## STAFF REPORT

|  |  |  |  |
| --- | --- | --- | --- |
| **Agenda Item:** | 10 | **Name:** | Renita Borders |
| **Proposed No**.: | 2018-0369 | **Date:** | August 21, 2018 |

**SUBJECT**

A motion requesting the Executive to support efforts to combat human trafficking through the funding of labor trafficking training and funding of procurement practices for departments throughout King County.

**SUMMARY**

The Proposed Motion would address several recommendations provided in the attached King County Labor Trafficking report. The report previously transmitted on August 30, 2017, provided information on the scope of labor trafficking and exploitation in King County, identified legal requirements, and described best practices to reduce labor trafficking, help victims and increase awareness. In addition, the report identified comprehensive recommendations to combat labor trafficking and categorized the recommendations on three levels of priorities: high, mid, lower (Attachment 1). Additionally, the Executive provided two areas of recommendations: to emphasize training for County departments, particularly those that may be in a position to identify and report trafficking by virtue of the work they perform and services they provide and to encourage investment in community-based organizations that provide services for trafficking survivors, but are chronically under resourced. Proposed Motion 2018-0369 requests that the Executive support the efforts to address human trafficking through the means of funding and implementation of labor trafficking training and funding of procurement practices recommended in the report.

**BACKGROUND**

The Trafficking Victims Protection Act (TVPA) of 2000 was the first comprehensive federal law to address trafficking in persons. The law provides a three-pronged approach that includes prevention, protection, and prosecution. Its four subsequent reauthorizations define forms of trafficking in persons, also known as human trafficking, specifically in two areas:

* Sex trafficking: A commercial sex act is induced by force, fraud, or coercion, in which the person induced to perform such an act has not attained 18 years of age
* Labor Trafficking: The recruitment, harboring, transportation, provision, or obtaining of a person for labor or services, through the use of force, fraud, or coercion for the purpose of subjection to involuntary servitude, peonage, debt bondage, or slavery

The State of Washington is considered a “hot spot” in an international human trafficking circuit between the United States, Mexico, Hawaii, Japan, Thailand and the Philippines. According to the Federal Bureau of Investigation, human trafficking is the world’s second-largest and fastest-growing black market.[[1]](#footnote-1) Victims of human trafficking include children who are involved into commercial sex trade, adults age eighteen or over who are coerced or deceived into commercial sex acts, and anyone forced into different forms of "labor or services," such as domestic workers held in a home, or farm workers forced to labor against their will. Human trafficking is a crime under federal law.[[2]](#footnote-2) Human traffickers lure and ensnare individuals into labor trafficking and sex trafficking situations using methods of control such as force, fraud or coercion. Washington State has been described as a focal point for the recruitment, transportation and sale of people for labor, due in part to its abundance of ports, proximity to an international border, vast rural areas and dependency on agricultural workers.

**Washington Legislative Actions Related to Trafficking.** Washington State has been considered a leader among the states in addressing human trafficking. In 2002, Washington was the first state in the country to create a Task Force Against the Trafficking of Persons. On March 10, 2016, Washington broadened the law by Senate Bill 5342 (Chapter 4, 2016 Laws), which expanded the definition of labor trafficking. Of particular note, “forced labor” is now defined as all work or service (whether legal or not) that is demanded from a person under the menace of any penalty, such as threats, violence, withholding of identity documents, and illegal deduction of wages and to which the person has not offered himself or herself voluntarily.

Additionally, in 2002, House Bill 2381 created the Washington State Task Force Against the Trafficking of Persons. This task force has been renewed by the Legislature several times. The Washington State Task Force Against the Trafficking of Persons was reauthorized in 2015 by Senate Bill 5884. The task force is charged with measuring and evaluating the resource needs of victims and survivors of human trafficking; identifying available federal, state, and local programs that provide services to victims and survivors of trafficking; making recommendations on methods to provide a coordinated system of support and assistance to persons who are victims of trafficking; reviewing effectiveness of strategies contained in the current state laws, and, making recommendations on legislation to further the state's anti-trafficking efforts.

In 2003, the State of Washington enacted Chapter 267, Laws of 2003 (House Bill 1175), which made human trafficking a crime on the state level for the first time in history. And since 2003, nearly 40 state laws have been passed addressing aspects of trafficking, from mail order brides to stiffer penalties for commercial sexual abuse of minors.

**King County Actions to Address Trafficking.** King County has actively sought to address human trafficking. The Prosecuting Attorney’s Office (PAO) works collaboratively across the region with law enforcement and other organizations to bring a coordinated response and attention to human trafficking, especially as it relates to commercial sexual exploitation. PAO attorneys also participate on a number of task forces and groups. In addition, the King County Sheriff’s Office Street Crimes Unit has made the reduction of child sexual exploitation a major emphasis and works throughout the county, but especially in the southern part of the county, targeting prostitution and pimps. As part of its efforts, deputies have gone beyond enforcement efforts to develop other means to reduce child exploitation.[[3]](#footnote-3)

The Council has initiated and supported countywide policies and activities aimed at addressing human trafficking. In 2011, King County recognized the link between run- away and vulnerable youth and transit by designating King County Metro buses as a National Safe Place partner. National Safe Place is an outreach program designed to provide access to immediate help and safety for all youth in crisis. Locally, Safe Place is a community initiative that designates schools, fire stations, libraries and transit as Safe Place sites where youth can access help and supportive resources. Safe Place locations provide access to the local youth service agency or shelter to support teens in crisis situations, creating a safety net for youth. Drivers receive training as well.

In 2012, with Motion 13694, the King County Council called for the Executive and Metro to develop an anti-human trafficking transit public awareness campaign. As directed by the motion, the Executive brought together an interdepartmental team to research and develop the Metro campaign. King County’s efforts were multiplied through private sector media partnerships with Clear Channel and Titan, and with the City of Seattle which strategically placed billboards along roads in certain locations across the county. The Council called for the public awareness campaign recognizing that one of the first key steps toward fighting any crime is helping communities become aware of it and to organize locally driven actions and education to prevent the crime from occurring[[4]](#footnote-4).

In 2013, the Council also adopted two human trafficking related provisos placed in the Sheriff’s Office and Public Health budgets respectively. The reports called for by the Council’s provisos established a comprehensive roadmap for the County in its efforts to end human trafficking and commercial sexual exploitation in the region.

Furthermore, in 2018, Proposed Motion 15199, the King County Council called for the Executive, in partnership with city of Seattle and the Port of Seattle to implement a Stop Human Trafficking public awareness campaign. The motion directs a work group to convene and implement three goals for the public awareness campaign: raise public awareness about the nature of human trafficking, help identify victims and promote access to services, and decrease demand through awareness.

**Other Trafficking Efforts.** Finally, faith communities, nonprofit agencies, and recently, the private sector have been working together to respond to human trafficking. For example, Businesses Ending Slavery and Trafficking[[5]](#footnote-5) (BEST) works with businesses to adopt and implement anti‐trafficking policies in business. In 2014, BEST piloted a program in King County involving hoteliers in human trafficking prevention. The pilot program had over 100 attendees at our first training, including 71 hotel owners and managers. BEST reports that 94 percent of the managers who had never provided training for their staff said that they would begin providing training for their staff to identify and prevent human trafficking. BEST is now replicating this project in four other counties in Washington.

The report indicated that there is a limited awareness of training on labor trafficking for government agencies, the general public and trafficking victims as well. The availability of training and educational opportunities for law enforcement and other professionals has historically focused on sex trafficking, to include the sexual exploitation of children. Law enforcement officers, inspectors, healthcare workers, and parks employees (and others in government agencies) may lack the skills to identify and/or appropriately serve labor trafficking survivors. Training related to labor trafficking was determined to be lacking and/or limited for system-based professionals and community-based organizations.

**Statewide Efforts.** State statute, RCW 43.280.095, established that the office of crime victims advocacy (OCVA) shall establish a statewide training program on Washington’s human trafficking lease for criminal justice personnel, prosecutors, and court personnel, to reduce instances of human trafficking, and to provide a cohesive and concerted training program for the law enforcement and legal community. This organization collaborates with several groups to provide training to those who assist victim of crime. These groups are the Washington Coalition Against Domestic Violence (WSCADV), the Washington Coalition of Sexual Assault Programs (WCSAP), and the Washington Coalition of Crime Victim Advocates (WCVA).

The State of Washington also provides other training through the Office of Trafficking in Persons (OTIP) as described in the following table:

|  |  |
| --- | --- |
| **Organization** | **Training** |
| National Human Trafficking Training and Technical Assistance Center | Delivers training and technical assistance to inform and enhance the public health response to human trafficking |
| SOAR to Health | Stop, Observe, Ask , and Respond to human trafficking: educates health care and social service professionals on how to identify, treat, and respond appropriately to human trafficking  |
| Look Beneath the Surface Regional Anti-Trafficking Program | Targets geographical areas, focuses on the identification and referral of foreign and/or domestic individuals who are experiencing or have experienced trafficking. |

Furthermore, the following table provides a basic set of guidelines, which reflects agencies, and agency personnel who have access to trafficking victims and survivors:

|  |  |
| --- | --- |
| **Who can identify traffic victims** | **Personnel** |
| Government Officials | Labor inspectors, port inspectors, factory inspectors, food industry inspectors, consular officers, agricultural inspectors, housing inspectors, tax authorities, postal workers |
| Private Sector Employees | Locations: hotels, restaurants, bars, beauty parlors, grocery stores |
| Law Enforcement Officers | Front line of crimes: all police, immigration officers, border guards |
| Health Care Professionals | Emergency room personnel, health clinics, doctors nurses, dentists, OB/Gyn, family planning clinics, HIV/AIDS clinics |
| Transportation professionals | Truck, taxi, bus drivers, train attendants, flight attendants, and employees at truck stops and rest areas |
| Education Officials | Principals, guidance counselors, teachers, school nurses |

**ANALYSIS**

Proposed Motion 2018-0369 requests that the Executive support the efforts to address human trafficking through the means of funding and implementation of labor trafficking training and funding of procurement practices recommended.

The motion identifies four areas the training should encompass, but not be limited to the following:

* 1. Trafficking signs and indications;
	2. Information and procedures for reporting suspected behavior;
	3. Curriculum based on the employee’s contact with possible labor trafficking victims and survivors; and,
	4. Training and resources for employees to incorporate victim-centered, trauma –informed approach.

Additionally, the motion requests that the executive develop procurement policies, which would address the goal to reduce the risk of labor trafficking within the county’s operations and supply, and to develop a schedule and budget to implement the new policies.

Proposed Motion 2018-0369 requests that the Executive transmit the required reports to the Council by October 1, 2018.

This legislation will provide the Executive and Council with information and recommendations to incorporate best practices to combat labor trafficking in King County. The report should provide plans for implementing both training for County employees and provide guidance to those agencies that may be in a position to assist victims/survivors. In addition, the plan should contain recommendations to ensure that the County’s procurement policies support best practices in reducing the impact of labor trafficking.

**INVITED:**

* Sutapa Basu, PhD, University of Washington Women’s Center
* Johnna White, MPA, University of Washington Women’s Center
* Erica Cox, Office of Equity and Social justice

**ATTACHMENTS:**

1. Proposed Motion 2018-0369
2. King County Labor Trafficking Report, July 2017, Margaret McMclung and Deborah Espinosa, July 2017
3. Consolidated List of Recommendations from King County Labor Trafficking Report
1. https://leb.fbi.gov/2011/march/human-sex-trafficking. [↑](#footnote-ref-1)
2. Trafficking Victims Protection Act of 2000; Trafficking Victims Protection Reauthorization Act 2003, 2005, 2008. [↑](#footnote-ref-2)
3. King County Superior Court, in partnership with the Center for Children and Youth Justice (CCYJ), has developed plans and programs to address commercially sexually exploited children. The King County Commercially Sexually Exploited Children (CSEC) Task Force was convened on April 18, 2013 to develop and implement a coordinated, countywide response to childhood prostitution. King County was one of five sites statewide-awarded training and technical assistance from CCYJ to implement “model protocols” to serve this population. The task force is comprised of representatives from law enforcement, schools, survivors, child welfare, and community services providers. Superior Court, the Prosecutor, the Department of Community and Human Services, Public Health, the Department of Adult and Juvenile Detention, and the Sherriff’s Office and many other organizations outside of King County government are participating. This group continues to meet. [↑](#footnote-ref-3)
4. Washington State Task Force Against the Trafficking of Persons Report, pg. 7. [↑](#footnote-ref-4)
5. http://www.bestalliance.org/ [↑](#footnote-ref-5)