home. In turn, running away is an indicator of potential trafficking and exploitation. Recruitment into prostitution and sex trafficking often occur while youth are missing.

Approximately 81 percent of the missing children reported to the National Center for Missing and Exploited Children (NCMEC) are classified as endangered runaways by that agency.²³ NCMEC estimates that one in seven endangered runaways are likely victims of sex trafficking.²⁴ Of the children reported missing to NCMEC in 2012 who are likely child sex trafficking victims, 67 percent were in the care of social services or foster care when they ran.²⁵

As Rachel Lloyd, the executive director of Girls Educational and Mentoring Services and herself a survivor of trafficking, expresses it,

“Violence is inherent in the sex industry. . . No other industry is dependent upon a regular supply of victims of trauma and abuse.”²⁶

Homeless Youth

Runaway and homeless youth are at high risk of sexual exploitation. A 2013 study found that approximately one in four homeless youth (23 percent) had experienced sexual exploitation or trafficking prior to becoming connected with a service agency.²⁷ Youth who are “on the run” who also have a history of abuse and trauma and poor familial and social support are the single most vulnerable group to sex trafficking. A survey of youth in a homeless shelter in Salt Lake City, Utah, found that 50 percent of homeless youth reported having been solicited for sex by

²¹ http://waysandmeans.house.gov/uploadedfiles/melinda_giovengo_testimony_hr102313.pdf.

²² http://www.academia.edu/2567561/Prostitution_in_Five_Countries_Violence_and_Post-Traumatic_Stress_Disorder.

²³ <http://www.missingkids.com/Testimony/10-23-13>.

²⁴ <http://www.missingkids.com/CSTT>.

²⁵ http://waysandmeans.house.gov/uploadedfiles/john_ryan_testimony_hr102313.pdf.

²⁶ <http://www.nytimes.com/roomfordebate/2012/04/19/is-legalized-prostitution-safer/legalizing-prostitution-leads-to-more-trafficking>.

²⁷ <http://www.covenanthouse.org/sites/default/files/attachments/Covenant-House-trafficking-study.pdf>.

an adult. Reports have also indicated that one out of every three runaways will be lured toward prostitution within 48 hours of leaving home.²⁸

Seattle has one of the largest homeless youth populations in the U.S.; city staff estimates that there are between 700 and 1,000 homeless youth on the streets every night.²⁹ As in other large cities, certain areas are known to have high concentrations of both homeless youth and adults aiming to exploit them. Sting operations conducted within Westlake Plaza in downtown Seattle have resulted in girls (actually undercover officers) being approached within an hour by men attempting to lure them into prostitution.³⁰

“Survival sex” is the term for a juvenile exchanging sex with an adult for money or something of value, such as shelter, food, or drugs. If a homeless youth exchanges sex with an adult for a place to stay, for instance, the teen’s need for shelter is being exploited. These youth in particular may not be visible as trafficked individuals to social service providers and law enforcement.

A 2013 study of homeless and formerly homeless youth conducted by Covenant House in New York City explained the connection between survival sex and trafficking thusly:

Although there is a significant legal distinction between sex trafficking and survival sex, our results demonstrated a great deal of fluidity between the two. What started initially as survival sex frequently turned into coercive and violent trafficking experiences. Whether it was survival sex or compelled sex trafficking, all youth regretted the experience.

Covenant House found that almost half (48 percent) of the youth who engaged in survival sex said that they did so because they did not have a place to stay.³¹

Coping and survival are key themes for high-risk runaway and homeless teens. Many are proud of their ability to have survived violence, abuse and/or poverty in their family homes, and to have surmounted the risks they have faced on the streets. Homeless youth may not consider themselves “victims” in light of their resilience to extreme difficulties.³² The coping techniques developed by these teens will thus not match the picture of a vulnerable child who is appreciative of attempts to help them. Law enforcement and service providers are more likely to come into contact with a willful and defiant survivor who might be easier to label an “offender” because he or she does not conform to the stereotype of victim.

²⁸ <http://www.americanprogress.org/issues/lgbt/report/2014/04/08/87293/3-key-challenges-in-combating-the-sex-trafficking-of-minors-in-the-united-states/>

²⁹ http://waysandmeans.house.gov/uploadedfiles/melinda_giovengo_testimony_hr102313.pdf.

³⁰ http://crosscut.com/media/static_file/2014/04/02/King_County_Committee_to_End_Homelessness_Report.pdf.

³¹ <http://www.covenanthouse.org/sites/default/files/attachments/Covenant-House-trafficking-study.pdf>.

³² <http://faculty.uml.edu/lwilliams/Williams%20Pathways%20Final%20Report%202006-MU-FX-0060%2010-31-09L.pdf>.

Homeless adults are, in many cases, formerly homeless, abused, or at-risk youth. They are vulnerable to sex trafficking for many of the same reasons as homeless youth.

Lesbian, Gay, Bisexual and Transgender (LGBT) Youth

LGBT youth are at an increased risk for sex trafficking primarily because they are over-represented in the homeless youth population. In the population at large, between 5 and 7 percent of American youth identify as LGBT. A California study found that between 20 and 40 percent of homeless youth in that state identify as LGBT,³³ and anecdotal evidence supports that the numbers are equally high in Washington.

An estimated 25 percent to 40 percent of LGBT homeless youth left home or were forced out of their homes due to family conflict because of their sexual orientation or gender identity.³⁴ Without family support or stable housing, LGBT homeless youth experience disproportionately high rates of victimization. One survey of homeless youth in Hollywood, California found that LGBT homeless youth were three times more likely to have been sexually assaulted or raped compared to their non-LGBT homeless peers. Homeless LGBT youth are exposed to the same risk factors for sex trafficking as other youth, but also experience the increased vulnerability brought on by disparities in employment opportunities, increased engagement in survival sex, and frequent lack of family support.³⁵

One study estimates that more than one in four homeless LGBT youth have been victims of commercial sexual exploitation. For homeless gay and bisexual boys, the number is close to half.³⁶

Immigrants

Foreign-born sex trafficking victims are often drawn in by false advertisements for opportunities abroad, or individuals facing poverty may be forced to migrate for work, making them more vulnerable to trafficking. Often recruitment agencies advertise seemingly legitimate opportunities for employment in restaurants or childcare establishments in the U.S., providing visa and travel services. When job seekers arrive in Washington, they may be forced, instead, to perform commercial sex work or to labor in inhumane conditions or with little or no compensation.

A variety of factors – including poverty, debt, and undocumented immigration status – can prevent victims from seeking help or attempting to enforce original employment agreements. Traffickers may confiscate passports and identification, in some instances holding these

³³ http://www.thetaskforce.org/static_html/downloads/reports/reports/HomelessYouth_ExecutiveSummary.pdf.

³⁴ <http://www.americanprogress.org/issues/lgbt/report/2014/04/08/87293/3-key-challenges-in-combating-the-sex-trafficking-of-minors-in-the-united-states/>.

³⁵ Ibid.

³⁶ <http://www.youngmindsadvocacy.org/wp-content/uploads/2013/05/Fact-Sheets-Combo.pdf>

documents as collateral until victims are able to pay off the “debt” incurred by arranging travel and visa documents. The U.S. State Department reports that “without these vital documents, migrants are vulnerable to arrest, punishment and/or deportation. The threat of these punishments is used by traffickers or exploitative employers as a form of legal coercion or abuse of the legal system.”³⁷

See page 35 for information about T and U Visas, the two types of immigration remedies that can assist immigrant victims of sex trafficking.

Native Americans

Research on sex trafficking of Native Americans is limited, but findings suggest that Native women and girls are over-represented among trafficking victims. Native women experience a much higher rate of sexual assault and rape than women of other races and ethnicities,³⁸ and evidence indicates this also applies to sex trafficking.

An analysis of 2007 prostitution arrest data in the county encompassing Minneapolis found 24 percent of arrests to be of Native women, more than 12 times their representation in the county’s population.³⁹

Sex trafficking investigations involving tribal land face complex jurisdictional questions due to variation in federal, state, and tribal roles. This complexity hinders the investigation, identification, and protection of Native American victims.⁴⁰

Prostitution-Involved Persons

Buyers, or “johns,” cannot usually distinguish whether someone who is selling sex is compelled to by a trafficker or not. Youth and adults who are being forced to sell sex often present themselves as if they participate voluntarily, due to fear of repercussions from their pimps or traffickers. For law enforcement and other responders, many instances of trafficking first appear to be prostitution, and then are reclassified when evidence emerges showing that the individual was compelled by third-party force, fraud, or coercion (or by finding the victim to be a minor).

There are no data to determine what proportion of prostitution-involved persons are trafficked. Melissa Farley is considered the preeminent American researcher on prostitution, and explains the overlap between prostitution and sex trafficking:

³⁷ <http://www.state.gov/j/tip/rls/tiprpt/2007/82808.htm>.

³⁸ <https://www.ncjrs.gov/pdffiles1/nij/210346.pdf>.

³⁹ Martin, L. & Rud, J. (2007). *Prostitution research report: Data sharing to establish best practices for women in prostitution*. Minneapolis: Hennepin County Corrections & Folwell Center Prostitution Project.

⁴⁰ http://www.vawnet.org/research/print-document.php?doc_id=2971&find_type=web_desc_AR.

Theoretical distinctions between prostitution and trafficking simply do not exist in the real world.... The same qualities in women that are sought by men who buy sex are also risk factors for trafficking, for example, young age, low price, foreigner or “exotic,” and inability to speak the local language. Studies of men who buy sex by Anderson and O’Connell Davidson (2003) and Di Nicola et al. (2009) indicate that most men who buy sex are aware of and have witnessed exploitation, coercion, and trafficking but this does not affect their decision to buy women for sexual use.⁴¹

The difficulty of separating prostitution from sex trafficking is further illuminated by research done on the average age of entry into commercial sexual exploitation. A study conducted in Vancouver, Canada from 2006 through 2008 found that of the 237 prostitution-involved women who participated in the study, their median age of entry into prostitution was 15 years, with a range of between 13 to 21 years old.⁴² And according to the FBI, the average age of a child targeted for prostitution in the United States is between 11 and 14 years old.⁴³

Therefore, many if not most prostitution-involved persons entered “the life” as a result of having been trafficked as a youth. Once juveniles pass the age of 18, the emotional and physical harm resulting from commercial sex, drug, and alcohol dependencies – and compounding pre-existing vulnerabilities – can make it difficult to leave. These impairments, plus a lack of employment skills, limit their options for financial self-sufficiency, which can in turn increase their dependence upon pimps and traffickers.⁴⁴

Even worse than economic hardship, adults who may not currently meet the definition of trafficking face violence if they attempt to leave. A 2001 study found more than half of the women who tried to leave prostitution were threatened, stalked, abused, and/or forcibly returned.⁴⁵

Researcher Max Waltman summarized the findings of a major study conducted in 2003:⁴⁶

If “freely chosen” means being able to choose “real or acceptable alternatives” to prostitution—the essential distinction from sex trafficking, according to international law—the fact that 89 percent of 854 prostituted persons in nine countries, United States included, wanted to escape it, but were unable to, suggests that choice is the privilege of a tiny minority. Among the 854 prostituted persons, whom were sampled both indoors

⁴¹ [http://www.prostitutionresearch.com/TraffickingTheoryVsReality2009\(Farley\).pdf](http://www.prostitutionresearch.com/TraffickingTheoryVsReality2009(Farley).pdf).

⁴² <http://www.bridgenorth.org/prostitution-in-canada-facts-and-figures.html>.

⁴³ <http://www.fbi.gov/news/testimony/combating-human-trafficking>.

⁴⁴ Not a Choice, Not a Job: Exposing the Myths about Prostitution and the Global Sex Trade; Janice G. Raymond, Spinifex, 2013.

⁴⁵ <http://www.sagepub.com/walshstudy/articles/section12/Raymond.pdf>.

⁴⁶ <https://www.ncjrs.gov/App/Publications/abstract.aspx?ID=205050>.

and outdoors, two-thirds met clinical criteria for posttraumatic stress disorder (PTSD) equal to that of treatment-seeking Vietnam veterans and torture victims.⁴⁷

Persons who are trafficked or prostituted may be compelled to commit a range of other crimes as well, leading to further avoidance of legal and social service systems which could intervene and assist them. Victims of trafficking are at risk of arrest for vagrancy, trespassing, disorderly conduct, larceny, drug possession, and immigration offenses. In Washington, individuals are often arrested for “lesser” offenses, such as loitering with intent, when law enforcement is unable to document sufficient facts for a prostitution charge.

⁴⁷ <http://su.avedas.com/converis/perso/3067>.

Services for Victims and Survivors

Key Findings

- Victims experience psychological, physical, and economic harm, and most continue to suffer from Post-Traumatic Stress Disorder (PTSD) after they are able to escape.
- All four of the survivors interviewed for this report had experienced significant early childhood abuse, and all had been in foster care. Each reported that their need for a stable home had made them vulnerable to trafficking.
- Non-judgmental support provided by relationships with advocates and service providers is a key element for effective services.
- There are not, as yet, standards of care developed for services for trafficking victims, such as are in place for domestic violence and sexual assault services.

Survey of Service Providers and Interviews with Survivors

In order to obtain information on services for trafficking victims in Washington State, two methods were utilized. First, a 46-question, web-based survey was designed to acquire information regarding the landscape of services for persons experiencing trafficking. The survey included quantitative questions regarding location, types of service provided, types of agencies providing services, training, and funding. Qualitative questions involved beliefs and attitudes about trafficking prevention and awareness, service philosophy and effectiveness, training, and strengths and gaps in providing services to persons experiencing trafficking. The survey was widely distributed to agencies and organizations working with victims of abuse across the state. Fifty-nine respondents, representing a diverse range of agencies, responded to the survey. See Appendix A for the full survey results.

The second method of collecting information was a semi-structured interview of four individuals who have experienced sex trafficking. The purpose of the interview was to obtain the perspectives of survivors in regards to what services were needed, how their needs were or were not met, and what recommendations they have for providers. Interviews were conducted by service providers known to the victim with their informed consent. For the protection of the survivors, all identifying information has been omitted. The interview responses are compiled in Appendix B.

The data collected through the survey does not represent the entirety of providers serving persons experiencing trafficking. Nor do the interviews represent the experiences of all people who have survived trafficking. As such, this information should be taken as a snapshot of what

is happening in the state of Washington, not as an exhaustive summary of all available resources or trafficking experiences.

When asked about the broader needs of persons experiencing trafficking, 64 percent of the survey respondents felt that the resources in their community did not meet the needs of survivors. Specifically cited was the lack of all types of housing (emergency shelter, long-term housing, and for both youth and adults) and mental health and chemical dependency services, both for in-patient and out-patient needs. The lack of residential programs (housing and substance abuse programs) where women are allowed to have their children with them was also cited as a significant gap. However, 93 percent did report that their agency was well connected to other resources in their communities, suggesting high levels of connectivity among providers despite the lack of resources reported.

The survey revealed a broad range in what constitutes trafficking prevention activities and strategies, demonstrated by over 80 unique answers given to the question, “What are the critical elements for anti-trafficking and exploitation prevention programming?” While the most common answers were *community awareness, education, and more resources*, the range of suggestions about prevention programming included: *bystander education, swift prosecution, outreach in schools, defining trafficking to the general population, addressing demand for commercial sex, conferences and, legislation* among many other answers. This suggests that the field of anti-trafficking work lacks a shared definition of what constitutes “prevention.”

The survivor interviews highlighted several themes, including the importance of social support and relationships, the need for comprehensive services, and histories of abuse and harm.

All four of the persons interviewed reported significant early childhood abuse that contributed to the conditions by which they were trafficked. All mentioned needing a “stable home” as a factor that made them vulnerable to trafficking. This lack of basic safety and security in childhood has significant repercussions.⁴⁸ Many people who have had these kinds of experiences find it difficult to trust service providers, but their recovery may depend on connecting with someone who can invest time getting to know them and believes in them. This may be a service provider, another survivor, a family member, or community member. It is the nonjudgmental support through relationships that many people identify as key element for effective services. As one survivor expressed it: “The support was what I needed, and knowing other women went through this and that I was not gross, really empowered me.”

⁴⁸ <http://www.cdc.gov/violenceprevention/acestudy/>.

Harm to Those Trafficked

Persons who have been sex trafficked face enormous harm – physically, psychologically, and economically. A 2008 study found that the vast majority (95 percent) of women and girls trafficked internationally are physically abused while being trafficked.⁴⁹

A study of juvenile victims of commercial sexual exploitation found that 68 percent suffered from Post-Traumatic Stress Disorder (PTSD) and had increased risk for both suicide and depression.⁵⁰ Exploitation “results in serious, often life-long, even life threatening, consequences for the physical, psychological, and social health and development of the child.”⁵¹

Involvement in commercial sex places individuals at very high risk for infectious disease, injury, and death. Studies have found that the rates of infectious disease, particularly those that are transmitted sexually, are between five and 60 times higher among persons involved in commercial sex than in general populations.⁵²

Most strikingly, prostituted persons have the highest homicide rates of any distinct group of persons ever studied.⁵³ A U.S. study of close to 2,000 prostituted persons, followed for a 30-year period, found them to have mortality rates of close to 200 times greater than women with similar demographic characteristics.⁵⁴

Victims of sex trafficking who are able to break free often have little or no resources, community connections, or means to obtain food and shelter, and therefore are in need of comprehensive and integrated services. The Polaris Project reports that of services requested by trafficking victims in crisis cases, 35 percent request immediate extraction as their highest need. Thirty percent request crisis case management, and one-quarter ask for emergency shelter.⁵⁵

⁴⁹ <http://www.demandabolition.org/research-and-publications/developing-a-national-action-plan-for-eliminating-sex-trafficking/>.

⁵⁰ <http://aspe.hhs.gov/hsp/07/humantrafficking/LitRev/>.

⁵¹ www.csecworldcongress.org/PDF/en/Stockholm/Background_reading/Theme_papers/Theme%20paper%20Health%201996_EN.pdf.

⁵² <http://jpubhealth.oxfordjournals.org/content/26/2/147.full.pdf>.

⁵³ Brewer, D. D., Dudek, J. A., Potterat, J. J., Muth, S. Q., Roberts, J. M. and Woodhouse, D. E. (2006), Extent, Trends, and Perpetrators of Prostitution-Related Homicide in the United States. *Journal of Forensic Sciences*.

⁵⁴ <http://aje.oxfordjournals.org/content/159/8/778.full>

⁵⁵ <http://www.naco.org/newsroom/countynews/Current%20Issue/5-5-2014/PublishingImages/chartL.png>.

Coordinated Response Efforts

The response to sex trafficking varies across the state of Washington. Response efforts may be impacted by the age of the person (distinctions between minors and adults) or whether or not they are a U.S. citizen (domestic trafficking or international trafficking).

In more subtle ways, response efforts may also be impacted by race, class, sexual orientation, gender identity, and the type of exploitation occurring. Survey respondents reported a variety of coordinated response mechanisms being used in their regions that are, or could be, used to respond to persons experiencing trafficking. Forty-four percent reported wrap-around services, 70 percent reported multidisciplinary teams and 37 percent reported county child abuse teams.

The first coordinated response effort specific to human trafficking in Washington was the Washington Advisory Committee on Trafficking (WashACT), a multidisciplinary taskforce convened in 2006. WashACT's mission is to insure that victims of trafficking receive all resources available to them; and that human traffickers are identified, investigated, and prosecuted to the utmost extent of the law. WashACT is co-chaired by the U.S. Attorney's Office of the Western District, the Seattle Police Department Vice/High Risk Victims Unit, and the program manager of the Washington Anti-Trafficking Response Network (WARN). WashACT's hotline provides access to services and support to persons experiencing any form of human trafficking. WARN's outreach and awareness efforts further bring attention to the issue of labor trafficking and intersections of all forms of trafficking.

Child Abuse Protocols

In 1999, the Washington State Legislature passed legislation concerning investigations of alleged child sexual abuse (SB 5127). Each county, under the leadership of the prosecutor, was required to develop a written protocol for handling criminal child sexual abuse investigations, based on state guidelines.⁵⁶

However, based on the feedback of survey respondents, specific information about sex trafficking and CSEC has not been integrated into many county protocols. Only 26 percent of respondents reported that CSEC was integrated into their county's child abuse reporting protocols (50 percent reported that it was not, and 24 percent were unsure).

In order to support a consistent, statewide protocol for sex-trafficked minors and victims of CSEC, in 2013, the Center for Children and Youth Justice (CCJY) released the *Washington State Model Protocol for Commercially Sexually Exploited Children (CSEC)*.⁵⁷ This model protocol, along with training and technical assistance provided by CCJY and YouthCare, has been made

⁵⁶ http://www.ofm.wa.gov/sgc/sopb/meetings/board/2012/20120419/SOPB_child_protocols.pdf.

⁵⁷ <http://www.ccyj.org/Project%20Respect%20protocol.pdf>.

available to regions across the state as a roadmap to developing coordinated responses to sexual exploitation and trafficking. Thus far, five regions have adopted this protocol and tailored it to the needs and resources of their communities.

Service Needs

The social service needs of sex-trafficked persons are complex and multi-faceted. Throughout the process of leaving a trafficking situation a person may encounter a range of barriers, threats, and complications. Support for persons experiencing trafficking may include, but are not limited to:

- Case Management
- Community-Based Advocacy
- Legal Advocacy
- Health Care and Medical Advocacy
- Emergency Shelter/Short-term housing
- Long-term Housing/Transitional and Independent Living
- Education/English Language Learning
- Employment/Job Training
- Interpretation/Language Services
- Transportation access and support
- Mental Health Counseling (out-patient, in-patient, psychiatric)
- Substance Abuse Services (detox, in-patient, out-patient)
- Child care
- Social/Community Support

Support for persons experiencing trafficking often goes beyond the scope of traditionally defined social services and is a deeply individualized process. While there are consistent types of services that are beneficial, the combination and timing of any service must be client-centered and tailored to their particular circumstances. Persons experiencing trafficking are additionally impacted in different ways connected to age, gender identity, sexual orientation, race, class, education, language, and citizenship status. In order to fully support those experiencing trafficking, services must be empathetic, culturally responsive, survivor-informed, and considerate of the structural and systematic forms of harm, violence, and inequality that are inherent in human trafficking.

Trauma-Informed and Victim-Centered Care

Advocates, victim and support services providers, governmental agencies, and other groups that serve victims of sexual violence and trafficking are increasingly calling for the use of

trauma-informed and victim-centered care for victims of these crimes. The U.S. Department of Justice cites trauma-informed care, trauma-specific treatment, and trauma-focused services as central to the Department’s strategies for assisting and supporting victims and survivors of violence and abuse.⁵⁸

Sex trafficking victims face exposure to repeated physical, sexual, and psychological abuse, and are likely to witness violence against others. Trauma-informed care recognizes and responds appropriately to diverse trauma symptoms shown by trafficking victims, including behavioral disorders and substance abuse problems. It emphasizes safety for both providers and survivors.

According to the Substance Abuse and Mental Health Services Administration, the design of trauma-informed services is “based on an understanding of the vulnerabilities or triggers of trauma survivors that traditional service delivery approaches may exacerbate, so that these services and programs can be more supportive and avoid re-traumatization.” Trauma-informed care creates opportunities for survivors to rebuild a sense of control and empowerment.⁵⁹

A victim-centered approach puts the priority on the victim’s or survivor’s safety and security, and on safeguarding against policies and practices that may inadvertently re-traumatize victims.

In particular, a victim-centered approach seeks to minimize re-traumatization associated with the criminal justice process by providing the support of victim advocates and service providers. It seeks to engage victims in the process and provide them an opportunity to play a role in their traffickers being brought to justice. A victim-centered approach focuses on restoring the victim’s rights, dignity, autonomy, and self-determination, while simultaneously supporting the process to prosecute his or her trafficker by working with the legal system.

Training

The survey of service providers indicated a need for broad-based community training about sex trafficking, particularly for law enforcement, schools, public health, DSHS, and other social service providers. The survey data suggests that providers in some areas felt they had sufficient training, while others stated that there were still significant issues with basic awareness of the issue, victim identification, and response.

Among the responding agencies, 64 percent indicated they had adequate training to respond to the needs of persons experiencing trafficking. Fifty-nine percent of responding organizations require specific training prior to working with persons experiencing trafficking. Of those, 55 percent require at least 20 hours, and some up to 50 hours, of training prior to providing direct service.

⁵⁸ <http://www.justice.gov/ovw/blog/importance-understanding-trauma-informed-care-and-self-care-victim-service-providers>.

⁵⁹ <http://www.samhsa.gov/traumajustice/traumadefinition/approach.aspx>.

Some respondents reported that there was additional and advanced training that would be useful on topics such as mental health, exploitation in rural communities, exploitation of LGBT youth and young adults, effective responses, criminal justice, and identification tools.

Relationships are the Key

The survey and interview data reflect that the types of services necessary to support people who have experienced trafficking (including housing, mental health and substance abuse services, and job training) are largely the same as what is needed to support victims of other forms of sexual violence. That data revealed the importance of *relationship* and *social support* in the approach and delivery of these services. With sufficient training and perspective any agency, organization, or institution providing social services can be prepared to be the point of identification and resources for someone experiencing trafficking.

However, these efforts can be challenging and complicated by barriers to recognizing the impacts from the harm and violence endemic in the commercial sex trade. For many people, the conceptual leap from “willing prostitute” to “victim of sex trafficking,” even in situations where the person is a minor or clearly being coerced, is a long and difficult process. Therefore, both individual service providers, and the agencies with whom they work, will have their own process to evolve their perspectives on this issue and ensure that survivors are provided with the comprehensive services they need.

Over time service providers should strive to implement more inclusive approaches and make thoughtful, informed choices about how to increase their capacity to serve people experiencing trafficking. Some agencies will continue to provide services dedicated to this population as their sole mission. Other agencies will increase capacity for anti-trafficking work in small ways, or may add staff or programs within their existing infrastructure. Not every social service provider needs to be an expert, but all agencies should be well-informed, all doors should be open, and providers should be able to identify the red flags of sex trafficking and reach out to victims and survivors in a caring and nonjudgmental manner.

These combined efforts contribute to a strong foundation for a coordinated response to sex trafficking. The goal over time should be consistency in the ways persons experiencing trafficking are treated by service providers and criminal justice systems and consistency in the interpretation and application of laws, protocols, and policies.

Criminal Justice System Response to Trafficking

Key Findings

- Insufficient resources and a lack of understanding about sex trafficking are the two primary barriers to a greater enforcement of existing laws.
- Increasingly, criminal justice agencies are turning their focus to perpetrators of trafficking and prostitution, particularly for youth victims, instead of arresting prostituted youth and adults.
- The federal government developed the T visa to provide a path to residency or citizenship for immigrant victims of trafficking. Because there is a relatively high threshold to show eligibility, T visas are significantly underutilized, whereas the number of U visas, available to all immigrant victims of crime, are insufficient to meet the need.

The Criminal Justice Subcommittee distributed an online survey to law enforcement officers, prosecutors, and judges about the enforcement and implementation of relevant laws. One hundred respondents to the survey provided input that reinforced what committee members suspected in regards to several gaps in knowledge and enforcement of existing laws in the criminal justice and legal systems.

The primary survey finding was that there are insufficient resources for training, investigations, and prosecutions. Lack of department or agency resources was identified as a significant impediment by the greatest number of respondents (59), while slightly over 60 percent (52 respondents) identified lack of understanding of the problem of sex trafficking itself as a significant impediment to enforcement of the laws. Approximately one third (29 respondents) believed ignorance of existing laws is a significant impediment.

Just over half (52 percent) of respondents stated that instances of commercial sexual abuse of a minor (CSAM, RCW 9.68A.100) had been investigated, prosecuted, and/or adjudicated in their agency, and 40 percent stated that trafficking offenses had been (RCW 9A.40.100).

However, these figures also show that nearly half of the responding jurisdictions have not investigated these crimes at all. Twenty-three agencies did not respond to this question, indicating that CSAM and trafficking had not been investigated, prosecuted, and/or adjudicated in their jurisdiction, or they were not aware of any investigation, prosecution, and/or adjudication of these crimes. (Two of the 25 non-respondents are not law enforcement agencies and thus were not included in the totals for these questions.)

Need for Training

National research has found that the large majority of victims who receive assistance through referrals from law enforcement or other service providers (95 percent) followed by word-of-mouth (54 percent) and community outreach (51 percent).⁶⁰ This may mean that most victims do not self-identify as trafficked and seek out assistance on their own – instead, in the majority of cases, someone else assesses them and refers them to services. Therefore, connecting victims to services and legal remedies is often dependent on the awareness level of the first point of contact. This might include a school teacher, immigration official, juvenile justice or jail employee, or law enforcement officer.

Research has found that only a fraction of prostitution and trafficking cases are investigated and prosecuted. The report, *Estimating the Size of the Underground Commercial Sex Economy*, which looked at Seattle and seven other cities, explains:

Across sites, criminal justice stakeholders felt the UCSE [Underground Commercial Sex Economy] was much larger than they were able to investigate, due to resource constraints, political will, or lack of public awareness about the prevalence of UCSE crimes. This is striking, given that the cities selected for this study had some of the highest numbers of convicted sex traffickers and pimps across the United States. When looking across UCSE venues, it appears the cases least likely to be investigated may also be those that are more organized, generate more money, more likely to be run by foreign national groups, and have client bases that are the most closed ethnically or socioeconomically (i.e., only wealthy individuals that pass background checks are accepted as clients).⁶¹

The overarching concern that arises from the survey data is the prevalent lack of understanding of the laws related to sex trafficking and CSEC. As a result, the tools available to combat these crimes are not being used. The Criminal Justice subcommittee identified better and additional training as the primary method needed to promote greater enforcement of existing sex trafficking and CSEC laws. Increased training must be a central priority in promoting the use of existing laws to initiate sustainable and viable investigations, prosecutions, and adjudications in all jurisdictions across the state.

Therefore, the primary recommendations of the Criminal Justice subcommittee focus on the provision of, and access to, training on sex trafficking laws, and their use in investigations and prosecutions. With the intention that training will lead to greater use of Washington's sex trafficking and CSEC laws, statutory changes have also been proposed to further facilitate use of those laws and provide important protections for victims in the prosecutorial process.

⁶⁰ Caliber Associates, *Needs Assessment of Service Providers and Trafficking Victims*, (October 2003).

⁶¹ <http://www.urban.org/UploadedPDF/413047-Underground-Commercial-Sex-Economy.pdf>

Shifting Focus to Buyers and Perpetrators

Growing awareness about sex trafficking and the harm done by prostitution has led law enforcement agencies and prosecutors in many jurisdictions to shift their focus to the buyers and perpetrators of these crimes, rather than the persons being prostituted. This is particularly true for youth. Youth in Washington State, however, still face the paradox of possible prosecution for prostitution, while at the same time considered victims of commercial sexual exploitation.

In 2010, Washington's Sex Crimes Involving Minors Act was signed into law. So-called Safe Harbor laws like this one are those that recognize sexually exploited individuals under 18 as victims of a crime in need of protection and services by granting immunity from prosecution or diverting minors from juvenile delinquency proceedings, and instead directing them to child welfare services.

If a juvenile is alleged to have committed the offense of prostitution or prostitution loitering and it is the juvenile's first offense, the prosecutor in the city or county in which the offense occurred must divert the case. In addition to connecting the youth with services, the law aims to encourage the investigation of the underlying crime(s) committed by adults in these situations – trafficking, commercial sexual abuse of a minor, promoting sexual abuse of a minor, or promoting travel for commercial sexual abuse of a minor. A youth who is found to be a victim of these crimes must be considered a sexually exploited child, and, when referred to DSHS, must be connected with services and treatment for sexually abused youth. Further, a petition may be filed alleging that a sexually exploited child is in need of supervision (CHINS). Under the provisions of CHINS, a youth may receive additional services and assistance from DSHS.

Service providers, prosecutors, and law enforcement officers report that Washington's Safe Harbor Law is not consistently enforced across the state. In some areas this may be because the law is not fully understood. In other areas, there are either no services or they are inadequate.

Criminal Penalties

In the last 10 years, a number of state laws have created additional penalties for trafficking and prostitution-related crimes. The penalties range from \$50 for a charge of prostitution to \$10,000 for the charge of trafficking. These amounts are in addition to other penalties, such as jail time, victim restitution, and/or other fines associated with misdemeanors and felonies.

ESHB 1291, which created the Statewide Coordinating Committee on Sex Trafficking in 2013, also provided direction to cities and counties about how the additional criminal penalties are to be used. For most crimes, at least 50 percent of the revenue generated from these fines must be spend on prevention, including education programs for offenders, and rehabilitative services

for victims, including mental health and substance abuse counseling, housing relief, and vocational training. Up to 48 percent of the fines must be used for local efforts to reduce the commercial sale of sex, including increased enforcement of existing laws. Finally, 2 percent of the revenue must be remitted to the Department of Commerce to be used for the agency's Prostitution Prevention and Intervention Account, which, among other purposes, funds the staffing of the Coordinating Committee.

Appendix D provides a chart illustrating which crimes these penalties apply to and how the fines are to be used. ESHB 1291 directed Commerce to submit a separate, annual report to the Legislature describing the amount of fines assessed by city and county courts, the revenue received, and how that revenue was spent. That report will be submitted in December, 2014.

T and U Visas

In 2000, the federal Victims of Trafficking and Violence Protection Act (TVPA) created a special nonimmigrant classification designated as the T visa for victims of trafficking brought into the U.S., and a U visa for immigrant victims of specific crimes who assist law enforcement with the investigation and/or prosecution of the crime.⁶² These two visa classifications aim to prevent trafficking victims from being deported, and instead allow them to access services, including foster care for youth victims, and legal remedies against their perpetrators.

T and U visas are vital for victims of trafficking because they can allow the individual to sever their dependence on their abusers, and receive protection from detention and deportation. By allowing the individual to work legally in the U.S., these visas make it much more likely that the individual will be able to provide for themselves and their families and be less vulnerable to trafficking. T and U visas allow for access to family law remedies, such as protection orders from an abusive spouse or custody petitions for a child. The visas increase access to public benefits such as food stamps. Finally, the visas provide a path to lawful permanent residency and ultimately citizenship.

To meet the qualifications for a T visa, an applicant must:

- Be a victim of trafficking as defined by the TVPA.
- Be in the U.S. as a result of the trafficking.
- Have complied with reasonable requests for assistance in the investigation or prosecution; or, if the victim is under 18 years old, be suffering from extreme trauma.
- Show that they would suffer extreme hardship upon removal.

⁶² <http://www.nwirp.org/NWIRPImpact/QuickFacts.aspx>.

If the individual meets all of these requirements, the T visa allows for a four-year duration that can lead to permanent residency after three years. Up to 5,000 individuals may be granted a T visa each year, but this threshold has never been met. In 2011 for instance, just 557 victims and 722 family members were granted T status nationwide.

Because of the difficulty in meeting all of the conditions for a T visa, in many cases victims and their attorneys find it more practical to apply for a U visa, a status provided to victims of crime. In order to be eligible, the individual must:

- Be a victim of crime.
- Have complied with reasonable requests for assistance in the investigation or prosecution, or be 18 years old.
- Show that they would suffer extreme hardship upon removal.

In contrast to T visas, there are consistently more applications for U visas than the cap of 10,000 per year allows. In 2011, there were a total of 17,690 applicants for the status.

To qualify for either a T or U visa, a victim must obtain certification from a law enforcement or regulatory agency (for instance, the Department of Labor and Industries) showing that he or she complied with the investigation or prosecution of the perpetrator. Anecdotally, there are reports that the willingness of law enforcement agencies to certify T and U visas varies considerably across Washington State jurisdictions. Advocates suspect that there is a lack of consistent understanding about the importance of these certifications and what constitutes “compliance” with the investigation on the part of the survivor.

Demand Reduction

Key Findings

- A prevention framework, based upon a public health model to stop violence and exploitation from occurring, can reduce the demand for sex trafficking and prostitution.
- Curriculum for middle schools and high schools addressing sex trafficking should be evaluated according to best practice standards developed by the Centers for Disease Control for developmentally appropriate and evidence-based content for sexual assault and dating violence education; including elements on gender socialization, sexual objectification, empathy, and healthy relationships.
- Reducing and eliminating sex trafficking will ultimately require focusing on the demand for commercial sex: the buyers. Demand reduction strategies focus on shifting societal norms so that it is no longer acceptable, in any context, for men to buy sex.

Social-Ecological Model

The social-ecological model is based upon a public health approach to reduce sex trafficking, which addresses root causes and thus aims to stop harm from occurring in the first place. This model is promoted by the Centers for Disease Control (CDC), which describes four levels at which violence and exploitation can occur, and at which prevention strategies can be employed.⁶³ The social-ecological model considers the complex interplay between individual, relationship, community, and societal factors that put people at risk for both experiencing or perpetrating violence and exploitation.

The CDC recommends that prevention strategies include a continuum of activities tailored to different age groups and audiences that address multiple levels of the model. This approach is more likely to sustain prevention efforts over time than any single intervention.

Primary Prevention Programs

Primary prevention programs are those that are based on a public health approach and are designed to stop sex trafficking and other forms of violence and exploitation before they occur. These programs are directed at the general population in an effort to change the societal norms that allows trafficking to happen. The nationwide campaign that promoted the phrase “Real Men Don’t Buy Girls” in an effort to curb commercial sexual exploitation is one such example.

⁶³ <http://www.cdc.gov/violenceprevention/overview/social-ecologicalmodel.html>.

Under the CDC's public health model, primary prevention efforts are distinct from secondary and tertiary prevention programs.⁶⁴ Secondary prevention programs target high-risk or vulnerable individuals to whom a crime is more likely to occur. An example would be education programs, located in high schools, for students who have one or more risk factors associated with commercial sexual exploitation and sex trafficking, such as poverty, substance abuse, or identifying as LGBT.

Tertiary prevention programs are employed after an individual has already been harmed. The programs aim to help the trafficking victim heal and recover. An example would be mental health services for teenagers affected by commercial sexual exploitation and sex trafficking.

Demand Reduction

Demand reduction refers to a range of strategies and interventions, based on a public health approach, to combat the demand for sex trafficking.

The connection between prostitution and trafficking is essential in understanding how trafficking can be addressed through demand reduction. For prostituted minors, prostitution is always sex trafficking. For prostituted adults, it is within the context of the demand for prostitution that sex trafficking takes place.

Law enforcement has traditionally responded to the issue of prostitution by arresting the prostituted person, who in many cases is in fact a hidden victim of sex trafficking. This strategy, which is based on the assumption of blame for the prostituted person, has not been effective in reducing trafficking.

While law enforcement's recent focus on pimps and traffickers has been a positive trend, reducing sex trafficking will ultimately require focusing on the demand for commercial sex: the buyers. According to a 2012 study by Michael Shively, 15 percent of adult men in the U.S. have purchased commercial sex.⁶⁵ This represents approximately 400,000 buyers in Washington State.

Reducing the number of men buying sex is an emerging strategy to reduce the harm and violence inherent in sex trafficking.

Sex Buyers Intervention Programs

Efforts to address sex trafficking through arresting prostituted women and minors have not been effective at reducing prostitution or trafficking. However, a focus on pimps and traffickers

⁶⁴ <http://www.cdc.gov/violenceprevention/pdf/svprevention-a.pdf>.

⁶⁵ <https://www.ncjrs.gov/pdffiles1/nij/grants/238796.pdf>.

has similarly not yielded clear results on trafficking reduction. Demand for illegal commercial sex drives this industry, therefore a criminal justice emphasis on demand is necessary to reduce sex trafficking and prostitution.

Sex buyers intervention programs exist in approximately 58 cities across the country, with two operating in Washington in Seattle and Tacoma. These programs are important as part of a coordinated community response to addressing the demand for commercial sex, but should not be considered a sufficient response in and of themselves. There is significant variability in the content and structure of these programs.

King County offers a Sex Buyers Intervention program for all convicted sex buyers. This county also accounted for 85 of 132 charges (64 percent) filed for the offense of commercial sexual abuse of a minor (a charge levied against perpetrators) in the state between 2008 and 2013. The King County Prosecuting Attorney's Office and the Organization for Prostitution Survivors are recipients of national grant funding for criminal justice efforts around demand reduction. Outcomes of this evaluation can be provided to the Legislature upon completion.

School Curriculum on Sex Trafficking

Based on lessons learned from evidence-based practices in reducing sexual assault and dating violence, prevention education of boys who may become buyers of commercial sex is a promising practice for impact on sex trafficking reduction. The education of potential perpetrators and their male peers at an early age can significantly reduce the rates of victimization and harm in a target community. Institutions and individuals which understand that buying sex is harmful will be much less likely to tolerate individuals buying sex. Disrupting the social norms for men around buying sex is necessary to remove the conditions needed for sex trafficking.

Evidence-based evaluation of demand reduction training is not offered in Washington State. However, trafficking education efforts currently being delivered include Washington Engage's implementation of the Deceptions risk reduction curricula, the Organization for Prostitution Survivors Men's Accountability program, and Seattle Against Slavery's Demand Reduction initiative in high schools.⁶⁶

Changing Societal Norms

To reduce the harm of sex trafficking in Washington, societal norms that accept the exploitation of women, children, and men through prostitution must be changed. Research on attitudes around prostitution has shown that there is an acceptance of prostitution even by men who are not buyers themselves. These norms include acceptance of prostitution as a common practice, the belief that prostitution is primarily by choice, ignorance of the physical and emotional harm

⁶⁶ More information on curricula is available at <http://nesteducators.org>.

endemic in commercial sex, blame and criminalization of the prostituted person, and many others.

Prevention strategies aimed towards men and boys should convey disapproval, consequences for, and alternatives to buying sex. Efforts to shift institutional, cultural, and social norms around buying sex could likely be the most successful avenues to long-term sex trafficking reduction, based on the experience of programs that have been found to be successful in combating other forms of sexual violence.⁶⁷

⁶⁷ http://www.acha.org/sexualviolence/docs/acha_psv_toolkit.pdf.

Outreach to Marginalized Communities

Key Findings

- The factors exploited by sex traffickers – poverty, racism, and discrimination – mean that communities marginalized by these factors have higher rates of victimization. As a result, increased attention is required to ensure that services are accessible and that the voices of survivors representing these communities contribute to discussions about policies and resources.
- Survivors of sex trafficking and prostitution have perspectives, experience, and knowledge that can inform all aspects of the response to the problem of sex trafficking.
- Survivors are often excluded from social service positions, where their experiences would be a significant asset, due to prior criminal charges pertaining to their trafficking situation that preclude them from obtaining DSHS clearance.
- Many survivors have criminal records, lack of training and education, and other significant issues that limit their ability to find adequate employment. They need employment opportunities and support for job seeking.

The Community Mobilization committee investigated ways in which efforts to address sex trafficking, including the work of the Coordinating Committee, could incorporate the viewpoints and perspectives of marginalized groups. Marginalized groups include hard-to-reach populations, such as those disadvantaged by poverty, intergenerational trauma, and racism.

The committee researched best practices for culturally responsive responses to trafficking, and the ways in which the response to trafficking and prostitution could be accountable to survivors. Members investigated both current and historical models to address trafficking and attempted to identify those that are effective, sustainable, and can be duplicated.

The Community Mobilization committee was comprised of, and informed by, the following groups:

- Rare Coins Ministry, a survivor-led nonprofit organization that is focused on providing holistic trainings for organizations, schools, and government officials and churches.
- Communities Uniting Rainier Beach (CURB), a project of the People of Color Against AIDS Network (POCAAN). CURB utilizes outreach, engagement and service intervention strategies for young adults, ages 18 to 30 years old, who are involved in drug, criminal,

sex industry, or gang-related activities and who reside or congregate in Seattle's Rainier Beach neighborhood or in other hot spots in the Rainier Valley. An emphasis is placed on reaching out to young adults of color and immigrant and refugee young adults who are not accessing other services.

- API/Chaya, a nonprofit organization dedicated to serving survivors in crises and raising awareness of domestic violence, sexual violence, and human trafficking in the Asian, South Asian, and Pacific Islander communities. API/Chaya provides direct advocacy and supportive counseling, and engages and organizes youth, members of ethnic, queer, and faith-based communities. API/Chaya's multilingual advocates provide emotional support and advocacy, as well as referrals to shelters, medical clinics, and counseling services.
- The Sex Industry Survivors Network (SIS), formerly known as the Prostitution Prevention Network, which was established in 2005. This group came together to begin looking at efforts and best practices to address sex trafficking with youth and adults. SIS is a group of women with experience as educators, ministers, counselors, service providers, and leaders engaged in the network.

The committee's recommendations address the various challenges that confront efforts to address sex trafficking for marginalized communities and others statewide, including reaching those with untreated mental illness, and/or suffering from homelessness, domestic violence, and health disparities.

While there are some grassroots efforts that employ culturally responsive methods to address trafficking within marginalized communities, these programs often struggle for adequate and sustained funding. Other social service agencies have not been trained to effectively engage this population and identify victims. Unfortunately, sex trafficking victims and at-risk populations may not seek out services to address sex trafficking issues. Economic issues may be their first priority, and many women and youth, while poor, do not qualify for assistance. They may therefore not have the economic means to attempt to leave sex trafficking or prostitution.

Recommendations

The subcommittees of the Coordinating Committee worked through phone conferences, in-person meetings, and email exchanges to develop their findings and formulate recommendations. Draft recommendations from each subcommittee were circulated in June 2014. During the summer of 2014, Committee members worked to align the recommendations, address any points that were not in agreement, and eliminate duplication. On Sept. 8 the Coordinating Committee met for a second time and reached consensus on the set of consolidated recommendations listed below.

Victims' Services

1. Standards of care should be established to serve people experiencing trafficking. The standards should be person-centered and trauma-informed and take into consideration:
 - a. The amount of time and consistency necessary for relationship development and trust building with the survivor.
 - b. The need for individualized, culturally responsive, strengths-based services that are informed by community needs and accountable to survivors.
 - c. The recognition that in some cases, a victim may also be an offender, for instance if a prostitution-involved person has begun recruiting girls or boys.
2. Sustainable statewide funding sources and resources to aid victims of trafficking need to be identified, developed and implemented.
 - a. Programs serving victims of domestic violence and sexual assault, and the Crime Victims Service Centers, are also available to serve victims of trafficking. These programs face a high demand already, and need increased capacity for people experiencing trafficking and intersecting forms of violence.
 - b. In the Sexual Assault Services and the Crime Victim Service Center programs, there are specific set-asides for historically marginalized communities and Native American Tribes. If a funding pool is established for trafficking services, a similar set-aside should be allocated for historically marginalized communities and Tribes.
3. Improve law enforcement response for immigrant trafficking victims:
 - a. Statewide training opportunities are needed for law enforcement agencies on how to assist immigrant victims with T and U visa applications. A model policy could provide guidance to law enforcement on how to certify that victims complied with investigations and prosecutions, as required for T and U visas.
 - b. Immigrant survivors need access to immigration legal services and law enforcement, and service providers should be equipped to make referrals to providers such as Northwest Immigrant Rights Project.

4. Changes to the processes for the Interstate Compact for Juveniles:
 - a. The Washington Interstate Compact for Juveniles (ICJ) should track and annually report CSEC-related cases that become known as a result of the ICJ return process.
 - b. The ICJ Commissioner should recommend to the National ICJ Commission that it add a requirement to the ICJ tracking and annual reporting for all states that would include youth linked to a CSEC situation. The National ICJ Commission website should also include educational information related to this issue.
5. Better coordination between law enforcement and social service agencies:
 - a. Law enforcement, advocates, medical staff, and counselors should communicate regularly about instances of sex trafficking and CSEC while also maintaining victim confidentiality.
 - b. Victim advocates and law enforcement should identify themselves and make themselves available on a regular basis at local homeless shelters and drop-in centers, so it is easy for youth and adult victims to access them.
 - c. Systems serving runaway and homeless youth, and systems addressing child abuse and neglect, should improve their screening processes to better uncover instances of CSEC.
 - d. Agencies serving immigrant communities need training on ways to identify trafficking and the services and legal system remedies available to victims.
6. CSEC Protocols:
 - a. Counties should review existing child abuse and child sexual abuse protocols to ensure adequate attention is given to the unique aspects of commercial sexual abuse of children. The Center for Children and Youth Justice model is one resource for reviewing protocols and counties may want to adopt elements into their local protocols.
7. Increased options for housing:
 - a. The Coordinated Entry System, required by the U.S. Department of Housing and Urban Development for community-based programs funded to provide housing to homeless individuals and families, utilizes a consistent assessment tool and referral criteria across providers. This assessment tool should be modified to allow providers to prioritize persons experiencing trafficking so that they can be more quickly moved into safe housing.

Accountability to Survivors

1. Survivors of sex trafficking and prostitution have perspectives, experience, and knowledge that can inform all aspects of the response to the problem of sex trafficking.

- a. In all sectors, care should be taken to ensure that efforts do not inadvertently result in further harm to those who have been trafficked.
 - b. Survivors are often excluded from social service positions, where their experiences would be a significant asset, due to prior criminal charges pertaining to their trafficking situation that preclude them from obtaining DSHS clearance. Limited exemptions should be available to survivors so they can obtain employment and utilize their experiences to serve and support their communities.
2. Many survivors have criminal records, lack of training and education, and other significant issues that limit their ability to find adequate employment. Employment opportunities and support for job seeking should be included in the suite of service provided to survivors.
3. Survivors should be compensated for speaking on public panels and providing outreach to other potential victims in jails, prisons, and treatment centers.
4. Outreach and awareness materials, including those distributed online, should be culturally relevant, targeted to different populations, and available in multiple languages whenever possible.
5. Sex buyers intervention programs should be informed by, and be accountable to, survivors of prostitution and sex trafficking.

Research

1. Standardized identification protocols are necessary across sectors including service providers, law enforcement, medical providers, and others to effectively identify victims and to support data collection.
 - a. Identification protocols and screening tools should be culturally inclusive and informed by best practices.
 - b. Consistently utilized identification protocols can help victims get the services and legal system intervention they need, while also supporting the need for better data collection on sex trafficking in the state.
2. The Washington State Legislature should convene a work group to examine the implementation ESSB 6476 (2010), known as the Safe Harbor Law, and the issues and questions associated with a child welfare response to CSEC.
 - a. The work group should review the implementation of ESSB 6467, the extent to which the law is understood and applied throughout the state, and any barriers that exist to its full implementation.

- b. The work group should address the question of whether DSHS should have the duty to investigate a report of CSEC when a parent or guardian is not the exploiter.
 - c. The work group should include representation by from key stakeholders including but not limited to the following:
 - i. DSHS Children’s Administration
 - ii. The Office of the Attorney General
 - iii. Washington Association of Sheriffs and Police Chiefs
 - iv. Washington Association of Prosecuting Attorneys
 - v. Victims Services and Victim Advocacy Groups
3. Data collected and distributed by law enforcement on prostitution offenses, trafficking, and CSEC should be disaggregated to separate instances of perpetration from instances in which an adult or youth is arrested and/or charged with a prostitution offense.
4. Sufficient funds should be allocated for the CSEC protocols developed by the Center for Children and Youth Justice. Specifically, funding should be provided to adequately support data collection on instances of CSEC throughout the state.

Training and Awareness

1. Provide and encourage multidisciplinary collaborative training for law enforcement and prosecutors in coordination with established training entities, such as the Criminal Justice Training Commission.
 - a. Set as a goal that at least one person from every law enforcement agency and prosecutor’s office across the state attend this training.
 - b. To ensure statewide participation, establish funding that will bring trainers to areas of the state where training is needed, and ensure that the costs of participation (including back-fill staffing), particularly for smaller agencies, can be met through scholarship funds or similar sources.
 - c. Provide judicial training on trafficking and CSEC laws to ensure appropriate treatment of sex trafficking cases, including during pre-trial release, sentencing and provision of victim protections. Ensure this training reaches all jurisdictions within the state by establishing funding that will bring trainers to areas of the state where training is needed.
2. Broad-based training is recommended for DSHS, school personnel, service providers, hotel managers and staff, and public health providers; taking into consideration regional and cultural specificity. Training curriculum should include:
 - a. All forms of sexual exploitation and trafficking, including survival sex.
 - b. Person-centered, strengths-based, harm reduction strategies that focus on safety and self-determination.

- c. Culturally competent representation of diverse people (all races, ethnicities, genders, ages, sexual orientations, citizenship status) and experiences.
 - d. An analysis of root causes including poverty, racism, sexism, homophobia, and violence against women and children.
3. Trafficking awareness efforts should:
 - a. Cover all forms of trafficking.
 - b. Represent a diversity of people and experiences.
 - c. Focus on root causes.
 - d. Address the demand for commercial sex.
 - e. Provide materials statewide such as posters, brochures, and billboards for use in schools and other government buildings highlighting the connections between demand, sex trafficking, and the harm caused by prostitution.
 - f. Add demand reduction content to state public awareness initiatives targeting sexual assault and gender violence.

Demand Reduction and Prevention

1. Trafficking prevention should be based on evidence-based approaches that focus on primary forms of prevention grounded in the public health model of stopping sexual violence before it begins.⁶⁸
2. Prevention training for teachers (such as that specified in ESSB 5563, 2013) should include demand reduction education. The Office of the Superintendent of Public Instruction (OSPI) should also include demand reduction education in teacher certification training.
3. Standards for OSPI sexual health, violence reduction, and healthy relationship curricula for students should include demand reduction education.
 - a. In selecting curricula, the best practices for sexual violence prevention education, as put forward by Centers for Disease Control and Prevention guidelines, should be used as the basis for evaluation.
 - b. Curriculum should be developed in collaboration with top instructional designers and curriculum development organizations such as the Committee for Children and Public Health-Seattle & King County.
 - c. Curriculum should adhere to best practices for developmentally appropriate material and evidence-based content delivery in sexual assault and dating violence education, including elements on gender socialization, sexual objectification, empathy, and healthy relationships.

⁶⁸ For more on the social-ecological model, see <http://www.cdc.gov/violenceprevention/overview/social-ecologicalmodel.html>.

- d. Curriculum should align with existing evidence-based curricula such as Safe Dates, Second Steps, and FLASH, currently being delivered in Washington State.
4. Demand reduction education should be provided in Washington State college and university curricula on sexual assault and dating violence.
5. City, county, and state websites and social media should be further utilized to divert potential buyers of sex and establish negative norms around buying sex.

Criminal Justice

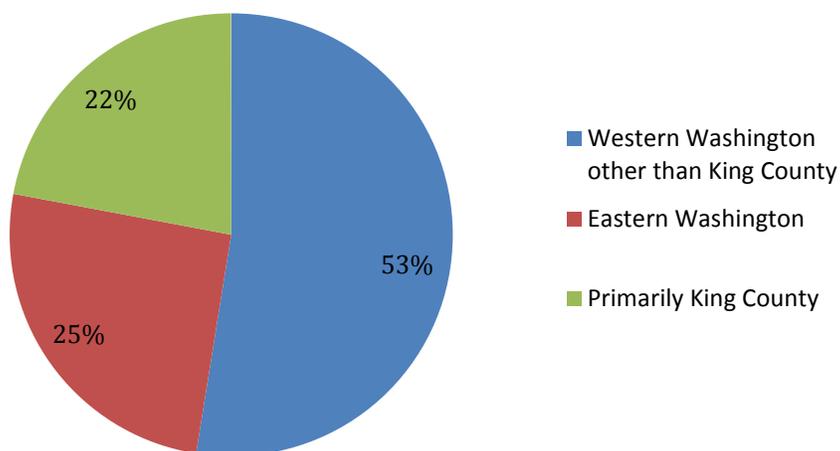
1. Criminal justice and legal system agencies should engage in sustained, long-term law enforcement targeting of the buyers of commercial sex.
2. Amend RCW 9.68A.110(3) (Certain defenses barred, permitted) or RCW 9A.40.100 (Trafficking) to include a provision prohibiting a defendant from raising a mistake of age defense in a prosecution under RCW 9A.40.100.
3. Amend RCW 10.105.010(1) (Seizure and forfeiture) and RCW 9.68A.120 (Seizure and forfeiture of property) to require that proceeds of forfeited assets be directed to victim restitution.
4. Organizations representing prosecutors should work in conjunction with anti-trafficking organizations to develop sentencing recommendations for convicted sex buyers. The recommendations should advise judges and prosecutors to utilize existing fee and asset forfeiture statutes to provide restitution to victims, reimburse law enforcement for buyer investigations and stings, victims services, and demand reduction efforts.
5. Sex buyers intervention programs can be an effective tool to reduce the demand for commercial sex. Such programs can be sponsored by cities and counties, in collaboration with one or more nonprofits (King County's "Buyer Beware" is a noteworthy example). Programs should meet the following requirements:
 - a. Assign sex buyers intervention programs as a post-conviction assignment for sex buyers as a condition of sentencing, not as a diversion from jail time. Fees to pay for such programs should also be a condition of sentencing.
 - b. Successful sex buyers intervention programs should recognize that prostitution and sex trafficking are a form of gender-based violence, similar to sexual assault and domestic violence.
 - c. Non-compliance with the program should result in increased penalties for the buyer.

6. Law enforcement agencies should publicize general information (not names or identifying details) on the arrests and sentencing of buyers within Washington State through departmental press releases and public statements to demonstrate an emphasis on demand reduction.

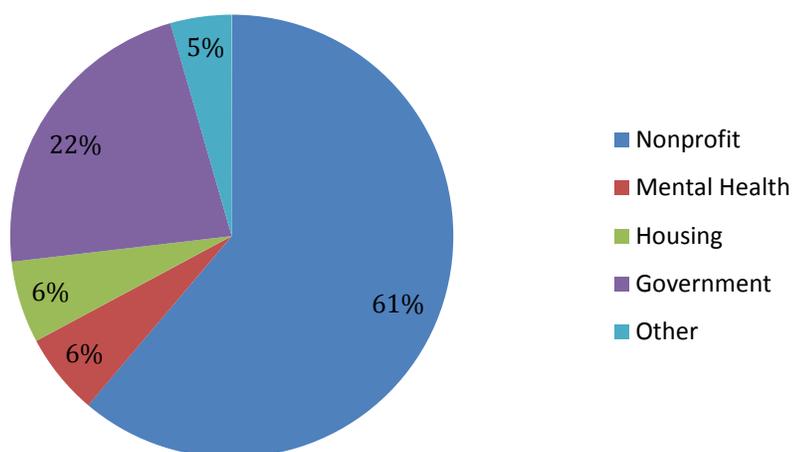
Appendix A: Survey of Service Providers

The Victim Services subcommittee utilized a 46-question, web-based survey to acquire information regarding the landscape of services for persons experiencing trafficking. The survey was widely distributed to service providers across the state of Washington, and there were 59 respondents. Below are the results from a selection of the survey questions.

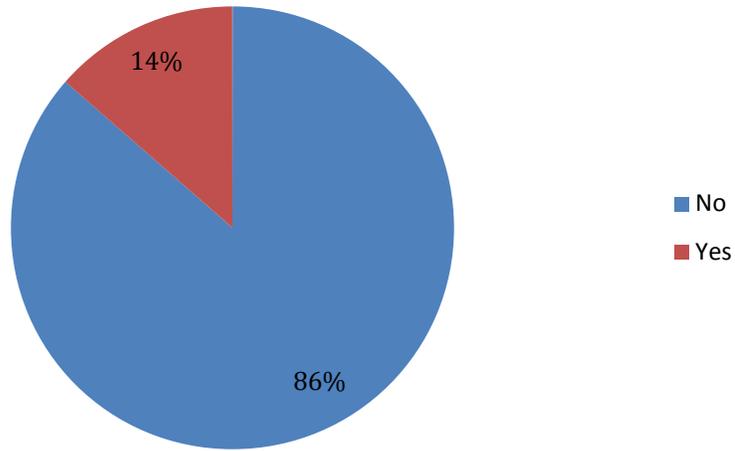
1. County Service Area:



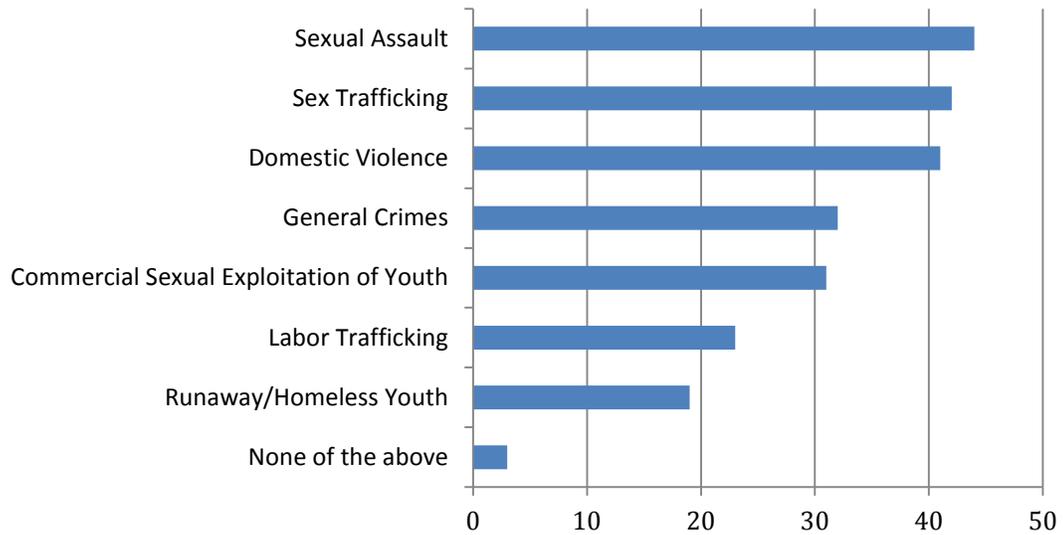
2. Agency Type:



3. Is your organization faith-based?



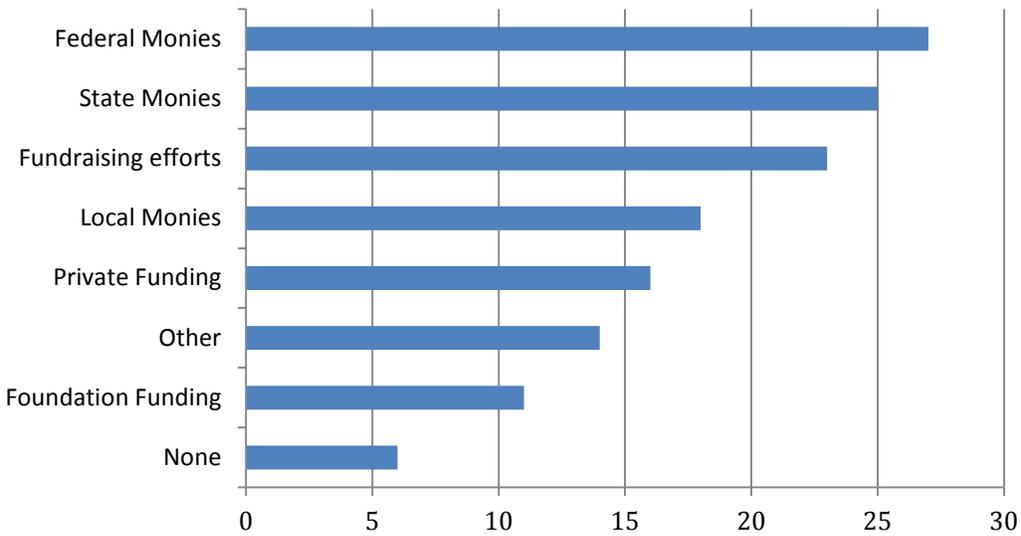
4. My agency provides services for survivors of (check all that apply):



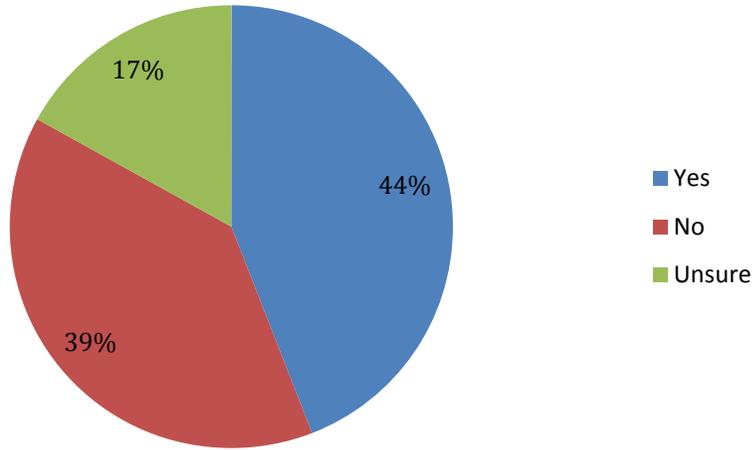
5. Our agency provides the following community activities related to trafficked and exploited persons:



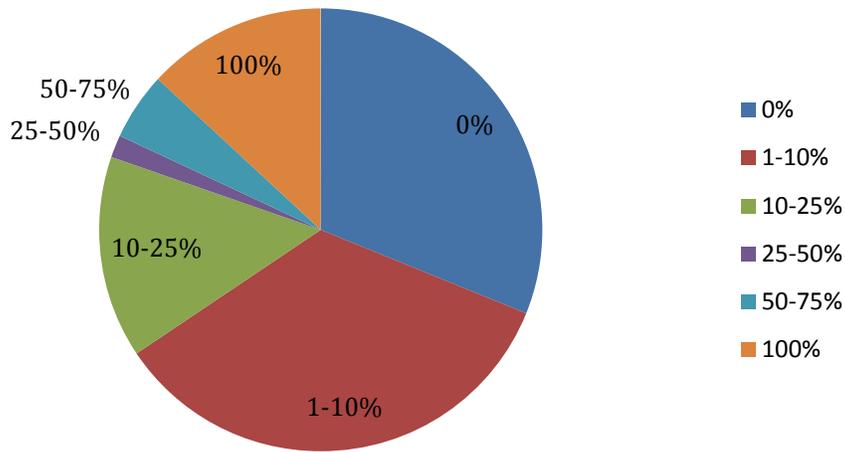
6. Specific to services for trafficking and exploited survivors, we receive funding for services and programming through (check all that apply):



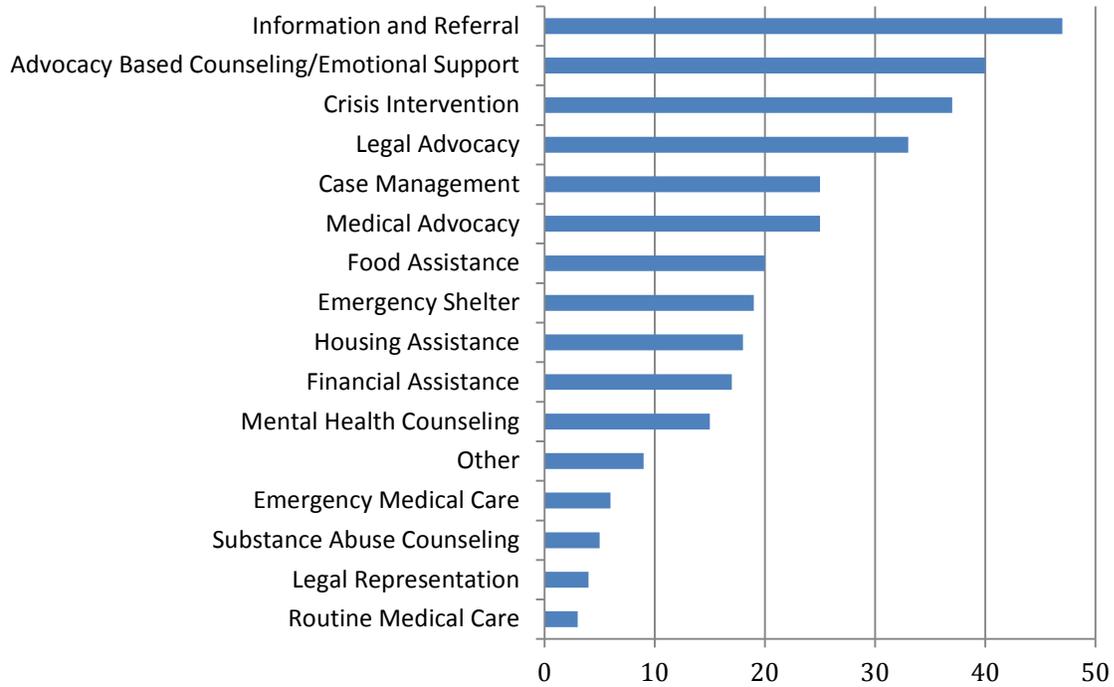
7. Our agency has dedicated staff to respond to the needs of trafficked and exploited persons:



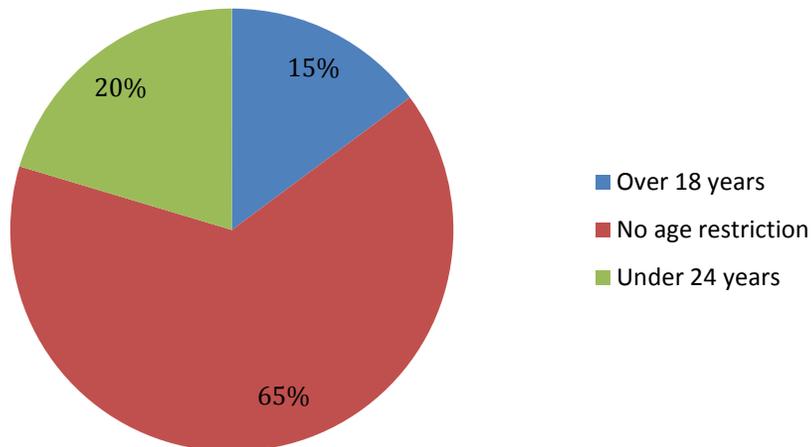
8. The percentage of staff time dedicated to trafficked or exploited survivor services is:



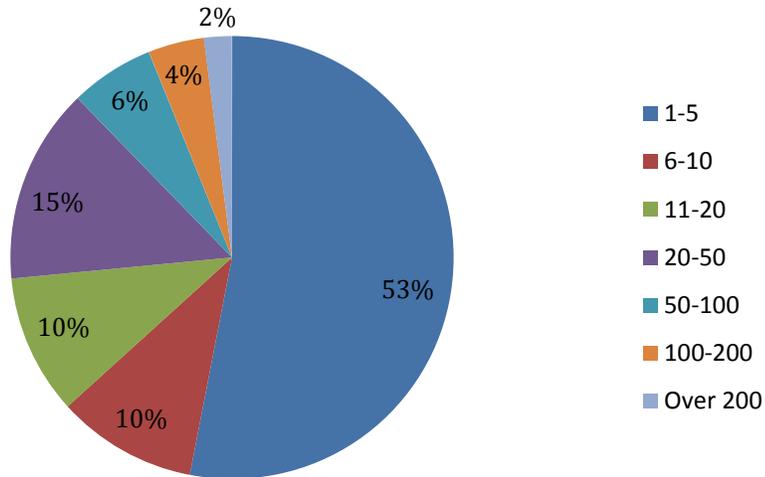
9. Services provided by our agency to trafficked and/or exploited survivors include (check all that apply):



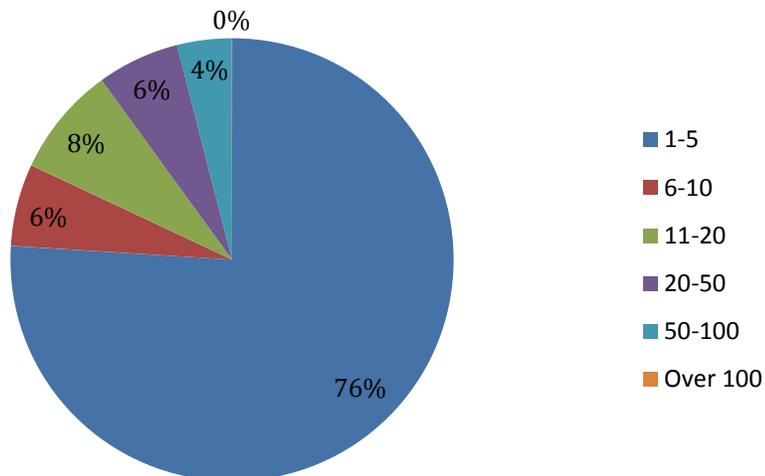
10. Do you have age restrictions for your services?



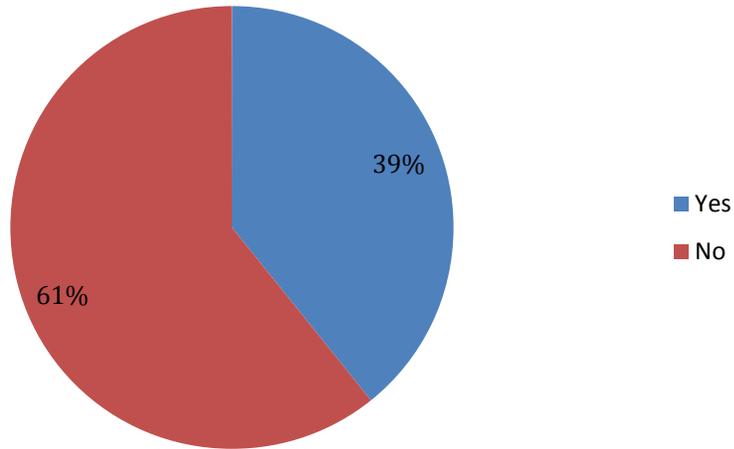
11. On average, what is the annual number of U.S.-born persons who received services related to trafficking or exploitation at your agency?



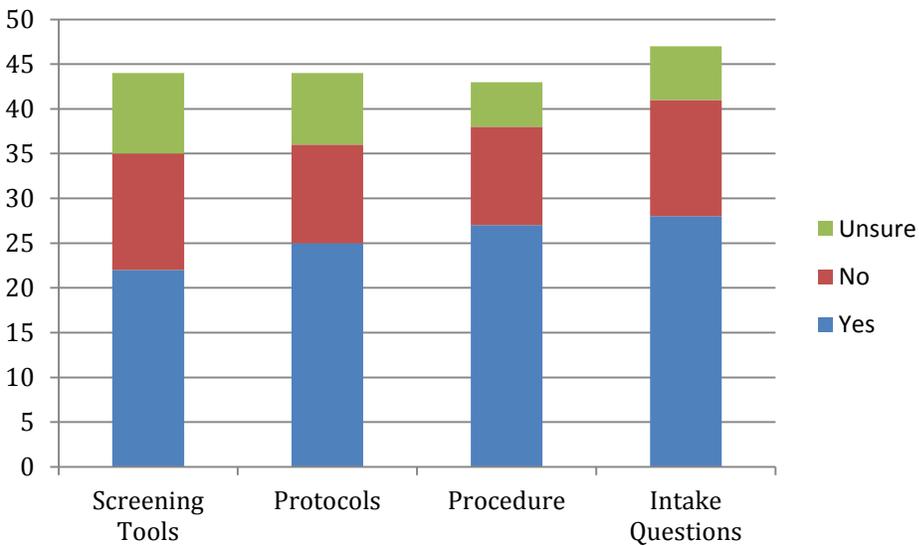
11. On average, what is the annual number of foreign-born persons who received services related to trafficking or exploitation at your agency?



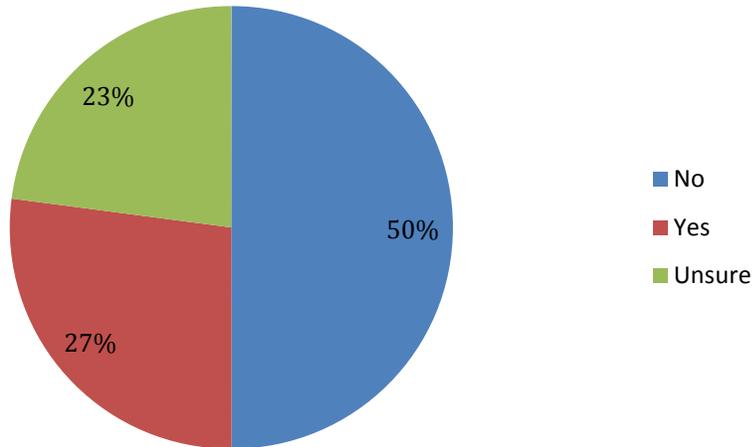
12. Do you feel the resources in your service area meet the needs of survivors who have been trafficked or exploited?



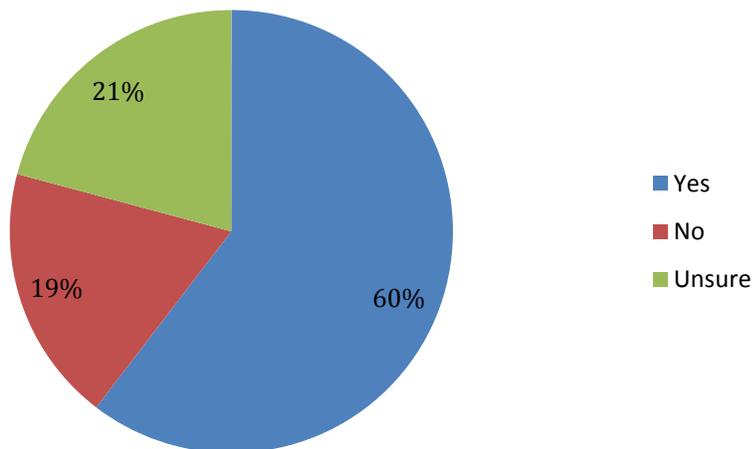
13. Does your agency use the following tools to help identify trafficked or exploited persons?



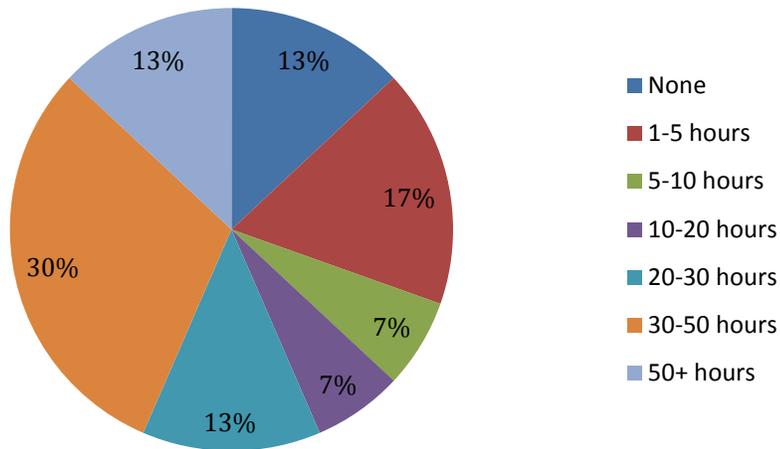
14. Has your agency integrated the response to commercially sexually exploited children into your county's existing child sexual abuse protocols?



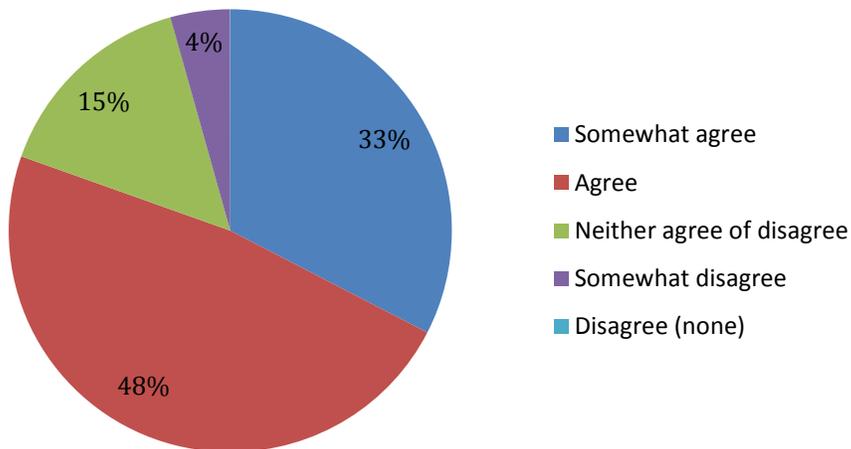
15. Is your agency's staff required to have specialized training before working with survivors of trafficking and exploitation?



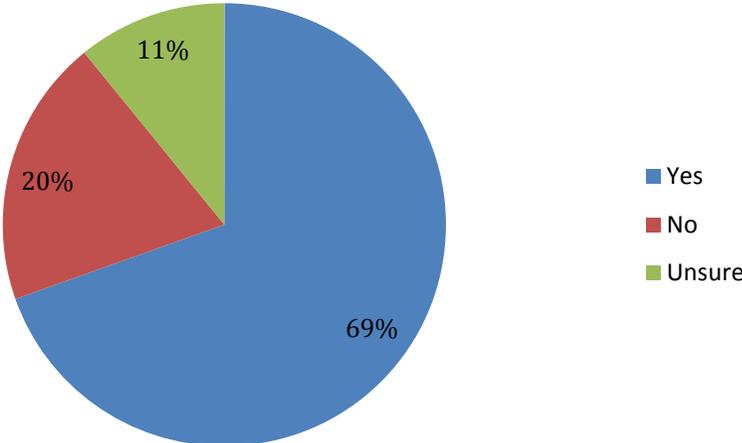
16. How much training does your agency require before a service provider works with trafficked or exploited survivors?



17. Do you consider your services effective for trafficked or exploited survivors?



18. Does your agency have a formal data collection method to capture services provided?



Appendix B: Interviews with Sex Trafficking Survivors

1. What is your age now? What was your age during your experience with trafficking?

Survivor 1: Age now: 22. When trafficking began: age 11.

Survivor 2: Age now is 45; trafficking from age 11 to 43.

Survivor 3: I am now age 33. I have been around human trafficking/sexual exploitation since around age 12 when I started being on the street. I started being trafficked when I was 13 or 14 but I witnessed a lot before then and learned about exploitation as soon as I got on the street. 18 months ago I got clean and sober (mainly heroin but many things) and if I had not done this, I would have not stopped selling my body or realized what was happening. When I stopped being on the street, I was a free agent.

Survivor 4: 24½. 21 was when I first had a pimp.

2. How do you identify your gender?

Survivor 1: Female

Survivor 2: Female

Survivor 3: Female

Survivor 4: Female

3. Which ethnicity do you identify with?

Survivor 1: Caucasian

Survivor 2: Caucasian

Survivor 3: Caucasian

Survivor 4: Multi – black, Puerto Rican, white

4. Which culture do you identify with?

Survivor 1: African American

Survivor 2: Several; Caucasian, Hispanic, Black, Indian.

Survivor 3: Christian faith

Survivor 4: White

5. Are you or have you ever been in foster care?

Survivor 1: Yes

Survivor 2: Yes, at age 11.

Survivor 3: Yes, at ages 11-13 because I reported sexual, physical, emotional abuse. I was sexually abused/assaulted at least 6 times as a kid (that I remember because I have blocked out a lot of my childhood) by four of my mom's boyfriends, one of my brothers, and even a counselor who I shared about my past sexual abuse with (age 8 or 9). I've never been a virgin. My mother to this day says that I went into foster care "to get ice cream." I have had screaming arguments with her about this. To this day, my mother says that I am lying about her boyfriends sexually abusing me. I am the only kid in our

family who talks to her, and this is mainly because I feel bad no one will talk to her or let her be there at the funeral when her brother killed himself this year. She is broken, and I know what it is like to be broken.

I was in counseling since age 5. I went into foster care having nothing. My foster mom would even take the one pair of underwear that I had and used it. She also broke my jaw when I was in foster care.

I distinctly remember at age 7 getting the crap beat out of me at school, and one of the teachers left me there to clean myself up. I remember looking in the mirror at that moment. That's the moment that I can tell you that I started building those walls. I looked in the mirror and I told myself "Nobody deserves to see who I am." I either build these walls or had a psychotic break.

Survivor 4: Once, when I was 9 for about six months.

6. What services/supports did you need when you reached out for help?

Survivor 1: A stable home; birth parents lost custody. Adoptive parents didn't want me either. Have been in search of a place to belong; a mother entire life. Pimp became my mom.

Survivor 2: Wanted help (even before being trafficked) but as a child of 11 years old, didn't know how to get it.

Survivor 3: Really I needed to be clean and sober before I realized that I had been commercially sexually exploited and to understand that my trauma from childhood was under the surface. Some kids need counseling. I didn't want to go. Wouldn't have mattered if it was a male/female counselor. Many counselors/therapists leave and/or don't stay around long enough for trust to build. It depends on the kid's situation as to what services they might need – no cookie-cutter answers. No matter who is providing a service though (could even be a volunteer), what is most important is: knowing someone cares about me, is consistent and staying there long enough to provide the service, and will allow the long time it takes to build that trust. When you have been abused and in the system, rules change constantly. You don't know when change is going to happen and nothing is predictable. So finally having predictability and someone being consistent with how they handle your behaviors and how they respond to you, is key.

Survivor 4: 1) Getting away from my pimp, 2) People to talk to, 3) A place to stay, and 4) I was also using drugs at the time, so drug treatment. I was confused during that time, I don't really know.

7. What services/supports were actually offered to you?

Survivor 1: It was obvious I needed help. I was hospitalized twice as a youth. I tried committing suicide at age 8. I was placed in foster care, CD treatment. I tried to go to Detox or CRC for shelter but they would call the police so I would stay on the streets where I got beat up a lot. This pushed me to the pimp.

Survivor 2: Foster care, mental health, group home.

Survivor 3: When I actually got services/supports, it was Celebrate Recovery (12 step at a church) when I was on DOC (don't like NA/AA) which was a requirement for me to go to clean/sober meetings and get slips signed. I was required at first, but then started seeing people who genuinely cared about me. I opened up eventually to people I didn't know (it took one person to be strong enough to share and then the others would follow) and at first felt so much shame. The support was what I needed and knowing

other women went through this and that I was not gross, really empowered me. It was important for the service to work for me, to be with people who got it-had experienced it themselves.

I had been forced to attend drug treatment when I was a teen (kicked out of 5), but it was not my own decision and so of course I failed. I relapsed after DOSA. When out of prison, I chose on my own to get clean for myself (ADATSA) and my child which was a big motivator, and because I could bring my kid (very important), this time my sobriety stuck. Treatment (Genesis house that is no longer open, which is what I would recommend, more places like this even though I didn't agree with everything) worked well because you had to also work on the campus in addition to the treatment. Again, because it was voluntary which I feel is a must, most people were there in treatment from drug court, and almost all are actively using right now.

I remember being in treatment group and people would read what is wrong about you and you can't say anything but listen and say "thank you." I learned how to express my feelings appropriately instead of just lashing out or using. This high structure in treatment really helped me. It was a hard treatment program but it was what I needed. You either were in treatment group or working. I was head of sanitation when I was there. There wasn't much time to get in trouble. When you first get there, no rights. You have a "monitor" (working their own program) who follows you everywhere, even the bathroom. Monitor could get their strength lowered if I am not doing what I am supposed to, and then we could lose more privileges, such as no smoking, less breaks, etc.

Survivor 4: 1) Drug treatment, 2) Food, 3) Blankets, 4) Emergency Bed/Residential program, 5) Church, and 6) People to talk to.

8. How easy was it to find the services/supports you needed (Easy, Moderate, Difficult)? Why?

Survivor 1: My runaway status made it impossible for me to seek services and for legitimate people to help me. Assigned social workers didn't really care. Only one did. I will never forget her.

Survivor 2: Difficult as I was a child, I was taught not to tell, not to trust. Intervention was not soon enough. I had experienced many years of rape by several family members before being trafficked. I didn't tell. No help was offered/received at that point. By age 11 the trafficking started. After that I had no stable home. Nothing helped.

Survivor 3: Difficult. Finding treatment that will take my kid was terrible. Evergreen Manor inpatient, the counselor got something mixed up and the day of, told me that my daughter could not be there, so of course I did not continue with treatment.

Even when you get into treatment, counselors are always overbooked and overworked. Especially state-run places are disgusting in condition (dirty, falling apart, food- almost rotting, expired dairy). Plus, state insurance only covers three places.

Survivor 4: Hard at first because I didn't know where to go. Then someone directed me toward REST and from then it's been easy.

9. How did you get connected with services/supports?

Survivor 1: One social worker got me, fought for me, was accessible to me. Knowing she cared made a difference.

Survivor 2: N/A

Survivor 3: I went there on my own.

Survivor 4: A pastor came and volunteered where I was staying and took us to church after and introduced me to Amanda with REST.

10. What could have made it easier for you to access the services/supports you needed?

Survivor 1: I didn't take advantage of services offered. I felt like I wanted nothing to do with the system. They were preventing me from what I wanted to do; putting restrictions on me.

I needed help early on. At a certain point it was ineffective.

Survivor 2: An earlier intervention regarding the sexual abuse by relatives and physical abuse by parents.

Survivor 3: I've already mentioned multiple things, but the fact that treatment centers are being closed down make it so hard for people to get services. Also, girls with kids will not likely go to treatment, this would have made my experience better as well as for girls now. In some counties, treatment is guaranteed and quality.

Survivor 4: It was easy once I knew where to look. If I had known where to look before I was too deeply involved I would have reached out sooner.

11. Which services/supports were most helpful? Which were least helpful?

Survivor 1: Caring social worker made a difference. Anything that made my status as a runaway the priority was not helpful.

Survivor 2: N/A

Survivor 3: Again, back to #1.

Survivor 4: The REST house was most helpful because it gave me structure. Hope Place was least helpful because it was too stressful, too many emotions in one place. Sound Mental Health/Mental Health in general – getting medication was also least helpful because it would take too long.

12. Were there services/supports you needed that were not available to you?

Survivor 1: Everything! As a runaway you can access nothing. My city had nothing for me. It increased my dependency on unhealthy ways.

Survivor 2: A stable home; trauma care after the abduction and trafficking. It was easy to stay under the radar and receive no help.

Survivor 3: Even in treatment, your counselor has huge caseloads and we missed counselling appointments all of the time and there was no consistency. So I missed receiving quality care. They just shove huge amounts of people in. Workers are spread too thin. I once went 2 weeks without seeing my counselor. No packets – nothing. I had three weeks left and no one was helping me in preparing to leave. Good thing that I chose to do treatment for me, and I knew the importance of working the steps. I knew what I needed to do when I left.

Survivor 4: No.

13. At which point were you interested in engaging with these services/supports?

Medical:

Survivor 1: Never.

Survivor 2: The same week.

Survivor 3: The same week I wanted help and was ready but it was a 3-4 month process just to get into treatment.

Survivor 4: One year or later.

Mental Health Counseling:

Survivor 1: Never. Went to two hospitals before the trafficking; nothing after.

Survivor 2: The same week – needed it prior to being trafficked to prevent it!

Survivor 3: The same week.

Survivor 4: Three months or later.

Community-Based Advocacy:

Survivor 1: Never – never heard of them.

Survivor 2: Never, I didn't know what this was.

Survivor 3: Never had one.

Survivor 4: One year or later.

Legal Advocacy:

Survivor 1: Never.

Survivor 2: Never, I didn't know what this was.

Survivor 3: Never had one.

Survivor 4: Never.

Filing a police report: I was ready to file a police report...

Survivor 1: Never.

Survivor 2: Never, or sometimes when I was beaten up.

Survivor 3: Never filed one. I had a police officer tell me when I was around 15 and they knew I was being sexually exploited, to earn money for a car and apartment and “do those activities” inside and not on the street where they are keeping the street clean.

Survivor 4: Never.

14. Do you have any advice/suggestions for the service providers who work with victims and survivors of trafficking?

Survivor 1: Be careful how you approach. They will protect “loved ones.”

Survivor 2: Intervene early. I needed help for sexual and child abuse long before being trafficked. Later on, be patient; kids don't know what they need. They are trying to hang on to what have been survival tools. Not eager to give that up. They are not old enough to know what is needed. They will push service providers away for lack of knowledge, lack of caring, improper fit of services, etc.

Survivor 3: Only what I have said above.

Survivor 4: Go out more to the girls. I really think more time spent trying to help them by being out there. If you went out there more I think a lot more people would come for help. Go to the highway, 188th, over by Motel 6, so many places. More beds for more people. More houses. Places to go right away, where you don't have to wait.

15. If you woke up tomorrow and your world is the way you want it to be, what would it look like?

Survivor 1: In rehab with my child.

Survivor 2: [Note – this survivor is currently in jail.] I would be in my home. I want to keep my home. It is my only safe place. I may lose it while in jail. I have PTSD and can't stand to think of losing my safe place to be on the street again. I need a person just to help me get to therapy appointments as I can't leave the house alone. I would be well and have my grandchildren visiting me.

Survivor 3: Girls would have support (like I mentioned above) for things like I went through. People in society would see these girls as victims versus gross, dirty, and criminals.

Survivor 4: I would have never prostituted or got addicted to drugs so that I could prostitute. I never would have been sexually abused. I would be going to school for Cosmetology. I would have a place to live forever.

Survivor 1 interviewer notes: This young woman was adopted. Her biological mom was a prostitute and she doesn't know the father. Her adoptive parents made it clear from an early age that they only wanted her sibling. At age eight she attempted suicide. She was obviously not doing well. She eventually was admitted to two hospitals for mental health services. She ran away at age eleven and was befriended by a much older male who eventually fathered her child, beat her and exploited her. The state took her child. She moved to go to treatment and to get away from the man. When she was clean several years and eighteen, she moved back and was immediately approached by the pimp. He beat her. It was in the news. Their relationship now publically exposed, the state charged him with rape of a child. He went to prison but she was using again and was back on the streets.

She is now going to prison but hopes to one day have her son. She sees now that her pimp was a parent figure, she loved him and lied to protect him even when he beat her. It was all she had. She reports that she knows at least two dozen girls who are homeless and starting in the life. She advises service providers to approach girls carefully as they will lie to protect the ones they love.

She is quick to say that there was one social worker that truly cared and has made a difference in her life.

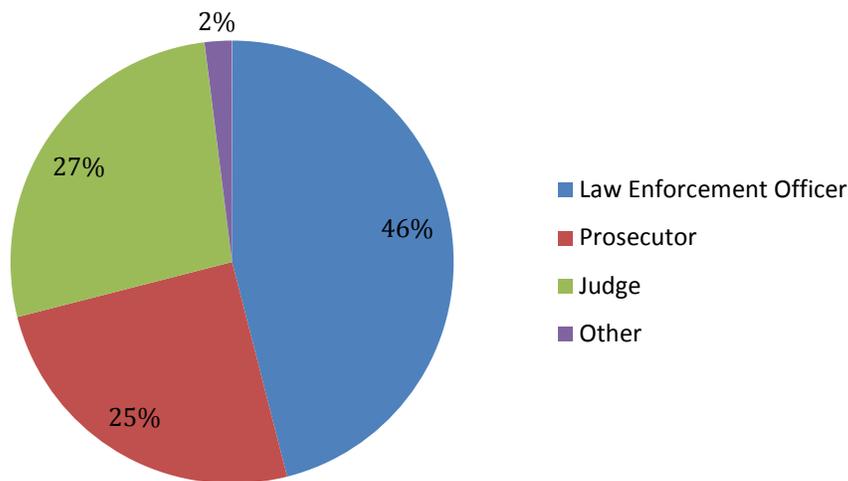
Survivor 2 interviewer notes: This woman told of being sexually abused by many relatives. In addition, her parents physically abused her and she ran away at age eleven. Immediately, a stranger abducted her, held her captive above a tavern and sold her for many weeks. When she got away she didn't want to return home to be raped again, so she lied about her parent's whereabouts and was placed in a group home. She didn't feel she belonged there and kept running away. She wanted help but as a child, did not know how to access services. She lived on the streets for years and developed a drug addiction to manage her emotions, the constant abuse and loneliness. At age 43 she stopped prostituting and now has untreated PTSD which again, keeps her isolated from much needed help. She got tearful explaining how powerful and supportive a ride to treatment would be as she can't tolerate the anxiety of riding the bus. She is fearful that by the time she gets out of jail she will have lost her house and belongings. She dreams of being in her home with her grandchild.

She advises that kids on the street are too young to know what they need, what the options are and will not make good choices. Like every kid, they want to do what they want and they have no role model to please. Be patient; knowing they want out of the life doesn't come early.

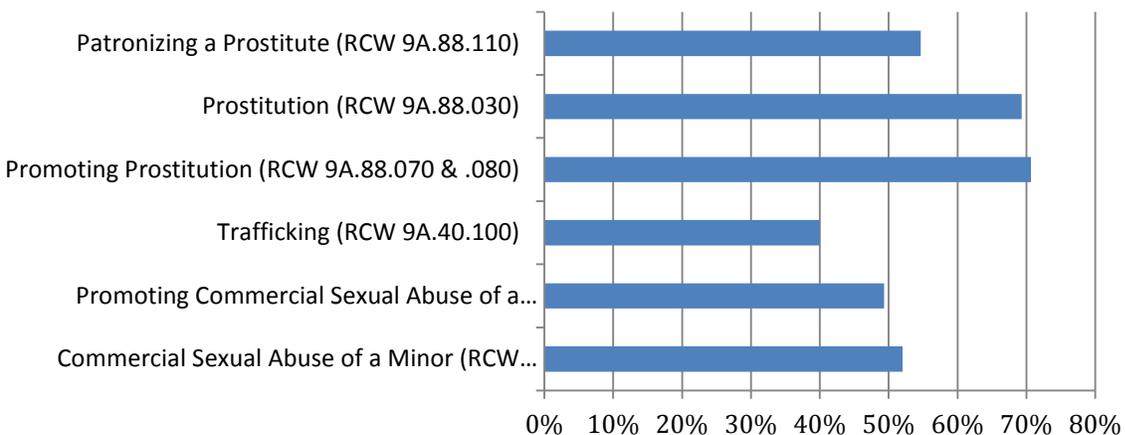
Appendix C: Survey of Law Enforcement Officers, Prosecutors, and Judges

The Criminal Justice subcommittee utilized an online survey, which was distributed to police agencies, city and county prosecutors, judges, and others involved in the criminal justice system across the state. There were 100 respondents.

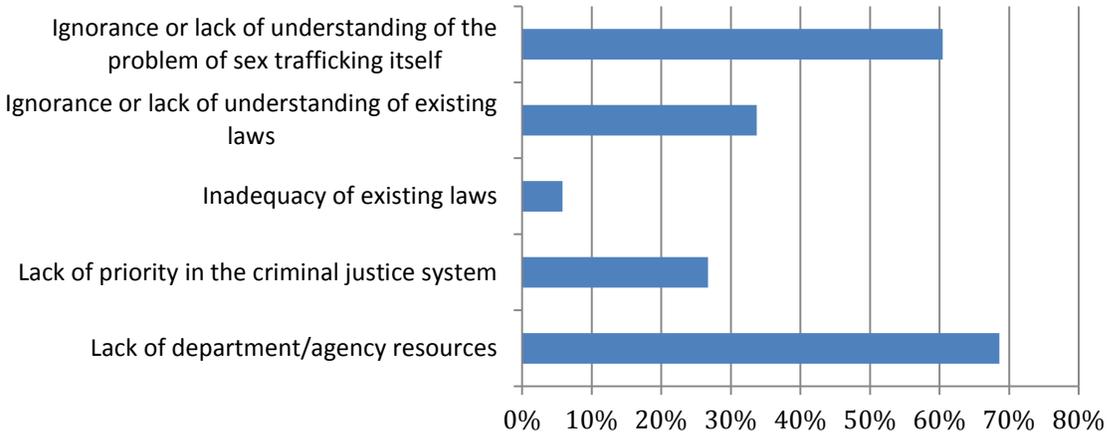
1. What is your role in the criminal justice system? (100 respondents)



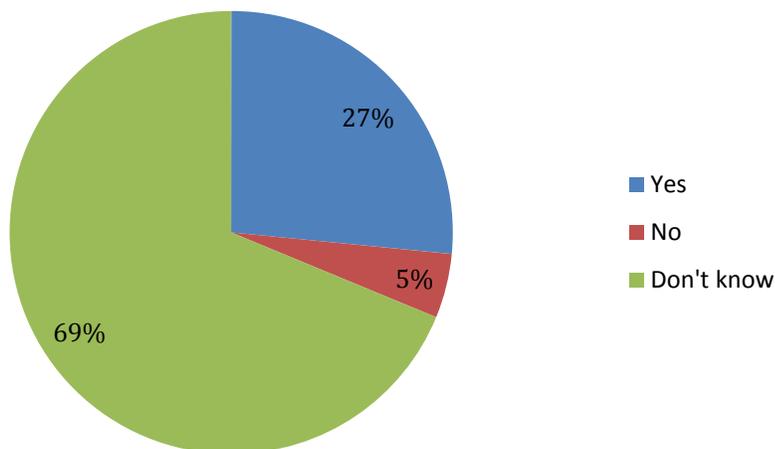
2. Which of the following crimes have you or your agency/office investigated/prosecuted/adjudicated? (Mark any/all that apply.) (75 respondents)



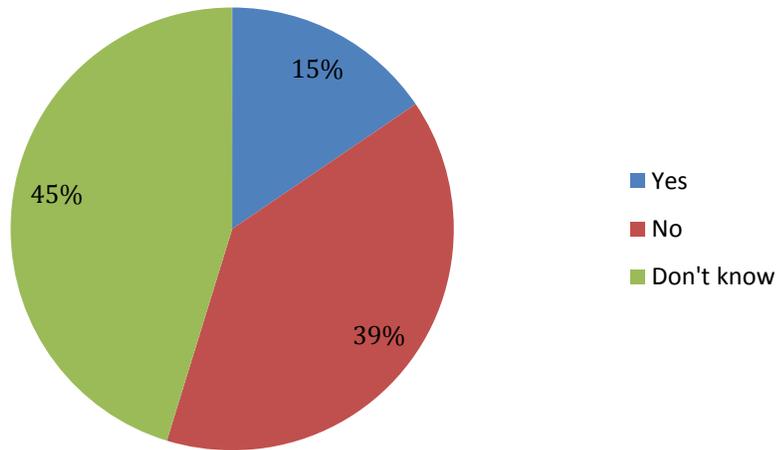
3. In your experience, what are the most significant impediments to enforcement of Washington’s sex trafficking laws? (Mark any/all that apply.) (86 respondents)



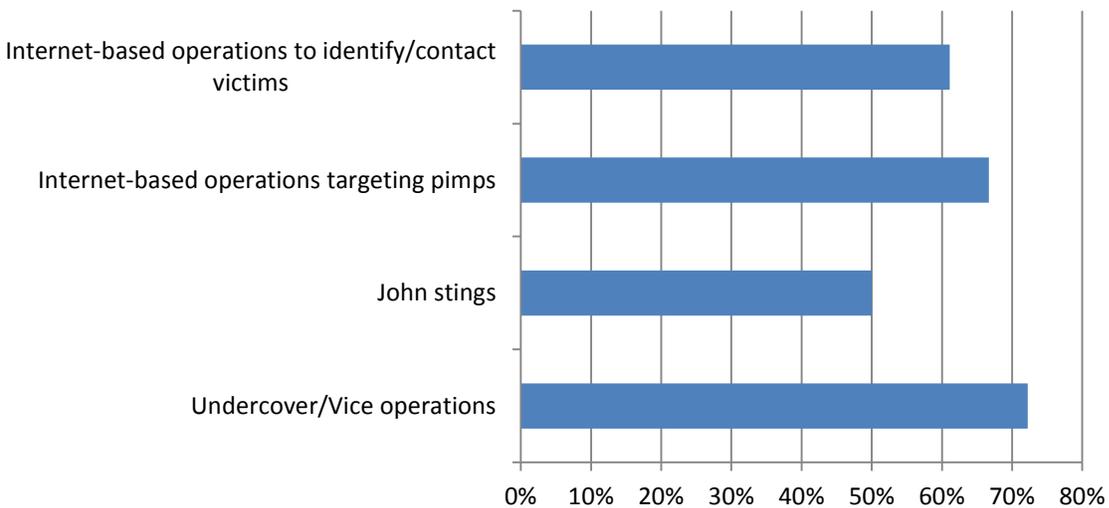
4. RCW 9.68A.105 and RCW 9A.40.100 require the Court to impose an additional fee in any case where a person is ultimately convicted based on an arrest for Commercial Sexual Abuse of a Minor, Promoting Commercial Sexual Abuse of a Minor, Promoting Travel for Commercial Sexual Abuse of a Minor, or Trafficking (unless the Court determines the defendant to be indigent in which case the fine may be reduced by up to 2/3). Do judges in your jurisdiction impose this fee as required? (64 respondents)



5. RCW 9.68A.120 states that any money or personal property constituting proceeds from Commercial Sexual Abuse of a Minor or Promoting Commercial Sexual Abuse of a Minor are subject to seizure and forfeiture by law enforcement. Have any agencies in your jurisdiction utilized this provision to seize money or personal property? (84 respondents)



6. Which investigative models are employed in your jurisdiction to combat trafficking? (Mark any/all that apply.)



Appendix D: Dispersal of Penalty Fines for Trafficking, Prostitution, and Commercial Sexual Exploitation Crimes



| Statute | Additional Penalty Amount | Statute Providing Additional Penalty | How Fines Must Be Used |
|--|---|--------------------------------------|---|
| 9A.40.100 – Trafficking | \$10,000 (not deposited into PPIA) | 9A.40.100 | <p>Local Prevention Efforts and Victims' Services: At least 50 percent of the revenue must be spent on prevention, including education programs for offenders, such as job school, and rehabilitative services for victims, such as mental health and substance abuse counseling, parenting skills, training, housing relief, education, vocational training, drop-in centers, and employment counseling.</p> <p>Local Law Enforcement: Up to 48 percent must be used for local efforts to reduce the commercial sale of sex including, but not limited to, increasing enforcement of commercial sex laws.</p> <p>Prostitution Prevention and Intervention Account (PPIA): Two percent of the revenue shall be remitted quarterly to the Dept. of Commerce, together with a report detailing the fines assessed, the revenue received, and how that revenue was spent. (Does not apply to 9A.40.100, Trafficking.)</p> |
| 9.68A.100 – Commercial sexual abuse of a minor (CSAM) | | | |
| 9.68A.101 – Promoting CSAM | \$5,000 | 9.68A.105 | |
| 9.68A.102 – Promoting travel for CSAM | | | |
| 9.68A.106 – Internet advertisement related to CSAM | \$5,000 (all deposited to PPIA) | 9.68A.106 | |
| 9A.88.010 – Indecent exposure | \$50 | | |
| 9A.88.030 – Prostitution | \$50 | | |
| 9A.88.090 – Permitting prostitution | \$1,500 for 1 st offense \$2,500 for 2 nd offense | | |
| 9A.88.110 – Patronizing a prostitute | \$5,000 for 3 rd or greater offense | 9A.88.120 | |
| 9A.88.070 – Promoting prostitution in the 1 st degree | \$3,000 for 1 st offense \$6,000 for 2 nd offense | | |
| 9A.88.080 – Promoting prostitution in the 2 nd degree | \$10,000 for 3 rd or greater offense | | |
| 9A.88.140 – Vehicle impoundment fine: 9A.88.110 – Patronizing a prostitute 9A.88.070 – Promoting Prostitution in the 1 st degree 9A.88.080 – Promoting Prostitution in the 2 nd degree 9A.88.085 – Promoting travel for prostitution | \$500 | 9A.88.140 | |
| 9A.88.140 – Vehicle impoundment fine: 9.68A.100 – CSAM 9.68A.101 – Promoting CSAM 9.68A.102 – Promoting travel for CSAM | \$2,500 | | |
| Statute | How Proceeds Must Be Used (effective June 12, 2014) | | |
| Proceeds from seized property: 9.68A.120 – Child pornography 9.68A.100 – CSAM 9.68A.101 – Promoting CSAM 9A.88.070 – Promoting prostitution in the 1 st degree | <p>Dispersal of Proceeds from Seized Property: 90% shall be used by the seizing law enforcement agency for the expenses of the investigation and seizure. Remaining funds shall be used to enforce the provisions of 9A.88 RCW or 9.68A RCW.</p> <p>Prostitution Prevention and Intervention Account: By January 31st of each year, each seizing agency shall remit to the state treasurer 10% of the net proceeds of any property forfeited during the preceding calendar year. Money remitted shall be deposited in the Prostitution Prevention and Intervention Account, managed by the Dept. of Commerce.</p> | | |